

LGST 228: Sports Law

Spring 2013

Professor Andrew Brandt

TAs: Hannah Gerstenblatt

Alexander Berlinski

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 the Green Bay Packers and Philadelphia Eagles will provide practical background for the issues we are discussing. And now covering NFL business and writing for ESPN will illustrate many issues we are discussing, as will my (active) Twitter feed. Having said that, this class will work through the cases and materials assigned and will not simply be stories about my experiences in sports.

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.

The TAs 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* (4th Ed.)

Additional cases and materials as assigned

SUPPLEMENTAL MATERIALS:

With so much in the news in the past year about Sports Law and new Collective Bargaining Agreements in the NFL, NBA, MLB and (maybe) NHL, we will be uncovering new territories in subject matter. I will try to supplement the book with current content about these topical issues, some written by myself as well as many other pieces.

Regular viewing of me on ESPN and following my Twitter feed (**@adbrandt**) 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 am quoted frequently about these issues as well as my 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.

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

ANDREW BRANDT

Andrew Brandt is an accomplished sports executive now bringing his credibility, insight and perspective to the media and academia.

Brandt is the NFL Business Analyst for ESPN, analyzing business, legal and policy sports issues on programs such as “Outside the Lines”, “SportsCenter” and “NFL Live” as well as multiple appearances on ESPN radio programs every week.

Along with his television and radio responsibilities, Brandt is a featured columnist for ESPN.com, providing readers perspective and viewpoints from his unique vantage point as a former player agent and team executive.

Brandt has recently been named Director of the Moorad Center for Sports Law at Villanova Law School, building a program in sports law that will be a thought leader for topical and important issues in sports law, sports business, sports policy and more. Brandt is the first and only director of such a program with a wealth of practical experience for students and faculty to draw upon.

Brandt is also a full-time Lecturer at the University of Pennsylvania’s Wharton School, teaching classes in Negotiations and Sports Law. His classes are among the most popular at Wharton, bringing his practical perspective from both the labor and management side of the sports business.

Brandt also co-founded a unique website of insider content on football, The National Football Post, and is a regular columnist for the *Huffington Post*, *Forbes*, and the *Sports Business Journal*. Also, Brandt is a sought-after speaker on business issues in sports, having lectured at several universities and corporate gatherings.

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

Brandt then became General Manager of the Barcelona Dragons in the NFL's World League, introducing American football to Spain. Following the suspension of the World League, Brandt returned to player representation for Woolf Associates, representing NFL players including Matt Hasselbeck, Adam Vinatieri and Ricky Williams.

Brandt joined the Green Bay Packers in 1999. As Vice President, Brandt negotiated all player contracts, managed the NFL Salary Cap and handled football operations. Brandt left the Packers in 2008 following their hosting of the NFC Championship Game.

In addition to Brandt's several roles, he has consulted and negotiated contracts for the Philadelphia Eagles.

Brandt and his wife, Lisa, live outside of Philadelphia and have two sons. His interests also include competitive running and jazz piano.