

Patriots fans sue to get draft pick back, cite ‘emotional distress’

A group of New England Patriots fans are fighting in federal court to get back the draft picks their favorite team lost as part of the ongoing “Deflategate” saga.

“This case is brought by New England Patriots fans on behalf of all Patriots fans who believe the New England Patriots professional football team were harmed by the Defendants’ arbitrary and capricious decision to revoke the Patriots first round draft choice in the April 28, 2016 NFL Draft,” the suit, signed by Seth Carey, a Maine attorney, states.

The seven fans, who hail from Florida, New Jersey and Massachusetts, accuse the league and Commissioner Roger Goodell of fraud, negligence, intentional infliction of emotional distress and racketeering. The Patriots lost the pick, a fourth round pick in 2017 and were fined \$1 million after a league investigation found that quarterback Tom Brady was generally aware that footballs may have been partially deflated before the 2015 AFC Championship game.

The fans took aim at that report — dubbed the “Wells Report” — and said it failed to implicate the Patriots and Brady.

“In short, after a three-month, multi-million dollar investigation, actual proof of a plot to deflate footballs was never found,” Carey wrote. “In the absence of such evidence, it is difficult to understand why Wells found such a plot ‘more probable than not.’”

Team owner Roger Kraft was taken to task as well. The fans accuse him of not fighting hard enough to get the draft pick back.

“Defendant Robert Kraft had remedies to attempt to get Plaintiffs’ draft pick back, but he chose his fellow billionaire owners above the Plaintiffs and fellow fans,” Carey wrote, alleging that the long-time team owner violated the Massachusetts Consumer Protection Act. One fan said the Deflategate saga has caused a rift in his own home. Todd Orsatti, a season-ticket holder, said his daughter is now bitterly jaded because of the whole ordeal.

“Orsatti attends games with his 7-year-old daughter,” Carey wrote. “She will no longer go to games with him because she thinks the games are fixed by the NFL after her team was punished based merely on conjecture. She is talking about finding another team, which has left Orsatti ‘devastated.’ ”

By: Bob McGovern