

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

RANDALL GODFREY JR., PERRY
SMITH JR, CHAUNCEY WIGGINS,
DEVIN REE, JAMICHAEL STILLWELL,
KASHEEM GRADY, RICKEY
BALLARD, CHARLES “CHAS” KELLEY
III, MOHAND AMMAD, DEVON ELLIS,
NATHAN LAMAR WASHINGTON,
STEPHON PAYNE, ALPHONSIA
ELEKO, MARLIE DICKERSON, KALEB
BANKS, and JAQUAN SANDERS,

Plaintiffs,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION,

Defendant.

**EMERGENCY INTERLOCUTORY
INJUNCTION REQUESTED**

Civil Action File No.: _____

EMERGENCY MOTION FOR INTERLOCUTORY INJUNCTION

Pursuant to Uniform Superior Court Rule 6.7, Plaintiffs Randall Godfrey Jr., Perry Smith Jr., Chauncey Wiggins, Devin Ree, Jamichael Stillwell, Kasheem Grady, Rickey Ballard, Charles “Chas” Kelley III, Mohand Ammad, Devon Ellis, Nathan Lamar Washington, Stephon Payne, Alphonsia Eleko, Marlie Dickerson, Kaleb Banks, and Jaquan Sanders (collectively, “Plaintiffs”) file this Motion for an Emergency Interlocutory Injunction¹ to enjoin the National Collegiate Athletic Association (“NCAA”), from enforcing NCAA Bylaws 12.6 (the “Intercollegiate Competition Rule”) against them by denying them a fifth season of competition: (1) following the rule change allowing all athletes younger than them such a fifth season; and (2) after allowing

¹ Plaintiffs are not seeking a Temporary Restraining Order because they have had ongoing conversation with the NCAA concerning the subject matter of this lawsuit and desire to allow the NCAA to respond (on an expedited basis) prior to a hearing on this matter.

former professional basketball players to return to college for a fifth season of competition after their high school graduation, in violation of: (1) the NCAA's obligation of good faith and fair dealing in connection with its contractual obligation to treat all NCAA athletes fairly, reasonably exercise discretion in its waiver process, and apply its own bylaws consistently; and (2) the Georgia Fair Business Practices Act.

Plaintiffs satisfy each element of the four-part test under Georgia law: they are likely to succeed on the merits of their breach of contract claim and claim under the Georgia Fair Business Practices Act, and their request for declaratory relief confirms the existence of an actual controversy requiring immediate judicial guidance before Plaintiffs' eligibility opportunities expire,, they face irreparable harm in the form of a lost season of competition that cannot be compensated by money damages alone, the balance of equities favors them, and the public interest in fair treatment of student-athletes weighs in their favor. The public interest is served by ensuring that the NCAA's governance of college athletics complies with its own bylaws and with Georgia law, and that Plaintiffs and other similarly situated student-athletes from the high school class of 2022 are not arbitrarily and unreasonably excluded from a rule change that benefits every class of athlete before and after them. This is Plaintiffs' first application for injunctive relief.

The NCAA's governance structure voted on June 23, 2026, on a rule change granting a fifth season of eligibility to all current NCAA athletes in the high school graduating classes of 2023, 2024, and 2025, but intentionally excluded Plaintiffs and all other athletes from the high school graduating class of 2022 who did not previously play professional basketball or redshirt in college. Absent a court order, Plaintiffs' class will be excluded from the rule change and rosters for the 2026-27 season as summer practices are currently beginning and coaches are finalizing their rosters. Once those roster decisions are made and announced, Plaintiffs will lose roster spots

that cannot be recovered. Absent such provisional relief, due to the start of Summer practice for most NCAA Division I schools in July, Plaintiffs will suffer immediate and irreparable harm as supported by their Verified Complaint and Plaintiffs' Memorandum of Law (and evidence attached thereto and referenced therein) in support of the Motion. Plaintiffs respectfully request that this Court enter an order enjoining Defendant from enforcing the Intercollegiate Competition Rule against Plaintiffs to prevent them from playing pending NCAA Division I basketball in 2026-27 pending entry by the Court of a final judgment in this action. To the extent necessary in the Court's judgment to prevent any potential harm to others, Plaintiffs also ask the Court to designate them "Designated Student Athletes" such that they do not count against basketball roster limits for the 2026-27 season. **Due to the emergency nature of this Motion, Plaintiffs request a hearing on July 22, 2026, when both Plaintiffs' counsel and the NCAA are available (pending the scheduling of a hearing in Nashville involving the same lawyers), or the week of July 27, 2026.**

Furthermore, for temporary injunctive relief against the Intercollegiate Competition Rules to be effective, Plaintiffs also respectfully request that the Court enjoin the NCAA from enforcing Bylaw 12.11.4.2. This bylaw allows Defendant to punish its member institutions when a college athlete who is ineligible for competition participates in games pursuant to a court order allowing the college athlete's participation if the court order is later vacated, reversed, or otherwise invalidated. Thus, Plaintiffs further request that this Court enjoin Defendant from retaliating and/or implementing NCAA Bylaw 12.11.4.2 against any Plaintiff or any NCAA member institutions for conduct allowed by any temporary or preliminary injunctive relief that this Court may issue.

In support of this Motion, Plaintiffs rely upon their Verified Complaint and a contemporaneously filed Memorandum of Law in Support.

Respectfully submitted this 9th day of July, 2026.

/s/ Ryan Downton

Ryan Downton (*Pro Hac* Pending)

Texas Bar No. 24036500

The Texas Trial Group

500 PR-693, Ste. 30

Dorado, PR 00646*

Phone: 512-680-7947

Ryan@TheTexasTrialGroup.com

*Ryan Downton is licensed in Texas, not Puerto Rico

and

KNOWLES GALLANT TIMMONS

/s/ Christopher W. Timmons

Christopher W. Timmons

Georgia Bar No.: 712659

Ramsey A. Knowles

Georgia Bar No.: 426726

John M. Gross

Georgia Bar No.: 313520

Jordan V. Davies

Georgia Bar No.: 501722

6400 Powers Ferry Road – Suite 350

Atlanta, Georgia 30339

Telephone: (404) 818 – 7330

ctimmons@kgtfirm.com

rknowles@kgtfirm.com

jgross@kgtfirm.com

jdavies@kgtfirm.com

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to hereby certify that I have this day electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to all counsel of record.

Respectfully submitted this 9th day of July, 2026.

/s/ Christopher W. Timmons

Christopher W. Timmons

Georgia Bar No.: 712659

ctimmons@kgtfirm.com

KNOWLES GALLANT TIMMONS LLC

6400 Powers Ferry Road – Suite 350

Atlanta, Georgia 30339

Telephone: (404) 818-7330

Counsel for Plaintiffs