

**Bob Wallace:** I am Bob Wallace, Chair of the Sports Law Practice Group at Thompson Coburn in Saint Louis. We specialize in representing entities in people with sports interests, whether it's acquisitions, facilities, representation of real estate deals, litigation and contract negotiations. Our lawyers who are in our offices in Saint Louis, Chicago, Washington, DC, Los Angeles, Dallas and New York have great experience in all these areas that often fit into the sports law space. The philosophy behind After the Buzzer is to try and have guests who bring a unique experience discussing sports and business issues. And today we could have no one better than our guest, Professor Jeremi Duru. President Duru teaches several sports law classes and Civil Procedure at American University in Washington, DC and is director of the Washington College Law, Sports and Society Initiative. He's the co-author of one of the premier sports law case books, Sports Law and Regulations Cases and Material, as well as a book examining sports agency, The Business of Sports Agency.

**Bob Wallace:** In addition to writing a book entitled Advancing the Ball Race Reformation and the Quest for Equal Coaching Opportunities in the NFL I know Jeremi from his work with the Fritz Pollard Association and his recent election. The Sports Lawyers Association Board of Directors, where I serve as one of its past presidents and the Sports Lawyers Association is one of the premier Association of Sports Lawyer. Jeremi has received the National Bar Association Sports and Entertainment Lawyer of the Year as well as American Universities Faculty Award Outstanding Teacher and the Washington College of Law Award for Excellence Teaching. A graduate of Brown University who then completed a joint degree at Harvard University, receiving a Master's degree in Public policy from the John F Kennedy School of Government in AJB Romance Law School, it's my pleasure to welcome Professor Jeremi Duru to After the Buzzer.

**Bob Wallace:** Jeremi, welcome.

**Jeremi Duru:** Bob, thank you very much for the kind introduction and for the welcome. It's an honor to be to be on this podcast with you.

**Bob Wallace:** Well, good. I won't hold the fact that you're a Brown and Harvard graduate against you.

**Jeremi Duru:** Thank you.

**Bob Wallace:** But it's good to, it's good to have you and join me in that. As I said, you know, we like to just have, you know, kind of intelligent conversations with people that are immersed into the sports law and sports business space.

**Bob Wallace:** And you, I can think of no one better than you to have that conversation. So tell us, I mean, I gave you a background, but how did you get started in the sports law business?

**Jeremi Duru:** Well, excuse me, Bob. So. So I was a civil rights lawyer. I mean, that's what I started. That's how I started my career. I want to do civil rights work. And I was working in a small employment discrimination shop representing plaintiffs in generally entitled 7 cases challenging. I started my career as a civil rights lawyer and particularly in employment discrimination. And I was working just a few years after I graduated law school at a small employment discrimination shop where we represented people of color and women who are challenging their employers for race and gender discrimination under Title 7. And I

had not been there long when the firm began to work with some coaches in the National Football League who felt as though they were being, you know, glass ceilings were being put on their careers because of race.

**Jeremi Duru:** They felt like they were essentially being subjugated to assistant roles and coaching in the league. And we worked with them. And I realized at that point that I could merge my love of sport with my passion for civil rights and my, you know, my education and practice as a lawyer into this Nexus that I would really enjoy. And I have enjoyed it now. Basically spent my entire career at that Nexus.

**Bob Wallace:** So was that the beginning of the Fritz Pollard Association when you started?

**Jeremi Duru:** OK, yes, that was those. Those coaches were at the beginning of the Fritz Pollard Alliance and not long after that, you know, the organization became incorporated and also received 501C3 status.

**Jeremi Duru:** And basically what it is, is the organization in the National Football League of coaches and scouts and executives of color And I served as one of their counsel at that, you know, Nation stage and have been involved with the organization over the last 20 years.

**Bob Wallace:** So how do you think they have you seen a lot of progress in the NFL with the hiring of black coaches? You know I. Think this year, I think this year there was a good year I think.

**Jeremi Duru:** Yes, you're correct. You're correct. Ultimately, it's been uneven. Initially in 2002, 2003, when the movement was really born, we had great progress. There's been backsliding for all sorts of reasons that we could get into or maybe we'll get into. But so it's been up and down. But as you point out, this last hiring cycle was an outstanding 1. We're now up to 9 head coaches of color in the league, which is an all-time high mark. Six of these are African American general managers were around the same place. You know, we've got now 6 presidents of color in the league. Just five years ago there were none. So there has been substantial progress.

**Bob Wallace:** And do you think that is attributable to some of the procedures that Fritz Pollard and others have sort of demanded or or encouraged the league to accept?

**Jeremi Duru:** Yeah, yeah. I think, and I think you used two really good words there at times was kind of demanded in the early days of the first Pollard alliance, there was a very tangible litigation threat to the league. And since then it's been more of a partnership between the alliance and the league. And so now it's more encouraged. But absolutely, I think one of the core initiatives is the Rooney Rule, this, this idea born in the league in 2003, that every club looking for a head coach should interview at least one person of color Now it's been expanded beyond the head coach position to the general manager position, offensive, defensive coordinators. It's also been expanded in some regards, like on the business side of the organization, if you're looking for a president, you're to interview at least one person of color and one woman. And so the idea is you give people who have historically been kind of kept out of these interview rooms an opportunity to interview.

**Jeremi Duru:** And we found that that's led to more hires of color and more women being hired. So the Rooney Rule is 1 and there are other initiatives. The league now has an accelerator program where they

work really hard to make sure that owners of clubs are in communication with and have the opportunity to spend time with people of color and women at the owners meetings. So they're all sorts of things that have I think contributed to the growth we're seeing now, which is fantastic. But the most important thing to keep in mind with this type of discussion, Bob, for me is that when it comes to civil rights gangs in this country, there is always the threat of backsliding. So it's important to keep your foot on the gas and keep every ore in the water as we're pursuing no true equity of opportunity in the league.

**Bob Wallace:** Right now, before this year, you probably heard a lot of criticism that the Rooney Rule was not working and that we should abandoned that. And I think you heard some of that from some of the coaches who felt that it was just window dressing. How would you address that and what would you tell them? Would you tell them to be patient? Would you agree with what happened? The results this year were good, but the results two years ago were awful.

**Jeremi Duru:** Yeah. No, I think it's a fair, a fair concern articulated by coaches in the league and articulated generally. And not only Bob has it, I think reasonably been, you know, described as window dressing because it has applied that way at times, but also it can in and of itself be harmful. I mean Bryan Flores's lawsuit against the National Football League for racial discrimination. He's a former head coach in the league who after being terminated by the Dolphins, sought to get a job with the with the Giants. AND he alleges that they interviewed him only to satisfy the Rooney Rule and had no intention of hiring him. And his allegations have some evidentiary support for them. We'll see what ultimately happens. But his argument is that it's not. It wasn't just window dressing, but it was harmful. The rule was used, almost almost weaponized to against him in the hiring process, interviewing process. And so I hear those points. My view is the rule, when applied properly and with fidelity, is productive and is helpful. So if you have clubs that flout the rule and then it's a state of mind rule, you can't get in somebody's head, the owner of a club's head, and and know what they're really thinking.

**Jeremi Duru:** But the idea behind the rules that you're going to give a meaningful interview to this person of color, these people of color, and if a club flouts it and just checks the box and has no intention of hiring the person, then that is a problem. Then it is window dressing, then it is potentially harmful. But if we can work to get clubs to recognize it's in their benefit to cast a wide net and to implement the rule appropriately, then one, I think we're going to have better outcomes and two, I think it will cease to be a window dressing rule.

**Bob Wallace:** Right. One of the and one of the sort of things that you hear when there aren't bad years of hiring or or even interviews and it's just a check the box thing is that the pipeline is not great. What do you say to that?

**Jeremi Duru:** Well, I think that's correct. I think that's correct. And and in particular, Bob, the pipeline is not great on the offensive side of the ball. And I think we began, I think right now unless I'm mistaken, there are zero offensive coordinators in the National Football League or of color zero at a 32 and that's a low mark obviously, but it's never been higher than just a few. And when we think about it makes some sense as a consequence of systemic discrimination over the course of decades because you know, the core position on offense of course is the quarterback.

**Jeremi Duru:** And we know that for decades after the reintegration of the league in 1946, there was no willingness for clubs to have a black quarterback, and it took a long time to break that down. And now we see lots of star black quarterbacks. I'll point out that it's still the case that black quarterbacks are disproportionately underrepresented in the league. That is to say, black players are represented in higher numbers at other positions in the league than quarterback. But we have seen the emergence of some outstanding quarterbacks, and it's no longer odd or out of place have a black quarterback. But my point is, because for so long black quarterbacks were discouraged in the National Football League, what you have is fewer people who are retiring from playing and becoming quarterback coaches or offensive coordinators.

**Jeremi Duru:** That's the pipeline in many ways for offensive coordinators and in that the league currently is an offensively Generally over the course of last several years, we've seen the head coaches hired tend to be offensive coaches. If you got a pipeline on the offensive side of the ball that is essentially 0 as a consequence of of of systemic historic racial discrimination, then you've got a problem in terms of what we're going to see in the future when it comes to head coaches of color And you've got to do something systemic to to, you know, to to as an antidote to that, to that problem. So yes, we had a good year this past year, but if we don't get the offensive side of the ball pipeline a bit more robust with people of color, I feel that we may see the same, you know the sort of backsliding that I've that I've made reference to here.

**Bob Wallace:** Yeah, but you know what? I might argue back? That it still remains with the mind of the hirer, the owners and the general managers. Because you look, and there are several, several young white coaches, which means that they weren't, you know, guys playing in the 70s and 80s. They're guys playing in the 90s and the 2000s that are now become coordinators after one year of being being head coaches, after one year of being a coordinator and having some minimal success. And so unless the owners or and the general managers change their mindset, we are not going to have that number because they're not looking for.

**Jeremi Duru:** Well, yeah, I totally agree with you. I mean I think you know one thing you know, we've, you know, there was, you know, there's, you know, the NFL is a copycat league for my estimation and Bob, you know that I don't know if your listeners know, you know your extraordinary history as an executive in the league. So I'm saying nothing new to you, you know, the league back and forth, but certainly this copycatting that goes on and I think you know, tremendous success that Sean McVeigh has had, outstanding coach by any metric, by any assessment, when he was hired, he was very young, a coach and he happens to be a white coach.

**Jeremi Duru:** And I think that his success resulted in a lot of decision makers thinking, aha, this is the template, this is how we move forward and get a coach that's going to get us to the Super Bowl. And so you do have that sort of, you know, copycatting and attention to that particular demographic that can be very dangerous. In fact, there was a hiring a few years ago where I think the owner described the hire that he made who was a white, you know, white coach as you know, this guy really reminded me of myself. And that's problematic when it's a historical matter. You know, you've got people in owners.

**Jeremi Duru:** You know, there's no black majority owners in the National Football League. They're only a couple majority owners of color in the National Football League. So if everybody's looking for somebody

like themselves, we're going to have a certain demographic that's so. So I hear you 100%. At the end of the day, it comes down to decision making. And you know, one of the big things we have to figure out is how do we get into the minds of these decision makers and convince them that casting a broad net is beneficial to not only all candidates, but to them, to their their organizations?

**Bob Wallace:** Well, as you say, it's a copycat league. But then why don't we copy the success that, you know, the DeMeco Ryan's had this year, the success that Denny Green had 20 years ago and Tony Dungy had, you know, 15 years ago, you know, the copycat. And I think it's more you're looking for people that look like you than you are of just copycat. Because if if you were copycatting, you would find another Tony Dungy. Yeah. This year, you would have all looked for D'amico Ryan.

**Jeremi Duru:** Yeah, no, no. If it's a fair point and I think you know one of the things that's you know that's that's challenging I think is to grasp the concept of you know when people are looking for, I'm seeking to make a decision, I'm looking for somebody to run their organization.

**Jeremi Duru:** You know that that people look particularly Bob and I think it's an important point particularly when they're under time constraints. People look for comfort and you're looking for someone who reminds of yourself that's certainly comfortable. But generally, people look for something they're comfortable with. And generally, this is a generalization. But generally, I'd say NFL owners are not as comfortable with people as of color as they are with people who are not of color as a general matter. And I don't even mean, you know, consciously, but kind of subconsciously, you know, I think it's a challenge we've had in this society for a long time.

**Jeremi Duru:** And one of the problems is that when you're looking for a head coach, you don't have a lot of time. And that's, by the way, I think that, you know, another thing that I think is improved such that we've got this, as you pointed out, this better hiring cycle this year is over the course of last 10 years, the average number of days a club has used to fill a head coaching position has elongated. It's gotten longer, which is the good thing, because when you're in that time crunch, you go for what's comfortable. And what's comfortable tends not to be the black coach. But if you have more time to think about it, I think it's more likely than an owner, general manager will, you know, consider the concept of someone who might not have struck them immediately as as someone who would be the face of their franchise and think more broadly about it. So you're right. It's not just copycatting. I mean there, without question. You know, our nation is beset with a history of racial discord and ugliness, and it's still no still lives deep in deep in the nation's psyche.

**Bob Wallace:** And I don't want to. This is not an NFL alone problem. If you look around now the NBA I think has done a better job than most you know but their players are what 75% African American or or or black and so that they they've had more time to do that. But if you look at the college ranks and football, again, if you look at the college ranks, we don't have a lot of African American can, Can the Rooney Rule and Fritz Pollard Association, Can that work in colleges?

**Jeremi Duru:** I believe so. I believe so. And I'll and I'll say that over the years, over the years, many of us in this space, Bob, have sat down with power brokers at the NCAA and advocated zealously for an institution of some sort of Rooney Rule like concept. And there's been, you know, there's been a, there's been a recognition that something needs to be done to improve the dynamic in college sports and

certainly college football when it comes to head coaching diversity. But there's been a real lack of willingness to implement this sort of policy for a number of reasons, which I don't know that they all hold a great deal of water.

**Jeremi Duru:** But what we're seeing is that outside of the NCAA decision making, we are seeing the implementation of these concepts in college athletics. So for example, the state of Oregon passed a law, so legislation that says if you're looking for a head coach for any sport or an athletic director, you have to interview at least one person of color That's state law. And so that's in all public universities. And there's seven of them, Oregon, Oregon State, Portland State and some others. So that's Oregon. Then the West Coast Conference Conference with University of San Francisco and a bunch of schools there on the West Coast has a rule called the Russell Rule, named after Bill Russell, who played the University of San Francisco, played basketball there.

**Jeremi Duru:** And they've got a similar rule that you have to interview a person of color before you hire head coach unless you can kind of show and prove that there was nobody in the pool who you know who would appropriately carry the place of a of a of interviewee for the role. And in both of those contexts, we've begun to see some great movement in terms of diversity. So the NCAA has refused to implement this rule. But different stakeholders in college athletics have implemented it and it's been effective, which I think there's two things. One, obviously in those corners of the country we're seeing benefit. But two, I think it's a case study for the NCAA to to look to and perhaps pursue the same sort of strategy. And and three, that other if the NCAA won't do it, then you know, maybe the ACC will the pack. You know, the what was the PAC 12 and the Big 10 And all these other entities in sport may do it on their own outside of the, you know, the authority of the NCAA.

**Bob Wallace:** Well, now, what do you think about this attack that has come on diversity and equity and inclusion initiatives? Will this put a dapper on what's happening? Well. We're getting in the wrong direction, it seems to me, but you know, it's just a personal view.

**Jeremi Duru:** Yeah. So the attack has been vigorous, I think largely politically motivated. I think it is accelerated this year as we know in election year. I think it's deeply just fortunate and I think it's wrong minded. You know we're talking about, you know, you know a governor of one state basically that shuttered its diversity equity, inclusion offices and all the employees there at like at the, at the, at the, the, the main, the main State University in that State University of Florida and everybody who worked there, obviously they were they were let go.

**Jeremi Duru:** And you know the power broker said, you know this our state is where DE and I comes to die. And it's just so startling because you know let's, you know, let's, let's talk, we're talking about diversity, we're talking about the concept of equity, talk about the concept of inclusion. I mean, do we really want to eradicate the concept of equity or of of of inclusion or diversity? I mean it's really, really dramatic stuff and I think deeply unfortunate. So to answer your your question, it it there is a threat that it will put a damper on these sorts of initiatives, but those who believe in these sorts of initiatives are pushing back against the attack.

**Jeremi Duru:** So, for example, there was a Equal Employment Opportunity Commission charge filed against the National Football League alleging that a bunch of its initiatives, including the Rooney Rule,

were unlawful. And the NFL has stood strong on all of its initiatives. They're pushing back. Recently, Mark Cuban came out. He's been under attack for his commitment to diversity, equity, inclusion and hiring. Mark Cuban, the owner of the Dallas Mavericks, former under the Dallas Mavericks. It's huge in the sports space, across from the corporate space generally.

**Jeremi Duru:** He's pushed back. He said. No, no, I know from my involvement in over 100 companies as a principal or as an investor that the companies are better for this sort of inclusion. So I'm, you know, I'm, I'm, I'm standing strong on these initiatives. And so there's an attack and there is defense and you know that's where you know that's, that's where we are and those of us in this space are working hard to assist with the defense.

**Bob Wallace:** Can we get the players like you look looking at the University of Florida for instance, if and and it sort of segues right into the discussion maybe of what's going on at Dartmouth and the players unionizing. Is there some pushback that those players who are the money makers, you know go back to the old NFL mantra that the players are the game? Well, if African American players and Hispanic players decided they were not going to attend the University of Florida, would you see that change?

**Jeremi Duru:** Absolutely. I think without question that would have an impact. Without question, without question. As I pointed out, I think a lot of this is political. And I'll tell you what, people love their college football ball. They love their college athletics. They love their alma mater. They love tailgating for the games. They love being a part of that. And if, you know, if you have student athletes of color saying, you know what, I'm not going to go and be a student athlete in this particular state because I've got 47 other states to choose from. You're going to see, I think real reconsideration of the part of those who are fighting against diversity, equity and inclusion and issues. And we've seen, so we've seen Emmett Smith, the Great Hall of Fame running back who went to Florida, come out and say that that, you know, the shuddering of the DEI initiatives there and the University of Florida was wrong and he opposed it. We've seen that. We've seen, I believe it's the mayor of Birmingham, AL basically saying, hey, if you know, if we go in the wrong direction on this, then it would make sense for and I'd encourage student athletes of color not to come to play in Alabama. You've got Derrick Johnson, the president of the NAACP, launching essentially a nationwide call. Hey, don't go to these states that are turning their back on concepts of equity. So I absolutely think that student athletes have that power and you know, are well within their rights to utilize that power.

**Bob Wallace:** So what kind of power do you see student athletes having? For instance, like, what is going on at Dartmouth now? It's it's- almost sort of minuscule because it's Dartmouth and it's, you know, an Ivy League school with no athletic scholarships, mostly empty stadiums for most of their games, but they've decided to unionize. You're in that space. Talk about a little bit about the power that they could have and kind of the precedent that Dartmouth students may be setting up for others.

**Jeremi Duru:** Yeah. So it's very interesting. Yes, the basketball team at Dartmouth has sought to unionize. And what's happened is, you know, when you seek to unionize, there's basically there's a regional board that makes the term and the regional board said yes, they can unionize. And then they went on to unionize. They had a vote, I think was 13 to two that they wanted to be a union. And so they joined, I think the SEIU in that part of the country. Now the National Labor Relations Board, National

office. Well, this is going to be appealed up and they're going to have an opportunity to chime in some years ago about, I guess nine years ago, football players at Northwestern University did the same thing.

**Jeremi Duru:** Remember that. But the NLRB national office basically said that the NLRB regional office that granted them the right to unionize didn't have jurisdiction, so it nullified that. So there's that power in the National Labor Relations, national body, and we'll see what happens. But in the meantime, yes, these student athletes have unionized. Now you point out Dartmouth is, you know, no offense to any Dartmouth fans listening to this podcast, but you know it's small potatoes compared to some of the massive revenue generating sports schools in the country. But there's a similar effort being brought in California against USC, against the, you know, the the PAC 12.

**Jeremi Duru:** What we knew was of as the PAC 12 also seeking the, you know, seeking the right to unionize. Moreover, you've got a case right now in the Third Circuit where student athletes are arguing that they should be paid under the Fair Labor Standards Act, just as the people who are selling popcorn at the games where they participating are getting paid. And so they're attacks from all perspectives on the student athlete norm. And what it is doing is potentially we'll see what happens with the with the Dartmouth appeal. We'll see what happens out in California. We'll see what happens with the Fair Labor Standards case I mentioned, but potentially giving a great deal more power to the student athletes, essentially making them employees as opposed to non-employees.

**Jeremi Duru:** And that of course comes by, as you know, with all sorts of legal attachments with respect to how much you can work and how much you get paid to work and whether you can unionize workers compensation and all sorts of different stuff. So we're on the precipice, I think, of massive change in collegiate athletics and you know, it's it's going to be interesting the impact it has on the landscape.

**Bob Wallace:** Yeah, I I mean, college athletics seems to be as interesting as any space in the sports world and what's going on there. I mean, if you just look at what recently what's happening tonight, the women's college basketball and how they've come to the forefront of of interest in in America. Why do you think is it Title 9? Is it finally the results of Title 9? Or is it just that we have a few generational players that are happening at the same time?

**Jeremi Duru:** Well, I think it's the results of certainly Title I has had a massive impact. There's no question about it. It has created this cascading effect of opportunity that's being provided to women athletes and we're just seeing with that opportunity just extraordinary achievement. So that's you know that's huge. I don't think it's just a few generational players. I think that we do have some generational players two of whom are playing well, several of whom but two in particular that you know folks are focusing on Bueckers and and Caitlin Clark will be facing off in the final four coming up.

**Jeremi Duru:** But it's more than that. I think that, you know, that's it's, it's bizarre that, you know, 50% of our population has basically had their athletic dreams and aspirations subjugated for decades. And it's that there's just this emergence, this breaking through that's happening, that's allowing people to recognize this is an incredible sport and we have to tune in, but it's amazing how quickly it's happened. So, you know, Title 7, you know, is decades and decades old and we've seen slow growth for sure. But if you remember back, I think it's 2021 Now, Bob, we're talking about three years ago. It was the bubble, NCAA tournaments.



**Jeremi Duru:** So the year after COVID hit and we're still trying to come out of this COVID world we were in and a woman basketball player, I can't remember what school it was. She took video of the the women's workout facility.

**Bob Wallace:** Yeah, it might have been Oregon. I think it was Oregon.

**Jeremi Duru:** OK, Oregon. Yeah. And then you compare with the men's facility and the difference was both extraordinary and just disgusting that you know that the difference would be so vast. And from there to where we are now, where that Iowa, LSU game outstrips so many other men's athletic programs in terms of folks who are watching it on on television streaming services or whatever, we have come a long, long way now.

**Jeremi Duru:** So we've turned a corner. There's, there's further to go without question, but we have definitely turned the corner and there is the appropriate recognition of the extraordinary sporting exhibitions that we're seeing from women.

**Bob Wallace:** You know what I find very surprising there. And you know, I'm older than some people, but when I talk to my friends that are involved in athletics, they push back on college athletics. They push back on the whole nil transfer portal. You can't like this for for college athletics. What are your thoughts on the nil? Has it been a good for it or is it just another form of pay for play?

**Jeremi Duru:** Well, here's my thought generally on on kind of the the evolution of college athletics. So there's no question there's pushback. There are people who are furious with the development, the developments in college athletics from, you know, from my perspective there's a fantastic I would like to recommend to everybody. This is podcast. If you're interested in this topic, there's a book called \$40 Million Slaves written by Bill Rhoden, former New York Times columnist. And basically the book explored the commodification of athletes and particularly collegiate athletes and particularly black collegiate athletes, the extraordinary. It's got a very evocative title, you know, but it's an extraordinary read.

**Jeremi Duru:** And basically the, you know, the argument is that there has been a tremendous amount of exploitation of athletes, student athletes of all sorts, but particularly black student athletes because they disproportionately represented in the revenue producing sports, basketball and football. So, you know, 100 years ago we've got collegiate athletics, the NCAA existed, nobody's making any money really. And then as you know, athletes, coaches, anybody. And then you Fast forward 75 years, you get to a point where or 80 years where, you know, you know, coaches are starting to make money and conference commissioners are making money, athletic directors are making money. And you get to a point where you've got some coaches making over \$10 million a year, athletic directors making high six figures, 7 figures, and you've got conference commissioners and make it \$4.55 million a year.

**Jeremi Duru:** And the student athletes are still making what they were making 100 years ago. And there's something about that. There's an imbalance that has to be addressed. And I think what we're seeing is the addressing of that imbalance and a very aggressive addressing of it through the lawsuits that we've discussed through nil. And I, you know, I kind of wish that the powers that be had earlier on recognized that, hey, this is, you know, the student athletes should be getting some sort of share of this

revenue. And I think if that had happened, let's say 20 years ago, I think we would be in a place now there, there was some sort of consensus around the model of collegiate athletics, but it didn't happen.

**Jeremi Duru:** And so now you've got like this, this, you know, the steam engine where the steam hasn't been able to come out and now it's just exploding into all of these real aggressive moves for power sharing and revenue sharing. And So what will this mean for the future of college athletics? I don't know. I don't know. But I know that something had to happen because there really appeared to be a dynamic in which student athletes just weren't receiving a fair share of the extraordinary revenue produced by the the development of collegiate athletic business. So I think it kind of, you know, some sort of some sort of explosion had to happen and it's happened.

**Jeremi Duru:** I just wish that it happened more and more gradually and we were the place with more consensus about how to move forward. But you know, it may be the case in the end of some people argue, hey, this is going to be in the end there's going to be a dynamic, a landscape that's worse for college athletes and that might be the case. And if that's the case in our job is to find a way to create a dynamic where it's not worse for college athletes, but not by ignoring the concerns of the the student athletes that are participating in these revenue producing sports but not The Who are historically. We're not really getting any sort of piece of the pie.

**Bob Wallace:** I couldn't agree with. I couldn't agree more with you that they kind of brought all this on themselves. They put themselves right, you know, by doing nothing, they created an avalanche of people doing things and changing the model that they had. I mean, I kind of say they almost got what they deserved. I know we're coming to the end. I know you have to run. So I just before we say goodbye and I'm going to have to have you back because we only got through half of our our outline here, but.

**Jeremi Duru:** Anytime. Anytime, Bob. I'd love to come back

**Bob Wallace:** Just tell me, as you look forward for the next year, what do you think are are some of the issues and sports, sports, law issues that you'll be paying attention to?

**Jeremi Duru:** So definitely a lot of we've talked about, you know, there's there are a number of lawsuits in this, you know, this space as to whether we consider collegiate athletes, student athletes or employees. You've got the Fair Labor Standards Act lawsuit. You've got the Dartmouth dynamic, you've got the USC PAC 12 dynamic that I also mentioned. So all these things are real. I think some other things that are very interesting are the extent to which this is, I think under the radar for some folks. But there was a hockey match hockey game in England where a player was killed by a skate that sliced his throat. I did see that you remember that. And so I think there are a lot of questions about safety, about required equipment, about tortures or criminal liability that perhaps could come to pass if required equipment is not provided to athletes. I think the questions about, you know, the extent to which individuals should be criminally prosecuted for things that happen on the field of play because this, it is an individual being prosecuted in England for that incident.

**Jeremi Duru:** I think a big one, you know for me, Bob, going back to kind of the origin of our conversation is the Brian Flores lawsuit that I mentioned. It is currently progressing both in arbitration with respect to some claims and federal court with respect to others. Jim Trotter, a former, he's currently a journalist,

sports journalist with The Athletic. He previously was with with NFL.com. He's suing on race with the race based claim And so there's a fair bit of racial discrimination litigation that's pending as well. So I mean it's, you know, there's never a dull moment here when we're talking about sports and sports law.

**Jeremi Duru:** And I'll wrap up, you know, by saying Bob, you know, I think that one of the reasons the space is so important, I'll go, I'll go say interesting. But really what I mean is important is that what happens in sport because of the platform, it's on the pedestal people put it on, the visibility it has. What happens in sport impacts decisions outside of sport. That's why this, you know, the Rooney Rule concept and movement is so important in the NFL. So many organizations outside of the NFL have applied that same interviewing policy in their context. Xerox and Intel and Wells Fargo and all these entities, but not just with respect to employment. So generally speaking, people watch sport, they love sport, they watch it, and what happens in sport bleeds into society. So it's important that we all keep our eye on these legal developments in sport because they have a consequence for us all those who love sport and those who don't.

**Bob Wallace:** Right. I I agree. I tell people all the time the thing about sports and the legal aspects of it are not all that different. It's the subject matter that sports which so many. We have a whole section in the newspaper about sports. We have sports, you know section on in the in the on television. So those are the type of things that keep our interest and I think sports just brings it to the forefront. So people pay attention and we'll learn about some of these things that are going on in the world that affect their love, which is sometimes sports. Well Jeremi, I want to thank you very much for taking the time. As I think anyone who listens to this will realize, you had great insight into what's going on in the sports law world. I hope our listeners enjoyed listening to you. They can go to Stitcher or wherever they listen to their podcasts and rate it. Hopefully they'll give us a good rating. And if there are other subjects, subjects you'd like us to discuss, please let us know there and we'll try to touch upon that. But again, Jeremi, thank you very much and I'll see you in a couple weeks, I guess.

**Jeremi Duru:** Thank you, Bob. It was a pleasure. Yes. Looking forward to seeing you in May.