

BETWEEN THE LINES

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Eli Manning: Giant Fumble in Memorabilia Scandal?

Introduction

At BIA, we typically apply our proprietary Tactical Behavioral Assessment® (TBA™) methodology to analyze management teams' statements and provide insight into the completeness, transparency and confidence surrounding all types of business issues. However, in this edition of *Between the Lines*, we turn our behavioral lens to Eli Manning and the New York Giants. Emails from 2010 have recently emerged suggesting that Eli Manning has been involved in phony-memorabilia sales. A handful of collectors allege that the famed, aw-shucks quarterback for the Giants, with the cooperation of Giants equipment manager Joe Skiba, provided equipment that was not actually game-worn to Steiner Sports in order to satisfy a contract he had with the memorabilia company. The equipment allegedly was then knowingly sold through Steiner to collectors for very real, game-used, oh-wow prices. The Giants' team lawyers released a behavior-laden response to the allegations, and Eli's press conference on April 23rd also raised several red flags when scrutinized using our methodology. Our behavioral analysis suggests that there are likely phony-memorabilia sales going on within the Giants organization, and that Eli Manning likely is aware of, if not directly involved in, these sales.

The Facts Won't Help Eli's Case

"2 helmets that can pass as game used. That is it. Eli." The discovery of this 2010 email from Eli Manning to Giants equipment manager Joe Skiba has breathed new life into a 2014 lawsuit accusing Eli, Skiba, and sports memorabilia bigshot Steiner of knowingly selling phony game-used merchandise to collectors and dealers. One such dealer embroiled in the case is Eric Inselberg, who was charged by the feds in 2011 for selling fraudulent merchandise, though he insisted the fraud came all the way from the top – the New York Giants. When the *New York Post* obtained this email from court documents, the Giants' team lawyers released an aggressive response. They characterize Inselberg as an "unscrupulous memorabilia dealer... who for years has been seeking to leverage a big payday" and insist that "this is just the latest misguided attempt to defame [Eli Manning's] character." These statements reflect an effort to disparage Inselberg and challenge the credibility of his claims. However, the lawyers' response completely fails to deny that Eli Manning or the Giants were involved in phony-memorabilia sales. In fact, it does not even address the core issue of the "smoking gun" email. If the claims by Inselberg and his lawyers were baseless, that would be the first thing the Giants' lawyers should want to convey to their fans. Their failure to address their culpability, or lack thereof, signals to BIA that the facts are not on their side.

Manning Meets the Press: Memorabilia Scramble Part of Quarterback's Playbook?

On April 20th, Eli Manning spoke to the press, leading off with a disclaimer that since there is pending litigation, he will not go into the specifics. Even so, he states, "I have never done what I've been accused of doing. I have no reason, nor have I ever had any reason, to do anything of that nature. I've done nothing wrong and I have nothing to hide. And I know that when this is all done, everyone will see it the same way." While it may be the case that he cannot go into detail about the pending litigation, Eli's denial is vague, and his statement that "I've done nothing wrong" is subjective, since people's standards of what is considered "wrong" may vary. Significantly, from BIA's perspective, his denial is accompanied by a series of statements designed solely to appeal to listeners' emotional biases (i.e., "I have nothing to hide"), which is typically evidence of a lack of confidence around the facts supporting the denial. Collectively, these statements fall well short of directly refuting the allegations.

"Eli's denial is vague and veiled with efforts to appeal to listeners' emotional biases."

In a similar attempt to imply his innocence, Eli relies on his character and reputation, saying, “I think my track record of how I’ve handled myself since I’ve been here in New York, since 2004, speaks for itself. I’ve tried to do everything with class and be a stand-up citizen, and that is what I have done and that is being attacked right now.” In doing so, Manning invokes the “halo effect” of attempting to use his good reputation, rather than a specific denial of the allegations, to clear his name. As noted above, this type of behavior is usually seen when the accused has few facts to rely on, and leads us to believe that Eli at a minimum has knowledge of incidences of phony-merchandise sales.

During the press conference, Eli assures the media that he will be releasing additional court filings that clear up the issue and demonstrate that he did nothing wrong. On the following Wednesday, April 26, ESPN obtained the filings, in which Manning’s legal team includes multiple emails intended to suggest he was not involved with the scheme in question. In one email sent shortly after Super Bowl XLVI, Eli asks Skiba if he put his helmet somewhere and if Skiba could hold onto it and his spare helmet. Similar emails from 2011 and 2013 include discussion between Eli and Skiba to secure his game-worn equipment. Eli’s attorneys write that the released emails “confirm his practice of retrieving actual game-used helmets from the Giants’ equipment staff in order to comply with his Steiner Sports obligations.” However, these examples contain no information that would shed light on the “smoking gun” email in question from 2010. While it may be the case that in some instances Eli followed the proper procedure with regard to his equipment, these emails do not rule out the possibility that in other instances, as in 2010, he was somehow involved in providing equipment to Steiner that was not game-used.

Eli Won’t be Standing on the Shoulders of Giants’ Staff: Locker Room Also Involved

When speaking to the press, Eli is asked whether his statements that he has done nothing wrong apply to the Giants’ locker room staff as well. He does not answer the question, instead saying: “the whole Giants staff has done things first class and done things the right way, and I have total confidence that they’re done everything by the book.” Although he is trying to give the impression that the Giants staff would not hand over phony merchandise to Steiner, he never says that. These statements only profess that the locker room staff follows the team’s protocol, which is not the same as specifying that they have not engaged in any unscrupulous practices. This provides Eli with a level of psychological distance should facts emerge in the future about staff involvement.

Steiner Rushes the Passer

Brandon Steiner went on Facebook Live last Monday to defend himself to the public, saying: “When Eli Manning walks into your office and he says, ‘These are my game-used items,’ then I’d like to think that I can believe that.” By saying that he’d “like to think” he can believe Eli, he is attempting to distance himself from any wrongdoing that may have occurred by shifting responsibility for any unscrupulous behavior onto Eli.

Steiner also tries to bolster his own credibility by stating, “I’m not a runner—you’ve seen me with Ray Rice, you’ve seen me with a lot of other players.” Here he is attempting to show that standing by Eli (he hasn’t yet cancelled his company’s contract with Eli) does not necessarily imply that he believes Eli is innocent. Most interesting, perhaps, is Steiner’s statement about the chain of custody with game-used merchandise: “A lot of times, we’re not in the locker room, and there are a lot of leagues and teams that don’t have authentication programs that really secure product.” In saying this, Steiner is implying that the mishandling of merchandise by team staff is common, and is again trying to shift responsibility to the Giants. Taken together, Mr. Steiner’s behaviors suggest that, at the very least, he lacks full confidence in the authenticity of the game-worn memorabilia from Manning and likely believes there is a possibility that Manning was aware of or involved in the scheme.