

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

_____)	
AMERICAN NEEDLE, INC.,)	
)	
Plaintiff,)	Civil Action No. 04-CV-7806
)	
v.)	Judge Sharon Johnson Coleman
)	
NEW ORLEANS LOUISIANA)	
SAINTS, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

JOINT STATUS REPORT

1. The Nature of the Case

This is an antitrust case.

In its complaint, plaintiff American Needle, Inc., a manufacturer of headwear and a former licensee of defendant NFL Properties, Inc., alleges that, in violation of sections 1 and 2 of the Sherman Antitrust Act, the defendants entered into an agreement to restrain trade in, conspired to monopolize, and did monopolize the markets for apparel and headwear decorated with the trademarks and logos of the NFL and its member teams by establishing an exclusive license in Reebok International to use

the trademarks and logos for a ten year period. Plaintiff seeks treble damages and injunctive relief.

Proceedings before Judge Moran were in large part limited to the question whether, in collectively licensing their names, marks and logos, the NFL member clubs function as a single entity that cannot constitute the plurality of separate economic entities required for a Sherman Act conspiracy. The District Court held that in marketing their intellectual property, the NFL member clubs function as a single entity not subject to the Sherman Act and the United States Court of Appeals for the Seventh Circuit affirmed. The United States Supreme Court reversed and remanded the case to the Seventh Circuit which in turn remanded to this court.

The principal issues to be resolved on the merits of this dispute are whether the exclusive license constituted an unreasonable restraint of trade (Section 1) or unlawful monopolization (Section 2).

The attorneys of record are identified in the signature blocks below. Mr. Carey is the lead trial attorney for plaintiff. Mr. Levy is the lead trial attorney for the NFL Defendants. Mr. Hardwicke is the lead trial attorney for Reebok International.

2. Pending Motions

There are no pending motions.

3. Remaining Discovery

Discovery to date has been limited to issues relating to the single entity doctrine.

The parties estimate that full merits discovery, including document production, depositions, and expert discovery, will require eighteen months.

4. Trial

Plaintiff has requested a jury trial. Such a trial is likely to last at least two weeks.

5. Consent to Proceed Before a Magistrate Judge

The parties do not consent to proceed before a Magistrate Judge.

6. Status of Settlement Discussions.

There have been no meaningful settlement discussions to date. The parties do not request a settlement conference.

Respectfully submitted,

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