

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO. 19-707

DIVISION " " I-14

FILED 2019 JUN 22 A 9:03 CIVIL DISTRICT COURT

TOMMY BADEAUX AND CANDIS LAMBERT, individually and on behalf of NEW ORLEANS SAINTS SEASON TICKET HOLDERS, NEW ORLEANS SAINTS NATIONAL FAN BASE a/k/a THE WHO DAT NATION, ANY PARTY WITH INTEREST THAT HAS BEEN AFFECTED BY THE OUTCOME

VERSUS

ROGER GOODELL as COMISSIONER OF THE NATIONAL FOOTBALL LEAGUE, NATIONAL FOOTBALL LEAGUE and NFL PROPERTIES, LLC, Successor-in-interest to NFL PROPERTIES, INC.

FILED: _____

DEPUTY CLERK

PETITION FOR WRIT OF MANDAMUS

The petition of Tommy Badeaux and Candis Lambert, individually and on behalf of New Orleans Saints Season Ticket Holders, New Orleans Saints National Fan Base a/k/a The Who Dat Nation and any party with interest that has been affected by the outcome, are persons of the full age of majority and season ticket holders for games played in the City of New Orleans, Parish of Orleans, State of Louisiana, with respect represents:

1.

Made defendants herein are:

- A. **ROGER GOODELL**, a person of the full age of majority and resident of the State of New York, who is the commissioner of the National Football League.
- B. **NATIONAL FOOTBALL LEAGUE**, hereinafter referred to as ("NFL"), a foreign company authorized and doing business in Orleans Parish, Louisiana.
- C. **NFL PROPERTIES, LLC, successors-in-interest to NFL PROPERTIES, INC**, a foreign company authorized and doing business in Orleans Parish, Louisiana.

2.

That on January 20, 2019, with the game clock registering a mere 1:49 left to the National Football Championship Game in New Orleans, Louisiana, Los Angeles Rams, cornerback, Nickell Robey-Coleman, (who later admitted to egregious pass interference however

failed to admit to the helmet to helmet contact), made improper contact with New Orleans Saints, wide receiver, Tommylee Lewis, preventing him from catching a potential game winning touchdown, which drastically altered the momentum and outcome of the entire game.

**THE COMMISSIONER HAS AUTHORITY TO TAKE ACTION OVER
RAMS-SAINTS GAME**

3.

“The Commissioner has the sole authority to investigate and take appropriate disciplinary and/or corrective measures if any club action, non-participant interference, or calamity occurs in an NFL game which the Commissioner deems so extraordinarily unfair or outside the accepted tactics encountered in professional football that such action has a major effect on the result of the game,” NFL Rule 17, Section 2, Article 1.

4.

“The Commissioner’s power under this Section 2 include... the reversal of a game’s result or the rescheduling of a game, either from the beginning or from the point at which the extraordinary act occurred.”, NFL Rule 17, Section 2, Article 3.

5.

The blatant infraction and deliberate act of Los Angeles Rams cornerback, Robey-Coleman was admitted by the player to avoid a touchdown by New Orleans Saints, wide receiver, Tommylee Lewis. The non-call of the actions of Robey-Coleman was later admitted by NFL officials to New Orleans Saints coach, Sean Payton, as a blunder. The impact of the non-call is egregious and demands recourse.

6.

“I don’t know if there was ever more obvious pass interference,” Payton said. “It’s frustrating, you know. Just getting off the phone with the league office, they blew the call, there were a lot of opportunities though. But that call makes it first and ten, we’re on our knee three plays, and it’s a game changing call. It’s where it’s at. It’s disappointing”.

7.

Los Angeles Rams defensive back, Nickell Robey-Coleman not only interfered with Saints receiver Tommylee Lewis but also applied an illegal helmet-to-helmet hit on a defenseless

receiver. Inexplicably, neither penalty was called. The scrutiny arising from the non-call has led to the appearance of foul play by the officiants:

Todd Prukop, back up judge, is from Los Angeles

Gary Cavaletto, side judge, is from Los Angeles

Bill Vinovich, officiant, and his team, were the subject of a petition to be removed in the official capacity as referee in the NFC Championship game for previously alleged biased rulings on the field.

Whether or not the bias is intentional, there is too much evidence to demonstrate a pattern, and for a corporation as big as the NFL not to see the pattern is highly unlikely. The Magnitude of this game is too large and the referees should be neutral and enforce the rules, plain and simple.

8.

As a direct result of the said incident, plaintiffs herein, have been left bereft and with no faith in the National Football League for fairness despite the leagues own rules to correct such errors, along with emotional anguish, monetary loss for ticket holders, who purchased tickets with the presumption of integrity and fairness

9.

Petitioner shows that the said incident was proximately caused by the negligence of the defendant, Roger Goodell and the National Football League, in the following non-exclusive respects:

- a. Failure to maintain proper lookout;
- b. Failure to properly call penalties and infractions during game play;
- c. Failure to review plays to correct field oversight after the fact;
- d. Failure to exercise the rights afforded to the commissioner to correct extraordinary unfair actions;
- e. Failure to enforce the rules of the game;
- f. Failure to properly train and supervise referees;
- g. Any other act of negligence shown at the trial of this matter.

10.

Defendant, Roger Goodell, commissioner for the National Football League has a duty to enforce the rules of the NFL, including but not limited to Rule 17, in its entirety, and his failure to enforce said rule places him directly liable unto petitioners for their damages.

11.

Petitioners, itemize their damages as follows:

- a. Past, present and future mental anguish and emotional trauma;
- b. Past, present and future loss of faith in the National Football League;
- c. Past, Present and future loss of enjoyment of life;
- d. Present and future loss of entertainment;
- e. Distrust of the game which has become the National pastime.
- g. Other damages itemized at the trial of this matter.

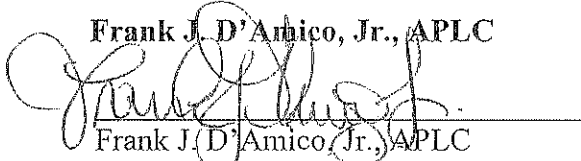
WHEREFORE, petitioners, Tommy Badeaux and Candis Lambert, individually and on behalf of New Orleans Saints Season Ticket Holders, New Orleans Saints National Fan Base a/k/a The Who Dat Nation and any party with interest that has been affected by the outcome, pray that this petition be served upon defendants, ROGER GOODELL as COMMISSIONER OF THE NATIONAL FOOTBALL LEAGUE, NATIONAL FOOTBALL LEAGUE and NFL PROPERTIES, LLC, Successor-in-interest to NFL PROPERTIES, INC., and after due proceedings, there be judgment in Plaintiffs' favor, granting plaintiffs' claims against defendants, ROGER GOODELL as COMMISSIONER OF THE NATIONAL FOOTBALL LEAGUE, NATIONAL FOOTBALL LEAGUE and NFL PROPERTIES, LLC, Successor-in-interest to NFL PROPERTIES, INC. together with interest thereon and for all costs of these proceedings, and for all general and equitable relief.

Petitioners further prays that a writ of mandamus be ordered by this Court, to be heard summarily, not less than two, nor more than ten days of the service of the writ, or considering the time sensitive nature of this matter, that this Court set this matter for hearing less than two

days after the service of the writ.

Respectfully Submitted:

Frank J. D'Amico, Jr., APLC

A handwritten signature in black ink, appearing to read "Frank J. D'Amico, Jr.", is written over a horizontal line. The signature is cursive and somewhat stylized.

Frank J. D'Amico, Jr., APLC

Frank J. D'Amico, Jr. (Bar # 17519)

4608 Rye Street, Metairie, Louisiana 70006

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Telecopier: 504-525-9522

Attorneys for Plaintiffs

FILED
2019 JAN 22 A 9:03
CIVIL DISTRICT COURT

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO.

DIVISION " "

TOMMY BADEAUX and CANDIS LAMBERT, individually and on behalf of NEW ORLEANS SAINTS SEASON TICKET HOLDERS, NEW ORLEANS SAINTS NATIONAL FAN BASE a/k/a THE WHO DAT NATION, ANY PARTY WITH INTEREST THAT HAS BEEN AFFECTED BY THE OUTCOME

VERSUS

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FILED: _____

DEPUTY CLERK

VERIFICATION OF PETITION:

STATE OF LOUISIANA
PARISH OF JEFFERSON

BEFORE ME, the undersigned authority, duly commissioned and qualified in and for the Parish and State aforesaid, personally came and appeared:

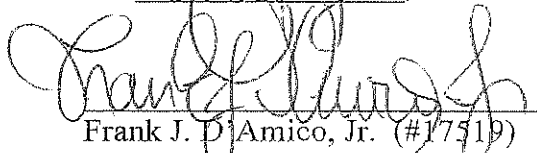
TOMMY BADEAUX

who after being duly sworn, did depose and state that he the principal member of the above captioned Petition, that he has read the Petition for Writ of Mandamus and/or Class Action Damages and that allegations contained therein are true and correct to the best of his knowledge, information and belief.



TOMMY BADEAUX

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 21st DAY
OF January, 2019.



Frank J. D'Amico, Jr. (#17519)
NOTARY PUBLIC
MY COMMISSION EXPIRES AT DEATH

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO.

FILED
JAN 22 A 9:03
DISTRICT CIVIL COURT

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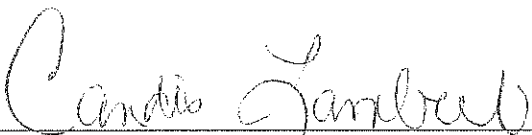
VERIFICATION OF PETITION:

STATE OF LOUISIANA
PARISH OF JEFFERSON


BEFORE ME, the undersigned authority, duly commissioned and qualified in and for the Parish and State aforesaid, personally came and appeared:

CANDIS LAMBERT

who after being duly sworn, did depose and state that she the principal member of the above captioned Petition, that she has read the Petition for Writ of Mandamus and/or Class Action Damages and that allegations contained therein are true and correct to the best of her knowledge, information and belief.


CANDIS LAMBERT

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 21ST DAY
OF January, 2019.


Frank J. D'Amico, Jr. (#17519)
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MY COMMISSION EXPIRES AT DEATH

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO. 2019-707

DIVISION "I-14"

FILED
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CIVIL DISTRICT COURT

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FILED:

DEPUTY CLERK

RULE TO SHOW CAUSE

Considering the above verified Petition for Writ of Mandamus:

IT IS ORDERED THAT ROGER GOODELL as COMMISSIONER OF THE NATIONAL FOOTBALL LEAGUE, NATIONAL FOOTBALL LEAGUE and NFL PROPERTIES, LLC, Successor-in-interest to NFL PROPERTIES, INC, show cause on the 28th day of January, 2019 at 10:00 am/pm, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be issued by this Court compelling Roger Goodell, commissioner of National Football League, to implement Rule 17, Section 2, Article 1 and 3, wherein the commissioners power under this section 2 include ... the reversal of a game's result or the rescheduling of a game either from the beginning or from the point of which the extraordinary act occurred, (NFL Rule 17, Section 2, Article 3).

New Orleans, Louisiana, this JAN 22 2019 day of _____, 2019.

Sharon Carter Sheridan
Division I
BY ORDER OF THE COURT
A TRUE COPY
[Signature]

SERVICE INSTRUCTIONS ON NEXT PAGE
DEPUTY CLERK CIVIL DISTRICT COURT
PARISH OF ORLEANS
STATE OF LA

PLEASE SERVE

Roger Goodell
VIA LONGARM SERVICE
Through his place of employment
National Football League Corporate Offices
280 Park Avenue
New York, NY 10017

National Football League
HOLD FOR SERVICE

NFL Properties, LLC
HOLD FOR SERVICE