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Groundhog Day for the United Football League

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If the story of the United Football League is ever told on the big screen, it will only be appropriate for Bill Murray



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to reprise his portrayal of TV weatherman Phil Connors when playing the UFL's William "Bill" Hambrecht. Hambrecht and the UFL are back in court again, and the facts alleged in the current litigation are a replay of what we have seen many times before.^[21] Most recently, 78 former UFL players filed a five-count lawsuit styled Scott Albritton et al v. UFL Management, LLC et al in the District Court of Clark

County Nevada on March 1, 2013 against the United Football League and its Las Vegas and Omaha teams for breach of contract, breach of duty of good faith and fair dealing, unjust enrichment, intentional and/or negligent misrepresentation, and violation of Nevada's compensation, wages and hours statute.

The plaintiffs allege that they all entered into employment agreements prior to the start of the 2012 UFL season which called for them to be paid, depending on the plaintiff, on a weekly or monthly basis. The plaintiffs, having not been paid their contractual wages, advised Hambrecht on or about October 14, 2012 that they would not play any further games unless or until their wages were paid. In response, Hambrecht entered into agreements personally guaranteeing the wages due and stating that the wages would be paid in full no later than October 31, 2012. Hambrecht also agreed to personally indemnify the plaintiffs for any damages, including attorneys fees and all other costs and expenses that may be incurred by the plaintiffs in the enforcement of the personal guarantees, at that time. Three days later, fourth game of the 2012 UFL season was played on October 17, 2012.

Despite the personal guarantees made by Hambrecht only six days earlier, Hambrecht and the other UFL defendants disbanded the UFL on October 20, 2012. Thereafter began a stream of broken promises by Hambrecht to the plaintiffs. When demand was made for payment at the original October 31st deadline,

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Hambrecht promised that some or all of the amounts due would be paid by November 9th. Following November 9th, when no payments were made, Hambrecht assured several of the plaintiffs that payment in full would be made by the end of November 2012. When no payment was made by the end of November, Hambrecht assured the plaintiffs that payments would be made by the end of December 2012. As of the filing of the lawsuit on March 1, 2013, no payments had been made.

The plaintiffs seek total economic and consequential damages in excess of \$750,000, as well as punitive damages in excess of \$750,000 for the defendants' "fraudulent, malicious, and oppressive" acts that "were performed with the intent to inflict harm on plaintiffs."

As of March 20, 2013, online records for the Court did not indicate that any of the defendants had been served.

Footnotes

[20] Scott A. Andresen is the principal of Andresen & Associates. He can be reached at scott@andresenlawfirm.com

[21] Prior to the initiation of the present lawsuit, a collection of UFL parties (i.e., the United Football League, UFL, UFL Management LLC, Bill Hambrecht, Paul Pelosi and Hambrecht 1980 Revocable Trust) have had not less than 28 separate actions initiated against them since May 2010— Most (if not all) of which arise out of failure to pay amounts contractually due.