

## APPENDIX N \ Reviewers of This Report

After this Report was reviewed by The Football Players Health Study team at Harvard, we subjected it to review by numerous advisors, experts, readers, and stakeholders before publication. We identify these reviewers below.

Importantly, while the below reviewers had the opportunity to comment, and their comments in many instances did inform the content of this Report, we retained control over its final content. Thus, review alone should not necessarily be considered an individual endorsement by that reviewer of the final Report in its entirety.

### LAW & ETHICS ADVISORY PANEL (LEAP)

The LEAP is a multidisciplinary group of individuals who advise the Law & Ethics Initiative of The Football Players Health Study. We hold semi-annual meetings or conference calls with members of the LEAP to update them on our projects and receive their feedback. In addition, we communicate with individual members of the LEAP from time to time if they have expertise relevant to a particular issue we are facing or working through. The LEAP members are not paid for their assistance.

Specific to the LEAP's role in reviewing this Report, we consulted with LEAP members early in the drafting process, and members were given the opportunity to comment on the Report's organization, selection of stakeholders, and relevant ethics principles. They also had the opportunity to review a complete draft of the Report and provide detailed feedback. We listened to this feedback, and where appropriate, made changes.

#### APPENDIX N-A: LEAP Members

LEAP Member	Relevant Titles and Affiliations	Relevant Expertise
Nita Farahany, J.D., M.A., Ph.D.	Professor, Duke University and Duke University School of Law; Member, Presidential Commission for the Study of Bioethical Issues.	Farahany is an expert in bioethics and the law.
Joseph J. Fins, M.D., M.A.C.P.	Professor, Attending Physician and Chief of Division of Medical Ethics, Weill Cornell Medical College.	Fins is an expert in medicine, public health, and bioethics.
Ashley Foxworth, J.D., M.A.	Attorney; Student, Harvard Graduate School of Education.	Foxworth is an attorney and her husband, Domonique, played in the NFL from 2005–11 and was President of the NFLPA from 2012–14.
Walter Jones	Former NFL Player.	Jones is a former offensive lineman and a member of the Pro Football Hall of Fame. Jones played with the Seattle Seahawks from 1997–2009.

**APPENDIX N-A: LEAP Members (continued)**

LEAP Member	Relevant Titles and Affiliations	Relevant Expertise
Isaiah Kacyvenski, M.B.A.	Former NFL Player; Head of Sport & Fitness, MC10 Inc.	Kacyvenski played in the NFL from 2000–07. After earning his M.B.A. at Harvard Business School, Kacyvenski joined the health technology company MC10.
Bernard Lo, M.D.	President, Greenwall Foundation; Professor of Medicine Emeritus and Director of the Program in Medical Ethics Emeritus, University of California, San Francisco.	Lo is an expert in medicine and bioethics.
Chris Ogbonnaya, B.A., B.S.	Former NFL Player (current player at the time of joining LEAP).	Ogbonnaya played in the NFL from 2009–14.
Dick Vermeil, M.A.	Former NFL Coach.	Vermeil coached in the NFL for 29 years, including 15 as a head coach. Vermeil won Super Bowl XXXIV as the coach of the St. Louis Rams in 1999.

**PEER REVIEWERS:**

Following LEAP review, we provided each of the below reviewers a draft copy of the Report and asked them, within 30 days, to provide written comments focusing on the following items:

- a) Does the Report contain any legal or factual errors or omissions?
- b) Is the Report fair in its tone and analysis?
- c) Is the Report understandable? Do you have any suggestions for improving the Report's accessibility?
- d) Is the Report missing anything that would help contribute to player health?
- e) Are the Report's recommendations meaningful and realistic?
- f) Are there additional recommendations you would make, or recommendations that should be excluded?
- g) Do you have any other comments or feedback concerning the Report?

We reviewed the reviewers' comments and made the changes we believed were necessary and appropriate. The reviewers were paid \$5,000 each for their work.

Gabriel Feldman, Associate Professor of Law and Director, Sport Law Program, Tulane University Law School, additionally served as a "lead" peer reviewer. Professor Feldman provided his own comments on the Report and also reviewed the comments of the other reviewers as well as any changes we made in response to those comments to ensure we had properly considered and addressed the comments of the reviewers. In light of his increased responsibilities, Professor Feldman was paid \$10,000 for his work. Professor Feldman's review of our work is further described in Appendix O.

**APPENDIX N-B:**  
**Peer Reviewers**

Reviewer	Relevant Titles and Affiliations	Relevant Expertise
Andrew Brandt, J.D.	Director, Moorad Center for Sports Law, Villanova University; Contributor on NFL legal and business affairs, ESPN and Sports Illustrated.	Brandt is an expert in sports law and business, including particular expertise in the law and business of the NFL. Prior to his current positions, Brandt was an NFLPA-certified Contract Advisor, the General Manager of an NFL World League Club, and Vice President of the Green Bay Packers from 1999–2008.
Gabriel Feldman, M.A., J.D.	Associate Professor of Law and Director, Sport Law Program, Tulane University School of Law; Associate Provost for NCAA Compliance, Tulane University; Board Member, Sports Lawyers Association.	Feldman is an expert in sports law, including particular expertise in the application of antitrust law to the sports industry.
Michelle Mello, M.Phil., Ph.D., J.D.	Professor, Stanford Law School and Stanford University School of Medicine.	Mello is an expert in health law, including particular expertise in medical liability, patient safety and medical ethics.
Matt Mitten, J.D.	Professor of Law and Director, National Sports Law Institute, Marquette University Law School; Arbitrator, Court of Arbitration for Sport; Board Member and Current President, Sports Lawyers Association.	Mitten is an expert in sports law, including particular expertise in the application of tort law and health law in the sports setting.
William Sage, M.D., J.D.	Professor, University of Texas School of Law; Member, National Academy of Medicine; Fellow, The Hastings Center.	Sage, a licensed attorney and doctor, is an expert in health law and bioethics.
Paul Wolpe, M.A., M.Phil., Ph.D.	Professor of Bioethics, Director, Center for Ethics, Emory University; Senior Bioethicist, National Aeronautics and Space Administration; Fellow, The Hastings Center.	Wolpe is an expert in bioethics.
Cindy Chang, M.D.	Sports Medicine Specialist, University of California, San Francisco, Benioff Children’s Hospitals and Sports Medicine Center for Young Athletes; Team doctor, University of California, Berkeley; Former President, American Medical Society for Sports Medicine.	Chang is a sports medicine expert and practitioner, having served as a physician for University of California, Berkeley athletic teams, Ohio State University athletic teams and the United States Olympic teams.

## ADDITIONAL READERS:

We provided each of the below readers a draft copy of the Report (or parts thereof) and asked them to provide written comments on those chapters or areas relevant to their expertise. We reviewed the readers' comments and made the changes we believed were necessary and appropriate but did not provide Professor Feldman with the comments from the readers. Each of them has a perceived or potential conflict of commitment that differentiates them from the peer reviewers discussed above. Consequently, Carfagna, Goldberg, and Robertson were not paid for their comments. Gusmano, Maschke, and Solomon were not paid directly for their comments, but The Hastings Center does receive compensation from The Football Players Health Study at Harvard University pursuant to an agreement between The Hastings Center and Harvard University under which The Hastings Center is a collaborator on certain Football Players Health Study research projects. Through that agreement, The Hastings Center also arranged the review by Dr. Hoberman.

### APPENDIX N-C:

#### Additional Readers

Reader	Relevant Titles and Affiliations	Relevant Expertise
Peter Carfagna, J.D.	Lecturer, Harvard Law School; Chairman, Lake County Captains; Board Member; Concussion Legacy Foundation.	Carfagna is an expert in sports law.
John Goldberg, M.A., M.Phil., J.D.	Professor, Harvard Law School.	Goldberg is an expert in tort law.
Michael Gusmano, M.A., Ph.D.	Research Scholar, The Hastings Center; Lecturer, Yale University.	Gusmano is an expert in health policy.
John Hoberman, Ph.D.	Professor, University of Texas.	Hoberman is an expert in the culture and history of sports and medicine.
Karen Maschke, M.A., Ph.D.	Research Scholar, The Hastings Center.	Maschke is an expert in bioethics and health policy.
Christopher Robertson	Associate Professor, University of Arizona College of Law; Affiliate, Edmond J. Safra Center for Ethics, Harvard University; Affiliate, Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics, Harvard Law School.	Robertson is an expert in health law and bioethics.
Mildred Solomon, Ed.D.	President and Chief Executive Officer, The Hastings Center.	Solomon is an expert in bioethics, health policy, and social science research.

## STAKEHOLDER REVIEWERS:

After the peer review process, we offered most of the stakeholders covered in this Report the opportunity to review the chapter or chapters concerning them. For example, players only reviewed Chapter 1: Players, but the NFL Physicians Society (NFLPS) reviewed Chapter 2: Club Doctors, Chapter 3: Athletic Trainers, Chapter 4: Second Opinion Doctors, Chapter 5: Neutral Doctors, and Chapter 6: Personal Doctors. To protect the confidentiality of the Report prior to publication, only the NFL and NFLPA were offered the opportunity to review the *entire* Report before publication.

Other than the NFL and NFLPA, all of the stakeholders are a group of individual persons or entities. We could not realistically provide each individual person or entity within these groups the opportunity to respond to the Report. Thus, where possible, we provided an organization that represents these individual persons or entities an opportunity to do so. Additionally, in certain cases, we offered certain individuals or entities within the group the opportunity to review the Report.

Below is a list of individuals and entities we invited to review the Report on behalf of each stakeholder. Some of the stakeholders do not have a well-defined representative to review the Report. Thus, there was no review on behalf of these stakeholders, as is explained in further detail in Table N-D. Table N-D also identifies those individuals or entities that accepted our invitation to review the Report. None of the stakeholders were compensated in any way for their review.

In providing each of the stakeholders the opportunity to review the Report, we requested written comments within 30 days. We reviewed the stakeholders' comments and made the changes we believed were necessary and appropriate.

### APPENDIX N-D:

#### Stakeholder Reviewers

Stakeholder	Invited Reviewer(s)	Reviewer(s)
Chapter 1: Players	All 13 players confidentially interviewed as part of this Report.	Seven of the 13 players that we confidentially interviewed as part of this Report agreed to review the Report; three provided comments.
Chapter 2: Club Doctors	We invited the NFL to arrange review by Club doctors of the NFL's choosing and through the NFLPS.	The NFLPS reviewed relevant parts of the Report and provided its own set of comments via the NFL. The NFLPS also provided a commentary in a Special Report of The Hastings Center Report discussing our recommendations concerning club doctors.
Chapter 3: Athletic Trainers	(1) National Athletic Trainers Association (NATA); and, (2) we invited the NFL to arrange review by athletic trainers of the NFL's choosing and through the Professional Football Athletic Trainers Society (PFATS).	NATA reviewed relevant parts of the Report and provided comments. PFATS reviewed relevant parts of the Report and provided their own set of comments via the NFL.
Chapter 4: Second Opinion Doctors	We did not seek a second opinion doctor reviewer because there is no readily available list of such doctors as described in this Report.	No one reviewed the Report on behalf of second opinion doctors.
Chapter 5: Neutral Doctors	We did not seek a neutral doctor reviewer because there is no readily available list of such doctors as described in this Report.	No one reviewed the Report on behalf of neutral doctors.

**APPENDIX N-D: Stakeholder Reviewers (continued)**

Stakeholder	Invited Reviewer(s)	Reviewer(s)
Chapter 6: Personal Doctors	We did not seek a personal doctor reviewer because there is no readily available list of such doctors as described in this Report.	No one reviewed the Report on behalf of personal doctors.
Chapter 7: NFL	We invited the NFL to arrange review by a maximum of 15 NFL employees or persons working with the NFL, e.g., outside counsel.	The NFL reviewed the entire Report and provided comments.
Chapter 7: NFLPA	We invited the NFLPA to arrange review by NFLPA employees as it deemed appropriate. The NFLPA's review was broader than the NFL's due to the contract between Harvard and the NFLPA, including relevant confidentiality provisions.	The NFLPA reviewed the entire Report and provided comments.
Chapter 8: NFL Clubs	We invited the NFL to arrange review by club officials of the NFL's choosing.	The NFL reviewed the Report and provided comments.
Chapter 9: Coaches	(1) NFL Coaches Association; (2) American Football Coaches Association; and, (3) we invited the NFL to arrange review by coaches of the NFL's choosing.	The NFL, the American Football Coaches Association, and the NFL Coaches Association reviewed relevant parts of the Report and provided comments.
Chapter 10: Club Employees	We invited the NFL to arrange review by club employees of the NFL's choosing.	The NFL reviewed the Report and provided comments.
Chapter 11: Equipment Managers	(1) American Equipment Managers Association; and, (2) we invited the NFL to arrange review by equipment managers of the NFL's choosing.	The NFL and the American Equipment Managers Association reviewed relevant parts of the Report and provided comments.
Chapter 12: Contract Advisors	All 6 contract advisors confidentially interviewed as part of this Report.	Five of the six contract advisors that we confidentially interviewed as part of this Report agreed to review relevant parts; three provided comments.
Chapter 13: Financial Advisors	All 3 financial advisors confidentially interviewed as part of this Report.	Two of the three financial advisors confidentially interviewed as part of this Report agreed to review its relevant parts; Mark Doman, one of the financial advisors interviewed, was the only one who provided comments and asked to be identified.
Chapter 14: Family Members	The Off the Field Players' Wives Association (OTFPWA).	The President of the OTFPWA, Ericka Lassiter, who is also a Family Advisor to The Football Players Health Study at Harvard University, arranged for three wives of former NFL players to review relevant parts of the Report; two provided comments.

Stakeholder	Invited Reviewer(s)	Reviewer(s)
Chapter 15: Officials	(1) NFL Referees Association; and, (2) National Association of Sports Officials.	The National Association of Sports Officials reviewed relevant parts of the Report and provided comments. The NFL Referees Association declined our invitation to review the Report.
Chapter 16: Equipment Manufacturers	(1) National Operating Committee on Standards for Athletic Equipment (NOCSAE); (2) Riddell; and, (3) Schutt.	NOCSAE, Riddell and Schutt all reviewed relevant parts of the Report and provided comments.
Chapter 17: The Media	(1) Pro Football Writers Association; and, (2) National Sports Media Association.	The Pro Football Writers Association and the National Sports Media Association both declined to review the Report.
Chapter 18: Fans	We did not seek a fans reviewer because: (1) NFL fans are too heterogeneous of a group to allow review by only a small sample; and, (2) most (if not all) of the other reviewers of this Report are also fans.	No one reviewed the Report on behalf of fans.
Chapter 19: NFL Business Partners	(1) Verizon; (2) Nike; (3) Anheuser-Busch; (4) Pepsi; (5) Microsoft; (6) Gatorade; (7) McDonald's; (8) Nationwide Insurance; and, (9) FedEx.	Verizon, Anheuser-Busch, Pepsi, and McDonald's did not respond to multiple invitations to review the Report. Gatorade, FedEx, and Nationwide Insurance declined to review the Report. Nike and Microsoft reviewed relevant parts of the Report and provided comments.