

**PRATIK A. SHAH**  
+1 202.887.4210/fax: +1 202.887.4288  
pshah@akingump.com

September 18, 2015

VIA ELECTRONIC FILING

Michael E. Gans, Clerk of Court  
U.S. Court of Appeals for the Eighth Circuit  
Thomas F. Eagleton Courthouse  
111 South 10th Street  
St. Louis, MO 63102

Re: *National Football League Players Association, On Behalf Of Adrian Peterson, v. National Football League et al.*, No. 15-1438

Dear Mr. Gans:

This letter responds to the NFLPA's September 10 letter regarding the Southern District of New York's recent decision in another player discipline case ("*Brady*"), which is on appeal in the Second Circuit.

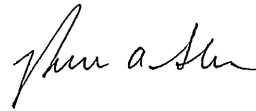
*Brady* does not bear on this case. The CBA requirement for which the NFLPA cites *Brady*—that players are entitled to general notice of “prohibited conduct and potential discipline”—is not in dispute.

The NFL disputes instead the district court's *application* of that requirement to the unique facts of this case. There is no dispute that Peterson was on notice that the misconduct at issue—child abuse—constitutes “conduct detrimental.” Nor is there any dispute that Peterson was on notice that the potential discipline for his misconduct includes suspension. Rather, the only notice question here is whether Peterson was on notice that he could be suspended for six games instead of two. The arbitrator found that Peterson had such notice; the district court substituted its judgment, including its interpretation of prior arbitration decisions, for that of the arbitrator. *Brady* provides no basis to second-guess the arbitrator's considered decision, which was based on a particularly “egregious” case of domestic violence, rejecting Peterson's notice argument. ADD021-ADD023.

Finally, *Brady*'s explicit reliance on the flawed district court order below only underscores the pressing need for this Court's reversal here.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Pratik A. Shah". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Pratik A. Shah  
*Counsel for Appellants National Football  
League and National Football League  
Management Council*

## CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2015, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Pratik A. Shah

*Counsel for Appellants National Football League and National Football League Management Council*