

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

_____		)	
THOMAS LAUMANN, ROBERT SILVER,	)		
GARRETT TRAUB, and DAVID DILLON,	)		
representing themselves and all others similarly	)		
situated,	)	12-cv-1817 (SAS)	
	)		
Plaintiffs,	)	ECF Case	
	)		
v.	)		
	)		
NATIONAL HOCKEY LEAGUE et al.,	)		
	)		
Defendants.	)	<u>Electronically Filed</u>	
_____		)	

**DECLARATION OF JENNIFER GAISKI  
CERTIFYING THE COMCAST DEFENDANTS’  
COMPLIANCE WITH THE SETTLEMENT AGREEMENT**

I, Jennifer Gaiski, declare pursuant to 28 U.S.C. § 1746:

1. I am employed as Senior Vice President of Content Acquisition at Comcast Cable Communications, LLC. The following statements are based on my personal knowledge and on information provided by other employees of the Comcast Defendants.<sup>1</sup>

2. I understand that Ronald Bertino of Heffler Claims Group LLC submitted a declaration on August 5, 2015 certifying Comcast Defendants’ compliance with the Settlement Agreement’s notice requirements. *See* Dkt. #357. Therefore, I do not address those requirements here.

<sup>1</sup> This declaration adopts the definitions used in the Class Action Settlement Agreement (“Settlement Agreement”) entered into by the parties in the above-captioned matter on June 10, 2015.

3. Pursuant to Paragraph 43(a) of the Settlement Agreement, the NHL offered Comcast the right to sell Unbundled Programming during the 2015-2016 NHL season. Consistent with Paragraph 43(a), under which “[n]either Comcast nor DIRECTV is obligated to offer the Unbundled Programming,” Comcast declined that offer.

4. Pursuant to Paragraph 44 of the Settlement Agreement, Comcast provided the first three (3) weeks of the 2015-2016 Center Ice season free to all interactive digital subscribers to its MVPD service, and publicized the availability of these free weeks of programming by describing the benefit on a company website. The consumer prices for Full-Season Packages for the 2015-2016 NHL season (\$139.7 for Early Bird and \$146.97 for Regular Season) reflected a 12.5% discount off the corresponding prices for the 2014-2015 NHL season (\$159.96 for Early Bird and \$167.96 for Regular Season). The consumer prices for other packages (\$99.96 for Half Season and \$49.98 for the Race to the Cup) were the same for the 2014-2015 season and for the 2015-2016 season. Comcast implemented auto-renewals of existing Center Ice subscribers on the same basis for the 2015-2016 NHL season as for the 2014-2015 NHL season.

5. On or about September 24, 2015, Comcast Corporation transferred into an account identified by Plaintiffs the Comcast Defendants’ share (as agreed among the NHL Defendants, the Comcast Defendants and the DIRECTV Defendants) of the \$6.5 million in combined attorneys’ fees and costs and \$40,000 in service fees that were awarded by the Court. *See* Dkt. # 379.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 7, 2016.

  
Jennifer Gaiski