

Female Football Player Throws Flag at LFL over Bare Wages

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The three-year championship run of the **Los Angeles Temptation** was snapped in 2013 when the upstart **Chicago Bliss**, led by the quarterback and two-time league MVP Heather Furr, won the Legends Cup with a resounding 38-14 win over the **Philadelphia Passion**. The Temptation? The Bliss? The Passion? You might be wondering whether we're talking about a soul record, steamy novel or professional sports league.

Welcome to the [Legends Football League](#) ("LFL"), a professional woman's football league boasting ten teams in the U.S., and companion leagues in Canada and Australia. The game is played on a 50-yard field with similar [rules](#) to indoor arena football, including no field goals or punting, and seven-on-seven action (e.g., the typical offense includes a quarterback, two running backs, one linewoman and three wide receivers). This is no genteel powder-puff game or scripted match – the players engage in [full-on tackle football](#), earning the title of "Women of the Gridiron." However, there is a reason that the LFL was formerly called the Lingerie Football League (the name was changed in 2013): the women players wear helmets, shoulder pads, knee and elbow pads, and not much else...other than relatively skimpy "performance wear" that presumably is a big draw for male viewers.

The LFL was founded in 2009 and continues to try to expand and build its brand. Unlike the four major U.S. sports, this fledgling league's games are not broadcast on a major network (live games and highlights can be viewed on the league's [YouTube channel](#)), and as a result, stars and role players alike do not receive anything approaching lucrative professional sports contracts. Besides tossing around the pigskin during the spring-summer LFL season, players generally hold other full-time jobs. Apparently fed up with the hits, strains and scrapes from years of competitive LFL football for allegedly little more than the complementary Gatorade, one former player recently filed a putative

class action lawsuit that claims that the league underpaid its players in violation of the **California Labor Code**.

The plaintiff **Melissa Margulies** alleges that the LFL attempted an end run around the law by designating the players as "**independent contractors**," even though the players purportedly lacked the requisite control and discretion over their job duties to deserve treatment as anything other than employees (See [Margulies v. Legends Football League LLC](#), No. BC550244 (Cal. Super. filed June 27, 2014)). Margulies states that she was required to sign a standardized contract that classified players as independent contractors, mandated attendance at games and marketing events, prevented players from engaging in other dangerous activities and granted the league rights in the players' rights of publicity. Despite being labelled as an independent contractor, Margulies states in the complaint that it is "difficult to imagine how players in a team sports league could ever qualify as independent contractors," particularly since "team sports demands that players follow league and team rules or face discipline or termination."

In advancing various claims under the California Labor Code, the plaintiffs, among other things, allege that the LFL willfully misclassified the players as non-employees and failed to pay the players applicable minimum wage, overtime wages and wages earned and unpaid at the time of discharge. The complaint also asserts that the LFL failed to reimburse players for out-of-pocket expenses incurred as a condition of employment for such things as attending practices, games and promotional events. In lieu of any salary, the players were allegedly paid "an amount determined by the league" and based upon factors such as "ticket sales and whether the team won or lost" – in fact, plaintiff alleges that there were entire seasons where she received no income. The lawsuit seeks to recover all wages entitled under the law (including unreimbursed work-related expenses) and statutory penalties for the LFL's purported violations of California labor law.

The defendant LFL has yet to file an Answer, and it remains to be seen whether Margulies can sustain this class action drive or whether the LFL's defense smothers her claims at midfield. Regardless, outside of the courtroom, the Chicago Bliss, with a 40-12 romp over the L.A. Temptation, advanced to the championship game against the Atlanta Steam on September 6th, with Heather Furr and her teammates looking to hoist the Legends Cup for a second straight year.

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