

Kessler Quoted on NFLPA Collusion Lawsuit vs. League

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Winston & Strawn partner [Jeffrey Kessler](#) was quoted in the *Sports Illustrated* article, “Judge Weighs NFLPA Collusion Lawsuit vs. League,” published September 6, 2012.

U.S. District Judge David Doty, who oversaw NFL labor matters for almost two decades, is considering a lawsuit brought by the NFL Players Association that claims the league colluded to hold down salaries in 2010 via a secret salary cap.

However, the NFL argues that a new Collective Bargaining Agreement between the union and the League precludes the lawsuit because of a “release” of any claims that had been “asserted” in the Reggie White class action. Mr. Kessler responded that this is a “fraud perpetrated on the players and the court” by the league. According to Mr. Kessler, because the players only learned of the cap through the media after the new CBA took effect, the lawsuit does not fit the “asserted” criteria, and therefore the old CBA should still apply.

“At that time of desperation for the players, we would’ve asserted that claim but we had no knowledge of that,” Mr. Kessler said.

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