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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NATIONAL BASKETBALL ASSOCIATION,

Plaintiff,

-against-

NATIONAL BASKETBALL PLAYERS ASSOCIATION,
RON ARTEST, STEPHEN JACKSON, ANTHONY
JOHNSON, and JERMAINE O'NEAL,

Defendants.

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NOTICE OF MOTION TO VACATE ARBITRATION AWARD

PLEASE TAKE NOTICE that on December 30, 2004, at 11:00 a.m., or as soon thereafter as counsel may be heard, plaintiff, National Basketball Association ("NBA"), by its attorneys, Skadden, Arps, Slate, Meagher & Flom LLP, will move before this Court for an order vacating the December 21, 2004 arbitration award of Roger P. Kaplan. In support of its motion, the NBA submits the attached Supplemental Affidavit of Richard W. Buchanan, sworn to December 28,

2004, the exhibits thereto, and the accompanying memorandum of law, and further, relies upon the Affidavit of Richard W. Buchanan, sworn to December 22, 2004, the exhibits thereto, and plaintiff's December 23, 2004 memorandum of law.

WHEREFORE, Defendant NBA respectfully requests that its Motion to Vacate the Arbitration Award be granted.

Dated: December 29, 2004
New York, New York

Respectfully submitted,

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