

**UNIVERSITY OF PENNSYLVANIA
WHARTON SCHOOL**

LGST 299-013 - Sports Law
Fall 2007
T/Th 10:30 -12; XXX Jon M. Huntsman Hall
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SYLLABUS

COURSE DESCRIPTION:

This course focuses on the areas of association, contract, constitutional, labor, antitrust, and agency law as they apply to the sports industry. This course exposes the student to many of the legal issues facing those in sport organizations. Special attention is given to the regulation of professional and amateur athletics, agency law, antitrust law, the organizational structure of sports leagues and associations, labor-management relations, and Title IX. The development of effective communication skills will be emphasized through class presentations and written assignments, leadership and interpersonal communications will be developed through small group projects and meetings, and critical thinking and problem solving skills will be fostered through the careful study of numerous cases.

COURSE OBJECTIVES:

Through classroom presentations, discussions, readings, and the completion of course assignments, the student will be acquainted with a varied but limited number of important concepts in the study of law as it relates to the sports industry. Thus, the course provides the student with an overview of the law as it pertains to intercollegiate and professional sports enterprises.

REQUIRED MATERIALS:

Weiler, Paul and Roberts, Gary (2004). Sports and the Law: Text, Cases, Problems (3rd Ed.). St. Paul, Minnesota: West Group.

Course Materials distributed via class handouts and/or electronically.

SUPPLEMENTAL MATERIALS:

Regular reading of newspapers and magazines pertinent to the sports industry is strongly suggested, as a student of sports law should make every attempt to learn about current issues facing sport managers. *Sports Illustrated*, *The Sporting News*, *USA Today*, *Street & Smith's SportsBusiness Journal*, and *The NCAA News*, as well as ESPN SportsCenter, and HBO's *Real Sports* are all recommended media sources. Helpful websites include: www.espn.com, www.sportingnews.com, www.cnnsi.com, www.sportsbusinessnews.com, www.ncaa.org, and www.sportspages.com. Additional websites are listed at the end of this syllabus.

COURSE METHOD OF INSTRUCTION:

Class sessions will follow a lecture/discussion format. The Socratic Method will also be used, as will experiential exercises, videos, and case studies.

GRADING BASIS:

PARTICIPATION	See below
LEGAL MEMORANDUM	200 points
MIDTERM EXAMINATION	250 points
FINAL EXAMINATION	250 points

PARTICIPATION:

Class participation can result in a half grade upward or downward departure (i.e. an A- to an A, or a B+ to a B). Students are expected to be prepared for every class. Attendance is not participation! The quality of participation, as reflected in careful reading and thorough analysis of the assigned materials, is important. It is also important to build upon other students' comments. This requires attentive listening. Class participation will be judged on the basis of quality and consistency upon a weekly basis. Students are encouraged to discuss the adequacy of their participation with the professor.

EXAM AND ASSIGNMENT POLICIES:

All examinations must be taken during the scheduled examination time. No make-ups will be given. All examinations will be closed texts and notes. Assignments are expected to be submitted or presented on the assigned due date. Late work will receive a zero.

COURSE OUTLINE/CALENDAR:

The schedule below is a tentative one and is subject to change. Any changes will be announced to class members.

DATE	READING ASSIGNMENTS
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Th 9/6	Course Introduction and Requirements What is Sports Law?	
T 9/11	Commissioner Powers Cases Assigned: <ul style="list-style-type: none"> • Milwaukee v Landis (15) • Finley v Kuhn (18) • Turner v. Kuhn (25) 	WR 1-100
Th 9/13	No Class	
T 9/18	Commissioner Powers Cases Assigned: <ul style="list-style-type: none"> • Sprewell v. NBA (handout) • Molinas v NBA (41) • Steve Howe (51) • Ludtke v Kuhn (94) • Artest, O'Neal & Jackson (handout) 	WR 1-100

- Terrell Owens v. Philadelphia Eagles (handout)

Th 9/20	Contract Law Cases Assigned:	WR 101-174
	<ul style="list-style-type: none"> • Danny Ainge (103) • Lajoie (105) • Barnett (109) • Brian Shaw (115) • Neely (121) 	
T 9/25	Contract Law Cases Assigned:	WR 101-174
	<ul style="list-style-type: none"> • Bergey (127) • Chase (138) • Federal Baseball (handout) • Gardella v. Chandler (handout) 	
Th 9/27	Contract Law Cases Assigned:	WR 101-174
	<ul style="list-style-type: none"> • Toolson v. Yankess (handout) • Flood v Kuhn (148) • Piazza & Tirendi v MLB (160) 	
T 10/2	Antitrust Law Cases Assigned:	WR 175-274
	<ul style="list-style-type: none"> • Brown v. Pro Football (179) • Smith v. Pro Football (186) • Clarett v. NFL (handout) • Mackey v. NFL (Part I) (207) • Fraser v. MLS (216) 	
Th 10/4	Antitrust Law Cases Assigned:	WR 175-274
	<ul style="list-style-type: none"> • Mackey v. NFL (Part II) (227) • McCourt v. California Sports (232) • Wood v. NBA (234) 	
T 10/9	Antitrust Law Cases Assigned:	WR 175-274
	<ul style="list-style-type: none"> • Powell/McNeil/White v. NFL (237-42) • Brown v. Pro Football (244) • Baseball collusion cases (263-68) 	
Th 10/11	Labor Law and Collective Bargaining Cases Assigned:	WR 275 - 361

- Messersmith & McNally (278)
- Umpires (287)
- Seattle v Sam McCullum (294)
- NASL v. NLRB (300)
- Morio v. NASL (305)

T 10/16 No Class

Th 10/18 Labor Law and Collective Bargaining WR 275 - 361

Cases Assigned:

- NFLMC & NFLPA (328)
- KC Royals v MLBPA (337)
- Peterson v. Kennedy and NFLPA (345)

T 10/23 Agent Representation of the Athlete WR 362 - 430

Cases Assigned:

- Moore & Atlanta Braves (366)
- Zinn v Parrish (385)
- Brown v. Woolf (388)

Th 10/25 **Midterm Examination (in class)**

T 10/30 Agent Representation of the Athlete WR 362 - 430

Cases Assigned:

- Sims v Argovitz (391)
- Walters & Bloom (397)
- Collins v NBPA (405)
- Rona (417)

Th 11/1 Sports Broadcasting, Merchandising and Intellectual Property WR 431-534

- Pittsburgh Athletic Co. v. KQV Broadcasting (435)
- NBA v. Motorola (440)
- Morris Communications (447)
- ETW Corp. v. Jireh Publishing (481)
- CDM Sports v. MLB (handout)
- Topps v. MLBPA (529)

T 11/6 Franchise, League, and Community WR 535-683

Cases Assigned:

- NASL v. NFL (541)
- Sullivan (548)
- Fraser v MLS (568)
- Raiders I (577)

Th 11/8	Franchise, League, and Community Cases Assigned:	WR 535-683
	<ul style="list-style-type: none"> • NBA v. Clippers (597) • Mid-South Grizzlies (603) • City of Oakland I (616) 	
T 11/13	Franchise, League, and Community Cases Assigned:	WR 535 - 683
	<ul style="list-style-type: none"> • City of Oakland II (622) • U.S. v. NFL (636) • Chicago Professional Sports & WGN (648, 660) 	
Th 11/15	Monopoly in Professional Sports Cases Assigned:	WR 684 - 738
	<ul style="list-style-type: none"> • AFL vs. NFL (689) • Philadelphia WHA v. Philadelphia Hockey Club (702) • USFL v. NFL (722) 	
T 11/20	College Sports - Due Process and Academic Integrity Cases Assigned:	WR 739 - 821
	<ul style="list-style-type: none"> • NCAA v Tarkanian (743) • Brentwood Academy v. Tennessee SSAA (handout) • NCAA v. Miller (758) • Parish v NCAA (772) 	
Th 11/22	No Class – Thanksgiving	
T 11/27	College Sports - Due Process and Academic Integrity LEGAL MEMORANDUM DUE IN CLASS Cases Assigned:	WR 739 - 821
	<ul style="list-style-type: none"> • Gaden v. NCAA (789) • Hall v. Univ. of Minnesota (797) • Pottgen v. MSHSAA (804) • Ross v Creighton I (813) • Ross v Creighton II (816) 	
Th 11/29	College Sports: Commercialism and Amateurism Cases Assigned:	WR 822 – 903
	<ul style="list-style-type: none"> • NCAA Manual - Excerpts (handout) • Denver v NCAA (825) • Bloom v. NCAA (handout) 	
T 12/2	College Sports: Commercialism and Amateurism Cases Assigned:	WR 822 - 903
	<ul style="list-style-type: none"> • Shelton v NCAA (839) 	

- Taylor v Wake Forest (845)
- NCAA v. Bd. Of Regents of OU and UGAA (853)
- Law v. NCAA (877)
- Metropolitan Basketball v. NCAA (NIT case) (handout)

Th 12/4

College Sports – Gender Equity

WR 904 - 977

Cases Assigned:

- Blair v Washington St. (906)
- Cohen v Brown I (915)
- Kelley v Illinois (921)
- Cohen v Brown II (926)
- Neal v. Cal State (947)
- Hoover v. Meiklejohn (967)

FINAL EXAMINATION GIVEN ON XXX

WRITTEN ASSIGNMENT

LEGAL MEMORANDUM

Students will be assigned a packet of cases and documents that shall be read and synthesized into a major legal writing assignment. All relevant cases and documents will be assigned to the students in the assignment packet to be distributed later in the semester. Students will not need to perform any additional legal research beyond what is given in the packet. Though that is the situation, cases and documents that support opposite legal views will be provided. The student will analyze these materials and organize them into a cogent legal writing sample that supports their conclusion as to the likely disposition of the case. Additional information will be provided to the student during the course of the semester as to the nature of this assignment, but it will be a major portion of the course.

Below are links to some of the more useful URL's related to the sports industry. Note that the individual teams in professional sports and colleges and universities have their own, The sports sections of individual newspapers are obviously valuable resources as well. Similarly, information regarding individual athletes tends to be available via their personal websites.

- **College Sports**
www.ncaa.org
www.sportsuniversity.com
- **Sports Business**
www.sportbusiness.com
www.sportsbusinessnews.com
www.ft.com/sport/bos/bos.htm (Financial Times "Business of Sport" page)
- **Sports Law**
www.sportslawnews.com
- **Sports News**
www.cnnsi.com
www.espn.com
www.foxsports.com

www.golf.com
www.soccernet.com
www.sports.com
www.sportserver.com
www.sportsline.com
www.sportingnews.com

Stadiums and Arenas

www.arenamedia.com
www.ballparks.com

- **Leagues and Entities**

www.majorleaguebaseball.com
www.mlsnet.com
www.nascar.com
www.nfl.com
www.nhl.com
www.wnba.com
www.nba.com
www.pgatour.com
www.wtatour.com