

Co-chairman Jeffrey Kessler Named Law360 Sports MVP

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Winston & Strawn Co-chairman and Sports Law Practice Co-chair Jeffrey Kessler was named a Law360 Sports MVP for 2015.

In what Law360 calls arguably the most talked-about case in sports this year, Mr. Kessler led the National Football League Players Association (NFLPA) and New England Patriots quarterback Tom Brady to victory in the “Deflategate” case in which he convinced a federal court judge that the quarterback’s four-game suspension violated the NFL’s collective bargaining agreement (CBA). The suspension concerned Mr. Brady’s alleged role in a scheme to deflate game footballs below league-mandated limits prior to a playoff game last season.

“Obviously, the Brady case was very important, not just for Brady and New England, but for all the players in the National Football League,” Mr. Kessler told Law360. “We were delighted to get a federal court to hold that the rules of the CBA have to be respected.”

Mr. Kessler also successfully challenged several other NFL suspensions on players including Ray Rice, Adrian Peterson, and Greg Hardy that, along with “Deflategate,” could change the way the NFL and Commissioner Roger Goodell handle player discipline.

Mr. Kessler believes the cases are “as important to the players as it would be to bring a case in court for individuals to protect their basic civil rights. The CBA provides the basic civil rights for players in the National Football League, so it is quite important.”

“Jeff Kessler has been the NFLPA’s primary outside counsel for decades,” NFLPA General Counsel Tom DePaso told Law360. “During that time he has consistently delivered the highest-quality legal services possible to our players. He is an outstanding lawyer.”

The articles notes that Mr. Kessler’s sports practice reaches beyond representing professional players unions. He is representing the North American Soccer League as it fights U.S. Soccer’s rules that it believes prohibits it from competing on equal footing with the top-division Major League Soccer. He is also representing a Virginia private school in a settlement with the Virginia High School League that enabled private-school sports teams to compete with the public schools for the first time in the league’s 101-year history.

“I am just happy for those kids that they get to compete too,” Mr. Kessler said.

Mr. Kessler is also representing a putative class of college student athletes in an ongoing consolidated antitrust action seeking to overturn the NCAA’s rules prohibiting schools and conferences from paying college athletes in what could dramatically change the economics of collegiate athletics.

“What we are seeking is empower the schools and the conferences, and we think if you do that, normal competition and markets will lead to a system where perhaps instead of the coach of a team making \$8 million, he might only make \$6 million, but the athletes will get some fair share,” said Mr. Kessler, who is based in New York. “We really hope to effectuate major changes in the system so that the athletes can finally achieve some fairness in the way that they are treated for all the revenues that they have generated.”

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