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

CHUBA HUBBARD and KEIRA
MCCARRELL, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION; ATLANTIC COAST
CONFERENCE; THE BIG TEN
CONFERENCE, INC.; THE BIG 12
CONFERENCE, INC.; PAC-12
CONFERENCE; and SOUTHEASTERN
CONFERENCE,

Defendants.

Case No. 4:23-cv-01593-CW

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

1 This matter has come before the Court to determine whether there is any cause why this Court
2 should not approve the Class Plaintiffs' ("Plaintiffs") settlement with Defendants National Collegiate
3 Athletic Association ("NCAA"), Atlantic Coast Conference ("ACC"), The Big Ten Conference, Inc.
4 ("Big Ten"), The Big 12 Conference, Inc. ("Big 12"), Pac-12 Conference ("Pac-12") and Southeastern
5 Conference ("SEC") (collectively, the "Defendants"). The Court, having reviewed Plaintiffs' Motion for
6 Final Settlement Approval and Omnibus Response to Objections ("Motion"), the Stipulation and
7 Settlement Agreement ("Settlement Agreement"), the pleadings and other papers on file in this action,
8 including the objections to the settlement, the statements of counsel and the parties, and all statements
9 made at the final approval hearing, hereby finds that the Settlement Agreement should be approved.
10 Accordingly, the Court enters this Order of Final Approval.

11 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

12 1. The Court has jurisdiction over the subject matter of this litigation, and all actions within
13 this litigation (collectively, the "Action") and over the parties to the Settlement Agreement, including all
14 members of the Settlement Class, as defined below, and the Defendants.

15 2. For purposes of this Order, except as otherwise set forth herein, the Court incorporates the
16 definitions contained in the Settlement Agreement. *See* ECF No. 227-3. The Court hereby finally
17 approves and confirms the settlement set forth in the Settlement Agreement ("Settlement"), and finds that
18 said Settlement is, in all respects, fair, reasonable, and adequate to the Settlement Class pursuant to Rule
19 23 of the Federal Rules of Civil Procedure, including with respect to each of the factors enumerated in
20 Rule 23(e)(2), and orders that it be consummated pursuant to its terms and conditions.

21 3. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, the Court certifies, for
22 purposes of effectuating this Settlement, a Settlement Class as follows, hereinafter referred to as the
23 "Settlement Class":

24 All current and former NCAA athletes who competed on a Division I
25 athletic team at any time between April 1, 2019 and September 15, 2024
26 who would have met the requirements for receiving an Academic
27 Achievement Award under the criteria established by their schools for
28 qualifying for such an Award. The Class excludes individuals who
released their damages claims as part of the Settlement Agreement in *In re*
NCAA Grant-in-Aid Cap Antitrust Litigation, No. 14-md-02541-CW
(N.D. Cal. Dec. 6, 2017), Docket No. 746.

1 The Class excludes the officers, directors, and employees of Defendants.
2 The Class also excludes all judicial officers presiding over this action and
3 their immediate family members and staff.

4 4. Pursuant to Federal Rule of Civil Procedure 23(g), the Court confirms that Chuba Hubbard
5 and Keira McCarrell are appointed to serve as the Class Representatives for the Settlement Class.

6 5. The Court finds the prerequisites to a class action under Federal Rule of Civil Procedure
7 23(a) have been satisfied for settlement purposes only by the Settlement Class in that:

8 (a) there are at least tens of thousands of geographically dispersed Settlement Class
9 members, making joinder of all members impracticable;

10 (b) there are questions of law and fact common to the Settlement Class which
11 predominate over individual issues;

12 (c) the claims or defenses of the Class Representatives are typical of the claims or
13 defenses of the Settlement Class;

14 (d) the Class Representatives will fairly and adequately protect the interests of the
15 Settlement Class, and have retained counsel experienced in antitrust class action
16 litigation who have, and will continue to, adequately represent the Settlement
17 Class; and

18 (e) resolution through class settlement is superior to individual settlements.

19 6. The Court finds that this Action may be maintained as a class action under Federal Rule
20 of Civil Procedure 23(b)(3), for settlement purposes only, because: (i) questions of fact and law common
21 to members of the Settlement Class predominate over any questions affecting only the claims of
22 individual members; and (ii) a class action is superior to other available methods for the fair and efficient
23 adjudication of this controversy.

24 7. Pursuant to Federal Rule of Civil Procedure 23(g), the Court hereby confirms that Hagens
25 Berman Sobol Shapiro, LLP and Winston & Strawn LLP are appointed as Settlement Class Counsel for
26 the Settlement Class.

27 15. Plaintiffs' notice of the Settlement to the Settlement Class was the best notice practicable
28 under the circumstances. The notice satisfied due process, provided adequate information to the

1 Settlement Class of all matters relating to the Settlement, and satisfied the requirements of Federal Rules
2 of Civil Procedure 23(c)(2) and (e)(1).

3 16. The Court has reviewed and considered the objections to the Settlement and finds them to
4 be without merit.

5 17. Certain members of the Settlement Class timely and validly requested exclusion from the
6 Settlement Class, and therefore they are excluded from the Settlement Class. These persons and entities
7 are reflected in the attached **Exhibit A** to this order. Such persons and entities are not included in or
8 bound by this Order as it relates to the Settlement for which they opted out. Such persons and entities are
9 not entitled to any recovery of the settlement proceeds obtained through this Settlement.

10 19. Without affecting the finality of this Order in any way, this Court hereby retains
11 continuing, exclusive jurisdiction over the Settlement and the Settlement Agreement, including:

- 12 (a) implementation of the Settlement and Settlement Agreement;
- 13 (b) disposition of the Gross Settlement Fund and distribution to members of the
14 Settlement Class pursuant to further orders of this Court;
- 15 (c) determining service awards and attorneys' fees, costs, expenses, and interest;
- 16 (d) the Action until Final Judgment contemplated hereby has become effective and
17 each and every act agreed to be performed by the parties all have been performed
18 pursuant to the Settlement Agreement;
- 19 (e) hearing and ruling on any matters relating to the plan of allocation of settlement
20 proceeds;
- 21 (f) all parties to the Action, Releasors, and Releasees, for the purpose of enforcing
22 and administering the Settlement Agreement and the mutual releases and other
23 documents contemplated by, or executed in connection with, the Settlement
24 Agreement; and
- 25 (g) any other proceedings concerning the administration, interpretation,
26 consummation, and enforcement of this settlement.

EXHIBIT A



College Athlete Compensation Settlement

Opt Outs - Hubbard

Count	ClaimID	First1	Last1
			95
1	10575357901	AARON JOSHUA	NESMITH
2	10327506001	ALEX JEFFREY	HORNIBROOK
3	10072300701	ALEXANDER CARL	SHAW
4	10301716101	ALEXANDER JORDAN	PERRY
5	10059430001	AL-MALIK	HAUSMAN
6	20000646501	AMARI	CATCHINGS
7	9000045201	AMARVEER	SINGH
8	20001783101	ANTHONY	GILL
9	10174446801	ANTHONY	GOULD
10	10145128301	AVERY DEAN	HENKE
11	10122106001	BELLA SARA KRISTIANA	FISCO
12	10264679001	BREVIN	JORDAN
13	10672726601	BRYCE RAYMOND	NZE
14	10289394901	CADE P	CUNNINGHAM
15	10138853601	CALEB	WILLIAMS
16	10074765601	CAMERON	ECHOLS-LUPER
17	10456522601	CARSON	STRONG
18	50004102401	CARTER	CUNNINGHAM
19	10107554601	CHAD	KELLY
20	10138719201	CHARLESTON	RAMBO
21	10147798301	CHLOE LEE	KITTS
22	10264461501	DAMUZHEA	BOLDEN
23	10535880001	DEMETRIS	HARRIS
24	10292998101	DERRICK	WHITE
25	9000039001	DIXIE	WOOTEN III
26	9000041101	DONELL	PASTER
27	10461244701	DONOVAN JOHN	CLINGAN
28	10174134001	DREW	EUBANKS

29	10577020601	EDGAR	BURROLA
30	10022943801	ELIJAH	BLADES
31	10682167201	ELIZA	EKSTRAND
32	10265601001	ELLE	MEZZIO
33	10669726201	EMMALINE M	EKSTRAND
34	10427953901	ERICK BERNARD	NEAL
35	10301568101	GREGORY MICHEAL	FRANCIS
36	9000040901	HANNAH	CROFUT
37	10228253501	HASAHN	FRENCH
38	10059357401	HUNTER ALEXANDER	ECHOLS
39	10641051901	IKEM	OKEKE
40	50004112101	ISHMAEL	HYMAN
41	10561625401	JACOB THOMAS- MICHAEL	COX
42	10071952101	JAWON CORTEZ	JOHNSON
43	10107952701	JAYLON	ROBINSON
44	10072511901	JIMMY	BELL
45	10271615801	JOHN	COLLINS
46	10132213601	JONAH	TRINNAMAN
47	10267680001	JORDAN LEWIS	TUCKER
48	10168551801	JORDYN	LIBLER
49	10160109801	JOSHUA ANDREAS	PIERRE-LOUIS
50	10064645101	JOSHUA NOAH	GRAY
51	20000008901	JUSTIN	RAGIN
52	9000042401	KAHLIL	JOHNSON
53	10182876701	KATHRYN	MEYER
54	10419992101	KELLAN	GRADY
55	10266791301	KEVIN	MARFO
56	9000035901	KHYRI	THOMAS
57	10071888701	KYLIN JATAVIAN	HILL
58	10228833101	LAMONT	EVANS
59	20000538201	LOPINI	KATOA
60	10168388101	MADISON	REED
61	10661535001	MALIQUE	JACOBS
62	10060945401	MARCEL MIKAL	DANCY
63	9000038701	MARCUS	WALLACE II

64	10280054601	MARCUS ANDREW	ZEGAROWSKI
65	10168446001	MATTHEW	ADANIN
66	10607526301	MAURICE	ODUM
67	10535918001	MEKHI	LAPOINTE
68	60004611701	MICAH	PARTEN
69	50004265901	MICHAEL	HARLEY
70	10168421601	MICHAEL LOGAN	MENNING
71	10282996201	MONTELL H	COZART
72	10225092301	NATHANIEL	PIERRE-LOUIS
73	10064572001	NAZREON NYRU	REID
74	10551039701	NKOSI	PERRY
75	10119745701	PALAIE TOFAU	GAOTEOTE
76	10596118801	PAUL	STAMM
77	10228421001	RASHAD	WILLIAMS
78	9000043701	RASHARD	DAVIS
79	10353654101	SADDIQ	BEY
80	10441953201	STANLEY	DYE
81	10393308601	STEPHEN DEON	CARR
82	10119887501	TATHAN FRANCIS	MARTELL
83	60004591901	TEVIN	BROYLES
84	10174492401	TIMMY	HERNANDEZ
85	10174410901	TREVON	BRADFORD
86	10393269001	TREVON	SIDNEY
87	10095948901	TRISTAN	NICKELSON
88	10126474401	TRU	THOMPSON
89	10088826401	TYJON	LINDSEY
90	10115387901	TYLER	HERRO
91	10278788801	VANCE	JACKSON
92	20001203001	VINCENT	SAMPSON
93	10071816401	WESTIN BRANNING	GRAVES
94	10132297501	ZACHARY	KATOA
95	10234469301	ZION	BETHEA