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8 Attorneys for Defendants National Football League
 Players Association and the National Football League
 9 Players, Inc.

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN FRANCISCO DIVISION**

13 BERNARD PAUL PARRISH, HERBERT
 14 ANTHONY ADDERLEY, and WALTER
 ROBERTS, III on behalf of themselves and
 15 all others similarly situated,

16 Plaintiffs,

17 v.

18 NATIONAL FOOTBALL LEAGUE
 19 PLAYERS INCORPORATED, et al.,

20 Defendants.
 21

Case No. C 07-00943 WHA

**DECLARATION OF JOEL K. BOTZET IN
 SUPPORT OF DEFENDANTS' NOTICE OF
 COMPLIANCE WITH REQUIREMENTS OF
 THE CLASS ACTION FAIRNESS ACT OF
 2005, 28 U.S.C. § 1715**

DECLARATION OF JOEL K. BOTZET

I, Joel K. Botzet, declare as follows:

1. I am a Senior Project Administrator with Rust Consulting, Inc. (hereinafter, "RUST"). RUST, founded in 1976, is a full-service class action settlement administrator. It offers services that include mailed and media-based notice, website development and hosting, database development, telephone support, and claims processing and distribution. I am responsible for supervising the services provided by RUST for this matter. I am over the age of 21 and am otherwise competent to make this declaration. I have personal knowledge of the facts set forth herein, and would testify truthfully hereto if so requested.

2. RUST was retained by Latham & Watkins LLP, Counsel for Defendants National Football League Players Association and the National Football League Players, Inc., to provide notification consisting of the items set forth in the Class Action Fairness Act of 2005, 28 U.S.C. § 1715(b), in the above-referenced matter on behalf of all Defendants.

3. The proposed class action settlement was filed in court on July 13, 2009 (Dkt. No. 623).

4. On July 21st, 2009, RUST served on the United States Attorney General, and the Attorney General for each state, the District of Columbia, Puerto Rico, Guam, Northern Mariana Island, American Samoa, and the U.S. Virgin Islands, the following materials:

- a. A transmittal letter that provided notice of the proposed settlement, including notice of the July 13th, 2009 hearing on the Plaintiffs' Motion for Preliminary Approval of the settlement, and an estimate of the number of class members residing in each state or territory. Attached hereto as Exhibit A are true and correct copies of the transmittal letters; and
- b. On a compact disc, copies of the Plaintiffs' Third Amended Complaint, Plaintiffs' Motion for Preliminary Approval and the attached exhibits, and the Settlement Agreement executed by the parties and the attached exhibits.

5. The transmittal letter and compact disc described above in ¶ 4 were sent

1 by RUST on July 21st, 2009, within ten (10) days, as computed pursuant to Federal Rule of Civil
2 Procedure 6, after the filing of the proposed class action settlement in court, via U.S. First-Class,
3 Certified Mail, postage prepaid, to the officials described above in ¶ 4. Attached hereto as
4 Exhibit B is a true and correct copy of the list of the officials to whom RUST sent the transmittal
5 letter and compact disc.

6 6. Each official received a copy of the transmittal letter and compact disc,
7 which RUST confirmed either via the U.S. Postal Service website or telephonic conversation.

8 Executed on October 12, 2009, in Minneapolis, Minnesota.

9 I declare under penalty of perjury under the laws of the United States that the
10 foregoing is true and correct to the best of my knowledge.

11
12 By: 
13 Joel K. Botzet

14 FILER'S ATTESTATION:

15 Pursuant to General Order No. 45, § X(B) regarding signatures, I attest under
16 penalty of perjury that the concurrence in the filing of this document has been obtained from its
17 signatory.

18
19 Dated October 13, 2009

By: /s/ Charles H. Samel
Charles H. Samel