

From: Pash, Jeff  
Sent: Saturday, February 07, 2015 9:52 AM  
To: Goldberg, Daniel L.  
Cc: Wells Jr., Theodore V; Reisner, Lorin L; Glaser, Robyn  
Subject: RE: Scope of Investigation

Because of the importance of this subject, I thought it would be best to re-send the entirety of my earlier note, this time (I hope) without any typos.

Dan, thank you for your note and for the cooperation and assistance that you and Robyn are providing to Ted Wells and his colleagues. We are committed to a fair and objective assessment of this matter and the steps you have identified will certainly help accomplish that.

With respect to the internal matters that you have identified in your email, I think the Commissioner has been unequivocal in saying that the league office has made no judgments and reached no conclusions about why the footballs were under-inflated and who (if anyone) was responsible for that. I have repeated that as well. But I will state again -- There are no prejudgments. There are no presumptions of wrongdoing. We are taking seriously the explanations offered by Coach Belichick and others and are committed to giving them thorough and objective consideration. I am quite certain that I speak for the Commissioner in this respect.

Apart from this, we have deferred to the preferences expressed by you and Robyn regarding the involvement of some members of our staff and I believe Ted has indicated his willingness to work with you on the schedule of interviews.

I know the Commissioner is as displeased by the media activity as you and others are. He has been as clear as possible on this point. To some extent, the media activity is inherent in Super Bowl week -- having now been to 7 Super Bowls, the Patriots know better than any club the feeding frenzy that takes place around the game. I am somewhat encouraged that the media activity seems to have slowed down a bit, and I am hopeful that the investigation can now proceed in a calm, quiet, and professional way.

I will share your request with the Commissioner regarding how these internal matters are reviewed.

I apologize for the length of this reply; it reflects my respect for you and Robyn; our prior work together; and the seriousness with which I know you wrote your note.

Best wishes, Jeff

From: Goldberg, Daniel L.  
Sent: Friday, February 06, 2015 8:34 PM  
To: Pash, Jeff  
Cc: Wells Jr., Theodore V; Reisner, Lorin L; Glaser, Robyn [Forward]  
Subject: Scope of Investigation

Dear Jeff: As Ted and Lorin have likely advised you, our communications this week have made significant progress as the team works to facilitate the independent investigation they are pursuing. Among other things, the Patriots have agreed to protocols for consultants retained by Ted Wells to take possession of and examine the game balls; agreed to facilitate all the requested interviews (including repeat interviews for those already interviewed by the NFL); set dates for a number of them; agreed to having them tour the Stadium facilities this weekend and use those facilities for interviews of game officials; and are working on ESI search protocols.

We learned last night from Ted that the issue of how League personnel handled the pursuit of the low psi issues, including whether there were inappropriate prejudgments and unfounded presumptions of wrongdoing, selective leaks of information and misinformation, failure to correct obviously misreported information, and the like, are not part of what the Paul Weiss firm has been asked to investigate. I understand that the League has opted to investigate those matters internally. Because of the significance of these issues, their obvious interrelationship to the matters being pursued by the Paul Weiss firm, and the benefits of having them investigated by individuals who are not employees of the League (particularly since they involve the conduct of high level League employees), the Patriots ask that the League add these issues to the matters that are being independently investigated. In our view, League personnel's serious mishandling of this psi issue during and after the AFC Championship Game has caused the Patriots grievous harm. As a member club, we think this issue is no less serious than the related issues now in the hands of independent investigators and even more appropriate to be pursued by those who are not League employees, since they involve the conduct of other League employees. We would be happy to discuss this matter with you further.

Best, Dan