

# **EXHIBIT 16**

**Case No. C 07 0943 WHA**

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

**Bernard Parrish  
CONFIDENTIAL**

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           Plaintiffs,                     )    CIVIL ACTION  
11   )    NO. C07-0943-WHA

12   )    v.                     )  
13   )

14           NATIONAL FOOTBALL LEAGUE       )  
15           PLAYERS ASSOCIATION, a         )  
16           Virginia corporation and         )  
17           NATIONAL FOOTBALL PLAYERS,)    )  
18           INC., d/b/a PLAYERS, INC.,)    )  
19           a Virginia Corporation,         )

20   )    Defendants.           )  
21   )

COPY

22           -----  
23           VIDEOTAPED DEPOSITION OF BERNARD PAUL PARRISH

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**Bernard Parrish  
CONFIDENTIAL**

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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**Bernard Parrish  
CONFIDENTIAL**

1 APPEARANCES

2

3 For Plaintiffs:

4 RONALD S. KATZ, Esquire

5 Manatt, Phelps & Phillips, LLP

6 1001 Page Mill Road, Building 2

7 Palo Alto, California 94304

8 650-812-1346

9 rkatz@manatt.com

10

11 AND

12 NOEL S. COHEN, Esquire

13 Manatt, Phelps & Phillips, LLP

14 11355 West Olympic Boulevard

15 Los Angeles, California 90064

16 310-312-4388

17 ncohen@manatt.com

18

19

20

21

22

**Bernard Parrish**  
**CONFIDENTIAL**

1 APPEARANCES (Continued)

2

3 For Defendants:

4 JEFFREY L. KESSLER, Esquire

5 ROY TAUB, Esquire

6 Dewey & LeBoeuf

7 1301 Avenue of the Americas

8 New York, New York 10019-6092

9 212-259-7394

10 jkessler@dl.com

11 rtaub@dl.com

12

13

14 Also present: TJ O'Toole, Videographer

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**Bernard Parrish  
CONFIDENTIAL**

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

**Bernard Parrish  
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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

**Bernard Parrish  
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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?**

**Bernard Parrish**  
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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.

**Bernard Parrish  
CONFIDENTIAL**

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*

20

\_\_\_\_\_  
LORI G. MACKENZIE

21

Notary Public in and for the  
District of Columbia

22

My Commission expires April 14, 2011