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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.
28

Case No. C 07 0943 WHA

**DECLARATION OF JASON CLARK
IN SUPPORT OF DEFENDANTS'
MOTION IN LIMINE NO. 4 TO
EXCLUDE THE TESTIMONY OF
DANIEL A. RASCHER**

DECLARATION OF JASON CLARK

I, Jason Clark, 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 July 23, 2008. I make this Declaration in support of Defendants’ Motion in Limine No. 4 to Exclude the Testimony of Daniel A. Rascher. 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 the Expert Reply Report of Daniel A. Rascher, dated June 26, 2008.

3. Attached hereto as Exhibit 2 is a true and correct copy of the Expert Report of Daniel A. Rascher, dated May 23, 2008.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Expert Report of Roger G. Noll, dated June 12, 2008.

5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the Deposition of Daniel A. Rascher, Ph.D., taken on July 25, 2008.

6. Attached hereto as Exhibit 5 is a true and correct copy of a regression analysis that was disclosed at the Deposition of Daniel A. Rascher and marked as Deposition Exhibit 631.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 19, 2008

/s/ Jason D. Clark
Jason D. Clark