

# **EXHIBIT 6**



GARDINER ROBERTS LLP  
Lawyers

## MEMORANDUM

To: File  
From: Loren Greenspoon  
Date: February 27, 2007  
File No.: 81,879  
Re: Meeting in Racine, Wisconsin

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### Meeting Details

DATE: Monday February 26, 2007  
TIME: Approximately 3 p.m. to 6 p.m.  
PLACE: The Council House, Racine, Wisconsin  
IN ATTENDANCE: Jim Balsillie, Craig Leipold, Ed Lang, Richard Rodier, Loren Greenspoon

### Relocation of the Nashville Predators

Craig Leipold ("Leipold") confirmed that Gary Bettman ("Bettman") and the NHL Executive Committee have discussed the relocation of the Nashville Predators and, despite the fact that there has yet to be a formal vote on the issue of relocation, both Bettman and the NHL Executive Committee are in full agreement that the market is "hopeless" and support relocating the team out of Nashville. The only remaining issue is where the team will be relocated and when such the relocation will occur. Leipold explained how the Nashville Predators are the recipient of approximately \$13 million in revenue sharing (highest in the league) and rank 26<sup>th</sup> in league attendance. In stating that NHL hockey in Nashville is not working, he made a comment to the following general effect "It would be one thing if the Predators were a bad hockey team. The fact that they are the league's top team just demonstrates that NHL hockey is not working in Nashville. The Executive Committee, including Bettman, understands that." In essence, Bettman and the Executive Committee understood that Leipold had paid his dues to the league by operating in Nashville for the past 9 years. With the amount of revenue sharing, that Nashville is to receive, set to decrease beginning in the 2007-2008 season with further decreases in subsequent years, the team will be certain suffer increasing loses.

### Conversations between Bettman and Leipold about Relocation Destinations.

When asked, Leipold said that he had no discussions with Gary Bettman about the possibility of moving the Nashville Predators to southern Ontario, specifically Hamilton. Despite this lack of discussion between Leipold and Bettman, Leipold did say that a number of league owners have discussed the viability of southern Ontario as a possible destination for a second hockey team and that it was their views that a second team in Ontario would be successful. Leipold did not disclose who those other owners were. With regard to southern Ontario, Leipold was unfamiliar with its geography and demographic breakdown and did not know much, if anything, about Hamilton as a potential destination for his hockey



team. The names of other cities that had come up were Kansas City (due to ties to Leiweke (AEG) in Los Angeles), Houston, Seattle, and Portland. Discussions surrounding Las Vegas centred about the city as a possible new home for the Pittsburgh Penguins. Regarding a move to Kansas City, Leipold said that Bettman had stated that Kansas City would not get an expansion team and that the only possibility of a team in Kansas City would be through the relocation of a current NHL team.

#### **Team Vetoes/ Resolution to Move**

When the topic of team vetoes was discussed, Leipold confirmed that no such discussions between himself and Gary had taken place. Jim Balsillie ("Balsillie") confirmed to Leipold that Bettman told him that there were no team vetoes. Balsillie said that Bettman had stated in a previous meeting that, despite the existence of the vetoes in the NHL Constitution/By-laws, the present state of the law was that vetoes were not enforced anymore and that relocation was a league decision requiring a majority vote of all the League Members. Leipold seemed very surprised by Balsillie's conversations with Bettman on the issue, and said he had always been under the impression that there was a "Home Territory" veto.

At this point in the meeting Ed Lang ("Lang") brought up that he had recalled that Bettman had caused a resolution to be passed last year at an NHL meeting which altered the majority rule requirement for relocation for a particular area, potentially southern Ontario. Lang said that he would track down the minutes of the meeting and confirm if the location was in indeed southern Ontario.

#### **June 30, 2007 Closing Date**

In explaining the need for a June 30, 2007 closing date, of which Balsillie confirmed was not a problem, Leipold disclosed that he was in process of negotiating the purchase of the Minnesota Wild which would be set to close on June 30, 2007. Leipold stated that his purchase of the Minnesota Wild would be financed by the sale proceeds of the Nashville Predators. Leipold made it clear that Bettman wanted him to stay in the league. But for the purchase of the Minnesota Wild, it was an almost certainty that Leipold would leave the NHL. Leipold is a supporter of Bettman and it is Bettman's desire to have Leipold become the Chair of the League's Executive Committee. As such, there is a major incentive for Bettman to help Leipold sell the Nashville Predators and purchase the Minnesota Wild. This provides Leipold with a nice card to hold over Bettman's head.

#### **Potential Obstacles to Relocation to southern Ontario**

The following potential obstacles to relocation to Hamilton were discussed:

##### **1. Territorial rights of MLSE**

It was made quite evident that MLSE would fight any relocation to a city within its exclusive territorial limits. As an example of MLSE's demand to maintain their territorial rights, Richard Rodier ("Rodier") explained to Leipold and Lang that MLSE demanded \$300,000 to permit the Pittsburgh Penguins to play the Buffalo Sabres in an exhibition game in September of 2006. The discussions surrounding this issue focussed upon attempting to obtain NHL approval to quash the territorial rights and permit relocation to Hamilton.



## 2. Gary Bettman's Personal Agenda

Leipold discussed was Bettman's desire to keep a job that he loves and that fact that he does not have many friends among his peers. Leipold is a supporter of Bettman as well as a great owner. It is desired by Bettman that Leipold become the Chair of the league's Executive Committee. As a result of the aforementioned, keeping Leipold happy is very important to Bettman.

## 3. Copsps Coliseum as an adequate NHL facility

Balsillie saw that Bettman had previously said that Copsps Coliseum was not an appropriate venue for a NHL hockey team. In response to such comments, Balsillie told Leipold that he was prepared to put in up to \$200 million dollars to upgrade the venue and promised to make it the top venue in the NHL.

## 4. Concerns potentially voiced by Tom Golisano, owner of Buffalo Sabres

Leipold voiced concern about whether Hamilton was within the Home Territory of the Buffalo Sabres in addition to that of the Toronto Maple Leafs. In response to Leipold's concern, Richard Rodier confirmed that although Hamilton was close to Buffalo's home territory, it was indeed outside of the 50 mile territorial limit. In addition to being outside of Buffalo's home territory, two important points were made that would weaken any argument by Buffalo owner Tom Golisano.

- a) A historical precedent has been set whereby only MLSE receives royalties/payments when an exhibition game is scheduled in Hamilton. Buffalo has never been paid any such fees. To illustrate, MLSE charged \$300,000 to allow Buffalo play Pittsburgh at Copsps Coliseum in an Exhibition game in September of 2006; and,
- b) The closing of the Canada/U.S. border would decrease the numbers of Canadians attending at Buffalo Sabres games regardless of whether a team existed in Hamilton or not. As of January 1, 2008, it will be a requirement to have a passport to cross the border. Not every person has a passport and the new laws will lengthen border wait times.

Despite Buffalo's lack of real power to raise an issue with regard to a hockey team in Hamilton, it was discussed that keeping Golisano quiet would be a good thing as he has a habit of raising trouble in the media. One idea that Balsillie suggested was that he offer to transfer any revenue sharing entitlement that he would be entitled to in the event that Hamilton qualified for it (Balsillie formally said that he was willing to waive any revenue sharing entitlement in Hamilton as part of his pitch to move the Nashville Predators to Hamilton). The consensus on the issue of the Buffalo Sabres was that we get Golisano on side.

## 5. Potential concerns of AEG who has signed a management agreement with the City of Kansas City

To date, the Sprint Centre does not have a tenant. With a management agreement in place with the City of Kansas City and no tenant in place, AEG (Leuwicki) has been putting pressure on Bettman for a team in Kansas City. What was discussed was the possibility of transferring the Hamilton Bulldogs to the Sprint Centre if Nashville was permitted to relocate to Hamilton. Another suggestion was the possibility of allowing AEG to manage Copsps Coliseum.