## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ANDRE ROYAL,	
Plaintiff,	
V.	)
NATIONAL FOOTBALL LEAGUE MANAGEMENT COUNCIL, et al.,	)
Defendants.	)

No. 1:19-cv-5164

## **NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon the accompanying Declaration of Michael L. Junk, dated August 5, 2019, and the exhibits annexed thereto, and the accompanying Memorandum of Law, and all prior pleadings and proceedings had herein, Defendants the Retirement Board of the Bert Bell/Pete Rozelle NFL Player Retirement Plan, Katherine "Katie" Blackburn, Richard "Dick" Cass, Ted Phillips, Samuel McCullum, Robert Smith and Jeffrey Van Note (collectively, the "Board Defendants") by and through their attorneys, Groom Law Group and Rivkin Radler LLP, shall move this Court before the Honorable Alison J. Nathan, United States Courthouse for the Southern District of New York, 40 Foley Square, New York, NY 10007 for (1) an Order pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) dismissing Plaintiff Andre Royal's Complaint in its entirety, (2) an Order striking Plaintiff's jury demand, and (3) such other and further relief as this Court may deem just and proper.

Dated: August 5, 2019

/s/

Jacqueline Bushwack Brian Laurence Bank Rivkin Radler LLP 926 RXR Plaza Uniondale, NY 11556 Tel: (516) 357-3000 Fax: (516) 357-3333 Email: jacqueline.bushwack@rivkin.com Email: brian.bank@rivkin.com

Michael L. Junk, *pro hac vice forthcoming* Groom Law Group, Chartered 1701 Pennsylvania Ave. NW Washington, DC 20006 Tel: (202) 857-0620 Fax: (202) 659-4503 Email: mjunk@groom.com

COUNSEL FOR DEFENDANTS THE RETIREMENT BOARD OF THE BERT BELL/PETE ROZELLE NFL PLAYER RETIREMENT PLAN, KATHERINE "KATIE" BLACKBURN, RICHARD "DICK" CASS, TED PHILLIPS, SAMUEL MCCULLUM, ROBERT SMITH, AND JEFFREY VAN NOTE To: Robert Hilliard *Counsel for Plaintiff, Andre Royal* Hilliard Munoz Gonzales LLP 719 S Shoreline Ste 500 Corpus Christi, TX 78401 Tel: (361) 882-1612 Fax: (361) 882-3015 Email: bobh@hmglawfirm.com

> Ben Crump Of Counsel for Plaintiff, Andre Royal Ben Crump Law, PLLC 122 S. Calhoun Street Tallahassee, Florida 32301 Tel: (850) 224-2020 Email: court@bencrump.com