

## **IHL Gives Miscreant USM Sports Program More Legal Financing**

As previously reported by [usmnews.net](http://usmnews.net), former head basketball coach Donnie [Tyndall was under investigation](#) for potential rules violations related to improper financial aid to two academically ineligible Southern Miss players. According to Tennessee athletic director Dave Hart, it is “highly likely” that the NCAA will determine that Tyndall committed Level 1, 2, 3 and 4 violations, justifying terminating Tyndall’s contract for cause.

Sources report that it is likely Tyndall will be disciplined under the NCAA coach control provisions of the rules, regardless of whether he was personally responsible for the violations. However, while accepting responsibility for any such misconduct, Tyndall’s public statement appears to shift the burden for non-compliance to Southern Miss. “During my time at Southern Miss, I believed that our program followed NCAA rules and worked well with the university’s administration to maintain an atmosphere of rules compliance,” Tyndall said.

For its part in this disaster, in mid-November, 2014 Southern Miss announced it had hired Lightfoot, Franklin & White to defend it against the claims at a maximum cost of \$50,000. (Lightfoot is a Birmingham, AL based firm that Texas A&M hired to keep Heisman Trophy winner Johnny Manziel eligible. It is the same firm that Auburn hired to keep Cam Newton eligible a couple of years before that. According to some published reports Auburn’s bills totaled \$170,000.00.) By February, the cost of keeping Lightfoot on the payroll had increased to \$75,000. By May the [IHL announced](#) yet another increase in approved fees to be paid to defend Southern Miss’ scandal plagued, losing basketball team:

**USM** - Approved the request to modify its contract with Lightfoot, Franklin & White, PLLC as outside counsel to increase the total amount payable under the previously approved contract to \$100,000. The Board previously approved the employment of Lightfoot, Franklin & White, PLLC to assist the university by rendering legal advice and representation in the practice areas of NCAA compliance, investigation, appearances, and related matters. The approval was for a term beginning October 29, 2014, and ending June 30, 2015, with a total amount payable under the arrangement not to exceed \$50,000 for attorneys’ fees. The agreement was later modified to increase the cap on attorneys’ fees to \$75,000. The firm is currently representing the university in an investigation initiated by the NCAA related to the Men’s Basketball Program and has been actively

engaged in representing the university in this matter since October 2014. Legal activity of the attorneys continues to be driven by the swiftness and scope of the NCAA investigation, as well as specific directives of the enforcement staff. As a result, attorneys' fees are expected to exceed the amended cap of \$75,000. The Attorney General has approved this request.



Sources tell usmnews.net that the question is not whether the cap on legal fees will be amended upwards again, but how many more times the cap will increase. Among the sports faithful these ever increasing legal costs are a clear signal that the wrongdoing at Southern Miss athletics is much worse than anticipated.

Of course, no one at Southern Miss or the IHL will tell us anything but what they are required by law to report. We only know the magnitude of tuition and tax dollars wasted on this failed program. And, even then, that amount will be buried in the IHL Board Books.