

COPY

IN THE DISTRICT COURT OF APPEALS
FIRST DISTRICT OF FLORIDA

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DISTRICT COURT OF APPEALS
FIRST DISTRICT

**NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION,**

Appellant,

Case No.: 1D09-4385

Lt. Case No.: 2009-CA-002298

vs.

**THE ASSOCIATED PRESS;
CAPE PUBLICATIONS, INC., d/b/a *FLORIDA
TODAY*; COLLIER COUNTY PUBLISHING
LLC, d/b/a *Naples Daily News*; FIRST
AMENDMENT FOUNDATION; FLORIDA
PRESS ASSOCIATION; LAKELAND
LEDGER PUBLISHING CORPORATION,
d/b/a *The Ledger*; MEDIA GENERAL
OPERATIONS, INC., d/b/a WFLA-TV,
tbo.com, and *The Tampa Tribune*; MIAMI
HERALD MEDIA COMPANY, d/b/a
The Miami Herald; MORRIS PUBLISHING
GROUP LLC, d/b/a *The Florida Times – Union*;
NEWS-JOURNAL CORPORATION, d/b/a
Daytona Beach News-Journal; NYT
MANAGEMENT SERVICES INC., d/b/a *The
Gainesville Sun* and *Sarasota Herald-Tribune*;
ORLANDO SENTINEL COMMUNICATIONS
COMPANY, d/b/a *Orlando Sentinel*; *Pensacola
News Journal*, *The News-Press* and WTLV,
divisions of MULTIMEDIA HOLDINGS
CORPORATION; SCRIPPS HOWARD
BROADCASTING COMPANY, d/b/a
WPTV-TV; SCRIPPS TREASURE COAST
PUBLISHING LLC, d/b/a *Stuart News*, *Vero
Beach Press Journal*, and *Ft. Pierce Tribune*;
SUN-SENTINEL, INC., d/b/a *South Florida
Sun-Sentinel*; TAMPA BAY TELEVISION, INC.,
d/b/a WFTS-TV; *Tallahassee Democrat*, a**

**division of FEDERATED PUBLICATIONS, INC.;
WJXX, a division of GANNETT RIVER STATES
PUBLISHING CORPORATION; and WTSP, a
division of PACIFIC AND SOUTHERN
COMPANY, INC.; FLORIDA STATE
UNIVERSITY BOARD OF TRUSTEES and
T.K. WETHERELL and GRAYROBINSON,
P.A.,**

Appellees.

APPELLANT'S UNOPPOSED MOTION TO SUPPLEMENT RECORD

The Appellant, NATIONAL COLLEGIATE ATHLETIC ASSOCIATION, pursuant to Rule 9.200(f)(2) of the Florida Rules of Appellate Procedure, hereby moves to supplement the Record on Appeal with documents that were not originally transmitted with the Record on Appeal on September 8, 2009. Appellant requests that the following documents be added to the Record on Appeal:

- 1) Transcript of the August 20-21, 2009 Final Hearing, filed with the Circuit Court on September 9, 2009.
- 2) The Court's Limited Order Sealing Documents and Notice of Hearing, by the Circuit Court on September 9, 2009.
- 3) NCAA Committee on Infractions October 18, 2008 Hearing Transcript, under seal pursuant to the Circuit Court's September 9, 2009 Limited Order.
- 4) Transcript of the August 18, 2009 Hearing, filed with the Circuit Court on September 9, 2009.
- 5) Transcript of the August 6, 2009 Motions Hearing, filed with the Circuit Court on September 9, 2009.

- 6) Plaintiffs' Notice of Filing NCAA's Responses to Plaintiffs' Second Requests for Admission (with Requests and Responses attached), filed with the Circuit Court on August 19, 2009.
- 7) Plaintiffs' Notice of Filing GrayRobinson's Response to NCAA's First Request for Admission (with Requests and Responses attached), filed with the Circuit Court on August 20, 2009.

Supplementing the record will not prejudice any party. Instead, it will allow the Court to have the benefit of reviewing the totality of the record in its consideration of this appeal.

Counsels for Appellees have been advised and they have no objection to the supplementation of the record.

WHEREFORE, the Appellant requests that this Court enter an Order requiring the trial court to supplement the record on appeal in an expedited manner.

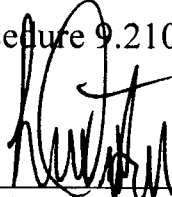
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U.S. Mail and Electronic Mail to Gregg D. Thomas, Esquire, Carol Jean LoCicero, Esquire, Rachel E. Fugate, Esquire, Thomas, LoCicero & Bralow PL, P.O. Box 2602, Tampa, FL 33602, George Freeman, Esquire, The New York Times Company, 620 Eighth Avenue, New York, NY 10018, Michael J. Glazer, Esquire, Ausley & McMullen, P.O. Box 391, Tallahassee, FL 32302, George Gabel, Esquire, Holland & Knight LLP, 50 North Laura Street, Suite 3900, Jacksonville, FL 32202, David S. Bralow, Esquire, 220 E. 42nd Street, Suite 400,

New York, NY 10012, representing Appellees The Associated Press; Cape Publications, Inc., Collier County Publishing LLC, First Amendment Foundation; Florida Press Association; Lakeland Ledger Publishing Corporation, Media General Operations, Inc., Miami Herald Media Company, Morris Publishing Group LLC, News-Journal Corporation, NYT Management Services Inc., Orlando Sentinel Communications Company, Multimedia Holdings Corporation; Scripps Howard Broadcasting Company, Scripps Treasure Coast Publishing LLC, Sun-Sentinel, Inc., Tampa Bay Television, Inc., Federated Publications, Inc. WJXX, Gannett River States Publishing Corporation; and WTSP, William E. Williams, Esquire, GrayRobinson, PA, P.O. Box 11189, Tallahassee, FL 32302-3189, Betty Steffens, Florida State University, 211 Westcott Building, Tallahassee, FL 32306-1470, Representing Appellee Florida State University Board of Trustees and T.K. Wetherell and Peter Antonacci, Esquire, GrayRobinson, PA, P.O. Box 11189, Tallahassee, FL 32302-3189, Representing Appellee GrayRobinson, P.A. this 9th day of September, 2009.

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that the foregoing brief has been typed using the Times New Roman 14-point font, and therefore complies with the font requirements of Florida Rule of Appellate Procedure 9.210(a)(2).



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