

# Vandy QB Diego Pavia now waits as federal judge takes injunction request under advisement

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NASHVILLE, Tenn. (AP) — A federal judge took [Diego Pavia](#) 's request for a limited preliminary injunction under advisement at the end of a hearing Wednesday as the Vanderbilt quarterback seeks to [play at least another season](#) while his lawsuit against the NCAA plays out in court.

U.S. District Judge William L. Campbell asked attorneys how quickly they could be ready for trial. He also asked about the upcoming transfer portal, which opens Monday and closes Dec. 28.

Attorney Ryan Downton argued during a 2 1/2-hour hearing that Pavia wants "the narrowest injunction possible" to keep his time in junior college from counting against his NCAA Division I eligibility using older guidelines. Their best hope is for a quick ruling by Monday.

"I get the sense from him today that he's looking at the date the portal closes and trying to give enough time to react before it closes," Downton said of the judge's timing after the hearing.

Campbell peppered attorneys with questions. The judge noted prep

schools play against junior colleges, including Pavia's, without starting their NCAA eligibility clock. He also noted junior colleges don't allow redshirt seasons.

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The judge also said the NCAA has changed its rules over the past 50 years, including allowing freshmen to play and later added the redshirt rule. Campbell sounded surprised when told a player who redshirted this season could play a total of nine games if on the team that wins the College Football Playoff.

[Pavia filed Nov. 8 in the U.S. District Court for the Middle District of Tennessee](#) in Nashville.

His request for a temporary restraining order was denied giving him two more seasons of eligibility allowing a redshirt season "to avoid additional harm." His lawsuit also asks that Vanderbilt, or any other college, not be punished for complying with orders from the court.

Pavia filed a declaration Monday that he is applying to the masters' program for legal studies at [Vanderbilt](#) starting in January if he is granted the preliminary injunction.

Attorneys Tamarra Matthews Johnson and Max Warren argued for the NCAA that Pavia had done exactly what the organization wants athletes to do earning a bachelor's degree at New Mexico State before being a graduate transfer to Vanderbilt earlier this year.

They also argued Pavia easily can seek another degree without playing football.

Warren disputed the idea of irreparable damages noting Pavia can receive economic damages at trial without an injunction. Warren also questioned the lawsuit's timing with Pavia quoted that this was his last year of college football.

"His best opportunity to earn a living is playing college football ...," Downton said in court. "This is his chance."

Pavia did not get an offer from a Football Bowl Subdivision school coming out of Volcano Vista High School in Albuquerque, New Mexico. He went to New Mexico Military Institute in 2020 and led the junior college to the 2021 national championship. He went to New Mexico State in 2022 and won 10 games in 2023.

The Conference USA Offensive Player of the Year then followed his head coach, Jerry Kill, and offensive coordinator Tim Beck to Vanderbilt this offseason.

Matthews Johnson argued that Vanderbilt simply will find another quarterback. Vanderbilt hasn't had many quarterbacks like Pavia who had a handful of his teammates sitting behind him in court.

Pavia is a big reason why Vanderbilt is 6-6 and bowl eligible for the first time since 2018. He led the Commodores to their best start in decades, ranked twice in the AP Top 25 and posted [their biggest win ever beating then-No. 1 Alabama](#). That snapped a 60-game winless skid over over AP top-5 teams.

Wednesday's hearing coincided with the [early signing period](#).

Vanderbilt coach Clark Lea supported his quarterback's initial filing and has talked of how much he has meant to the Commodores. That didn't

stop Vanderbilt from [signing a quarterback Wednesday](#) out of an Illinois high school in Jack Elliott.

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