

The Wharton School – University of Pennsylvania
Sports Law (228-001)
Fall 2015

Syllabus

Professor Mason P. Ashe
Monday 3:00pm – 6:00pm
Room: JMHH, Room 360
Office: JMHH, Room 651

REQUIRED TEXT

Mitten, Davis, Smith & Duru, SPORTS LAW and REGULATION: CASES, MATERIALS & PROBLEMS (3rd ed. Wolters Kluwer 2013).

Supplemental Materials (as announced throughout the semester)

COURSE COVERAGE

This course examines the legal, financial, moral, and policy issues and disputes that arise in the world of amateur and professional sports. The casebook assignments cover some of the most current and comprehensive legal developments affecting high school, college, Olympic, and professional sports. We will discuss new landmark judicial decisions, as well as, significant NCAA infractions cases and Olympic sports arbitration awards. Students are also provided an opportunity to debate complex issues related to the application of antitrust, labor, and intellectual property law to sports. We will approach the issues from the perspective of various players in the sports industry, such as the sports lawyer, corporate counselor, university administrator, team manager, various sports regulatory bodies, and, of course, the athletes -- and fans.

CLASS SCHEDULE & SYLLABUS

Provided below is the tentative syllabus with reading assignments for the course. The assignments provided below will correspond closely with the number of class meetings during the semester. Unless otherwise noted, all reading assignments are from the Mitten, *et al*, casebook. From time to time additional materials will be made available either on reserve or on a web site that will be developed and used for updates and announcements. I also hope to bring several guest speakers throughout the semester. Please note that we likely will not have time to cover every assignment, and the class will be polled as to particular topic interest as the semester progresses.

LET'S TALK SPORTS!

Each week for the first *10 minutes* of class, we will start class bantering about the latest

in sports found on Twitter, Facebook, ESPN, and Sports Business Journal . . .

ASSIGNMENT #	SPORTS LAW TOPIC	READINGS
#1	Chapter 1: Introduction to the Study of Sports Law	Pp. 1-22
	Chapter 2: Regulating Interscholastic (High School) Athletics	Pp. 23-26 Pp. 26-32 Pp. 61-72
#2	Chapter 3: Regulating Intercollegiate Athletics	Pp. 99-105 Pp. 105-144 Pp. 149-159
#3	<ul style="list-style-type: none"> • NCAA Regulatory Authority and Legal Limits • Antitrust Law 	Pp. 159-168 Pp. 207-224 Pp. 224-248
#4	Chapter 4: Regulating Olympic and International Athletics	Pp. 257-288 Pp. 289-328
#5	Chapter 5: Coaches Contracts and Related Issues	Pp. 331-375
#6	Chapter 6: Professional Sports League Governance and Legal Regulation	Pp. 377-400 Pp. 403-436 Pp. 444-452 Pp. 455-469
#7	Chapter 7: Labor Relations in Professional Sports	Pp. 473-484 Pp. 486-502 Pp. 504-513 (optional) Pp. 514-523 Pp. 526-530 Pp. 593-599 Pp. 612-619
#8	Chapter 8: Regulating Agents	Pp. 642-668; pg. 671, para. 2 Pp. 672-682 Pp. 684-686 Pp. 693-700
#9	Chapter 9: Racial Equity Issues in Athletics	Pp. 707-712 Pp. 712-719 Pp. 733-734 Pp. 746-752

#10	Chapter 10: Gender Equity Issues in Athletics	Pp. 769-776 Pp. 777-787 Pp. 789-792 Pp. 794-808 Pp. 808-811 Pp. 822-827 Pp. 835-839 Pp. 845-849
#11	Chapter 12: Intellectual Property Issues in Sports	Pp. 989-990 Pp. 990-994 Pp. 996-1000 Pp. 1002-1003 Pp. 1004-1006 Pp. 1007-1008 Pp. 1009-1013 Pp. 1015-1017 Pp. 1026-1034 Pp. 1037-1042

CLASS PARTICIPATION AND ATTENDANCE

1. Each student is expected to attend class fully prepared to discuss the assigned materials. While we may engage in some traditional “Socratic” dialogue, I will use a variety of teaching methods throughout this course including group exercises to give students experience with scenarios posed in the cases and some they may face as a practicing attorney. Thus, we may approach our study through a “role play” simulation in which you may be asked to assume the role of a party or attorney in the case.
2. In addition, you may find one or more “Problem” sections in the assignments but we may not discuss these problems in class and they are not part of the required reading. Also, the “Notes & Questions” sections in each chapter are optional reading for a deeper analysis of the subject matter and cases – but they are not required and may not be covered in class. I do, however, expect you to read all of the *assigned* reading material before class.
3. Attendance is mandatory. In accordance with school policy, regular and punctual class attendance is required.
4. Do not leave class while it is in progress unless it is an extremely urgent matter.
5. Laptop computers may be used in class at the discretion of the professor. When the professor permits students to use laptops in the class, please use the laptop for class notes and not for such activities like surfing the web, answering e-mail or sending text messages during class. Please turn off the sound and type as quietly as possible.
6. Turn off cell phones and pagers during class.
7. If you are interested in using audio, video or other means to record this class, then you must have the permission of the professor -- due to the sensitive and often

confidential nature of information discussed. In other words, you may **not** record this class without my specific permission to do so.

8. You are expected to conduct yourself in accordance with the **University of Pennsylvania's Code of Academic Integrity**.

GRADING

1. Participation

Your class participation is highly valued and critical to the success of your learning experience in this course. Throughout the course of the semester, we will have various exercises in which we simulate actual cases and scenarios that arise in the world of sports law. These assignments may include, but are not limited to, a client consultation, a contract negotiation, and a policy recommendation to be assigned at various times throughout the semester. **Your class attendance, participation, and performance in these exercises and assignments will be considered a plus or minus factor in your final course grade.**

2. The Final Exam is 75% of your final grade. The final exam will be an open book examination that covers the entire course; but the use of the Internet will not be permitted during the exam. Your class participation constitutes 25% of your final grade.

ADA PROCEDURES:

The University of Pennsylvania is committed to providing an educational environment that is accessible to all students. In accordance with this policy, students in need of accommodations due to a disability should contact the Office of the Dean for Special Student Services for verification and determination of reasonable accommodations as soon as possible after admission to the University, or at the beginning of each semester.

CONTACT INFORMATION

My official office hours are by appointment, although before and after classes I will be available to meet with students. Please feel free without an appointment to call or e-mail me if you have any questions or would like to talk about school or the industry. My law practice requires frequent travel in various time zones, but in most cases, I will respond to emails and voice messages within 24 hours. My direct mobile number is 202-255-0618, and my email addresses are: mpashe10@gmail.com and mashe@ashe-sec.com.