

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

	X	
	:	
Tom Brady, Drew Brees, Vincent Jackson, Ben	:	No. 0:11-cv-00639-SRN-JJG
Leber, Logan Mankins, Peyton Manning, Von	:	
Miller, Brian Robison, Osi Umenyiora, and	:	
Mike Vrabel, individually, and on behalf of all	:	
others similarly situated,	:	MOTION FOR SUMMARY
	:	JUDGMENT
Plaintiffs,	:	
	:	[Oral Argument Requested]
v.	:	
	:	
NATIONAL FOOTBALL LEAGUE, et al.,	:	
	:	
Defendants.	:	

MOTION FOR SUMMARY JUDGMENT

Plaintiffs, through their undersigned attorneys, hereby move the Court for a declaration that Defendants’ “lockout” violates Section 1 of the Sherman Act, 15 U.S.C. §1. In addition, the “Under-Contract Plaintiffs” – Brady, Brees, Robison and Umenyiora – seek a declaration that Defendants are breaching their Player Contracts for 2011 by refusing to pay amounts contractually owed and by depriving them the opportunity to render services as professional football players.

Plaintiffs’ motion is made pursuant to Federal Rule of Civil Procedure 56 and is based upon the accompanying Memorandum of Law, Exhibits and Declarations, and all pleadings and papers on file in this action, together with

such additional argument and evidence as may be presented in connection with the hearing of the motion.

Dated: July 18, 2011

Respectfully Submitted,

s/Barbara P. Berens

Barbara P. Berens # 209788

Berens & Miller, P.A.

3720 IDS Center

80 South Eighth Street

Minneapolis, MN 55402

(612) 349-6171

(612) 349-6416 (fax)

bberens@berensmiller.com

Timothy R. Thornton # 109630

Briggs & Morgan, P.A.

2200 IDS Center

80 South Eighth Street

Minneapolis, MN 55402

(612) 977-8550

(612) 977-8650 (fax)

Pvolk@briggs.com

James W. Quinn

Bruce S. Meyer

Weil, Gotshal & Manges LLP

767 Fifth Avenue

New York, NY 10153

(212) 310-8000

and

Jeffery L. Kessler

David G. Feher

David L. Greenspan

Dewey & LeBoeuf LLP

1301 Avenue of the Americas

New York, NY 10019

(212) 259-8000

Attorneys for Plaintiffs