

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

- 1. JAMES W. MAYFIELD,)
- 2. TERRY DURHAM,)
- 3. EDMUND MIDDLETON,)
- 4. MIKE MATHIS,)

Plaintiffs,)

vs.)

Case No.: CIV-06-571W

- 5. NATIONAL BASKETBALL ASSOCIATION,)
- 6. ATLANTA HAWKS,)
- 7. BOSTON CELTICS,)
- 8. CHICAGO BULLS,)
- 9. CHARLOTTE BOBCATS,)
- 10. CLEVELAND CAVALIERS,)
- 11. DALLAS MAVERICKS,)
- 12. DENVER NUGGETS,)
- 13. DETROIT PISTONS,)
- 14. GOLDEN STATE WARRIORS,)
- 15. HOUSTON ROCKETS,)
- 16. INDIANA PACERS,)
- 17. LOS ANGELES CLIPPERS,)
- 18. LOS ANGELES LAKERS,)
- 19. MEMPHIS GRIZZLIES,)
- 20. MIAMI HEAT,)
- 21. MILWAUKEE BUCKS,)
- 22. MINNESOTA TIMBERWOLVES,)
- 23. NEW JERSEY NETS,)
- 24. NEW ORLEANS/OKLAHOMA CITY HORNETS,)
- 25. NEW YORK KNICKS,)
- 26. ORLANDO MAGIC,)
- 27. PHILADELPHIA SEVENTY-SIXERS,)
- 28. PHOENIX SUNS,)
- 29. PORTLAND TRAILBLAZERS,)
- 30. SACRAMENTO KINGS,)
- 31. SAN ANTONIO SPURS,)
- 32. SEATTLE SUPERSONICS,)
- 33. TORONTO RAPTORS,)
- 34. UTAH JAZZ,)
- 35. WASHINGTON WIZARDS,)
- 36. NBA PROPERTIES, INC.,)
- 37. NBA ENTERTAINMENT, INC.,)

- 38. NBA MEDIA VENTURES LLC,)
- 39. THE GUARDIAN,)
- 40. DENTAL GUARD PREFERRED,)
- 41. UNUM LIFE INSURANCE COMPANY)
OF AMERICA,)
- 42. ALL THE PAST, CURRENT AND FUTURE)
OWNERS, AFFILIATES, SUBSIDIARIES,)
WELFARE AND RETIREMENT PLANS,)
DIRECTORS, OFFICERS, EMPLOYEES,)
AGENTS, PARTNERS AND SHAREHOLDERS)
OF ANY OF THE FOREGOING)
)
Defendants.)

MOTION TO STAY PROCEEDINGS PENDING ARBITRATION

COMES NOW the Plaintiffs herein and moves this Court for an Order staying proceedings (specifically the service of process deadline) in the above styled cause.

In support of this Motion, Plaintiffs would show:

- 1. That this matter was filed on May 24, 2006.
- 2. That pursuant to the Federal Rules of Civil Procedure, Plaintiffs one-hundred twenty-day (120) deadline for service of process would be Thursday, September 21, 2006.
- 3. That Plaintiffs are requesting arbitration through the NBA Referees Union and are currently awaiting a response.
- 4. That proceeding with the lawsuit herein would be duplicitous in the event this matter is resolved in Plaintiff's favor in arbitration. Plaintiffs are requesting an additional ninety (90) days to serve the Defendants or up to and including Wednesday, December 20, 2006. Such additional time is requested to permit the arbitration to resolve this controversy.

5. That no Entry of Appearance has been made by any Defendant therefore, Plaintiffs are unable to ascertain whether any Defendant objects to this Motion.
6. That this Motion is not sought to delay the final resolution on the merits.
7. That Plaintiffs believe that good cause is shown herein for the relief requested.

WHEREFORE Plaintiffs respectfully move this Court for an Order allowing them an additional ninety (90) up to and including Wednesday, December 20, 2006 in which to serve the Defendants in this matter and for all other relief available according to law.

Respectfully submitted,

LAW OFFICES OF DAVID LITTLE

s/David Little

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