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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.  
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Case No. C 07 0943 WHA

**DECLARATION OF DAVID  
GREENSPAN IN FURTHER  
SUPPORT OF DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT**

**DECLARATION OF DAVID GREENSPAN**

I, David Greenspan, 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 my *pro hac vice* application in this matter was granted by the Court on August 3, 2007. I make this Declaration in support of Defendants’ Motion for Summary Judgment. I have personal knowledge of each of the facts stated herein, and if called to testify, could and would testify completely hereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts of the transcript of the deposition of Herbert Adderley, dated February 20, 2008.

3. Attached hereto as Exhibit 2 is a true and correct copy of a license agreement between STATS LLC and Players Inc dated March 1, 2007, which was produced by Defendants in this action.

4. Attached hereto as Exhibit 3 is a true and correct copy of the NFL Sponsorship and Internet Agreement between the NFL Properties, Inc. and Players Inc, dated January 24, 2001, which was produced by Defendants in this action.

5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts of the NFL Collective Bargaining Agreement 2006-2012, dated March 8, 2006.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts of the transcript of the deposition of Chairman of Players Inc and Executive Director of the NFLPA Gene Upshaw, dated February 13, 2008.

7. Attached hereto as Exhibit 6 is a true and correct copy of a letter from Jason Clark to Lew LeClair, dated May 28, 2008.

8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts of the transcript of the deposition of NFLPA General Counsel Richard A. Berthelsen, dated May 13, 2008.

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9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts of the transcript of the Rule 30(b)(6) deposition of Joel Linzner, dated February 8, 2008.

10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts of the transcript of the Rule 30(b)(6) and individual deposition of NFLPA Staff Counsel Joseph H. Nahra, dated April 16, 2008.

11. Attached hereto as Exhibit 10 is a true and correct copy of the Rebuttal Report of Philip Y. Rowley, dated June 27, 2008.

12. Attached hereto as Exhibit 11 is a true and correct copy of the Expert Reply Report of Daniel A. Rascher, dated June 26, 2008.

13. Attached hereto as Exhibit 12 is a true and correct copy of excerpts of the transcript of the deposition of former President of Players Inc and Assistant Executive Director of the NFLPA Doug Allen, dated September 7, 2007.

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/  
David Greenspan