

**Mark A. Conrad**  
**401 East 74<sup>th</sup> Street, Apt. 1-B**  
**New York, N.Y. 10021**  
**212/744-4345 (home); 212/636-7975 (office)**  
**sportslaw@aol.com (e-mail)**

Admitted to New York Bar - March 1983  
Admitted to District of Columbia Bar - September 1984

## **TEACHING EXPERIENCE**

**FORDHAM UNIVERSITY** **1987 - Present**  
**GRADUATE AND UNDERGRADUTE SCHOOLS OF BUSINESS ADMINISTRATION,**  
**New York**

### **Associate Professor, Legal and Ethical Studies**

#### Courses Taught

*Business Law I* (undergraduate and graduate): Encompasses Contract law, Agency, Partnerships, Corporations and Securities.

*Business Law II* (undergraduate and graduate): Encompasses Sales (UCC -2), Commercial Paper (UCC-3), Personal Property, Products Liability, Insurance, Suretyships and Secured Transactions (UCC-9). Class is required for accounting students; elective for others.

*Sports and the Law* (undergraduate and graduate): Created and taught class covering issues involving professional and amateur sports. League structure, the N.C.A.A., contract issues, labor law, antitrust, personal injury, gender discrimination, broadcasting and intellectual property issues discussed.

*Communications Law* (undergraduate) and *Law of Traditional and New Media* (graduate): Created and taught classes involving the legal issues of traditional and newer mass communications media. Print, broadcast, cable, telephone and Internet/E-commerce issues examined and analyzed.

**Chair, Legal & Ethical Studies Area** **1996 - present**

Responsible for recruitment of full-time and part-time faculty; scheduling classes, interaction between members of the area and with school administration; facilitating reaccreditation standards in the area.

**Acting Area Chair** **1994 - 1996**

Assumed the chair's responsibilities due to illness of area chair.

**Service and Committee involvement** **1988 - Present**

Involved in creating new undergraduate specialization program in legal studies

Participated in numerous University and Business School committees, including Faculty Senate,

Tenure Review and Appeals, Hearing Committee, Curriculum Committees.

Chapter President, Beta Gamma Sigma (national honor society for undergraduate and graduate business students).

Served as Pre-Law Adviser, counseling students interested in or applying to law school and discussed strategies for choosing the best law school to attend.

### **Books**

The Business of Sports: A Primer for Journalists (Lawrence Erlbaum Publishers, 2006).

### **Book Chapters**

Basketball and Labor (from "Basketball Jones" by Kenneth Shropshire, NYU Press, 2000), reprinted in The Business of Sports by Scott Rosner and Kenneth Shropshire (Jones & Bartlett, 2004).

Letters of Intent and Scholarships, chapter 3.22, "Sport Law for Sports Managers," (Kendall-Hunt, 1997) p. 218-229.

### **Journal Articles**

"Fleeting Expletives" and Sports Broadcasts: A Legal Nightmare Needs a Safe Harbor (on review) Sports & Recreation Law Journal (2008)

Contracting on the Web: Collegiate Athletes and Sports Agents Confront a New Hurdle in Closing the Deal (with Manpreet S. Dhanjal, and Daniel S, Strick) 8 Villanova Entertainment and Sports L. Rev, 37 (2001)

Wheeling Through Rough Terrain – The Legal Roadblocks of Disabled Access in Sports Arenas, 6 Marquette J. Sports Law 263 (1998)

Mike Keenan's Power Play -- A Slap Shot Against the Rangers and A Slap on the Wrist by the NHL, 6 Seton Hall J. Sport Law 637 (1995)

New York's New "Son of Sam" Law -- Does it Effectively Protect the Rights of Crime Victims to Seek Redress from Their Perpetrators?, 3 Fordham Entertainment, Media & Intellectual Property Law Forum 27 (1992).

The Demise of New York's "Son of Sam" Law -- The Supreme Court Upholds Convicts' Rights To Sell Their Stories, New York State Bar Journal, March - April, 1992.

SUNY v. Fox -- The Dawn of a New Age of Commercial Speech Regulation of Tobacco and Alcohol, 9 Cardozo Arts & Entertainment Law Journal 61 (1990).

The Saga of Cable TV's "Must-Carry" Rules -- Will a New Phoenix Rise From the Constitutional Ashes?, 10 Pace Law Review 9 (1989).

The Demise of the Fairness Doctrine: A Blow for Public Access, 41 Federal Communications Law Journal 161 (1989).

### **Conference Presentations**

Teaching Sports Law to Business Students and Sports Management Students, Sports Lawyers Association Conference (to be presented, May 19, 2008)

Financing & Structuring Acquisitions of Sports Teams & Stadiums (moderator) Fordham Sports Law Symposium, Fordham Law School, April 11, 2008

The Chicago Marathon: What Could Have Been Done? Sports and Recreation Law Association, 21<sup>st</sup> Annual Conference, Myrtle Beach, SC, February 28, 2008.

The FCC's Post - Janet Jackson Indecency Rules: A Chilling Effect on Sports Broadcasts, Sports and Recreation Law Association, 21<sup>st</sup> Annual Conference, Myrtle Beach, SC, February 28, 2008.

The Impact of New Media Platforms on Sports on the Sports World, Fordham Sports Law Symposium, Fordham Law School, April 20, 2007.

CDC v. MLBAM – The Latest Battle Between Athletes’ Rights of Publicity and Freedom of Expression, Sports and Recreation Law Association, 20<sup>th</sup> Annual Conference, Chapel Hill, NC, March 3, 2007.

Digital Sports Rights on the Web (presented and moderated), New York New Media Society, April 17, 2001, New York.

Teaching Sports Law: Differing Methodologies, Sports Lawyers Association Conference, May 27, 2001

Intellectual Property Laws: A Threat to Freedom of Speech on the Web, AEMCJ Conference, Phoenix, AZ, August 9, 2000.

The Amorphous Nature of Sports Sponsorship and the Web – International Communications for Management Group, Conference presentation, New York, June 21, 2000

Agents and the Internet -- Villanova University Law School, April 8, 2000

Disabled Access and Sports Law -- Marquette University Law School, April 16, 1999

Latest Issues Regarding the ADA and Arena Access – American Bar Association, Forum on Entertainment and Sports Law, Chicago, Oct. 19, 1998.

The Americans with Disabilities Act and Stadium/Arena Access -- Conference of the Society for the study of Legal Aspects of Sports and Physical Activity (SSLASPA), Orlando, Florida, March 8, 1997.

Copyright, Defamation and First Amendment Issues on the Internet, Music Critics Association, New York, NY, July 22-25, 1996.

Reforming the N.C.A.A. Rules -- Lifting Student-Athlete Restrictions Against Agents, Outside Employment, Conference of the Society for the study of Legal Aspects of Sports and Physical Activity (SSLASPA), Albuquerque, New Mexico, March 7, 1996.

Legal Issues Involving Free-Lance Writers, Music Critics Association, Dallas, TX, June 17, 1994.

### **General Interest Publications**

Injunction against NASCAR Overturned by 11<sup>th</sup> Circuit, Sports Litigation Alert, Sept. 15, 2007

Indecency Ruling a Relief for Sports Broadcasters, Sports Business Journal, July 23, 2007, p. 28.

Mascot Ruling in Illinois Could Have National Implications, Sports Litigation Alert, Vol. 3, issue 18, October 27, 2006

Court's Opinion Downplays Importance of BALCO News Story, Sports Litigation Alert, Vol. 3, issue 15, Sept. 15, 2006

Remand Will Pose New Challenges for Plaintiff in Aramark Case, Sports Litigation Alert, Vol. 3, issue 14, Sept. 1, 2006

North American Legal News: Broken Bat Injury Ruling; Dispute His Baseball Plans in Urban Areas, Stadia Magazine (UK), September 2001

The Jackass Syndrome: Are Televised Warnings Enough? Broadcast Law Report, February 2001.

The Candidates sand Broadcasting Issues: Gauging the Democratic and GOP Positions, Broadcast Law Report, September 2000.

Morality Play: Examining the FCC's Character Qualifications, Broadcast Law Report, July 2000.

Major Legal Events: 1950-1961, New York Law Journal, August 6, 1999, p. 5.

Major League Sports Events, 1930-1950, New York Law Journal, July 17, 1999, p. 5

Major Legal Events Of the 20th Century, New York Law Journal, July 9, 1999, p. 5.

Sports Law Stories: 1910-1920, New York Law Journal, May 21, 1999, p. 5.

Century in Review: 1900-1910, New York Law Journal, April 30, 1999, p. 5.

NCAA's Proposition 16 Eligibility Rules Struck, New York Law Journal, March 26, 1999, p. 5

Some Suggestions for The Olympic Committee, New York Law Journal, February 26, 1999, p. 5.

Samaranch Must Go; IOC Must Fix Bid Process, Street & Smith's SportsBusiness Journal, February 8-14, 1999, p. 39.

The Top Sports Law Events of 1998, New York Law Journal, December 18, 1998, p. 5

NBA-NBPA Dispute: Time for a New Pact?, New York Law Journal, July 17, 1998, p. 5.

Millionaire Athletes Take Shelter Under Working Man's Law, Street and Smith's SportsBusiness Journal, July 13, 1998, p. 38.

Blame the Feds for Chaos over Handicap Seating, Street and Smith's SportsBusiness Journal, June 1, 1998, p. 43.

Latest Jury Award Slam-Dunks the NCAA, New York Law Journal, May 15, 1998, p. 5.

Disabled-Seat Pact May Unify Standard for New Stadiums, New York Law Journal, May 8, 1998 p. 5.

After Martin Decision, the Debate Rages On, New York Law Journal, March 6 and 13, 1998, p. 5

New Arena/Stadium Construction and the ADA, "For the Record" (Newsletter of the National Sports Law Institute, June/July 1997, p. 1; July/August 1997, p. 5.

Tyson's Legal Tussles May Just be Starting, New York Law Journal, July 3, 1997, p. 5

Title IX and Sports: 25 Years Later, New York Law Journal, June 27, 1997, p. 5

Sports Talk Comments Constitute Malice?, New York Law Journal, June 6, 1997 p. 5

Stadiums Grappling with Disabilities Act, New York Law Journal, May 23 and May 30, 1997, p. 5

Are Cigar Smokers a Public Nuisance?, The Wall Street Journal, April 11, 1997, p. A15

Can the Dodgers Ever Return to Brooklyn?, The New York Law Journal, January 24, 1997, p. 5

Is There a Need for a New First Amendment Standard?, New York Law Journal, January 3, 1997, p. 5

What New Contract Means for Baseball, New York Law Journal, December 6, 1996, p. 5

NBA's "SportsTrax" Victory: The Impact, New York Law Journal, November 1 and 8, 1996, p. 5

Public Stadium Subsidies: The Moynihan Proposal, New York Law Journal, September 6, 1996, p. 5

The NFL Owners Score Touchdown in High Court, New York Law Journal, July 26, 1996, p. 5

Arbitration Name of the Game at Olympics, New York Law Journal, July 19, 1996 p. 5.

The Consequence of a Sport With No Commissioner, New York Law Journal, July 10, 1996, p. 5

Time for the NCAA to Open the Doors, New York Law Journal, May 10, 17, 24 1996, p. 5

Sports Antitrust, Labor Conflict in High Court, New York Law Journal, March 1 and 8, 1996, p. 5

Battle Royale: Good Faith Standard in Performance Pacts, New York Law Journal, November 17, 1995, p. 5.

Was a Late Payment Grounds for Breach? New York Law Journal, August 26, 1994, p. 5.

Was Keenan Solution the Proper Resolution? New York Law Journal, September 2, 1994, p. 5.

"The Anti-Free-Market Curve Ball" (letter commenting on the anti-trust exemption for Major League Baseball), The Wall Street Journal, August 31, 1994, p. A13.

The Detroit Symphony: Seeking Racial Equality: New York Law Journal, June 17, 1994 p. 5 and June 24, 1994, p. 5

"ACT III": D.C. Circuit Slaps Congress in Face, New York Law Journal, December 3, 1993, p. 5.

Diversity Should Rule the Airwaves (Letter commenting on the merits of the "Fairness Doctrine"), The Wall Street Journal, September 30, 1993, p. A19.

Violence on Television: What Congress Is Doing, New York Law Journal, August 22, 1993, p. 5

Cable Operators Dealt Legislative Power Deck, New York Law Journal, August 13, 1993, p. 5

"Flintstones " Teach Entrepreneurship Too, (Letter commenting on educational value of "The Flintstones" advertising techniques), The New York Times, April 4, 1993.

The Clinton F.C.C. Policy, New York Law Journal, January 15, 1993, p. 5.

Court Rejects Modified Fin-Syn Rules, New York Law Journal, January 8, 1993, p. 5.

Tomorrow's Listeners (Letter commenting on governmental standards for regulating broadcast indecency), The New York Times, Arts & Leisure Section, November 29, 1992, Section 2, page 4.

How "Usage of Trade' Concept Was Used in Lindros Affair, New York Law Journal, November 20, 1992, p. 7; November 27, 1992, p. 5

Question of Values (Letter commenting on lack of values in children's and teenage programming), Broadcasting Magazine, November 2, 1992, p. 65.

FCC Broadcast Rules Review Continues on Its Rocky Road, New York Law Journal, July 24, 1992, p.5

Will F.C.C. Regulation Restore Power to AM?, New York Law Journal, December 20, 1991, p. 5

Another Chapter in Saga of Radio Indecency Ends, New York Law Journal, June 14, 1991, p. 5

FCC's Financial Interest and Syndication Rules, New York Law Journal, March 29, 1991, p. 5

Son of Sam Goes to Supreme Court, New York Law Journal, March 22, 1991, p. 5.

Ban on Cigarette Ads Protects the Young, Letter to the Editor, The New York Times, November 8, 1990, p. A34.

Limiting the Pitch -- Tombstone Ads for Coffin Nails, Commonweal, August 10, 1990, p. 441.

Questionable Constitutionality of F.C.C.'s New Indecency Rules, New York Law Journal, August 10 and 17, 1990, p. 5.

Letter commenting on billboard advertising cigarette products at Shea Stadium, The New York Times, July 22, 1990, sec. 5, page 13.

Commercial Speech Lesson to Learn From "Tupperware", New York Law Journal, December 1 And December 8, 1989, p. 5.

What Sable Decision Means for 1st Amendment Rights, New York Law Journal, August 4, 1989, p. 5.

What D.C. Ruling Will Mean for Fairness Doctrine's Future, New York Law Journal, April 14 and 21, 1989.

Curtain Closes on Reagan Communications Policy, New York Law Journal, January 9, 1989.

Letter commenting on constitutional rights of broadcasters and their obligations to the public, Broadcasting Magazine, Nov. 28, 1988, p. 38.

Cable TV's "Must-Carry" Rules; Down, but Maybe Not Out, New York Law Journal, August 12 and 19, 1988.

The Demise of the Fairness Doctrine: Was the FCC Decision Really Wise?, New York Law Journal, April, 8, 1988.

Now, After the Fairness Doctrine, To Regulate or not to Regulate?, New York Law Journal, February 26, 1988.

Book Review: A Chilling Effect: The Mounting Threat of Libel and Invasion of Privacy Actions To the First Amendment; by Lois G. Forer, New York Law Journal, Dec. 1, 1987.

Book Review: American Broadcasting and the First Amendment; by Lucas Powe, Jr., New York Law Journal, Oct. 7, 1987.

Book Review: Secrecy and Power: The Life of J. Edgar Hoover; by Richard Gid Powers, New York Law Journal, June 26, 1987.

Book Review: The Supreme Court and Its Justices: Edited by Jesse Choper, New York Law Journal, April 24, 1987.

## Honors

Awarded University Research Grant, Fall 1990  
Nominated for "CASE" Teacher of the Year Program, 1991  
Included in Who's Who Among Rising Young Americans, 1992

## ADDITIONAL TEACHING

**COLUMBIA UNIVERSITY** **Spring 2008**  
**SCHOOL OF CONTINUING EDUCATION, New York**  
**Lecturer, Sports Law**  
Taught class in sports law as part of M.S. program in Sports Management

**NEW YORK UNIVERSITY** **Fall 2000**  
**SCHOOL OF CONTINUING EDUCATION, New York**  
**Lecturer, Sports Law**  
Taught class in sports law to undergraduate students interested in sports management.

**BARUCH COLLEGE** **1986 - 1987**  
**CITY UNIVERSITY OF NEW YORK, New York**  
**Assistant Professor of Business Law:** Taught courses in Contract Law and Business Organizations (Agency, Partnerships, and Corporations) for undergraduate business students.

## Publications

Wolf and Iman: A License for Entertainers to Breach Their Contracts, 17 Golden Gate  
University Law Review 169 (1987)

Book Review: Reckless Disregard; by Renata Adler, New York Law Journal, Jan. 30, 1987.

Book Review: Miracle at Philadelphia: The Making of the U.S. Constitution, by Madeline  
Drinker Bowen, New York Law Journal, Jan. 15, 1987.

## OTHER WRITING

**SPORTS LAW BLOG** **2007- Present**  
**Guest Writer**  
Writes articles on various issues for leading legal web site.

**NEWSLETTER OF THE SPORTS LAWYERS' ASSOCIATION** **2001 – 2003**  
**Co-Editor:** Wrote and edited articles for monthly web magazine for professional association

**MARK'S SPORTSLAW NEWS (www.sportslawnews.com)** **1999 - 2002**  
**Publisher and Editor-in-Chief**  
Created, administers and writes content for web site devoted to legal issues in sports.

**BROADCAST LAW REPORT** **2000 - 2001**

### **Editor-in-Chief**

Solicited, edited and wrote articles on subjects involving the law of broadcast media.

## **CONSULTING**

### **Densai Computer, Nagano Japan**

**1994 - 1995**

Presented paper on "Recent Developments in Telecommunications in the United States," for executives of the telephone, cable television and computer company.

### **Music Critics Association of North America**

**1994 - 1997**

Presented papers on "Legal Issues Involving the Liability of Music Critics" (1994 and 1995) and "Copyright Issues on the Internet" (1996) on important issues in the music critics' profession.

### **"On Television"**

**1991**

Advised independent television production company on legal background and legal issues for program entitled "Teach the Children" on subject of children's television. Aired on the Public Broadcasting Service in October 1992.

### **Consultant and Witness for Anti-Smoking Legislation**

**1990-1993**

Aided anti-smoking organizations with legal analyses and testified at public hearings in favor of measures to restrict tobacco advertising on New York City taxicabs and on subways and buses.

## **Media Interviews**

**Broadcast/Cable/Internet:** CNN, Fox Sports Network, CNBC, New York 1 News, ESPN.com, Ottawa Sports Radio (COSR-AM), Bloomberg Information Radio, WFUV-FM (New York)

**Print:** Los Angeles Times, Cox Newspapers, Street & Smith's Sports Business Daily, Long Island Newsday, Philadelphia Daily News, Houston Chronicle, Kansas City Star, Raleigh (N.C.) News & Tribune, Los Angeles Daily News, Asahi Shimbun (Japan), NASCAR News.

**Online:** Slate, ESPN.com, wired.com, businessweek.com, Yahoo Sports

## **PRIOR NON-TEACHING EMPLOYMENT**

### **NEW YORK LAW PUBLISHING (Now American Lawyer Media), New York**

**1983-1987**

#### ***Editor-In-Chief, New York Law Journal Digest-Annotator***

In charge of writing, producing and marketing monthly and annual digest of materials published in the Law Journal.

#### **Decisions Editor, New York Law Journal**

Reviewed decisions of the lower New York courts; decided which cases would be published in full and wrote summaries of these decisions.

#### **Assistant Editor, Special Sections, New York Law Journal**

Edited contributed articles for special sections.

## EDUCATION

**Columbia University, Graduate School of Journalism  
New York Law School**

**M.S., 1982**

**J.D. - 1981**

- Publications: Censorship in America -- The History of Literary Censorship, Human Rights Law Review, Winter, 1982; Researched, drafted and edited chapter on addiction for Law, Medicine and Forensic Science by E. Donald Shapiro and William J. Curran, 3<sup>rd</sup> Edition (Little, Brown, 1982).
- Moot Court: Best Team; Best Brief, Eastern Regional competition, 1981 Jessup International Moot Court.

**City College of New York**  
Magna cum Laude

**B.A. - 1978**

## PROFESSIONAL ASSOCIATIONS

American Bar Association -- Forum on Communications Law  
-- Forum on Entertainment and Sports Law  
-- Section on Business Law

Sports Lawyers Association  
Sports and Recreation Law Association (SRLA)  
National Sports Marketing Association  
Academy of Legal Studies in Business

## ADDITIONAL INTERESTS

Distance Running; Classical Music

**References available upon request.**