

PROFESSIONAL SPORTS

Reprint March-April 2023 • Volume 14, Issue 1

Galette v. Goodell: Federal Judge Tosses Athlete's \$300M Racial Bias Suit

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In recent years, there has been a significant increase in public awareness and discourse surrounding issues of race and discrimination within various industries, including professional sports. One high-profile case that has drawn attention to these issues is that of Galette v. Goodell, in which former NFL linebacker, Junior Galette, alleged that he was subjected to racial discrimination by the league. Unfortunately for Galette, his case failed to make it past the pleading stage. Nevertheless, it does shed light on the experiences of Black athletes who continue to face barriers and bias within the NFL.

While not Galette's first tangle with the NFL (he was previously suspended by the league for two games in 2015 after a domestic violence charge that was later dropped), Galette's recently dismissed lawsuit certainly marked his most ambitious confrontation.

It all started on August 23, 2022, when, five years after his last NFL game, Galette brought a lawsuit in Florida federal court seeking \$300 million in damages, accusing the league of racially discriminating against him and blacklisting him because he exercised his free speech rights.

As alleged by Galette, he had previously spoken out several times on social media against racial discrimination in the league, including in a March 2018 Snapchat post, stating: "I swear to god, I'm not playing for no slave deals I'll die before I play for more slave deals." It was this post, Galette claimed, which five days later led to the Washington Commanders revoking an outstanding offer to play for the team under a \$4 million 2-year contract.

In his complaint, Galette likened the lack of interest in re-signing him after his contract expired to Colin



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Kaepernick's absence from the NFL since 2016, the year he took a knee during the pre-game national anthem to protest police brutality. Like Kaepernick, Galette said, he was "put on the blacklist by the NFL owners, which is why all the teams did the exact same thing to me when I passed all the drills, conditioning and physicals."

Representing himself in the suit, Galette named the league's commissioner, Roger Goodell, and seven franchises as defendants, including the Washington Commanders, the Seattle Seahawks, Los Angeles Rams, Las Vegas Raiders, Cleveland Browns, Kansas City Chiefs and Carolina Panthers. According to Galette, each of these teams had at one time showed interest in signing him, but ultimately passed due to racial bias.

Central to Galette's complaint was his allegation that the Buffalo Bills had signed a white player in 2018, Trent Murphy, for a higher signing bonus than Washington offered Galette. Murphy and Galette played the same position, were previously teammates in Washington, and both were coming off season-ending injuries. Yet, as alleged by Galette, Murphy was less talented and only received a higher offer because he was white. The Bills were not named in the suit.

On March 16, 2023, after several rounds of motion practice, U.S. District Judge Beth Bloom permanently tossed Galette's claims, finding that the ex-linebacker had failed to state a viable claim for relief. In ruling on prior motions to dismiss brought by the league, the court had previously held that Galette failed to sufficiently allege that Murphy was a similarly situated comparator, or that Galette would have received a higher contract offer but for the league's racism.

Galette's amended claims fared no better, Judge Bloom ruled. Although the self-represented Galette alleged that the league's ownership structure, which he incorrectly claimed consisted exclusively of white team owners and league executives, was "directly and circumstantially" discriminatory, the judge said that the

former player failed to identify any specific discriminatory action taken by the league or its teams. Nor did the better offer made to Murphy qualify as a discriminatory act, the judge said.

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In addition, the court ruled that Galette's claims of First Amendment violations also failed. As Judge Bloom observed, Galette had asserted that his Constitutional right to freedom of speech was violated when the Washington Commanders rescinded its offer based on his social media posts, yet he failed to cure the primary deficiency in his claim: "It lacks a credible allegation of state action."

Because the former linebacker repeatedly failed to allege viable

claims despite several opportunities to cure the defects in his pleadings, Judge Bloom dismissed the suit with prejudice. Galette has since filed a notice of appeal. While it seems unlikely that the Eleventh Circuit in which the Florida District Court sits would reverse the court's ruling, given the legal deficiencies underlying the dismissal, the final chapter of Galette's battle nevertheless remains to be written.

Whatever the ultimate outcome of this saga, the unfortunate reality is that Galette's allegations are hardly unique in the context of the NFL's less than stellar history when dealing with Black players. If nothing else, his lawsuit serves to shed light on the experiences of Black athletes who continue to face barriers and bias within the league. As society continues to grapple with issues of racial justice, it is crucial that organizations take proactive steps to address and combat discrimination in all its forms.