

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

NATIONAL FOOTBALL LEAGUE	§	
PLAYERS ASSOCIATION, on its own	§	
behalf and on behalf of EZEKIEL	§	
ELLIOTT,	§	
	§	CASE NO. _____
Petitioner,	§	
	§	
v.	§	
	§	
NATIONAL FOOTBALL LEAGUE and	§	
NATIONAL FOOTBALL LEAGUE	§	
MANAGEMENT COUNCIL,	§	
Respondents.		

DECLARATION OF JASON COHEN

I, JASON COHEN, declare as follows:

1. I am the General Counsel of the National Football League’s (“NFL” or “ League”) Dallas Cowboys and have served in that position since 2013. As General Counsel of the Cowboys, I am intimately familiar with the NFL’s policies, including the League’s Personal Conduct Policy (“PCP”). I am also intimately familiar with the day-to-day operations of the Cowboys. 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.

2. On August 11, 2017, Mr. Elliott was informed by the NFL that he was being suspended for the first six regular season games of the 2017 NFL season for allegedly violating the PCP. The NFLPA and Mr. Elliott appealed the six-game suspension, and Mr. Elliott’s appeal hearing was held in New York on August 29-31 before former NFL executive Harold Henderson.

3. On August 29 and 30, 2017, I observed the testimony of Ms. Lisa Friel, NFL Special Counsel for Investigations and Ms. Kia Roberts, NFL Director of Investigations.

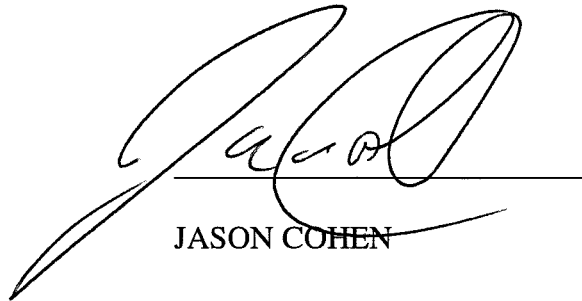
4. On August 29, 2017, Ms. Roberts testified that she was the only person to interview Mr. Elliott's accuser and all other witnesses in the investigation. She testified that she had credibility concerns about the accuser, and that her view was that there was insufficient corroborating evidence to proceed with discipline. Ms. Roberts testified that she was not invited to communicate her views directly to Commissioner Goodell or to the four advisors from whom he sought guidance regarding this case.

5. On August 30, 2017, Ms. Friel testified that Ms. Roberts was not invited to a meeting with Commissioner Goodell at which Ms. Friel and other NFL executives discussed the case with him. Ms. Friel also testified that Ms. Roberts was not invited to a meeting with the four advisors who were engaged by the NFL to consult with the Commissioner on this matter.

6. Mr. Elliott's six-game suspension will cause the Cowboys irreparable harm. Mr. Elliott is the starting running back for the team and one of the best players in the NFL. He fulfills a critical role on our team—both as a leader and a player. In addition to missing six games (nearly half of the NFL season), he will not be permitted to practice with the team leading up to the games for which his suspension is in effect. Every practice and every game that Mr. Elliott misses will hurt our team's chances of having a successful season and making it to the 2017-2018 NFL playoffs and hopefully the Super Bowl. And Mr. Elliott's missing practices and games at the beginning of the season will be very disruptive and affect our team's performance even after he returns.

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.



A handwritten signature in black ink, appearing to read 'Jason Cohen', is written over a horizontal line. The signature is stylized and cursive.

JASON COHEN