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Ted Wells

By **Matt Rocheleau**

GLOBE STAFF MAY 08, 2015

When NFL Commissioner Roger Goodell rolled out the Deflategate report this week, he first thanked the outside experts the league brought in to figure out whether the Patriots intentionally let air out of footballs in the AFC Championship Game.

“I want to express my appreciation to Ted Wells and his colleagues for performing a thorough and independent investigation,” he said — a shout-out to the attorney who led the probe and to groups like Exponent Inc., which conducted in-depth tests on how atmospheric and other factors can affect a football’s pressure.

So as the public scours the [243-page PSI opus](#) — with its “more probable than not” finding that New England did it on purpose — many are assessing the report’s credibility by examining not only its content, but also the experts behind it.

In particular, questions have been raised about Exponent, a company that has drawn criticism in the past, including for its work on the effects of secondhand smoke.

But others point out that the scientific consulting firm did not conduct its Deflategate analysis entirely on its own — a respected physicist assisted with developing the findings. And in the days since the report’s release, other experts have said they agree with the analysis.

Here’s a look at the background of some of the key analysts who produced the report:

Exponent Inc.

The Deflategate report described Exponent as “one of the leading scientific and engineering consulting firms in the country.”

The company, based in Menlo Park, Calif., was founded in 1967 under the name Failure Analysis Associates. It has about 900 scientists, physicians, engineers, and regulatory consultants on staff in 20 offices nationwide, including one in Maynard and one in Natick, as well as several more locations abroad, according to the report and Exponent’s website.

The company has been hired by prominent organizations, including major automakers, oil companies, and the federal government, according to the Los Angeles Times.

However, the firm has faced controversy. The company has even faced accusations that it tends to provide reports that are skewed favorably for its clients, essentially giving organizations the results they want to hear.

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The L.A. Times in 2010 detailed criticism of the company, including over how Exponent once argued on behalf of the tobacco industry that secondhand smoke did not cause cancer.

The newspaper reported that the head of the company, responding to criticism at the time, rejected the notion that Exponent only produces findings that favor its clients.

Gabriel Ganot, a lead member of the Exponent team who worked on the Deflategate report, declined to comment Friday and referred questions to the NFL.

He wrote in an e-mail to the Globe that it is his company's policy for all projects the firm conducts "not to respond to media requests without client permission."

A spokeswoman for the company also declined to comment about the report on Friday.

NFL spokesman Greg Aiello said in an e-mail that "the report speaks for itself." He also pointed out that Exponent was not the only party responsible for conducting the 70-plus pages of scientific analysis.

Professor Daniel R. Marlow

Exponent's analysis was also assisted and reviewed by a highly-regarded Princeton University physics professor, who agreed with all of Exponent's conclusions, according to the report.

The New York Times reported this week that Professor Marlow's involvement in the report's scientific analysis has helped solidify the credibility of the investigation's findings, including among fellow researchers in his field.

"Dan Marlow is a good physicist and I would place great weight on his scientific opinion," Alan Nathan, a physicist at the University of Illinois told the New York Times.

Marlow is the Evans Crawford 1911 Professor of Physics at Princeton and former chairman of the university's physics department.

The tenured professor has more than 35 years of experience in researching and teaching physics and has published upwards of 400 papers in peer-reviewed scientific journals, the Deflategate report said.

Reached by phone Friday, Marlow echoed the NFL spokesman saying the report "speaks for itself," but he declined to comment further.

Marlow said the law firm hired by the NFL and in charge of putting the report together has asked him not to comment and to instead refer all questions to the NFL.

Paul, Weiss, Rifkind, Wharton & Garrison, LLP

The NFL hired the New York City-based law firm — commonly referred to simply as Paul, Weiss — to spearhead the investigation.

The American Lawyer magazine says the firm has more than 850 attorneys, and about another 100 employees, making it the 34th largest law firm in the country. It brought in some \$934,500,000 in gross revenue in 2013, which ranked 28th among law firms nationwide.

The magazine also reported recently that tax filings show the NFL paid Paul, Weiss \$7.4 million during the league's fiscal year that ended last April.

The firm has been hired by the NFL in the past, including representing the league in its defense of a lawsuit by hundreds of former players over allegations the league concealed risks associated with concussions.

The firm also led the investigation last year of allegations of bullying by players on the Miami Dolphins.

According to the Paul, Weiss website, the law firm opened in 1875 and has been involved in numerous high-profile cases.

Well-known clients have included Robert F. Kennedy, Hugh Hefner, Marilyn Monroe, Calvin Klein, David Rockefeller, Nelson Mandela, Steve Jobs, John Lennon, Joe Namath, Thurgood Marshall, and Eliot Spitzer, the site says.

Meanwhile, partners and lawyers who have worked at the firm have included an associate justice of the Supreme Court, a presidential nominee, high-ranking politicians and federal officials, and top advisers and appointees of US presidents.

A spokeswoman for the law firm declined to comment Friday.

Theodore V. Wells, Jr.

Ted Wells, partner and co-chair of the litigation department at Paul, Weiss, is considered one of the country's top trial lawyers and was at the head of the investigation into bullying on the Miami Dolphins.

He grew up in Washington D.C., and met his wife there while in high school, according to media reports.

The couple has some local ties. He earned his bachelor's degree at the College of the Holy Cross in Worcester in 1972, before earning both a master's degree in business and a law degree from Harvard University in 1976. Since 2013, he has served as member of one of Harvard's governing boards.

Wells's wife, Nina Mitchell Wells, earned a law degree from Suffolk University while they were both living in the Boston area.

He also has ties to football. He played center in high school and went to Holy Cross on a football scholarship, but only played one season at the college.

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