

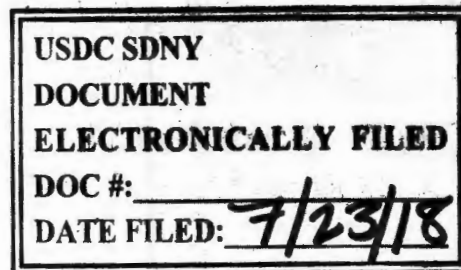


Deflategate Sports Illustrated Cover
Richard Berman to: sikingsllc
Bcc: Chelsea Tabolt

15cv5916

07/23/2018 09:01 AM

From: Richard Berman/NYSD/02/USCOURTS
To: sikingsllc@aol.com
Bcc: Chelsea Tabolt/NYSD/02/USCOURTS



Re: Brady v NFL (15 civ 2015)

Dear Mr Smith,

Thank you for your recent emails concerning the September 14, 2015 Sports Illustrated Deflategate cover. I recognize your interest and success in collecting signed Sports Illustrated covers.

And, I am confident that you will understand and appreciate my reasons for respectfully declining your request that I sign your cover.

For one thing, while I was privileged to preside over this very interesting case, remember that I did so as the randomly selected district court judge who was next up on the case assignment wheel. My role was to affirm or overturn the NFL Brady arbitration award which I did to the best of my ability. (And, I remain confident in my decision.)

The judge is in a quite different position than the parties whose case it is --and, since you have the signatures of Tom Brady and Roger Goodell, you are already way ahead of the game.

Second, I believe that my signing may be inconsistent with the judicial code of conduct, particularly the canon (2B) which states that "[a] judge should neither lend the prestige of the judicial office to advance the private interests of the judge **or others** [.]" No doubt, this is an issue of first impression. But my inclination and determination are to take the conservative approach.

I wish you all the best.

Sincerely,

Richard M. Berman