

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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 SAMUEL BARTLEY STEELE, :
 :
 Plaintiff, : Civil Action
 v. : No. 10-11458-NMG
 :
 ANTHONY RICIGLIANO, BOB BOWMAN, BOSTON :
 RED SOX BASEBALL CLUB LIMITED :
 PARTNERSHIP, BRETT LANGEFELS, CRAIG BARRY, :
 DONATO MUSIC SERVICES, INC., FENWAY SPORTS :
 GROUP a/k/a FSG f/k/a New England Sports Enterprises :
 LLC, JACK ROVNER, JAY ROURKE, JOHN :
 BONGIOVI, individually and d/b/a Bon Jovi Publishing, :
 JOHN W. HENRY, LAWRENCE LUCCHINO, MAJOR :
 LEAGUE BASEBALL ADVANCED MEDIA, L.P., :
 MAJOR LEAGUE BASEBALL PROPERTIES, INC., :
 a/k/a and/or d/b/a Major League Baseball Productions, :
 MARK SHIMMEL individually and d/b/a Mark Shimmel :
 Music, MIKE DEE, NEW ENGLAND SPORTS :
 ENTERPRISES LLC f/d/b/a Fenway Sports Group f/a/k/a :
 FSG, RICHARD SAMBORA individually and d/b/a :
 Aggressive Music, SAM KENNEDY, THOMAS C. :
 WERNER, TIME WARNER INC., TURNER :
 BROADCASTING SYSTEM, INC., TURNER SPORTS, :
 INC., TURNER STUDIOS, INC., VECTOR :
 MANAGEMENT LLC f/k/a and/or a/k/a and/or successor :
 in interest to Vector Management, WILLIAM FALCON :
 individually and d/b/a Pretty Blue Songs, :
 Defendants. :
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NOTICE OF APPEARANCE

Please enter my appearance as counsel of record for "Fenway Sports Group a/k/a FSG f/k/a New England Sports Enterprises LLC" and "New England Sports Enterprises LLC f/d/b/a Fenway Sports Group." As reflected in the Corporate Disclosure Statement of Fenway Sports Group (Docket No. 42), Fenway Sports Group is a d/b/a of New England Sports Enterprises LLC.

New England Sports Enterprises LLC appeared in the above-captioned action and moved to dismiss the Verified Complaint on November 5, 2010. (*See* Docket Nos. 28, 29, and 37.) In those papers, undersigned counsel appeared on behalf of, among other defendants, "New England Sports Enterprises LLC d/b/a Fenway Sports Group," believing that was the correct description of the legal entity named as a defendant in the Verified Complaint (Compl. ¶¶ 16, 26 (Docket No. 1).)

On November 9, 2010, counsel for defendants received the email attached hereto as Exhibit A from counsel for plaintiff. While believing that the information in that email is factually incorrect, in an effort to avoid further wasteful and frivolous motion practice,¹ we are filing this notice of appearance on behalf of "Fenway Sports Group a/k/a FSG f/k/a New England Sports Enterprises LLC" and "New England Sports Enterprises LLC f/d/b/a Fenway Sports Group."

This appearance does not waive any defendant's right at the appropriate time to establish that said nomenclature does not properly identify any existing legal entity.

¹ (*See, e.g.*, Plaintiffs' Rule 55(a) Motion For Entry Of Default As To Defendant MLB Advanced Media, L.P (*See Steele v. Turner Broad. Sys., Inc.*, No. 08-11727-NMG (D. Mass. filed Oct. 8, 2008) (Gorton, J.) ("*Steele I*") (*Steele I* Docket No. 118), Plaintiffs' Rule 55(a) Motion For Entry Of Default As To Defendant Vector Management (*Steele I* Docket No. 125), Memorandum & Order dated September 27, 2010 (*Steele I* Docket No. 136) (denying Plaintiffs' motions for entry of default), appeal pending (No. 10-2173 (1st Cir.).)

Dated: November 10, 2010
Boston, Massachusetts

Respectfully submitted,

Of Counsel:

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/s/ Christopher G. Clark
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Christopher G. Clark (BBO #663455)
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Counsel for Defendants
Fenway Sports Group and
New England Sports Enterprises LLC

CERTIFICATE OF SERVICE

I, Christopher G. Clark, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on November 10, 2010.

Dated: November 10, 2010

/s/ Christopher G. Clark
Christopher G. Clark

EXHIBIT A

From: Christopher Hunt [cadhunt@earthlink.net]
To: Clark, Christopher G (BOS)
Subject: STEELE III/FSG (10-11458)
Date: 11/8/2010 9:10:33 PM
CC:
BCC:

Message:

Chris:

I haven't seen an appearance or any other filing on behalf of FSG. They appear to technically be in default. Would you please let me know when you will file their appearance or, if for some reason you will not be appearing for them, please so advise. I'd rather not waste the Court's (and parties') time entering their default if you or another firm is eventually going to appear for them.

Regards,

Chris

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