

**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 NO. 11-CV-05209-AB

JURY TRIAL DEMANDED

**PLAINTIFFS' AMENDED NOTICES OF DEPOSITIONS PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURES 30 (b)(6)**

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, the Plaintiffs hereby notices for deposition (at a time that is mutually convenient for the parties and the deponents) individuals designated by the Defendant NFL who are authorized to testify on its behalf regarding the following topics, (amended topic(s) in **bold** type font):

1. The sources of medical and scientific information that was reviewed in preparation for the publication of Article 65 of the 2011 Collective Bargaining Agreement.
2. The decision to exclude former NFL Players from the terms and conditions of Article 65 of the 2011 Collective Bargaining Agreement.

3. The decision to limit funding under the terms and conditions of Article 65 to players who are 55 years old or younger.
4. Regarding the December 2, 2009 “Return to Play Statement” issued by the NFL, the following subjects:
 - a. The identity of the people responsible for the wording of this statement;
 - b. The process that was followed in developing this Statement;
 - c. Why it was issued.
5. Regarding the NFL Sideline Concussion Assessment Tool: Baseline Test, the following subjects:
 - a. Why it was developed?
 - b. When it was developed?
 - c. Who was involved in its development?
 - d. How it was developed?
6. Regarding the NFL’s Medical Committee on Concussion (referred to sometimes as the NFL Concussion Committee), the following subjects:
 - a. Why it was established?
 - b. Who was responsible for the appointment of the Committee leadership?
 - c. How was it funded to conduct studies, research, etc.?
 - d. How was the annual level of funding decided?
 - e. Who approved the publically disseminated statements of this committee?
 - f. When did this Committee begin studying the long-term cognitive problems associated with multiple concussions to NFL players?
 - g. What were the directives of this Committee when it was formulated?

- h. What authority did this Committee have to change the rules of football in the NFL?
 - i. Who within the NFL had the authority to add, change or replace the chairs of this committee once it was established?
- 7. The rules issued by the NFL regarding concussion identification and/or management, including but not limited to the historical development of those rules.
- 8. The provisions in any NFL Collective Bargaining Agreement specifying any rules or regulations of play regarding concussion identification and/or management.
- 9. When did the NFL first acknowledge that concussions can lead to long-term permanent neurological problems in players?
- 10. Every aspect of the current and past Collective Bargaining Agreements that addressed concussions, their identification and management, as well as the identification and treatment of long-term neurological-cognitive illnesses in NFL players.
- 11. The non-legal reasons for including in Section 2 of Article 65 of the current CBA a requirement that a player's right to receive benefits under this Article is contingent on the player's agreement to execute a release and covenant not to sue.
- 12. The identity of every former NFL player who has applied for funds via any program authorized by any CBA because of neurogenic deficits such as dementia, memory loss, etc.**
 - a. The identity of every player identified above who has obtained funds based on such medical conditions;**
 - b. The identity of each player who has been turned down for such funds;**

c. The published provisions of any applicable CBA that was pertinent to the decision to allow or disallow the payment of funds to each player.

13. All discussions of Executive Committee members of the NFL between 1977 and 2009 regarding the long-term effects of concussions to players and how the NFL should address this topic.

It is requested that these depositions take place in the offices of Plaintiffs' counsel beginning on January 10, 2012 at 9 AM.

Dated December 6, 2011

ANAPOL SCHWARTZ, P.C.

By: /s/ Larry Coben

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CERTIFICATE OF SERVICE

I, Larry Coben, hereby certify that on December 6, 2011, that Plaintiffs' PLAINTIFFS' AMENDED NOTICES OF DEPOSITIONS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURES 30 (b)(6) has been served on all counsel of record.

Dated: December 6, 2011

By: /s/ Larry Coben