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19 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN FRANCISCO DIVISION**

21 BERNARD PAUL PARRISH, HERBERT  
ANTHONY ADDERLEY, WALTER  
22 ROBERTS III,

23 Plaintiffs,

24 v.

25 NATIONAL FOOTBALL LEAGUE  
PLAYERS ASSOCIATION and NATIONAL  
26 FOOTBALL LEAGUE PLAYERS  
INCORPORATED d/b/a/ PLAYERS INC,

27 Defendants.  
28

Case No. C 07 0943 WHA

**DECLARATION OF RICHARD  
BERTHELSEN IN SUPPORT OF  
DEFENDANTS' OPPOSITION TO  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

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**DECLARATION OF RICHARD BERTHELSEN**

I, Richard Berthelsen, hereby declare, as follows:

1. I am General Counsel of the National Football League Players Association (“NFLPA”). I am over twenty-one years of age, and I have personal knowledge of each of the facts stated herein. If called upon to testify, I could and would testify completely thereto.

2. I understand that, in Plaintiffs’ Motion For Class Certification, Plaintiffs assert that “the NFLPA has an office” in California.

3. In fact, the only “office” that the NFLPA has in California is primarily used by a third party who sub-leases part of the office space. Moreover, the NFLPA has not had any employees resident in this office since prior to the filing of this lawsuit. Gene Upshaw is the only NFLPA employee I am aware of who has even visited that office since the filing of this lawsuit. Mr. Upshaw has worked out of the office only on a handful of occasions when he was on the west coast for personal reasons and needed a place to work.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was in executed in

27th on March 27, 2008.

Dated: March 27, 2008

  
Richard Berthelsen