

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. Steinthal (*pro hac vice*)
kenneth.steinthal@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' RESPONSE TO
PLAINTIFFS' STATEMENT
PURSUANT TO APRIL 29, 2008
COURT ORDER**

1 Defendants hereby submit their Response to Plaintiffs' Statement Pursuant to
2 April 29, 2008 Court Order, filed on April 30, 2008. Defendants have not taken the position that
3 the application of the law of Virginia or the District of Columbia will satisfy the constitutional
4 due process requirements under Phillips Petroleum Co. v. Shutts, 472 U.S. 797 (1985). Rather, it
5 has been and remains Defendants' position that the application of a single jurisdiction's law to a
6 nationwide class, whether it be the law of California, Virginia, or the District of Columbia,
7 would violate the due process rights of absent class members. See Defs.' Opp'n to Pls.' Mot. for
8 Class Certification at 29-30 ("[T]he laws of all interested jurisdictions of the "nationwide"
9 putative class members must be applied, and individual questions of law predominate.").
10 Defendants therefore do not join in Plaintiffs' stipulation.

11
12 Date: May 1, 2008

DEWEY & LEBOEUF LLP

13 BY: /s/ Jeffrey L. Kessler

14 Jeffrey L. Kessler
15 *Attorneys for Defendants*