

Exhibit B

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18 Attorneys for Defendant National Football League Players
19 Incorporated d/b/a Players Inc, a Virginia Corporation

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

21 BERNARD PAUL PARRISH, HERBERT
22 ANTHONY ADDERLEY, WALTER
ROBERTS III on behalf of themselves and all
23 others similarly situated,

24 Plaintiffs,

25 v.

26 NATIONAL FOOTBALL LEAGUE
PLAYERS INCORPORATED d/b/a/
27 PLAYERS INC, a Virginia Corporation,
28 Defendant.

Case No. C 07 00943 WHA

Honorable William H. Alsup

**DEFENDANT PLAYERS INC'S
INITIAL DISCLOSURES PURSUANT
TO FED. R. CIV. P. 26(a)(1)**

DEWEY BALLANTINE LLP
1950 University Avenue, Suite 500
East Palo Alto, California 94303-2225

1 Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, defendant
2 National Football League Players Incorporated d/b/a Players Inc ("Defendant"), hereby makes
3 the following initial disclosures to plaintiffs Bernard Paul Parrish, Herbert Anthony Adderley,
4 and Walter Roberts III ("Plaintiffs").

5 These disclosures are based upon information reasonably known to Defendant as
6 of the date hereof. Defendant has not yet completed its investigation of the facts relating to this
7 action, has not yet interviewed all witnesses in this action, and has not yet reviewed all
8 documents that may be relevant to this action. Accordingly, these initial disclosures are made
9 without prejudice to Defendant's right to amend, revise or supplement these initial disclosures at
10 a later date.

11 These initial disclosures are subject to all appropriate objections that would
12 require the exclusion of any information contained herein if introduced as evidence in court. All
13 such objections are reserved and may be interposed at the time of trial. No admissions of any
14 nature whatsoever are implied or should be inferred. Nothing herein should be construed as an
15 admission or acceptance by Defendant with respect to the admissibility or relevance of any
16 document or fact referenced in these initial disclosures.

17 Defendant reserves its right to continue its investigation and discovery of facts,
18 witnesses and documents, which may reveal additional information about the issues in this case.
19 Defendant reserves the right at the time of trial to produce, refer to and offer into evidence any
20 additional documents, facts, and evidence from any source and testimony from any witness
21 which may be ascertained through its continuing discovery and trial preparation, notwithstanding
22 the reference to documents and information in these initial disclosures.

23 INITIAL DISCLOSURES

24 I. Potential Witnesses (Rule 26(a)(1)(A))

25 Set forth below are the names of individuals likely to have discoverable
26 information that Defendant may use to support its defenses. Defendant reserves the right to
27 identify additional witnesses as discovery progresses.
28

1 The following individuals are current employees of Defendant and may be
2 contacted through the undersigned counsel:

- 3 1. Pam Adolph
- 4 2. Dee Becker
- 5 3. Karen Bush
- 6 4. Andre Collins
- 7 5. Andrew Feffer
- 8 6. Josh Goodstadt
- 9 7. Angela Manolakas
- 10 8. Muneer Moore
- 11 9. Corrine Murphy
- 12 10. Dawn Ridley
- 13 11. Dexter Santos
- 14 12. Gene Upshaw

15 The individuals identified below are former employees of Defendant and may be
16 contacted through the undersigned counsel:

- 17 1. Doug Allen
- 18 2. Pat Allen
- 19 3. Lashun Lawson
- 20 4. Howard Skall
- 21 5. David Suber
- 22 6. Clay Walker
- 23 7. Seth Wyman

24 **II. Documents (Rule 26(a)(1)(B))**

25 Defendant has in its possession, custody and control the following categories of
26 documents that it may use to support its defenses:

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DEWEY BALLANTINE LLP
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1 **Category**

- 2 • Documents relating to and including agreements with retired players regarding
3 marketing and licensing of retired players' names, likenesses, and/or other intellectual
4 property.
5 • Documents relating to and including agreements with sponsors and licensees
6 regarding marketing and licensing with respect to retired players.
7 • Documents relating to and including financial and accounting records regarding
8 Defendant's marketing and licensing business with respect to retired players.
9 • Documents relating to the marketing, promotion, and licensing of retired players by
10 Defendant.

11 **III. Damages (Rule 26(a)(1)(C))**

12 Defendant does not currently claim any category of damages.

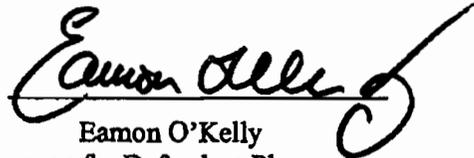
13 **IV. Insurance (Rule 26(a)(1)(D))**

14 In the event that a judgment were to be entered against Defendant in this lawsuit,
15 the Illinois National Insurance Company might be liable to satisfy all or part of any such
16 judgment pursuant to Directors, Officers and Private Company Liability insurance policy number
17 007420832. In addition, Axis Reinsurance Company might be able to satisfy part of any such
18 judgment pursuant to excess liability policy number 713473/01/2007.

19
20 Date: June 7, 2007

DEWEY BALLANTINE LLP

21
22 BY:



Eamon O'Kelly
Attorneys for Defendant Players Inc

1 **CERTIFICATE OF SERVICE**

2 I am a resident of the State of California, over the age of eighteen years, and not a party
3 to the within action. My business address is DEWEY BALLANTINE LLP, 1950 University
4 Avenue, Suite 500, East Palo Alto, California 94303. On June 7, 2007, I served the within
5 documents:

6 **DEFENDANT PLAYER INC.'S INITIAL DISCLOSURES**
7 **PURSUANT TO FED. R. CIV. P. 26(a)(1)**

| | |
|--|---|
| 8 <input type="checkbox"/> | I sent such document from facsimile machine on _____. I certify that said transmission was completed and that all pages were received and that a report was generated by facsimile machine which confirms said transmission and receipt. I, thereafter, mailed a copy to the interested party(ies) in this action by placing a true copy thereof enclosed in sealed envelope(s) addressed to the parties listed below. |
| 9 <input checked="" type="checkbox"/> | by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail, at East Palo Alto, addressed as set forth below. |
| 10 <input type="checkbox"/> | by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below. |
| 11 <input type="checkbox"/> | I am readily familiar with Dewey Ballantine's business practices of collecting and processing items for pickup and next business day delivery by Federal Express. I placed such sealed envelope(s) for delivery by Federal Express to the offices of the addressee(s) as indicated on the attached mailing list on the date hereof following ordinary business practices -- items to be placed in Federal Express on 2/15/07 for delivery on 2/16/07. |
| 12 <input checked="" type="checkbox"/> | I served the above-referenced document(s) via electronic transmission to the email address of the addressee(s) as indicated below - via email on June 7, 2007 to Messrs. Katz and Hilbert and Ms. Cohen |

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15
16 Ronald S. Katz
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17 Ryan S. Hilbert
rhilbert@manatt.com
18 Noel S. Cohen
ncohen@manatt.com
19 MANATT, PHELPS & PHILLIPS LLP
20 1001 Page Mill Road, Building 2
Palo Alto, CA 94304-1006

VIA U.S. MAIL ONLY

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McKool Smith P.C.
300 Crescent Court
Dallas, TX 75201

Samuel A. Mutch, Esq.
Samuel A. Mutch, P.A.
2114 N.W. 40th Terrace, Suite A-1
Gainesville, TX 32605

21
22
23 I am readily familiar with the firm's practice of collection and processing correspondence
24 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
25 day with postage thereon fully prepaid in the ordinary course of business.

26 I declare that I am employed in the office of a member of the bar of this court at whose
27 direction the service was made.
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Executed on June 7, 2007, at East Palo Alto, California.


Tammy Miller