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12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **OAKLAND DIVISION**

15
 16 IN RE: NATIONAL COLLEGIATE
 ATHLETIC ASSOCIATION ATHLETIC
 17 GRANT-IN-AID CAP ANTITRUST
 LITIGATION

CASE NO. 14-md-2541-CW

**STIPULATION AND ~~PROPOSED~~
 ORDER RE INCORPORATION OF
 JOHNSON CLAIMS IN CONSOLIDATED
 AMENDED COMPLAINT**

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 20
 21 This Document Relates to:

22 ALL ACTIONS EXCEPT

23 *Jenkins v. Nat'l Collegiate Athletic Ass'n,*
 Case No, 4:14-02578-CW

24
 25 This Document Also Relates to:

26 *Johnson v. Nat'l Collegiate Athletic Ass'n, et*
 27 *al.,* Case No. 4:14-cv-5126-CW

1 WHEREAS on November 26, 2014 the Court ordered Johnson v. National Collegiate
2 Athletic Association, et al., Case No. 4:14-cv-05126 (the “Johnson Action”), related to this Multi-
3 District Litigation entitled In Re: National Collegiate Athletic Association Athletic Grant-In-Aid
4 Cap Antitrust Litigation (MDL Dkt. 66);

5 WHEREAS Counsel for the Plaintiffs in the Johnson Action agrees by this stipulation to
6 add the Johnson Action Plaintiffs Mr. Johnson, Mr. Brunetti, and Mr. Stephens and their claims to
7 the Consolidated Amended Complaint in this MDL; and

8 WHEREAS Defendants have previously answered the Consolidated Amended Complaint
9 (MDL Dkt. 145-149, 151, 154, 156, 158-161).

10 THEREFORE, the MDL Plaintiffs’ Interim Co-Lead Class Counsel, counsel for the
11 Plaintiffs in the Johnson Action, and all Defendants’ counsel hereby stipulate and agree that
12 Plaintiffs Kenyata Johnson, Barry Brunetti, and Dalenta Jamerl “D.J.” Stephens shall be treated as
13 additional plaintiffs in the MDL action’s Consolidated Amended Complaint (MDL Dkt. 60), and
14 that the Johnson Complaint shall be deemed amended and replaced by the Consolidated Amended
15 Complaint and paragraphs 24-34 of the Johnson Complaint describing Plaintiffs Kenyata Johnson
16 and Barry Brunetti are hereby incorporated into the Consolidated Amended Complaint as
17 paragraphs 117E-O, and paragraphs 35-39 of the Johnson Complaint describing Plaintiff Dalenta
18 Jamerl “D.J.” Stephens are hereby incorporated into the Consolidated Amended Complaint as
19 paragraphs 128A-E.

20 Plaintiffs’ Interim Co-Lead Class Counsel, counsel for the Plaintiffs in the Johnson Action,
21 and all Defendants’ counsel further stipulate and agree that Defendants’ Answers to the
22 Consolidated Amended Complaint shall be deemed amended to respond to paragraphs 117E-O and
23 paragraphs 128A-E to state that: (i) each Defendant lacks sufficient knowledge or information to
24 form a belief as to the truth of the allegations in paragraph 117E-I, 117K-N, and paragraphs 128A-
25 D and on that basis denies them; (ii) each Defendant denies the allegations in paragraphs 117J,
26 117O, and 128E. By virtue of the above described amendment and incorporation, Defendants are
27 relieved of any further obligation to respond separately to the Johnson Complaint.

1 The undersigned Interim Co-Lead Class Counsel, Bruce L. Simon, hereby attests that
2 counsel for Plaintiffs and Defendants have concurred in the filing of this stipulation, in accordance
3 with Local Rule 5-1(i)(3).

4 DATED: December 29, 2014

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**PURSUANT TO STIPULATION,
IT IS SO ORDERED.**

DATED: 1/5/2015



THE HON. CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE