



## Westhead: CHL players who join \$180M lawsuit can stay anonymous

By [Rick Westhead](#)

Players who join the \$180 million lawsuit against the Canadian Hockey League can remain anonymous throughout the course of the case.

Ted Charney, a Toronto lawyer who is suing the CHL on behalf of former junior players, said because his case has one named representative plaintiff, others can avoid being publicly identified, protecting their hockey careers.

"We've been talking to several players over the past several weeks but none of them wanted to be the representative plaintiff," Charney told TSN in an interview. "They don't want to jeopardize their careers by being the face of the lawsuit."

On Friday, Sam Berg, the son of former Toronto Maple Leaf player Bill Berg, sued the CHL, the governing body for 60 teams in the Ontario Hockey League, Western Hockey League and Quebec Major Junior Hockey League.

A statement of claim filed by Berg on behalf of himself and thousands of other players seeks \$180 million in outstanding wages, vacation, holiday and overtime pay and employer payroll contributions, according to legal documents obtained by TSN.

[In a note on his firm's website](#), Charney wrote that he is looking for players who played for major junior teams as far back as October 2008.

"The beauty of this now is that other players don't ever have to go public," Charney said. "Every member of the league is eligible for compensation and it's like voting in an election. Their information is completely confidential. They will face no reprisals."

The documents filed by Berg show players in the OHL receive \$50 to \$120 a week in compensation, while players in the QMJHL get \$35 to \$150, depending on the age of the player. Those aged 16 to 19 get \$50 a week in the OHL and \$35 a week in the QMJHL.

The Toronto Star first reported Berg's lawsuit.

While Berg's lawsuit alleges players work as much as 65 hours per week or more, Berg said he was paid \$50 a week by the OHL's Niagara IceDogs in 2013.

"On average, Sam devoted about six hours a day, seven days a week to providing services to the team," his lawsuit says. "When the team traveled, he would devote longer hours, up to 12 hours a day."

After he was demoted to Junior B hockey, a shoulder injury ended his career.

The OHL allegedly reduced his university scholarship package from four years to half a year, Berg alleges.

CHL president David Branch has repeatedly said that players in the CHL are student athletes, and are well compensated, thanks largely to an education program the league has in place that provides some players with university scholarships when they are done playing.

The IceDogs' coach told The Star that Berg breached his contract when he failed to show up at training camp.

Berg's allegations have not been proven in court.

Several NHL player agents said the CHL has known for months that a lawsuit like this one might be looming, and sought to change its standard players contract. Instead of describing players as employees or independent contractors, players are now described as student athletes.

Charney said it's unclear how long the case will take to wind its way through the courts.

A class action lawsuit against Maple Leaf Foods over lysteria outbreak was wrapped up in six months, he said, "because the company did a mea culpa. I guess it depends whether we have a material disagreement with the CHL over the facts here."

Charney said he expected the case would be assigned to a judge and a case conference would be held outlining a prospective schedule before Christmas.