# Marquette Sports Law Review

| /olume 22<br>ssue 1 <i>Fall</i> | Article 2 |
|---------------------------------|-----------|
|---------------------------------|-----------|

2011

# Index: Sports Law in Law Reviews and Journals

Jeremy Daniel Heacox

Follow this and additional works at: https://scholarship.law.marquette.edu/sportslaw

Part of the Entertainment, Arts, and Sports Law Commons

# **Repository Citation**

Jeremy Daniel Heacox, *Index: Sports Law in Law Reviews and Journals*, 22 Marq. Sports L. Rev. 315 (2011) Available at: https://scholarship.law.marquette.edu/sportslaw/vol22/iss1/2

This Index is brought to you for free and open access by the Journals at Marquette Law Scholarly Commons. For more information, please contact elana.olson@marquette.edu.

# INDEX

# SPORTS LAW IN LAW REVIEWS AND JOURNALS

### ALTERNATIVE DISPUTE RESOLUTION

Josh Chetwynd, Clubhouse Controversy: A Study of Dispute Resolution Processes Between Teammates in Major League Baseball, 16 HARV. NEGOT. L. REV. 31 (2011).

Jeremy Corapi, Note, *Huddle Up: Using Mediation to Help Settle the National Football League Labor Dispute*, 21 FORDHAM INTELL. PROP. MEDIA & ENT. L.J. 789 (2011).

# AMATEUR SPORTS

Vikram David Amar, *The NCAA as Regulator, Litigant, and State Actor*, 52 B.C. L. REV. 415 (2011).

Nathaniel Grow, Louisville v. Duke and Its Implications for Breached College Football Scheduling Agreements, 37 J.C. & U.L. 239 (2011).

Tyler C. Haslam, Comment, *Leveling the Playing Field: Using Rational Basis with a Bite as Means of Overcoming the NCAA's Violation of Equal Protection*, 37 OHIO N.U. L. REV. 283 (2011).

Darren A. Heitner & Jeffrey F. Levine, *Corking the Cam Newton* Loophole, A Sweeping Suggestion, 2 HARV. J. SPORTS & ENT. L. 341 (2011).

Mary Elizabeth Kane, Comment, *When the NCAA Strikes, Who is Called Out?*, 7 DEPAUL J. SPORTS L. CONTEMP. PROBS. 119 (2011).

Sheri Lipman, *The Story of the Disappearing Season: Should Strict Liability Be Used in the NCAA Infractions Process?*, 41 U. MEM. L. REV. 847 (2011).

Mary Catherine Moore, Note, *There Is No "I" In NCAA: Why College Sports Video Games Do Not Violate College Athletes' Rights of Publicity Such to Entitle Them to Compensation for Use of Their Likenesses*, 18 J. INTELL. PROP. L. 269 (2010).

Maureen A. Weston, NCAA Sanctions: Assigning Blame Where It Belongs, 52 B.C. L. REV. 551 (2011).

Noah A. Winkeller, Do You Really Wanna Love Me Forever? Oh, Oh, or

Am I Caught in a Hit And Run? The Problem of College Coaches Switching Schools in Order to Avoid NCAA Penalties, 8 WILLAMETTE SPORTS L.J. 39 (2011).

Alfred C. Yen, *Early Scholarship Offers and the NCAA*, 52 B.C. L. REV. 585 (2011).

# ANTITRUST LAW

Shawn M. Adkins, *Too Much Competition: The Supreme Court Sacks the NFL's Single-Entity Defense 9-0 in* American Needle, Inc. v. National Football League, 8 WILLAMETTE SPORTS L.J. 21 (2011).

Eric Blevins, Student Article, College Football's BCS (Bowl Cartel System?): An Examination of the Bowl Championship Series Agreement Under the Sherman Act, 18 SPORTS LAW. J. 153 (2011).

Christine A. Burns, Comment, Potential Game Changers Only Have Eligibility Left to Suit Up for a Different Kind of Court: Former Student-Athletes Bring Class Action Antitrust Lawsuit Against the NCAA, 6 J. BUS. & TECH. L. 391 (2011),

Joshua B. Couvillion, Note, *Defending for Its Life:* Championsworld LLC v. United States Soccer Federation *Denies Extending Antitrust Immunity to USSF in Regulating Professional Soccer*, 18 SPORTS LAW. J. 325 (2011).

Alan Devlin & Michael Jacobs, *Joint-Venture Analysis After* American Needle, 7 J. COMPETITION L. & ECON. 543 (2011).

Marc Edelman & Joseph A. Wacker, *Collectively Bargained* Age/Education Requirements: A Source of Antitrust Risk for Sports Club-Owners or Labor Risk for Players Unions?, 115 PENN ST. L. REV. 341 (2010).

Meir Feder, *Is There Life After Death for Sports League Immunity?* American Needle *and Beyond*, 18 VILL. SPORTS & ENT. L.J. 407 (2011).

Nathaniel Grow, American Needle and the Future of the Single Entity Defense Under Section One of the Sherman Act, 48 AM. BUS. L.J. 449 (2011).

Irwin A. Kishner & Julie Albinsky, An Analysis of the Impact of American Needle v. NFL on Collective Bargaining and Merchandising in Professional Sports, 29-SPG ENT. & SPORTS LAW. 3 (2011).

Michael A. McCann, Antitrust, Governance, and Postseason College Football, 52 B.C. L. REV. 517 (2011).

Michael J. Mozes & Ben Glicksman, Adjusting the Stream? Analyzing Major League Baseball's Antitrust Exemption After American Needle, 2 HARV. J. SPORTS & ENT. L. 265 (2011).

Ryan M. Rodenberg & Andrea N. Eagleman, *Uneven Bars: Age Rules, Antitrust, and Amateurism in Women's Gymnastics*, 40 U. BALT. L. REV. 587 (2011).

Daniel A. Schwartz, *Shutting the Back Door: Using* American Needle *to Cure the Problem of Improper Product Definition*, 110 MICH. L. REV. 295 (2011).

Brian Welch, Comment, Unconscionable Amateurism: How the NCAA Violates Antitrust by Forcing Athletes to Sign Away Their Image Rights, 44 J. MARSHALL L. REV. 533 (2011).

# BANKRUPTCY

Scott K. Brown & Eric M. Van Horn, *Lockout, Cramdown and Chapter 11* to Go, 30 AM. BANKR. INST. J. 58 (2011)

# CONSTITUTIONAL LAW

Victor Broccoli, Student Article, *Policing the Digital Wild West: NCAA Recruiting Regulations in the Age of Facebook and Twitter*, 18 SPORTS LAW. J. 43 (2011).

Neil G. Hood, Note, *The First Amendment and New Media: Video Games* as Protected Speech and the Implications for the Right of Publicity, 52 B.C. L. REV. 617 (2011).

Kate E. Wigginton, Comment, Will the Supreme Court Knock Tobacco Advertising Out of the Park for Good?: The Commercial Speech Implications of the Family Smoking Prevention and Tobacco Control Act, 21 SETON HALL J. SPORTS & ENT. L. 533 (2011).

# CRIMINAL LAW

Stephen Michael Ian Kunen, Comment, Superhuman in the Octagon, Imperfect in the Courtroom: Assessing the Culpability of Martial Artists Who Kill During Street Fights, 60 EMORY L.J. 1389 (2011).

Daniel J. Zajda, A True Home Field Advantage: A Striking Coincidence in the Criminal Prosecutions of Professional Athletes for In-Game Violence, 18 SPORTS LAW. J. 1 (2011).

# DISCRIMINATION ISSUES

Marc Charmatz et al., *Personal Foul: Lack of Captioning in Football Stadiums*, 45 VAL. U. L. REV. 967 (2011).

Arthur Reyna, III, An Introduction to the Arthur Miller Dialogue on "Sports, Media And Race: The Impact on America," 12 TEX. REV. ENT. & SPORTS L. 239 (2011).

Keeshea Turner Roberts, Martin v. PGA Tour: Applicability of the ADA in

Professional Sports, 8 WILLAMETTE SPORTS L.J. 1 (2011).

Patrick Sterk, Student Article, *To Pray or to Play: Religious Discrimination in the Scheduling of Interscholastic Athletic Events*, 18 SPORTS LAW. J. 235 (2011).

Shannon K. Stevens, Comment, Baseball's DNA Testing Policy Strikes Out: Genetic Discrimination in Major League Baseball, 41 SETON HALL L. REV. 813 (2011).

# DRUG TESTING AND DOPING ISSUES

Jesse A. Bland, Note, *There Will Be Blood*...*Testing: The Intersection of Professional Sports and the Genetic Information Nondiscrimination Act of 2008*, 13 VAND. J. ENT. & TECH. L. 357 (2011).

Nicholas Hailey, Note, A False Start in the Race Against Doping in Sport: Concerns with Cycling's Biological Passport, 61 DUKE L.J. 393 (2011).

Rohan Hebbar, *The Impact of the Genetic Information Nondiscrimination Act on Sports Employers: A Game of Balancing Money, Morality, and Privacy*, 8 WILLAMETTE SPORTS L.J. 52 (2011).

Bryan T. Ikegami, Note, From Dumpster to Dicta: How the BALCO Investigation Created Incurable Violations of Players' Rights and How to Prevent Them, 34 COLUM. J.L. & ARTS 491 (2011).

Jaime Koziol, Note, *Touchdown for the Union: Why the NFL Needs an Instant Replay in Williams v. NFL*, 9 DEPAUL BUS. & COM. L.J. 137 (2010).

Lee A. Linderman, Note, A Congressional Carve Out: The Necessity for Uniform Application of Professional Sports Leagues' Performance-Enhancing Drug Policies, 84 S. CAL. L. REV. 751 (2011).

Blaine V. Roche, Comment, *Congressional Involvement in Professional Sports' Drug-Testing Policies: Get Involved But Don't Infringe*, 4 PHOENIX L. REV. 489 (2010).

Roberta Furst Wolf, Note, *Conflicting Anti-Doping Laws in Professional Sports: Collective Bargaining Agreements v. State Law*, 34 SEATTLE U. L. REV. 1605 (2011).

Michael K. Zitelli, Student Article, *The Controversy Ensues: How Major League Baseball's Use of DNA Testing is a Matter for Concern Under the Genetic Information Non-Discrimination Act*, 18 SPORTS LAW. J. 21 (2011).

# **GENDER ISSUES**

Astrid Aafjes, Sports: A Powerful Strategy to Advance Women's Rights, 35 FLETCHER F. WORLD AFF. 53 (2011).

Jessica L. Adair, Student Article, In a League of Their Own: The Case for

318

Intersex Athletes, 18 SPORTS LAW. J. 121 (2011).

Erin E Buzuvis, *The Feminist Case for the NCAA's Recognition of Competitive Cheer as an Emerging Sport for Women*, 52 B.C. L. REV. 439 (2011).

Jennifer Ann Cleary, Note, A Need to Align the Modern Games with the Modern Times: The International Olympic Committee's Commitment to Fairness, Equality, and Sex Discrimination, 61 CASE W. RES. L. REV. 1285 (2011).

Diane Heckman, *The Entrenchment of the Glass Sneaker Ceiling: Excavating Forty-Five Years of Sex Discrimination Involving Educational Athletic Employment Based on Title VII, Title IX and the Equal Pay Act,* 18 VILL. SPORTS & ENT. L.J. 429 (2011).

Nancy Hogshead-Makar, Hurricane Warning Flag for Olympic Sports: Compliance Practices in Biediger v. Quinnipiac University Signal a Risk to Women's and Men's Olympic Sports, 52 B.C. L. REV. 465 (2011).

Stacy Larson, Comment, Intersexuality and Gender Verification Tests: The Need to Assure Human Rights and Privacy, 23 PACE INT'L L. REV. 215 (2011).

Thaddeus Matthew Lenkiewicz, *Green Jackets in Men's Sizes Only: Gender Discrimination at Private Country Clubs*, 44 VAND. J. TRANSNAT'L L. 777 (2011).

Ryan Richman, Note, *Title IX: The Trojan Horse in the Struggle for Female Athletic Coaches to Attain Equal Opportunities in Intercollegiate Sports*, 10 VA. SPORTS & ENT. L.J. 376 (2011).

Raheel Saleem, Comment, *The Olympic Meddle: The International Olympic Committee's Intrusion of Athletes' Privacy Through the Discriminatory Practice of Gender Verification Testing*, 28 J. MARSHALL J. COMPUTER & INFO. L. 49 (2010).

# INTELLECTUAL PROPERTY LAW

Carlos E. Bacalao-Fleury, Note, *Brazil's Olympic Trials: An Overview of the Intellectual Property Challenges Posed by the 2016 Rio De Janeiro Games*, 2011 U. ILL. J.L. TECH. & POL'Y 191 (2011).

Ross E. Davies, *The Law Firm and the League: The Legal and Electronic Connections Between Morgan, Lewis & Bockius LLP and Major League Baseball*, 12 TEX. REV. ENT. & SPORTS L. 215 (2011).

David Franklin, Note, League Parity: Bringing Back Unlicensed Competition in the Sports Fan Apparel Market, 86 CHI.-KENT L. REV. 987 (2011).

Michelle R. Hull, Note, Sports Leagues' New Social Media Policies:

Enforcement Under Copyright Law and State Law, 34 COLUM. J.L. & ARTS 457 (2011).

Joseph P. Liu, Sports Merchandising, Publicity Rights, and the Missing Role of the Sports Fan, 52 B.C. L. REV. 493 (2011).

Ryan Murphy, Note, *Playing Fair in the Boardroom: An Examination of the Corporate Structures of European Football Clubs*, 19 MICH. ST. J. INT'L L. 409 (2011).

William Nesnidal, Case Note, *The Story of the* National Basketball Association v. Motorola, 7 DEPAUL J. SPORTS L. CONTEMP. PROBS. 99 (2011).

William E. Nesnidal, Student Article, *The Fan Can Phenomenon: The Scope of Universities' Color Schemes as Trademarks in Light of Budweiser's Team Pride Campaign*, 18 SPORTS LAW. J. 283 (2011).

Ryan C. Steinman, *Taking a Mulligan: Moral Rights and the Art of Golf Course Design*, 51 IDEA 47 (2011).

# INTERNATIONAL SPORTS LAW

Lorenzo Casini, *The Making of a Lex Sportiva by the Court of Arbitration for Sport*, 12 GERMAN L.J. 1317 (2011).

Shawn M. Crincoli, You Can Only Race if You Can't Win? The Curious Cases of Oscar Pistorius & Caster Semenya, 12 TEX. REV. ENT. & SPORTS L. 133 (2011).

Elizabeth Hart Dahill, Note, *Hosting the Games for All and by All: The Right to Adequate Housing in Olympic Host Cities*, 36 BROOK. J. INT'L L. 1111 (2011).

Jennifer Gustafson, Comment, Bronze, Silver, or Gold: Does the International Olympic Committee Deserve a Medal for Combating Human Trafficking in Connection with the Olympic Games?, 41 CAL. W. INT'L L.J. 433 (2011).

Christina Lembo, Comment, FIFA Transfer Regulations and UEFA Player Eligibility Rules: Major Changes in European Football and the Negative Effect on Minors, 25 EMORY INT'L L. REV. 539 (2011).

Johan Lindholm, *The Problem with Salary Caps Under European Union Law: The Case Against Financial Fair Play*, 12 TEX. REV. ENT. & SPORTS L. 189 (2011).

Edward W. Neufville, III, *Let the Games Begin! Nonimmigrant Visa Options for Foreign Athletes*, 44-OCT. MD. B.J. 22 (2011).

Timothy Poydenis, Student Article, *The Unfair Treatment of Dominican-*Born Baseball Players: How Major League Baseball Abuses the Current System and Why it Should Implement a Worldwide Draft in 2012, 18 SPORTS

320

LAW. J. 305 (2011).

Ayelet Shachar, *Picking Winners: Olympic Citizenship and the Global Race for Talent*, 120 YALE L.J. 2088 (2011).

Rachel D. Solomon, Note, *Cuban Baseball Players, the Unlucky Ones: United States-Cuban Professional Baseball Relations Should Be an Integral Part of the United States-Cuba Relationship,* 10 J. INT'L BUS. & L. 153 (2011).

# LABOR LAW

Joshua A. Reece, Note, *Throwing the Red Flag on the Commissioner: How Independent Arbitrators Can Fit Into the NFL's Off-Field Discipline Procedures Under the NFL Collective Bargaining Agreement*, 45 VAL. U. L. REV. 359 (2010).

Kevin W. Wells, Student Article, *Labor Relations in the National Football League: A Historical and Legal Perspective*, 18 SPORTS LAW. J. 93 (2011).

### SPORTS AGENT ISSUES

Christopher W.W. Harrington, It's Not Personal. It's Strictly Business: How California Non-Competition and Trade Secret Law Demonstrate the Harsh Realities Facing Talent Agencies in the Sports and Entertainment Industries, 2011 DENV. U. SPORTS & ENT. L.J. 39 (2011).

Darren A. Heitner et al., In Baseball's Best Interest?: A Discussion of the October 2010 MLBPA Regulations Governing Player Agents, 10 VA. SPORTS & ENT. L.J. 249 (2011).

Damon Moore, *Proposals for Reform to Agent Regulations*, 59 DRAKE L. REV. 517 (2011).

R. Alexander Payne, Note, *Rebuilding the Prevent Defense: Why Unethical Agents Continue to Score and What Can Be Done to Change the Game*, 13 VAND. J. ENT. & TECH. L. 657 (2011).

# **STADIUM ISSUES**

Laurie C. Frey, Student Article, *How the Smallest Market in Professional Sports Had the Easiest Financial Journey: The Renovation of Lambeau Field*, 18 SPORTS LAW. J. 259 (2011).

Garrett Johnson, *The Economic Impact of New Stadiums and Arenas on Cities*, 2011 U. DENV. SPORTS & ENT. LAW J. 3 (2011).

David Mark, Comment, *Taking One for the Team: The Persistent Abuse of Eminent Domain in Sports Stadium Construction*, 5 FIU L. REV. 781 (2010).

Elizabeth Odian, Student Article, *Preventing Sonicsgate: The Ongoing Problem of Franchise Relocation*, 18 SPORTS LAW. J. 67 (2011).

# TAX LAW

Mitchell L. Engler, *The Untaxed King of South Beach: LeBron James and the NBA Salary Cap*, 48 SAN DIEGO L. REV. 601 (2011).

Roger M. Groves, New Age Athletes as Social Entrepreneurs: Proposing a Philanthropic Paradigm Shift and Creative Use of Limited Liability Company Joint Ventures, 11 WAKE FOREST J. BUS. & INTELL. PROP. L. 213 (2010–2011).

Jami A. Maul, Comment, America's Favorite "Nonprofits": Taxation of the National Football League and Sports Organizations, 80 UMKC L. REV. 199 (2011).

# TORT LAW

Andrew B. Carrabis, *Head Hunters: The Rise of Neurological Concussions in American Football and its Legal Implications*, 2 HARV. J. SPORTS & ENT. L. 371 (2011).

David Pepper, Comment, Anand v. Kapoor, 55 N.Y.L. SCH. L. REV. 1191 (2010–2011).

Christopher Powell, Comment, *Premises Liability in California: Chilling the Diffusion of Bicycle Motocross*, 47 CAL. W. L. REV. 329 (2011).

Litany Webster, Note, *Equestrian Helmet Laws and Their Effect on Equestrian Liability*, 3 Ky. J. EQUINE, AGRIC. & NAT. RESOURCES L. 299 (2010–2011).

Matthew A. Westover, Comment, *The Breaking Point: Examining the Potential Liability of Maple Baseball Bat Manufacturers for Injuries Caused by Broken Maple Baseball Bats*, 115 PENN ST. L. REV. 517 (2010).

Ulysses S. Wilson, Comment, *The Standard of Care Between Coparticipants in Mixed Martial Arts: Why Recklessness Should 'Submit' to the Ordinary Negligence Standard*, 20 WIDENER L.J. 375 (2011).

# MISCELLANEOUS

F. Gibbons Addison, Note, A Proposed Wealth Distribution System Based on the Underlying Premise of Revenue Sharing in American Pro Sports, 89 TEX. L. REV. 1179 (2011).

Adam Benforado, *Color Commentators of the Bench*, 38 FLA. ST. U. L. REV. 451 (2011).

Mitchell N. Berman, "Let 'em Play" A Study in the Jurisprudence of Sport, 99 GEO. L.J. 1325 (2011).

Matthew T. Bodie, *NASCAR Green: The Problem of Sustainability in Corporations and Corporate Law*, 46 WAKE FOREST L. REV. 491 (2011).

Michael R. Daum, Intelligent Defense: A Call for Federal Regulation of Mixed Martial Arts, 21 SETON HALL J. SPORTS & ENT. L. 247 (2011).

Brad Ehrlichman, In This Corner: An Analysis of Federal Boxing Legislation, 34 COLUM. J.L. & ARTS 421 (2011).

Natasha C. Farmer, Note, *Jockey Advertising Regulations in Horseracing*, 3 Ky. J. EQUINE, AGRIC. & NAT. RESOURCES L. 103 (2010–2011).

Kristina M. Gerardi, *Tackles That Rattle the Brain*, 18 SPORTS LAW. J. 181 (2011).

Yoav M. Griver & Daniel B. Garrie, *Electronic Discovery in League Sports: Who Controls The Playbook?*, 29-SPG ENT. & SPORTS LAW. 14 (2011).

David A. Palanzo, Comment, *Safety Squeeze: Banning Non-Wood Bats is Not the Answer to Amateur Baseball's Bat Problem*, 51 JURIMETRICS J. 319 (2011).

Alexander F. Tilton, Note, Mayer v. Belichick: "Spygate" Scandal is Not the Court's Concern, 18 SPORTS LAW. J. 341 (2011).

Aaron S.J. Zelinsky, *The Supreme Court (of Baseball)*, 121 YALE L.J. ONLINE 143 (2011).

Jeremy Daniel Heacox