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21 *Attorneys for Plaintiffs*

22 UNITED STATES DISTRICT COURT
 23 NORTHERN DISTRICT
 24 SAN FRANCISCO DIVISION

25 BERNARD PAUL PARRISH, HERBERT
 26 ANTHONY ADDERLEY, and WALTER
 27 ROBERTS III, on behalf of themselves and
 28 all others similarly situated,

Plaintiffs,

29 NATIONAL FOOTBALL LEAGUE
 30 PLAYERS ASSOCIATION, a Virginia
 31 corporation, and NATIONAL FOOTBALL
 32 LEAGUE PLAYERS INCORPORATED
 33 d/b/a PLAYERS INC, a Virginia
 34 corporation,

Defendants.

CIVIL ACTION NO. C07 0943 WHA

**PLAINTIFFS' MISCELLANEOUS
 ADMINISTRATIVE REQUEST TO EXCEED
 PAGE LIMITS RE PLAINTIFFS'
 OPPOSITION TO DEFENDANTS' MOTION
 IN LIMINE NO. 4**

1 Pursuant to Civil Local Rule 7-11, Plaintiffs respectfully request an order allowing them
2 to exceed by six pages the 7-page limit prescribed by Paragraph 2(f) of this Court's *Guidelines*
3 *for Trial and Final Pretrial Conference in Civil Jury Cases Before the Honorable William Alsup*
4 (the "Pre-Trial Order") so that complex issues can be properly developed for the Court's
5 consideration. If granted, Plaintiffs further request that they be allowed to substitute the version
6 attached as Exhibit A to the accompanying Declaration of Ryan S. Hilbert ("Hilbert Declaration")
7 for the shortened version of the document filed with the motions *in limine* earlier today.

8 **I. BACKGROUND FACTS**

9 On August 27, 2008, Defendants served Plaintiffs with five different motions *in limine*,
10 including a *Daubert* motion captioned as *Defendants' Motion in Limine No. 4 to Exclude the*
11 *Testimony of Daniel A. Rascher* (the "Motion"). Through this Motion, Defendants seek to
12 exclude the testimony and expert reports of Plaintiffs' sports economic expert, Daniel A. Rascher,
13 Ph.D.

14 In their Motion, Defendants have raised numerous issues that require factual development
15 to refute. That factual development resulted in an Opposition that was a little over 13 pages long
16 and that Plaintiffs sent to Defendants at 2:00 p.m. on October 6, 2008 pursuant to the Court's
17 schedule. A copy of Plaintiffs' original Opposition is attached as Exhibit A to the Hilbert
18 Declaration.

19 On October 8, 2008, Defendants sent Plaintiffs an e-mail indicating for the very first time
20 that they intended to file a motion to strike Plaintiffs' Opposition on the ground that it violated
21 Paragraph 2(f) of this Court's Order. *See* Hilbert Declaration, Exhibit B. In order to comply with
22 today's deadline for motions *in limine*, Plaintiffs provided Defendants with an abbreviated
23 version of Plaintiffs' Opposition for filing with the Court today. This motion respectfully seeks
24 an order from this Court allowing Plaintiffs to file their earlier, slightly lengthier version.¹

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27 ¹ Pursuant to Local Rule 7-11(a), a stipulation to this motion could not be obtained for the reason set forth in
28 Paragraph 4 of the Hilbert Declaration.

