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Miami fights back against Big East

The Hurricanes' jump to the ACC from the Big East Conference has brought out lawsuits against schools

By Susan Miller Degnan
Knight Ridder Newspapers (KRT)

CORAL GABLES, Fla. — The impending divorce just got uglier.

After months of being called conspirators in "a deliberate scheme ... to destroy the Big East," the University of Miami struck back Monday in Miami-Dade County Circuit Court.

The University of Miami filed suit against the Big East Conference, University of Connecticut, Pittsburgh, Rutgers and West Virginia, alleging breach of contract and a conspiracy to defraud on the part of the conference and individual schools.

Miami also sued the University of Connecticut for defamation.

"Enough of all these lawyer-concocted claims and all the defamation and name-calling and daily press releases and press conferences," Miami attorney Eric Isicoff told *The Herald* by telephone. "What we want to do is bring the real issue to the court here and have the court declare, 'Hey, there was a contract. You have the absolute right to leave the Big East conference and you've done nothing wrong.'"

"That's the bottom line."

Isicoff, co-counsel Roberto Martinez and Aaron Podhurst filed the lawsuit on behalf of UM.

Isicoff said Miami is "looking for substantial damages against the Big East and the other schools ... and we would estimate those damages are going to range into the millions of dollars."

Miami also filed an appeal Monday with the Supreme Court of Connecticut to immediately review trial judge Samuel Sferazza's recent order denying UM's motion to dismiss for lack of personal jurisdiction.

UM was sued in June by the four schools, but not by the Big East Conference, for, according to the original lawsuit, conspiring in a scheme to destroy the league by choosing to defect to the Atlantic Coast Conference.

Miami claims in Monday's lawsuit that in 1999 it expressed to Big East commissioner Mike Tranchese that it had 16 concerns with the Big East —

including scheduling, marketing, TV rights and the ability of members to leave the conference. It claims those concerns were not addressed and that it signed an amended Big East Constitution in 2001 under false pretenses that the issues would be resolved.

Either way, Isicoff said UM legally abided by the amended constitution by giving its notice to leave the Big East by this past June 30 and by paying its \$1 million exit fee.

"There was no commitment to stay in the conference for any period of time," Isicoff said. "It was a revised and amended out-clause that was very clear and unequivocal: You give your notice by June 30 and you pay your money within a year — \$1 million — and you're free to go."

"In the past 25 years, 39 other schools have changed conferences, and there has never been a lawsuit. It's nothing extraordinary."

UM athletic director Paul Dee said Monday in a written statement, "We took this action very reluctantly, because we think litigation in this matter is neither productive nor desirable."

"However, the barrage of lawsuits emanating out of Big East member schools, have forced us to take steps to protect our rights and reputation."

Most recently, the four Big East schools filed a second lawsuit last Tuesday over the ACC expansion, adding Boston College, its athletic director and four ACC officers to the list of defendants.

The Big East acknowledged Monday's lawsuit, but spokesman Rob Carolla said there would be no public comment.

Connecticut Attorney General Richard Blumenthal, the most vocally aggressive plaintiff on behalf of his side's lawsuits, told *The Associated Press* that UM's lawsuits are unfounded and show Miami is acting out of "fear and anger."

"Any harm claimed by the University of Miami plainly is self-inflicted or nonexistent, and pales in comparison to the damage it has done to its Big East partners," Blumenthal said.

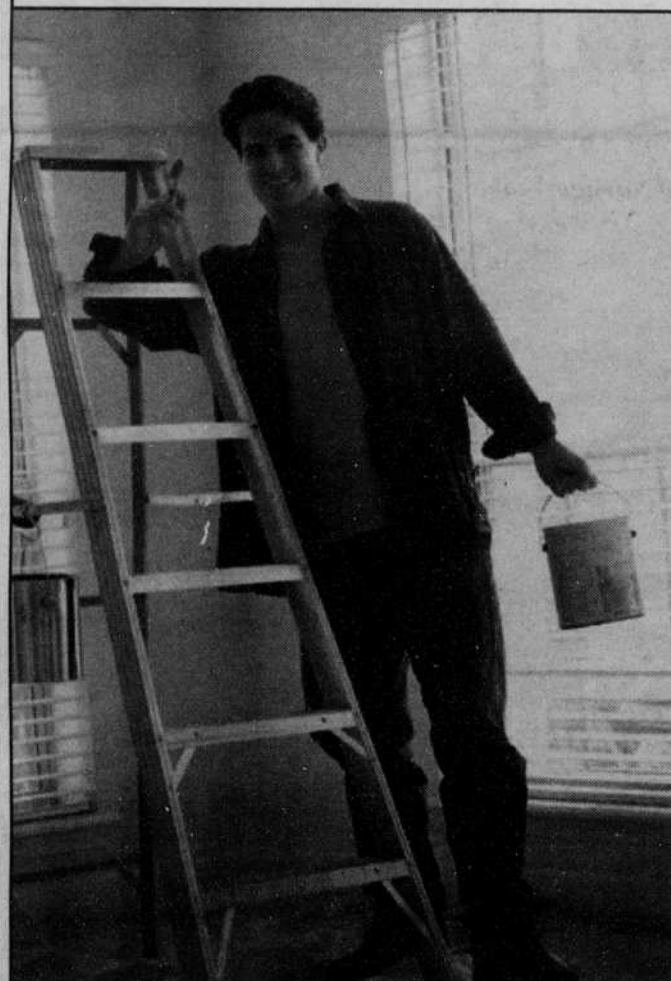
The defendants have 20 days to respond to the complaint.

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