

Powerlifting's Watershed:

Frantz v. United States Powerlifting Federation: The Legal Case that Changed the Nature of a Sport

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Powerlifting, which once held significant promise as a new and challenging form of sport, has been relegated to the backwater of American athletics by divisions within its ranks over the issue of testing for performance-enhancing drugs. With its roots in the 1970s, this discord is now exemplified by the recent existence of twenty-seven separate regional, national, and international powerlifting governing bodies, with each having its own constitution, bylaws, and regulations.¹ While the early history of the sport's formation, growth, and breakup has been chronicled, its later story remains largely untold.² As such, powerlifting holds considerable potential for scholars who wish to work on the cutting edge of a relatively under-examined sport with a fascinating organizational structure. Similarly, the intersection of sport and the law is an area worthy of greater historical scrutiny. Federal laws such as Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972 have, naturally, attracted scholarly attention because of the breadth of their impact on American culture as well as American sport. However, there are also dozens of legal disputes heard in court each year involving sport organizations whose impact has escaped scholarly attention.

This article examines just such a case. It explores a federal anti-trust case between three sport organizations: the United States Powerlifting Federation (USPF), the International Powerlifting Federation (IPF), and the American Powerlifting Federation (APF).³ By examining *Frantz v. United States Powerlifting*, some of the complex sets of relationships and issues that make up the "politics" of international amateur athletics are revealed. In addition, analysis of outcomes of the lawsuit may reveal a common central theme that should give

pause to similarly situated individuals and organizations that are considering an analogous course of action: the law of unintended consequences. In a 1933 issue of the *American Sociological Review*, sociologist Robert Merton argued that an "actor's paramount concern with the foreseen immediate consequences excludes the consideration of further or other consequences of the same act." "Emotional involvement," he continued, "leads to a distortion of the objective situation and of the probable future course of events; such action predicated upon 'imaginary' conditions must inevitably evoke unexpected consequences."⁴ By ignoring these warnings and engaging in conduct that allowed for an anti-trust claim to arise, the powerlifting community inadvertently destroyed the great hope of many of its members for widespread acceptance of their sport and, ultimately, a place on the Olympic program. They also, albeit unintentionally, sorely damaged the sport itself by opening the door to a proliferation of powerlifting federations each of which possesses different constitutive rules.

Many may believe that powerlifting is so minor a sport and so "unique in the world of amateur [athletics]" as to render it undeserving of serious scholarly attention.⁵ These perspectives ignore the potential for explosive growth and participation in the sport that exists within the fitness frenzy and "gym culture" of contemporary society. As such, lessons should be drawn from its unfulfilled possibilities and applied to the wider arena of athletics. Much can also be learned from powerlifting's development regarding the role that non-governmental sport organizations play in the international system. With regard to their organizational framework, it is worth noting that amateur sports like powerlifting are governed in a hierarchal structure in which interna-

tional federations recognize national sport governing bodies as the official representatives of their respective countries.⁶ The different jurisdictions and constituencies of these two types of entities virtually guarantee that they will often have widely varying interests and perceptions about the content and appropriateness of policies to follow. Such was the case in the occurrence of a disagreement between officials of the IPF and the USPF concerning the appropriateness of drug testing. In the end, the anti-trust jurisprudence that resulted from the split led to the permanent fragmentation of the sport of powerlifting.

In 1979, the USPF was the sole powerlifting federation in the United States and was subservient only to its international governing body, the IPF. More attuned to the strictures of the Olympic Movement than its American counterpart, the IPF began to seriously consider the institution of a viable testing program for performance-enhancing drugs after the International Olympic Committee implemented such a program for steroids at the 1976 Montreal Games.⁷ Although not an IOC member, the IPF was affiliated with the General Association of International Sports Federations (GAISF), an organization that sought to coordinate the efforts of all international sport federations (Olympic and non-Olympic), and GAISF urged its member federations to follow the IOC's lead on doping controls. In 1979, the IPF adopted a new bylaw that required "testing procedures for Anabolic Steroids and Amphetamine Supplements for all International Championships" and proposed that it should be implemented at the international level later that year and at the national level in 1980.⁸ Ironically, many national Olympic committees, including the United States Olympic Committee, refused to implement effective testing programs out of fear that such actions would erode the successes of their athletic teams.⁹ The IPF, however, announced that they would test at all subsequent world championships and requested that each of their member nations should begin their own testing programs. The IPF's reasons for mandating drug-testing were clearly linked to a desire to become part of the Olympic Games; one expert close to the scene also speculated that some IPF members worried that political bodies might intrude upon its private workings and impose their own policy prescriptions, if the IPF did not act first.¹⁰ In the United States, however, the USPF initially refused to act in accordance with the IPF's new policy and a split occurred within the USPF's ranks

between those who supported drug testing and those who did not. USPF member Roger Gedney lamented that "perhaps men's powerlifting has come to the point where the will to control the use of drugs is nonexistent," and felt that the organization was "contributing to the possible personal injury [of competitors] due to known side effects [of anabolic steroids]."¹¹

A group of female powerlifters within the USPF became particularly vocal in criticizing their organization's traditional acceptance of performance-enhancing drugs. Seeking to mollify the IPF and a growing faction of its own members who wanted testing, the USPF did, in the end, pass legislation supporting the concept of drug testing. However, the USPF National Committee, composed mostly of men who felt threatened by the effects that a testing program would have, refused to implement doping controls at any of the national championship meets held in 1978, 1979, and 1980. In November of 1981, a group led by Edmund Bishop ("Brother Bennett"), a USPF official and brother in the Catholic Order of the Sacred Heart, set up an alternate powerlifting federation called the American Drug Free Powerlifting Association (ADFPA) which promised to conduct drug tests at every contest sanctioned by the organization and not just at the national championships.¹² Outlining the reasons for the creation of the ADFPA, Bishop recalled that "lifters and coaches alike were always coming to me after competitions and pleading, 'Brother, you have to do something about the drug use in this sport.'" ¹³ "Drugs offend the concept of fairness," he urged, "[and] [a]thletic competitions are becoming more and more chemical competitions. Does this sound right?? Moral?? Ethical?? . . . If we are to have respect for others, we must first have respect for ourselves. A different world cannot be made by indifferent people."¹⁴ Roger Gedney argued that "Brother Bennett and other drug free athletes are acting out of a frustration probably from either the lack of desire or the inability of the USPF to police and protect its members."¹⁵ Rather than viewing the new splinter-group as a competitor, or taking action, however, the USPF saw it as a way to maintain its own anti-testing policies and its president, Conrad Cotter, even recommended that the two organizations save money by co-sanctioning competitions.¹⁶

Mindful of Olympic requirements, however, and angered by the USPF's intractable stance against testing, the largely European-based IPF passed a regulation in

November of 1983 at their annual Congress obliging all organizations that sent athletes to the world championships to have drug testing at their national meets.¹⁷ As one USPF referee later put it, “We had some less than honest administrators then, and the things that they did turned the Europeans off” with the result that “we found the IPF to be threatening and inconsiderate of basic rights provided under US law, and a bit dictatorial.”¹⁸ Disgusted at what they saw as an unwelcome incursion into the politics of American sport, an especially reactionary set of “anti-testers” in the USPF created its own national body later that year with the goal of freedom from international controls. Started by Ernie Frantz and nine-time world powerlifting champion Larry Pacifico, the American Powerlifting Federation (APF) openly accepted the use of steroids and criticized the perceived piousness of the IPF. Ironically, the APF was created as a way to “bring all people together involved in the sport [in the United States] and prevent the organizations from being a threat to each other.” Separate sets of records were contemplated by some as a means to settle the dispute between powerlifting’s pro-drug and anti-drug factions and, in so doing, “charge up the sport again.”¹⁹ Frantz started the APF with this thought in mind, stating in a letter to potential new members that “we will, from the very start, establish our own World Records and American Records.”²⁰ Its founders, in addition, proposed that it serve as a “professional” organization that would draw its members from the “amateur ranks” of the USPF. “Those that are directly involved,” its business plan outlined, “should definitely . . . [be those known] for sticking together and planning to create something better for the powerlifter, and not allowing the I.P.F. to dictate to the U.S. lifters.”²¹

Some USPF members were convinced by Frantz’s logic and supported the idea of separate organizations. In a letter to USPF President Conrad Cotter, long-time referee Roger Gedney urged “those people who are violating the rules that govern the IPF . . . [to] begin their own organization thereby having the authority to develop and regulate themselves.”²² Cotter, of course, did not agree with such sentiments and suggested that the APF be disbanded in order to satisfy the wishes of the IPF, which, after all, governed the USPF.²³ Maris Sternberg, later a plaintiff in the *Frantz* lawsuit, placed the roots of the movement to secede in the 1981 Master Worlds in Naperville, Illinois, an event during which a variety of new records were disallowed by the

IPF. “Ernie, obviously was totally upset,” she recalled. “Grumbling amongst the lifters began. It grew little by little as it seemed that our USPF officials were more concerned with pleasing the IPF than listening to the American lifter’s issues.”²⁴ New APF member Gus Rethwisch concurred that the USPF “[doesn’t] have the guts to stand up to the IPF. So, we the lifters are taking things into our own hands and doing your job, USPF!”²⁵

In such a way, members of the APF unwittingly stumbled across an issue that observers of international relations have pondered: the role and significance of international non-governmental organizations (INGOs) in the global system. Specialists in transnational politics have noticed a tendency among some individuals and groups to view INGOs as threats to the sovereignty of the state.²⁶ In a slight restructuring of this observation, Frantz extended its logic to include the sanctity of private entities *within* sovereign states. In a 1983 request for new members, for instance, he railed against the encroachments of the IPF and argued, “there are more powerlifters in the US than any other country in the world, yet we are dictated to by a small minority of foreign lifters. The . . . APF will bring the power back where it belongs—to you, the American lifter.”²⁷ Such nationalistic sentiments eventually played a part in causing Frantz to seek legal protections for his new organization. Writing immediately prior to the initiation of his anti-trust claim, he stated that “the main issue today is not to let one man [IPF President Heinz Vierthaler] dictate to the US . . . The US provides the majority of the membership and the financing for the IPF. We should be better represented. As Americans, we don’t go to other countries and deliberately defy their laws. We must not stand for it in our own country.”²⁸

Attached to these nationalistic feelings was an overt acceptance of performance-enhancing drugs. The consequent “sportive nationalism,” to use a term coined by international doping expert John Hoberman, was, of course, not confined to the United States. A representative to the West German parliament, Wolfgang Schäuble, told the Bundestag in 1977, for example, that “we advocate only the most limited use of these drugs . . . because it is clear that there are [sports] disciplines in which the use of these drugs is necessary to remain competitive at the international level.”²⁹ In a 28 January 1983 proposal for an APF meeting, Frantz similarly declared that “I don’t believe in any testing whatsoever at any time. I don’t believe it should be brought up at any meeting or

with any news media to discredit any [p]owerlifter or to discredit and discourage [p]owerlifting from TV contracts or the like.”³⁰ He further wrote in one of his 1983 advertisements, “Don’t be dictated to—Lift the way you want to lift . . . Don’t want testing? We won’t have any.”³¹ With regard to the IPF’s requirement that all world championship lifts be accompanied with a negative drug test result, Pacifico stated that “we will also recognize any person who has lost a world title due to drug testing.”³² Spokespersons for the new federation seemed unconcerned that their actions might cost powerlifting its chance of placement on the Olympic program. “If getting into the Olympics is justification for drug testing,” argued Rethwisch, “the attitudes of some officials serve to not make the effort worthwhile.”³³ Frantz, however, recognized the discord that was likely to ensue with the birth of his new organization. In a letter to the powerlifting community, he stated that “I know one of the pitfalls [for the APF] will be the IPF in the future . . . This will be one of the points we will be discussing at our first planning sessions.”³⁴

In accordance with Frantz’s fears, the IPF informed its members that anyone caught participating in a meet sanctioned by the APF would be punished. In a private letter dated 11 May 11 1984, IPF Secretary Arnold Bostrom outlined his position to Mike Lambert, the influential editor of the sport’s chief periodical, *Powerlifting USA*.³⁵ Bostrom wrote, “Any I.P.F. or U.S.P.F. member, lifter, or official, found to be involved with this meet will be suspended for two years.”³⁶ A worried USPF President Conrad Cotter warned of “an apparently irresistible temptation to ‘starve out’ the several powerlifting splinter groups by punishing or threatening to punish USPF members who became in any manner involved in the meets sanctioned by these groups.”³⁷ However, the IPF threats were intensified after Bostrom learned that the APF’s inaugural event, to be held on 17 September 1984, in Aurora, Illinois, included a group of South Africans who had already been banned due to their country’s apartheid policies. Frantz countered that the APF “welcomes the 33 South African Powerlifting team [members] and officials to the World Event. . . This is the first time for South Africa, and we are very pleased.”³⁸ Despite pressure from the IPF, a few American athletes, including Maris Sternberg and Felicia Johnson, decided to attend. In a sworn affidavit, Sternberg later stated that she specifically checked with relevant USPF officials regarding the possibility of a ban if

she were to attend the meet and “was assured [that] no sanctions would be taken.”³⁹

With an eye toward the potential ramifications that suspensions would have, the USPF Executive Committee instructed Cotter to take a number of steps to protect it from any legal action. According to the minutes of a conference call on 8 June 1984, committee member George Zangas asked that his colleagues on the National Committee be instructed “that while the USPF does not endorse the A.P.F. or the A.M.P.F. (American Masters Powerlifting Federation), it will not inflict punishment upon those who are ‘involved’ in the meet.” In addition, Cotter was directed to “warn all officials ‘involved’ in the [APF] meet not to wear a uniform or other symbol identifying him with the IPF.” Finally, legal counsel was to be retained so that Cotter could respond to Bostrom’s position as it was outlined in his letter to Lambert.⁴⁰ Cotter asked Steven Sulzer, a lawyer specializing in anti-trust litigation, to review the IPF’s request for sanctions and advise him as to the course of action that the USPF should take.

In a legal memorandum dated 29 June 1984, Sulzer specified his set of conclusions. He began by citing a list of IPF bylaws that had the potential for legal liability, including the exclusive right of the IPF to fees from the broadcasts of its competitions, the prevention of other organizations from negotiating television contracts, and the preclusion of other groups from holding meets without an IPF sanction. Although it was not incorporated within the United States, Sultzter continued, the economic activity of the IPF was of such a nature as to make it subject to the jurisdiction of the nation’s courts. He believed that “in the present case, the IPF’s conduct is so clearly intended to exclude the AMPF/APF that it should support a finding of specific intent to monopolize. . . . Many USPF members, lifters, and officials who might otherwise travel to the AMPF/APF meet may forego the opportunity,” he pointed out, “with concomitant effects on interstate commerce.” More importantly, he continued, “the loss of the AMPF/APF as a competing organization would have a substantial anti-competitive effect on the relevant markets.”⁴¹ The IPF would thus violate the Sherman Act’s dictate against those combinations, conspiracies, and contracts “in restraint of trade or commerce among the several States, or with foreign nations.”⁴² Sulzer concluded with a warning that the USPF was likely to lose in any subsequent lawsuit.⁴³

Giving credence to Sulzer's warnings, Cotter drafted a note to Bostrom in which he summarized the USPF's worries. He argued that the threat of suspension "lays the I.P.F. open to both criminal and civil action in U.S. courts. The U.S.P.F. cannot, therefore, be a party to enforcing this rule. Please reconsider."⁴⁴ Nevertheless, the IPF Disciplinary Committee met in November of 1984 in Dallas, Texas, to deliberate on the issue. A set of handwritten notes from that meeting reveal that "the AMPF/APF championship was discussed *in great detail*."⁴⁵ It further recorded that eighteen-month suspensions of the three referees at the APF meet, Ernie Frantz, Ed Jubinville, and Tony Fitton were justified by their violation of the "rules laid down being explicit[ly] relating to powerlifting outside the jurisdiction of the I.P.F." In addition, all USPF members that lifted at the meet received twelve-month suspensions that were to be instituted at the end of the 1984 Men's World Championships. As Sternberg put it, "the IPF had made threats and now they had to figure out a way to make good on them without looking foolish."⁴⁶ On a related issue, the committee expressed "concern" over Larry Pacifico's advertisement of the APF's anti-testing policies in *Powerlifting USA* that it felt "contravenes rules laid down by the I.P.F. relating to anabolic steroids."⁴⁷ Pacifico was only able to escape penalties by apologizing to the committee and agreeing to contact those whom his advertisement had reached so that he could retract his statement.⁴⁸

Rather than directly informing the powerlifters of their suspensions, the IPF decided to wait to do so until they attended one of its meets. In so doing, they greatly heightened the anger of the athletes and contributed to the initiation of a lawsuit. Sternberg remembered, "At a closed door meeting . . . , the plan was to deal with our disloyalty. We were never informed of this meeting. We were never given the opportunity to defend ourselves. Basically, we didn't even know the meeting was taking place."⁴⁹ According to her affidavit, Sternberg made numerous inquiries as to the nature of her punishment, but was never given any grounds for her banishment.⁵⁰ Blaming the USPF, she stated that "despite all of the advance warning, unknown to lifters such as myself, the member nations' officials could have taken action to prevent this from happening when the disciplinary meeting took place."⁵¹ In a letter to IPF President Heinz Vierthaler, Nate Foster, chairman of the USPF's referee's committee, expressed sympathy for the lifters

and wrote, "You threaten our citizens, and carry out punishments without a simple hearing permitting the accused the right to present evidence in their behalf."⁵² "Do you want to go down in history as the bullheaded president," he continued, "who forced the USPF to withdraw with half the world powerlifting population, and form a new world Federation, and who lost forever the chance to put this sport in the Olympics[?]"⁵³

Sternberg, Diane Frantz, and Felicia Johnson were informed that they would not be allowed to lift in the upcoming IPF World Championship meet when they competed at the Women's Nationals in Boston in February of 1985.⁵⁴ Usually, Sternberg's and Johnson's first place victories in Boston would have guaranteed their right to compete in the World Championships as a member of the USPF Women's National Team.⁵⁵ At that point, according to Sternberg, she "told the 'powers that be' that I would use every means available to me to be placed on the World team, even if it meant an injunction to stop the meet."⁵⁶ Frantz explained his own concerns in a 4 February 1985, note to Cotter in which he linked the IPF penalties to the USPF's unwillingness to protect its lifters. "I am writing in reference to the sanctions taken by the USPF/IPF against the lifters of the APF," he began. "We are still researching this issue but we have a new attorney, one versed in this type of case, and we are sure that we have enough to bring suit." He expressed outrage that Sternberg and Johnson were banned after Cotter had issued a statement in *Powerlifting USA* that no such action was under consideration, the hypocrisy of which offended his sense of the lifters' "civil rights." "Since no one is interested in backing the Constitutional rights of these people as US citizens," he continued, "then I will hold no more USPF sanctioned meets in the state of Illinois." In a final assertion that succinctly captured the damage to sport that can ensue in the wake of legal action, he said, "I hope you can get with your Executive Committee to do the right thing for these girls. If not I will be forced to continue my crusade to fight the USPF until they are no longer a viable organization."⁵⁷

Frantz was—at least initially—particularly upset with Judy Gedney, chairman of the USPF Women's Committee, which by then had become a partially autonomous sub-unit within the national federation that had jurisdiction over certain aspects of women's powerlifting. Writing to Gedney, he stated that "the men are willing to back us but, as Women's Chairman, it is up to you to come forward and insist that it is illegal for

Maris Sternberg and Felicia Johnson not to be included on the US Women's World Team." As justification for legal action, Frantz asserted that "Olympic recognition will never be achieved" given the current state of the rules and that a comparable punishment for a group of male lifters was never enacted after they were caught using steroids. "The easy way out for the USPFWC," he concluded, "is to do what the committee has done by eliminating Maris and Felicia from the team. In that case the lawsuits have already been prepared and will be brought against you, as USPFWC Chairman and your Committee."⁵⁸

After Cotter and Gedney's receipt of the letters, members of the USPF leadership tried to save their organization from any adverse consequences by distancing themselves from the actions of the IPF. Gedney, for example, wrote Frantz that "I wanted to . . . assure you that neither the USPFWC nor I am in favor of supporting the IPF sanctions. . . . In fact this decision by the IPF is a rather inane rule and should definitely be reconsidered." She also recalled that Cotter had assured her that he had opposed the IPF as far as his powers would allow and pointed out that she herself had recently become a member of the APF. "In short," she continued, "what I'm trying to say is that we are supportive of you and the APF/AMPF." She also agreed with an organizational framework in which parallel federations could best promote the interests of the sport. "When people differ about the rules," she explained, "they can either change the rules, follow the rules or simply say that they are following the rules. You went through a great deal of work to develop an organization with different rules and that's exactly the route that should have been taken." She reasoned that "your efforts to begin an organization with rules differing from the IPF concerning the . . . [d]rug [t]esting process is exactly what should have been done."⁵⁹ In addition, Gedney felt that Cotter had deliberately manipulated Frantz's attention towards the women's committee. In a set of handwritten notes she fumed, "someone should set Ernie straight about what a liar Cotter is—we should stuff Cotter in a popcorn ball [and] pour boiling oil on him."⁶⁰ Sternberg agreed and later commented that thus "began a program of lies, threats and accusations by the IPF that almost became a joke. Then USPF President [Conrad Cotter] totally sided with the IPF, so there was no help at all."⁶¹

In the end, the APF lifters used the Men's Senior Nationals held in June of 1985 in Chicago as an

opportunity to serve USPF and IPF officials the papers that officially commenced a lawsuit.⁶² An original complaint was also filed with the Eastern Division of the U.S. District Court for the Northern District of Illinois on 5 July 1985, naming Cotter, the USPF, and the IPF as defendants.⁶³ Sternberg and Johnson alleged under Sections 1 and 2 of the Sherman Anti-Trust Act of 1890 that they lost actual and potential employment opportunities through the USPF and IPF's denial of their right to compete at the World Championships. They further asserted a claim against the USPF for what they felt was an intentional infliction of mental distress. Ernie and Diane Frantz asserted that by banning the two aforementioned lifters, the IPF had "threatened" to ban them as well. Suing as business entities, the APF and the fitness gym out of which it was run, the Ernie Frantz Health Studio, claimed that their businesses had suffered economic injury, including lost memberships, by being denied "a fair share of the relevant markets for sponsoring national and international powerlifting meets." These allegations of "conspiracy to monopolize" and "attempt to monopolize" were supplemented by the APF's allegation that it had been denied by the IPF its due share of the market for selling the broadcast rights of its meets. By this means, the APF joined Sternberg and Johnson as plaintiffs in the case. The plaintiffs sought several remedies, including monetary relief and an injunction aimed at preventing the IPF from taking similar actions in the future.⁶⁴ All parties to the lawsuit were represented before the U.S. District Court with the exception of the IPF, which refused to appear before the court due to its perception of a lack of jurisdiction on the part of an American court over an international body.

During the course of its proceedings, the federal district court addressed the IPF's refusal to appear before it. Due to this failure to acknowledge the jurisdiction of the United States judicial system over its actions in the country, the district court issued a default judgment in favor of the plaintiffs. While a court in such a procedure does not directly address the accuracy of an allegation at issue, a claim is, for all practical purposes, taken as true. The implication in this case was that the anti-trust allegations against the IPF were, in effect, deemed accurate. In a minute order dated 3 February 1987, Judge Harry Leinenweber therefore determined the following monetary damages to be assessed against the IPF for the asserted claims: \$20,400 for the APF, \$84,375 for the Ernie Frantz Health Studio, and \$14,574 for Sternberg.⁶⁵

In his published opinion and order, Judge Leinenweber then assessed Sternberg and Johnson's claim of intentional infliction of mental distress on the part of the USPF. Outlining the state of the law on that type of tort, the judge explained the requirements for its allegation as including: "1) extreme and outrageous conduct by a defendant; 2) that the defendant engaged in the conduct knowing that severe emotional distress was certain or substantially certain to follow; and 3) that the plaintiff [actually] suffered severe emotional distress." The court found that the USPF's involvement in the affair had not risen to such a level as to offend the first of these points. Further, Leinenweber declared that Sternberg and Johnson had not actually suffered any severe emotional distress. As such, the USPF's motion to dismiss the allegation was granted due to the fact that the two lifters failed to state a claim upon which relief could be granted.⁶⁶

Regarding the alleged violations of the Sherman Act, Leinenweber likewise found that the USPF's conduct did not offend the statute's stricture that there must be a "'contract, combination . . . or conspiracy' in restraint of trade." The complaint did not, in his opinion, "create the reasonable inference that the USPF shared with the IPF a conscious commitment to monopolize 'the sport of powerlifting,' the market for sponsoring powerlifting meets, or any other relevant market." Moreover, any failure to object to the IPF's punishments did not constitute conspiracy on the part of the USPF because a showing of "intent" was lacking. Further, the court found that there had been no "concerted action" between the USPF and IPF regarding a "refusal to deal or group boycott" of the APF meet. Accordingly, the anti-trust claims against the USPF were dismissed. As for Cotter, the court reasoned that "a corporate officer is not capable of conspiring with his corporation to engage in anti-competitive conduct because the corporate officer and the corporation have an identity of interests." This analysis, combined with the complaint's lack of specificity on Cotter's involvement, ensured the USPF president's freedom from liability. The court, therefore, imposed sanctions on the plaintiffs and their attorney, Victor Quilici, under Rule 11 of the Federal Rules of Civil Procedure for naming Cotter in their lawsuit "without any legal or factual basis."⁶⁷ Under the rule, Cotter then asked the court to require the plaintiffs to pay \$44,700 of his attorneys' fees, the size of which "surprised—[and] shocked—the district judge" so that he vacated that portion of his ruling.⁶⁸

Cotter appealed the district court's denial of his request for attorney fees to the U.S. Court of Appeals for the Seventh Circuit. The USPF, also appealed the district judge's rejection of its own request for legal fees. Although he noted precedent that a lower court may deny a request for fees as a sanction if there is an "outrageously large request," appellate Judge Frank Easterbrook felt that Cotter's fees were at least potentially reasonable given the amount of time that his lawyers had spent on the case. Proceeding from Rule 11's language that mandates the imposition of sanctions when one is sued without any legal basis, the judge went on to chastise the district court for its lack of intellectual rigor. Easterbrook's point was that while the type of sanction to be imposed under Rule 11 is largely at the district court's discretion, it must use logic in coming to its decision. "Discretionary choices are not left to a court's inclination," he wrote, "but to its judgment; and its judgment is to be guided by sound legal principles." Permitting himself to expound upon this point, Easterbrook went on to say, "the absence of ineluctable answers does not imply the privilege to indulge an unexamined gestalt." Accordingly, the Seventh Circuit reversed the trial court on the issue of Cotter's request and remanded the case, sending it back to district court, "so that the district court may put its reasoning on record—a process that, by inducing critical scrutiny of one's initial reactions, often improves the quality of decisions."⁶⁹ Because the trial court failed to conduct a sufficient inquiry as to whether Quilici had properly connected the facts before him to cognizable legal theories (some of which Easterbrook asserted were "half-baked"), the USPF's request for attorney's fees was also remanded.⁷⁰

Characterizing Quilici's allegations against Cotter and the USPF with the words, "neither . . . make[s] much sense," and "not well-grounded in law," Judge Leinenweber, on remand, again declared a violation of Rule 11. Still upset at the enormity of the defendants' requests for monetary sanctions, which had by then increased to \$97,000, he admonished, however, "Dealing with a bloated request for attorney's fees is every bit as time consuming, if not more so, than dealing with an obviously deficient complaint."⁷¹ After contemplating what he felt were inappropriate actions on the part of all sides, the judge came up with a compromise: the plaintiffs' attorney was fined \$5,666.16 while Steven Sulzer, the defendants' lawyer, was charged \$1,416.66.

Although the claims against Cotter and the

National & International Powerlifting Federations Listed on Internet In Summer & Fall of 2005

Compiled by Jan Todd

American Associations	Details	Drug Testing Policy	Equipment Rules
AAU Powerlifting Committee (AAUPC)	Keeps World and American Records	Urinalysis testing done by independent group; out of contest testing done.	AAU Permits use of Velcro and denim on shirts. Otherwise like IPF.
Amateur American Powerlifting Congress (AAPF)		AAPF-AWPC Banned Substances Steroid Profile I - Panel 6000—shorter list of drugs; No amphetamines	Unavailable
American Drug Free Powerlifting Federation (ADFPA)	Paper organization to feed American lifters to WDFPF	Same testing program as WDFPF	
American Powerlifting Alliance (APA)		None on APA Web pages or on admission forms. However—on record lists for each lift and age group they list a tested and non-tested record. Interesting note in rule book about the penalty for hitting and assaulting an official.	Bike pants permitted for bench. No denim or canvas squat suits; denim bench shirts are OK. 2 ply is OK.
American Powerlifting Committee (APC)	Formed after sale of APF AWPC began in May 2003. LB Baker runs Am. branch	Amateur division is drug tested but no list of drugs or methods discussed. No testing at Pro Level. Use Quest Diagnostic Labs same as USA PL.	Suit may consist of any number of layers desired as long as it is one suit. Shirts may not be padded to add thickness to the muscle of the chest or arms. "the Thickness shall not be designed to increase, enhance or enlarge the body's natural musculature." Briefs can be of any number of layers.
American Powerlifting Federation (APF)	Formed by Ernie Frantz	No testing	
Anti-Drug Athletes United (ADAU)	American records only	Do urine and polygraph. Publish test results on their web.	Unavailable
Natural Athletes Strength Association (NASA)	Keeps national and world records	Lengthy drug list—including androstenedione. However, testing is at discretion of officials. Not a certain percentage of lifters. Meet directors decide to test 1 or 10.	Single Ply Gear; Denim allowed
Pan American Powerlifting Federation (PAPF)	Aligned with UWPF	IOC/IPF drug list on site; no clarification of how testing is to be done	IPF Equipment list on website
Python Powerlifting League	Local federation started by T. Meyers in Augusta, GA.	Drug free...no explanation of testing	Shin guards are allowed in deadlift; shorts are OK for all lifts; any other kind of hats, do rags, etc. are OK.
Southern Powerlifting Federation (SPF)	Outgrowth of APF sale.	No testing.	1 suit or shirt of any thickness (ply); Also holds raw divisions
USA Powerlifting	Formerly ADFPA, now the largest federation in the USA and the official IPF affiliate	WADA urinalysis testing at all meets and out of competition testing	Same rules as IPF; singly-ply fabric only, no canvas or denim.
United States Powerlifting Federation (USPF)	Splinter group that kept USPF name after ADFPA & old USPF unified.	"Nothing in the rule book about testing; No test for a World Record." — on website	Single Ply Polyester squat suits only. Single-ply poly or denim OK on bench shirts.

National & International Powerlifting Federations Listed on Internet In Summer & Fall of 2005

Compiled by Jan Todd

American Associations	Details	Drug Testing Policy	Equipment Rules
AAU Powerlifting Committee (AAUPC)	Keeps World and American Records	Urinalysis testing done by independent group; out of contest testing done.	AAU Permits use of Velcro and denim on shirts. Otherwise like IPF.
Amateur American Powerlifting Congress (AAPF)		AAPF-AWPC Banned Substances Steroid Profile I - Panel 6000—shorter list of drugs; No amphetamines	Unavailable
American Drug Free Powerlifting Federation (ADFPA)	Paper organization to feed American lifters to WDFPF	Same testing program as WDFPF	
American Powerlifting Alliance (APA)		None on APA Web pages or on admission forms. However—on record lists for each lift and age group they list a tested and non-tested record. Interesting note in rule book about the penalty for hitting and assaulting an official.	Bike pants permitted for bench. No denim or canvas squat suits; denim bench shirts are OK. 2 ply is OK.
American Powerlifting Committee (APC)	Formed after sale of APF AWPC began in May 2003. LB Baker runs Am. branch	Amateur division is drug tested but no list of drugs or methods discussed. No testing at Pro Level. Use Quest Diagnostic Labs same as USA PL.	Suit may consist of any number of layers desired as long as it is one suit. Shirts may not be padded to add thickness to the muscle of the chest or arms. "the Thickness shall not be designed to increase, enhance or enlarge the body's natural musculature." Briefs can be of any number of layers.
American Powerlifting Federation (APF)	Formed by Ernie Frantz	No testing	
Anti-Drug Athletes United (ADAU)	American records only	Do urine and polygraph. Publish test results on their web.	Unavailable
Natural Athletes Strength Association (NASA)	Keeps national and world records	Lengthy drug list—including androstenedione. However, testing is at discretion of officials. Not a certain percentage of lifters. Meet directors decide to test 1 or 10.	Single Ply Gear; Denim allowed
Pan American Powerlifting Federation (PAPF)	Aligned with UWPF	IOC/IPF drug list on site; no clarification of how testing is to be done	IPF Equipment list on website
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USPF were dismissed, the lawsuit had a decidedly detrimental impact on the federation's economic viability. "Torn between defending [what he saw as a frivolous claim] at considerable cost or forfeiting the suit," Cotter lamented that "it is a side of powerlifting that I never dreamed of before I took this job." He was "quite unable to reconcile with my own sense of propriety the sniveling 'strong man,' who, unable to bear the inevitable disappointments in the sport, employs a surrogate in an attempt to probe our weaknesses and bring us to our knees."⁷² As of 1 March 1986, legal fees and expenses for the USPF were claimed to be in excess of \$55,000, an amount that put significant strain on its budget. In addition, insurance premiums quadrupled to the rate of four dollars per individual participant per year with \$9,880 due by 24 February 1986. As a result, the federation had difficulty in funding American teams for the 1986 World Championships in the Netherlands, the Masters' World Championships in Norway, and the Junior World Championships in India. Cotter announced that "it is with [a] heavy heart that I announce that our tradition of fully funding our teams is in jeopardy. We will probably be [only] sending teams consisting of individuals who can provide their own sponsorship. . . . [This] works against those of limited means who have neither time nor inclination to rustle up sponsors."⁷³

Cotter thereafter instituted a program aimed at reducing the risk of future legal action that had the unintended effect of decreasing his assets for program development. He announced in an October 1987 issue of *Powerlifting USA* that "it is well said that an ounce of prevention is worth a pound of cure. On the national level the USPF has engaged lawyers to revise our bylaws in order to eliminate provisions which might encourage conduct violative of the law." While it was impossible "to cost the benefits of this exercise," he felt that if "it results in preventing even a single lawsuit, the savings will be considerable." He proceeded to explain that "the policy of the USPF has been, and continues to be, strict adherence to the law . . . [with instruments] designed to discourage lawsuits, and where claims have been filed, an inflexible determination to defend the case with every resource at the USPF's command."⁷⁴

During the years that *Frantz v. United States Powerlifting* made its way through the courts, Brother Bennet's ADFPA—uninvolved in the lawsuit—continued holding drug-tested contests and attracting new

members. Although the ADFPA co-sponsored a few meets with the USPF in its first two years of operation, the fact that the USPF's Executive Committee refused to implement drug testing for men until 1986 (following the public humiliation of multiple doping positives at the Men's, Women's and Junior World Championships in 1985), made Brother Bennet and his disciples realize that unbridgeable differences on the drug question made any sort of alliance between the federations untenable. Instead, Bennet began lobbying for the ADFPA to be recognized as the official American representative to the IPF—a campaign that took nearly a decade to see fruition. By 1996, when a renamed ADFPA officially joined the IPF as USA Powerlifting, the USPF federation it replaced had less than a third of the members it had possessed in 1985.⁷⁵

Although *Frantz v. United States Powerlifting* was not the only reason for the fragmentation of powerlifting into several dozen associations the case certainly played a role, and a significant one, in the changes seen in powerlifting over the past two decades. While no anti-trust violations were expressed in the courts' decisions, the sport's leaders imposed their own interpretations, which focused on the necessity of separate federations. The lawsuit therefore helped confirm the notion among members of the powerlifting community that they could best pursue their interests by forming their own governing bodies through which they could implement their own policy preferences. As Frantz himself put it, "It would be nice if we could all be together, but we've all taken separate paths. . . . [The] choice of organization is a personal one."⁷⁶ Members of any given federation would, moreover, not be prohibited from participating in other organizations. After having been approached on merging the American Drug Free Powerlifting Association with the USPF, for example, ADFPA president, Michael Overdeer, responded that "legal advice precludes this as there are issues of financial liability." He continued, "I will advise this body that under U.S. law, the ADFPA cannot arbitrarily deny membership to anyone. . . . You may not ask us to keep any individual or group with a previous or current affiliation from joining the ADFPA without asking the ADFPA to violate United States National Law."⁷⁷

Thus, in a set of outcomes that Frantz and Sternberg clearly did not anticipate, the suit promoted the disintegration of their sport and consequently destroyed any

hope for integration into the Olympic Movement. When asked for his “opinion of all the alphabet soup of federations in the current day,” Frantz responded with the observation that “with so many federations today it can be very confusing to a person.”⁷⁸ However, he felt that if “our needs were being met I would not hesitate to combine with the USPF. But this would necessitate backing the lifters, not the power hungry leadership overseas.”⁷⁹ Sternberg felt that “many of the ‘alphabets’ have been formed out of ego problems. It is pretty confusing. Some have real legitimacy. Others mean nothing.”⁸⁰ Regarding the possibility of powerlifting becoming an Olympic sport, Frantz stated that “I’m sure it will make the Olympics someday, but not if it is split up in 20 different directions.”⁸¹ Likewise, Sternberg believed that “powerlifting will not be an Olympic sport any time soon. It’s way too splintered.”⁸² In addition, the lack of a coherent policy toward performance-enhancing drugs led to the further proliferation of anabolic steroids in powerlifting. A 1995 study, for example, found that two-thirds of the powerlifters that responded had used anabolic/androgenic steroids at some point in their lives and concluded that “it is clear that current doping control procedures are not as effective as they need to be.”⁸³

Once the *Frantz* lawsuit entrenched the idea of parallel federations into the collective consciousness of the powerlifting community, there was no end to the creation of new governing bodies. Powerlifting administrator Judy Gedney, who has been involved in the sport since the mid 1980s, said in a 2005 interview, “The Frantz lawsuit marked a real watershed time for powerlifting. Before the suit, the USPF had contracts with CBS and NBC to cover their national championships, *Sports Illustrated* had run feature stories on a couple of top lifters, and everyone felt like the sport was growing and had real promise.” After the suit, Gedney continued, “lifters realized how little authority federations really had if there was always an alternate federation willing to accept them as a lifter. Suddenly there was no need for lifters to obey rules they didn’t like. They could just start their own federation and write new rules that suited how they wanted to lift. We lost our TV contracts and record keeping became a joke.”⁸⁴

What Gedney and other administrators confirm is that the major impact of the *Frantz* lawsuit was to create a collective consciousness within the powerlifting community that no lifter could be sanctioned for com-

peting in more than one federation. By the late 1990s, powerlifting was no longer recognizable as one coherent sport. Associations varied on drug-testing policies; how long an athlete must abstain from drug use to be considered a “clean” lifter; and whether testing was to be done by urinalysis, polygraph, or voice-stress analysis. Furthermore, some federations began changing the rules for the performance of the actual lifts themselves, allowing types of supportive squat suits and bench press shirts not allowed in other federations, and also changing such matters as how low one had to go in the squat, or whether a bench press had to pause when it touched the chest. These changes to the constitutive rules of powerlifting were fueled by the sport’s obsession with records, and by the fact that the proliferation of federations made it possible for a man or woman to hold American and/or world records in many different federations.⁸⁵

For sports that are not officially part of the Olympic movement (where the hierarchical lines of authority are clearly drawn) the model of multiple federations—sanctioned by the *Frantz v. United States Powerlifting* decisions—is cause for concern. Although this article focuses on events in powerlifting where the Frantz case originated, at last one other sport—bodybuilding—has also moved to multiple federations with more than ten national and ten international federations advertising contests in the summer of 2005. It will not be surprising, given our obsession with records and winning, if other sports follow suit in the coming years.

The tragedy here lies in the fact that powerlifting, a once budding field of athletic endeavor, was destroyed in part by drug use and in part by an ignorance of legal consequences by its leaders and by their personal enmity toward one another. As sociologist John MacAloon noted, “Incompetence can always be rooted out, official co-conspirators can be found, embarrassed, and exiled (if rarely convicted), and ways can at least be sought to raise the voices of true authority above the legalists, public relations specialists and marketing managers. But if there no longer are any such voices and convictions in these organizations, if the public and the rest of the international sport community come to believe that their leaderships and their organizational culture have thrown in the towel in defeat over drugging in sport, then the effect on the overall legitimacy, prestige and deference afforded these bodies will surely be devastating.”⁸⁶ In powerlifting, it already has been.

NOTES

1. Jan Todd, "Chaos Can Have Gentle Beginnings: The Early History of the Quest for Drug Testing in American Powerlifting: 1964-1984," *Iron Game History: The Journal of Physical Culture* 8, no. 3 (2004): 3.
2. For a study on the early history of powerlifting, see *Ibid.* An exception to the lack of scholarship on the recent history of powerlifting is the forthcoming chapter in a book sponsored by the Hastings Center for Bioethics, Jan Todd and Terry Todd, "Reflections on the 'Parallel Federation Solution' to the Problem of Drug Use in Sport: The Cautionary Tale of Powerlifting," (Baltimore: Johns Hopkins, in press.).
3. Its appeal and reconsideration upon remand required examination of the case by multiple courts. For clarity in these footnotes, we have divided them into [Case 1], [Case 2], and [Case 3]. The citations are: *Frantz v. United States Powerlifting Federation [Case 1]*, 1986 U.S. Dist. LEXIS 18174 (N.D. Ill. 1986); *Frantz v. United States Powerlifting Federation [Case 2]*, 836 F.2d 1063 (7th Cir. Ill. 1987); *Frantz v. United States Powerlifting Federation [Case 3]*, 1988 U.S. Dist. LEXIS 5694 (N.D. Ill. 1988).
4. Robert K. Merton, "The Unanticipated Consequences of Purposive Social Action," *American Sociological Review*, 1, no. 6 (1936): 901.
5. J. Todd, "Chaos Can Have Gentle Beginnings," 3.
6. Glenn M. Wong, *Essentials of Sports Law*, 3rd ed. (Westport, Conn.: Praeger, 2002), 155.
7. While the IOC started testing for some performance enhancing drugs during the 1968 Mexico City Olympic Games, it first tested for steroids in 1976. For a timeline of drug usage and drug testing in the Olympic Movement, see Jan Todd and Terry Todd, "Significant Events in the History of Drug Testing and the Olympic Movement: 1960-1999," in *Doping in Elite Sport: The Politics of Drugs in the Olympic Movement*, Wayne Wilson and Edward Derse, eds. (Champaign: Human Kinetics, 2001).
8. IPF bylaws quoted in J. Todd, "Chaos Can Have Gentle Beginnings," 8. See also J Todd and T. Todd, "Reflections on the 'Parallel Federation Solution' to the Problem of Drug Use in Sport," 13.
9. On this point, see John M. Hoberman, *Testosterone Dreams: Rejuvenation, Aphrodisia, Doping* (Berkeley: University of California Press, 2005), 249-60.
10. For a list of reasons that International Sport Federations expanded their drug testing programs, see Barrie Houlihan, "Anti-Doping Policy in Sport: The Politics of International Policy Co-Ordination," *Public Administration* 77, no. 2 (1999): 318, 20.
11. Roger Gedney to Joe Zarella, 8 May 1981, Judy Gedney Papers, Todd-McLean Physical Culture Collection, University of Texas at Austin.
12. J. Todd, "Chaos Can Have Gentle Beginnings," 14.
13. "Brother Bennett, the Man behind the ADFPA Interviewed by Dr. Judd Biasiotto and Army Ferrando of World Class Enterprises," *Powerlifting USA* (May 1987): 16.
14. Quoted in J. Todd and T. Todd, "Reflections on the 'Parallel Federation Solution' to the Problem of Drug Use in Sport," 16.
15. Roger Gedney to Conrad Cotter, 4 August 1982, Judy Gedney Papers, Todd-McLean Physical Culture Collection, University of Texas at Austin.
16. J. Todd, "Chaos Can Have Gentle Beginnings," 16.
17. *Ibid.*, 17.
18. Nate Foster to Heinz Vierthaler, n.d., Judy Gedney Papers, Todd-McLean Physical Culture Collection, University of Texas at Austin (Austin, TX).
19. On this point, see Andy Kerr, "Do We Need a New Set of Records?: The Question as Answered by Andy Kerr," *Powerlifting USA* (December 1987): 24-25.
20. Ernie Frantz, "Dear Fellow Lifter, Meet Promoter and Distributor," January 1983, Todd-McLean Physical Culture Collection, The University of Texas at Austin. .
21. "Proposal by John T. Black, Jr. to Ernie Frantz and Larry Pacifico of the American Powerlifting Federation on Behalf of the American International Professional Powerlifting Federation," n.d., Rader Collection, APF Folder, Todd-McLean Physical Culture Collection, The University of Texas at Austin.
22. Roger Gedney to Conrad Cotter.
23. Judy Gedney to Ernie Frantz, 4 March 1985, Todd-McLean Physical Culture Collection, University of Texas at Austin.
24. "Interview with Maris Sternberg by Eric Stone, 4/9/04," webpage, viewed March 22, 2005, available from <http://www.chicagopowerlifting.com/MarisInterview.html>.
25. *Powerlifting USA* (November 1985): 31.
26. Barrie Houlihan, *Sport and International Politics* (New York: Harvester Wheatsheaf, 1994), 56-57.
27. Quoted in J. Todd and T. Todd, "Reflections on the 'Parallel Federation Solution' to the Problem of Drug Use in Sport," 19.
28. Ernie Frantz to Conrad Cotter, 4 February 1980, Todd-McLean Physical Culture Collection, University of Texas at Austin. (Austin, TX).
29. Quoted in Hoberman, *Testosterone Dreams*, 251.
30. Ernie Frantz, "Proposal for APF/AMPF Meeting Submitted by Ernie Frantz, 28 January 1983." Rader Collection, APF folder, Todd-McLean Physical Culture Collection, The University of Texas at Austin.
31. Quoted in J. Todd, "Chaos Can Have Gentle Beginnings," 17.
32. "On the A.P.F. Side," *Powerlifting USA* (November 1985): 31.
33. *Ibid.*
34. Frantz, "Dear Fellow Lifter, Meet Promoter and Distributor."
35. Reference to the letter is contained at Conrad Cotter, "Message from the President [September 1984]," *Powerlifting USA* (September 1984): 30.
36. Quoted in Conrad Cotter to Arnold Bostrom, 1 July 1984, Judy Gedney

- Papers, Todd-McLean Physical Culture Collection, University of Texas at Austin.
37. Cotter, "Message from the President," *Powerlifting USA* (September 1984)."
 38. "Ernie Frantz Talks about his Meet," *Powerlifting USA* (September 1984): 30.
 39. Affidavit of Plaintiff Maris Sternberg, filed 28 January 1987, *Frantz v. United States Powerlifting Case Records*, Todd-McLean Physical Culture Collection, University of Texas at Austin.
 40. Conrad Cotter, Minutes of the Executive Committee meeting held via conference call on 8 June 1984 at 10:00 P.M. C.D.T., Judy Gedney Papers, Todd-McLean Physical Culture Collection, University of Texas at Austin.
 41. Cotter, "Message from the President (September 1984)."
 42. Sherman Antitrust Act of 1890, 15 U.S.C.S. § 1, et seq.
 43. Cotter, "Message from the President (September 1984)."
 44. Cotter to Bostrom, 1 July 1984.
 45. Emphasis added. [Illegible] Elmore, "Disciplinary Committee of the I.P.F. held in Dallas, USA, November, 1984," Judy Gedney Papers, Todd-McLean Physical Culture Collection, University of Texas at Austin.
 46. "Interview with Maris Sternberg by Eric Stone, 4/9/04."
 47. Elmore, "Disciplinary Committee of the I.P.F. held in Dallas, USA, November, 1984."
 48. Ibid.
 49. "Interview with Maris Sternberg by Eric Stone, 4/9/04."
 50. Affidavit of Plaintiff Maris Sternberg.
 51. Ibid.
 52. Nate Foster to Heinz Vierthaler, n.d.
 53. Ibid.
 54. "Interview with Maris Sternberg by Eric Stone, 4/9/04."
 55. On this point, see *Frantz v. United States Powerlifting Federation [Case 1]*, 2.
 56. "Interview with Maris Sternberg by Eric Stone, 4/9/04."
 57. Ernie Frantz to Conrad Cotter.
 58. Ernie Frantz to Judy Gedney, 25 February 1985, Judy Gedney Papers, Todd-McLean Physical Culture Collection, University of Texas at Austin (Austin, TX).
 59. Judy Gedney to Ernie Frantz, 4 March 1985, Todd-McLean Physical Culture Collection, University of Texas at Austin.
 60. Gedney's handwritten notes are found on Ernie Frantz to Judy Gedney.
 61. "Interview with Maris Sternberg by Eric Stone, 4/9/04."
 62. Ibid.
 63. The following legal document details the dates on which legal documents were filed with the courts: Stephen L. Sulzer to Honorable H. Stuart Cunningham, 16 February 1987, *Frantz v. United States Powerlifting Federation* File, Todd-McLean Physical Culture Collection.
 64. *Frantz v. United States Powerlifting Federation [Case 1]*, 4.
 65. "Judgment" for *Frantz v. United States Powerlifting Federation*, 4 February 1987, *Frantz v. United States Powerlifting Federation* case records, Todd-McLean Physical Culture Collection, University of Texas at Austin.
 66. *Frantz v. United States Powerlifting Federation [Case 1]*, 6.
 67. Ibid., 14.
 68. *Frantz v. United States Powerlifting Federation [Case 2]*, 1064.
 69. Ibid. It is worth noting here that the case's historical significance in the law rests on this narrow issue of appropriate attorneys' fees. The case has been cited on these grounds in 110 cases. See, for example, *Bay State Towing Co. v. Barge American*, 899 F.2d 129 (1st Cir. Mass. 1990), 133; *Cross & Cross Properties, Ltd. v. Everett Allied Co.*, 886 F.2d 497 (2d Cir. N.Y. 1989), 505.
 70. See *Frantz v. United States Powerlifting Federation [Case 3]*, 3.
 71. Ibid., 9.
 72. Conrad Cotter, "Message from the U.S.P.F. President [August 1985]," *Powerlifting USA* (August 1985): 29.
 73. Conrad Cotter, "Message from the President [May 1986]," *Powerlifting USA* (May 1986): 31.
 74. Conrad Cotter, "Message from the U.S.P.F. President [October 1987]," *Powerlifting USA* (October 1987): 36.
 75. Mike Lambert, "What's Going On With USA Powerlifting?" *Powerlifting USA* (April 1997): 6-7, 90-91.
 76. Ernie Frantz, "Message from the President of the American Powerlifting Federation in Rebuttal to the article in March 1988 *Powerlifting USA* from Conrad Cotter over the Lawsuit between the U.S.P.F., the A.P.F. and the I.P.F." *Powerlifting USA* (May 1988): 50.
 77. Michael W. Overdeer to Andrew Cominos, 20 February 1997, Todd-McLean Physical Culture Collection, ADPFA Unification with USPF (The Downhill Slide) folder, University of Texas at Austin.
 78. Ernie Frantz online interview by Eric Stone, 25 November 2003, <http://www.chicagopowerlifting.com/ErnieFrantzInterview.html>.
 79. Ernie Frantz to Conrad Cotter.
 80. "Interview with Maris Sternberg by Eric Stone, 4/9/04."
 81. Ernie Frantz online interview by Eric Stone, 25 November 2003, <http://www.chicagopowerlifting.com/ErnieFrantzInterview.html>.
 82. "Interview with Maris Sternberg by Eric Stone, 4/9/04."
 83. Daniel Wagman, Lewis Curry, and David Cook, "An Investigation into Anabolic Androgenic Steroid Use by Elite U.S. Powerlifters," *Journal of Strength and Conditioning Research* 9, no. 3 (1995): 153.
 84. Telephone interview with Judith Gedney by Jan Todd, 6 May 2005.
 85. Todd, "Chaos Can Have Gentle Beginnings," 9-10.
 86. John J. MacAloon, "Doping and Moral Authority: Sport Organizations Today," in *The Politics of Drugs in the Olympic Movement*, Wayne Wilson and E. Derse, eds. (Champaign: Human Kinetics, 2001), 210.