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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

vs.

**PLAINTIFFS' MEMORANDUM  
REGARDING DOCUMENTS TO BE  
FILED UNDER SEAL**

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

Defendants.

1 Pursuant to this Court's August 6, 2008 Order, Plaintiffs submit the following  
2 memorandum concerning documents to be filed under seal.

3 Plaintiffs requested that the Court seal the following documents in connection with their  
4 Opposition to Defendants' Motion for Summary Judgment:

5 (A) An unredacted version of Plaintiffs' Opposition to Defendants' Motion for  
6 Summary Judgment; and

7 (B) Exhibits C-P, R-RR, TT, VV-ZZ, EEE, HHH-LLL, NNN, and PPP-QQQ  
8 to the Declaration of Ryan S. Hilbert filed in support thereof (the "Hilbert  
9 Declaration").

10 Plaintiffs also requested that the Court seal the following documents in connection with  
11 their July 30, 2008 Letter Brief:

12 (A) The unredacted version of Plaintiffs' July 30, 2008 Letter Brief; and

13 (B) Exhibit A to the Declaration of Laura M. Franco In Support of the July 30,  
14 2008 Letter Brief.

15 Plaintiffs made these requests on the grounds that, with the exception of a single  
16 document discussed below, each of the above documents contain testimony and/or information  
17 that has been designated as "Highly Confidential – Attorneys Eyes Only" or "Confidential" by  
18 Defendants (or a third party). Plaintiffs were required to file these documents in this manner  
19 pursuant to Paragraph 10 of the parties' Stipulated Protective Order, which states: "Without  
20 written permission from [Defendants] or a court order secured after appropriate notice to all  
21 interested persons, [Plaintiffs] may not file in the public record in this action any [Disclosure or  
22 Discovery Material that is designated as 'Confidential' or 'Highly Confidential – Attorneys' Eyes  
23 Only']".

24 Because the documents listed above were designated as "Highly Confidential – Attorneys  
25 Eyes Only" or "Confidential" by Defendants, Plaintiffs are not in a position to determine whether  
26 any of these documents need not remain under seal.

27 Incidentally, in the course of reviewing Plaintiffs' under seal filings, they discovered an  
28 exhibit that may not need to remain filed under seal. This exhibit, which is Exhibit H to the

1 Hilbert Declaration, is a pair of GLAs signed by Herb Adderley that were filed under seal because  
2 they include Mr. Adderley's social security number. In the interest of disclosure, Plaintiffs  
3 respectfully request that the Court replace this exhibit in its entirety with the attached public  
4 versions of Mr. Adderley's GLA that have his social security number redacted.

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Dated: August 8, 2008

MANATT, PHELPS & PHILLIPS, LLP

By: /s/Ryan S. Hilbert  
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