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12 *Plaintiffs' Interim Co-Lead Class Counsel*

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**UNITED STATES DISTRICT COURT**

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**NORTHERN DISTRICT OF CALIFORNIA**

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**OAKLAND DIVISION**

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IN RE: NATIONAL COLLEGIATE  
 ATHLETIC ASSOCIATION ATHLETIC  
 19 GRANT-IN-AID CAP ANTITRUST  
 20 LITIGATION

CASE NO. 14-md-2541-CW

21

**STIPULATION AND [PROPOSED]  
 ORDER RE INCORPORATION OF  
 HARTMAN CLAIMS IN  
 CONSOLIDATED AMENDED  
 COMPLAINT AND COORDINATION OF  
 DISCOVERY FROM HARTMAN  
 22 PLAINTIFFS**

23

This Document Relates to:

24

ALL ACTIONS EXCEPT

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

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1 This Document Also Relates to:

2 *Hartman et al. v. Nat'l Collegiate Athletic*  
3 *Ass'n, et al.*, Case No. 4:15-cv-00178-JCS

4  
5 WHEREAS on January 23, 2015, Plaintiffs Justine Hartman and Afure Jemerigbe filed an  
6 Administrative Motion to Consider Whether Hartman, et al. v. National Collegiate Athletic  
7 Association, et al., Case No. 4:15-cv-00178 JCS (the "Hartman Action") should be related to this  
8 Multi-District Litigation entitled In Re: National Collegiate Athletic Association Athletic Grant-In-  
9 Aid Cap Antitrust Litigation (MDL Dkt. 190);

10 WHEREAS that motion was granted on February 9, 2015 (MDL Dkt. 191);

11 WHEREAS Counsel for the Plaintiffs in the Hartman Action agree by this stipulation to  
12 add the Hartman Action Plaintiffs Ms. Hartman and Ms. Jemerigbe and their claims to the  
13 Consolidated Amended Complaint in this MDL;

14 WHEREAS the parties have agreed that Plaintiff Justine Hartman's deadline to respond to  
15 the NCAA's First Set of Interrogatories to All Plaintiffs and Defendants' First Set of Requests for  
16 Production of Documents to All Plaintiffs will be February 20, 2015, and Plaintiff Afure  
17 Jemerigbe's deadline to respond to NCAA's First Set of Interrogatories to All Plaintiffs and  
18 Defendants' First Set of Requests for Production of Documents to All Plaintiffs will be March 1,  
19 2015; and

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

22 THEREFORE, the MDL Plaintiffs' Interim Co-Lead Class Counsel, counsel for the  
23 Plaintiffs in the Hartman Action, and all Defendants' counsel hereby stipulate and agree that  
24 Plaintiffs Justine Hartman and Afure Jemerigbe shall be treated as additional plaintiffs in the MDL  
25 action's Consolidated Amended Complaint (MDL Dkt. 60), and that the Hartman Complaint shall  
26 be deemed amended and replaced by the Consolidated Amended Complaint and paragraphs 19-37  
27

1 of the Hartman Complaint describing Plaintiffs Justine Hartman and Afure Jemerigbe are hereby  
2 incorporated into the Consolidated Amended Complaint as paragraphs 138A-S.

3 The MDL Plaintiffs' Interim Co-Lead Class Counsel, counsel for the Plaintiffs in the  
4 Hartman Action, and all Defendants' counsel further stipulate and agree that Defendants' Answers  
5 to the Consolidated Amended Complaint shall be deemed amended to respond to paragraphs 138A-  
6 S to state that: (i) each Defendant lacks sufficient knowledge or information to form a belief as to  
7 the truth of the allegations in paragraphs 138A-I and paragraphs 138K-R and on that basis denies  
8 them; (ii) each Defendant denies the allegations in paragraphs 138J and 138S. By virtue of the  
9 above described amendment and incorporation, Defendants are relieved of any further obligation to  
10 respond separately to the Hartman Complaint.

11 The MDL Plaintiffs' Interim Co-Lead Class Counsel, counsel for the Plaintiffs in the  
12 Hartman Action, and all Defendants' counsel further stipulate and agree that Plaintiff Justine  
13 Hartman's deadline to respond to the NCAA's First Set of Interrogatories to All Plaintiffs and  
14 Defendants' First Set of Requests for Production of Documents to All Plaintiffs will be February  
15 20, 2015, and Plaintiff Afure Jemerigbe's deadline to respond to the NCAA's First Set of  
16 Interrogatories to All Plaintiffs and Defendants' First Set of Requests for Production of Documents  
17 to All Plaintiffs will be March 1, 2015.

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

21 DATED: February 17, 2015

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

3 DATED: February 18, 2015

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7 THE HON. CLAUDIA WILKEN  
8 UNITED STATES DISTRICT JUDGE  
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