

The Honorable Claudia Wilken
United States District Court
Northern District of California
1301 Clay Street,
Oakland, CA 94612

Re: House v. NCAA, Case No. 4:20-cv-03919-CW

December 9, 2024

Dear Judge Wilken:

I am a football player at the University of Michigan, and I humbly write to you as a member of the “Additional Sports Class” in the House v. NCAA lawsuit.

I am aware that many student-athletes will benefit financially from the proposed settlement in this case, but I wish to express that there are thousands of others, like me, who don’t expect anything from it. Those student-athletes, mostly walk-ons, earned a spot on their team, show up to practice every day, and embody every aspect of what it means to be a student-athlete without any care as to compensation. Yet, thousands of them will be cut—unnecessarily—the moment the settlement is approved due to the roster limits that are set to go into effect. In my view, there is no reason why this must be. The NCAA and Plaintiffs can easily agree to a grandfathering provision that would allow student-athletes currently on teams to finish their careers where they started. It would have no impact on the damages or revenue-sharing provisions driving the settlement. Everyone can be happy, from the 5-star recruit making millions of dollars to the golfer who simply wants to continue playing the sport she loves at her dream school.

I am not exaggerating that thousands of student-athletes will be cut if the settlement is approved. In football, for example, the roster limit will be 105, but many football teams carry more than 105 players. The University of Michigan currently has 137 players. At least 32 of us will be asked to leave the program, likely more since it was announced that we have at least 25 incoming recruits. This problem is not unique to Michigan. Based on my approximate counts, Alabama currently has 130 players. Texas A&M has 143. Oklahoma State has 139. Ohio State has 123. Iowa has 129. The list goes on and on. In an article aptly titled “New NCAA Roster Limits: The Death of the Walk-On Athlete,” Sports Illustrated showed stats that, on average, every football team will need to cut 24 players if the settlement is approved.¹

¹<https://www.si.com/fannation/name-image-likeness/nfl-news/new-ncaa-roster-limits-the-death-of-the-walk-on-athlete>

There are over 250 NCAA Division I football teams. No one is happy, including coaches. At Florida, which holds 131 players, coach Napier has stated: “[T]hat’s 26 guys that aren’t playing college football at Florida that have had a once-in-a-lifetime experience and are a huge part of our team.”² At Nebraska, which holds 151 players, coach Rhule has stated: “[W]e’re going to end up with 30-50 guys (Nebraska players) in the portal with the roster (limit). . . . I don’t want any of them to go into the portal. I want them all to stay here and develop.”³

Football is not the only sport where hundreds of student-athletes will be cut overnight. The Sports Illustrated article mentioned above indicates that, on average, every baseball team will need to cut 6 players, every men’s soccer team will need to cut 4 players, every women’s soccer team will need to cut 3 players, every men’s volleyball team will need to cut 4 players, every men’s wrestling team will need to cut 5 players, etc. In an article titled “Historic House-NCAA settlement leaving hundreds of Olympic sport athletes in peril,” Yahoo Sports estimated that the 68 power conference schools alone will need to cut 3000 student-athletes from their teams.⁴ ESPN estimated that “closer to 10,000 spots” will be eliminated among all Division 1 schools.⁵ In an article titled, “Roster limits in college small sports put athletes on chopping block while coaches look for answers,” the Associated Press reported that as many as 1,600 soccer players will enter the transfer portal due to roster limits.⁶ I refuse to believe this is what the NCAA intended.

The Yahoo Sports article mentioned above reported that the NCAA and Plaintiffs are aware of the issue and are working on a solution “including a transitional period in which those currently on a roster are grandfathered into the system.” But weeks have gone by without any formal statement, and time is running out for many student-athletes. I respectfully ask that Your Honor take action. You recently stated that “taking things away from people is usually not too popular.” You made this comment because of NIL deals being taken away from student-athletes, but something more is at stake here for many people—the ability to play the sport you love and finishing what you started. That is being unnecessarily taken away from thousands of student-athletes who never once sought compensation for their NIL, who never once thought of suing the NCAA, who never once complained about waking up for 6am for practice and not

²<https://www.on3.com/college/florida-gators/news/billy-napier-addresses-transformational-roster-limitations-difficult-challenge-of-meeting-105-limit>

³<https://www.usatoday.com/story/sports/ncaaf/bigten/2024/11/26/matt-rhule-nebraska-football-transfer-portal-college-football-roster-limits-house-ncaa/76587597007/>

⁴<https://sports.yahoo.com/historic-house-ncaa-settlement-leaving-hundreds-of-olympic-sport-athletes-in-peril-125238713.html>

⁵https://www.espn.com/college-sports/story/_/id/42273737/college-athletes-face-national-signing-day-amid-uncertainty-new-roster-limits

⁶<https://apnews.com/article/college-scholarships-olympics-signing-day-11070f8c3150a12109d243fbfbfa6251s>

playing a snap all season, and who would put their lives on the line (literally) for a teammate or their coaches.

To be clear, I commend the settlement's expansion of scholarship opportunities and its attempt to make up for past wrongs. I simply request that Your Honor add a provision to the settlement that would allow current walk-on and non-scholarship student-athletes the ability to finish their careers where they started. For example, one solution is to grandfather in any walk-on and non-scholarship student-athletes who are on a roster as of the 2024-2025 season. In other words, those student-athletes would not count against the team's roster limit and, as they graduate, the team will become compliant with roster limits in just a few years. This grandfathering provision would be easy to implement since these student-athletes are already registered and their academic/athletic status is well documented.

Beyond this straight-forward proposal, there are potential variations that would provide the same result, such as adding a clause to the settlement that roster limits will not be enforced against teams whose surplus is due to carrying student-athletes already enrolled at or committed to a school at the time the settlement is approved, delaying the effective date of roster limits until four years after the date the settlement is approved, or phasing in roster limits over a four-year period.

I appreciate that there will be details that will need to be worked out to make any proposed solution work, and I have no doubt that there are considerations that I don't know or fully understand. But I am hopeful that Your Honor and the parties will stand up and do what is right for the thousands of student-athletes and class members facing potential removal from their teams for reasons out of their control and unrelated to performance, academic standing, or conduct.

Respectfully submitted,

John Weidenbach
University of Michigan
Economics, Class of 2027