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ADMITTED IN MINNESOTA,
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**RULE 408 –CONFIDENTIAL
SETTLEMENT COMMUNICATION*****By Email***

The Honorable Susan Richard Nelson
United State District Court
774 Federal Building
316 N. Robert Street
St. Paul, MN 55106

Re: Brady et al. v. National Football League, et al.
Court File No. 11-cv-00639-SRN-JJG

Eller, et al. v. National Football League, et al.
Court File No. 11-cv-00748-RHK-JSM

Dear Judge Nelson:

We are writing in response to the Court's suggestion that the parties engage the services of the federal court in Minnesota in an effort to mediate and settle the current litigation. We take your comments regarding protecting the parties positions to heart. As class counsel on behalf of the Brady class, we think this is an excellent suggestion and are prepared to engage in such mediation without delay.

Our agreement is, of course, contingent on the NFL defendants' agreement that they will not attempt to use this, our willingness to mediate, against the Brady class in some way, for example by arguing that such mediation efforts constitute "collective bargaining" or otherwise arise out of a "labor relationship."

Very truly yours,



Barbara P. Berens

BPB:ham

cc: All Counsel of Record