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# **The NIL Playbook: Deals, Disputes, and Compliance in College Athletics**

Texas Entertainment & Sports Law (TESLAW)

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# The Evolution of College Athlete Compensation

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## Pre-2021: The “Amateurism” Model

No NIL compensation

NCAA centralized control

Eligibility rules largely unchallenged

O’Bannon and Alston cases favorable to players

## 2021-2025: NIL Marketplace Era

Athlete-driven NIL deals with third parties

Rise of collectives

Limited enforcement

Patchwork of state laws and NCAA guidance memos

# The Evolution of College Athlete Compensation

## 2025-Present: The House Model

Schools directly sharing revenue

Collectives reshaped, brought in-house, or eliminated

Centralized oversight of NIL deals through the College Sports Commission (CSC)

Spike in eligibility lawsuits



# Why This Moment Matters

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- First full year operating in the post-House structure
- Shift from: “Can athletes be paid?” to “How is compensation regulated?”
- Rapid increase in:
  - Eligibility disputes
  - NIL contract litigation
  - Enforcement actions



**REPORT: QB Darien Mensah and Duke have settled. He can enroll at any institution.**

# House Settlement Recap

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- Resolved three major antitrust cases against the NCAA
- Back pay for former athletes
- New framework allowing schools to compensate athletes directly for their NIL, capped at \$20.5M in 2025-26
- Third party deals must go through a CSC approval process to ensure they are fair market value and not “pay for play.”



# Core Tension in the House Era

- NCAA still enforces:
  - Eligibility rules
  - Participation limits
  - But has delegated NIL enforcement to the College Sports Commission
- Athletes now:
  - Participate in a revenue-sharing marketplace
  - Have measurable economic value

*Result: A hybrid system of market-based compensation layered on top of legacy eligibility rules, with centralized enforcement in between.*



# Where Legal Risk Is Emerging

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- More money = more disputes
- Faster deal-making leads to less structure
- Overlapping authority:
  - NCAA
  - College Sports Commission (CSC)
  - Schools
  - Conferences
  - Third Parties
  - State Legislatures

*Result: Litigation is becoming the primary tool to resolve uncertainty.*



# Pressure Points in the House Era

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# Pressure Point #1: Eligibility vs. Earnings

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- NCAA rules limit:
  - Seasons of competition
  - Transfers
  - Eligibility windows
- Athlete argument:
  - These rules restrict access to NIL income
- Legal theory:
  - Antitrust (restraint on athlete labor market)



**ELIGIBILITY  
INFORMATION**

# Pressure Point #2: Rule Enforcement & Governance

- Disputes over:
  - How rules are applied
  - Whether enforcement is consistent
- Shift in strategy
  - From antitrust to state law and contract-based claims
- Key claims:
  - Breach of contract
  - Arbitrary and capricious enforcement

*Is the CSC even recognized as a valid enforcement entity?  
Schools haven't signed binding agreement yet*

November 26, 2025 | Press Release

**Attorney General Paxton Sends Letters to Universities and State AGs to Oppose Unlawful CSC Agreement that Would Hurt Schools and Undermine College Sports**

## Pressure Point #3: NIL Contracts Gone Wrong

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- Rapid growth of deals without standardization
- Common issues:
  - Nonpayment
  - Overpromising
  - Lack of enforceable terms
- Legal exposure:
  - Fraud
  - Misrepresentation
  - Inducement claims



# Pressure Point #4: Who Is Liable?

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- Potential defendants:
  - Coaches
  - Collectives
  - Boosters
  - Institutions
- Key issue: Blurred lines between:
  - Institutional action
  - Third-party conduct

## FRONT OFFICE SPORTS

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College Sports

### NIL's Next Frontier: Players Suing Coaches and Boosters

- A college quarterback has filed a lawsuit claiming \$13 million in unfulfilled name, image, and likeness deals.
- This follows an unprecedented year of challenges in the NIL space.

BY DAVID RUMSEY

MAY 21, 2024 | 04:18 PM



MARK J. REBILAS-USA TODAY SPORTS

# Pressure Point #5: Litigation Strategy & Forum Selection

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- Federal court:
  - Antitrust claims
  - Higher burden
  - Slower timeline
- State court:
  - Contract and statutory claims
  - Faster relief (TROs, PIs)
  - “Friendly” local judges?
  - Increasingly preferred





## What Comes Next?

- Continued litigation over:
  - Eligibility rules
  - Revenue-sharing structures
  - NIL enforcement
- Likely expansion into:
  - Women's athlete litigation
  - Collective governance disputes
- Continued NCAA lobbying in Congress for an antitrust exemption to enforce its rules

*Ongoing question: Is this moving toward an employment and collective bargaining model?*

# From Framework to Reality: Recent NIL Cases

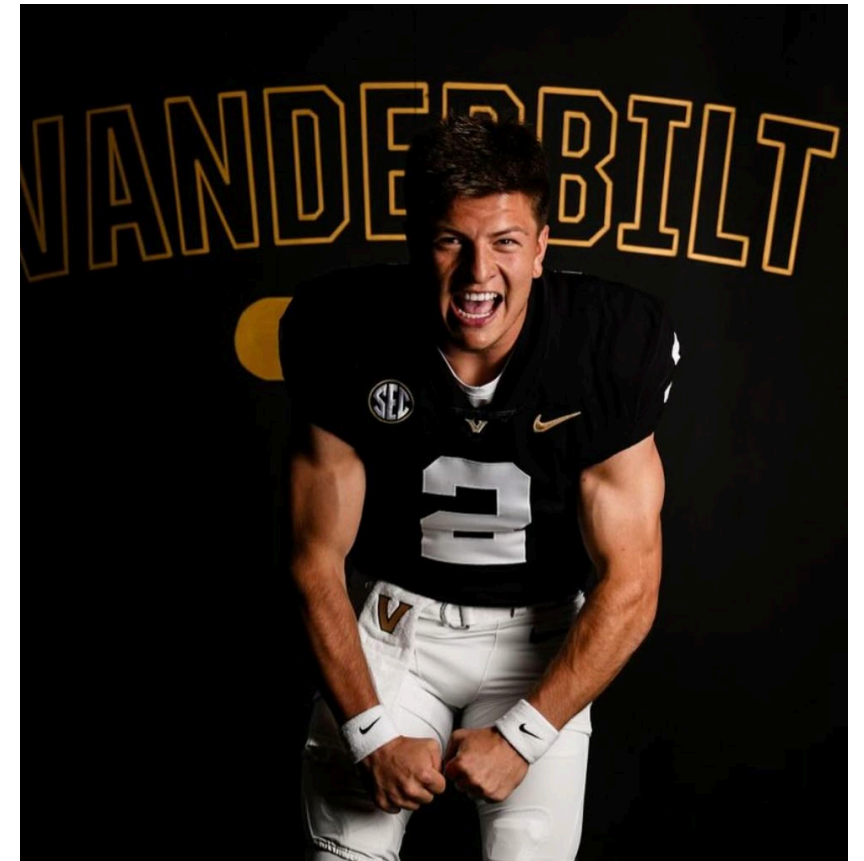
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# Diego Pavia

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- Most recently - Vanderbilt QB; previously – New Mexico and JUCO and New Mexico Military Institute
- Challenged NCAA rule counting JUCO (non-NCAA) seasons toward NCAA eligibility – Pavia’s argument was that the NCAA’s rule counting JUCO seasons effectively prevents some athletes from accessing the D1 NIL marketplace
- Federal Court case
- Antitrust claim (Sherman Act) – rule restricts athlete labor market
- District court granted PI allowing eligibility – so Pavia got to play in the 2025 season



# Diego Pavia, cont.

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- NCAA issued blanket waiver for similarly situated players (rather than risk bad appellate precedent) → waiver impacted players only in Pavia's exact position (with a fifth year already available)
- The NCAA appealed to the Sixth Circuit, but in October 2025, the court dismissed the appeal as moot because the NCAA allowed Pavia to play via a waiver
- Current status: 26 other players joined; the case is returning to the District Court to proceed, even though Pavia has left college to pursue the NFL

# Zakai Zeigler

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- Challenge to NCAA's four-seasons rule – Federal Court case
- Tennessee basketball guard
- Sought fifth season of eligibility
- Argued NCAA rule artificially limits athlete earnings → in other words, argued the NCAA is limiting how long athletes can participate in the college athlete labor market
- Claimed \$2-4M NIL value in additional season (to show irreparable harm)
- Court denied preliminary injunction saying he hadn't sufficiently shown the NCAA rule violated antitrust law
- NCAA win – NCAA has been able to hold the line on the four seasons rule for now





# Nyzier Fourqurean

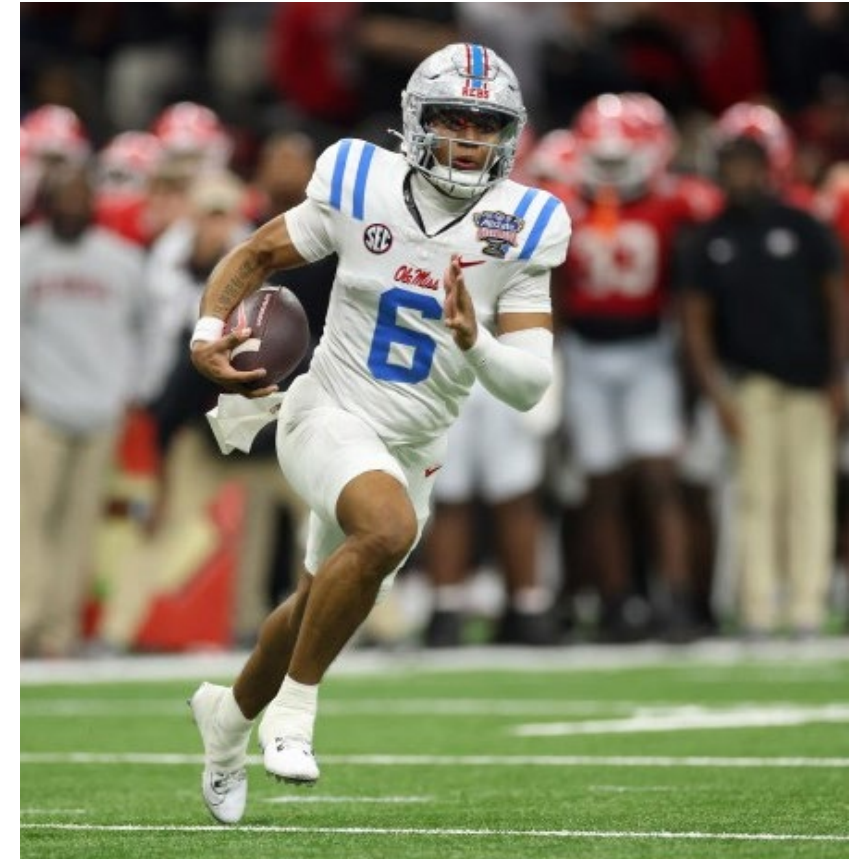
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- Wisconsin cornerback (previously two seasons at Grand Valley State – D2)
- Challenged rule counting D2 seasons toward FBS eligibility – Federal Court case
- Antitrust claim similar to Pavia’s – except, here Fourqurean was previously enrolled at an NCAA institution
- District court granted PI, favoring Fourqurean
- Seventh Circuit reversed injunction
- \*One of the few appellate rulings addressing eligibility issues
- The appellate court said the P had not demonstrated a strong likelihood of success on the antitrust claim; significant because courts still recognize that NCAA rules have pro-competitive justifications
- Once the case was remanded, Fourqurean dropped his suit

# Trinidad Chambliss

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- Ole Miss QB (previously Ferris State – D2)
- Dispute over medical redshirt eligibility
- Claimed NCAA misapplied its own medical hardship rule
- \*State court case... in Mississippi
- Instead of suing under antitrust law, he argued NCAA breached its own rules
- Key dispute was whether he qualified for a medical hardship waiver between the NCAA, its member schools, and the athletes → reminiscent of an NCAA-of-old lawsuit, but the *reason* of course is because of NIL
- That allowed him to bring claims such as: breach of K, arbitrary and capricious rule enforcement



# Trinidad Chambliss, cont.

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- February 2026 TI hearing
- Hearing started with a prayer by a local pastor:
  - “We know you are the God who has extended to us eternal salvation. ... You extended King Hezekiah’s life for 15 years. So since you specialize in extensions, we are asking for one more extension here today. In Jesus’ name I pray. Amen.”
- Hearing lasted 8 hours
- Judge granted a PI, allowing him to play while the litigation continues
- The Judge teared up while reading his ruling... really
- And the Judge issued a show cause order for the NCAA’s attorneys who had left the courthouse before he issued his ruling (apparently they were driving to a hearing the next day for Joey Aguilar)
- \*Broader strategic shift avoiding antitrust law and being stuck in federal court

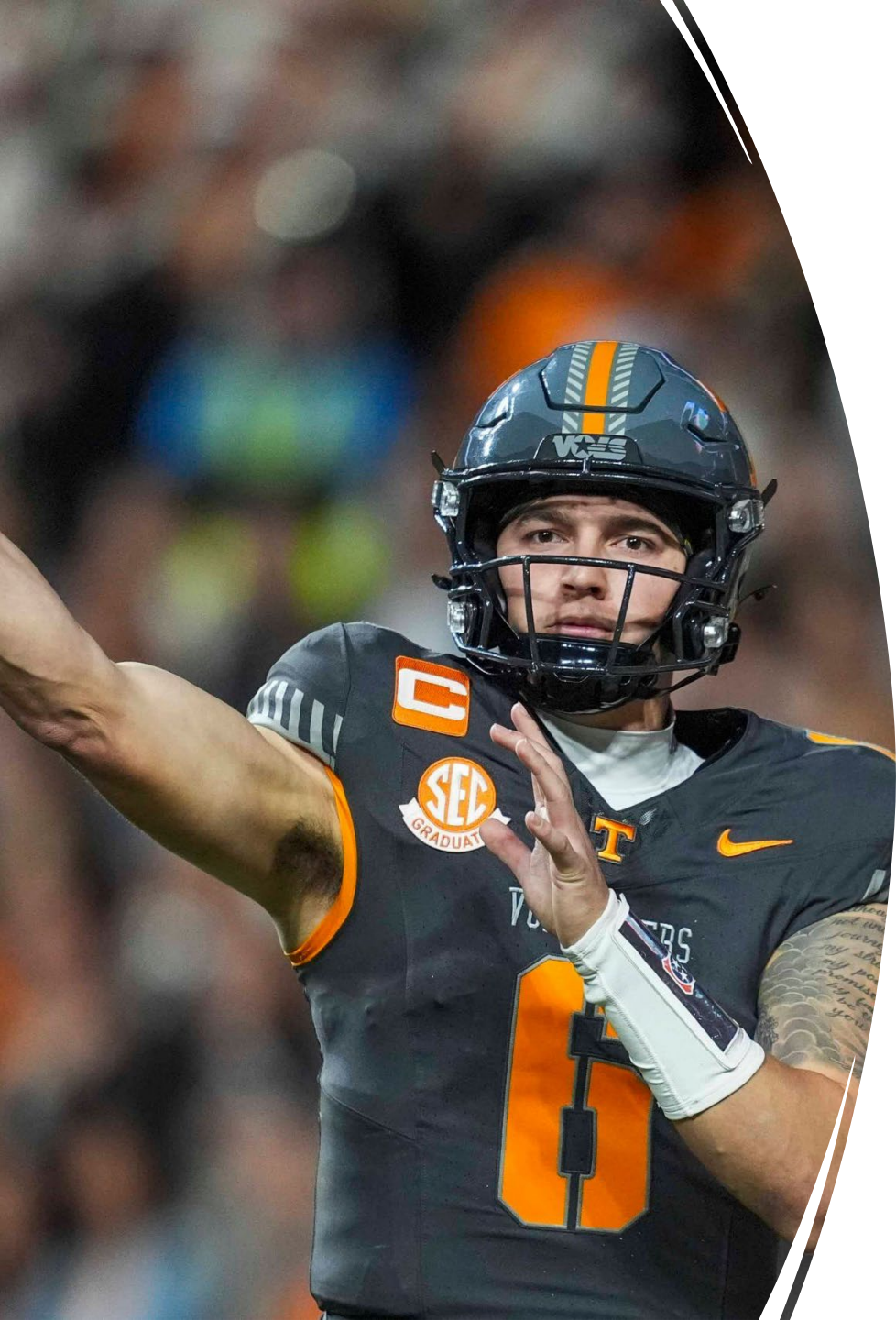


# Joey Aguilar

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- Tennessee QB – previously Appalachian State, JUCO at Diablo Valley
- Challenged NCAA rule counting JUCO seasons toward eligibility (like Pavia)
- Claimed loss of \$2-3M NIL opportunities
- State Court case in Knoxville
  - Aguilar had originally joined Pavia’s federal court case, but severed himself from that case to sue in state court because he apparently wanted an earlier ruling
- Court granted TRO





# Joey Aguilar, cont.

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- Later denied PI
- Judge concluded the P likely would not succeed on the merits, and also expressed concern about how granting the injunction might affect NCAA rule enforcement more broadly
- Aguilar didn't prove that the JUCO rule has a "substantial effect" on Tennessee trade or commerce as required under TN Sup. Ct's limiting construction of the Tennessee Trade Practices Act
- The court found Aguilar's evidence showed mainly his own lost NIL income, with no causal proof of broader effects on TN's economy or consumers

# Charles Bediako

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- Originally a Univ. of Alabama player
- Went to the NBA G League (Spurs affiliate) – wasn't very successful
- January 2026 – At 24 years old, began playing in college at Alabama again (because of NIL money – could make more money in college than in NBA G League)
- January 2026 – State Court TRO – Bediako won, he was allowed to play
- Played 5 games
- February 2026 – Preliminary Injunction entered denying Bediako's eligibility
  - Key distinction – he had signed an NBA contract



# Jaden Rashada

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- Former Florida QB recruit
- Alleged 13.85M NIL deal promised by boosters, including \$1M at signing, which never occurred
- Claims: fraud, fraudulent inducement, conspiracy
- Ds included Florida coach Billy Napier and boosters, and UF staff (didn't sue UF directly)
- Case settled in 2026
- One of the first major lawsuits involving an athlete alleging fraud over a failed NIL deal as a recruitment inducement
- Rashada never played a game at Florida; Florida released him from his National Letter of Intent and he committed to Arizona State



# Darian Mensah

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- Duke QB, 2025 Season – Record: 9-5
- Entered into a multi-year NIL agreement before the 2025 season that locked him in through the end of the 2026 season
  - Reportedly \$8M over 2 years
- Mensah informed Duke after the 2025 season that he intended to transfer
- Duke sued Mensah
- Duke filed for arbitration (the NIL agreement required arbitration) but also ran to state court to obtain a TRO
- Very little notice (as often happens with TROs) – Duke emailed and texted Mensah at 6:12 pm on Monday night, the same night as the National Championship, that a lawsuit had been filed and a TRO hearing was set for 10:00 am Tuesday morning
  - Some of Mensah’s representatives were at the National Championship



# Darian Mensah, cont.



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- A NC state judge entered a TRO preventing Mensah from joining another university's football program
  - The court said nothing in the TRO "shall be construed as to prevent Mensah from entering into the transfer portal" but obviously entering the transfer portal if you can't actually play for another team is meaningless ("negative injunction")
  - The parties reached a settlement
  - Mensah joined the University of Miami in 2026

# Coach Leonard Hamilton

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- Florida State basketball coach
- Six former players alleged NIL compensation promises were not fulfilled – over \$1.5M
- Claims included fraud and misrepresentation
- The coach allegedly said the money would be coming from his “business partners” ... but the money never came
- Raises Q of coach liability for collective deals
- Litigation ongoing; suit filed in December 2024; a Leon County judge denied the MTD in July 2025
- All 6 players transferred or used their eligibility
- Coach Hamilton retired in March 2025



# Where are the women?

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- Aside from the *House* lawsuit, there haven't been any high-profile, **high-dollar** cases yet where a female athlete sues specifically for extra eligibility to maximize NIL
  - UGA – Two female athletes requesting arbitration over \$5,000 deal over “range of compensation” issue
- However, some women have been rumored to make millions annually, so those cases are likely to start at some point soon...



