



IMMEDIATE RELEASE  
November 20, 2024

## **MEDIA ALERT**

### **NCAA Female Volleyball Athletes & Coach to Testify Against Mountain West Conference at Emergency Hearing**

**Las Vegas, NV** – Today, the Independent Council on Women’s Sports ([ICONS](#)) announced an emergency hearing to address a groundbreaking [lawsuit](#) filed by over a dozen women, including volleyball athletes and a coach, against the Mountain West Conference (MWC). The suit alleges First Amendment and Title IX violations tied to the MWC’s “Transgender Participation Policy.” The plaintiffs are demanding the MWC declare a male athlete on the San José State University (SJSU) women’s volleyball team ineligible. They also seek to overturn losses for teams that refused to compete against a male player and void wins for SJSU women’s games where a male athlete participated.

#### **When/Where:**

- Date: Thursday, November 21, 2024
- Time: 8:00 a.m. MST
- Location: Byron G Rogers Federal Courthouse, Courtroom C201
- 1929 Stout Street, Denver, CO 80294

#### **Key Issues:**

The lawsuit contests the MWC’s newly adopted “Transgender Participation Policy,” alleging it infringes on the free speech rights of female athletes and unfairly alters team rankings. The policy has penalized teams that refused to compete against SJSU due to the inclusion of a male athlete on its women’s volleyball team.

The MWC Women’s Volleyball Tournament, scheduled to begin in Las Vegas on November 27, 2024, will feature only the top six teams based on win-loss records. Plaintiffs argue that the standings have been unfairly skewed by this policy, as it awards forfeits against teams objecting to playing against SJSU, thereby distorting the competition landscape.

### **The Plaintiffs ask the MWC to:**

- Rescind wins and losses assigned due to canceled games involving the SJSU team.
- Recalculate team standings without factoring in these games.
- Prevent SJSU from rostering the male athlete, Blaire Fleming, in any future games, including the MWC Women's Volleyball Tournament.

### **Statement from ICONS:**

"The NCAA, Mountain West Conference, and college athletic directors around the country are failing women," said **Bill Bock**, lead attorney for the plaintiffs and ICONS, which is financially backing the suit. "Because these administrators lack the courage to protect women's sports, we are asking the federal courts to step in and enforce the law."

### **Meet the Women Testifying:**

- **Brooke Slusser:** Captain, San José State University
  - Denton, TX
- **Kaylie Ray:** Captain, Utah State University
  - Chandler, AZ
- **Macey Boggs:** University of Wyoming
  - Gering, NE
- **Melissa Batie-Smoose:** Associate Head Coach, San José State University

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For more information on the lawsuit and to contribute to the legal fund visit

[www.takeonthemountainwest.com](http://www.takeonthemountainwest.com)

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