

STATE OF NORTH DAKOTA  
COUNTY OF GRAND FORKS

IN DISTRICT COURT  
NORTHEAST CENTRAL JUDICIAL DISTRICT

STATE OF NORTH DAKOTA, BY AND THROUGH  
THE NORTH DAKOTA STATE BOARD OF HIGHER  
EDUCATION, AND THE UNIVERSITY OF NORTH  
DAKOTA,

Plaintiff,

v.

NATIONAL COLLEGIATE ATHLETIC  
ASSOCIATION,

Defendant.

**NOTICE OF MOTION FOR  
PRELIMINARY INJUNCTION**

Civil No. \_\_\_\_\_

**TO: NATIONAL COLLEGIATE ATHLETIC ASSOCIATION, THROUGH ITS  
PRESIDENT MYLES BRAND, 700 WEST WASHINGTON STREET, P.O. 6222,  
INDIANAPOLIS, IN 46206-6222 AND CHAIR OF THE EXECUTIVE  
COMMITTEE OF THE NCAA, WALTER HARRISON, PRESIDENT'S OFFICE,  
UNIVERSITY OF HARTFORD, 200 BLOOMFIELD AVE, WEST HARTFORD,  
CT 06117.**

PLEASE TAKE NOTICE, the Plaintiff, State of North Dakota, by and through the North Dakota State Board of Higher Education and the University of North Dakota hereby submits the attached Motion for Preliminary Injunction and Memorandum in Support of Motion for Preliminary Injunction pursuant to Rule 3.2 of the North Dakota Rules of Court and N.D.C.C. ch. 32-05 and 32-06. You shall have ten (10) days after service of the attached motion and brief in which to serve and file a response, or other time period established by the court. No hearing on the motion has yet been scheduled but will be coordinated after a district judge has been designated.

You are notified that upon the filing of a brief or the expiration of time for the filing of a brief, the motion is deemed submitted to the Court unless counsel for any party requests oral argument on the motion. In the event you request a hearing, you must follow the procedures

described in Rule 3.2. You are further notified that failure to file a responsive brief is an admission that, in the opinion of the party or counsel, the motion is meritorious.

Dated this \_\_\_\_ day of October, 2006.

State of North Dakota  
Wayne Stenehjem  
Attorney General

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