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NORTHERN DISTRICT OF CALIFORNIA

1 MANATT, PHELPS & PHILLIPS, LLP
RONALD S. KATZ (Bar No. CA 085713)
2 E-mail: rkatz@manatt.com
RYAN S. HILBERT (California Bar No. 210549)
3 E-mail: rhilbert@manatt.com
NOEL S. COHEN (California Bar No. 219645)
4 E-mail: ncohen@manatt.com
1001 Page Mill Road, Building 2
5 Palo Alto, CA 94304-1006
Telephone: (650) 812-1300
6 Facsimile: (650) 213-0260

7 MCKOOL SMITH, P.C.
LEWIS T. LECLAIR (Bar No. CA 077136)
8 E-mail: lleclair@mckoolsmith.com
300 Crescent Court
9 Dallas, TX 75201
Telephone: (214) 978-4984
10 Facsimile: (214) 978-4044

11 *Attorneys for Plaintiffs*

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT
14 SAN FRANCISCO DIVISION

16 BERNARD PAUL PARRISH and
HERBERT ANTHONY ADDERLEY, on
17 behalf of themselves and all others
similarly situated,

18 Plaintiffs,

19 NATIONAL FOOTBALL LEAGUE
20 PLAYERS ASSOCIATION, a Virginia
corporation, and NATIONAL FOOTBALL
21 LEAGUE PLAYERS INCORPORATED
d/b/a PLAYERS INC, a Virginia
22 corporation,

23 Defendants.

CIVIL ACTION NO. C07 0943 WHA

**APPLICATION OF PLAINTIFF HERBERT
ANTHONY ADDERLEY TO ATTEND
SETTLEMENT CONFERENCE
TELEPHONICALLY; DECLARATION OF
HERBERT ANTHONY ADDERLEY IN
SUPPORT THEREOF**

Date: February 6, 2008
Time: 2:00 p.m.
Place: Chambers of Magistrate Judge
James Larson

1 TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:

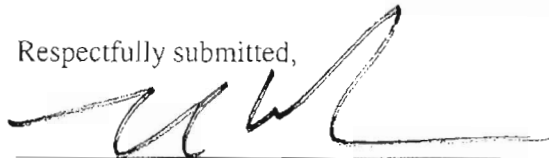
2 On October 19, 2007, the Court issued a Notice of Settlement Conference and Settlement
3 Conference Order ("Order"). The Order requires the parties and counsel to personally attend the
4 February 6, 2008 Settlement Conference absent "substantial hardship." If such hardship exists, a
5 "written application to be made available by telephone rather than in person shall be served on
6 opposing counsel and lodged with the judge, along with the Settlement Conference Statement."

7 Substantial hardship exists here. Due to complications from his professional football
8 career, Mr. Adderley had lower back fusion surgery in or around May 12, 2006 at Virtua West
9 Hospital in Malton, New Jersey. [Declaration of Herbert Adderley, ¶ 2.] Mr. Adderley remains
10 under doctor's orders not to fly, and has thus not flown since his surgery. [*Id.*, ¶ 3.]

11 Accordingly, Plaintiffs respectfully request that Mr. Adderley be excused from personal
12 attendance at the Settlement Conference, and instead be permitted to attend telephonically. This
13 request is solely being made on behalf of Mr. Adderley as Mr. Parrish and counsel will be
14 personally attending the Settlement Conference per the Court's Order.

15 Dated: January 29, 2008

16 Respectfully submitted,



17
18 Ronald S. Katz
19 Ryan S. Hilbert
20 Noel S. Cohen
21 MANATT, PHELPS & PHILLIPS, LLP
22 1001 Page Mill Road, Building 2
23 Palo Alto, CA 94304-1006
24 Telephone: (650) 812-1300
25 Facsimile: (650) 213-0260
26 *Attorneys for Plaintiff*

27 Lewis T. LeClair, Esq.
28 McKool Smith
A Professional Corporation
300 Crescent Court
Dallas, TX 75201
214-978-4984
214-978-4044 (fax)

SO ORDERED



JAMES LARSON
U.S. CHIEF MAGISTRATE JUDGE

DECLARATION OF HERBERT ANTHONY ADDERLEY

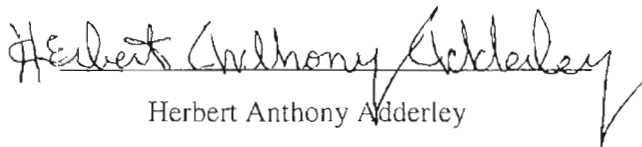
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1. I am a party to this lawsuit, and submit this declaration pursuant to the Court's Notice of Settlement Conference and Settlement Conference Order. I have personal, first-hand knowledge of the matters stated herein, and, if called upon to do so, I could and would competently testify thereto.

2. Due to complications from my professional football career, I had lower back surgery in or around May 12, 2006 at Virtua West Hospital in Malton, New Jersey. This procedure resulted in the fusion of my L-4-L-5 disk.

3. My doctor recommends that I not travel by airplane or drive long distances due to the pain that may result from sitting for long periods of time. I have thus not flown since before my procedure.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on January 25, 2008.


Herbert Anthony Adderley

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