

Introducing the Straus Institute's

Entertainment, Media and Sports Dispute Resolution Project



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ABOUT EMS-STRAUS

In July 2012, the Straus Institute announced a new initiative focusing on dispute resolution in the areas of Entertainment, Media & Sports (EMS-Straus). Under the leadership of its Industry Advisor, William Nix, and Director, Maureen Weston, this new project is also being overseen by Straus Institute's Managing Director and Professor of Law Professor Peter Robinson, the Straus Institute's Academic Director, William H. Webster Chair in Dispute Resolution and Professor of Law Thomas J. Stipanowich, and Adjunct Professor and Council of Distinguished Advisors Member, Gerald F. Phillips.

The aim of EMS-Straus is to provide a center for industry expert conversations, conferences, domestic and international off-campus programs, student ADR competitions, interdisciplinary coursework and externships in this area. The leaders of the Project have been working closely with the Editors of Pepperdine Law School's Law Review, The Career Development Office and also the University's Center for Entertainment Media and Culture on creating innovative new symposia in these fields. Members of Pepperdine's Sports and Entertainment Law Society (SELS), bar association, as well as other professional and industry groups have been actively involved in the development and coordinated staging of these activities.



SELS President, Dan Paret, SONY Pictures Entertainment Senior Vice-President of Music Affairs, Paul Friedman and EMS-Straus Industry Advisor, William Nix



Josh Luchs, author of *Illegal Procedure*; shown here with Professor Maureen Weston, Faculty Director of EMS-Straus and student members of SELS

LONDON CALLING... SUMMER 2012 LONDON PROGRAM

EMS-Straus launched in July 2012 with a 2-week intensive course on Olympic & International Sports Dispute Resolution in London, on the eve of the 2012 Olympic Games. The class was taught by Pepperdine Sports Law Professor Maureen Weston, and Jeff Benz, Esq., former general counsel for the U.S. Olympic Committee (USOC) and arbitrator with the Court of Arbitration for Sport (CAS). Among the many experts to meet with the students were Michael Beloff, QC, an English barrister and arbitrator specializing in international sports law, Athlete Ombudsman, Associate General Counsel, and Chief of Security with the United States Olympic Committee, and General Counsel and three deputy attorneys from the London Organizing Committee for the Olympic Games. The students visited and met with officials from the U.K. Anti-Doping Agency, Sport Resolutions, Inc., NBA London, British Olympic Association, and Human Rights Watch. Cultural excursions included visits to Parliament, a tour of legal London, *Chariots of Fire* theater, the National Gallery, a private tour of Arsenal Futbol Stadium, and a trip to Olympic Park. The class will be offered again in London this July 28-August 13, 2013.



MEET THE FACULTY

MAUREEN WESTON, DIRECTOR



Maureen Weston is Professor of Law at Pepperdine University School of Law. She received her J.D. from the University of Colorado, and B.A. in Economics/Political Science at the University of Denver. Professor Weston teaches courses on arbitration, mediation, negotiation, international dispute resolution, legal ethics, and U.S. and international sports law. She serves as Faculty Advisor to the Sports & Entertainment Law Society, Dispute Resolution Journal, coaches students in ICC Mediation Advocacy and Sports & Entertainment Law Negotiation competitions. Weston has taught law at the University of Oklahoma, University of Colorado, University of Las Vegas Nevada, Hamline, and in Oxford, England. Prior to teaching, Weston practiced law with Holme Roberts & Owen and Faegre & Benson in Colorado. She is actively involved in programs furthering opportunities for students to gain experience in negotiation, mediation and arbitration. Her service membership includes subcommittee chair for the ABA, Law School Division, Arbitration Competition, AALS Sports Law Executive Committee, and former co-chair of the ABA Section on Dispute Resolution Education Committee and ABA, Representation in Mediation Competition. She is a member on the Boards of Directors at the National Sports Law Institute at Marquette School of Law, the University of Colorado School of Law Alumni Board, and Malibu Little League. A frequent speaker at conferences, Weston is co-author of casebooks on sports law and arbitration and has written numerous articles in the area of Olympic and International Sports Arbitration, disability law, sports law, and dispute resolution.

WILLIAM NIX, INDUSTRY ADVISOR



Professor Nix is an executive producer of feature films, television and new media programming as well as an attorney. His professional work has covered intellectual property, entertainment, sports, and internet/new media matters, including litigation in the federal courts and administrative proceedings with the Copyright Office of the Library of Congress and the United States Patent and Trademark Office. Nix was Co-Chair of the BakerBotts, LLP Entertainment, Media and Sports Law Practice Group and VP of Legal and Business Affairs for NBA Properties. He was with Motion Picture Association of America for sixteen years and, in his most recent position, served as Senior Vice-President and the Chief Operating Officer of its Worldwide Content-Protection Division. Along with other industry and professional organizations, he is a lifetime voting Member of the Academy of Motion Picture Arts and Sciences and a member of their Grants Committee.

ROGER COSSACK, DISTINGUISHED VISITING PROFESSOR, ESPN LEGAL ANALYST



Professor Cossack was a prosecutor and a defense lawyer during his 22 years of practice, and in 1984 he argued *U.S. v. Leon* before the Supreme Court. Prior to beginning his private practice of law he served on the faculty of the UCLA Law School. In 1994 he joined CNN as the co-host of *Burden of Proof* and also was the CNN legal analyst. From 1994 to 2001 Professor Cossack covered all of the major U.S. legal events including breaking the *Bush v. Gore* decision, the impeachment of President Clinton, and the disputed election of 2000. Since 2002 he has served as the legal analyst for ESPN, reporting on how the law applies in various ways to sports.

ENTERTAINMENT, MEDIA, & SPORT LAW IN THE CLASSROOM

COURSES OFFERED

ENTERTAINMENT LAW
Professor Roger Cossack

MEDIA AND THE LAW
Professor Roger Cossack

ENTERTAINMENT EXTERNSHIP WORKSHOP
Professor Roger Cossack

SPORTS LAW
Professor Maureen Weston

*SELECTED ISSUES IN DISPUTE RESOLUTION:
ENTERTAINMENT INDUSTRY DISPUTES*
William Nix and Gerald Phillips

*ENTERTAINMENT LAW SEMINAR SPECIAL PROBLEMS
IN THE FILM INDUSTRY*
Rob Rader

*INTERNATIONAL & OLYMPIC SPORTS DISPUTE
RESOLUTION (Summer - London)*
Professor Maureen Weston & Jeffery Benz

Industry Speakers in Sports Law:

Danny Sussman, established Hollywood Talent Manager at Brillstein Entertainment Partners, formerly with William Morris Agency in Beverly Hills, who spoke on the topic of "The Business of the Sports and Entertainment Business."

Robert Hacker, V.P. of Business & Legal Affairs at FOX Sports, speaking about "Representing the Sports Network: Negotiations, Legal Issues, and New Media."

Brian Halloran, NCAA Committee on Infractions, speaking on "NCAA Infractions Process: Investigation, Enforcement, Sanctions"

William Nix, former V.P., Legal & Business Affairs for NBA Properties and currently Chairman of the Creative Projects Group, speaking on the topic of "Intellectual Property Licensing, Sponsorship and Marketing in Professional, Olympic and Collegiate Sports."

Site visit to the Pepperdine Athletic Department, and meeting with **Athletic Director Dr. Steve Potts** and **Associate Director/Compliance Brian Barrio**.

Industry Speakers in Entertainment Dispute Resolution:

Mitchell Schwartz, Vice-President, MPAA Title Registration Bureau and **Joan Graves**, Chairman of the Classification and Rating Administration (CARA) of the MPAA.

Cliff Roberts, Agent with William Morris Endeavor (WME); **Bill Abrams**, Legal Counsel, Talent Managers Association (TMA); and Speaker **Karen Stuart**, Executive Director, Association of Talent Agents (ATA).

Sallie Weaver, Entertainment Labor Consulting (formerly with SAG Legal).

Music Attorney **Steven Winogradsky**, Winogradsky/Sobel.

Phillip Terzian, Senior Director & Legal Counsel, Activision/Blizzard

Jeff Korchek, V.P. Legal and Business Affairs, Mattel, Inc. and former EVP of Legal and Business Affairs, Universal Studios and **Ilan Haimoff**, CPA/Principal in the Auditing/Accounting Firm of Green, Hasson & Janks.

April 19th Warner Brothers Studio Lot Tour and Meetings with Studio Lawyers.

GUESS WHO'S COMING TO CAMPUS?

INDUSTRY EXPERT CONVERSATIONS

As part of a comprehensive Project to develop and enhance the School of Law's offerings to students and graduates, EMS-Straus has been working with the Sports and Entertainment Law Society's (SELS) leaders to bring industry expert speakers to campus for luncheon briefings on the work they do, current industry issues and to advise on career paths based on their own professional experiences.

Beginning in September, once or more per month during the 2012-13 academic year, these industry experts have come to campus to participate in such briefings and have spoken on the following topics:

Eyal Aharonov, Entertainment Lawyer, Attorney at Aharonov Law Group. Formerly at Trancas International Films, Inc., Adamson Ahdoot LLP, Doniger Burroughs APC. J.D., Entertainment, Entrepreneurship at Pepperdine University School of Law

Laura McDonald, Entertainment Lawyer, Independent Artist Management, Denver Music Examiner for Examiner.com. J.D., Pepperdine University School of Law, B.A., University of Notre Dame.

Catherine Baggett, Entertainment Lawyer, Music Business & Legal Affairs at The Walt Disney Company. Formerly with Rhino Entertainment, and Carroll, Guido & Groffman LLP. J.D., Pepperdine University School of Law

Panel Topic: Carving Your Path in the Entertainment Industry; Recent Grads Weigh In

Rodney Smith, Distinguished Professor of Law, Director of Center for Sports and Law Policy, Thomas Jefferson School of Law, San Diego

Topic: Gladiators in the 21st Century; Violence and Injuries in Athletics

Vikki Karan, Head of Client Services, William Morris Endeavor, Beverly Hills. Previously at the Endeavor Agency, NYU Stern School of Business, Virus 23. J.D., Law, Entertainment, International Entertainment Law at Pepperdine University School of Law

Topic: The World of an Agent

Steven Stern, Senior Vice-President of Music at APM Music, Los Angeles. Previously with Media Ventures with Hans Zimmer. Education: Music Theory and Classical Guitar at the Peabody Conservatory of Music, Film Music Composition at Berklee College of Music

Topic: Law and Custom Music Houses

Josh Luchs, Former NFL Player Agent, Author of *Illegal Procedure; A Sports Agent Comes Clean on the Dirty Business of College Football*.

Topic: Confessions of an Agent

Gordon Firemark, Solo Entertainment Law Practitioner, Los Angeles. Previously Entertainment Law Update Podcast, Academy for New Musical Theater. J.D., Southwestern University School of Law

Topic: Ahead of the Curve; Utilizing Technology in a Solo Entertainment Law Practice

Paul Friedman, Senior Vice-President of Music Affairs, SONY Pictures Entertainment, Culver City. Previously with King, Holmes, Paterno & Berliner, LLP; Codikow, Carroll, Guido & Groffman; Fox Music. MBA at Tulane University- A.B. Freeman School of Business

Topic: Studio Development, Licensing and Use of Music in Film, Television and Digital Platforms

Stuart Volkow/Mark Heninger, Independent Consultants and Entrepreneurs

Topic: Developments in Entertainment & Media Technology

Pepperdine Students Sports & Entertainment Experience Panel

Topic: The SELS Student Experience in Entertainment, Media and Sports Law Related Competitions, Conferences & Externships

Kim Richardson, Vice President, Legal Affairs at Universal Studios Hollywood

Topic: An Insider's View of a Studio

Professor William Nix, Creative Projects Group

Topic: An Insider's View of Sports Leagues and their Business Models

Mark Crandall, Google Attorney

Topic: An Insider's View of Privacy and Issues in Google's Search and Ventures

Dennis Gilbert, The Gilbert Group

Topic: Wealth Planning and Management for Athletes and Entertainers

Jeffery Mangels, Butler & Mitchell LLP and CAA Sports, a division of Creative Artists Agency

Topic: How to Get a Job in Sports Law

COMPETING WITH THE BEST

STUDENT MOOT COURT, NEGOTIATION AND ARBITRATION COMPETITIONS



Pepperdine Law students Joe Franzi, Dan Paret, and David Meals partnered with Business School students Rama Raju and Michael Alexander to place **FIRST** the **Diamond Dollars Case Competition** at the **Society for American Baseball Research (SABR) Analytics Conference** in Phoenix, Arizona in March 7-9, 2013. In this competition, a team of students evaluate a baseball operations case problem and present their analysis and recommendation to a panel of MLB front office executives. As the competition champions, our Pepperdine Law-Business student team presented before the entire SABR Analytics Conference, presented by Major League Baseball (MLB) and Bloomberg Sports. Pepperdine placed first over teams from Columbia, University of Chicago, Indiana, Elon, and George Washington University. Pepperdine's win was covered by numerous press outlets and acknowledged by Vince Gennaro.

In November 2013, under the supervision of Professor Nancy McGinis, Patty Hayes, and Co-Chairs, Kristine Gamboa and Jessica Johnson, Pepperdine hosted its 15th Annual **National Entertainment Moot Court Competition** with twenty-four law schools competing from around the United States.



Pepperdine students Daniel Boysen and Eli Melamed advanced to the Final Championship Round at the **National Basketball Negotiation Competition at Fordham Law School's Sports Law Forum in New York City**, March 16-17, 2013. Students from fourteen law schools across the country competed in this competition where students play the role of attorney teams representing NBA team owners, player agents, and corporate sponsors in negotiations involving player-team trades, player endorsements, corporate sponsorship deals with teams, and Intra-league negotiations re-examining the NBA draft system. Accompanied by Professor Weston, Dan and Eli negotiated in five rounds – the final round judged by Hon. Denny Chin of the Second Circuit Court of Appeals, Jeffrey B. Gewirtz, Executive VP of Business Affairs, Chief Legal Officer, Brooklyn Nets, and Dimitrious Efstathiou, Senior Counsel for Major League Soccer.

...AND WINNING!

STUDENT MOOT COURT, NEGOTIATION AND ARBITRATION COMPETITIONS

Pepperdine students Amanda Fletcher, Kara Ritchey, Sandy Ciel, and Jessica Johnson participated in the **Entertainment Law Negotiation Competition** at Southwestern University Law School. Brad Raboin, a Pepperdine School of Law Alum ('12), helped with coaching the team. The students worked hard in their preparations of representing the role of counsel for an entertainment production company in negotiations with talent and a television network contract. Twenty-four teams from across the country competed. Entertainment industry lawyers served as judges and gave helpful and positive feedback to our students.



In January 2013, Dan Paret, Pepperdine's Sports and Entertainment Law Society President, and Kevin Dulaney represented Pepperdine at the **Tulane University's 6th Annual National Baseball Arbitration Competition**. Dan and Kevin finished in the top 10 of over 40 law school teams participating in this competition. Pepperdine is mentioned in the ESPN report on this competition which fields teams from 40 law schools across the country.

PLANNING A CAREER IN SPORT AND ENTERTAINMENT LAW CAREER DEVELOPMENT OFFICE OPPORTUNITIES

Pepperdine's Career Development Office (CDO) is available to assist law students and alumni in their career development in sports and entertainment law. The CDO has actively supported entertainment and sports internship, externship and full-time job placements over the years, with great success. Some examples of this are posted at: <http://law.pepperdine.edu/clinical-education/externships/entertainment-law.htm>.

In addition, recently the CDO hosted a *How to Get a Job in Sports Law* event. Guests included attorneys from boutique law firms, as well as attorneys from Jeffery Mangels, Butler, & Mitchell LLP and CAA Sports, a division of Creative Artists Agency. The CDO has also supported the Sports & Entertainment Law Society (SELS) industry speaker events by providing complimentary lunches and marketing for them over the course of the Fall 2012 and Spring 2013 semesters.

The CDO counselors are available to meet to discuss alumni and students' career interests, entertainment and sports law job search strategies, as well as interviewing techniques. The CDO posts several part-time and full-time sports law positions throughout the year. These opportunities are available on Symplicity, the CDO's web-based career management program. Pepperdine Alumni receive lifetime access to Symplicity, as well other CDO services. Students and alumni who are interested in sports law opportunities or who need Symplicity log-in information should contact the CDO at cdo@pepperdine.edu or (310) 506-4634.

EMS & PEPPERDINE LAW REVIEW SYMPOSIUM ON COLLEGE SPORTS

The *Pepperdine Law Review*, in association with EMS-Straus and Sports and Entertainment Law Society (SELS) presents a symposium on cutting edge issues in college sports. The symposium will consist of four panel discussions with leading academics, university leaders, and practitioners in a variety of areas, including: a conversation with institutional leaders of major intercollegiate athletic programs; a consideration of the possibility of an antitrust exemption for the NCAA; the impact of conference realignment, digital media, broadcasting, and commercialization; and other emerging hot topics in college sports.



Panelists include...

Keynote Address: Jeffrey Moorad, Moorad Sports Management

Panel 1: Institutional Control, Realignment & Division I College Sports

Roger Cossack, ESPN Legal Analyst/ Pepperdine Law Distinguished Visiting Professor

Judge Ken Starr, President, Baylor University

Britt Banowsky, Conference Commissioner

Steve Potts, Athletic Director, Pepperdine University

Dave Roberts, Vice President for Compliance, USC

Panel 2: Legal Issues in College Sports: Antitrust, Contract,

Maureen Weston, Professor of Law, Pepperdine University School of Law

Daniel E. Lazaroff, Professor of Law & Director, Loyola Sports Law Institute, Loyola Law

Gabe Feldman, Associate Professor, Tulane Law School; Director, Tulane Sports Law Program; and Associate Provost for NCAA Compliance

Jeffrey Standen, Professor, Willamette University

Michael McCann, Director of Sports Law Institute and Professor of Law, Vermont Law School

Panel 3: Reckoning and Hot Topics

Professor Ed Larson, Professor of Law, Pepperdine University School of Law

Matt Mitten, Professor of Law/Director, National Sports Law Institute, Marquette University

Rod Smith, Director of Sports Law & Professor of Law, Thomas Jefferson School of Law

Brian Halloran, Painted Hills Wind Energy; NCAA Committee on Infractions,

Panel 4: The Money: Broadcasting

Roger Cossack, ESPN Legal Analyst/ Pepperdine Law Distinguished Visiting Professor

Andrew Brandt, NFL Business Analyst, ESPN; Columnist for ESPN.com; Director, Moorad Center for Sports Law at Villanova Law School; Co-Founder, The National Football Post

Brian Marler, Director, Houlihan Lokey

Babette E. Boliek, Associate Professor of Law, Pepperdine University School of Law

UPCOMING EVENTS

STUDY INTERNATIONAL SPORTS DISPUTE RESOLUTION—LONDON

July 28-Aug. 13, 2013

For more about the Summer 2013 London Program please visit:
<http://law.pepperdine.edu/global-programs/olympics/>

DOPING AND THE CULTURE OF SPORT

October 21-22, 2013

In conjunction with the **Global Sports Development Foundation** (GSD) and the **University of Stockholm**, EMS Straus and Pepperdine School of Law will host a Symposium on “Doping and The Culture of Sport: Ethical, Economic and Legal Considerations.” The award-winning film “The War on Doping” will be shown, along with commentary by the filmmaker, and panel discussion on the anti-doping movement among experts, attorneys, journalists, and athletes. Invited speakers include Travis Tygart, U.S. Anti-Doping Agency, attorneys for Lance Armstrong, Dick Pound, Anita DeFrantz, journalists, athletes, officials from the World Anti-Doping Agency, and UNESCO. GSD will present an award to Arne Lundquist, Chair of the International Olympic Committee Medical Commission, a pioneer in the fight against doping in sport.

WOMEN IN HOLLYWOOD: 100 YEARS OF NEGOTIATING THE SYSTEM

Fall 2013

The Straus Institute’s Academic Director, William H. Chair in Dispute Resolution and Professor of Law, Thomas J. Stipanowich, EMS-Straus Industry Advisor and Adjunct Professor, William Nix and Seaver College Communications Professor Craig N. Detweiler, PhD, author, filmmaker and cultural commentator, and head of Pepperdine’s Center for Entertainment, Media and Culture are currently organizing a major national symposium entitled *Women in Hollywood: 100 Years of Negotiating the System*, to be co-sponsored by the School of Law’s Straus Institute for Dispute Resolution and Pepperdine’s Center for Entertainment, Media and Culture.

Currently slated for Fall 2013, the Symposium is intended to explore the personal and professional challenges faced by women as writers, actors, directors, producers and executives from the early days of Hollywood to the present. Cari Beauchamp’s book, *Without Lying Down: Francis Marion and the Powerful Women of Early Hollywood*, movingly recounts the major role that women such as Francis Marion and Mary Pickford played in writing, acting, directing and producing during the formative days of Hollywood. They were also among the creators of the Writers Guild of America. Their experiences, and those of other major figures, such as Olivia DeHavilland and Bette Davis, are worth revisiting to examine their varied approaches to negotiating successful resolutions of their conflicts. Contemporary experiences of women in a variety of key leadership roles will be compared and contrasted with the “stories” of these historical figures.

ENTERTAINMENT, MEDIA AND SPORT DISPUTE RESOLUTION PROJECT

SPONSORSHIP OPPORTUNITIES!

EMS-Straus is actively seeking sponsors to help fund Conferences, Speaker Lunches, and Student Competitions. To donate or discuss, please contact Professor Maureen Weston at mweston@pepperdine.edu.

STUDENT TESTIMONIAL

"What a phenomenal advantage to aspiring students during these tough economic times! Not only is this a great opportunity for students but for Pepperdine University School of Law as well. Law schools across the country are struggling. It is imperative that the best schools continue to find differentiated ways to educate students and help them secure meaningful employment. Competitions such as these are outstanding ways to not only educate students but also provide us with the experience and skills necessary to stand out in a highly competitive sector to secure jobs." - Dan Paret, 3L & President, Sports Entertainment Law Society .

For information on how to become an EMS-Straus/ SELS guest speaker or classroom visiting expert speaker on campus, or to recommend one, please contact:

Maureen Weston, Professor of Law, Faculty Director of the Straus Institute of Dispute Resolution's Entertainment, Media and Sports Dispute Resolution Project, Advisor, Sports & Entertainment Law Society (SELS)
maureen.weston@pepperdine.edu

William Nix, Industry Advisor, Entertainment, Media and Sports Dispute Resolution Project at the Straus Institute for Dispute Resolution and Chairman, Creative Projects Group.
william.nix@pepperdine.edu

Roger Cossack, ESPN Legal Analyst and Pepperdine Law Distinguished Visiting Professor
Roger.cossack@pepperdine.edu

SELS Officers

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Josh Lastine, SELS President (2012-13)
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For further information on EMS-Straus or SELS, please access the following:

<http://law.pepperdine.edu/straus/news/entertainment-media-sports-project.htm>

<http://law.pepperdine.edu/student-life/groups/icc/sels.htm>



<https://twitter.com/PepperdineSELS>



<http://www.facebook.com/groups/12758458410/>