

EXHIBIT 16

Case No. C 07 0943 WHA

Parrish v. National Football League Players Association, et al.

Bernard Parrish
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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION

4 BERNARD PAUL PARRISH,)
5 HERBERT ANTHONY ADDERLEY,)
6 and WALTER ROBERTS, III,)
7 on behalf of themselves)
8 and all others similarly)
9 situated,)
10)
11 Plaintiffs,) CIVIL ACTION
12) NO. C07-0943-WHA
13 v.)
14)
15 NATIONAL FOOTBALL LEAGUE)
16 PLAYERS ASSOCIATION, a)
17 Virginia corporation and)
18 NATIONAL FOOTBALL PLAYERS,)
19 INC., d/b/a PLAYERS, INC.,)
20 a Virginia Corporation,)
21)
22 Defendants.)

COPY

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14
15 VIDEOTAPED DEPOSITION OF BERNARD PAUL PARRISH
16
17 Thursday, March 13, 2008
18
19
20
21 Reported by: Lori Goodin Mackenzie, RPR-CLR
22 Job No.: 200716

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1 The deposition of BERNARD PAUL
2 PARRISH was convened on Thursday, March 13, 2008,
3 commencing at 9:16 a.m., at the offices of Dewey
4 & LeBoeuf, 975 F Street, N.W., Washington, D.C.,
5 before Lori Goodin Mackenzie, Registered
6 Professional Reporter, Certified LiveNote
7 Reporter, and Notary Public for the State of
8 Maryland.

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1 APPEARANCES

2

3 For Plaintiffs:

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11 AND

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1 APPEARANCES (Continued)

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3 For Defendants:

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14 Also present: TJ O'Toole, Videographer

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1 A. That really isn't -- you know, I
2 told them about the suit. I said do you have any
3 specifics with regard to the licensing, with
4 regard to the Players, Inc., or -- and -- and
5 Herb had the most interest and the most specific
6 information, direct information he had been
7 involved in.

8 I discussed it with Sam Huff. I
9 discussed it with a number of people. Sam almost
10 joined. But, he's an announcer for the Redskins
11 and we didn't feel like that would be good for
12 him, particularly.

13 **Q. So, when you spoke to Mr. Adderley,**
14 **what did you tell him was the purpose of this**
15 **lawsuit?**

16 MR. KATZ: I'm sorry. Could you
17 read the question back, please?

18 (Record read.)

19 BY MR. KESSLER:

20 **Q. Before, when you first approached**
21 **him about it?**

22 A. When I first talked to him, the

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1 purpose was to find out the truth about what was
2 happening with the money from the endorsements
3 and so forth of the Madden video games and all of
4 that sort of thing.

5 And our Topps trading cards and all
6 of the, you know, to find out the truth about
7 what the Players' Association was doing with our,
8 with the income from it, which we felt like
9 was -- should be going to the retired players and
10 it was not.

11 **Q. Did you tell him that you thought**
12 **they were using retired player rights without**
13 **paying for those rights?**

14 A. Yes, I did. He agreed.

15 **Q. Okay. And what products did you**
16 **identify to Mr. Adderley where you thought your**
17 **rights were being utilized, but you weren't being**
18 **paid?**

19 MR. KATZ: Object.

20 THE WITNESS: In particular, I
21 brought up Madden video games in which both the
22 Cleveland Browns and the Packers are mentioned in

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1 the vintage 2005 issue of that, of the video game
2 and which the Browns 1964 and '65 teams are in it
3 and the 1965 or '66 Packers were in it.

4 And Herb and I had a discussion
5 about that. And that was something, he said,
6 hell, I've never gotten anything out of it.

7 I said I've never gotten anything
8 out of it. I don't know anybody who has.

9 BY MR. KESSLER:

10 **Q. Your name is not included in that**
11 **video game, is it, your name?**

12 A. My identity is in there without my
13 name, yes.

14 **Q. Okay.**

15 A. I understand you played on that team
16 with me.

17 **Q. Your name's not there, is it?**

18 MR. KATZ: Just answer the question.
19 Object. You may answer.

20 THE WITNESS: Excuse me.

21 BY MR. KESSLER:

22 **Q. Is your name in the game, yes or no?**

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1 A. You know, I don't have the game. My
2 grandson has it.

3 **Q. Okay.**

4 A. He says, Grandpa, you're in it. So,
5 I was identified to the point that my grandson
6 could identify me by height, weight, years in the
7 league and rating as a cornerback.

8 **Q. Okay.**

9 A. So he didn't have any trouble. And
10 the numbers that are -- that were allowed in the
11 game included my number and not other numbers.

12 So he assumed that that was Grandpa.
13 And I did play for the '64 Browns.

14 **Q. Okay. Your name is not there,**
15 **right?**

16 **Yes or no, please?**

17 A. I don't know. I haven't seen it.
18 My grandson saw it.

19 **Q. Okay. You reviewed all of the**
20 **complaints that were filed in this case before**
21 **they were filed?**

22 A. Yes. I have.

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1 CERTIFICATE OF COURT REPORTER

2 UNITED STATES OF AMERICA)

3 DISTRICT OF COLUMBIA)

4 I, LORI G. MACKENZIE, the reporter before
5 whom the foregoing deposition was taken, do
6 hereby certify that the witness whose testimony
7 appears in the foregoing deposition was sworn by
8 me; that the testimony of said witness was taken
9 by me in machine shorthand and thereafter
10 transcribed by computer-aided transcription; that
11 said deposition is a true record of the testimony
12 given by said witness; that I am neither counsel
13 for, related to, nor employed by any of the
14 parties to the action in which this deposition
15 was taken; and, further, that I am not a relative
16 or employee of any attorney or counsel employed
17 by the parties hereto, or financially or
18 otherwise interested in the outcome of this
19 action.

Lori G. Mackenzie

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LORI G. MACKENZIE

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Notary Public in and for the
District of Columbia

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My Commission expires April 14, 2011