

FANTASY COURT

SYLLABUS

LINT LICKERS v. COMMISSIONER

Appeal from the Commissioner's unilateral reduction of a codified penalty

No. 26-1543-2. Heard and decided October 21, 2026

The Ringer Fantasy Football Show, "'MNF' Reactions, Power Ranking What's Aged the Best This NFL Season, a Robust Fantasy Court, and a LOT of Gold Bond," at 1:04:11–1:08:53

Petitioner's league enforces a strict rule requiring the weekly low scorer to post to the group chat a video of themselves shotgunning a beer by 8:00 AM Tuesday, on penalty of a ten-point deduction in the following week's matchup. Last week's low scorer submitted a video of himself shotgunning a LaCroix—a choice of beverage the league apparently does not contest—at 8:54 AM, fifty-four minutes past the deadline. The Commissioner then texted the league proposing that, in light of the tardy but completed effort, only five points be deducted, and asked whether anyone had "any qualms." No member responded. The shotgunner proceeded to win his matchup by eight points; under the ten-point rule he would have lost, but under the Commissioner's five-point proposal he prevailed. The Commissioner applied the five-point deduction and refuses to revisit the matter, maintaining that the league's silence constituted assent.

Held: A league's silence in response to a commissioner's text proposing to halve a codified punishment is not consent to amend the rule. The full ten points come off, and the LaCroix shotgunner loses his matchup.

We applied the ordinary rule that an offeree's silence is not acceptance: a commissioner's "any qualms?" text is an invitation to object, not a vote, and a codified punishment is amended only by the league's affirmative act. Because the proposal was made before the matchup and benefited no one in particular, this was not a self-dealing case under *Rachel v. Commissioner* but a process case, and the process produced nothing. We then adopted, for the Court, the principle previously stated

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in separate writings that this Court does not run a discount counter on punishments: a deadline that grades on a curve is not a deadline, and a league that halves one penalty for effort will be asked to halve the next.

JUSTICE HORLBECK delivered the opinion of the Court, in which CHIEF JUSTICE HEIFETZ and JUSTICE KELLY joined.

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JUSTICE HORLBECK delivered the opinion of the Court, in which CHIEF JUSTICE HEIFETZ and JUSTICE KELLY joined.

Petitioner's league has a rule, and by the standards of the leagues that write to us, it is a good one. The weekly low scorer must post to the group chat a video of himself shotgunning a beer by 8:00 a.m. Tuesday. If he does not, ten points come off his score the following week. Last week's low scorer posted his video at 8:54 a.m. The beverage was a LaCroix. The league, we are told, does not care about the LaCroix. It cares about the fifty-four minutes.

The Commissioner then texted the league: in light of the shotgunner's efforts, maybe only five points should be docked. "Any qualms?" Nobody answered. The shotgunner then won his matchup by eight points. Under the rule as written, he loses by two. Under the Commissioner's proposal, he wins by three. The Commissioner applied his own proposal, and now declines to revisit it, because no one raised any qualms.

Petitioner asks whether the league's silence was consent or whether this was, in the words of the petition, blatant robbery. We hold that silence was not consent. The rule was ten points, the rule was never changed, and ten points shall be deducted. The shotgunner loses his matchup.

I

We begin with what this case is not. It is not *Rachel v. Commissioner*, 26-1485-1 (2026), where a commissioner reached into the settings after his own matchup had ended and awarded himself eight points. Nothing in this record suggests the Commissioner here had a stake in

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the shotgunner's game. He floated his proposal on Tuesday morning, before anyone knew whether five points or ten would matter. He was, in the language of our cases, behind the veil. See *In re Dynasty League Fumble Scoring*, 21-1270-2 (2021). This is not a self-dealing case. It is a process case, and the process produced nothing.

The Commissioner's position is that it produced consent. We disagree, for a reason taught in the first month of contracts: an offeree's silence is not acceptance. A text that ends in "any qualms?" is an invitation to object. It is not a motion, it is not a vote, and it is not a rule. The Chief Justice observed at argument that the Commissioner likely "said it as a bit," and we think that is the most charitable reading of the record. A bit does not become legislation because nobody laughed. If "any qualms?" could amend a codified rule by default, a commissioner could repeal his league's entire constitution one unanswered text at a time, and the only defense would be to never put the phone down.

Our cases on league lawmaking confirm the point. We have upheld an unrecorded amendment adopted at an alcohol-fueled dinner, but only because two credible witnesses recalled that a vote actually occurred. *In re Inebriated League Governance*, 24-0806-1 (2024). Here no vote occurred, drunk or sober. And we have said, in a case about a commissioner who governed by poll, that "The settings are the statute; the polls are legislative history," and that this Court's "enthusiasm for legislative history is limited." *Rachel*, 26-1485-1. If ten polls with actual responses are thin legislative history, one text with none is not legislative history at all. It is a text. The Chief Justice wrote separately in *Rachel* that a league which legislates by survey ends up with rules "everyone voted on, no one owns, and no one could rely upon." This league has gone one better: a rule no one voted on, the Commissioner owns, and the shotgunner relied upon.

II

Even if the league's silence could be read as consent to something, the something would be worth resisting. The Commissioner's proposal was to credit the shotgunner for his efforts. We understand the impulse. But a deadline that grades on a curve is not a deadline. The rule does not

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punish a failure to shotgun. It punishes a failure to shotgun by 8:00 a.m. Tuesday. The shotgunner failed to do that, and the fact that he did it at 8:54 instead is mitigating in the way that paying a parking ticket late is mitigating.

Two years ago, writing alone, one of us objected to a remedy that gave a manager “a fifty-percent discount on the consequences” of her own conduct. *In re Intoxicated Roster Transactions*, 24-0854-2 (2024) (Horlbeck, J., dissenting). Last month, still writing alone, the same Justice repeated that “this Court should not run a discount counter.” *Kristen v. Vince*, 26-1531-2 (2026) (Horlbeck, J., concurring). Today the Court adopts that principle as its own. A commissioner may not halve a codified punishment on his own motion, and a league may not do so by failing to answer him. The reason is the one Justice Horlbeck put to the parties at argument: give an inch, take a mile. If 8:54 is worth five points, what is 8:50? Is 9:30 worth three? Every answer the Commissioner might give is a new rule, and every new rule is one more thing for next week’s loser to litigate.

That is the real cost here, and it is why this Court has said that “leagues must enforce their punishments or the entire punishment system collapses.” *League v. Scott*, 23-1009-1 (2023). Punishment non-enforcement is now, by the Chief Justice’s count, the most common complaint this Court receives, ahead of trade vetoes. The usual pattern is familiar: “The threat to a punishment system is rarely open defiance. It is the clever reading.” *In re Negative Points Penalty Rule*, 24-0826-3 (2024). What distinguishes this case is that the clever reading came from the bench. The Commissioner was not asked for leniency. He volunteered it, and then treated the league’s failure to stop him as a mandate. A punishment system that “degrades from mandatory obligation to aspirational suggestion,” *Scott*, 23-1009-1, usually degrades because the loser pushes. Here it degraded because the referee did, and a referee who discounts the penalty he is charged with enforcing has not shown mercy. He has shown the next loser where the counter is.

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III

A word on the beverage. The rule says beer. The video shows LaCroix. In *In re Hard Seltzer Waiver Claim*, 20-1357-1 (2020), we held that a league's course of dealing governs whether a substitute beverage satisfies a beer rule, and the record here suggests this league has accepted LaCroix in the past. The league does not contest the can, and so neither do we. We note only that the substitution is no discount. It is harder to shotgun a LaCroix than a beer. The carbonation is, in the words of one Justice, "too powerful," and in the words of another, it makes your tummy hurt. A league that permits the LaCroix has, if anything, raised the bar. Whether a member who drinks could be required to shotgun actual beer is a question for a league that wishes to ask it; a member who is sober presents a different case, and not this one.

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The rule in this league is ten points. It was ten points at 8:54 a.m., ten points when the Commissioner texted, and ten points when nobody answered. The Commissioner shall deduct the remaining five points, and the matchup shall be corrected: the shotgunner loses by two. Next week's low scorer should take note that the deadline is 8:00 a.m., that LaCroix is permitted, and that the discount counter is closed.

Reversed. Ten points shall be deducted.