

Jeffrey Kessler Discusses College Athlete Compensation with CBS Sports

JUNE 4, 2014

Winston & Strawn New York-based partner [Jeffrey Kessler](#) was quoted in the CBS Sports article [“NCAA Critics Offer Ways to Pay College Players”](#) published on June 4, 2014. In the article, Mr. Kessler provides his point of view on the “pay to play” debate and his pending antitrust lawsuit against the NCAA and the five power conferences which seeks to strike down restrictions preventing Division I athletes from being compensated.

Mr. Kessler is in favor of permitting schools to have individual choice and to be governed by a free market in Division I men’s basketball and football, where the schools generate hundreds of millions of dollars in revenues.

“The market would allow the best solution,” he said. “If the best solution is to put money in trust funds for the athletes and give it to them when they leave or even increase amounts if they stay and graduate, then that will be the solution. The idea is to let schools do what they want. We want to free schools to make their own decisions.”

In response to why he sued the NCAA and only the five major conferences rather than the entire Division I landscape, Mr. Kessler stated, “Because that is where the most amount of money is.”

Mr. Kessler expects the NCAA to remain consistent in their argument against player compensation.

“We anticipate they’ll make the same arguments they always make, that they’re entitled to have these rules to preserve the purity of amateurism and also make some arguments about competitive balance,” he said. “I think what’s happened is the money’s gotten so big (in college sports) that all pretenses of the amateurism argument have completely faded away.”

Mr. Kessler serves as the head of the global antitrust/competition practice and co-chairs the sports law practice group. He focuses his practice on all aspects of antitrust/competition, sports law, intellectual property (IP), complex litigation, and government criminal and civil investigations.

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