

No. 26-1
IN THE
SUPREME COURT OF FANTASY FOOTBALL
October Term, 2026 (Expedited to September)
MARC GOLDICH,
Appellant,
v.
GOD EMPEROR COMMISSIONER DYBUS,
Appellee.
On Writ of Certiorari Before Judgment to the
United States Fantasy Football Court of Appeals
(Est. Wednesday)
BRIEF OF SAMIR PATEL AS AMICUS CURIAE
IN SUPPORT OF APPELLEE
SAMIR PATEL
Amicus Curiae, Pro Se
League Member
Holder of Zero Admin Keys
September 2, 2026

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INTEREST OF AMICUS CURIAE

Amicus is a member of the League, a lawyer practicing in digital assets and artificial intelligence, and one of the people who will be awake at 12:45 a.m. drafting a kicker if Appellant prevails. Amicus has spent much of his career advising clients on governance structures in which one party holds the admin keys and everyone else holds a token that does nothing. He recognizes this League. Amicus writes to offer the Court an analogy from his own field, which he believes is illuminating and which the Court is free to find insufferable. Amicus takes no position on Back-to-School Night, which he understands to be real, and expresses no view on whether Appellant should attend it, which is between Appellant and the persons Appellant has described as possessing “even greater arbitrary authority than the Commissioner.”

SUMMARY OF ARGUMENT

Appellant’s brief is very good. It is also wrong, because it argues about the quality of the Commissioner’s reasoning when the dispositive question is whether reasoning was ever required. It was not.

Viewed through the lens of Amicus’s practice, the League functions like a smart contract with a single owner address, no timelock, no governance token, and no function for renouncing ownership. Every member read the code, or did not, which is legally the same thing, and then sent in a buy-in. “I don’t want to” is not a failure of that system. It is the system returning a value. The Phantom Clerk Doctrine is not an evasion of review; it is finality, which is the only reason anyone uses a ledger. The appellate court Appellant created after losing is a hard fork by the losing minority, and the canonical chain is wherever the Commissioner is standing. Rule 23 does not recognize a class of two; two is a group chat. And the equities, once the rest of the League is entered on the ledger, run against Appellant, who seeks to impose a 10:00 p.m. draft on everyone so that two people can attend a slideshow about the cafeteria.

The judgment below should be affirmed.

ARGUMENT

I. THE COMMISSIONER HOLDS THE ADMIN KEY, AND THAT IS THE CONFIGURATION EVERYONE SIGNED.

Amicus's day job consists largely of explaining to clients that a governance structure is whatever it says it is, not whatever the losing side wishes it were. A protocol whose only privileged role is a single owner address, with no timelock and no token, is not "decentralized," and nobody serious pretends otherwise. It is a company with extra steps. The League, though it runs on a group chat rather than a blockchain, is organized on the same terms: one privileged role, no waiting period, no vote. For purposes of the analogy, the Commissioner is the owner address. The Commissioner's authority derives from Article I of the League Constitution ("The Commissioner decides."), a provision Appellant has never challenged, never moved to amend, and, Amicus is reliably informed, never asked to see before sending his buy-in.

Appellant's abuse-of-discretion argument therefore has a threshold problem. "Abuse of discretion" presupposes a standard external to the discretion against which abuse can be measured. The standard below, candidly stated, is whether the Commissioner "feels like" granting relief. Feelings are not reviewable. They are not, in Amicus's experience, even reliably explicable. The court below applied its standard to the record, determined that it did not feel like it, and so held. That is not discretion abused. That is discretion, unabused, doing exactly what it was deployed to do.

Amicus has elsewhere proposed that the governance of automated systems be evaluated across four dimensions: Control, Disclosure, Accountability, and Contract. The League satisfies all four. The Commissioner controls. The Commissioner disclosed ("I don't want to"). The Commissioner is accountable to no one, which is a form of accountability in the sense that everyone knows precisely where accountability lives. And everyone signed the contract. Appellant's grievance is not with the framework. It is with the output, and outputs are not appealable in a system whose only rule is that they are not.

II. "I DON'T WANT TO" IS A VALID ORACLE OUTPUT.

Appellant reads "I don't want to" as the absence of reasoning. That is a category error. Under the governing standard, the only relevant fact is the Commissioner's internal state, and the only competent witness to that state is the Commissioner. His opinion is therefore not a conclusion unsupported by findings. It is the finding. In Amicus's field, a source that reports a value without owing anyone an explanation is called an oracle. The oracle was queried. The oracle returned a value. Appellant dislikes the value. Nobody sues Chainlink because ETH went down.

Appellant's reliance on *Goldich v. Dylus*, 2 F.F. 10 (2026) ("Come on, man."), does not assist him. That authority, authored by Appellant, cited by Appellant, and published in a reporter maintained by Appellant, holds only that Appellant would prefer a different outcome. Amicus does not dispute this. It has been established at every stage of these proceedings and is, at this point, the law of the case.

Nor should the Court be moved by the observation that the opinion below is short. Brevity is a virtue in an oracle. In the interest of full disclosure, Amicus submitted the Commissioner's opinion to a large language model for review. The model described it as "concise, internally consistent, and responsive to the applicable standard," before noting that it could not benchmark the opinion against comparable standards because none exist. The model further observed that a longer opinion would simply have contained more things for Appellant to appeal. This is correct and, Amicus suspects, was the point.

III. THE PHANTOM CLERK DOCTRINE IS FINALITY, AND FINALITY IS WHY ANYONE USES A LEDGER.

Appellant characterizes the referral of his appeal to "the proper clerk," a trash bin, as an evasion of review. Amicus respectfully submits that it is the most sophisticated act of governance in this record. The Commissioner did not ignore the appeal. He did what Amicus's clients would call sending it to a burn address. The transaction was broadcast, was publicly observable, and is irreversible. That is not a phantom clerk. That is settlement.

Schrodinger v. Dylus, 3 F.F. 1 (2026), on which Appellant relies, holds that an appeal "remains pending whether or not the Commissioner opens the PDF." Amicus does not question Schrodinger's holding as to unopened PDFs. But the PDF here was not left unopened. It was affirmatively sent somewhere, and the somewhere was a bin. A transaction that has been broadcast, confirmed, and finalized is not "pending." The cat is not both alive and dead. The cat was referred to the proper clerk.

Appellant's alternative theory, that he cured the absence of appellate review "by creating" an appellate court after losing, with himself as its only litigant, is what Amicus's clients would call a hard fork. Amicus has no objection to hard forks. They are how this industry resolves disagreement and how Amicus bills most of his hours. But a fork executed by the losing minority does not become the canonical chain by being loud on X. The canonical chain is the one on which the Draft occurs. Appellant is free to hold a draft on the Fantasy Football Court of Appeals chain at 10:00 p.m., and Amicus wishes him well. He will be drafting alone, on a chain with one validator, and the Commissioner will regard the results as Fantasy Football Classic. See Ethereum Classic v. Everyone Who Left, 1 Chain 2 (2016) (observing that the fork continued to exist, in the sense that things can).

IV. TWO IS NOT A CLASS. TWO IS A GROUP CHAT.

Rule 23(a)(1) requires a class so numerous that joinder is impracticable. The proposed class is Appellant and David. Joinder is not merely practicable; it is a text message. Appellant nonetheless asks this Court to hold that "Rule 23 has survived worse." It has. It should not be asked to survive this.

Typicality and adequacy fail as well. Nothing in the record indicates that David has retained Appellant, endorsed Appellant, read Appellant's filings, or wishes to be a member of any class. For all this Court knows, David has already declined Back-to-School Night and is looking forward to drafting a running back while Appellant learns where the nurse's office is. A representative who has not asked the only other class member is not representing a class. He is speaking for David, which David has not authorized and, depending on David, may not appreciate.

Finally, Appellant's class definition, "parents who occasionally pretend to prioritize their children over fantasy football," is fatally overbroad. It includes the Commissioner.

V. THE EQUITIES FAVOR EVERYONE WHO IS NOT APPELLANT.

Appellant frames the equities as two hours of wakefulness against two children in therapy. Amicus proposes a fuller ledger.

Debit Appellant: attendance at an event at which a vice principal explains the attendance policy to adults who have already received the attendance policy by email.

Credit the League: every remaining member, several with children of their own and all with a Wednesday, subjected to a 10:00 p.m. draft on a Tuesday that will run, on the League's historical clock, which the Commissioner has never once enforced, until roughly 12:45 a.m., at which point Amicus will be selecting a defense and someone will ask whether we are doing two kickers this year. The harm Appellant describes is speculative; it depends on his children remembering Back-to-School Night, which no child in the history of Back-to-School Night has done. The harm Amicus describes is certain. It is on the calendar.

Amicus also notes what Appellant did not request. He did not request an 8:30 p.m. start, which would accommodate a ninety-minute school event and leave the League its Tuesday. He did not request to draft from the school parking lot, which is where Amicus assumed this would end. He did not request that David autodraft, which would improve David's team. He requested 10:00 p.m., to the prejudice of everyone else's Wednesday, and styled the request "exceedingly narrow." It is narrow in the sense that it accommodates exactly two people.

VI. A NOTE ON THE 660,000 VIEWS.

Appellant's filings have been viewed more than 660,000 times. Amicus, whose practice includes name, image, and likeness matters, observes that this makes *Goldich v. Dylus* the first fantasy football dispute with measurable NIL value, all of which presently accrues to Appellant. The Commissioner's opinion, without which none of this content exists, has been reproduced without attribution or compensation. Amicus takes no position on whether this is an independent ground for affirmance. He simply notes that the Commissioner wrote the punchline, and Appellant is the one going viral.

CONCLUSION

The judgment below should be affirmed. In the alternative, the writ should be dismissed as improvidently granted, on the ground that the Court granting it also did not exist until Wednesday and should, at some point before Sunday, consider whether any of this is real. The Draft should proceed as scheduled. Appellant should attend Back-to-School Night, draft from his phone in the auditorium, and, like every parent in every league in America, pretend to be listening.

Respectfully submitted,

/s/ Samir Patel

SAMIR PATEL

Amicus Curiae, Pro Se

League Member, Digital Asset and AI

Lawyer,

and Holder of Zero Admin Keys

September 2, 2026