

Loren Gibson

From: Ganz, Howard [HGanz@proskauer.com]
Sent: Friday, May 25, 2007 4:45 PM
To: Loren Gibson
Cc: David Little; Graydon Dean Luthey; Stephanie Horton; Halem, Daniel; Grossman, Deidre
Subject: RE: Mayfield v. NBA- Western District Oklahoma CIV-06-571-W

Dear Mr. Gibson:

We do not believe that our involvement in other matters or the letter recently sent to the NBA by the General Counsel of the National Basketball Referees Association provide a basis either for an extension of plaintiffs' time to respond to defendants' motion to dismiss or for a stay pending arbitration. That being said, we will, as a courtesy, consent to a 30-day enlargement of plaintiffs' time to respond to the motion to dismiss, subject to your providing us in advance with copies of any papers you intend to file with the Court in support of your application for such an enlargement.

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From: Loren Gibson [mailto:lgibson@legalavenger.net]
Sent: Friday, May 25, 2007 12:25 PM
To: Ganz, Howard; Halem, Daniel; Grossman, Deidre; Graydon Dean Luthey; Stephanie Horton
Cc: David Little
Subject: Mayfield v. NBA- Western District Oklahoma CIV-06-571-W

Dear Defendants' Counsel:

I have included all Counsel of Record for Defendants given the holiday weekend, Mr. Ganz' publicized involvement in the Jason Giambi matter and the upcoming deadline next Tuesday for our response the Defendants' Motion to Dismiss (a/k/a motion for summary judgment). In light of the request by the National Basketball Referees Association, as reflected in the May 23, 2007 letter from its General Counsel Brian Lam to the NBA, for arbitration of this matter, the Plaintiffs intend to request the Court to stay the present suit pending arbitration or other response from the NBA to the NBRA's request. Plaintiffs further intend to request a 30 day enlargement of their response to Defendants' motion to dismiss (presently due 5-29-07) to provide the NBA sufficient time to respond to

the NBRA and to accommodate the schedules of Plaintiffs' Counsel in responding to the voluminous motion and related materials. I am aware that Mr. Little agreed to the Defendants' request for a 30 day enlargement of time to respond to the Complaint.

Please promptly advise as to the Defendants' position on this matter so that we may appropriately advise the Court in our motion.

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