

EXHIBIT D

to the Declaration of Jill Adler Naylor
in Support of Plaintiffs' Motion for
Class Certification and Brief in Support
Thereof

November 26, 2007

SPORTS OF THE TIMES

A Long Shot With the Gift for Resisting

By WILLIAM C. RHODEN

Bernie Parrish has been a thorn in many sides.

As an All-Pro defensive back for the Cleveland Browns and the Houston Oilers from 1959 to 1966, Parrish was a thorn in the side of pro receivers.

As the vice president of the N.F.L. Players Association in the early 1960s, Parrish became a relentless thorn in the side of management. Recently, he has been a thorn in the side of the players union he helped build. Specifically, he has been a pain to Gene Upshaw, the association's executive director since 1983.

Parrish wants to be more than a pain. He wants to replace Upshaw when his term expires in 2009.

"I'm thinking of running against Mr. Upshaw," Parrish said yesterday during a telephone interview. "We've looked at the rules, and all you need is three player reps to endorse you as a candidate, and you're a candidate."

The association's rules are clear: a candidate must have a written endorsement of no fewer than three members of the union's board of representatives. The endorsement must be delivered to the president 10 days before the election, and the executive committee will vote. The candidate need not be a dues-paying member.

Troy Vincent, the former All-Pro defensive back who is now president of the players association, is generally considered a favorite to replace Upshaw whenever he leaves the position. But I think it's great that Parrish wants to run, even if he is a million-to-one shot.

The generational and cultural chasm may be too wide between Parrish, 71, and contemporary players. On the other hand, Parrish, a member of Cleveland's 1964 championship team, possesses valuable institutional wisdom and an appealing spirit of resistance that contemporary players — not used to fighting or resisting — may find fortifying.

Parrish has simultaneously been in the middle and the outside of the fight for better benefits for retired players. He has refused to join any of the retired players' groups that have sprung up, has refused to attend

retired players' conventions and has chastised some former players for being opportunists.

But Parrish has been a bulldog when it comes to pushing the players association for its actions under Upshaw. In February, Parrish and Herb Adderley filed a class-action lawsuit in federal court in San Francisco on behalf of the 3,500 retired players whom Players Inc. — the union's licensing subsidiary — claims in its literature to represent. The suit questioned why only 358 players received any revenue in 2005 from licensees like apparel and video-game companies. The judge dismissed the suit in September, but it has been refiled.

Upshaw was selected as the executive director in June 1983 by the association's board of player representatives. His salary was roughly \$125,000. Last winter, he signed an extension for another three-year term worth a reported \$6.7 million a year. The compensation has become a point of contention among retired players.

Parrish said that as part of his platform, he would give \$6 million of the executive director's \$6.7 million compensation to what he calls a Dire Needs program. He laid out other elements of his platform.

- ¶ Three-term limits for the executive director.

- ¶ Separating the union's disability plan from its retirement plan.

- ¶ Rewriting the disability plan to reflect the specific circumstances of professional football.

- ¶ Reducing union dues by 50 percent.

- ¶ Firing the union's \$2 million-a-year legal staff and using half of that money for Dire Needs families.

- ¶ No more meetings in Hawaii or any other extravagant sites.

- ¶ Making clearly understood all accounts of the players association and Players Inc.

- ¶ Setting a policy to fire union officials who do not return telephone calls from players and retired players within 24 hours.

- ¶ Monitoring of the election by the federal government.

"We want to run the union like it ought to be run," Parrish said.

In the months leading up to the 2009 election, I'd like to see a series of made-for-TV debates among Upshaw, Parrish and Vincent, complete with a high-profile moderator and a panel made up of sports journalists. They would ask the candidates about a wide range of issues, including player benefits, pensions, safety and

improving the quality of life for past, present and future N.F.L. players. I'd also like to know how the candidates plan to erase the perception of a too-cozy relationship between the league and the players association.

Last year, [Bryant Gumbel](#) made a blistering commentary on his [HBO](#) program, "Real Sports," on that relationship when he advised the new commissioner, Roger Goodell, to have his predecessor, [Paul Tagliabue](#), "show you where he keeps Gene Upshaw's leash."

"By making the docile head of the players union his personal pet," Gumbel said, "your predecessor has kept the peace without giving players the kind of guarantees other pros take for granted. Try to make sure no one competent ever replaces Upshaw on your watch."

Parrish is competent and tenacious. He is that thorn in your side.

E-mail: wcr@nytimes.com

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