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Vince Young's Bid To Block \$1.8M Judgment Shot Down

By **Jeremy Heallen**

Law360, Houston (November 26, 2013, 3:36 PM ET) -- Former NFL quarterback Vince Young's bid to defeat a \$1.8 million judgment awarded against him over an unpaid loan hit a roadblock Monday when a Texas appeals court declined to block collection efforts being pursued by Pro Player Funding LLC.

The First District Court of Appeals denied a motion Young filed seeking a temporary stay of Pro Player Funding's judgment while he challenges its validity, saying he should have sought an appellate bond if he wanted to suspend enforcement of the award.

"Young's various filings provide no indication that he has pursued this avenue of relief pending his appeal," the order said. "Moreover, the issuance of an extraordinary writ, such as a writ of injunction, is not authorized when there is an adequate remedy by appeal."

Young's attorney, Trey L. Dolezal of Kasling Hemphill Dolezal & Atwell LLP, said Tuesday that his client would be filing a supplemental request with the appeals court "adding some additional facts" and suggested that Young lacked sufficient resources to pay for a bond.

"We believe we should get some relief from the court of appeals," Dolezal said.

Young filed the request, along with a petition seeking a temporary injunction, on Nov. 21, arguing the appeals court should protect his assets from being seized by Pro Player Funding while an appeal plays out over the legitimacy of the judgment, which originated in a New York court and was domesticated by a Texas state court in August.

The free agent quarterback, who last saw regular season action with the Philadelphia Eagles in 2011, says that because Pro Player Funding's award is currently "under advisement" by the issuing court in New York, it is not a final judgment and therefore incapable of being enforced in Texas.

Young says the Houston appeals court should decide a separate appeal he filed in October attacking the domestication of the judgment before allowing Pro Player Funding to collect.

But the appeals court said Monday that Young is already exercising the "adequate remedy" of appealing the judgment and that he failed to request a supersedeas bond, which is the typical method for suspending a trial court's judgment.

Pro Player Funding says that it made the loan to Young in 2011 during the NFL lockout, which the athlete later refused to pay, alleging he had been taken advantage of by his

former business managers and Pro Player Funding, which he described in court filings as a “predatory” lender.

According to Young, of the loan proceeds, Pro Player Funding retained \$620,000 in prepaid interest and disbursed the balance to the quarterback, whose affairs were being managed at the time by financial adviser Ronnie T. Peoples, his company Peoples Financial Services and Young’s former agent Major Adams II. Young hired Peoples and Adams shortly after he was drafted in 2006 by the Tennessee Titans and signed a contract worth approximately \$54 million.

Young **filed a separate lawsuit** in Harris County last year against Peoples and Adams, in which he accuses the pair of misappropriating at least \$5.5 million by forging Young’s signature to obtain unauthorized loans.

Peoples and Adams deny Young’s allegations and have said that, among other things, Young wanted the loan from Pro Player Funding to finance a \$300,000 birthday party he threw for himself.

Young is represented by Trey L. Dolezal of Kasling Hemphill Dolezal & Atwell LLP.

Pro Player Funding is represented by Tammy R. Shea of Cozen O’Connor LLP and Sean J. Bellew, Christopher S. Chow and Sarah Schindler-Williams of Ballard Spahr LLP.

The case is In re Vincent Paul Young, Jr., case number 01-13-01011-CV, in the First District Court of Appeals for the State of Texas.

--Editing by Philip Shea.

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