

# **ATTACHMENT A**

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- I. We have been employees of Respondent, the United States Soccer Federation, since each of us were selected as soccer players on the United States Women's National Soccer Team ("WNT")<sup>1</sup>. At all times relevant to this charge of discrimination, the Federation also employed and continues to employ individuals selected as soccer players on the United States Men's National Soccer Team ("MNT").
- II. The WNT has enjoyed unparalleled success in international soccer, winning three World Cup titles and four Olympic Gold Medals – an accomplishment that no other country on the men's or women's side has reached in Olympic competition. The WNT also has achieved numerous other first place wins in significant international tournaments and is currently ranked number one in the world, a position it has held on a near continuous basis for the last 7 years.
- III. Our team won its third World Cup title on July 5, 2015. The game captured the hearts of approximately 23 million viewers, making it the most watched soccer game in American TV history. We embarked on a post-Cup Victory Tour, which drew tens of thousands of fans to soccer stadiums across the United States and tens of millions of dollars into the Federation's coffers.
- IV. In fact, according to the Federation's most recent annual report (*see* Exhibit 1, p. 54, Chart 1), it initially projected a combined net loss for the national teams of \$429,929 for FY 2016 (April 1, 2015 – March 31, 2016). But thanks almost exclusively to the success of the WNT, the Federation now projects a \$17.7 million profit in connection with these teams. *Id.* And for FY 2017, the Federation projects a net profit from the WNT of approximately \$5,000,000, while projecting a net loss of nearly \$1,000,000 for the MNT. *Id.* at 57-58, Charts 2, 3.
- V. Unfortunately, the WNT's on-field accomplishments and revenue generation have not resulted in us or our fellow players earning equal or better pay than MNT players. In fact, our compensation pales in comparison to that of the MNT players. This despite the fact that, as our employer, the Federation is bound by federal law to compensate us at least equally to the rate at which it compensates MNT players given that the women and men perform the same job duties; have jobs that require equal skill, effort and responsibilities; and perform our jobs under similar working conditions.
- VI. More specifically, the pre-game, game and post-game duties, as well as the skill, effort, responsibilities and working conditions of WNT players are substantially the same and/or greater than those of MNT players. The Federation, for example, expects both sets of players to:
  - a. maintain their conditioning and overall health such as by undergoing rigorous training routines (endurance running, weight training, etc.) and adhering to certain nutrition, physical therapy and other regimens.

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<sup>1</sup> Hope Solo: 2000; Carli Lloyd: 2005; Megan Rapinoe: 2006; Rebecca Sauerbrunn: 2008; Alex Morgan: 2010.




- b. maintain their skills by, for example, attending training camps and frequent practices, participating in skills drills, and playing scrimmages and other practice events;
- c. travel nationally and internationally as necessary for competitive games, which are the same in length, physical and mental demand, and playing environment and conditions; and
- d. promote a positive image for soccer through media and other appearances.

The success of the WNT, however, has meant and continues to mean that we spend more time in training camp, play far more games, travel more, and participate in more media sessions, among other things, than MNT players.

- VII. Despite all of these facts, we and similarly situated WNT players, have been paid and continue to be paid substantially less than MNT players.
- VIII. The Federation's compensation structure for the WNT and MNT generally can be divided into four buckets: (1) compensation for games called Friendlies; (2) World-Cup-related compensation; (3) Olympics-related compensation and (4) compensation for sponsor appearances, ticket revenue and other monies.
- IX. Friendlies: The Federation pays top tier WNT players between 38% and 72% of the compensation the MNT players earn on a per game basis.
- X. Specifically, the Federation pays top tier WNT players, such as each of us, \$72,000 per year to play a minimum of 20 Friendlies that year. We also receive a bonus of \$1,350 for each Friendly we win (we receive no additional compensation if we lose or tie the game). So, if we lose all 20 games, we each receive \$72,000 for the year or only \$3,600 per game; if we win all twenty games, we receive \$99,000 for that year or \$4,950 per game.
- XI. MNT players are also required to play a minimum of 20 Friendlies per year. They, however, receive a minimum of \$5,000 to play in each game, regardless of the outcome. They can receive compensation ranging from \$6,250 to \$17,625 per game depending on the level of their opponent (FIFA-ranked 1-10, FIFA-ranked 11-25, or FIFA-ranked above 25) and whether they tie or win the game. So, if a MNT player loses all 20 Friendlies, he will earn \$100,000 -- \$27,000 more than similarly situated WNT players and \$1,000 more than WNT players who win all of their games. If MNT players win all of their games against the various levels of competition they likely would face, they likely would earn an average of \$13,166 per game or \$263,320 in year. A 20-game winning top tier WNT player would earn 38% of the compensation of a similarly situated MNT player. The attached chart (see Exhibit 2) illustrates these differences.




- XII. These numbers present an even starker contrast when considering that each game over 20 played by a WNT player earns that player either *no* additional compensation (for a tie or a loss) or maximum compensation of \$1,350. Each additional game over 20 played by a MNT player earns that player between \$5,000 (for a loss) or up to \$17,625 for a win.
- XIII. World Cup. The compensation afforded WNT players for World Cup competition is even more strikingly disparate than that for the Friendlies. WNT players earn only \$30,000 *total* both for being asked to try out for the World Cup team and for making the team roster. MNT players, on the other hand, earn \$68,750 each for making their team's roster. The pay structure for advancement through the rounds of World Cup was so skewed that, in 2015, the MNT earned \$9,000,000 for *losing* in the Round of 16, while the women earned only \$2,000,000 for winning the entire tournament. In other words, the women earned four times less than the men while performing demonstrably better.
- XIV. Olympics. Notably, the WNT and MNT players each earn \$15,000 for qualifying for the Olympic team and another \$15,000 each for making the roster. The Federation's decision to pay the men and women equal compensation for Olympic play only highlights the unjustified and discriminatory animus underlying its decision to pay women differently than men in nearly all other respects.
- XV. Other Compensation. The disparity in pay trickles down to nearly every aspect of the WNT player/Federation employment relationship. The Federation, for example, pays men a per diem of \$62.50 for domestic venues and \$75 for international venues, while paying the women \$50 and \$60, respectively, even though they are traveling for the same reasons. It pays men \$3,750 for each sponsor appearance, while paying the women \$3,000 per appearance to do the exact same work. The list goes on and on.
- XVI. There are no legitimate, non-discriminatory reasons for this gross disparity of wages, nor can it be explained away by any bona fide seniority, merit or incentive system or any other factor other than sex.
- XVII. We, therefore, believe that we and similarly situated current WNT players have been discriminated against because of sex, female, in violation of the Title VII of the Civil Rights Act of 1964, as amended, and the Equal Pay Act.

  
Hope Solo

  
Carli Lloyd

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Megan Rapinoe

  
Rebecca Sauerbrunn

  
Alex Morgan

Dated: 3/29/2016

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- IV. In fact, according to the Federation's most recent annual report (*see* Exhibit 1, p. 54, Chart 1), it initially projected a combined net loss for the national teams of \$429,929 for FY 2016 (April 1, 2015 – March 31, 2016). But thanks almost exclusively to the success of the WNT, the Federation now projects a \$17.7 million profit in connection with these teams. *Id.* And for FY 2017, the Federation projects a net profit from the WNT of approximately \$5,000,000, while projecting a net loss of nearly \$1,000,000 for the MNT. *Id.* at 57-58, Charts 2, 3.
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