



**Ronald S. Katz**  
Manatt, Phelps & Phillips, LLP  
Direct Dial: (650) 812-1346  
E-mail: rkatz@manatt.com

July 28, 2010

Client-Matter: 29749-060

**VIA ELECTRONIC FILING**

The Honorable William Alsup  
United States District Court, Northern District of California  
450 Golden Gate Avenue  
San Francisco, CA 94102

**Re: *Parrish v. National Football League Players Association*, Case No. C07-0943 WHA**

Dear Judge Alsup:

This is a report to the Court with respect to the *Adderley* class action, which we submit on behalf of our firm and McKool Smith. We write to apprise the Court of two developments.

First, as the Court knows, we are in the process of taking certain additional steps to locate 202 class members who did not receive either the first or second round of mailings that would have informed them that they are entitled to participate in the settlement of the *Adderley* class action. Pursuant to the Court's Order Approving Additional Searches and Mailings, dated July 21, 2010, we are due to submit a report to the Court by Thursday, July 29, 2010, informing the Court of the dates that we would arrange to mail new claim forms to class members for whom we obtain new contact information and the date that we propose that those members' claim forms would be due should they choose to submit them.

The company we retained to conduct additional searches to locate the 202 class members has just informed us that it needs additional time to complete its work. In light of that fact and the additional information provided below, we ask the Court to extend the time for us to submit our report to August 12, 2010.

The second purpose of this letter is to inform the court of a recent development that relates to our role as class counsel in the *Adderley* class action. On July 21, certain members of the class certified in the *Adderley* class action filed a malpractice lawsuit against our two law firms, challenging the manner in which we have handled certain aspects of the *Adderley* action. The plaintiffs in the malpractice action also include several other individuals who contend that they were wrongfully excluded from the *Adderley* class. The malpractice case is entitled *Parrish, et al. v. Manatt, Phelps & Phillips LLP, McKool Smith PC*, Case No. 3:10-CV-03200 (JCS) (the "malpractice action"). A copy of the complaint is enclosed. Neither of our firms has been served with the complaint in the malpractice action.

The plaintiffs who filed the malpractice action have filed that action not just on their own behalf, but also as purported representatives of two putative classes: the first class allegedly "consists of all retired NFL players who were party to the underlying action [] and participated in the settlement of that action;" and the second class allegedly "consists of all of those retired NFL Players who met the definition of the class in the underlying lawsuit but for reasons unknown were excluded." Complaint, p. 2.

Honorable William Alsup

July 28, 2010

Page 2

The filing of the malpractice action raises certain conflict of interest issues with respect to our continued representation of the class in the *Adderley* class action. We are currently evaluating those issues. While Manatt has retained counsel to assist it with evaluating these issues, the McKool firm is still in the process of locating counsel to consult with on these issues. After we have had an opportunity to evaluate the conflict issues, we will report our conclusions to the Court and may need to seek guidance from the Court with respect to next steps that need to be taken.

Thus, for both of the reasons described above, we ask the Court to schedule a status conference for August 9 or 10, 2010, at which time we will report the results of the search conducted above and our assessment of issues arising out of the malpractice action.

Respectfully submitted,

/s/ Ronald S. Katz

Ronald S. Katz

Counsel for *Plaintiffs*

cc: Charles H. Samel, Esq. (Counsel for *Defendants*)

Enclosure