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Monument Economics Group Serves as Independent Auditor in NCAA Student Athlete Concussion Litigation

The final approval of a \$75 million settlement in the NCAA student athlete concussion litigation (MDL No. 2492 Master Docket No. 1:13-cv-09116) was recently put on hold after an initial finding that approximately 75,000 class members from 27 NCAA member institutions failed to receive claim notices. Following a Court Order, Monument Economics Group was selected by counsel on both sides to perform an independent audit of the direct notice portion of the notice program implemented by the claims administrator (“Administrator”). The objective of the audit was to determine whether the Administrator effectively provided notice, either by postcard or email, to potential student-athlete claimants, based on data that were submitted by 1,290 NCAA member institutions.

More than 3,000 electronic files, including the original datasets provided by the NCAA member institutions, were uploaded to Monument’s data analytics team. Monument audited the process undertaken by the Administrator to identify and eliminate duplicative records and to modify submissions that were not provided in standard format. Our team, led by Cynthia Jones, determined the number of student athletes that were successfully notified either by postcard or email or both, from the pool of more than 4.4 million submissions. Finally, Monument audited the process whereby returned undeliverable mail was sent to an outside vendor for search and successfully re-mailed. Ms. Jones summarized Monument’s work in a report that was submitted to Judge John Z. Lee, who approved the Parties’ Joint Motion for Entry of Revised Schedule on September 17, 2018. A hearing for final approval is scheduled for January 30, 2019.