

SPECIAL MASTERS

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION

We are the judicially-appointed Special Masters in the NFL Concussion Settlement, and we write you about an order that Judge Brody issued on March 4, 2022 about the issue of so-called “race-norming” in that Settlement.

Briefly, Judge Brody has ordered the implementation of an agreement reached between Class Counsel, the NFL Parties, and lawyers for class members Najeh Davenport and Kevin Henry to preclude the use of race in evaluating neuropsychological test results. This “Norming Agreement” has many parts, and you can find FAQs about it [HERE](#). You have previously been sent notices from the Program on this topic.

Our job is to implement Judge Brody’s order. Here’s what we’re doing today:

BrownGreer (the Claims Administrator) and Epiq (the Baseline Assessment Program Administrator) are working together, under our direct supervision, to determine who will qualify for benefits under the Order.

The first order of business is to review certain evaluations to determine whether they qualify for Automatic Retrospective Rescoring or for a new Baseline Assessment Program (BAP) exam. To do this, we are inspecting:

- every BAP evaluation that resulted in a diagnosis of no impairment or Level 1 Neurocognitive Impairment,
- every BAP and Post-Effective Date MAF approved Level 1.5 Neurocognitive Impairment Settlement Claim, and
- every denied BAP and Post-Effective Date MAF Level 1.5 or Level 2 Neurocognitive Impairment Settlement Claim.

This careful analysis of thousands of evaluations and Claims takes time and the careful attention of our Administrators. **We expect to notify all affected Claimants by the end of April 2022 whether they qualify for Automatic Retrospective Rescoring or a new BAP exam and, for those who qualify for Rescoring, the result of that Rescoring.** There is nothing for you to do until that process is complete.

Second, one of the benefits provided by the Agreement is an expanded, free, BAP exam for some Claimants. The Administrators are preparing the Program to offer that benefit by expanding our network of providers and training them to ensure that they are ready for you to schedule your exam if you qualify for it. This process is ongoing, but we expect that the BAP provider community will be ready to schedule these new BAP exams by May for those entitled to them.

Third, we are building a new portal for doctors to submit their files for new and current Claims. That portal will permit automatic calculation of the race-neutral scoring method that the Court has prescribed. That race neutral method will apply for now and is described in the FAQs. At the same time, we expect the portal, by standardizing document collection from doctors, will streamline review and reduce the time it takes to award claims. We anticipate that the portal will be ready by the end of May.

Fourth, part of the order requires an expert panel of neuropsychologists to collaborate to create a long-term test adjustment method which would be particularly tailored to members of the Class of retired NFL football players. That process has begun, and we anticipate that we can tell you more about it as the panel makes progress, including potential ways for you to play a role.

To be clear: the interim race neutral method prescribed by Judge Brody’s order **applies to all claims under the Settlement starting now**. You *will* receive a notice about your particular situation, just as soon as we’ve finished reviewing everyone’s files. It’s also worth noting again here that the Settlement Agreement continues to allow Retired Players, should they meet the injury definitions, to submit a Claim at any time over the course of the next 60 years.

We appreciate your patience and feedback over the coming months as we oversee this important work. Please check the Settlement Program Website at www.NFLConcussionSettlement.com for additional information and updates. If you have any questions about this Notice or need help with general Program questions, call 1-855-887-3485 or email ClaimsAdministrator@NFLConcussionSettlement.com.