



Winston & Strawn and Hagens Berman File Landmark Antitrust Class Action Challenging NCAA “Amateurism” Ban on Athlete Compensation

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San Francisco, CA – December 7, 2023 – Winston & Strawn LLP and Hagens Berman today filed a new antitrust class action today in the Northern District of California against the NCAA and the five power conferences (Big Ten, SEC, Pac-12, ACC, and Big 12).

The firms also won the *Alston v. NCAA* in the Supreme Court and are currently prosecuting both the *House v. NCAA* and *Hubbard v. NCAA* antitrust class actions.

The newly filed lawsuit challenges the NCAA’s anticompetitive “pay-for-play” rules and requests an injunction permanently restraining the NCAA from enforcing all of its unlawful and anticompetitive rules restricting the compensation and benefits that college athletes can receive in exchange for their athletic services. The case also seeks treble damages for the compensation these athletes would have received absent the NCAA’s unlawful restraints. This is the first case brought on behalf of all Division I athletes seeking to change the NCAA’s compensation rules.

“Despite an undeniable mountain of evidence that the ‘amateurism’ model has become a canard, the NCAA and Power 5 Conferences persist in enforcing their most onerous restraints: the ban on ‘pay-for-play’ compensation,” said Winston & Strawn Co-Executive Chairman Jeffrey L. Kessler. “Today there is widespread recognition among college-sports administrators, athletes, and college sports fans that there is no justification for the NCAA to continue prohibiting college athletes from sharing in the massive revenues that they generate for their schools and conferences. It has been a long legal road, but the time to end these restraints is now.”

“The NCAA’s rules prohibiting college athletes from being compensated for their athletic services serve no procompetitive purposes. We believe the courts are ready to finally bring the NCAA into the 21st century,” explained Steve W. Berman, Hagens Berman managing partner and co-founder. “Our clients seek damages and an injunction so that the young adults who are the bedrock of the NCAA’s multibillion-dollar business can finally be compensated in a fair and just manner for their extraordinary athletic talents.”

Named plaintiff DeWayne Carter, a fifth-year senior and defensive tackle for Duke University’s football team, said, “It’s time for the NCAA to recognize that the rules prohibiting athletes from sharing in the massive revenues we help to generate are harming all college athletes. There are hundreds of people involved in NCAA sports but the only ones who cannot be paid are the athletes; I’m proud to stand up for all college athletes to correct that injustice.”

Nya Harrison, named plaintiff who is a junior and a defender on Stanford University's women's soccer team, added, "Most college athletes do not go on to play their sports professionally, so the NCAA's rules strip us of some of the best opportunities we have to use our athletics skills to support ourselves and our families."

Plaintiff Sedona Prince, a graduate student on Texas Christian University's women's basketball team, said, "The NCAA and conferences' unlawful restraints on pay-for-play compensation have gone on for far too long. I am proud to represent the class of players in seeking the damages we deserve."

The Winston & Strawn and Hagens Berman teams previously served as co-lead class counsel in, *Alston*, which culminated in a unanimous Supreme Court win, and are co-counsel litigating the *House* case, which seeks an injunction to permit college players to, among other things, be paid for the use of their names, images, and likeness ("NIL") in the broadcast of FBS football and Division I basketball games, and damages stemming from the NCAA restrictions on their earning compensation for their NIL rights across all Division I sports. They are also co-counsel litigating the *Hubbard* case, which seeks damages for past limits on academic incentive payments to college athletes.

Winston & Strawn LLP's Sports Litigation Practice, co-led by David Greenspan and David Feher, is one of the country's most highly regarded sports litigation practices. Winston & Strawn LLP is an international law firm with 16 offices in North America, South America, Asia, and Europe. More information about the firm is available at www.winston.com.

Hagens Berman is a global plaintiffs' rights complex litigation law firm with a tenacious drive for achieving actual results for those harmed by corporate negligence and fraud. Since its founding in 1993, the firm's determination has earned it numerous national accolades, awards and titles of "Most Feared Plaintiff's Firm," MVPs and Trailblazers of class-action law. The firm's cases have recovered more than \$320 billion for its clients. More about the law firm and its successes can be found at www.hbssl.com. Follow the firm for updates and news at [@ClassActionLaw](https://twitter.com/ClassActionLaw).

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