

The Wharton School – University of Pennsylvania
Sports Law (228-001)
Fall 2020

Syllabus

Professor Mason P. Ashe
Monday 3:00pm – 6:00pm
Room: VANC, Room B-11
Office: JMHH, Room 651

Final Exam: Tuesday, May 5, 2020, 9:00am – 11:00am

REQUIRED TEXT

1. Weiler, Roberts, Abrams, Ross, Harper, Balsam, & Berry. SPORTS AND THE LAW – Text, Cases, and Problems (6th ed. West Academic, 2019). ISBN: 978-1-64020-235-1
2. Subscription (minimum of 12 weeks) to *SportsBusiness Daily*. To subscribe at the discounted price, please visit: www.sbjcollege.com/subscribe. Once on their site, select “University of Pennsylvania-Wharton School” from the dropdown menu.
3. Supplemental course materials will also be distributed via handouts and/or electronically.

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 stakeholders in the sports industry, such as the sports lawyer, corporate sponsor, university administrator, team owner, team manager, coach, athlete, sports regulatory body, and fan.

CLASS SCHEDULE & SYLLABUS

The reading assignments for the course will be announced each week in class. Unless otherwise noted, all reading assignments are from the Weiler, *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 in the syllabus, and the class will be polled as to particular topic interest as the semester progresses.

LET’S TALK SPORTS! Each week for at least the first *15 minutes*, we will start class bantering about the latest in sports found on social media and Sports Business Daily . . .

ASSIGNMENT #	SPORTS LAW TOPIC
(Wednesday, 1/15/20) #1 #2	<p><u>Orientation & Introduction to the Study of Sports Law</u></p> <ul style="list-style-type: none"> • <i>The “Notes & Questions” sections in each chapter in the <u>Weiler</u> casebook are only optional reading, not mandatory!</i> <p>Chapter 1: Commissioner-Led Pro Sports Leagues in North America [pg. 1-13; 14-34; and 36-62]</p> <p>Chapter 2: Labor Law and the Collective Bargaining in Pro Sports [pg. 71-107]</p>
#3	<p>Chapter 3: Labor Arbitration in Pro Sports [pg. 121-164]</p>
#4	<p>Chapter 4: Contractual Restraints on Labor Mobility in Pro Sports [pg. 185-228; 228-247]</p>
#5	<p>Chapter 5: Basic Principles of Antitrust Law Applied to the Sports Industry [pg. 249-272; 274-285; 294-299]</p>
#6	<p>Chapter 8: Intellectual Property Law and Sports [pg. 539-544; 546-547; 553-556; 558-561; 563-569; 570-573; 574-584; 589-591; 592-595; 608-614; 616-620; 626-627; 633-637; and 638-641]</p>
#7 #8	<p>Chapter 9: Agent Representation of the Athlete [pg. 649-661; 663-676; 677-682; 688- 695; 697-700; 705-709; 710-717]</p> <p>Chapter 10: Intercollegiate Sports: The NCAA and its Member Institutions [pg. 719-752; and 760-766]</p>
#9	<p>Chapter 11: Intercollegiate Sports: The Athlete-University Relationship [pg. 787-814; 824-830; and 880-909]</p>
#10 #11	<p>Chapter 12: Gender Equity in Sports [pg. 913-916; 917-922; 926-948; 948-961; and 962-980]</p> <p>Chapter 13: International and Olympic Sports [pg. 981-997; 998-1003; and 1014-1048]</p>
#12	<p>Chapter 14: Health and Safety Issues in Sports [pg. 1049-1057; 1061-1066; 1068-1071; 1074-1076; 1079-1081; 1082-1087; 1089-1094; 1096-1104; 1106-1106; and 1112-1122]</p>
#13	<p>Chapter 7: Business Strategy and Antitrust Scrutiny of Internal League Regulation of Inter-Club Competition [pg. 419-422; 439-454; 457-461; 463-468; 469-509; and 510-538]</p>

CLASS PARTICIPATION AND ATTENDANCE

1. Each student is expected to attend class fully prepared to discuss the assigned materials. 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 sports industry professional.
2. In addition, you may find one or more “*Question*” or “*Problem*” sections in each chapter but they are not part of the required reading since current events will be highlighted and analyzed weekly in class instead.
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 NOT be used in class without special permission.
6. 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 in writing.
7. You are expected to conduct yourself in accordance with the **University of Pennsylvania’s Code of Academic Integrity**.

GRADING

1. Class Participation constitutes 25% of your final grade. 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 or management which require you to be persuasive. These assignments may include, but are not limited to, a client consultation and a contract negotiation at various times throughout the semester. Simply attending every class **will not** position a student to receive the maximum credit awarded.

2. Mid-Term Exam grade constitutes 25% of your final grade. The mid-term exam will be an open book in-class examination that covers reading assignments and class lectures from the first half of the semester. It shall consist of a series of multiple-choice questions and perhaps at least one essay. [Date: Monday, March 2, 2020; which is flexible so we will discuss this in class.]

3. The Final Exam grade constitutes 50% of your final grade. The final exam will be an open book in-class examination that covers the entire course. The use of the Internet will not be permitted during the exam. [Date: Tuesday, May 5, 2020 at 9am]

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 I will be available before and after class to meet with students. You may also call or e-mail me if you have any questions about the coursework or the industry. My sports agency is based near New York City in northern New Jersey, and I travel nationally and internationally frequently, but I will try to respond within 24 hours. My direct mobile number is 301-310-2229, and my email addresses are: mpashe10@gmail.com and ashem@wharton.upenn.edu.