

Exhibit A



**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

2311 RACING LLC d/b/a 23XI RACING and
FRONT ROW MOTORSPORTS, INC.,

Plaintiffs,

v.

NATIONAL ASSOCIATION FOR STOCK
CAR AUTO RACING, LLC, and JAMES
FRANCE,

Defendants.

Civil Action No. 3:24-cv-886

**PLAINTIFFS' FIRST SET OF
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO DEFENDANTS
NATIONAL ASSOCIATION FOR
STOCK CAR AUTO RACING, LLC
AND JAMES FRANCE**

PRELIMINARY STATEMENT

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiffs 23XI Racing, LLC (“23XI”) and Front Row Motorsports, Inc. (“Front Row” and together with 23XI, “Plaintiffs”) hereby request that Defendants in the above-captioned action respond hereto and produce for inspection and copying complete, true, and accurate copies of the following documents, electronically stored information, and tangible things in conformance with the above rules at the offices of Winston & Strawn LLP, Attention: Jeffrey L. Kessler, 200 Park Avenue, New York, NY 10166 (or at such other place as may be agreed upon by the parties) within five (5) days of service hereof or such earlier dates as may be imposed by Court order or agreed to by the parties.

DEFINITIONS

For the purposes of these requests, the following definitions shall apply:

“NASCAR” means defendant National Association for Stock Car Auto Racing, LLC,

and each of its respective subsidiaries and affiliates, and all owners, officers, directors, employees, agents, consultants, attorneys, and/or others acting on their behalf.

“James France” means defendant James France, the Chief Executive Officer of NASCAR.

“And” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the request all responses and information that might otherwise be construed to be outside of their scope.

“Any” and “each” shall mean “all,” and “all” shall mean “any and each.”

“Each” and “every” shall mean “each and every.”

“The” shall not be construed as limiting the scope of any topic.

The use of the present or past tense shall encompass both the present and past tenses as necessary to bring within the scope of the request all responses that might otherwise be construed to be outside its scope.

“Document(s)” has the broadest possible meaning permissible under the Federal Rules of Civil Procedure and/or applicable precedent, including, without limitation, electronic or computerized data compilations and electronic email. A draft or non-identical copy is a separate Document within the meaning of this term. The term “Document” includes Communications.

“Relating to” shall be construed in its customary broad sense and means, without limitation, all information, data, facts, Documents, or anything else that directly, indirectly, or in any other way mention, discuss, refer to, contain, explain, show, represent, reflect, embody, constitute, identify, illustrate, describe, evidence, support, concern, negate, approve, condone, consent to, bear upon, touch upon, incorporate, affect, include, pertain to, or are otherwise connected with the subject matter about which the request is made.

“Includes” and “Including” shall mean “includes without limitation” or “including, but not limited to” and neither term shall be construed as limiting any request.

INSTRUCTIONS

1. Unless otherwise stated, these requests encompass the time-period from January 1, 2016, through the time of trial.

2. The requests herein cover all Documents within the central corporate files for Defendant NASCAR, and All Documents within the possession, custody, or control of the following six NASCAR executives: Defendant James France, Steve Phelps, Steve O'Donnell, Lesa France Kennedy, Ben Kennedy, and Scott Prime. For any requested Document no longer in possession, custody, or control of Defendants, state what disposition was made of the Document and the date of such disposition, and identify all Persons having knowledge of the Document's contents.

3. These requests shall be deemed continuing in nature so as to require timely supplemental responses when necessary to reflect events occurring and information becoming available subsequent to the serving of your initial response. This paragraph shall not be construed to alter any obligations to comply with all other instructions herein.

4. All Documents shall be produced in a manner that identifies how the Documents are kept in the ordinary course of business and by whom; each Document from a particular file, binder, container, or other device shall be accompanied by identifying information, including metadata, indicating the name and location of any such file, binder, container, or device from which the Document was taken and the authors, recipients, and custodians associated therewith.

5. If any part of a Document is responsive to any request herein, produce the entire

document.

6. If any Documents and/or other materials requested are not complete, true, and/or accurate, please specifically identify what is missing and/or altered and why it is missing, not included, or redacted.

7. Where a claim of privilege is asserted in objecting to any request or part thereof and information is not provided on the basis of such assertion, the following information should be provided in a privilege log served with the objection, if known or reasonably available, unless divulging such information would cause disclosure of the allegedly privileged information: (a) the type of document for which the privilege is claimed; (b) the date of the document; (c) the author(s), addressee(s), custodian(s), and any other recipient of the document, and, where not apparent, the relationships of the author(s), addressee(s), custodian(s), and any other recipient to each other; (d) the subject matter of the information requested or the document withheld; and (e) the nature of the privilege asserted and the basis upon which it is claimed.

DOCUMENTS REQUESTED

REQUEST NO. 1:

Sanction and other agreements between NASCAR and racetracks that have hosted Cup Series races since January 1, 2016, which contain exclusivity provisions or other terms restricting the ability of the race tracks to host non-NASCAR racing events.

REQUEST NO. 2:

All Documents discussing the competitive purpose or effect of NASCAR's 2019 acquisition of International Speedway Corporation, which owned a number of top-tier race tracks that host Cup Series events.

REQUEST NO. 3:

All Documents discussing the competitive purpose or effect of NASCAR's acquisition of the Automobile Racing Club of America Menards Series, which was the only other stock car racing circuit with national broadcast coverage.

REQUEST NO. 4:

All Documents discussing the purpose or effect of the provisions in the 2016 and 2025 Charter Agreements prohibiting chartered teams from competing in non-NASCAR racing events.

REQUEST NO. 5:

All Documents discussing the purpose or effect of the restrictions placed on teams only allowing for the use of Next Gen parts in NASCAR events.

REQUEST NO. 6:

All Documents discussing the purpose or effect, or the scope of, the mandatory release of claims provision contained in Section 10.3 of the 2025 Charter Agreement.

REQUEST NO. 7:

All Documents discussing NASCAR's decision to negotiate the 2025 Charter Agreement directly with individual teams, and not with the Team Negotiating Committee chosen by the teams as their representative.

REQUEST NO. 8:

All Documents discussing NASCAR's decision to impose a September 6, 2024 deadline for teams to sign the 2025 Charter Agreement or risk losing their charters.

Dated: October 9, 2024

Respectfully submitted,

WINSTON & STRAWN LLP

By: /s/ Jeffrey L. Kessler

Jeffrey L. Kessler
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166
Tel: (212) 294-6700
Fax: (212) 294-4700
jkessler@winston.com

Danielle T. Williams
WINSTON & STRAWN LLP
300 South Tryon Street
16th Floor
Charlotte, NC 28202
Tel: (704) 350-7700
Fax: (704) 350-7800
dwilliams@winston.com

Jeanifer Parsigian
Michael Toomey
WINSTON & STRAWN LLP
101 California Street
San Francisco, CA 94111
Tel: (415) 591-1000
Fax: (415) 591-1400
jparsigian@winston.com
mtoomey@winston.com

Matthew R. DalSanto
WINSTON & STRAWN LLP
35 W. Wacker Drive
Chicago, IL 60601
Tel: (312) 558-5600
Fax: (312) 558-5700
mdalsanto@winston.com

*Counsel for Plaintiffs 2311 Racing LLC d/b/a
23XI Racing and Front Row Motorsports, Inc.*