

## CONCUSSION LAWSUIT AGAINST NHL CAN PROCEED, JUDGE SAYS

**MINNESOTA:** A US District judge in Minnesota this week refused to dismiss a lawsuit filed by ex-players accusing the National Hockey League of failing to protect them from head injuries and withholding information about the long-term effect of concussions. The class-action lawsuit filed by six retired players presents similar claims as a legal action brought against the National Football League that has resulted in an estimated \$1 billion settlement with thousands of that league's ex-athletes. In the NHL case, US District Judge Susan Nelson, in a 47-page opinion made on Monday and unsealed on Wednesday, declined to dismiss the case against the league, setting the stage for it to proceed to a possible trial.

But she left the door open for the lawsuit to be dismissed at a later stage, depending on what evidence emerges. Nelson rejected arguments from attorneys for the NHL that protections against concussions should be dealt with in collective bargaining agreements, or CBAs, with the players union and not decided in court. "Even if some or all of plaintiffs were subject to a CBA at the time" they suffered their head injuries, the league "acknowledges that different versions of the CBAs contain different language," Nelson wrote.

"There are major fact questions that cannot be resolved until a fuller record is developed" as the case proceeds, she added. Nelson's ruling follows a similar decision last year, when she dismissed other arguments by the NHL's attorneys to throw the case out of court. "Based upon our review of Judge Nelson's opinion, with which we respectfully disagree, the opinion merely defers to another day a resolution of the preemption issues underlying our motion," NHL Deputy Commissioner Bill Daly said in a statement.

The retired players in their lawsuit accused the NHL of withholding information from them about science linking brain trauma to long-term neurological problems and of failing to adopt measures to better protect players. Instead, the league promoted a culture of extreme violence, where fighting is central to the game and players inflict crushing body-on-body hits against the sides of ice rinks, according to the ex-athletes' attorneys. Some of the ex-players originally sued in 2013 and their claims in 2014 were consolidated with lawsuits filed by others.— Reuters



**TAMPA:** Matt Murray #30 of the Pittsburgh Penguins tends goal during the first period against the Tampa Bay on May 18, 2016. — AFP

## PENGUINS OVERCOME LIGHTNING

**WASHINGTON:** Phil Kessel and Carl Hagelin each scored one goal and set up another to spark the Pittsburgh Penguins in a 4-2 National Hockey League playoff victory Wednesday at Tampa Bay. The Penguins, seeking their first NHL crown since 2009, seized a 2-1 lead in the best-of-seven Eastern Conference final, which continues Friday in Florida. The Penguins-Lightning survivor will face the Western Conference winner, either the San Jose Sharks or St Louis Blues, in the Stanley Cup Final.

"We're doing the right things," said Penguins goaltender Matt Murray, who made 26 saves. "We're trying to play fast, use our speed and make them have to play in a rush." Since dropping the series opener on home ice, the Penguins have bounced back with a hustle the Lightning have been unable to match. "We just wanted to stick with it and raise our inten-

sity level a little bit," Murray said. "And that's what we've done." Left wing Hagelin scored on a rebound with 10 seconds remaining in the second period to give the Penguins a 1-0 lead. Playmaker Kessel forced a turnover and skated down the wing, then fired a shot off Tampa Bay goalkeeper Andrei Vasilevskiy.

The Russian made the save but Hagelin was in front of him for the rebound and the Swede swatted the puck into the net. Pittsburgh outshot the Lightning 21-6 in the second period, dominating play before breaking through in the dying seconds. Kessel doubled the Penguins' lead 5:16 into the third period, the US right winger finding the net for his seventh goal of the playoffs. "He has got an absolute missile (of a shot)," Murray said of Kessel. "You never know on which side it's going to go and it's coming quick." But only 14 seconds later, Tampa

Bay finally solved Murray as Lightning center Tyler Johnson pulled the hosts within 2-1 with 14:30 remaining.

Penguins captain Sidney Crosby answered on a power-play goal with 9:10 remaining, the Canadian center taking a pass from Evgeni Malkin and blasting a kneeling a quick one-touch shot high into the net, the puck knocking Vasilevskiy's water bottle into the air as Pittsburgh seized a 3-1 edge. Braydon Coburn's penalty 57 seconds earlier for elbowing Pittsburgh's Hagelin had given the Lightning the one-man disadvantage. The Penguins weren't finished as left wing Chris Kunitz flipped in an unassisted goal with 6:48 remaining. Tampa Bay, which won its only NHL title in 2004, trimmed the final margin with 1:44 remaining on a goal by Czech left wing Ondrej Palat. Vasilevskiy had 44 saves in a losing cause.— AFP

## DJOKOVIC CONFRONTS GREATEST CHALLENGE AS CLOCK TICKS

**PARIS:** Twelve months after his latest bid to complete a career Grand Slam was thwarted, Novak Djokovic targets an elusive French Open title with time and history threatening to conspire against him. The world number one was left in tears in 2015 when Stan Wawrinka unleashed a battery of single-handed backhand winners to all corners of Court Philippe Chatrier on his way to a shock Paris title. Djokovic turns 29 on Sunday and will be playing Roland Garros for a 12th time where he remains the overwhelming favorite to secure a trophy which would also place him halfway to the first calendar Grand Slam since 1969.

But tennis is littered with great names whose Grand Slam pedigree endured shattering reality checks on Roland Garros's unforgiving crushed red brick surfaces. Pete Sampras won 14 majors but 13 times the great American tried to win the French Open and 13 times he failed. Stefan Edberg also made 13 fruitless visits while

Djokovic's coach Boris Becker tried nine times. John McEnroe also flopped, the four-time US Open and three-time Wimbledon winner having to console himself with a runners-up spot in Paris against Ivan Lendl in 1984.

Djokovic, with 11 majors under his belt, has come closer than all of them. He has been runner-up three times and a semi-finalist on four occasions. His record in 2016 reads 37 wins and just three defeats although two of those came on clay-against Jiri Vesely in a freak Monte Carlo opening-round exit and a loss to Andy Murray in last weekend's Rome final. "All in all, it was very good two weeks after dropping out in Monte Carlo early. I needed these kind of results, winning one tournament and playing finals is great," said a weary Djokovic who has won the last three majors.

"I got what I was looking for, a lot of matches, and confidence and I spent a lot of hours playing on the clay, which now, leading up to

Roland Garros is exactly what I need. Hopefully it's going to help me perform well in Paris." An extra motivation for the Serb is knowing that he is just a little over \$300,000 short of becoming the first player to earn \$100 million in prize money. World number two Murray is shaping up as Djokovic's greatest threat. He may be 8,000 points behind in the world rankings, but the former US Open and Wimbledon winner has developed a taste for clay relatively late in his career. His 6-3, 6-3 win over Djokovic at the Foro Italico came on his 29th birthday.

### Murray threat

It was the first title in Rome by a British player since Patrick Hughes in 1931 and ended Djokovic's 17-match winning streak against top 10 opponents. Murray's three career titles on clay have all been in the last 12 months—Munich and Madrid in 2015 topped off by Rome. He has also steadily improved in Paris with three semi-

final runs in his last four appearances, losing a five-set epic to Djokovic in 2015. "I had always been told that clay should really be my best surface. I'm going to Roland Garros with a lot of confidence and really good preparation. I feel like I'm on the right track," said the Scot.

Nine-time champion Rafael Nadal could be the kingmaker in Paris where he will be seeded at five and a likely quarter-final opponent for either Djokovic or Murray. Written off after a 2015 campaign saw him endure his worst season in a decade, the 29-year-old Spaniard won in Monte Carlo for the ninth time and then clinched the Barcelona crown to equal Guillermo Vilas's record of 49 career clay-court titles. A semi-final run in Madrid and quarter-final spot in Rome—where it took Murray and Djokovic respectively to halt him—illustrated his enduring power. World number three Roger Federer, with his 35th birthday looming in August, has played only four tournaments in 2016.—AFP