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21 Attorneys for Plaintiffs

22 UNITED STATES DISTRICT COURT
 23 NORTHERN DISTRICT OF CALIFORNIA
 24 SAN FRANCISCO DIVISION

25 CIVIL ACTION NO. C07 0943 WHA

26 BERNARD PAUL PARRISH, HERBERT
 27 ANTHONY ADDERLEY, and Walter
 28 Roberts III, on behalf of themselves and all
 others similarly situated,

Plaintiffs

**DECLARATION OF LAURA M. FRANCO
 IN SUPPORT OF PLAINTIFFS
 MISCELLANEOUS ADMINISTRATIVE
 REQUEST FOR LEAVE TO FILE
 SUPPLEMENTAL DECLARATION**

vs.

NATIONAL FOOTBALL LEAGUE
 PLAYERS ASSOCIATION, a Virginia
 corporation, and NATIONAL FOOTBALL
 LEAGUE PLAYERS INCORPORATED
 d/b/a PLAYERS INC, a Virginia
 corporation,

Defendants.

1 I, Laura M. Franco, declare as follows:

2 1. I am a partner at Manatt, Phelps & Phillips, LLP, counsel for Plaintiffs Herbert
3 Adderley, Bernard Parrish, and Walt Roberts (collectively, "Plaintiffs") in this matter. I make
4 this declaration pursuant to Local Civil Rule 7-11(a) and in support of Plaintiffs' Miscellaneous
5 Administrative Request for Leave to File a Supplemental Declaration. I have sufficient
6 knowledge of the facts stated herein to make this declaration and, if called upon to do so, I could
7 and would testify competently thereto.

8 2. Today, Defendants filed and served on Plaintiffs their Response to Plaintiffs' July
9 30, 2008 Letter Brief. In that Response, Defendants' counsel, Mr. Kessler, omitted material
10 information from the record, resulting in a misleading statement regarding the status of a
11 purported agreement between the parties barring the use of pre-statute of limitations documents.

12 3. In an effort to remedy immediately that misstatement before the close of business,
13 the fact that Defendants' counsel is on the East Coast and three hours ahead, and the nature of the
14 supplemental declaration (*i.e.*, to correct a material omission), I did not seek Defendants'
15 stipulation to allow Plaintiffs to file the Supplemental Declaration of Ryan Hilbert. Rather, prior
16 to filing this motion, I gave Defendants written notice of Plaintiffs' intent to file this motion, with
17 an explanation of the basis for the motion. A true and correct copy of my email notice to
18 Defendants is attached hereto as Exhibit A.

19 I declare under penalty of perjury and the laws of the United States that the foregoing is
20 true and correct and that this declaration was executed on August 1, 2008.

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22 /s/ Laura M. Franco

23 Laura M. Franco
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