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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

MAY 31 2012

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BY [Signature] Deputy
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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

CIT/CASE: BC485779 LEA/DEF#:
RECEIPT #: DCH465980025
DATE PAID: 06/01/12 09:29:33 AM
PAYMENT: \$550.00
RECEIVED: 0310
CHECK: 550.00
CASH:
CHANGE:
CARD:

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Case No.

LEDDURE RASHAD BAUMAN and)
VERONICA BAUMAN, his wife; JOHN W.)
BEASLEY and PATRICIA BEASLEY, his wife;)
JEFF BLACKSHEAR; CARLTON BREWSTER;)
JOSEPH CAMPBELL; FRED H. COOK III;)
COREY V. CROOM; PATRICK CUNNINGHAM)
and DEBBIE CUNNINGHAM, his wife;)
TIMOTHY DANIEL; ENNIS R. DAVIS, II;)
MICHAEL DAVIS and GWENDOLYN DAVIS,)
his wife; KEVIN DEVINE; ARNOLD FIELDS)
and OLGA FIELDS, his wife; ROGER L. FINNIE)

COMPLAINT FOR DAMAGES

DEMAND FOR JURY TRIAL

CIT/CASE: BC485779 LEA/DEF#:
RECEIPT #: DCH465980024
DATE PAID: 06/01/12 09:29:06 AM
PAYMENT: \$395.00
RECEIVED: 0310
CHECK: 395.00
CASH:
CHANGE:
CARD:

1 and LAURIE FINNIE, his wife; DARRELL)
 2 FORD; LARRY FOSTER; DONALD FRANK;)
 3 DAVID GIBSON and JENNIFER GIBSON, his)
 4 wife; ISAAC HAGINS; OTHELLO)
 5 HENDERSON, III; NATHANIEL HENSLEY and)
 6 AMBER HENSLEY, his wife; KENNETH)
 7 HEROCK and ANTOINETTE HEROCK, his)
 8 wife; JESSIE LEE HESTER and GERLIENUS)
 9 HESTER, his wife; DALLAS HICKMAN and)
 10 CELESTE HICKMAN, his wife; GAYLON)
 11 HYDER and MELINDA HYDER, his wife;)
 12 EDDIE LEE IVERY and ANTOINETTE IVERY,)
 13 his wife; STEPHEN W. JACKSON; WILLIAM)
 14 JACO and JOAN JACO, his wife; DIRK)
 15 JOHNSON and JENNIFER JOHNSON, his wife;)
 16 JOHN KAISER and RESA KAISER, his wife;)
 17 JAMES MARSHALL and SUSAN LANDWEHR)
 18 MARSHALL, his wife; COREY MAYFIELD and)
 19 TONIA MAYFIELD, his wife; DAVID)
 20 MCMILLAN; ERIK NORGARD; MARVIN D.)
 21 OWENS and ROMELL OWENS, his wife;)
 22 RICKY PARKER and JULIE PARKER, his wife;)
 23 MARION TODD PEAT and JANA PEAT, his)
 24 wife; CHARLES PHARMS III; DAMON PIERI)
 25 and JENNIFER PIERI, his wife; JUAN A.)
 26 ROQUE and JENNIFER ROQUE, his wife;)
 27 WILLIARD SCISSUM and ANDREUILLE)
 28 SCISSUM, his wife; JASON SHELLEY and)
 JANINE SHELLEY, his wife; OMAR SMITH and)
 RACHEL SMITH, his wife; TRENT SMITH;)
 ALPHONSO TAYLOR and HEATHER)
 TAYLOR, his wife; ANTHONY WALLACE and)
 KEISHA WALLACE, his wife; CHARLES)
 WESLEY WALLS and CHRISTY WALLS, his)
 wife; DEREK WARE and VIVIAN WARE, his)
 wife; TINA RICKS, Personal Representative of the)
 Estate of ANDRE M. WATERS, a/k/a ANDRE)
 MAURICE WATERS, Deceased, KENNY)
 WATSON; JONATHAN WELLS; KENNETH)
 WHEATON and FRANCHELL WHEATON, his)
 wife; JAMES DAVID WILKINS, II; DAVID)
 WILLIAMS; LESTER JOE WILLIAMS;)
 SIRMAWN WILSON and HEATHER WILSON,)
 his wife; SCOTT ZIMMERMAN and LINDSEY)
 ZIMMERMAN; his wife; ERIC ZOMALT and)
 CYNTHIA ZOMALT, his wife,)

1 8. Mr. Patrick "Rick" Cunningham and his wife, Debbie, are residents of and domiciled in the
2 State of Arizona.

3 9. Mr. Timothy Daniel is a resident of and domiciled in the State of Georgia.

4 10. Mr. Ennis R. Davis II is a resident of and domiciled in the State of California.

5 11. Mr. Michael Davis and his wife, Gwendolyn, are residents of and domiciled in the State of
6 Pennsylvania.

7 12. Mr. Kevin Devine is a resident of and domiciled in the State of California.

8 13. Mr. Arnold Fields and his wife, Olga, are residents of and domiciled in the State of
9 California.

10 14. Mr. Roger L. Finnie and his wife, Laurie, are residents of and domiciled in the State of
11 Florida.

12 15. Mr. Darrell Ford is a resident of and domiciled in the State of Connecticut.

13 16. Mr. Larry Foster is a resident of and domiciled in the State of Louisiana.

14 17. Mr. Donald Frank is a resident of and domiciled in the State of North Carolina.

15 18. Mr. David Gibson and his wife, Jennifer, are residents of and domiciled in the State of
16 Florida.

17 19. Mr. Isaac Hagins is a resident of and domiciled in the State of Florida.

18 20. Mr. Othello Henderson, III is a resident of and domiciled in the State of Texas.

19 21. Mr. Nathaniel "Nate" Hensley and his wife, Amber, are residents of and domiciled in the
20 State of Texas.

21 22. Mr. Kenneth Herock and his wife, Antoinette, are residents of and domiciled in the State of
22 Georgia.

23 //

23. Mr. Jessie Lee Hester and his wife, Gerlienus, are residents of and domiciled in the State of Florida.

24. Mr. Dallas Hickman and his wife, Celeste, are residents of and domiciled in the State of Arizona.

25. Mr. Gaylon Hyder and his wife, Melinda, are residents of and domiciled in the State of Texas.

26. Mr. Eddie Lee Ivery and his wife, Antoinette, are residents of and domiciled in the State of Georgia.

27. Mr. Stephen W. Jackson is a resident of and domiciled in the State of Virginia.

28. Mr. William Jaco and his wife, Joan, are residents of and domiciled in the State of Texas.

29. Mr. Dirk Johnson and his wife, Jennifer, are residents of and domiciled in the State of Colorado.

30. Mr. John Kaiser and his wife, Resa, are residents of and domiciled in the State of Arizona.

31. Mr. James Marshall and his wife, Susan, are residents of and domiciled in the State of Minnesota.

32. Mr. Corey Mayfield and his wife, Tonia, are residents of and domiciled in the State of Texas.

33. Mr. David McMillan is a resident of and domiciled in the State of Georgia.

34. Mr. Erik Norgard is a resident of and domiciled in the State of Colorado.

35. Mr. Marvin D. Owens and his wife, Romell, are residents of and domiciled in the State of California.

36. Mr. Ricky Parker and his wife, Julie, are residents of and domiciled in the State of Arizona.

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21/10/98

1 37. Mr. Marion Todd Peat and his wife, Jana, are residents of and domiciled in the State of
2 Arizona.

3 38. Mr. Charles Pharms III is a resident of and domiciled in the State of Texas.

4 39. Mr. Damon Pieri and his wife, Jennifer, are residents of and domiciled in the State of
5 Arizona.

6 40. Mr. Juan A. Roque and his wife, Jennifer, are residents of and domiciled in the State of
7 Arizona.

8 41. Mr. Willard Scissum and his wife, Andreuille, are residents of and domiciled in the State of
9 Georgia.

10 42. Mr. Jason Shelley and his wife, Janine, are residents of and domiciled in the State of Texas.

11 43. Mr. Omar Smith and his wife, Rachel, are residents of and domiciled in the State of Florida.

12 44. Mr. Trent Smith is a resident of and domiciled in the State of Oklahoma.

13 45. Mr. Alphonso Taylor and his wife, Heather, are residents of and domiciled in the State of
14 Arizona.

15 46. Mr. Anthony Wallace and his wife, Keisha, are residents of and domiciled in the State of
16 California.

17 47. Mr. Charles Wesley Walls and his wife, Christy, are residents of and domiciled in the State
18 of North Carolina.

19 48. Mr. Derek Ware and his wife, Vivian, are residents of and domiciled in the State of Arizona.

20 49. Ms. Tina Ricks, Personal Representative of the Estate of Andre M. Waters, a/k/a Andre
21 Maurice Waters, Deceased, is a resident of and domiciled in the State of Florida.

22 50. Mr. Kenny Watson is a resident of and domiciled in the State of Ohio.

23 51. Mr. Jonathan Wells is a resident of and domiciled in the State of Georgia.

1 52. Mr. Kenneth Wheaton and his wife, Franchell, are residents of and domiciled in the State of
2 Texas.

3 53. Mr. James David Wilkins II is a resident of and domiciled in the State of Ohio.

4 54. Mr. David Williams is a resident of and domiciled in the State of California.

5 55. Mr. Lester Joe Williams is a resident of and domiciled in the State of Alabama.

6 56. Mr. Sirmawn Wilson and his wife, Heather, are residents of and domiciled in the State of
7 North Carolina.

8 57. Mr. Scott Zimmerman and his wife, Lindsey, are residents of and domiciled in the State of
9 California.

10 58. Mr. Eric Zomalt and his wife, Cynthia, are residents of and domiciled in the State of
11 California.

12 **Defendants:**

13 59. Defendant National Football League ("the NFL") is an unincorporated association with its
14 headquarters located in the State of New York. The NFL regularly conducts business in California.

15 60. Defendant NFL Properties, LLC as the successor-in-interest to National Football League
16 Properties Inc. ("NFL Properties") is a limited liability company organized and existing under the laws of
17 the State of Delaware with its headquarters in the State of New York. NFL Properties is engaged, among
18 other activities, approving licensing and promoting equipment used by all the NFL teams. NFL Properties
19 regularly conducts business in California.

20 61. Defendant Riddell, Inc. (d/b/a Riddell Sports Group, Inc.) is a corporation organized and
21 existing under the laws of the State of Illinois, and is engaged in the business of designing, manufacturing,
22 selling and distributing football equipment, including helmets, to the NFL and since 1989 has been the
23 official helmet of the NFL. Riddell, Inc. regularly conducts business in California.

1 62. Defendant All American Sports Corporation, d/b/a Riddell/All American, is a corporation
2 organized and existing under the laws of the State of Delaware and is engaged in the business of designing,
3 manufacturing, selling and distributing football equipment, including helmets, to the NFL and since 1989
4 has been the official helmet of the NFL. All American Sports regularly conducts business in California.

5 63. Defendant Riddell Sports Group, Inc. is a Delaware corporation with its principal place of
6 business at 6255 N. State Highway, #300, Irving, Texas 76038. Riddell Sports Group, Inc. regularly
7 conducts business in California.
8

9 64. Defendant Easton-Bell Sports, Inc. is a Delaware Corporation with a principal place of
10 business at 7855 Haskell Avenue, Suite 200, Van Nuys, California 91406 and is a parent corporation of
11 Riddell Sports Group Inc. Easton-Bell Sports, Inc. designs, develops, and markets branded athletic
12 equipment and accessories, including marketing and licensing products under the Riddell brand. Easton-
13 Bell Sports, Inc. regularly conducts business in California.
14

15 65. Defendant Easton-Bell Sports, LLC is the parent corporation of Easton-Bell Sports, Inc. and
16 is incorporated in Delaware, with a principal place of business at 152 West 57th Street, New York, New
17 York 10019. Easton-Bell Sports, LLC regularly conducts business in California.
18

19 66. Defendant EB Sports Corp. is a Delaware corporation with its principal place of business at
20 7855 Haskell Avenue, Van Nuys, California 91406. EB Sports Corp. regularly conducts business in
21 California.

22 67. Defendant RBG Holdings Corp. is a Delaware corporation with its principal place of
23 business at 7855 Haskell Avenue, Suite 350, Van Nuys, California 91406. RBG Holdings Corp. regularly
24 conducts business in California.
25

26 //

27 //

28

68. Defendants Riddell, Inc., Riddell Sports Group Inc., All American Sports Corporation, Easton-Bell Sports, Inc., EB Sports Corp., Easton-Bell Sports, LLC, and RBG Holdings Corp., shall hereinafter be referred to collectively as "Riddell" or the "Riddell Defendants."

JURISDICTION AND VENUE

69. Jurisdiction is based upon the California Constitution Article 6, Section 10.

70. Venue is proper in this Court pursuant to Section 395(A) of the California Code of Civil Procedure.

INTRODUCTION

71. This case seeks a declaration of liability and financial compensation for the long-term chronic injuries, financial losses, expenses, and intangible losses suffered by the Plaintiffs and Plaintiffs' Spouses as a result of the NFL's intentional tortious misconduct (by its gratuitous, voluntary undertaking), negligence, and fraud.

72. This action arises from the pathological and debilitating effects of mild traumatic brain injuries, caused by concussive and sub-concussive impacts (referenced herein as "MTBI") that have afflicted former professional football players in the National Football League. For many decades, evidence has linked repetitive MTBI to long-term neurological problems in many sports, including football.

73. The NFL, as the organizer, marketer, and face of the most popular sport in the United States, in which MTBI is a regular occurrence and/or players have been at risk for MTBI, was aware of the evidence and the risks associated with repetitive traumatic brain injuries for decades, but deliberately ignored and used its monopoly power to actively concealed the information from the Plaintiffs and all others who participated in organized football at all levels.

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1 74. The NFL has actively concealed and actively disputed any correlation between on the field
2 MTBI and the chronic mental illnesses and maladies suffered by former players, including the Plaintiffs
3 and all others similarly situated.

4 75. For many years, the NFL learned that many football players had developed chronic severe
5 headaches, malaise, intolerance of loud noises, depression and emotional lability as a consequence of
6 multiple "dings," sub-concussive events and concussions.

7 76. Moreover, in or around 1994 and possibly earlier, the NFL gratuitously and voluntarily
8 inserted itself into the scientific research and discussion concerning the relationship between the head
9 trauma NFL players are exposed to in practices and game play and short-term and long-term impairment of
10 the brain. The NFL's investigation of this serious medical concern conflicted radically with its continuing
11 promotion of the violence of the sport.

12 77. During the past several decades, the NFL intentionally and fraudulently misled then-active
13 and former players and their families regarding its purported expertise in studying MTBI regarding the
14 short-term and long-term risks posed by concussions and head trauma.

15 78. After acknowledging its long-standing duty to investigate, study, and report about the risks
16 of MTBI in the sport of football, the NFL failed to provide reasonably developed instructions and warnings
17 regarding the risks of chronic permanent brain injury sequelae, and instead produced industry-funded,
18 biased research and advocacy that actively deceived players and misrepresented that concussions and sub-
19 concussive head impacts did not present serious, life-altering risks.

20 79. The NFL has actively, continuously and vehemently denied any correlation between
21 participation as a player in the NFL and cognitive neurological symptoms and problems such as headaches,
22 dizziness, loss of memory, dementia and ALS by way of gratuitous press releases, funded and/or sponsored
23 publications in the scientific literature and communications intended to mislead and misinform.
24
25
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1 80. The NFL, through its own initiative and voluntary undertaking, created and/or decided to
2 fund the so-called Mild Traumatic Brain Injury Committee (the "MTBI Committee") in 1994 to ostensibly
3 research and study MTBI affecting NFL players. Notwithstanding this purported purpose, and despite clear
4 medical evidence that on-field sub-concussive and concussive events can produce MTBI with tragic results,
5 the NFL failed to inform its current and former players of the true risk and purposefully misrepresented
6 and/or concealed medical evidence on that issue.
7

8 81. The NFL's active and purposeful concealment and misrepresentation of the severe
9 neurological risks of repetitive MTBI exposed players to dangers they could have avoided had the NFL
10 provided them with truthful and accurate information. Many of these players have MTBI and latent
11 neurodegenerative disorders and diseases as a result of the NFL's acts and/or omissions.
12

13 82. The NFL has, over the past four decades, actively concealed and disputed any correlation
14 between on the field sub-concussive and concussive events, its return to play policies and the chronic
15 neuro-cognitive damage, illnesses and decline suffered by former players, including the Plaintiffs and all
16 others similarly situated. Further, during the decades of the 1990s and 2000s, the NFL through its
17 authorized agents disputed and actively sought to suppress the findings of others that there is a connection
18 between on-field MTBI and post-career neuro-cognitive damage, illness and decline.
19

20 **GENERAL ALLEGATIONS APPLICABLE TO ALL COUNTS AGAINST THE NFL**

21 83. The NFL generates approximately \$9,300,000,000.00 in gross income per year.

22 84. The organization oversees America's most popular spectator sport, acting as a trade
23 association for the benefit of the thirty-two independently operated Teams.
24

25 85. The NFL governs and promotes the game of football, sets and enforces rules and League
26 policies, and regulates team ownership.
27

28 //

1 86. The NFL generates revenue mostly through marketing sponsorships, licensing merchandise,
2 and by selling national broadcasting rights to the games. The Teams share a percentage of the League's
3 overall revenue.

4 87. The NFL enjoys partial monopoly power through an anti-trust exemption granted via the
5 federal Sports Broadcasting Act that allows the NFL to sell television rights for all 32 teams as a single
6 unit.
7

8 The NFL's Influence

9 88. In part because of its financial power, monopoly status, and high visibility, the NFL has
10 enormous influence over the game of football at all levels of the game. The NFL has previously been
11 judicially determined to be a monopolist. *United States Football League v. National Football League*, 644
12 F. Supp 1040, 1042 (S.D.N.Y. 1986), *aff'd*, 842 F.2d 1335 (2nd Cir. 1989).
13

14 89. Over many decades, the NFL's influence has been expanded through its use of the media.
15 Through NFL films, the NFL Network, and www.NFL.com, the NFL has promoted NFL football via every
16 mass communication medium available.
17

18 NFL AND THE CBA

19 90. Until March of 2011, NFL players were all members of a union called the National Football
20 League Players Association ("NFLPA"). The NFLPA negotiates the general minimum contract for all
21 players in the league with the National Football League Management Council ("NFLMC"). This contract
22 is called the Collective Bargaining Agreement ("CBA") and it is the central document that governs the
23 negotiation of individual player contracts for all of the league's players. However, historically, the NFL
24 retired players, including all plaintiffs, have never been the subject of or a party to Collective Bargaining.
25

26 91. The first CBA was created in 1968. The players struck in 1970 and returned with a new
27 CBA after a few weeks. In 1974, the players struck again from July 1, 1974 to August 10, 1974 and a new
28

1 CBA was not reached until 1977 that ran until 1982. In 1982, a 57 day strike lasted until a new CBA was
2 effectuated. However, another strike began in 1987 which lead to the union being decertified without a
3 CBA until lawsuits lead to the approval of the 1993 CBA. This CBA was amended in 1998 and again in
4 2006. The CBA was originally scheduled to expire at the end of the 2012 season but in 2008 the owners
5 exercised their right to opt-out of the agreement two years earlier. In 2011, the parties in trying to negotiate
6 the new CBA reached an impasse and the NFL owners locked the players out. Subsequently, the NFLPA
7 decertified itself as the players' representative for bargaining.

9 92. The Plaintiffs herein are all retirees and not covered by the CBA nor are they subject of or
10 parties to bargaining between the NFL and the NFLPA. Thus, the plaintiffs' claims are not preempted by
11 federal labor law since the CBA does not apply to their present claims and, additionally, the expired CBA's
12 do not presently exist.

14 **The NFL Has Mythologized Violence Through the Media**

15 93. Part of the NFL's strategy to promote NFL football is: (a) to mythologize players and
16 Teams; (b) to glorify the accomplishments of individuals and Teams; and (c) to glorify the brutality and
17 ferocity of NFL football, by lauding and mythologizing the most brutal and ferocious players and collisions
18 and simultaneously propagating the fraudulent representation that "getting your bell rung," "being dinged"
19 and putting big hits on others is not seriously hazardous to one's health.

21 94. As a result of the NFL's strategy of glorifying the brutality and ferocity of NFL football, the
22 NFL has propagated the false myth that collisions of all kinds, including brutal and ferocious collisions,
23 many of which lead to short-term and long-term neurological damage to current and former NFL players,
24 are an acceptable, desired, and natural consequence of the game, and a measure of the courage and heroism
25 of those involved in football at every level of the game.

27 //

1 95. As a result of this strategy, and the overwhelming influence of the NFL at every level of the
2 game, the NFL has generated for itself and others billions of dollars every year by promoting a product of
3 brutality and ferocity and inculcating in players at every level of the game the false and life-threatening
4 ideas that (a) brutal, ferocious, and debilitating collisions are a required and desired outcome in the game of
5 football; and (b) returning to play despite sustaining repetitive head impacts is a laudable and desirable
6 goal.
7

8 **The NFL Markets and Glorifies Football's Violence Through NFL Films.**
9

10 96. NFL Films is an NFL owned company devoted to producing promotional films for the
11 NFL. One television critic described NFL Films as "the greatest in-house P.R. machine in pro sports
12 history... an outfit that could make even a tedious stalemate seem as momentous as the battle for the
13 Alamo."

14 97. NFL Films is known for the style it features in all of its productions, capturing the NFL
15 games, plays, players, and overall NFL environment in an artistic, promotional fashion. NFL Films
16 cinematography is intended to create compelling storylines and highlight certain aspects of the game. NFL
17 Films takes viewers right into the football action with close-ups and slow motion capture of all the hard-
18 hitting action taking place on the football field.
19

20 98. The NFL focuses on violence as one of the NFL's greatest selling points: the football player
21 as gladiator. To advance the NFL's purpose, NFL Films has created numerous highlight features that focus
22 solely on the hardest-hits that take place on the football field. These featured videos are marketed and sold
23 to advance the NFL's culture of violence as entertainment.
24

25 99. The list of videos created by NFL Films glorifying violent plays includes, but is not limited
26 to, the following titles: NFL: Moment of Impact (2007); NFL's 100 Greatest Tackles (1995); Big Blocks
27 and King Size Hits (1990); The Best of Thunder and Destruction – NFL's Hardest Hits; NFL Films Video:
28

1 Strike Force (1989); The NFL's Greatest Hits (1989); Crunch Course; Crunch Course II (1988); Crunch
2 Masters; In the Crunch (1987); NFL Rocks; NFL Rocks: Extreme Football.

3 100. NFL Films created the "Top Ten Most Feared Tacklers" series that was shown on the NFL
4 Network, and it now has its own section on the NFL's website. These features are comprised of videos
5 highlighting the most vicious tacklers the NFL has ever seen.
6

7 101. An explicit example of how the NFL markets and glorifies the violent nature of the NFL can
8 be found on the back cover of the 2007 film "Moment of Impact." The back cover of "Moment of Impact"
9 advertises the film as follows: "First you hear the breathing, then you feel the wind coming through your
10 helmet's ear hole. Suddenly you're down, and you're looking through your helmet's ear hole. Pain?
11 That's for tomorrow morning. Right now you've gotta focus - focus on the play and try not to focus on the
12 next moment of impact." The NFL's entire message deemphasizes the dangers of these head impacts.
13

14 102. NFL Films, therefore, advances the NFL's agenda to promote the most violent aspects of
15 NFL football and to urge players at every level of the game to disregard the results of violent head impacts.
16

17 103. The NFL strategically utilizes NFL Films' cinematography and sound to exaggerate and
18 emphasize vicious hits. The magnitude of the hit is emphasized by the slow-motion footage and the on-
19 field microphones. Vicious hits captured by NFL Films take on the appearance of the slow-motion crash
20 safety test videos that appear in many car commercials - with players taking on the roll of the crash-test
21 dummy.
22

23 104. The NFL, through NFL Films, promotes a culture in which playing hurt or with an injury is
24 both expected and highly acclaimed in its mythical gladiator world. Through NFL Films, the NFL has
25 produced videos that praise players who embody the ethos of playing hurt (for example, "Top Ten Gutsiest
26 Performances"). This film and others like it celebrate players' ability to play through the pain and injury
27
28

1 and promote an expectation among players and fans that players must and often do play through any injury,
2 including MTBI.

3 105. This is part of the overall culture in which NFL players are encouraged to play despite an
4 injury, in part, because failure to play through an injury creates the risk of losing playing time, a starting
5 position, and possibly a career.

6
7 106. Within this culture, the NFL purposefully profits from the violence it promotes.

8 107. Starting in 2010, the NFL, for the first time in its history, began to levy fines for excessive
9 hits to the head. As recently as October 2010, the NFL fined Pittsburgh Steelers' linebacker James
10 Harrison \$75,000.00 dollars for a vicious hit the NFL deemed "illegal" on Cleveland Browns' receiver
11 Mohamed Massaquoi. That same week the NFL fined New England Patriots' defender Brandon
12 Meriweather and Atlanta Falcons' defender Dunta Robinson for hits the NFL also deemed "dangerous and
13 illegal." In total the NFL fined the three players approximately \$175,000.00 for the hits.

14
15 108. Notwithstanding those fines, in an effort to profit, the NFL sold photos of the illegal hits on
16 its website for between \$54.95 and \$249.95. Only after receiving negative publicity did the NFL removed
17 the photos and acknowledge that it made a mistake to place photos of illegal and dangerous hits for sale on
18 its website.

19
20 **Head Injuries, Concussions, and Neurological Damage**

21 109. It has been well known for many decades that repetitive and violent jarring of the head or
22 impact to parts of the head can cause MTBI and long term, chronic neuro-cognitive sequelae.

23
24 110. The defendants have known that the American Association of Neurological Surgeons (the
25 "AANS") has defined a concussion as "a clinical syndrome characterized by an immediate and transient
26 alteration in brain function, including an alteration of mental status and level of consciousness, resulting
27 from mechanical force or trauma." The AANS defines traumatic brain injury ("TBI") as:
28

1 a blow or jolt to the head, or a penetrating head injury that disrupts the normal
2 function of the brain. TBI can result when the head suddenly and violently hits an object, or
3 when an object pierces the skull and enters brain tissue. Symptoms of a TBI can be mild,
4 moderate or severe, depending on the extent of damage to the brain. Mild cases may result
5 in a brief change in mental state or consciousness, while severe cases may result in extended
6 periods of unconsciousness, coma or even death.

7 111. The Defendants have known for years that MTBI generally occurs when the head either
8 accelerates rapidly and then is stopped, or is rotated rapidly. The results frequently include, among other
9 things, confusion, blurred vision, memory loss, nausea, and sometimes unconsciousness.

10 112. The defendant has known for years that medical evidence has shown that symptoms of
11 MTBI can appear hours or days after the injury, indicating that the injured party had not healed from the
12 initial blow.

13 113. The NFL has known for years that once a person suffers a MTBI he is up to four times more
14 likely to sustain a second one. Additionally, after suffering even a single sub-concussive or concussive
15 blow, a lesser blow may cause MTBI, and the injured person requires more time to recover. This goes to
16 the heart of the problem: players being unaware of the serious risk posed by returning to play before
17 having allowed their initial head injury or concussion to heal fully.

18 114. The NFL has known for years that clinical and neuro-pathological studies by some of the
19 nation's foremost experts demonstrate that multiple head injuries or concussions sustained during an NFL
20 player's career can cause severe cognitive problems such as depression and early-onset dementia.

21 115. The NFL has known or should have known for decades, published peer reviewed scientific
22 studies have shown that repeated traumatic head impacts (including sub-concussive blows and concussions)
23 cause ongoing and latent brain injury. The brain injuries were documented in various kinds of injuries,
24 including sports-related head impacts in both football and boxing.

25 116. The NFL has known or should have known for decades that neuropathology studies, brain
26 imaging tests, and neuropsychological tests on many former football players, including former NFL
27
28

1 players, have established that football players who sustain repetitive head impacts while playing the game
2 have suffered and continue to suffer brain injuries that result in any one or more of the following
3 conditions: early-onset of Alzheimer's Disease, dementia, depression, deficits in cognitive functioning,
4 reduced processing speed, attention, and reasoning, loss of memory, sleeplessness, mood swings,
5 personality changes, and the debilitating and latent disease known as Chronic Traumatic Encephalopathy
6 ("CTE"). The latter condition involves the slow build-up of the Tau protein within the brain tissue that
7 causes diminished brain function, progressive cognitive decline, and many of the symptoms listed above.
8 CTE is also associated with an increased risk of suicide.

10 117. The NFL has known or should have known for decades that CTE is found in athletes with a
11 history of repetitive head trauma. Published papers have shown this condition to be prevalent in retired
12 professional football players who have a history of head injury. The changes in the brain caused by
13 repetitive trauma are thought to begin when the brain is subjected to trauma, but symptoms may not appear
14 until months, years, or even decades after the last traumatic impact or the end of active athletic
15 involvement.

17 118. The NFL has known for a considerable period of time of reported papers and studies
18 documenting autopsies on over twenty-five former NFL players. Reports show that over ninety percent of
19 the players suffered from CTE.

21 119. As a result, published peer reviewed scientific studies have shown that playing professional
22 football is associated with significant risk for permanent brain injury.

23 120. Published peer reviewed scientific studies have shown that 28% of the NFL retirees studied,
24 suffered from depression, whereas the prevalence of depression in the general population is 9.5%.

26 //

27 //

1 121. Published peer reviewed scientific studies have shown that 36% of NFL retirees, age 65-75,
2 who were studied suffered from dementia, whereas the prevalence of dementia in the general population for
3 the same age group is merely 2.2-6.5%.

4 122. Published peer reviewed scientific studies have shown that retired players with three or more
5 reported concussions had a fivefold prevalence of mild cognitive impairment (MCI) and a threefold
6 prevalence of significant memory problems, compared to other retirees.
7

8 123. In a study of NFL retirees, 11.1% of all respondents reported having a diagnosis of clinical
9 depression.

10 124. NFL retirees experience earlier onset of Alzheimer's-like symptoms more frequently than
11 the general American male population in the same age range.
12

13 125. Repeated head trauma can also result in so-called "Second Impact Syndrome," in which re-
14 injury to a person who has already suffered a concussion triggers swelling that the skull cannot
15 accommodate as discovered in 1973.

16 **The NFL Was and Is in a Superior Position of Knowledge**
17 **and Authority and Owed a Duty to Players**

18 126. At all times, the NFL was and is in a position of superior knowledge as compared with all
19 former NFL players who are Plaintiffs with respect to the risks associated with repetitive traumatic head
20 impacts that involve sub-concussive and concussive injuries.
21

22 127. On information and belief, over the past two decades, the NFL and paid consultants
23 voluntarily and gratuitously consulted with independent physicians and neuro-cognitive specialists on the
24 issue of head trauma to NFL players, and the NFL has ignored and suppressed professional advice on such
25 diverse and important topics as: the recognition of the circumstances that can precipitate MTBI, the long-
26 term potential consequences of MTBI on NFL players, and solutions for players who have sustained
27 MTBI.
28

1 128. At all relevant times, the NFL held a long standing duty to protect its players and the public
2 at large to research, study, test, understand and address the risks of neurological injury—short term and
3 long term—related to playing football in the NFL. As such, the NFL owed a duty of reasonable care to
4 educate players about the risks associated with repetitive head trauma and/or concussions, of which the
5 NFL was aware and had been aware for many years. By gratuitously undertaking to study and publicly
6 report about MBTI in professional football, the NFL assumed a duty not to mislead players and the general
7 public about the risks of permanent neurological damage that can occur from MBTI incurred while playing
8 football.
9

10 129. Moreover, the NFL held a duty to protect its NFL players by providing truthful information
11 about the risks of play in light of the fact that at all relevant times, the NFL knew that the vast majority of
12 NFL players played under non-guaranteed contracts and, as such, would willingly (and unknowingly)
13 expose themselves to additional neurological injury and an increased risk of harm solely to maintain those
14 non-guaranteed contracts.
15

16 130. Once the NFL assumed a duty to reasonably study and understand the exposure to MTBI
17 and its long-term cognitive complications, it failed to act appropriately by covering-up, hiding, denying and
18 repressing all pertinent information. Instead of using this information for the safety of the players, the NFL
19 fraudulently covered up its knowledge of the dangers.
20

21 **The NFL's Knew the Dangers and Risks Associated with**
22 **Repetitive Head Impacts and Concussions**

23 131. For decades, the NFL has been aware that multiple blows to the head can lead to long-term
24 brain injury, including but not limited to memory loss, dementia, depression, and CTE and its related
25 symptoms.
26

27 132. In 1928, pathologist Harrison Martland described the clinical spectrum of abnormalities
28 found in "almost 50 percent of fighters [boxers] . . . if they ke[pt] at the game long enough" (the "Martland

1 study"). The article was published in the Journal of the American Medical Association. The Martland
2 study was the first to link sub-concussive blows and "mild concussions" to degenerative brain disease.

3 133. In 1937, the American Football Coaches Associates published a report warning that players
4 who suffer a concussion should be removed from sports demanding personal contact.

5 134. In 1948, the New York State Legislature created the Medical Advisory Board of the New
6 York Athletic Commission for the specific purpose of creating mandatory rules for professional boxing
7 designed to prevent or minimize the health risks to boxers. After a three year study, the Medical Advisory
8 Board recommended, among other things, (a) an accident survey committee to study ongoing accidents and
9 deaths in boxing rings; (b) two physicians at ring-side for every bout; (c) post-bout medical follow-up
10 exams; (d) a 30-day period of no activity following a knockout and a medical follow up for the boxer, all of
11 which was designed to avoid the development of "punch drunk syndrome," also known at the time as
12 "traumatic encephalopathy"; (e) a physician's prerogative to recommend that a boxer surrender temporarily
13 his boxing license if the physician notes that boxer suffers significant injury or knockout; and (f) a medical
14 investigation of boxers who suffer knockouts numerous times.
15

16 135. The recommendations were codified as rules of the New York State Athletic Commission.
17

18 136. In or about 1952, the Journal of the American Medical Association published a study of
19 encephalopathic changes in professional boxers.
20

21 137. That same year, an article published in the New England Journal of Medicine recommended
22 a three-strike rule for concussions in football (i.e., recommending that players cease to play football after
23 receiving their third concussion).
24

25 138. In the 1960's and 70's, the development of the protective face mask in football allowed the
26 helmeted head to be used as a battering ram. By 1975 the number of head and neck injuries from football
27 that resulted in permanent quadriplegias in Pennsylvania and New Jersey lead to the creation of the
28

1 National Football Head and Neck Registry, which was sponsored by the National Athletic Trainers
2 Association and the Sports Medicine Center at the University of Pennsylvania.

3 139. In 1973, a potentially fatal condition known as "Second Impact Syndrome"—in which re-
4 injury to the already-concussed brain triggers swelling that the skull cannot accommodate—was identified.
5 It did not receive this name until 1984. Upon information and belief, Second Impact Syndrome has
6 resulted in the deaths of at least forty football players.
7

8 140. Between 1952 and 1994, numerous studies were published in medical journals including the
9 Journal of the American Medical Association, Neurology, and the New England Journal of Medicine, and
10 Lancet warning of the dangers of single concussions, multiple concussions, and/or football-related head
11 trauma from multiple concussions. These studies collectively established that:
12

13 repetitive head trauma in contact sports, including boxing and football, has potential
14 dangerous long-term effects on brain function;

15 encephalopathy (dementia pugilistica) is caused in boxers by repeated sub-concussive and
16 concussive blows to the head;

17 acceleration and rapid deceleration of the head that results in brief loss of consciousness in
18 primates also results in a tearing of the axons (brain cells) within the brainstem;

19 mild head injury there is a relation between neurologic pathology and length of career in
20 athletes who play contact sports;

21 immediate retrograde memory issues occur following concussions;

22 mild head injury requires recovery time without risk of subjection to further injury;

23 head trauma is linked to dementia; and

24 a football player who suffers a concussion requires significant rest before being subjected to
25 further contact.

26 141. In the early 1980's, the Department of Neurosurgery at the University of Virginia published
27 studies on patients who sustained mild traumatic brain injury and observed long-term damage in the form
28 of unexpected cognitive impairment. The studies were published in neurological journals and treatises

1 within the United States. The results of the studies were reported in the Wall Street Journal and New York
2 Times.

3 142. In 1982, the University of Virginia and other institutions conducted studies on college
4 football teams that showed that football players who suffered mild traumatic brain injuries suffered
5 pathological short-term and long-term damage. With respect to concussions, the same studies showed that
6 a person who sustained one concussion was more likely to sustain a second, particularly if that person was
7 not properly treated and removed from activity so that the concussion symptoms were allowed to resolve.
8

9 143. The same studies showed that two or more concussions close in time could have serious
10 short-term and long-term consequences in both football players and other victims of brain trauma.
11

12 144. In 1986, Dr. Robert Cantu of the American College of Sports Medicine published
13 Concussion Grading Guidelines.

14 145. By 1991, three distinct medical professionals/entities, all independent from the NFL—Dr.
15 Robert Cantu of the American College of Sports Medicine, the American Academy of Neurology, and the
16 Colorado Medical Society—developed return-to-play criteria for football players suspected of having
17 sustained head injuries.
18

19 146. In 1999, the National Center for Catastrophic Sport Injury Research at the University of
20 North Carolina conducted a study involving eighteen thousand (18,000) collegiate and high school football
21 players. The research showed that once a player suffered one concussion, he was three times more likely to
22 sustain a second in the same season.

23 147. A 2000 study, which surveyed 1,090 former NFL players, found that more than sixty (60)
24 percent had suffered at least one concussion, and twenty-six (26) percent had suffered three (3) or more,
25 during their careers. Those who had sustained concussions reported more problems with memory,
26

1 concentration, speech impediments, headaches, and other neurological problems than those who had not
2 been concussed.

3 148. Also in 2000, a study presented at the American Academy of Neurology's 52nd Annual
4 Meeting and authored by Dr. Barry Jordan, Director of the Brain Injury Program at Burke Rehabilitation
5 Hospital in White Plains, New York, and Dr. Julian Bailes, surveyed 1,094 former NFL players between
6 the ages of 27 and 86 and found that: (a) more than 60% had suffered at least one concussion in their
7 careers with 26% of the players having three or more and 15% having five or more; (b) 51% had been
8 knocked unconscious more than once; (c) 73% of those injured said they were not required to sit on the
9 sidelines after their head trauma; (d) 49% of the former players had numbness or tingling; 28% had neck or
10 cervical spine arthritis; 31% had difficulty with memory; 16% were unable to dress themselves; 11% were
11 unable to feed themselves; and (8) eight suffered from Alzheimer's disease.
12

13
14 149. A 2001 report by Dr. Frederick Mueller that was published in the Journal of Athletic
15 Training reported that a football-related fatality has occurred every year from 1945 through 1999, except
16 for 1990. Head-related deaths accounted for 69% of football fatalities, cervical spinal injuries for 16.3%,
17 and other injuries for 14.7%. High school football produced the greatest number of football head-related
18 deaths. From 1984 through 1999, sixty-nine football head-related injuries resulted in permanent disability.
19

20 150. In 2004, a convention of neurological experts in Prague met with the aim of providing
21 recommendations for the improvement of safety and health of athletes who suffer concussive injuries in ice
22 hockey, rugby, football, and other sports based on the most up-to-date research. These experts
23 recommended that a player never be returned to play while symptomatic, and coined the phrase, "when in
24 doubt, sit them out."
25

26 //

27 //

1 151. This echoed similar medical protocol established at a Vienna conference in 2001. These two
2 conventions were attended by predominately American doctors who were experts and leaders in the
3 neurological field.

4 152. The University of North Carolina's Center for the Study of Retired Athletes published
5 survey-based papers in 2005 through 2007 that found a strong correlation between depression, dementia,
6 and other cognitive impairment in NFL players and the number of concussions those players had received.
7

8 153. An ESPN report stated in 2006, "[a]ll standard U.S. guidelines, such as those first set by the
9 American Academy of Neurology and the Colorado Medical Society, agree that athletes who lose
10 consciousness should never return to play in the same game."
11

12 154. Upon information and belief, in literally hundreds upon thousands of games and practices,
13 concussed players—including those knocked entirely unconscious—were returned to play in the same
14 game or practice.

15 155. Indeed, while the NFL knew for decades of the harmful effects of concussions on a player's
16 brain, it actively concealed these facts from coaches, trainers, players, and the public.
17

18 **The NFL Voluntarily Undertook the Responsibility of Studying Head Impacts In Football,**
19 **Yet Fraudulently Concealed Their Long-Term Effects**

20 156. As described above, the NFL has known for decades that multiple blows to the head can
21 lead to long-term brain injury, including, but not limited to, memory loss, dementia, depression, and CTE
22 and its related symptoms.

23 157. Rather than take immediate measures to protect its players from these known dangers,
24 between the 1960s and 1994, the NFL failed to react to information readily available to it which warranted
25 action to address this public health issue.

26 158. Then, in 1994, the NFL agreed to fund a voluntarily and gratuitously formulated committee
27 to study the issue of head injury in the NFL. Then NFL Commissioner Paul Tagliabue voluntarily and
28

1 unilaterally formed a committee to study the issue in 1994. This Committee, the Mild Traumatic Brain
2 Injury Committee (the "MTBI Committee"), voluntarily undertook the responsibility of studying the effects
3 of concussions on NFL players.

4 159. At that time, the current NFL Commissioner, Roger Goodell ("Goodell"), was the NFL's
5 Vice President and Chief Operating Officer.

6 160. With the MTBI Committee, the NFL voluntarily inserted itself into the private and public
7 discussion and research on an issue that goes to the core safety risk for players who participate at every
8 level of the game. Through its voluntary creation of the MTBI Committee, the NFL affirmatively assumed
9 its long-standing duty to use reasonable care in the study of concussions and post-concussion syndrome in
10 NFL players; the study of any kind of brain trauma relevant to the sport of football; the use of information
11 developed; and the publication of data and/or pronouncements from the MTBI Committee.
12

13 161. Rather than exercising reasonable care in these duties, the NFL immediately engaged in a
14 long-running course of fraudulent and negligent conduct, which included a campaign of disinformation
15 designed to (a) dispute accepted and valid neuroscience regarding the connection between repetitive
16 traumatic brain injuries and concussions and degenerative brain disease such as CTE; and (b) to create a
17 falsified body of research which the NFL could cite as proof that truthful and accepted neuroscience on the
18 subject was inconclusive and subject to doubt.
19

20 162. The NFL's response to the issue of brain injuries and degenerative brain disease in retired
21 NFL players caused by concussions and repetitive brain trauma received during their years as professional
22 football players has been, until very recently, a concerted effort of deception and denial. The NFL actively
23 tried to and did conceal the extent of the concussion and brain trauma problem, the risk to the Plaintiffs,
24 and the risks to anyone else who played football.
25

26 //
27
28

1 163. The MTBI Committee's stated goal was to present objective findings on the extent to which
2 a concussion problem existed in the League, and to outline solutions. Ironically, the MTBI Committee's
3 studies were supposed to be geared toward "improv[ing] player safety" and for the purpose of instituting
4 "rule changes aimed at reducing head injuries."

5
6 164. By 1994, when the NFL formed the MTBI Committee, independent scientists and
7 neurologists alike were already convinced that all concussions—even seemingly mild ones—were serious
8 injuries that can permanently damage the brain, impair thinking ability and memory, and hasten the onset
9 of mental decay and senility, especially when they are inflicted frequently and without time to properly
10 heal.

11
12 165. The MTBI Committee was publicized by the NFL as independent from the NFL, consisting
13 of a combination of doctors and researchers.

14 166. The MTBI Committee, however, was not independent. It consisted of at least five (5)
15 members who were already affiliated with the NFL.

16 167. Instead of naming a noted neurologist to chair the newly formed MTBI Committee, or at
17 least a physician with extensive training and experience treating head injuries, Commissioner Tagliabue
18 appointed Dr. Elliot Pellman, a rheumatologist who lacked any specialized training or education relating to
19 concussions, and who was a paid physician and trainer for the New York Jets.
20

21 168. Dr. Pellman had reportedly been fired by Major League Baseball for lying to Congress
22 regarding his resume.

23 169. Dr. Pellman would go on to chair the MTBI Committee from 1994-2007, and his leadership
24 of the Committee came under frequent and harsh outside criticism related to his deficient medical training,
25 background, and experience.
26

27 //
28

1 170. The fact that Dr. Pellman was a paid physician for an NFL Team was an obvious conflict of
2 interest. At no time was Dr. Pellman independent of the NFL, because he was paid on an ongoing basis by
3 an NFL Team.

4 171. The NFL failed to appoint any neuropathologist to the MTBI Committee.

5 172. From its inception in 1994, the MTBI Committee allegedly began conducting studies to
6 determine the effect of concussions on the long-term health of NFL players.
7

8 173. NFL Commissioner Roger Goodell confirmed this in June 2007 when he stated publicly that
9 the NFL had been studying the effects of traumatic brain injury for "close to 14 years"

10 174. Under Dr. Pellman, the MTBI Committee spearheaded a disinformation campaign.

11 175. Dr. Pellman and two other MTBI Committee members, Dr. Ira Casson, a neurologist, and
12 Dr. David Viano, a biomedical engineer, worked to discredit scientific studies that linked head impacts and
13 concussions received by NFL players to brain injuries.
14

15 176. The MTBI Committee did not publish its first findings on active players until 2003. In that
16 publication, the MTBI Committee stated, contrary to years of independent findings, that there were no long
17 term negative health consequences associated with concussions.
18

19 177. The MTBI Committee published its findings in a series of sixteen (16) papers between 2003
20 and 2009. According to the MTBI Committee, all of their findings supported a conclusion that there were
21 no long term negative health consequences associated with concussions or brain injuries. These findings
22 regularly contradicted the research and experiences of neurologists who treat sports concussions and the
23 players who endured them.
24

25 178. Completely contrary to public findings and conclusions, the NFL's team of hand-picked so-
26 called experts on the MTBI Committee did not find concussions to be of significant concern and felt it
27 appropriate for players suffering a concussion to continue playing football during the same game or
28

1 practice in which one was suffered. This recommendation and practice by the NFL, promoted by the MTBI
2 Committee, was irresponsible and dangerous.

3 179. The MTBI Committee's methodology and the conclusions reached in its research were
4 criticized by independent experts due to the numerous flaws in the study design, methodology, and
5 interpretation of the data, which led to conclusions at odds with over 80 years of science and medicine.
6

7 180. For example, in 2004 the MTBI Committee published a conclusion in which it claimed that
8 its research found no risk of repeated concussions in players with previous concussions and that there was
9 no "7- to 10- day window of increased susceptibility to sustaining another concussion."

10 181. In a comment to this publication, one independent doctor wrote that "[t]he article sends a
11 message that it is acceptable to return players while still symptomatic, which contradicts literature
12 published over the past twenty years suggesting that athletes be returned to play only after they are
13 asymptomatic, and in some cases for seven days."
14

15 182. As a further example, an MTBI Committee conclusion in 2005 stated that "[p]layers who are
16 concussed and return to the same game have fewer initial signs and symptoms than those removed from
17 play. Return to play does not involve a significant risk of a second injury either in the same game or during
18 the season." "These data suggest," the MTBI Committee reported, "that these players were at no increased
19 risk" of subsequent concussions or prolonged symptoms such as memory loss, headaches, and
20 disorientation.
21

22 183. Yet, a 2003 NCAA study of 2,905 college football players found just the opposite: "Those
23 who have suffered concussions are more susceptible to further head trauma for seven to 10 days after the
24 injury."
25

26 184. Support for this same conclusion was developed as early as 1982 in studies conducted at the
27 University of Virginia.
28

1 185. Dr. Pellman and his group stated repeatedly that the NFL study showed "no evidence of
2 worsening injury or chronic cumulative effects of multiple [MTBI] in NFL players."

3 186. The 2003 report by the Center for the Study of Retired Athletes at the University of North
4 Carolina, however, found a link between multiple concussions and depression among former professional
5 players with histories of concussions. A 2005 follow-up study by the Center showed a connection between
6 concussions and both brain impairment and Alzheimer's disease among retired NFL players.
7

8 187. Other contrary conclusions that the MTBI Committee published at the behest, urging, and
9 sponsorship of NFL over several years include, but are not limited to, the following:

10 Drs. Pellman and Viano stated that because a "significant percentage of players returned to
11 play in the same game [as they suffered a concussion] and the overwhelming majority of
12 players with concussions were kept out of football-related activities for less than 1 week, it
13 can be concluded that mild [TBIs] in professional football are not serious injuries";

14 that NFL players did not show a decline in brain function after a concussion;

15 that there were no ill effects among those who had three (3) or more concussions or who
16 took hits to the head that sidelined them for a week or more;

17 that "no NFL player experienced the second-impact syndrome or cumulative
18 encephalopathy from repeat concussions"; and

19 that NFL players' brains responded and healed faster than those of high school or college
20 athletes with the same injuries.

21 188. The MTBI Committee's papers and conclusions were against the weight of the scientific
22 evidence and based on biased data collection techniques. They received significant criticism in the
23 scientific and medical media from independent doctors and researchers and were met with skepticism in
24 peer review segments following each article's publication.

25 189. Renowned experts Dr. Robert Cantu and Dr. Julian Bailes wrote harshly critical reviews of
26 the studies' conclusions.

27 //

1 190. Dr. Cantu observed that the extremely small sample size and voluntary participation in the
2 NFL's study suggested there was bias in choosing the sample. According to Dr. Cantu, no conclusions
3 should be drawn from the NFL study.

4 191. A different scientist who reviewed the MTBI Committee's work further stated that the NFL
5 appeared to be primarily preparing a defense for when injured players eventually sued, and that it seemed
6 to be promoting a flawed scientific study to justify its conclusion that concussions do not have adverse
7 effects on players.
8

9 192. Dr. Kevin Guskiewicz has stated that the "data that hasn't shown up makes their work
10 questionable industry-funded research."
11

12 193. In and around 2009, The MTBI Committee's work was criticized in the popular press by
13 ESPN and the New York Times when repeated inconsistencies and irregularities in the MTBI Committee's
14 data were revealed.

15 194. An October 2006 ESPN article described how the MTBI Committee failed to include
16 hundreds of neuropsychological tests done on NFL players in the results of the Committee's studies on the
17 effects of concussions and was selective in its use of injury reports.
18

19 195. The results reported by Dr. Pellman and the MTBI Committee selectively excluded at least
20 850 baseline tests. In a paper published in Neurosurgery in December 2004, Dr. Pellman and the other
21 MTBI Committee members reported on the baseline data for 655 players and the results for 95 players who
22 had undergone both baseline testing and post-concussion testing. They concluded that NFL players did not
23 show a decline in brain function after suffering concussions. Their further analysis purportedly found no ill
24 effects among those who had three or more concussions or who took hits to the head that kept them out for
25 a week or more. The paper did not explain where the players in the study groups came from specifically or
26 why certain player data was included and that data from hundreds of other players was not.
27
28

1 196. The October 2006 ESPN article further revealed that Dr. Pellman had fired a
2 neuropsychologist for the New York Jets, Dr. William Barr, after Dr. Barr presented at a conference some
3 NCAA study findings that contradicted NFL practices.

4 197. As described in the following paragraphs, when faced with studies which implicated a
5 causal link between concussions and cognitive degeneration, the NFL, through the MTBI Committee,
6 continued to produce contrary findings which were false, distorted, and deceptive to NFL players,
7 participants in football nationwide, and the public at large.

9 198. Between 2002 and 2007, Dr. Bennet Omalu examined the brain tissue of deceased NFL
10 players, including Mike Webster, Terry Long, Andre Waters, and Justin Strzelczyk. Dr. Omalu concluded
11 that the players suffered from CTE.

13 199. All of these individuals suffered multiple concussions during their NFL careers. Later in
14 life, each exhibited symptoms of deteriorated cognitive functions, paranoia, panic attacks, and depression.

15 200. Some of Dr. Omalu's findings were published in Neurosurgery. Those findings included
16 that Webster's and Long's respective deaths were partially caused by CTE and were related to multiple
17 concussions suffered during their activity in the NFL.

19 201. In response to Dr. Omalu's articles, the MTBI Committee wrote a letter to the editor, Dr.
20 Michael Apuzzo who was an agent of the NFL, of Neurosurgery asking that Dr. Omalu's article be
21 retracted.

22 202. In an article published in Neurosurgery in 2007, Dr. Cantu reached a similar conclusion
23 regarding Andre Waters as Dr. Omalu had reached as to Webster and Long.

24 203. A 2003 study partially authored by Dr. Kevin Guskiewicz analyzed data from almost 2,500
25 retired NFL players and found that 263 of the retired players suffered from depression. The study found
26

1 that having three or four concussions meant twice the risk of depression as never-concussed players and
2 five or more concussions meant a nearly threefold risk.

3 204. The NFL's MTBI Committee attacked these studies.

4 205. In November 2003, Dr. Guskiewicz was scheduled to appear on HBO's "Inside the NFL" to
5 discuss his research. Dr. Pellman called Dr. Guskiewicz in advance and questioned whether it was in the
6 best interest of Dr. Guskiewicz to appear on the program. On the program, Dr. Pellman stated
7 unequivocally that he did not believe the results of the study led by Dr. Guskiewicz.
8

9 206. In 2005, Dr. Guskiewicz performed a clinical follow-up study, and found that retired players
10 who sustained three or more concussions in the NFL had a five-fold prevalence of mild cognitive
11 impairment in comparison to NFL retirees without a history of concussions. In doing this research, Dr.
12 Guskiewicz conducted a survey of over 2,550 former NFL athletes.
13

14 207. The MBTI Committee attacked and sought to undermine the study, issuing the following
15 excuse and delay tactic: "We want to apply scientific rigor to this issue to make sure that we're really
16 getting at the underlying cause of what's happening. . . . You cannot tell that from a survey."
17

18 208. In August 2007, the NFL, in keeping with its scheme of fraud and deceit, issued a
19 concussion pamphlet to players which stated:

20 Current research with professional athletes has not shown that having more than one
21 or two concussions leads to permanent problems if each injury is managed properly.
22 It is important to understand that there is no magic number for how many
23 concussions is too many. Research is currently underway to determine if there are
24 any long-term effects of concussion[s] in NFL athletes.

25 209. In a statement made around the time that the concussion pamphlet was released, NFL
26 Commissioner Roger Goodell said, "We want to make sure all NFL players . . . are fully informed and take
27 advantage of the most up to date information and resources as we continue to study the long-term impact
28 on concussions." The NFL decided that the "most up to date information" did not include the various

1 independent studies indicating a causal link between multiple concussions and cognitive decline in later
2 life.

3 210. Goodell also stated, "[b]ecause of the unique and complex nature of the brain, our goal is to
4 continue to have concussions managed conservatively by outstanding medical personnel in a way that
5 clearly emphasizes player safety over competitive concerns."
6

7 211. The Plaintiffs relied to their detriment on the NFL's disinformation, all of which was
8 contrary to the findings of the independent scientists who had studied the issue, including Drs. Guskiewicz,
9 Cantu, Omalu, and Bailes, regarding the causal link between multiple head injuries and concussions and
10 cognitive decline.

11 212. Facing increasing media scrutiny over the MTBI Committee's questionable studies, Dr.
12 Pellman eventually resigned as the head of the Committee in February 2007. He was replaced as head by
13 Dr. Ira Casson and Dr. David Viano, but remained a member of the Committee.
14

15 213. Dr. Guskiewicz, research director of the University of North Carolina's Center for the Study
16 of Retired Athletes, said at the time that Dr. Pellman was "the wrong person to chair the committee from a
17 scientific perspective and the right person from the league's perspective."
18

19 214. Regarding Dr. Pellman's work, Dr. Guskiewicz stated, "[w]e found this at the high school
20 level, the college level and the professional level, that once you had a concussion or two you are at
21 increased risk for future concussions," but "[Dr. Pellman] continued to say on the record that's not what
22 they find and there's no truth to it."

23 215. Drs. Casson and Viano continued to dismiss outside studies and overwhelming evidence
24 linking dementia and other cognitive decline to brain injuries. In 2007, in a televised interview on HBO's
25 Real Sports, Dr. Casson definitively and unequivocally stated that there was no link between concussions
26 and depression, dementia, Alzheimer's disease, or "anything like [that] whatsoever." 215. In June
27
28

1 2007, the NFL convened a concussion summit for team doctors and trainers. Independent scientists,
2 including Drs. Cantu, and Guskiewicz, presented their research to the NFL.

3 216. Dr. Julian Bailes, a neurosurgeon from West Virginia University, briefed the MTBI
4 Committee on the findings of Dr. Omalu and other independent studies linking multiple NFL head injuries
5 with cognitive decline. Dr. Bailes recalled that the MTBI's Committee's reaction to his presentation was
6 adversarial: "The Committee got mad . . . we got into it. And I'm thinking, 'This is a . . . disease in
7 America's most popular sport and how are its leaders responding? Alienate the scientist who found it?
8 Refuse to accept the science coming from him?'"

9
10 217. At the summit, Dr. Casson told team doctors and trainers that CTE has never been
11 scientifically documented in football players.

12
13 218. After reviewing five years of data of on-field concussions, the NFL concluded that there was
14 no evidence for an increase in secondary brain injuries after a concussion.

15 219. In 2008, Boston University's Dr. Ann McKee found CTE in the brains of two more
16 deceased NFL players, John Grimsley and Tom McHale. Dr. McKee stated, "the easiest way to decrease
17 the incidence of CTE [in contact sport athletes] is to decrease the number of concussions." Dr. McKee
18 further noted that "[t]here is overwhelming evidence that [CTE] is the result of repeated sublethal brain
19 trauma."
20

21 220. A MTBI Committee representative characterized each study as an "isolated incident" from
22 which no conclusion could be drawn, and said he would wait to comment further until Dr. McKee's
23 research was published in a peer-reviewed journal. When Dr. McKee's research was published in 2009,
24 Dr. Casson asserted that "there is not enough valid, reliable or objective scientific evidence at present to
25 determine whether . . . repeat head impacts in professional football result in long[-]term brain damage."
26

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1 221. In 2008, under increasing pressure, the NFL commissioned the University of Michigan's
2 Institute for Social Research to conduct a study on the health of retired players. Over 1,000 former NFL
3 players took part in the study. The results of the study, released in 2009, reported that "Alzheimer's disease
4 or similar memory-related diseases appear to have been diagnosed in the league's former players vastly
5 more often than in the national population---including a rate of 19 times the normal rate for men ages 30
6 through 49."

8 222. The NFL, who commissioned the study, responded to these results by claiming that the
9 study was incomplete, and that further findings would be needed. NFL spokesperson Greg Aiello stated
10 that the study was subject to shortcomings and did not formally diagnose dementia. Dr. Casson implied
11 that the Michigan study was inconclusive and stated that further work was required. Other experts in the
12 field found the NFL's reaction to be "bizarre," noting that "they paid for the study, yet they tried to distance
13 themselves from it."

15 223. On February 1, 2010, Dr. Omalu spoke before members of the House Judiciary Committee
16 at a forum in Houston, Texas, with regard to "Head and Other Injuries in Youth, High School, College, and
17 Professional Football." In his testimony, Dr. Omalu stated that (a) the medical community has known
18 about concussions and the effects of concussions in football for over a century; (b) that every blow to the
19 head is dangerous; and (c) that repeated concussions and traumatic brain injury have the capacity to cause
20 permanent brain damage.

22 **The Congressional Inquiry and**
23 **The NFL's Acknowledgement of the Concussion Crisis**

24 224. Shortly after the results of the Michigan study were released, Representative John Conyers,
25 Jr., Chairman of the House Judiciary Committee, called for hearings on the impact of head injuries
26 sustained by NFL players.

225. Drs. Cantu and McKee testified before the House of Representatives, Committee on the Judiciary, to discuss the long term impact of football-related head injuries.

226. At the first hearing in October 2009, NFL Commissioner Roger Goodell acknowledged that the NFL owes a duty to the public at large to educate them as to the risks of concussions due to the League's unique position of influence: "In addition to our millions of fans, more than three million youngsters aged 6-14 play tackle football each year; more than one million high school players also do so and nearly seventy five thousand collegiate players as well. We must act in their best interests even if these young men never play professional football."

227. When Representative Sanchez questioned Goodell about the limited nature of the NFL's purported studies on repetitive traumatic brain injuries and concussions, the conflicts of interest of those directing the studies, and the potential for bias, Goodell evaded answering the questions.

228. Also at the October hearing, NFL Players' Association ("NFLPA") Executive Director DeMaurice Smith stated, "[T]here have been studies over the last decade highlighting [connection between on-field injury and post career mental illness]. Unfortunately, the N.F.L. has diminished those studies, urged the suppression of the findings and for years, moved slowly in an area where speed should have been the impetus."

229. After the Congressional hearings, the NFLPA called for the removal of Dr. Casson as MTBI Committee co-chair, and stated, "Our view is that he's a polarizing figure on this issue, and the players certainly don't feel like he can be an impartial party on this subject."

230. Dr. Casson gave testimony at these hearings, and continued to deny the validity of other non-NFL studies, stating that "[t]here is not enough valid, reliable or objective scientific evidence at present to determine whether or not repeat head impacts in professional football result in long term brain damage."

1 231. Shortly after the 2009 congressional hearings, however, the NFL announced that it would
2 impose its most stringent rules to date on managing concussions, requiring players who exhibit any
3 significant sign of concussion to be removed from a game or practice and be barred from returning the
4 same day.

5 232. On December 17, 2009, Cincinnati Bengals wide receiver Chris Henry, 26, who played in
6 the NFL from 2004 to 2009, died after falling from the back of a truck. Drs. Omalu and Bailes performed a
7 postmortem study on Chris Henry's brain and diagnosed him with CTE.
8

9 233. The NFL's belated change of policy contradicted past recommendations by its MTBI
10 Committee which had recommended as safe the League's practice of returning players to games or
11 practices after suffering a concussion. In fact, the MTBI Committee had published a paper in 2005 that
12 stated "[p]layers who are concussed and return to the same game have fewer initial signs and symptoms
13 than those removed from play. Return to play does not involve a significant risk of a second injury either
14 in the same game or during the season."
15

16 234. In January 2010, the House Judiciary Committee held further hearings on football player
17 head injuries. Representative Conyers observed that "until recently, the NFL had minimized and disputed
18 evidence linking head injuries to mental impairment in the future."
19

20 235. Representative Linda Sanchez commented that "[i]t seems to me that the N.F.L. has literally
21 been dragging its feet on this issue until the past few years. Why did it take 15 years?"

22 236. In 2010, the NFL re-named the MTBI Committee the "Head, Neck, and Spine Medical
23 Committee" (the "Medical Committee") and announced that Dr. Pellman would no longer be a member of
24 the panel. Drs. H. Hunt Batjer and Richard G. Ellenbogen were selected to replace Drs. Casson and Viano.
25 The two new co-chairmen selected Dr. Mitchel S. Berger to serve on the new Medical Committee.
26

27 //
28

1 237. Under its new leadership, the Committee admitted that data collected by the NFL's formerly
2 appointed brain-injury leadership was "infected," and said that their Committee should be assembled anew.
3 The Medical Committee formally requested that Dr. Pellman not speak at one of its initial conferences.

4 238. During a May 2010 Congressional hearing, a Congressman made it plain to Drs. Batjer and
5 Ellenbogen that the NFL: "[had] years of an infected system here, and your job is . . . to mop [it] up."

6
7 239. Shortly after the May 2010 hearing, Dr. Batjer was quoted as admitting, "[w]e all had issues
8 with some of the methodologies described, the inherent conflict of interest that was there in many areas,
9 that was not acceptable by any modern standards or not acceptable to us. I wouldn't put up with that, our
10 universities wouldn't put up with that, and we don't want our professional reputations damaged by conflicts
11 that were put upon us."

12 The NFL's New Committee

13
14 240. In October 2011, Dr. Mitchel Berger of the NFL's Head, Neck, and Spine Medical
15 Committee announced that a new study was in the planning process. He admitted that the MTBI
16 Committee's previous long-range study was useless because "[t]here was no science in that." Dr. Berger
17 further stated that data from the previous study would not be used. "We're really moving on from that data.
18 There's really nothing we can do with that data in terms of how it was collected and assessed."

19
20 241. On October 23, 2011, San Diego Charger Kris Dielman suffered a concussion early in a
21 game and could be seen staggering back to the huddle. Despite the obvious brain injury, Mr. Dielman was
22 neither evaluated by a doctor nor held out for even one play. He suffered grand mal seizures on the team's
23 plane ride home.

24
25 242. Ten days later, in November 2011, the NFL's injury and safety panel issued a directive
26 telling its game officials to watch closely for concussion symptoms in players.

27 //
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21/01/12
243. Why in 1994 (and far earlier) the NFL (and its MTBI Committee) failed to change policies, share accurate information, impose strict fines and give adequate warnings is difficult to comprehend in light of the fact that the NFL has known for decades that multiple blows to the head can lead to long-term brain injury, including memory loss, dementia, depression, and CTE and its related symptoms. Instead, the NFL misled players, coaches, trainers, and the public, and actively spread disinformation.

244. It took decades for the NFL to admit that there was a problem and sixteen years to admit that its information was false and inaccurate. The NFL's conduct in this regard is willful and wanton and exhibits a reckless disregard for the safety of its players and the public at large. At a minimum, the NFL acted with callous indifference to the duty to the Plaintiffs and players at every level of the game.

245. As a direct result of the fraudulent concealment and misrepresentations of the NFL, former players have for many decades been led to believe that the symptoms of early-onset dementia, loss of memory, headaches, confusion, and the inability to function were not caused by events occurring while they played in the NFL. And, as a result of this willful and malicious conduct, these former players have been deprived of medical treatment, incurred expenses, lost employment, suffered humiliation and other damages to be specified.

ALLEGATIONS AGAINST RIDDELL

246. Riddell has operated through designing, developing, manufacturing, selling and distributing football equipment, including helmets, in one form or another, since 1922.

247. As early as the 1930's, players began using helmets during football games. These early helmets were constructed from pieces of cobbled leather.

248. In the early 1940's, John T. Riddell, who later formed John T. Riddell Incorporated, invented the first plastic suspension helmet. In 1949, plastic helmets became legalized.

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1 249. Throughout the latter half of the 20th century and continuing to present day, Riddell has
2 designed, developed, manufactured, sold, and distributed equipment used in the NFL, including equipment
3 used by Plaintiffs, including, but not limited to, the following:

- 4 (a) In the 1950's, Riddell manufactured a face-mask component for its helmets, which
5 was eventually patented.
- 6 (b) In 1962, Riddell used a "U" shaped nose protector with a shell (known as the TK2)
7 molded out of polycarbonate. Riddell also designed an open/closed cell foam and
8 composite liner system for this model to increase the efficiency of the webbed
9 suspension.
- 10 (c) In 1963, Riddell developed the TAK-29 helmet, which was the first to use air
11 inflation for fitting the helmet snug to the head. The TAK-29 shell, like the TK2,
12 displayed the protective polycarbonate plastic, in addition to including tough shock
13 and cut-resistant face-mask attachment straps.
- 14 (d) In 1969, recognizing that head protection was a key factor in helmet design requiring
15 durable head protection, Riddell constructed a micro-fit helmet model with injection
16 molding technology to create a one-piece shell to improve the structural integrity of
17 the entire helmet.
- 18 (e) In 1973, Riddell developed, designed, manufactured, sold, and/or distributed an air
19 cushion helmet whose interior system consisted of individual vinyl air cushions with
20 layers of fitting and energy absorbing foam. When a blow was struck, the air in the
21 cushion was expelled through a single vent, greatly reducing the initial impact. With
22 the exhausting of the air cushion, the compressed fitting foam was further
23 compressed, reducing impact.

- 1 (f) In 1977, Riddell developed, designed, manufactured, sold, and/or distributed a
2 stainless steel face-mask which offered greater bend resistance that prevented helmet
3 breakage at the drill holes.
- 4 (g) In 1981, Riddell developed, designed, manufactured, sold, and/or distributed an Air
5 Cushion Engineered helmet.
- 6 (h) In 1982, Riddell developed, designed, manufactured, sold, and/or distributed a M155
7 helmet model with a combination of foam and liquid-filled cells used for padding.
8 On impact, the liquid would be throttled from one cell to the next, resulting in energy
9 attenuation. The M155 helmet model included one-piece injection-molded face-
10 masks which were mar and rust-resistant, in addition to polyurethane face mask
11 straps and universal jaw pads.
- 12 (i) In 2002, Riddell developed, designed, manufactured, sold, and/or distributed the
13 Riddell Revolution helmet designed with the intent of reducing the risk of
14 concussion.
- 15 (j) In 2003, Riddell developed, designed, manufactured, sold, and/or distributed a real-
16 time, Head Impact Telemetry System (HITS) to monitor and record significant
17 incidences of head impact sustained during a football game or practice. The system
18 measured the location, magnitude, duration, and direction of head acceleration and
19 transmitted that information wirelessly to the sideline.
- 20 (k) In 2006, Riddell provided a research grant to the University of Pittsburgh Medical
21 Center for head injury research. The study compared rates of high school athletes
22 who wore the Riddell Revolution helmet with those who wore traditional helmets.
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1 (l) In 2007, Riddell developed, designed, manufactured, sold, and/or distributed an
2 individual helmet system, Revolution IQ Hits™, allowing players to monitor the
3 number and severity of impacts received during games and practices. On-board
4 electronics record every impact, allowing players to upload and evaluate each
5 occurrence on their home computers.

6 (m) In 2001, Riddell developed, designed, manufactured, sold, and/or distributed the 360
7 helmet which uses energy-managing materials and a face mask attachment system to
8 disperse the energy of frontal impacts. According to Riddell, it developed this
9 helmet using over 1.4 million impacts collected through Riddell's HITS technology.
10

11 250. Riddell is currently the official helmet of the NFL. As the official helmet for the NFL,
12 Riddell is the only helmet manufacturer allowed to display its logo on helmets wore by players during NFL
13 games. Upon information and belief, Plaintiffs wore Riddell helmets at times while playing and/or
14 practicing during their NFL careers.
15

16 251. Riddell at all times herein mentioned engaged in the business of selling, manufacturing,
17 designing, testing, engineering, marketing, modifying, assembling, inspecting, distributing, and controlling
18 the helmets and other similar equipment for use by Plaintiffs and within the NFL.
19

20 252. Plaintiffs did not know the long-term effects of concussions and relied on the NFL and
21 Riddell to protect them.

22 **RIDDELL'S DUTY TO**
23 **PROTECT AGAINST THE LONG-TERM RISK OF CONCUSSIONS**

24 253. Despite years of science and medicine linking the risk of long term brain injury from repeat
25 concussions, it was not until the release of the Revolution Helmet wherein a notification reminding players
26 to "sit out" if they suffer a concussion was placed on the Revolution helmet.
27

1 254. Around the same time, Riddell developed the HITS system to monitor the severity and
2 incident of impacts that a player receives.

3 255. Based on a 2003 University of Pittsburgh Medical Center study funded by a grant from
4 Riddell, the defendants began to market the Revolution helmet as reducing concussions by 31%.

5 256. However, both the HITS system and Revolution helmet both created by Riddell and its
6 employees have been criticized by experts for their inaccurate marketing as being safer in reducing the risk
7 of concussion.
8

9 257. A study published in the Journal of Neurosurgery showed that the study by UPMC was
10 flawed in that it discounted low impact hits and in turn proved that the Revolution did not reduce the risk
11 of concussions.
12

13 258. Even to this day Riddell's helmets do not acknowledge a link between repeat concussions
14 and later life cognitive problems.

15 259. In fact, Riddell has never warned any Plaintiff or retired player of the long-term health
16 effects of concussions.
17

18 **LEDDURE RASHAD and VERONICA BAUMAN**

19 260. Plaintiff Leddure Rashad Bauman was born on May 7, 1979. He is married to Veronica and
20 they currently reside in Portland, Oregon.

21 261. Plaintiff Leddure Rashad Bauman played Cornerback for the Washington Redskins from
22 2002 to 2004 and the Cincinnati Bengals from 2005 to 2007.

23 262. Plaintiff Leddure Rashad Bauman suffered multiple concussions that were improperly
24 diagnosed and improperly treated throughout his career as a professional football player in the NFL.
25

26 263. Plaintiff Leddure Rashad Bauman was not warned by the NFL, NFL Properties, Inc., or
27 Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-
28

1 mandated equipment did not protect him from such injury. This was a substantial factor in causing his
2 current injury.

3 264. Plaintiff Leddure Rashad Bauman suffers from multiple past traumatic brain injuries with
4 various symptoms including, but not limited to, memory loss, headaches, depression, and sleep problems.

5
6 **JOHN W. and PATRICA BEASLEY**

7 265. Plaintiff John W. Beasley was born on April 6, 1945. He is married to Patricia and they
8 currently reside in Pine River, Wisconsin.

9 266. Plaintiff John W. Beasley played Tight End for the Minnesota Vikings from 1967 to 1973
10 and the New Orleans Saints from 1973 to 1974.

11 267. Plaintiff John W. Beasley suffered multiple concussions that were improperly diagnosed and
12 improperly treated throughout his career as a professional football player in the NFL.

13 268. Plaintiff John W. Beasley was not warned by the NFL, NFL Properties, Inc., or Riddell
14 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
15 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

16 269. Plaintiff John W. Beasley suffers from multiple past traumatic brain injuries with various
17 symptoms including, but not limited to, memory loss, headaches, and depression.

18
19
20 **JEFF BLACKSHEAR**

21 270. Plaintiff Jeff Blackshear was born on March 29, 1969. He currently resides in Owings
22 Mills, Maryland.

23 271. Plaintiff Jeff Blackshear played Offensive Guard for the Seattle Seahawks from 1993 to
24 1995, the Baltimore Ravens from 1996 to 1999, the Kansas City Chiefs from 2000 to 2001 and the Green
25 Bay Packers from 2002 to 2003.

26
27 //
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1 272. Plaintiff Jeff Blackshear suffered multiple concussions that were improperly diagnosed and
2 improperly treated throughout his career as a professional football player in the NFL.

3 273. Plaintiff Jeff Blackshear was not warned by the NFL, NFL Properties, Inc., or Riddell
4 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
5 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
6

7 274. Plaintiff Jeff Blackshear suffers from multiple past traumatic brain injuries with various
8 symptoms including, but not limited to, memory loss and headaches.

9 **CARLTON BREWSTER**

10 275. Plaintiff Carlton Brewster was born on February 12, 1983. He currently resides in Grand
11 Rapids, Michigan.

12 276. Plaintiff Carlton Brewster played Wide Receiver for the Cleveland Browns in 2005, the
13 Green Bay Packers in 2006, the Denver Broncos and the San Diego Chargers in 2007, and the New Orleans
14 Saints in 2008.

15 277. Plaintiff Carlton Brewster suffered multiple concussions that were improperly diagnosed
16 and improperly treated throughout his career as a professional football player in the NFL.
17

18 278. Plaintiff Carlton Brewster was not warned by the NFL, NFL Properties, Inc., or Riddell
19 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
20 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
21

22 279. Plaintiff Carlton Brewster suffers from multiple past traumatic brain injuries with various
23 symptoms including, but not limited to, memory loss and headaches.
24

25 **JOSEPH CAMPBELL**

26 280. Plaintiff Joseph Campbell was born on December 28, 1966. He currently resides in Tempe,
27 Arizona.
28

1 281. Plaintiff Joseph Campbell played Offensive Lineman and Defensive End for the San Diego
2 Chargers from 1988 to 1989 and the Oakland Raiders in 1990.

3 282. Plaintiff Joseph Campbell suffered multiple concussions that were improperly diagnosed
4 and improperly treated throughout his career as a professional football player in the NFL.

5 283. Plaintiff Joseph Campbell was not warned by the NFL, NFL Properties, Inc., or Riddell
6 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
7 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

8 284. Plaintiff Joseph Campbell suffers from multiple past traumatic brain injuries with various
9 symptoms.
10

11 **FRED H. COOK III**

12 285. Plaintiff Fred H. Cook III was born on April 15, 1952. He currently resides in Pascagoula,
13 Mississippi.
14

15 286. Plaintiff Fred H. Cook III played Defensive End for the Baltimore Colts from 1974 to 1980,
16 the Washington Redskins in 1981, and the San Diego Chargers in 1982.

17 287. Plaintiff Fred H. Cook III suffered multiple concussions that were improperly diagnosed and
18 improperly treated throughout his career as a professional football player in the NFL.
19

20 288. Plaintiff Fred H. Cook III was not warned by the NFL, NFL Properties, Inc., or Riddell
21 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
22 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

23 289. Plaintiff Fred H. Cook III suffers from multiple past traumatic brain injuries with various
24 symptoms including, but not limited to, memory loss.
25

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27 //

COREY V. CROOM

290. Plaintiff Corey V. Croom was born on May 22, 1971. He currently resides in Sandusky, Ohio.

291. Plaintiff Corey V. Croom played Running Back for the New England Patriots from 1993 to 1996.

292. Plaintiff Corey V. Croom suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

293. Plaintiff Corey V. Croom was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

294. Plaintiff Corey V. Croom suffers from multiple past traumatic brain injuries with various symptoms including, but not limited to, memory loss and headaches.

PATRICK "RICK" and DEBBIE CUNNINGHAM

295. Plaintiff Patrick "Rick" Cunningham was born on January 4, 1967. He is married to Debbie and they currently reside in Chandler, Arizona.

296. Plaintiff Patrick "Rick" Cunningham played Offensive Lineman for the Indianapolis Colts from 1990 to 1991, the Arizona Cardinals from 1992 to 1994, the Minnesota Vikings in 1995, and the Oakland Raiders from 1996 to 1999.

297. Plaintiff Patrick "Rick" Cunningham suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

298. Plaintiff Patrick "Rick" Cunningham was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-

1 mandated equipment did not protect him from such injury. This was a substantial factor in causing his
2 current injury.

3 299. Plaintiff Patrick "Rick" Cunningham suffers from multiple past traumatic brain injuries with
4 various symptoms including, but not limited to, memory loss, headaches, and dizziness.

5
6 **TIMOTHY DANIEL**

7 300. Plaintiff Timothy Daniel was born on September 14, 1969. He currently resides in Atlanta,
8 Georgia.

9 301. Plaintiff Timothy Daniel played Wide Receiver for the Dallas Cowboys from 1992 to 1994.

10 302. Plaintiff Timothy Daniel suffered multiple concussions that were improperly diagnosed and
11 improperly treated throughout his career as a professional football player in the NFL.

12 303. Plaintiff Timothy Daniel was not warned by the NFL, NFL Properties, Inc., or Riddell
13 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
14 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

15 304. Plaintiff Timothy Daniel suffers from multiple past traumatic brain injuries with various
16 symptoms.

17
18 **ENNIS R. DAVIS II**

19 305. Plaintiff Ennis R. Davis II was born on December 2, 1977. He currently resides in Los
20 Angeles, California.

21 306. Plaintiff Ennis R. Davis II played Defensive Tackle for the New Orleans Saints in 2001, and
22 the San Francisco 49ers in 2001 to 2002.

23 307. Plaintiff Ennis R. Davis II suffered multiple concussions that were improperly diagnosed
24 and improperly treated throughout his career as a professional football player in the NFL.

1 308. Plaintiff Ennis R. Davis II was not warned by the NFL, NFL Properties, Inc., or Riddell
2 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
3 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

4 309. Plaintiff Ennis R. Davis II suffers from multiple past traumatic brain injuries with various
5 symptoms including, but not limited to, short term memory loss.
6

7 **MICHAEL and GWENDOLYN DAVIS**

8 310. Plaintiff Michael Davis was born on January 5, 1968. He is married to Gwendolyn and they
9 currently reside in Pottstown, Pennsylvania.

10 311. Plaintiff Michael Davis played Linebacker for the San Diego Chargers in 1990.

11 312. Plaintiff Michael Davis suffered multiple concussions that were improperly diagnosed and
12 improperly treated throughout his career as a professional football player in the NFL.
13

14 313. Plaintiff Michael Davis was not warned by the NFL, NFL Properties, Inc., or Riddell
15 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
16 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

17 314. Plaintiff Michael Davis suffers from multiple past traumatic brain injuries with various
18 symptoms including, but not limited to, memory loss and headaches.
19

20 **KEVIN DEVINE**

21 315. Plaintiff Kevin Devine was born on December 11, 1974. He currently resides in West
22 Covina, California.

23 316. Plaintiff Kevin Devine played Cornerback for the Jacksonville Jaguars from 1997 to 1999.

24 317. Plaintiff Kevin Devine suffered multiple concussions that were improperly diagnosed and
25 improperly treated throughout his career as a professional football player in the NFL.
26

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1 318. Plaintiff Kevin Devine was not warned by the NFL, NFL Properties, Inc., or Riddell
2 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
3 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

4 319. Plaintiff Kevin Devine suffers from multiple past traumatic brain injuries with various
5 symptoms including, but not limited to, headaches, memory loss, dizziness and vision problems.
6

7 **ARNOLD and OLGA FIELDS**

8 320. Plaintiff Arnold Fields was born on February 21, 1964. He is married to Olga and they
9 currently reside in Etiwanda, California.

10 321. Plaintiff Arnold Fields played Running Back and Special Teams for the Pittsburgh Steelers
11 in 1986.

12 322. Plaintiff Arnold Fields suffered multiple concussions that were improperly diagnosed and
13 improperly treated throughout his career as a professional football player in the NFL.
14

15 323. Plaintiff Arnold Fields was not warned by the NFL, NFL Properties, Inc., or Riddell
16 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
17 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
18

19 324. Plaintiff Arnold Fields suffers from multiple past traumatic brain injuries with various
20 symptoms including, but not limited to, memory loss and headaches.

21 **ROGER L. and LAURIE FINNIE**

22 325. Plaintiff Roger L. Finnie was born on November 6, 1945. He is married to Laurie and they
23 currently reside in Miami, Florida.

24 326. Plaintiff Roger L. Finnie played Defensive End for the New York Jets from 1969 to 1972,
25 the St. Louis Rams from 1972 to 1978, and the New Orleans Saints in 1979.
26

27 //

1 327. Plaintiff Roger L. Finnie suffered multiple concussions that were improperly diagnosed and
2 improperly treated throughout his career as a professional football player in the NFL.

3 328. Plaintiff Roger L. Finnie was not warned by the NFL, NFL Properties, Inc., or Riddell
4 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
5 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
6

7 329. Plaintiff Roger L. Finnie suffers from multiple past traumatic brain injuries with various
8 symptoms.

9 **DARRELL FORD**

10 330. Plaintiff Darrell Ford was born on June 22, 1966. He currently resides in New London,
11 Connecticut.

12
13 331. Plaintiff Darrell Ford played Linebacker for the Detroit Lions in 1992 and 1993, the
14 Pittsburgh Steelers in 1992, and the Atlanta Falcons in 1994.

15 332. Plaintiff Darrell Ford suffered multiple concussions that were improperly diagnosed and
16 improperly treated throughout his career as a professional football player in the NFL.

17 333. Plaintiff Darrell Ford was not warned by the NFL, NFL Properties, Inc., or Riddell
18 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
19 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
20

21 334. Plaintiff Darrell Ford suffers from multiple past traumatic brain injuries with various
22 symptoms including, but not limited to, memory loss and headaches.

23 **LARRY FOSTER**

24 335. Plaintiff Larry Foster was born on November 7, 1976. He currently resides in Denham
25 Springs, Louisiana.
26

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28

1 336. Plaintiff Larry Foster played Wide Receiver and Special Teams for the Detroit Lions from
2 2000 to 2003 and the Arizona Cardinals from 2003 to 2004.

3 337. Plaintiff Larry Foster suffered multiple concussions that were improperly diagnosed and
4 improperly treated throughout his career as a professional football player in the NFL.

5 338. Plaintiff Larry Foster was not warned by the NFL, NFL Properties, Inc., or Riddell
6 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
7 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
8

9 339. Plaintiff Larry Foster suffers from multiple past traumatic brain injuries with various
10 symptoms including, but not limited to, headaches and memory loss.
11

12 **DONALD FRANK**

13 340. Plaintiff Donald Frank was born on October 24, 1965. He currently resides in Cary, North
14 Carolina.

15 341. Plaintiff Donald Frank played Defensive Back for the San Diego Chargers from 1990 to
16 1994, the Los Angeles Raiders in 1994, and the Minnesota Vikings in 1995.

17 342. Plaintiff Donald Frank suffered multiple concussions that were improperly diagnosed and
18 improperly treated throughout his career as a professional football player in the NFL.
19

20 343. Plaintiff Donald Frank was not warned by the NFL, NFL Properties, Inc., or Riddell
21 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
22 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
23

24 344. Plaintiff Donald Frank suffers from multiple past traumatic brain injuries with various
25 symptoms including, but not limited to, short term memory loss, headaches, and sleep problems.
26

27 //

28 //

DAVID and JENNIFER GIBSON

345. Plaintiff David Gibson was born on November 5, 1977. He is married to Jennifer and they currently reside in Tampa, Florida.

346. Plaintiff David Gibson played Safety for the Tampa Bay Buccaneers from 2000 to 2003, the Indianapolis Colts in from October, 2002 to August, 2003, and the Cleveland Browns in 2004.

347. Plaintiff David Gibson suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

348. Plaintiff David Gibson was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

349. Plaintiff David Gibson suffers from multiple past traumatic brain injuries with various symptoms including, but not limited to, memory loss, headaches, and loss of balance.

ISAAC HAGINS

350. Plaintiff Isaac Hagins was born on March 2, 1954. He currently resides in Tampa, Florida.

351. Plaintiff Isaac Hagins played Wide Receiver for the Tampa Bay Buccaneers from 1976 to 1980.

352. Plaintiff Isaac Hagins suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

353. Plaintiff Isaac Hagins was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

354. Plaintiff Isaac Hagins suffers from multiple past traumatic brain injuries with various symptoms including, but not limited to, memory loss, headaches, and dizziness.

OTHELLO HENDERSON, III

355. Plaintiff Othello Henderson, III was born on August 23, 1972. He currently resides in Cedar Park, Texas.

356. Plaintiff Othello Henderson, III played Safety for the New Orleans Saints from 1993 to 1995, the Jacksonville Jaguars from 1995 to 1996, and the Green Bay Packers in 1996.

357. Plaintiff Othello Henderson III suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

358. Plaintiff Othello Henderson III was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

359. Plaintiff Othello Henderson III suffers from multiple past traumatic brain injuries with various symptoms.

NATHANIEL "NATE" and AMBER HENSLEY

360. Plaintiff Nathaniel "Nate" Hensley was born on May 15, 1974. He is married to Amber and they currently reside in Frisco, Texas.

361. Plaintiff Nathaniel "Nate" Hensley played Linebacker for the Dallas Cowboys from 1997 to 1999, the Miami Dolphins from 2000 to 2001, and the Carolina Panthers in 2001.

362. Plaintiff Nathaniel "Nate" Hensley suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

363. Plaintiff Nathaniel "Nate" Hensley was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

1 364. Plaintiff Nathaniel "Nate" Hensley suffers from multiple past traumatic brain injuries with
2 various symptoms including, but not limited to, short term memory loss, headaches, anxiety, and sleep
3 problems.

4 **KENNETH and ANTOINETTE HEROCK**

5 365. Plaintiff Kenneth Herock was born on July 16, 1941. He is married to Antoinette and they
6 currently reside in Gainesville, Georgia.

7 366. Plaintiff Kenneth Herock played Tight End for the Oakland Raiders from 1964 to 1967, the
8 Cincinnati Bengals in 1968, and the New England Patriots in 1969.

9 367. Plaintiff Kenneth Herock suffered multiple concussions that were improperly diagnosed and
10 improperly treated throughout his career as a professional football player in the NFL.

11 368. Plaintiff Kenneth Herock was not warned by the NFL, NFL Properties, Inc., or Riddell
12 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
13 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

14 369. Plaintiff Kenneth Herock suffers from multiple past traumatic brain injuries with various
15 symptoms.

16 **JESSIE LEE and GERLIENUS HESTER**

17 370. Plaintiff Jessie Lee Hester was born on January 21, 1963. He is married to Gerlienus and
18 they currently reside in Wellington, Florida.

19 371. Plaintiff Jessie Lee Hester played Wide Receiver Los Angeles Raiders from 1985 to 1988,
20 the Atlanta Falcons in 1989, the Indianapolis Colts from 1990 to 1993, and the Los Angeles/St. Louis Rams
21 from 1994 to 1995.

22 372. Plaintiff Jessie Lee Hester suffered multiple concussions that were improperly diagnosed
23 and improperly treated throughout his career as a professional football player in the NFL.

1 373. Plaintiff Jessie Lee Hester was not warned by the NFL, NFL Properties, Inc., or Riddell
2 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
3 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

4 374. Plaintiff Jessie Lee Hester suffers from multiple past traumatic brain injuries with various
5 symptoms including, but not limited to, dizziness, headaches and memory loss.
6

7 **DALLAS and CELESTE HICKMAN**

8 375. Plaintiff Dallas Hickman was born on February 16, 1952. He is married to Celeste and they
9 currently reside in Scottsdale, Arizona.

10 376. Plaintiff Dallas Hickman played Defensive End for the Washington Redskins from 1975 to
11 1981 and the Baltimore Colts in 1980.
12

13 377. Plaintiff Dallas Hickman suffered multiple concussions that were improperly diagnosed and
14 improperly treated throughout his career as a professional football player in the NFL.

15 378. Plaintiff Dallas Hickman was not warned by the NFL, NFL Properties, Inc., or Riddell
16 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
17 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
18

19 379. Plaintiff Dallas Hickman suffers from multiple past traumatic brain injuries with various
20 symptoms including, but not limited to, short term memory loss.

21 **GAYLON and MELINDA HYDER**

22 380. Plaintiff Gaylon Hyder was born on October 23, 1973. He is married to Melinda and they
23 currently reside in Houston, Texas.

24 381. Plaintiff Gaylon Hyder played Defensive Tackle for the St. Louis Rams from 1999 to 2001
25 and the Cleveland Browns from 2001 to 2002.
26

27 //

1 382. Plaintiff Gaylon Hyder suffered multiple concussions that were improperly diagnosed and
2 improperly treated throughout his career as a professional football player in the NFL.

3 383. Plaintiff Gaylon Hyder was not warned by the NFL, NFL Properties, Inc., or Riddell
4 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
5 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
6

7 384. Plaintiff Gaylon Hyder suffers from multiple past traumatic brain injuries with various
8 symptoms including, but not limited to, memory loss and headaches.

9 **EDDIE LEE and ANTOINETTE IVERY**

10 385. Plaintiff Eddie Lee Ivery was born on July 30, 1957. He is married to Antoinette and they
11 currently reside in Thomson, Georgia.

12 386. Plaintiff Eddie Lee Ivery played Running Back for the Green Bay Packers from 1979 to
13 1987.
14

15 387. Plaintiff Eddie Lee Ivery suffered multiple concussions that were improperly diagnosed and
16 improperly treated throughout his career as a professional football player in the NFL.

17 388. Plaintiff Eddie Lee Ivery was not warned by the NFL, NFL Properties, Inc., or Riddell
18 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
19 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
20

21 389. Plaintiff Eddie Lee Ivery suffers from multiple past traumatic brain injuries with various
22 symptoms including, but not limited to, short term memory loss, headaches and dizziness.

23 **STEPHEN W. JACKSON**

24 390. Plaintiff Stephen W. Jackson was born on April 8, 1969. He currently resides in Leesburg,
25 Virginia.
26

27 //

1 391. Plaintiff Stephen W. Jackson played Running Back for the Houston Oilers from 1991 to
2 1996 and the Tennessee Titans from 1997 to 1999.

3 392. Plaintiff Stephen W. Jackson suffered multiple concussions that were improperly diagnosed
4 and improperly treated throughout his career as a professional football player in the NFL.

5 393. Plaintiff Stephen W. Jackson was not warned by the NFL, NFL Properties, Inc., or Riddell
6 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
7 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

8 394. Plaintiff Stephen W. Jackson suffers from multiple past traumatic brain injuries with various
9 symptoms.
10

11 **WILLIAM and JOAN JACO**

12 395. Plaintiff William Jaco was born on February 24, 1957. He is married to Joan and they
13 currently reside in Houston, Texas.
14

15 396. Plaintiff William Jaco played Offensive Lineman for the Houston Oilers in 1980.

16 397. Plaintiff William Jaco suffered multiple concussions that were improperly diagnosed and
17 improperly treated throughout his career as a professional football player in the NFL.

18 398. Plaintiff William Jaco was not warned by the NFL, NFL Properties, Inc., or Riddell
19 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
20 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

21 399. Plaintiff William Jaco suffers from multiple past traumatic brain injuries with various
22 symptoms.
23

24 **DIRK AND JENNIFER JOHNSON**

25 400. Plaintiff Dirk Johnson was born on June 1, 1975. He is married to Jennifer and they
26 currently reside in Converse City, Colorado.
27
28

1 401. Plaintiff Dirk Johnson played Punter for the Philadelphia Eagles from 2003 to 2006, the
2 Arizona Cardinals in 2008 and the Tampa Bay Buccaneers in 2009.

3 402. Plaintiff Dirk Johnson suffered multiple concussions that were improperly diagnosed and
4 improperly treated throughout his career as a professional football player in the NFL.

5 403. Plaintiff Dirk Johnson was not warned by the NFL, NFL Properties, Inc., or Riddell
6 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
7 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
8

9 404. Plaintiff Dirk Johnson suffers from multiple past traumatic brain injuries with various
10 symptoms including, but not limited to, memory loss, headaches, and dizziness.

11 **JOHN and RESA KAISER**

12
13 405. Plaintiff John Kaiser was born on June 6, 1962. He is married to Resa and they currently
14 reside in Oro Valley, Arizona.

15 406. Plaintiff John Kaiser played Linebacker for the Seattle Seahawks from 1984 to 1987 and the
16 Buffalo Bills from 1987 to 1988.

17 407. Plaintiff John Kaiser suffered multiple concussions that were improperly diagnosed and
18 improperly treated throughout his career as a professional football player in the NFL.

19 408. Plaintiff John Kaiser was not warned by the NFL, NFL Properties, Inc., or Riddell
20 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
21 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
22

23 409. Plaintiff John Kaiser suffers from multiple past traumatic brain injuries with various
24 symptoms.
25

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27 //

JAMES and SUSAN LANDWEHR MARSHALL

410. Plaintiff James Marshall was born on December 30, 1937. He is married to Susan and they currently reside in Minneapolis, Minnesota.

411. Plaintiff James Marshall played Defensive End for the Minnesota Vikings from 1960 to 1979.

412. Plaintiff James Marshall suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

413. Plaintiff James Marshall was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

414. Plaintiff James Marshall suffers from multiple past traumatic brain injuries with various symptoms.

COREY and TONIA MAYFIELD

415. Plaintiff Corey Mayfield was born on February 25, 1970. He is married to Tonia and they currently reside in Fomey, Texas.

416. Plaintiff Corey Mayfield played Defensive Tackle for the Tampa Bay Buccaneers in 1992, the Jacksonville Jaguars in 1995, the New Orleans Saints in 1994, and the Pittsburgh Steelers in 1997.

417. Plaintiff Corey Mayfield suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

418. Plaintiff Corey Mayfield was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

1 419. Plaintiff Corey Mayfield suffers from multiple past traumatic brain injuries with various
2 symptoms including, but not limited to, memory loss, headaches, and depression.

3 **DAVID McMILLAN**

4 420. Plaintiff David McMillan was born on September 20, 1981. He currently resides in Decatur,
5 Georgia.

6 421. Plaintiff David McMillan played Defensive End for the Cleveland Browns from 2005 to
7 2008.

8 422. Plaintiff David McMillan suffered multiple concussions that were improperly diagnosed and
9 improperly treated throughout his career as a professional football player in the NFL.

10 423. Plaintiff David McMillan was not warned by the NFL, NFL Properties, Inc., or Riddell
11 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
12 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

13 424. Plaintiff David McMillan suffers from multiple past traumatic brain injuries with various
14 symptoms including, but not limited to, headaches, memory loss, and sleep problems.

15 **ERIK NORGARD**

16 425. Plaintiff Erik Norgard was born on November 4, 1965. He currently resides in Highlands
17 Ranch, Colorado.

18 426. Plaintiff Erik Norgard played Offensive Lineman for the Houston/Tennessee Oilers from
19 1989 to 1998 and the New York Jets in 1999.

20 427. Plaintiff Erik Norgard suffered multiple concussions that were improperly diagnosed and
21 improperly treated throughout his career as a professional football player in the NFL.

22 //

23 //

1 428. Plaintiff Erik Norgard was not warned by the NFL, NFL Properties, Inc., or Riddell
2 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
3 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

4 429. Plaintiff Erik Norgard suffers from multiple past traumatic brain injuries with various
5 symptoms including, but not limited to, headaches, memory loss, ringing in ears, lack of balance, and
6 depression.
7

8 **MARVIN D. and ROMELL OWENS**

9 430. Plaintiff Marvin D. Owens was born on June 16, 1950. He is married to Romell and they
10 currently reside in Diamond Bar, California.

11 431. Plaintiff Marvin D. Owens played Wide Receiver for the St. Louis Cardinals from 1974 to
12 1975 and the New York Jets in 1976.

13 432. Plaintiff Marvin D. Owens suffered multiple concussions that were improperly diagnosed
14 and improperly treated throughout his career as a professional football player in the NFL.
15

16 433. Plaintiff Marvin D. Owens was not warned by the NFL, NFL Properties, Inc., or Riddell
17 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
18 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
19

20 434. Plaintiff Marvin D. Owens suffers from multiple past traumatic brain injuries with various
21 symptoms including, but not limited to, memory loss, depression, dizziness, and sleep problems.

22 **RICKY and JULIE PARKER**

23 435. Plaintiff Ricky Parker was born on December 4, 1974. He is married to Julie and they
24 currently reside in Surprise, Arizona.

25 436. Plaintiff Ricky Parker played Defensive Back for the Chicago Bears in 1997 and the
26 Jacksonville Jaguars from August, 1997 to 1998.
27
28

1 437. Plaintiff Ricky Parker suffered multiple concussions that were improperly diagnosed and
2 improperly treated throughout his career as a professional football player in the NFL.

3 438. Plaintiff Ricky Parker was not warned by the NFL, NFL Properties, Inc., or Riddell
4 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
5 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
6

7 439. Plaintiff Ricky Parker suffers from multiple past traumatic brain injuries with various
8 symptoms including, but not limited to, memory loss, headaches and blurred vision.

9 **MARION TODD and JANA PEAT**

10 440. Plaintiff Marion Todd Peat was born on May 20, 1964. He is married to Jana and they
11 currently reside in Chandler, Arizona.

12 441. Plaintiff Marion Todd Peat played Offensive Lineman for the Arizona Cardinals from 1987
13 to 1989 and the Los Angeles Raiders from 1990 to 1994.

14 442. Plaintiff Marion Todd Peat suffered multiple concussions that were improperly diagnosed
15 and improperly treated throughout his career as a professional football player in the NFL.
16

17 443. Plaintiff Marion Todd Peat was not warned by the NFL, NFL Properties, Inc., or Riddell
18 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
19 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
20

21 444. Plaintiff Marion Todd Peat suffers from multiple past traumatic brain injuries with various
22 symptoms including, but not limited to, post concussion syndrome, memory loss and headaches.

23 **CHARLES PHARMS III**

24 445. Plaintiff Charles Pharms III was born on December 15, 1969. He currently resides in
25 Houston, Texas.
26

27 //

1 446. Plaintiff Charles Pharms III played Cornerback and Safety for the Houston Oilers in 1992,
2 the Miami Dolphins from December, 1992 to January, 1993, and the Kansas City Chiefs in 1993.

3 447. Plaintiff Charles Pharms III suffered multiple concussions that were improperly diagnosed
4 and improperly treated throughout his career as a professional football player in the NFL.

5 448. Plaintiff Charles Pharms III was not warned by the NFL, NFL Properties, Inc., or Riddell
6 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
7 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

8 449. Plaintiff Charles Pharms III suffers from multiple past traumatic brain injuries with various
9 symptoms including, but not limited to, memory loss.
10

11 **DAMON and JENNIFER PIERI**

12 450. Plaintiff Damon Pieri was born on September 25, 1970. He is married to Jennifer and they
13 currently reside in Phoenix, Arizona.

14 451. Plaintiff Damon Pieri played Defensive Back for the New York Jets from 1993 to 1994, the
15 San Francisco 49ers in 1995, and the Carolina Panthers from 1995 to 1997.

16 452. Plaintiff Damon Pieri suffered multiple concussions that were improperly diagnosed and
17 improperly treated throughout his career as a professional football player in the NFL.
18

19 453. Plaintiff Damon Pieri was not warned by the NFL, NFL Properties, Inc., or Riddell
20 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
21 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
22

23 454. Plaintiff Damon Pieri suffers from multiple past traumatic brain injuries with various
24 symptoms including, but not limited to, memory loss, headaches, and sleep problems.
25

26 //

27 //

28

JUAN A. and JENNIFER ROQUE

455. Plaintiff Juan A. Roque was born on February 6, 1974. He is married to Jennifer and they currently reside in Chandler, Arizona.

456. Plaintiff Juan A. Roque played Offensive Tackle for the Detroit Lions from 1997 to 2000.

457. Plaintiff Juan A. Roque suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

458. Plaintiff Juan A. Roque was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

459. Plaintiff Juan A. Roque suffers from multiple past traumatic brain injuries with various symptoms.

WILLARD and ANDREUILLE SCISSUM

460. Plaintiff Willard Scissum was born on October 28, 1962. He is married to Andreuille and they currently reside in Marietta, Georgia.

461. Plaintiff Willard Scissum played Offensive Tackle for the Denver Broncos from 1985 to 1986 and the Washington Redskins in 1987.

462. Plaintiff Willard Scissum suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

463. Plaintiff Willard Scissum was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

464. Plaintiff Willard Scissum suffers from multiple past traumatic brain injuries with various symptoms including, but not limited to, memory loss and blurred vision.

JASON and JANINE SHELLEY

465. Plaintiff Jason Shelley was born on August 5, 1974. He is married to Janine and they currently reside in Little Elm, Texas.

466. Plaintiff Jason Shelley played Wide Receiver for the Dallas Cowboys in 1996 and 1997, the Oakland Raiders in 1998, and the Indianapolis Colts in 1999.

467. Plaintiff Jason Shelley suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

468. Plaintiff Jason Shelley was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

469. Plaintiff Jason Shelley suffers from multiple past traumatic brain injuries with various symptoms, including memory loss, headaches, and sleep problems.

OMAR and RACHEL SMITH

470. Plaintiff Omar Smith was born on September 8, 1977. He is married to Rachel and they currently reside in Seminole, Florida.

471. Plaintiff Omar Smith played Center for the St. Louis Rams and Oakland Raiders in 2001, and the New York Giants in 2002 and 2004.

472. Plaintiff Omar Smith suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

473. Plaintiff Omar Smith was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

//

1 474. Plaintiff Omar Smith suffers from multiple past traumatic brain injuries with various
2 symptoms.

3 **TRENT SMITH**

4 475. Plaintiff Trent Smith was born on September 15, 1979. He currently resides in Oklahoma
5 City, Oklahoma.

6 476. Plaintiff Trent Smith played Tight End for the Baltimore Ravens from 2003 to August 2005
7 and the San Francisco 49ers from August 2005 to January 2007.

8 477. Plaintiff Trent Smith suffered multiple concussions that were improperly diagnosed and
9 improperly treated throughout his career as a professional football player in the NFL.

10 478. Plaintiff Trent Smith was not warned by the NFL, NFL Properties, Inc., or Riddell
11 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
12 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

13 479. Plaintiff Trent Smith suffers from multiple past traumatic brain injuries with various
14 symptoms including, but not limited to, short term memory loss, headaches and sleep problems.

15 **ALPHONSO and HEATHER TAYLOR**

16 480. Plaintiff Alphonso Taylor was born on September 7, 1969. He is married to Heather and
17 they currently reside in Laveen, Arizona.

18 481. Plaintiff Alphonso Taylor played Defensive Tackle for the Phoenix Cardinals from 1992 to
19 1993, the Denver Broncos from 1993 to 1994, and the San Diego Chargers from 1994 to 1995.

20 482. Plaintiff Alphonso Taylor suffered multiple concussions that were improperly diagnosed and
21 improperly treated throughout his career as a professional football player in the NFL.

22 //

23 //

1 483. Plaintiff Alphonso Taylor was not warned by the NFL, NFL Properties, Inc., or Riddell
2 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
3 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

4 484. Plaintiff Alphonso Taylor suffers from multiple past traumatic brain injuries with various
5 symptoms.
6

7 **ANTHONY and KEISHA WALLACE**

8 485. Plaintiff Anthony Wallace was born on July 8, 1969. He is married to Keisha and they
9 currently reside in Altadena, California.

10 486. Plaintiff Anthony Wallace played Running Back for the New Orleans Saints in 1990, and
11 the Atlanta Falcons from 1993 to 1995.
12

13 487. Plaintiff Anthony Wallace suffered multiple concussions that were improperly diagnosed
14 and improperly treated throughout his career as a professional football player in the NFL.

15 488. Plaintiff Anthony Wallace was not warned by the NFL, NFL Properties, Inc., or Riddell
16 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
17 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
18

19 489. Plaintiff Anthony Wallace suffers from multiple past traumatic brain injuries with various
20 symptoms including, but not limited to, memory loss and headaches.

21 **CHARLES WESLEY and CHRISTY WALLS**

22 490. Plaintiff Charles Wesley Walls was born on March 26, 1966. He is married to Christy and
23 they currently reside in Charlotte, North Carolina.

24 491. Plaintiff Charles Wesley Walls played Tight End for the San Francisco 49ers from 1989 to
25 1993, the New Orleans Saints from 1994 to 1995, the Carolina Panthers from 1996 to 2002, and the Green
26 Bay Packers in 2003.
27
28

1 492. Plaintiff Charles Wesley Walls suffered multiple concussions that were improperly
2 diagnosed and improperly treated throughout his career as a professional football player in the NFL.

3 493. Plaintiff Charles Wesley Walls was not warned by the NFL, NFL Properties, Inc., or Riddell
4 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
5 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
6

7 494. Plaintiff Charles Wesley Walls suffers from multiple past traumatic brain injuries with
8 various symptoms including, but not limited to, headaches and insomnia.

9 **DEREK and VIVIAN WARE**

10 495. Plaintiff Derek Ware was born on September 17, 1967. He is married to Vivian and they
11 currently reside in Chandler, Arizona.

12 496. Plaintiff Derek Ware played Running Back for the Arizona Cardinals from 1992 to 1994, the
13 Cincinnati Bengals in 1995, and the Dallas Cowboys in 1996.
14

15 497. Plaintiff Derek Ware suffered multiple concussions that were improperly diagnosed and
16 improperly treated throughout his career as a professional football player in the NFL.

17 498. Plaintiff Derek Ware was not warned by the NFL, NFL Properties, Inc., or Riddell
18 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
19 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
20

21 499. Plaintiff Derek Ware suffers from multiple past traumatic brain injuries with various
22 symptoms.

23 **ANDRE M. WATERS (Tina Ricks, Personal Representative)**

24 500. Andre Waters was born on March 10, 1962. He died on November 20, 2006.

25 501. Andre Waters played for the Philadelphia Eagles from 1984 to 1993 and Arizona Cardinals
26 from 1994 to 1996 as a Safety.
27
28

1 502. Andre Waters suffered multiple concussions that were improperly diagnosed and improperly
2 treated throughout his career as a professional football player in the NFL.

3 503. Andre Waters was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of
4 the risk of long-term injury due to football-related concussions or that the league-mandated equipment did
5 not protect him from such injury. This was a substantial factor in causing his current injury.
6

7 504. Andre Waters died from CTE caused from his repeated concussions and Plaintiffs were
8 unaware of the source due to active fraud by the Defendants.

9 **KENNY WATSON**

10 505. Plaintiff Kenny Watson was born on March 13, 1978. He currently resides in Cincinnati,
11 Ohio.
12

13 506. Plaintiff Kenny Watson played Running Back for the Washington Redskins from 2001 to
14 2002 and the Cincinnati Bengals from 2003-2009.

15 507. Plaintiff Kenny Watson suffered multiple concussions that were improperly diagnosed and
16 improperly treated throughout his career as a professional football player in the NFL.

17 508. Plaintiff Kenny Watson was not warned by the NFL, NFL Properties, Inc., or Riddell
18 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
19 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
20

21 509. Plaintiff Kenny Watson suffers from multiple past traumatic brain injuries with various
22 symptoms including, but not limited to, headaches, memory loss, blurred vision, and sleep problems.
23

24 **JONATHAN WELLS**

25 510. Plaintiff Jonathan Wells was born on July 21, 1979. He currently resides in Atlanta,
26 Georgia.
27

28 //

1 511. Plaintiff Jonathan Wells played Running Back for the Houston Texans from 2002 to 2006
2 and the Indianapolis Colts in 2006.

3 512. Plaintiff Jonathan Wells suffered multiple concussions that were improperly diagnosed and
4 improperly treated throughout his career as a professional football player in the NFL.

5 513. Plaintiff Jonathan Wells was not warned by the NFL, NFL Properties, Inc., or Riddell
6 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
7 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
8

9 514. Plaintiff Jonathan Wells suffers from multiple past traumatic brain injuries with various
10 symptoms including, but not limited to, short term memory loss, headaches and sleep problems.

11 **KENNETH and FRANCHELL WHEATON**

12 515. Plaintiff Kenneth Wheaton was born on March 8, 1975. He is married to Franchell and they
13 currently reside in Allen, Texas.
14

15 516. Plaintiff Kenneth Wheaton played Defensive Back for the Dallas Cowboys from 1997 to
16 1999.

17 517. Plaintiff Kenneth Wheaton suffered multiple concussions that were improperly diagnosed
18 and improperly treated throughout his career as a professional football player in the NFL.
19

20 518. Plaintiff Kenneth Wheaton was not warned by the NFL, NFL Properties, Inc., or Riddell
21 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
22 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
23

24 519. Plaintiff Kenneth Wheaton suffers from multiple past traumatic brain injuries with various
25 symptoms including, but not limited to, headaches, sleep problems, memory loss, and dizziness.

26 //

27 //

JAMES DAVID WILKINS II

520. Plaintiff David Wilkins II was born on February 24, 1969. He currently resides in Cincinnati, Ohio.

521. Plaintiff David Wilkins II played Defensive End for the San Francisco 49ers in 1992 and the Indianapolis Colts in 1996.

522. Plaintiff David Wilkins II suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

523. Plaintiff David Wilkins II was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

524. Plaintiff David Wilkins II suffers from multiple past traumatic brain injuries with various symptoms including, but not limited to, memory loss and dizziness.

DAVID WILLIAMS

525. Plaintiff David Williams was born on June 10, 1963. He currently resides in Gardena, California.

526. Plaintiff David Williams played Receiver and Special Teams for the Tampa Bay Buccaneers in 1986 and the Los Angeles Raiders in 1987.

527. Plaintiff David Williams suffered multiple concussions that were improperly diagnosed and improperly treated throughout his career as a professional football player in the NFL.

528. Plaintiff David Williams was not warned by the NFL, NFL Properties, Inc., or Riddell Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

//

1 529. Plaintiff David Williams suffers from multiple past traumatic brain injuries with various
2 symptoms including, but not limited to, memory loss, dizziness, headaches, and sleep problems.

3 **LESTER JOE WILLIAMS**

4 530. Plaintiff Lester Joe Williams was born on January 19, 1959. He currently resides in
5 Montgomery, Alabama.

6
7 531. Plaintiff Lester Joe Williams played Defensive Tackle for the New England Patriots from
8 1982 to 1985, the San Diego Chargers in 1986 and the Seattle Seahawks in 1987.

9 532. Plaintiff Lester Joe Williams suffered multiple concussions that were improperly diagnosed
10 and improperly treated throughout his career as a professional football player in the NFL.

11 533. Plaintiff Lester Joe Williams was not warned by the NFL, NFL Properties, Inc., or Riddell
12 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
13 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

14 534. Plaintiff Lester Joe Williams suffers from multiple past traumatic brain injuries with various
15 symptoms including, but not limited to, headaches and insomnia.

16
17 **SIRMAWN and HEATHER WILSON**

18 535. Plaintiff Sirmawn Wilson was born on June 4, 1973. He is married to Heather and they
19 currently reside in Greensboro, North Carolina.

20
21 536. Plaintiff Sirmawn Wilson played Wide Receiver for the Denver Broncos from 1998 to 1999
22 and the New England Patriots from 1999 to 2000.

23 537. Plaintiff Sirmawn Wilson suffered multiple concussions that were improperly diagnosed and
24 improperly treated throughout his career as a professional football player in the NFL.

25
26 //

27 //

1 538. Plaintiff Sirmawn Wilson was not warned by the NFL, NFL Properties, Inc., or Riddell
2 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
3 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

4 539. Plaintiff Sirmawn Wilson suffers from multiple past traumatic brain injuries with various
5 symptoms including, but not limited to, headaches, dizziness and sleep problems.
6

7 **SCOTT and LINDSEY ZIMMERMAN**

8 540. Plaintiff Scott Zimmerman was born on April 29, 1977. He is married to Lindsey and they
9 currently reside in Aurora, California.

10 541. Plaintiff Scott Zimmerman played Linebacker and Fullback for the Miami Dolphins in 2000,
11 the St. Louis Rams from 2000 to 2001, the Dallas Cowboys from 2001 to 2002, and the Carolina Panthers
12 in 2003.
13

14 542. Plaintiff Scott Zimmerman suffered multiple concussions that were improperly diagnosed
15 and improperly treated throughout his career as a professional football player in the NFL.

16 543. Plaintiff Scott Zimmerman was not warned by the NFL, NFL Properties, Inc., or Riddell
17 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
18 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.
19

20 544. Plaintiff Scott Zimmerman suffers from multiple past traumatic brain injuries with various
21 symptoms including, but not limited to, memory loss, sleep problems, confusion, dizziness, headaches, and
22 ringing in ears.

23 **ERIC and CYNTHIA ZOMALT**

24 545. Plaintiff Eric Zomalt was born on August 9, 1972. He is married to Cynthia and they
25 currently reside in Riverside, California.
26

27 //

1 546. Plaintiff Eric Zomalt played Defensive Back for the Philadelphia Eagles from 1994 to 1996
2 and the New York Jets in 1996.

3 547. Plaintiff Eric Zomalt suffered multiple concussions that were improperly diagnosed and
4 improperly treated throughout his career as a professional football player in the NFL.

5 548. Plaintiff Eric Zomalt was not warned by the NFL, NFL Properties, Inc., or Riddell
6 Defendants of the risk of long-term injury due to football-related concussions or that the league-mandated
7 equipment did not protect him from such injury. This was a substantial factor in causing his current injury.

8 549. Plaintiff Eric Zomalt suffers from multiple past traumatic brain injuries with various
9 symptoms including, but not limited to, migraines.
10

11
12 COUNT I
13 FRAUDULENT CONCEALMENT
14 (Against NFL)

15 550. Plaintiffs incorporate by reference all of the foregoing paragraphs of this Complaint as if
16 fully set forth herein.

17 551. For decades, the NFL knew that repetitive head impacts in football games and full-contact
18 practices created a risk of harm to NFL players that was similar or identical to the risk of harm to, for
19 example, boxers who receive repetitive impacts to the head during boxing practices and matches.

20 552. For decades, the NFL was aware of and understood the significance of the published
21 medical literature demonstrating the serious risk of both short-term and long-term adverse consequences
22 from the kind of repetitive traumatic impacts to the head to which NFL players were exposed.

23 553. The NFL knowingly and fraudulently concealed from NFL players and former NFL players
24 the risks of head injuries, in particular the heightened risk created by returning to the playing field before
25 making a proper recovery from their head injuries.
26
27
28

1 554. From 1994 through June of 2010, the NFL voluntarily and repeatedly made material
2 misrepresentations to its players, former players, the United States Congress, and the public at large that
3 there was no link between repetitive traumatic head impacts and later-in-life cognitive/brain injury,
4 including CTE and its related symptoms.

5 555. The NFL's MTBI Committee published articles and the concussion pamphlet issued to
6 players, therein affirmatively concealing and downplaying known risks of repetitive brain impacts to NFL
7 players.
8

9 556. The NFL's concussion pamphlet created an atmosphere of trust that the NFL had carefully
10 undertaken its voluntary responsibility to research, test, study, and report accurate findings to the players
11 and former players. The NFL stated that "[w]e want to make sure all NFL players ... are fully informed and
12 take advantage of the most up to date information and resources as we continue to study the long-term
13 impact of concussions."
14

15 557. The concealment was ongoing. Dr. Casson provided oral and written testimony at the 2010
16 congressional hearings in which he continued to deny the validity of other studies. Dr. Casson also denied
17 the link between repetitive brain impacts and short and long term brain damage in public interviews.
18

19 558. The NFL, therefore, concealed facts and information which caused Plaintiffs to become
20 exposed to the harm referenced above. For those Plaintiffs who had retired prior to the above-mentioned
21 misrepresentations, the NFL's concerted concealment of the risks to which they had been exposed on the
22 playing field delayed their ability to plan for the future of themselves and their families and to seek
23 appropriate treatment of their latent neurodegenerative conditions.
24

25 559. The NFL knew and expected that Plaintiffs would rely on the inaccurate information
26 provided by the NFL, and Plaintiffs in fact did rely on this inaccurate information during and after their
27 NFL careers.
28

1 560. As a direct and proximate result of the NFL's fraudulent conduct, Plaintiffs have suffered
2 physical injury, including, but not limited to, existing and latent cognitive conditions that create memory
3 loss, diminished cognitive function, non-economic losses, and economic losses.

4 561. As a direct and proximate result of the NFL's willful concealment, Plaintiffs have suffered
5 and will continue to suffer substantial injuries, emotional distress, pain and suffering, and economic and
6 non-economic damages that are ongoing and continuing in nature.

7
8 562. As a result of the Defendants' misconduct as alleged herein, Defendants are liable to
9 Plaintiffs for the full measure of damages allowed under applicable law.

10 COUNT II

11 FRAUD

12 (Against the NFL)

13
14 563. Plaintiffs incorporate by reference all of the foregoing paragraphs of this Complaint as if
15 fully set forth herein.

16 564. For decades, the NFL knew that repetitive head impacts in football games and practices
17 circumstances created a risk of harm to NFL players that was similar or identical to the risk of harm to
18 boxers who receive repetitive impacts to the head during boxing practices and matches.

19
20 565. For decades, the NFL was aware of and understood the significance of the published
21 medical literature demonstrating the serious risk of both short-term and long-term adverse consequences
22 from the kind of repetitive traumatic impacts to the head to which NFL players were exposed

23 566. The NFL, however, withheld this information from NFL players and ignored the risks to
24 NFL players.

25
26 567. From 1994 through June of 2010, the NFL made material misrepresentations to its players,
27 former players, the United States Congress, and the public at large that there was no scientifically proven

1 link between repetitive traumatic head impacts and later-in-life cognitive/brain injury, including CTE and
2 its related symptoms.

3 568. The NFL and its agents intended to defraud the Plaintiffs.

4 569. The Plaintiffs justifiably and reasonably relied on the NFL's omissions and
5 misrepresentations to their detriment.

6 570. As a result of the NFL's misconduct as alleged herein, the NFL is liable to Plaintiffs.

7 571. The Plaintiffs were damaged by the NFL's misconduct. They have suffered and will
8 continue to suffer substantial injuries, emotional distress, pain and suffering, and economic and non-
9 economic damages that are ongoing and continuing in nature.

10 572. As a result of the NFL's fraud, the NFL is liable to Plaintiffs for the full measure of
11 damages allowed under applicable law.

12
13
14 **COUNT III**

15 **NEGLIGENT MISREPRESENTATION**

16 **(Against the NFL)**

17 573. Plaintiffs incorporate by reference all of the foregoing paragraphs of this Complaint as if
18 fully set forth herein.

19 574. For decades, the NFL knew that repetitive head impacts in football game and practices
20 circumstances created a risk of harm to NFL players that was similar or identical to the risk of harm to
21 boxers who receive repetitive impacts to the head during boxing practices and matches.

22 575. For decades, the NFL was aware of and understood the significance of the published
23 medical literature demonstrating the serious risk of both short-term and long-term adverse consequences
24 from the kind of repetitive traumatic impacts to the head to which NFL players were exposed.

25
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1 576. The NFL, however, withheld this information from NFL players and ignored the risks to
2 NFL players.

3 577. From 1994 through June of 2010, the NFL made material misrepresentations to its players,
4 former players, the United States Congress, and the public at large that there was no scientifically proven
5 link between repetitive traumatic head impacts and later-in-life cognitive/brain injury, including CTE and
6 its related symptoms.
7

8 578. Defendant NFL, therefore, misrepresented the dangers the Plaintiffs faced in returning to
9 action after sustaining a head injury and the long-term effects of continuing to play football after a head
10 injury.
11

12 579. The NFL's MTBI Committee made public statements, published articles, and issued the
13 concussion pamphlet to its players, which the NFL knew or should have known were misleading,
14 downplaying and obfuscating to NFL players the true and serious risks of repetitive traumatic head
15 impacts.
16

17 580. The MTBI Committee made material misrepresentations on multiple occasions, including
18 but not limited to testimony at congressional hearings and other information issued to current and former
19 NFL Players.
20

21 581. The Defendant's misrepresentations included the false statement that present NFL players
22 were not at an increased risk of short- and long-term adverse consequences if they returned too soon to an
23 NFL games or practices after suffering head trauma and, therefore, that former players had not been
24 exposed to such increased risk during their time in the NFL.
25

26 582. The NFL's misrepresentations included ongoing and baseless criticism of legitimate
27 scientific studies that set forth the dangers and risks of head impacts which NFL players regularly
28 sustained.

1 583. The NFL made these misrepresentations and actively concealed true information at a time
2 when it knew, or should have known, because of its superior position of knowledge, that the Plaintiffs
3 faced health problems if they returned to a game too soon after sustaining a concussion.

4 584. The NFL knew or should have known the misleading nature of their statements when they
5 were made.
6

7 585. The NFL made the misrepresentations and actively concealed information with the intention
8 that the Plaintiffs would rely on the misrepresentations or omissions in selecting a course of action.

9 586. As a result of the NFL's misrepresentations, Defendants are liable to Plaintiffs.

10 587. As a direct and proximate result of the NFL's negligent misrepresentations, Plaintiffs have
11 suffered and continue to suffer serious personal injury, including neuro-cognitive brain disease and
12 associated damages including mental disability, loss of income, pain and suffering, emotional distress, and
13 loss of consortium. Plaintiffs seek the full measure of damages allowed under applicable law.
14

15 COUNT IV
16 NEGLIGENCE
17 (Against the NFL)
18

19 588. Plaintiffs incorporate by reference all of the foregoing paragraphs of this Complaint as if
20 fully set forth herein.

21 589. The NFL, by and through its monopoly power, has historically had a duty to protect the
22 health and safety of its players, including Plaintiffs, and the public, including but not limited to, a duty to
23 use reasonable care in researching, study and/or examining the dangers and risks of head injuries and/or
24 concussions to NFL players, to inform and warn their players of such risks and to effectuate reasonable
25 league policies and/or take other reasonable action to minimize the risks of head injuries.
26

27 //
28

1 590. In the early 1990's, the NFL voluntarily undertook to study the issue of neurocognitive
2 injuries in former NFL players.

3 591. In 1994, in connection with that voluntary undertaking, the NFL created the aforementioned
4 MTBI Committee.

5 592. The NFL recognized that its voluntary undertaking to study and report information about the
6 effect of head impacts on NFL players would not just be for the benefit of then-present and former NFL
7 players alone. Since the NFL is the most prominent and influential entity in the sport of football, the NFL
8 knew or should have known that its MBTI Committee's statements would have a broad public impact.
9

10 593. By voluntarily undertaking to study and report on the issue of the neurocognitive effects of
11 head impacts in professional football, the NFL assumed its long-standing duty to exercise reasonable care
12 in the MTBI Committee's work and the NFL and its agents' public statements about the substance of the
13 Committee's work.
14

15 594. Further, the NFL was well aware of 80 years of documented science and medicine linking
16 CTE to repeated concussion and cumulative problems from collusion sports including boxing and football.
17

18 595. However, the MBTI Committee negligently performed the NFL's voluntarily undertaken
19 research mission.

20 596. In addition, from 1994 through June of 2010, the NFL and its MBTI Committee made
21 material misrepresentations to players, former players, the United States Congress, and the public at large
22 that there was no scientifically valid link between repetitive traumatic head impacts and later-in-life
23 cognitive/brain injury, including CTE and its related symptoms.
24

25 597. The NFL's failure to exercise reasonable care and its breach of duty increased the risk that
26 the Plaintiffs would suffer long-term neurocognitive injuries.

27 //

1 598. The NFL failed to properly inform the public and other football leagues and players of the
2 health risks associated with concussive injuries.

3 599. The NFL failed to license and approve the best equipment available that will reduce the risk
4 of concussive brain injury.

5 600. The Plaintiffs reasonably relied to their detriment on the NFL's actions and omissions on the
6 subject.
7

8 601. Under all of the above circumstances, it was foreseeable that the NFL's failure to exercise
9 reasonable care in the execution of its voluntarily undertaken duties would cause or substantially contribute
10 to the personal injuries suffered by the Plaintiffs.

11 602. The NFL's failure to exercise reasonable care in the execution of its duties proximately
12 caused or contributed to Plaintiffs' injuries.

13 603. As a result of the NFL's negligence, the NFL is liable to Plaintiffs, and the Plaintiffs are
14 entitled to all damages allowed by applicable law.
15

16 COUNT V

17 LOSS OF CONSORTIUM

18 (Against All Defendants)
19

20 604. With respect to the NFL, Plaintiffs and Plaintiffs' Spouses incorporate by reference
21 paragraphs 1 through 545 of this Complaint as if fully set forth herein. With respect to Riddell, Plaintiffs
22 and Plaintiffs' Spouses incorporate by reference paragraphs 567 through 591 of this Complaint as if fully
23 set forth herein
24

25 605. As a result of the named Defendants' misconduct, the named Defendants are liable to
26 Plaintiffs' Spouses.

27 //
28

1 606. As a direct and proximate result of the intentional misconduct, carelessness, negligence, and
2 recklessness, the Plaintiffs have sustained the aforesaid injuries, and the Plaintiffs' Spouses have been
3 damaged as follows:

4 a. They have been and will continue to be deprived of the services, society and
5 companionship of their respective husbands;

6 b. They have, will be and will continue to be required to spend money for medical care
7 and household care for the treatment of their respective husbands; and,

8 c. They have been and will continue to be deprived of the earnings of their respective
9 husbands.
10

11 607. As a result of the injuries, the Plaintiffs' Spouses are entitled to damages, as alleged herein
12 or allowed by law.
13

14 **COUNT VI**
15 **NEGLIGENCE**

16 608. Plaintiffs incorporate by reference all of the foregoing paragraphs of this Complaint as if
17 fully set forth herein.

18 609. The NFL had a long-standing duty of studying the relationship between repetitive head
19 impacts in football and brain injury.
20

21 610. In doing so, the NFL had a duty to the Plaintiffs and the general public to retain and employ
22 persons within the MTBI Committee who were professionally competent to study and render opinions on
23 that bio-medical issue and to ensure that those whom it hired had the professional and personal
24 qualifications to conduct those studies and render opinions that were scientifically rigorous, valid,
25 defensible, and honest.
26

27 611. The NFL breached its duty to the Plaintiffs and the general public by hiring persons who:
28

- 1 a. were unqualified,
2 b. were not competent to engage in rigorous and defensible scientific research,
3 c. were not competent to render valid and defensible opinions,
4 d. created fraudulent industry-funded research; and/or
5 e. attacked as not credible the valid and defensible research and opinions generated by neuro-
6 scientists who were unconnected to and not paid by the NFL.
7

8 612. The NFL's negligence in failing to retain competent and honest members of the MTBI
9 Committee resulted in a body of falsified industry-funded research that purposefully and/or negligently
10 suppressed valid and truthful bio-medical science. The NFL's negligence allowed the MTBI Committee to
11 use falsified industry-funded research to mislead the Plaintiffs, other former NFL players, and the general
12 public regarding the risks associated with repetitive head impacts in the game of football.
13

14 613. As a result of the NFL's failure, the Plaintiffs have sustained brain injuries that are
15 progressive and latent and did not take protective measures or seek the diagnosis and treatment they would
16 have sought had they been told the truth.
17

18 **COUNT VII**
NEGLIGENT RETENTION
(Against the NFL)

19 614. Plaintiffs incorporate by reference the paragraphs 1 through 555 of this Complaint as if
20 fully set forth herein.
21

22 615. The NFL knew or should have known that the incompetent persons it hired for the MTBI
23 Committee demonstrated on an ongoing basis their lack of competence and inadequate judgment to study
24 and render expert opinions on the issue of the relationship between repetitive head impacts in football and
25 brain injury.
26

27 616. The NFL had a long-standing duty to the Plaintiffs and the general public not to allow those
28 incompetent persons it had hired within the MTBI Committee to continue to conduct incompetent and

1 falsified studies and render incompetent opinions on the relationship between repetitive head impacts in
2 football and brain injury.

3 617. During the time period when the MTBI was conducting its purported research and rendering
4 its purported opinions, the NFL knew or should have known that the purported research and opinions of the
5 MTBI were false and indefensible.

6
7 618. The NFL breached its duty to the Plaintiffs and the general public by allowing these
8 incompetent and unqualified persons, under the auspices and with the imprimatur of the NFL:

- 9 a. to continue to create incompetent and indefensible research,
10 b. to continue to render invalid and indefensible opinions, and
11 c. to continue to attack the credible and defensible research and opinions of neuro-scientists not
12 connected to or paid by the NFL.
13

14 619. The NFL's negligence allowed the incompetent members of the MTBI Committee to
15 continue to advance their false and incompetent research and opinions in an attempt to suppress valid bio-
16 medical science. The NFL's negligence allowed the MTBI Committee members to mislead the Plaintiffs,
17 other former NFL players, and the general public regarding the permanent brain injury risks associated with
18 repetitive head impacts in the game of football.
19

20 620. As a result of the NFL's failure, the Plaintiffs have sustained brain injuries that are
21 progressive and latent and did not take protective measures or seek the diagnosis and treatment they would
22 have sought had they been told the truth.
23

24 //

25 //

26 //

27 //

28
26/01/12

COUNT VIII

WRONGFUL DEATH AND SURVIVAL ACTIONS

(Against All Defendants)

621. Plaintiff and his respective Personal Representative incorporate by reference all of the foregoing paragraphs of this Complaint as if fully set forth herein.

622. The Plaintiff's Personal Representative brings this action in her capacity as Personal Representative of the deceased Plaintiff and on behalf of the respective survivors of that Plaintiff.

623. As a direct and proximate cause of the conduct alleged herein, the Defendants caused the Plaintiffs to develop the debilitating brain diseases and conditions set forth above, which diseases and conditions caused extreme pain, suffering, and anguish and, ultimately, the death of a Plaintiff.

624. The Personal Representative of the deceased Plaintiff claims damages recoverable under applicable law for all pecuniary and non-pecuniary losses suffered by the deceased Plaintiff by reason of his death.

625. As a direct and proximate result of the untimely death of the Plaintiff, his respective survivors have been deprived of the earnings, maintenance, guidance, support and comfort that they would have received from for the rest of the respective Plaintiff's natural life, and have suffered commensurate pecuniary and non-pecuniary losses because of the Plaintiff's wrongful death.

626. The Plaintiff's Personal Representative claims the full measure of damages allowed under applicable law.

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1 **COUNT IX**
2 **NEGLIGENCE**
3 **(against NFL Properties)**

4 627. Plaintiffs incorporate by reference all of the foregoing paragraphs of this Complaint as if
5 fully set forth herein.

6 628. NFL Properties breached its duty to ensure that the equipment it licensed and approved were
7 of the highest possible quality and sufficient to protect the NFL players, including Plaintiffs, from the risk
8 of concussive brain injuries.

9
10 629. NFL Properties breached its duty by licensing the Riddell Defendants' helmets, and
11 approving and/or requiring the use of the helmets for the NFL players, knowing or having reason to know
12 that the helmets were negligently and defectively designed and/or manufactured and lacked an adequate
13 warning concerning the risks of concussion injury.

14
15 630. As a result of these breaches by NFL Properties, Plaintiffs suffer personal injuries as a result
16 of the long-term health effects of concussive brain injuries.

17 **COUNT X**
18 **STRICT LIABILITY FOR DESIGN DEFECT**
19 **(Against Riddell)**
20

21 631. Plaintiffs incorporate by reference all of the foregoing paragraphs of this Complaint as if
22 fully set forth herein.

23 632. At the time the helmets were designed, manufactured, sold, and distributed by Riddell, the
24 helmets were defective in design, unreasonably dangerous, and unsafe for their intended purpose because
25 they did not provide adequate protection against the foreseeable risk of concussive brain injury. The design
26 defect includes, but is not limited to the following:
27
28

- 1 (a) Negligently failing to design the subject helmet with a safe means of attenuating and
2 absorbing the foreseeable forces of impact in order to minimize and/or reduce the
3 forces and energy directed to the player's head;
4 (a) Negligently designing the subject helmet with a shock attenuating system which was
5 not safely configured;
6 (b) Negligently failing to properly and adequately test the helmet model;
7 (c) Other acts of negligence that may be discovered during the course of this matter; and
8 (d) Failing to warn Plaintiffs that their helmets would not protect against the long-term
9 health consequences of concussive brain injury.
10

11 633. The defective design and unreasonably dangerous condition were a proximate and producing
12 cause of the personal injuries suffered by the Plaintiffs and other damages, including but not limited to,
13 economic damages and non-economic damages.
14

15 634. At all times, the helmets were being used for the purpose for which they were intended.

16 635. Riddell is strictly liable for designing a defective and unreasonably dangerous product and
17 for failing to warn which were proximate and producing causes of the personal injuries and other damages
18 including, but not limited to, economic damage as alleged herein. A safer alternative design was
19 economically and technologically feasible at the time the product left the control of Riddell.
20

21 **COUNT XI**

22 **STRICT LIABILITY FOR MANUFACTURING DEFECT**

23 **(Against Riddell)**

24 636. Plaintiffs incorporate by reference all of the foregoing paragraphs of this Complaint as if
25 fully set forth herein.
26

27 //

1 637. At the time the helmets were designed, manufactured, sold and distributed by Riddell, the
2 helmets were defective in their manufacturing and unreasonably dangerous and unsafe for their intended
3 purpose because they did not provide adequate protection against the foreseeable risk of concussive brain
4 injury. Riddell's failure to design the helmets to design and manufacturing specifications resulted in,
5 among other things, the following:

- 6
- 7 (a) Negligently failing to manufacture the subject helmet with a safe means of
8 attenuating and absorbing the foreseeable forces of impact in order to minimize
9 and/or reduce the forces and energy directed to the player's head;
 - 10 (b) Negligently manufacturing the subject helmet with a shock attenuating system which
11 was not safely configured;
 - 12 (c) Negligently failing to properly and adequately inspect and/or test the helmet model;
 - 13 (d) Other acts of negligence that may be discovered during the course of this matter; and
 - 14 (e) Failure to warn Plaintiffs that its helmets wouldn't protect against concussive brain
15 injury.
16

17 638. The manufacturing defect was a proximate and producing cause of the personal injuries
18 suffered by Plaintiffs and other damages, including but not limited to, economic damages and non-
19 economic damages.
20

21 639. Riddell is strictly liable for manufacturing and placing in the stream of commerce a
22 defective and unreasonably dangerous product which was a proximate and producing cause of the personal
23 injuries and other damages, including but not limited to, economic damages and non-economic damages.
24 A safe alternative design was economically and technologically feasible at the time the product left the
25 control of Riddell.
26

27 //

COUNT XII
FAILURE TO WARN
(Against Riddell)

640. Plaintiffs incorporate by reference all of the foregoing paragraphs of this Complaint as if fully set forth herein.

641. Riddell knew or should have known of the substantial dangers involved in the reasonably foreseeable use of the helmets.

642. Riddell failed to provide necessary and adequate safety and instructional materials and warnings of the risk and means available to reduce and/or minimize the risk of concussive brain injuries while playing football.

643. Riddell failed to provide necessary and adequate information, warnings, and/or instructional materials regarding the fact that other model helmets provided greater shock attenuation from blows to the head area.

644. Riddell failed to warn players of risk of long term brain injury from repeated concussions so that they could make an informed decision on returning to play post concussion.

645. Riddell knew that these substantial dangers were not readily recognizable to an ordinary consumer or user and that such person would use these products without inspection for defects.

646. Plaintiffs neither knew, nor had reason to know of the existence of the aforementioned defects, or increased risks of harm.

647. Plaintiffs were using the helmets in a reasonably foreseeable manner at all times.

648. Plaintiffs' damages were the legal and proximate result of the actions of Riddell who owed a duty to warn Plaintiffs of the risks of substantial harm associated with the foreseeable use of their products.

649. Riddell's failure to warn caused the Plaintiffs' personal injuries.

//

1 COUNT XIII
2 NEGLIGENCE
3 (Against Riddell)

4 650. Plaintiffs incorporate by reference all of the foregoing paragraphs of this Complaint as if
5 fully set forth herein.

6
7 651. Riddell was negligent in its design, testing, assembly, manufacture, marketing, and
8 engineering of the helmets as described herein.

9 652. Riddell owed a duty of care to the Plaintiffs in their design, testing, manufacture, assembly,
10 marketing and sale of the helmets and all components and sub-assemblies of the helmets.

11 653. Riddell should have been well aware that since 1928 repeated blows to the head can lead to
12 CTE, commonly known as "punch-drunk syndrome".

13
14 654. Riddell breached its duty of reasonable care by failing to provide necessary and adequate
15 safety and instructional materials and warnings of the risk and means available to reduce and/or minimize
16 the risk of concussive brain injuries while playing football using their helmets.

17 655. As a result of Riddell's breach of duty, Plaintiffs have sustained permanent injury.
18

19 COUNT XIV
20 CIVIL CONSPIRACY/FRAUDULENT CONCEALMENT

21 (Against NFL)

22 656. Plaintiffs incorporate by reference all of the foregoing paragraphs of this Complaint as if
23 fully set forth herein.

24 657. The named defendants, along with others who were employed by the NFL to participate as
25 its MTBI Committee, acted in concert to perpetrate the fraudulent concealment of the connection between
26 repetitive MTBI and long-term neuro-cognitive damage, illness, and decline.
27
28

1 658. The named Defendants, along with those who participated in the concerted efforts
2 referenced above, knowingly made continuing misrepresentations of material fact and disputed and
3 affirmatively misrepresented that there was an absence of any scientific basis to believe that repetitive
4 MTBI created any known long-term neuro-cognitive risks to NFL players. That misconduct by the named
5 Defendants exposed Plaintiffs to an increased risk of brain injury and was the proximate cause of the
6 Plaintiffs' brain injuries.
7

8 659. Plaintiffs have suffered personal injuries as a result of the named defendants' concerted
9 activities.
10

11 **PRAYER FOR RELIEF**

12 **WHEREFORE**, Plaintiffs pray for judgment against Defendants, and each of them, as follows:

- 13 1. For compensatory and general damages according to proof;
14 2. For special and incidental damages according to proof;
15 3. For punitive damages according to proof;
16 4. For costs of the proceedings herein; and
17 5. For all such other and further relief as the Court deems just.
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JURY DEMAND

Plaintiffs hereby demand a trial by jury on all claims so triable.

Dated: May 3rd, 2012

By: 

GIRARDI | KEESE

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FOR COURT USE ONLY

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ATTORNEY FOR (Name): Plaintiffs

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles

STREET ADDRESS: 111 N. Hill Street

MAILING ADDRESS:

CITY AND ZIP CODE: Los Angeles, 90012

BRANCH NAME: Central District

CASE NAME: LEDDURE RASHAD BAUMAN et al. v. National
 Football League, et al.

FILEDSUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

MAY 31 2012

John A. Chere, Executive Officer/Clerk

BY Shaunya Wesley Deputy

CASE NUMBER:

BC 485779

JUDGE:

DEPT:

CIVIL CASE COVER SHEET

☒ Unlimited (Amount demanded exceeds \$25,000) ☐ Limited (Amount demanded is \$25,000 or less)

Complex Case Designation☐ Counter ☐ Joinder

Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort

☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

☐ Asbestos (04)
☐ Product liability (24)
☐ Medical malpractice (45)
☒ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment

☐ Wrongful termination (36)
☐ Other employment (15)

Contract

☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property

☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer

☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review

☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☐ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation
(Cal. Rules of Court, rules 3.400-3.403)

☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment☐ Enforcement of judgment (20)**Miscellaneous Civil Complaint**

☐ RICO (27)
☐ Other complaint (not specified above) (42)

Miscellaneous Civil Petition

☐ Partnership and corporate governance (21)
☐ Other petition (not specified above) (43)

2. This case ☒ is ☐ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. ☐ Large number of separately represented parties d. ☒ Large number of witnesses
 b. ☒ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☒ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 c. ☒ Substantial amount of documentary evidence f. ☐ Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): Fourteen (14)

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: May 31, 2012

Graham B. LippSmith

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

| | |
|--|---|
| <p>Contract</p> <p>Breach of Contract/Warranty (06)</p> <p>Breach of Rental/Lease</p> <p>Contract (not unlawful detainer or wrongful eviction)</p> <p>Contract/Warranty Breach—Seller</p> <p>Plaintiff (not fraud or negligence)</p> <p>Negligent Breach of Contract</p> <p>Warranty</p> <p>Other Breach of Contract/Warranty</p> <p>Collections (e.g., money owed, open book accounts) (09)</p> <p>Collection Case—Seller Plaintiff</p> <p>Other Promissory Note/Collections Case</p> <p>Insurance Coverage (not provisionally complex) (18)</p> <p>Auto Subrogation</p> <p>Other Coverage</p> <p>Other Contract (37)</p> <p>Contractual Fraud</p> <p>Other Contract Dispute</p> <p>Real Property</p> <p>Eminent Domain/Inverse Condemnation (14)</p> <p>Wrongful Eviction (33)</p> <p>Other Real Property (e.g., quiet title) (26)</p> <p>Writ of Possession of Real Property</p> <p>Mortgage Foreclosure</p> <p>Quiet Title</p> <p>Other Real Property (not eminent domain, landlord/tenant, or foreclosure)</p> <p>Unlawful Detainer</p> <p>Commercial (31)</p> <p>Residential (32)</p> <p>Drugs (38) (if the case involves illegal drugs, check this item, otherwise, report as Commercial or Residential)</p> <p>Judicial Review</p> <p>Asset Forfeiture (05)</p> <p>Petition Re: Arbitration Award (11)</p> <p>Writ of Mandate (02)</p> <p>Writ—Administrative Mandamus</p> <p>Writ—Mandamus on Limited Court Case Matter</p> <p>Writ—Other Limited Court Case Review</p> <p>Other Judicial Review (39)</p> <p>Review of Health Officer Order</p> <p>Notice of Appeal—Labor Commissioner Appeals</p> | <p>Auto Tort</p> <p>Auto (22)—Personal Injury/Property Damage/Wrongful Death</p> <p>Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)</p> <p>Other P/PPD/W (Personal Injury/Property Damage/Wrongful Death)</p> <p>Tort</p> <p>Asbestos (04)</p> <p>Asbestos Property Damage</p> <p>Asbestos Personal Injury/Wrongful Death</p> <p>Product Liability (not asbestos or toxic/environmental) (24)</p> <p>Medical Malpractice—Physicians & Surgeons</p> <p>Other Professional Health Care Malpractice</p> <p>Other P/PPD/W (23)</p> <p>Premises Liability (e.g., slip and fall)</p> <p>Intentional Bodily Injury/PPD/W (e.g., assault, vandalism)</p> <p>Intentional Infliction of Emotional Distress</p> <p>Negligent Infliction of Emotional Distress</p> <p>Other P/PPD/W</p> <p>Non-P/PPD/W (Other) Tort</p> <p>Business Tort/Unfair Business Practice (07)</p> <p>Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08)</p> <p>Defamation (e.g., slander, libel) (13)</p> <p>Fraud (16)</p> <p>Intellectual Property (19)</p> <p>Professional Negligence (25)</p> <p>Legal Malpractice</p> <p>Other Professional Malpractice (not medical or legal)</p> <p>Other Non-P/PPD/W Tort (35)</p> <p>Wrongful Termination (36)</p> <p>Other Employment (15)</p> |
| <p>Miscellaneous Civil Complaint</p> <p>RICO (27)</p> <p>Other Complaint (not specified above) (42)</p> <p>Declaratory Relief Only</p> <p>Injunctive Relief Only (non-harassment)</p> <p>Mechanics Lien</p> <p>Other Commercial Complaint</p> <p>Case (non-tort/non-complex)</p> <p>Other Civil Complaint</p> <p>(non-tort/non-complex)</p> <p>Miscellaneous Civil Petition</p> <p>Partnership and Corporate Governance (21)</p> <p>Other Petition (not specified above) (43)</p> <p>Civil Harassment</p> <p>Workplace Violence</p> <p>Elder/Dependent Adult Abuse</p> <p>Election Contest</p> <p>Petition for Name Change</p> <p>Petition for Relief from Late Claim</p> <p>Other Civil Petition</p> | |

SHORT TITLE: Bauman, et al. v. National Football League,
et al.

CASE NUMBER

BC 485779

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL ☐ HOURS/ ☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column B below which best describes the nature of this case.

Step 3: In Column C, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

| | A Civil Case Cover Sheet Category/No. | B Type of Action (Check only one) | C Applicable Reasons - (See Step 3 Above) |
|---|--|---|--|
| Auto Tort | Auto (22) | <input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death | 1., 2., 4. |
| | Uninsured Motorist (46) | <input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist | 1., 2., 4. |
| Other Personal Injury/Property Damage/ Wrongful Death Tort | Asbestos (04) | <input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death | 2. 2. |
| | Product Liability (24) | <input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental) | 1., 2., 3., 4., 8. |
| | Medical Malpractice (45) | <input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice | 1., 4. 1., 4. |
| | Other Personal Injury Property Damage Wrongful Death (23) | <input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) | 1., 4. |
| | | <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) | 1., 4. |
| <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress | | 1., 3. | |
| | <input checked="" type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death | 1., 4. | |

| | |
|---|-------------|
| SHORT TITLE: Bauman, et al. v. National Football League, et al. | CASE NUMBER |
|---|-------------|

| | A Civil Case Cover Sheet Category No. | B Type of Action (Check only one) | C Applicable Reasons - See Step 3 Above | |
|--|--|---|---|--------|
| Non-Personal Injury/ Property Damage/ Wrongful Death Tort | Business Tort (07) | <input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract) | 1., 3. | |
| | Civil Rights (08) | <input type="checkbox"/> A6005 Civil Rights/Discrimination | 1., 2., 3. | |
| | Defamation (13) | <input type="checkbox"/> A6010 Defamation (slander/libel) | 1., 2., 3. | |
| | Fraud (16) | <input type="checkbox"/> A6013 Fraud (no contract) | 1., 2., 3. | |
| | Professional Negligence (25) | <input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal) | 1., 2., 3. 1., 2., 3. | |
| | Other (35) | <input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort | 2., 3. | |
| Employment | Wrongful Termination (36) | <input type="checkbox"/> A6037 Wrongful Termination | 1., 2., 3. | |
| | Other Employment (15) | <input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals | 1., 2., 3. 10. | |
| Contract | Breach of Contract/ Warranty (06) (not insurance) | <input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence) | 2., 5. 2., 5. 1., 2., 5. 1., 2., 5. | |
| | Collections (09) | <input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case | 2., 5., 6. 2., 5. | |
| | Insurance Coverage (18) | <input type="checkbox"/> A6015 Insurance Coverage (not complex) | 1., 2., 5., 8. | |
| | Other Contract (37) | <input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence) | 1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8. | |
| | | Eminent Domain/Inverse Condemnation (14) | <input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____ | 2. |
| | | Wrongful Eviction (33) | <input type="checkbox"/> A6023 Wrongful Eviction Case | 2., 6. |
| Real Property | Other Real Property (26) | <input type="checkbox"/> A6018 Mortgage Foreclosure | 2., 6. | |
| | | <input type="checkbox"/> A6032 Quiet Title | 2., 6. | |
| | | <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure) | 2., 6. | |
| Unlawful Detainer | Unlawful Detainer-Commercial (31) | <input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction) | 2., 6. | |
| | Unlawful Detainer-Residential (32) | <input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction) | 2., 6. | |
| | Unlawful Detainer-Post-Foreclosure (34) | <input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure | 2., 6. | |
| | Unlawful Detainer-Drugs (38) | <input type="checkbox"/> A6022 Unlawful Detainer-Drugs | 2., 6. | |

21/10/98

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| A Civil Case Cover Sheet Category/No. | B Type of Action (Check only one) | C Applicable Reasons - See Step 3 Above |
|--|---|---|
| Asset Forfeiture (05) | <input type="checkbox"/> A6108 Asset Forfeiture Case | 2., 6. |
| Petition re Arbitration (11) | <input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration | 2., 5. |
| Writ of Mandate (02) | <input type="checkbox"/> A6151 Writ - Administrative Mandamus | 2., 8. |
| | <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter | 2. |
| | <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review | 2. |
| Other Judicial Review (39) | <input type="checkbox"/> A6150 Other Writ /Judicial Review | 2., 8. |
| Antitrust/Trade Regulation (03) | <input type="checkbox"/> A6003 Antitrust/Trade Regulation | 1., 2., 8. |
| | <input type="checkbox"/> A6007 Construction Defect | 1., 2., 3. |
| | <input type="checkbox"/> A6006 Claims Involving Mass Tort | 1., 2., 8. |
| | <input type="checkbox"/> A6035 Securities Litigation Case | 1., 2., 8. |
| | <input type="checkbox"/> A6036 Toxic Tort/Environmental | 1., 2., 3., 8. |
| Insurance Coverage Claims from Complex Case (41) | <input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only) | 1., 2., 5., 8. |
| Enforcement of Judgment (20) | <input type="checkbox"/> A6141 Sister State Judgment | 2., 9. |
| | <input type="checkbox"/> A6160 Abstract of Judgment | 2., 6. |
| | <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) | 2., 9. |
| | <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) | 2., 8. |
| | <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax | 2., 8. |
| | <input type="checkbox"/> A6112 Other Enforcement of Judgment Case | 2., 8., 9. |
| RICO (27) | <input type="checkbox"/> A6033 Racketeering (RICO) Case | 1., 2., 8. |
| Other Complaints (Not Specified Above) (42) | <input type="checkbox"/> A6030 Declaratory Relief Only | 1., 2., 8. |
| | <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) | 2., 8. |
| | <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) | 1., 2., 8. |
| | <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex) | 1., 2., 8. |
| Partnership Corporation Governance (21) | <input type="checkbox"/> A6113 Partnership and Corporate Governance Case | 2., 8. |
| Other Petitions (Not Specified Above) (43) | <input type="checkbox"/> A6121 Civil Harassment | 2., 3., 9. |
| | <input type="checkbox"/> A6123 Workplace Harassment | 2., 3., 9. |
| | <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case | 2., 3., 9. |
| | <input type="checkbox"/> A6190 Election Contest | 2. |
| | <input type="checkbox"/> A6110 Petition for Change of Name | 2., 7. |
| | <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law | 2., 3., 4., 8. |
| | <input type="checkbox"/> A6100 Other Civil Petition | 2., 9. |

21/12/23

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CASE NUMBER

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.

☐ 1. ☐ 2. ☐ 3. ☒ 4. ☐ 5. ☐ 6. ☐ 7. ☐ 8. ☐ 9. ☐ 10.

ADDRESS: 818 W. 7th Street

CITY:

Los Angeles,

STATE:

CA

ZIP CODE:

90017

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Los Angeles courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: May 31, 2012

(SIGNATURE OF ATTORNEY/FILING PARTY)

Graham B. Lippsmith

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

21/10/96