Exhibit H

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May 9, 2008

BY E-MAIL

Laura Franco
Manatt, Phelps & Phillips, LLP
1001 Page Mill Road, Building 2
Palo Alto, CA 94304

Re: *Parrish, et al. v. NFLPA, et al.* (N.D. Cal. No. C07 0943 WHA)

Dear Laura:

I write in response to your letter dated May 7, 2008, which raises, for the first time, Plaintiffs' interest in taking up to twenty-five depositions between now and the close of fact discovery – a deadline which is a mere two weeks away. Sixteen of these twenty-five individuals were disclosed as potential witnesses in June of last year (almost one full year ago), and the nine other individuals identified in your letter were disclosed to Plaintiffs on February 19, 2008 (over three months ago). There would be no justification for Plaintiffs making such a request with two weeks left in the fact discovery period under any circumstances, but it is particularly unreasonable in light of the fact that Plaintiffs chose to take just *two* depositions since February.

Another fundamental problem with your request for dates for up to twenty-five deponents is that Plaintiffs may take only *one* more deposition (in addition to the nine they have already taken) without a stipulation from Defendants or an order from the Court. It is irrelevant that Plaintiffs previously took the position that they should be permitted to take twenty depositions since Defendants expressly opposed that position, and, more importantly, Judge Alsup never adopted it. Accordingly, the Federal Rules' presumptive limit of ten depositions per side is controlling.

Since receiving your letter, I have separately corresponded with your colleague, Ron Katz, about Plaintiffs taking Richard Berthelsen's deposition next week. Mr. Katz has just confirmed the date, and thus Mr. Berthlesen's deposition will constitute Plaintiffs' tenth deposition in this case.

We are willing to consider a very modest increase to this ten deposition limit if Plaintiffs demonstrate that there are, for example, one or two additional depositions that they perceive to be critical. That said, the issue of asking Defendants to agree to exceed the ten deposition limit should have been raised months ago – not two weeks before the fact discovery cutoff.

With respect to your request that Defendants "streamline" the twenty-five additional depositions purportedly at issue by stipulating which of these individuals "shall not be called as trial witnesses in Defendants' case-in-chief," Defendants can make no such stipulations. Defendants have not yet determined which witnesses would be called at any trial, and there is nothing in Judge Alsup's or the Federal Rules that requires a defendant to make such determinations five months in advance of trial.

Your letter requests that we provide deposition dates for each of the sixteen identified current and former employees who we do not stipulate to preclude as trial witnesses. For the reasons explained above, we cannot so stipulate as to any of these individuals, but it is not reasonable (or possible) for us to provide you with sixteen sets of deposition dates on two days notice, particularly when, at present, Plaintiffs are not permitted to take any more depositions. As explained above, if there are one or two additional witnesses that Plaintiffs believe to be critical, we will consider such a request and try to identify dates that these individuals may be available within the next two weeks.

With respect to your questions about Defendants' counsels' availability to attend the depositions of the nine other third party witnesses (i.e., the retired players and licensees), we will make ourselves available to the extent any depositions are scheduled. But again, however, your request is premature since Plaintiffs will have used up all ten of their depositions (with Defendants possibly agreeing to one or two additional depositions), and, to our knowledge, Plaintiffs have not even reached out to any of these third party individuals or organizations to determine their availability, much less served any subpoenas.[1] I note that it would be particularly egregious for Plaintiffs to try to burden these third parties – including Defendants' former employees – with the impossible schedule created by Plaintiffs' own negligence, but that is an issue that Plaintiffs will have to address with respect to any third party they try to subpoena at this late date.

Very truly yours,

David Greenspan

Enclosures

[1] Although our firm does not represent the third party retired players (nor do we have any present intention to represent them in the future), we have obtained their current addresses and telephone numbers from our client, and enclosed them per your request.

Requested Telephone Numbers and Addresses

Dan Goich
P.O. Box 19068
Las Vegas, NV 89132
(702) 733-0797

Eric Hipple
7155 Driftwood Dr.
Fenton, MI 48430
(810) 629-3172

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5044 Sail Wind Circle
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