



Will College Players Remain Amateur Athletes?

News

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Scott Schneider was quoted in *Inside Counsel* on October 7, 2015. The article “Will College Players Remain Amateur Athletes?” discussed a recent appeals court ruling which declared that college student-players are still considered amateur athletes.

Scott was quoted on his take of the ruling.

When asked if the ruling has an impact outside of collegiate sports, Scott told *Inside Counsel*, “Not sure I see an application outside of college athletics.”

“I think the main takeaway is that the college athletics amateurism model survives for the time being,” Scott said. “I say ‘for the time being’ because there is a broader attack on that model currently pending in California federal court, the Martin Jenkins lawsuit. That case is arguing that players should be paid without limitation. The O’Bannon opinion helps them because it says the NCAA’s rules are subject to anti-trust review. While the O’Bannon decision appears to say that the NCAA’s ban on compensation is an integral part of the ‘product’ it offers and withstands anti-trust scrutiny, there is a less sweeping way to read the decision which suggests that all the court decided was that the O’Bannon plaintiffs had failed to prove that paying student athletes would not reduce consumer demand for college athletics. If that’s the case, expect the plaintiff attorneys in the Jenkins case to summon considerable evidence on that issue which may render the NCAA’s victory temporary and open the door to damages and payments of student athletes.”

To read the full article, please visit [Inside Counsel](#).

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