Rel: November 20, 2026

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SUPREME COURT OF ALABAMA

OCTOBER TERM, 2026-2027

SC-2026-0039

Ex parte National Collegiate Athletic Association

PETITION FOR WRIT OF MANDAMUS

(In re: Jeremy Pruitt

v.

National Collegiate Athletic Association)

(DeKalb Circuit Court: CV-25-900060)

COOK, Justice.

This case arises from an investigation conducted by the National

Collegiate Athletic Association ("the NCAA") into rule violations by Jeremy Pruitt and his staff during Pruitt's tenure as the head football coach at the University of Tennessee ("UT"). After UT fired Pruitt and self-reported his rule violations to the NCAA, the association undertook an in-depth investigation into the alleged violations. During the course of the NCAA's investigation, Pruitt moved to Alabama.

According to the NCAA's investigation report, Pruitt admitted to committing several infractions, including providing cash payments to prospects, players, or their families despite knowing that doing so was against the NCAA's rules. He also admitted that he knew his actions violated NCAA rules and that he failed to report those actions to UT's compliance officials. Following a two-day hearing, the NCAA's Committee on Infractions ("COI") issued a report and imposed penalties, including a show-cause order that required any NCAA member institution to notify it if they intended to hire Pruitt and show cause as to why restrictions on all athletically related activity should not apply. He appealed that decision to another independent member committee, and that committee affirmed the COI's decision.

Pruitt then filed the underlying lawsuit against the NCAA in the

DeKalb Circuit Court. In his amended complaint, Pruitt alleged various tort claims against the NCAA related to its investigation and findings. The NCAA moved to dismiss Pruitt's action against it, arguing, among other things, that the trial court lacked personal jurisdiction over the association.

The trial court determined that it lacked general personal jurisdiction over the NCAA. However, it concluded that it had specific personal jurisdiction over it because the NCAA had substantial contacts with Alabama via its enforcement of its rules and regulations over every institution with a college-football program in Alabama such that it was "doing business" in Alabama. It further concluded that the NCAA's contacts with Alabama gave rise to Pruitt's lawsuit because its ongoing enforcement of its show-cause order against Pruitt gave it the power to allow or disallow Pruitt to coach at an Alabama school. It therefore denied the NCAA's motion to dismiss.

The NCAA has now petitioned this Court for a writ of mandamus directing the trial court to dismiss the underlying lawsuit for, among other things, lack of personal jurisdiction. For the reasons stated below, we hold that the trial court cannot exercise specific personal jurisdiction

over the NCAA in this case and, therefore, grant the NCAA's petition and issue the writ.

Facts and Procedural History

I. The Investigation Into and the Findings Against Pruitt and UT

UT hired Pruitt to be the head coach of its football team in December 2017. During his time with the university, Pruitt claims that he discovered that various athletic boosters and staff were providing improper benefits to players and recruits. According to Pruitt, he reported those discoveries to UT. However, he later admitted that he had made cash payments to three players or their families. After completing an internal investigation, UT terminated Pruitt's employment in January 2021, allegedly "for cause" so that he was not entitled to any further payments under his multiyear contract.

In December 2020, UT notified the NCAA that its football program had violated NCAA rules in multiple respects. As a result, staff for the NCAA in Indiana -- where the NCAA's headquarters are located -- began conducting an investigation into the alleged rule violations. According to the NCAA, UT also continued its own investigation, "which included forensic imaging of cell phones and interviewing numerous football

student-athletes, prospects, and coaching and noncoaching staff members, among others."

During the course of the investigation, the NCAA interviewed Pruitt twice -- first in Tennessee and then in New Jersey, where he lived for a short period. Based on its initial findings, the NCAA referred the case to its COI to hold a hearing and to determine appropriate punishment. In between the NCAA's conducting its investigation and referring the case to the COI, Pruitt moved to DeKalb County, Alabama, where he grew up.

The COI conducted a two-day hearing in April 2023 in Ohio.[1] Pruitt and his counsel, as well as representatives of UT and its counsel, attended the hearing and presented arguments to and answered questions from the COI members. They were also given an opportunity to present information in support of their positions.

[1]According to the materials before us, the members of the COI that adjudicated the case were an attorney from Washington, D.C., an executive from Army West Point, a retired women's basketball coach and special assistant to athletics at the University of Texas, the deputy commissioner and chief operating officer of the Big East Conference, the president emerita at Northern Colorado University, a chief magistrate judge from Atlanta, Georgia, and the executive senior associate commissioner of the Atlantic 10 Conference.

On July 14, 2023, the COI issued a lengthy decision documenting the rules violations by UT's employees and associates, including Pruitt. Among other things, the COI found that Pruitt was "personal[ly] involve[d] in violations and the rampant misconduct within the football program" and that he and his wife had violated rules by providing "substantial amounts of cash to certain prospects, student-athletes and their family members." In sum, the COI concluded that the actions of Pruitt and the UT football staff "involved some of the most egregious, intentional and blatant disregard of fundamental NCAA rules the COI has encountered."

Based on its findings, the COI imposed various penalties on UT for its rule violations. It also issued a separate six-year show-cause order to Pruitt that runs through July 13, 2029. That show-cause order provided that, "if [Pruitt] seeks employment or affiliation with any athletically related position at an NCAA member institution during the six-year show-cause period, any employing institution shall be required to contact the [COI] to make arrangements to show cause why restrictions on all athletically related activity should not apply." The show-cause order also stated that, if Pruitt was hired during the show-cause period, he would

be suspended from 100% of all football-related activities, which would include coaching and recruiting, in his first season at that institution.

Pruitt appealed the COI's decision to the NCAA's Infractions Appeals Committee. That committee affirmed the COI's findings and, on March 8, 2024, issued its own report stating the same findings.

II. Pruitt's Lawsuit Against the NCAA and the NCAA's Motion to Dismiss for Lack of Personal Jurisdiction

In March 2025, Pruitt sued the NCAA and other fictitiously named defendants in the DeKalb Circuit Court, alleging that the NCAA (1) had negligently and/or wantonly conducted its investigation and disciplinary process related to his conduct as the head football coach at UT, (2) had tortiously interfered with his existing and prospective business relationships with college-football programs across the country, and (3) had acted in bad faith and conspired with UT and others (a) to "to scapegoat and blame Jeremy Pruitt for allegations and misconduct" and (b) to breach UT's contractual obligations to Pruitt in bad faith by, among other things, enabling UT to investigate itself and dictate the scope of the investigation and then reaching an agreement with UT to allow it to buy itself out of penalties, leaving the NCAA free to place all blame for UT's violations on Pruitt.

The NCAA moved to dismiss Pruitt's complaint, arguing that the trial court could not exercise personal jurisdiction over it. It also argued that venue was improper in DeKalb County and that the doctrine of forum non conveniens required the suit to be dismissed. In support of its motion, the NCAA attached (1) the affidavit of Jonathan Duncan, the Vice President of Enforcement for the NCAA; (2) the July 14, 2023, COI report; (3) the March 8, 2024, Infractions Appeals Committee's report; and (4) an NCAA news release announcing the COI's decision concerning UT and Pruitt's violations.

After Pruitt filed his lawsuit, he sought employment with Jacksonville State University ("JSU"), which, in June 2025, reached out to the NCAA and asked it to hold a show-cause hearing to allow it to hire Pruitt as an off-the-field analyst for its football program. That request was made in accordance with the terms of the show-cause order that had been issued by the COI in 2023. That hearing was ultimately scheduled for October 23, 2025.

Two weeks before the hearing, however, on October 10, 2025, Pruitt amended his complaint to reallege his prior claims while also adding a request for an injunction barring the NCAA from enforcing its show-

cause order. In his amended complaint, Pruitt added factual allegations related to what he described as an "ongoing injury" arising out of the NCAA's enforcement of its show-cause order as it related to JSU's desire to hire him, but he did not otherwise amend his tortious-interference claim to specifically allege that the NCAA had tortiously interfered with that relationship.

On October 17, 2025, Pruitt filed a motion for a preliminary injunction, seeking to enjoin the NCAA from (1) enforcing against him its show-cause order that effectively prohibits him from coaching college sports anywhere in the United States, (2) continuing to interfere with his employment opportunities as a coach, analyst, or other consultant for colleges and universities with athletic programs, and (3) enforcing the NCAA's "Rule of Retribution," which allowed the NCAA to retaliate against any school that complies with a court order that is later overturned.

Despite Pruitt's request for an injunction, the show-cause hearing proceeded as scheduled. Following that hearing, on October 27, 2025, the NCAA notified JSU by letter that it was modifying the terms of the show-cause order to permit JSU to employ Pruitt subject to certain conditions.

JSU agreed to those conditions and then hired Pruitt.

On October 30, 2025, the NCAA moved to dismiss Pruitt's amended complaint, arguing, among other things, that the trial court could not exercise personal jurisdiction over it.[2]

First, the NCAA argued that the trial court could not exercise general personal jurisdiction over it because it is an unincorporated association with its principal place of business in Indianapolis, Indiana. It further argued that it did not have sufficient contacts with Alabama such that it would be considered "at home" here.

Second, it argued that the trial court could not exercise specific personal jurisdiction over it because none of Pruitt's claims against it arose out of or in any way related to any contacts the NCAA might have had with Alabama. Indeed, the NCAA noted that Pruitt did not allege that it had engaged in any wrongful conduct in Alabama during the course of its investigation into him and UT. To the extent that Pruitt

[2]It also reasserted that venue was improper in DeKalb County and that the doctrine of forum non conveniens required the suit to be dismissed. However, because of our resolution of this case on the personal-jurisdiction issue, we will not discuss the NCAA's arguments related to those issues here.

would rely on Calder v. Jones, 465 U.S. 783 (1984), in arguing that specific personal jurisdiction exists because he felt the "effects" of the NCAA's show-cause order here in Alabama, the NCAA argued that such an argument was meritless because the events underlying Pruitt's allegations against it -- i.e., its investigation, the issuance of the COI report, and the issuance of the accompanying show-cause order -- were not based on Pruitt's activities in Alabama but, instead, were based on his activities as the head coach of UT's football program while he was living and working in Tennessee.[3]

Although the NCAA approved (with conditions) JSU's hiring of Pruitt, he filed a motion for an expedited hearing on his motion for a preliminary injunction on November 12, 2025. In that motion, Pruitt noted that the NCAA's show-cause order "continues to deny Pruitt the ability to coach football" and that several institutions are interested in hiring [him] and will hire [him] as soon as the 'Show Cause' Order is

[3]In support of its motion, the NCAA reincorporated (1) the affidavit of Jonathan Duncan, the Vice President of Enforcement for the NCAA; (2) the July 14, 2023, COI report; (3) the March 8, 2024, Infractions Appeals Committee's report; and (4) the NCAA news release announcing the COI's decision concerning UT and Pruitt's violations. It added an affidavit from Matt Mikrut, the Managing Director of the Office of the Committee on Infractions.

enjoined." Pruitt alleged that "immediate relief is paramount" for him to have "any chance of being hired." He thus asked the trial court set his motion for a preliminary injunction for a hearing.

The trial court entered an order setting a hearing on Pruitt's motion for injunctive relief as well as on the NCAA's motion to dismiss for December 3, 2025. It also gave deadlines to the NCAA for responding to Pruitt's motion for a preliminary injunction and to Pruitt for responding to the NCAA's motion to dismiss his amended complaint.

On December 1, 2025, the NCAA filed its response to Pruitt's motion for a preliminary injunction in which it argued that Pruitt's motion was due to be denied because the trial court could not exercise personal jurisdiction over the association. It also argued that Pruitt was not entitled to injunctive relief because he (1) could not demonstrate that he will suffer immediate and irreparable harm if the injunction is not issued and (2) could not satisfy the other elements for issuance of a preliminary injunction.

That same day, Pruitt filed his response to the NCAA's motion to dismiss his amended complaint. In his response, Pruitt did not explicitly address whether the trial court could exercise general personal

jurisdiction over the NCAA. Instead, he primarily argued that the trial court could exercise specific personal jurisdiction over the NCAA because, he said, the association is actively attempting to regulate the football market in Alabama by enforcing a show-cause order that restricts his ability to work for a football program in Alabama. He pointed to the fact that he had lost out on a coaching job with the University of Alabama ("UA") and to the NCAA's communications with JSU regarding his potential employment as examples of its "active, purposeful, ongoing regulation directed to the State of Alabama" such that the trial court's exercise of specific personal jurisdiction over it would be proper here. He also argued that the fact that the NCAA reviewed Alabama-based bank records and interviewed an Alabama-based recruit as part of its investigation into his alleged rules violations while at UT further supported the exercise of specific personal jurisdiction over the NCAA in this case.[4]

III. The Trial Court's Hearing and Order on the NCAA's Motion to Dismiss and Pruitt's Motion for a Preliminary Injunction

After receiving the NCAA's reply, the trial court conducted a

[4]In support of his response, Pruitt attached his own affidavit.

hearing on the NCAA's motion to dismiss and on Pruitt's motion for a preliminary injunction. On December 12, 2025, the trial court issued an order denying the NCAA's motion.

With regard to the personal-jurisdiction issue, the trial court concluded that, although general personal jurisdiction could not be exercised over the NCAA, the association still had at least 11 specific contacts with Alabama to justify the court's exercise of specific personal jurisdiction over it. Those 11 specific contacts were as follows:

> "(1) The NCAA has member institutions located in Alabama;
>
> "(2) The NCAA implements rules that are directed towards Alabama Schools and residents who participate in athletics at the member institutions;
>
> "(3) The NCAA enforces its rules against Alabama schools and Alabama residents who are coaching or playing athletics at the member institutions;
>
> "(4) The NCAA is able to restrict activity of schools and individuals located within the State of Alabama;
>
> "(5) The NCAA has the authority to conduct investigations within the State of Alabama if they suspect wrongdoing;
>
> "(6) The NCAA can even restrict the speech and conduct of Alabama schools and residents;
>
> "(7) The NCAA's investigation, while in part aimed at UT, was also aimed, at least in part, at Pruitt, an Alabama resident during some part of the investigation and at its conclusion;

> "(8) A natural downstream effect of the infractions ruling would be that Pruitt, then an Alabama resident, would be prohibited or significantly limited from coaching at an Alabama member school;
>
> "(9) As mentioned above, the NCAA regulated the speech of Pruitt in Alabama when the infractions decision was released;
>
> "(10) Alabama witnesses and records were considered by the NCAA in its investigation;
>
> "(11) Taking the allegations in Pruitt's complaint as true, the wrong complained of by Pruitt is continuing to occur in Alabama."

According to the trial court, "[t]he NCAA itself created these contacts and relationships with the State of Alabama."

Although the trial court agreed that Pruitt's connections with Alabama, by themselves, would not be sufficient contacts under the "effects test" from Calder, supra, the trial court further found that, given the totality of the NCAA's connections with Alabama and taking Pruitt's allegations as true at this juncture, "it is not unreasonable to allege that a harm could have been done in Alabama and is continuing to be done in Alabama." It found that "[n]othing in the cases following Calder change the legal proposition that if a Defendant creates contacts with the forum, the 'effects' of the Defendant's contacts may be a sufficient contact for a

court to consider along with all the other evidence in a case."

The trial court explained that "the NCAA's involvement in JSU's decision to hire Pruitt is a foreseeable result of the penalty imposed on Pruitt by the NCAA." According to the trial court, "[a]s a foreseeable result of the show cause order imposed by the NCAA, the NCAA has inserted itself into Alabama, holding the power to allow or disallow an Alabama resident to coach at an Alabama school."

On December 15, 2025, the trial court issued a separate order granting Pruitt's request for a preliminary injunction barring the NCAA from enforcing its show-cause order after concluding that Pruitt had demonstrated that he was entitled to such relief. In particular, the trial court stated that it was enjoining the NCAA from (1) "[e]nforcing the Show Cause Order and Coaching Restriction against [Pruitt]"; (2) "[i]nterfering with [Pruitt's] employment opportunities as a coach, analyst, or other consultant for colleges and universities with athletic programs, as it relates to the Show Cause Order and Coaching Restriction"; and (3) "[e]nforc[ing] the NCAA's 'Rules of Retribution' as it relates to [Pruitt]."

The NCAA thereafter petitioned this Court for a writ of mandamus.

We ordered answers and briefs.

We also note that, before filing its petition for a writ of mandamus, the NCAA, on December 23, 2025, filed an appeal with this Court in case no. SC-2025-1002, in which challenged the trial court's December 15, 2025, preliminary-injunction order against it. On March 31, 2026, Pruitt resigned from his position with JSU.

Then, on April 21, 2026, Pruitt moved to dissolve the preliminary injunction that was entered by the trial court on December 15, 2025. The trial court granted Pruitt's motion the very next day. Pruitt then filed a motion with this Court asking us to dismiss the NCAA's appeal in case no. SC-2025-1002. The NCAA filed a response indicating that it did not oppose the dismissal of its appeal given the trial court's recent dissolution of the preliminary injunction. Our Court issued an order granting Pruitt's motion on May 11, 2026.

Standard of Review

Among other things, the NCAA petitions this Court for a writ of mandamus directing the trial court to dismiss Pruitt's claims against it for lack of personal jurisdiction. It is well settled that "'"'[t]he writ of mandamus is a drastic and extraordinary writ, to be "issued only when

there is: 1) a clear legal right in the petitioner to the order sought; 2) an imperative duty upon the respondent to perform, accompanied by a refusal to do so; 3) the lack of another adequate remedy; and 4) properly invoked jurisdiction of the court."'"'" Ex parte Alamo Title Co., 128 So. 3d 700, 708 (Ala. 2013) (citations omitted).

Our Court has previously stated: "'"[A] petition for a writ of mandamus is the proper device by which to challenge the denial of a motion to dismiss for lack of in personam jurisdiction."'" Id. (citations omitted). The standard of review applicable to a ruling on a motion to dismiss for lack of personal jurisdiction is as follows:

> "'"An appellate court considers de novo a trial court's judgment on a party's motion to dismiss for lack of personal jurisdiction."' Ex parte Lagrone, 839 So. 2d 620, 623 (Ala. 2002) (quoting Elliott v. Van Kleef, 830 So. 2d 726, 729 (Ala. 2002)). But see Allsopp v. Bolding, 86 So. 3d 952, 957-58 (Ala. 2011) (recognizing that deference is due to pertinent trial court factual findings to the extent those findings are based on ore tenus evidence).
>
> "Additionally, the appropriate analysis and the parties' respective burdens in a case testing personal jurisdiction are well settled. '"'The plaintiff has the burden of proving that the trial court has personal jurisdiction over the defendant.'"' Ex parte McNeese Title, LLC, 82 So. 3d 670, 674 (Ala. 2011) (quoting Ex parte Excelsior Fin., Inc., 42 So. 3d 96, 103 (Ala. 2010), quoting in turn J.C. Duke & Assocs. Gen. Contractors, Inc. v. West, 991 So. 2d 194, 196 (Ala. 2008), citing in turn Ex parte Covington Pike Dodge, Inc., 904 So. 2d 226 (Ala. 2004)).

> "'"'"In considering a Rule 12(b)(2), Ala. R. Civ. P., motion to dismiss for want of personal jurisdiction, a court must consider as true the allegations of the plaintiff's complaint not controverted by the defendant's affidavits, Robinson v. Giarmarco & Bill, P.C., 74 F.3d 253 (11th Cir.1996), and Cable/Home Communication Corp. v. Network Productions, Inc., 902 F.2d 829 (11th Cir. 1990), and 'where the plaintiff's complaint and the defendant's affidavits conflict, the ... court must construe all reasonable inferences in favor of the plaintiff.' Robinson, 74 F.3d at 255 (quoting Madara v. Hall, 916 F.2d 1510, 1514 (11th Cir. 1990))."'

"'"Wenger Tree Serv. v. Royal Truck & Equip., Inc., 853 So. 2d 888, 894 (Ala. 2002) (quoting Ex parte McInnis, 820 So. 2d 795, 798 (Ala. 2001)). However, if the defendant makes a prima facie evidentiary showing that the Court has no personal jurisdiction, 'the plaintiff is then required to substantiate the jurisdictional allegations in the complaint by affidavits or other

> competent proof, and he may not merely reiterate the factual allegations in the complaint.' Mercantile Capital, LP v. Federal Transtel, Inc., 193 F. Supp. 2d 1243, 1247 (N.D. Ala. 2002) (citing Future Tech. Today, Inc. v. OSF Healthcare Sys., 218 F.3d 1247, 1249 (11th Cir. 2000)). See also Hansen v. Neumueller GmbH, 163 F.R.D. 471, 474-75 (D.Del. 1995) ('When a defendant files a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(2), and supports that motion with affidavits, plaintiff is required to controvert those affidavits with his own affidavits or other competent evidence in order to survive the motion.') (citing Time Share Vacation Club v. Atlantic Resorts, Ltd., 735 F.2d 61, 63 (3d Cir. 1984))."
>
> "'Ex parte Covington Pike Dodge, Inc., 904 So. 2d 226, 229-30 (Ala. 2004).'"

Pennsylvania Nat'l Mut. Cas. Ins. Co. v. Allen, 143 So. 3d 784, 787-88 (Ala. 2014) (quoting Ex parte Excelsior Fin., Inc., 42 So. 3d 96, 103 (Ala. 2010)).

Discussion

In its petition for a writ of mandamus, the NCAA notes that the parties have agreed that general personal jurisdiction does not apply and, thus, focuses its arguments in support of its request for mandamus relief

on whether the trial court properly concluded that it could exercise specific personal jurisdiction over it. According to the NCAA, Pruitt has failed to demonstrate that any of its suit-related conduct created sufficient minimum contacts with Alabama for the exercise of specific personal jurisdiction. Specifically, it contends that the fact that it has member institutions in Alabama that are subject to its rules does not establish that it has purposefully directed any activity toward Alabama in regard to Pruitt's claims or that Pruitt's action arose out of or relates to its purported activities in Alabama.

It further argues that the fact that Pruitt moved to Alabama during the course of its investigation and later felt the effects of the COI's show-cause order when he sought employment with UA and JSU also cannot be used as a basis for establishing specific personal jurisdiction over it because those contacts do not show that the association itself directed any activity toward Alabama that related to his underlying lawsuit given that, at least as to Pruitt's employment opportunity with JSU, JSU was the entity that initiated contact with the NCAA, not the other way around.

In his answer, Pruitt places much emphasis on what he describes

as the NCAA's exploitation of the college-football market in Alabama and its enforcement of its rules and the threat (or imposition) of penalties for noncompliance with those rules against its member institutions here. According to Pruitt, nothing shows the "deep-seeded" connection between these contacts and his lawsuit more than the NCAA's enforcement of its show-cause order against him, which, he contends, has not only prevented him from getting coaching jobs here in our state, like with UA, but has also impacted his employment opportunities with JSU. To the extent that the NCAA argues that the "effect" he is experiencing as a result of the show-cause order arose out of JSU's reaching out to it rather than the other way around, Pruitt contends that "[t]he NCAA's using its regulatory authority to threaten punishment over member institutions who would have otherwise hired Pruitt (for UA) or who would have otherwise hired Pruitt sooner and in a fuller capacity (for [JSU]) is the NCAA's own action -- not unilateral action from Pruitt or these institutions," and thus supports the exercise of specific personal jurisdiction. Pruitt's answer at 30-31 (emphasis in original).

This Court has recently explained that "[a]n Alabama court may exercise jurisdiction over a defendant served out of state … if doing so is

consistent with due process and Rule 4.2(b), Ala. R. Civ. P., which serves the function of Alabama's 'long-arm statute.'" Pruitt v. AAA Interstate Transp., LLC, 358 So. 3d 1144, 1148 (Ala. 2022). Rule 4.2(b) provides:

> "An appropriate basis exists for service of process outside of this state upon a person or entity in any action in this state when the person or entity has such contacts with this state that the prosecution of the action against the person or entity in this state is not inconsistent with the constitution of this state or the Constitution of the United States ...."

(Emphasis added.) "'Under this rule, the exercise of jurisdiction is appropriate so long as the out-of-state defendant has "'some minimum contacts with this state [so that] ... it is fair and reasonable to require the person [or entity] to come to this state to defend an action.'"'" Ex parte Bradshaw, 328 So. 3d 236, 240 (Ala. 2020) (citations omitted).

"Depending on the quality and quantity of the contacts, jurisdiction may be either general or specific." Ex parte Dill, Dill, Carr, Stonbraker & Hutchings, P.C., 866 So. 2d 519, 525 (Ala. 2003). As our Court has explained:

> "'In the case of either general in personam jurisdiction or specific in personam jurisdiction, "[t]he 'substantial connection' between the defendant and the forum state necessary for a finding of minimum contacts must come about by an action of the defendant purposefully directed toward the forum State." Asahi Metal Indus. Co. v. Superior Court of California, 480 U.S. 102, 112, 107 S.Ct. 1026, 94 L.Ed. 2d 92

> (1987). This purposeful-availment requirement assures that a defendant will not be haled into a jurisdiction as a result of "'the unilateral activity of another person or a third person.'" Burger King [Corp. v. Rudzewicz], 471 U.S. [462,] 475, 105 S.Ct. 2174[, 85 L.Ed.2d 528 (1985)], quoting Helicopteros Nacionales de Colombia, S.A. v. Hall, 466 U.S. 408, 417, 104 S.Ct. 1868, 80 L.Ed. 2d 404 (1984).'"

Facebook, Inc. v. K.G.S., 294 So. 3d 122, 132 (Ala. 2019) (quoting Elliott v. Van Kleef, 830 So. 2d 726, 731 (Ala. 2002)) (emphasis added).

With regard to specific personal jurisdiction, this Court has recently explained:

> "'Specific jurisdiction ... depends on an "affiliatio[n] between the forum and the underlying controversy," principally, activity or an occurrence that takes place in the forum State and is therefore subject to the State's regulation. [Arthur T.] von Mehren & [Donald T.] Trautman, Jurisdiction to Adjudicate: A Suggested Analysis, 79 Harv. L. Rev. 1121, 1136 (1966) (hereinafter von Mehren & Trautman); see [Lea] Brilmayer et al., A General Look at General Jurisdiction, 66 Texas L. Rev. 721, 782 (1988) .... In contrast to general, all-purpose jurisdiction, specific jurisdiction is confined to adjudication of "issues deriving from, or connected with, the very controversy that establishes jurisdiction." von Mehren & Trautman 1136.'"

Facebook, 294 So. 3d at 134 (quoting Goodyear Dunlop Tires Operations, S.A. v. Brown, 564 U.S. 915, 919 (2011)) (emphasis added).

As relevant here, the analytical framework used for determining whether specific personal jurisdiction exists consists of two primary

requirements.

First, there must be an indication that the NCAA has "purposefully availed" itself of the privilege of conducting activities within Alabama. Id. at 132. Specifically, there must be (1) a "substantial connection" "'between [the NCAA] and [Alabama] necessary for a finding of minimum contacts'" and (2) those contacts "'must come about by an action of [the NCAA] purposefully directed toward [Alabama].'" Id. (quoting Elliott, 830 So. 2d at 731). This requirement "'assures that [the NCAA] will not be haled into [Alabama] as a result of "'the unilateral activity of another person or a third person.'"'" Id. (quoting Elliott, 830 So. 2d at 731, quoting in turn Burger King Corp. v. Rudzewicz, 471 U.S. 462, 475 (1985), quoting in turn Helicopteros Nacionales de Colombia, S.A. v. Hall, 466 U.S. 408, 417 (1984)).

Second, Pruitt's action must "'"arise[] out of or relate[] to [the NCAA's] contacts with [Alabama]."'" Id. at 134 (quoting Daimler AG v. Bauman, 571 U.S. 117, 127 (2014), quoting in turn Helicopteros, 466 U.S. at 414 n.8.

In his amended complaint, Pruitt alleged claims of (1) negligence, (2) wantonness, (3) tortious interference with existing and prospective

business relationships, (4) conspiracy, and (5) bad faith. We will address in turn whether Pruitt's allegations in support of each of these claims satisfy the requirements above.

I. The Allegations Underlying Pruitt's Negligence, Wantonness, Conspiracy, and Bad-Faith Claims

We begin with Pruitt's allegations in support of his (1) negligence, (2) wantonness, (3) conspiracy, and (4) bad-faith claims.

In support of his negligence claim, Pruitt alleged that the NCAA owed him "a duty of reasonable care in conducting its investigation, disciplinary process, and application of NCAA precedent against him." (Emphasis added.) He further alleged:

> "57. The NCAA … negligently breached its duty of reasonable care to [Pruitt] by, among other things:
>
> > "a. Empowering [UT] to select its own attorneys to investigate itself and Jeremy, creating a clear conflict of interest;
> >
> > "b. Allowing the investigation to be limited--this protected the UT Athletic Department and others in an essential coverup of misconduct and wrongfully placed blame on Coach Pruitt;
> >
> > "c. Intentionally and knowingly applying an erroneous and improper standard in weighing the evidence, the net effect of which was to allow a life-altering punishment with less than the required burden of proof;

> "d. Limiting the investigation and prosecution to exclude any facts that tend to show misconduct prior to Jeremy's time as head coach and outside his chain of authority;
>
> "e. Punishing Jeremy for allegations for which no reasonable person could find him guilty;
>
> "f. Punishing Jeremy for actions that, by the NCAA's own admission through its rule changes, are neither illegal nor wrongful;
>
> "g. Acting in bad faith in concert with UT to promote the University's self preservation interest at the expense of Jeremy's career; and
>
> "h. Through other acts of omission and commission."

Pruitt raised similar allegations in support of his wantonness claim.

In support of his conspiracy claim, Pruitt alleged that the NCAA and other fictitiously named defendants "conspired with others to scapegoat and blame Jeremy Pruitt for allegations and misconduct, which he did not commit, through the unlawful means described above." (Emphasis added.) He further alleged that the NCAA, fictitiously named defendants, "and others performed this conspiracy wantonly, willfully and with malice."

Finally, in support of his bad-faith claim, Pruitt alleged the NCAA

and other fictitiously named defendants "conspired with the University of Tennessee to breach its contractual obligations to Jeremy in bad faith by, among other things, enabling UT to investigate itself and dictate the scope of the investigation, then reaching an agreement with UT to allow it to buy itself out of penalties, leaving the NCAA free to place all blame for the University's NCAA violations on Coach Pruitt." (Emphasis added.) He further alleged that the NCAA, other fictitiously named defendants, and UT "took these actions with the express purpose of unlawfully depriving Plaintiff of the benefits he was due under his employment contract with [UT]."

As stated previously, for a trial court to exercise specific personal jurisdiction over an out-of-state defendant, like the NCAA, there must be (1) a "substantial connection" "'between [the NCAA] and [Alabama] necessary for a finding of minimum contacts'" and (2) those contacts "'must come about by an action of [the NCAA] purposefully directed toward [Alabama].'" Facebook, 294 So. 3d at 134 (quoting Elliott, 830 So. 2d at 731). Second, Pruitt's action must "'"arise[] out of or relate[] to [the NCAA's] contacts with [Alabama]."'" Id. at 134 (quoting Daimler AG, 571 U.S. at 127, quoting in turn Helicopteros, 466 U.S. at 414 n.8).

None of Pruitt's claims quoted above allege any suit-related conduct that the NCAA purposefully directed to Alabama. Rather, each of these claims relate to: (1) the "investigation," (2) the hearing, and (3) the decision concerning his rules violations while he was the head football coach at UT. Thus, each of these claims concern only the NCAA's suit-related conduct in other states -- Tennessee, Indiana, and Ohio. As the legal principles quoted above make clear, personal jurisdiction depends on an affiliation between the forum and the underlying controversy. See Facebook, 294 So. 3d at 134.

Pruitt attempts to get around this by asserting that, in conducting its investigation into his rules violations at UT, the NCAA (1) interviewed at least two witnesses who were in Alabama, (2) reviewed his bank records from Alabama, and (3) interviewed an Alabama-based recruit and his coach, both of whom, Pruitt says, were central to the NCAA's investigation and ultimate decision to penalize him. Pruitt contends that these "suit-related" contacts by the NCAA in Alabama can support the exercise of specific personal jurisdiction here.

However, the materials before us show that Pruitt's reliance on those records and interviews for establishing that the NCAA purposely

directed its conduct toward Alabama is misplaced.

First, with regard to Pruitt's Alabama-based bank records, we note that, in his response to the NCAA's motion to dismiss, Pruitt stated that the NCAA "was offered and should have considered" those records as part of the investigation. However, nothing in the materials before us indicates whether the NCAA actually sought or even considered those records.

Second, with regard to the interviews with Alabama-based witnesses, according to the NCAA, the fact that "an Alabama-based recruit and coach were interviewed by UT's counsel (not the NCAA or its counsel) in connection with UT's own investigation is inconsequential to the jurisdictional analysis because UT (not the NCAA) conducted those interviews." NCAA's reply brief at 15-16 (emphasis in original). As our caselaw quoted above makes clear, it must be the defendant that directs activity toward the forum state, not "'"the unilateral activity of another person or a third person."'" Facebook, 294 So. 3d at 132 (citations omitted) (emphasis added).

The NCAA further notes that Pruitt "gains no quarter from the NCAA having conducted telephone interviews from Indiana of former UT

football staffers after they had moved on to coaching positions in Alabama" because "[t]hose interviews dealt with UT's program and had nothing to do with Alabama." NCAA's reply brief at 16 (emphasis in original). Indeed, isolated telephone calls from nonresidents into Alabama are generally insufficient to sustain specific personal jurisdiction. See, e.g., Steel Processors, Inc. v. Sue's Pumps, Inc. Rentals, 622 So. 2d 910, 914 (Ala. 1993) (holding that, although the defendant did send payments to and its representatives made several telephone calls to the plaintiff in Alabama, those contacts were insufficient to qualify as "'conduct and connection with the forum State such that [the defendant] should reasonably anticipate being haled into court there'" (quoting World-Wide Volkswagen Corp. v. Woodson, 444 U.S. 286, 297 (1980))).

Because none of Pruitt's allegations underlying his negligence, wantonness, bad-faith, or conspiracy claims concern any suit-related conduct by the NCAA directed toward Alabama, they cannot serve as a basis for concluding that the NCAA is subject to specific personal jurisdiction in this state.

II. Pruitt's Tortious-Interference-With-Existing-and-Prospective-Business-Relationships Claim

In addition to the above claims, Pruitt also alleged that the NCAA

tortiously interfered with his existing and prospective business relationships with college-football programs across the country through its enforcement of the COI's show-cause order against him. In support of this claim, Pruitt alleged the following:

> "67. [Pruitt] had prospective business relationships in the form of other coaching jobs.
>
> "68. The NCAA and Fictitious Defendants One through Eight knew about [his] prospective business relationships.
>
> "69. The NCAA and Fictitious Defendants One through Eight is and would be a stranger to the employment relationship between [Pruitt] and the universities, colleges, and other institutions that would have otherwise hired Coach Pruitt to coach football.
>
> "70. The NCAA and Fictitious Defendants Numbered One through Eight wrongfully and intentionally interfered with [Pruitt's] prospective business relationships through the inequitable and procedurally and substantively deficient investigation, disciplinary process, and application of NCAA precedent described above, which resulted in the show cause order that has prevented [Pruitt] from obtaining a collegiate coaching position."

(Emphasis added.)

Pruitt now contends that the NCAA's enforcement of the COI's show-cause order against him in Alabama provides the "deep-seeded" connection between his lawsuit and the NCAA for the purpose of establishing specific personal jurisdiction. Pruitt's answer at 30. For

instance, relying on testimony from Coach Nick Saban, Pruitt notes that he had the opportunity to return to coaching at UA but lost it because of the NCAA's enforcement of the show-cause order against him. Pruitt also notes that the NCAA's enforcement of the COI's show-cause order impacted his employment opportunities with JSU. In particular, he notes that, when the NCAA became aware that JSU wanted to hire him, the association subjected JSU to a "show cause hearing" to determine whether JSU could extend an offer of employment to Pruitt. Following that hearing, Pruitt contends, the NCAA issued an opinion imposing detailed conditions on JSU's hiring him. Absent the NCAA's reaching into Alabama to enforce the show-cause order against him, Pruitt contends, he would not be suffering an ongoing injury with regard to his employment opportunities in Alabama.

The NCAA contends, however, that Pruitt's argument here is a "faulty" application of the "effects test," which originated in Calder v. Jones, 465 U.S. 783 (1984). According to the NCAA, in order for this test to be satisfied, the "effects" of an action "'must create sufficient contacts with the forum, not just with the plaintiff.'" Petition at 32 (quoting Ex parte LED Corps., 303 So. 3d 1160, 1169 (Ala. 2020) (plurality opinion))

(emphasis in original). The NCAA asserts that "[n]one of the allegations in Pruitt's lawsuit suggests that any of the NCAA's actions were aimed at Alabama," because, it says, his claims against the association "arise from events [that is, the investigation, the disciplinary process, and application of NCAA precedent] that occurred entirely in Tennessee, Indiana, or Ohio" and concerned actions of Pruitt in Tennessee while he was the head football coach at UT. Id. at 32, 33.

It further contends that any "ongoing injury" he may have suffered as a result of the show-cause order -- such as a lost job opportunity with UA or limited employment with JSU -- did not occur as a result of the NCAA's directing any activity toward Alabama.

A. Whether The Specific Allegations of the Intentional-Interference Claim "Arise[] Out of or are Relate[] to" Alabama

As the NCAA points out, a literal reading of the intentional-interference claim concerns the (1) "investigation," (2) "disciplinary process," (3) and "application" of NCAA precedent (4) that "resulted in the show cause order." Each of these steps occurred someplace other than Alabama. They occurred in Tennessee, Indiana, or Ohio.

Thus, a literal reading of this claim does not satisfy the above-stated requirements for specific personal jurisdiction. See Facebook, 294

So. 3d at 132, 134 (holding that, for a trial court to exercise specific personal jurisdiction over an out-of-state defendant, like the NCAA, there must be (1) a "substantial connection" "'between [the out-of-state defendant] and [Alabama] necessary for a finding of minimum contacts,'" (2) those contacts "'must come about by an action of [the out-of-state defendant] purposefully directed toward [Alabama],'" and (3) the plaintiff's action must "'"arise[] out of or relate[] to [the out-of-state defendant's] contacts with [Alabama]."'" (citations omitted)).

B. Whether the Fact that Pruitt Has Felt the "Effects" of the COI's Show-Cause Order in Alabama Can Provide a Basis for the Exercise of Specific Personal Jurisdiction Over the NCAA Here

Nonetheless, Pruitt argues that he is feeling the "effects" in Alabama and that, therefore, specific personal jurisdiction exists over the NCAA in Alabama.

The Calder "effects test" "has been limited to intentional-tort cases." Ex parte Gregory, 947 So. 2d 385, 394 (Ala. 2006). It weighs the effects of the defendant's intentional conduct aimed at the forum state, including the contacts with the forum created thereby. Ex parte LED Corps., 303 So. 3d at 1168-69 (plurality opinion) (citing Calder and noting that the United States Supreme Court refined the "effects test" in Walden

v. Fiore, 571 U.S. 277 (2014), stating that the "'effects' of a nonresident defendant's alleged actions must create sufficient contacts with the forum, not just with the plaintiff," and that "'[a] forum State's exercise of jurisdiction over an out-of-state intentional tortfeasor must be based on intentional conduct by the defendant that creates the necessary contacts with the forum'" (quoting Walden, 571 U.S. at 286) (emphasis added)).

Given that the NCAA discusses the "effects test" from Calder and its progeny, in the context of Pruitt's intentional-interference allegations, we must consider Calder's impact on the personal-jurisdiction arguments raised here. In Calder, an actress residing in California brought an action in California alleging that two defendants, who were Florida residents, had written and edited a defamatory article about her, which had been published in a national magazine that had its largest circulation in California. The United States Supreme Court held that the California court had personal jurisdiction over the two Florida defendants "based on the 'effects' of their Florida conduct in California." Calder, 465 U.S. at 789 (emphasis added). This was so, the Court held, because the defendants were "not charged with mere untargeted negligence" and

their "intentional, and allegedly tortious, actions were expressly aimed at California." Id. (emphasis added).

The Court found that California was "the focal point both of the story and of the harm suffered." Id. (emphasis added). According to the Court, the defendants' defamatory article was "expressly aimed" at California because it "concerned the California activities of a California resident," it was "drawn from California sources," and it caused the plaintiff to suffer "the brunt of the harm" in California, where the magazine had its largest circulation. Id. at 788-89. The Court also noted that the defendants knew that "the brunt of that injury would be felt by [the plaintiff] in the State in which she lives and works and in which [the national magazine] has its largest circulation." Id. at 789-90. Thus, the Court held, the defendants "must 'reasonably anticipate being haled into court [in California]' to answer for the truth of the statements made in their article." Id. at 790.

The Supreme Court refined the "effects test" in Walden, supra, stating that the "effects" of a nonresident's alleged actions must create sufficient contacts with the forum, not just with the plaintiff. There, the defendant was working as a deputized agent of the Drug Enforcement

Administration ("DEA") at an airport in Atlanta. The plaintiffs had flown from Puerto Rico to Atlanta, where they planned to take a connecting flight to Las Vegas. Acting on a tip from officials in Puerto Rico that the plaintiffs had approximately $97,000 in cash in their carry-on luggage, the DEA agent seized the cash as the plaintiffs waited at the departure gate. The following day, an attorney for the plaintiffs in Nevada telephoned the defendant seeking a return of their cash. At some point thereafter, the defendant drafted an affidavit, which the plaintiffs alleged was false, to show probable cause for forfeiture of the funds; however, no forfeiture action was ever commenced, and the cash was later returned to the plaintiffs. The plaintiffs sued the Georgia defendant in Nevada. Ultimately, the United States Court of Appeals for the Ninth Circuit, applying the Calder "effects test," held that the Nevada court could exercise personal jurisdiction over the nonresident defendant because he had "'expressly aimed' his submission of the allegedly false affidavit at Nevada by submitting the affidavit with knowledge that it would affect persons with a 'significant connection' to Nevada." Walden, 571 U.S. at 282.

The United States Supreme Court reversed. The Court discussed

its decision in Calder at length and stated that the "crux" of its holding in Calder was "that the reputation-based 'effects' of the alleged libel connected the defendants to California, not just to the plaintiff," and that "[t]he strength of that connection was largely a function of the nature of the libel tort." Id. at 287. The Court noted that in Calder "the 'effects' caused by the defendants' article -- i.e., the injury to the plaintiff's reputation in the estimation of the California public -- connected the defendants' conduct to California, not just to a plaintiff who lived there." Id. at 288. "That connection," the Court held, "combined with the various facts that gave the article a California focus, sufficed to authorize the California court's exercise of jurisdiction." Id.

In applying those principles from Calder to the facts in Walden, the Court in Walden concluded that the defendant did not have sufficient minimum contacts with Nevada to justify the exercise of personal jurisdiction in a Nevada court. The Court noted that "no part of [the defendant's] course of conduct occurred in Nevada" and that the defendant had "never traveled to, conducted activities within, contacted anyone in, or sent anything or anyone to Nevada." Id. at 288-89 (emphasis added). The Court held that, "when viewed through the proper

lens -- whether the defendant's actions connect him to the forum -- [the defendant] formed no jurisdictionally relevant contacts with Nevada." Id. at 289.

The NCAA contends that the COI's show-cause order for Pruitt cannot connect it to Alabama "in a meaningful way" because the order "was not state-specific but instead applied to any of the 1,200+ member institutions across the country that might seek to hire Pruitt." Petition at 33. At no point, the NCAA contends, did it undertake any actions "directly aimed" at Alabama; instead, its actions related to Pruitt's conduct at UT that "occurred entirely in Tennessee, Indiana, or Ohio" and were based on conduct that occurred in Tennessee. Petition at 33. Therefore, to the extent that Pruitt is feeling the effects of the order in Alabama, the NCAA contends, that is insufficient to sustain specific personal jurisdiction in this case.

We agree. Unlike the article in Calder, which concerned "the California activities of a California resident," 465 U.S. at 788 (emphasis added), the show-cause order against Pruitt does not concern the Alabama activities of an Alabama resident. Instead, the show-cause order arose after the acts underlying Pruitt's claims against the NCAA

took place in other states. Specifically, it arose after disciplinary proceedings that involved (1) Pruitt's Tennessee-based NCAA rules violations when he was a Tennessee resident, (2) rules violations by other UT personnel for whom Pruitt was responsible, (3) Pruitt's subsequent firing by UT, (4) UT's self-reporting of the violations, (5) the NCAA's investigation that principally occurred either in Indiana or Tennessee involving Tennessee activities by Pruitt and his staff, (6) the COI hearing in Ohio, and (7) the NCAA's announcement of the COI's decision in Indiana. None of these events were connected to Alabama. Thus, like in Walden and unlike in Calder, "the defendant's conduct [does not sufficiently connect it] to the forum in a meaningful way." Walden, 571 U.S. at 290.

C. Whether the Impact that the COI's Show-Cause Order Has Allegedly Had on Pruitt's Ability to Obtain Employment in Alabama is An "Ongoing Injury" that Supports the Exercise of Specific Personal Jurisdiction Over the NCAA in Alabama

Nonetheless, Pruitt claims that he is experiencing an "ongoing injury" as a result of that show-cause order in the form of a lost job opportunity with UA and a limited job opportunity with JSU. However, as noted by the NCAA, neither of those "injuries" was the result of suit-related conduct by the NCAA in Alabama.

We find our decision in Facebook, supra, to be helpful here. In that case, a child's adoptive mother brought an invasion-of-privacy action against Facebook, Inc. ("Facebook"). She sought a preliminary injunction prohibiting the ongoing dissemination of information about the adopted child's contested adoption. The trial court entered a preliminary injunction ordering Facebook to deactivate the social-media page at issue. Facebook appealed, arguing, among other things, that the trial court lacked personal jurisdiction over it.

In addressing whether the trial court could exercise specific personal jurisdiction over Facebook, this Court noted that the attorney for the adoptive mother had contacted Facebook in two letters and that the adoptive mother herself had also filed a report of harassment with Facebook. Facebook then responded in writing to at least one of the attorney's letters and also responded in writing to the adoptive mother's harassment report.

To the extent that the adoptive mother relied on those contacts to establish minimum contacts for the purposes of specific personal jurisdiction, this Court explained that "those contacts are insufficient to establish minimum contacts with Alabama." 294 So. 3d at 140. Relying

on Walden, in which the Supreme Court stated that "it is the defendant, not the plaintiff or third parties, who must create contacts with the forum State," 571 U.S. at 291 (emphasis added), this Court explained:

> "Facebook's contacts with Alabama that were made merely in response to K.G.S.'s or her attorney's contact with Facebook are 'precisely the sort of "unilateral activity" of a third party that "cannot satisfy the requirement of contact with the forum State."' [Walden v. Fiore, 571 U.S. 277] at 291, 134 S.Ct. 1115 [(2014)] (quoting Hanson [v. Denckla], 357 U.S. [235] at 253, 78 S.Ct. 1228 [(1958)]). … Focusing, as we must, on the suit-related contacts Facebook itself created with Alabama -- not Facebook's contacts with K.G.S. or K.G.S.'s contacts with Alabama -- we must conclude that there is an absence of suit-related conduct that creates a substantial connection with Alabama. Thus, we must conclude that the Fourteenth Amendment does not allow for the exercise of specific jurisdiction over Facebook under the particular facts of this case. See Ex parte Citizens Prop. Ins. Corp., 15 So. 3d 511, 515 (Ala. 2009) ('The issue of personal jurisdiction "'stands or falls on the unique facts of [each] case.'"' (quoting Ex parte I.M.C., Inc., 485 So. 2d 724, 725 (Ala. 1986) (quoting and adopting trial court's order))).'"

Facebook, 294 So. 3d at 140 (emphasis added).

Here, the materials before us indicate that the NCAA provided affidavit testimony from Matt Mikrut, the Managing Director of the Office of the Committee on Infractions, who confirmed that it was JSU that reached out to it via a letter dated June 24, 2025, regarding its interest in hiring Pruitt and inquiring about beginning show-cause

proceedings so that it could hire him. He further stated that the NCAA's COI "responded to JSU's show-cause petition regarding Mr. Pruitt on September 12, 2025," and that a show-cause hearing was subsequently held via Zoom, on October 23, 2025. (Emphasis added.) Other than simply accusing the NCAA of being the one to initially reach out to JSU, Pruitt does not offer any other affidavits or proof in support of his assertion. In fact, we note that, in his affidavit that was attached to his response to the NCAA's motion to dismiss, Pruitt even acknowledged that JSU made the initial contact with the NCAA through its June 24, 2025, letter about hiring him. See Exhibit V in Supplemental Appendix to Pruitt's answer, p. 5 ("I have been informed and believe that on or about June 24, 2025, [JSU], located in Jacksonville, Alabama, sent a letter from Alabama to NCAA to communicate the University's intention to hire me in Alabama as an analyst for the University's football program during the 2025 season.").

Thus, similar to Facebook, supra, the affidavit testimony provided by the NCAA and Pruitt indicates that the NCAA's "suit-related" contact with Alabama was made in response to a letter that it received from a third party -- JSU. Focusing, as we did in Facebook, on the "suit-related"

contact that the NCAA itself made with Alabama, we cannot say that the NCAA's correspondence with JSU was sufficient to establish minimum contacts with Alabama because, as demonstrated by the undisputed affidavit testimony before us, that contact would not have occurred absent initial contact from JSU.

The same is true with regard to Pruitt's job opportunity with UA. In his testimony that Pruitt quoted in his answer to the NCAA's petition for a writ of mandamus, Coach Nick Saban of UA did not state that his decision not to hire Pruitt was the result of any direct contact by the NCAA. Instead, when asked about the COI's show-cause order and why he decided not to hire Pruitt after he was fired from UT, Saban simply stated that

> "from a compliance standpoint -- anybody who has allegations against them that are unresolved discourages you from putting yourself in a position where you might get penalized for hiring somebody if they, you know, were convicted of -- I'm not sure what the right term is -- whatever those allegations might have been. And, you know, that's -- I think most institutions would take that position."[5]

Thus, Pruitt's alleged lost job opportunity with UA also cannot form a

[5]We note that this statement was quoted, in part, in Pruitt's answer to the NCAA's petition for a writ of mandamus. See Pruitt's answer at 18. We have provided the full statement here to provide context.

basis for sustaining specific personal jurisdiction over the NCAA.

Moreover, we further observe that Pruitt sought -- and was granted -- a preliminary injunction prohibiting the NCAA from enforcing its show-cause order. But, on April 21, 2026, Pruitt moved the trial court to dissolve that injunction, and that motion was granted on April 22, 2026 (and he resigned his position at JSU in March 2026. In other words, Pruitt asked the trial court to dissolve the injunction, yet he now cites the conduct that drove him to seek the injunction -- that is, the NCAA's enforcement of the show-cause order against him in Alabama -- as his best evidence for why specific personal jurisdiction over the NCAA exists in this case. His argument regarding the effects of the show-cause order is particularly attenuated in light of these events.

III. Whether the NCAA's Enforcement of Its Rules and Regulations Against Its Member Institutions in Alabama Created a "Substantial Connection" with the State that "Arose Out of or Related To" Pruitt's Action

Finally, Pruitt contends that, even if the above-discussed contacts are not enough to support specific personal jurisdiction over the NCAA, at a minimum, the NCAA's exploitation of the college-football market in Alabama and its enforcement of its rules and the threat (or imposition) of penalties for noncompliance with those rules against its member

institutions here should be enough to do so. In support of his position, Pruitt relies heavily on the United States Supreme Court's decision in Ford Motor Co. v. Montana Eighth Judicial District Court, 592 U.S. 351 (2021), in which the Supreme Court held that the forum states at issue could exercise specific personal jurisdiction over Ford in two products-liability suits because Ford's substantial in-state marketing, sales, and service of the same vehicle models that caused the plaintiffs' injuries were specifically directed toward the forum states. According to Pruitt, the NCAA's regulation of its 18 member institutions in this state is similar to Ford's deliberate marketing and advertising in the forum states because, he says, it shows that the NCAA itself has purposefully created a substantial connection with Alabama.

A. The United States Supreme Court's Decision in Ford

In Ford, two plaintiffs were injured in vehicles manufactured by Ford, and the undisputed facts showed that the vehicles involved in the accidents -- a 1996 Explorer and a 1994 Crown Victoria -- were originally sold outside the forum states. Those vehicles were eventually resold as used cars to the plaintiffs in Minnesota and Montana, where the accidents occurred.

Ford moved to dismiss those suits on the basis that the forum states lacked personal jurisdiction over it. Although Ford did not dispute that (1) it had purposefully availed itself of the privilege of conducting activities in both forum states and (2) it did substantial business in both forum states, including advertising, selling, and servicing the same models as the vehicles that the suits claimed were defective, it nevertheless argued that each state court could exercise jurisdiction over it only if the company's conduct in those states had directly given rise to the plaintiff's claims. According to Ford, that causal link could be established only if the company had designed, manufactured, or sold the specific vehicles involved in the accidents in the forum states. Because the plaintiffs in each case could not make such a showing, Ford asserted, their lawsuits against it were due to be dismissed.

The trial courts in each forum state denied Ford's motion. The United States Supreme Court later granted certiorari review to consider whether Ford was subject to specific personal jurisdiction in Minnesota and Montana.[6] Despite Ford's not having sold the particular vehicles

[6]The Supreme Court did not address whether Ford could have been subject to the general personal jurisdiction of those courts because, it noted, the parties agreed that general personal jurisdiction would attach

involved in the accidents in the forum states, the Supreme Court concluded that Ford had conducted business in those states by, "among other things, advertising, selling, and servicing the model of vehicle[s] the suit[s] claim[] [are] defective," id. at 355, and that those contacts were sufficient to create a "strong 'relationship among the defendant, the forum[s], and the litigation' -- the 'essential foundation' of specific jurisdiction," id. at 365 (citations omitted).

The Court emphasized that "Ford had systematically served a market" in the forum states "for the very vehicles that the plaintiffs allege[d] malfunctioned and injured them in those States." Id. at 365 (emphasis added). Because Ford had cultivated the market in the forum states and because those activities related to the plaintiffs' claims against it, the Supreme Court held that it was foreseeable for the courts in the forum states to exercise specific personal jurisdiction over Ford for injuries caused by those products in those states. In sum, the Supreme Court in Ford clarified that, even when there is no direct causal link between a plaintiff's claims and an out-of-state defendant's contacts with

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only in Delaware or Michigan -- the states in which Ford was organized and had its principal place of business. See 592 U.S. at 359.

the forum state, specific personal jurisdiction may still attach if the defendant's contacts with the forum state "relate to" the plaintiff's cause of action.[7]

B. Whether the Market-Exploitation Principles for Specific Personal Jurisdiction Discussed in Ford Apply Here

Just as Ford cultivated a market within the forum states through their advertising, selling, and servicing of the products at issue in those states, Pruitt contends that the NCAA has cultivated a market in

[7]After the Supreme Court issued its decision in Ford, our Court clarified our specific-personal-jurisdiction jurisprudence in light of that decision in Sawyer v. Cooper Tire & Rubber Co., 412 So. 3d 603 (Ala. 2024). There, the plaintiff sued Cooper Tire & Rubber Company following a single-vehicle accident in Alabama, in which her son was killed after one of the tires on the vehicle in which the son was a passenger experienced a tread separation. The tire was allegedly manufactured by Cooper Tire and purchased in Alabama by the mother of the driver of the vehicle, both of whom were Alabama residents. Cooper Tire moved to dismiss the plaintiff's action for lack of specific personal jurisdiction based on its lack of sufficient suit-related contacts with Alabama. The trial court granted Cooper Tire's motion. After applying the analytical framework from Ford to the facts in that case, we held that Cooper Tire's sale, distribution, and advertising in Alabama of the particular tire model at issue "relate[d] to" the plaintiff's claims against it and, thus, that specific personal jurisdiction existed in that case. As a result, we further held that the trial court's findings concerning the timing of Cooper Tire's contacts with Alabama before the underlying accident and the plaintiff's place of residency were not dispositive of the jurisdictional question. We therefore reversed the trial court's judgment dismissing the plaintiff's action and remanded the case for proceedings consistent with our opinion.

Alabama through its regulation of the college-football programs in our state. In particular, he notes that the NCAA imposes policies, rules, and regulations on each of its 18 member institutions here and threatens the imposition of penalties should those institutions fail to comply with the association's rules and regulations. Such conduct, Pruitt contends, shows that the NCAA itself has created a substantial connection with Alabama for the purposes of specific personal jurisdiction.

The NCAA argues that Pruitt's reliance on Ford is misplaced. It notes that central to the Supreme Court's holding in that case was the fact that Ford had conducted business in the forum states by, "among other things, advertising, selling, and servicing the model of vehicle[s] the suit[s] claim[] [are] defective," id. at 355, and that those contacts were sufficient to create a "strong 'relationship among the defendant, the forum[s], and the litigation' -- the 'essential foundation' of specific jurisdiction," id. (citations omitted), because absent that marketing, the plaintiffs in Ford "might never have bought [the defective vehicles] and so these suits might never have arisen except for Ford's contacts with their forum states," id. at 367 (emphasis added).

Unlike in Ford, the NCAA contends that, here, "Pruitt's lawsuit …

asserts claims rooted in facts that occurred in Tennessee, Indiana, and Ohio -- not Alabama." NCAA's reply brief at 15. The NCAA further emphasizes that, unlike the car manufacturer in Ford, it "had no contacts with Alabama to warrant haling it into court in Alabama -- particularly when the enforcement activities underpinning the lawsuit occurred elsewhere." Petition at 15.

We agree with the NCAA. Despite all of Ford's business connections to the forum states, the essential feature of the Supreme Court's holding was that the accidents occurred in each of the forum states, accidents that caused the plaintiff's injuries.

Here, however, that is not the case. Even a cursory review of Pruitt's claims, as quoted previously in this opinion, demonstrate that they concern conduct of the NCAA and others (and the conduct of Pruitt himself) that did not occur in Alabama but, instead, occurred in Tennessee (the location of the investigation into rules violations in UT's football program), in Indianapolis, Indiana (where the NCAA enforcement staff processed the case and determined what rules-violation allegations to pursue), and in Cincinnati, Ohio (where the COI (i) met and heard the case, (ii) ultimately concluded that rules violations

had occurred, and then (iii) determined the appropriate penalties for those violations). Thus, Ford and its principles do not control here.

C. Decisions from Other Jurisdictions Further Demonstrate Why Ford Does Not Control Here

Our conclusion here is further supported by decisions from other jurisdictions on which the NCAA relies -- Aldrich v. National Collegiate Athletic Ass'n, 484 F. Supp. 3d 779 (N.D. Cal. 2020), Aych v. University of Arizona (No. 2:23-CV-07282 ODW (MARX), July 15, 2024) (C.D. Cal. 2024) (not reported in the Federal Supplement), and Mehr v. Federation Internationale De Football Ass'n, 115 F. Supp. 3d 1035 (N.D. Cal. 2015).

First, in Aldrich, current and former student athletes brought an action against a track and field coach for sexually assaulting multiple former athletes, and against the NCAA asserting gross negligence, negligence, breach of fiduciary duty, and negligent misrepresentation, alleging that the NCAA, among other things, had a duty to legislate in ways that prevented sexual abuse and that the NCAA's failure to legislate in this way caused inadequate policies to be adopted and implemented in California, which allowed predators like the track and field coach to move among the NCAA schools, thus resulting in their injuries.

The NCAA moved to dismiss the plaintiffs' claims against it for lack of personal jurisdiction. In concluding that it could not exercise specific personal jurisdiction over the NCAA, the United States District Court for the Northern District of California found, among other things:

> "The NCAA legislates in Indiana, where it is headquartered. Thus, the harm caused by the NCAA's failure to enact particular legislation arises out of Indiana. A contrary finding would improperly subject the NCAA to jurisdiction anywhere because the NCAA failed to implement legislation in all 50 states."

484 F. Supp. 3d at 795 (emphasis added).

Second, in Aych, a college coach sued the NCAA in California over alleged racial discrimination. The coach argued that the NCAA was subject to specific personal jurisdiction in a California court because, the coach asserted, "the NCAA, in its capacity to punish, deter, and regulate its member institutions, purposefully availed itself of the benefits of California because it 'deliberately reached out beyond Indianapolis with a contract or business transaction' that created a continuing relationship with its member institutions in California." In that case the NCAA had 57 member institutions in California, which the coach asserted exemplified its contacts with the state.

In rejecting the coach's argument, the United States District Court

for the Southern District of California noted that, while the NCAA "may certainly have continuing relationships with its California member institutions," it "does not reach out of Indiana simply because it has the authority to punish, deter, and regulate those institutions." Aych (emphasis added). It further noted that the NCAA legislates and regulates in Indiana and "thus any decision to exercise its authority over its various member institutions would also have taken place in Indiana." Id. (emphasis added).

In concluding that the coach had failed to establish that the NCAA had purposefully availed itself of the ability to conduct activities in California, the district court, relying on Aldrich, supra, explained:

> "[F]ederal district courts in California have found that the NCAA's legislative function is located in Indiana, and have rejected arguments for specific personal jurisdiction in other states. See Aldrich v. Nat'l Collegiate Athletic Ass'n, 484 F. Supp. 3d 779, 795 (N.D. Cal. 2020) (finding that harm caused by the NCAA's failure to legislate arises out of Indiana, and that to find otherwise would improperly subject the NCAA to personal jurisdiction in all fifty states). Similar to the court's finding in Aldrich, that the NCAA can regulate its members and allegedly failed to do so in this case does not mean that it is purposefully availing itself of or reaching into California. Indeed, as Aldrich notes, the NCAA has more than 1,200 member institutions nationwide, and a finding of personal jurisdiction based on its ability to regulate would mean that the NCAA could be haled into court in any state, which is plainly unreasonable. Aych does not in any way address this

> issue in his opposition brief, or suggest that the situation here is meaningfully different from that in Aldrich."

Id. (emphasis added).

Finally, in Mehr, seven soccer players sued FIFA, the governing body of soccer leagues, in California. They alleged that the United States District Court for the Northern District of California could exercise specific personal jurisdiction over FIFA because the organization purposefully availed itself of the ability to conduct activities in California by "requir[ing] its members, such as U.S. Soccer, to 'follow FIFA's rules and the Laws of the Game' and also requires its members … to follow those rules and laws." 115 F. Supp. 3d at 1049.

In rejecting this argument, the district court explained:

> "Here, the allegation that FIFA requires its members, such as U.S. Soccer, to 'follow FIFA's rules and the Laws of the Game' and also requires the members of its members (i.e., U.S. Soccer's members) to follow those rules and laws, even if true, could be said of almost any location in the United States. Even when combined with the fact that there are many youth soccer players in Northern California, this allegation is not sufficient to show that FIFA has availed itself of the privilege of conducting activities within California, such that it should have reasonably anticipated being haled into court in this state. Nor is the allegation that FIFA has the 'power to influence individuals in California and throughout the United States' sufficient to show that FIFA has purposefully availed itself of the privilege of conducting activities in California, thereby invoking the benefits and protections of its laws. To

> find otherwise would be to suggest that FIFA is subject to personal jurisdiction everywhere in the United States where soccer is played."

Id. at 1051 (emphasis added). It thus concluded that it could not exercise specific personal jurisdiction over FIFA.

We find these cases to be persuasive here. We agree that the fact that the NCAA has rules and regulations that it enforces against its member institutions does not mean that it has purposefully availed itself of or reaches out to the states where those member institutions are located in regard to every dispute with athletes, coaches, or others. We believe the same is true even when the NCAA conducts hearings and issues decisions in other states. To hold otherwise would be to improperly subject the NCAA to jurisdiction anywhere.

Pruitt attempts to distinguish these cases by once again pointing to the fact that the COI's show-cause order is being enforced against him and is impacting his ability to get a coaching job across the country, including in Alabama. In doing so, he relies on what he describes as a "parallel decision" to Ford, supra, from the Appellate Court of Maryland -- Haw v. National Collegiate Athletic Ass'n, 260 Md. App. 310, 309 A.3d 64 (2024).

In that case, the plaintiff, a former student-athlete and Maryland resident, filed a lawsuit against the NCAA asserting claims of negligence, intentional misrepresentations, misrepresentation by concealment, and constructive fraud. He alleged that the concussive and subconcussive injuries he sustained while playing college football in New Jersey led to his neurodegenerative brain disease. In particular, he claimed that, because the NCAA's rules and regulations did not require the presence of trained medical personnel on the sidelines, his injuries were never identified or treated. As a result, he claimed that he played through these injuries without proper examination, rest, or treatment.

The NCAA moved to dismiss the case for lack of personal jurisdiction. The trial court granted the motion after concluding, among other things, that the plaintiff had failed to establish an agency relationship between the NCAA and its member institutions in Maryland, which would have allowed the NCAA to be subject to specific jurisdiction based on the actions of its members as they related to the plaintiff's action. The plaintiff appealed that decision to the Appellate Court of Maryland.

Relying on the principles in Ford, that court concluded that the

NCAA was subject to specific personal jurisdiction in Maryland because its rulemaking activities, which were directed at Maryland, were sufficiently related to the plaintiff's claims. In particular, that court determined that the NCAA's rulemaking activities were purposefully directed at Maryland, because the NCAA's rules affected member institutions and athletes in the state, and that the plaintiff's claims were related to those activities, because he alleged that the NCAA's inadequate rules contributed to his injuries.

The Maryland Court of Appeals' decision in Haw claims to be predicated on a Ford-type analysis of the NCAA's business or regulatory impacts in Maryland. However, it ignores the central feature of Ford, i.e., that the claims arose out of accidents and injuries that occurred in the forum states. Haw is therefore flawed in that it predicates jurisdiction simply over the NCAA's business or regulatory contacts with the forum state -- Maryland -- but ignores the fact that the plaintiff's actual injuries occurred in another state -- New Jersey.

Under Ford, the "plaintiff must link the defendant's suit-related conduct to the forum. Mere market exploitations [or regulation] will not suffice." Johnson v. The HuffingtonPost.com, Inc., 21 F.4th 314, 324 (5th

Cir. 2021) (emphasis added). While the plaintiffs in Ford brought suit in the most rational states -- where the accidents and their injuries -- the same cannot be said of the plaintiff in Haw. He ignored the state where his purported injury occurred (New Jersey) and merely filed suit where he was living at the time (Maryland). Due to its flawed reasoning, we place no weight on Haw.

Moreover, the rule announced in Haw and advocated by Pruitt here -- that the NCAA's regulation of college athletics is enough by itself to support specific personal jurisdiction in Alabama -- collapses specific personal jurisdiction into general personal jurisdiction. Ford makes clear that there remains a clear distinction between general personal jurisdiction and specific personal jurisdiction. If the Haw view were accepted, then the NCAA could be sued for anything in every state, because it has members that it regulates in every state, and, as Aldrich and Aych make clear, this position is fundamentally inconsistent with personal-jurisdiction jurisprudence.[8]

[8]The Haw court explained that it thought Aldrich's analysis placed undue focus on the physical location where a defendant's activity occurs, rather than where that activity is directed. The Haw court also explained that it believed that the Aldrich court was "mistaken to the extent that it reasoned that a proposed application of specific jurisdiction is improper

Based on the foregoing, the NCAA's imposition of policies, rules, and regulations on each of its member institutions across the country, including its 18 member institutions in Alabama, alone cannot support a finding that it has purposefully directed any activities toward Alabama that connect it with Pruitt and his lawsuit such that it can be subject to specific personal jurisdiction in this state. Moreover, the fact that the NCAA issued a show-cause order against Pruitt that was sent to its

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if it might subject a defendant to personal jurisdiction in many or all states with respect to certain activities" and that, in this respect, the Aldrich court echoed the doctrinal limits of general personal jurisdiction. Haw, 260 Md. App. at 377, 309 A.3d at 104.

The Haw court's interpretation of Aldrich, is wrong because, as noted above, it conflates general personal jurisdiction with specific personal jurisdiction and mischaracterizes the Aldrich court's reasoning. Aldrich did not establish that physical presence in the forum is always required for specific personal jurisdiction, nor did it necessarily hold that the NCAA could be sued only where its rules were formally adopted. Rather, the relevant inquiry is whether the defendant purposefully directed conduct toward the forum and whether the plaintiff's claims arise out of or relate to that forum-directed conduct. The Haw court's criticism therefore assumes the very proposition it seeks to disprove: that because the NCAA's rules affect athletes nationwide, those nationwide effects automatically establish specific personal jurisdiction wherever an injury occurs. Under Aldrich and the Supreme Court's specific-jurisdiction framework, however, the mere fact that a defendant's conduct has nationwide consequences does not by itself establish the required connection between the defendant, the forum, and the particular claims.

"1,200+" member institutions but is only now being enforced because Pruitt decided to seek employment in Alabama similarly cannot be a basis for sustaining specific personal jurisdiction in this case because the NCAA did not direct that action to Alabama itself. We therefore see this as an additional reason to grant the NCAA mandamus relief here.

Conclusion

The NCAA has demonstrated that it has a clear legal right to the requested relief. We, therefore, grant the petition and issue the writ directing the DeKalb Circuit Court to vacate its order denying the NCAA's motion to dismiss and to enter an order dismissing Pruitt's action against it for lack of specific personal jurisdiction.[9]

PETITION GRANTED; WRIT ISSUED.

Stewart, C.J., and Mendheim, J., concur.

Shaw, J., concurs in the result.

Sellers and McCool, JJ., concur in the result, with opinions.

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[9]Because our resolution of the personal-jurisdiction issue is dispositive in this case, we pretermit discussion of the remaining issues raised by the parties. See Ex parte Merches, 151 So. 3d 1075, 1082 (Ala. 2014) (pretermitting discussion of remaining arguments raised in petition for a writ of mandamus after granting petition and issuing the writ directing the trial court to dismiss the claims against the defendant based on lack of personal jurisdiction).

Bryan, J., dissents, with opinion, which Wise, J., joins.

Parker, J., dissents, with opinion.

SELLERS, Justice (concurring in the result).

The main opinion correctly recognizes that the United States Supreme Court's opinion in Ford Motor Co. v. Montana Eighth Judicial District Court, 592 U.S. 351 (2021), does not authorize state courts to exercise specific personal jurisdiction over nonresident defendants merely because those defendants maintain extensive commercial or regulatory relationships with the forum state. For specific personal jurisdiction to exist, the Due Process Clause of the United States Constitution requires a meaningful connection between the defendant's forum-directed conduct and the particular controversy the plaintiff raises. This is the same principle I believe this Court failed to fully respect in Sawyer v. Cooper Tire & Rubber Co., 412 So. 3d 603 (Ala. 2024). Although the present case is distinguishable from Cooper Tire on its facts, the Court's insistence that specific personal jurisdiction not become disguised general personal jurisdiction illustrates why the limitations I identified in Cooper Tire remain important. In addition, considering stare decisis principles under Alabama law, I am not convinced of the necessity to distinguish or criticize a case from a Maryland intermediate appellate court that has no bearing on the

decision the main opinion reaches.

McCOOL, Justice (concurring in the result).

I agree with the main opinion's conclusion, but only its conclusion, that the DeKalb Circuit Court does not have specific personal jurisdiction over the National Collegiate Athletic Association ("the NCAA") in this case. I write specially to address an issue not discussed by the main opinion, i.e., whether the circuit court has general personal jurisdiction over the NCAA. The main opinion does not discuss that issue because it correctly notes that the circuit court found that Jeremy Pruitt, the plaintiff in this case, had "concede[d] that the NCAA is not subject to general jurisdiction in Alabama."[10]

First of all, I am not convinced that Pruitt actually conceded in the circuit court that there is a lack of general personal jurisdiction over the NCAA because I have not found anything in the materials before this Court that reflects that concession. The main opinion correctly notes that, in Pruitt's response to the NCAA's motion to dismiss, he primarily

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[10]The main opinion contends that the circuit court "concluded that … general personal jurisdiction could not be exercised over the NCAA." ___ So. 3d at ___. However, the circuit court stated that "Pruitt concedes that the NCAA is not subject to general jurisdiction in Alabama, so the court need not address that specifically." (Emphasis added.) I do not see where the circuit court found "that … general personal jurisdiction could not be exercised over the NCAA." Id.

focused on specific personal jurisdiction; however, he expressly stated that he "also disputes the NCAA's position that [the circuit court] lacks general jurisdiction over the NCAA." Then, at the beginning of the December 3, 2025, hearing, the circuit court asked Pruitt's counsel "whether they contend that this court has general jurisdiction over the NCAA" because the court did not "want to waste … time if they're not making that argument," and Pruitt's counsel stated: "We're not waiving any claim of general jurisdiction, but we're going to be arguing personal jurisdiction." (Emphasis added.) Thus, although Pruitt certainly did not advance much argument in the circuit court regarding general personal jurisdiction, it does not appear to me that he conceded the lack of such jurisdiction.

That said, the NCAA contends in its petition to this Court that "Pruitt conceded … that general jurisdiction does not exist over the NCAA in Alabama," petition, p. 20, and, in his answer to the petition, Pruitt has not disputed that contention or expressly argued that the circuit court has general personal jurisdiction over the NCAA. Because Pruitt has not challenged the notion that he conceded the circuit court's lack of general personal jurisdiction over the NCAA, I am not willing to

conclude in this case that the court has such jurisdiction. However, that is not to say that such an argument might not have been convincing to me.

Generally speaking, a court has general personal jurisdiction over a defendant when the defendant has "'contacts with the forum state that are unrelated to the cause of action and that are both "continuous and systematic,"'" Elliott v. Van Kleef, 830 So. 2d 726, 730 (Ala. 2002) (citations omitted), provided that "subjecting [the defendant] to Alabama's jurisdiction would [not] violate traditional notions of 'fair play and substantial justice.'" Leithead v. Banyan Corp., 926 So. 2d 1025, 1032 (Ala. 2005) (quoting International Shoe Co. v. Washington, 326 U.S. 310, 320 (1945)). As the main opinion notes, the NCAA has 18 member institutions in this state, and it is common knowledge that the NCAA enforces its rules against those member institutions on a "'"continuous and systematic"'" basis. Id. (citations omitted). See Haw v. National Collegiate Athletic Ass'n, 260 Md. App. 310, 374, 309 A.3d 64, 102 (2024) (noting that "the NCAA issues and enforces the rules which its member schools are obligated, as a condition of membership, to follow"). Keeping in mind the general observation that "[d]etermining personal jurisdiction

has always been more an art than a science," Donatelli v. National Hockey League, 893 F.2d 459, 468 n.7 (1st Cir. 1990), in my opinion there is at least an argument to be made that Alabama courts have general personal jurisdiction over the NCAA.

Relatedly, there is an argument to be made that the NCAA is subject to the general personal jurisdiction of Alabama courts simply because its member institutions in this state are subject to jurisdiction here (except for those institutions that are entitled to sovereign immunity). In Donatelli v. National Hockey League, 708 F. Supp. 31 (D.R.I. 1989), the United States District Court for the District of Rhode Island concluded that "an unincorporated association" -- like the NCAA[11] or, in that case, the National Hockey League ("the NHL") -- "is subject to the personal jurisdiction of every forum having general in personam jurisdiction over one or more of its members." Id. at 33. The reasoning there was that "the member is actually part of the NHL." Id. at 36 (emphasis added). Thus, although the NHL itself "lack[ed] the necessary minimum contacts with Rhode Island to subject it to [the district court's]

[11][T]he NCAA is an unincorporated association, not a corporation." Haw, 260 Md. App. at 344, 309 A.3d at 84.

general personal jurisdiction" in that case, the district court concluded that it had general personal jurisdiction over the NHL "through its constituent members" located in Rhode Island. Id. at 35, 38.

Ultimately, Donatelli was reversed by the United States Court of Appeals for the First Circuit in Donatelli v. National Hockey League, 893 F.2d 459 (1st Cir. 1990), but the First Circuit Court of Appeals did not hold that general personal jurisdiction over an unincorporated association can never be based on the location of its members. Rather, it held that,

> "[b]ecause there is no 'typical' unincorporated association, there can, jurisdictionally speaking, be no mechanical taxonomy: the very breadth of the array of associational institutions, and their diverse nature, necessitates using a functional, flexible, case-specific methodology. …
>
> "… Being unable to employ a categorical approach to personal jurisdiction in the unincorporated associations milieu, an inquiring court must assess the nature of the legal and institutional relationships between a particular association (here, the NHL) and its constituency (here, the 21 teams); the degree of control exercised by the former over the latter; and the extent to which the latter can be said to act for and on behalf of the former. It is only in this way that we can decipher whether the league, despite its absence from Rhode Island, deliberately availed itself of the forum's benefits by reason of the activities of its member(s); and if so, whether it would be fair and just to subject the league to the forum's jurisdictional reach on that basis."

Id. at 468 (first and last emphasis added; footnote omitted). Thus, once again, there is at least an argument to be made that Alabama courts have general personal jurisdiction over the NCAA.

I recognize that such a holding would effectively subject the NCAA to suit in almost every state -- if not every state -- in the country, and perhaps that fact would ultimately weigh against such a holding. See Daimler AG v. Bauman, 571 U.S. 117, 138 (2014) (holding that to "approve the exercise of general jurisdiction in every State in which a corporation 'engages in a substantial, continuous, and systematic course of business'" would be "unacceptably grasping" (as noted, though, the NCAA is an unincorporated association, not a corporation) (emphasis added)); and Aldrich v. National Collegiate Athletic Ass'n, 484 F. Supp. 3d 779, 791 (N.D. Cal. 2020) (stating that, "[i]f general jurisdiction in one forum would subject the defendant to jurisdiction in many other forums, the exercise of such jurisdiction is likely" -- so not necessarily -- "improper" (emphasis added)). On the other hand, there seems to me to be something inherently unfair in the NCAA's continuously and systematically enforcing its rules against its member institutions in this state -- sometimes with a heavy hand -- and then clutching its pearls in

astonishment when it is sued in this state. Requiring the NCAA to defend itself in Alabama, based on that conduct, at least arguably comports with "traditional notions of 'fair play and substantial justice.' " Leithead, 926 So. 2d at 1032 (citation omitted).

My point in this special writing is not to reach a final conclusion as to whether an Alabama court could ever exercise general personal jurisdiction over the NCAA. Given the arguments Pruitt has raised (and more importantly those he has not raised), that issue is not properly before this Court and therefore will have to wait for another case. However, I am simply not convinced either way at this point whether an Alabama court could or could not exercise general personal jurisdiction over the NCAA. It would be interesting to see the briefing on that issue in some future case involving the NCAA, or some similar association, where the issue has not been waived.

BRYAN, Justice (dissenting).

I.

Regarding general personal jurisdiction, I agree with many of the sentiments expressed by Justice McCool in contemplating whether Alabama could have general personal jurisdiction over the National Collegiate Athletic Association ("the NCAA").

II.

Regarding specific personal jurisdiction, I respectfully dissent from the main opinion's conclusion that Jeremy Pruitt's intentional-interference claim does not relate to Alabama such that specific personal jurisdiction would be proper here.

The main opinion's conclusion depends on the fact that Pruitt's intentional-interference claim, in isolation, does not specifically reiterate that it was the NCAA that imposed the show-cause order. When viewed in isolation, the language in the section of the complaint alleging intentional interference (at paragraph 56) treats the show-cause order as a passive concern. But, also in that section, Pruitt reasserts all the prior allegations in the complaint, which, of course, include the allegation that the NCAA issued a show-cause order (at paragraph 36). The record

clarifies that this means that the NCAA sent this order to its member institutions -- 18 of which are in the State of Alabama. In its show-cause order, the NCAA "required" "any employing institution" to contact its Committee on Infractions to make arrangements to show cause why its restriction on Pruitt's employment should not apply to that institution. So, in asserting this show-cause order, the NCAA reaffirmed its authority over member institutions and used that authority to impose a condition on any member institution that sought to hire Pruitt. These facts are central to Pruitt's intentional-interference claim. To discount these facts when considering specific personal jurisdiction is to change Pruitt's case.

"Our personal-jurisdiction law is coextensive with federal law, and thus we are bound to apply Ford [Motor Co. v. Montana Eighth Judicial District Court, 592 U.S. 351 (2021)]." Sawyer v. Cooper Tire & Rubber Co., 412 So. 3d 603, 610 (Ala. 2024). In Ford, the United States Supreme Court reiterated the principles of specific personal jurisdiction:

> "It covers defendants less intimately connected with a State, but only as to a narrower class of claims. The contacts needed for this kind of jurisdiction often go by the name 'purposeful availment.' The defendant, we have said, must take some act by which it purposefully avails itself of the privilege of conducting activities within the forum State. The contacts must be the defendant's own choice and not random, isolated, or fortuitous. They must show that the defendant deliberately

> reached out beyond its home -- by, for example, exploiting a market in the forum State or entering a contractual relationship centered there. Yet even then -- because the defendant is not 'at home' -- the forum State may exercise jurisdiction in only certain cases. The plaintiff's claims, we have often stated, must arise out of or relate to the defendant's contacts with the forum. Or put just a bit differently, there must be an affiliation between the forum and the underlying controversy, principally, an activity or an occurrence that takes place in the forum State and is therefore subject to the State's regulation.
>
> "These rules derive from and reflect two sets of values -- treating defendants fairly and protecting interstate federalism. Our decision in International Shoe [Co. v. Washington, 326 U.S. 310 (1945),] founded specific jurisdiction on an idea of reciprocity between a defendant and a State: [w]hen (but only when) a company exercises the privilege of conducting activities within a state -- thus enjoying the benefits and protection of its laws -- the State may hold the company to account for related misconduct. Later decisions have added that our doctrine similarly provides defendants with fair warning -- knowledge that a particular activity may subject it to the jurisdiction of a foreign sovereign. A defendant can thus structure its primary conduct to lessen or avoid exposure to a given State's courts. And this Court has considered alongside defendants' interests those of the States in relation to each other. One State's sovereign power to try a suit, we have recognized, may prevent sister States from exercising their like authority. The law of specific jurisdiction thus seeks to ensure that States with little legitimate interest in a suit do not encroach on States more affected by the controversy."

592 U.S. at 359-60 (citation modified).

The NCAA purposefully availed itself of the privilege of conducting

business in Alabama when it imposed a show-cause order to which it subjected its 18 member institutions in Alabama. The NCAA sent that order to them all. In compliance with that order, Jacksonville State University contacted the NCAA, asking for permission to hire Pruitt. It would be incongruous to say that the NCAA did not enjoy the benefits and protections of Alabama laws when it imposed a sanction to be implemented here and then implemented enforcement of the same here.

The main opinion analyzes this case through the lens of Calder v. Jones, 465 U.S. 783 (1984). However, that case assessed whether a state had personal jurisdiction over a nonresident defendant who did not directly reach into the state. In our case, the defendant did reach into the state when it sent the show-cause order to 18 member institutions.

In Calder, the defendants were a reporter and editor who lived in Florida and produced a news story about a California resident's California activities for their employer. Id. at 785. Their employer was a "national weekly newspaper" that circulated nationwide and circulated more copies to California than any other state. Id. The plaintiff -- a California resident -- sued in California, claiming libel, based on the story that the defendants wrote together. Id. at 784. The story centered on the

plaintiff's activities in California. Id. at 788. The defendants argued that, as ordinary employees, they had no control over the distribution of newspapers and that the mere fact that they could foresee their story's publication in California could not justify the state's personal jurisdiction over them. Id. at 789. In other words, they argued that, because they did not directly reach into the forum state, they could not be sued there.

The United States Supreme Court, considering the effects that ensued from the defendants' writing the story, disagreed. The Court held that the defendants had indeed "expressly aimed" their conduct at California. Id. Notwithstanding that the defendants themselves did not send their article to California, they knew their article would have a potentially devastating impact on the plaintiff there: they wrote an article about a California resident's California activities, and they knew when doing so that the article would be circulated to California. Id. at 788-89. The Court's finding of jurisdiction was based on the "effects" of their Florida conduct in California. Id. at 789.

The NCAA argues that Pruitt fails to demonstrate that Alabama has jurisdiction over it under the Calder "effects test." The "effects test" is one avenue for finding personal jurisdiction over a defendant. But

Calder is not the only avenue for finding personal jurisdiction, and it is not the one under which Jeremy Pruitt has chosen to argue his case -- he argues that NCAA's use of Calder is misplaced. Instead, Pruitt argues that Alabama has jurisdiction over the NCAA, not just because of "effects," but because the NCAA directly reached into Alabama. Indeed, the NCAA sent a show-cause order directing 18 member institutions as to how they must proceed in making employment decisions in Alabama. The test in Calder is a test for establishing jurisdiction over a defendant that does not send anything into -- or otherwise do anything in -- the forum state. It does not apply to the facts of this case.

The main opinion grapples with opinions from other courts in other jurisdictions that question whether the NCAA's regulatory authority alone confers personal jurisdiction over it. This case does not present that question, and we have no need to contemplate it. Instead, we must simply answer whether a specific instance of the NCAA's acting on its authority in Alabama confers specific personal jurisdiction for the purposes of Pruitt's intentional-interference claim. It does.

Here, the NCAA purposefully availed itself of the privilege of conducting activities in Alabama when it reached into the state to issue

an order to 18 member institutions. It asserted its presence in Alabama by directing member institutions to implement a new procedure surrounding Jeremy Pruitt. And this conduct is necessarily related to the suit, such that the State "may hold the company to account for" it if it was misconduct. Ford, 592 U.S. at 1025. The resolution of the case will undoubtedly have consequences here, so Alabama's interest in deciding the merits is significant. Based on the controlling principles, the circuit court did not err in finding that it had specific personal jurisdiction over the NCAA in this case.

Therefore, I respectfully dissent.

Wise, J., concurs.

PARKER, Justice (dissenting).

An Alabama resident alleges that the NCAA -- through its regulation of college football in Alabama (and elsewhere) -- has harmed his economic well-being in Alabama, damaged his reputation in Alabama, caused him emotional distress in Alabama, and interfered with his prospective business relationships with Alabama colleges. But according to the NCAA and the main opinion, no Alabama court can decide this case. I respectfully disagree. The NCAA undisputedly has ample, long-standing, and pervasive contacts with Alabama. And Coach Jeremy Pruitt's claims against the NCAA "relate to" those contacts under even a restrictive reading of the United States Supreme Court's most recent personal-jurisdiction precedent. For those reasons, Alabama courts may exercise personal jurisdiction over the NCAA, and I would therefore deny the NCAA's petition.

I.

To decide a case, an Alabama court must have personal jurisdiction over the defendant -- that is, the power to exercise legal authority over a person or an entity. In the case of nonresidents, that means that a state may not enter a judgment (or otherwise proceed with a lawsuit) unless

the nonresident defendant has sufficient "minimum contacts" with the state. International Shoe Co. v. State of Washington, 326 U.S. 310, 316 (1945). Our Court has long held that the requirement of personal jurisdiction means the same thing under both Alabama and federal law -- an understanding that some have described as "questionable." Sawyer v. Cooper Tire & Rubber Co., 412 So. 3d 603, 626 (Ala. 2024) (Mitchell, J., concurring specially). But for now, we are stuck with it: In deciding whether the NCAA may be sued here in Alabama, we must ask only whether federal law would allow it.

The federal precedent on that issue (and the Alabama precedent for that matter) is voluminous and complicated. But there is one recent United States Supreme Court decision, Ford Motor Co. v. Montana Eighth Jud. Dist. Ct., 592 U.S. 351 (2021), that I read as requiring us to allow Coach Pruitt's lawsuit against NCAA to proceed. Ford, as several Justices have acknowledged, "recognize[d] a new category of cases in which personal jurisdiction is permitted." Id. at 373 (Alito, J., concurring in the judgment). And at least "[i]n some cases," that new category may prove "more forgiving" than the pre-Ford caselaw. Id. at 376 (Gorsuch, J., concurring in the judgment).

Courts have provided various descriptions of the circumstances under which a defendant's contacts support a state's exercise of personal jurisdiction. The main opinion discusses the "effects test," which is one such articulation specifically crafted for intentional torts. See Calder v. Jones, 465 U.S. 783 (1984); see also Ex parte Gregory, 947 So. 2d 385, 394 (Ala. 2006). But the United States Supreme Court in Ford discussed a separate test. Contrary to the NCAA's argument, that test is not limited to product-liability cases.[12] As described in Ford, a state may exercise personal jurisdiction over a defendant when two things are independently true. First, the defendant must have "'purposefully avail[ed] itself of the privilege of conducting activities within the forum State.'" Ford, 592 U.S. at 359 (quoting Hanson v. Denckla, 357 U.S. 235, 253 (1958)). Second, the claims "must arise out of or relate to the defendant's contacts with the forum." Ford, 592 U.S. at 359 (citation modified).

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[12]See, e.g., Ex parte Tanner Med. Ctr., Inc., [Ms. SC-2025-0019, Sept. 12, 2025] __ So. 3d __ (Ala. 2026) (plurality opinion) (medical-malpractice claims); Akhmetshin v. Browder, 181 F.4th 1307, 1316-17 (D.C. Cir. 2026) (defamation); Jekyll Island-State Park Auth. v. Polygroup Macau Ltd., 140 F.4th 1304, 1317 (11th Cir. 2025) (trademark claims); Akerlund v. Atlas Air, Inc., 181 F.4th 1200, 1204-05 (11th Cir. 2026) (various claims).

A.

Undoubtedly, the NCAA has "purposefully availed" itself of the privilege of doing business in Alabama. That analysis does not depend on a defendant's "suit-related conduct." It instead looks to all of a defendant's contacts with the forum state. As the United States Supreme Court explained in Ford, the issue is whether "the defendant deliberately reached out beyond its home -- by, for example, exploiting a market in the forum State or entering a contractual relationship centered there." 592 U.S. at 359 (citation modified).

The United States Supreme Court's opinion in Ford pointed to Ford's general market "exploitation" of Montana and Minnesota for showing purposeful availment. Id. at 364-65. Specifically, the Court referred to Ford's advertising its vehicles and partnering with car dealerships and repair shops in the forum State. Id. So, Ford had a connection with the forum States that was not "'random, isolated, or fortuitous.'" Id. at 359 (quoting Keeton v. Hustler Magazine, Inc., 465 U.S. 770, 774 (1984)).

As the United States Supreme Court has similarly recognized, the NCAA carries out significant regulation of college athletics throughout

the country. See NCAA v. Alston, 594 U.S. 69, 73-80 (2021). Here, we are concerned with the NCAA's "exploitation" of the college-sports market in Alabama. That exploitation is evidenced in the NCAA's sports regulation of its 18 member institutions in Alabama:

- Rulemaking. The NCAA "legislate[s], through bylaws or by resolutions of a Convention, upon any subject of general concern to the members related to the administration of intercollegiate athletics." NCAA Bylaws.

- Supervision. The NCAA "supervise[s] the conduct of, and … establish[es] eligibility standards for, regional and national athletics events under the auspices of this Association." NCAA Bylaws.

- Enforcement. The NCAA "investigate[s] and enforce[s] certain uniform rules for college athletics." Jonathan Duncan Affidavit.

A member institution that fails to comply will be subject to "the infraction process of the Association." NCAA Bylaws. Similarly, Coach Pruitt's employment contract shows that coaches at member institutions who fail to comply with the NCAA's rules "shall be subject to disciplinary or corrective action as set forth in the provision of the NCAA enforcement procedures." Employment Agreement -- Head Football Coach § 5.1.

For the NCAA to function properly, as it relates to the 18 member institutions in Alabama, it must naturally rely on Alabama's legal and business environment. Indeed, counsel for the NCAA conceded at oral

arguments that the NCAA would rely upon Alabama courts to resolve a dispute between the NCAA and a member institution in Alabama.[13]

The NCAA relies heavily on this Court's decision in Facebook, Inc. v. K.G.S. for the proposition that we should be concerned with who "initiated" a contact. 294 So. 3d 122 (Ala. 2019). But this Court's decision in Facebook rested on an application of the "effects" test. Id. at 134-41 (discussing Calder v. Jones, 465 U.S. 783 (1984), and Walden v. Fiore, 571 U.S. 277 (2014)). Under that test, where the focus is on a single specific contact between the defendant and the forum state resulting in the harms complained of, it is important that the defendant, rather than the plaintiff or a third party, create the contact. Facebook, 295 So. 3d at 140 (quoting Walden, 571 U.S. at 291).

But Coach Pruitt does not rely on the "effects test," and this Court in Facebook had no occasion to consider the application of Ford -- which was decided about two years later. See Facebook, 294 So. 3d at 136 n.11. The United States Supreme Court in Ford explained the limitations of

[13]See Supreme Court of Alabama, Supreme Court O/A Dothan, Alabama, YouTube (September 17, 2026, 10:40-10:52) (at the time this decision was issued, this oral-argument session could be located at: https://www.youtube.com/watch?v=znqZe0LCdJI) (hereinafter "Oral Argument Recording").

the "effects test" analysis and described it as having "precious little to do" with a case in which the defendant has ample contacts with the forum state that are independent of the lawsuit. 592 U.S. at 370-71. Because the NCAA has ample, voluntary, intentional contacts with Alabama, our analysis does not turn on who "initiated" any particular contact.

This prong of the specific-jurisdiction analysis instead asks a straightforward question: has the NCAA "purposefully availed" itself of the privilege of doing business and conducting activities in Alabama? The correct answer -- based upon the record and according to the common sense of all college-sports coaches, athletes, and fans in Alabama -- is obviously yes.

B.

The second prong of the specific-jurisdiction test asks a deceptively simple question: Does Coach Pruitt's lawsuit against the NCAA "arise out of or relate to" the NCAA's contacts with Alabama? As described in Ford, this question has two components: "The first half of that standard asks about causation; but the back half, after the 'or,' contemplates that some relationships will support jurisdiction without a causal showing." 592 U.S. at 362.

Coach Pruitt alleges various legal harms based on the NCAA's regulation of the coaching of college football, which surely sounds like they are "related" for these purposes. Admittedly, the full extent and limitations of the "relates to" question remains frustratingly "far from clear," Ford, 592 U.S. at 376 (Gorsuch, J., concurring in the judgment), despite the Ford majority's assurance that "the phrase 'relate to' incorporates real limits." Id. at 362. But a close reading of the facts in Ford demonstrates that the decision is far from open-ended. As I understand Ford, its main principle is that a state court may hear a case when an in-state plaintiff suffers harm in the forum state based on the kind of conduct the defendant carries out in the forum state.

In Ford, Montana and Minnesota plaintiffs sued Ford Motor Company based on accidents in those States involving the kind of cars Ford marketed in those States. Id. at 356. The specific cars involved in those accidents came from other places: They were designed and manufactured in Michigan and sold in Washington and North Dakota. Id. at 356-57. Although Justice Alito's concurrence suggested that there still was a causal relationship between Ford's contacts with Montana and Minnesota and the accidents, see id. at 373-74 (Alito, J., concurring in

the judgment), the majority of the Court premised its holding on the lack of a causal relationship, see id. at 367 (Kagan, J., majority).

The main opinion today discusses and even emphasizes a portion of the opinion in Ford that the Ford majority itself said was irrelevant to the conclusion. Specifically, the majority in Ford noted that some evidence suggested that the plaintiffs "might never have bought [the defective cars], and so [those] suits might never have arisen, except for Ford's contacts with their home States." Id. But then the Ford majority clarified that "[t]he plaintiffs … did not in fact establish, or even allege, such causal links." Id.

So, what facts did determine the outcome in Ford? The defendant's conduct that led to the suit occurred entirely outside the forum States. Id. at 356-57. But the harm occurred in the forum States, and the plaintiffs were residents of the forum States. Id. at 365. And the type of car at issue was "advertised, sold, and serviced" in the forum States. Id. So the "'relationship among the defendant, the forum[s], and the litigation'" was "close enough to support specific jurisdiction." Id. at 371 (quoting Walden, 571 U.S. at 284). Ford, according to the Court, had every reason to expect that it may have to defend a lawsuit if one of those

types of cars caused harm in one of those States.

Here, Coach Pruitt -- a resident of Alabama when the NCAA issued its show-cause order -- plainly alleges that he suffered and continues to suffer harm in Alabama because of the NCAA's regulation of college football, which of course occurs in Alabama. The NCAA has every reason to foresee the possibility of litigating this type of case in Alabama. Just as the facts supported personal jurisdiction in Ford despite the cars being manufactured in Michigan, the facts here support personal jurisdiction even though the investigation and decisions underlying the show-cause order occurred outside Alabama. Coach Pruitt allegedly suffered harm here, and his harm came from the kind of conduct the NCAA carries out regularly here.

The main opinion focuses on where the NCAA's conduct occurred rather than where the harm occurred. Had the main opinion's analysis been applied in Ford, the Court would have looked to where the cars were designed, manufactured, and sold rather than where the alleged defects resulted in a crash and injury. Nothing suggests that the cars' defects spontaneously materialized in Montana or Minnesota.

There may be worries over the broad scope of the "relates to"

standard applied in Ford. I share those worries. Businesses and other defendants should be able to avoid litigating in unforeseeable and unreasonable forums. But Ford requires us to ask whether a reasonable person in the NCAA's position would be surprised to have to litigate this kind of lawsuit in Alabama. Not this specific lawsuit, this kind of lawsuit. Given both the extent and character of the NCAA's contacts with Alabama, and the effect of its show-cause order on Coach Pruitt's employment prospects, the answer to that question is no.

II.

Because Alabama courts may exercise personal jurisdiction over the NCAA, we must also address the NCAA's two venue arguments.

A.

First, the NCAA argued that venue was improper in DeKalb County even if it may be proper in another Alabama county. That argument relied on the "venue of actions" provision specific to unincorporated associations. See Ala. Code 1975, § 6-3-6. But the NCAA has waived this argument. Specifically, under the applicable court rule, the proper response to improper venue is a motion to transfer, not a motion to dismiss. See Ala. R. Civ. P. 82(d)(1). The NCAA never moved

for such a transfer in the trial court. See Oral Argument Recording at 20:00-21:00. As this Court has noted before, "the fact that venue was improper" in the initial forum "would not warrant dismissal" of the action "but, rather, a transfer of the action to a court where venue would be proper." Boshell v. Jasper Police Dep't, 558 So. 2d 898, 899 (Ala. 1989).

In seeking a writ of mandamus from this Court, the NCAA must demonstrate that the trial court refused to perform some "imperative duty." See Ex parte Runnels, 364 So. 3d 979, 982 (Ala. 2022). The trial court had no imperative duty to offer a remedy for which the NCAA never asked.

B.

The NCAA's second venue argument relies on Alabama's out-of-state-forum statute, Ala. Code 1975, § 6-5-430. In its petition to this Court, the NCAA dedicates one paragraph to this issue and fails to cite a single case discussing or applying this statute. Further, dismissal under this statute is warranted only if "the balance is strongly in favor of the defendant." See Ex parte Auto-Owners Ins. Co., 548 So. 2d 1029, 1032 (Ala. 1989) (emphasis added). And under our mandamus standard, of course, relief is warranted only if the petitioner demonstrates a "clear"

legal right to that relief. See Ex parte Runnels, 364 So. 3d at 982. Because the NCAA has not carried its burden, it is not entitled to mandamus relief based on this argument.

III.

Properly deciding this case requires a candid recognition that the United States Supreme Court's decision in Ford broadened the set of circumstances under which specific jurisdiction can be exercised by a state court over a nonresident defendant. See Ford, 592 U.S. at 376 (Gorsuch, J. concurring in the judgment) (arguing that the majority opinion "pivot[ed] away from" the prevailing understanding of specific jurisdiction). I hope that the United States Supreme Court will provide further guidance in the future for applying the "relates to" standard in a way that allows businesses and individuals to "structure their primary conduct with some minimum assurance as to where that conduct will and will not render them liable to suit." World-Wide Volkswagen Corp. v. Woodson, 444 U.S. 286, 297 (1980). A business or individual should be able, by reasonable common sense, to know where their legal disputes will happen.

In the meantime, we must follow federal law as it exists. And as I

read the main opinion, it imposes restrictions upon the jurisdiction of Alabama courts that no constitutional provision or statute requires. Those limits may be reasonable or even preferable, but they are not the law. The NCAA has ample contacts with the State of Alabama, and Coach Pruitt's claims "relate to" those contacts under Ford -- even if his claims do not arise out of those contacts.