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 15 National Collegiate Athletic Association

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION
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19 EDWARD O'BANNON, *et al.*,
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 Plaintiffs,
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 v.
 22 NATIONAL COLLEGIATE ATHLETIC
 23 ASSOCIATION; COLLEGIATE
 LICENSING COMPANY; and
 24 ELECTRONIC ARTS INC.,
 25 Defendants.

Case No. 09-CV-3329-CW
**DECLARATION OF JESLYN A. MILLER
 IN SUPPORT OF DEFENDANT NCAA'S
 ADMINISTRATIVE MOTION TO FILE
 UNDER SEAL MATERIALS
 DESIGNATED AS CONFIDENTIAL**
 Judge: Hon. Claudia Wilken
 Judge: Hon. Claudia Wilken
 Courtroom: 2, 4th Floor
 Trial Date: June 9, 2014

1 I, Jeslyn A. Miller, declare that the following is true:

2 1. I am an attorney admitted to practice before this Court and an attorney at the firm
3 of Munger Tolles & Olson LLP, counsel of record for Defendant National Collegiate Athletic
4 Association (“NCAA”) in this action. I make this declaration of my own personal knowledge,
5 and, if called to do so, could testify competently to the facts stated herein under oath.

6 2. I submit this declaration pursuant to Local Rules 7-11 and 79-5. This declaration
7 supports the Defendant NCAA’s Administrative Motion to File Under Seal Materials Designated
8 as Confidential filed on June 23, 2014, in conjunction with the NCAA’s Deposition Designations.

9 3. Exhibit V to the NCAA’s Deposition Designations contains excerpts of the
10 Deposition Transcript of William Russell, dated December 7, 2012. The NCAA has prospectively
11 redacted a portion of the deposition transcript at pages 68, 69, 70, 84, 88, 93, 95, 96, and 106. The
12 NCAA has done so because Plaintiffs have designated the material contained within as
13 confidential or Attorney’s Eyes Only under the operative protective orders in this litigation.

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15 I declare under penalty of perjury under the laws of the United States that the foregoing
16 facts are true and correct.

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18 Executed on June 23, 2014, in Oakland, California.

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/s/Jeslyn A. Miller
JESLYN A. MILLER

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