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August 26, 2015

Hon. Richard M. Berman  
United States District Court, Southern District of New York  
500 Pearl Street, Room 1650  
New York, NY 10007

**MEMO ENDORSED**  
*See Attached  
check to Docket*

Re: Permission requested to file AMICUS CURIAE IN OPPOSITION TO  
THE NFL'S MOTION TO CONFIRM ARBITRATION AWARD Case No. 15-cv-5916 (RMB)(JCF)

Your Honor,

While my request letter, which you received Wednesday morning, was in the mail, it emerged that new NFL filings were arguing that it is okay for the NFL to be biased and mistaken in their facts. Even if true, **that doesn't mean that it is okay for them to collude to lie about the central fact:** their researchers knew the Patriots balls were at the right pressure.

That's why my brief is so vital. It proves that lie beyond a reasonable doubt.

For the sake of brevity, I omitted from my first letter to you some further evidence that my brief proves the lie: Exponent rigged their simulation to misrepresent their understanding of what the Patriots' ball pressure was supposed to be:

Exponent went out of their way to NOT represent that their simulation of half time replicated how the balls were handled during the real half time (i.e. kept in a bag):

*The procedure used to generate the halftime measurements during Game Day was replicated. Namely, the Logo and Non-Logo Gauges were used.*

--Source: Bottom of Exponent page 56 (as discussed in my brief on page 35).

Notice how the word "namely" deletes the first claim and replaces it with a claim that excludes keeping the balls in the bag.

That is in contrast with how Exponent calls attention to replicating the game-day use of ball bags during other phases in their simulations (see my brief on page 36).

What do you make of all this?

Sincerely

Robert F. Young



Thank you for your submission – I apologize for the delay in responding.

We have placed your submission on the court dockets for the NFL v. NFLPA (Tom Brady) matter (15 Civ. 5916 and 15 Civ. 5982).

Handwritten signature of Richard M. Berman in black ink.

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Richard M. Berman, USDJ

9/9/15

<see next page for start of amicus brief>

Case No. 15-cv-5916 (RMB)(JCF)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

<p>NATIONAL FOOTBALL LEAGUE MANAGEMENT COUNCIL, Plaintiff, -v.- NATIONAL FOOTBALL LEAGUE PLAYERS ASSOCIATION, Defendant-Counterclaimant</p>	<p>Case No. 15-cv-5916 (RMB)(JCF)</p>
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**ROBERT F. YOUNG'S AMICUS CURIAE IN OPPOSITION TO  
THE NFL'S MOTION TO CONFIRM ARBITRATION AWARD**

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Notes added after-the-fact that are NOT part of the amicus brief:

The entire amicus brief was posted. Summary of Argument is the most important section to read – the Argument section does not repeat all the observations from the summary.

To see it all, and related material, please go to the landing page [www.BetterDialogue.com/DeflateGate](http://www.BetterDialogue.com/DeflateGate).

If interested in a quick summary in pictures, see the link on that page to where you can download a .pdf of simple pictures to explain the issue.

The amicus brief link near the top of the landing page takes you to a page where you can download a text-searchable version of the full amicus brief. In that version, clicking on the table-of-contents entries

will take you directly to each section listed. Two versions are found on that page: the original, and a revised version that shows additions and deletions (strikethroughs) in one paragraph on page 20, to correct an inconsequential error (for the sake of not having any incorrect information in the brief).