

Dewey & LeBoeuf LLP
One Embarcadero Center, Suite 400
San Francisco, CA 94111

1 Todd Padnos (Bar No. 208202)
tpadnos@dl.com
2 DEWEY & LEBOEUF LLP
One Embarcadero Center, Suite 400
3 San Francisco, CA 94111
Tel: (415) 951-1100; Fax: (415) 951-1180
4

5 Jeffrey L. Kessler (*pro hac vice*)
jkessler@dl.com
6 David G. Feher (*pro hac vice*)
dfeher@dl.com
7 David Greenspan (*pro hac vice*)
dgreenspan@dl.com
8 DEWEY & LEBOEUF LLP
1301 Avenue of the Americas
New York, NY 10019
9 Tel: (212) 259-8000; Fax: (212) 259-6333

10 Kenneth L. Steintal (*pro hac vice*)
kenneth.steintal@weil.com
11 WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
12 Redwood Shores, CA 94065
Tel: (650) 802-3000; Fax: (650) 802-3100
13

14 Bruce S. Meyer (*pro hac vice*)
bruce.meyer@weil.com
15 WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, NY 10153
16 Tel: (212) 310-8000; Fax: (212) 310-8007

17 Attorneys for Defendants National Football League Players Association
and National Football League Players Incorporated d/b/a Players Inc
18

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

**DEFENDANTS' OPPOSITION IN
PART TO PLAINTIFFS'
MISCELLANEOUS
ADMINISTRATIVE REQUEST TO
FILE CERTAIN CONFIDENTIAL
MATERIALS UNDER SEAL
PURSUANT TO MARCH 31, 2008
COURT ORDER**

1 Defendants National Football League Players Association (“NFLPA”) and
2 National Football League Players Incorporated (“Players Inc”) submit this Opposition in Part to
3 Plaintiffs’ Miscellaneous Administrative Request to File Certain Confidential Materials Under
4 Seal Pursuant to March 31, 2008 Court Order (the “Motion”). For the reasons stated below,
5 Plaintiffs have not demonstrated good cause for the filing under seal of Exhibits 14, 16, 22, 23,
6 26 and 33 (e-mail communications between Plaintiff Bernard Parrish and third parties).

7 Without ever addressing whether the substance of these communications warrants
8 filing them under seal, Plaintiffs make the blanket assertion that there is good cause to file such
9 documents under seal because they involve communications with third parties. For example,
10 Plaintiffs assert that public disclosure of the e-mail addresses of these individuals could subject
11 them to “unwanted and harassing e-mail messages from members of the public.” Mot. at 4. That
12 concern, however, would easily be cured by Plaintiffs simply redacting the e-mail addresses
13 from the documents. As another example, Plaintiffs contend that Exhibit 26 should be filed
14 under seal because it “contain[s] both the private and personal comments of other retired NFL
15 players who are not parties to this case,” *id.* at 4, but the only statements in Exhibit 26 are from
16 Parrish himself. It is simply not the case, as Plaintiffs apparently assert, that there is good cause
17 to file a document under seal solely by virtue of the fact that the document may involve a third
18 party. Here, Plaintiffs have failed to establish that public disclosure of Exhibits 14, 16, 22, 23,
19 26 and 33 would impose prejudice or harm to Plaintiffs or any third party of a nature such that
20 there is good cause to file those documents under seal. Thus, Plaintiffs’ Motion should be denied
21 with respect to Exhibits 14, 16, 22, 23, 26 and 33.

22
23 Date: April 2, 2008

DEWEY & LEBOEUF LLP

24 BY: /s/ David G. Feher

25 David G. Feher
26 *Attorneys for Defendants*
27
28