

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
24-CV-017715-910

MEMBERS OF NORTH CAROLINA
STATE UNIVERSITY'S 1983 NCAA
MEN'S BASKETBALL NATIONAL
CHAMPIONSHIP TEAM, aka THE
"CARDIAC PACK," including
THURL BAILEY; ALVIN HARRELL
BATTLE; WALT DENSMORE;
TOMMY DINARDO; TERRENCE
PATRICK GANNON; MARTHA
LOU MOBLEY, as Administrator of
the Estate of QUINTON LEONARD
III; GEORGE CALVIN MCCLAIN;
COZELL MCQUEEN; ERNIE
MYERS; WALTER PROCTOR;
HAROLD LEWIS THOMPSON; and
MIKE WARREN,

Plaintiffs,

v.

NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION, aka
NCAA,

Defendant.

**DEFENDANT'S MOTION TO
STAY**

Pursuant to N.C. Gen. Stat § 1-75.12, Defendant National Collegiate Athletic Association (NCAA), by and through its undersigned counsel, hereby moves the Court for entry of an Order staying this action, including all deadlines herein, pending resolution of *Chalmers et al. v. National Collegiate*

Athletic Association et al., No. 1:24-cv-05008 (PAE) in the U.S. District Court for the Southern District of New York.

Pursuant to BCR 7.3, counsel for the NCAA has conferred with counsel for Plaintiffs, and counsel for Plaintiffs have indicated their opposition to the relief requested in this Motion.

WHEREFORE, Defendant NCAA respectfully requests that the Court grant its Motion to Stay and stay the present action pending resolution of *Chalmers et al. v. National Collegiate Athletic Association et al.*, No. 1:24-cv-05008 (PAE) in the U.S. District Court for the Southern District of New York. A proposed Order is attached as **Exhibit A**.

Respectfully submitted this 18th day of October, 2024.

/s/ Alan M. Ruley

Alan M. Ruley

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Lucy R. Hattenhauer

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*ATTORNEYS FOR DEFENDANT
NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION*

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served a copy of the foregoing document upon all parties to this action by the method(s) indicated below:

NAME	METHOD
W. Stacy Miller, II MaryAnne M. Hamilton MILLER LAW GROUP, PLLC Post Office Box 6340 Raleigh, NC 27628 maryanne@millerlawgroup.com	Hand Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Email <input checked="" type="checkbox"/>
Elliot Abrams CHESHIRE PARKER SCHNEIDER, PLLC 133 Fayetteville St., Suite 400 Raleigh, NC 27601 elliott.abrams@cheshirepark.com	Hand Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Email <input checked="" type="checkbox"/>
Richard Noel Gusler THE LAW OFFICES OF RICHARD NOEL GUSLER 150 Fayetteville St., Suite 1700 Raleigh, NC 27601 rgusler@gusler.com	Hand Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Email <input checked="" type="checkbox"/>

This 18th day of October, 2024.

/s/ Alan M. Ruley

Alan M. Ruley