

## Two players' lawsuits target their former financial advisers

Published October 18, 2010 : Page 11



LABOR & AGENTS  
LIZ MULLEN

New Orleans Saints defensive end **Alex Brown** has filed two lawsuits and former Chicago Bears running back **Kevin Jones** has filed one against their former financial advisers, and lawyers representing them say they are investigating potential claims by several more NFL players.

Brown, and his wife, **Kari Brown**, have filed a lawsuit in state court in Illinois against financial advisers **Michael Rowan** and **Jason Jernigan** and their company **Capital Management Group Wealth Advisors**, and **James Laubham** and his company **Capital Accounting**, asking for \$4 million in actual damages and \$12 million in punitive damages over a series of investments in which Brown lost money. The lawsuit, filed last month, alleges breach of fiduciary duty and violation of the Illinois consumer fraud act, among other things.

"Alex and Kari Brown were unsophisticated investors who placed their whole-hearted reliance in their long-time financial advisers to recommend suitable investments that would provide financial security for them and their family once Alex retired from the National Football League," states the lawsuit, a copy of which was obtained by SportsBusiness Journal. "Alex and Kari entrusted the defendants exclusively to review investment opportunities, evaluate them, investigate their authenticity, trustworthiness, accurately communicate the nature and risks of such investments and recommend only those that were appropriate for them. Unfortunately, defendants abused the trust placed in them by Alex and Kari, and embarked on schemes at the expense of the Browns' financial future."

Rowan, Jernigan and Laubham did not return phone calls. The NFL Players Association does not officially regulate financial advisers.

Rowan and Jernigan represent many high-profile NFL players throughout the league. In 2007, the company represented three dozen athletes, including **Carnell "Cadillac" Williams**, according to a story published in The (Greensboro) Business Journal of the Triad Area, an affiliated publication that printed a story on the High Point, N.C.-based company. But agents say that since 2007 the firm's client list continued to grow.

In another lawsuit, the Browns have sued financial adviser **Anthony Delfre** and his companies **Players Group** and **Wealth Capital Management Group** in Illinois state court, asking for \$750,000 in actual damages and \$2.25 million in punitive damages. That lawsuit, also filed last month, also alleges breach of fiduciary duty and breach of the state's consumer fraud act.

Delfre's attorney did not return a phone call. Delfre formerly worked for **Prim Capital**, an advisory firm that conducts audits for NBA players on behalf of the National Basketball Players Association, but an NBPA spokesman said Delfre left Prim in June 2007.

In a separate action, **Kevin Jones**, a running back who was a first-round draft pick of the Detroit Lions in 2004 and played for the Chicago Bears last year before being cut, is suing **Wells Fargo Bank** in federal court in Chicago, alleging negligence, breach of fiduciary duty and violation of the Illinois state consumer fraud act, among other things. Jones' lawsuit, filed in June by Jones and his wife, **Robyn**, asks for \$135,000 in actual damages and \$1 million in punitive damages.

Wells Fargo, in an answer to the complaint, denied having any liability. An attorney representing Wells Fargo in the case did not return a phone call.

But those lawsuits may not be the end of the story.

The two attorneys who represent Brown and Jones, now playing in the UFL, are investigating other situations in which NFL players have lost money, said attorney **Larry Landsman**, who is representing



GETTY IMAGES

**Alex Brown asked for actual damages totaling \$4.75M and punitive damages of \$14.25M.**

## Two players' lawsuits target their former financial advisers

Brown and Jones in the cases with former state prosecutor **Nicholas Iavarone**. Landsman declined to identify those players or their financial advisers.

Of the NFL players they are advising, Iavarone said, "We are dealing with unsophisticated, inexperienced people who are being offered incredibly complex investments, which in many cases are inappropriate and can be a fertile ground for fraud."

"Some of them don't really understand what they are investing in," Iavarone said. "What was told to them and what the actual investment is, is night and day."

*Liz Mullen can be reached at [lmullen@sportsbusinessjournal.com](mailto:lmullen@sportsbusinessjournal.com). Follow her on Twitter @SBJLizMullen.*