100 Questions for anyone who might still believe that Tom Brady cheated
(Please respond to each question before going on to the next one)

Hint: It seems that the simplest and possibly correct underlying answer to each of these questions is that Brady is innocent and the NFL tried to railroad him.

Overall

1. Why do all the independent analyses of the Patriot footballs conclude that the PSIs were within the limits explained by weather conditions and that there is no good scientific evidence that indicates that they were unnaturally deflated?

2. Why could Ted Wells not find any messages concerning any scheme to deflate footballs below mandated levels in all the electronic messages of the ball handlers for the entire 2014 football season?

3. Why could Ted Wells find no evidence in all his interviews that anyone in the Patriot organization discussed or wanted footballs below mandated levels?

4. Why could Ted Wells find no direct evidence of anyone in the Patriot organization deflating footballs below mandated levels and why has no former Patriot provided even a hint of evidence that Brady was concerned about PSI levels?

During and Immediately After the Colts-Patriots game

5. Why did NFL vice president of game operations Mike Kensil walk up to Patriots equipment manager Dave Schoenfield at halftime and say, “We weighed the balls. You are in big f—ing trouble”?

6. Why did the NFL leak the completely false information that 11 of 12 Patriot footballs measured 2 PSI below the mandated limit?

7. Why did the NFL not immediately provide the Patriots with the actual PSI measurements?

8. Why were the initial measurements that the NFL eventually provided to the Patriots incorrect—stating that one of the balls measured 10.1 PSI?

9. Why did the NFL not allow the Patriots to publicize any information concerning the PSI levels?
10. Why did the NFL, despite repeated pleadings from the Patriots, refuse to correct their false leak that 11 of the 12 Patriot footballs were deflated by 2 PSI (an amount that could not be explained by weather conditions)?

11. Why did the NFL also leak the false report that all Colts footballs were within the mandated limits?

12. Why did Brady at his initial press conference have difficulty explaining how 11 of the 12 Patriot footballs became deflated by 2 PSI? (Hint: the “fact” he was asked to explain was actually a lie).

**NFL behavior before the game started**

13. If ball deflation and a level playing field for the Patriots-Colts game were important, why did the Colts know before the game that there was a possible issue about ball deflation, but the Patriots were never told?

14. Why did not the referee Anderson ensure better control of the footballs before the game?

15. Why when he lost control of the balls, did he not either re-measure the footballs or use the back-up footballs for the game?

16. Why didn’t he record the actual measurements of the footballs when he initially tested them, or record which gauge he used or the temperature in the room.

**The “Independent” Pash/Wells Report**

17. Why was an independent investigation needed for a possible equipment violation?

18. Why did Goodell not appoint someone who was truly independent to conduct the investigation?

19. Why was NFL attorney Pash allowed to make the final edits to the Wells report?

20. Why did Goodell repeatedly claim that the Wells investigation was independent?

21. In the appeals process, why did not Goodell allow the Brady team to examine Pash as a witness?
22. Why has the Brady team never been given access to the Wells investigative files including notes of interviews? (Do you think these unpublished interviews are more likely to provide evidence that Brady was innocent or guilty?)

23. By contrast, why did the NFL have complete access to all the Wells investigate files?

24. Why did Judge Berman, who vacated the Goodell decision, keep putting the word “independent” in quotes when talking about the Wells report?

Exponent

25. Why did Ted Wells hire Exponent, a hired-gun analysis group that provides expert opinion in court cases, rather than obtain an actual independent analysis from a university or other unbiased group?

26. Why did the Wells and thus Exponent assume that everything that Anderson said was correct except for which gauge he used to measure the Patriot footballs before the game?

27. Why did Exponent deceptively try to make it look like Anderson’s two gauges were similar in appearance when in fact they were extremely different?

28. Why did Exponent assume that the Patriot balls tested before the game were 4 degrees colder than the actual room temperature?

29. Why did Exponent assume that Patriots’ and Colts’ balls at halftime had been subjected to identical first-half conditions when the Colts balls had been shielded in garbage bags and the Patriot balls were subjected to the rain?

30. Why did not Exponent use the PSI information from the Patriot’s ball that was intercepted in their analyses—a ball which measured in the range it should have given weather conditions?

31. Why did not Exponent use the PSI information from the post-game measurements of either the Patriot or the Colts balls in their analyses—data which showed that the Patriot balls were overinflated in the second half since additional air had been added at halftime?

32. Why did Exponent assume that the Colts footballs tested at half-time were tested at either the beginning of halftime or the middle, rather than at the end of halftime, even though the officials said they ran out of time trying to test the Colts balls and so were only able to test four of them rather than all 12? (This crucial assumption allowed
Exponent to make unfavorable comparisons between PSI measurements of the Patriot balls and the Colt balls.)

33. Why did not Wells state clearly that even with all the finagling, the Exponent analysis showed that at most, the Patriots took a tiny amount of air out of some but not all of their footballs?

Motive for the Alleged Violation

34. Why would Brady or the Patriots benefit from having some footballs underinflated and others not?
35. Why would Brady, who spends a large amount of time ensuring the “feel” of each football, want McNally to hurriedly deflate some of these balls, which could make them dissimilar to each other and provide them with a different “feel”?
36. Why has no solid evidence ever been provided that deflated footballs are actually beneficial to a quarterback or a football team?
37. If soft footballs and low PSI are a benefit in cold weather, why did the ball handlers in the 2014 Panthers-Viking game illegally heat the footballs to increase the PSI?
38. If lower PSI is a benefit to quarterbacks and the team, why were the Colts balls pumped to 13.0 rather than 12.5?
39. Why does Aaron Rogers try to ensure that his footballs are at 13.5 PSI or above?
40. Why, like Tom Brady says was the case for him until the referees substantially overinflated the Patriot footballs before the Jets game, does Ben Roethlisberger say he doesn’t have any idea of his football’s PSI?
41. Do Luck, Rogers and Roethlisberger not care about their team, or are they just plain stupid—or does having lower ball PSI not really provide much benefit?

The “Deflator”

42. When Wells asked Brady about whether he knew Jim McNally, why did he not call him by the nickname everyone knew him as—“Bird”--rather than James McNally? Indeed, why did Brady not even know McNally’s correct nickname, believing he was called “Burt” rather than “Bird”?
43. Why did not Wells show Brady a picture of McNally?
44. Why did Wells cite some 15 times in his report that McNally once called himself “the Deflator”, many months before the 2014 season began?

45. Why did Wells not report on the actual weight of McNally?

46. Why did not Wells cite the NFL film where a heavy person wanting to lose weight said he needs to do some “deflating”?

47. Why did not Wells explain that one of McNally’s jobs is to deflate and inflate the footballs to ensure that they are liked by Brady and within the required PSI limits?

48. Why did Wells agree that he only needed to interview McNally once yet then demand to interview him again?

49. Why might McNally not want to drive down again from New Hampshire for a 5th interview with NFL personnel?

50. Why did Wells refuse the offer to interview McNally again by phone?

51. Why did not the Wells report explain that the circumstances of the Colts game were different than other games since the game was delayed and McNally, a middle-aged man would not be able to relieve himself until halftime? Why did not Wells explain that McNally who drives to Foxboro eight times a year on Patriot home games during the regular season from New Hampshire to act as gopher for the NFL referees, providing them with coffee and attending to their needs, wants as soon as possible to be on the field hobnobbing with the players rather than sitting inside with the referees? Why did Wells not explain that the Patriot footballs were McNally’s responsibility, so he could not leave them with anyone, and that half a dozen or more NFL officials saw him leave by himself with the balls?

**Brady’s private messages**

52. Why did Wells demand to see Brady’s phone messages, texts and emails, when he already had all the messages sent by Brady to McNally and Jastremski?

53. Why was there not a single email, text or phone call between Brady and McNally?

54. Why did Wells imply that he wanted to see only a few specific texts/emails from Brady’s private phone when he was actually asking to see an enormous number?

55. Why did Wells make whether Brady provided his private emails and text messages the litmus test of Brady’s veracity when Wells knew that he Wells had no right to these, and that there were many good reasons Brady would not want to provide them, including
(a) that the union did not want Brady to further the precedent that the NFL could demand the private phone conversations and emails and texts of any NFL player. (b) that Brady might well believe Wells could take innocent comments out of context and make them appear guilty, as he seemed to do with the McNally’s and Jastremski’s text messages, and (c) that Brady as the most talked about sports figure in the world in 2015 would have very legitimate concerns about whether very private information would be leaked to the press and embarrass Brady and hurt his relationships (e.g., messages that were released, such as the fact that Brady was annoyed he had to pay $8500 for a winter cover for his pool when he already had bought a summer pool cover, made national news and talk show fodder, and innocuous comments about Peyton Manning required Brady to send an apology to his friendly rival).

The Initial Punishments

56. Why did the NFL fine the Patriots and take away draft picks when the Well Report concluded that: “We do not believe there was any wrongdoing or knowledge of wrongdoing by Patriots ownership, Patriots Head Coach Bill Belichick or any other Patriots coach in the matters investigated”?

57. Why did the NFL offer Kraft the horrible choice of either accepting unfair punishment, or suing the entire league and becoming a pariah to the other owners (a la Al Davis of the Oakland Raiders, the only owner to try to buck the league)?

58. Why did the NFL claim that the Patriots failed to cooperate when the Wells Report stated that "the Patriots provided substantial cooperation throughout the investigation"? The Patriots turned over text message records of employees, security tapes, secured interviews with dozens of their employees, and the only failure to cooperate was that McNally, who had been made available for four NFL interviews was not made available when a fifth IN-PERSON interview was requested?

59. Why did the NFL require that the Patriots suspend Jastremski and McNally and then claim they did not make that request? Why did NFL require that the Patriots have NFL approval before they could rehire Jastremski and McNally? If there was a conspiracy, why would the Patriots want to fire these guys?

60. Why was Brady suspended for four games when similar equipment violations were not investigated and no players were suspended?

61. In the very cold 2014 game between the Carolina Panthers and Minnesota Vikings, sideline cameras showed team attendants warming footballs in front of heaters — presumably at the behest of a quarterback. Why was there no investigation or scandal concerning “tampering”? Why was the NFL response only to send a reminder memo that softening the ball on the sideline by warming it is not allowed?
62. Why in 2009 when a New York Jets equipment manager was caught illegally doctoring kicking balls did the NFL not even consider that the kicker could have been “generally aware”? Why was there no investigation of player involvement, no discipline, and no discussion of the “integrity of the game”?

63. The second supposed reasons that Brady was suspended and fined heavily was for non-cooperation because he did not provide his personal cell phone information. Why were similar offenses given only a small fine?

64. Why when Brett Favre didn’t turn over his cell phone in a more unpalatable case involving sexual harassment in the workplace did the NFL only fine him $50,000 with no suspension?

65. Why did the NFL try to suspend Brady when its own policy clearly states that first offenses for equipment violations will result in fines?

**Brady’s initial appeal and the Cell phone**

66. Why did Goodell not allow someone independent to serve as the arbitrator of the Brady appeal?

67. Why did Goodell complain that McNally had not been brought to testify at the appeal when Goodell had not asked to question McNally, and he (Goodell) had given the Brady team only 4 hours to provide testimony and he (Goodell) had required that Brady testify and that he (Goodell) had said he was looking only for new information?

68. Why did Brady want to testify under oath concerning his innocence?

69. Why did Goodell put so much emphasis on Brady getting rid of his old cell phone when Ted Wells had told Brady that he (Wells) didn’t need his physical phone and the Brady team had made it clear that they were not going to provide it?

70. If Goodell was so interested in Brady’s physical phone, why did the NFL not ask for it, and why did Goodell only learn that the cell phone had been replaced months after the Wells Report when the Brady camp volunteered that information?

71. If Goodell was so interested in the Brady emails and texts, why did he completely dismiss the entire set of texts and emails that Brady did provide for the appeals hearing for a requested four month period, and why did Goodell not even attempt to obtain the rest of the texts and emails for the reminder period when Brady provided him a way to obtain these?

72. How could Goodell conclude that Brady “knew about, approved of, consented to, and provided inducements and rewards in support of a scheme by which, with Mr.
Jastremski’s support, Mr. McNally tampered with the game balls” when the “independent” Wells report could only conclude that Brady was more probably than not “generally aware” of the alleged release of air by Mr. McNally?.

73. Why did Goodell, for the first time ever in professional football, or indeed in any national professional sport, equate an equipment violation with using steroids (performance enhancement drugs)?

74. Why did Goodell check with powerful anti-Patriot owners before making his appeal decision?

75. Why did Goodell effectively lie in his ruling about Brady’s testimony concerning his discussions with Jastremski after the Colts game and before the Superbowl. Four times Brady said at the appeals hearing that he talked with Jastremski both about the upcoming Superbowl (a new event for Jastremski and one for which he would have to prepare one hundred footballs) and also the deflategate controversy. But Goodell wrote that “Mr. Brady testified that he was unable to recall any specifics of those discussions and he suggested that their principal subject was preparation of game balls for the Super Bowl,” Goodell further argued that the huge uptick in communication between Brady and the assistant, “undermines any suggestion that the communications addressed only preparation of footballs for the Super Bowl rather than the tampering allegations and their anticipated responses to inquiries about the tampering.” After this information became public, Dan Steinberg of the Washington Post entitled a column “Roger Goodell misled me on Tom Brady. I won’t trust him again.”


76. Why did the NFL leak the completely false claim that the Brady camp did not want the information from the appeals hearing to be made public, but the NFL did?

77. Why was it that only after Judge Berman made that appeals information public did it become clear that the Brady camp wanted all that information public, and the NFL was preventing it from becoming public (it was only then that the public learned that various Goodell’s assertions were false)?

Independent Experts:

78. Why did independent scientists (non-Patriot fans) feel compelled to create reports and blogs showing that the Patriot balls were not deflated? For example, see:
   a. The American Enterprise Institute https://www.aei.org/wp-content/uploads/2015/06/On-the-Wells-report.pdf. (“Our conclusion that the warming of the balls during halftime is the key factor overlooked in the Wells report is supported by the observation that the readings of the Patriots
football...came in almost precisely at the prediction of the law....It is therefore unlikely that the Patriots deflated the footballs.”

b. MIT’s Professor Jon Leonard
http://people.csail.mit.edu/jleonard/20151104_leonard_unh_deflategate_final2.pdf. (“Based on extensive study of all the data and analyses I can find, I am convinced that no deflation occurred and the Patriots are innocent.”

c. Science News summarized some of the scientific findings by experts who were and were not Patriot fans (but whose findings indicated that the footballs had not been deflated) https://www.sciencenews.org/blog/culture-beaker/deflategate-favored-foul-play-over-science and concluded “it’s refreshing to see some put aside team loyalty in favor of Team Science.”

79. Why did so many independent (not Patriot fans) legal experts feel it necessary to create blogs that show the NFL was trying to railroad Brady? For example,

a. See Steph Stradley an attorney from Houston
http://www.stradleylaw.com/deflategate-legal-questions/#idc-cover. [“I can’t fathom any type of evidence (on Brady’s innocence) that would have been persuasive to Ted Wells and the NFL.”]

b. See also John Dowd, special counsel for the Pete Rose investigation
http://www.deflategatefacts.com/#home-section. (“The NFL’s investigation of and rules against Tom Brady are a travesty, and they’ve resulted in uncalled-for penalties. And it’s all based on a report that lacks basic integrity, fairness and credibility.”)

c. See also New York Law School Professor Robert Blecker (“The perception of “cheating” has thus far attached to the wrong party. The NFL from the very start distorted the truth, defamed and would now punish Tom Brady, an innocent man.”)

d. See investigative news reporter Robert Parry who helped break many of the Iran-Contra stories. https://consortiumnews.com/2015/05/08/why-write-about-nfls-deflategate/. (“In journalism, we call this kind of slanted investigation a ‘jam job,’ stacking the facts to build toward only one conclusion. I don’t like it when I read such ‘white papers’ or ‘committee reports’ from U.S. government officials and it annoyed me to see it in this context, even if we are ‘just’ talking about the reputation of a football player.”)

80. If the Patriots were cheating, why do independent experts find no evidence from actual football results on wins/losses and fumbles that they were? (e.g.,
Judge Berman’s Decision

81. Although an arbitrator’s factual findings are not open to judicial review, why did Judge Berman nonetheless show his complete disdain for the NFL evidence against Brady during the hearings? For example, during hearings he asked whether there was any direct evidence implicating Mr. Brady and the NFL was unable to provide any direct evidence for the Colts game (or for any other game).

82. Why did Judge Berman also ask the NFL at the hearings "What is the evidence of a scheme or conspiracy that covers the Jan. 15 game? I’m having trouble finding it?" and why was the NFL unable to provide any evidence?

83. Why did Berman put quotes around “independent” when discussing the Wells Report and often call it the Pash/Wells report?

84. Even though judges must generally defer to appeal verdicts, why did Berman completely vacate the Goodell decision?

85. Why did Judge Berman feel it was not necessary to even consider half (3) of the Brady claims for why the Goodell verdict should be vacated?

General Questions:

86. Why do the Colts claim it all started when they felt thought the two balls they intercepted in the regular season game with the Patriots were underinflated, yet that game was played in Indianapolis and the Colts, not the Patriots, had control of the game balls and McNally was back home in New Hampshire? Information such as this makes it easy to make a compelling case not only that Brady was railroaded but that the entire episode was a sting operation against the Patriots (e.g., see http://beantowngal.com/2015/08/03/how-mike-kensil-the-mastermind-behind-deflatagate-framed-the-patriots/)

87. Why had the NFL never once considered the inflation or deflation of footballs to be a matter of great integrity or competitive advantage until the middle of the Patriots-Colts game?

88. If ball deflation is so important to the integrity of the game, why didn’t the NFL understand 9th grade science, that weather affects PSI? Indeed, when the NFL recognized that they had no understanding of basic physics, nor the variability of gauges, so that they could not be sure whether any of the footballs were deflated, why did they continue the case? Indeed, when it became clear that the intercepted football that started the whole affair was not “deflated,” why did the NFL continue the investigation?
89. Why was the NFL never clear whether the charge against the Patriots was for what happened in the Colts game or some longer and larger conspiracy?

90. If, as it seems, the NFL believes there was a longer and larger conspiracy, why was there no evidence or even discussion presented that could explain how such a conspiracy was possible, how it worked, and why the only evidence about the PSI of Patriot footballs was that the balls were overinflated during the Jets game?

91. If there was some long-running conspiracy, why wasn’t it known by one of the many players and personnel who move through the Patriots roster—why has no ex-Patriot indicated that they knew or heard anything about such a conspiracy to deflate footballs? If there was some long-running conspiracy, why was Wells unable to find a single communication between Brady and McNally? If there were a long-running conspiracy, how was it supposed to happen given that McNally only works home games, and Walt Anderson explains that never before to his knowledge has anyone gone off with the footballs without an official going with them?

92. Why did the “independent” Wells report accept as truth everything that referee Anderson said, except for one thing—which gauge he used to test the Patriot footballs? Yet this was one of the things Anderson had no incentive to misremember. He should have been able to remember since he tested all 12 balls with the same gauge and the gauges were very different in appearance. Which gauge Anderson used is the single most important piece of information for determining whether the PSI of Patriot balls used in the first half were actually below what they should have been. Why didn’t Wells ask other people in the room which gauge Anderson used? Or if he did, why did he not report that information?

93. Why did the Patriots need to write a long counter-report—the Wells Report in Context—to provide much pertinent information that the Wells Report omitted? See http://wellsreportcontext.com/. This website also provides links to many articles questioning both the Wells report and the NFL actions. In the Wells Report in Context why did the Patriots lawyers feel compelled to write this in capital letters: “NOT A SINGLE TEXT REFERS TO DEFLATING FOOTBALLS TO A LEVEL BELOW REGULATION, TO DEFLATING FOOTBALLS AFTER THE REFEREE’S INSPECTION, OR TO ANY DIRECTIONS FROM MR. BRADY — OR EVEN ANY BELIEF THAT TOM BRADY WOULD PREFER TO USE BELOW REGULATION FOOTBALLS”?

94. If ball inflation is so important for the integrity of the game, why did Wells not investigate the Patriots/Jets game when the NFL overinflated the Patriots balls, or the second half of the Patriots/Colts game when by further inflating the Patriots balls at halftime the referees inflated them above 13.5 PSI at room temperature, as shown by the NFL’s own end-of-game measurements?
95. Why did the NFL do something it had never done before in its history—punish severely an **alleged** act when (after a multi-million dollar investigation) the prosecution (Pash/Wells) could only conclude that it was more probable than not that a rule had actually been broken? Why did the NFL severely punish someone when it could only conclude that he was more probably than not generally aware that someone else was more probably than not doing something which broke a rule?

96. Why was the NFL never able to show in even a single instance that Brady had lied about anything? Why, by contrast, is it clear that the NFL leaked and refused to correct false information and made misleading statements about the most fundamental aspects of this incident?

97. Why did the purveyor of much of the news about Deflategate--ESPN--not provide accurate information? Can we simply follow the money? As former ESPN analyst star Bill Simmons writes, “It’s hard to come away from that and not think that ESPN is in the bag for the NFL—because they were.” Read more at: [http://nesn.com/2015/10/bill-simmons-rips-espns-deflategate-coverage-says-its-in-the-bag-for-nfl/](http://nesn.com/2015/10/bill-simmons-rips-espns-deflategate-coverage-says-its-in-the-bag-for-nfl/)

98. Why did Roger Goodell say that the NFL would not make public either the protocols for the testing of footballs air pressure that was initiated for the 2015 season, **NOR the actual results**? These results could help determine whether any Patriot balls were deflated during the Patriots-Colts playoff game.

99. Multiple choice:
   Why would Goodell go after Tom Brady for what has always been, in all sports leagues, considered largely innocuous gamesmanship (e.g., in the National Hockey League illegally doctoring your hockey stick is a 2 minute minor)?
   
   a. A few years ago Brady was alphabetically the lead applicant in a suit against Goodell and the NFL
   
   b. Rival owners who are Goodell’s bosses are jealous of and suspicious of the Patriots because they win so much and are very secretive--so they must be cheating
   
   c. This was a makeup for Spygate where the other owners thought the Patriots were not punished severely enough [though they seem actually to have been punished too severely (read Spygate in Wikipedia) and Brady had nothing to do with Spygate]
   
   d. The fans of the other 31 football teams hate the Patriots because they win so much, so public opinion would be behind Goodell.
   
   e. Goodell becomes petulant and vindictive if his decisions are challenged
   
   f. Goodell wants to be the Hammer and punishing Brady sends a message to all players that he can severely punish anyone for anything
   
   g. Goodell mostly has been hammering black players, and Brady is white, so hammering Brady shows the world that Goodell is not a racist.
h. Once his underlings (former Jets) started down this questionable path, in order not to admit the mistake, Goodell decided he had to double down

i. Goodell wanted to deflect attention away from the concussion issue as well as the criminal behavior of various players

j. Believing any publicity is good publicity, Goodell was happy to have attention directed to the NFL during the offseason

k. Goodell doesn’t care if he ruins reputations through false leaks and misrepresentations

l. Goodell believes he is a good person, and a good person would not besmirch someone who is innocent, so Brady must be guilty, so it is fine for Goodell to mislead in order to punish someone who is guilty

m. Goodell often makes bad decisions

n. All of the above (Hint: this is possibly the answer)

100. If you still believe that Brady may have lied and cheated can you at least admit that your information comes almost exclusively from the NFL (e.g., Wells Report) and the NFL has shown a willingness to continuously mislead and sometimes lie about all the key aspects of this case?