

EXHIBIT A

Hilbert, Ryan

From: Hilbert, Ryan
Sent: Monday, April 07, 2008 11:11 PM
To: 'David Feher'; Katz, Ron; Jason Clark
Cc: lleclair; Cohen, Noel; Roy Taub; Jeffrey Kessler; David Greenspan
Subject: RE: Parrish v. NFLPA/Please see attached letter

David:

Contrary to your assertions, Plaintiffs never agreed to abandon their June 2007 Document Requests and certainly not as the predicate to any "supplemental requests". Indeed, in my e-mail to you dated December 6, 2007, in which we first proposed temporarily narrowing our requests, Plaintiffs expressly "reserve[d] their right to request additional documents responsive to their outstanding June 2007 requests, and to subsequently serve additional requests, depending on the nature and amount of documents produced" This was even a condition of the proposal. This point was again made clear more recently in Noel Cohen's e-mail dated February 26, 2008, and in his letters dated March 17, 2008 (which refuted your interpretation of events in Defendants' March 7 letter) and April 3, 2008 (which further explained Plaintiffs' expectations concerning the June 2007 Requests). In his letter dated April 4, 2008, your colleague Mr. Clark made it clear that Defendants no longer considered the June 2007 requests "open." Because the parties are clearly at an impasse on this issue, we intend to raise it with the Court at the earliest possible opportunity.

As to the second issue referred to below, Mr. Clark was very clear in his April 8 letter about Defendants' views on the parties' respective obligations regarding supplementation: "Plaintiffs broad request for supplementation of all of their requests with documents created after November 15, 2007 is inappropriate. In contrast, the conduct of Messrs. Parrish and Adderley subsequent to the filing of the TAC is highly relevant to their suitability to serve as class representatives, regardless of when that occurred." Plaintiffs believe that the parties' obligations under Federal Rule of Civil Procedure 26(e) should run in both directions, not just in favor of Defendants and against Plaintiffs. Accordingly, we believe that the parties are also at an impasse on this issue and thus intend to raise it with the Court as well.

Ryan

Ryan S. Hilbert
Manatt, Phelps & Phillips, LLP
1001 Page Mill Road, Building 2
Palo Alto, CA 94304
Tel: (650) 812-1347
Fax: (650) 213-0260

-----Original Message-----

From: David Feher [mailto:dfeher@DeweyLeBoeuf.com]
Sent: Monday, April 07, 2008 7:55 PM
To: Hilbert, Ryan; Katz, Ron; Jason Clark
Cc: lleclair; Cohen, Noel; Roy Taub; Jeffrey Kessler; David Greenspan
Subject: Re: Parrish v. NFLPA/Please see attached letter

I will consult with my colleagues and we will get back to you tomorrow.

One point I would like you to clarify, however, before I consult with my colleagues. Are Plaintiffs now contending, contrary to the positions expressed in our March meet and confer, and contrary to the parties' repeated discussions since then, that the 2007 document requests were not intended to be superseded by the supplemental requests and that additional documents must be produced by Defendants pursuant to the 2007 requests? If so, that is a major change in position by plaintiffs that I believe we need to discuss straight away, since our agreement to conduct a comprehensive supplemental production was predicated on the supplemental requests superseding the 2007 requests in terms of additional productions.

It is one thing to request us to confirm once again that all documents have already been produced that would be responsive to certain of the 2007 requests, as we discussed in the March meet and confer. It is quite another to assert that all of the 2007 requests have a continuing effect and that additional documents must be produced pursuant to them, in addition to the documents to be produced in response to the supplemental requests.

If you are now repudiating the predicate for the agreed upon supplemental production reviewed in our letter the day after our meet and confer, we need to know immediately. Please advise more clearly as to Plaintiffs' position on this point. Thanks.

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----- Original Message -----

From: "Hilbert, Ryan" [RHilbert@manatt.com]
Sent: 04/07/2008 10:20 PM
To: David Feher; "Katz, Ron" <RKatz@manatt.com>; Jason Clark
Cc: "lleclair" <lleclair@mckoolsmith.com>; "Cohen, Noel" <NCohen@manatt.com>; Roy Taub;
Jeffrey Kessler; David Greenspan
Subject: RE: Parrish v. NFLPA/Please see attached letter

David:

Ron is out of the office and asked that I respond on his behalf.

Contrary to your e-mail below, we also believe the parties have sufficiently met and conferred on Defendants' position on Plaintiffs' June 2007 document requests (which, in his letter dated March 8, Mr. Clark indicated had been superseded and are thus closed). We also believe the parties have sufficiently met and conferred on their respective obligations to supplement their discovery. Specifically, Defendants have made it clear that whereas Plaintiffs are under an obligation to locate and produce documents created on or after November 15, 2007 (i.e., the date of the TAC), Defendants are under no such obligation.

Please let us know if you believe the parties have anything additional to discuss on these two issues.

Ryan

-----Original Message-----

From: David Feher [mailto:dfeher@DeweyLeBoeuf.com]
Sent: Monday, April 07, 2008 6:26 PM
To: Katz, Ron; Jason Clark
Cc: lleclair; Cohen, Noel; Hilbert, Ryan; Roy Taub; Jeffrey Kessler;
David Greenspan
Subject: Re: Parrish v. NFLPA/Please see attached letter

Ron -

I am available then. I believe the only point as to which the meet and confer process has concluded is that you requested we provide certain discovery information by declaration, which we believed was not appropriate, and we provided information to you by correspondence from counsel. I assume the matters to discuss are those set forth in your most recent letter. If there is anything else, just let me know.

David

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----- Original Message -----

From: "Katz, Ron" [RKatz@manatt.com]
Sent: 04/07/2008 08:39 PM
To: David Feher; Jason Clark
Cc: <lleclair@mckoolsmith.com>; "Cohen, Noel" <NCohen@manatt.com>; "Hilbert, Ryan" <RHilbert@manatt.com>; Roy Taub; Jeffrey Kessler; David Greenspan
Subject: Re: Parrish v. NFLPA/Please see attached letter

David--

I stand on the position I stated in my letter last Friday. If you want to consult on matters on which the meet-and-confer process has not been concluded, I am available to do that Wednesday at 5 p.m. your time.

Very truly yours,

Ron

----- Original Message -----

From: David Feher <dfeyer@DeweyLeBoeuf.com>
To: Katz, Ron; Jason Clark <jclark@DeweyLeBoeuf.com>
Cc: lleclair <lleclair@mckoolsmith.com>; Cohen, Noel; Hilbert, Ryan; Roy
Taub <RTaub@DeweyLeBoeuf.com>; Jeffrey Kessler
<jkessler@DeweyLeBoeuf.com>; David Greenspan
<dgreenspan@DeweyLeBoeuf.com>
Sent: Fri Apr 04 16:43:20 2008
Subject: Re: Parrish v. NFLPA/Please see attached letter

Ron -

I am out of the office at an NFLPA charity event and not in position to read your letter right now. But, as previously discussed with you, we have written a letter to you today concerning discovery issues that you should already have received, or should receive in a moment. I understand from my colleagues that your letter states that you intend to resort to court intervention, including with respect to various new matters as to which we have not yet met and conferred. We do not believe that would be appropriate. In any event, I suggest that you review the additional information in our letter and that we discuss on Monday whatever discovery issues that you or we believe should be the subject of further communications between us. Let me know when you would be available.

David

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----- Original Message -----

From: "Katz, Ron" [RKatz@manatt.com]
Sent: 04/04/2008 07:10 PM
To: David Feher; Jason Clark
Cc: "lleclair" <lleclair@mckoolsmith.com>; "Cohen, Noel"
<NCohen@manatt.com>; "Hilbert, Ryan" <RHilbert@manatt.com>; Roy Taub;
Jeffrey Kessler; David Greenspan
Subject: RE: Parrish v. NFLPA/Please see attached letter

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