

2009 Master of the Game Award Acknowledgement and Acceptance

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Repository Citation

Joseph D. Kearney and Joseph E. Tierney, III, *2009 Master of the Game Award Acknowledgement and Acceptance*, 20 Marq. Sports L. Rev. 235 (2009)

Available at: <http://scholarship.law.marquette.edu/sportslaw/vol20/iss1/10>

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SPEECH

MASTER OF THE GAME AWARD

The National Sports Law Institute's Master of the Game Award honors an individual who has made significant contributions to the sports industry and who exemplifies the highest level of professionalism in his or her field. The 2009 Master of the Game Award was given in honor of Joe and Bernice Tierney and their family for the contributions that they have made to the development of the National Sports Law Institute (NSLI) and Sports Law program at Marquette University Law School. Past recipients of the award include: Michael Conley, Executive Director, World Sport Chicago, and CEO, MAC Management Group, Chicago, Illinois (2007); Dr. Cedric Dempsey, former Executive Director, National Collegiate Athletic Association (2004); Donna de Varona, women's rights advocate and dual Olympic Gold Medalist 1964 (2003); Tommy G. Thompson, Secretary of Health and Human Services and former Governor of the State of Wisconsin (2001); Allan H. "Bud" Selig, Commissioner of Major League Baseball (2000); Bob Harlan, President of the Green Bay Packers (1997); Hank Aaron, MLB Hall of Fame member and executive with the Atlanta Braves (1995); Bart Starr, NFL Hall of Fame member and former Green Bay Packer (1994); and Al McGuire, former head men's basketball coach at Marquette University (1992).

The following remarks were given in tribute to Joe and Bernice Tierney before the presentation of the 2009 Master of the Game Award at the luncheon during the NSLI's conference on "The Evolution of Sports Law and Business from the 20th to the 21st Century," held on Friday, October 23, 2009. The award was presented by Professor Matt Mitten, the Director of the National NSLI, and Professor Richard McLaren, the Vice-Chair of the NSLI's Board of Advisors, a member of the faculty at the University of Western Ontario, and Counsel to McKenzie Lake Lawyers LLP. Attorney Joseph Tierney, III, the son of Joe and Bernice Tierney accepted the award on behalf of his family.

REMARKS OF MARTIN J. GREENBERG*

How fitting it is to honor a family as the Master of the Game as we now celebrate twenty years of the National Sports Law Institute. Joe Tierney was a man of the law. He respected the law's role in maintaining an orderly society and was able to use his legal skills and Marquette education to impact sports in Milwaukee and Wisconsin.

In his role as financial advisor to Wisconsin's most charitable family, Joe Tierney helped to create the Bradley Center, home of the Milwaukee Bucks and Marquette Golden Eagles, and our United States Olympic Training Center—the Pettit National Ice Center. He was also instrumental in Milwaukee's quest for an NHL franchise.

Joe embraced the vision and mission of the National Sports Law Institute and provided for its continued existence through his commitment and a sizeable donation from the Milwaukee Admirals.

After Joe's passing, his wife Bernice carried the torch helping not only to create scholarships and awards in honor of her husband, but also attending our events and being an incredible inspiration to our students and professors.

The Tierney family is synonymous with the success of the National Sports Law Institute and the ethics and ideals which the NSLI stands for.

REMARKS OF DEAN JOSEPH D. KEARNEY**

Let me begin by acknowledging—and thanking—those entities that have joined us in sponsoring this conference: the law firms of Foley & Lardner and Greenberg & Hoeschen and the State Bar of Wisconsin's Sports and Entertainment Law Section. I hope that all of them—and all of you—will be with us next year, when we hold this conference in Eckstein Hall, which is dramatically rising at the Marquette interchange (in case you haven't noticed).

I am pleased to have a small role in the presentation of the "Master of the Game Award" to the Tierney family. Let me explain why. It is not because I knew the late Joe Tierney, Jr. By the time I became dean in 2003, Mr. Tierney had passed away. But I know a bit about him, and I can report that the occasional confusion between the *Tierney* and *Kearney* surname, as sometimes

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** Dean and Professor of Law, Marquette University Law School.

pronounced in Milwaukee, has been very helpful to me in getting my phone calls returned. More importantly, for sports-law purposes, I have always admired the way those involved in the creation of our sports-law program in the late 1980's and thereafter were willing to make the bold claim that Marquette Law School would have *the National Sports Law Institute*. That name has been both a constant inspiration and a constant implicit challenge to us. I like challenges.

But my own connection to the Tierneys comes through the late Mrs. Bernice Tierney, who passed away earlier this year, and her and Joe Jr.'s children, including in particular Mary Alice Tierney and Joe Tierney, III (of Meissner Tierney Fisher & Nichols), and Joe's wife, Kay.

Permit me two observations. The first is what an extraordinary woman Bernice Tierney was. We would annually have lunch, together with Professors Matt Mitten and Paul Anderson and the three or four students who were benefiting in terms of scholarship support from Mrs. Tierney's annual gifts. This lunch—which began perhaps as something that it was suggested to me at the beginning of my deanship I ought to do—became, quickly, something that I *wanted* to do and, indeed, to which all year I would look forward. Mrs. Tierney's combination of intelligence, grace, conversational skills, and wit and good humor was quite remarkable. The students would leave each year knowing, even beyond the economic support, what a privilege it was for them to be associated with Mrs. Tierney and the Tierney family. So would I.

The second observation is that none of this good humor or gentleness on the Tierney family's part should be mistaken for lack of academic rigor. Anyone who knows Joe Tierney, III, who graduated first in our Class of 1966, will appreciate this. I have distinct recollections, Joe, of your grilling the students at lunch—in a nice way, to be sure—about their curricular choices, past and future. The accounting and other basic business-law courses that Joe would urge would make quite an impression. Such intelligence and commitment to academic rigor come through with other family members as well. This seems an important message for me in the context of sports law, perhaps not so much for those involved in its study (who are already aware of it) as for those who might inaccurately stereotype the field.

In short, on behalf of the law school, it has been a privilege for me to be associated with the Tierneys, in the past, today, and no doubt, in the future as well. Warm congratulations to all the Tierneys on this occasion of you receiving the Master of the Game Award.

REMARKS OF JOSEPH E. TIERNEY, III^{***}

I thank you on behalf of my sisters, our children, and grandchildren. We will cherish this recognition. I took a brief look at the list of prior recipients: Michael Conley, Cedric Dempsey, Donna de Varona, Tommy Thompson, Bud Selig, Bob Harlan, Henry Aaron, Bart Starr, and Al McGuire. It's pretty fast company.

Not bad for a young couple who got married in 1941 having as their sole assets loving families and degrees from Marquette University. We have known them as loving and generous parents and grandparents. They were vital persons, formed by their faith, loyal to their roots, and driven to fulfill their obligations and engage with the many interesting persons around them.

They loved sports of all kinds. My mother read the sports page of the newspaper every day throughout her whole life and followed the Brewers and both Marquette High's and Marquette University's teams. Her personal experience was limited (by bad knees) to golf and, in her youth, the somewhat harsher environment of the Turnverein, where instructions were given in German by very serious instructors who dealt rigorously with the recalcitrant.

My father loved squash (he and I played on Friday nights when I was in law school; I can still remember those bulls-eye bruises you got from being hit by the old form of squash ball), golf (we played together on summer nights in his later years), skiing (my parents and my sisters trekked out to Vail in the winter – Kay and I joined them in later years), baseball (he taught me to score – I still don't go to a game without doing so), football (he and I attended the Ice Bowl), and hockey (he and my mother used to go to minor league hockey games at the Wilson Park arena).

He understood something about sports that I came to understand only later. While we all tend to focus on individual talent and drive, he saw that team sports are intensely social. In team sports in particular, on-field performance depends on social factors, leadership, relationships and trust among teammates, and willingness to pursue a common goal. He thought participation in team sports teaches tolerance and social skills. This is why he regarded the progress of women's team sports as so important.

My father's professional involvement was, of course, in hockey and in managing the development of the Bradley Center. In these projects, his purpose was, of course, to carry out the wishes of his client, Jane Bradley Pettit, whom my parents revered. His success in these projects was largely a product of his skills as a lawyer (both social and technical) and his penetrating

^{***} Marquette University Law School, class of 1966. Partner, Meissner Tierney Fisher & Nichols, Milwaukee, Wisconsin.

understanding of teambuilding and leadership.

But one of his greatest contributions was in the encouragement he gave to the law school's sports law institute. He loved the law school; his father had graduated from one of its very first classes and his time there had been good for him. He encouraged me to go there also. Nonetheless, it would have been easy for him to ignore these proposals. But he had confidence in the people who were pushing the sports law institute forward (Marty Greenberg and Charlie Mentkowski), and he saw the need to develop the framework of sports law, from league structure to facility development and management.

My father died in 1999, from there my mom picked up the ball, making contributions to scholarships for students in the program and encouraging its participants to the extent she was able. She died this last March.

To be masters of the game, it is important to identify the game. For both of them, the game was life. They were, indeed, masters of that game.

