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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

EDWARD C. O'BANNON, JR., on behalf of
 himself and all others similarly situated,

Plaintiff,

v.

NATIONAL COLLEGIATE ATHLETIC
 ASSOCIATION (a/k/a the "NCAA"), and
 COLLEGIATE LICENSING COMPANY
 (a/k/a "CLC")

Defendants.

Case No. 3:09-cv-03329 CW

**DECLARATION OF PETER M. BOYLE
 IN SUPPORT OF DEFENDANTS'
 MOTION TO TRANSFER VENUE**

Hearing Date: October 22, 2009

Time: 2:00 p.m.

Dept: Courtroom 2, 4th Floor

Judge: Hon. Claudia Wilken

Date Complaint filed: July 21, 2009

I, Peter M. Boyle, make the following declaration pursuant to 28 U.S.C. § 1746.

1. I make this declaration upon personal knowledge and am competent to testify to the facts set forth herein.

2. I am a partner with the law firm of Kilpatrick Stockton LLP, counsel for Defendant Collegiate Licensing Company ("CLC"), in the action captioned Edward C. O'Bannon, Jr. v.

1 National Collegiate Athletic Association, et al, Case No. CV:09-3329 (CW), filed on July 21,
2 2009, assigned to the Honorable Claudia Wilken ("O'Bannon"). I submit this Declaration in
3 support of Defendants' Motion to Transfer Venue filed herewith.

4 3. Collegiate Licensing Company ("CLC") is a Georgia corporation with its principal place
5 of business in Atlanta, Georgia.

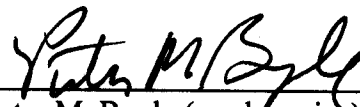
6 4. Over ninety percent of CLC employees live and work in and around the Atlanta, Georgia
7 area.

8 5. It is substantially more convenient for CLC employees to travel from Atlanta to
9 Indianapolis, Indiana than to Oakland, California.

10 6. CLC records and systems are kept primarily in Atlanta, Georgia.

11 I declare under penalty of perjury that the foregoing is true and correct.

12 EXECUTED this 11th day of September, 2009, in Washington, DC.

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