

Winston Scores Major Victory for Client NFLPA and Football Star Adrian Peterson

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Winston & Strawn partners Jeffrey Kessler and David Greenspan led a team of Winston lawyers to land a big win for client National Football League Players Association (NFLPA) on February 26, 2015. U.S. District Court Judge David Doty issued [a 16-page decision](#) siding with the NFLPA's argument that NFL arbitrator Harold Henderson ignored the essence of the parties' collective bargaining agreement and exceeded his authority in affirming the discipline imposed by NFL Commissioner Roger Goodell in suspending Mr. Peterson for using a switch to discipline his son in May 2014.

Mr. Goodell suspended Mr. Peterson in November 2014 until at least April 15, 2015. The suspension was then upheld on December 12 by arbitrator Harold Henderson, a longtime NFL executive whom the NFLPA argued was evidently partial in favor of the league. The NFLPA then [filed a lawsuit](#) on behalf of Mr. Peterson on December 15, three days after Mr. Henderson upheld the suspension, seeking to vacate the arbitration award. Oral arguments were then heard before Judge Doty on February 6, 2015.

In representing the NFLPA, Winston argued that Mr. Henderson acted outside his authority in the arbitration and that Mr. Peterson should not be subject to the league's new personal conduct policy, which could not be applied on a retroactive basis according to the law of the CBA shop. Winston also asserted that the ruling by Mr. Henderson was biased in favor of the NFL.

The Court's decision to vacate the arbitration award was a major victory for the NFLPA and Mr. Peterson. In challenging the arbitration award, Winston convinced the Court that the arbitrator acted inconsistently with rules agreed upon by the NFL and NFLPA.

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