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TALK

FIRST AND TEN

For sports teams and their in-house lawyers, the stakes just keep getting higher and higher.

ON A MONDAY NIGHT LAST September, David Donovan found himself sharing a skybox with Washington Redskins owner Dan Snyder. Snyder had just hired the former Wilmer Cutler Pickering Hale and Dorr partner as the team's general counsel, and the two were in high spirits. As the Skins edged out the Dallas Cowboys, Snyder grabbed Donovan's jacket and crowed, "Beats asbestos lawsuits, doesn't it?"

Richard Cass, the former head of WilmerHale's corporate practice, had a similar transformation. After engineering a buyout for Baltimore Ravens owner Steve Bisciotti in 2004, Cass accepted Bisciotti's invitation to become team president. Now he sits at a desk cluttered with contracts, but with a view directly onto the Ravens' practice field.

"Part of the fascination is that people love sports and want to be involved in something they love," says Cass of his move in-house. "It's just more exciting."

Donovan and Cass are not the only ones savoring the inside status: WilmerHale has placed one lawyer after another with sports teams in recent years. Last year WilmerHale corporate lawyer Alec Scheiner became general counsel of the Dallas Cowboys, and Sashi Brown became assistant general counsel of the Jacksonville Jaguars. Jay Bauman, who left WilmerHale in 1999, is now a finance counsel for the NFL. Former WilmerHale lawyer Alan

Ostfield is the COO of Palace Sports & Entertainment—which owns the Tampa Bay Lightning, the Detroit Pistons, and the Detroit Shock—and WilmerHale alum Craig Masback is CEO of USA Track & Field.

WilmerHale co-managing partner William Perlstein says the firm "feeds to in-house" and has placed GCs elsewhere, such as Citigroup Inc., ABC, Inc., and The Walt Disney Company.

Success is a matter of getting your foot in the door. The three biggest sports firms, Proskauer Rose; Weil, Gotshal & Manges; and Covington & Burling, established themselves in the 1970s negotiating labor and antitrust matters. Today Proskauer is the go-to firm for basketball and hockey. Weil works with players unions in all sports, and Covington reps the National Football League.

WilmerHale used a different strategy. Instead of establishing client relationships through labor and antitrust disputes, the firm gained entrée through corporate work. One of Cass's first clients was Texas oilman Jerry Jones, who tapped WilmerHale to help buy the Dallas Cowboys in 1989. After that, a generation of WilmerHale sports lawyers cut their teeth on Cowboys business. Over 15 years, the firm's client list grew to include the Redskins, the Charlotte Hornets, and the Indianapolis Colts.

Twenty years ago, general counsel, billionaire owners, and luxury skyboxes were not major features of professional sports. But now sports teams have evolved into highly competitive entertainment franchises, and multibillion-dollar transac-

tions have transformed sports law from a niche practice into a lucrative industry of its own.

"What's changed about the business of football is the complexity," says Cass. "In the 1970s and 1980s, teams played football and sold tickets." Now most manage their own stadiums, concessions, broadcast deals, and sponsorships. The early 1990s saw a stadium-building boom that continues with speculative price tags exceeding \$1 billion. In the past ten years, the asking price for an NFL team went from about \$250 million to \$700 million—\$1 billion. The NFL's television contract for the next five years is valued at \$24 billion.

"Suddenly there's a fairly significant business where there wasn't one," says Jim Quinn, global head of litigation at Weil, Gotshal, "and so you have a lot of lawyers buzzing around."

Some of the attraction just lies in being a fan. In June 2004, Ostfield recalls, he jetted between playoffs to root for Palace's hockey and basketball teams. "Within a few weeks," he boasts, "I got to hold the Larry O'Brien trophy and the Stanley Cup." Even the biggest asbestos win would have trouble measuring up. —DENALI K. DASGUPTA

