

APPENDIX K \ Players' Options to Enforce Stakeholders' Legal and Ethical Obligations^a

Stakeholder Against Whom Relief is Sought	Enforcement Mechanism	Strengths	Weaknesses
Players	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award 	<ul style="list-style-type: none"> • Length of time • Cost • Conduct must have been intentional, reckless, or willful and wanton • Potentially preempted by CBA • Almost definitely barred by workers' compensation statutes if injured by player's own teammate
Athletic Trainers	Accountability and Care Committee – Art. 39	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Claim is referred to NFL and club • Committee has no binding authority • No neutral adjudicatory process
	Non-Injury Grievance – Art. 43	<ul style="list-style-type: none"> • Less costly and faster than court action • Private • Money damages explicitly available • Can allege ethical violations 	<ul style="list-style-type: none"> • CBA likely cannot be enforced in an action against athletic trainers • Almost definitely barred by workers' compensation statutes • 50-day statute of limitations strictly enforced • No jury • Less public scrutiny than court action
	Joint Committee on Player Safety and Welfare – Art. 50	<ul style="list-style-type: none"> • Inexpensive • Informal • Private • Review by neutral doctors 	<ul style="list-style-type: none"> • Claim is referred to NFL and club • Committee has no binding authority • No neutral adjudicatory process

^a The chart here includes players' options to enforce a stakeholder's legal and ethical obligations, except for The Media, Fans, and NFL Business Partners. Enforcement against those stakeholders is too unlikely and tangential to be included among these enforcement options.

APPENDIX K: Players' Options To Enforce Stakeholders' Legal And Ethical Obligations (continued)

Stakeholder Against Whom Relief is Sought	Enforcement Mechanism	Strengths	Weaknesses
Athletic Trainers (continued)	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Very likely barred by workers' compensation statutes • Potentially preempted by CBA
	File complaint with Professional Football Athletic Trainers Society (PFATS).	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player
	File complaint with National Athletic Trainers Association (NATA).	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player
	File complaint with Board of Certification for the Athletic Trainer.	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player
Club Doctors	Accountability and Care Committee – Art. 39	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Claim is referred to NFL and club • Committee has no binding authority • No neutral adjudicatory process
	Non-Injury Grievance – Art. 43	<ul style="list-style-type: none"> • Less costly and faster than court action • Private • Money damages explicitly available • Can allege ethical violations 	<ul style="list-style-type: none"> • CBA likely cannot be enforced in an action against club doctors • Might be barred by workers' compensation statutes • 50-day statute of limitations strictly enforced • No jury • Less public scrutiny than court action
	Joint Committee on Player Safety and Welfare – Art. 50	<ul style="list-style-type: none"> • Inexpensive • Informal • Private • Review by neutral doctors 	<ul style="list-style-type: none"> • Unclear whether Committee has any authority to compensate player

Stakeholder Against Whom Relief is Sought	Enforcement Mechanism	Strengths	Weaknesses
Club Doctors (continued)	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Potentially preempted by CBA • Possibly barred from workers' compensation statutes (depending on relationships between club and doctor)
	File complaint with the doctor's state licensing board	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player
Second Opinion Doctors	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost
	File complaint with the doctor's state licensing board	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player
Neutral Doctors	Non-Injury Grievance — Art. 43	<ul style="list-style-type: none"> • Less costly and faster than court action • Private • Money damages explicitly available • Can allege ethical violations 	<ul style="list-style-type: none"> • 50-day statute of limitations strictly enforced • No jury • Less public scrutiny than court action
	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Potentially preempted by CBA
	File complaint with the doctor's state licensing board.	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player
Personal Doctors	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost
	File complaint with the doctor's state licensing board	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player

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Stakeholder Against Whom Relief is Sought	Enforcement Mechanism	Strengths	Weaknesses
The NFL	Non-Injury Grievance — Art. 43	<ul style="list-style-type: none"> • Less costly and faster than court action • Private • Money damages explicitly available 	<ul style="list-style-type: none"> • 50 day statute of limitations strictly enforced • No jury • Less public scrutiny than court action
	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Claims often preempted by CBA
The NFLPA	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Potentially preempted by CBA and National Labor Relations Act (NLRA)
	Arbitration pursuant to NFLPA Constitution	<ul style="list-style-type: none"> • Less costly and faster than court action • Private 	<ul style="list-style-type: none"> • Mechanism has never been used • Unclear if damages available to injured player
NFL Clubs	Accountability and Care Committee — Art. 39	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Claim is referred to NFL and club • Committee has no binding authority • No neutral adjudicatory process
	Non-Injury Grievance — Art. 43	<ul style="list-style-type: none"> • Less costly and faster than court action • Private • Money damages explicitly available • Can allege ethical violations 	<ul style="list-style-type: none"> • 50 day statute of limitations strictly enforced • No jury • Less public scrutiny than court action
	Joint Committee on Player Safety and Welfare — Art. 50	<ul style="list-style-type: none"> • Inexpensive • Informal • Private • Review by neutral doctors 	<ul style="list-style-type: none"> • Unclear whether Committee has any authority to compensate player
	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Claims likely preempted by CBA

Stakeholder Against Whom Relief is Sought	Enforcement Mechanism	Strengths	Weaknesses
Coaches	Non-Injury Grievance – Art. 43	<ul style="list-style-type: none"> • Less costly and faster than court action • Private • Money damages explicitly available 	<ul style="list-style-type: none"> • CBA likely cannot be enforced in an action against coaches • Almost definitely barred by workers' compensation statutes • 50-day statute of limitations strictly enforced • No jury • Less public scrutiny than court action
	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Almost definitely barred by workers' compensation statutes • Potentially preempted by CBA
	File complaint with the American Football Coaches Association (AFCA)	<ul style="list-style-type: none"> • Inexpensive • Fast • Private 	<ul style="list-style-type: none"> • AFCA cannot order recompense to the injured player • AFCA generally not involved in NFL coach matters
Club Employees	Non-Injury Grievance – Art. 43	<ul style="list-style-type: none"> • Less costly and faster than court action • Private • Money damages explicitly available 	<ul style="list-style-type: none"> • CBA likely cannot be enforced in an action against club employees • Almost definitely barred by workers' compensation statutes • 50-day statute of limitations strictly enforced • No jury • Less public scrutiny than court action
	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Very likely barred by workers' compensation statutes • Potentially preempted by CBA

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Stakeholder Against Whom Relief is Sought	Enforcement Mechanism	Strengths	Weaknesses
Equipment Managers	Non-Injury Grievance – Art. 43	<ul style="list-style-type: none"> • Less costly and faster than court action • Private • Money damages explicitly available • Can allege ethical violations 	<ul style="list-style-type: none"> • CBA likely cannot be enforced in an action against equipment managers • Almost definitely barred by workers' compensation statutes • 50-day statute of limitations strictly enforced • No jury • Less public scrutiny than court action
	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Almost definitely barred by workers' compensation statutes • Potentially preempted by CBA
	File complaint with Athletic Equipment Managers Association (AEMA)	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player • Not all Equipment Managers are members of the AEMA
Contract Advisors	Grievance pursuant to Contract Advisor Regulations	<ul style="list-style-type: none"> • Less costly and faster than court action • Private 	<ul style="list-style-type: none"> • No jury • Less public scrutiny than court action
	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Almost definitely barred by Contract Advisor Regulations
	File complaint with Committee on Agent Regulation and Discipline (CARD)	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player
	File complaint with the contract advisor's state bar (if contract advisor is attorney)	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player

Stakeholder Against Whom Relief is Sought	Enforcement Mechanism	Strengths	Weaknesses
Financial Advisors	File grievance with Financial Industry Regulation Authority (FINRA)	<ul style="list-style-type: none"> • Less costly and faster than court action • Private 	<ul style="list-style-type: none"> • No jury • Less public scrutiny than court action
	File complaint with NFLPA	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player
	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Likely barred by arbitration clause in financial advisor agreement
	File complaint with the financial advisor's relevant professional societies	<ul style="list-style-type: none"> • Inexpensive • Informal • Private 	<ul style="list-style-type: none"> • Unlikely to result in tangible benefit to player
Family Members	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Public airing of family matters
Officials	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Potentially preempted by CBA
Equipment manufacturers	Civil lawsuit	<ul style="list-style-type: none"> • Potential for jury award • Public scrutiny 	<ul style="list-style-type: none"> • Length of time • Cost • Potentially preempted by CBA