

September 27-28, 2006 | New York, NY

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*Maximizing revenue opportunities, managing athletic career
lifecycles, and protecting the "brand"*

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Gain key insights from these industry players:



Scott Bearby
Associate General Counsel
NCAA (Indianapolis, IN)



Michael Drucker
Vice President & Associate General Counsel
Collegiate Licensing Company
(Atlanta, GA)



Gary Gertzog
Senior Vice President, Business
Affairs & General Counsel
NFL Properties (New York, NY)



Jeffrey B. Gewirtz
Counsel (sports & entertainment
transactions / marketing / media)
The Coca-Cola Company (Atlanta, GA)



Harold R. Henderson
Executive Vice President
Labor Relations Chairman
NFL Management Council (New York, NY)



Greg Kirstein
General Counsel
Columbus Blue Jackets
NHL (Columbus, OH)



Jonathan Mariner
Executive Vice President, Finance
MLB (New York, NY)



Travis Tygart
Senior Managing Director, General Counsel
United States Anti-Doping Agency
(Colorado Springs, CO)



David Williams
Vice Chancellor & General Counsel
Vanderbilt University (Nashville, TN)



George K. H. Schell
Senior Managing Counsel
Marketing, Trademarks & Licensing
The Coca-Cola Company (Atlanta, GA)

Top sports lawyers, agents, government officials, league counsel, and sports advertising counsel will share key negotiating strategies and their expertise on how to:

- **KEEP** athletes on the field and out of trouble
- **MANAGE** sponsorship agreements in a highly competitive atmosphere
- **NEGOTIATE** player endorsement deals to get the best exposure for the player and the brand
- **COVER** all the bases when negotiating broadcast rights
- **IMPLEMENT** win/win sports-related brand integration deals in a new media environment
- **REPRESENT** athletes in an ethical manner while striving to achieve high profit yields
- **ADAPT** to a playing field that is always changing when financing sports franchises and related deals
- **MAXIMIZE** your bargaining power when representing collegiate athletes and teams

Master Class on Drafting & Negotiating Complex Endorsement
and Sponsorship Agreements: Friday, September 29, 2006

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Reach the top of your game at this highly comprehensive sports law and business summit!

As an attorney or businessperson in the sports industry, you represent some of the highest paid, highest-profile people in the country. These teams, leagues, athletes and corporations rely on you to represent them with the utmost level of professionalism, in a manner which will yield only top-rate results. Don't miss this unique opportunity to discuss the most challenging and interesting sports-related issues in an open forum with your fellow practitioners.

Depending on your role in the industry, your daily activities may include keeping the athletes (and the fans) from getting hurt and out of trouble, negotiating the best sponsorship or endorsement deals for the advertisers or athletes you represent, financing sports-related deals, or ensuring compliance with league regulations. You must ensure that you can best represent your clients, particularly the most demanding ones, in every situation. *The American Conference Institute* has designed this first-ever **Sports Law Leadership Summit**, where you can hear and share practical insights on:

- Keeping contractual restrictions relating to athletes' conduct practical and realistic
- Cultivating brand strategies based on varying levels of sponsorship
- Entering endorsement deals with competing companies
- Policing unauthorized use of athletes' and teams' names
- Predicting the future of collective bargaining agreements for the different leagues
- Evaluating league rules that implicate the antitrust laws

You can also add value to your attendance by taking advantage of our interactive Master Class on, **Drafting & Negotiating Complex Endorsement and Sponsorship Agreements**. Hear expert negotiating tactics and views on how to structure these highly complex, multi-faceted transactions.

Do not miss this unique opportunity to network with your colleagues and peers, and get ready to dig deep into the hottest issues facing your clients today. You'll also benefit from the extensive written materials prepared by the speakers especially for this conference.

Register now to ensure your place at what's sure to be a sold-out event! Call 1-888-224-2480, fax your registration form to 1-877-927-1563, or register online at www.americanconference.com/sportslaw

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NBA
NBC Sports & Olympics
NCAA
NFL
NIKE Inc.
U.S. Anti-Doping Agency
United States Olympic Committee
Vanderbilt University

WHO SHOULD ATTEND

In-house counsel at any sports league or team
Sports advertising & marketing counsel
Sports agents

Attorneys who specialize in the following practice areas:

- sports law
- sports licensing
- intellectual property
- entertainment finance

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Wednesday, September 27, 2006

7:30 Registration and Continental Breakfast

All conference participants are invited to join their colleagues for a breakfast hosted by

ALSTON+BIRD LLP

8:15 Co-Chairs' Opening Remarks

Jeffrey B. Gewirtz

Counsel (sports & entertainment transactions / marketing / media)

The Coca-Cola Company (Atlanta, GA)

Lisa Rovinsky

Partner

Manatt, Phelps & Phillips (New York, NY)

Keeping Athletes on the Playing Field and Out of Trouble

8:30 Protecting Players

Travis Tygart

Senior Managing Director, General Counsel
United States Anti-Doping Agency (Colorado Springs, CO)

Mary VanDerweele

Assistant General Counsel
NIKE Inc. (Beaverton, OR)

Craig Fenech

President

The Sparta Group Media/Coaches Inc. (Morristown, NJ)

Moderator:

William Bock, III

Partner

Kroger, Gardis & Regas, LLP (Indianapolis, IN)

- Analyzing and monitoring compliance with league requirements for protecting players from fans, each other, and themselves
 - standards on fan conduct
 - standards on player conduct
- Preventing athletes' bad behavior at the contract phase
 - keeping conduct-related restrictions or prohibitions practical, realistic, and effective
 - criminal behavior
 - steroid use and drug testing
 - gambling
 - equipment tampering
- Ensuring the best protections against player injury
- How major sponsors of amateur sporting events protect participants
 - insurance options
 - background checks
 - establishing codes of conduct

9:45 Protecting Fans

Greg Kirstein

General Counsel

Columbus Blue Jackets, NHL (Columbus, OH)

Mechelle Evans

Vice President, Legal & Business Affairs
Madison Square Garden (New York, NY)

Brian Socolow

Partner

Loeb & Loeb LLP (New York, NY)

- Overview of league standards
 - CAN/CSA-Z262.7, Guidelines for Spectator Safety in Indoor Arenas
- Complying with ADA Standards for Accessible Seating

- brief overview of the pertinent portions of Public Law 101-336, Title III
- practical considerations
- Limiting liability for fan injuries
 - duty of care
 - primary assumption of risk – case law analysis
 - comparative negligence – case law overview
 - intentional torts: Fan and player violence – overview
 - warning language on tickets and scoreboards
 - fan intoxication/drunken driving
 - “Dram shop” statutes and case law
 - discretionary practices
- Player/fan misconduct
 - John Green v. Ron Artest: What have we learned?
 - establishing standards for player conduct
- Game operations
 - creating “fan-friendly” events
 - avoiding discriminatory practices in advertising and promotions

11:00 Coffee Break

11:15 Managing Sponsorship Agreements

Gary Gertzog

Senior Vice President, Business Affairs & General Counsel
NFL Properties (New York, NY)

Jeffrey B. Gewirtz

Counsel (sports & entertainment transactions / marketing / media)

The Coca-Cola Company (Atlanta, GA)

Lisa Rovinsky

Partner

Manatt, Phelps & Phillips (New York, NY)

- Understanding the league and/or players association rules that apply to the deal
- Identifying business objectives and leveraging opportunities
 - individual player deals
 - team deals
 - league deals
 - venue deals
- Managing sponsorships on an international level
 - Olympic games
 - world championships
- Developing brand strategies depending on different sponsorship levels
- Working competitive concerns into agreements
- Incorporating ancillary rights into the sponsorship agreement

12:30 Networking Luncheon for Speakers & Delegates

All conference participants are invited to join speakers and colleagues for a networking lunch hosted by

PROSKAUER ROSE LLP®

1:45 Player Endorsement Contracts – Maximizing Exposure & Revenue, While Minimizing Risk

Andrew Stroth

Senior Vice President of Talent Marketing
CSMG International, Ltd. (Chicago, IL)

Michael Hauser

Partner

Alston & Bird (Atlanta, GA)

Brian Heidelberg

Partner

Winston & Strawn (Chicago IL)

- Obtaining the best endorsement deal for your client
- Managing player relationships with the brand
- Identifying “red flags” in endorsement agreements

- Drafting a “Morals Clause” that protects the deal without being unduly restrictive to the player
- Crafting “Exclusivity” to leave your player the most endorsement options
- Determining when your player should receive royalties
- Incorporating imperative legal provisions to protect your player for the long term

3:00 Refreshment Break

3:15 Negotiating Sports-Related Brand Integration Deals in a New Media Environment

Michael Drucker

Vice President & Associate General Counsel
Collegiate Licensing Company (Atlanta, GA)

Tshneka Tate

Assistant General Counsel, Media and Series Marketing
Nascar, Inc. (Charlotte, NC)

James J. Williams

Attorney
General Motors Corporation (Detroit, MI)

Moderator:

Douglas N. Masters

Partner
Loeb & Loeb LLP (Chicago, IL)

A rapidly growing industry in sports marketing is brand integration. Every form of new media, especially video games, strategically incorporate brands at every turn, goal, home run, and basket. Douglas Masters of Loeb & Loeb will lead a discussion of branded entertainment experts who regularly negotiate sports-related brand integration deals. They will discuss the ins and outs of the deals, and explain how to maximize exposure and revenue for all parties involved.

4:30 Protecting Intellectual Property Rights for Athletes, Leagues, and Brands

Ayala Deutsch

Senior Vice President & Chief Intellectual Property Counsel
NBA Properties, Inc. (New York, NY)

Kelly Maynard

Assistant General Counsel
United States Olympic Committee (Colorado Springs, CO)

David Ervin

Partner
Collier, Shannon & Scott (Washington, DC)

Moderator:

Brian Dickerson

Partner
Maguire & Schneider LLP (Columbus, OH)

- Addressing ambush marketing – protecting the value of your property
 - proactive vs. reactive measures
 - understanding associational and pass-through rights
 - maintaining exclusivity
- Policing the use of athletes' or leagues' names by unauthorized users
 - the special problem of fantasy sites
 - players' names and likenesses
 - player and league statistics
- Protecting trademarks or athlete's names from counterfeiting
- Establishing the extent to which a company can use an endorser's likeness
 - limiting the scope of the grant
- Update on *CDM Distribution & Marketing v. MLB Advanced Media*

5:45 Conference adjourns



Thursday, September 28, 2006

8:00 Co-Chairs' Opening Remarks

8:15 Covering All the Bases When Negotiating Broadcast Rights

Brett Goodman

Vice President
NBC Sports & Olympics (New York, NY)

Marivonne Basten

Senior Vice President, Business & Legal Affairs
IMG (New York, NY)

W. Kenneth Ferree

Partner
Sheppard Mullin Richter & Hampton LLP (Washington, DC)

- Negotiating television agreements
 - Integrating sponsorships with the television networks
 - International broadcast considerations in Olympic sponsorships
 - Complying with FCC regulation of sporting events
 - indecency
 - applying the v-chip to sports programming
 - restrictions on deals involving regional sports networks
 - rules against preempting children's television
- Syndicating rights to broadcast games
- Determining who gets historical rights to tapes
- Sifting through different or competing rights
 - multiple languages
 - different media
 - network, cable, on demand

9:30 Collective Bargaining Roundtable Discussion

Harold R. Henderson

Executive Vice President, Labor Relations
Chairman, NFL Management Council (New York, NY)

Ron Klempner

Associate General Counsel
National Basketball Players Association (New York, NY)

Howard L. Ganz

Partner
Proskauer Rose LLP (New York, NY)

Each year, it seems that one of the leagues faces a potential strike due to labor union issues. After months of negotiation, the NFL and the players union agreed upon a deal that raised the proposed salary cap for players. This will effectively keep the best (and highest paid) players on NFL teams, at least until 2011, when the Collective Bargaining Agreement is set to expire. In this session Howard Ganz, Harold Henderson, and Ron Klempner will discuss the principles of the collective bargaining agreements (CBA), and their implementation in the individual leagues. They will then discuss common CBA “sticking points” and what to expect for the future of the leagues.

10:45 Coffee Break ☕

11:00 Combining Ethics With High-Profit Yields When Representing Athletes as an Attorney, an Agent, or Both

Alan Fertel

Partner
Ferrell Law (Miami, FL)

Gwendolyn Frost

Partner

Powers & Frost (Houston, TX)

- Analyzing how the players associations are addressing unethical practices
- Obtaining clients ethically when competing against the non-lawyer agent
 - the perils of promising up-front payments on expected deals
- Preventing other agents from stealing players
- Establishing relationships with team representatives
- Ethical challenges when representing two players who play the same position
- Special issues with contingent fee arrangements
- Ethical considerations for representing undergraduates

12:00 Understanding the Antitrust Implications of Sports Leagues

Bradley I. Ruskin

Partner

Proskauer Rose LLP (New York, NY)

David G. Feber

Partner

Dewey Ballantine LLP (New York, NY)

- Analyzing the MLB antitrust exemption
 - why other leagues are not exempt
- League rules that implicate the antitrust laws
 - player free agency restraints
 - eligibility rules, including age-eligibility rules
 - joint selling of media rights
- How the leagues try to protect themselves from antitrust litigation

1:00 Networking Luncheon for Speakers & Delegates

2:15 Financing Sports Franchises & Related Transactions — Adapting to a Playing Field that is Always Changing

Jonathan Mariner

Executive Vice President, Finance

MLB (New York, NY)

Joseph B. McCormack

Chief Financial Officer

The Los Angeles Lakers (Los Angeles, CA)

Edward Matson Sibble, Jr.

Partner

Goodwin Procter, LLP (Boston, MA)

- Special issues arising with acquisition financing
- Understanding league-wide debt limits and holding company structures
- League-wide credit facilities
- Consent letters and customizing financial covenants
- Maintaining financing through work stoppages
- Sifting through the range of institutional lenders

3:30 Understanding the Dynamics of Collegiate Sports—Preparing for the Big Leagues

Scott Bearby

Associate General Counsel

NCAA (Indianapolis, IN)

David Williams

Vice Chancellor & General Counsel

Vanderbilt University (Nashville, TN)

Evan Appel

Click & Null, P.C. (Atlanta, GA)

- Analyzing the commercialism of college sports
- Maximizing revenue from intellectual property and media rights
 - identifying trends in college athletics
 - bundling of media and other intellectual property rights
 - integrating sponsorship into college athletics
- Determining where the money comes from and who gets to share it
 - university pressure to keep up with the arms race
 - the downside of newer, bigger facilities
 - building facilities with tax-free debt
 - increased salaries
 - how the hosts of championships are selected and revenues are shared
- Preventing & defending litigation against colleges and universities
 - Current effect of Title IX
 - Prong III clarification
 - challenges to NCAA rules
 - claims of noncompliance with NCAA rules
 - avoiding academic fraud
 - drawing the line between amateur and professional status
 - establishing standards for coaches
 - guarding against unscrupulous practices
 - preserving corporate formalities for college sports conferences
- How student athletes are prepared for agent scouting

4:45 Conference Concludes

Master Class on Drafting & Negotiating Complex Endorsement and Sponsorship Agreements

Friday, September 29, 2006

9:00 a.m. -12:00 p.m.

Lisa Rovinsky

Partner

Manatt Phelps & Phillips (New York, NY)

George K. H. Schell

Senior Managing Counsel

Marketing, Trademarks & Licensing

The Coca-Cola Company (Atlanta, GA)

Whether you're negotiating on behalf of a brand, an athlete, a team or a league, chances are you'll be presented with the difficult task of sifting through different components of the "deal" to determine how to best represent the major players. You likely will need to wear a different negotiating hat at various stages, depending on whether your negotiations involve a team, league, or individual athlete. The key to a win/win deal is anticipating how all the components fit together. This master class will delve into these complex deals and clarify the different levels in a way that will assist you during your next negotiation. A series of hypotheticals and problems will enhance your understanding of these highly complex deals, so you can ensure the best possible outcome.

Highlights of this workshop include:

- Special problems with combining sponsorship and endorsements in the same deal
- Achieving the right exposure for your brand
- Making sure you have all the rights you need to leverage the entire package
- Coexisting with your competitors
- Bringing the deal together into one comprehensive package that will benefit all parties involved
 - determining what rights are available and what you must incorporate into the contract
- Complying with industry standards and best practices
- Negotiating sponsorship and endorsement deals on an international scale
- Dealing with the athlete "diva" problem when drafting contracts

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Friday, September 29, 2006

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