

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE: NATIONAL HOCKEY LEAGUE)	
PLAYERS' CONCUSSION INJURY)	MDL No. 14-2551 (SRN/JSM)
LITIGATION)	
_____)	PLAINTIFFS' MEMORANDUM
)	IN SUPPORT OF TRUSTEES OF
)	BOSTON UNIVERSITY'S
This Document Relates To:)	OPPOSITION TO NATIONAL
ALL ACTIONS)	HOCKEY LEAGUE'S MOTION
)	TO COMPEL

Plaintiffs respectfully submit this memorandum and accompanying papers in support of the Trustees of Boston University's opposition to the NHL's Motion to Compel Production of Documents from the Boston University CTE Center ("BU CTE Center") and the concurrently filed Declaration of Dr. Rudy Castellani.

The NHL's motion to compel and Dr. Castellani's declaration seek to distort and expand this litigation into a full blown attack on the truth and science of the existence of Chronic Traumatic Encephalopathy ("CTE"). To do so, the NHL and Dr. Castellani attempt to use sweeping, unsubstantiated, partisan assertions to discredit the work of Dr. Bennet Omalu and others, including the BU CTE Center, who have studied and helped further the long-standing science of CTE through the scientific method. The NHL's defense in this litigation, and its agenda in general, is to try to resurrect the long-discredited notion that there is no proof that suffering repetitive brain trauma causes long-term neurological damage. This defense is contrary to science and therefore must be established through science, not through simple denials.

The Court should require that those who deny the science of CTE, and the effects of the epidemic of concussions in sport, face the scrutiny of the scientific method before sanctioning their attack on those who are working legitimately to address this public health issue. Accordingly, Plaintiffs submit a letter from Dr. Bennet Omalu responding to the NHL's and Dr. Castellani's attack on him and the science of CTE.

The Court should deny the NHL's motion to compel.

Dated: February 8, 2017

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U.S. District of Minnesota

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Case Number: [0:14-md-02551-SRN-JSM](#)
Filer: Plaintiffs' Executive Committee
Document Number: [688](#)

Docket Text:

[MEMORANDUM in Opposition re \[666\] MOTION to Compel Production of Documents from the Boston University CTE Center and in Support of Trustees of Boston University's Opposition \[680\] filed by Plaintiffs' Executive Committee. \(Attachments: # \(1\) LR7.1/LR72.2 Word Count Compliance Certificate\)\(Zimmerman, Charles\)](#)

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