

DON'T SOUND DEATH KNELL FOR WBC JUST YET

Written by Charles Jay
Sunday, 06 October 2002 18:00

I assume that if you read "Operation Cleanup" you are an educated boxing fan. And if you're an educated boxing fan, you're aware of what happened in the court decision against the WBC a couple of weeks ago, in which former light heavyweight champion Graciano Rocchigiani was awarded a judgment of up to \$31 million for damages that occurred as a result of the WBC's actions in taking back a belt he had won in the ring against Michael Nunn and giving it back to Roy Jones.

It is the speculation in the media that this will spell the end for the World Boxing Council.

Not so fast.

Remember, there is going to be an appeal. And as a result of that appeal, the judgment is probably going to be greatly reduced, perhaps to a figure slightly below \$10 million.

Of course, that's a process that could take more than a year. In the meantime, Rocchigiani is entitled to start collecting.

The WBC listed assets somewhere in the neighborhood of \$265,000. I guess if Rocchigiani wanted, he could have probably seized all the assets right then and there, and for all intents and purposes shut the organization down.

But there's simply no motivation to do it.

If the WBC were to go out of business, Rocchigiani wouldn't be able to collect on his judgment. And let's face it - he didn't go through the process of filing a lawsuit, waiting for years to have it litigated, and getting himself furloughed from a German prison in order to come to America and appear in court, with nothing in mind but principle. Likewise, his attorney, Richard Dolan, is not in this business to score moral victories.

No - what Rocchigiani will most likely do is allow the WBC to sustain itself for the express purpose of facilitating that it earn enough to pay him. Let's just say, for the sake of argument, that Lennox Lewis were to make another WBC title defense, in which he would make \$10 million. If the WBC collected its 3% sanctioning fee out of Lewis' purse, a total that would equal \$300,000, Rocchigiani (or his representatives, as it were) might be there to collect, say, \$200,000 of it. And it would continue to go like that until the judgment - or whatever arrangement is made - is satisfied.

As such, Rocchigiani would actually be the enabler that keeps the WBC afloat. And the organization will do just that, if it chooses to, although it won't be as profitable.

Of course, Rocchigiani will be pulling these strings from his German prison cell, where he is serving another year on a charge that he assaulted a police officer while under probation.

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Interestingly enough, the court decision may actually wind up affecting other sanctioning bodies just as much as it does the WBC.

As Dolan said, "My client is the first boxer to fight the autocratic rule of the WBC and win."

That statement is probably true.

I can see fighters, once they are stripped of a title or find themselves dropping from - or being lowered in - the world ratings, where such action would materially prejudice them from a financial standpoint, now having more of a road map to follow if they decide to seek some kind of litigation against a sanctioning body. Just as importantly, they'll know they can win. And they'll have a lawyer they can call who's already done it.

For example, let's bring up the very instructive case of Golden Johnson, the former NABF welterweight champion who had his crown lifted for no legitimate reason - a case that was discussed at length in Chapter 22. Johnson would have the legitimate basis for a civil action which would not be all that dissimilar from the Rocchigiani case. Of course, his damages wouldn't be nearly the same, but there would be parallels in terms of the basic principle - which is the arbitrary and capricious punishment of a fighter by taking away a title due to reasons that have nothing to do with merit, in an action which is outside the scope of the organization's own rules.

A judgment of punitive damages could have the effect of busting up the North American Boxing Federation, which would not be such a bad thing.

And there's a developing situation with several heavyweights, including Kirk Johnson, who have been lowered in the World Boxing Association's ratings without rhyme or reason, in favor of others who, contrary to conventional logic, were boosted in the ratings. It's a subject we are going to discuss in-depth in a subsequent chapter, but suffice to say Johnson and others might have very strong cases against the WBA as a result of such behavior.

Undoubtedly there are dozens of other cases that can be brought; cases that possibly could have been dealt with through the devices of the Association of Boxing Commissions, which is empowered to handle appeals for fighters who feel they were wronged in the ratings. Unfortunately, the ABC has not had the inclination to take action with regard to such grievances, so civil litigation has become a necessity. That's just as well, since the courts would most likely offer a more efficient way of dealing with the problem.

So once again, if injustices are corrected, John McCain's largely impotent "Ali Act", and the enforcement mechanism it contains, will have had absolutely nothing to do with it - another message for those of you who look upon boxing legislation as a "positive step toward boxing reform".

Another alternative that has been suggested is that the WBC might declare bankruptcy and reinvent itself as another sanctioning body. Well, they may indeed go bankrupt, but it would

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probably be for the purposes of reorganizing itself so it can work out a feasible arrangement with Rocchigiani.

Sulaiman does not favor the re-formation of the WBC into another alphabet organization. He regards the WBC as a valuable trademark, and does not want the years of the organization's existence to go to waste.

But what if they DID transform themselves into another organization? Since the WBC did not violate the Ali Act in the Rocchigiani matter (simply because it didn't exist at the time), there would be very little justification for the ABC and/or the Federal Trade Commission to refuse to accept their submission of rules, ratings criteria, etc., even if it were known that it was the creation of something with the same structure and personnel as the WBC, and an obvious attempt to circumvent a judgment that was rendered against them in a court of law.

If that had happened, and if Rocchigiani had been unable to collect as a result, it would be sending an interesting message indeed - that sanctioning bodies could manipulate ratings and titles, then at the first sign of the repercussions from such actions, shut down and regroup as a new identity, without having to worry about any pre-emptive action being imposed on them by regulators. And there wouldn't be a whole lot that could be done about it.

Sounds like a damn good argument for the licensing of sanctioning bodies.

Anyway, I guess we have a sufficient explanation as to why Sulaiman sued Lennox Lewis, Mike Tyson, et al, for a total of \$56 million. Now, for a few words about THAT lawsuit.....

Oops - that's next time.

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