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September 27, 2011

**BY FACSIMILE**

The Honorable Paul G. Gardephe  
United States District Court Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

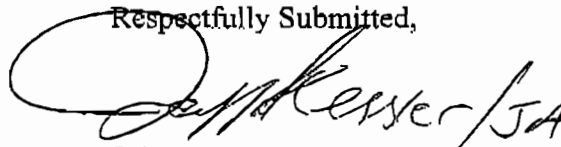
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Re: *National Basketball Association ("NBA"), et al. v. National Basketball Players Association ("NBPA"), et al.*, 11 Civ. 5369

Dear Judge Gardephe:

We write on behalf of all of the parties in the above referenced matter to respectfully request that the September 28, 2011, 10:30 a.m. Rule 16 conference be rescheduled so that the parties may participate in a collective bargaining session that has been scheduled for that time. Your Honor's Courtroom Deputy Clerk has informed the parties that Tuesday, October 4, 2011, 10:15 a.m. is available and has been reserved for this case subject to Your Honor's approval. The parties appreciate Your Honor's consideration of this accommodation.

Respectfully Submitted,



Jeffrey L. Kessler

**MEMO ENDORSED**

cc: Jeffrey Mishkin, Esq.

**The Application is granted.**

SO ORDERED:

  
Paul G. Gardephe, U.S.D.J.

Dated: Sept. 27, 2011