

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Carl Eller, Priest Holmes, Obafemi
Ayanbadejo, and Ryan Collins,
individually, and on behalf of all others
similarly situated,

Plaintiffs,

Civil Action No:

v.

National Football League, Arizona
Cardinals, Inc., Atlanta Falcons Football
Club LLC, Baltimore Ravens Limited
Partnership, Buffalo Bills, Inc., Panthers
Football LLC, Chicago Bears Football
Club, Inc., Cincinnati Bengals, Inc.,
Cleveland Browns LLC, Dallas Cowboys
Football Club, Ltd., Denver Broncos
Football Club, Detroit Lions, Inc., Green
Bay Packers, Inc., Houston NFL Holdings
LP, Indianapolis Colts, Inc., Jacksonville
Jaguars Ltd., Kansas City Chiefs Football
Club, Inc., Miami Dolphins, Ltd.,
Minnesota Vikings Football Club LLC,
New England Patriots, LP, New Orleans
Louisiana Saints, LLC, New York Football
Giants, Inc., New York Jets Football Club,
Inc., Oakland Raiders LP, Philadelphia
Eagles Football Club, Inc., Pittsburgh
Steelers Sports, Inc., San Diego Chargers
Football Co., San Francisco Forty Niners
Ltd., Football Northwest LLC, The Rams
Football Co. LLC, Buccaneers Limited
Partnership, Tennessee Football, Inc.,
Washington Football Inc.

Defendants.

**AFFIDAVIT OF MARK J.
FEINBERG IN SUPPORT OF
MOTION FOR PRELIMINARY
INJUNCTION**

STATE OF MINNESOTA)
) SS
COUNTY OF HENNEPIN)

Mark J. Feinberg, being first duly sworn states as follows:

1. I am a partner in the law firm of Zelle Hofmann Voelbel & Mason LLP and am one of the counsel for Plaintiffs in this matter. I am fully familiar with the facts described herein and I submit this affidavit in connection with Plaintiffs’ Motion for Preliminary Injunction.
2. Attached as Exhibit A is a true and correct copy of the opinion in *White v. NFL*, No. 4-92-906 (DSD), 2011 WL 706319 (D. Minn. March 1, 2011) (“the *White* case”).
3. Attached as Exhibit B is a true and correct copy of an internal NFL document entitled “Decision Tree” made publicly available in the *White* case.
4. Attached as Exhibit C is a true and correct copy of an internal NFL document entitled “Key Current NFL Media Objectives” made publicly available in the *White* case.
5. Attached as Exhibit D is a true and correct copy of an internal NFL document entitled “Current Television Packages Short Term Extension Alternative” made publicly available in the *White* case.
6. Attached as Exhibit E is a true and correct copy of an internal NFL document entitled “Short Term Extension: Concept Overview” made publicly available in the *White* case.

7. Attached as Exhibit F is a true and correct copy of a letter dated August 6, 2009, from the NFL Players Association (“NFLPA”) to the National Football League (“NFL”) made publicly available at its website NFLLockout.com.

8. Attached as Exhibit G is a true and correct copy of a letter dated June 7, 2010, from the NFLPA to the NFL made publicly available at its website NFLLockout.com.

9. Attached as Exhibit H is a true and correct copy of a letter dated July 8, 2010, from the NFLPA to the NFL made publicly available at its website NFLLockout.com.

10. Attached as Exhibit I is a true and correct copy of a letter dated October 27, 2010, from the NFLPA to the NFL made publicly available at its website NFLLockout.com.

11. Attached as Exhibit J is a true and correct copy of a letter dated December 15, 2010, from the NFLPA to the National Football League Management Council made publicly available at its website NFLLockout.com.

12. Attached as Exhibit K is a true and correct copy of a letter dated May 18, 2010, from the NFLPA to the NFL made publicly available at its website NFLLockout.com.

13. Attached as Exhibit L is a true and correct copy of a memorandum dated March 11, 2011, from the NFLPA to the NFL Club Presidents and General Managers made publicly available at its website NFLLockout.com.

14. Attached as Exhibit M is a true and correct copy of a letter dated March 11, 2011, from the NFLPA to the NFL made publicly available at its website NFLLockout.com.

15. Attached as Exhibit N is a true and correct copy of a letter dated March 11, 2011, from the NFL to the NFLPA made publicly available at the NFLPA's website NFLLockout.com.

16. Attached as Exhibit O is a true and correct copy of a press release issued by the Federal Mediation & Conciliation Service dated March 11, 2011 that is publicly available from its website.

17. Attached as Exhibit P is a true and correct copy of the 2006-2012 Collective Bargaining Agreement between the NFL and NFLPA, obtained from the NFLPA's website.

18. Attached as Exhibit Q is a true and correct copy of the 2007 Bert Bell/Pete Rozelle NFL Player Retirement Plan available from the NFL Alumni Association's website.

FURTHER YOUR AFFIANT SAYETH NOT.

Dated: March 30, 2011

s/Mark J. Feinberg
Mark J. Feinberg

Subscribed and sworn to before me
this 30th day of March, 2011.

s/Amanda M. Garberson
Notary Public, Anoka County, MN
My Commission Expires: Jan. 31, 2015