

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

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 JAMES W. MAYFIELD, et. al., :
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 Plaintiffs, :
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 v. :
 :
 NATIONAL BASKETBALL :
 ASSOCIATION, et. al., :
 :
 :
 Defendants. :
 -----X

Case No.: CIV-06-571W

(Document Electronically Filed)

**DECLARATION OF
DANIEL R. HALEM**

DANIEL R. HALEM, declares, under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a member of Proskauer Rose LLP, attorneys for Defendants. I submit this Declaration in support of Defendants’ Motion To Dismiss Or, In The Alternative, To Transfer Venue.

2. Plaintiffs’ counsel Loren Gibson submitted an affidavit in opposition to Defendants’ motion that attached as Exhibit 2 a purported copy of the collective bargaining agreement (“CBA”) between the NBA and the National Basketball Referees Association (“NBRA”) that was effective from November 1, 1999 through September 1, 2004. Article VI, Section 4 of that agreement (titled “Medical and Dental”) states that “[d]uring the term of this Agreement, the NBA shall provide group medical and dental insurance coverage for those persons employed by the NBA as referees in accordance with the summary descriptions attached as Exhibit D . . .” “Exhibit D” to the NBA and NBRA’s CBA was omitted from Mr. Gibson’s

affidavit, and I have attached a true and correct copy of "Exhibit D" as Exhibit 1 to this Declaration.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 31st day of July 2007.

A handwritten signature in black ink, appearing to read "Daniel Halem", written over a horizontal line.

Daniel Halem