

Tom Brady Four-Game Suspension Vacated in “Deflategate” Scandal

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In a historic, headline-grabbing victory for Winston client NFL Players Association (NFLPA), Judge Richard Berman of the Southern District of New York vacated the four-game suspension imposed on New England Patriots quarterback Tom Brady by NFL Commissioner Roger Goodell in connection with the so-called “Deflategate” scandal. Winston’s victory has garnered widespread media attention, including articles in *The New York Times*, *Boston Herald*, Bloomberg, and *Sports Illustrated*, and clears the way for Brady to play in the Patriots’ season opener.

In his decision, which marks the latest in a string of favorable results achieved for the NFLPA, Judge Berman relied heavily upon the arguments made by the Winston team in court, citing the “significant legal deficiencies” in the NFL’s case and the “fundamentally unfair” disciplinary process to which Brady was subjected. Judge Berman wrote that Commissioner Goodell “may be said to have dispensed his own brand of industrial justice” in imposing the sentence, borrowing language from Jeffrey Kessler, co-chair of the firm’s Sports Law Practice, in his opening statement.

The court struck down Brady’s suspension based on several key failures in the case against him, including the lack of notice that he could receive a four-game suspension for “general awareness” of ball deflation and failure to cooperate with the ensuing investigation, as well as the league’s refusal to allow Brady access to certain investigative files that unfairly prejudiced his defense.

On behalf of the NFL Players Association, Tom Brady was represented by partners Jeffrey Kessler and David Greenspan, of counsel Ben Sokoly, and associates Jon Amoona and Angela Smedley.

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