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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CIVIL ACTION NO. C07 0943 WHA

BERNARD PAUL PARRISH, HERBERT ANTHONY ADDERLEY, and WALTER ROBERTS, III on behalf of themselves and all others similarly situated,

Plaintiffs

vs.

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

Defendants.

[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION TO DISMISS PARRISH'S INDIVIDUAL CLAIM WITHOUT PREJUDICE FOR LACK OF JURISDICTION

Date: September 18, 2008
Time: 8:00 a.m.
Place: Courtroom 9, 19th Floor
Judge: Hon. William H. Alsup

1 The Court having considered Plaintiffs' Motion to Dismiss Parrish's Individual Claim
2 Without Prejudice For Lack of Jurisdiction (the "Motion"), the pleadings on file and the
3 arguments of counsel, and good cause appearing, hereby GRANTS the Motion.

4 It is hereby ORDERED that that (1) Parrish's individual claim for breach of fiduciary duty
5 is now dismissed without prejudice, (2) the right to appeal this Court's final judgment with
6 respect to the denial of class certification for Parrish's breach of fiduciary duty claim brought on
7 behalf of the Retired NFLPA Member Class is expressly preserved, and (3) in the event of a
8 successful appeal of the Court's final judgment with respect to the denial of class certification for
9 Parrish's breach of fiduciary duty claim, that such claim is allowed to move forward before this
10 Court.

11 IT IS SO ORDERED.

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14 Dated: _____

HON. WILLIAM H. ALSUP
United States District Court Judge

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