DRAFT SYLLABUS: "TAGLIABUE MODEL" (Emphasis on antitrust principles)
WEILER, ROBERTS, ABRAMS & ROSS, SPORTS & THE LAW (5TH EDITION)

PART I: THE SPECIAL CASE OF SPORTS GOVERNANCE AND THE UNIQUE POWER OF THE SPORTS LEAGUE COMMISSIONER

Session 1: What constitutes the "Best Interests of Sports"?
Drug Use, Anti-Social Activity, and the "Fundamental Character of the Game" (43-74)

Session 2: Authority of the Commissioner of Baseball to Act "in the best interests of baseball" (1-32), optional background reading on waiver and option rules (http://pennstatelaw.psu.edu/_file/Sports%20Law%20Policy%20and%20Research%20Institute/teaching_handout_1.pdf)

Session 3: continued

PART II: APPLICATION OF LABOR LAW TO PROFESSIONAL SPORTS

Session 4: Basic principles of the National Labor Relations Act and their application to sports
(a) Introductory notes (97-100)
(b) The union's exclusive bargaining authority *J.I. Case* (109-111)
(c) Determination of the appropriate bargaining unit *NASL v NLRB* (111-16)
(d) Duty to bargain in good faith (122-34)

Session 5: Arbitral interpretation and enforceability of the player contract: *Messersmith, Dutton, KC Royals* (214-33)

Session 6: Regulation of misbehavior:
(a) Generally –*Owens* (234-42)
(b) Drug abuse: *NFLPA v. NFL (Williams & Vikings)* (250-56)

Session 7: Substantive Terms of Collective Bargaining Agreements
(a) Salary caps and taxes (256-60)
(b) Standardized and individual contract terms: *Moore/Braves arb.* (696-704)
(c) Salary Arbitration (705-17)

Session 8: Segue: Should contract law, labor law, or antitrust law regulate players? (153-60, 180-204, 210-15)

PART III: ANTITRUST LITIGATION AS A MEANS TO EXPLORE BUSINESS DYNAMICS

Session 9: Overview and basic concepts (261-68)

(a) The "Rule of Reason" in sports: *NCAA v Bd of Regents* (262-280)

(b) Sports rules as "conspiracies" among individual club owners: *American Needle* (281-315)

Session 10: Basic economics of player restraints and revenue sharing: (349-58), Revenue Sharing Data (http://pennstatelaw.psu.edu/_file/Sports%20Law%20Policy%20and%20Research%20Institute/teaching_handout_2.pdf)

Session 11: Sherman Act analysis of direct player restraints: (359-87), Note on the Rule 5 draft (http://pennstatelaw.psu.edu/_file/Sports%20Law%20Policy%20and%20Research%20Institute/teaching_handout_3.pdf)

Session 12: Labor exemption: (388-40)

Session 13: Antitrust and ownership restrictions (447-69)

Session 14: Antitrust regulation of franchise entry and location

(a) Franchise relocation: (470-89)

(b) Entry and expansion (490-96); Note on Solutions and Promotion & Relegation (http://pennstatelaw.psu.edu/_file/Sports%20Law%20Policy%20and%20Research%20Institute/teaching_handout_6.pdf)

Session 15: Sports Broadcasting and Antitrust (508-40)

PART IV: OTHER ISSUES IN PROFESSIONAL SPORT

Session 16: Copyright issues B *Pittsburgh Athletic* (581-90); Player Publicity rights (628-37, 652-61)

Session 17: Agent conflicts of interest and other misconduct: (718-32); Agent recruitment of college athletes: (733-39, 762-72); {Optional: Sports Institute Website Paper on Recruiting (http://pennstatelaw.psu.edu/_file/Sports%20Law%20Policy%20and%20Research%20Institute/Exploiting_Kids_the_Scandal_in_Agent_Recruiting_of_Athletically_Gifted_Teens.pdf})

PART V: ISSUES IN COLLEGIATE SPORTS

Session 18: Introduction

(a) Introductory Materials re college athletics (773-76)

(b) Civil rights & academic standards: (811-834, 844-45)

(c) Contract-based challenges to NCAA and conference rules: (854-66)

(d) Procedures in Challenging NCAA rules*: Lasege (*867-76)

Session 19: The concept of Aamateurism@

(a) NCAA definition (887-94)

(b) The nature of the college-athlete relationship: (906-14)

Session 20: Should the antitrust laws apply to college sports? (915-32)

Session 21: NCAA labor restraints - players: *Oliver* (900-05); *O'Bannon* (969-90)

Session 22: Intro to gender discrimination (991-1033)

Session 23: Gender discrimination- administration & access: (1034-62)

PART VI: SPORT AND INJURY

Session 24: Personal injury in sport (1171-80, 1186-92)