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Appeals court ruling was improbable, statistically speaking

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By **Matt Rocheleau**

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When a federal judge from the Southern District of New York sided with Tom Brady in the Deflategate case in September, the legal odds seemed to be in favor of New England's star quarterback.

Only 7.5 percent of the 1,667 civil cases that came out of the court were overturned on appeal between Aug. 1, 2013, and July 31, 2014, [the Globe has reported](#).

The September court ruling that had gone in Brady's favor was made by Judge Richard Berman, and the NFL's appeal of that ruling moved the case to the US Court of Appeals for the Second Circuit in New York.

Berman himself has only had his decisions reversed or vacated by the Second Circuit about 8 percent of the time, according to an [analysis](#) published in Sports Illustrated by Michael McCann, head of the sports law program at the University of New Hampshire.

But Marc D. Greenbaum, a labor and employment professor from Suffolk University, said that when trying to predict the outcome of an individual case, such statistics are irrelevant.



Brady must serve suspension, appeals court rules

In a 2-1 decision, the appeals panel found that NFL commissioner Roger Goodell acted properly and within his authority.

Shaughnessy: Patriots brought this on themselves

“Yeah, there’s patterns,” he said. “But each case is different. I don’t believe in numbers when it comes to this.”

“I wasn’t surprised that Berman was overturned,” added Greenbaum, who described himself as a long-time Patriots fan. “I always thought his decision was vulnerable, and unfortunately I was right.”

Matt Rocheleau can be reached at matthew.rocheleau@globe.com. Follow him on Twitter @mrochele

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