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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  
DAVID GREENSPAN IN SUPPORT  
OF DEFENDANTS' OPPOSITION TO  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

**DECLARATION OF DAVID GREENSPAN**

I, David Greenspan, hereby declare as follows:

I, David Greenspan, hereby declare as follows:

1. I am an attorney with Dewey & LeBoeuf LLP, attorneys for Defendants National Football League Players Association (“NFLPA”) and National Football League Players Incorporated d/b/a Players Inc (“Players Inc”) in this action. I am a member of the bar of the State of New York and my pro hac vice application in this matter was granted by the Court on August 3, 2007. I make this Declaration in support of Defendants’ Opposition to Plaintiffs’ Motion for Class Certification. I have personal knowledge of each of the facts stated herein, and if called to testify, could and would testify completely hereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of a document produced by Plaintiffs with the beginning Bates number CLASS002713, which was marked as Exhibit 166 at the deposition of Herbert Adderley.

3. Attached hereto as Exhibit 2 is a true and correct copy of the court’s decision in Coscarart v. MLB, No. 764737-5 (Cal. Super. Ct. Apr. 24, 1997) (unpublished opinion).

4. Attached hereto as Exhibit 3 is a true and correct copy of the transcript of the hearing held before this Court on May 31, 2007.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Declaration of Joel Linzner, dated October 5, 2007.

6. Attached hereto as Exhibit 5 are true and correct copies of excerpts from the transcript of the deposition of Joel Linzner taken on February 8, 2008.

7. Attached hereto as Exhibit 6 are true and correct copies of excerpts from the transcript of the deposition of Herbert Adderley taken on February 20, 2008.

8. Attached hereto as Exhibit 7 is a true and correct copy of the Declaration of Warren Friss, dated October 10, 2007.

9. Attached hereto as Exhibit 8 are true and correct copies of excerpts from the transcript of the deposition of Doug Allen taken on September 7, 2007.

1                   10. Attached hereto as Exhibit 9 are true and correct copies of excerpts from the  
2 Rule 30(b)(6) deposition of Glenn Eyrich, the designee for Players Inc., taken on February 12,  
3 2008.

4                   11. Attached hereto as Exhibit 10 are true and correct copies of excerpts from the  
5 transcript of the deposition of Bernard Parrish taken on March 13, 2008.

6                   12. Attached hereto as Exhibit 11 is a true and correct copy of a September 18,  
7 2007 article from Yahoo Sports entitled "Victims of self-neglect," which was marked as Exhibit  
8 359 at the deposition of Bernard Parrish.

9                   13. Attached hereto as Exhibit 12 is a true and correct copy of an excerpt from  
10 <http://www.bernieparrish12.blogspot.com>, retrieved by Defendants on March 10, 2008, which  
11 was marked as Exhibit 383 at the deposition of Bernard Parrish.

12                   14. Attached hereto as Exhibit 13 is a true and correct copy of a document  
13 produced by Plaintiffs with the beginning Bates number CLASS003053, which was marked as  
14 Exhibit 357 at the deposition of Bernard Parrish.

15                   15. Attached hereto as Exhibit 14 is a true and correct copy of a document  
16 produced by Plaintiffs with the beginning Bates number CLASS003718, which was marked as  
17 Exhibit 356 at the deposition of Bernard Parrish.

18                   16. Attached hereto as Exhibit 15 is a true and correct copy of a letter from  
19 Samuel A. Mutch to Joseph A. Yablonski dated October 9, 2006, which was marked as Exhibit  
20 353 at the deposition of Bernard Parrish (and includes Exhibit 353-A).

21                   17. Attached hereto as Exhibit 16 is a true and correct copy of a document  
22 produced by Plaintiffs with beginning Bates number CLASS003160, which was marked as  
23 Exhibit 362 at the deposition of Bernard Parrish.

24                   18. Attached hereto as Exhibit 17 is a true and correct copy of a judgment in Hart  
25 v. Parrish et al., No. A-36, 716 (Tex. Dist. Ct. Feb. 27, 1989) (unpublished opinion), which was  
26 marked as Exhibit 387 at the deposition of Bernard Parrish.

27                   19. Attached hereto as Exhibit 18 is a true and correct copy of a Motion for  
28 Sanctions on Failure of Party to Appear for Deposition in Claydesta Nat'l Bank v. Parrish, No.

1 A-36, 340 (Tex. Dist. Ct. March 22, 1988), which was marked as Exhibit 389 at the deposition of  
2 Bernard Parrish.

3 20. Attached hereto as Exhibit 19 is a true and correct copy of a judgment in  
4 Claydesta Nat'l Bank v. Parrish, No. A-36, 340 (Tex. Dist. Ct. dated on or about June 10, 1988)  
5 (unpublished opinion), which was marked as Exhibit 390 at the deposition of Bernard Parrish.

6 21. Attached hereto as Exhibit 20 is a true and correct copy of a Motion to  
7 Withdraw from Representation in Hunter v. J. Craig Construction Co., et al., No. 87-3121 (S.D.  
8 Ill. May 17, 1991), which was marked as Exhibit 386 at the deposition of Bernard Parrish.

9 22. Attached hereto as Exhibit 21 is a true and correct copy of a document  
10 produced by Plaintiffs with beginning Bates number CLASS003426, which was marked as  
11 Exhibit 374 at the deposition of Bernard Parrish.

12 23. Attached hereto as Exhibit 22 is a true and correct copy of a document  
13 produced by Plaintiffs with beginning Bates number CLASS003164, which was marked as  
14 Exhibit 376 at the deposition of Bernard Parrish.

15 24. Attached hereto as Exhibit 23 is a true and correct copy of a document  
16 produced by Plaintiffs with beginning Bates number CLASS003161, which was marked as  
17 Exhibit 377 at the deposition of Bernard Parrish.

18 25. Attached hereto as Exhibit 24 is a true and correct copy of an email from  
19 Bernard Parrish to numerous recipients, dated July 24, 2006, which was marked Exhibit 350 at  
20 the deposition of Bernard Parrish.

21 26. Attached hereto as Exhibit 25 is a true and correct copy of an email string  
22 including an email from Bernard Parrish to the NFLPA player representatives, dated October 28,  
23 2007, which was marked as Exhibit 360 at the deposition of Bernard Parrish.

24 27. Attached hereto as Exhibit 26 is a true and correct copy of a document  
25 produced by Plaintiffs with beginning Bates number CLASS004139, which was marked as  
26 Exhibit 369 at the deposition of Bernard Parrish.

27 28. Attached hereto as Exhibit 27 is a true and correct copy of the Errata Sheet for  
28 the transcript of the February 20, 2008 Deposition of Herbert Adderley.

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29. Attached hereto as Exhibit 28 is a true and correct copy of Plaintiffs' Responses to Defendants' First Set of Requests for Admission dated February 4, 2008.

30. Attached hereto as Exhibit 29 are true and correct copies of excerpts from the Rule 30(b)(6) deposition of Margaret Parrish, the designee for Retired Professional Football Players for Justice ("RPFPJ"), taken on March 5, 2008.

31. Attached hereto as Exhibit 30 is a true and correct copy of an excerpt from www.retiredplayersforjustice.org retrieved by Defendants on March 3, 2008, which was marked as Exhibit 301 at the Rule 30(b)(6) deposition of Margaret Parrish.

32. Attached hereto as Exhibit 31 is a true and correct copy of an excerpt from www.retiredplayersforjustice.org retrieved by Defendants on March 3, 2008, which was marked as Exhibit 302 at the Rule 30(b)(6) deposition of Margaret Parrish.

33. Attached hereto as Exhibit 32 is a true and correct copy of a document produced by Plaintiffs with beginning Bates number CLASS002722, which was marked as Exhibit 162 at the deposition of Herbert Adderley.

34. Attached hereto as Exhibit 33 is a true and correct copy of a document produced by RPFPJ with beginning Bates number JUSTICE000182.

35. Attached hereto as Exhibit 34 is a true and correct copy of the Amended Notice of Non-Party Subpoena for Attendance at a Deposition and Production of Documents from Retired Professional Football Players for Justice, dated February 14, 2008, which was marked as Exhibit 300 at the Rule 30(b)(6) deposition of Margaret Parrish.

36. Attached hereto as Exhibit 35 is a true and correct copy of a document produced by RPFPJ with beginning Bates number JUSTICE000033, which was marked as Exhibit 312 at the Rule 30(b)(6) deposition of Margaret Parrish.

37. Attached hereto as Exhibit 36 is a true and correct copy of documents produced by Defendants bearing Bates range PI091026-PI091028.

38. Attached hereto as Exhibit 37 is a true and correct copy of documents produced by Defendants bearing Bates range PI091617-PI091652.

- 1                   39. Attached hereto as Exhibit 38 is a true and correct copy of documents  
2 produced by Defendants bearing Bates range PI091669-PI091686.
- 3                   40. Attached hereto as Exhibit 39 is a true and correct copy of documents  
4 produced by Defendants bearing Bates range PI092906-PI092929.
- 5                   41. Attached hereto as Exhibit 40 is a true and correct copy of documents  
6 produced by Defendants bearing Bates range PI093466-PI093483.
- 7                   42. Attached hereto as Exhibit 41 is a true and correct copy of a document  
8 produced by Defendants with a Bates number of PI094578.
- 9                   43. Attached hereto as Exhibit 42 is a true and correct copy of a document  
10 produced by Defendants with a Bates number of PI094580.
- 11                  44. Attached hereto as Exhibit 43 is a true and correct copy of documents  
12 produced by Defendants bearing Bates range PI094582-PI094588.
- 13                  45. Attached hereto as Exhibit 44 is a true and correct copy of documents  
14 produced by Defendants bearing Bates range PI094596-PI094601.
- 15                  46. Attached hereto as Exhibit 45 is a true and correct copy of documents  
16 produced by Defendants bearing Bates range PI094684-PI094690.
- 17                  47. Attached hereto as Exhibit 46 is a true and correct copy of documents  
18 produced by Defendants bearing Bates range PI094776-PI094785.
- 19                  48. Attached hereto as Exhibit 47 are true and correct copies of documents  
20 produced by Defendants bearing Bates range PI00446-PI004451.
- 21                  49. Attached hereto as Exhibit 48 is a true and correct copy of Plaintiffs’  
22 Objections and Responses to Defendants’ Second Set of Interrogatories, dated March 17, 2008.
- 23                  50. Attached hereto as Exhibit 49 is a true and correct copy of a document  
24 produced by Defendants with Bates number PI096277.
- 25                  51. Attached hereto as Exhibit 50 is a true and correct copy of a document  
26 produced by Defendants with Bates number PI027406.
- 27                  52. Attached hereto as Exhibit 51 is a true and correct copy of a document  
28 produced by Electronic Arts, Inc. with Bates number EA000334.

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53. Attached hereto as Exhibit 52 is a true and correct copy of a document produced by Defendants with Bates number PI130318.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: March 28, 2008

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/s/  
David Greenspan