

# Marc Edelman

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## Law Professorships

### **Barry University: Dwayne O. Andreas School of Law: Orlando, FL Assistant Professor (August 2009 – Present)**

- Courses: Antitrust, Contracts I, Contracts II, Property I (including Intellectual Property), Property II, Advanced Topics in Sports Antitrust
- Teaching Evaluations<sup>1</sup>
  - Antitrust (Fall 2009) 4.88 / 5.00 13 students in course
  - Contracts I (Fall 2009) 4.95 / 5.00 63 students in course
  - Contracts II (Winter 2010) 4.91 / 5.00 54 students in course
  - Sports Law (Winter 2010) 4.95 / 5.00 20 students in course
  - Sports & Antitrust Seminar (Winter 2010) 5.00 / 5.00 5 students in course
- Faculty Committees: Academic Programs, Mission Effectiveness
- Faculty Advisor: Sports Law Society, Jewish Law Student Society, IP Writing Competitions
- Promotion to Associate Professor: Anticipated Winter 2011

### **Fordham Law School: New York, NY Adjunct Professor (Summer 2010)**

- Courses: Law and Professional Sports

### **Rutgers University School of Law: Camden, NJ Visiting Assistant Professor (August 2008 – July 2009); Adjunct Professor (Summer 2010)**

- Courses: Property, Sports Law.
- Teaching Evaluations<sup>2</sup>
  - Property (Winter 2009) 4.74 / 5.00 80 students in course
  - Sports Law (Summer 2009) 4.87 / 5.00 11 students in course
  - Sports Law (Fall 2008) 4.62 / 5.00 49 students in course

### **Seton Hall Law School: Newark, NJ Adjunct Professor (Summer 2009 & 2010)**

- Courses: Sports Law
- Teaching Evaluations<sup>3</sup>
  - Sports Law (Summer 2009) 4.66 / 5.00 44 students in course

### **New York Law School: New York, NY Adjunct Professor of Law (Spring 2008 & 2009)**

- Courses: Sports Law
- Teaching Evaluations
  - Sports Law (Spring 2009) 4.60 / 5.00 33 students in course
  - Sports Law (Spring 2008) 4.93 / 5.00 4 students in course

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<sup>1</sup> Barry University teaching rating is calculated based on the mean of all student evaluation questions.

<sup>2</sup> Rutgers School of Law-Camden teaching rating is calculated based on the mean of all student evaluation questions related to the professor (questions nos. 1-13 & 16-17 of student evaluation sheet).

<sup>3</sup> Seton Hall Law School teaching rating is calculated based on the mean of all student evaluation questions related to the professor (questions nos. 1-13 & 16-17 of student evaluation sheet).

## Academic Law Review Articles<sup>4</sup>

- Marc Edelman, *Does the NBA Still Have Market Power? Exploring the Antitrust Implications of an Increasingly Global Market for Men's Basketball Player Labor*, 41 RUTGERS LAW JOURNAL \_\_ (2010) (publication forthcoming).
- Marc Edelman & David Rosenthal, *A Sobering Conflict: A Call for Consistency in the Messages Colleges Send About Alcohol*, 20 FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL 101 (2010) (solicited manuscript).
- Marc Edelman, *Are Commissioner Suspensions Really any Different from Illegal Group Boycotts? Analyzing Whether the NFL Personal Conduct Policy Illegally Restrains Trade*, 58 CATHOLIC UNIVERSITY LAW REVIEW 631 (2009).
- Marc Edelman & Brian Doyle, *Antitrust and 'Free Movement' Risks of Expanding American Professional Sports Leagues into Europe*, 29 NORTHWESTERN JOURNAL OF INTERNATIONAL LAW & BUSINESS 403 (2009).
- Marc Edelman, *The House that Taxpayers Built: Exploring the Rise in Publicly Funded Baseball Stadiums from 1953 through the Present*, 16 VILLANOVA SPORTS & ENTERTAINMENT LAW JOURNAL 257 (2009) (solicited manuscript).
- Marc Edelman & Elizabeth Masterson, *Could a New Women's Professional Soccer League Survive in America? How Returning to the Traditional League Structure Might Save More than Just a Game*, 19 SETON HALL JOURNAL OF SPORTS & ENTERTAINMENT LAW 283 (2009).
- Marc Edelman, *Moving Past Collusion in Major League Baseball: Healing Old Wounds and Preventing New Ones*, 54 WAYNE LAW REVIEW 601 (2008).
- Marc Edelman, *Sports and the City: How to Curb Sports Teams' Demands for Free Public Stadiums*, 6 RUTGERS JOURNAL OF LAW & PUBLIC POLICY 35 (2008) (solicited manuscript).
- Marc Edelman & Dr. C. Keith Harrison, *Analyzing the WNBA's Mandatory Age/Education Policy from a Legal and Ethical Perspective*, 3 NORTHWESTERN JOURNAL OF LAW & SOCIAL POLICY 1 (2008).
- Marc Edelman, *Why the Single Entity Defense Can Never Apply to NFL Clubs: A Primer on Property Rights Theory in Professional Sports*, 18 FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL 891 (2008) (cited in three briefs to the U.S. Supreme Court and one brief to the U.S. Court of Appeals for the Second Circuit).
- Marc Edelman, *How to Prevent High School Hazing: A Legal, Ethical and Social Primer*, 81 NORTH DAKOTA LAW REVIEW 309 (2005).
- Marc Edelman, *Addressing the High School Hazing Problem: Why Lawmakers Need to Impose a Duty to Act on School Personnel*, 25 PACE L. REV. 15 (2004).
- Marc Edelman, *Do Major League Baseball Clubs Risk Losing Another Collusion Grievance?* 24 LOYOLA OF LOS ANGELES ENTERTAINMENT LAW JOURNAL 159 (2004).
- Marc Edelman, *How to Curb Professional Sports' Bargaining Power vis-à-vis the American City*, 2 VIRGINIA SPORTS & ENTERTAINMENT LAW JOURNAL 280 (2003).
- Marc Edelman, *Can Antitrust Law Save the Minnesota Twins? Why Commissioner Selig's Contraction Plan Was Never a Sure Deal*, 10 SPORTS LAW JOURNAL 45 (2003).
- Marc Edelman, note, *Reevaluating Amateurism Standards in Men's College Basketball*, 35 UNIVERSITY OF MICHIGAN JOURNAL OF LAW REFORM 861 (2002).

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<sup>4</sup> Ranked no. 9 globally (no. 7 in U.S.) in 2009 SSRN downloads among antitrust law professors. Ranked no. 1 globally (no. 1 in U.S.) in 2009 SSRN downloads among sports law professors.

## **Bar Journal Articles**

- Marc Edelman, *Can the NFL Really Banish Pacman Jones?* TENNESSEE BAR JOURNAL 4-5 (January 2009).
- Marc Edelman, *Single-Entity Sports Ruling: 'Needle' in a Haystack*, NEW YORK LAW JOURNAL 4, 12 (January 2, 2008) (cited in brief to the U.S. Court of Appeals for the Second Circuit).

## **Newspaper/Magazine Editorials**

- Marc Edelman, *American Needle Ruling May Have Impact on Other Areas of Sports Business*. STREET & SMITH'S SPORTS BUSINESS JOURNAL 20 (May 31, 2010).
- Marc Edelman, *Single Entity Status Must Pass Legal Test*. STREET & SMITH'S SPORTS BUSINESS JOURNAL 24 (April 28, 2008).
- Marc Edelman, *Marlins Stadium: Deal Expensive, Maybe Unconstitutional*. MIAMI HERALD 19-A (March 4, 2008).
- Marc Edelman, *MLB Owners Missed Golden Opportunity (Benefits of a Neutral Commissioner)*. STREET & SMITH'S SPORTS BUSINESS JOURNAL 28 (February 18, 2008).
- Marc Edelman, *Time for CFL to Rethink Suspension Rule*. STREET & SMITH'S SPORTS BUSINESS JOURNAL, 32 (October 29, 2007).
- Marc Edelman, *Fan Ownership can Give UFL a Leg Up on Building Loyalty*. STREET & SMITH'S SPORTS BUSINESS JOURNAL 28 (August 27, 2007).
- Marc Edelman, *Strike Against Diamond Diplomacy (U.S. Trade Policy Involving Cuba)*. STREET & SMITH'S SPORTS BUSINESS JOURNAL 30 (December 26, 2005).
- Marc Edelman, *Clarett's Run to Court No Sure Score*. STREET & SMITH'S SPORTS BUSINESS JOURNAL 32 (Sept. 22, 2003).

## **Lectures & Symposia**

- Symposium Panelist: Antitrust Issues Stemming from the Phoenix Coyotes Bankruptcy Petition. *Seton Hall University School of Law Sports & Entertainment Symposium* (April 13, 2010).
- Symposium Panelist: Current Issues in Sports Law. *New York State Bar Association's Fourteenth Annual Symposium on Current Legal Issues in Sports Law at Fordham Law School* (March 26, 2010).
- Symposium Panelist: The Perfect Storm: Collective Bargaining in Major Sports 2011, *Widener Law Sports and Entertainment Law Symposium* (February 24, 2010).
- Keynote Speaker: Alternative Dispute Resolution in Real and Fantasy Sports. *Pace Law School Alternative Dispute Resolution Society Gala* (February 2, 2010).
- Symposium Panelist: Bargaining Collectively (Discussing the Baseball, Basketball and Football Collective Bargaining Agreements), *University of Florida Sports Law Symposium* (January 29, 2010).
- Invited Presenter: American Needle v. NFL and the Future of Pro Sports' Single Entity Defense, *Stetson Law School Junior Faculty Colloquium* (November 13, 2009).
- Featured Speaker: Can the NFL Permanently Suspend Michael Vick? *Presentation to the NYU Law School Sports & Entertainment Law Society* (April 20, 2009).
- Symposium Panelist: Gambling in Sports: The Final Line between Fantasy Sports and Illegal Activity. *New York State Bar Association's Thirteenth Annual Symposium on Current Legal Issues in Sports Law at Fordham Law School* (April 17, 2009).

- Symposium Panelist: The Problem with Age Limits in Professional Sports Leagues. *New York Law School Media, Entertainment & Sports Law Symposium* (March 25, 2009).
- Symposium Panelist: The Ethics of Building New Sports Stadiums during the Recession. *Harvard Law School Sports Law Symposium* (March 13, 2009).
- Symposium Panelist: Labor Issues in Professional Sports. *University of Florida Sports Law Symposium* (January 23, 2009).
- Symposium Panelist: Commissioner Suspensions and Antitrust Law. *Seton Hall University School of Law Sports & Entertainment Symposium* (November 7, 2008).
- Featured Speaker: Current Issues and Career Opportunities in Sports Law. Michigan Law School (October 2, 2008).
- Symposium Panelist: The House that Taxpayers Built: Exploring the Rise in Publicly Funded Baseball Stadiums from 1953 through the Present. *Villanova Law School Sports & Entertainment Law Journal Symposium* (October 25, 2008).
- Symposium Panelist: NCAA Law & Ethics. *New York State Bar Association's Twelfth Annual Symposium on Current Legal Issues in Sports Law at Fordham Law School* (April 11, 2008).
- Featured Speaker: Athletes' Names & Stats: Intellectual Property or Fantasy. New York State Bar Association (June 26, 2008).
- In-Class Guest Lecturer: League Constitutions and Collective Bargaining Agreements. Zicklin School of Business (October 18, 2007).
- Symposium Panelist: Breaking into the Sports Industry. Hofstra Law School (October 10, 2007).
- In-Class Guest Lecturer: The Changing Landscape of Professional Sports: Legal and Business Implications of Fantasy Gaming, the Internet, and Viral Marketing. University of Michigan (September 17, 2007).

### **Media Citations & Blog Entries**

- Over 30 law-related citations in major newspapers/magazines (full citation list available upon request).
- Blogger at *Sports Judge Blog*; Guest Blogger at *Above the Law* and *Sports Law Blog*.

### **Law Practice Experience**

#### **Dewey Ballantine LLP (Dewey & LeBoeuf LLP): New York, NY Associate, Litigation & Sports/Entertainment Practice Groups (2006 – 2008)**

- Represented commercial clients, including sports teams and players associations, in a wide range of contractual, labor and antitrust disputes.
- Represented a major international packaged goods company in negotiating promotional, sponsorship and talent agreements.

#### **Skadden, Arps, Slate, Meagher & Flom LLP: New York, NY Associate, Antitrust Practice Group (Summer 2002; 2003 – 2006)**

- Represented corporations in litigation matters related to alleged price-fixing under Section One of the Sherman Antitrust Act, and in DOJ/FTC merger investigations.
- Represented companies in general antitrust compliance matters.

## **Education**

**University of Michigan Law School: Ann Arbor, MI**  
**J.D., *cum laude*, 2003**

**University of Michigan: Ann Arbor, MI**  
**M.A. (Kinesiology), 8.33/8.00 grade point average, 2003**

**The Wharton School: University of Pennsylvania: Philadelphia, PA**  
**B.S. (Economics), *magna cum laude*, 1999**