

WOLVERINES

Ex-Michigan football players plan to appeal dismissed NIL lawsuit against BTN, NCAA



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A [class-action lawsuit](#) brought by more than 300 former Michigan football players, including Braylon Edwards, Mike Martin and Denard Robinson, against the NCAA and Big Ten Network seeking more than \$50 million for being “unlawfully denied” the ability to make money off their name, image and likeness, has been dismissed.

The players and their lawyer, Jim Acho of the Livonia-based law firm Cummings, McClorey, Davis and Acho P.L.C., however, plan to appeal to the Sixth Circuit Court of Appeals in Cincinnati.

“Disappointed but not deterred,” Acho told The Detroit News on Saturday. He learned of the dismissal on Friday. “Many key cases in sports law over the past 100 years have had to go to Court of Appeals or the U.S. Supreme Court to get justice.”

Acho has successfully represented NFL Hall of Fame players such as Gale Sayers, Pat Summerall and Lem Barney in the NFL concussion class action, and a number of the cases were won on appeal.

He plans to file a notice of appeal in October.

The federal judge's dismissal followed the same ruling as that of former Ohio State quarterback Terrell Pryor's suit, filed in October 2023. It was dismissed in July because the judge ruled it fell outside of the statute of limitations.

Beginning in July 2021, college athletes have been able to profit off their name, image and likeness. A landmark federal court ruling in June approved the [House v. NCAA settlement](#), and former student-athletes between 2016-24 became eligible to receive a portion of \$2.8 billion in back pay. This ruling also established a new revenue-sharing model.

The class action filed by Acho involves football players who were at Michigan between 1969 and 2015 and seek compensation for their name, image and likeness used without compensation, as in BTN rebroadcasting games and jersey sales. In the original 73-page suit, the former players said they're entitled to "a present and future share of any revenue generated from the use of their publicity rights."

Acho said he believes in the merits of their case.

"We absolutely are in the right on this," he said.

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