

Sports Business Awards
 ▶ Meet the nominees, Page 37
 ▶ Madkour: Inside the nomination process, Page 24
 ▶ Michael Eisner to receive Lifetime Achievement Award, Page 36

AP IMAGES: MARC BRYAN-BROWN

NFL's 100th season
 Lefton: A look at ambitious plans for "NFL 100" in 2019 includes all levels of the game.
Page 8

Courage to change
 Tulane President Emeritus: Do college leaders have the guts to think students first?
Page 25

The Wright Way
 Villanova's coach on attitude, athletics and responsibility.
Page 38

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Facebook about to get serious?

Latest deals have industry wondering what's next

BY JOHN OURAND AND MICHAEL SMITH STAFF WRITERS

Questions about when companies like Facebook and Google will start paying — really paying — to pick up major media rights have dominated sports business conversations for years.

Those conversations became more amplified last week fol-

lowing two Facebook deals announced in the span of six days, even as making conclusions became even more opaque.

Facebook picked up a package of midweek, mid-afternoon MLB games for \$30 million, and sublicensed packages of Conference USA games from CBS Sports and Stadium for more than \$1 million — two deals that should demonstrate that the company is serious about getting into the sports rights business in a big way. The deals come a couple of months after Facebook hired Peter Hutton from Eurosport to head up its global sports rights deals divi-

See **Facebook** Page 33

Hall of Famer's daughter finds success as first-year NFL agent

BY LIZ MULLEN STAFF WRITER

Alexa Stabler wasn't born yet when her father, Hall of Fame quarterback Ken Stabler, was making Pro Bowls and winning the Super Bowl. But she was around to see what could happen to an athlete after they become famous, particularly one like her father who never met a stranger.

"There needs to be a barrier between them and the people who come around when the NFL is looming and they start to get success and name recognition," she said. "I saw that happen my whole life, so I want to be that barrier between them

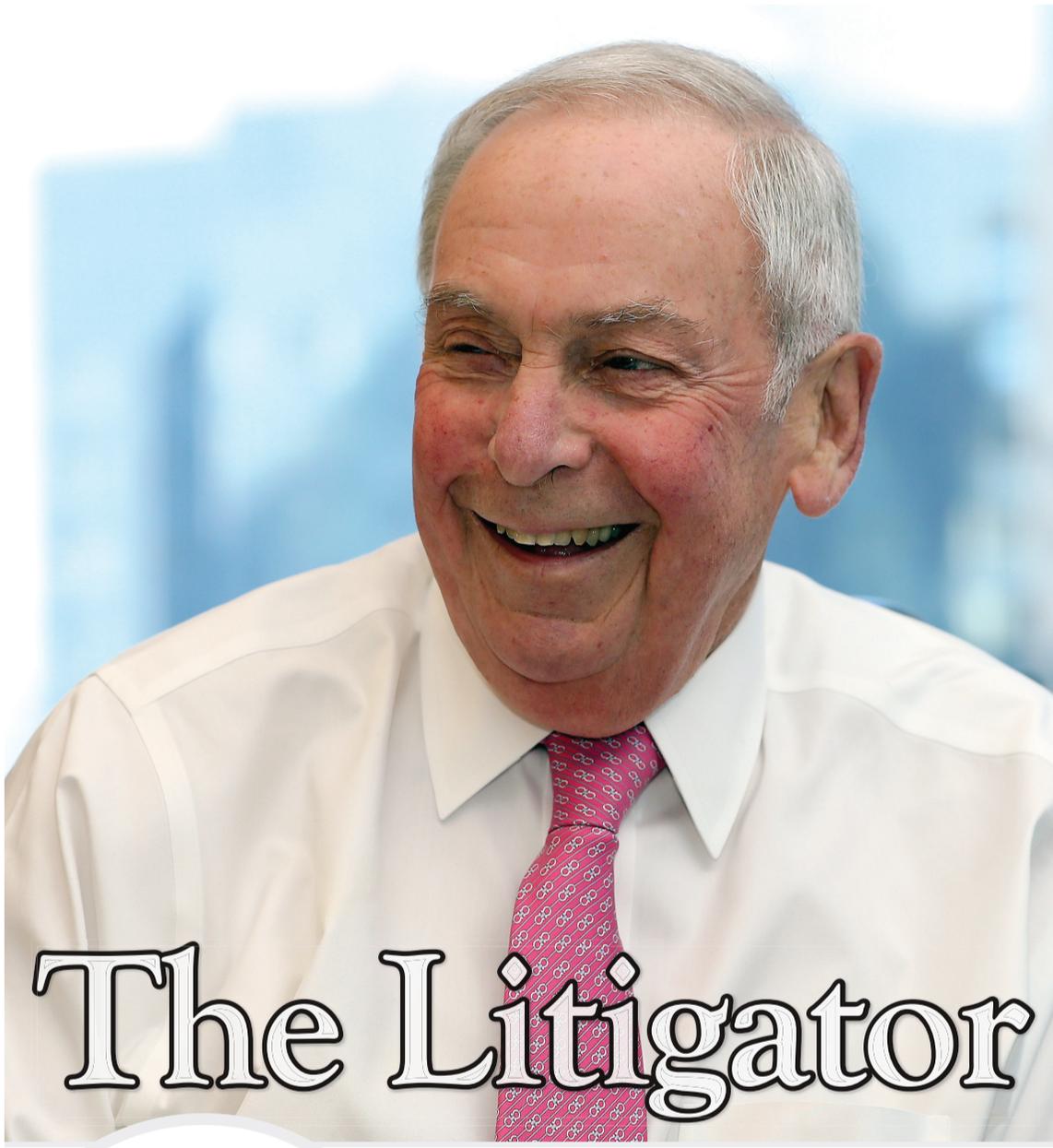


Alexa Stabler has signed six prospects for the NFL draft.

and what happens when you have a career in professional football."

Which is one of the reasons

See **Stabler** Page 34



The Litigator

2018
 PIONEERS & INNOVATORS
CHAMPIONS
 IN SPORTS BUSINESS

LEGAL EAGLES: Barbs, battles, balance define six-decade friendship with former NBA Commissioner David Stern,
Page 29

Proskauer's Howard Ganz plays big role in sports' transformation

BY TERRY LEFTON STAFF WRITER

To appraise the career of Proskauer's Howard Ganz is to traverse the last half century of American pro sports, when it mushroomed from a regional

business into a nationwide corporate enterprise.

During that half-century ride, Ganz, co-head of Proskauer's Sports Law Group, has been an integral part of some of the most significant changes

See **Ganz** Page 28

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CHIP BOWERS

Ganz

■ Legal lifetime leads to huge changes in sports

FROM PAGE 1

in sports, including every NBA collective-bargaining agreement since 1967 and every MLB CBA since 1999.

As a hybrid labor lawyer and litigator, Ganz was outside counsel for MLB and the NBA during such seminal events as the ABA/NBA merger; the Knicks/Heat bench-clearing brawl during the 1997 playoffs; Pete Rose's gambling transgressions and subsequent ban from baseball; the creation of the WNBA and its first CBA; performance-enhancing drug abuse, from Rafael Palmeiro to A-Rod; the Latrell Sprewell coach-choking incident; and John Rocker's suspension after he said the 7 train to Shea Stadium was "like you're riding through Beirut," the first time an MLB player was suspended for something he said. When Mahmoud Abdul-Rauf refused to stand when the national anthem was played at NBA games, Ganz was knee deep in that — more than 20 years before NFL players were taking a knee during the national anthem.

The sports law group Ganz co-chairs also represents the NFL, NHL and Major League Soccer along with some pro teams, colleges, conferences and the ATP and WTA tours, making Proskauer arguably the most influential law practice in the business.

Born in the Bronx and raised 20 blocks or so from Yankee Stadium, and later in New Rochelle, N.Y., Ganz had a father who was an accountant, one uncle who was a lawyer and another a doctor. So a career as a professional was predetermined, but it was a specific area of the law that intrigued him.

"Law practice divides itself between dispute resolution and transactional," Ganz said. "I always knew that I wanted to be a dispute-resolution guy. ... I was always

fascinated by the aura of trials, cross examination and arguing with people."

Therefore, a litigator he became.

While Ganz worked in sports during arguably its most transformative period, he insists he "fell into" the labor practice at Proskauer, following Columbia Law classmates David Stern and Michael Cardozo to Proskauer after clerking for a federal judge.

Once at Proskauer, Ganz started working on labor litigation. "There really was no sports law — I liked the people there in labor and it stuck," said the eternally self-effacing Ganz. The force majeure within Proskauer's labor department at the time: Ed Silver, father of the current NBA commissioner.

As Ganz recalls, Proskauer's sports practice began in earnest in the mid-1960s when the law firm Simpson Thacher determined that representing the Feld family, owners of Madison Square Garden and the New York Knicks, meant that also representing the NBA would be a conflict. So, George Gallantz brought the NBA business to Proskauer; and served as general counsel under three commissioners during the 1960s and '70s.

One of Ganz's early sports labor cases was working with Gallantz on the NBA CBA when Oscar Robertson was president of the players association and was suing the league in an antitrust matter. Times were different: The NBA had just 12 franchises and players weren't paid for preseason games. The CBA they completed was all of three pages. The NBA's current CBA is hundreds of pages — without addendums like the salary cap minutia.

"I will admit," Ganz said with a smile in his Times Square office, "the CBA has morphed into something biblical in its proportions and Talmudic in its complexity."

THE CHAMPIONS

This is the fourth installment in the series of profiles of the 2018 class of The Champions: Pioneers & Innovators in Sports Business. This year's honorees and the issues in which they will be featured are:

DATE	CHAMPION
Feb. 26	Ben Sutton
March 5	Kay Koplovitz
March 12	Sal Galatioto
March 19	Howard Ganz
March 26	John Wooten
April 2	Paul Beeston

proportions and Talmudic in its complexity."

SOUND JUDGMENT

Early on, Ganz established a reputation for possessing an encyclopedic knowledge of the law, a staunch work ethic and sound judgment.

"The toughest part about being a lawyer



Howard Ganz has been at the forefront of sports legal issues for more than 50 years.

is not the knowing the law part, it's the judgment part," said MLB Commissioner Rob Manfred. "Howard Ganz is an A-plus when it comes to judgment."

Ganz is revered across sports for his ability to "keep your wits about you while all others are losing theirs, and blaming you," ala Kipling.

Since he was usually involved in contentious situations, that's the quality colleagues refer to most frequently when asked about Ganz.

"Howie was the perfect outside counsel," said former MLB Commissioner Bud Selig. "Oftentimes, when things are emotional and tense, you learn a lot about people. He was always great to have around, both for his base of knowledge and from a temperamental standpoint. And he was one of the great management labor lawyers I've ever known."

Added Stern, the former NBA commissioner and Ganz's Columbia classmate, "Howie was always the calm in the storm. We had many tussles and he was always the one in the room who made sure we didn't lose our heads as well as our minds in any hotly contested situations."

Stern's departure to the NBA as general counsel in 1978 cemented the entrenched Proskauer-NBA connection, which continues to this day.

Ganz is renowned as someone with a sharp wit — one as disarming to those on the other side of the table as it is charming to colleagues. Long before SportsBusiness Journal was around, another magazine profiled Stern, including an anecdote that had the sometimes volatile former commissioner jumping on a table to make a point during an NBA board of governors meeting. There was

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Barbs, battles, balance define friendship with David Stern

BY TERRY LEFTON

STAFF WRITER

The relationship between Howard Ganz and former NBA Commissioner David Stern dates back more than 50 years and 50,000 wisecracks. The pair were classmates at Columbia Law School and eventually helped chart the course of the NBA.

From Columbia, Ganz remembers working with Stern on the Law Review, sharing a fondness for oversized meatball sandwiches, and a particularly self-impressed law professor, whose reaction in class when the lights went out during the 1965 New York City blackout was to continue lecturing.

“Howard’s just a complete wise guy who will always make some sharp commentary — to be dismissed, of course; if you let him know that he got to you, you’ve lost the battle,” Stern said with a chuckle.

Colleagues say the two were highly complementary.

“David liked to fight and Howie liked to settle, so they were a good counterbalance,” said NBA Commissioner Adam Silver.

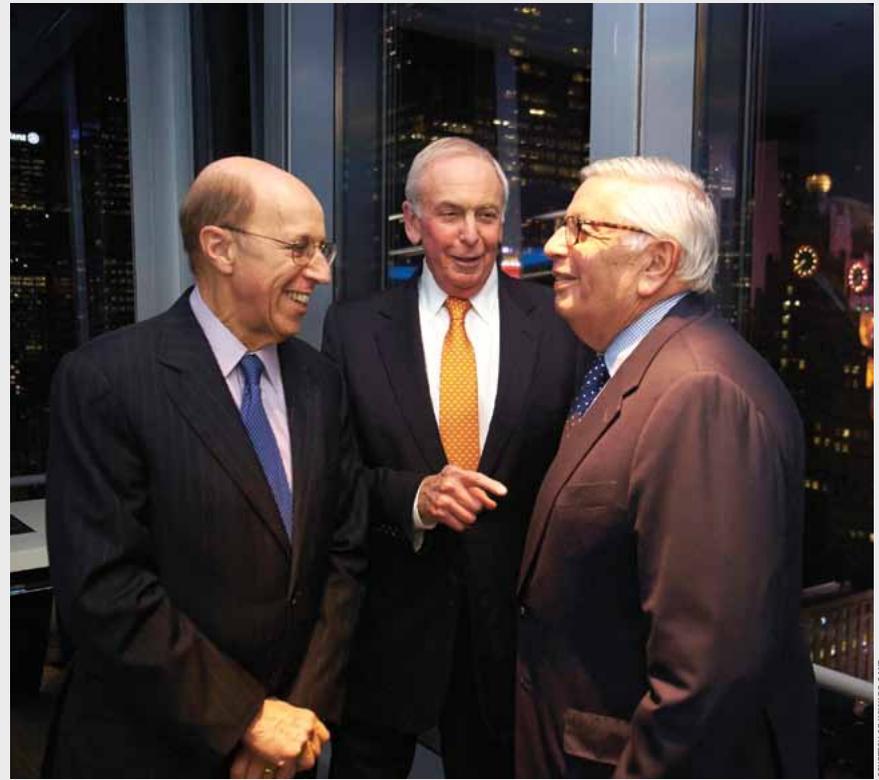
“Howie was one of the few people we knew who, behind closed doors, was going to speak the truth to David in an unvarnished way and was never going to be intimidated,” said Proskauer Chairman Joe Leccese. “That’s a select group.”

Recalled Ganz, “To a certain extent, I was a buffer.”

Since Ganz was not originally educated in employment law, “when David didn’t think my labor advice was on the mark, he would describe me as an ‘accidental tourist’ in the labor area,” Ganz said. “That’s a compliment I will always treasure. But I will also tell you that we are close enough that my daughter is the daughter he and his wife never had.”

Stern admits, “I wasn’t the easiest client in the world and he had occasion to tell me that. But one thing that made Howie effective is that he was always happy to skewer his clients as well as his adversaries — it was a form of de-escalation.”

Stern recalled many vacations with the Ganz family, including a Colorado ski trip on which the two classmates were late enough that their wives called out the ski patrol. In commemoration, Ganz gave Stern a bell “to wear around my neck.”



Ganz and David Stern (right), along with Proskauer partner Michael Cardozo (left), have been friends and colleagues since Columbia Law School in the 1960s.

The bell still sits in Stern’s study.

A friendly rivalry grew between two of Ganz’s principal sports clients as to which was more demanding. “There were many instances while I was giving Howard a hard time when I would say, ‘Well, who’s worse now, me or Stern?’” remembered Bud Selig, former MLB commissioner, with a laugh.

Ganz started working for Selig and MLB in 1999. “Every time I saw Bud, he would ask, ‘Who’s the more difficult client?’” Ganz said. “After a while, I told Bud he was — that’s what he wanted to hear.”

Times weren’t always so easygoing with Stern.

During a particularly stressful time surrounding the WGN litigation in the early 1990s, f-bombs were flying from the speakerphone. Ganz summoned some courage, deciding he could match Stern’s every expletive. “I fired some off, felt really good, but then I looked up and the red light was off — he’d hung up. We kissed and made up later.”

Stern says Ganz has not changed since

law school, when “he was always the best writer and always had the driest wit.”

Stern the attorney, Ganz recognizes 50 years later, “was not distinguishable from us other nerdy law students,” Ganz said.

But Stern the marketer was an initially unfamiliar character. Shortly after Stern became commissioner in 1984, Ganz was watching from a hotel room in Mississippi when he heard the familiar voice of his classmate tell an interviewer that the NBA was booming because “Excitement was way up, fan devotion was way up; every immeasurable quality was way up,” Ganz said. “That was a guy I didn’t know yet. That David Stern was not evident in law school or even as (NBA general counsel).”

In the end, it’s a mutual admiration society, albeit one with intriguing dynamics.

“The bottom line,” said Michael Cardozo, fellow Columbia Law 1966 classmate and Proskauer partner, “is that they have enormous respect for one another, but they don’t hesitate to yell at each other when appropriate.”



some doubt about the anecdote’s veracity. At the time, Ganz said of his classmate, “I wasn’t there, but I don’t believe it, because David is

not that agile.”

On another occasion, National Basketball Players Association lead attorney Jeffrey Kessler was quoted by the New York Law Journal during a period of protracted negotiations at Proskauer as saying that the firm’s food wasn’t good. The friendly riposte from Ganz: “You’d never know that from the quantity of food he consumed.”

NHL Commissioner Gary Bettman, who followed Stern from Proskauer to the NBA

See **Ganz** Page 30

THE NBA CONGRATULATES

HOWARD GANZ

PARTNER, PROSKAUER ROSE

AND ALL HONOREES ON BEING NAMED
ONE OF SPORTS BUSINESS JOURNAL’S
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PATRICK E. MCCARTHY/COURTESY OF HOWARD GANZ

Ganz's success as a lawyer is attributed to his ability to be empathetic, according to NBA Commissioner Adam Silver, whose father Ed was Ganz's mentor at Proskauer.

Ganz Continued from Page 29

in 1981, recalls feeling a bit intimidated when he joined the firm. "There was this group of Howie, David Stern, Michael Cardozo and Bob Batterman that were like the Mount Rushmore of sports law — and the reason Proskauer built a significant practice," Bettman said. "Howard is smart, articulate and fast on his feet. Nobody works harder and nobody's more pleasant to deal with — regardless of how unpleasant a specific matter might be. That's a pretty potent combination."

Still, there's no shortage of smart, well-educated labor attorneys in New York City. Few are as lauded for an ability to charm both sides of a bargaining table as Ganz.

"What's made Howie such a successful labor lawyer and litigator is his ability to be empathetic," said NBA Commissioner Adam Silver, who first met Ganz as a teenager. "He accepts that often the best result is a negotiated resolution, rather than to fight to the very end and risk an all-out victory — perhaps at the expense of an all-out loss."



Ganz and Proskauer partner Bob Batterman have waged many legal battles together.

MARRIAGE COUNSELOR

At the bargaining table, Ganz's ability to keep things in order — and in perspective — proves valuable in the most difficult of situations.

"He's a great organizer of the facts in any case and he always understood the importance of maintaining good relationships," said Kessler, who as Winston & Strawn co-executive chairman has been a consistent adversary during his years representing the NBPA. "The relationship between players and owners is like a marriage — except that neither side can get divorced. Howie

always knew that."

Added former NBA COO Russ Granik, now vice chairman of Galatioto Sports Partners, "Howie's *not* the kind of labor lawyer who bangs on the table. He could always deal with the other side without any acrimony — which is not always easy — so they didn't think he was always trying to take advantage of them."

That seems to make Ganz a notable exception. "In more than three decades of working with the guy, I've never seen him lose his temper," said Proskauer Chairman Joe Leccese, who also co-heads the firm's sports group of around 50 attorneys. "CBAs and litigation generally — inside or outside of sport — can be very emotional, but I have

**Congratulations to Kay Koplovitz, Sal Galatioto, and Howard Ganz
on being recognized as pioneers and innovators in sports business.**



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PATRICK E. MCGRATH

Ganz shows off the New York Post piece in which he's called "Harold Hynes."

never seen Howard once lose his composure or come anywhere close to losing his composure."

That "no-scorched-earth" policy is a tenet Ganz holds dear. It's clear where that originated. In Ed Silver's New York Times obituary, the union leaders with whom he negotiated eulogized him with the same high praise. Accordingly, to this day, Silver is the only person Ganz calls a mentor.

"Ed's word was relied upon by anyone he gave it to on either side of the table," Ganz said. "He had as much respect from the union people he dealt with as the management side. So I never try to fool anybody."

While with the New York Jets, longtime NFL personnel executive Mike Tannenbaum recalls working

"Howard is smart, articulate and fast on his feet. Nobody works harder and nobody's more pleasant to deal with. ... That's a pretty potent combination."

GARY BETTMAN | NHL COMMISSIONER

with Ganz on a number of cases involving the New England Patriots, the Jets' arch-rival. Even with that charged atmosphere, "he was an

incredibly calming influence and a great combination of being smart, yet pragmatic," said Tannenbaum, now executive vice president of the Miami Dolphins.

Joel Litvin, former NBA president of league operations and a 27-year employee of the league, admired Ganz's roll-up-your-sleeves approach.

"Howie wasn't afraid to get into the weeds on some pretty arcane subjects, including the salary cap," Litvin said. "A lot of senior partners would leave that kind of work to someone more junior, but not Howie."

One of Ganz's most celebrated cases ended with him not receiving credit for the win. It was the Knicks/Heat playoff brawl in 1997, which resulted in six players being suspended. The NBPA appealed and Ganz helped the league prevail. The next day's New York Post had him on its cover — misidentified as "Harold Hynes."

A framed copy of that 21-year-old

newspaper page still hangs on Ganz's office wall, along with pictures of his two New York City Marathon

See **Ganz** Page 32

LEGAL BRIEFS WITH
HOWARD GANZ

■ **A favorite sports memory:** My first Yankees game (in 1949). A foul ball came our way and if my dad had just put up his hand, he would have caught it. It plopped into the lap of the person behind me. I've never forgiven him (laughs), and I haven't come close to a foul ball since.

■ **Favorite athlete who you saw play live:** Joe DiMaggio; just a consummate professional, unassuming and dedicated.

■ **Favorite jurist:** Oliver Wendell Holmes. He was sensitive, commanding and a very impressive figure over a long period of time.

■ **Favorite sports facility:** Old Yankee Stadium had its charms, but I enjoyed the Polo Grounds, too.

■ **Favorite sports moment you have witnessed:** There are two. My first heavyweight boxing championship match, which was Earnie Shavers at Madison Square Garden in the mid '70s. And for some reason, the memory of Branford Marsalis playing the national anthem before the NBA All-Star Game in 1991 has always stayed with me, because it was a really touching rendition.

■ **Sports event you haven't attended yet, but want to:** Wimbledon.

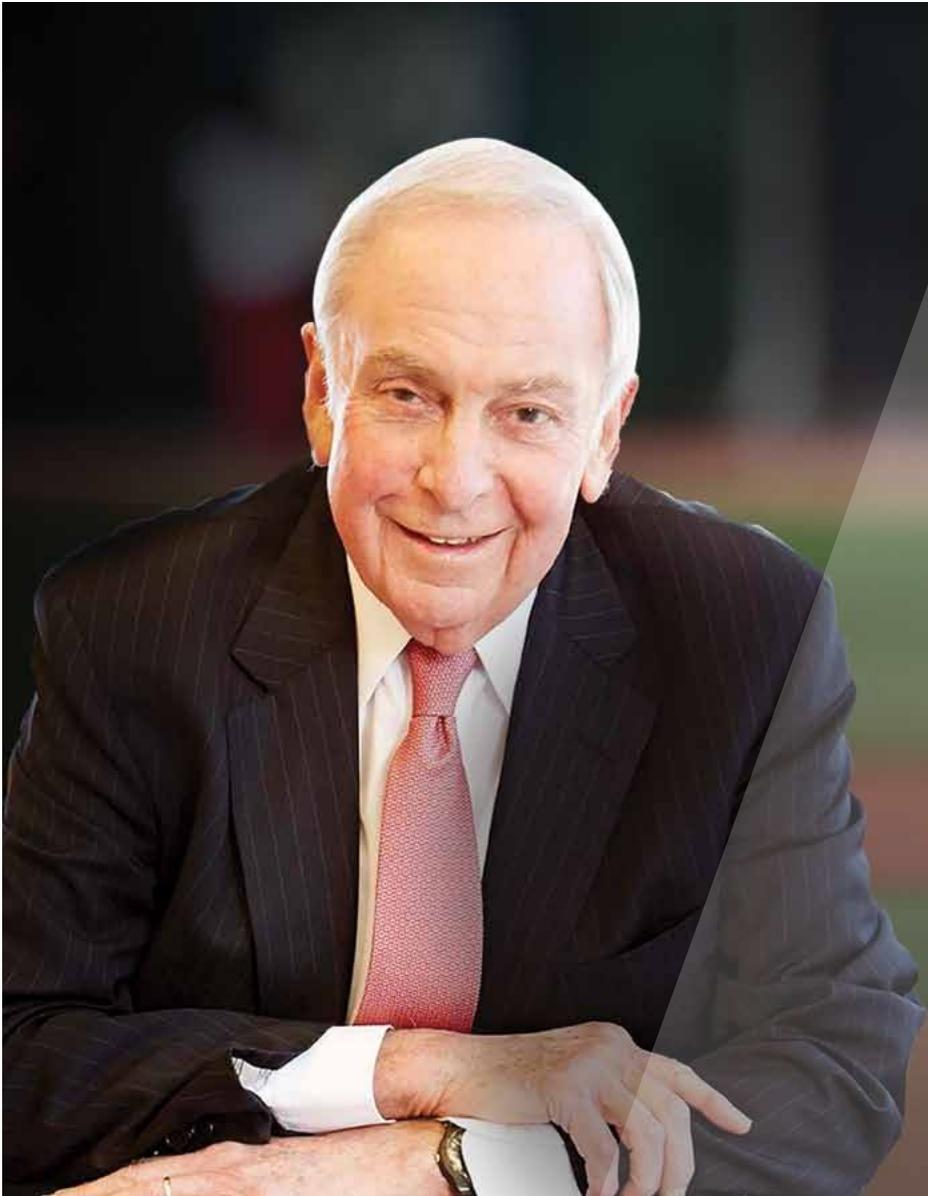
■ **Favorite season:** Since I don't ski anymore, I find no redeeming qualities in winter, so I guess whenever I can play golf. Of course, the more golf I play, the worse my mental health becomes, so ...

■ **What would you be doing if you weren't an attorney:** I'd either be a stud horse or a philanthropist (laughs). I'd have trouble choosing between those.

■ **Fantasy job:** Well, if I couldn't work for SBJ, I suppose I would be a pro athlete of some kind.

■ **Favorite piece of sports memorabilia:** I have this [baseball] cap right here which says salary cap where the team logo should be — a souvenir of our first salary-cap negotiations. If you think about it, it's probably the most expensive cap in sports history.

— Compiled by Terry Lefton



**MAJOR LEAGUE
BASEBALL
CONGRATULATES
HOWARD GANZ
ON RECEIVING
THE CHAMPIONS
OF SPORTS
BUSINESS AWARD**

Ganz Continued from Page 31

finishes, and one of Joe DiMaggio.

After so long on the job, Ganz quips that he's reduced the practice of law to just two principles: "Never do today what is not due today" and "If you wait long enough, the other side will ask for an adjournment."

Still, after watching so many collective-

in strike or lockout. Having said that, you can't be too afraid of it. ... You have to be tough and resolute, but you have to know what it is you are being tough and resolute about, and whether that is worth it."

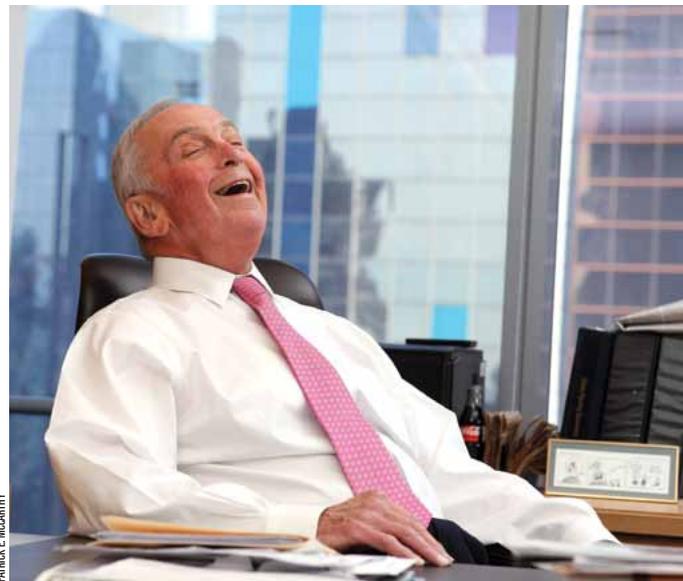
With more than 50 years on the boards, the question of how much longer Ganz has until retirement seems appropriate.

"The answer is not very," he said. "One of my obligations is transition my clients to other people, and I have been doing that for some years now."

The sports industry has grown geometrically during Ganz's tenure. That growth is something he does not see abating — even when changes in media consumption have everyone questioning what the new model for sports will be.

"Over the years, we've seen modest declines, but it's been pretty much straight up," he said. "You'd think at some point, either the fans would say, 'I'm not paying for that' or teams would say to their athletes 'We can't pay you that anymore.' I don't see that happening in my lifetime."

Even a longtime litigator won't argue against that.



Ganz's ability to stay balanced and keep things in perspective has been a vital asset during labor battles.

bargaining sessions end in the wee hours, could he suggest a better way?

"To a certain extent, it's about holding out longer," Ganz acknowledged. "It certainly could be a more efficient process, but so could many things.

"It should not be an objective to end up

WHAT OTHERS ARE SAYING

"Howie kept his cool, even on no sleep, and kept the parties working toward a solution. In 2011 (the first time Silver was lead negotiator) he played a vital role in keeping me calm. Everyone in the room knew that you had someone there who had been through many of these negotiations before, and who knew the law inside and out. You are often in situations where there isn't time to go to the law library and do research. The valuable legal advice had to come from someone's head — often at 3 in the morning — that was Howie."

— **Adam Silver**
NBA commissioner

"We turned to Howard a lot just because he was Howard. He was just a really good influence, knowledge-wise and also from the emotional side. I'd heard glowing things about him before we hired him, but he was even better than I was told that he was — that's the best compliment I can ever pay anybody."

— **Bud Selig**
MLB commissioner emeritus

"He hasn't changed at all since law school. He's still perceptive, funny and smart as hell. ... We grew up together at Proskauer and he's been the keeper of the collective-bargaining torch there for decades."

— **David Stern**
NBA commissioner emeritus

"He has the ability to get to the heart of the matter quickly. Too many lawyers get themselves lost in all sorts of BS. He can just find the right issue to push. ... He also had wonderful judgment and is indefatigable. He'd work in court all day and come back to the office and work all night, if necessary."

— **Michael Cardozo**
partner, Proskauer

"He was by our side during some pretty tense labor agreements and he was always calm, always a voice of reason. When things get tense, it's good to have an outside lawyer who was brilliant, hard-working and had great judgment — he was all of those things."

— **Joel Litvin**
former NBA president of league operations
— *Compiled by Terry Lefton*

Proskauer» The Sports Law Firm

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We are proud to honor our partner and friend

Howard Ganz

and celebrate his 50+ years of leadership in the sports industry



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