



THE DRAKE GROUP

Advancing Positive Legislative
Change In College Athletics



Report #3 – September 23, 2025 Listening to Athlete Voices – Objections to the House v. NCAA Settlement



Supporter,

At the start of each academic year, we report on the most recent 12 months of our work as an academic think tank dedicated to better educating the U.S. Congress and higher education policymakers about critical issues in intercollegiate athletics. This is the third report of our eight-part series.

In March of 2025, we undertook an examination of the documents submitted as objections to and comments on the proposed settlement of *House v. NCAA*. While that settlement was approved on June 6, the decision was immediately appealed to the 9th Circuit with that court unlikely to issue its decision until 2026.

Our **research report**, *An Analysis of Objections to the Proposed Settlement of College Athlete NIL Litigation (aka House/Carter v. NCAA and Power Five conferences)*, detailed the concerns of 370 athletes who would be adversely affected by the settlement, categorized into the questions the Court would be required to consider in making its approval determination:

- Have Class Counsel adequately represented the classes?
- Have Class Representatives competently represented interests of the class?
- Was notification to class members adequate?
- Were restrictions on the Class to use the courts to challenge the settlement in the future fair and reasonable?
- Do concerns exist regarding fair opportunities for athletes to voice objections?
- Were past damages properly calculated?
- Was the calculation of athlete settlement amounts fairly calculated?
- Was the relief provided to the Classes adequate?
- Do the terms of the settlement comply with antitrust or other laws?
- Have the parties conducted arms-length negotiations to determine the terms of the settlement?
- Would the settlement fundamentally change the nature of the college athletic

industry in a manner that could be considered unreasonable?

Following, I share several of my favorite excerpts from that report, all of which are athletes' voices, and provide links to their full submissions in case you wish to read more:

Olivia Dunne, a star gymnast from Louisiana State University, pointed to the fact that the athlete Class Representatives were not part of settlement discussions:

"The settlement was reached without athletes being represented in the discussion continuing the long tradition of shutting athletes out of having a voice in a legal issue where they hold a financial interest." (**Docket #624-1**, p. 1)

Lucy Schmeil, a freshman tennis player at the University of Texas-Austin, expressed concern about the settlement's notification process:

"The reason I did not meet the January 31, 2025 deadline to submit this declaration is because I was only notified yesterday, February 3, 2025, that I would be losing my roster spot on the tennis team. I was unaware of the NCAA settlement until yesterday and unaware that it would lead to roster limitations. Further, I was not aware until today that I could object to the settlement. I never received anything written or verbal from the University of Texas or from the NCAA, and it was only yesterday that my coach told me about the settlement and the impact on roster size." (**Docket #698**, p. 1)

Charlotte North, an All-American lacrosse player at Boston College and Duke University, objected to the requirement that athletes who participated in the settlement would not be permitted to bring Title IX lawsuits questioning the past damages portion of the settlement:

Antitrust (Sherman Act) is a fundamentally different issue than antidiscrimination (Title IX), so it is incomprehensible why a female student-athlete would be required to release her Title IX rights to participate in an antitrust settlement. In the landmark U.S. Supreme Court Case, NCAA v. Alston (2021), Justice Kavanaugh in his concurring opinion specifically raised this issue, "How would any compensation regime comply with Title IX?" Title IX was enacted to prevent the unequal treatment of female student-athletes which is precisely what the House Settlement would do if approved. Therefore, I object to the House Settlement and believe it is a violation of Title IX. (**Docket #638**, p. 10-11)

A '**Concerned Student Athlete**,' identified only as a member of the class due to fear of retribution:

I'm writing this letter anonymously because I'm terrified of being singled out. I am a D1 college junior and like so many other student-athletes, I feel like I'm barely hanging on right now. The situation surrounding Grant House vs. the NCAA roster limits has thrown our lives into chaos, and I need to speak up—even if I have to do it without revealing who I am. The amount of people who are against this but are scared to speak up is huge. There is a Change.org petition which has collected nearly 1,500 signatures of people who are all opposed to the roster limits and every athlete I speak to is against it. Grant House himself said that he is opposed to roster limits and was never consulted!" (**Docket #605**, p. 1)

Benjamin Burr-Kurven, a University of Washington football player, commented on past damages payouts:

On December 17, 2024, when I visited the Settlement Website to see my payout estimate as a result of the proposed settlement, I was beyond shocked. From what little information I have since been able to find out, the payout scheme is illogical, inconsistent, and undecipherable. Comparing myself to players whose relevant football playing years mirror mine, my payout of \$57,000 is

- *Identical to a defensive teammate at UW, who was a walk-on and rarely played in games.*
- *Less than another teammate on offense, who received \$98,000 and was*

- compensated for Hubbard and Athletic Services, despite the fact we played in the same number of games for UW over the same seasons.*
- *Less than a player on offense at Washington State University who was awarded \$103,000 - who had no personal conference or national accolades and his team did not perform as well as UW in the conference or nationally, (no Rose Bowl, no College Football semi-final)*
 - *Less than a fellow defensive teammate, who received \$105,800. He was not a starter for UW, and received no conference or team accolades. His video game payment is 70% higher than mine, his broadcast NIL payment is 62% higher than mine, and he is receiving both Hubbard and Athletic Services payments, despite the fact he played in fewer games than I did, during the same seasons at UW.*

The data requested by plaintiffs' attorneys from the University of Washington to determine player payouts did not include information on a player's performance - the key factor that logically would and should drive NIL payments for the damages class. I cannot decipher why performance would not be considered, with the result that I am paid so much less than players on my own team during the same time period. (Docket #637,

The Drake Group is still working to support these athlete voices and their appeals of the court's decision to approve the settlement. With other organizations, we are crafting "friend of the court" briefs in support of their requests to reverse the decision of the lower court.

Being sure the voices of athletes are heard, not only concerning the *House v. NCAA* settlement, but on all issues of athletes' rights, education, health, and well being, is critically important because of the power imbalance between athletes and their coaches and institutions. Our commitment to addressing these issues on their behalf, as well as athlete exploitation for economic gain, is at the core of our value system.

If you think this work is important and that we are doing a good job, we ask you to become a member, renew your membership, or make a contribution **HERE** so we can continue these efforts. We are a 100 percent volunteer organization operating with minimal annual expenses. Any contribution is appreciated.

Gratefully,

Kassandra

**Kassandra Ramsey, Esq.
President**

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Thank you for your support. Together, we can make a difference.

The Drake Group is a 501(c)(4) non-profit organization working to better educate the U.S. Congress and higher education policy-makers about critical issues in intercollegiate athletics for the purpose of ensuring that the promise of college athletics is realized for all stakeholders. Visit [The Drake Group web site](#) to volunteer or support our Congressional advocacy work.

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