Case3:07-cv-00943-WHA	Document675	Filed02/01/10	Page1 of 3

	Case3:07-cv-00943-WHA Document	675 Filed02/01/10 Page1 of 3			
1	MANATT, PHELPS & PHILLIPS, LLP				
2	RONALD S. KATZ (Bar No. CA 085713) E-mail: rkatz@manatt.com				
3	RYAN S. HILBERT (California Bar No. 210 E-mail: rhilbert@manatt.com				
4	NOEL S. COHEN (California Bar No. 219645) E-mail: ncohen@manatt.com				
5	1001 Page Mill Road, Building 2 Palo Alto, CA 94304-1006				
6	Telephone: (650) 812-1300 Facsimile: (650) 213-0260				
7	MCKOOL SMITH, P.C.				
8	LEWIS T. LECLAIR (Bar No. CA 077136) E-mail: lleclair@mckoolsmith.com				
9	JILL ADLER NAYLOR (Bar No. CA 150783) E-mail: jnaylor@mckoolsmith.com				
10	300 Crescent Court Dallas, TX 75201				
11	Telephone: (214) 978-4984 Facsimile: (214) 978-4044				
12	Attorneys for Plaintiffs				
13	UNITED STATES DISTRICT COURT				
14	NORTHERN DISTRICT OF CALIFORNIA				
15	SAN FRANCISCO DIVISION				
16					
17	HERBERT ANTHONY ADDERLEY, on	CIVIL ACTION NO. C07 0943 WHA			
18	behalf of himself and all others similarly situated,	SECOND MOTION REGARDING PAYMENT OF ADMINISTRATION			
19	Plaintiffs,	COSTS FROM THE SETTLEMENT FUND			
20	vs.	Date: Thursday, March 11, 2010 Time: 8:00 a.m.			
21	NATIONAL FOOTBALL LEAGUE PLAYERS ASSOCIATION, a Virginia	Judge: Honorable William H. Alsup Place: Courtroom 9, 19th Floor			
22	corporation, and NATIONAL FOOTBALL LEAGUE PLAYERS INCORPORATED				
23	d/b/a PLAYERS INC., a Virginia corporation,				
24	Defendants.				
25					
26					
27					
28					
MANATT, PHELPS & PHILLIPS, LLP Attorneys At Law Palo Alto		1 SECOND MOTION RE GCG INVOICE CASE NO. C 07-0943 WHA			

\mathbf{r}	
2	

3

4

5

6

I.

1

INTRODUCTION

By this motion, Class Counsel seeks an order approving a disbursement from the Settlement Fund (as defined in the Settlement Agreement) in order to pay a January 20, 2010 invoice from Garden City Group, Inc. ("Garden City"), the class administrator in this matter.¹ Class Counsel have contacted Defendants' counsel, who have indicated that Defendants do not oppose this motion.

7

8

II.

ARGUMENT

On June 5, 2009 the parties to this action entered into a Settlement Agreement 9 ("Settlement Agreement"). See Declaration of Lewis LeClair in Support of Second Motion 10 Regarding Payment of Administration Costs from the Settlement Fund ("LeClair Decl."), Exhibit 11 A. Paragraph 36 of the Settlement Agreement provides that administrative costs incurred in 12 connection with effectuating the settlement agreement and distributing monies from the 13 settlement will be paid from the Settlement Fund: 14 15 [d]isbursements for Notice and Administration Costs, including reasonable expenses associated with providing notice of the settlement to the Class 16 [and] expenses associated with administering the settlement . . . shall be 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. This 24 invoice was for services that were rendered in connection with "Notice and Claims 25 26 On November 23, 2010, the Court issued an Order approving a disbursement from the Settlement Fund to 27

<sup>On November 23, 2010, the Court issued an Order approving a disbursement from the Settlement Fund to
Garden City Group in the amount of \$11,689.75 for services rendered during the period from July 1, 2009 through
September 30, 2009. The present invoice, dated January 20, 2010 is for services rendered during the period from
October 1, 2009 through December 31, 2009.</sup>

Case3:07-cv-00943-WHA Document675 Filed02/01/10 Page3 of 3

1	Administration." On November 23, 2010, the Court issued an Order approvi	Administration." On November 23, 2010, the Court issued an Order approving a disbursement				
2	from the Settlement Fund to Garden City Group to cover this invoice.					
3	On January 20, 2010, Garden City submitted a second invoice in the amount of					
4	\$27,113.91 to Class Counsel for services rendered during the period from October 1, 2009					
5	through December 31, 2009 (the "Invoice"). See LeClair Decl, Ex. B. This Invoice was for costs					
6	incurred and services rendered in connection with the preparation, printing and sending of claim					
7	validation forms and with responding to retired player inquiries.					
8	Because the January 20, 2010 Invoice relates to services rendered in connection with the					
9	administration of the Settlement Agreement, Class Counsel respectfully requests that the Invoice					
10	be paid from the Settlement Fund pursuant to paragraph 36 of the Settlement Agreement.					
11	Class Counsel have contacted Defendants' counsel, who have indicated that Defendants					
12	do not oppose this motion.					
13	III. CONCLUSION					
14	For the foregoing reasons, Class Counsel respectfully requests that the Court approve					
15	payment of the Invoice from the Settlement Fund.					
16						
17	Ducea. I column 1, 2010					
18						
19		LLIPS, LLP				
20	Kondid D. Katz (DDI)					
21	Ryan S. Hilbert (SBN Noel S. Cohen (SBN	219645)				
22		ng 2				
23	Telephone: (650) 812-1300 Facsimile: (650) 213-0260					
24	MCKOOL SMITH, P.C. Lewis T. LeClair (SBN 0771	36)				
25		Jill Adler Naylor (SBN 150783) 300 Crescent Court Dallas, TX 75201				
26	Dallas, TX 75201 Telephone: (214) 978-4984					
27	Facsimile: (214) 978-4044	Facsimile: (214) 978-4044				
28	Attorneys for Plaintiffs					
MANATT, PHELPS & PHILLIPS, LLP Attorneys At Law Palo Alto		ON RE GCG INVOICE NO. C 07-0943 WHA				