

Dewey & LeBoeuf LLP
One Embarcadero Center, Suite 400
San Francisco, CA 94111

1 Todd Padnos (Bar No. 208202)
tpadnos@dl.com
2 DEWEY & LEBOEUF LLP
One Embarcadero Center, Suite 400
3 San Francisco, CA 94111
Tel: (415) 951-1100; Fax: (415) 951-1180
4
5 Jeffrey L. Kessler (*pro hac vice*)
jkessler@dl.com
David G. Feher (*pro hac vice*)
6 *dfeher@dl.com*
David Greenspan (*pro hac vice*)
7 *dgreenspan@dl.com*
DEWEY & LEBOEUF LLP
8 1301 Avenue of the Americas
New York, NY 10019
9 Tel: (212) 259-8000; Fax: (212) 259-6333

10 Kenneth L. Steinthal (*pro hac vice*)
kenneth.steinthal@weil.com
11 WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
12 Redwood Shores, CA 94065
Tel: (650) 802-3000; Fax: (650) 802-3100

13 Bruce S. Meyer (*pro hac vice*)
bruce.meyer@weil.com
14 WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
15 New York, NY 10153
16 Tel: (212) 310-8000; Fax: (212) 310-8007

17 Attorneys for Defendants National Football League Players Association
and National Football League Players Incorporated d/b/a Players Inc
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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 ROY TAUB IN
SUPPORT OF DEFENDANTS'
MEMORANDUM IN SUPPORT OF
THEIR POSITION ON DISPUTED
JURY INSTRUCTIONS**

DECLARATION OF ROY TAUB

I, Roy Taub, 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 am admitted to practice before this Court *pro hac vice*. I make this Declaration in support of Defendants’ Memorandum in Support of Their Position on Disputed Jury Instructions.

2. I have personal knowledge of each of the facts stated herein, and if called to testify, could and would testify completely hereto.

3. Attached hereto as Exhibit 1 is a true and correct copy of the Report of Philip Y. Rowley, dated May 23, 2008.

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

5. Attached hereto as Exhibit 3 is a true and correct copy of Plaintiffs’ Opposition to Petition for Permission to Appeal Under Fed. R. Civ. P. 23(f), dated May 21, 2008.

6. Attached hereto as Exhibit 4 is a true and correct copy of an excerpt of the transcript of the deposition of Bruce Laird, taken on September 24, 2008.

7. Attached hereto as Exhibit 5 is a true and correct copy of the Reply Report of Philip Y. Rowley, dated June 26, 2008.

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

Dated: October 8, 2008

/s/Roy Taub
Roy Taub