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Tulane Law School  
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**Employment and Related Service:**

<b>Tulane University School of Law— New Orleans, LA</b> <b>Sher Garner Professor of Sports Law</b> <b>Paul and Abram B. Barron Professor of Law</b> <b>Director, Tulane Sports Law Program</b> <ul style="list-style-type: none"><li>• Courses: Antitrust, Sports Law: Antitrust and Labor, Sports Law: Intellectual Property and International Issues, Negotiation and Mediation Advocacy; Labor Relations in Professional Sports, Contracts I, Contracts II</li></ul>	July 2005-Present
<b>Tulane University—New Orleans, LA</b> <b>Associate Provost for NCAA Compliance</b> <b>Co-Director and Co-Founder, Tulane Center for Sport</b>	July 2010-Present
<b>NCAA—Indianapolis, Indiana</b> <b>Competitive Safeguards and Medical Aspects of Sport</b> <ul style="list-style-type: none"><li>• Committee Member</li></ul> <b>Drug Testing Appeals Committee</b> <ul style="list-style-type: none"><li>• Chair and Committee Member</li></ul>	July 2016-Present
<b>Uniform Law Commission Name, Image, and Likeness Committee</b> <b>Reporter</b>	April 2020-Present
<b>Knight Commission on Intercollegiate Athletics</b> <b>Consultant</b>	January 2019-Present
<b>Court of Arbitration for Sport (CAS)—Lausanne, Switzerland</b> <b>Arbitrator</b>	July 2019-Present
<b>Mediation Arbitration Professional Systems, Inc. (MAPS)—New Orleans, LA</b> <b>Mediator and Arbitrator</b>	May 2013-Present
<b>NFL Network—Los Angeles, CA</b> <b>Legal Analyst</b>	March 2011-Present
<b>U.S. Men’s National Soccer Team Players Association – Washington, DC</b> <b>Deputy Executive Director and Assistant General Counsel</b>	May 2001- 2005
<b>Williams &amp; Connolly – Washington, DC</b> <b>Associate</b> <b>Summer Associate</b>	October 2000-July 2005 May 1998-August 1998

**Catholic University School of Law** – Washington, DC January 2003-May 2005  
**Adjunct Professor**

**University of Virginia School of Law** – Charlottesville, VA January 2002-May 2005  
**Assistant Adjunct Professor**

**United States Court of Appeals for the Eleventh Circuit** – Jacksonville, FL July 1999-2000  
**Law Clerk** to the Honorable Susan H. Black

### **Education:**

**Duke University School of Law**, J.D., 1999, with honors  
Duke University Law Journal, *Notes Editor*  
Sports and Entertainment Law Society, *Co-Founder and President*  
James S. Bidlake Award for Excellence in Legal Research and Writing  
Duke Bar Association, *Vice President*

**Duke University School of Psychology**, M.A., 1999

**Duke University**, B.A., 1995, *cum laude*

### **Representative Publications and Works in Progress:**

*Finding the Harm: The Search for Competitive Effects in Labor Antitrust Cases* (work in progress)

*The Labor Market and College Athletics* (work in progress)

*The Uniqueness of Sports* (work in progress)

*The Modern College Athlete and a New Definition of “Amateurism”* (work in progress)

*The Demise of the Modern Rule of Reason in the Sports Industry*, 24 Lewis and Clark Law Review 951 (2020)

*Antitrust and Labor Law*, Oxford University Press Sports Law Treatise (2017)

*The NCAA and “Non-Game Related” Student-Athlete Name, Image and Likeness Restrictions*, White Paper for the Knight Commission on Intercollegiate Athletics (2016)

*A Modest Proposal for Taming the NCAA Antitrust Beast*, 41 Pepp. L. Rev. 249 (2014)

*Closing the Floodgates: The Battle over Workers’ Compensation Rights in California*, 8 F.I.U. Law Rev. 107 (2012)

*Antitrust versus Labor Law in Professional Sports: Balancing the Scales after Brady v. NFL and Anthony v. NBPA*, 45 U.C. Davis L. Rev. 1221 (2012)

*Brady v. NFL and Anthony v. NBA: The Shifting Dynamics in Labor-Management Relations in Professional Sports*, 86 Tul. L. Rev. 831 (2012)

*The Puzzling Persistence of the Single Entity Argument for Sports Leagues: American Needle and the Supreme Court's Opportunity to Reject a Flawed Defense*, 2009 WIS. L. REV. 835 (2009)

*Sports and the Law: Cases and Materials* (with M. Cozzillio, M. Dimino, & M. Levinstein) (Second Edition) (Carolina Academic Press 2007)

### **Selected Presentations and Testimony:**

Elon Sports Management Symposium, Perspectives at Play in College Athletics, April 28, 2021

Student Sports Law Network Symposium, The Future of Sports Law, November 12, 2020

Harvard Law School, Committee on Sports and Entertainment Law, Legal and Practical Implications of Name, Image, and Likeness Legislation on College Athletes, November 11, 2020

Harvard Law School Sports Law Symposium, The NCAA, Amateurism, and California's Fair Pay to Play Act, October 22, 2020

University of Virginia School of Law, The Rise of Student-Athlete Compensation, October 9, 2020

Duke Law School, Future of College Sports, March 7, 2020

Georgetown Law School, Future of College Sports: Game Plan for College Athletes to Receive Endorsement Pay, January 31, 2020

Knight Commission on Intercollegiate Athletics, *The NCAA and Amateurism*, May 22, 2019

Lead 1 Association, Presentations Regarding Name, Image and Likeness (various dates in 2019-2020)

Sports Lawyers Association Annual Conference, Recent Developments in Sports Law Presentation, May 2011- Present (Various Locations)

National Federation of State High School Athletic Associations Legal Summit, Sports Law Developments Presentation, April 2015-Present (Indianapolis, Indiana)

*Future of College Sports: Reimagining Athlete Pay*, Aspen Institute, May 1, 2018 (Washington D.C.)

*Sports Law: Protecting or Destroying the Integrity of the Game*, University of Zurich Public Lecture, December 8, 2017 (Zurich, Switzerland)

*Competition Law and the Labor Market*, Keynote Address, FIFPro Legal Conference, June 18, 2017 (Hoofddorp, Netherlands)

*Legality of Sports Gambling*, South by Southwest, March 11, 2017 (Austin, Texas)

*Compliance and Sports Law*, University of Oregon School of Law Sports Law Symposium, February 10, 2017

*The NCAA and “Non-Game Related” Student-Athlete Name, Image and Likeness Restrictions*, Knight Commission on Intercollegiate Athletics, May 10, 2016

*Keynote Address; Daily Fantasy Sports and the Law*, Depaul Law Review Symposium, March 4, 2016

*Keynote Address*, Sport and Law Recreation Association Annual Conference, February 26, 2016

*Amateurism and College Sports*, University of Pennsylvania Law Review Symposium, February 19, 2016

*The Basketball Tournament: The Future of Sports?*, SXSW Sports, March 13, 2015

*Game-Changer: The States’ Big Gamble on Legalized Sports Betting*, American Bar Association Annual Meeting, Showcase Program, August 10, 2014

*Amateurism in College Athletics: Is this the End?*, Duke Law School, April 12, 2014

*Representing Clients in Trouble with the Law*, Harvard Law School, February 21, 2014

*O’Bannon and the Debate over Pay*, Duke Law School, February 7, 2014

*Realignment and Reckoning in College Sports*, Pepperdine Law School, April 14, 2013

*Bargaining in the Big Leagues: Assessing Lockouts and Other Tactics in the NFL and NBA Labor Negotiations*, Saint Louis University School of Law (keynote address), September 22, 2011

*Right of Publicity and Antitrust Issues for NCAA Athletes*, Harvard Law School, March 25, 2011

*American Needle and Sports Antitrust Law*, American Associate of Law Schools Conference, January 2011

Testimony before the United States House of Representatives Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection (Washington D.C., November 3, 2009): *The NFL StarCaps Case: Are Sports’ Anti-Doping Programs at a Legal Crossroads?*

### **Honors and Professional Memberships:**

2020 John N. Weinstock Leadership Award

2017 Young Leadership Council Role Model of the Year

2013 Recipient of President's Award for Graduation and Professional Teaching

Sports Lawyers Association, Board of Directors

Sports Lawyers Association, Director of Publications

Conference Chair, 2015 Sports Lawyers Association Annual Conference

American Bar Association, Sports Law Section

### **Community Engagement:**

Special Olympics Greater New Orleans, Director

ADL, Regional Board of Directors

Athletes for Hope (non-profit organization dedicated to educating and increasing the philanthropic involvement of professional and amateur athletes), Board of Director, Executive Committee Member, Education Committee Member

New Orleans Jewish Community Center, Board of Directors

New Orleans Recreational Department Disability Consortium

Major League Baseball Youth Academy, Sports Law/Management Instructor

### **Selected Media Appearances, References and Quotes**

Bloomberg, "[Why these Money-Making Athletes are Making Nothing](#)," April 8, 2021

Forbes, "[In Spite of March Madness, the NCAA Had a Terrible Month: What College Presidents Need to Know](#)," April 1, 2021

NPR Interview with Nina Totenberg, "[Take to the Court: Justices Will Hear Case on Student Athlete Compensation](#)," March 31, 2021

NBC Nightly News, "[Supreme Court Wary of Taking Too Much Authority from NCAA Over College Athletes](#)," March 31, 2021

Sports Illustrated, "[Supreme Court Rips into NCAA System, but a win for Athletes' Rights is Far from Guaranteed](#)," March 31, 2021

Trustees and Presidents Podcast, "[A College President's Guide to the Issues- NCAA v. Alston](#)," March 31, 2021

Wall Street Journal, "[NCAA Faces Showdown Over Player Compensation-- and Future of College Sports](#)," March 29, 2021

Time Magazine, "[March Madness is Back. And it's Going to the Supreme Court, Too](#)," March 17, 2021

Sports Illustrated, "[As Congressional Power Shifts, NCAA Reform and Athletes' Rights are Firmly in the Crosshairs](#)," January 20, 2021

Washington Post, "[Supreme Court will Hear NCAA Dispute Over Compensation for Student-Athletes](#)," December 16, 2020

ABC News, "[High Court Agrees to Hear NCAA Athlete Compensation Case](#)," December 16, 2020

Washington Post, "[Nebraska Players' Lawsuit Seeks to Restore B10 Fall Football](#)," August 27, 2020

New York Times, "[In Push to Play, College Football Stars Show Sudden Unity](#)," August 10, 2020

The Andy Staples Show, "[Name, Image, and Likeness](#)," June 26, 2020

The Mitch Albom Show, "[The NCAA and Athlete Compensation](#)," May 20, 2020

Wall Street Journal, "[U.S. Women's Soccer Team Loses with Judge but Hard Part is Ahead](#)," May 3, 2020

The Business of Sports Podcast, "[The NCAA and Athlete Compensation](#)," April 29, 2020

Associated Press, "[Skeptics Loom as NCAA Builds Guardrails around Compensation](#)," April 29, 2020

Sports Illustrated, "[Congress, the NCAA and the Battle for Athlete Compensation is Far from Over](#)," April 27, 2020

New York Times, "[NFL Figures out how to Build Teams from a Distance](#)," April 20, 2020

New York Times, "[The NFL Figures out How to Team-Build from a Distance](#)," April 10, 2020

Washington Post Magazine, "[How Fighting the NCAA Became a Bipartisan Sport](#)," March 17, 2020

Politico, "How an Antitrust Lawsuit Could Upturn the NCAA," March 9, 2020

Associated Press, [Can NCAA Remain Ahead of Latest Threat to Amateurism](#), September 30, 2019

Washington Post, [NCAA Should Hear State Lawmakers' Message on Amateurism Instead of Fighting It](#), September 20, 2019

The Chronicle of Higher Education, [California is Poised to Challenge the NCAA Over Amateurism](#), September 12, 2019

New York Times, [Rules Changes Could Come to NCAA if California Bill Passes](#), August 29, 2019

Washington Post, [Muted Victory in NCAA Antitrust Case](#), March 13, 2019

Associated Press, [NCAA Can Claim Victory After Losing Federal Antitrust Case](#), March 8, 2019

New York Times, [A Star's Shoe Breaks, Putting College Basketball Under a Microscope](#), February 21, 2019

NPR, [Ruling on Pay Cap Could Bring 'Watershed Moment' for College Sports](#), December 29, 2018

New York Times, [In Michigan State Investigation, NCAA Moves Beyond its Comfort Zone](#), January 25, 2018

Washington Post, [Colin Kaepernick Files Grievance Accusing NFL Teams of Collusion](#), October 15, 2017

Washington Post, [Ezekiel Elliott Faces Long—but not Impossible—Odds in Appeal](#), August 17, 2017

New York Times, [Court Grants Stay in O'Bannon Case](#), July 31, 2015

Washington Post, [Will Tom Brady Prevail in Court?](#), July 30, 2015

Rich Eisen Show, [Tom Brady Appeal](#), July 29, 2015

NPR, [NFL Upholds Tom Brady Suspension](#), July 28, 2015

New York Times, [Roger Goodell Has 32 Owners In His Corner, For Now](#), November 29, 2014

New York Times, [Concussion Lawsuit Looks to Force Changes in Soccer](#), August 27, 2014

CNN, [The Lead with Jake Tapper](#), April 29, 2014