

EXHIBIT 27

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
DOCKET NO. BER-L-00975-14

ERIC INSELBERG; INSELBERG :
INTERACTIVE, LLC; MICHAEL : VIDEOTAPED
JAKAB; and SEAN GODOWN, : DEPOSITION UPON
: ORAL EXAMINATION
Plaintiffs, : OF
: ELISHA N. "ELI" MANNING
V. :
: NEW YORK FOOTBALL GIANTS, :
INC.; JOHN K. MARA; :
WILLIAM J. HELLER; EDWARD :
WAGNER, JR.; JOSEPH :
SKIBA, EDWARD SKIBA, :
ELISHA N. "ELI" MANNING; :
BARRY BARONE; PARK :
CLEANERS, INC.; STEINER :
SPORTS MEMORABILIA, INC.; :
PWL, INC. and JOHN DOES :
A-Z, :
Defendants. :

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****HIGHLY CONFIDENTIAL TRANSCRIPT****

TRANSCRIPT of the stenographic notes of the
proceedings in the above-entitled matter, as taken by
and before ELLEN GODINO, a Certified Shorthand
Reporter and Certified Realtime Reporter of the State
of New Jersey, held at the offices of MC CARTER &
ENGLISH, LLP, 4 Gateway Plaza, 100 Mulberry Street,
Newark, New Jersey, on Sunday, August 27, 2017,
commencing at 10:15 a.m.

Job No. NJ2672798

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<p>1 finish your answer before beginning my next 2 question. 3 Do you understand? 4 A. Yes. 5 Q. Another difference between this and 6 typical conversation is that your answers today are 7 under oath; meaning that if you were to say 8 something that was willfully untrue, you might be 9 subject to punishment, such as criminal charges for 10 perjury. 11 Do you understand that? 12 A. Yes. 13 Q. In this deposition, when I'm asking you 14 questions, I'm entitled to receive full answers, 15 which means that -- let me give you an example. If 16 I asked you what you had for breakfast today, and 17 you had had orange juice and toast, it would not be 18 a full answer to just say "orange juice," and not 19 mention the toast. 20 Do you understand? 21 A. Yes. 22 Q. If you want to take a break, that's 23 fine, just -- for any reason; you don't have to give 24 the reason. The only thing I ask is that if I've 25 given you -- if I've put a question to you, that you</p>	<p>1 A. No. 2 Q. Have you ever been arrested? 3 A. In college, for a -- yes, but it's not 4 on my record anymore. 5 Q. It was expunged? 6 A. Yes. 7 Q. And when did the expungement happen? 8 A. While in college. 9 Q. What was the arrest for? 10 A. I can't -- I can't recall exactly. I 11 believe the charges were public drunk. 12 Q. Public drunkenness? 13 A. Yes. 14 Q. And where did that arrest occur? 15 A. In Oxford, Mississippi. 16 Q. And how old were you at the time? 17 A. I believe I was 19. 18 Q. And you were in college? 19 A. Yes. 20 Q. Have you ever been arrested any other 21 times? 22 A. No. 23 Q. I want to start off by asking you a 24 little bit about what you may know about my clients, 25 or have heard about my clients.</p>
Page 11	Page 13
<p>1 answer the question before asking for a break. 2 Okay? 3 A. Okay. 4 Q. And lastly, as far as -- another just 5 sort of strange thing about how depositions work 6 versus what you might be used to seeing on T.V. is 7 that lawyers will say "objection." And if you -- if 8 you understand the question, you should go ahead and 9 answer the question anyway, unless one of the 10 lawyers instructs you not to answer. 11 Do you understand that? 12 A. Yes. 13 Q. And so if you do answer one of my 14 questions, I will assume that that meant you 15 understood the question. So it's important that if 16 there's anything in my question you don't 17 understand, that you will let me know what that is, 18 so that I can potentially rephrase. Okay? 19 A. Okay. 20 Q. Is there any reason, such as being 21 under unusual stress, or a physical or mental 22 condition, or being under the influence of any 23 substances, that would prevent or limit you today 24 from giving full and truthful answers to my 25 questions?</p>	<p>1 Do you know the name Eric Inselberg? 2 A. I do know the name. 3 Q. And what do you know about Eric 4 Inselberg? 5 A. I know he's filed this -- this suit. 6 Q. And what else do you know about him? 7 A. I don't know a whole lot, besides what 8 I've learned from this suit. 9 Q. And had you heard of the name of Eric 10 Inselberg before this lawsuit was filed? 11 A. I had not. 12 Q. And do you recall when this lawsuit was 13 filed? 14 A. I believe it was filed in 2014. 15 Q. And had you been familiar with the 16 Giants Legacy Club before then? 17 A. Before when? 18 Q. Had you -- before the lawsuit was 19 filed? 20 A. I believe -- yes, I knew there was a 21 Legacy Club. 22 Q. Have you ever been in there? 23 A. Yes, I'd been in the Legacy Club. 24 Q. And did you ever -- again, before 2014, 25 ever look at the memorabilia in the Legacy Club?</p>

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<p style="text-align: right;">Page 170</p> <p>1 How did you respond to Joe Skiba's 2 e-mail? 3 A. Looks like I'm asking for two of my 4 game-used helmets. 5 Q. Is that what it looks like? 6 A. Yes. 7 Q. Would you read the e-mail, please. 8 A. My e-mail to Joe? 9 Q. Yes. 10 A. "Two helmets that can pass as 11 game-used. That is it, Eli." 12 Q. And do you remember sending that 13 e-mail? 14 A. I don't remember sending that e-mail. 15 Q. And -- but your -- would you say again 16 what it is that you were asking for here? 17 A. I was asking for two game-used helmets. 18 Q. And why didn't you ask for two 19 game-used helmets? Why did you say it this way? 20 MR. HOFF: Object to the form. 21 A. I believe I am asking for two game-used 22 helmets. 23 Q. How -- break that down for me 24 English-wise. 25 How is this asking for two game-used</p>	<p style="text-align: right;">Page 172</p> <p>1 did not take with me, so they would still be there. 2 Q. And you knew that -- you knew that 3 helmets went out for reconditioning at some point in 4 the off-season. Right? 5 MR. HERNANDEZ: Object to the form. 6 A. I didn't know what -- what happened to 7 the helmets in the off-season. 8 Q. Well, then sometimes helmets get just 9 replaced. Is that right? 10 MR. HERNANDEZ: Object to the form. 11 A. I'm not sure what happens to helmets. 12 (Court reporter clarification.) 13 A. I'm not sure what happens to helmets. 14 Q. And Joe Skiba responded to your e-mail 15 how? What did he say? 16 A. Is that the top one? 17 2:08, 2:10. 18 "When do you need it for?" 19 Q. And how did you respond to him? Do you 20 know? 21 A. Is it on here? 22 Q. If it has been produced -- if that 23 e-mail exists or if it was an e-mail, I do not 24 believe it has been produced. It is not in here. 25 A. Then I'm not sure.</p>
<p style="text-align: right;">Page 171</p> <p>1 helmets? 2 MR. HOFF: Objection to form. 3 MR. HERNANDEZ: Object to form. 4 A. I believe I'm asking for two helmets 5 that can satisfy as being game-used -- satisfy the 6 requirement of being game-used. 7 Q. Okay. And what were the requirements 8 of being game-used? 9 A. I believe a game-used -- 10 MR. HOFF: Do you just want to hear the 11 question again? 12 Okay. Go ahead. 13 A. Repeat the question. Sorry. 14 Q. And what were the requirements of being 15 game-used? 16 A. The requirements are helmets that I 17 wore in a game. 18 Q. And why did you think that there would 19 be any helmets that you wore in a game available in 20 late April 2010? 21 MR. HOFF: Objection, form. 22 MR. HERNANDEZ: Object to form. 23 MR. PARNES: Objection to form. 24 A. Because I wore helmets during the -- 25 during the season that Joe would have, that I either</p>	<p style="text-align: right;">Page 173</p> <p>1 Q. Had you called Joe Skiba before 2 receiving the e-mail that's at the bottom of this 3 chain that we just looked at? 4 A. What e-mail is that? 5 Q. Well, so Joe Skiba e-mails you saying, 6 let me know what you're looking for -- 7 A. Right. 8 Q. -- and I'll try to get something down 9 for you. 10 He didn't just e-mail you out of the 11 blue knowing that you were looking for something, 12 did he? 13 MR. HOFF: Objection to form. 14 A. I'm not sure what the communication 15 was. 16 Q. I mean, you guys haven't developed some 17 form of telepathy between the two of you. Right? 18 MR. HOFF: Objection. 19 MR. PARNES: Objection to form. 20 MR. HOFF: Please, Brian, be a little 21 more respectful. 22 Q. I'm just making sure -- like you -- you 23 had to have communicated with Joe Skiba before he 24 sent you this e-mail. Right? 25 MR. PARNES: Objection to form.</p>

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<p style="text-align: right;">Page 174</p> <p>1 MR. HOFF: Objection.</p> <p>2 A. We could have. I don't know -- I don't</p> <p>3 know in which way.</p> <p>4 Q. Okay. You don't know in which way, but</p> <p>5 you had to have communicated with him. Right?</p> <p>6 MR. HERNANDEZ: Objection to form.</p> <p>7 MR. KROVATIN: Objection to form.</p> <p>8 MR. PARNES: Objection.</p> <p>9 A. I do know exactly what -- what went</p> <p>10 down on April 27, 2010.</p> <p>11 Q. And just to be clear, you have no</p> <p>12 independent recollection of this innocent -- of this</p> <p>13 incident other than what you see on these e-mails.</p> <p>14 Is that right?</p> <p>15 MR. HERNANDEZ: Object to the form.</p> <p>16 A. I do not recall this incident.</p> <p>17 Q. And so when you're looking at, for</p> <p>18 example, your e-mail here on 159, the one you sent</p> <p>19 at 2:08 p.m. on April 27th --</p> <p>20 A. Right.</p> <p>21 Q. -- you said, "Two helmets that can pass</p> <p>22 as game-used," your testimony about what you were</p> <p>23 asking for is based just on these words on the page.</p> <p>24 Is that right?</p> <p>25 A. Can you repeat that question?</p>	<p style="text-align: right;">Page 176</p> <p>1 MR. HOFF: Objection to form.</p> <p>2 A. I don't recall.</p> <p>3 Q. Is that something that is -- is</p> <p>4 accurately conveying a message important in</p> <p>5 marketing?</p> <p>6 MR. HOFF: Objection to form.</p> <p>7 MR. KROVATIN: Objection to form.</p> <p>8 MR. HERNANDEZ: Objection to form.</p> <p>9 A. It may be.</p> <p>10 Q. Do you think it's important?</p> <p>11 MR. HOFF: Objection to form.</p> <p>12 A. I haven't thought about it.</p> <p>13 Q. Do you think the truth is generally</p> <p>14 important?</p> <p>15 MR. HOFF: Objection to form.</p> <p>16 MR. HERNANDEZ: Object to the form.</p> <p>17 A. I believe the truth is important.</p> <p>18 Q. Are there times when the truth is not</p> <p>19 important to you?</p> <p>20 MR. HOFF: Objection to form.</p> <p>21 A. I believe the truth is important.</p> <p>22 Q. Always?</p> <p>23 A. I believe the truth is important.</p> <p>24 Q. Always or only sometimes?</p> <p>25 MR. KROVATIN: Object to the form.</p>
<p style="text-align: right;">Page 175</p> <p>1 Q. When you said that you were asking for</p> <p>2 two game-used helmets here, that's based on just</p> <p>3 what you see on this page. Correct?</p> <p>4 MR. HOFF: Objection to form.</p> <p>5 A. From this page, I see that I'm asking</p> <p>6 for two game-used helmets.</p> <p>7 Q. Okay. Have you ever taken any English</p> <p>8 courses?</p> <p>9 MR. HOFF: Objection to form.</p> <p>10 A. I believe so.</p> <p>11 Q. When -- did you take any English</p> <p>12 courses in college?</p> <p>13 A. I can't recall, but I believe so.</p> <p>14 Q. And did you ever take any courses on --</p> <p>15 in connection with your marketing studies on</p> <p>16 advertising?</p> <p>17 A. I believe I took an advertising class.</p> <p>18 Q. And did they give you any education</p> <p>19 about truth in advertising?</p> <p>20 MR. HERNANDEZ: Object to form.</p> <p>21 MR. HOFF: Objection to form.</p> <p>22 A. I'm not sure. I don't remember.</p> <p>23 Q. Did they give any education on how to</p> <p>24 convey your message effectively?</p> <p>25 MR. HERNANDEZ: Object to form.</p>	<p style="text-align: right;">Page 177</p> <p>1 A. The truth is important.</p> <p>2 Q. Okay. I'm going to mark this</p> <p>3 Manning-10.</p> <p>4 (Exhibit Manning-10, Printout from</p> <p>5 Merriam Webster Dictionary Website, was received and</p> <p>6 marked for identification.)</p> <p>7 Q. We'll come back to Manning-9 later, but</p> <p>8 I'm showing you what has been marked as Manning-10.</p> <p>9 And this is a printout from the Merriam Webster</p> <p>10 Dictionary website for the definition of "pass as."</p> <p>11 Those are two words that you used in</p> <p>12 that e-mail. Correct?</p> <p>13 A. Those are two words I used in an</p> <p>14 e-mail.</p> <p>15 Q. Okay. Would you please read the first</p> <p>16 definition of "pass as," according to Merriam</p> <p>17 Webster's dictionary?</p> <p>18 MR. HOFF: Objection to form.</p> <p>19 Q. Would you please read it aloud?</p> <p>20 A. "To cause people to believe that one is</p> <p>21 (someone or something) that one is not."</p> <p>22 Q. And then there's an example. Would you</p> <p>23 read the example?</p> <p>24 A. "He thought he could pass as an adult."</p> <p>25 Q. And now when you read that example, is</p>

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<p style="text-align: right;">Page 178</p> <p>1 it your understanding that the "he" there was 2 actually an adult? 3 MR. HOFF: Objection to form. 4 A. Repeat the question. 5 Q. So in the example -- 6 A. Right. 7 Q. It says, "He thought he could pass as 8 an adult." 9 Is it your understanding, reading that, 10 that the "he," the subject of the sentence, was, in 11 fact, an adult? 12 A. Not sure. He thought he could pass as 13 an adult. I'm not sure what he is. 14 Q. Now, as you -- and do you -- so you're 15 still not sure what he is, even when you see the 16 definition that occurs before that example? 17 MR. HERNANDEZ: Object to the form. 18 MR. HOFF: Objection to form. 19 A. I don't know what he is. 20 Q. Have you ever used the term "pass as" 21 before the e-mail that we were looking at there? 22 A. I'm not sure. 23 Q. You used the term "pass" a lot, though, 24 right? You're a quarterback? 25 A. I throw a pass.</p>	<p style="text-align: right;">Page 180</p> <p>1 A. Yes. 2 Q. And why is that? 3 A. Because I'm asking for two game-used 4 helmets. 5 Q. And do you believe that you received 6 two game-used helmets? 7 A. Yes, I believe I received two game-used 8 helmets. 9 Q. And why? 10 A. If I asked Joe Skiba for two game-used 11 helmets, two of my helmets, that he would have given 12 me two of my game-used helmets. 13 Q. And how do you know that? 14 A. Because I trusted Joe Skiba. Whenever 15 I asked for a helmet, for a game; or whenever I 16 asked for a helmet, one of my helmets, he was 17 responsible for my helmets, and he provided me with 18 my helmets. 19 Q. And did you ever -- have you talked 20 with Joe Skiba about whether -- since this lawsuit 21 was filed, have you talked with Joe Skiba about this 22 e-mail chain? 23 A. I have not. 24 Q. And do you have any understanding as to 25 whether Joe Skiba has said in his deposition in this</p>
<p style="text-align: right;">Page 179</p> <p>1 Q. You throw a pass. And when you were 2 using the term "pass as," are you making any 3 reference to any kind of pass that you do as a 4 quarterback? 5 MR. HOFF: Objection to form. 6 A. Say again? 7 Q. So "pass as," does that have anything 8 to do with passing as a quarterback? 9 MR. HOFF: Objection to form. 10 A. I don't believe so. 11 Q. And is it -- so when you -- if you -- 12 if you successfully completed a course in college 13 after the final exam, what would you say you did 14 with that final exam? 15 A. You finished the course? 16 Q. Yes. 17 A. You passed the course. 18 Q. And you did not "pass as" the course. 19 Correct? 20 A. You did not fail the course. 21 Q. All right. Now, after looking at that 22 definition, is it still your belief, looking at 23 Exhibit Manning-9, that when you were asked for two 24 helmets that can pass as game-used, that you were 25 asking for two game-used helmets?</p>	<p style="text-align: right;">Page 181</p> <p>1 case that he gave you two game-used helmets? 2 A. I'm not sure what Joe Skiba has said in 3 his deposition. 4 Q. Okay. And so you're not aware that he 5 said he gave you two game-issued helmets. Is that 6 right? 7 MR. HOFF: Objection to form. 8 MR. HERNANDEZ: Object to the form. 9 A. I'm not aware what Joe Skiba said in 10 his deposition. 11 Q. Okay. Would it surprise you if Joe 12 Skiba said that he gave you two game-issued helmets? 13 MR. KROVATIN: Object to the form. 14 A. Again, I have no idea what Joe Skiba 15 said. 16 Q. So it would not surprise you if he did 17 not give you two game-used helmets? 18 MR. HOFF: Objection, form. 19 MR. HERNANDEZ: Object to the form. 20 MR. KROVATIN: Objection to form. 21 A. I believe if I gave Joe Skiba two 22 game-used helmets, then he gave me two game-used 23 helmets. 24 Q. Okay. But you didn't ask for two 25 game-used helmets. You asked him for --</p>

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<p style="text-align: right;">Page 182</p> <p>1 (Court reporter clarification.) 2 Q. You didn't give him -- you didn't ask 3 for two game-used helmets; you asked for "two 4 helmets that can pass as game-used." Correct? 5 MR. HOFF: Objection to form. 6 MR. HERNANDEZ: Object to the form. 7 A. I asked for two game-used helmets, and 8 I believe he gave me two game-used helmets. 9 Q. So, again, just let's look at 10 Manning-10 again. "Pass as is to cause people to 11 believe that one is (someone or something) that one 12 is not." 13 So if the dictionary definition as 14 "pass as" is supplied to your e-mail, you would 15 agree that you were asked -- that this e-mail would 16 be read to say you wanted two helmets that people 17 would believe are game-used, but are not game-used? 18 MR. HOFF: Objection, form. 19 MR. HERNANDEZ: Object to the form. 20 MR. HOFF: And you're also selectively 21 reading this dictionary definition, and attempting 22 to create a misleading record of what Webster's 23 Dictionary thinks. 24 MR. HERNANDEZ: What are -- 25 A. I believe I asked for two game-used --</p>	<p style="text-align: right;">Page 184</p> <p>1 A. "The ancient practices that once passed 2 as science." 3 Q. And as you read that example, do you 4 understand that to be suggesting that ancient 5 practices were, in fact, science at that time? 6 MR. HOFF: Objection to form. 7 MR. HERNANDEZ: Object to form. 8 MR. KROVATIN: Objection to form. 9 A. I'm not sure I understand what that 10 example is saying. 11 Q. Let's go to Joe Skiba's deposition 12 testimony. 13 MR. BROOK: Actually we may need to -- 14 let's take a two-minute break to get some more 15 exhibit stickers. 16 THE VIDEOGRAPHER: The time is 17 2:26 p.m. We're going off the record. 18 (A brief recess takes place.) 19 THE VIDEOGRAPHER: The time is 20 approximately 2:32 p.m. and we're back on the 21 record. 22 BY MR. BROOK: 23 Q. Okay. Now I'm going to show you what's 24 been marked as Manning-11. 25 (Exhibit Manning-11, Excerpt from</p>
<p style="text-align: right;">Page 183</p> <p>1 (Court reporter clarification.) 2 MR. HOFF: I said I object because he's 3 selectively reading the definitions from Webster's, 4 which indicate what Webster's thinks -- completely 5 what Webster thinks the meaning of the word or the 6 phrase is. 7 You may go on. 8 A. I believe I asked for two game-used 9 helmets, I believe Joe Skiba understood that, that's 10 two game-used helmets. And when I went in to 11 collect my two game-used helmets, it would have been 12 understood that's what I was asking for, and that's 13 what I received. 14 Q. And when you met with Joe Skiba, did 15 you say, you know, "Are these the game-used 16 helmets?" 17 A. I can't recall what I said with him. 18 Q. Okay. Let's look at the second 19 definition here that Merriam-Webster has, since your 20 lawyer brought that up. 21 What's the second definition of "pass 22 as"? 23 A. "To be accepted or regarded as 24 something." 25 Q. And then what's the example?</p>	<p style="text-align: right;">Page 185</p> <p>1 Deposition of Joseph Skiba, was received and marked 2 for identification.) 3 Q. This is designated, this is a 4 transcript portion that has been designated highly 5 confidential by the Krovatin Klingeman firm. This 6 is a selection of six pages of the transcript of Joe 7 Skiba that occurred on, I believe, last Thursday. 8 I wanted to actually look not at the 9 first two pages, I'm not going to be asking about 10 that, I don't think, but on the third page; it has a 11 393 in the upper right-hand corner. 12 MR. HOFF: Is there a question? 13 MR. BROOK: I was waiting for him to 14 get to that. 15 Q. On Page 393, I just want to -- I'm 16 going to go through this, and you can follow along. 17 If I misread something, you can let me know. But 18 Joe Skiba was asked about the same e-mail chain that 19 we were just looking at, and he read your response 20 as "two helmets that can pass as game-used. That is 21 it. Eli." 22 I asked, "And what did you understand 23 Eli to be asking you?" 24 There was an objection; he answered, 25 "For what he said, two helmets that can pass as</p>

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<p style="text-align: right;">Page 194</p> <p>1 month after the e-mails we were just looking at from 2 April 27, 2010. Correct? 3 A. The invoice -- the invoice date -- the 4 due date, is that what you're saying? 5 Q. Yes. I think the date also up above 6 that. 7 A. Yeah, it says -- that date says 8 May 26th. 9 Q. And what does the description of the 10 item on this invoice say? 11 Please read that aloud. 12 A. The description says, "A Eli Manning 13 New York Giants signed 2009 game-used helmet." 14 Q. So does that refresh your recollection 15 as to whether you gave any game-used helmets to 16 Steiner Sports that year? 17 A. It does not refresh my recollection. 18 Q. And -- but it does indicate that 19 Steiner Sports sold to someone a helmet that was 20 marketed as a signed 2009 game-used helmet from you. 21 Correct? 22 A. Yes, it does. 23 Q. So if Joe Skiba didn't give you any 24 game-used helmets, then this sale was a 25 misrepresentation, wasn't it?</p>	<p style="text-align: right;">Page 196</p> <p>1 (Testimony reread.) 2 Q. So -- so what did you mean by "to be 3 prepared"? 4 A. Well, from this e-mail, it sounds like 5 I had an appearance with me -- with Steiner the next 6 day, so I'm trying to bring two game-used helmets 7 and two game-used jerseys for my contract. 8 So I e-mailed Joe Skiba asking for two 9 game-used helmets in case I didn't have two 10 game-used helmets at home. Maybe I had to check. 11 Maybe I wasn't at home. I don't know where I was 12 during this time. I can't remember. 13 So I wanted to be prepared for 14 tomorrow's time when I went to Steiner to have my 15 game-used memorabilia that I owed them. 16 Q. Okay. So -- but if you -- I'm still 17 having a hard time understanding how that makes 18 sense if you already had a helmet. 19 A. I didn't know if -- I'm saying I don't 20 know if I knew I had a helmet or not. 21 This is an e-mail that -- if I got the 22 e-mail and sent it to Joe before -- I don't know if 23 I was at home. I don't know if I knew if I had 24 helmets. 25 I knew that I had jerseys because I had</p>
<p style="text-align: right;">Page 195</p> <p>1 A. No. 2 MR. HOFF: Objection to form. 3 MR. HERNANDEZ: Objection to form. 4 MR. PARNES: Objection. 5 A. No, I do not believe so. 6 Q. Why not? 7 A. Because I could have taken a helmet 8 with me after the season when I cleaned out my 9 locker, as I did some years. 10 Q. Okay. And if you did that, why did you 11 ask Joe Skiba for two helmets that can pass as 12 game-used? 13 A. Well, I don't recall exactly, but when 14 my agent reminded me that I had to give two helmets, 15 I asked Joe Skiba for two game-used helmets to be 16 prepared if I did not have my -- you know, any 17 game-used helmets that I had kept after cleaning out 18 my locker. 19 Q. Now, if Joe Skiba gave you two -- okay. 20 What did -- what did you just mean? 21 You used the phrase "to be prepared"? 22 A. I'm not sure. Can you repeat what I 23 said? 24 MR. BROOK: Could you please read back 25 the answer. Yes.</p>	<p style="text-align: right;">Page 197</p> <p>1 had a practice of taking jerseys home after certain 2 games or after a number of games, so... 3 Q. So what would -- what would Joe Skiba 4 have to do in order to prepare the helmets for you? 5 MR. HOFF: Objection to form. 6 MR. PARNES: Objection to form. 7 MR. KROVATIN: Objection to form. 8 MR. HERNANDEZ: Object to form. 9 A. I don't know if Joe Skiba would have to 10 prepare my -- my game-used helmets for me or not. I 11 don't think he would have to do -- do anything to 12 prepare. 13 Q. So then why was it important to e-mail 14 him to make sure he was prepared? 15 MR. HOFF: Objection to form. 16 MR. HERNANDEZ: Object to form. 17 A. That's not what I said. To make sure I 18 was prepared for my -- to bring game-used helmets to 19 Steiner the next day. 20 Q. So you wanted Joe Skiba to give you 21 another two helmets so that you were prepared? 22 MR. HERNANDEZ: Object to form. 23 MR. HOFF: Objection to form. 24 MR. KROVATIN: Object to form. 25 A. I was asking Joe Skiba for two</p>

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<p style="text-align: right;">Page 198</p> <p>1 game-used helmets. I don't know if I went in and 2 got those two game-used helmets the next day or not. 3 Q. How would you determine if you went to 4 go get those game-used helmets the next day or not? 5 A. I'm not sure how I could determine 6 that. 7 Q. Did the Giants equipment room in April 8 of 2010 or their facilities have any way of tracking 9 who came in or out? 10 A. I'm not sure. 11 Q. Was there a gate to get into the 12 facility? 13 A. There's a gate to get into the 14 facility. 15 Q. And as Eli Manning, I'm presuming you 16 had some sort of easy way to get through the gate. 17 Is that right? 18 MR. HOFF: Objection to form. 19 A. There's just a security guard there to 20 lift the gate. 21 Q. And did the security guard take note of 22 who came in or left? 23 A. I'm not sure. I don't think so. 24 Q. So now, I just want to run through this 25 with you to see if -- to see what you think about</p>	<p style="text-align: right;">Page 200</p> <p>1 So in this instance, if you -- you 2 know, Joe Skiba doesn't change his story and he 3 sticks to his guns that he gave game-issued helmets 4 to you, not game-used, and it turns out this is one 5 of those helmets, what would you do for Enrique 6 Schneider who bought this helmet as a game-used 7 helmet? 8 MR. KROVATIN: Objection to form. 9 MR. HERNANDEZ: Object to the form. 10 MR. HOFF: Object to the form of the 11 question. 12 A. I do not know. I know that if I asked 13 Joe Skiba for two game-used helmets, he would give 14 me two game-used helmets. 15 And what I believe to be game-used, I 16 would give to Steiner. If I had my own game-used 17 helmet at home, I would give that to Steiner. 18 Obviously, they only sold one helmet. I asked for 19 two helmets from Joe Skiba in my e-mail. 20 I don't know if I ever got the helmets. 21 I don't know what -- if I gave Steiner one of my 22 game-used helmets that I've -- when I went to get my 23 jerseys at home, I found a game-used helmet that 24 was -- that I took after cleaning out my locker. 25 I don't know what happened, but I know</p>
<p style="text-align: right;">Page 199</p> <p>1 this. 2 If this helmet was, in fact, a 3 game-issued helmet that Joe Skiba gave to you, 4 that's being referenced on this invoice, and it was 5 sold as a game-used helmet to Enrique Schneider, do 6 you think that there would be anything wrong with 7 that? 8 MR. HOFF: Objection to form. 9 MR. KROVATIN: Object to the form. 10 MR. PARNES: Objection. 11 MR. HERNANDEZ: Object to the form. 12 A. Repeat the question again. 13 Q. If the helmet sold to Enrique Schneider 14 as a game-used helmet was actually not a game-used 15 helmet, do you think there would be anything wrong 16 with that? 17 MR. HERNANDEZ: Object to the form. 18 MR. KROVATIN: Objection to form. 19 MR. HOFF: Objection to form. 20 A. If a game-used helmet -- a game-used 21 helmet of mine was claimed to be game-used and not, 22 there would be something wrong with that. 23 Q. And why is that? 24 A. Because it wouldn't be game-used. 25 Q. And -- okay.</p>	<p style="text-align: right;">Page 201</p> <p>1 if I asked for game-used helmets from Joe Skiba, he 2 would give me game-used helmets, and that's all I 3 ever asked for. 4 Q. And what if the helmet also could not 5 be photo matched to any game that you had played 6 during that season; would you still believe that 7 this was a game-used helmet that was sold by 8 Steiner Sports? 9 MR. HOFF: Objection to form. 10 MR. KROVATIN: Objection to form. 11 A. I believe that every helmet I gave to 12 Steiner Sports was game-used. 13 Q. And you believe that because you were 14 relying on Joe Skiba; is that right? 15 A. I believe that because either I relied 16 on Joe Skiba or I relied on myself to -- that I had 17 a game-used helmet in my possession from that 18 season. 19 Q. So, again, if one of those helmets that 20 you gave that you believe was game-used could not be 21 photo matched to any game that you played in the 22 season, how would you explain that as consistent 23 with your testimony? 24 MR. HOFF: Objection to form. 25 MR. KROVATIN: Objection to the form.</p>

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<p style="text-align: right;">Page 246</p> <p>1 was investigating game-used memorabilia? 2 MR. HOFF: Objection to form. 3 A. I don't know if I know that. Just 4 because of this suit, I've heard a little bit about 5 the FBI but I've never -- don't know much about it. 6 Q. And are you aware of -- what is your 7 understanding of what Eric Inselberg's involvement 8 with the FBI investigation was? 9 A. I don't have any understanding. 10 Q. Are you -- were you aware that Eric 11 Inselberg had been indicted for mail fraud at one 12 point? 13 A. I may have read that somewhere, but not 14 -- don't know that. 15 Q. And were you -- did you also read that 16 the charges against Eric Inselberg were dropped by 17 the prosecutor? 18 A. I don't recall reading that. 19 Q. Prior to -- -- strike that. 20 And when, if ever, were you told by Joe 21 Skiba that the FBI was investigating some of the 22 memorabilia that he had authorized be sold to Eric 23 Inselberg? 24 MR. HOFF: Objection to form. 25 MR. KROVATIN: Objection to form.</p>	<p style="text-align: right;">Page 248</p> <p>1 Q. So you can see it's from Eric Derleth? 2 A. To Joe Skiba. 3 Q. Asking Joe, "Any idea why I received 4 this e-mail below?" And he looks like he copied and 5 pasted an e-mail into this. 6 A. Okay. Okay. What's the question? 7 Q. Having reviewed this, does that refresh 8 your recollection as to whether you've either seen 9 this e-mail or been made aware of it before? 10 A. It does not. 11 Q. And so what is your understanding of 12 what the agent was telling this individual, Eric, 13 that he was investigating? 14 MR. HOFF: Objection to form. 15 MR. KROVATIN: Objection to form. 16 A. I'm not sure I follow everything going 17 on in the e-mail. 18 Q. It is a little opaque. Have you heard 19 of Ripon Athletic before? 20 A. I have not. 21 Q. So does it say anything about the 22 timing of this e-mail? 23 A. The timing of? 24 Q. Seem significant to you? 25 MR. HERNANDEZ: Object to form.</p>
<p style="text-align: right;">Page 247</p> <p>1 MR. HERNANDEZ: Object to the form. 2 MR. PARNES: Objection to form. 3 A. I never had a conversation with Joe 4 Skiba about that. 5 MR. BROOK: We'll mark this as 6 Manning-20. 7 (Exhibit Manning-20, E-Mail dated May 8 1, 2010, Bates EIG 044287, was received and marked 9 for identification.) 10 Q. So I'm showing what has been marked as 11 Manning-20 is e-mail forwarded from Joe Skiba to 12 Eric Inselberg on May 11, 2010, Bates number EIG 13 044287. 14 Have you ever seen this e-mail before? 15 A. I don't believe so. 16 Q. Okay. And Joe Skiba didn't have any 17 comments to Eric Inselberg, but this shows that in 18 the e-mail below, "Eric Derleth Ripon Athletic 19 received an e-mail from someone named Special Agent 20 Brian C. Brusokas. 21 Do you see that? 22 A. Can I read this? 23 Q. Sure. 24 A. Can I read this first? E-mails. This 25 a message from who to who?</p>	<p style="text-align: right;">Page 249</p> <p>1 A. What's the date, Tuesday, May 11th? 2 Q. Yes. 3 A. 2010, no. 4 Q. And so this is approximately two weeks 5 after you had asked Joe Skiba for two helmets that 6 could pass as game-used. Do you remember that 7 e-mail? 8 A. I remember that e-mail. 9 Q. And so then after this e-mail, you 10 began asking Joe Skiba for your helmets, instead of 11 helmets that could pass as game-used. Is that 12 right? 13 MR. HOFF: Objection to form. 14 MR. PARNES: Objection. 15 MR. HERNANDEZ: Object to form. 16 A. Repeat the question? 17 Q. Is it just a coincidence that after 18 Joe Skiba got this e-mail indicating the FBI was 19 investigating matters -- transactions -- 20 (Court reporter clarification.) 21 Q. -- indicating that the FBI was 22 investigating transactions he had been involved 23 with, that the way in which you asked Joe Skiba for 24 memorabilia changed in your e-mails? 25 MR. KROVATIN: Objection to form.</p>

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<p style="text-align: right;">Page 250</p> <p>1 MR. HOFF: Objection to form of the 2 question. 3 MR. HERNANDEZ: Objection to form. 4 A. I am still not -- I'm not sure I 5 understand how all this is related. 6 Q. Okay. So -- but just to be clear, it's 7 your testimony that Joe Skiba never told you that 8 the FBI was looking around at some of the things he 9 was involved with. Is that right? 10 MR. HERNANDEZ: Object to the form. 11 MR. KROVATIN: Object to the form. 12 A. Joe Skiba and I never had a 13 conversation about the FBI. 14 Q. Has there ever been an investigation by 15 the league into any of the matters at issue in this 16 complaint? 17 A. Not that I know of. 18 Q. Are you aware of whether there have 19 been an investigation of the league of Brett Favre 20 for game-worn jerseys? 21 A. Not that I -- not that I'm aware of. 22 Q. So is it -- just to be clear, you never 23 heard about a 2008 investigation by the league into 24 the quantity of game-worn jerseys that Favre had -- 25 of game-worn Favre jerseys that were in the market?</p>	<p style="text-align: right;">Page 252</p> <p>1 Q. And what's your understanding of 2 what -- what this e-mail reflects in this case? 3 MR. KROVATIN: Objection to form. 4 MR. HERNANDEZ: Objection to form. 5 MR. HOFF: Object to the form. 6 A. I don't -- besides Joe Skiba being one 7 of the recipients or sending, I don't know who the 8 other person is, and, you know, I don't -- I can't 9 tell what they're -- what they would be talking 10 about. 11 Q. And so the person who sent this is 12 Eric Inselberg, emi44nyg@aol.com, saying on 13 August 30, 2008, "Hey, Joe. My buddy was offered an 14 Eli game-used helmet and jersey. Are these the BS 15 ones that Eli asked you to make up because" -- 16 (Court reporter clarification.) 17 Q. "...that Eli asked you to make up" -- 18 I'm sorry. There's no "that." 19 "...BS ones Eli asked you to make up 20 because he didn't want to give up the real stuff? 21 Let me know, because I will tell him correctly so no 22 flags are raised. 23 "Also when should I get from you the 24 lettered 0A jerseys to switch out after each week? 25 Thanks, Eric."</p>
<p style="text-align: right;">Page 251</p> <p>1 A. I've not heard about that. 2 MR. BROOK: We'll mark this Manning-21. 3 There you go. 4 (Exhibit Manning-21, E-mail, EIG 5 100862, was received and marked for identification.) 6 Q. I'm showing you what has been marked as 7 Manning-21. It's an e-mail. It's Bates number EIG 8 100862. 9 Do you recognize this document? 10 A. I believe I've seen this in some of the 11 information that I've been provided. 12 Q. And when do you recall first seeing 13 this e-mail? 14 A. I can't recall. 15 Q. Was it after this lawsuit was filed? 16 A. I would say yes, it was after this 17 lawsuit was filed. 18 Q. Are you sure of that? 19 A. I believe so. 20 Q. So no one at the Giants ever asked you 21 about this e-mail before this lawsuit was filed? 22 MR. HERNANDEZ: Object to form. 23 A. I do not -- no, I do not believe so. 24 (Court reporter clarification.) 25 A. No, I do not believe so.</p>	<p style="text-align: right;">Page 253</p> <p>1 And the subject of that was -- of that 2 e-mail was "Manning, Steiner," and Joe Skiba replied 3 the next morning, "BS ones. You are correct." 4 So what's your understanding of what 5 this e-mail shows? 6 MR. HOFF: Objection to form. 7 MR. KROVATIN: Object to the form. 8 A. I'm not sure what these -- what these 9 two guys are talking about. 10 Q. Well, you know Joe Skiba. Right? 11 A. I know Joe Skiba, yes. 12 Q. And he's -- he was -- he responded to 13 Eric Inselberg in this e-mail saying, "BS ones. You 14 are correct." 15 Do you see that? 16 MR. HERNANDEZ: Object to form. 17 MR. KROVATIN: Object to form. 18 A. I see that. 19 Q. And did you ever ask Joe Skiba to make 20 up game-used helmets or jerseys to give to 21 Steiner Sports? 22 A. I did not. 23 Q. And have you ever asked Joe Skiba 24 whether he told anyone that you did that? 25 MR. HOFF: Objection to form.</p>