

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG DIVISION**

STATE OF OHIO, et al.	:	CASE NO: 1:23-cv-00100
	:	
Plaintiffs,	:	JUDGE JOHN PRESTON BAILEY
	:	
v.	:	
	:	
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION	:	
	:	
Defendant.	:	
	:	

PROPOSED STIPULATED PRELIMINARY INJUNCTION

WHEREAS the Plaintiff States of Ohio, Colorado, Illinois, New York, North Carolina, Tennessee, and West Virginia filed a Complaint in this matter on December 7, 2023; and

WHEREAS the Plaintiff States filed a Motion for a Temporary Restraining Order and Preliminary Injunction on December 7, 2023; and

WHEREAS, following a hearing on Plaintiffs’ Motion on December 13, 2023, the Court issued a Temporary Restraining Order (ECF 39) against Defendant National Collegiate Athletic Association (“NCAA”) enjoining the enforcement of NCAA Bylaws 14.5.5.1 (“Transfer Eligibility Rule”) and 12.11.4.2 (“Restitution Rule”) for fourteen (14) days; and

WHEREAS the Court enjoined these rules to allow NCAA college athletes currently ineligible due to the Transfer Eligibility Rule to play during the time period covered by the Temporary Restraining Order; and

WHEREAS the Court has set a Preliminary Injunction hearing for December 27, 2023 and has entered an Order Granting Leave for Expedited Discovery (ECF 55);

NOW THEREFORE to ensure that NCAA college athletes otherwise ineligible under the Transfer Eligibility Rule can compete in NCAA athletic events during the period of the Temporary Restraining Order with certainty as to the consequences of doing so, and in consideration of the recitals above, the Parties jointly stipulate and agree as follows:

1. The Temporary Restraining Order (ECF 39) issued by this Court on December 13, 2023 in this proceeding attached hereto and incorporated fully herein shall be converted to a Preliminary Injunction that shall remain in effect until a full and final trial and decision on the merits.
2. The NCAA shall take no action to retaliate against any athlete that participates in athletic competition during the period of this Preliminary Injunction, or the member institution that such athlete attends, based on the athlete's reliance upon the terms of this Preliminary Injunction.
3. The preliminary injunction hearing currently set for December 27, 2023 shall be vacated.
4. This matter shall be set for trial on the merits no sooner than the last day of competition in the 2023-24 winter and spring sports seasons and sanctioned tournament play.
5. The Order Granting Leave for Expedited Discovery (ECF 55) shall be vacated.

It is so stipulated.

IT IS SO ORDERED this ____ day of December 2023.

United States District Court Judge

Dated: