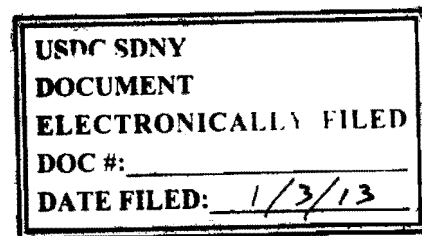


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
:
NATIONAL HOCKEY LEAGUE et al., :
:
Plaintiffs, :
:
-v- :
:
NATIONAL HOCKEY LEAGUE PLAYERS' :
ASSOCIATION et al., :
:
Defendants. :
:
-----X

12 Civ. 9133 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

A motion to dismiss in this case was filed today by defendant National Hockey League Players' Association and various individual defendants. Dkt. 8-9. The Court is mindful of the broader context in which this lawsuit has been filed: ongoing negotiations between the National Hockey League and its players which, if not resolved in short order, may imperil the remainder of the NHL season.

A conference is scheduled for Monday, January 7, 2013, at 9:30 a.m. The Court's goal at that conference is to set a schedule and case-management plan for this litigation that is constructive, *i.e.*, one that may enhance, and does not needlessly inhibit, the parties' ability to resolve their disputes with dispatch.

At that conference, the Court expects the parties to be prepared to address the following topics:

1. Should an expedited briefing schedule be set on the motion to dismiss? The Court will set an appropriate schedule after hearing from counsel at the conference.

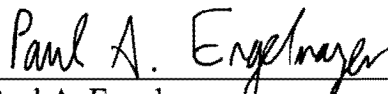
However, to preserve the Court's ability to resolve that motion next week, should

such a schedule prove advisable, Plaintiffs are advised to be prepared to submit any opposition to the motion to dismiss by 5 p.m. on Monday, January 7, 2013. If the parties both oppose an expedited briefing schedule on the motion to dismiss, a joint letter to that effect should be submitted to the Court by 5 p.m. on Friday, January 4, 2013.

2. Apart from the motion to dismiss, what are the parties' views as to the schedule and case-management plan that should be set for this litigation?
3. Do the parties believe that mediation by a Southern District Judge with experience in antitrust law would be productive? If so, the Court is prepared to appoint a colleague from this Court to serve in such a role.

The parties are directed to meet and confer on these subjects before the Monday, January 7, 2013 conference.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: January 3, 2013
New York, New York