

DANIEL E. BURAS JR.

PLEASE REPLY TO:

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COVINGTON, LA 70434-5350

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9 August 2007

**FILE COPY**

Ms. Jennifer Anderson
Jones Walker
8555 United Plaza Blvd.
Four United Plaza
Baton Rouge, LA 70809-7000

Re: Eugene Liger, et al v.
New Orleans Hornets NBA Limited Partnership
E.D.La Case No. 05-1969 (5)
DFK# 905-01

Dear Jennifer:

We may be able to kill two birds with one stone as it relates to the outstanding KPMG subpoena and some of the financial data requests.

Magistrate Chazez already stated that Plaintiffs are entitled to the KPMG information and has instructed Plaintiffs to conduct a 30(b)(6) deposition of the Hornets on these topics before proceeding against KPMG. Although this information was broadly requested in Plaintiffs' prior discovery requests, I have attached specific requests clarifying exactly what information is requested.

As I mentioned in my e-mail, it would help narrow the issues substantially if you could identify the KPMG audited financial statements, including accompanying notes and certifications that have already been produced from 2001 through 2006. To the extent that the complete records have not been produced, please produce the complete records.

Sincerely,

A handwritten signature in cursive script that reads "Daniel E. Buras, Jr." followed by a small mark.

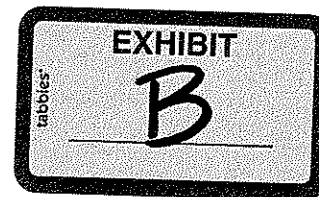
Daniel E. Buras, Jr.

DEB/ral

cc: Mr. Stewart E. Niles, Jr.

Mr. Brian Knight

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA

EUGENE LIGER, ET AL

Plaintiffs in a Collective Action

VERSUS

**NEW ORLEANS HORNETS NBA
LIMITED PARTNERSHIP**

Defendant

CIVIL ACTION NO. 05-1969

SECTION C

MAGISTRATE 05

FILED: _____

DEPUTY CLERK

PLAINTIFFS THIRD SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS

TO: The New Orleans Hornets
Through its Counsel of Record
Jennifer Anderson
Jones Walker
201 St. Charles Avenue
New Orleans, LA 70170

Pursuant to Rules 34 of the Federal Rules of Civil Procedure and the governing scheduling order, the appearing Plaintiffs request that the following Third Set of Requests for Production of Documents be answered under oath by Defendants and the response and responsive documents be delivered to the office of Daigle Fisse & Kessenich, P.O. Box 5350, Covington, LA 70434 in accordance with appropriate delays. Compliance must be made in the way provided by the Federal Rules of Civil Procedure.

Information requested in these Requests for Production are based on documents or categories of documents whose existence was not previously disclosed to Plaintiff.

Plaintiffs hereby request copies of computer files containing spreadsheets or other

documentation that will facilitate discovery of this matter.

Wherever used in these Requests for Production, the term "plaintiffs" shall refer to and include each and every named plaintiff, whether one or more, and all answers to these Interrogatories shall be answered with reference to each such named defendant.

Wherever used in these Requests for Production, the term "Defendants" shall refer to and include each and every named Defendant, whether one or more, and all answers to these Interrogatories shall be answered with reference to each such named defendant.

"Document" is meant to include any written, graphic, photographic, or sound-recorded information, notice or material, whether originals or copies. It includes, but is not limited to, all writings or other recorded, electronic, computer, digital, or graphic matter, of any nature of kind whatsoever, including, without limitation, any correspondence, medical records, e-mail, electronic drafts, letters, cables, telegrams, or other communications, personal or office diaries, outlook databases, computer databases, journals, travel records, expense account records, ledgers, accounts, books, office, computerized, digital or personal and/or typewritten memoranda or notes, telephone records or logs or bills or memoranda, bank statements or other bank records, cancelled checks, spreadsheets, or check stubs, receipts, notes, notations, memoranda, file cards, tape recordings, tapes, computer input or output, e-mail, photographs, charts, listings, schedules, graphs, forms, data, compilations, worksheets, invoices, bills, contracts, agreements, forms, memorials, information, plans specifications, periodicals, pamphlets, reports, records, studies and any other written, recorded (sound or video), transcribed, punched, taped, filmed or graphic matter, whoever produced or reproduced. "Documents" also means all drafts and non-identical copies of any of the foregoing.

If any information requested is contained in a document that has been destroyed, and/or no copy exists within Defendant's possession, custody or control, identify the information and

document, the date of its destruction, the reason for its destructions, the person responsible for ordering its destruction and produce any policy that called for the destruction thereof. In any event, please identify all documents that refer or relate in any way to the Plaintiff's claim that no longer exist.

If a privilege is asserted to any information contained in any document referenced herein, please provide counsel with a copy of a privilege log identifying the nature of the information or document, who prepared the document, and the privilege asserted.

If any records or information referenced in these responses have previously been produced, please direct undersigned counsel to the date of production and any identifying labels such as Bates stamps or exhibit numbers that will direct counsel to the previously disclosed documents.

REQUESTS FOR PRODUCTION OF DOCUMENTS

FINAL REQUEST FOR PRODUCTION NO. 1

Please produce the revenue information that the New Orleans Hornets provided or made available to Oklahoma City regarding team revenue for the 2004 to 2005 season.

FINAL REQUEST FOR PRODUCTION NO. 2

Please provide audited financial statements, notes, and certifications for the New Orleans Hornets from 2001 to 2006.

FINAL REQUEST FOR PRODUCTION NO. 3

Please produce the revenue information that the New Orleans Hornets provided or made available to Oklahoma City regarding team revenue for the 2005 to 2006 season.

Respectfully submitted,

BY: 

HOWARD DAIGLE(#4454)
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ATTORNEYS FOR JESSICA BERRY
AND KEVIN BUCKEL**

Certificate of Service

I certify that a copy of the above and foregoing has been served upon opposing counsel by placing same, postage pre-paid, properly addressed, in the United States mail this 9th day of August, 2007.


DANIEL E. BURAS, JR.