

Speaking Engagements | May 1, 2024 | 10:00 AM - 11:00 AM ET

The Sherman Antitrust Act: The Newest Arrow in the Quiver of Those Waging War on College Sports

University of Southern California
Los Angeles, CA

SPEAKERS

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Wednesday, May 1 • 2:00 – 3:00 p.m. ET

Since the NCAA's reaction to the Supreme Court's Alston decision threw the longstanding amateurism model into disarray, the NCAA and the world of college sports have been under constant attack from all angles. Most recently, certain state Attorneys General have begun weaponizing US antitrust laws to wrest power away from the NCAA and eliminate restrictions placed on student-athletes' abilities to transfer to other member schools and profit from their NIL. In federal cases still pending in West Virginia and Tennessee, multiple states (including Ohio, Colorado, Tennessee, West Virginia, and Virginia), working through their Attorneys General, have scored significant victories by using the Sherman Antitrust Act. Given the magnitude and notoriety of these victories, other state AGs and third-party litigants are sure to use the same playbook while attacking other NCAA rules, including those that form the foundation of collegiate sports. In this seminar, the Troutman Pepper NIL team will explore these recent antitrust rulings out of the Eastern District of Tennessee and the District of West Virginia, including specific focus on its immediate and future impact on the NIL landscape and college sports generally. We will also examine the possible impact of future attacks on other specific NCAA rules, including on as-yet-unchallenged NIL rules and other bedrock rules of college sports such as four-year eligibility requirements, academic requirements, and rules requiring progress toward a degree.