

Football's Most Wanted: The (Many) Cases Against Washington Commanders Owner Dan Snyder

On November 10, the Office of Washington D.C. Attorney General Karl Racine (“OAG”) announced that it had initiated a civil suit against Dan Snyder, the Washington Commanders, the NFL, and Commissioner Roger Goodell.¹ The suit alleges that Snyder, Goodell, the team, and the NFL colluded to mislead D.C. consumers regarding an ongoing independent investigation into the team’s toxic work environment in an effort to maintain the team as a profitable part of the league.² The announcement comes just days after the team released a statement that Snyder was exploring a potential sale of the team.

To those who follow the NFL, it comes as no surprise that more instances of dysfunction are being levied against Snyder and the team in Washington. Starting in the summer of 2020, numerous reports surfaced regarding the organization’s toxic work environment, including claims of sexual harassment, verbal abuse, and financial misconduct. The reports paved the way for several investigations into the team’s alleged misconduct.³ Central to the OAG’s complaint is an investigation launched by the team itself. In an effort to assuage public outcry, the team hired attorney Beth Wilkinson to conduct an independent investigation into the team’s culture. Initially, the team provided oversight to the investigation, but the NFL eventually assumed control. It is at this point, according to the OAG’s complaint, that Snyder and the team, with the NFL’s blessing, began to sabotage the investigation and block the public’s knowledge of the investigation’s findings.⁴

The OAG’s complaint directs its cause of action under the District of Columbia Consumer Protection Procedures Act, which prohibits unfair and deceptive trade practices in connection with the offer, sale, and supply of consumer goods and services.⁵ The act states that its provisions establish “an enforceable right to truthful information from merchants about consumer goods and services” and should be “construed and applied liberally” to effect its purpose. The act also delineates a multitude of potential violations which must ground the OAG’s allegations.⁶ As of now, the complaint centers around Snyder and the NFL’s misrepresentations of material facts regarding the team’s work environment and Snyder’s efforts to privately submarine the Wilkinson investigation.

The OAG lawsuit might be the figurative straw that breaks the camel’s back as Snyder and the team still await the results of several pending investigations, including one from the House Oversight Committee and a criminal probe from the U.S. Attorney’s office in the Eastern

¹ Nicki Jhabvala and Mark Maske, *D.C. attorney general sues Daniel Snyder, Commanders, NFL*, NY Times, November 10, 2022, <https://www.washingtonpost.com/sports/2022/11/10/snyder-attorney-general-lawsuit-commanders/>.

² Complaint at 3, District of Columbia v. Pro-Football Inc. d/b/a Washington Commanders, (D.C. Super. Ct. 2022).

³ Alex Sherman and Jessica Golden, *Washington Commanders owner Dan Snyder hires Bank of America to explore possible sale*, CNBC, November 2, 2022, <https://www.cnbc.com/2022/11/02/washington-commanders-owner-dan-snyder-hires-bank-of-america-to-explore-potential-transactions.html>.

⁴ Complaint at 35, District of Columbia v. Pro-Football Inc. d/b/a Washington Commanders, (D.C. Super. Ct. 2022).

⁵ D.C. Code Ann. § 28-3901 (West)

⁶ D.C. Code Ann. § 28-3904 (West)

District of Virginia. At the very least, the filing of the lawsuit validates the many individuals subjected to harassment and abuse within the organization under Snyder's tenure.⁷ Snyder, the owner of the team in Washington since 1999, has historically remained steadfast in his decision to retain ownership. The coming months will certainly test that conviction.

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⁷ Lisa Banks and Debra Katz, *Statement from Lisa Banks and Debra Katz on Civil Violations Against the NFL, Dan Snyder and the Washington Commanders*, November 10, 2022, <https://katzbanks.com/news/statement-lisa-banks-debra-katz-civil-violations-against-nfl-dan-snyder-washington-commanders>.