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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

**DECLARATION OF ROY TAUB IN  
SUPPORT OF DEFENDANTS'  
MISCELLANEOUS  
ADMINISTRATIVE MOTIONS TO  
FILE UNDER SEAL**

**DECLARATION OF ROY TAUB**

I, Roy Taub, hereby declare as follows:

1. I am an attorney with Dewey & LeBoeuf LLP, attorneys for Defendants National Football League Players Association (“NFLPA”) and National Football League Players Incorporated d/b/a Players Inc (“Players Inc”) in this action. I am a member of the bar of the State of New York and am admitted to practice before this Court *pro hac vice*. I make this Declaration in support of Defendants’ Miscellaneous Administrative Motions to File Under Seal (“Motions”). I have personal knowledge of each of the facts stated herein, and if called to testify, could and would testify completely hereto.

2. Pursuant to Civ. L.R. 7-11(a), I attempted to contact counsel for Plaintiffs to determine if Plaintiffs would stipulate to the filing of certain documents submitted with Defendants’ Reply Brief in Support of Their Motion for Summary Judgment and Defendants’ Opposition to Plaintiffs’ Motion to Strike the Declarations of Linda Castillon, Adam Sullins, Jason Brenner, Christine Finch, and Steve Byrd, along with Defendants’ briefs, under seal.

3. On July 8 and July 9, 2008, I left voicemail messages for Ryan Hilbert, an attorney with Manatt, Phelps & Phillips, LLP, co-counsel for Plaintiffs, to call me at my office telephone number regarding the Motions.

4. On July 9, 2008, I received an e-mail from Ryan Hilbert stating that “[b]ecause we have not seen the specific documents and/or testimony Defendants intend to file under seal – many, if not all, of which were unilaterally designated by Defendants as ‘Confidential’ or ‘Highly Confidential – Attorneys’ Eyes Only’ – we cannot blindly stipulate to Defendants’ Request. Nor can we unequivocally state that we will not oppose such a Request (as Defendants have previously done in connection with documents submitted by Plaintiffs).” A true and correct copy of the e-mail from Ryan Hilbert to me, dated July 9, 2008, is attached hereto as Exhibit A.

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I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct.

Dated: July 10, 2008

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/s/  
Roy Taub

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San Francisco, CA 94111

# **EXHIBIT A**

## Taub, Roy

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**From:** Hilbert, Ryan [RHilbert@manatt.com]  
**Sent:** Wednesday, July 09, 2008 2:11 PM  
**To:** Taub, Roy  
**Cc:** Katz, Ron; Feher, David; Greenspan, David  
**Subject:** Parrish v. NFLPA

Roy:

This responds to your voice mail yesterday concerning Defendants' request to file documents under seal in connection with their anticipated (1) reply in support of their motion for summary judgment and (2) opposition to Plaintiffs' Motion to Strike. Because we have not seen the specific documents and/or testimony Defendants intend to file under seal – many, if not all, of which were unilaterally designated by Defendants as "Confidential" or "Highly Confidential - Attorneys' Eyes Only" – we cannot blindly stipulate to Defendants' Request. Nor can we unequivocally state that we will not oppose such Request (as Defendants have previously done in connection with documents submitted by Plaintiffs).

Very truly yours,  
Ryan

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