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OPEN NINTH:
CONVERSATIONS BEYOND THE COURTROOM
GOOOOAAAALLLL!
EPISODE 22
MAY 8, 2017
HOSTED BY: FREDERICK J. LAUTEN

1 (Music.)

2 >> Welcome to another episode of "Open Ninth:
3 Conversations Beyond the Courtroom" in the Ninth Judicial
4 Circuit Court of Florida.

5 And now here's your host, Chief Judge Frederick J.
6 Lauten.

7 >> **CHIEF JUDGE LAUTEN:** I'm here today with Circuit
8 Judge Donald Myers. Judge Myers currently serves in the
9 Business Court division. He's been a judge since 2011. He's
10 also the administrative judge of the appellate division. And
11 he's served in every division except perhaps one in the
12 circuit court. So he's a utility player who's covered
13 everything you can possibly cover as a circuit court judge.

14 And Judge Myers has a -- his J.D. from the University of
15 Florida. But he also has a master's and bachelor's degree
16 from Emory University, which for our listeners who don't
17 know, is located in Atlanta, Georgia.

18 So Judge Myers, while an undergraduate and master's
19 student at Emory, played soccer at Emory University. And
20 since we're just a few blocks from the brand-new Orlando City
21 soccer stadium, the Lion's Den, we thought it would be
22 appropriate to interview a judge who's actually played
23 college soccer.

24 So Judge Myers, welcome to "Open Ninth."

25 >> **JUDGE MYERS:** Thank you. It's great to be here.

1 **>> CHIEF JUDGE LAUTEN:** So let's talk soccer. I went to
2 a soccer school and not a football school. But if we were
3 across the pond, of course, we'd be referring to it as
4 football. But we'll use the term "soccer," if that's
5 acceptable to you too.

6 **>> JUDGE MYERS:** Well, we're gonna have to. Because at
7 Emory, they don't play football.

8 **>> CHIEF JUDGE LAUTEN:** Okay. Very good.

9 **>> JUDGE MYERS:** In fact, we have the T-shirts at Emory
10 that say "undefeated in football since 1836," since we've
11 never had a football team.

12 (Laughter.)

13 **>> CHIEF JUDGE LAUTEN:** That's great. I didn't know
14 that. That's fabulous.

15 (Laughter.)

16 **>> CHIEF JUDGE LAUTEN:** So how -- how did you become
17 interested in soccer? At what age did you start playing
18 soccer and --

19 **>> JUDGE MYERS:** When I was growing up, soccer was not a
20 popular youth sport, so I didn't really get connected to the
21 game until I was in junior high. I played with Maitland
22 Middle Junior High at the time. We were county champions for
23 the two years that I played there.

24 **>> CHIEF JUDGE LAUTEN:** Congrats. That's great.

25 **>> JUDGE MYERS:** Thank you. Thank you. And that was

1 really what started the bug for me. Great time playing.
2 Great relationships. Great team opportunities. A little bit
3 of travel with it as well. And so all of that turned into
4 then playing in high school.

5 >> **CHIEF JUDGE LAUTEN:** And had a soccer team obviously
6 at the school that you attended?

7 >> **JUDGE MYERS:** They did.

8 >> **CHIEF JUDGE LAUTEN:** And where is that?

9 >> **JUDGE MYERS:** At Winter Park High School.

10 >> **CHIEF JUDGE LAUTEN:** Okay. Right. A good soccer
11 team.

12 >> **JUDGE MYERS:** A good soccer team. Actually, in 1978,
13 which would have been my junior year, we were the runners up
14 in the state. And in '79, we were state champions. Had some
15 outstanding players that I played with. We had one fellow
16 that played for the United States Junior Olympic Team,
17 another fellow that played for the Junior National Team. Two
18 players that went on to play professional ball out of that
19 group.

20 >> **CHIEF JUDGE LAUTEN:** Wow. That's a talented squad.

21 >> **JUDGE MYERS:** It was.

22 >> **CHIEF JUDGE LAUTEN:** So from Winter Park, you know
23 that you're headed to Emory University as an undergraduate
24 student. Was it on an athletic scholarship? Were you going
25 there for the academics and you knew they had a soccer

1 program? How did you end up --

2 >> **JUDGE MYERS:** I very much wanted to continue to play.
3 In fact, I had a desire to play professionally. But I was
4 also a good student.

5 >> **CHIEF JUDGE LAUTEN:** Right.

6 >> **JUDGE MYERS:** And my parents encouraged me to apply
7 to good academic schools.

8 >> **CHIEF JUDGE LAUTEN:** Right.

9 >> **JUDGE MYERS:** And to make soccer a part of that.

10 So I applied to two schools, to Duke and to Emory. And
11 Duke narrowed my choices.

12 (Laughter.)

13 >> **JUDGE MYERS:** So I ended up playing with Emory.

14 >> **CHIEF JUDGE LAUTEN:** Well, Emory is a great, great
15 academic program.

16 So did you go there knowing you would be able to play
17 soccer? Or did you have to try out your freshman year?

18 >> **JUDGE MYERS:** I had to try out. It's an NCAA
19 Division III program, so no scholarships and no preferential
20 treatment for athletes. And so I drove up there in August of
21 1979. My parents dropped me off for tryouts in the heat of
22 the Atlanta summer. We were doing two-a-days and
23 three-a-days during tryouts.

24 >> **CHIEF JUDGE LAUTEN:** Wow.

25 >> **JUDGE MYERS:** And fortunately made the team. Ended

1 up actually being the team captain for all three years that I
2 played. I played as a freshman, a sophomore, and a junior.

3 >> **CHIEF JUDGE LAUTEN:** Now, was -- was -- is there a JV
4 and a varsity distinction or it's just you're trying out for
5 the varsity team?

6 >> **JUDGE MYERS:** You're trying out for the varsity team.

7 >> **CHIEF JUDGE LAUTEN:** Wow. And made it your freshman
8 year.

9 >> **JUDGE MYERS:** Yes.

10 >> **CHIEF JUDGE LAUTEN:** Captain, what year?

11 >> **JUDGE MYERS:** All three.

12 >> **CHIEF JUDGE LAUTEN:** All three years?

13 >> **JUDGE MYERS:** Mm-hmm.

14 >> **CHIEF JUDGE LAUTEN:** So what position did you play on
15 the field?

16 >> **JUDGE MYERS:** Interestingly in high school, I played
17 as a striker, a forward. In college, however, I reverted
18 back and played defense and actually was a sweeper. The very
19 farthest away from the striker on the field you could get.

20 >> **CHIEF JUDGE LAUTEN:** So I went to Rollins
21 undergraduate. We didn't have a football program either.
22 And so the fall sport, the big fall sport was soccer. And I
23 learned a little bit about it, but just enough to be
24 dangerous.

25 So why don't you tell our listeners, what does the

1 striker do, what does the sweeper do?

2 >> **JUDGE MYERS:** Well, the striker is most commonly
3 associated with scoring goals. You play up front. You roam
4 around up front, and I roamed side to side across the field
5 as a center striker. And my job was to score goals. And had
6 a good deal of success in that in high school.

7 But because of my size, really was more suited to be a
8 defender in college.

9 >> **CHIEF JUDGE LAUTEN:** Right.

10 >> **JUDGE MYERS:** And the sweeper position in the back
11 is -- is the central defender who's responsible -- not for
12 marking any individual players, but coordinating the defense
13 in midfield in front of him.

14 >> **CHIEF JUDGE LAUTEN:** So I imagine that takes a lot of
15 communication on the field.

16 >> **JUDGE MYERS:** A huge amount of communication.

17 >> **CHIEF JUDGE LAUTEN:** And people who haven't seen the
18 game on the field probably would be surprised at how much
19 talking and communicating you're doing with your other
20 players.

21 >> **JUDGE MYERS:** That's so much a part of the learning
22 curve for young players, is learning to communicate on the
23 field. We take it for granted that the ball's gonna move in
24 a certain direction, but that's not the case. And the more
25 skilled players are and more skilled teams have really

1 excellent communication skills.

2 >> **CHIEF JUDGE LAUTEN:** So our listeners can't see you,
3 and I work with you and you have to describe, in light of
4 what you said earlier, a little bit about your physical
5 features because, you know, you're relatively tall, and so
6 maybe you can just tell our listeners a little bit about
7 that.

8 >> **JUDGE MYERS:** I was six-foot tall when I graduated
9 high school. I grew three more inches in college, so I ended
10 up being six-foot-three.

11 At the time, however, I was only about 165 pounds,
12 soaking wet.

13 >> **CHIEF JUDGE LAUTEN:** So you were a little wisp of
14 air.

15 >> **JUDGE MYERS:** I was -- yeah. Lean and mean.

16 >> **CHIEF JUDGE LAUTEN:** Right. At six-foot tall,
17 striker in high school, is that pretty tall?

18 >> **JUDGE MYERS:** That's pretty tall.

19 >> **CHIEF JUDGE LAUTEN:** Pretty tall.

20 >> **JUDGE MYERS:** Yeah. In high school ball, that was an
21 advantage.

22 >> **CHIEF JUDGE LAUTEN:** Right.

23 >> **JUDGE MYERS:** And my strengths were generally in the
24 air, so head balls, moving through the defense. I could move
25 and get up high and be able to -- to head balls down.

1 **>> CHIEF JUDGE LAUTEN:** So I didn't play soccer growing
2 up. I played -- when I grew up, it was sort of three sports,
3 just depending on the season: Baseball, basketball, and I
4 played a little bit of Pop Warner football.

5 When I went to Rollins, I was amazed at two things when
6 I watched a soccer game: One was stamina. I could not
7 believe that the players moved so much the entire game with
8 very few breaks. And speed, I was amazed at speed.

9 So talk to me a little bit about stamina and speed as
10 you get into the college ranks, especially.

11 **>> JUDGE MYERS:** Well, I think that it was generally
12 accepted that a midfielder playing in a game -- so somebody
13 who's right between the defense and the offense -- might run
14 typically seven to eight miles during the course of a game.
15 So over 90 minutes. So there's a lot of running involved.

16 In addition to sprinting and that quick on and off the
17 ball type of movement that's necessary to -- to position
18 yourself. It's difficult for Americans who are used to
19 watching basketball or football who generally focus on the
20 ball to watch a soccer game where much of what's going on
21 occurs off the ball and away from the ball.

22 So if you -- if you ever have the chance to observe --
23 you'll see an awful lot of running going on that's not
24 directly around the ball. And it's players who are moving
25 into positions to open themselves up for passes, to make

1 themselves available for cross-field passes, or ultimately,
2 in the goal scoring area, to free themselves up from a
3 defender to make themselves available for the ball that can
4 be scored.

5 >> **CHIEF JUDGE LAUTEN:** So my son works in college
6 basketball. He knows a lot more about it than I do. But I
7 played a little bit of high school basketball, and as you
8 progress in basketball, off-ball movement is pretty important
9 to getting yourself into position.

10 But in soccer, it's -- it's as important as the ball is.

11 >> **JUDGE MYERS:** It's so important. And if you ever
12 went back and watched the old films of Pelé, you would just
13 see masterful movement away from the ball. He -- there's a
14 fellow who was incredibly talented with the ball on his feet.
15 But just as masterful off of the ball.

16 >> **CHIEF JUDGE LAUTEN:** So I had a friend tell me once
17 that soccer is both an aerobic and anaerobic sport. So why
18 don't you tell our listeners what he meant by that.

19 >> **JUDGE MYERS:** Yeah, you -- you -- I mean, you are
20 running constantly in the aerobic fashion and just when you
21 think you can't run any longer comes the time that you have
22 to move in an anaerobic fashion. And just accelerate with
23 incredible intensity to move to a spot or to take the ball.

24 >> **CHIEF JUDGE LAUTEN:** So in college, to have the
25 strength to do that week in and week out, I imagine you had

1 to consume a lot of calories, unlike a lot of us today who
2 are watching every bite we eat. You probably had to be
3 eating all the time.

4 >> **JUDGE MYERS:** We were eating constantly. And
5 particularly during those summer workouts when we were two-
6 and three-a-day practices. I can remember being so exhausted
7 pulling a chair into the showers --

8 >> **CHIEF JUDGE LAUTEN:** To take a shower.

9 >> **JUDGE MYERS:** -- just to take a shower.

10 >> **CHIEF JUDGE LAUTEN:** That's an interesting image.
11 But I can see where it would be that way.

12 >> **JUDGE MYERS:** And then they had the cafeteria open
13 separately for us over the course of the summer, and we're
14 making better meals, I think, than they did during the
15 typical school year for us to consume.

16 >> **CHIEF JUDGE LAUTEN:** So you're not receiving
17 scholarship aid or did you ever receive any scholarship?

18 >> **JUDGE MYERS:** I never did.

19 >> **CHIEF JUDGE LAUTEN:** None?

20 >> **JUDGE MYERS:** Unh-unh.

21 >> **CHIEF JUDGE LAUTEN:** So you're maintaining your
22 academic schedule, you're in these rigorous practices. And
23 tell our listeners -- and particularly in college -- how long
24 does the season last? In some ways, I know college athletes
25 never get time off.

1 But let's start with your season, and then we'll talk
2 about off-season too.

3 **>> JUDGE MYERS:** For us, the season was typically from
4 the very beginning of the fall semester into about November.
5 And then we didn't have any spring season. We didn't have
6 spring training as an NCAA-III program. So we were dependent
7 upon local clubs or organizations for us to continue to train
8 the rest of the year and then over the course of the
9 summertime.

10 **>> CHIEF JUDGE LAUTEN:** And is that what you did, was it
11 year-round training?

12 **>> JUDGE MYERS:** It was.

13 **>> CHIEF JUDGE LAUTEN:** High school and college?

14 **>> JUDGE MYERS:** High school and college.

15 **>> CHIEF JUDGE LAUTEN:** High school and college.

16 **>> JUDGE MYERS:** Yes.

17 **>> CHIEF JUDGE LAUTEN:** Weight training too?

18 **>> JUDGE MYERS:** Yes, weight training. In that era --
19 now, you have to remember we're in the late '70s, early
20 '80s, soccer was not very sophisticated. Our coach at
21 Emory College, Tom Johnson, a great fellow and a -- just a --
22 really an incredible leader, didn't know the game of soccer
23 very well.

24 **>> CHIEF JUDGE LAUTEN:** Interesting.

25 **>> JUDGE MYERS:** But was very focused on fitness.

1 >> **CHIEF JUDGE LAUTEN:** Right.

2 >> **JUDGE MYERS:** So we spent an awful lot of time in the
3 weight room and running.

4 >> **CHIEF JUDGE LAUTEN:** So I didn't -- as I said, I
5 didn't play at Rollins, but Gordie Howell, I think Howell is
6 his name.

7 >> **JUDGE MYERS:** Mm-hmm.

8 >> **CHIEF JUDGE LAUTEN:** Who also didn't -- when he
9 arrived -- have a soccer background, but he had a Marine
10 background --

11 (Laughter.)

12 >> **CHIEF JUDGE LAUTEN:** -- and so one of the features of
13 Rollins' team were the players were unbelievably fit, which
14 helped a lot. And then he could -- you could see, even while
15 I was there, his -- his skill set at knowing the game --
16 because he studied a lot. But he got better and better and
17 better at strategy and skill set, other than conditioning.
18 So that's interesting that your coach sort of had the same
19 background.

20 >> **JUDGE MYERS:** And indeed, our high school coach was a
21 Rollins player, a fellow by the name of Bobby Hartman who was
22 drafted to the German Bundesliga determined -- decided not to
23 go, actually, and stayed here. He played club ball. He
24 coached high school ball, was a phenomenal, phenomenal
25 player. Great strategist, understood the game well, and

1 could help us in ways that most American coaches couldn't.

2 >> **CHIEF JUDGE LAUTEN:** Interesting. So you, I think,
3 mentioned freshman, sophomore, junior year, not senior year.

4 >> **JUDGE MYERS:** Not senior year.

5 >> **CHIEF JUDGE LAUTEN:** Tell me about that.

6 >> **JUDGE MYERS:** I had aspired to play professionally,
7 and there was a team in Atlanta at the time, it was the
8 Atlanta Chiefs. And one of my high school friends had been
9 drafted out of high school to go play with Atlanta, so I
10 trained with those players on a fairly regular basis.

11 But it quickly became apparent to me that I was not
12 gonna have a future in professional soccer. I -- while I
13 felt like I was good, I just wasn't that caliber. And in my
14 junior year, I was accepted to a master's degree program that
15 required me to start in my senior year --

16 >> **CHIEF JUDGE LAUTEN:** Interesting.

17 >> **JUDGE MYERS:** -- and precluded me from playing.

18 So --

19 >> **CHIEF JUDGE LAUTEN:** What did you get your master's
20 in at Emory?

21 >> **JUDGE MYERS:** Communicative disorders.

22 >> **CHIEF JUDGE LAUTEN:** What's that? Tell us a little
23 bit about that.

24 >> **JUDGE MYERS:** Speech pathology and audiology.

25 >> **CHIEF JUDGE LAUTEN:** So did you think you -- did you

1 have an interest in a medical career at some point or --

2 >> **JUDGE MYERS:** I did not. I just was --

3 >> **CHIEF JUDGE LAUTEN:** Was just interested in that
4 area?

5 >> **JUDGE MYERS:** It was interesting and a great
6 opportunity for me to stay in school a little bit longer,
7 which I loved. I loved academia.

8 >> **CHIEF JUDGE LAUTEN:** Right.

9 >> **JUDGE MYERS:** And candidly, it was a tremendous
10 opportunity for a young man in a profession that was
11 dominated by women.

12 >> **CHIEF JUDGE LAUTEN:** At that point did you also have
13 your eye on law school eventually? In other words, did you
14 know or you decided a little later in time that --

15 >> **JUDGE MYERS:** No. It was much -- it was two years
16 down the road after graduating.

17 >> **CHIEF JUDGE LAUTEN:** Right.

18 >> **JUDGE MYERS:** I worked as a clinician here in Orange
19 County with the public school system over at Cherokee
20 Elementary, and I worked primarily with autistic and
21 learning-disabled students.

22 >> **CHIEF JUDGE LAUTEN:** Interesting.

23 >> **JUDGE MYERS:** And then had a job opportunity to go to
24 Hawaii. My wife and I traveled. I spent a year on the
25 island of Kauai. I coached high school soccer there.

1 >> **CHIEF JUDGE LAUTEN:** No kidding?

2 >> **JUDGE MYERS:** For Kauai High School. We got to
3 travel the islands and play games and some great experiences
4 with soccer there.

5 >> **CHIEF JUDGE LAUTEN:** Wow. That's fascinating.

6 Let's loop back a little bit to soccer because I want to
7 ask you this question.

8 So successful high school player. You played three
9 years in college. You tried out with a professional team,
10 realized that your likelihood of a profession was question --
11 you know, in question. What differentiates skill sets at all
12 three of those levels? In other words, between high school
13 and college and most importantly, between college and the
14 pros? What skill set do you need to have to keep going?

15 >> **JUDGE MYERS:** I think speed. And I think that's
16 something that is consistent amongst most professional
17 athletes, is that ability to move from stop to start.

18 >> **CHIEF JUDGE LAUTEN:** Faster than anybody else.

19 >> **JUDGE MYERS:** Faster than anybody else.

20 >> **CHIEF JUDGE LAUTEN:** Right.

21 >> **JUDGE MYERS:** I think if you look at the difference
22 between even good college players and the professionals, and
23 their speed is -- is night and day different.

24 >> **CHIEF JUDGE LAUTEN:** So I've -- I've said that too in
25 the basketball area because I coached young basketball

1 players, but a parent asked me once, like, what do you think
2 makes a team or keeps someone from making a team? And I said
3 if you have the basic skill set, that is, you can dribble
4 with both hands, you know how to at least take a shot, know
5 how to play defense, what -- what distinguishes you at each
6 level is speed, just the faster players keep going.

7 >> **JUDGE MYERS:** Speed. And then the second thing is
8 vision. It's the ability to see the game in a
9 three-dimensional way.

10 >> **CHIEF JUDGE LAUTEN:** Interesting.

11 >> **JUDGE MYERS:** Because we -- in soccer, you learn to
12 play in triangles, and there are small triangles all over the
13 field. And players move into triangles to pass the ball.
14 And it's one thing to see your triangle. It's the next to
15 see it in a chess-like manner --

16 >> **CHIEF JUDGE LAUTEN:** I see.

17 >> **JUDGE MYERS:** -- happening on the other side of the
18 field --

19 >> **CHIEF JUDGE LAUTEN:** Fascinating.

20 >> **JUDGE MYERS:** -- and moving in that direction.

21 >> **CHIEF JUDGE LAUTEN:** And then the other thing I might
22 add, just sitting here, is there are some people with a drive
23 or a will to win that you either kind of have it or you don't
24 have it or this competitive spirit that --

25 >> **JUDGE MYERS:** I think that's important. And, you

1 know, most -- most college athletes have a lot of that in
2 them. I don't know how different that is for the
3 professional. But it certainly is at a higher level.

4 >> **CHIEF JUDGE LAUTEN:** At some levels, it's almost
5 obsessive. It's sort of -- like Michael Jordan apparently
6 hated to lose at even a card game or any competition.

7 >> **JUDGE MYERS:** Right.

8 >> **CHIEF JUDGE LAUTEN:** Which may be one reason he was
9 for his time the best basketball player on the planet, just
10 because he had this unbending will to win --

11 >> **JUDGE MYERS:** Will to win.

12 >> **CHIEF JUDGE LAUTEN:** -- everything he did.

13 >> **JUDGE MYERS:** Sure.

14 >> **CHIEF JUDGE LAUTEN:** Well, so now in your
15 professional life, in your adult life, we have a major league
16 soccer team here in Orlando. First of all, did you -- when
17 you were in Winter Park High School, did you ever think that
18 Orlando would have a major league soccer team?

19 >> **JUDGE MYERS:** Well, at the time we had the Tampa Bay
20 Rowdies was the closest team around, and it was a part of
21 what then was the NASL, the North American Soccer League.
22 And the Rowdies were a very successful franchise, as the NASL
23 went.

24 >> **CHIEF JUDGE LAUTEN:** Right.

25 >> **JUDGE MYERS:** It ultimately went.

1 >> **CHIEF JUDGE LAUTEN:** Right. Right.

2 >> **JUDGE MYERS:** Because of financial problems and the
3 league was losing hundreds of millions of dollars a year and
4 just couldn't continue.

5 But I did not envision in Orlando at that time. And
6 part of that was the ethnic makeup of our different
7 communities. Tampa, at the time, had a much stronger
8 Hispanic influence, and that was very supportive of the game.
9 And I think that lended to the tremendous support that the
10 Rowdies drew.

11 But we would drive, you know, over to Tampa to catch
12 games.

13 >> **CHIEF JUDGE LAUTEN:** Right.

14 >> **JUDGE MYERS:** And realistically, though, I didn't
15 know that that was gonna come.

16 >> **CHIEF JUDGE LAUTEN:** Yeah. That's interesting, your
17 description. So really North Americans weren't real big
18 soccer supporters. We were baseball and football and a
19 little bit of basketball. But South Americans, Europeans,
20 I'm not sure about Canadians. I'm not sure where I'd put
21 them. They really seem to be stereotypically hockey fans.

22 >> **JUDGE MYERS:** Right.

23 >> **CHIEF JUDGE LAUTEN:** But South Americans and
24 Europeans, big soccer fans. But now it seems like it's
25 worldwide, would you agree with that?

1 >> **JUDGE MYERS:** Oh, it's global. Absolutely.

2 >> **CHIEF JUDGE LAUTEN:** Yeah.

3 >> **JUDGE MYERS:** And it's so interesting. We see the
4 reflection, I think of much of that in what's available to us
5 now on TV. We are now regularly seeing English Premier
6 League games. We're now regularly able to see South American
7 and Mexican games. In fact, the largest TV producer of
8 soccer in the United States is of a Mexican league. It's the
9 Mexican league, it's the Mexican Liga XL.

10 >> **CHIEF JUDGE LAUTEN:** Interesting.

11 >> **JUDGE MYERS:** Yeah. It's -- again, I think we're
12 seeing more and more of that influence making its way into
13 the American mainstream. Are we ever going to see it surpass
14 football, baseball, even basketball? I don't think so. Not
15 in my lifetime --

16 >> **CHIEF JUDGE LAUTEN:** Right.

17 >> **JUDGE MYERS:** -- I don't think. But I think there is
18 a future for that.

19 >> **CHIEF JUDGE LAUTEN:** Yeah. I know one of the
20 interesting challenges for professional football is the whole
21 concussion issue and whether generations from now parents
22 starting now and as we proceed forward might be hesitant to
23 have their children play a contact sport where there might be
24 neurological long-term effects. And I know pro football is
25 even wrestling with that.

1 There is -- soccer's a contact sport. So it might
2 have that issue but not to the same degree.

3 **>> JUDGE MYERS:** Well, it is a concussion sport as well.
4 And actually you're seeing in the youth leagues now less and
5 less practice heading the ball.

6 My first and only major injury in soccer was a head
7 injury. I broke a nose going up for a head ball in college,
8 and ended up with a concussion and a badly broken nose.

9 **>> CHIEF JUDGE LAUTEN:** I'm gonna let you off the hook
10 with this question by saying before Orlando City got here,
11 who was your favorite professional team?

12 (Laughter.)

13 **>> JUDGE MYERS:** I probably would have been a Galaxy
14 fan, L.A. Galaxy, with Beckham there --

15 **>> CHIEF JUDGE LAUTEN:** Yeah. So that was my next
16 question, who's your favorite player. And Beckham?

17 **>> JUDGE MYERS:** I think in that era, David Beckham
18 would have been. But my favorite players go back further
19 than that. And now I have favorite players here. I love the
20 Orlando City team.

21 **>> CHIEF JUDGE LAUTEN:** Great. Tell -- talk about that.
22 I know you're a season ticket holder.

23 **>> JUDGE MYERS:** I am. I am.

24 **>> CHIEF JUDGE LAUTEN:** You must have been thrilled when
25 they arrived.

1 **>> JUDGE MYERS:** I was so excited to see the arrival and
2 to see the response of the community on their opening day,
3 62,000 fans to fill the Citrus Bowl. That's exciting.

4 **>> CHIEF JUDGE LAUTEN:** So I went to a game in the
5 Citrus Bowl, unfortunately, kind of -- I got closer to the
6 field than I thought I would. I was someone's guest and the
7 seats were four rows up, and it was amazing to be that close
8 to the action.

9 And I haven't yet gotten over to the new stadium, but
10 you have.

11 **>> JUDGE MYERS:** I have.

12 **>> CHIEF JUDGE LAUTEN:** And I know you were there
13 opening day. So why don't -- in case we have listeners who
14 haven't been there, why don't you describe your impression of
15 the stadium and what it offers and --

16 **>> JUDGE MYERS:** So what a fabulous venue. 25,500, I
17 think is the seating capacity. Every seat full, the volume
18 level is indescribable.

19 **>> CHIEF JUDGE LAUTEN:** That's great.

20 **>> JUDGE MYERS:** And a soccer game, of course, is 90
21 minutes long. And for 90 minutes, the volume was
22 outrageously loud.

23 **>> CHIEF JUDGE LAUTEN:** Good.

24 **>> JUDGE MYERS:** What a great home field advantage --

25 **>> CHIEF JUDGE LAUTEN:** Great. Great.

1 **>> JUDGE MYERS:** -- for our team. The stadium itself is
2 beautiful. It's fabulous architecture. The seating areas
3 are really very nice. We sit up a little bit higher. And
4 part of that is my preference. It's the perspective on the
5 field. I like to see the off-the-ball movement.

6 **>> CHIEF JUDGE LAUTEN:** Right.

7 **>> JUDGE MYERS:** And the things that are going on away
8 from the ball. And for me, it's the best place to watch a
9 game. And I love TV. My seats at the stadium are better
10 than watching TV.

11 **>> CHIEF JUDGE LAUTEN:** Yeah. That's fascinating.
12 Well, my wife is a recent convert to college basketball
13 because our son works in the area, so I've been watching
14 basketball my whole life 'cause I played it as a kid. And I
15 do know this, that I see the game slightly differently than
16 she sees it. But I didn't play college basketball or
17 professional basketball. And I have to imagine that if you
18 play in college and you tried out with the pros, so I imagine
19 you must just see the field differently than a fan who never
20 played the sport.

21 **>> JUDGE MYERS:** I hope so. I enjoy bringing people who
22 have never seen a game with me. And they want to watch the
23 ball.

24 **>> CHIEF JUDGE LAUTEN:** Right.

25 **>> JUDGE MYERS:** And I like to -- to be able to say,

1 look over on that far side of the field at what's happening
2 over there. And then to see the play develop in a way that
3 the ball ultimately moves to someone over there --

4 >> **CHIEF JUDGE LAUTEN:** Fascinating. It must be
5 fascinating.

6 >> **JUDGE MYERS:** -- to then create space back in the
7 middle where the ball can be crossed or centered back in. So
8 it is a lot of fun.

9 >> **CHIEF JUDGE LAUTEN:** So one of Wayne Gretzky's
10 favorite quotes, you've probably heard it, "I didn't skate to
11 where the puck was, I skated to where the puck would be."

12 >> **JUDGE MYERS:** Right.

13 >> **CHIEF JUDGE LAUTEN:** And it sounds like that's true
14 in soccer. You don't run to where the ball is necessarily,
15 you run to where it will be. And you have that vision to
16 kind of see it. And that must be -- that really must be fun
17 to share with other players.

18 >> **JUDGE MYERS:** It is. So much of the movement on the
19 field is the creation of space. If you watch children play
20 soccer -- and I've coached all levels of soccer at this point
21 from the very youngest all the way through high school. If
22 you watch very young players, we call it swarm ball.
23 Everybody gathers to the ball.

24 >> **CHIEF JUDGE LAUTEN:** Right.

25 >> **JUDGE MYERS:** But the more mature the game gets, the

1 less of that that occurs.

2 >> **CHIEF JUDGE LAUTEN:** Interesting.

3 What is it about sports in America that occupies our
4 interests so much?

5 >> **JUDGE MYERS:** I think -- I think much of it is
6 competition. I think we are by nature a competitive people.
7 And even when we find ourselves in an armchair competition
8 rooting for those people on the field, it links us to
9 something. It's something bigger than us. It's something
10 visible. It's something exciting. And for many of us, it's
11 things that we can't do any longer.

12 >> **CHIEF JUDGE LAUTEN:** Right.

13 >> **JUDGE MYERS:** I gave up the game -- I gave up playing
14 just about ten years ago. So I played well into my
15 mid-40s. And would be playing today but for the risk of
16 head injury. It was another concussion that --

17 >> **CHIEF JUDGE LAUTEN:** Stopped you?

18 >> **JUDGE MYERS:** -- stopped me and said I have to go to
19 work on Monday morning.

20 >> **CHIEF JUDGE LAUTEN:** Knees or ankles?

21 >> **JUDGE MYERS:** Not knees or ankles.

22 >> **CHIEF JUDGE LAUTEN:** Well, that's a blessing.

23 >> **JUDGE MYERS:** Yes.

24 >> **CHIEF JUDGE LAUTEN:** What lessons do you think you
25 learned competing and being a soccer player for as long as

1 you were that translate into your professional life, both as
2 an attorney, where you were a practitioner, and as a judge?
3 Certainly as an attorney, what you did as a trial lawyer was
4 competitive.

5 >> **JUDGE MYERS:** Very competitive. And that was
6 probably a natural extension of that piece of who I was.
7 I -- you know, I could talk about teamwork and all the things
8 that you associate with -- with team sports and all of that
9 is valuable and I respect my time for that. But probably
10 some of the things that I appreciate even more are the
11 nuances of the game.

12 One of those is that idea of creating space, which is
13 really creating opportunity. Our natural inclination is to
14 drive toward the goal. But so often we can create
15 opportunity to get others involved and for the team to be
16 successful by creating an opportunity that isn't directly at
17 the goal, but instead is over here in this space.

18 And I think that's really a valuable lesson out of
19 soccer. It's an inclusive game. And if you see it played
20 around the world, you see its inclusiveness. Children of all
21 ages, of all athletic abilities, boys and girls want to be on
22 the field to play. And I think that is an exciting part
23 about the game, and I think it's probably some of the
24 foundation of some of the most important lessons I learned.

25 >> **CHIEF JUDGE LAUTEN:** Well, I love your passion for

1 this sport. I -- I'm attracted to people who have passion
2 about something, and I love the passion that you bring and
3 the perspective that you bring, because you have me even
4 thinking about looking at the field differently than I've
5 looked at it before.

6 And before we conclude, I want to say to our listeners
7 that not only are you a superstar in soccer and were, but
8 that you have brought so much talent and skill to the bench,
9 both in terms of handling your individual docket and
10 presiding over trials, but also administratively, as I said,
11 you're the administrative judge for the appellate division,
12 and you bring that team spirit that you learned playing
13 soccer. And I've heard from so many of our colleagues how
14 delighted they are that you're part of our team and they get
15 to work with you.

16 So I want to thank you on air for the services that
17 you've given to the branch, and it's just been fascinating to
18 talk to you about this other aspect of your life that I
19 didn't really know so much about, and it's very intriguing.

20 So thanks for spending time with us today, Judge.

21 >> **JUDGE MYERS:** Well, thank you, Judge Lauten, and I'm
22 honored to be a part of --

23 >> You've been listening to "Open Ninth: Conversations
24 Beyond the Courtroom," brought to you by Chief Judge
25 Frederick J. Lauten and the Ninth Judicial Circuit Court of

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4 (Music.)

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