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Class Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE COLLEGE ATHLETE NIL
LITIGATION

Case No. 4:20-cv-03919-CW

**PLAINTIFFS' NOTICE OF FILING OF
REVISED SETTLEMENT DOCUMENTS**

Hrg. Date: September 5, 2024
Time: 2:30 p.m.
Judge: Hon. Claudia Wilken
Courtroom: 2, 4th Floor

NOTICE OF REVISED PROPOSED ORDER AND PROPOSED NOTICE DOCUMENTS**TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

PLEASE TAKE NOTICE that, upon further review and in response to certain objections, Plaintiffs identified potential minor revisions to the proposed notices and proposed order submitted with their preliminary approval filings. *See* Plaintiffs' Reply ISO Preliminary Approval of Settlement, at 21 n. 19-20, 24, *In re College Athlete NIL Litigation*, No. 4:20-cv-03919-CW (N.D. Cal., Aug. 16, 2024), ECF No. 494; Joint Declaration of Steve W. Berman and Jeffrey L. Kessler in Further Support of Plaintiffs' Reply ISO Motion for Preliminary Approval, at ¶¶ 17, 18, ECF No. 494-1. These revisions include additional language clarifying that objections may be filed electronically and additional language clarifying that the scope of the release does not extend to claims in the *Choh* or *Johnson* cases. In addition, Plaintiffs have been notified by Defendants that certain member schools require specific language by court order to trigger the Family Educational Rights and Privacy Act (FERPA) notification process prior to providing class member contact information to Plaintiffs for notice of the settlement. Plaintiffs have revised the Proposed Order to incorporate this language. To provide the Court with a full opportunity to review those changes prior to the Preliminary Approval Hearing on September 5, 2024, Plaintiffs submit these revised documents with substantive changes identified in redline, and minor edits/formatting changes adopted. Plaintiffs will also submit these revised documents in Word format for the Court.

Plaintiffs respectfully submit the following documents for the Court's review:

1. Revised Proposed Order Granting Plaintiffs' Motion for Preliminary Settlement Approval (Revised from ECF No. 451-2), attached hereto as Exhibit 1.
2. Revised Long Form Notice (Revised from Ex. 5 to Peak Decl., ECF No. 450-5), attached hereto as Exhibit 2.
3. Revised Email Notice (Revised from Ex. 1 to Peak Decl., ECF No. 450-5), attached hereto as Exhibit 3.
4. Revised Postcard Notice (Revised from Ex. 2 to Peak Decl., ECF No. 450-5), attached hereto as Exhibit 4.

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5. Revised Claim Form (Revised from Ex. 6 to Peak Decl., ECF No. 450-5), attached hereto as Exhibit 5.

1 DATED: August 28, 2024

Respectfully submitted,

2 By /s/ Steve W. Berman

By /s/ Jeffrey L. Kessler

3 Steve W. Berman (*Pro hac vice*)

Jeffrey L. Kessler (*pro hac vice*)

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the signatories above.

By: /s/ Steve W. Berman
STEVE W. BERMAN

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE COLLEGE ATHLETE NIL
LITIGATION

Case No. 4:20-cv-03919-CW

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY SETTLEMENT APPROVAL**

1 This matter comes before the Court on Plaintiffs’ Motion for Preliminary Approval of Class
2 Action Settlement with Defendants National Collegiate Athletic Association (“NCAA”), Atlantic
3 Coast Conference (“ACC”), The Big Ten Conference, Inc. (“Big Ten”), The Big 12 Conference, Inc.
4 (“Big 12”), Pac-12 Conference (“Pac-12”) and Southeastern Conference (“SEC”) (collectively, the
5 “Defendants”) (“Motion”).

6 WHEREAS, Plaintiffs, on behalf of themselves and the proposed stipulated settlement
7 classes (“Settlement Classes”), and Defendants, have agreed, subject to Court approval following
8 notice to the Settlement Classes and a hearing, to settle the above-captioned matter (“Lawsuit”) upon
9 the terms set forth in the Settlement Agreement between Plaintiffs and Defendants NCAA, ACC,
10 Big Ten, Big 12, Pac-12, and SEC (“Settlement Agreement”) (attached as Exhibit 1 to the
11 Declaration of Steve W. Berman in Support of Plaintiffs’ Motion for Preliminary Approval of
12 Settlement);

13 WHEREAS, this Court has reviewed and considered the Settlement Agreement entered into
14 between the parties, the record in this case, and the briefs and arguments of counsel;

15 WHEREAS, Plaintiffs have applied for an order granting preliminary approval of the
16 settlement set forth in the Settlement Agreement (“Settlement”) and directing notice to the
17 Settlement Classes (defined in paragraphs 3, 5, 7, and 9, below) in connection with the Settlement
18 Agreement pursuant to Rule 23(e)(1) of the Federal Rules of Civil Procedure;

19 WHEREAS, this Court preliminarily finds, for purposes of settlement only, that the Lawsuit
20 meets all the prerequisites of Rule 23 of the Federal Rules of Civil Procedure;

21 WHEREAS, Plaintiffs have presented sufficient information, pursuant to the Federal
22 Rules, to justify directing notice of the Settlement to the Settlement Classes;

23 WHEREAS, all defined terms contained herein shall have the same meanings as set forth in
24 the Settlement Agreement;

25 NOW, THEREFORE, IT IS HEREBY ORDERED:

26 1. The Court hereby preliminarily approves the Settlement Agreement and the
27 Settlement set forth therein, finding that it is likely to approve the Settlement as fair, reasonable, and
28 adequate pursuant to Rule 23(e)(2), subject to further consideration at a hearing (the “Fairness

1 Hearing”).

2 2. The Fairness Hearing shall be held before this Court on _____, 2025, at 2:00
3 p.m. [at least 150 days after the Notice Date (at the convenience of the Court)], at the United States
4 District Court for the Northern District of California, Oakland Division, located at 1301 Clay Street,
5 Oakland, CA 94612, to determine whether to approve certification of the Settlement Classes for
6 settlement purposes; whether the proposed Settlement of the Lawsuit on the terms and conditions
7 provided for in the Settlement Agreement is fair, reasonable, and adequate to the Settlement Classes
8 and should be approved by the Court; whether a final judgment should be entered herein; whether
9 the proposed plan of distribution should be approved; to determine the amount of fees and expenses
10 that should be awarded to Class Counsel; and to determine the amount of the service awards that
11 should be provided to the class representatives. The Court may adjourn the Fairness Hearing without
12 further notice to the members of the Settlement Classes.

13 3. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, the Court preliminarily
14 certifies, for purposes of effectuating this Settlement, a Settlement Class as follows, hereinafter
15 referred to as the “Settlement Declaratory and Injunctive Relief Class”:

16 All student-athletes who compete on, competed on, or will compete on
17 a Division I athletic team at any time between June 15, 2020 through
18 the end of the Injunctive Relief Settlement Term.¹ This Class excludes
19 the officers, directors, and employees of Defendants. This Class also
20 excludes all judicial officers presiding over this action and their
immediate family members and staff, and any juror assigned to this
action.

21 4. The Court designates Grant House, DeWayne Carter, Nya Harrison, and Sedona
22 Prince as the class representatives for the Settlement Declaratory and Injunctive Relief Class.

23 5. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, the Court also
24 preliminarily certifies, for purposes of effectuating this settlement, a Settlement Class as follows,
25 hereinafter referred to as the “Settlement Football and Men’s Basketball Class”:

26 All student-athletes who have received or will receive full GIA
27 scholarships and compete on, competed on, or will compete on a
28 Division I men’s basketball team or an FBS football team, at a college

¹ The Injunctive Settlement Term is the ten (10) Academic Years following the date of Final Approval of the Settlement.

1 or university that is a member of one of the Power Five Conferences
2 (including Notre Dame), and who have been or will be declared
3 initially eligible for competition in Division I at any time from June
4 15, 2016 through September 15, 2024. This Class excludes the officers,
5 directors, and employees of Defendants. This Class also excludes all
6 judicial officers presiding over this action and their immediate family
7 members and staff, and any juror assigned to this action.

8 6. The Court designates Tymir Oliver and DeWayne Carter as the class representatives
9 for the Settlement Football and Men’s Basketball Class.

10 7. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, the Court preliminarily
11 certifies, for purposes of effectuating this settlement, a Settlement Class as follows, hereinafter
12 referred to as the “Settlement Women’s Basketball Class”:

13 All student-athletes who have received or will receive full GIA
14 scholarships and compete on, competed on, or will compete on a
15 Division I women’s basketball team at a college or university that is a
16 member of one the Power Five Conferences (including Notre Dame),
17 and who have been or will be declared initially eligible for competition
18 in Division I at any time from June 15, 2016 through September 15,
19 2024. This Class excludes the officers, directors, and employees of
20 Defendants. This Class also excludes all judicial officers presiding
21 over this action and their immediate family members and staff, and any
22 juror assigned to this action.

23 8. The Court designates Sedona Prince as the class representative for the Settlement
24 Women’s Basketball Class.

25 9. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, the Court preliminarily
26 certifies, for purposes of effectuating this settlement, a Settlement Class as follows, hereinafter
27 referred to as the “Settlement Additional Sports Class”:

28 Excluding members of the Football and Men’s Basketball Class and
members of the Women’s Basketball Class, all student-athletes who
compete on, competed on, or will compete on a Division I athletic team
and who have been or will be declared initially eligible for competition
in Division I at any time from June 15, 2016 through September 15,
2024. This Class excludes the officers, directors, and employees of
Defendants. This Class also excludes all judicial officers presiding
over this action and their immediate family members and staff, and any
juror assigned to this action.

10. The Court designates Grant House and Nya Harrison as the class representatives for
the Settlement Additional Sports Class.

1 11. The Court will refer to the Settlement Declaratory and Injunctive Relief Class,
2 Settlement Football and Men’s Basketball Class, the Settlement Women’s Basketball Class, and the
3 Settlement Additional Sports Class collectively as the “Settlement Classes.” The Court will refer to
4 the Settlement Football and Men’s Basketball Class, the Settlement Women’s Basketball Class, and
5 the Settlement Additional Sports Class collectively as the “Damages Settlement Classes.”

6 12. The Court designates Hagens Berman Sobol Shapiro, LLP and Winston & Strawn
7 LLP as Class Counsel for the Settlement Classes.

8 13. Having found that it will likely approve the Settlement and certify the Settlement
9 Classes for purposes of settlement with Defendants, the Court hereby directs Plaintiffs to give notice
10 of the Settlement to the Settlement Classes.

11 14. The Court approves as to form and content the proposed notice forms and other
12 forms, including the Email Notice, Postcard Notice, Digital Notices, Press Release, Long Form
13 Notice, and Claim Form, attached as Exhibits 1 to 6, respectively, to the Declaration of Carla A.
14 Peak Regarding Settlement Notice Program (“Peak Declaration”). The Court further finds the
15 proposed contents of these notices, and the proposed plan of notice described in the Peak
16 Declaration, meet the requirements of Federal Rule of Civil Procedure 23 and due process, and are
17 the best notice practicable under the circumstances and shall constitute due and sufficient notice to
18 all persons entitled thereto.

19 15. As part of the Class Notice plan described in the Peak Declaration, Defendant NCAA
20 and Defendant Conferences are ordered to direct their member institutions to provide to the
21 Settlement Administrator reasonably ascertainable information regarding the names and last-known
22 contact information (addresses and/or email addresses) of NCAA Division I student-athletes who
23 meet the criteria for one of the Settlement Classes certified above. To the extent additional student-
24 athlete information is needed to effectuate notice for certain Settlement Classes—including but not
25 limited to NCAA Eligibility Center student identification number, academic years on roster, periods
26 of ineligibility, sport played, position played, grant-in-aid status, and transfer status—Division I
27 member institutions of the NCAA and Defendant Conferences are ordered to provide such
28 information if reasonably ascertainable, along with the names and last-known contact information of

1 student-athletes who satisfy the criteria for one of the Settlement Classes, to the Settlement
2 Administrator. All names and contact information obtained through these sources shall be protected
3 as confidential and not used for purposes other than the notice and administration of this Settlement,
4 or as otherwise ordered by law.

5 ~~15.16.~~ The Court appoints the firm of Verita Global, LLC (“Settlement Administrator”) to
6 supervise and administer the notice procedure as well as the processing of claims as more fully set
7 forth below:

8 a. No later than October 1, 2024 or two weeks after the filing of this Preliminary
9 Approval Order, whichever is later, the Settlement Administrator shall establish a public, case-
10 specific website at the following web address—collegeathletecompensation.com—for the
11 settlements in the above-captioned matter and *Hubbard v. NCAA, et al.*, Case No. 4:23-cv-01593-
12 CW (N.D. Cal.). The website shall make available the full version of the Settlement Agreement, the
13 Preliminary Approval Order, the Long Form Notice, and the Claim Form, in both an electronically
14 fillable form and in a format that may be downloaded and/or printed;

15 b. Beginning no later than October 1, 2024 or two weeks after the filing of this
16 Preliminary Approval Order (the “Notice Date”), whichever is later, the Settlement Administrator
17 shall commence providing e-mail notice, substantially in the form annexed as Exhibit 1 to the Peak
18 Declaration, to all Settlement Class Members whose email addresses can be identified with
19 reasonable effort;

20 c. Beginning no later than October 1, 2024 or two weeks after the filing of this
21 Preliminary Approval Order, whichever is later, the Settlement Administrator shall commence
22 mailing of the Postcard Notice via the United States Postal Service first-class mail, postage prepaid,
23 substantially in the form annexed as Exhibit 2 to the Peak Declaration.

24 ~~16.17.~~ The claims period shall commence October 1, 2024 or two weeks after the filing of
25 this Preliminary Approval Order, whichever is later, and shall continue through and including 165
26 after the Notice Date.

27 ~~17.18.~~ Class Counsel shall file their motion for attorneys’ fees, costs, and service awards for
28 the class representatives, and all supporting documentation and papers, by 60 days after the Notice

1 Date.

2 ~~18.19.~~ Any person who desires to request exclusion from the Damages Settlement Classes
3 must do so by 105 days after the Notice Date, and such request for exclusion shall be in the form of a
4 signed letter mailed or otherwise delivered to the Settlement Administrator stating that the person
5 wants to be excluded from the *In re College Athlete NIL Litigation*, Case No. 4:20-cv-03919-CW
6 (N.D. Cal.) settlement, and the letter must include the person's name, current address, and NCAA
7 ECID number if available. All persons who submit valid and timely requests for exclusion shall have
8 no rights under the Settlement Agreement, shall not share in the distribution of the settlement funds,
9 and shall not be bound by the final judgments relating to Defendants entered in the litigation.

10 ~~19.20.~~ Any member of the Settlement Classes may enter an appearance in the litigation, at
11 his or her own expense, individually or through counsel of his or her own choice. If the member does
12 not enter an appearance, he or she will be represented by Class Counsel.

13 ~~20.21.~~ Any member of the Settlement Classes may appear and show cause, if he or she has
14 any reason, why the proposed Settlement should or should not be approved as fair, reasonable, and
15 adequate; why a judgment should or should not be entered thereon; why the plan of distribution
16 should or should not be approved; why attorneys' fees and expenses should or should not be
17 awarded to Class Counsel; or why the service awards should or should not be awarded to the class
18 representatives. All written objections and supporting papers must (a) clearly identify the case name
19 and number (*In re College Athlete NIL Litigation*, Case No. 4:20-cv-03919-CW (N.D. Cal.)), (b) be
20 submitted to the Court ~~either~~ by mailing them to the Class Action Clerk, United States District Court
21 for the Northern District of California, 1301 Clay St, Oakland, CA 94612, filing it electronically, or
22 by filing it in person at any location of the United States District Court for the Northern District of
23 California; and (c) be filed or postmarked on or before 105 days after the Notice Date.

24 ~~21.22.~~ All papers in support of the settlement and responses by Class Counsel regarding
25 objections and exclusions shall be filed and served by 135 Days after Notice Date.

26 ~~22.23.~~ All reasonable expenses incurred in identifying and notifying members of the
27 Settlement Classes, as well as administering the Settlement Fund, shall be paid for as set forth in the
28 Settlement Agreement.

1 23.24. Neither the Settlement Agreement, nor any of its terms or provisions, nor any of the
2 negotiations or proceedings connected with it, shall be construed as an admission or concession by
3 Plaintiffs or Defendants, respectively, of the truth or falsity of any of the allegations in the Lawsuit,
4 or of any liability, fault, or wrongdoing of any kind.

5 24.25. All members of the Settlement Classes are temporarily barred and enjoined from
6 instituting or continuing the prosecution of any action asserting the claims released in the proposed
7 Settlement, until the Court enters final judgment with respect to the fairness, reasonableness, and
8 adequacy of the Settlement.

9 25.26. Any member of the Damages Settlement Classes who does not properly and timely
10 request exclusion, upon final approval of the Settlement, shall be bound by the terms and provisions
11 of the Settlement so approved, including, but not limited to, the releases, waivers, and covenants set
12 forth in the Settlement Agreement, whether or not such person or entity objected to the Settlement
13 Agreement and whether or not such person or entity makes a claim upon the settlement funds.

14
15 **IT IS SO ORDERED.**

16
17 Dated: _____

The Honorable Claudia Wilken
United States Senior District Court Judge



United States District Court
In re: College Athlete NIL Litigation
Case No. 4:20-cv-03919

Class Action Notice

Authorized by the U.S. District Court

Were you denied compensation opportunities as a college athlete any time between 2016 and 2024?

There is a \$2,576,000,000 settlement of a lawsuit.
You may be entitled to money.
The settlement also changes NCAA compensation rules in the future.

To see how much money you may get, visit www.collegeathletecompensation.com on [60 days after notice date].
Read this notice.
Respond by [105 days after notice date], if needed.

Important things to know:

- If you take no action, you will still be bound by the settlement, and your rights will be affected.
- If you would like to understand how NCAA compensation rule changes may give you more compensation opportunities in the future, please go to pg. 6.
- You can learn more at: www.collegeathletecompensation.com.

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About This Notice

Why did I get this notice?

This notice is to tell you about the settlement of a class action lawsuit, *In re: College Athlete NIL Litigation*, brought on behalf of current and former college athletes who competed on a Division I athletic team between June 15, 2016 and September 15, 2024. **You may be a member of the group of people affected, called the “class.”** This notice gives you a summary of the terms of the proposed Settlement Agreement, explains what rights class members have, and helps class members make informed decisions about what action to take.

What do I do next?

Read this notice to understand the settlement and to determine if you are a class member. Then, decide if you want to:

Options	More information about each option
Submit a Claim Form	You may need to submit a claim to receive payment. See page 10. You will be bound by the settlement.
Do Nothing	Potentially receive one or more payments, if you qualify. Give up your right to bring a lawsuit against the NCAA, and the Power Five Conferences (the ACC, Big 12, Big Ten, Pac-12, SEC), including their member institutions, about the same issues. Possibly get no payment from certain settlement funds if a Claim Form is required. See page 14.
Opt Out	Get no payment. Allows you to bring another lawsuit against the NCAA, ACC, Big 12, Big Ten, Pac-12, SEC and/or their member institutions about the same issues. You cannot opt out of the future rule changes (called injunctive relief).
Object	Tell the Court why you don't like the settlement.

Read on to understand the specifics of the settlement and what each choice would mean for you.

What are the most important dates?

Your deadline to object or opt out: **[105 days after notice date]**

Settlement Final Approval Hearing: **[date, at least 150 days after notice date]**

Your deadline to submit a Claim Form, if applicable to you: **[165 days after notice date]**

Learning About the Lawsuit

What is this lawsuit about?

Several college athletes sued the NCAA and Power Five Conferences in a class action lawsuit. The lawsuit alleges that the NCAA and Power Five Conferences broke the law by agreeing not to pay college athletes for their participation in college sports or for the use of their NIL (Name, Image, and Likeness), and limiting scholarships available to college athletes.

The NCAA and Power Five Conferences deny that they did anything wrong.

Where can I learn more?

You can get a complete copy of the Complaint, Settlement Agreement, and the Court's Orders at: collegethletecompensation.com

Why is there a settlement in this lawsuit?

The parties agreed to settle, which means they have reached an agreement to resolve the lawsuit. Both sides want to avoid the risk and expense of further litigation.

The settlement is on behalf of college athletes who competed on a Division I athletic team between June 15, 2016 and September 15, 2024. The Court has not decided this case in favor of either side.

The settlement also changes NCAA rules on compensation for athletes going forward. Schools may increase compensation opportunities that affect you going forward because of these rule changes.

What is a class action settlement?

A class action settlement is an agreement between the parties to resolve and end the case. Settlements can provide money to class members and changes to the practices that caused the alleged harm.

What happens next in this lawsuit?

The Court will hold a Final Approval Hearing to decide whether to approve the settlement. The hearing will be held at:

Where: Ronald V. Dellums Federal Building & United States Courthouse, 1301 Clay Street, Oakland, CA 94612

When: [time] on [date] [at least 150 days after notice date]

The date and time of the Final Approval Hearing may change without further notice to the class. You should check the settlement website or the Court's PACER site to confirm that the date has not changed.

Case: *In re: College Athlete NIL Litigation*, No. 4:20-cv-03919-CW

Judge: Claudia A. Wilken

The Court has directed the parties to provide this notice about the proposed settlement. Because the settlement of a class action decides the rights of all members of the proposed classes, the Court must give final approval to the settlement before it can take effect. Payments will only be made if the Court approves the settlement.

You don't have to attend the hearing, but you may do so at your own expense. You may also ask the Court for permission to speak and express your opinion about the settlement. If the Court does not approve the settlement or the parties decide to end it, the settlement will be void and the lawsuit will continue.

Important Facts About How The Settlement Might Affect You

What does the settlement provide?

The Defendants (NCAA and Power Five Conferences) have agreed to pay \$2,576,000,000 into a settlement fund ("damages settlement"). This money will be divided among class members (according to a Distribution Plan) and will also be used to pay for costs and fees approved by the Court, including the cost of administering this settlement and awards to the Class Representatives for their help in the lawsuit.

Who are the Defendants?

NCAA, ACC, Big 12, Big Ten, Pac-12, and SEC

Defendants will also change NCAA and conference rules to allow student athletes to receive additional benefits, including for NIL, and participation in college sports and eliminate scholarship limits ("injunctive relief settlement").

Members of the settlement classes will "release" their claims as part of the settlement, which means they cannot sue any of the Defendants or their member institutions, for the same issues in this lawsuit. The full terms of the release can be found at www.collegeathletecompensation.com.

NOTE: The Settlement Agreement does not release claims currently raised in the Complaint in *Choh v. Brown University et al.*, No. 3:23-cv 305 (D. Conn.) ("*Choh*"), against the Ivy League and Ivy League member institutions ("*Choh* Defendants"), challenging an alleged agreement among the *Choh* Defendants not to award athletic scholarships or otherwise provide any compensation or education-related reimbursements for athletic services as permitted under then-applicable NCAA rules. The previously filed *Choh* claims arise out of unique aspects of rules applicable within the Ivy League alone. The Settlement Agreement and its release provisions otherwise fully apply to student-athletes who are in the Settlement Classes, including but not limited to Ivy League student-athletes, and likewise otherwise fully apply to Releasees as defined in the settlement, which includes but is not limited to the Ivy League, Ivy League member institutions, and Defendants in this Action.

The Settlement Agreement does not release the claims currently stated in the Complaint in *Johnson, et al. v. National Collegiate Athletic Association, et al.*, 2:19-cv-05230-JP (E.D. Pa.), claims under the Fair Labor Standards Act, 29 U.S.C.A. § 201 et seq. or any other federal

labor laws, or claims under any analogous state labor laws.

You do not need to opt out of this settlement in order to pursue remedies in those actions.

How do I know if I am part of this settlement?

You are part of the settlement and may be entitled to money if: You competed on a Division I athletic team and were declared initially eligible for competition at any point between June 15, 2016 and September 15, 2024. You may have the opportunity to get money now and/or to receive more money going forward if you compete on a Division I athletic team after Fall 2025. For a complete description of each of the settlement classes, visit www.collegeathletecompensation.com.

You are not part of the settlement if: You are an officer, director, or employee of one of the Defendants or you are the staff or immediate family member of the judge in this case.

How much will my payment be?

Your payment depends on the number of academic years you competed on an athletic team, the college or university you attended, the sport you played, your scholarship status, your reported NIL deals, the years you played, the number of athletes included in the settlement, the amount of money the Court approves for costs, fees, and awards, as well as other factors. Any payment you are entitled to will be paid out yearly over a ten-year period with equal amounts paid each year.

To see your estimated payment amount [60 days after notice date], go to www.collegeathletecompensation.com and login using the ClaimID and PIN in the email or postcard you received about this settlement, or use your NCAA EC ID number if you did not receive an email or postcard. Please note, your estimated payment amount is based on the information your schools have on file for you and provided for distribution in this settlement. You may need to submit a Claim Form to receive all payments you qualify for.

What if I received two notices?

If you received two notices by email and/or mail, records indicate that you are included in both this settlement and the Academic Achievement Award settlement (a.k.a *Hubbard v. National Collegiate Athletic Association*). You may be eligible to receive money from both settlements.

Go to www.collegeathletecompensation.com to file a Claim Form in this settlement and in the *Hubbard v. National Collegiate Athletic Association* settlement, if required, for you to receive all the money you qualify for.

Will any NCAA rules change?

Yes, under the injunctive settlement, NCAA and conference rules will be changed to allow student-athletes to:

- receive additional benefits, including for NIL;
- receive additional benefits over and above annual existing scholarships and other benefits currently permitted by NCAA rules.

Complete details regarding these rule changes, as well as additional benefits are provided in the Injunctive Relief Settlement, available at www.collegeathletecompensation.com. You cannot opt out of the injunctive settlement, you may only object if you disagree with these changes.

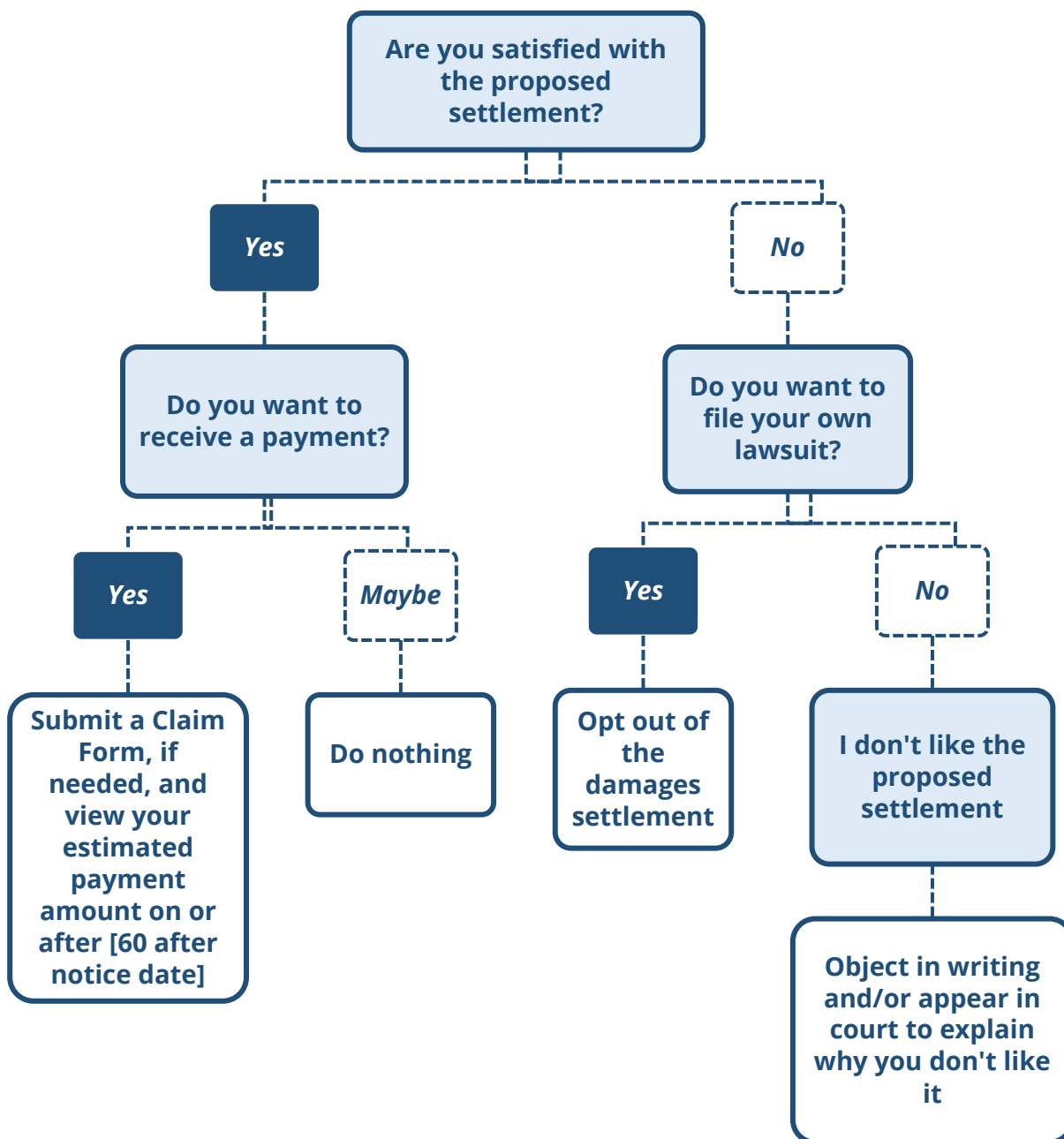
Deciding What to Do

How do I weigh my options?

You have four options. You can stay in the settlement and submit a claim (if needed), you can opt out of the damages settlement, you can object to the injunctive and damages settlement, or you can do nothing and be automatically sent your payment (if applicable). This chart shows the effects of each option:

	Submit an eligible Claim	Opt out	Object	Do Nothing
Can I receive settlement money if I . . .	YES	NO	YES	POSSIBLY
Am I bound by the terms of this settlement if I . . .	YES	NO	YES	YES
Can I pursue my own damages case if I . . .	NO	YES	NO	NO
Will the class lawyers represent me if I . . .	YES	NO	NO	YES

Choose the best path for you:



Getting a Payment

How do I get a payment?

Payments will be **automatically** sent to:

- Power Five Football and Men's Basketball athletes for BNIL awards, videogame awards, athletic services, and lost opportunities (if NIL deal information has been provided to Plaintiffs by your school);
- Power Five Women's Basketball athletes for BNIL, athletic services, and lost opportunities (if NIL deal information has been provided to Plaintiffs by your school); and
- Any Division I Athlete who competed in the same sport prior to and after July 1, 2021, and had an NIL deal after July 1, 2021 that has been provided to Plaintiffs by your school.

What is NIL and BNIL?

NIL refers to name, image and likeness. BNIL, as defined by Class Counsel in the litigation, refers to the use of an athlete's NIL via broadcasts like tv, radio, internet and other media.

You **must file a Claim Form** to receive a payment if:

- You are a Division I athlete other than a Power Five football or basketball player and you want to receive payment for athletic services;
- You are a football or basketball athlete not in the Power Five and you want to receive payment for videogames;
- You are a Division I athlete who competed in the same sport prior to and after July 1, 2021, and had an NIL deal after July 1, 2021 that has not been provided to Plaintiffs by your school.

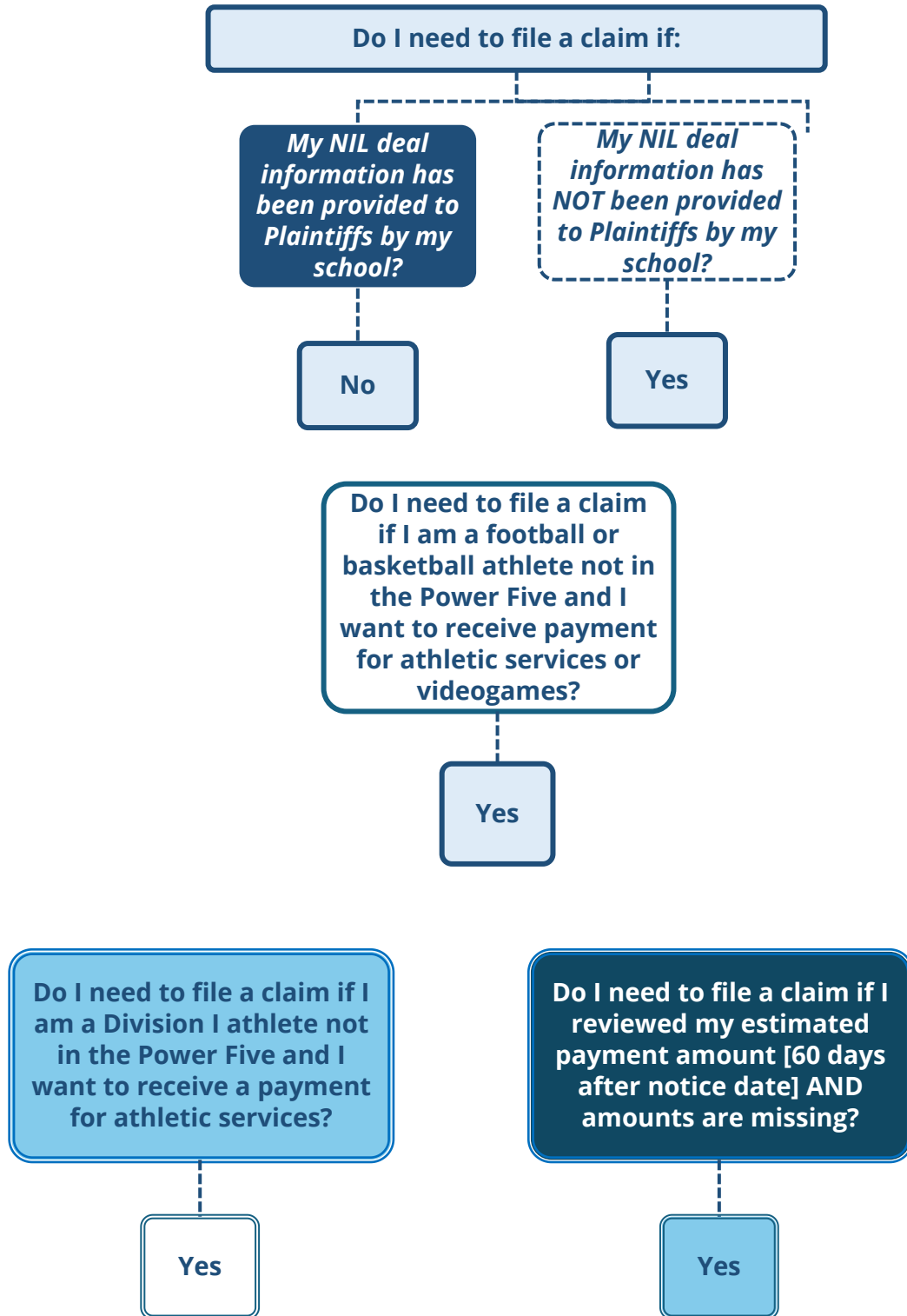
You may review your estimated payment amount [60 days after notice date] at www.collegeathletecompensation.com and file a Claim Form if any amounts are missing or a Claim Form is required for you to receive all the money you qualify for.

Claim Forms may be submitted online or downloaded from www.collegeathletecompensation.com and mailed to the Settlement Administrator. Claim Forms must be submitted online or postmarked by [165 days after notice date].

How do I make sure I receive my payment?

When you review your estimated payment amount and/or submit a Claim Form, you should also make sure your contact information is accurate and current. If the contact information listed is incorrect, you can and should update it because it will be used to send you your money.

Do I need to file a Claim Form?



Do I have a lawyer in this lawsuit?

In a class action, the court appoints class representatives and lawyers to work on the case and represent the interests of all the class members. For this settlement, the Court has appointed the following individuals and lawyers.

Your lawyers: Steve Berman of Hagens Berman Sobol Shapiro LLP and Jeffrey Kessler of Winston & Strawn LLP. These are the lawyers who negotiated this settlement on your behalf.

If you want to be represented by your own lawyer, you may hire one at your own expense.

Do I have to pay the lawyers in this lawsuit?

Lawyers' fees and costs will be paid from the Settlement Fund. **You will not have to pay the lawyers directly.**

To date, your lawyers have not been paid any money for their work or the expenses that they have paid for the case. To pay for some of their time and risk in bringing this case without any guarantee of payment unless they were successful, your lawyers will request, as part of the final approval of this settlement, that the Court approve a payment of up to 20% of the \$1.976 billion NIL Settlement Fund and up to 10% of the \$600 million Compensation for Athletic Services Fund in attorneys' fees, plus the reimbursement of out-of-pocket expenses. These fees will be paid out over ten years so they are aligned with any payments you will receive.

With regard to the injunctive relief portion of the settlement, Class Counsel may also apply to the Court for an upfront injunctive fee and cost award of \$20 million, which shall be paid for by Defendants, in addition to all other amounts paid. Annually, Class Counsel may apply to the Court, or a special master appointed by the Court, and apply for a percentage of the amounts athletes received that year as additional compensation. These payments to Class Counsel will count toward the maximum amount that all schools can spend in the next year. Further details on these payments can be found in the Settlement Agreement, available at www.collegeathletecompensation.com.

Lawyers' fees and expenses will only be awarded if approved by the Court as a fair and reasonable amount. You have the right to object to the lawyers' fees even if you think the settlement terms are fair. The lawyers' motion for attorneys' fees and costs will be filed with the Court and posted on the settlement website on or before [60 days after notice date].

Your lawyers will also ask the Court to approve a payment of up to \$125,000 to the Class Representatives for the time and effort they contributed to the case. If approved by the Court, this will be paid from the Settlement Fund.

Opting Out

What if I don't want to be part of this settlement?

As to the damages settlement alone, you can opt out. If you do, you will not receive payment and cannot object to the settlement. However, you will not be bound or affected by anything that happens in this lawsuit and may be able to file your own case. You cannot opt out of the injunctive settlement.

How do I opt out?

To opt out of the damages settlement, you must mail a letter to the Settlement Administrator at the address below postmarked by **[105 days after notice date]**. Your letter must include (1) your name, (2) your current address, (3) your NCAA EC ID number if available, (4) a sentence stating, "I want to opt out from the damages classes in *In re: College Athlete NIL Litigation*, Case No. 4:20-cv-03919," and (5) your signature.

House v. NCAA Settlement Administrator
P.O. Box 301134
Los Angeles, CA 90030-1134

Objecting

What if I disagree with the settlement?

If you disagree with any part of the settlement (including the injunctive portion, and the lawyers' fees), you may object. You do not need to opt out of the damages settlement to make an objection. You must give reasons why you think the Court should not approve the settlement and state whether your objection applies to just you, one of the classes, or all of the classes. The Court will consider your views. The Court can only approve or deny the settlement — it cannot change the terms of the settlement. If the Court denies approval, no settlement payments will be sent out, and the lawsuit will continue. If that is what you want to happen, you should object. You may, but don't need to, hire your own lawyer to help you.

To object, you must send a letter to the Court, or file electronically, at <https://ecf.cand.uscourts.gov>, or file in person at any U.S. District Court for the Northern District of California location

that:

- (1) is postmarked or submitted online by **[105 days after notice date]**;
- (2) includes your full name, address, telephone number, and email address;
- (3) includes your NCAA ECID number if available;
- (4) includes the case name and number (*In re: College Athlete NIL Litigation*, Case No. 4:20-cv-03919);
- (5) states the reasons for your objection;

- (6) states whether either you or your lawyer intend to appear at the Final Approval Hearing and your lawyer's name (if you have one); and
- (7) includes your signature.

Mail the letter to:

Ronald V. Dellums Federal Building & United States Courthouse
c/o Class Action Clerk
1301 Clay Street
Oakland, CA 94612

Any objection to the proposed settlement must be in writing. If you file a timely written objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney.

Doing Nothing

What are the consequences of doing nothing?

If you do nothing, you might not get any money or you might not get all of the money you are entitled to, but you will still be bound by the settlement and its “release” provisions. That means you won’t be able to start, continue, or be part of any other lawsuit against any of the Defendants, including their member institutions, about the issues in this case. Please see the Settlement Agreement, which can be found at www.collegeathletecompensation.com, for a full description of the claims and entities who will be released if this settlement is approved.

Key Resources

How do I get more information?

This notice is a summary of the proposed settlement. To get a copy of the Settlement Agreement or get answers to your questions:

- contact your lawyers (information below);
- visit the case website at www.collegeathletecompensation.com;
- access the Court Electronic Records (PACER) system online or by visiting the Clerk’s office of the Court (address below);

Resource	Contact Information
Case website	www.collegeathletecompensation.com
Settlement Administrator	<p>House v. NCAA Settlement Administrator P.O. Box 301134 Los Angeles, CA 90030-1134 info@collegeathletecompensation.com 1-877-514-1777</p>
Your Lawyers	<p>Steve Berman Ben Siegel Emilee Sisco Stephanie Verdoia stephaniev@hbsslaw.com (206)-268-9343 Hagens Berman Sobol Shapiro LLP 1301 Second Avenue, Suite 2000 Seattle, WA 98101</p> <p>Jeffrey Kessler David Greenspan Jeanifer Parsigian Neha Vyas nvyas@winston.com (212)-294-2658 Winston & Strawn LLP 200 Park Avenue New York, NY 10166-4193</p>
Court	<p>U.S. District Court Ronald V. Dellums Federal Building & United States Courthouse 1301 Clay Street Oakland, CA 94612</p> <p>HOURS: 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding Court holidays</p> <p>PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.</p>

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ClaimID: <<ClaimID>>

PIN:<<PIN>>

Dear <<First1>> <<Last1>>,

**If You Were a Division I College Athlete Between 2016 and 2024,
You Could Get Money from a Class Action Settlement.**

**CLICK HERE TO FILE
YOUR CLAIM FORM**

A federal court authorized this notice.

YOUR CLAIM ID	<<ClaimID>>
YOUR PIN	<<PIN>>
USE THESE UNIQUE NUMBERS WHEN FILING YOUR CLAIM FORM TO RECEIVE A CLASS PAYMENT.	

You are receiving this notice because school records indicate you are included in this class action settlement and may be eligible for a payment. To see how much money you could recover and to update your contact information and/or payment method, visit www.collegeathletecompensation.com and enter the Claim ID and PIN provided above. Estimated payments will be updated approximately 60 days from the date you receive this notice and will be dependent on the information your school provided to us.

What is this lawsuit about?

College athletes sued the NCAA and the Power Five Conferences (Atlantic Coast Conference, Big Ten, Big 12, Pac-12 and SEC), together called the “Defendants.” This lawsuit claims that the Defendants illegally agreed not to pay college athletes for participation in athletics or for use of their name, image, and likeness (“NIL”), and they also agreed to prevent college athletes from receiving money from third parties for use of their NIL, and they agreed to limit scholarships available to college athletes. Defendants deny these claims. Defendants have agreed to the settlement to resolve the lawsuit against them.

Are NCAA rules changing?

As part of the Settlement, Defendants have also agreed to change compensation rules going forward. Conferences and schools, starting in Fall 2025, may increase the number of athletic scholarships provided, and may provide direct benefits for NIL and participation in college sports. These increased compensation opportunities may impact you if you compete as a college athlete beginning in Fall 2025.

To see the full set of rule changes, visit www.collegeathletecompensation.com.

Who is a part of the lawsuit?

You are part of the settlement as a “Class Member” if you:

Competed on any Division I athletic team and were declared initially eligible for competition between June 15, 2016 and September 15, 2024.

What do I get?

Defendants have agreed to pay \$2,576,000,000 and change compensation rules going forward to end this lawsuit. You may be eligible to receive some of this money now. The amount of money you get will depend on what sport you played, the years you played, where you played, your scholarship status, your recorded NIL deals, how many people are included, and how much money the Court approves for attorneys' fees, class representative awards, and litigation and settlement costs. These payments, as well as attorneys' fees, will be paid out over a ten-year period.

How do I get money?

If you got this notice, and you played football, men's basketball, or women's basketball for a school that competes in a Power Five Conference, you do not need to do anything to get money. You will automatically receive a payment if the settlement is approved and becomes final. To see an estimate of your payment amount or update your contact information and/or payment method, visit www.collegeathletecomensation.com 60 days from the date you receive this Notice.

If you played a sport other than football or basketball at a school that is in a Power Five Conference, or competed in any sport for a school not within a Power Five Conference, you will need to complete a [Claim Form](#).

If you received NIL compensation since 2021, and you competed prior to July 1, 2021, you can confirm your deal was reported by your school here, and then you will automatically receive payment.

What are my rights?

If you do nothing, you will be bound by the Court's decisions. If you want to keep your right to sue the settling Defendants, or their member institutions, instead of getting money from this settlement, you must opt out by [Month 00, 202X]. You cannot opt out of the future rule changes (injunctive relief), but you can object. Please note that if you opt out, you will not receive any money from this settlement. If you want to stay in the settlement but do not agree with any part of it, you may object to it by [Month 00, 202X]. Details about these options are available by clicking [here](#) or by going to www.collegeathletecomensation.com.

The Court will hold a hearing on [Month 00, 202X] to consider whether to approve the settlement and a request for attorneys' fees and award for each of the class representatives. You or your own lawyer may appear and ask to speak at the hearing at your own expense.

NOTE: The Settlement Agreement does not release the claims currently raised in the Complaint in *Choh v. Brown University et al.*, No. 3:23-cv 305 (D. Conn.) ("*Choh*"), against the Ivy League and Ivy League member institutions ("*Choh Defendants*"), challenging an alleged agreement among the *Choh Defendants* not to award athletic scholarships or otherwise provide any compensation or education-related reimbursements for athletic services as permitted under then-applicable NCAA rules. The previously filed *Choh* claims arise out of unique aspects of rules applicable within the Ivy League alone. The Settlement Agreement and its release provisions otherwise fully apply to student-athletes who are in the Settlement Classes, including but not limited to Ivy League student-athletes, and likewise otherwise fully apply to Releasees as defined in the settlement, which includes but is not limited to the Ivy League, Ivy League member institutions, and Defendants in this Action.

The Settlement Agreement also does not release, the claims currently stated in the Complaint in *Johnson, et al. v. National Collegiate Athletic Association, et al.*, 2:19-cv-05230-JP (E.D. Pa.), claims under the Fair Labor Standards Act, 29 U.S.C.A. § 201 et seq. or any other federal labor laws, or claims under any analogous state labor laws.

You do not need to opt out of this settlement in order to pursue remedies in the two lawsuits listed above.

What if I received two notices?

If you received two notices by email and/or mail, NCAA records indicate that you are included in both this settlement and the *Hubbard v. National Collegiate Athletic Association* settlement. You may be eligible to receive money from both settlements.

Go to www.collegeathletetechnology.com to file a Claim Form in both settlements, if required, for you to receive all the money you qualify for.

Questions?

www.collegeathletetechnology.com info@collegeathletetechnology.com 1-877-514-1777

EXHIBIT 4



United States District Court

In re: College Athlete NIL Litigation

Case No. 4:20-cv-03919



Class Action Notice

Authorized by the U.S. District Court

Were you denied compensation opportunities as a college athlete any time between 2016 and 2024?

NCAA records indicate you may be entitled to compensation from a \$2.576 billion settlement and may be eligible for future benefits.

To see how much money you are entitled to and to learn about your rights and options, scan the QR code to learn more.

Key things to know:

- This is an important legal document.
- If you take no action, any ruling from the Court will apply to you, and you will not be able to sue the NCAA, or any of the Power Five Conferences, or their member institutions about the same issues.
- NCAA compensation rules are changing as part of this settlement. To understand how you are impacted, learn more at www.collegeathletecompensation.com or by scanning the QR code.

Court-Approved Legal Notice



This is an important notice
about a class action settlement.

<<MAIL ID>>

<<NAME 1>>

<<NAME 2>>

<<ADDRESS LINE 1>>

<<ADDRESS LINE 2>>

<<ADDRESS LINE 3>>

<<ADDRESS LINE 4>>

<<ADDRESS LINE 5>>

<<CITY, STATE ZIP>>

<<COUNTRY>>

House v. NCAA Settlement Administrator
P.O. Box 301134
Los Angeles, CA 90030-301134



NCCO

VISIT THE SETTLEMENT WEBSITE BY
SCANNING THE PROVIDED QR CODE

House, et al. v. NCAA, et al.

U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. 4:20-CV-03919 (N.D. Cal.)

«Barcode»

Postal Service: Please do not mark barcode

NCCO: ClaimID: «ClaimID»

PIN: «PIN»

«First1» «Last1»

«CO»

«Addr2»

«Addr1»

«City», «St» «Zip»

«Country»

**Must Be Postmarked
By DATE**

Claim ID: <<ClaimID>>

PIN: <<PIN>>

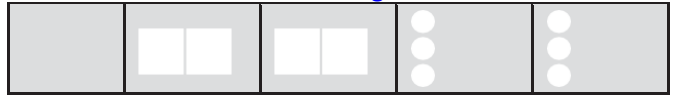
Claim Form

If you are or were a Power Five football or basketball player with a full scholarship, you do not need to fill out a Claim Form to receive an award, but you do have the option to provide additional information about NIL deals in Section 3 for Lost NIL Opportunities. All other athletes, please fill out Section 1, Section 2, and Section 3 (if eligible) to ensure your claim is correctly processed.

1) Contact Information

First Name			M.I.	Last Name		
ClaimID from Email or Postcard Notice (if you did not get a notice, leave this blank)						
Primary Address						
Primary Address Continued						
City				State	ZIP Code	
Email Address						
Area Code		Mobile Number				
NCAA Eligibility Center ID						

■ *NCCOHOONE*



NCCOHOTWO

2020-2021 Academic Year

If the information for 2019-2020 is the same as above, please fill in this circle:

School Attended

Sport (e.g., Women's Basketball, Men's Lacrosse, etc.)

Redshirt semester(s) / semester(s) of ineligibility (e.g.: Fall, Spring)

2021-2022 Academic Year

If the information for 2019-2020 is the same as above, please fill in this circle:

School Attended

Sport (e.g., Women's Basketball, Men's Lacrosse, etc.)

Redshirt semester(s) / semester(s) of ineligibility (e.g.: Fall, Spring)

2022-2023 Academic Year

If the information for 2019-2020 is the same as above, please fill in this circle:

School Attended

Sport (e.g., Women's Basketball, Men's Lacrosse, etc.)

Redshirt semester(s) / semester(s) of ineligibility (e.g.: Fall, Spring)

2023-2024 Academic Year

If the information for 2019-2020 is the same as above, please fill in this circle:

School Attended

Sport (e.g., Women's Basketball, Men's Lacrosse, etc.)

Redshirt semester(s) / semester(s) of ineligibility (e.g.: Fall, Spring)

2024-2025 Academic Year

If the information for 2019-2020 is the same as above, please fill in this circle:

School Attended

Sport (e.g., Women's Basketball, Men's Lacrosse, etc.)

Redshirt semester(s) / semester(s) of ineligibility (e.g.: Fall, Spring)

NCCOHOTTHREE

In order for your claim to be processed for Compensation for Athletic Services and Video Games Damages, please ensure you complete sections 1 and 2 above.

To file a claim for Lost NIL Opportunities, please see Section 3.

Please confirm which category, or categories, you are submitting a claim for:

- Compensation for Athletic Services (competed as a Division I athlete at any point from 2019-2024 or eligible to compete in 2024-2025)
- Video Games (played Division I FBS Football or Men’s Basketball at any point from 2016-2024)
- Lost NIL Opportunities (competed prior to July 1, 2021 and received \$ for NIL before July 1, 2023)

3) School & Athletic Information for Lost NIL Opportunities

If you answer no to either of the following two questions, you are not eligible and should not submit a claim.

Did you compete on a Division I athletic team prior to July 1, 2021? Yes No

Did you earn money for your NIL from a third-party while competing as a college athlete since July 1, 2021 and before July 1, 2023? Yes No

Do you have an NIL deal recorded in our database? Visit the settlement website at www.collegeathletecompensation.com to find out.

Yes No

If yes, you will receive a direct payment, and do not need to file a claim form, if we have your updated contact information.

If not, or if our records are not complete, please submit your NIL records for review.

You can attach paper documents to this form if mailing, or submit electronically.

4) Documentation

Enclose a copy of any documents you think would be beneficial to prove your claim, including documents showing the dollar amounts and dates of transactions.

Enclose a copy of an official photo identification (like a driver’s license or a Student ID).

5) Payment Selection

If you would like to receive your payment electronically via PayPal or Venmo, you must submit your claim on the website at www.collegeathletecompensation.com. Otherwise you will receive a check payment mailed to the address provided above.

6) Certification & Signature

I declare under penalty of perjury under the laws of the United States of America that the information above is true and correct to the best of my knowledge and that I am authorized to submit this claim. I understand that my claim is subject to audit, review, and validation using all available information.

Signature: _____

Dated (mm/dd/yyyy): _____

Print Name: _____

Mail your Claim Form with copies of any supporting documents, **postmarked on or before** **MONTH DAY YEAR** to: *House v. NCAA Settlement Administrator, P.O. Box 301134, Los Angeles, CA 90030-1134.*

NCCOHOFOUR