

## Winston Scores Touchdown in Landmark Case on Behalf of College Football and Basketball Players

MARCH 28, 2018

Winston won a major victory on behalf of college football and basketball players challenging the legality of the National College Athletic Association's (NCAA) restraints on compensation when Judge Claudia Wilken of the Northern District of California denied the NCAA's motion for summary judgment and granted partial summary judgment in favor of Winston's clients. The case is set for a potentially history-making trial that could forever change the landscape of college sports in America.

Winston first brought suit in 2013 against the NCAA and its five "power conferences" (the SEC, Big Ten, Pac-12, ACC, and Big-12) on behalf of the college players, who alleged that the defendants' rules restricting player compensation unlawfully restrain the market for top-tier college sports talent. Winston and its co-counsel then defeated the defendants' initial motion to dismiss the case, defeated a subsequent motion for judgment on the pleadings, succeeded in a motion for class certification, completed extensive fact discovery, and filed motions for summary judgment. On March 28, 2018, the court rejected the NCAA's arguments in defense of virtually all critical claims, siding with Winston on key issues related to agreement, anticompetitive effect, and relevant markets. A ten-day bench trial is set for December 3, 2018, where the burden will be on the NCAA to prove that its compensation restraints have offsetting procompetitive effects, and where the issues of less restrictive alternatives, such as individual conference autonomy, will also be considered.

The Winston team is led by Co-Executive Chairman Jeffrey Kessler and includes Partners David Feher, and David Greenspan, and Associates Adam Dale, Jeanifer Parsigian, and Corinne Kyritsopoulos.

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