

Podcasts | September 29, 2022

# NIL Enforcement

## Highway to NIL Podcast

### SPEAKERS

[Christopher M. Brolley](#) | [Callan G. Stein](#)

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The *Highway to NIL Podcast* analyzes the legal landscape concerning college athletics and the regulation of name, image, and likeness (NIL) rights of student athletes. The podcast provides key insights into the current state of affairs, focusing on the NIL guidance and policies coming directly from the NCAA; the various passed and amended state NIL laws; and NIL enforcement, including how the NCAA, state attorneys generals, and other regulators may investigate and punish schools for NIL violations.

### Episode 3: NIL Enforcement

In this third installment, Troutman Pepper litigators Cal Stein and Chris Brolley discuss the current state of NIL enforcement, as well as the potential future of NIL enforcement and regulation. Specific topics include:

- Current State of NIL Enforcement (0:56)
- NCAA Enforcement Letter (3:56)
- What's Next: Predictions for Future NIL Enforcement Activities
  - Use of "Circumstantial Evidence" to Prove an "Inducement" (6:10)
  - NIL Payments Exceeding Fair Market Value (9:16)
  - NIL Deals That Involve Institutions and/or Boosters (12:19)
  - Timing of NIL Deals and School Enrollment (14:05)

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