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12 *Attorneys for Plaintiffs*

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

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

**MOTION REGARDING PAYMENT OF  
 ADMINISTRATION COSTS FROM THE  
 SETTLEMENT FUND**

Date: Thursday, November 19, 2009  
 Time: 2:00 p.m.  
 Judge: Honorable William H. Alsup  
 Place: Courtroom 9, 19th Floor

1  
2 **I. INTRODUCTION**

3 By this motion, Class Counsel seeks an order approving a disbursement from the  
4 Settlement Fund (as defined in the Settlement Agreement) in order to pay an October 14, 2009  
5 invoice from Garden City Group, Inc. (“Garden City”), the class administrator in this matter.

6 **II. ARGUMENT**

7 On June 5, 2009 the parties to this action entered into a Settlement Agreement  
8 (“Settlement Agreement”). *See* Declaration of Lewis LeClair in Support of Motion Regarding  
9 Payment of Administration Costs from the Settlement Fund (“LeClair Decl.”), Exhibit A.  
10 Paragraph 36 of the Settlement Agreement provides that administrative costs incurred in  
11 connection with effectuating the settlement agreement and distributing monies from the  
12 settlement will be paid from the Settlement Fund:

13 [d]isbursements for Notice and Administration Costs, including reasonable  
14 expenses associated with providing notice of the settlement to the Class  
15 [and] expenses associated with administering the settlement . . . shall be  
16 paid from the Settlement Fund when incurred.

17 Class counsel hired Garden City to act as the class administrator in this action. Garden  
18 City has been tasked with administering the Settlement Agreement, including, but not limited to  
19 (i) mailing class notices, (ii) establishing and maintaining a filing process from claims of Class  
20 Members, (iii) processing returned and/or undeliverable mail, (iv) responding to class member  
21 inquiries and (iv) distributing checks to class members.

22 On October 14, 2009, Garden City submitted an invoice for \$11,689.75 to Class Counsel  
23 for services rendered during the period from July 1, 2009 through September 30, 2009 (the  
24 “Invoice”). *See* LeClair Decl, Ex. B. The Invoice is for services that were rendered in connection  
25 with “Notice and Claims Administration.”

26 Because the Invoice relates to services rendered in connection with the administration of  
27 the Settlement Agreement, the Invoice should be paid from the Settlement Fund pursuant to  
28 paragraph 36 of the Settlement Agreement.

1 **III. CONCLUSION**

2 For the foregoing reasons, Class Counsel respectfully requests that the Court approve  
3 payment of the Invoice from the Settlement Fund.

4  
5 Dated: November 19, 2009

6 Respectfully submitted,

7 MANATT, PHELPS & PHILLIPS, LLP

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9 By: /s/ Ronald S. Katz.

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