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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. 5 TO  
EXCLUDE THE TESTIMONY OF  
PHILIP Y. ROWLEY**

**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. 5 to Exclude the Testimony of Philip Y. Rowley. 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 Report of Philip Y. Rowley, dated May 23, 2008.

3. Attached hereto as Exhibit 2 is a true and correct copy of the excerpts from the Deposition of Philip Y. Rowley, taken on July 22, 2008.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Expert Reply Report of Philip Y. Rowley, dated June 27, 2008.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Report of G. Stephen Jizmagian, dated June 13, 2008.

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