

**DISTRICT COURT OF APPEAL, FIRST DISTRICT
301 S. Martin Luther King, Jr. Blvd.
Tallahassee, Florida 32399-1850
Telephone No. (850) 488-6151**

September 17, 2009

CASE NO.: 1D09-4385
L.T. No. : 2009-CA-002298

National Collegiate
Athletic Association

v. The Associated Press;
Cape Etc., Et Al.

Appellant / Petitioner(s),

Appellee / Respondent(s).

BY ORDER OF THE COURT:

NOTICE OF ORAL ARGUMENT

The Court has set the above cause for oral argument at:

9:00 A.M., FRIDAY, SEPTEMBER 25, 2009
COURTROOM, FIRST DISTRICT COURT OF APPEAL
301 S. MARTIN LUTHER KING, JR. BLVD.
TALLAHASSEE, FLORIDA

ORAL ARGUMENTS ARE SCHEDULED BEFORE JUDGES WEBSTER, PADOVANO,
AND CLARK. (JUDGES ARE SUBJECT TO CHANGE.)

ARGUMENTS WILL BE LIMITED TO 20 MINUTES PER SIDE.

NOTICE OF REQUIREMENTS FOR CONTINUANCE

Because of the Court's heavy oral argument schedule, the length of the advance notice of this scheduled oral argument, and the problem with courtroom availability, MOTIONS FOR CONTINUANCE ARE STRONGLY DISCOURAGED AND WILL BE GRANTED ONLY FOR GOOD AND SUBSTANTIAL CAUSE AND WHEN FILED WITHIN 10 DAYS OF THIS NOTICE. Any motion for continuance must include a statement that counsel has contacted all other counsel and state their position on the continuance request. If continuance is granted, all parties must agree to oral argument at the Court in TALLAHASSEE on N/A, or oral argument will be treated as waived, and the Court will consider this case on the record and briefs.

Rescheduled oral arguments will be before the same panel of judges as originally scheduled to hear this case except in the highly unlikely event the Court determines to assign a different judge or judges to the case. Any request for continuance or rescheduling of oral argument made after 10 days from the date of this notice will only be entertained upon a showing of extreme emergency.

If within 10 days of the oral argument date the case is settled, likely to be settled, or the case is going to be voluntarily dismissed, counsel for the appellant should notify the clerk's office by telephone in order to avoid unnecessary expenditure of scarce judicial resources in preparing for oral argument. The oral notification must be followed up with the filing of a proper pleading waiving oral argument and voluntarily dismissing the case or, if required, seeking remand of jurisdiction to the lower tribunal to approve the settlement.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Steve Nevels, Marshal, District Court of Appeal, First District, at 301 S. Martin Luther King, Jr. Blvd., Tallahassee, Florida 32399-1850, (850) 488-8136, within 2 working days of your receipt of this notice of oral argument. If you are hearing or voice impaired, call (800) 955-8771.

I HEREBY CERTIFY that the foregoing is (a true copy of) the original court order.

Served:

Leonard J. Dietzen, Iii
Peter Antonacci
Gregg D. Thomas
George Freeman
Betty J. Steffens, G.C.

Matthew J. Carson
T. Kent Wetherell, I I
Rachel E. Fugate
David S. Bralow
Craig D. Feiser

Michael J. Glazer
George D. Gabel, Jr.
Carol Jean Locicero
William E. Williams
Alexis Lambert

sj

Jon S. Wheeler

JOHN S. WHEELER, CLERK

