

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

---

TOM BRADY, *et al.*,

Civ. No. 0:11-CV-00639-SRN-JJG

Plaintiffs,

v.

NATIONAL FOOTBALL LEAGUE  
*et al.*,

Defendants.

**JOINT MOTION OF  
DEFENDANTS AND THE  
*ELLER* PLAINTIFFS TO  
RESCHEDULE THE HEARING  
ON DEFENDANTS' MOTION  
TO DISMISS**

---

The *Eller* Plaintiffs and NFL Defendants hereby jointly move to postpone by one month the hearing on Defendants' motion to dismiss the *Eller* Plaintiffs First Amended Class Action Complaint (Dkt. No. 137). The hearing is currently set for August 29, 2011 at 1:30 p.m. (Dkt. No. 139). The parties make this joint request to allow the NFL Defendants to focus on the continuing mediation ordered by the Court (Dkt. No. 56).

With the Court's guidance, the NFL Defendants previously scheduled a hearing date of August 29, 2011 at 1:30 p.m. for the NFL Defendants' motion to dismiss the *Eller* Plaintiffs' complaint. (Dkt No. 139).

At the Court's direction the parties have also been meeting from time to time since April 11, 2011, in an effort to resolve their disputes. The *Eller* Plaintiffs have also moved for leave to file a Second Amended Complaint.

Both the *Eller* Plaintiffs and the NFL Defendants agree that postponing by at least thirty days the hearing date for the NFL Defendants' motion to dismiss will aid the continuing court-ordered discussions and preserve the resources of the Court and the parties. The parties therefore respectfully request the Court to allow the NFL Defendants to reschedule the hearing date and briefing schedule applicable to this motion by at least thirty days. Once the parties have settled a new hearing date, on or after September 8, 2011, Defendants will file an Amended Notice for Hearing.

Respectfully submitted,

David Boies (*pro hac vice*)  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, NY 10504  
(914) 749-8200  
(914) 749-8300 (fax)

William A. Isaacson (*pro hac vice*)  
BOIES, SCHILLER & FLEXNER LLP  
5301 Wisconsin Ave., NW  
Washington, DC 20015  
(202) 237-2727  
(202) 237-6131 (fax)

s/Daniel J. Connolly  
Daniel J. Connolly #197247  
Aaron D. Van Oort #315539  
FAEGRE & BENSON LLP  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402-3901  
(612) 766-7806  
(612) 766-1600 (fax)

Gregg H. Levy (*pro hac vice*)  
Benjamin C. Block (*pro hac vice*)  
COVINGTON & BURLING LLP  
1201 Pennsylvania Ave., NW  
Washington, DC 20004-2401  
(202) 662-6000  
(202) 662-6291 (fax)

*Counsel for the NFL and NFL Clubs*

July 18, 2011