

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHARLES RAY EASTERLING and his wife, MARY ANN EASTERLING; WAYNE RADLOFF and his wife, GARLAND RADLOFF; JAMES McMAHON; JOSEPH E. THOMAS and his wife, NICOLE THOMAS; GERALD FEEHERY; STEVE KINER and his wife CAROL KINER, and MICHAEL FURREY and his wife, KOREN FURREY, in their individual capacity and on behalf of all others similarly situated.

**PLAINTIFFS,**

V.

NATIONAL FOOTBALL LEAGUE, INC.

**DEFENDANT.**

**CIVIL ACTION  
Case No. 11-cv-05209-AB**

**JURY TRIAL DEMANDED**

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**RULE 26(f)(3) DISCOVERY PLAN**

Plaintiffs, by their counsel below, hereby submit their proposed Discovery Plan under Rule 26(f)(3) as follows:

A. Plaintiffs suggest initial 26(a) disclosures should be made by February 1, 2012, given the nature of the litigation, except to the extent this Court orders discovery on issues raised by the NFL's Rule 12(b)1 and 12(b)6 Motion to Dismiss before that date.

B. Plaintiffs suggest a parallel discovery plan that considers class certification under Rule 23(b)(3) discovery while permitting general discovery on subjects, such as:

1. The NFL's knowledge about the neurological injuries that were caused, in whole or in part, from concussions and sub-concussions; and
  2. Dialogue with the helmet manufacturers that relate to neurological injuries that professional football players might encounter.
- C. Electronic discovery should include email and documents, wherever possible, in their native format. Scanned material should be Optical Character Recognized. The parties should agree upon objective coding and fields to be included with document production.
- D. The parties should agree on a limited Confidentiality Order and privilege log content for redacted or withheld documents.
- E. Plaintiffs agree to follow the local discovery rules.
- F. At the present time, plaintiffs do not require any other Orders under 26(c) or 16(b).

ANAPOL SCHWARTZ, P.C.

By:                   /s/ Larry Coben                    
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**CERTIFICATE OF SERVICE**

I, Larry Coben, hereby certify that on November 18, 2011, that Plaintiffs' foregoing Discovery Plan under Rule 26(f)(3) have been filed electronically and are available for downloading and viewing from the Court's ECF System by all counsel of record.

Dated: November 18, 2011

By:           /s/ Larry Coben