

## THE NATIONAL SPORTS LAW INSTITUTE: 20 YEARS OF CONNECTIONS TO THE SPORTS INDUSTRY

Founded in 1989, the National Sports Law Institute (NSLI) is affiliated with Marquette's Sports Law program. Its mission is to be the leading national educational and research institute for the study of legal, ethical, and business issues affecting amateur and professional sports from both an academic and practical perspective. During 2009, each issue of **For The Record** will provide a retrospective on various areas the NSLI has focused on for the past 20 years.

The NSLI's objectives and goals are described in its Mission Statement, adopted in 2000:

The National Sports Law Institute ("NSLI") strives to be the leading national educational and research institute for the study of legal, ethical, and business issues affecting amateur and professional sports from both an academic and practical perspective. It provides educational opportunities for law students as well as current and future leaders in the sports industry.

The NSLI provides a national forum for discussion and consideration of American and international sports issues and encourages input by persons and organizations with a wide range of viewpoints. The NSLI seeks to promote a legal environment in which sports at all levels of competition will flourish. In an effort to achieve these goals, the NSLI sponsors high quality national conferences and symposia and disseminates knowledge through publication of thoughtful scholarship in the *Marquette Sports Law Review*. It also serves as a resource for the media and public.

As a part of Marquette University, a Catholic Jesuit university, the NSLI is committed to searching for truth, discovering and sharing knowledge, fostering professional excellence, developing leaders, and serving those in the sports industry. Although the NSLI will not espouse any particular ideological viewpoint, it will seek to promote ethical and moral practices within the sports industry as a means of furthering Marquette University's mission.

From its founding in 1989, the NSLI has relied on numerous individuals from the sports industry to guide it.

### BOARD OF ADVISORS

The National Sports Law Institute's Board of Advisors began in 1989 and included the following individuals: Gary Bettman, Commissioner, National Hockey League; Jerry Reinsdorf, Owner, Chicago Bulls and Chicago White Sox; Allan "Bud" Selig, Commissioner, Major League Baseball, and Richard Berthelsen, General Counsel, National Hockey League Players Association. The membership of the Board of Advisors has changed over the years under the leadership of the various individuals



CELEBRATING 20 YEARS (1989-2009)

### Chairs of the Board of Advisors

- Attorney John Wendel, former Director, National Sports Law Institute, and former President, Sports Lawyers Association (1989).
- Professor Emeritus Charles Mentkowski, Marquette University Law School, Milwaukee, WI (1990-1999).
- Professor Martin Greenberg, Partner, Greenberg & Hoeschen, and Member, Southeast Wisconsin Professional Baseball Park District, Milwaukee, WI (2000-2002).
- Professor Michael Cramer, Clinical Assistant Professor, Preston Robert Tisch Center for Hospitality, Tourism and Sports Management, School of Continuing and Professional Studies, New York University, New York, NY (2003-2004).
- Attorney Ronald L. Walter, Vice President and Alternate Governor, Milwaukee Bucks, Inc., Milwaukee, WI (2005-2006).
- Attorney Clark Griffith, Clark C. Griffith, P.A., and Commissioner, Northern League of Professional Baseball, Minneapolis, Minnesota (2007-2008).
- Attorney Casey Coffman, Chief Operating Officer, Hicks Sports Group LLC, and Executive Vice President, Hicks Holdings LLC, Dallas, Texas (2009-present).

In 2006, Dean Joseph Kearney and the Board of Advisors, approved a set of bylaws, drafted primarily by Ron Walter, Clark Griffith, and NSLI Director Matt Mitten, that guide the operations of the NSLI and define the role of the Board. Under these bylaws, the primary duties of the members of the Board of Advisors are: 1) to contribute to the advancement of knowledge regarding legal, ethical, and business issues affecting the sports industries; 2) to provide advice and guidance on matters affecting Marquette University Law School's Sports Law program; 3) to attend NSLI events and to participate in the governance of the NSLI; and 4) to assume other duties and responsibilities (including service on committees) that further the NSLI's best interests. The Board of Advisors currently includes the following individuals:

**CHAIR: Casey Coffman**, Chief Operating Officer, Hicks Sports Group LLC, and Executive Vice President, Hicks Holdings LLC, Dallas, Texas

**VICE-CHAIR: Richard McLaren**, Professor of Law, University of Western Ontario, London, Ontario, Canada, Counsel to McKenzie Lake Lawyers LLP, and Member, Court of Arbitration for Sport, Lausanne, Switzerland

### Sports Industry Representatives

- **Jeff Benz**, Executive Vice President and General Counsel, AVP Pro Beach Volleyball Tour, Inc., Los Angeles, California
- **Richard Berthelsen**, General Counsel, National Football League Players' Association, Washington, D.C.
- **John S. Black**, General Counsel, National Federation of State High School Associations, Indianapolis, Indiana
- **Andrew Brandt**, President, The National Football Post, Adjunct Professor, Wharton School of Business and Georgetown University Law Center, Bryn Mawr, Pennsylvania
- **Mary K. Braza**, Partner and Chair, Sports Industry Team, Foley & Lardner LLP, Milwaukee, Wisconsin
- **Doug Chickering**, WIAA Director Emeritus, Wisconsin Interscholastic Athletic Association, Stevens Point, WI

- **Elsa Kircher Cole**, Vice President of Legal Affairs/General Counsel, National Collegiate Athletic Association, Indianapolis, Indiana
- **John P. Collins**, Partner, Collins & Collins, Chicago, Illinois
- **Willie Derrick Crawford**, Counsel for Policy & Litigation and Compliance Officer, National Football League, New York, New York
- **Janis K. Doleschal**, Sports Law Consultant, Law Offices of Jacques Mann & Start Playing Safe, Milwaukee, Wisconsin
- **Jeff Gewirtz**, Senior Vice President & General Counsel, NETS BASKETBALL/Brooklyn Sports & Entertainment, East Rutherford, New Jersey
- **Edward T. Goines**, Principal, Sui Generis, PC, San Francisco, California
- **Martin J. Greenberg**, Managing Partner, Greenberg & Hoeschen, LLC, Chair of the Board, Wisconsin Sports Development Corporation, and Member, Southeast Wisconsin Professional Baseball Park District, Milwaukee, Wisconsin
- **Clark Griffith**, Attorney at Law, Clark C. Griffith, P.A., and Commissioner, Northern League of Professional Baseball, Minneapolis, Minnesota
- **Charles Henderson**, Attorney-at-Law, Davis & Kuelthau, S.C., Secretary and General Counsel of the Bradley Center Sports and Entertainment Corporation, and Chairman of the Board, Pettit National Ice Center, Milwaukee, Wisconsin
- **Philip R. Hochberg**, Principal, Law Offices of Phillip R. Hochberg, Rockville, Maryland
- **Robert Kaler**, Chief Operating Officer & General Counsel, United States Soccer Federation Foundation Inc., Washington, D.C.
- **Gordon Kirke**, Sports Lawyer and Sports Law Professor, Toronto, Canada
- **Robert H. Lattinville**, Partner, Stinson Morrison Hecker LLP, Saint Louis, Missouri
- **Robert E. Leib**, President and CEO, Leib Advisors, LLC, & THE LEIB GROUP, LLC, Mequon, Wisconsin
- **Michael Marcil**, Vice President of Development, Creighton Prep High School, Omaha, Nebraska
- **Jim McKeown**, Partner, Chair, Antitrust Practice Group, Foley & Lardner LLP, Milwaukee, Wisconsin
- **Michael Megna**, Sports Consultant, Mequon, Wisconsin
- **A. J. (Jack) Mills, Jr.**, President, Ascent Sports Management, Boulder, Colorado
- **Charles C. Mulcahy**, Member and Senior Advisor, Cirtek Investment Group, and Consultant, Milwaukee Tennis & Education Foundation, Milwaukee, Wisconsin



CELEBRATING 20 YEARS (1989-2009)

- **Maidie E. Oliveau**, Counsel, Arent Fox, Los Angeles, California, and Member, Court of Arbitration for Sport, Lausanne, Switzerland
- **Alan J. Ostfield**, Chief Operating Officer, Palace Sports & Entertainment, Auburn Hills, Michigan
- **Jill Pilgrim**, General Counsel, Ladies Professional Golf Association, Inc., Daytona Beach, Florida
- **Katie Pothier**, Executive Vice President/General Counsel, San Diego Padres, San Diego, California
- **Rick Schlesinger**, Executive Vice President - Business Operations, Milwaukee Brewers Baseball Club, Milwaukee, Wisconsin
- **Allan (Bud) Selig**, Commissioner, Major League Baseball, Milwaukee, Wisconsin
- **Michael L. Slive**, Commissioner, Southeastern Conference, Birmingham, Alabama

- **Deborah Spander**, Vice President Business Affairs, MTV Entertainment, Los Angeles, California
- **Mark F. Vetter**, Attorney & Shareholder, Davis & Kuelthau, S.C., Brookfield, Wisconsin
- **Anne Wall**, Owner, Marketing Navigators, Inc., Oconomowoc, Wisconsin
- **Ronald L. Walter**, Vice President and Alternate Governor, Milwaukee Bucks, Inc., Milwaukee, Wisconsin
- **Kevin Warren**, Vice President of Legal Affairs & Chief Administrative Officer, Minnesota Vikings Football, LLC., Eden Prairie, Minnesota
- **Gary Way**, Managing Attorney, Sports Law Practice Group, NIKE Inc., Beaverton, Oregon

### Academic Community Representatives

#### *Marquette University Law School*

- **Patricia A. Cervenka**, Professor of Law and Director, Marquette University Law Library and Law School Technology
- **Frank C. DeGuire**, Dean Emeritus and Professor of Law
- **James Ghiardi**, Professor of Law Emeritus
- **John Kircher**, Professor of Law
- **J. Gordon Hylton**, Professor of Law
- **Phoebe Williams**, Associate Professor of Law

#### *Other Academic Institutions*

- **Michael Cramer**, Clinical Assistant Professor, Preston Robert Tisch Center for Hospitality, Tourism and Sports Management, School of Continuing and Professional Studies, New York University, New York, New York
- **Timothy Davis**, John W. & Ruth H. Turnage Professor of Law, School of Law, Wake Forest University, Winston-Salem, North Carolina
- **Lisa Masteralexis**, Department Head & Associate Professor, Department of Sport Management, Isenberg School of Management, University of Massachusetts, Amherst, Massachusetts
- **William Miller**, Assistant Professor, Sport & Fitness Management, University of Wisconsin-Parkside, Kenosha, Wisconsin (Sports Law Alumni Association Liaison)
- **James Nafziger**, Thomas B. Stoel Professor and Director, International Law Programs, Willamette University College of Law, Salem, Oregon
- **Hayden Opie**, Director of Studies, Sports Law Program, Law School, The University of Melbourne, Victoria, Australia
- **Kenneth L. Shropshire**, David W. Hauck Professor and Director, Wharton Sports Business Initiative, Wharton School, University of Pennsylvania, Philadelphia, Pennsylvania
- **Rodney Smith**, President, Southern Virginia University, Buena Vista, Virginia

***Thank you to everyone for their dedicated service to the NSLI!***

## TRIBUTE TO JOHN “JACK” KITCHIN

Attorney John “Jack” Kitchin, a founding member of the National Sports Law Institute’s Board of Advisors died on February 16, 2009.

“John L. (Jack) Kitchin was one of the original Board of Advisors members of the National Sports Law Institute. At the time of his appointment to our Board, Jack was the general counsel of the National Collegiate Athletic Association (NCAA). He brought to Marquette and its law program an international reputation in the area of amateur athletic law and an experienced litigator who represented the NCAA in more than 225 cases in trial and appellate courts during his 12 years as general counsel. Jack was an active member of our Board and respected by all, and two of his cases will always be remembered in the world of sports law as seminal cases -- whether the NCAA was subject to state action due process requirements of the United States Constitution, and whether or not the NCAA possessed the right to test student athletes for performance enhancing drugs. Jack will be missed. Thank you, Jack, for your wonderful contributions as a Board Member and to our Institute.”



Martin Greenberg, NSLI Director, 1990-1997

Jack joined the law firm of Swanson Midgley LLC in 1961 following four years of service as Captain in the Judge Advocate General Corp of the United States Air Force from 1957 to 1961. During his 47 years with Swanson Midgley, he was primarily engaged in trial work in areas of life, health, and accident insurance defense; antitrust law; labor and employment law; general business litigation; representative of not-for-profit entities; and matters involving constitutional law. He also served as the firm's Managing Partner for 18 years.

In 1969, Jack defended the National Collegiate Athletic Association in one of its earliest litigation matters which was the beginning of his and the firm's long time representation of the NCAA involving over 225 cases throughout the United States in trial courts and appellate courts. He served as General Counsel for the NCAA for twelve years. In addition to litigation, Jack and the firm were involved in the drafting of many of the NCAA rules and regulations. He participated in the negotiation and drafting of television contracts on behalf of the NCAA, including the first one million dollar basketball contract for the broadcast of the Final Four Championship event.

Before earning his Juris Doctor, *cum laude*, from Saint Louis University School of Law in 1957, Jack received a Bachelor of Arts degree from Rockhurst University in 1954. Jack was a member of the Missouri Bar, the American Bar Association, the Kansas City Lawyers Association, the American Judicature Society, the Board of Advisors of the National Sports Law Institute, the Missouri Defense Lawyers Association and the Sports Lawyer Association.

He served as President of the Saint Teresa's Academy Advisory Board, Saint Thomas More Parish Council, Sierra Club of Kansas City, Missouri, Saint Joseph Health Center Foundation, Avila University Board of Councilors, and as a Trustee of Avila's corporate board. He also served as Chair of the Kansas City, Missouri Board of Liquor Review.



## SPORTS LAW ALUMNI ASSOCIATION

The National Sports Law Institute's Alumni Board was created in 1998 by Paul Anderson (Class of 1995) and Bill Miller (Class of 1996), to formally recognize the growing number of alumni who support the Sports Law program and to provide networking and career growth opportunities for alums.

In 2002, as the membership in the Alumni Board began to increase, it became the National Sports Law Institute's Sports Law Alumni Association. The Association is a vehicle for alumni to support the NSLI and Marquette University Law School's Sports Law program by sponsoring student internship experiences; serving as speakers at NSLI conferences, seminars, annual career panels, and student lunches; sponsoring the annual golf outing; and raising funds for the Law School's sports law alumni student scholarship fund.



The Sports Law Alumni Association is currently made up of 160 Marquette University Law School alums including Greg Heller, Senior Vice President & General Counsel, Atlanta Braves, Atlanta, GA (L'96); Schuyler Baehman, Manager of Communications, National Hockey League, New York, NY (L'00); Eryn Doherty, Senior Counsel, Labor Relations, Fox Entertainment Group, Inc., Los Angeles, CA (L'00); Shawn Eichorst, Executive Associate Athletic Director, University of Wisconsin, Madison, WI (L'95); Danez Marrable, Associate A.D./Student Support Services, University of Alabama - Birmingham (L'03); and Kristin Muenzen, Attorney, United States Department of Justice, Environment & Natural Resources Division, Washington, DC (L'03); among many others.

Any Marquette University Law School graduates who are interested in supporting the Sports Law program at Marquette are invited to become members of the Sports Law Alumni Association by sending an email to current Chair, NSLI Associate Director Paul Anderson at [paul.anderson@marquette.edu](mailto:paul.anderson@marquette.edu).

## PROFESSIONAL ACHIEVEMENT AWARDS

The NSLI presents several awards to honor individuals within the sports industry.

Created in 1992, the *Joseph E. O'Neill Award* was established by the O'Neill family, Davis & Kuelthau, S.C. and the National Sports Law Institute after Mr. O'Neill's untimely death. The award is given to an individual in the sports industry who has made a significant contribution to the field and done so while exemplifying the highest ethical standards. Past recipients of this award are:

- 2009: Clark Griffith, Commissioner, Northern League, and former Chair, NSLI Board of Advisors, Minneapolis, Minnesota.
- 2008: Honorable Anne M. Burke, Illinois Supreme Court, Chicago, Illinois.



{from left} Mark Vetter, Davis & Kuelthau, S.C., 2009 O'Neill Award Winner Clark Griffith, and NSLI Director Matt Mitten

- 2007: Frank DeGuire (L'60), Dean Emeritus, Marquette University Law School, Milwaukee, Wisconsin.
- 2006: Richard Berthelsen, General Counsel, National Football League Players Association, Washington, D.C.
- 2005: Michael Cramer (L'78), Clinical Assistant Professor, Preston Robert Tisch Center for Hospitality, Tourism and Sports Management, School of Continuing and Professional Studies, New York University, New York, New York
- 2004: Michael Marcil (L'85), Vice President of Development, Creighton Prep High School, Omaha, Nebraska.
- 2003: Robert DuPuy, Chief Operating Officer, Major League Baseball, New York, New York.
- 2002: Michael Slive, Commissioner, Southeastern Conference, Birmingham, Alabama.
- 2001: Martin J. Greenberg (L'71), Managing Partner, Greenberg & Hoeschen, LLC, Chair of the Board, Wisconsin Sports Development Corporation, and Member, Southeast Wisconsin Professional Baseball Park District, Milwaukee, Wisconsin, and Charles Mentkowski (L'48), Professor Emeritus, Marquette University Law School.
- 2000: Wendy Selig-Prieb (L'87), former President and Chief Executive Officer, Milwaukee Brewers Baseball Club.
- 1999: Daniel R. Doucette, former President and Principal Owner, Milwaukee Rampage, and President and Chief Executive Officer, Milwaukee Mutual Insurance Company.
- 1998: Charles W. Mulcahy (L'62), Member and Senior Advisor, Cirtek Investment Group, and Consultant, Milwaukee Tennis & Education Foundation, Milwaukee, Wisconsin .
- 1996: Joseph E. Tierney, Jr., attorney for the Bradley Foundation and Milwaukee Admirals.
- 1995: Brian Burke, President and General Manager of the Vancouver Canucks, Vancouver, Canada.
- 1993: A. Jackson Mills, President, Ascent Sports Management, Boulder, Colorado.

Created in 1992, the **Master of the Game Award** honors an individual who has made significant contributions to the sports industry and who exemplifies the highest level of professionalism in his or her field. Past recipients of the award are:



{from left} Attorney Clark Griffith, 2007 Winner Michael Conley, and NSLI Director Matt Mitten

- 2007: Michael Conley, Executive Director, World Sport Chicago, and CEO, MAC Management Group, Chicago, Illinois.
- 2004: Dr. Cedric Dempsey, former Executive Director, NCAA.
- 2003: Donna de Varona, women's rights advocate and dual Olympic Gold Medalist 1964.
- 2001: Tommy G. Thompson, former Secretary of Health and Human Services and former Governor of the State of Wisconsin.
- 2000: Allan H. "Bud" Selig, Commissioner of Major League Baseball.
- 1997: Bob Harlan, former President of the Green Bay Packers.
- 1995: Hank Aaron, MLB Hall of Fame member and executive with the Atlanta Braves.
- 1994: Bart Starr, NFL Hall of Fame member and former Green Bay Packer.
- 1992: Al McGuire, former head men's basketball coach at Marquette University

Created in 2002, the Sports Law Alumni Association's Awards Committee presents the **Charles W. Mentkowski Sports Law Alumnus of the Year Award** to the alum who demonstrates the following qualities; dedication to the Sports Law program at Marquette University Law School while a student at Marquette, contributions to the Sports Law Alumni Association, contributions to the field of sports law in general, and support of the NSLI and Sports Law program after their time as a student in the law school. Past recipients of this award include:



2009 Winner Kristi Schoepfer, and NSLI Associate Director Paul Anderson, Chair, Sports Law Alumni Association

- 2009: Kristi Schoepfer (L'01), Assistant Professor, Sport Management, Winthrop University, Rock Hill, South Carolina.
- 2008: James Gray (L'90), partner, Pierski & Gray, Milwaukee, Wisconsin, and Sport & Recreation Management Program Director, Marian University, Fond du Lac, Wisconsin.
- 2007: Martin Greenberg (L'73), Managing Partner, Greenberg & Hoeschen, LLC, Chair of the Board, Wisconsin Sports Development Corporation, and Member, Southeast Wisconsin Professional Baseball Park District, Milwaukee, Wisconsin.
- 2006: Shawn Eichorst (L'95), Executive Associate Athletic Director, University of Wisconsin - Madison, Madison, Wisconsin.
- 2005: Kathryn Statz (L'00), Associate Athletic Director for Varsity Sports, DePaul University, Chicago, Illinois.
- 2004: Greg Heller (L'96), Senior Vice President & General Counsel, Atlanta Braves, Atlanta, Georgia.
- 2003: Paul Anderson (L'95), Associate Director, National Sports Law Institute of Marquette University Law School, Milwaukee, Wisconsin.
- 2002: Bill Miller (L'96), Assistant Professor, Health, Exercise Science & Sport Management, University of Wisconsin - Parkside, Kenosha, WI.

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## ***20th Anniversary Website***

The NSLI recently launched a website devoted to providing information about the 20th anniversary celebration of its founding in 1989. The website can be found at <http://law.marquette.edu/jw/20th>. The site contains perspectives on the development of the NSLI from alums, faculty and Board of Advisors members, links to events commemorating the 20th anniversary, and historical information showcasing the history of the NSLI.