

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CITY OF SEATTLE, a first-class charter  
city,

Plaintiff,

v.

THE PROFESSIONAL BASKETBALL  
CLUB, LLC, an Oklahoma limited  
liability company,

Defendant.

CATEGORY NO. M-8-85

Case No. C07-1620 MJP

The Honorable Marsha J. Pechman  
United States District Court for the  
Western District of Washington

**DECLARATION OF JEFFREY C. JOHNSON**  
**IN SUPPORT OF THE CITY'S REPLY ON ITS MOTION TO COMPEL AND**  
**OPPOSITION TO THE NBA'S MOTION TO QUASH**

I, Jeffrey C. Johnson, declare under penalty of perjury that the following is true and correct. I am over the age of 18, have personal knowledge of the matters stated below, and, if called to testify, could and would so testify.

1. I am an attorney at Kirkpatrick & Lockhart Preston Gates Ellis LLP and am licensed to practice law in the State of Washington. I represent the City of Seattle in the underlying, above-captioned matter, which is presently pending in the United States District Court for the Western District of Washington. In conjunction with this matter, I have applied for pro hac vice status before this Court.

2. Aside from its formal governing documents and a copy of the Lease and related contractual documents, the NBA has produced only approximately 30 pages of documents (nearly all of them authored by third parties).

3. Attached hereto as **Exhibit 47** is a true and correct transcript of a television interview with NBA Commissioner David Stern on November 4, 1995, at the grand opening of the remodeled KeyArena, available at [http://blog.seattletimes.nwsourc.com/sonics/2008/04/david\\_stern\\_loves\\_keyarena.html](http://blog.seattletimes.nwsourc.com/sonics/2008/04/david_stern_loves_keyarena.html).

4. Attached hereto as **Exhibit 48** is a true and correct copy of selected pages from the "Sonics & Storm Financial Overview, 2006-2008."

5. Attached hereto as **Exhibit 49** is a copy Chris McGann's article entitled "NBA Chief Backs Sonics' Arena Plea," published in *The Seattle Post-Intelligencer* February 24, 2006 and available at [http://seattlepi.nwsource.com/local/260751\\_sonics24.html](http://seattlepi.nwsource.com/local/260751_sonics24.html).

6. Attached hereto as **Exhibit 50** is a true and correct copy of a memorandum from Clayton Bennett, Chairman of The Professional Basketball Club ("the PBC") to PBC ownership, dated August 29, 2006.

7. Attached hereto as **Exhibit 51** is a true and correct copy of letter from Mitchell Ziets, President and CEO of MZ Sports LLC, to Clayton Bennett, dated September 29, 2006.

8. Attached hereto as **Exhibit 52** is a true and correct copy of an email from Brent Gooden, public relations consultant for the PBC, to Maureen Coyle, Director of Sports Communications for the WNBA, dated October 23, 2006.

9. Attached hereto as **Exhibit 53** is a true and correct transcription of David Stern's testimony before the Washington State legislature regarding Senate Bill 6849 on February 23, 2007.

10. Attached hereto as **Exhibit 54** is a true and correct copy of an email string between Maureen Coyle, Clayton Bennett and Brent Gooden, dated April 15, 2007.

11. Attached hereto as **Exhibit 55** is a true and correct copy of an email from Clayton Bennett to Joel Litvin, Executive Vice President of Legal and Business Affairs for the NBA, dated April 23, 2007.

12. Attached hereto as **Exhibit 56** is a true and correct copy of an email from Clayton Bennett to David Stern, and subsequently forwarded by Clayton Bennett to Brent Gooden, dated April 28, 2007.

13. Attached hereto as **Exhibit 57** is a true and correct copy of an email from Clayton Bennett to David Stern, dated April 30, 2007.

14. Attached hereto as **Exhibit 58** is a true and correct copy of an email exchange between Clayton Bennett and Tim Romani, public relations consultant for the PBC, dated June 5-9, 2007.

15. Attached hereto as **Exhibit 59** is a true and correct copy of an email from Tom Ward to Clayton Bennett and PBC member Aubrey McClendon, dated July 1, 2007.

16. Attached hereto as **Exhibit 60** is a true and correct copy of an email from Brent Gooden to various parties, dated July 18, 2007.

17. Attached hereto as **Exhibit 61** is a true and correct copy of an email from Clayton Bennett to David Stern, dated August 13, 2007.

18. Attached hereto as **Exhibit 62** is a true and correct copy of an email exchange between Clayton Bennett and Aubrey McClendon, dated August 13, 2007.

19. Attached hereto as **Exhibit 63** is a true and correct copy of an email exchange between Clayton Bennett and Aubrey McClendon, dated August 13, 2007.

20. Attached hereto as **Exhibit 64** is a true and correct copy of an email exchange between David Stern and Clayton Bennett, dated September 2-3, 2007.

21. Attached hereto as **Exhibit 65** is a copy a *Seattle Times* Staff and Associated Press article entitled "Stern: Sonics Won't Be Replaced," published November 9, 2007 in *The Seattle Times* and available at [http://seattletimes.nwsourc.com/html/sonics/2004003232\\_stern09.html](http://seattletimes.nwsourc.com/html/sonics/2004003232_stern09.html).

22. Attached hereto as **Exhibit 66** is a true and correct copy of an email and attachment from Dan Mahoney, spokesperson for Clayton Bennett, to Clayton Bennett and the PBC ownership group, dated February 8, 2008.

23. Attached hereto as **Exhibit 67** is a true and correct copy of a memorandum from Clayton Bennett to the members of the NBA relocation committee, dated March 18, 2008.

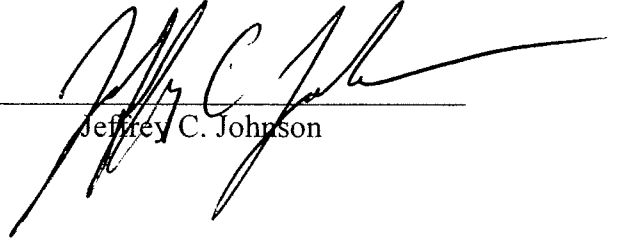
24. Attached hereto as **Exhibit 68** is a copy Greg John's article entitled "Stern: Owners Want Sonics Move," published in *The Seattle Post-Intelligencer* March 25, 2008 and available at [http://seattlepi.nwsourc.com/basketball/356382\\_arena26.html](http://seattlepi.nwsourc.com/basketball/356382_arena26.html).

25. Attached hereto as **Exhibit 69** is a copy of Percy Allen's article "Seattle's Lament: A Winner on Paper But a Loser in Votes," published in *The Seattle Times* April 20, 2008 and available at [http://seattletimes.nwsourc.com/html/sonics/2004361119\\_soni20.html?syndication=rss](http://seattletimes.nwsourc.com/html/sonics/2004361119_soni20.html?syndication=rss).

26. Attached hereto as **Exhibit 70** is Percy Allen's article entitled "Bennett Explains What Sonics Emails Meant," published in *The Seattle Times* April 19, 2008 and available at [http://seattletimes.nwsourc.com/html/sonics/2004359641\\_sonifaith19.html](http://seattletimes.nwsourc.com/html/sonics/2004359641_sonifaith19.html).

///

EXECUTED this 29<sup>th</sup> day of April, 2008 at Seattle, Washington.

  
\_\_\_\_\_  
Jeffrey C. Johnson

# **EXHIBIT 47**

Transcription of link below:

[www.youtube.com/watch?v=qV4QLK0HnOc](http://www.youtube.com/watch?v=qV4QLK0HnOc)

MALE: Hi. Thanks very much, Gentlemen. One of the other celebrities in attendance here for the grand opening of the new Key Arena, the Commissioner of the National Basketball Association, David Stern. Without trying to get you in trouble, now, with some of the other teams in the other new arenas, how does our Key Arena stack up and how do you like it so far?

STERN: It's very special to me. I know what a struggle it was for the Sonics and the Ackerly family, who very much wanted this team to have this team playing in a beautiful building. They got a beautiful building. It's intimate. The sight lines are great. The decorations are terrific. I think Seattle should be very proud of what's going on here tonight.

MALE: I'd be remiss if I didn't ask you about the current negotiations or lack thereof between the league and its officials. A couple of 'em outside picketing the game tonight and some replacement guys trying to do a great job out here. What do we got?

STERN: Uh, I went over to say hello to \_\_\_\_\_ Alexander outside picketing. Our referees are good guys. I think the quality of the officiating here is very good. It's not the best in the world, which is NBA officials. We've made 'em an offer to make them the highest salaried officials in the world because they deserve it. And right now, they just won't take our yes for an answer.

MALE: Well, we will—we're going to welcome you back for the NBA finals here in the new Key Arena.

STERN: You're not the first person who said that to me tonight. But I'm willing. I like visiting Seattle at playoff time of year.

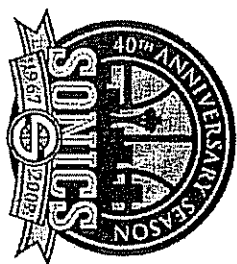
MALE: All right. Let's get back down to courtside with Kevin Calabro and Marcus...

# **EXHIBIT 48**



# SONICS & STORM

# FINANCIAL OVERVIEW 2006-2008



# NBA REVENUES

	Actual 2006	Est 2007	Est 2008
National Broadcasting	\$24,930	\$26,100	\$26,400
NBA Playoffs	877	877	900
NBA Media Ventures	3,964	3,371	3,500
NBA Properties	611	693	700
Luxury Tax	2,388	2,500	3,000
Revenue Assistance	-	1,500	2,000
	<u>\$32,770</u>	<u>\$35,041</u>	<u>\$36,500</u>

### NBA Team Salary Summaries

Team	2006	2007	2008	2009	2010	2011
1 Charlotte	33,522,936	33,645,243	13,520,942	5,257,229	0	0
2 Atlanta	44,613,695	45,571,831	33,819,867	24,488,636	0	0
3 Toronto	50,387,143	48,578,937	42,088,399	21,598,041	16,378,325	0
4 New Orleans	52,762,755	39,424,280	41,547,749	34,659,849	27,006,000	0
5 Chicago	53,955,353	35,782,086	21,892,040	21,503,226	0	0
7 Detroit	57,510,718	58,853,723	42,169,472	28,415,980	18,032,560	0
8 L.A. Clippers	58,057,664	57,615,751	41,465,556	16,316,600	0	0
9 Cleveland	59,103,016	61,079,875	56,722,606	42,278,537	16,378,325	0
10 Milwaukee	60,085,752	46,051,500	42,490,133	34,349,260	25,548,325	0
11 Orlando	60,093,760	39,339,149	20,399,920	16,485,908	0	0
12 Houston	60,311,303	61,504,317	60,521,052	51,732,086	25,040,600	0
13 Utah	60,738,066	61,679,213	57,506,696	54,347,561	17,823,000	0
14 Boston	60,813,701	58,106,190	39,388,657	25,304,428	21,513,521	0
15 Denver	61,348,973	66,017,889	60,736,005	49,854,186	44,283,779	29,286,100
16 Washington	61,441,703	59,477,642	44,602,180	34,261,470	15,379,960	0
17 Indiana	63,042,137	65,154,985	62,017,490	57,663,442	7,500,000	0
18 Phoenix	63,859,240	68,104,760	63,640,550	45,907,118	29,633,686	7,600,000
19 Sacramento	64,782,123	54,137,841	56,551,994	35,278,642	5,808,000	0
20 Miami	65,053,024	68,130,466	51,191,264	51,945,830	26,876,425	0
21 Memphis	65,096,542	44,360,986	47,246,597	38,398,930	17,823,000	0
22 Golden State	65,752,264	63,365,253	65,019,257	47,745,046	36,974,680	0
23 New Jersey	65,760,090	64,371,694	45,823,000	18,333,813	15,000,000	0
24 Minnesota	66,734,452	70,550,196	64,430,002	38,952,736	7,625,000	0
25 San Antonio	67,762,655	66,051,531	44,403,952	45,511,350	13,500,000	0
26 Portland	73,199,835	57,547,683	57,062,713	43,190,064	24,738,633	0
27 Philadelphia	74,048,916	81,831,050	45,376,767	27,207,266	16,988,823	0
28 L.A. Lakers	77,764,158	54,895,542	45,309,796	31,448,215	31,690,050	0
29 Dallas	92,541,833	79,900,643	28,021,740	27,590,622	27,728,777	11,158,000
30 New York	121,500,972	93,592,353	94,973,669	45,607,182	28,240,663	0

# **EXHIBIT 49**

Mo

Local US/World Sports Business A&E Life Comics Photos Opinion Blogs Subscribe Buy Ad

SONICS/NBA

Friday, February 24, 2006

**NBA chief backs Sonics' arena plea**  
 As Stern testifies in Olympia, Allen tells of Blazers' woes

By CHRIS MCGANN  
 P-I CAPITOL CORRESPONDENT

OLYMPIA -- The same day NBA Commissioner David Stern joined Seattle Sonics owner Howard Schultz in an appeal for tax money to bail out a team trapped in an uncompetitive basketball venue, local billionaire Paul Allen said his Portland-based team can't compete financially, either.

The Sonics and the NBA want taxpayers to pay for a \$200 million remodel at KeyArena and have threatened to move the team if they don't get it.

Schultz told the Senate Ways and Means Committee Thursday that he didn't expect to profit from the Sonics when he bought the team in 2001, but the \$60 million the franchise has lost since then is untenable.

"We can't be expected to lose millions of dollars every year and know going into the season, whether we sell out every single ticket to every game, that there's no chance that this basketball club can make a profit," he said.

Likewise, Microsoft Corp. co-founder Allen has been losing money for years on his investment in the Portland Trail Blazers, according to his spokesman, and the franchise stands to lose more than \$100 million over the next three years.


Lance Conn, who heads Vulcan Capital Management, Allen's privately held investment firm, told The Associated Press Thursday that Allen has decided it is time to cut his losses with the Trail Blazers -- or find a new way to finance the team.

"All options are on the table" because "the economic model is broken," Conn said. "No business person could justify these kinds of losses continuing."

Unlike their Washington counterparts, most of whom have been sympathetic to the Sonics, Oregon leaders said Allen shouldn't expect

**CLICK HERE for starting at just \$**

FEATURED GAI



Screening of "Smart People" Kids' Choice Awards

More Galleries | MySeattlePix |

ADVERTISING  
 !-- begin ad ta

**BASKETBALL HEADLINES**

- Sonics defense rests against loss
- Sonics vs Kings: Game In R

» more

**AP NBA HEADLINES**

- Suns rally from 22-point def
- Howard leads Mavs over Clip
- Suns rally from 22 down to l
- C.J. Miles leads Jazz past Wi
- Hawks cruise past Grizzlies,

» more

**STATS/INFO**

**Individual stats**

- Atlanta

**Team**

- Standings
- Schedules
- Day of Week Records
- Divisional Records

**Leaders**

- Scoring
- FG %
- FT %
- 3pt %

help from that state's taxpayers.

"I don't know what would leave the (Blazers) ownership the impression there is an opportunity for broad-scale public financing," said Pat Egan, Oregon Gov. Ted Kulongoski's chief of staff.

Allen, a Microsoft co-founder, has lost more than \$12 billion on various investments in the past decade.

In a thinly veiled threat that apparently did not factor in Allen's situation in Portland, Stern told the Senate committee in Olympia that the economic benefits are "large in every community that we are fortunate to be located."

Stern said he will respect the decision-making process at the various levels of Washington government.

"But on behalf of the NBA what I would say is, substantial amount of work has been done on the baseball and football fields and I'm here to personally find out whether the same is being considered fairly for the NBA. If not, that's a decision that we can accept, but that we'll have to act on," Stern said.

With the NBA's blessing the Sonics could move the team to another city -- presumably one with a more modern arena and a more lucrative lease.

Opponents of the proposal to remodel KeyArena with tax dollars said Seattle should let them go.

"The commissioner needs to go back to New York and solve his labor problem," said Chris Van Dyk, co-chairman of Citizens for More Important Things.

Player salaries, not KeyArena, are the reason the Sonics lose money, he said.

"You can't have player payroll that jumps from \$34 million to \$50 million in a year and expect to make money." Van Dyk said. "They have to deal with the real issue. Players are not paid in proportion to the value of the tickets that they help sell, it's that simple. And then they want a tax subsidy."

Van Dyk said the Sonics should "make do, as best they can, just like the rest of us."

Longtime Seattle stadium critic Armen Yousoufian told the Senate committee that if politicians stopped subsidizing stadiums sports teams would not disappear.

Yousoufian said the same people who persuaded taxpayers to modernize KeyArena a decade ago claim it's out of date today.

"This is insanity," Yousoufian said.

KeyArena is the smallest NBA site and about half the size of a modern arena, according to a recent study completed for Seattle Mayor Greg Nickels. The report added that KeyArena has considerably less room for

- Assists
- Rebounds
- Blocks
- Steals
- Turnovers
- Fouls
- Minutes
- Triple Doubles

SEATTLE BLOGS



Sonics blog

P-I staff blog on the

Review of: Sacram

107

Pre-game vs. Kings

Review of: Charlotte 96, Son

ADVERTISING



food and other concessions, and the smallest seating capacity in the league.

But despite the ideological objections raised in the hearing, supporters far outnumbered detractors. Among them was former Sonics superstar Slick Watts.

"What makes a city major is having major league sports," Watts said.

Ways and Means Chairwoman Margarita Prentice, a longtime Sonics fan, decided to open the debate on the tax subsidies to help pay for KeyArena late this legislative session.

She said Schultz had come forward to buy the Sonics the last time the team considered pulling up stakes. The city has come to take his investment for granted, she said.

"I just got tired of this anti-business, loser mentality," Prentice said.


She said Schultz and Stern helped put momentum behind a bill that would extend existing taxes for the remodel as well as artistic and cultural projects throughout King County.

"Everything is on track," she said. "The discussions are happening and there are some alternative solutions."


Schultz said he had not meant to create a threat or a wedge between the team and the community by making an appeal for arena improvements.

"We want to stay in Seattle. We would think it would be tragic if we had to leave."

**The Associated Press contributed to this report P-I reporter Chris McGann can be reached at 360-943-3990 or [chrismcgann@seattlepi.com](mailto:chrismcgann@seattlepi.com).**

 E-mail this

 Print this





 E-mail newsletters

 RSS

Save and share this article

 del.icio.us  Digg  Facebook  Newsvine

Add P-I Basketball headlines to

 My web site  My Yahoo!  Google  More options

ADVERTISING

[Home](#) | [Contact Us](#) | [About the P-I](#) | [Front Page](#) | [Corrections](#) | [P-I Jobs](#) | [Home Delivery](#) | [E-edition](#) | [RSS](#) | [Mo](#)



101 Elliott Ave W  
Seattle, WA 98119  
(206) 448-8000

Home Delivery: (206) 464-2121 or (800) 542-0820  
seattlepi.com serves about 1.7 million unique visitors  
and 30 million page views each month

Send comments to [newmedia@seattlepi.com](mailto:newmedia@seattlepi.com)  
Send investigative tips to [iteam@seattlepi.com](mailto:iteam@seattlepi.com)

©1996-2008 Seattle Post-Intelligencer  
Terms of Use/Privacy Policy



# **EXHIBIT 50**

**THE PROFESSIONAL BASKETBALL CLUB, LLC**  
c/o Dorchester Capital  
210 Park Avenue, Suite 3121  
Oklahoma City, OK 73102  
(405) 236-5179

**MEMORANDUM**

---

TO: Aubrey K. McClendon  
G. Jeffrey Records, Jr.  
Tom L. Ward  
William M. Cameron  
Cameron Hoops, LLC

FROM: Clayton I. Bennett

DATE: August 29, 2006

RE: Sonics – Financial Information Required

---

In connection with our application for NBA approval of the Sonics acquisition, the NBA Ownership Transfer Manual (the “Manual”) requires potential investors in The Professional Basketball Club, LLC (the “Company”) to submit certain financial information. Although the Manual generally requires financial information from every direct and indirect owner of the Company, it also indicates that the NBA may waive the requirement for individuals who own less than 5% of the Company. Our legal counsel has requested a waiver from the NBA, and we are waiting for their response. In the meantime, we are seeking the financial information described below from those direct and indirect investors that are expected to hold more than 5% of the Company.

The Manual places potential owners into three categories (individuals, entities and trusts) and requires different financial information from each category of owner. This Memorandum also describes the financial information requirements according to each category of investor.

I. Financial Information Requirements for Individuals

A. Certified Financial Statements – A personal financial statement specifically identifying all material assets and liabilities and all financial information described on Exhibit A hereto (to the extent applicable to individuals), together with a certificate from the potential investor that the financial statement is true and correct in all material respects and an opinion or certification with respect to such financial statement from an independent accounting firm acceptable to the NBA.

B. Personal Federal Tax Returns – For each of the three most recent years, copies of the potential investor’s personal federal tax return, together with a certificate from the potential investor that all such returns have been filed and all taxes shown as due thereon have been paid.

C. Sources of Funding – A narrative description of the source of funding (e.g., debt financing, equity financing or existing capital) for the potential investor’s contribution to the Company, together with all documentation related to any debt or equity financing.

D. Other Information – Any additional financial information requested by the NBA after its review of the initial financial information. As an example, the NBA may require financial statements of any entity that represents a significant portion of the potential investor’s net worth.

## II. Financial Information Requirements for Entities

A. Audited Financial Statements – For each of the three most recent fiscal years, an audited balance sheet, statement of operations, statement of cash flows and any related statements and schedules, together with an auditors’ opinion from a nationally-recognized independent accounting firm acceptable to the NBA.

B. Auditors’ Letters – For each of the three most recent fiscal years, letters from the entity’s counsel to its auditors describing pending or threatened litigation involving or affecting the entity.

C. Litigation Schedule – A brief description of all material pending or threatened litigation not identified in the Auditors’ Letters and all litigation alleging discrimination or harassment on any basis (including, without limitation, race, religion, gender, sexual orientation or age).

D. Publicly-Traded Entities – If the entity is publicly-traded, copies of the following reports: (i) each Form 10-K filed with the SEC (or, if applicable, Form 20-F) for the three most recent fiscal years; (ii) any Form 10-Q or Form 8-K filed with the SEC since the date of the last filing on Form 10-K (or Form 20-F) and, if applicable, any similar filings with any applicable foreign regulatory agency; (iii) any proxy statements filed with the SEC during the periods covered by the filings on Form 10-K and 10-Q; (iv) any Schedule 13D (or analogous foreign filings) received by the entity since its last proxy filing; and (v) any documents incorporated by reference in the above-described filings or proxy statements.

E. Sources of Funding – A narrative description of the source of funding (e.g., debt financing, equity financing or existing working capital) for the potential investor’s contribution to the Company, together with all documentation related to any debt or equity financing.

F. Newly-Formed Entities – If an entity is newly-formed, it does not have to provide the information described above under A – C and should advise the NBA that it was formed solely to hold the interests in the Company.

### III. Financial Information Requirements for Trusts

A. Trustees and Beneficiaries – If a trust holds a direct or indirect ownership interest in the Company, then the trust must provide the financial information below and each trustee and beneficiary of the trust may also be required to provide the financial information described above under “Financial Information Requirements for Individuals.”

B. Audited Financial Statements – An audited balance sheet, income or distribution statement and trustee statement, with appropriate footnote disclosures, as of a recent date for the trust, together with an opinion from an independent accounting firm acceptable to the NBA.

C. Statement of Methods and Procedures – A statement of the methods and procedures used by the trust to determine the estimated current amount of assets and the estimated current amount of liabilities.

D. Federal Tax Returns – For the three most recent years, copies of the trust’s federal tax returns, together with a certificate from an authorized person that all such returns have been filed and all taxes shown as due thereon have been paid.

E. Sources of Funding – A narrative description of the source of funding (e.g., debt financing, equity financing or existing working capital) for the potential investor’s contribution to the Company, together with all documentation related to any debt or equity financing.

IV. Submission of Documents; Further Questions. Please provide the information described above directly to the NBA as soon as possible. Two copies of the documents should be sent to the attention of Joel Litvin, Executive Vice President, Legal and Business Affairs, National Basketball Association, Olympic Tower, 645 Fifth Avenue, New York, New York 10022 ([jlitvin@nba.com](mailto:jlitvin@nba.com)) with two additional copies to Wayne Katz, Proskauer Rose LLP, 1585 Broadway, New York, New York 10036 ([wkatz@proskauer.com](mailto:wkatz@proskauer.com)). In addition, please send a copy of your transmittal letter to Frank Hill, McAfee & Taft, 210 N. Robinson, 10<sup>th</sup> Floor, Oklahoma City, OK. 73102 ([frank.hill@mcafeetaft.com](mailto:frank.hill@mcafeetaft.com)) and to me so that we will know the information has been submitted to the NBA. If you have any questions regarding the financial information requirements, please feel free to contact the NBA directly or our legal counsel – Frank Hill at (405) 552-2259 or Cheryl Vinal Denney at (405) 552-2295.

C.I.B.

# **EXHIBIT 51**

# MZSPORTS LLC

Atrium II, 3000 Atrium Way, Suite 101, Mt. Laurel, NJ 08054  
856.778.8478 fax  
Mitchell Ziets 856.778.9400 phone  
Peter Wilhelm 856.778.4422 phone  
David Haber 856.778.8472 phone  
www.mzsports.com

September 29, 2006

Clayton I. Bennett  
Chairman, Board of Managers  
The Professional Basketball Club, LLC  
c/o Dorchester Capital  
210 Park Avenue, Suite 3121  
Oklahoma City, OK 73102

Dear Mr. Bennett:

This letter (the "Agreement") sets out the terms upon which MZ Sports, LLC ("MZ Sports") is being engaged to act as consultant to The Professional Basketball Club, LLC (together with any subsidiaries or affiliates involved in this transaction, the "Company") in the Company's effort to purchase (the "Acquisition") the Seattle Supersonics National Basketball Association ("NBA") franchise and related assets from The Basketball Club of Seattle, LLC (the "Target").

## Scope of Services

During the term of the Agreement, MZ Sports will perform the following services:

1. Analyze audited historical financial statements and make observations and comments on key components relative to other NBA franchises.
2. Review existing financial projections to be submitted to the NBA in connection with the Ownership Transfer application, including a recommendation of the base case assumptions while the Target plays at Key Arena.
3. Review liquidity position of the Company and any required increase in funding capacity and/or capital infusion required during the projection period.
4. Review the purchase and sale agreement and comment on terms and provisions.
5. Review the purchase price adjustment mechanism in the purchase and sale agreement and assist with the analysis of adjustments at closing.
6. Highlight key issues for NBA franchises and comment on the Target's standing with respect to the issues, including its standing in relation to peers.
7. Evaluate and make recommendations related to existing financial and operational reporting systems.
8. Identify other strengths, weaknesses and key issues of the Target.

PBC\_09293

Clayton I. Bennett  
September 29, 2006  
Page 2

Term of Agreement

The Term of this Agreement is from October 1, 2006 to December 31, 2006. This Agreement can be cancelled after thirty days by the Company, upon ten days written notice. This Agreement can be extended with the consent of both parties.

Fees

As compensation for the services rendered by MZ Sports hereunder, the Company shall pay or cause MZ Sports to be paid a Monthly Consulting Fee as follows:

- Month 1 - \$50,000 (\$25,000 payable upon execution of the Agreement and \$25,000 payable 10/31/06)
- Month 2 - \$30,000 (payable 11/30/06)
- Month 3 - \$30,000 (payable 12/31/06)

In addition, the Company shall reimburse MZ Sports promptly upon receipt of any invoice for its reasonable out-of-pocket expenses incurred in connection with this engagement.

\*\*\*\*\*

If the foregoing correctly sets forth the entire understanding and agreement between MZ Sports and the Company, please so indicate in the space provided for that purpose below and return an executed copy to me, whereupon this letter shall constitute a binding agreement as of the date first above written.

Very truly yours,

MZ SPORTS LLC,

By:   
Mitchell Ziets,  
President and CEO

ACCEPTED AND AGREED TO:

The Professional Basketball Club, LLC

By: \_\_\_\_\_  
Clayton I. Bennett, Chairman

Date: \_\_\_\_\_

PBC\_09294

Clayton I. Bennett  
September 29, 2006  
Page 2

Term of Agreement

The Term of this Agreement is from October 1, 2006 to December 31, 2006. This Agreement can be cancelled after thirty days by the Company, upon ten days written notice. This Agreement can be extended with the consent of both parties.

Fees

As compensation for the services rendered by MZ Sports hereunder, the Company shall pay or cause MZ Sports to be paid a Monthly Consulting Fee as follows:

- Month 1 - \$50,000 (\$25,000 payable upon execution of the Agreement and \$25,000 payable 10/31/06)
- Month 2 - \$30,000 (payable 11/30/06)
- Month 3 - \$30,000 (payable 12/31/06)

In addition, the Company shall reimburse MZ Sports promptly upon receipt of any invoice for its reasonable out-of-pocket expenses incurred in connection with this engagement.

\* \* \* \* \*

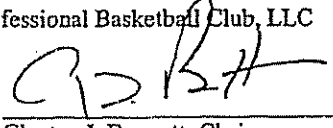
If the foregoing correctly sets forth the entire understanding and agreement between MZ Sports and the Company, please so indicate in the space provided for that purpose below and return an executed copy to me, whereupon this letter shall constitute a binding agreement as of the date first above written.

Very truly yours,  
MZ SPORTS LLC,

By: \_\_\_\_\_  
Mitchell Ziets,  
President and CEO

ACCEPTED AND AGREED TO:

The Professional Basketball Club, LLC

By:   
Clayton I. Bennett, Chairman

Date: 10-2-06

# **EXHIBIT 52**

**Subject: Commissioner's Comments**

**Date:** Monday, October 23, 2006 8:12 AM

**From:** Brent Gooden <bgooden@goodengroup.com>

**To:** 'Maureen Coyle' <mcoyle@nba.com>

**Cc:** 'Jim Kneeland' <kneeland@pacificpub.com>, 'Karen Bryant' <KBryant@Sonics-Storm.com>, 'Dan Mahoney' <DanMahoney@acli.com>, Tom Savage <tsavage@sonics-storm.com>

**Conversation:** Commissioner's Comments

Our PR consultant we are using on the political front in Seattle advised us in an email last night we need to exercise care in shaping what the Commissioner says about the ownership change and the arena situation especially in light of the fact we are going to the legislature to seek financial assistance in a few weeks. He advises it would be imprudent and counterproductive to say anything disparagingly about the previous owners or the City of Seattle. I gather from the email our friend sent to us that the Commissioner's comments last year about the lease –albeit true- did not settle well with some in the City or the Legislature. I know you are well aware of the sensitivities we are facing in Seattle. I think our consultant is right on the mark. If I may offer the following simply as suggestions for considerations:

**Prior Ownership**

- Express appreciation for Howard and his ownership group. Commend them for their hard work and dedication to keeping the Sonics and Storm in Seattle. Compliment them on building the Sonics' storied tradition in Seattle and the preparations made to make the 40th Anniversary Season special for players, fans and the Seattle area.
- Note that even in selling the team they had Seattle's best interest in mind – they want more than anything to see the Sonics and Storm stay in Seattle as evidence by selling the teams to a capable group who is committed to doing everything it can to work with the community and state to find an acceptable solution to the arena issue. Mention the new owners' fervor commitment to Seattle; how they recognize the dynamic opportunity to build on the great legacy of the Sonics in Seattle and the success of the Storm; tremendous upside potential in Seattle.
- Express confidence in the new owner to do what they say they will do; lend unflagging support to them in their efforts to succeed – can't imagine the NBA without Seattle

- Make sure people know it is the Commissioner's desire to keep the Sonics and Storm in Seattle and how much Seattle means to the NBA and the role it has played in the development of the NBA into a premier brand and sports entertainment business.
- Talk about Clay personally – mutual respect; excellent businessman with vision and strong capabilities and abilities to tackle this matter and build a championship caliber franchise in Seattle
- Might end by saying something like I am optimistic the best days for the Sonics and Storm are ahead

If we do script the Commissioner's remarks for tomorrow, (recommend we do so) I would like to run them by our consultant, Jim Kneeland, to get a strong read of how they will support and complement the strategy/messaging we are using in Seattle to lay the groundwork for a strong effort in the next several months.

Those are some quick thoughts for you to consider.

Thanks,

Brent

Brent Gooden  
The Gooden Group  
Office Number: 405.715-3232  
Cell Number: 405.818-1900

# **EXHIBIT 53**

**FEBRUARY 23<sup>rd</sup> TRANSCRIPTION**  
**SB 6849**  
**BEFORE THE SENATE WAYS AND MEANS COMMITTEE**

Female: ...responsibilities of the Legislature, responsibilities of the City and of the County Council. So we have a number of people and a cast of thousands who also want to participate after we hear our panels, so Terry Wilson's staff will explain to us what the Bill was originally.

Wilson: Senator Prentice, members of the Committee, for the record, Terry Wilson, committee staff. To fund Safeco Field, King County imposes .017% sales tax which is credited against the state sales tax. It also imposes an additional .5% sales tax on the sale of food and beverages in restaurants, taverns and bars and it imposes an additional 2% sales tax on car rentals. These taxes expire when the Baseball Stadium debt is retired. Senate Bill 6849 makes these taxes permanent. When the bonds are retired then, the money will be used for civic amenities. A civic amenity is any sports or cultural or other amenity that promotes economic development or tourism. It includes a public sports stadium, a multi-purpose public arena and stadium and exhibition center. In addition, King County imposes an additional 1% tax on car rentals. Seventy-five percent of this is used for the Kingdome debt. When these bonds are retired, the monies under 6849 will be used for civic amenities and the arts. King County also imposes a hotel/motel tax of 2% which is credited against the state tax. Except for the City of Bellevue, no city in King County can also impose this tax until January 1, 2021. Monies under this tax must be used at the moment for Kingdome debt and for the arts until 2012. After 2012, the money is used to retire debt on Qwest Field. Under SB 6849, 50% of the monies are used for the arts and the other 50% for civic amenities and tourist promotion beginning January 1, 2021.

In addition, the prohibition on other cities imposing the tax in King County is made permanent. Finally, for calendar years 2013 to 2020, \$4.5 million of these new revenues must be used for the arts. There is a fiscal note. The fiscal note shows no impact, however, the .017% sales tax that is credited against the state tax would result in a cost to the state general fund beginning around 2014 of about \$10,000,000 a year. And I'll answer any questions.

Female: Are there any questions of staff?

Female: Thank you, Terry. We're going to have a panel first and I'd like to call on Tim Ceis, deputy mayor of Seattle, Ron Sims, county executive, Marty Brown representing Governor's office, Louise Miller, Dave Della, Seattle City Councilmember, and Jim Falsitch who's on the KeyArena Subcommittee.

Female: Go ahead in whatever order

and make the place more vital, makes the region more vital, they've all identified that the arts are a critical component. They call it a "strategic competitive advantage" for a region in attracting the kind of employees, attracting the kind of businesses we want to make this region and this state successful. I'd also like to speak briefly about the importance of Seattle Center to the whole arts scene. Seattle Center is home to many of the arts organizations. It serves not just Seattle, not just the two-county area, but the region and the state and many visitors beyond. If KeyArena were allowed to decline, I think it would cast a shadow over all the other activities there and could impair the success of those organizations and put a big crimp not only in our cultural life but also in the economic activity it generates for the region and the state. I'd be glad to answer any questions.

Female: Thank you.

Stern: Chairwoman Prentice and members of the committee. For the record my name is David Stern. I'm commissioner of the National Basketball Association and I'm honored to have been in that position for the past 22 years. The NBA is very proud of the support that both the Sonics and the Storm have received from the Seattle community, the King County community and the state of Washington over the years is a source of great pride to us. I was equally proud in 2001 when the team was put on the market to be able to induce a group led by Howard Schultz that was very much Seattle-based and that understood the value of a professional sports team, in this case, teams to the community was a step forward and invest. I knew at that time in conversations that the KeyArena venue left something to be desired but in my conversations at that time my view was, and I expressed it, that by 2010 I was quite certain that something would be done about the KeyArena facility. I think that an arena, I would add to arts and heritage culture, I think an arena is an important part of the cultural life of any city, whether you're talking about college games, high school games, circuses, family shows, concerts, just community gatherings, and, yes, professional NBA games and professional WNBA game. It's a tremendous, tremendous place for the community to gather. It makes the community attractive. The dateline on a global basis identifies the community in the 215 countries in which NBA games are televised and the 155 countries in which WNBA games are televised and others who have done more work than I and this can speak to the economic benefits but they are large in every community in which we are fortunate to be located. The, I guess I would say that a state-of-the-art facility is a great thing for a community to have. KeyArena is not a state-of-the-art facility. It would be a great thing if the various things that had to be done after Senate Bill 6849 is passed would be done, but I'm like the Governor on this one. I'll respect on behalf of the NBA the decision-making process but on behalf of the NBA what I would say is substantial amount of work has been done for the baseball and football teams and I'm here personally to find out whether the same is being considered fairly for the NBA. If not, that's a decision that we can accept but then we'll have to act on it ourselves. Thank you very much and I would be happy to answer any questions.

# **EXHIBIT 54**

---

**From:** Clayton Bennett  
**Sent:** Sunday, April 15, 2007 02:57 PM  
**To:** Brent Gooden  
**Subject:** RE: PBC - more planning thoughts, ideas and actions

Sure. Thanks.

---

**From:** Brent Gooden [mailto:Bgooden@goodengroup.com]  
**Sent:** Sun 4/15/2007 2:28 PM  
**To:** Clayton Bennett  
**Subject:** RE: PBC - more planning thoughts, ideas and actions

Actually, we can make it work a lot easier in NYC with Maureen and the NBA assistance. Yes, be flexible tomorrow night. If we execute the plan as presented below, your television interviews would occur between 10 and 11 p.m. EST. I would like to give her a courtesy heads up today - no details, just concepts - is that alright with you? Let me know....  
Regards

---

**From:** Clayton Bennett [mailto:cbennett@dorcap.com]  
**Sent:** Sun 4/15/2007 1:45 PM  
**To:** Brent Gooden  
**Subject:** RE: PBC - more planning thoughts, ideas and actions

Looks good. I will review carefully. FYI-I will be in New York leaving here after lunch tomorrow returning Friday PM. I have a series of unrelated business meetings and two board meetings in advance of the Spring Board of Governors Meeting Thursday and Friday. How about this timing! I suppose Maureen would be willing to help us with their studio and other recourses? We need to discuss schedule, I suppose I need to be flexible tomorrow night? Thanks.

---

**From:** Brent Gooden [mailto:Bgooden@goodengroup.com]  
**Sent:** Sun 4/15/2007 1:18 PM  
**To:** Clayton Bennett  
**Subject:** PBC - more planning thoughts, ideas and actions

Your thinking is clear on this matter. Key questions will be what is next followed by the deadline and will we play at Key Arena next year and complete the lease. You are right, it is time to lay it out and turn it up. You have been direct and honest from the start. That approach has gained us the respect of skeptics and even adversaries. At the end of this process, we want to leave with people saying they gave it there best shot, did more than the local owners and they did it right. Hopefully, the tide will quickly change in favor of the bill and we will live to fight the next battle.

1. We do not want this to get personal, no matter what. We should not directly attack Chopp or anyone else. I do love the line...it feels like our legs have been chopped out from under us.
2. As you have clearly stated, while a defeat doesn't lock the door, it does slam it shut.
3. Need to commend our supporters even those who did not step out or step up to the level we needed them to do so in order to make this happen in Olympia.
4. Need to remind the market of the deadline and, as you stated, we do not know the pathway forward, but we are willing to explore every creative and conceivable option to keep the Sonics and Storm in Seattle. Right now we are just drained and disappointed beyond words.
5. Let's pull a card from Commissioner Stern's deck and answer the anticipated question in a general statement (see below)
6. You are the most effective communicator of this message. We should consider conducting a potential satellite press avail for a pre-recorded segment for each station to play in its late newscast. We could likely use OETA's studio. We will explore the prospects tomorrow to make sure it can be done. We should also plan a phone conference call for the print media.

The general statement - reaction to the developments

I am disappointed beyond words. This is a major setback and it could very well be a fatal blow to keeping the Sonics and Storm in Seattle. I know you are going to ask me what are the next steps. I simply do not know. The deadline is October 31. We are a prisoner of time right now. Although the path is unclear, I will not quit but will do everything I can to find a workable option, which I do not know if it is even possible. The last thing we want to see is the Sonics and Storm leave this great region. Obviously, there are more people than we could have every imagined in Washington who don't share our goal. I am stunned by the people who have told me they don't care if the teams leave or if this marketplace ever builds another major venue again. That is short-sighted thinking and it will come with a heavy price in the future. I am also saddened for the arts and culture community who could have also benefited from this well-thoughtout piece of legislation. You want to know if we will play in Key Arena next year and beyond. We will play in Key Arena next year. Hopefully, the core, loyal Sonics and Storm fans whom we have come to admire and appreciate more than ever though this difficult process will be there for the teams going forward. If we are unable to find a workable option, we will initiate discussions later this year with the City of Seattle on early termination of the lease, which ends sooner rather than later. We are fortunate the lease is short-term now because it allows us to move rapidly if relocation become the only option. We will also initiate the process with the NBA to commence relocation activities after October 31. Again, we want to keep the teams here but given the outcome in Olympia, I am pessimistic and must take a long term view. Hopefully, something good will emerge to change the course we are now on. You will ask me about basketball operations. We owe it to our organization and players to continue supporting them and help build winning teams. We owe it the loyal Sonics and Storm fans to put the best product we can on the floor and make the game experience better than ever for the remaining time in Seattle, as things stand at this point. In light of the setback at the legislature, it would be out place to talk personnel at this time. To those who fought for the Sonics and Storm at the legislature, please accept our heartfelt thanks. We know you share the pain of this disappointment with us.

-----  
Clay, I know it's long, but it answers the key questions the reporters will be asking you. I embrace the approach we issue the statement first and than do the live broadcast interviews with the stations - 5 mintues for each as well as the phone conference for Seattle media and others.

We might also give the statement to the AP first because they will move it quickly on the wire and we will have the benefit of the statement setting the tone and tenor to help shape the rest of the stories.

You might want to give Commissioner Stern a heads up on the statement becasue the NBA, in my opinion, should also issue a statment in support of you and the efforts to-date. They should also express disappointment, but they should also express support of trying to find a workable option. Commissioner Stern's threat last year do not work. A thoughtful tone would be good.

Those are some thoughts to consider.

Decision points

1. Pre-plan for media coverage - want your approval to explore available options locally for the satillite times etc. - we can do it quietly.
2. Need to share our thoughts with our colleagues in Seattle - respect Jim's senses for the market particularly the political dynamics. We can start by sharing this communication with him as thought provoker document
3. Need to coordinate with NBA PR, but do not believe we should initiate until you have determined how you want to interact with Commissioner on this matter. Will not move forward without your direction.

Let me know.

Regards,  
Brent

From: C

layton Bennett [mailto:cbennett@dorcap.com]  
Sent: Sun 4/15/2007 12:00 PM  
To: Brent Gooden  
Subject: RE: per my message on your voicemail

PBC\_14058

Thanks Brent. I have indeed considered the concept Maureen has put forth, and it is excellent. But it does presuppose expansion which I don't think is in the cards. Thirty is the right number for many reasons and with instability in Memphis, Atlanta, Charlotte, Sacramento and with Las Vegas, Anaheim, San Jose, Nashville and others in play, not to mention the China expansion, there is a lot to work on.

Brent we are in trouble in Olympia. Quite likely Chopp will prevail. The Governor while helpful has not gone as far as she has needed to. She could change her mind and dig in, but it will have to be before 5:00 PM tomorrow. I am getting a sense from Jim that we don't get out of the House. I have been thinking along the following lines, a muddled combination of messaging and strategic thinking:

- 1) This is a staggering and quite likely debilitating blow
- 2) We are committed to continue to find a workable solution, but at this time don't have a clear plan
- 3) Will need to begin to develop relocation strategies
- =
- 4) We are committed to winning a Championship
- 5) We are committed to delivering the best fan experience possible and to delivering the best sponsor/marketing value possible
- 6) We are committed to being a well run and value oriented business organization and play an important and positive role in the community
- 7) We can now speak candidly and openly about our intentions out of the political context
- 8) We will work to negotiate out of the lease with Key Arena, we will play next season in Key
- 9) It was not our decision to relocate-it has been the will of political leadership and hence the will of the greater public

I still have a notion we somehow survive the legislature but Chopp is really playing hardball. We may need to move on a response as soon as tomorrow night. Thanks.

---

From: Brent Gooden [mailto:Bgooden@goodengroup.com]  
Sent: Sun 4/15/2007 10:52 AM  
To: maureen.coyle@gmail.com  
Subject: Re: per my message on your voicemail

These are terrific thoughts and the type of broad and strategic thinking Clay will appreciate as he and the ownership group begin considering the "proper" next steps. This is also the type of input we need from someone who knows a great deal about the dynamics of the NBA. I cannot stress how much we welcome your insights and inputs. Never hesitate to share your thoughts and ideas. Thanks, Brent

----- Original Message -----  
From: maureen coyle <maureen.coyle@gmail.com>  
To: Brent Gooden  
Sent: Sun Apr 15 09:30:57 2007  
Subject: per my message on your voicemail

Brent:

I have been giving the Sonics situation a lot of thought and I hope you don't mind that I send things to you for filtering. You are much closer to the situation and know what has and has not been discussed thusly preventing me from sending ideas that have already been considered.

My idea is that if/when the arena deal in Seattle passes the point of no return and is a dead issue then perhaps Mr. Bennett should consider doing what the owner of the then-Cleveland Browns was forced to do when he wanted to relocate his team to Baltimore. As you remember, the city of Cleveland and fans filed a number of lawsuits to keep the team there... so what the owner did was leave the Browns' identity in Cleveland and moved his franchise to Baltimore where he was able to create an entirely new franchise identity.

I see this as an opportunity for Seattle to retain their beloved "Sonics" (I'd also sell the Storm and leave them there) which would open the opportunity for Clay to move his team to a location such as Oklahoma and enable those fans to be involved in creating "their team". OKC deserves to get its "own" team and brand it to fit the region - no more "leftovers". This I think would help the fans engage immediately and move on from the Hornets because this would help them mark the new team as their own because it would have an OKC identity. It would also bran Mr. B and his group as heroes because they were able to successfully "split the baby".

Then, that leaves the door open for an expansion franchise in Seattle that will have the equity of the Sonics brand already built and if it is a local ownership/company maybe they will have the means to finance an arena on their own. Plus, instead of having to try to sell his team and buy another he will get the best of both worlds and would only have to pay the relocation fee. Which I can't help but think he'd make back on the move and new identity creation (merch sales, etc).

Anyway, this would obviously have to pass BOG approval but maybe Mr. B should run the scenario by David privately and see what he thinks.

Sorry, if you have gotten to the end of this email and already had these ideas. I know it isn't a new idea but I think it might be a really great starting point.

Talk to you soon.

# **EXHIBIT 55**

---

**From:** Clayton Bennett  
**Sent:** Monday, April 23, 2007 07:32 PM  
**To:** jlitvin@nba.com  
**Subject:** Question

A couple of additional responses to your important question this morning:

1) We are in an extraordinarily dynamic business platform, while the NBA rules are well considered and applicable to most situations, some issues arise that need acute and dramatic attention. This is one of those occasions.

2) This is a decision not made in haste but in the context of now years of failing economics and as of last week no reasonable prospects for the development of an arena facility that meets the economic requirements of the business not to mention generally accepted league standards.

3) While Oklahoma City is certainly a much smaller media market, this ownership group provides a unique relationship with the corporate community, city and state government, the local media and a proven fan base. We can deliver a viable business operation and a commitment to competitive teams.

4) The notion of the NBA being the "only game in town" and indeed the only professional franchise in the state is compelling.

Just a couple of new ideas, I'm sure more to come. I look forward to working with you towards an appropriate and hopefully permanent answer to this challenge.

Thanks Joel.

# **EXHIBIT 56**

---

**From:** Brent Gooden  
**Sent:** Saturday, April 28, 2007 08:04 AM  
**To:** Clayton Bennett  
**Subject:** Re: Las Vegas

Very, very, well written. The folks in Seattle, several of whom were likely at this week's meeting, recall the comment we made early on in the process to validate our seriousness on staying in Seattle when we said we paid a \$100 million too much to buy these teams if we planned to simply relocate them to OKC. We might should consider going through the activity of preparing standy statements and responses to cover any meeting you have with a public body so we can ensure we give the media our perspective. good job.

----- Original Message -----  
From: Clayton Bennett <cbennett@dorcap.com>  
To: Brent Gooden  
Sent: Sat Apr 28 01:01:07 2007  
Subject: FW: Las Vegas

Please confidential. But wanted you to see my response to David. Thanks.

---

From: Clayton Bennett  
Sent: Sat 4/28/2007 12:41 AM  
To: dstern@nba.com  
Cc: jlitvin@nba.com  
Subject: Las Vegas

Gentlemen: First and foremost please know I heard loud and clear and completely endorse your recommendation at the Board of Governors Meeting relative to Las Vegas.

An attempt at a recap:

- 1) Reflective of the media environment in Seattle.
- 2) Reflective of the political posture of the Seattle City Council member who was in attendance at the Convention and Visitors Board Meeting.
- 3) What I said when asked about the "pre-determined exercise which will pave the way for the team to go to Oklahoma City"....."Number one, we will continue to do all we can to be successful in this market. Further if we are unsuccessful in finding a building solution, there are any number of available and viable markets for the NBA to consider, Las Vegas among them"
- 4) I know I probably went to far here but at the time I was attempting to bring urgency and focus (and some posturing) to the notion that a relocation is absolutely more than a possibility.
- 5) Of course they reacted to Las Vegas. Leadership in the market has never valued the threat of moving to Oklahoma City. They don't even know where it is. They clearly believe the following about Las Vegas; a) They view Las Vegas as a true competitor in the convention and visitor industry, and 2) if Las Vegas values the NBA then perhaps they should more thoughtfully consider the risk of losing the Sonics.
- 6) At 6:30 PM CST, Jim Kneeland our Public Affairs consultant in Seattle received a call from Tim Cies, Deputy Mayor, City of Seattle (City Manager) who indicated they would appreciate the opportunity to now meet to discuss possibilities for a new arena development on the Seattle Center site.
- 7) I wouldn't trust Tim Cies as far as I could throw him, and I think a deal will be extremely difficult to develop. But clearly notwithstanding my clumsy volley, the threat of Las Vegas has moved the needle.
- 8) I will have Kneeland and Jack McCullough (our local municipal issues counsel) meet with Tim Cies on Monday. If there is anything credible to

consider and develop, I will head back up there on Tuesday.

9) I am sorry for this public relations challenge, but please know I am doing my best and NEVER suggested we were intent on moving the Sonics to Las Vegas.

Thank You.

# **EXHIBIT 57**

---

**From:** Clayton Bennett  
**Sent:** Monday, April 30, 2007 12:03 PM  
**To:** 'dstern@nba.com'  
**CC:** 'Joel Litvin'  
**Subject:** Follow-up

1) When I wrote you Friday night I had not seen the Seattle Times story by Jim Brunner and Jim Kneeland's quotes. As of this morning Jim and his firm Pacific Public Affairs (PPA) are no longer representing The Professional Basketball Club, LLC. He will wrap up his activities and send me final billing through today. In addition he will obtain an after-action report from the lobby team in Olympia relative to our legislative initiatives this session. All related consultants, lobbyists and support staff working on our project connected with PPA will be advised today as to the indefinite suspension of the engagement. Jim understands and is willing to assist going forward in any way possible, to accommodate ongoing incoming calls (to be referred to me) and maintain his ongoing personal support of our group and our efforts.

2) I advised Jim that I will meet personally with Deputy Mayor Tim Cies, and he has conveyed this to Mr. Cies.

3) I am working on a retooling of the team's communications operations and will quite likely engage third party public relations support in the market, to be managed by my Oklahoma City staff. I am hopeful the team staff can elevate their game to support us here but the media environment is too big and too aggressive on the building issue at this time.

4) For now all messaging will come from me, primarily in prepared statements. We will soon roll out a more proactive and integrated strategy.

5) For what it's worth I have indeed met Mayor Oscar Goodman, and have a poker chip "business card" to prove it! I talked with him briefly at All-Star Weekend where he implored me to leave, "cold, rainy, dreary Seattle, and bring the Sonics to Fabulous Las Vegas!" His wife chimed in as well. It was a busy time and I can understand if he did not remember, but for the record.

Thanks again.

This electronic transmission (and any attached document) is intended to be confidential and for the use of only the intended recipient. If the reader of this message is not the intended recipient, you are notified that retention, use, dissemination, distribution, or copying of this message and any attachments hereto is strictly prohibited. If you received this message in error, please notify me, and destroy the attached message (and all attached documents), immediately.

# **EXHIBIT 58**

---

**From:** Clayton Bennett  
**Sent:** Saturday, June 09, 2007 02:59 PM  
**To:** Tim Romani  
**Subject:** RE: Tim Romani

Tim I spoke with Commissioner Stern this morning. Good conversation on a number of fronts. Let's connect on Monday for a download and strategy discussion. Thanks.

---

**From:** Tim Romani [mailto:tromani@iconvenue.com]  
**Sent:** Tue 6/5/2007 4:50 PM  
**To:** Clayton Bennett  
**Cc:** 'Jim Cronin'  
**Subject:** Tim Romani

Clay: Just a quick follow up to our conversation this morning.

1. You are going to contact Leiweke to engage him in discussions about what deal terms AEG would offer to land the Sonics at Sprint Center. Give him the opportunity to sell you on a deal. Try to get him to explain the particulars of the AEG - City revenue split deal and how that impacts the Sonics revenue opportunity. If you are enticed at all, you could request a meeting with Tim and Wayne Cauthen to talk about a deal directly. I will gladly participate in any of these discussions and meetings.
2. Jim and I will reach out to City Manager Couch in OKC to engage him in deal negotiations. It would help if you would place a call to him letting him know that you have asked us to represent you so he understands that we are empowered and he should engage in earnest negotiations with us. Jim is preparing a Term Sheet that we would use to initiate the negotiations and run it by you before we engage to make sure we are in sync. Our approach will be to ask for the world so you may or may not want to pull back on the bit. We will start with a deal that is better than what the Hornets have. We will also address cost items such as NBA Relocation Fee, Relocation Expenses, practice facility and Ford Center improvements.
3. Jim is directing CSL to refocus their scope and to gather the pertinent data for both OKC and KC. Once we have their data we will input it into our working model and recalc the revenues for both options. This very well might close the annual revenue gap between the two. The key drivers are suites and premium seating and media rights fees.

Good luck with your GM decision. As you said, you know how I feel.

Tim Romani

President and CEO

Romani Group, Inc | ICON Venue Group

8101 E. Prentice Ave., Suite 700

Greenwood Village, CO 80111

303-796-2655

www.romanigroup.com <<http://www.romanigroup.com>> | [www.iconvenue.com](http://www.iconvenue.com)  
<<http://www.iconvenue.com>>

# **EXHIBIT 59**

---

**From:** Tom L. Ward  
**Sent:** Sunday, July 01, 2007 07:39 PM  
**To:** Clayton Bennett; Aubrey McClendon  
**CC:** jeff.records@midfirst.com  
**Subject:** RE: Emailing: 2003769677\_kelley01.htm

Thanks for the update

---

From: Clayton Bennett [mailto:cbennett@dorcap.com]  
Sent: Sunday, July 01, 2007 7:03 PM  
To: Aubrey McClendon  
Cc: Tom L. Ward; jeff.records@midfirst.com  
Subject: RE: Emailing: 2003769677\_kelley01.htm

1) All of these guys are against us. Seattle has the most inept and difficult sports media of any major market. This was the view of the league before we arrived and I now completely agree. All of the beat reporters are weak and the columnists see things differently every day. They still don't get the deal as shown in the Kelley piece today. Ultimately it is not up to us to build them a building-it is up to the leadership and broad public to build a building. There has been no serious activity on a building plan, however last week the Muckleshoot tribe did hire a respectable facilities development firm to put together a feasibility analysis for an arena next to Emerald Downs in Auburn. I am very doubtful as to the viability of such a project. There is excitement in the market about the draft and the new vision for the team, it remains to be seen if that excitement moves leadership. The funny thing about the Kelley story is that I WAS at the game. Graham and I sat in the stands and had a great time receiving cat calls from the Mariners faithful!

2) I have had lengthy meetings with Dwayne Casey, Tyrone Corbin and P.J. Carlisimo regarding the Head Coach position.

**REDACTED**

3) Talks with Rashard

<<2003769677\_kelley01.htm>>

Can't tell if this dude is for or agin you...

May I assume the draft has not changed the dynamics of building a new arena in Seattle?

---

This email (and attachments if any) is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this email is not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by return email and destroy all copies of the email (and attachments if any).

**PBC106630**

# **EXHIBIT 60**

---

**From:** Brent Gooden [Bgooden@goodengroup.com]  
**Sent:** Wednesday, July 18, 2007 4:16 PM  
**To:** Aubrey McClendon; Bill Cameron; everettd@dobson.net; tward@tlwinv.com; jay@balon.com; Bob Howard; Jeff Records; StringerM@McKinneyStringer.com; Frank.Hill@mcafeetaft.com; Dan Mahoney  
**Cc:** cbennett@dorcap.com  
**Subject:** Update from Clay - Seattle  
**Attachments:** july18\_19agenda\_release[1].doc

Gentlemen:

We will distribute the attached news release tomorrow to the Seattle media. I am headed to Seattle today where I will meet with selected members of the Seattle print media tomorrow. With roughly three months before the October 31, 2007 deadline, we plan to issue a last call to action to Seattle and Washington. The deadline, as you may recall, is a covenant of the purchase agreement. It calls for us to put forth a good faith effort to keep the teams in Seattle. We believe our efforts at the Legislature this past session have satisfied the good faith condition. The Call to Action will create the opening we need to start a dialogue with the City of Seattle to discuss matters related to the lease. On a broader basis, this action will also demonstrate to the Commissioner and the Board of Governors we are exhausting every avenue in Seattle. We will eventually need the Commissioner and the Board of Governors' approval to relocate the team should it come to that. In some respects, the tactics we are executing in Seattle tomorrow are part of our strategy to lay the groundwork to explore several options, including relocation. We have worked with our legal and PR teams to formulate this strategy and craft the right messages, making sure we remain consistent with what we have said from the start, a year ago today. I will keep you informed of our actions and activities. As always, your continued support is greatly appreciated.

Regards,  
Clay

Brent Gooden  
The Gooden Group  
Office Number: 405 715-3232  
Cell Number: 405 818-1900

# **EXHIBIT 61**

---

**From:** Clayton Bennett  
**Sent:** Monday, August 13, 2007 07:47 AM  
**To:** dstern@nba.com  
**Subject:** Sonics-Aubrey

We are attempting to make this the most difficult arena development/relocation exercise of all time. Talking with the lawyers and PR folks now to craft a response strategy. Never a dull moment.

# **EXHIBIT 62**

---

**From:** Aubrey McClendon  
**Sent:** Monday, August 13, 2007 08:09 AM  
**To:** cbennett@dorcap.com  
**CC:** bgooden@goodengroup.com  
**Subject:** Re: Interview

Unbelievable, shouldn't we put out a clarifying stement?

Why couldn't team or me say:

It was a statement made in error and our actions over last year prove good faith and that my statemnt simply relects my personal hopes, and nothing else?

Aubrey K. McClendon  
Chesapeake Energy Corporation  
6100 North Western Avenue, 73118  
Post Office Box 18496, 73154-0496  
Oklahoma City, Oklahoma  
e-mail: amccclendon@chkenergy.com  
Ph: 405-879-9226  
Fax:405-848-8588

----- Original Message -----

**From:** Clayton Bennett <cbennett@dorcap.com>  
**To:** Aubrey McClendon  
**Sent:** Mon Aug 13 09:42:25 2007  
**Subject:** Interview

Yes sir we get killed on this one. I don't mind the PR ugliness (pretty used to it), but I am concerned from a legal standpoint that your statement could perhaps undermine our basic premise of "good faith best efforts" when you infer that is was basically never the plan to stay in Seattle. I have the lawyers **REDACTED** My other imminent concern is our professional staff. It has been difficult lately as we are losing some more senior people who believe a relocation is a matter of time and are making alternative career choices. Also pressing is the handful of top guys who have really supported me through all of this, hoping not to lose my credibility with them. Will begin calling them now as well as David Stern. The story is posted on the NBA Communications platform which is distributed far and wide. Also plan to contact the partners to make them aware of potential media follow up.

Also-almost funny-we have a big sales presentation to KIA Motors today!

All this said-we'll figure it out. And you're my partner through thick and thin!

PBC106634

# **EXHIBIT 63**

---

**From:** Aubrey McClendon  
**Sent:** Monday, August 13, 2007 05:18 PM  
**To:** Clayton Bennett  
**Subject:** RE: NBA

shouldn't we talk first? I am ready if you are, what's your number?

-----  
From: Clayton Bennett [mailto:cbennett@dorcap.com]  
Sent: Monday, August 13, 2007 9:16 PM  
To: Aubrey McClendon  
Subject: NBA

Aubrey, Joel Litvin at the NBA (you sat with him at the Hornets game) would like to talk to you. They are looking into issues relative to certain documents we signed at closing that may have been breached. He would prefer a telephone contact as soon as possible. Or his number is 212-407-8364. I just spoke with him. Thanks.

# **EXHIBIT 64**

---

**From:** Clayton Bennett  
**Sent:** Monday, September 03, 2007 12:13 PM  
**To:** 'dstern@nba.com'  
**Subject:** Re: Time

Thanks very much, and the same to you.

This communication, including any attachments, may contain confidential information and are intended only for the individual or entity to whom this mail is addressed. Any review, dissemination, or copying of this communication by anyone other than the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and delete and destroy all copies of the original message.

-----Original Message-----

**From:** David Stern <dstern@nba.com>  
**To:** Clayton Bennett  
**Sent:** Mon Sep 03 11:55:42 2007  
**Subject:** RE: Time

will talk during week. expect it will just be you meeting with joel, adam and me. happy labor day.

djs

"Clayton Bennett"  
<cbennett@dorcap.com>

09/03/2007 12:08  
PM

David Stern/NY/NBA@NBA

RE: Time

To

cc

Subject

Yes. Could be there anytime. Thanks.

**From:** David Stern [mailto:dstern@nba.com]  
**Sent:** Mon 9/3/2007 10:41 AM  
**To:** Clayton Bennett  
**Subject:** Re: Time

does the morning of september 12th work for you?

"Clayton Bennett"  
<cbennett@dorcap.com>

09/02/2007 05:33  
PM

David Stern/NY/NBA@NBA

To

cc

Time

Subject

Thanks very much for your call last week. I was wondering if it was time to connect and discuss more comprehensively our situation and contemplated strategy over the next sixty days. If you think a good idea I of course would make any dates work (I am trying to hang in there for my kid's football games) but dates I know will work for a New York trip are September 10th, 11th, 12th and the 17th. I will be in Seattle from Tuesday-Friday then Aspen for a weekend wedding.

I can come alone which I am confident in doing or I can bring any or all of our team. As we get closer to making serious strategy decisions I would very much appreciate the benefit of your counsel. Thanks David, please let me know if you think this makes sense. Very Best.

# **EXHIBIT 65**

# The Seattle Times

Friday, November 9, 2007 - Page updated at 07:51 AM

Permission to reprint or copy this article or photo, other than personal use, must be obtained from The Seattle Times. Call 206-464-3113 or e-mail [resale@seattletimes.com](mailto:resale@seattletimes.com) with your request.

## Stern: Sonics won't be replaced

By Seattle Times staff and The Associated Press

If Seattle loses the Sonics, the city won't get another team, NBA commissioner David Stern said Thursday



"I'd love to find a way to keep the team there," Stern said at a news conference in Phoenix. "Because if the team moves, there's not going to be another team there, not in any conceivable future plan that I could envision, and that would be too bad."

Sonics owner Clay Bennett announced last Friday he plans to move the team to Oklahoma City. The team has a lease to play in KeyArena through the 2009-10 season, but Bennett wants to leave after this season. When the team moves will depend on the outcome of litigation with the city over the lease.

Stern was in Phoenix on Thursday to announce that the 2009 All-Star Game would be played there. Afterward, at a news conference, he criticized the city of Seattle and the Washington Legislature for its handling of the issue of funding a replacement for KeyArena.

Stern repeated earlier criticism of Seattle's City Council for promoting a measure, overwhelmingly passed by voters, that requires any funds to help build an arena earn money at the same rate as a treasury bill.

That measure means there is no way city money would ever be used on an arena project, Stern said.

Seattle Deputy Mayor Tim Ceis said he was disappointed by Stern's comments.

"Instead of firing verbal scuds at us, what we'd prefer is he take some of his own advice, sit down with us and work it out," Ceis said, adding that Mayor Greg Nickels' door is "wide open" to talk with Bennett or Stern about an arena solution.

Ceis said he was astonished by how differently Stern has treated the arena situation in Seattle compared to Sacramento.

Stern has taken mostly a hands-off approach in Seattle, but he has personally worked on negotiating possible new arenas for the Kings even after Sacramento voters last year rejected two ballot measures to fund a new arena.

"Here in Seattle he's doing everything he can to help Clay Bennett out the door," Ceis said.

For now, Ceis said the city will continue to pursue its lawsuit to force the Sonics to play out the KeyArena lease through 2010.

"We've got a lease, we're in court on that lease and we hope that Mr. Stern is not suggesting he is going to aid and abet Mr. Bennett in breaking that lease, because if he is that should make every other NBA city very nervous," he said.

After Stern was finished in Phoenix on Thursday, he traveled to Oklahoma City to present Bennett for his induction to the Oklahoma Hall of Fame.

Before the ceremony Thursday night, Stern held an eight-minute news conference with Oklahoma City reporters and, according to a report by The Oklahoman, said Bennett and his ownership group had done everything possible to secure a new

arena deal in Seattle. Stern called the efforts by Seattle politicians to do the same "hostile," according to The Oklahoman.

"I don't think it's a question of whether Clay put in the effort, because I know he made the best intensive lobbying efforts to date," Stern told The Oklahoman.

During his Phoenix news conference, Stern lamented that the Washington Legislature refused to even consider continuing a tax that helped fund Seattle's baseball and football stadiums.

"To have the speaker of the house say well, they just spend too much money on salaries anyway, so we need it for other things," Stern said, casts aspersions on the whole league's operations. "We get the message. Hopefully, maybe cooler heads will prevail."

Stern's comments were much tougher than the ones he made last June, when he said he believed the issue was "just going to work itself out."

As the issue becomes more contentious, Stern said he hopes "a white knight that hasn't existed before, somebody who has a building plan of how to keep the team there, will step forward."

Brian Robinson, co-founder of Save Our Sonics and Storm, says it's time for city and state political leaders to step forward.

"I'm very concerned about the mayor and the governor's lack of response," he said. "We have between now and April to put something on the table, and it would be absolutely disgraceful if there is not a formal plan of some kind offered by the city. They have to take a swing somewhere."

"It's a sign of weak government. We need the mayor and governor to come out and to solve this. I wonder if their lack of public commentary is because they're afraid to try and fail."

In the Oklahoma City ceremony, Bennett and Aubrey McClendon, another of the Sonics' Oklahoma ownership group, were each inducted into the hall. A bust will be erected and a portrait displayed for each at the Gaylord-Pickens Oklahoma Heritage Museum. In addition, Bennett, McClendon and the other six inductees will be recognized on granite monuments in the Heritage Plaza at the Oklahoma State Fairgrounds.

*Times staff reporters Jayda Evans and Jim Brunner contributed to this article.*

Copyright © 2007 The Seattle Times Company

# **EXHIBIT 66**

From: Dan Mahoney  
Sent: Friday, February 08, 2008 02:17 PM  
To: Aubrey McClendon; cbennett@dorcap.com; Jeff Records; Tom Ward; Bill Cameron; jay@balon.com; bob@mbokc.com; everettd@dobson.net  
CC: Brent Gooden; Martin Stringer; Frank D. Hill  
Subject: March 4 update  
Attachments: mayor\_script.pdf; BigLeague\_script2.pdf

To: PBC Ownership Group  
From: Dan Mahoney

Wanted to provide you an update on the Big League City campaign in advance of the March 4 vote.

-Finance and Grassroots committees met at the Chamber this week. Good meetings, high interest. Fund raising calls are going out.

-Mayor recorded his TV and radio spots yesterday at the Ford Center (scripts attached) When the spots are done, I will post them early for you to view. They begin running on Sunday, Feb 17- as will print ads. We are making sure that the spots run on local COX during the All Star game on TNT that night.

-As with Chamber members, you are asked to encourage via email your employees who live in OKC to vote March 4 and support. If you or anyone you know needs yard signs or other campaign materials, please let me know and I will make sure they get to you. Complete campaign information is available on the website [www.bigleaguecity.com](http://www.bigleaguecity.com)

-PR Plan. Chamber is organizing the following PR activities:

#### Editorial Board Meetings

Mayor Cornett and Roy Williams met with The Oklahoman's editorial board Feb. 4 and the Journal Record's Editorial Board Feb. 6. We're also setting Ed Board meetings with the OKC Herald and Black Chronicle and well as some other local papers.

#### OpEds and Letters to the Editor

The campaign's grassroots Action Committee (co-chairs Jim Cowan and Tim Brassfield) has launched a letter-writing effort from committee members to The Oklahoman.

Campaign staff is also soliciting letters from business leaders, etc.

Campaign staff is leading a comprehensive OpEd campaign from high-profile supporters and community leaders to reach area newspapers with strategic messaging targeted at specific communities (professional and amateur sports fans, hotels/restaurants, women NBA fans, Hispanics, African Americans, education, nonprofits/charities, etc.)

We expect to see letters and OpEds published beginning ASAP and continuing through March 4.

#### Earned Media/Events/Speaking Engagements

Clear Channel stations ran a series of "Register to Vote" PSA's this week.

Campaign staff and Action Committee co-chairs are planning a press conference for Tues, Feb 12 to announce broad-based campaign support from local organizations, including the OKC Realtors Association, Downtown OKC, Inc., All Sports, Bricktown Association, Yard Dawgs, and representatives from the African American clergy in OKC.

We'll be booking a campaign spokesperson (Roy Williams, Mayor Cornett) on radio shows Feb. 14 and 15, generating excitement for the NBA All Stars game, and tying that idea to the arena vote.

CIB did a nice job speaking to the Oklahoma Restaurant Association annual meeting in OKC on Tuesday. ORA supportive; member restaurants in OKC are putting up table tents and signs.

We will be organizing All Star game watch parties, including media-friendly appearances from Mayor Cornett, for Feb. 17.

PBC107086

TV/Radio/Print ads begin Feb. 17.

"OKC Loves the NBA" kids' event planned for Feb. 23. This event, which is designed to attract media coverage, will include a basketball dribbling contest, poster-making contest, group letter to NBA Commissioner, etc.

Chamber's Breaking Through luncheon Feb. 28 will feature Rick Harrow, CEO of Harrow Sports Ventures and the leading expert in the business of sports. (We will promote to the media and expect good coverage.)

Campaign staff is planning a "Vote Early" rally for Feb. 29 to include hundreds of supporters dribbling basketballs from the State Capitol to the Election Board to cast their votes.

We will be booking Mayor Cornett for radio/TV appearances with the "Get out and Vote" message.

Campaign staff is booking speaking engagements at OKC neighborhood associations and civic groups, including the Downtown Rotary, Capitol Rotary, OKC Kiwanis, and Central OK Homebuilders' Association

CIB did an interview this week with the Gazette

FLASHPOINT Ch 4 with Turpen and Hargis. Looking at Sunday, March 2

Campaign education booths will be set up at all Ford Center events between now and March 4, including concerns and Blazers. Because it's a city owned building, we are not able to encourage people to vote yes, but we can distribute the education materials.

#### Opposition

There is some organized opposition. A couple of websites have popped up. It does not appear they have any serious fund raising ability, but we are closely monitoring them and their message and how its being received by the public and media

Finally, CMA plans to be in the field with a survey mid month to track how we are doing.

Any and all ideas are welcomed!

Thanks

PBC107087

## VIDEO

## AUDIO

- 1) Open big graphic: March 4. March 4th, the big leagues begin.
- 2) Cut to graphic of an NBA slam dunk. Super: YES! That's the day Oklahoma City can step up and vote YES for improvements to the Ford Center.
- 3) Cut to shot of Big 12 men's basketball championship game. Super: YES! YES puts us in the game.
- 4) Quick cut to another NBA highlight. Super: YES! YES says we're ready for the NBA,
- 5) Quick cut to shot of Big 12 women's basketball championship game. Super: YES! ready to host more Big 12 conference championships
- 6) Cut to shot of a major concert performer, rockin' and more concerts.  
on stage. Super: YES!
- 7) Cut to aerial of downtown. Super: YES! A YES vote means we can go head to head and win big business, more jobs.
- 8) Cut to fans streaming into Ford Center. Super: YES! And YES will do this without any new taxes.  
YES!
- 9) Cut to shot of "Hornets love OKC night". Super: YES! To play in the big leagues, we have to think big.  
YES!
- 10) Cut to shot of NBA highlight. Super: Vote YES! Step up to the polls March 4th and vote YES.  
March 4.

Ford Center  
:30  
Mayor Cornett  
2/08

## VIDEO

- 1) Open on shot of Mayor Cornett sitting in the stands at the Ford Center. The place is empty.
- 2) Bump back to a long shot of Mayor sitting and talking one on one with interviewer, stands are empty.
- 3) Match dissolve to same angle, shot during a Hornets game. Stands are full, people are cheering.
- 4) Cut to new angle on mayor, still in Ford Center stands. Four inset screens fill the width of the screen below him highlighting activity around the city: busy downtown, vibrant Bricktown, busy corridors in and around OKC, all showing vibrant activity and commerce.
- 5) Cut to shot of NBA action. Four insets remain below as one of them shows the mayor still being interviewed, one shows Big 12 basketball action, one shows Billy Graham concert footage and one shows the "YES" graphic.
- 6) Cut back to new angle on mayor. All four insets below him show the "YES" graphic.
- 7) Dissolve to logo graphic. Super Vote "YES" March 4.

## AUDIO

(Mayor): Before our very eyes, Oklahoma City is turning into a big-league city.

That's why it's vital to vote YES on March 4.

A YES vote upgrades the Ford Center and positions us for the world stage.

A YES vote attracts new business, creates more jobs and fuels our economy.

The NBA, Big 12, concerts, conventions. A YES vote says we're ready.

And the best part is a YES vote won't increase taxes.

This is our time. Think Big. Vote YES March 4.

PBC107089

## VIDEO

## AUDIO

- 1) Open big graphic: March 4. March 4th, the big leagues begin.
- 2) Cut to graphic of an NBA slam dunk. Super: YES! That's the day Oklahoma City can step up and vote YES for improvements to the Ford Center.
- 3) Cut to shot of Big 12 men's basketball championship game. Super: YES! YES puts us in the game.
- 4) Quick cut to another NBA highlight. Super: YES! YES says we're ready for the NBA,
- 5) Quick cut to shot of Big 12 women's basketball championship game. Super: YES! ready to host more Big 12 conference championships
- 6) Cut to shot of a major concert performer, rockin' and more concerts.  
on stage. Super: YES!
- 7) Cut to aerial of downtown. Super: YES! A YES vote means we can go head to head and win big business, more jobs.
- 8) Cut to fans streaming into Ford Center. Super: YES! And YES will do this without any new taxes.
- 9) Cut to shot of "Hornets love OKC night". Super: YES! To play in the big leagues, we have to think big.
- 10) Cut to shot of NBA highlight. Super: Vote YES! Step up to the polls March 4th and vote YES.  
March 4.

Ford Center  
:30  
Mayor Cornett  
2/08

## VIDEO

- 1) Open on shot of Mayor Cornett sitting in the stands at the Ford Center. The place is empty.
- 2) Bump back to a long shot of Mayor sitting and talking one on one with interviewer, stands are empty.
- 3) Match dissolve to same angle, shot during a Hornets game. Stands are full, people are cheering.
- 4) Cut to new angle on mayor, still in Ford Center stands. Four inset screens fill the width of the screen below him highlighting activity around the city: busy downtown, vibrant Bricktown, busy corridors in and around OKC, all showing vibrant activity and commerce.
- 5) Cut to shot of NBA action. Four insets remain below as one of them shows the mayor still being interviewed, one shows Big 12 basketball action, one shows Billy Graham concert footage and one shows the "YES" graphic.
- 6) Cut back to new angle on mayor. All four insets below him show the "YES" graphic.
- 7) Dissolve to logo graphic. Super Vote "YES" March 4.

## AUDIO

(Mayor): Before our very eyes, Oklahoma City is turning into a big-league city.

That's why it's vital to vote YES on March 4.

A YES vote upgrades the Ford Center and positions us for the world stage.

A YES vote attracts new business, creates more jobs and fuels our economy.

The NBA, Big 12, concerts, conventions. A YES vote says we're ready.

And the best part is a YES vote won't increase taxes.

This is our time. Think Big. Vote YES March 4.

PBC107091

# **EXHIBIT 67**

210 PARK AVENUE SUITE 3121  
OKLAHOMA CITY, OK 73102



PHONE 405.236.5179  
CBENNETT@DORCAR.COM

CLAYTON I BENNETT  
CHAIRMAN

MEMORANDUM  
to the  
Members of the Relocation Committee

To: Micky Arison - Miami Heat  
Jerry Buss and Jeanie Buss - Los Angeles Lakers  
Chris Cohan - Golden State Warriors  
Peter Holt - San Antonio Spurs  
Lewis Katz - New Jersey Nets  
Herb Simon - Indiana Pacers  
Ed Snider - Philadelphia 76ers

CC: David Stern  
Adam Silver  
Joel Litvin

From: Clayton I. Bennett - Chairman, Seattle SuperSonics

Date: March 18, 2008

Re: Seattle SuperSonics Relocation Application

---

It is with humility and excitement that I write this memorandum. While we have made every effort to find a way to be successful in Seattle, we have failed. We have endured a highly cynical and skeptical marketplace and have been unable to establish the necessary relationships from which to establish a platform for success. The situation in Seattle is untenable and the business is failing. Our decision to apply for relocation is appropriate and necessary.

Oklahoma City will be a successful and sustainable home to the franchise. We believe the City has tangibly demonstrated its desire and ability to be the permanent home to an NBA franchise in several important ways. First, our experience relative to the temporary relocation of the New Orleans Hornets was unprecedented. The Commissioner contacted Mayor Mick Cornett and myself on Labor Day weekend following Hurricane Katrina to gauge our interest in temporarily hosting the Team. The Hornets opened their season in Oklahoma City on November 1, 2005, in front of a sold out crowd at the Ford Center. In a few short weeks, in conjunction with the NBA and the Hornets, the City worked in every way possible to support the effort. The result was a remarkable success by any measure. Next, we formed a strong and committed Oklahoma City



PBC107156

ownership group in the summer of 2006. Although it was always our absolute hope and expectation to be successful in Seattle, we were finally compelled to consider our fallback positions. We are now situated with ownership in Oklahoma City that represents and is engaged with state and local business, community and political leadership at the highest level. Next, we received an extraordinary endorsement by our citizens on March 4<sup>th</sup> with 62% of the voters approving an extension of a one-cent city sales tax to fund major improvements to our existing arena facility and construction of a practice facility. We believe our newly renovated arena will be among the top tier in the league. Most recently, on March 14<sup>th</sup> we announced a negotiated letter of intent with the City outlining the framework of lease agreements for the arena and practice facility. We believe those agreements will provide our franchise a fair and reasonable opportunity to be profitable. These efforts represent the hard work of many. They further represent the broad community interest in the objective, a sound and supportable platform for the benefit of the NBA.

Certainly, we recognize the understandable concerns relative to the size of the market. However, based upon the reports and other information supplementing our relocation application, it is our firm and fundamental position that Oklahoma City can and will support a Team, and that it can be viable and sustainable for the long term. We further believe that an Oklahoma City Team will bring new energy, creativity and a commitment to excellence that will be additive and meaningful to the NBA and our many partners and constituents.

As you know, we are engaged in litigation in Federal Court in Seattle. The City has sued the Team alleging that our lease is specifically enforceable and that the Team should be compelled to play for two more seasons at KeyArena. We are seeking a ruling that would allow us to make a cash payment to the City in full satisfaction of our obligations under the lease (which expires by its terms at the end of the 2009-2010 season) and permit us to relocate the Team to Oklahoma City at the earliest point in time. Due to the extremely difficult conditions we are experiencing in Seattle, our ability to develop our professional staff, implement our business plan and develop our Team has been adversely affected and will continue to deteriorate unless we bring certainty to a very unstable situation. For those reasons, we are seeking approval of our relocation on the first to occur of a favorable ruling by the Court, a mutually acceptable settlement agreement or expiration of the term of our lease following the 2009-2010 season. As part of that process and subject to NBA approval we propose to enter into binding agreements that will require the City of Oklahoma City to construct Ford Center upgrades and a new Practice Facility and will obligate the Team to play their games in Oklahoma City.

To those who are attending the site visit in Oklahoma City, we look forward to hosting you. We plan a very informative and interesting day. For those unable to attend, please know I am available at your convenience to answer any questions you may have regarding our relocation application or our plans for the future of our Team in Oklahoma City.

I would especially like to thank those in the league office who have worked on our relocation application process. Also involved have been numerous consultants and advisors who have spent an enormous amount of time in support of our efforts and I thank them.

It is time for the Team to move. From an unfortunate confluence of circumstances, the ability for the Team to be successful in Seattle does not exist in the near term. But there is a new day in Oklahoma City. It is one of undeniable broad community support that has been tangibly demonstrated. It is one of energy, excitement and overwhelming enthusiasm for the NBA.

I respectfully request your support of our application to relocate the SuperSonics to Oklahoma City.

# **EXHIBIT 68**

**SEATTLE POST-INTELLIGENCER**[http://seattlepi.nwsourc.com/basketball/356382\\_arena26.html](http://seattlepi.nwsourc.com/basketball/356382_arena26.html)**Stern: Owners want Sonics move****Relocation committee members wowed by Oklahoma City***Last updated March 25, 2008 11.42 p m PT***By GREG JOHNS**  
P-I REPORTER

NBA commissioner David Stern didn't need a lot of time to weigh the pros and cons of the Sonics' future on Tuesday, saying a group of three league owners will recommend the franchise be moved to Oklahoma City after touring that city's facilities and listening to a convincing sales pitch.

The three members of the league's relocation committee saw and heard everything they needed during a red-carpet sweep of the Ford Center and a meeting with political and business leaders in Oklahoma's capital city.

Though Stern acknowledged nothing would be final until the Sonics are legally free from their KeyArena lease, he made it clear that Oklahoma City had forged a favorable impression and would get a positive push from the group that will now make its recommendation to the full NBA relocation committee.

Seattle officials responded quickly, saying Stern is orchestrating a campaign to push the city toward a buyout, but insisted nothing has changed.

"I think Mr. Stern is trying to turn up the pressure by making everything appear inevitable," Seattle Deputy Mayor Tim Ceis said. "It's a great publicity campaign, but they'll still need to come into court and settle this."

At a news conference following the NBA committee's tour, Stern sat beside Sonics chairman Clay Bennett and Oklahoma City Mayor Mick Cornett and indicated the city had done everything necessary to convince the league of its viability.

Stern said the trio of NBA owners who visited Oklahoma City would meet with the full seven-member relocation committee between now and April 17, most likely by telephone, and make a full report.

Whatever that group decides will then be presented to the league's Board of Governors on April 17 in New York. A simple majority of the 30-member board would then be required to receive approval.

All that seems a mere formality at this point, based on Stern's outlook at Tuesday's news conference and his surprisingly quick pronouncement that the "subcommittee" had already come to a favorable conclusion for Oklahoma.

"It was quite an extraordinary presentation of the array of assets that are Oklahoma's and the support that would be forthcoming," Stern said.

Meanwhile, Seattle city leaders had no news on their effort to come up with a funding solution for the final \$75 million of their \$300 million KeyArena makeover proposal designed to keep the Sonics in Seattle.

Matt Griffin, one of four Seattle businessmen who have offered \$150 million in private funding, labeled the chances of the city or state coming up with the remainder before the final NBA relocation vote as "possible, but not probable."

Where that leaves the four investors, led by Microsoft CEO Steve Ballmer, remains to be seen. The group has set an April 10 deadline on its own offer to help.

"As we've always said, the right time to have this discussion is while these things are still pending (with the Sonics' relocation)," Griffin said. "When we get a recommendation like today's, they're a little less pending. The shot clock is running down."

In Oklahoma, however, things are looking up for a city that has aggressively recruited its first major pro sports franchise.

"This is a very proud day for me," Bennett said. "I'm very proud of Oklahoma and Oklahoma City, our Ford Center, our recent vote to improve the building and a demonstration of state, local and civic leadership in the room today that was unified on a common goal of bringing the NBA here. ... I think we showed well."

Stern said if the full board approves a move, it would do so recognizing that "everything is subject to the terms of the lease in Seattle. Period. So the approval will be with respect to whenever the team is free to move."

Bennett reiterated that he is willing to spend two more years owning the team in Seattle if the Sonics lose their upcoming lawsuit with the city, which has sued the team in an effort to require the Sonics to play through the 2009-10 season at KeyArena instead of being allowed to buy out the remainder of the lease.

"I would say there are pros and cons to the timing of the move," Stern said. "But on balance, we would recommend to Clay and the ownership group that they negotiate in good faith, if there's another party to negotiate with, for a monetary settlement of the terms of the lease and possibly beyond, for the benefit of Seattle. And I would be willing to participate in that if I could be constructive."

Stern said Oklahoma City's presentation and the breadth of support impressed him and the owners. He noted that the governor, leaders of both houses, mayors of both Oklahoma City and Tulsa as well as numerous past political leaders took part in Tuesday's meetings, a stark contrast to Seattle's divided front.

"This was a very important step, a very successful day," Bennett said. "We look forward to the next step."

The three NBA owners -- Jeanie Buss of the Lakers, Lewis Katz of the Nets and Herb Simon of the Pacers -- accompanied Stern and eight other league officials. Peter Holt, owner of the San Antonio Spurs, was unable to make the trip at the last moment, according to Stern.

Seattle Mayor Greg Nickels said the city wasn't worrying about the NBA's relocation process.

"We don't see ourselves in competition with Oklahoma City," Nickels said earlier in the day. "They want an NBA team and we wish them well in that. There are teams in Memphis and New Orleans and Charlotte that probably would be happy to move there."

"We have been home to the NBA for 41 years and we think it's in the NBA's best interest to stay in the 12th-largest market in America."

Nickels said Seattle's plan remains to pursue the June 16 court case, attempt to bind the Sonics to KeyArena for two more years and work with the proposed local ownership group.

Asked if Seattle might be burning its bridges with the NBA by fighting with the league instead of coming to a settlement, Ceis turned the table.

"It seems to me Mr. Stern is the one who has been planting dynamite with every step he takes," Ceis said.

With Bennett committed to moving the Sonics to his hometown in Oklahoma, even a victory in the lawsuit would leave Seattle without a team in two more years, assuming the league approves such a move.

That raises the potential of a settlement, should the city want to pay off the remaining KeyArena debt.

As reported in the Seattle P-I on Feb. 18, Bennett has indicated the franchise would be willing to leave the Sonics' nickname and logo with Seattle if allowed to move. That offer was made along with the team's \$26.5 million buyout offer of the remainder of the KeyArena lease in a letter to Seattle city attorney Tom Carr.

The offer was rejected by the city and no further buyout talks have taken place.

Stern took a more conciliatory tone than in the past concerning Seattle on Tuesday, mostly in relation to working out an agreement.

"I'm available to Clay and to Seattle, as I've always been," Stern said. "But there may or may not be a discussion to have about a fair settlement for both sides. I'm certainly prepared to participate in that fully and look for a fair resolution."

Ceis found the commissioner's offer "very ironic," coming at this point.

"That would be very typical of Mr. Stern," Ceis said. "I didn't see him anywhere around trying to help us when we were trying to keep the team in town. But now that he wants to usher them out, he's willing to lend a hand."

Asked if it made business sense to move from Seattle, the 14th largest media market in the 2007 Nielsen rankings, to a city ranked 46th, Stern pointed out OKC would have just one pro sports franchise to focus on and also had a better facility in place.

"Seattle is actually a terrific market," Stern said. "It just doesn't have an NBA-ready arena of the future that has been agreed to by all parties for many years."

Katz, the owner of the New Jersey Nets, told reporters in Oklahoma City that he was impressed by the city's 62-percent vote on a tax to raise \$121 million in Ford Center improvements, as well as the obvious support of city and state leaders.

"This is wonderful for the league, wonderful for basketball, a strong wonderful ownership group that you have out here that can lead this thing," Katz said.

"My hope is that we'll find a settlement with Seattle that will give them the opportunity to have a replacement team. Seattle should have an NBA team and I think David expressed that in the meetings. We all feel that way. My guess is you haven't heard the end of the Seattle story."

*P-I reporter Angela Galloway and The Associated Press contributed to this report. P-I reporter Greg Johns can be reached at 206-448-8314 or gregjohns@seattlepi.com.*

© 1998-2008 Seattle Post-Intelligencer

# **EXHIBIT 69**

# The Seattle Times

Sunday, April 20, 2008 - Page updated at 12:00 AM

Permission to reprint or copy this article or photo, other than personal use, must be obtained from The Seattle Times Call 206-464-3113 or e-mail resale@seattletimes.com with your request

## Seattle's lament: a winner on paper but a loser in votes

By Percy Allen  
Seattle Times staff reporter

NEW YORK — NBA owners ignored some of the evidence provided by two independent firms, twisted some statistics and were swayed by fawning Oklahoman political and civic leaders when voting to approve the Sonics' move to Oklahoma City

"There was a gathering of community, business, private, municipal government support at the state and local levels in Oklahoma City that was very, very impressive, and that this ownership group in that city is very likely to be very successful," commissioner David Stern said.

The owners voted 28-2 at Friday's Board of Governors meeting in favor of the move, but the facts show it was not a good idea.

"If the numbers really pointed and said Oklahoma City is better for the NBA, then I'd be all for it," Dallas Mavericks owner Mark Cuban said days before the meeting. "But they don't. And it's not even close. I just don't see it."

Cuban voted against the move along with Portland Trail Blazers' Paul Allen.

Documents obtained by The Seattle Times reveal the league's relocation committee determined Seattle is a viable NBA market, but it gave unfavorable marks to Seattle because an aging KeyArena limits the Sonics' ability to compete economically against the city's two other professional sports franchises.

The seven-member committee unanimously concluded Oklahoma City was a better option for the Sonics because of the proposed \$121 million renovation to Ford Center and the belief that a team in the Sooner State would not adversely affect the league.

"The committee believes that Seattle continues, based on its demographic and economic characteristics, to have the potential to be a profitable home territory for an NBA team. While that potential may in some respects appear stronger in Seattle than in Oklahoma City, the appearance is not currently the reality," the committee's report said.

"Due to a variety of circumstances, including the inadequacy of KeyArena, the inability of political leaders in Seattle and the state of Washington to support the construction of a satisfactory modern playing facility, and the dwindling support for the Sonics in Seattle from fans and sponsors, Seattle's potential is not being realized."

The committee was comprised of New Jersey Nets owner Lewis Katz, Indiana Pacers owner Herb Simon, Los Angeles Lakers vice president Jeanie Buss, San Antonio Spurs owner Peter Holt, Miami Heat managing general partner Micky Arison and owners Chris Cohan of the Golden State Warriors and Ed Snider of the Philadelphia 76ers. It commissioned McKinsey & Company, a leading economic consulting firm, and Desser Sports Media Inc. (DSM), a media and sports business consulting firm, to provide a statistical analysis of both cities.



GREG GILBERT / THE SEATTLE TIMES  
The season's final game at KeyArena was sold out, but poor attendance overall may have hurt Seattle's chances to keep team.

The committee said Oklahoma City has a market population of 1.7 million and would be the second smallest in the NBA. The Seattle market ranks 14th in the league with a 4.6 million population.

However, the committee adjusted those figures based on population per major sports team. In the re-analysis, Oklahoma City ranks 13th in the NBA and Seattle, which is also the home of the Seahawks and Mariners, is 18th.

The committee also used adjusted numbers to evaluate income levels. Oklahoma City's average per capita income is \$38,000, which would rank 22nd in the NBA and it is \$47,000 in Seattle, which ranks fifth.

However, when per capita income is adjusted for local cost of living, Oklahoma City improves to \$41,000, which would rank seventh in the league, and Seattle is \$40,000, which drops it to 11th.

The television market broadcast and cable is substantially larger in Seattle by a 3-1 ratio, but the committee gave points to Oklahoma City because it has higher NBA ratings.

The committee determined Seattle has nearly five times as many Fortune 1000 companies, but the Sonics have a seven-year trend of declining ticket sales, culminating this season when the team sold 8,602 tickets per game, 28th in the NBA.

The Sonics provided projections by MZ Sports Inc., which estimated \$26 million in losses this season and projected losses between \$30 million to \$33 million in each of the next two seasons if they have to remain at KeyArena, where the team receives no revenue from parking, 40 percent of revenue from suite sales and concessions and 60 percent of revenue from lower-bowl seats.

In Oklahoma City, the Sonics have a 15-year lease at Ford Center where the team retains all revenue from ticket and premium seat sales, merchandise sales, temporary signage, suite sales, naming rights and between a 40- to 45-percent split on food and beverage concessions.

In its report to the relocation committee, DSM said Oklahoma City would be the third-smallest television market in the NBA, less than a third the size of Seattle.

The firm also said the Sonics will receive \$10.2 million in broadcast fees next season. DSM predicts the local media revenues to rise to \$20.2 million for the 2009-10 season if the team is in Seattle, which is double what it predicts the team will receive in its first season in Oklahoma City.

McKinsey & Co. surmised Seattle was a better market than Oklahoma City based on demographic factors, economic outlook and business environment.

The firm, however, predicted Oklahoma City would benefit from being the only major professional sports team in its market and surmised the city has stronger fan support based on a June 2007 NBA survey, higher ratings on nationally televised NBA games and a three-year decline in Seattle in TV ratings and attendance.

Ultimately, the owners, who each receive \$1.03 million from the Sonics as part of a \$30 million relocation fee, chose to ignore some of the data and the recent struggles of teams in small markets — the Vancouver Grizzlies moved to Memphis and the Charlotte Hornets moved to New Orleans.

"There was a discussion which indicated that the board is familiar with the issue, but they focused on the likelihood of success of the Sonics in Oklahoma City," Stern said.

The league's constitution stipulates the Sonics must move before the 2008-09 season or else the team must re-submit a relocation bid.

*Percy Allen: 206-464-2278 or [pallen@seattletimes.com](mailto:pallen@seattletimes.com)*

Copyright © 2008 The Seattle Times Company

# **EXHIBIT 70**

# The Seattle Times

Saturday, April 19, 2008 - Page updated at 12:51 AM

Permission to reprint or copy this article or photo, other than personal use, must be obtained from The Seattle Times Call 206-464-3113 or e-mail resale@seattletimes.com with your request

## Bennett explains what Sonics e-mails meant

By Percy Allen  
Seattle Times staff reporter

When Sonics chairman Clay Bennett wrote "I am a man possessed" in an e-mail, he says he meant "I am a man possessed to keep the team in Seattle "

Any other inference is inaccurate, he said Friday after the NBA Board of Governors voted 28-2 to approve the team's bid to move to Oklahoma City next season, pending the outcome of a June lawsuit from the city of Seattle

In filings last week, the city revealed e-mails between the Oklahoma City-based ownership in which they spoke about moving the team to their hometown. The e-mails seemingly contradict Bennett's claims that he gave a "good-faith best effort" attempt to keep the team in Seattle after buying it July 2006, which was part of the sales agreement with former owner Howard Schultz

On April 17, 2007, Sonics co-owner Tom Ward wrote co-owner Aubrey McClendon and Bennett: "Is there any way to move here for next season or are we doomed to have another lame duck season in Seattle?"

Bennett replied: "I am a man possessed! Will do everything we can Thanks for hanging with me boys, the game is getting started!"

Ward replied: "That's the spirit!! I am willing to help any way I can to watch ball here next year "

On Friday, Bennett denied claims he acted in bad faith.

"I feel very bad about the misrepresentation of that particular e-mail; the fact that it's been misconstrued and been utilized in such a fashion, because I clearly recall that e-mail exchange," he said "That e-mail exchange took place when I first learned that our bill had died in committee in Olympia, and that there would be no public funding forthcoming relative to our proposition.

"And my absolute feeling and emotion in that e-mail is I am a man possessed, I am only beginning; I will do everything I can to get this done in Seattle And there's been an enormous misunderstanding of



TINA FINEBERG / AP

Seattle Sonics owner Clay Bennett speaks after the meeting of the NBA Board of Governors, saying he was "possessed" to originally keep team in Seattle

Who gets the most blame for losing the Sonics? (Poll Closed)

Howard Schultz 43% (2284 votes)

David Stern 10% (540 votes)

Clay Bennett & Co 15% (781 votes)

City of Seattle 12% (665 votes)

King County 1% (64 votes)

State Legislators 18% (978 votes)

Barry Ackerley 1% (54 votes)

Total Votes: 5366

PollDaddy.com

### Recent stories

**NBA owners approve Sonics' move, but legal fight continues in Seattle**

**Richard Yarmuth, lawyer for Howard Schultz, has experience in sports suits**

**Howard Schultz plans to sue Clay Bennett to get Sonics back**

that, misrepresentation of that, misconstrued, I'm not sure which, but I was speaking about my commitment to a process in Seattle "

Bennett admitted Ward and McClendon "perhaps all along wanted to have a team in Oklahoma City," but added that "they knew it was not to be the Sonics "

Last year, McClendon drew a \$250,000 fine from the NBA for statements in an Oklahoma business journal in which he said: "We didn't buy the team to keep it in Seattle, we hoped to come here "

NBA commissioner David Stern said the city of Seattle's e-mail disclosure had little bearing on the owners' decision.

"There may be issues and litigation that require testimony, documents, etc., and, all of that is forthcoming and that's where we'll be following that and participating to some degree as witnesses or producers of documents," Stern said "But that did not play any role There was no questioning of that issue There was a statement by Clay and my sense is, there was an acceptance of his statement "

Bennett said he was naïve about the difficulty in building an arena in the Seattle area

He said he's made at least 30 trips to Seattle and spent millions of dollars while trying to drum up support for a \$500 million Renton arena plan that died in the state Legislature last year

"Safeco [Field] is one of the most magnificent modern baseball stadiums in the country," Bennett said "You've got Qwest that is one of the most magnificent modern football stadiums in the country And you have got KeyArena that is basically a renovated 1962 building "

Mayor Greg Nickels said he does not seek a buyout to settle the lawsuit and the increasingly hostile rhetoric between city officials and Bennett suggests the two sides will settle their differences at the trial, which begins June 16

Despite the hostility, Bennett offered a truce Friday, saying he would like to restart communications with the city of Seattle

"Let's find a way to dial it down and get something productive on track," he said

*Percy Allen: 206-464-2278 or [pallen@seattletimes.com](mailto:pallen@seattletimes.com)*

Copyright © 2008 The Seattle Times Company

□ E-mails reveal Sonics owners intended to bolt : Seattle

□ The Five Stages of Grief | Denial

□ The Five Stages of Grief | Anger

□ The Five Stages of Grief | Bargaining

□ The Five Stages of Grief | Depression

□ The Five Stages of Grief | Acceptance/Hope

□ Archive | Oklahoma House passes tax package designed to help lure Sonics

□ Archive | Sonics co-owner McClendon fined \$2 (August 2007)

□ Archive | Sonics owner: "Little hope" team will (April 2007)

Documents

📄 Ward: "Are we doomed to have another lamed season in Seattle?" (PDF)

📄 Bennett's e-mail to Stern: "You are just one of i favorite people on earth" (PDF)

📄 City's brief in support of motion to compel (PD

📄 Statement from Slade Gorton about KeyArena funding (PDF)

📄 Clay Bennett and Sonics' court filing (PDF)

Multimedia

🖼️ Gallery | Seattle SuperSonics: Lasting memorie

🖼️ Gallery | Bittersweet night for Sonics fans

🖼️ Gallery | Sonics through the years

🖼️ Gallery | 25th anniversary of Sonics world championship

🖼️ Gallery | End of a Season, End of a Franchise?

🗣️ Sports fan "Big Lo" seeks answers from Howai Schultz

🗣️ Fans weigh in about the state of the Sonics

📄 Cartoon | Schultz jumps into action

📻 950 KJR-AM | Clay Bennett's e-mail to Stern

💬 Talk about the team in the Sonics forum