

LGST 228: Sports Law

Spring 2012

Professor Andrew Brandt

TA: Hannah Gerstenblatt

Office Hours: By Appointment

COURSE DESCRIPTION

This course will introduce students to the core substantive areas of law relevant to the business of sports, as well as the practical application and impact of such laws. The course focuses primarily on professional sports leagues and restraints that players face. Naturally, my experiences and real-life stories will be a large part of the learning process, although not the main focus of the class.

We will have discussion in each class about current events in the sports business and legal realm; these discussions are integral to real-world deliberations of these topics.

Of course, my experiences as a player agent and working with NFL teams will provide practical background for the issues we are discussing. And now covering NFL business for ESPN and my web site will illustrate many issues we are discussing. Having said that, this class will work through the cases and materials assigned and will not simply be my experiences.

Through classroom lectures and interactive discussions, students will gain an understanding of the creation and regulation of professional athletics, antitrust and labor law, organizational structures of leagues and associations, and labor relations. In-class problem solving will be utilized extensively to expose students to the application of the law to particular situations.

I will assign students to present cases and/or arguments in negotiations in each class. Participation in class discussions/in class exercises is *strongly encouraged* and will be weighted in the final grades.

Due to the possibility of my missing class due to other obligations and the possibility of guest speakers, the syllabus will necessarily be flexible.

REQUIRED TEXT & MATERIALS

Weiler and Roberts, *Sports and the Law (3rd Ed.)*

Additional cases and materials as assigned

SUPPLEMENTAL MATERIALS:

Regular viewing of me on ESPN and reading of my work on *The National Football Post* is required ☺. I say this in jest but also in all seriousness as a source of what I am thinking and discussing as legal and business issues in football. I also have regular contributions in Forbes' *Sports Money Blog* as well as *The Huffington Post* and regular radio appearances on Sirius and ESPN Radio and television.

Further, newspapers and magazines pertinent to the sports industry is strongly suggested, especially the *Sports Business Journal* and the *Sports Business Daily*. Other important sports publications are *Sports Illustrated*, *The Sporting News*, and the *USA Today*. ESPN's *SportsCenter* and E: 60 and HBO's *Real Sports* are all recommended media sources as well. Helpful websites beyond *nationalfootballpost.com* are *SportsBiz with Darren Rovell*, *Sports law blog*, etc.

COURSE METHOD OF INSTRUCTION AND EVALUATION:

At present, there is no scheduled examination in this class. There will be 2-3 quizzes throughout the semester on the teachings in the previous classes or even the present class. As described below, it is extremely important to attend class despite the absence of a semester-ending exam.

Class sessions will follow a lecture/discussion format. I will be the primary voice, of course, but I will be calling on students to start and advance discussions. Students will be assigned cases to lead discussions in and all students are on notice that they may be called upon at any time to participate.

Participation in class discussions/in class exercises is strongly encouraged and will be weighted in the final grades.

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 will be noted, but 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.

COURSE OUTLINE/CALENDAR:

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

Weeks One and Two

Moral Integrity of the Sport: Role of the Commissioner and the Law

Pp. 5-100; supplemental materials

Weeks Three and Four

Contract Law and the Baseball Antitrust Exemption

Pp. 101-174; supplemental materials

Weeks Five, Six and Seven

From Antitrust to Labor Law; The Labor Exemption

Pp. 175-262; supplemental materials, negotiation exercise

Weeks Eight, Nine and Ten

Labor Law & Collective Bargaining

Pp. 262-361; supplemental materials, negotiation exercises.

Weeks Eleven and Twelve

Agent Representation of the Athlete

Pp. 362-430; supplemental materials, negotiation exercise

Week Thirteen

Title IX; Miscellaneous Topics

Pp. 904-978; supplemental materials

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ANDREW BRANDT

Now ESPN's Sports Business Analyst and the President of a unique and successful internet site entitled The National Football Post – *nationalfootballpost.com* --Andrew Brandt is an accomplished sports executive with over 20 years experience in professional football, divided evenly between management and player representation.

After attending Stanford University and Georgetown University Law School, Brandt worked for ProServ, Inc., representing top athletes such as Michael Jordan, Patrick Ewing, Boomer Esiason James Lofton and Arthur Ashe.

Brandt left ProServ to become General Manager of the Barcelona Dragons in the NFL's World League, at that time the youngest general manager in professional sports. Brandt was responsible for all operations of the franchise as the Dragons reached the league's inaugural World Bowl while introducing the sport of American football to Spain.

Following the World League, Brandt returned to player representation and worked for Woolf Associates in Boston, representing NFL players including quarterback Matt Hasselbeck, Hall of Fame kicker Adam Vinatieri and Heisman Trophy-winning running back Ricky Williams.

Brandt left Woolf to join the Green Bay Packers in 1999. As Vice President with the Packers, Brandt negotiated all player contracts, managed the NFL Salary Cap and handled many other football operations for one of the most successful franchises in professional sports over that time frame, where his skillful management of the Cap and handling of player contracts was noticed throughout the NFL. Brandt left the Packers in 2008 following their hosting of the NFC Championship Game to pursue other opportunities.

Brandt has also served as a consultant to the Philadelphia Eagles, handling the Eagles' player contract negotiations, Salary Cap management and advising on collective bargaining and other league issues.

Brandt is also a Full Time Lecturer at the University of Pennsylvania's Wharton School of Business, teaching Negotiations and Sports Law. He is a regular columnist for the Forbes Sports Money Blog, the Sports Business Journal and the Huffington Post; a regular contributor to the NFL Network, Fox Business News, ESPN Radio and Sporting News Radio; and a sought-after speaker on the Business of Sports.

Brandt joined ESPN in February 2011 to provide insight and analysis on sports business from his experience on both sides of the table. His insights were focused on the NFL labor situation, with added expertise on the NBA lockout as well. With the NFL situation resolved, Brandt now provides ESPN various insights from his many years as an agent

and NFL executive. Brandt is regularly featured across all ESPN television, radio and Internet platforms.

Brandt founded and writes regularly for The National Football Post, which has received much acclaim from the football industry, as it has become a “must read” for NFL owners, executives, coaches, players and millions of football fans around the nation.

Brandt plays jazz piano and enjoys competing in 5k races and triathlons. Born in Washington, D.C., Andrew and his wife, Lisa, have two sons.