

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

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|---------------------------------|---|------------------------|
| NATIONAL FOOTBALL LEAGUE | § | |
| PLAYERS ASSOCIATION, on its own | § | |
| behalf and on behalf of EZEKIEL | § | |
| ELLIOTT, | § | |
| | § | CASE NO. 4:17-cv-00615 |
| Petitioner, | § | |
| | § | |
| v. | § | |
| | § | |
| NATIONAL FOOTBALL LEAGUE and | § | |
| NATIONAL FOOTBALL LEAGUE | § | |
| MANAGEMENT COUNCIL, | § | |
| | | |
| Respondents. | | |

DECLARATION OF JOSEPH “ROCKY” ARCENEUX, JR.

I, JOSEPH ARCENEUX, JR., declare as follows:

1. I am a National Football League (“NFL”) player agent and the President and CEO of the Alliance Management Group. I have been a player agent for almost thirty years, and have represented hundreds of players and negotiated hundreds of NFL player contracts during this time.

2. One of the players that I currently represent is Dallas Cowboys running back Ezekiel Elliott. I have represented Mr. Elliott since 2016, when he was drafted by the Cowboys with the fourth overall pick in the 2016 NFL Draft. I worked extensively on the negotiation of Mr. Elliott’s rookie contract with the Cowboys, and am therefore intimately familiar with the details of that contract. I am submitting this declaration in support of the National Football League Players Association’s (“NFLPA”) Emergency Motion for Temporary Restraining Order or Preliminary Injunction.

3. On August 11, 2017, Mr. Elliott received a letter from NFL Senior Vice President and Special Counsel for Conduct B. Todd Jones imposing a six-game suspension on him. The NFLPA and Mr. Elliott appealed the suspension, and Mr. Elliott's appeal hearing was held on August 29-31 before former NFL executive Harold Henderson.

4. Mr. Elliott is the starting running back for the Dallas Cowboys. During his rookie season in 2016, he led the NFL in rushing with 1,631 yards and scored 16 touchdowns. He became the first rookie of this millennium to lead the NFL in rushing yards. He was also named to the Pro Bowl and the All-Pro First Team. He is one of the best players in the NFL.

5. Mr. Elliott's six-game suspension will begin with the Cowboys' first game of the regular season, on September 10, 2017. In addition to missing six games (nearly half of the NFL season), he will not be permitted to practice with his team leading up to the games for which his suspension is in effect.

6. Mr. Elliott's six-game suspension will cause Mr. Elliott irreparable injury. In my almost thirty years of experience as an agent, I know that NFL careers are short and precarious, especially at the running back position that Mr. Elliott plays. I have seen the careers of many of my clients end in an instant due to injury. Even if the Court were to eventually set aside his suspension, there would be no way for Mr. Elliott to make up for any practices or games that he has missed.

7. As the starting running back for the Cowboys and the NFL's leading rusher in 2016, Mr. Elliott fulfills a central role on his team. Mr. Elliott's missing practices and games will hurt his team's chances of having a successful season and making it to the 2017-2018 NFL playoffs. And Mr. Elliott's missing practices and games at the beginning of the season will be disruptive

and affect his team's performance even after he returns. Helping his team make the playoffs and win the Super Bowl is Mr. Elliott's number one objective as a player.

8. During his suspension, Mr. Elliott will also miss out on competitive opportunities that he can never recapture. Not only will Mr. Elliott be prevented from helping his team win games, but his chances of once again securing the NFL's rushing title, being selected to the Pro Bowl and achieving other League honors and statistical accomplishments will be significantly diminished if he is suspended. Money damages cannot compensate for these missed opportunities.

9. In addition, Mr. Elliott's reputation has been damaged by the NFL's false conclusion that he committed domestic violence. He was never arrested, much less charged, with domestic violence by the authorities, and he testified under oath at the appeal hearing that he never committed the conduct for which he is being accused. If Mr. Elliott serves a wrongful suspension, this irreparable harm to his reputation will be reinforced and compounded.

10. Based on my experience as an agent, I know that serving any suspension hurts a player's market value because of the snowball effect the suspension has on the player's reputation and earning potential. As a result of his suspension, Mr. Elliott's market value will be diminished when his current contract is up for renegotiation or expires because he will likely not achieve the League honors or statistical accomplishments that he is capable of during the 2017-2018 NFL season due to his six-game suspension, thereby causing him further irreparable harm.

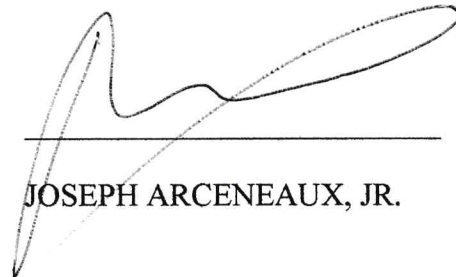
11. Finally, I understand that the reason the NFLPA and Mr. Elliott have requested a decision on the NFLPA's Emergency Motion for Temporary Restraining Order or Preliminary Injunction by no later than September 5 is because that is the day the Cowboys begin their practices for the opening season game on September 10. Without a temporary restraining order or injunction

to stop Mr. Elliott's suspension on or before September 5, the Cowboys would have to prepare for the team's first game with another running back.

12. Based on my experience, it is my belief that Mr. Elliott cannot be fully compensated by monetary damages for the harm he will suffer if he is suspended.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and recollection.

Executed on August 31, 2017.



JOSEPH ARCENEUX, JR.