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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION  
16

17 HERBERT ANTHONY ADDERLEY, on  
behalf of himself and all others similarly  
18 situated,

19 Plaintiffs,

20 vs.

21 NATIONAL FOOTBALL LEAGUE  
PLAYERS ASSOCIATION, a Virginia  
22 corporation, and NATIONAL FOOTBALL  
LEAGUE PLAYERS INCORPORATED  
23 d/b/a PLAYERS INC., a Virginia  
corporation,

24 Defendants.  
25

CIVIL ACTION NO. C07 0943 WHA

**REVISED DECLARATION OF JENNIFER  
M. KEOUGH RE: CLASS NOTIFICATION**

Date: Thursday, November 19, 2009

Time: 2:00 p.m.

Judge: Honorable William H. Alsup

Place: Courtroom 9, 19th Floor

1 JENNIFER M. KEOUGH declares and states as follows:

2 1. I am Executive Vice President of the Garden City Group, Inc. ("GCG"). The  
3 following statements are based on my personal knowledge and information provided by other  
4 GCG employees working under my supervision, and if called on to do so, I could and would  
5 testify competently thereto. I am over the age of 18, and competent to testify.

6 2. GCG was retained by the Parties to the above-captioned litigation (the  
7 "Litigation") to serve as the Class Action Administrator as described in the Order Preliminarily  
8 Approving Proposed Settlement executed August 18, 2009 (the "August 18, 2009 Order"). I  
9 submit this Declaration in order to provide the Court and the parties to the Litigation with  
10 information regarding the mailing of the Notice of Class Action Settlement and the Proposed Plan  
11 of Distribution (the "Notice Packet") in accordance with the Stipulation.

12 3. On or before August 19, 2009, Counsel for the Plaintiffs provided GCG with the  
13 names and last known addresses of 2,103 potential members of the Settlement Class. GCG  
14 entered the name and address information into a database created specifically for this Settlement,  
15 and updated the addresses through the National Change of Address ("NCOA") database. Out of  
16 the 2,103 records sent through NCOA, there were a total of 117 address changes.


17 4. Individual Notice. On August 26, 2009, pursuant to Paragraph 2 of the August 18,  
18 2009 Order, GCG caused to be mailed to each member of the Class a Notice Packet with first  
19 class postage and U.S. Postal Service return service requested to the 2,103 persons on the updated  
20 mailing list. Notice Packets that were returned by the U.S. Postal Service with forwarding  
21 address information were promptly re-mailed to the address information received from the U.S.  
22 Postal Service. As of October 13, 2009, GCG has re-mailed 115 Notice Packets to updated  
23 addresses received from the U.S. Postal Service. A sample of the Notice Packet is attached hereto  
24 as **Exhibit A**. This is the same version of the Notice Packet that has been available on the  
25 [www.retiredplayerclassaction.com](http://www.retiredplayerclassaction.com) website, and that should have been attached to my declaration  
26 dated October 14, 2009.<sup>1</sup>

27  
28 <sup>1</sup> My previous declaration dated October 14, 2009 mistakenly included the wrong Notice Packet. I apologize to the Court for any inconvenience this may have caused.

5. Toll-Free Telephone Helpline. Pursuant to the August 18, 2009 Order, under my supervision, GCG established and maintains a 24 hour toll-free telephone helpline, where callers may obtain information about the Settlement. Once a caller connects to the helpline, he or she hears an Interactive Voice Recording (“IVR”). The IVR provides detailed information to callers about the Settlement and allows callers to request a Notice Packet. The IVR also allows callers to leave a message and request a call back to be returned by a live operator. The telephone number is prominently displayed in the Notice mailed to Settlement Class Members. The IVR was operational as of August 26, 2009, and is accessible 24 hours per day, seven days per week. As of October 13, 2009, GCG has logged 432 calls to the toll-free number. Of those, a total of 97 individuals requested a return call. GCG promptly returned each call. GCG has and will continue to maintain and update the IVR.

6. Website. In addition, also pursuant to the August 18, 2009 Order and under my supervision, GCG established an official website, [www.retiredplayerclassaction.com](http://www.retiredplayerclassaction.com) (the “Website”), for the purpose of providing Internet notice and to allow Settlement Class Members to obtain further information about the Settlement and to answer frequently asked questions (FAQs). Website visitors can download the Settlement Agreement and information regarding the Settlement. The Website address is prominently displayed in the Notice and is also provided on the toll-free telephone helpline. The Website is accessible 24 hours per day, seven days per week. As of October 13, 2009, GCG has logged 1,200 visits to the Website.

I declare under the penalty of perjury pursuant to the laws of the State of Washington that the foregoing is true and correct. Executed on November 12, 2009 at Seattle, Washington.



JENNIFER M. KEOUGH