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Lawsuit says NCAA owes players who suffered concussions

by John O'Brien

CHICAGO (Legal Newsline) - A Chicago attorney has filed a class action lawsuit against the National Collegiate Athletic Association, alleging it isn't protecting football players and other student-athletes from sustaining concussions.

Joseph Siprut filed the lawsuit Tuesday on behalf of plaintiff Adrian Arrington, a 25-year-old former player on Eastern Illinois University's football team. The two have also moved to certify those similarly situated as Arrington as a class.

"For over 30 years, the NCAA has failed its student-athletes - choosing instead to sacrifice them on an altar of money and profits," Siprut wrote in the complaint. "The NCAA has engaged in a long-established pattern of negligence and inaction with respect to concussions and concussion-related maladies sustained by its student-athletes, all the while profiting immensely from those same student-athletes."

The complaint says the NCAA has ignored studies that show repeated concussions are linked to early-onset dementia, Alzheimer's disease, depression and lowered cognitive abilities.

The NCAA is alleged to have:

- Failed to address or correct the coaching of tackling methodologies that cause head injuries;
- Failed to implement system-wide "return to play" guidelines for players who have sustained concussions;
- Failed to implement guidelines for the screening and detection of head injuries;
- Failed to implement legislation addressing the treatment and eligibility of players who have sustained multiple concussions; and
- Failed to implement a support system for players who are unable to play football or lead a normal life after sustaining concussions.

"On average, the NCAA makes over \$740 million in revenue each year," the complaint says. "Unlike professional sports organizations, the NCAA does not use revenues to pay its athletes, nor does the money go towards pension or medical benefits for post-collegiate athletes.

"The NCAA gives no medical or financial support to post-collegiate student-athletes who sustained concussions while playing an NCAA sport and who then cope with the costs and care needed resulting from their injuries."



Siprut

The complaint also alleges the NCAA has been ignoring studies put out by the University of North Carolina that link head injuries to early-onset Alzheimer's disease.

Arrington, a safety on the EIU team from 2006-09 suffered numerous concussions while playing - "At no time was Arrington coached on how to make safer tackles," the complaint says.

Siprut seeks medical monitoring and financial recovery for long-term and chronic injuries, as well as financial losses, expenses and intangible losses caused by the NCAA. A medical monitoring fund would provide future medical care to monitor possible concussion-related illnesses.

Medical monitoring claims have been criticized because, as West Virginia Supreme Court Justice Menis Ketchum wrote in [a dissenting opinion last year](#), defendants are forced to pay damages where "no actual harm has occurred."

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