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## NFL, NFLPA Appoint Das As Third Arbitrator In Michael Pennel Lawsuit

By [Liz Mullen](#), Staff Writer

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The NFL and NFLPA appointed veteran arbitrator Shyam Das as a third arbitrator after Packers DT Michael Pennel sued them last week and a hearing for a temporary restraining order is scheduled for today. U.S. District Judge John Adams has set the hearing for 3:00pm ET in Cleveland on Pennel's request for a temporary restraining order. Pennel, who is facing a possible second suspension under the drug policy this season, sued the league and the union last week, asking for the order to appoint a neutral arbitrator and prevent a hearing that had been scheduled for tomorrow from going forward. But the NFL and NFLPA in a jointly filed statement to the court said that a hearing on Pennel's requests is no longer needed because they have agreed to continue Pennel's arbitration appeal hearing and they appointed Das. No new date has yet been set for the arbitration hearing. Das has recently been appointed as a disciplinary arbitrator for disputes between the NHL and the NHLPA and was the MLB's disciplinary arbitrator from '99-'12. "The NFL's and NFLPA's appointment of a third neutral arbitrator under the Policy, and referral to the Notice Arbitrator for rescheduling of Mr. Pennel's appeal, should eliminate Mr. Pennel's ostensible need for a TRO in this case," the league and the union said in a jointly filed status report. Pennel said in court papers that the hearing was still necessary, despite recent developments. "Defendants refused to agree to a 30-day continuance, any discovery, or even to provide Mr. Pennel with a complete copy of the Policy under which he is facing discipline," attorneys for Pennel said. Pennel has filed subpoenas on the union and the league, asking for, among other things, a "complete copy of the Policy and Program of Substances of Abuse, including any side letters, agreements, memoranda, or other documents" memorializing any agreement about the policy between the league and the union.

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