

For The Record

The Official Newsletter of the National Sports Law Institute



Marquette University Law School
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Volume 15, Number 1

2003 National Sports Law Institute Year in Review

by Paul M. Anderson, Editor
NSLI Associate Director

During the past year the National Sports Law Institute and the Sports Law Program at Marquette University Law School have continued to provide diverse educational opportunities for law students and current and future leaders in the sports industry, while also providing a national forum for the thoughtful consideration and discussion of American and International sports law issues.

INTERNATIONAL SPORTS LAW AND BUSINESS IN THE 21ST CENTURY

On Thursday, September 25 and Friday, September 26, 2003, the National Sports Law Institute and the International Association of Sports Law hosted an *International Sports Law & Business in the 21st Century* conference at Marquette University's Alumni Memorial Union. Conference sponsors included American Appraisal Associates, the law firm of Foley & Lardner, College Sports Inc., ScheerGame Sports Development, LLC, and Miller Brewing Company.

The two-day conference featured several panels focusing on various facets of international sports law and business. In depth descriptions of each panel can be found in Volume 14, Number 4 of *For the Record*. What follows is a listing of the participants in each of the conference panels:

YEAR IN REVIEW / continued on page 2 . . .



2003 Master of the Game Award Winner Donna de Varona and NSLI Director Matt Mitten

NSLI CALENDAR

TUESDAY, MARCH 16, 2004

Annual Sports Law Alumni Career Panel
Marquette University Law School, Eisenberg Memorial Hall
(5:30 pm - 7:00 pm)

SATURDAY, APRIL 17, 2004

Annual Sports Law Society Golf Outing
Silver Spring Country Club

FRIDAY, APRIL 23, 2004

NSLI's Annual Awards Banquet
Wisconsin Club, Milwaukee, WI, 5 - 9 pm

FRIDAY, MAY 7, 2004

"Practical Advice for Sports and Entertainment Lawyers,"
Sports & Entertainment Law Section of the State Bar of Wisconsin
Monona Terrace, Madison, WI, 10-45 am - 12:35 pm

For more information on NSLI events please see the NSLI website at <http://law.marquette.edu/jw/nsli/events>.

LOOK INSIDE . . .

- YEAR IN REVIEW, pgs. 1-12.
- NEW FOR YOUR BOOKSHELF, pg. 11.

Panel 1: Sports Facility Financing, Development and Safety

Martin Greenberg, Managing Director, ScheerGame Sports Development, LLC; CEO, CollegeTown, LLC, Milwaukee, Wisconsin; and member, NSLI's Board of Advisors

Michael Cramer, President & Chief Operating Officer, Southwest Sports Group, Inc., Dallas, Texas, and Chair, NSLI's Board of Advisors

Michael Siebold, Founding Partner and Dr. Angela Klingmüller, Partner, Arnecke Siebold, Frankfurt, Germany

Richard Weiss, Managing Partner, Foley & Lardner, Washington, DC, and member, NSLI's Board of Advisors



IOC Member Richard Pound

Panel 2: Olympic and European Sports Stadium Safety Issues

Anne Wall, founder, Marketing Navigators, Inc., Hartland, Wisconsin, and member, NSLI's Board of Advisors

David Schwendiman, Assistant United States Attorney/Counsel to the United States Attorney, United States Attorneys Office for the District of Utah, Salt Lake City

Dr. Hazel Hartley, Principal Lecturer, Leeds Metropolitan University, West Yorkshire, England



Professor Hayden Opie and Professor John O'Leary

Panel 3: Drug Testing in Sports

Professor Richard McLaren, University of Western Ontario; member, Court of Arbitration for Sport; and member, NSLI's Board of Advisors

Richard Pound, QC, President, World Anti-Doping Agency; member, International Olympic Committee; and Chancellor, McGill University

John O'Leary, Senior Lecturer in Law and Programme Leader for the LLM/MA International Sports Law, Anglia Polytechnic University, Chelmsford, England

Stacy Robinson, Director of Player Development Programs, National Football League Players Association, Washington, DC

Professor Klaus Vieweg, Institut fuer Recht and Technik, University of Erlangen, Germany, and Vice President, International Association of Sports Law

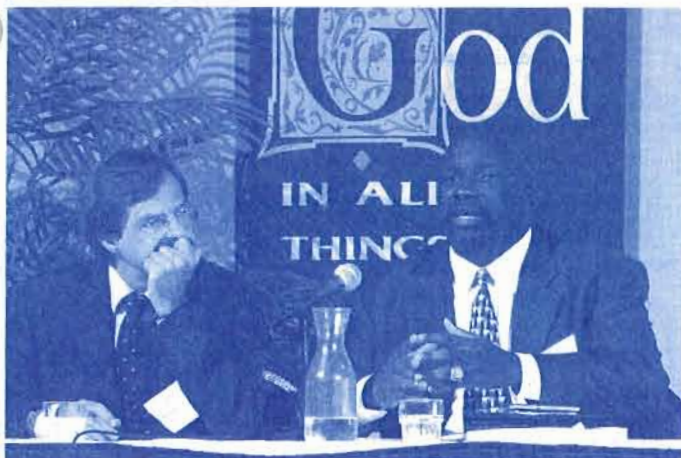
Panel 4: International Player Restraints and Competition Law

Professor Stephen Ross, University of Illinois College of Law, Champaign, Illinois, and member, NSLI's Board of Advisors

Dr. Steve Cornelius, Director of the RAU Centre for Sport Law, RAU University, Johannesburg, South Africa

For The Record

JANUARY - MARCH 2004 • PAGE 2



Professor Klaus Viewig and Stacey Robinson, NFLPA

Professor Hayden Opie, University of Melbourne, Victoria, Australia, and member, NSLI's Board of Advisors

Jonathan Taylor, Partner and Head of the Sports Law Group at Hammonds Solicitors, London, United Kingdom

Luiz Roberto Martins Castro, President, Brazilian Sports Law Institute

Panel 5: Internationalization of Sports

Jeff Gewirtz, Global Sports & Entertainment Marketing Counsel, The Coca-Cola Company, Atlanta, Georgia, and member, NSLI's Board of Advisors

Mike Moran, Senior Media Consultant for the USOC and Senior Communications Counselor for NYC2012, the committee leading New York's bid for the 2012 Olympic Games

Kirk Sullivan, senior counsel, Foley & Lardner, Los Angeles, California

A. Jackson Mills, president, A.J. Mills Jr., PC, Boulder, Colorado, and member, NSLI's Board of Advisors

Professor Simon Gardiner, Griffith University, Brisbane, Australia, and member, Board of Directors, International Association of Sports Law

John Collins, attorney, Collins & Collins, Chicago, Illinois, and member, NSLI's Board of Advisors

Mikhail Vladimirovich Loukine, President, Professional League of Sports Lawyers, Saratov, Russia

Panel 6: Acquisition, Sale & Movement of Sports Franchises in a Global Environment

Clark Griffith, Owner/Attorney, Clark C. Griffith, Professional Association, Minneapolis, Minnesota, and member, NSLI's Board of Advisors

Dean Polenz, Principal, Financial Valuation Group, American Appraisal Associates, Milwaukee, Wisconsin

Jonathan Taylor, partner and head of the Sports Law Group at Hammonds Solicitors, London, United Kingdom

Mary K. Braza, partner, Foley & Lardner, Milwaukee, Wisconsin

Francois Ponthieu, KGA AVOCATS, France

Panel 7: Resolution of Sports Disputes

James Nafziger, Thomas B. Stoel Professor and Director of the International Law Program, Willamette University College of Law; member, NSLI's Board of Advisors; and Vice President, International Association of Sports Law

Urvashi Naidoo, in-house lawyer, International Cricket Council, Lord's Cricket Ground, London, England

Nathalie Korchia, lawyer and Senior Lecturer, University of Paris, France

Professor Richard McLaren, University of Western Ontario; member, Court of Arbitration for Sport; and member, NSLI's Board of Advisors

Professor James Gray, Griffith University Law School, Brisbane, Australia, and Senior Research Fellow at the Asser International Sports Law Center, TMC Asser Institute at The Hague

Professor Robert Davis, Stetson University College of Law, St. Petersburg, Florida, and member and special secretary, Board of Directors, International Association of Sports Law

Professor Dimitrios Panagiotopoulos, Secretary General, International Association of Sports Law, Assistant Professor, University of Athens, Greece

YEAR IN REVIEW / continued on page 4. . .

For The Record

In addition to these panels, on the first day of the conference, lunch was preceded by a presentation by keynote speaker Ulice Payne Jr., the former President and CEO of the Milwaukee Brewers Baseball Club. After the final panel on this first day, conference attendees and speakers toured Miller Park, the home of the Milwaukee Brewers and enjoyed the conference dinner at the stadium.

The second day featured the 2003 Master of the Game Award luncheon. This 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 former Marquette University head men's basketball coach Al McGuire, former Green Bay Packers quarterback and coach Bart Starr, Major League Baseball hall of fame player and Atlanta Braves executive Hank Aaron, Green Bay Packers president Bob Harlan, Major League Baseball Commissioner Allan "Bud" Selig, and Secretary for Health and Human Services Tommy Thompson. This year's winner is Donna de Varona. Ms. de Varona is a founding member and first president of the Women's Sports Foundation; she served four terms on the President's Council on Physical Fitness and Sports, and was a moving force in Congress' passage of the 1978 Amateur Sports Act and the landmark "Title IX" legislation.

After the final panel the NSLI hosted a reception for all attendees and speakers at the Howard Eisenberg Memorial Hall in the Marquette University Law School. Approximately 160 individuals representing 14 countries and 6 continents attended the conference. A limited number of conference materials are still available for purchase for \$20.00 plus shipping and handling. For more information, contact the NSLI at (414) 288-5815, send an email request to munsli@mu.edu, or check the NSLI's website at <http://law.marquette.edu/jw/pubs>.



Conference attendees at Miller Park

J.D./M.B.A. IN SPORTS BUSINESS JOINT PROGRAM

The joint JD/MBA in Sports Business is offered through Marquette University's Law School and College of Business Administration. The program enables students to earn both degrees in less time than if each degree were pursued separately. By also earning the National Sports Law Institute's Sports Law Certificate, Marquette students have the opportunity to combine their knowledge of sports law with a graduate business education that will provide them with a unique package of educational credentials attractive to sports industry employers. Graduates will acquire knowledge and understanding of the theoretical and practical legal and business issues likely to be encountered by sport organizations in the 21st century. The hallmark of the joint degree program is the readily transferable legal and business skills learned in both programs that can be applied to a wide range of employment opportunities outside the sports industry. Detailed information on the joint program is available on the web at <http://law.marquette.edu/jw/jdmba>.

NSLI BOARD OF ADVISORS

The National Sports Law Institute's Board of Advisors assists the NSLI's directors with conference and educational programs, fund raising, award nominations, and provides guidance for the future direction of the NSLI and the Sports Law Program at Marquette University Law School. The newest additions to the Board in 2003 are; Wayne Lueders, Partner and Chair, Sports Industry Team, Foley & Lardner, Milwaukee, Wisconsin, and Richard Siladi, Senior Vice President - National Director for the Financial Valuations Group of American Appraisal Associates, Inc., Milwaukee, Wisconsin.



SPORTS LAW ALUMNI ASSOCIATION

The National Sports Law Institute's Sports Law Alumni Association consists of Marquette University Law School graduates who are committed to supporting the NSLI

For The Record

JANUARY - MARCH 2004 • PAGE 4

and the Sports Law Program. The Association selects that annual winner of the Sports Law Alumnus of the Year award, raises funds for the Annual Alumni Scholarship, and publishes a quarterly newsletter. Association members also participate in an annual career panel and the newly created Alumni Practice Series at Marquette. In 2003, the Association added several new members including: Travis Burau, Milwaukee, WI (L'03); Matt Carey, Director of Tier I/Advanced Development Boys Hockey, Powerade Iceport, Cudahy, WI (L'99); John Gillard, Jr., Brodek & Gillard, S.C., Racine, WI (L'96); James Gray, Partner, Pierski & Gray, Milwaukee, WI & Associate Professor, School of Law, Griffith University, Queensland, Australia (L'90); Ian Harper, Los Angeles, CA (L'03); Eugene LaFlamme, Attorney, Mingo & Yankala, SC, Milwaukee, WI (L'02); Christopher McKinny, Legal Action of Wisconsin, Oshkosh, WI (L'03); Matt McLaughlin, Associate Attorney, Zetley & Cohn, SC, Milwaukee, WI (L'99); Brian Nuedling, Thorpe, Compton & Christian SC, Delavan, WI (L'03); Michelle Pierce, Attorney, Fortis Health, Milwaukee, WI (L'03); Nicola Sollinger, Contracts Administrator, Octagon, Washington, D.C. (L'03); Nyea Sturman, MBA Student, University of Oregon-Warsaw Sports Marketing Center, Eugene, OR (L'03); and Jeffrey Tanner, Milwaukee, WI (L'03).

SPORTS LAW CERTIFICATE

Students graduating from Marquette University Law School are eligible to earn a Sports Law Certificate from the National Sports Law Institute in the semester of their graduation from law school. The following graduates earned the NSLI's Sports Law Certificate upon graduating from Marquette in May of 2003: Brian Nuedling, Kerri Cleghorn, Niki Sollinger, Kristin Muenzen, Jeff Tanner, Nyea Sturman, Travis Burau, Danez Marrable, Matt Mountin, Patricia Anderson, Ryan Landry, Navdeep Singh, Chris McKinny, Michelle Pierce. The requirements for the Sports Law Certificate are available on the web at <http://law.marquette.edu/jw/certificate>.

AWARDS AND SCHOLARSHIPS

On April 25, 2003, the NSLI hosted its annual Awards and Scholarship dinner at the Hilton Milwaukee Center. The dinner provides the Directors of the National Sports Law Institute, members of the NSLI's Board of Advisors, and members of the Sports Law Alumni Association with the opportunity to honor the winners of several student awards and scholarships, Sports Law Certificate candidates, the Marquette University Law School



Michael Cramer, Chair, NSLI Board of Advisors, at the 2003 Awards Dinner

Sports Law Moot Court team, outgoing members and the newest editorial board of the *Marquette Sports Law Review*, the annual winner of the Sports Law Alumnus of the Year Award, and the Annual winner of the Joseph E. O'Neill Award.

Francis D. & Jane Keogh Kelly Scholarship

This scholarship recognizes a student in the Sports Law Program at Marquette for his/her excellence in the study of sports law and his/her service to the sports law program at Marquette. The 2002-2003 recipient of the **Francis D. & Jane Keogh Kelly Scholarship** was Kristin Muenzen, former Editor-in-Chief of the *Marquette Sports Law Review*, and now an attorney with Thaler & Thaler, in Ithaca, New York.

Joseph E. Tierney Jr. Award

This award was created by the National Sports Law Institute and Bernice Y. Tierney in memory of Joseph Tierney Jr., a former NSLI Board Member and strong supporter of the Institute. The Award is given annually to the student in the Sports Law Program who graduates with the highest grade point average in sports law classes while completing the requirements for the Sports Law Certificate. The 2003 winner of the **Joseph E. Tierney Jr. Award** was Michelle Pierce, former *Marquette Sports Law Review* Lead Articles Editor, now in the legal department at Fortis Health Insurance Company, in Milwaukee, Wisconsin.

Martin J. Greenberg Award

This award is presented in honor of former Director Martin J. Greenberg. It is given annually to the third year law student who has excelled in the study of sports law and service to the Sports Law Program. The 2003 winner of the **Martin J. Greenberg Award** for excellence in the study of sports law was Nyea Sturman, former Executive Editor of the *Marquette Sports Law Review*, and now an MBA Student at the University of Oregon-Warsaw Sports Marketing Center.

Carl Scheer Venue Excellence Award and Martin J. Greenberg Venue Book Awards

The Scheer Award was created through the generosity of the Greenberg family trust, and is given to the student who writes the best analytical paper in the Sports Venues: From Election Day to Game Day, course taught by Professor Martin J. Greenberg. The 2003 winner of the **Carl Scheer Venue Excellence Award** was Christopher McKinny, former Managing Editor of the *Marquette Sports Law Review*, and now an attorney with Legal Action of Wisconsin in Oshkosh.

In addition, Professor Greenberg presents **Martin J. Greenberg Venue Book Awards** in recognition of runner-up papers in the course. The 2003 winners of the book awards were current third year student Aaron Bitter, current *Marquette Sports Law Review* Executive Editor Brent Moberg, and graduate Niki Sollinger, Contracts Administrator, with Octagon, in Washington, D.C.



NSLI Director Matt Mitten, Greenberg Award Winner Nyea Sturman and Brad Hoeschen, Law Offices of Greenberg & Hoeschen



Sports Law Alumnus of the Year Paul Anderson

Joseph E. O'Neill Prize for Student Writing

This prize is awarded to the student who has published the best article in the *Marquette Sports Law Review* during the current academic year as judged by the Sports Law Review's Advisory Board. The 2003 winner of the **Joseph E. O'Neill Prize** for Student Writing was Christopher McKinny for his article "Professional Sports Leagues and the First Amendment: A Closed Marketplace," which appeared in Volume 13 of the *Marquette Sports Law Review*.

Annual Alumni Scholarship

The Sports Law Alumni Association created the **Annual Sports Law Alumni Scholarship** as an expression of alumni support for the Institute, Marquette's Sports Law Program, and particularly the editors of the *Marquette Sports Law Review*. Proceeds from the scholarship fund are given annually to the editors of the *Sports Law Review*. The recipients of this scholarship in 2002-2003 are Kristin Muenzen, Christopher McKinny, Michelle Pierce, and Nyea Sturman.

Sports Law Alumnus of the Year Award

The Sports Law Alumni Association presents the **Sports Law Alumnus of the Year Award** annually to the graduate 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 graduation. The 2003 winner of the award was Paul Anderson (L'95), the founder

For The Record

JANUARY - MARCH 2004 • PAGE 6



Jim Braza, Davis & Kuelthau SC, Bob Du Puy and NSLI Director Matt Mitten

of the Alumni Association, an Adjunct Assistant Professor at Marquette, and the NSLI's Associate Director.

Joseph E. O'Neill Award

The **Joseph E. O'Neill Award** was established by the O'Neill family, the law firm of Davis & Kuelthau, S.C. and the National Sports Law Institute after Mr. O'Neill's untimely death in 1992. The award is given annually 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. The 2003 winner of the O'Neill Award is Robert A. DuPuy, President and Chief Operating Officer of Major League Baseball.

As President and Chief Operating Officer of Major League Baseball, he is responsible for all phases of baseball's Central Offices, including licensing, sponsorship, international, broadcasting, publishing, marketing, public relations, government relations, baseball operations, legal affairs, finance, baseball's internet operations and the labor relations committee.

DuPuy, 56, has been involved in most of Major League Baseball's legal issues since 1989, when he was brought in as outside legal counsel. He negotiated the settlement of the collusion grievance in 1990, and served as the principal outside counsel to the Commissioner and the Executive Council from 1992 until 1998, when Commissioner Allan H. (Bud) Selig hired him as MLB Executive Vice President of Administration and Chief Legal Officer.

In that capacity, DuPuy oversaw the consolidation of the American and National Leagues into the Central Offices, the consolidation of MLB's office in Washington, D.C., and the formation of MLBAM (Major League Baseball Advanced Media) as its initial Chief Executive Officer.

DuPuy, who grew up in Branford, CT, received an A.B. from Dartmouth College in 1968 and a J.D. from Cornell in 1973 where he was Editor-in-Chief of the *Cornell Law Review*. He saw military service with the U.S. Army from 1968 to 1970 and served a year in Vietnam in the 504th Military Police Battalion, where he received the Army Commendation Medal for his service.

After receiving his law degree, DuPuy joined Foley and Lardner, becoming a partner in 1980. He has served as a member of that firm's Management Committee, and as Chairman of the firm's Professional Standards Committee. He is a long-time member and Past-Chairman of the State Bar of Wisconsin's Professional Ethics Committee. He taught legal ethics and professional responsibility at the University of Wisconsin Law School, from 1985-1998, and has lectured nationally on the subject.

CAREER PANEL

Each year the National Sports Law Institute and the Sports Law Alumni Association host a Sports Law Alumni Career Panel. The alumni panelists present their perspective on breaking in to the sports industry.

On February 12, 2003, the Sixth Annual Sports Law Alumni Career Panel was held at Marquette University Law School. Panelists included: Matt Banker (L'01), Membership Services Coordinator, National Collegiate Athletic Association, Indianapolis, Indiana; Ben Menzel (L'02), attorney, Previant, Goldberg, Uelmen, Gratz, Miller & Brueggeman, S.C., in Milwaukee, Wisconsin; Michael Sneathern (L'02), Legal Associate, Milwaukee Bucks; and James Sullivan (L'01), Vice President - Sports Marketing Division & General Counsel, Imani Sports LLC, Minnetonka, Minnesota.



MLB Commissioner Bud Selig pays tribute to Bob Du Puy

ALUMNI PRACTICE SERIES

In the fall of 2003 the NSLI and the Sports Law Alumni Association hosted the first Alumni Practice Series. Each semester a Marquette graduate is invited to discuss practical aspects of their job within the sports industry with students in the Sports Law Program. On November 23, 2003, Matt Banker (L'01), Membership Services Coordinator with the NCAA presented "A Perspective on a Career with the NCAA and Discussion of Current Issues Facing the NCAA."

ETHICAL ISSUES IN SPORTS & ENTERTAINMENT LAW SEMINAR

On March 21, 2003, the National Sports Law Institute, the Sports & Entertainment Law Section of the State Bar of Wisconsin, and the Sports Law Alumni Association hosted a seminar on "Ethical Issues in Sports & Entertainment Law." Panelists included: Martin Greenberg, Managing Director of ScheerGame Sports Development, and a member of the NSLI's Board of Advisors; Tim Baldwin, Director of Tax & Business Consulting, Empowered Financial Associates in Milwaukee and a member of the Sports Law Alumni Association; Kevin Gibson, Assistant Professor of Philosophy and Faculty Member, Center for Dispute Resolution Education at Marquette University; Paul Anderson, Chair of the Sports Law Alumni Association, NSLI Associate Director, and Vice Chair and Program Coordinator for the Sports & Entertainment Law Section; Eryn Doherty, attorney with the National Labor Relations Board and a member of the Sports Law Alumni Association; J. Gordon Hylton, Associate Professor of Law at Marquette University and a member of the NSLI's Board of Advisors; and David Papke, Professor of Law, Marquette University.



Tim Baldwin at the Ethics Panel



Professor David Papke at the Ethics Panel

Approximately 70 individuals attended the seminar, which was followed by a reception in Eisenberg Memorial Hall. Materials from the Seminar are still available from the NSLI and can be ordered online at <http://law.marquette.edu/jw/pubs>.

CURRENT ISSUES IN SPORTS LAW

In the spring of 2003, NSLI Associate Director Paul Anderson presented his first "Current Issues in Sports Law" presentation to students in the Marquette Sports Law Program. This annual presentation provides an overview of current issues in the sports law area, especially for students in the Sports Law Program who have not yet taken any sports law courses.

GUEST SPEAKER EVENT

In addition to the events mentioned above, on Tuesday, September 23, 2003, the NSLI presented a panel with two international sports law professors. Dr. Hazel Hartley, Leeds Metropolitan University, West Yorkshire, United Kingdom, spoke on "An Innocent Abroad? Natural Justice Rights and the Diane Modahl Doping Case, 1996-2001." Dr. Steve Cornelius, RAU University, Johannesburg, South Africa, spoke on "Affirmative Action in Sports in South Africa."

WELCOME MIXER

On September 4, 2003, the NSLI hosted its third annual welcome mixer for students and alums interested in Marquette's Sports Law Program at the Milwaukee Alehouse. The welcome mixer was also held in honor of Visiting Boden Professor Hayden Opie.

For The Record

JANUARY - MARCH 2004 • PAGE 8

PUBLICATIONS

Marquette Sports Law Review

Under the leadership of Editor-in-Chief Kristin Muenzen, Volume 13, Number 2 of the *Marquette Sports Law Review* was published in the spring of 2003. The issue included the following articles:

- Intercollegiate Athletics' Unique Environments for Sexual Harassment Claims: Balancing the Realities of Athletics with Preventing Potential Claims
- Recent Federal Income Tax Issues Regarding Professional and Amateur Sports
- Aside the *Aside*: The *True* Precedent of Baseball in Law
- Professional Sports Leagues and the First Amendment: A Closed Marketplace
- Weakening Its Own Defense? The NCAA's Version of Amateurism

Under the leadership of Editor-in-Chief T.D. Stuck, Volume 14, Number 1 has recently been published. In response to the report of the Secretary of Education's Commission on Opportunity in Athletics, this issue is a symposium on "Title IX at Thirty." The symposium includes the following articles and reports:

- Title IX: Unresolved Public Policy Issues
Ted Leland & Karen Peters
- In Defense Of Title IX: Why Current Policies Are Required To Ensure Equality Of Opportunity
Jocelyn Samuels & Kristen Galles
- Who Owns Sports? The Politics Of Title IX
Martha Burk & Natasha Plumly
- Comments On Title IX
Clark C. Griffith
- Is Title IX Really To Blame For The Decline In Intercollegiate Men's Nonrevenue Sports?
Daniel R. Marburger & Nancy Hogshead-Makar

- Title IX And College Sport: The Long Painful Path To Compliance And Reform
Ellen J. Staurowsky
- Title IX: Part Three Could Be The Key
C. Peter Goplerud III
- Title IX In The 21st Century
Barbara Osborne
- Wrestling With Title IX
Cynthia Lee A. Pemberton
- Is Notice Required In A Title IX Athletics Action Not Involving Sexual Harassment?
Diane Heckman
- Sexual Harassment In Sports: How "Adequate" Is Title IX?
Erika Tripp
- "Open to All" Title IX at Thirty
The Secretary of Education's Commission on Opportunity in Athletics
- Minority Views on the Report of the Commission on Opportunity in Athletics
Donna de Varona & Julie Foudy
- Further Clarification of Intercollegiate Athletics Policy Guidance Regarding Title IX Compliance
Gerald Reynolds, Assistant Secretary for Civil Rights

These or other issues of the *Marquette Sports Law Review* can be ordered online at <http://law.marquette.edu/jw/mslr>.

For The Record

For The Record is the official newsletter of the National Sports Law Institute consisting of articles on timely topics within the sports industry, event announcements, useful information for researchers, and other information for the sport industry practitioner. Articles published in Volume 14 included:

- Advice and Consent: Student-Athlete's Educational Malpractice Claim Strikes Out

For The Record

- Illinois Taxation of Nonresident Athletes: An Important Recent Case
- The Clem Haskins Saga Finally Ends
- Sport Research Centers/Associations on the Web
- Sport Based Periodicals on the Web
- Sport Based Research Sites on the Web
- Sport Organizations on the Web

For The Record can be received as part of membership in the NSLI. Further information is available online at <http://law.marquette.edu/cgi-bin/site.pl?2130&pageID=469>.

Sports Facility Reports

Volume 4, Issues 1 and 2 of the online newsletter *Sports Facility Reports* were published in 2003. These issues included articles on

- NHL Finances: Skating on Thin Ice
- Sports Facility Issues Websites
- Sports Facility Development
- Team/Facility Websites

Each issue also includes cumulative *Facility Update Charts* providing information on each team in the four major American sports. This newsletter is only available online. Interested individuals should go to <http://law.marquette.edu/jw/sfr>, to register to receive *Sports Facility Reports* by email.

You Make the Call...

Volume 5 of the NSLI's case reporting newsletter *You Make The Call...* was a double issue providing reports on the following cases:

- Scott v. Savers Property and Casualty Insurance Company

For The Record

- Communities for Equity v. Michigan High School Athletic Association
- Miami University Wrestling Club, et al., v. Miami University
- Mercer v. Duke University
- Jackson v. Birmingham Board of Education
- R. J. Hendricks v. Clemson University
- Thurmond v. Prince William Professional Baseball Club
- Popov v. Hayashi
- East Coast Hockey League, Inc. v. Professional Hockey Players Association
- Major League Baseball v. Crist
- Morris Communications Corporation v. PGA Tour, Inc.

This newsletter is also only available online. Interested individuals should go to <http://law.marquette.edu/jw/ymtc> to register to receive *You Make the Call...* by email.

Sports Law Alumni News

This newsletter provides member profiles and news, information on alumni and NSLI events, and other useful information for members of the Sports Law Alumni Association. It is produced on a quarterly basis and sent to members directly by email. It is also available online at <http://law.marquette.edu/cgi-bin/site.pl?2130&pageID=188>.

WEBSITE

In 2003, in conjunction with the redesign of the Marquette University Law School's website, the website for the National Sports Law Institute and the Marquette University Law School Sports Law Program was also redesigned. Information on the Institute can now be found at <http://law.marquette.edu/jw/nsli>. Information on the Sports Law Program can now be found at <http://law.marquette.edu/jw/sports>. Keep checking the website at <http://law.marquette.edu/cgi-bin/site.pl?sports/newsEvents> for current news items and event information from the National Sports Law Institute.

SURVEY OF AMERICAN LAW SCHOOLS TEACHING OF SPORTS LAW

Between 1998 and 1999 the National Sports Law Institute conducted a national survey to determine the prevalence of sports law as a course of study in American law schools. The results of the survey were published in 1999. In 2003 the NSLI conducted another survey to update the 1999 results. The 2003 report surveys the following areas:

- Courses offered,
- Professors teaching these courses (full time or adjunct),
- Student organizations,
- Journals or law reviews,
- Internship opportunities, and
- Other activities or opportunities available to students.

The executive summary of the 2003 survey was published in Volume 14, Number 4 of *For The Record*. It is also available online at <http://law.marquette.edu/jw/surveys> along with the 1999 survey and more detailed reports of the 1999 and 2003 results.

MEDIA COMMENTARY

During the past year, NSLI Director Matt Mitten, Professor of Law and Associate Dean for Academic Affairs at Marquette University Law School, and NSLI Associate Director Paul Anderson, Adjunct Assistant Professor of Law, offered commentary on sports-related issues to various national and local media including, *the Washington Post*, the *Milwaukee Journal Sentinel*, the *Marquette Tribune*, the *Chicago Sun-Times*, the *Arizona Republic*, *Street & Smith's Sports Business Journal*, and Fox News in Milwaukee.

SPORTS LAW MOOT COURT TEAM

Marquette University Law School's 2002-2003 Sports Law Moot Court team of T.D. Stuck, Jason Dietrich, and Aaron Bitter reached the round of 16 in the National Sports Law Moot Court Competition held in New Orleans in February of 2003. The 2003-2004 team of T.D. Stuck, Brent Moberg, and Michael Baird reached the round of 8 in the competition held in February of 2004.

New For Your Bookshelf

1. **Sports Law and Policy in the European Union**
Richard Parrish
Manchester University Press (2003)
271 pgs. : ISBN 0 7190 6607 7
2. **The International Guide to the Taxation of Sportsmen and Sportswomen**
Dr. Rijkele Betten (Editor)
International Bureau of Fiscal Documentation (2002-2003)
Supplements published through 2002-2003
ISBN 90-76078-41-6
3. **Drugs, Sport and the Law**
Antonio Buti & Saul Fridman
Scribblers Publishing (2001)
vii + 157 pgs.: ISBN 0 9586727 8 4
4. **Managing Sports and Risk Management Strategies**
Herb Appenzeller
Carolina Academic Press (2003)
xviii +441 pgs.: ISBN 0-89089-664-X
5. **Public Dollars, Private Stadiums: The Battle over Building Sports Stadiums**
Kevin J. Delaney & Rick Eckstein
Rutgers University Press (2004)
240 pgs.: ISBN 0813533430
6. **The Chicago Black Sox Trial: A Primary Source Account (Great Trials of the 20th Century)**
Wayne Anderson
Rosen Publishing Group (2003)
64 pgs. : ISBN 0823939693
7. **The Legal Status of Sportsmen and Sportswomen Under International, European and Belgian National and Regional Law**
Roger Blanpain
Kluwer Law International (2002)
ISBN 9041119809

For The Record

January - March 2004 •
PAGE 12

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For The Record is a forum for sports law, business and ethical issues. It endeavors to provide current, practical information as well as public policy and scholarly viewpoints that are of professional and academic interest to NSLI members and interested parties.

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