

# WHØ DEY REVØLUTIØN

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December 17, 2008

National Football League  
Attn: Mr. Roger Goodell, Commissioner  
280 Park Avenue  
New York, NY 10017

Dear Mr. Goodell,

As life long fans of both the NFL and the Cincinnati Bengals, we are writing to inform you of our extreme displeasure in the manner in which the Bengals have been operated over the last 18 years. Not coincidentally, this is the time period over which Mike Brown has controlled football operations. As we are sure you are aware, a major factor contributing to the NFL's popularity is the revenue sharing plan by which each team receives a substantial portion of league proceeds. While this has been widely successful in creating parity and allowing every team to feasibly win the Super Bowl, Mr. Brown does not take advantage of the system by attempting to field a winning team. Instead, he takes advantage of the system by continually avoiding costs at the expense of improving the team while still benefiting from the generous revenue sharing plan.

In response to recent questions from the Oakland media about whether you might intervene in operations of the Oakland Raiders, you stated: "The Dolphins showed how fast you can turn a franchise around. The Atlanta Falcons have showed how fast you can turn a franchise around....[The Raiders have] been competitive for decades. I'm sure Mr. Davis and the Raiders are going to turn that around." Mr. Brown, on the other hand, has been non-competitive for decades and has consistently shown no ability to turn the Bengals around.

Between 1980 and 1990, the Bengals reached two Super Bowls and made the playoffs four times. After owner and founder, Paul Brown, died in 1991, control passed to his son, Mike. Since then, the Bengals' record is 99-186-1 with one playoff appearance, zero playoff wins and the lowest winning percentage (.346) of not only any team in the NFL, but also Major League Baseball, the National Basketball Association and the National Hockey League over the same time period. If Mr. Brown were making a strong effort to create a winning football team, fans might accept this. However, this is not the case. Despite Bengals' fans desperate pleas' and local media scrutiny, Mr. Brown has refused to change.

Mr. Goodell, we are asking you to please intervene.

Mr. Brown's actions are not fair to Bengals' players, fans and the city of Cincinnati. Nor is it fair to the other 31 NFL teams striving to deliver winning franchises to their respective cities. Surely, since Mr. Brown benefits from the large sums of money stemming from the investments of the other teams and the league itself, the NFL should be able to insist that certain standards are met. Whether it is by requiring or strongly encouraging Mr. Brown to change his non-competitive, highly unsuccessful management, or by employing another method that you and/or the NFL Competition Committee deems appropriate, we urge you to take action. Below, we briefly discuss a few of the large problems with the Cincinnati Bengals as it has been operated under Mr. Brown.

## Lack of a General Manager

As you know, the Bengals are one of three teams in the NFL without a General Manager. Jerry Jones and Al Davis have had vastly more success than Mr. Brown. Under Mr. Jones' 18 year tenure, the Cowboys have

made the playoffs 11 times and won three Super Bowls. Under Mr. Davis's leadership, the Raiders have 12 division championships, four AFC championships and three Super Bowl titles. If Mr. Brown had experienced any success remotely approaching theirs, Bengals fans would understand not employing a GM. But he hasn't and despite his constant lack of success and incessant calls from fans and local media to do so, Mr. Brown has continually refused to hire a GM. Mr. Brown chooses to save money and retain total control of all player personnel operations at the expense of improving the Bengals.

Although he is in charge of player personnel, Mr. Brown seems completely out of touch with his team. During a rare interview session with Mr. Brown on December 1, 2008, in response to a question, "Where do you think it has gone wrong?" Mr. Brown made the statement "We were counting on (Odell) Thurman as a starter and he fell by the wayside. Our linebacker corps we expected to play with were Thurman, (Keith) Rivers and (David) Pollack." This is extremely alarming. Odell Thurman has not played since the 2005 NFL season due to multiple violations of the NFL substance policy and David Pollack broke his neck on September 17, 2006. The fact that Mr. Brown was relying on two players who have not played a down of football in two seasons is a heavy cause for concern.

#### Lack of an Indoor Practice Facility

The Bengals are the northern-most team in the NFL without an indoor practice facility. When the weather is cold, the Bengals ride a bus to practice at a suburban, indoor soccer facility designed for grade school and high school students. To make matters worse, Massillon High School in Canton, Ohio, whose team Paul Brown once coached, recently opened an indoor practice facility. Mike Brown's response to the *Cleveland Plain Dealer* was, "Massillon High School is ahead of us... Today, this indoor facility certainly is on the cutting edge for high school football, and it's consistent with what [Paul Brown] did many, many years ago." Further, Brian Kelly, the head coach of the University of Cincinnati football team, saw the need for an indoor facility and, within 2 years of his hire, convinced the University to break ground on one. In Mr. Brown's eyes, what is deemed necessary for a high school and a college team, is not necessary for a professional football team.

#### Lack of a Meaningful Scouting Department

The Bengals scouting department is much smaller compared to that of other teams. In a recent interview, Mr. Brown claimed that the Bengals have six scouts. Most fans are skeptical if there are that many. Two of the "scouts" are Paul Brown and Pete Brown who are Mike Brown's son and brother, respectively. Without digging further into the inadequacy of the individuals in the scouting department, a brief and admittedly informal survey of other teams' program guides and web sites demonstrates that the Bengals' scouting department is vastly inferior to that of other teams. To name just a few examples, the Indianapolis Colts have 19 people in their player personnel department, 10 of which have a title with the word "scout" in it. The Baltimore Ravens have 20 and 9, respectively, and the New York Giants have 20 and 12, respectively. Also, the Arizona Cardinals, who have had their struggles but are on their way to the playoffs this year, beefed up their scouting department last offseason by hiring 4 additional scouts. However, despite the Bengals' consistently horrid performance, Mr. Brown maintains both the miniscule size of the scouting department and the same individuals therein.

#### Signing of Players with "Character Issues" at a Discount

Perhaps due to the lack of an effective GM and a small scouting department, Mr. Brown has continually attempted to cut corners in the past by consistently drafting and signing players with off the field character issues. During one recent stretch, as you know, Bengals' players had 9 arrests in 10 months. Mr. Brown seizes opportunities to sign troubled players at a discount since most teams won't sign them. Despite the frequency of player arrests, Mr. Brown has showed no remorse or willingness to change by drafting Jason Shirley in 2008 who was in the midst of a drunk driving and hit-and-run trial (recently convicted of both), re-

signing Chris Henry despite his repeated troubles and signing Cedric Benson when no other team would due to his off the field, character issues.

Extremely Favorable Stadium Deal Funded by Taxpayers/Fans

Brown's shortcomings still exist despite the fact that the taxpayers of Cincinnati will have contributed over \$800 million to the construction and maintenance of Paul Brown Stadium through 2027. This includes maintenance and renovations of the stadium to keep it on par with new stadiums built over the life of the lease. This clause is just one of many favorable provisions in the lease. According to *Public Stadiums, Private Dollars*, an entire book discussing publicly funded stadiums, the Bengals' deal was one of the most, if not *the* most generous stadium deals in professional sports. Despite the contributions from taxpayers, many of whom are fans, Mr. Brown has not evolved with the rest of the NFL and attempted to field a winning team. Taxpayers and/or fans have contributed significantly to the Bengals but have received little, if anything, in return.

Mr. Goodell, again, we urge you to strongly encourage change in Mr. Brown's anti-competitive, entirely self-serving operations. The current state of the Cincinnati Bengals is bleak. Mr. Brown looks to be retaining head coach Marvin Lewis despite another dismal season. He has indicated that he won't be hiring a GM or increasing the size of the scouting department. There are still no plans to construct an indoor practice facility. The taxpayers and fans of Cincinnati who have supported Mr. Brown's Cincinnati Bengals deserve something in return. We have only described the major problems with the organization and surely there are more detailed inefficiencies in comparison to other NFL teams. While the city of Cincinnati and 127 season ticket holders have separately pursued legal action since the date of the stadium lease, to our knowledge, no one has approached you to intervene. Given your commitment to ensuring that the NFL is as competitive as possible to preserve the quality and integrity of the game, we feel obligated to bring these problems to your attention. While requiring Mr. Brown to implement certain competitive practices such as hiring a GM or increasing the number of scouts in order to maintain its membership in the NFL seems completely appropriate, it would be naïve for us to demand a particular solution. We trust that you and/or the NFL Competition Committee will take appropriate measures to correct these problems. Thank you for your time Mr. Goodell. You have done a tremendous job operating the best professional sports league in the world.

Sincerely,

Andrew Simon  
President  
Who Dey Revolution, LLC  
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