

No. 83-271

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In the Supreme Court of the United States
OCTOBER TERM, 1983

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION, PETITIONER

v.

THE BOARD OF REGENTS OF THE UNIVERSITY OF OKLA-
HOMA, a Public Body Corporate, and THE UNIVERSITY OF
GEORGIA ATHLETIC ASSOCIATION, a Non-Profit Corpo-
ration, RESPONDENTS

ON WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE TENTH CIRCUIT

JOINT APPENDIX: VOLUME I

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PETITION FOR CERTIORARI FILED AUGUST 13, 1983
CERTIORARI GRANTED OCTOBER 17, 1983

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RELEVANT DOCKET ENTRIES, DISTRICT COURT

Docket No. CIV-81-1209

FILINGS—PROCEEDINGS

<u>Date</u>	
9/8/81	COMPLAINT
9/8/81	ORDER to Show Cause and Temporary Restraining Order, set for Sept. 17th, 1981 at 9:30 a.m. (West for Eubanks) * * *
9/16/81	ORDER that the TRO entered 9-8-81 shall remain in full force & effect except as hereinafter modified: 1) that the TRO entered by this Ct does not apply to television rights for the collegiate football seasons prior to the year 1982; 2) paragraph (b) of the TRO is modified as follows: the NCAA is restrained & enjoined fm initiating any contact w/CFA member institution in which it threatens disciplinary action or sanctions agnst any CFA member assigning or exercising its football television rights other than through the NCAA; the NCAA is free to answer any & all questions propounded to it by any member institution regarding the rules & regulations, including rules as to sanctions of the NCAA; it is free to meet w/any and all of its members to discuss any appropriate action to be taken, including actions relating to the litigation; furthermore, the NCAA may resp to inquiries by the news media concerning the litigation & the position of the NCAA (Eubanks)
9/17/81	ENTER evidentiary hrg. * * *
9/18/81	ENTER further evidentiary hrg. Plf continues case in chief w/test of witnesses; * * * plf rests; dft to put their evidence on at later time; TRO order cont'd in full force & effect * * *
10/20/81	ANSWER of dft The Nat'l Collegiate Athletic Ass'n to plfs' compl

- 11/20/81 TEMPORARY RESTRAINING ORDER the Ct finds that it is necessary that pending the resumption of the hrg on prelim. inj., the parties be temporarily restrained as follows: 1) NCAA is ordered not to take any steps to commence any disciplinary actions or sanctions agnst the Univ. of Okla. or the Univ. of Ga. (or its athletic association); 2) NCAA is ordered not to enter into or implement any contract which purports to bind the Univ. of Okla. or the Univ. of Ga. (or its athletic ass'n) to televise or cablecast their football games after 1981 (Eubanks) * * *
- 2/11/82 ENTER Order this case is transferred to Judge Juan Burciaga; * * * (Eubanks)
- 6/7/82 ENTER NONJURY TRIAL * * *
- 6/8/82 ENTER FURTHER NONJURY TRIAL * * *
- 6/9/82 ENTER FURTHER NONJURY TRIAL: * * * plf rests * * *
- 6/10/82 ENTER FURTHER NONJURY TRIAL * * *
- 6/11/82 ENTER FURTHER NONJURY TRIAL * * *
- 6/14/82 ENTER FURTHER NONJURY TRIAL * * *
- 6/15/82 ENTER FURTHER NONJURY TRIAL: * * * ptys rest * * *
- 9/15/82 MEMORANDUM OPINION (BURCIAGA)
* * *
- 9/15/82 DECLARATORY JUDGMENT AND PERMANENT INJUNCTION: The right to telecast college football games is the property of the institutions participating in the games, and that right may be sold or assigned by those institutions to any entity at their discretion; the contracts for the televising of college football for the 1982-1985 seasons between National Collegiate Athletic Association and American Broadcasting Companies, Columbia Broadcast System and Turner Broadcast System violate Sections 1 and 2 of the Sherman Antitrust Act, 15 U.S.C. §§ 1-2, and are therefore void and of no effect; National Collegiate Athletic Association, its of-

ficers, agents and employees, shall be and hereby are enjoined from enforcing or attempting to enforce the provisions of the contracts above described and from making any other contract of similar kind or nature in the future; National Collegiate Athletic Association, its officers, agents or employees, shall be and are enjoined from prohibiting member institutions from selling or assigning their rights to telecast the college football games in which they participate, and from requiring as a condition of membership that those institutions grant to National Collegiate Athletic Association the power to control those institutions' rights to telecast college football games; the plaintiffs shall recover their costs and reasonable attorneys fees expended in the prosecution of this action, and counsel for plaintiffs shall submit to the Court in affidavit form a statement of their attorneys fees in accordance with guidelines found in Francis v. White, 594 F.2d 778 (10th Cir. 1979); and the Court shall retain jurisdiction over this matter for the purpose of monitoring compliance with this order and for the purpose of modifying the relief granted or of granting further relief should circumstances so require (BURCIAGA) (COB #152) (ENTERED: Clerk) * * *

9/17/82

NOTICE OF APPEAL by defendant from a final judgment rendered by the Court and entered Sept. 15, 1982

RELEVANT DOCKET ENTRIES, COURT OF APPEALS

Docket No. 82-2148

<u>DATE</u>	<u>FILINGS—PROCEEDINGS</u>
9/20/82	CS.DKT. Case docketed.
10/12/82	ROA.F. Record on appeal filed; Vol. I-III (Pleadings, 1,051 pp); Vol. IV (Transcript, 35 pp); Vol. V-XIII (Exhibits); Vol. XIV-XX (Depositions); Vol. XXI-XXVII (Transcripts, 1,385 pp); originals; (2,471 T pp).
10/13/82	* * * BR.F Brief of ABC Sports (amicus) filed * * *
10/13/82	* * * BR.F Appellant's brief filed * * *
10/13/82	* * * BR.F Amicus brief (National Federation of High School Assoc.) brief filed * * *
10/18/82	* * * BR.F Amicus brief of Natl. Assoc. for Equal Education Opportunity, National Black Media Coalition, Black Mississippians Council on Higher Education, Natl. Conf. of Black Lawyers, Viewers of the South filed * * *
11/4/82	BR.F Amicus brief of United States of America filed * * *
11/4/82	BR.F Amicus brief of Association of Independent Television Stations, Inc., filed * * *
11/5/82	BR.F Appellee's brief filed * * *
11/15/82	BR.F Appellants' reply brief filed * * *
11/17/82	BR.F Amici brief of National Association for Equal Education Opportunity, et al., filed * * * (reply brief)
11/18/82	CS.ARG.SUBM—Barrett, Logan, Seymour
12/10/82	APX.F Appellant's and appellee's joint, deferred appendix filed, Vol. I (pl.), 10cc., Vol. II (trans.), 10cc., Vol. III (trans.), * * * plaintiff's exhibits * * * defendant's exhibits * * *
12/16/82	BR.F Appellant's brief (with appendix references) filed * * *
5/12/83	OPN.F. Published, signed opinion filed. Barrett, Logan, Seymour Writing Judge is Logan

5/12/83 JM.DISP. Judgment affirmed. The cause is remanded.

5/12/83 DIS.OPN.F. Dissenting opinion filed. Writing judge is Barrett

5/26/83 P.REHRG.ENB.F Appellant's petition for rehearing en banc filed. * * *

6/23/83 P.REHRG.ENB.DISP. Order: Appellant's petition for rehearing en banc denied. En banc panel. * * *

7/11/83 MDT.ISS. Mandate issued to district court.

7/21/83 RMF.F. Copy of order from Supreme Court staying judgment of 5/12/83 * * *