



ORIGINAL TRANSCRIPT

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BERNARD PAUL PARRISH, HERBERT
ANTHONY ADDERLEY, and WALTER
ROBERTS III, on behalf of
themselves and all others
similarly situated,

Plaintiffs,

vs.

CIVIL ACTION NO. C07 0943 WHA

NATIONAL FOOTBALL LEAGUE PLAYERS
ASSOCIATION, a Virginia
corporation, and NATIONAL
FOOTBALL LEAGUE PLAYERS
INCORPORATED d/b/a PLAYERS INC,
a Virginia corporation.

Defendants.

VIDEOTAPED DEPOSITION OF DOUG ALLEN
LOS ANGELES, CALIFORNIA
SEPTEMBER 7, 2007

Reported by Terrie C. Barker, CSR No. 12000

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Doug Allen

September 7, 2007

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MR. FEHER: Objection to form. It's an improper question as phrased.

THE WITNESS: Could you repeat the question?

BY MR. LeCLAIR:

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MR. FEHER: Objection to form. Counsel, I don't want to get too involved, but can you phrase things without talking about your understanding of things. I think we'll go a lot faster.

BY MR. LeCLAIR:

Q. Go ahead.

THE WITNESS: Could you repeat the question?

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(Exhibit 16 marked)

BY MR. LeCLAIR:

Q. All right. I want to change subjects,
Mr. Allen, and ask you about the Group Licensing
Authorizations related to retired players.

Let me show you what I've marked as.

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1 Mr. Adderley on Exhibit 17 as "highly confidential."

2 MR. FEHER: You should separately contact
3 the lawyers at my office who are dealing with
4 document production. Because I'm sure they had no
5 intent. It's just that they didn't want to make
6 designation decisions for you.

7 BY MR. LeCLAIR:

8 Q. Mr. Allen, the next to the last paragraph
9 states, "It is further understood that the moneys
10 generated by such licensing of retired player group
11 rights will be divided between the player and an
12 escrow account for all eligible NFLPA members who
13 have signed a Group Licensing Authorization Form."

14 Do you see that language?

15 A. I do.

16 Q. When it refers to an escrow account for all
17 eligible NFLPA members who have signed a Group
18 Licensing Authorization Form, was there such an
19 account created?

20 A. No, because all of the money was distributed
21 to the players who participated.

22 Q. So you did not divide the money at all
23 between the player and an escrow account. You didn't
24 even create an escrow account?

25 A. There was no money to create it with. We

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1 wouldn't have been able to get the players to do it
2 in the first place if they weren't getting paid. We
3 learned that lesson. And all of the money secured
4 for retired player licensing was distributed to the
5 players who were involved in those license programs.
6 There was no other money to escrow. There was no
7 other money to divide. And if we had -- if we had
8 discounted it and taken money out of it, we wouldn't
9 have gotten the players to participate in the first
10 place.

11 MR. FEHER: Object to the form.

12 BY MR. LeCLAIR:

13 Q. How long did this language stay in the
14 Retired Player GLA Form?

15 A. I don't know.

16 Q. I think it was in there probably about ten
17 years. Does that make sense to you?

18 A. I don't know.

19 Q. Do you know why you didn't take it out?

20 MR. FEHER: Objection to form.

21 THE WITNESS: I think -- well, my opinion is
22 because we were hopeful that we would be able to
23 generate through group player licensing of retired
24 players a sufficient amount of money to do that, but
25 that was never the case.

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1 A. It's the division in the moneys that are
2 paid to Players Inc. among -- as between Players Inc.
3 and the NFLPA by agreement and by formula.
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REPORTER CERTIFICATION

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3 I, Terrie C. Barker, Certified Shorthand
4 Reporter, in and for the State of California, do
5 hereby certify:

6
7 That the foregoing witness was by me duly sworn;
8 that the deposition was then taken before me at the
9 time and place herein set forth; that the testimony
10 and proceedings were reported stenographically by me
11 and later transcribed into typewriting under my
12 direction; that the foregoing is a true record of the
13 testimony and proceedings taken at that time.

14
15 IN WITNESS WHEREOF, I have subscribed my name
16 this 13th day of September, 2007.

17
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20 Terrie C. Barker

21 Terrie C. Barker, CSR No. 12000
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