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March 7, 2005

National Basketball Association v. National Basketball Players Association et al

Doc. 21

SO ORDERED

BY FAX

Honorable George B. Daniels  
United States District Judge  
United States Courthouse  
40 Centre Street  
New York, New York 10007-1581

*George B. Daniels*  
HON. GEORGE B. DANIELS  
MAR 09 2005

RE: NBA v. NBPA, et al., No. 04-Civ-9528

Dear Judge Daniels:

We write on behalf of the parties in the above referenced matter. On January 26, 2005, the Appeals Clerk for the Southern District of New York transmitted the record on appeal for this matter to the United States Court of Appeals for the Second Circuit. Several items submitted to the Court were not electronically filed, and therefore were not part of the record on appeal. The items are as follows:

- National Basketball Players Association's Order to Show Cause with Affirmation of Ronald Klempner dated December, 23, 2004 with attachments (Exhibits 1-17);
- National Basketball Players Association's Memorandum of Law in Support of Defendants' Motion for a Temporary Restraining Order, dated December 23, 2004;
- Volumes I and II of the Exhibits to the Affidavit of Richard W. Buchanan in Opposition to Defendants' Motion for Injunctive Relief; and
- Copies of Plaintiffs' Exhibits 56-58 which were submitted to the Court at the December 30, 2004 hearing.

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In order to have these items added to the record and transmitted to the Second Circuit, the NBA respectfully requests that the Court grant the parties leave to file these items with the Clerk of the Court and made part of the record on appeal.

Thank you for your consideration in this matter.

Sincerely,



Anthony J. Dreyer

cc: Jeffrey Kessler