

# Mediation Scores a Goal at the World Cup

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The US Women's Soccer Team is fighting (and winning) two battles right now: in France they are running and kicking a soccer ball with the most elite female players from around the world\*; and in federal court in LA they are suing the US Soccer Federation for paying them less than the men's team and providing inferior training and facilities. Last Friday, both sides to the lawsuit announced they would use mediation to resolve the dispute. (No mention was made of who the mediator will be, but yours truly is offering her mediator services!) This is dramatic and so encouraging to all of us who practice mediation or just love women's sports.

Mediation is perfect for this unique situation. It can move super-fast (I once mediated a construction case quickly to meet a construction/delivery schedule) or stay the lawsuit and its onerous discovery while the parties explore settlement. In this case, discovery is an explosive issue. The Soccer Federation had refused to turn over to the EEOC financial documents showing how much money FIFA paid to the US and dollar amounts of corporate endorsements and sponsorships. The US women changed strategy and requested a right to sue letter from the EEOC and filed a lawsuit. Now a federal judge has the power to order financial documentation be shared with the women's team. So, mediation allows the Soccer Federation to control the release of the financial data.

Another reason mediation is a great choice is that it can open up areas of discussion beyond the narrow allegations in the lawsuit. Lawsuits are about money; mediation can resolve the money, but so much more. For example, mediation can resolve choice of facilities, quality of training, number of player appearances, veto power of player, maybe even the design of the uniforms ... the number of spikes on the bottom of their playing shoes. Who knows? Important issues can be on the table. Details like these can go a long way towards a meaningful resolution of disputes. No court will go into these details.

Finally, sports are such a powerful force in our community (check out the euphoria around town after the STL Blues brought home the Stanley Cup-Yeah! LGB!) These high-profile parties are sending out a message that working out your differences in a methodical, professional way through mediation, face to face, is preferred to a lawsuit. We have real mediation role models here, both on and off the field.

\*BTW, the Women's Team was here in STL in April playing a match against New Zealand at Busch Stadium in front of 36,000 fans, the largest crowd in US for a "friendly" match.