

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

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|---------------------------|---|--------------|
| IN RE: NATIONAL FOOTBALL | : | |
| LEAGUE PLAYERS' | : | |
| CONCUSSION INJURY | : | |
| LITIGATION | : | |
| | : | MDL No. 2323 |
| | : | 12-md-2323 |
| THIS DOCUMENT RELATES TO: | : | |
| ALL ACTIONS | : | |

ORDER

Earlier today, in accordance with the reporting requirements in my order of July 8, 2013, the Honorable Layn Phillips, the court-appointed mediator, informed me that the plaintiffs and the NFL defendants had signed a Term Sheet incorporating the principal terms of a settlement. Judge Phillips also reported that the proposed settlement provides for a payment by the NFL defendants of \$765,000,000 to fund medical exams, concussion-related compensation, and a program of medical research for retired NFL players and their families, as well as to pay certain litigation expenses. In addition to this, the NFL will pay court-approved attorneys' fees. Furthermore, Judge Phillips advised me that the parties are preparing to submit a motion seeking preliminary court approval of the settlement that will incorporate the full documentation relating to the settlement.

Of course, I reserve judgment on the fairness, reasonableness, and adequacy of the settlement until the motions for preliminary and final approval of the settlement are filed. At that time, counsel must present a complete explanation and justification for the settlement. Right now, however, I commend the parties and their counsel on their extensive and good faith negotiations and thank Judge Phillips for his diligence in assisting the parties in reaching an agreement.

From the outset of this litigation, I have expressed my belief that the interests of all parties would be best served by a negotiated resolution of this case. The settlement holds the prospect of avoiding lengthy, expensive and uncertain litigation, and of enhancing the game of football.

In light of the proposed settlement by the plaintiffs and the NFL defendants, I will defer ruling on the NFL's motion to dismiss that was argued on April 9, 2013. After conferring with the parties, I will order that counsel submit, as soon as possible, but by a date certain, the full documentation relating to the settlement, along with a motion seeking preliminary approval of the settlement and related plan of notice to members of the settlement class.

AND NOW, this 29th day of August, 2013, the order of July 8, 2013 (ECF No. 5128) is modified to allow the parties to announce the terms of the settlement of the plaintiffs' claims against the NFL defendants. Because the proposed settlement does not include the Riddell defendants, the order of July 8, 2013 remains in effect as to all of the Riddell defendants: they and their counsel must refrain from publicly discussing the mediation process or disclosing any discussions they may have as part of that process.

s/Anita B. Brody

ANITA B. BRODY, J.

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