

# Index: Sports Law in Law Reviews and Journals

Follow this and additional works at: <http://scholarship.law.marquette.edu/sportslaw>



Part of the [Entertainment and Sports Law Commons](#)

---

### Repository Citation

*Index: Sports Law in Law Reviews and Journals*, 10 Marq. Sports L. J. (1999)

Available at: <http://scholarship.law.marquette.edu/sportslaw/vol10/iss1/13>

This Index is brought to you for free and open access by the Journals at Marquette Law Scholarly Commons. For more information, please contact [megan.obrien@marquette.edu](mailto:megan.obrien@marquette.edu).

## SPORTS LAW IN LAW REVIEWS AND JOURNALS

[Articles were included in this index if they were published after May 1999. Sources used for this index include: LEXIS, WESTLAW, the NSLI's Library, Legal-Trac, InfoTrac, Smart Ctlp, and the Index to Legal Periodicals.]

### Agency

1. Philip N. Fluhr Jr., *The Regulation of Sports Agents and the Quest for Uniformity*, 6 SPORTS LAW. J. 1 (1999).
2. Rob Remis & Diane Sudia, *Escaping Athlete Agent Statutory Regulation: Loopholes and Constitutional Defectiveness Based on Tri-Parte Classification of Athletes*, 9 SETON HALL J. SPORT L. 1 (1999).
3. James G. Sammataro, Comment: *Business and Brotherhood, Can They Coincide? A Search Into Why Black Athletes Do Not Hire Black Agents*, 42 HOW. L.J. 535 (1999).
4. Susan H. Seabury, *The Development and Role of Free Agency in Major League Baseball*, 15 GA. ST. U. L. REV. 335 (1998).
5. John A. Walton, *Conflicts For Sports and Entertainment Attorneys: The Good News, The Bad News, and The Ugly Consequences*, 5 VILL. SPORTS & ENT. L.J. 259 (1998).

### Amateur Sports

1. David S. Doty, *Getting to the "Core" of the Matter: A Model Policy To Help Students and School Personnel Successfully Negotiate the NCAA's Initial Eligibility Clearinghouse*, 134 WEST'S EDUC. LAW REP. 453 (1999).
2. John P. Encarnacion, Casenote: *When a Handicap May Be an Advantage: McPherson v. Michigan High School Athletic Association Evaluates the Relationship of the Rehabilitation Act and the ADA to Athletic Association Maximum Semester Rules*, (*McPherson v. Michigan High School Athletic Association, Inc.*, 199 F.3d 453, 6th Cir. 1997.), 5 VILL. SPORTS & ENT. L.J. 327 (1998).
3. Michael H. Gold, Casenote: *College Football Players Can't Tackle Athletic Conference's Tough Sanctions*, (*Hairston v. Pacific 10 Conference*, 101 F.3d 1315, 9th Cir. 1996.), 5 VILL. SPORTS & ENT. L.J. 365 (1998).
4. Jay Jordan, Student Article: *Reform From a Student-Athlete's Perspective: A Move Towards Inclusion*, 14 U. MIAMI ENT. & SPORTS L. REV. 57 (1996).
5. James A. Lovegren, *Making the Grade: Learning Disabled Student-Athletes and the NCAA's Eligibility Requirements*, 6 SPORTS LAW. J. 189 (1999).
6. Kenneth J. Martin, *The NCAA Infractions Appeals Committee: Procedure, Precedent and Penalties*, 9 SETON HALL J. SPORT L. 123 (1999).
7. Derek M. Mercadal, *Discrimination, Desegregation, and the State Action Doctrine . . . (St. Augustine High Sch. v. Louisiana High Sch. Athletic Ass'n*, 270 F. Supp. 767, E.D. La. 1967.), 6 SPORTS LAW. J. 107 (1999).
8. Thomas N. Sweeney, Comment: *Closing the Campus Gates: Keeping Criminals Away From the University – The Story of Student Athlete Violence and Avoiding Institutional Liability for the God of All*, 9 SETON HALL J. SPORT L. 226 (1999).
9. K. Todd Wallace, *Elite Domination of College Football: An Analysis of the Antitrust Implications of the Bowl Alliance*, 6 SPORTS LAW. J. 57 (1999).

### Antitrust

1. Mark D. Mako, Note: *Rules Restricting Player Movement Under the Federation Internationale de Football: Do They Violate U.S. Antitrust Law?* 18 N.Y.L. SCH. J. INT'L & COMP. L. 407 (1999).

2. Thomas M. Rowland, Note: *Antitrust Law—Salary Cap—An Athletic Association Regulation that Limits the Salary of Coaches is an Unreasonable Restraint on the Free Market and Cannot be Justified on the Grounds that it Promotes Competition*, (Law v. NCAA, 134 F.3d 1010 (10<sup>th</sup> Cir. 1998)), 9 SETON HALL J. SPORT L. 287 (1999).

3. K. Todd Wallace, *Elite Domination of College Football: An Analysis of the Antitrust Implications of the Bowl Alliance*, 6 SPORTS LAW. J. 57 (1999).

4. James D. Weinberger, Note: *Baseball Trademark Licensing and the Antitrust Exemption: An Analysis of New York Yankees Partnership v. Major League Baseball Enterprises, Inc.*, 23 COLUM.-VLA J.L. & ARTS 75 (1999).

5. Derek D. Yu, *The Reconciliation of Antitrust Laws and Labor Laws in Professional Sports*, 6 SPORTS LAW. J. 159 (1999).

#### Gender Issues

1. Jennifer Lynn Botelho, Comment: *The Cohen Court's Reading of Title IX: Does it Really Promote a de facto Quota Scheme?* (Cohen v. Brown Univ., 101 F.3d 155, 1st Cir. 1996.), 33 NEW ENG. L. REV. 743 (1999).

2. Ted Riley Cheesebrough, Casenote: *I Am Woman, Hear Me Score*. (Cohen v. Brown [Cohen IV], 101 F.3d 155, 1st Cir. 1996.), 5 VILL. SPORTS & ENT. L.J. 295 (1998).

3. Danielle Deak, Comment: *Out of Bounds: How Sexual Abuse of Athletes at the Hands of Their Coaches is Costing the World of Sports Millions*, 9 SETON HALL J. SPORT L. 171 (1999).

4. Joseph Filippone, Note: *Title IX in the Nineties*, 15 N.Y.L. SCH. J. HUM. RTS. 561 (1999).

5. Mark Hammond, Note: *Substantial Proportionality Not Required: Achieving Title IX Compliance Without Reducing Participation in Collegiate Athletics*, 87 KY. L.J. 793 (1998-99).

6. Robert R. Hunt, *Implementation and Modification of Title IX Standards: The Evolution of Athletics Policy*, BYU EDUC. & L.J. 51 (1999).

7. Tracy J. Johnson, *Throwing Like a Girl: Constitutional Implications of Title IX Regarding Gender Discrimination in High School Athletic Programs*, 18 N. ILL. U. L. REV. 575 (1998).

8. Alfred Dennis Mathewson & Robert D. Rogers, *Measuring Gender Equity*, 1 VA. J. SPORTS & L. 130 (1999).

9. Sue Ann Mota, *Title IX and Intercollegiate Athletics—The First Circuit Holds Brown University Not in Compliance*, U. MIAMI ENT. & SPORTS L. REV. 152 (1996).

10. Sudha Setty, Student Article: *Leveling the Playing Field: Reforming the Office for Civil Rights to Achieve Better Title IX Enforcement*, 32 COLUM. J.L. & SOC. PROBS. 331 (1999).

11. Ray Yasser & Samuel J. Schiller, *Gender Equity in Interscholastic Sports: The Final Saga: The Fight for Attorney's Fees*, 34 TULSA L. J. 85 (1998).

#### Intellectual Property Issues

1. Ivy Choderker, Note: *The First Sale Doctrine Defense As a Limit on the Right of Publicity*, (Allison v. Vintage Sports Plaques, 136 F.3d 1443, 11<sup>th</sup> Cir. 1998.), 19 LOY. L.A. ENT. L.J. 413 (1999).

2. David Jones, Casenote: *Gambling With First Amendment Rights: Playing the Cards Dealt By . . .* (Valley Broadcasting Co. v. United States, 107 F.3d 1328, 9<sup>th</sup> Cir. 1997, petition for cert. filed, 66 U.S.L.W. 3458, U.S. Dec. 22, 1997, No. 97-1047.), 5 VILL. SPORTS & ENT. L.J. 397 (1998).

3. Holly Levinson, Student Article: *"Image is Everything". . . But Not When it Comes to a Right of Publicity Infringement*, 14 U. MIAMI ENT. & SPORTS L. REV. 83 (1996).

4. Jennifer E. McGarry, *A Team With No Name, A City With No Name: Trademark Issues Relating to Sports Franchise Relocation*, 6 U. BALT. INTELL. PROP. L.J. 71 (1997).

5. Jeffrey A. Smith, Comment: *It's Your Move—No It's Not! The Application of Patent Law to Sports Moves*, 70 U. COLO. L. REV. 1051 (1999).
6. Michael J. Merchant, Casenote: *Establishing the Boundaries of First Amendment Protection For Speech in the Cyberspace Frontier*, (*Reno v. ACLU [Reno II]*), 117 S. Ct. 2329, 1997.), 5 VILL. SPORTS & ENT. L.J. 429 (1998).

### Professional Sports

1. *The Dowd Report: Office of the Commissioner Major League Baseball: Statement of Commissioner A. Bartlett Giamatti*, 68 MISS. L.J. 903 (1999).
2. *The Casey Martin Dispute: Conflicting Views of the Amicus Curiae*, 1 VA. J. SPORTS & L. 92 (1999).
3. *Perspectives: A Look Back at Key Events in the History of Sports and the Law Edwin Cohen and the AFL-NFL Merger*, 1 VA. J. SPORTS & L. 169 (1999).
4. Paul M. Anderson, *Spoiling a Good Walk: Does the ADA Change the Rules of Sport?*, 1 VA. J. SPORTS & L. 44 (1999).
5. Robert Taylor Bowling, Comment: *Sports Aggravated: The Fan's Guide to the Franchise Relocation Problem in Professional Sports*, 28 STETSON L. REV. 645 (1999).
6. J. Philip Calabrese, *Recent Legislation, Antitrust and Baseball*, 36 HARV. J. ON LEGIS. 531 (1999).
7. Edwin S. Cohen, *Football: The Merger of the NFL and AFL*, 1 VA. J. SPORTS & L. 171 (1999).
8. Joseph W. Dellapenna, "*The Phoenix Phillies v. The Philadelphia Phillies:*" *A Recently Discovered Opinion on "Baseball" and the "Antitrust" Exemption, [Fiction]*, 5 VILL. SPORTS & ENT. L.J. 233 (1998).
9. Heidi C. Doerhoff, Note: *Penalty Box or Jury Box? Deciding Where Professional Sports Tough Guys Should Go*, 64 MO. L. REV. 739 (1999).
10. Paul Finkelman, *Baseball and The Rule of Law*, 46 CLEV. ST. L. REV. 239 (1998).
11. Jeffrey Gordon, Note: *Baseball's Antitrust Exemption and Franchise Relocation: Can a Team Move?* 26 FORDHAM URB. L.J. 1201 (1999).
12. David L. Gregory & Robert J. Nobile, *The Ramifications of National Basketball Association Labor Relations*, 16 HOFSTRA LAB. & EMP. L.J. 469 (1999).
13. Matthew N. Greller, Notes and Comments: *Give Me Your Tired, Your Poor, Your Fastball Pitchers Yearning for Strike Three: How Baseball Diplomacy Can Revitalize Major League Baseball and United States-Cuba Relations*, 14 AM. U. INT'L L. REV. 1647 (1999).
14. Brandon L. Grusd, *The Antitrust Implications of Professional Sports' League-Wide Licensing and Merchandising Arrangements*, 1 VA. J. SPORTS & L. 1 (1999).
15. Grant M. Hayden, *Some Keys to the NBA Lockout*, 16 HOFSTRA LAB. & EMP. L.J. 453 (1999).
16. Joshua P. Jones, Note: *A Congressional Swing and Miss: The Curt Flood Act, Player Control, and the National Pastime*, 33 GA. L. REV. 639 (1999).
17. Twila Keim, Comment: *Physicians for Professional Sports Teams: Health Care Under the Pressure of Economic and Commercial Interests*, 9 SETON HALL J. SPORT L. 196 (1999).
18. Matthew Kensky, Casenote: *Introducing Handicaps to Professional Golf By Widening the Scope of the ADA*, (*Casey Martin v. PGA Tour, Inc.*, 984 F. Supp. 1320, D. Or. Jan. 30, 1998; 994 F. Supp. 1242, D. Or. Feb. 19, 1998.), 9 GEO. MASON U. CIV. RTS. L.J. 151 (1998).
19. Bryon L. Koepke, Comment: *The Americans With Disabilities Act and Professional Golf—Breaking Par for the Sake of Equality*, (*Martin v. PGA Tour, Inc.*, 994 F. Supp. 1242, D. Or. 1998), 38 WASHBURN L.J. 699 (1999).

20. Arturo J. Marcano & David P. Fidler, *The Globalization of Baseball: Major League Baseball and the Mistreatment of Latin American Baseball Talent*, 6 IND. J. GLOBAL LEGAL STUD. 511 (1999).

21. Patty Maitland, Note: *Riding a Cart on Golfs "Unfairways," (Martin v. PGA Tour, Inc., 994 F. Supp. 1242, D. Or. 1998.)*, 29 GOLDEN GATE U. L. REV. 627 (1999).

22. Brad McChesney, *Professional Sports Leagues and the Single Entity Defense*, 6 SPORTS LAW. J. 125 (1999).

23. Cleta Deatherage Mitchell, *The Rise of America's Two National Pastimes: Baseball and the Law, (Reviewing Roger I. Abrams, Legal Bases: Baseball and the Law)*, 97 MICH. L. REV. 2042 (1999).

24. Peter L. Olson, *Pickup Basketball*, 16 CONST. COMMENT. 39 (1999).

25. Jason M. Pollack, Note: *Take My Arbitrator, Please: Commissioner "Best Interests" Disciplinary Authority in Professional Sports*, 67 FORDHAM L. REV. 1645 (1999).

26. Paul L. Robson, *Dispute Resolution in Motor Sports*, 6 SPORTS LAW. J. 87 (1999).

27. Brian D. Shannon, *Brief of the Klippel-Trenaunay Syndrome Support Group, as Amicus Curiae in Support of Appellee*, 1 VA. J. SPORTS & L. 93 (1999).

28. Tanya R. Sharpe, Note: *Casey's Case: Taking a Slice Out of the PGA Tour's No-Cart Policy, (Martin v. PGA, Inc., 984 F. Supp. 1320, D. Or. 1998; and 994 F. Supp. 1242, D. Or. 1998.)*, 26 FLA. ST. U. L. REV. 783 (1999).

29. Sarbjit Singh, *Welcome to the Club: Upstart Major League Soccer Gets Sued*, 6 SPORTS LAW. J. 217 (1999).

30. Ronald P. Wargo, Note: *Coscarat v. Major League Baseball: No Field of Dreams*, 20 HASTINGS COMM. & ENT. L.J. 877 (1998).

31. Barry A. White et. al., *Brief of the United States Golf Association as Amicus Curiae in Support of Appellant*, 1 VA. J. SPORTS & L. 110 (1999).

32. Stephen C. Wichmann, Comment: *Players, Owners, and Contracts in the NFL: Why the Self-Help Specific Performance Remedy Cannot Escape the Clean Hands Doctrine*, 22 SEATTLE U. L. REV. 835 (1999).

33. Joseph D. Wright, *Skyrocketing Dollars and the Tax Reform Act of 1997: Estate Planning for the Professional Athlete in a New Millennium*, 6 SPORTS LAW. J. 27 (1999).

34. Derek D. Yu, *The Reconciliation of Antitrust Laws and Labor Laws in Professional Sports*, 6 SPORTS LAW. J. 159 (1999).

### Sports Facilities

1. Katherine C. Carlson, Note: *Down in Front: Entertainment Facilities and Disabled Access Under the Americans with Disabilities Act*, 20 HASTINGS COMM. & ENT. L.J. 897 (1998).

2. Kerry M. Fraas, Comment: *"Bankers Up!" Professional Sports Facility Financing and Other Opportunities for Bank Involvement in Lucrative Professional Sports*, 3 N.C. BANK. INST. 201 (1999).

3. Ted J. Tierney, *Heads Up!: The Baseball Facility Liability Act*, 18 N. ILL. U. L. REV. 601 (1998).

### Torts

1. Jennifer A. Carr, Note: *Torts—New Jersey Tort Claims Act—Unimproved Property Immunity Does Not Relieve Liability From Negligently Supervising an Ocean Beach Even if Such Supervision is Voluntary, (Fleuhr v. City of Cape May, 697 A.2d 182, N.J. Super. Ct. App. Div. 1997)*, 9 SETON HALL J. SPORT L. 321 (1999).

2. Michael Flynn, *Cart 54, Where Are You? The Liability of Golf course Operators For Golf Cart Injuries*, U. MIAMI ENT. & SPORTS L. REV. 127 (1996).

3. Mark Gatto, Note: *Torts—Defamation—An Athlete's Statements Regarding the Conduct of his Agent Can be Actionable Under State Defamation Laws*, (A.J. Faigin v. Kelly, 978 F. Supp. 420 (D.N.H. 1997)), 9 SETON HALL J. SPORT L. 263 (1999).

4. Darryll M. Halcomb Lewis, *Defamation of Sports Officials*, 38 WASHBURN L.J. 781 (1999).

5. Alfred Dennis Mathewson, *Emphasizing Torts in Claims of Discrimination Against Black Female Athletes*, 38 WASHBURN L.J. 817 (1999).

6. John G. Pike & S. Charles Neill, *Hunting Liability in Kansas: Premises Liability and The Kansas Recreational Use Statute*, 38 WASHBURN L.J. 831 (1999).

7. William Powers, Jr., *Sports, Assumption of Risk, and the New Restatement*, 38 WASHBURN L.J. 771 (1999).

8. Mark M. Rembish, Casenote: *Liability for Personal Injuries Sustained in Sporting Events After . . .* (Jaworski v. Kiernan, 241 Conn. 399, 696 A.2d 332, 1997.), 18 QUINNIPIAC L. REV. 307 (1998).

9. Noreen L. Slank, *A Symposium on Tort and Sport: Leveling the Playing Field*, 38 WASHBURN L.J. 847 (1999).

10. Dennis R. Toney, Jr., *Sporting Events, Fan Violence and the Courts of the Future: Make Way for a New Player*, "The Legal Eagle," 6 SPORTS LAW. J. 147 (1999).

#### Miscellaneous

1. Mario R. Arango & William R. Trueba, Jr., Student Article: *The Sports Chamber: Exculpatory Agreements Under Pressure*, 14 U. MIAMI ENT. & SPORTS L. REV. 1 (1996).

2. Holly M. Burch & Jennifer B. Murray, Student Article: *An Essay on Athletes as Role Models, Their Involvement in Charities, and Considerations in Starting a Private Foundation*, 6 SPORTS LAW. J. 249 (1999).

3. Brian R. Cheffins, *Playing the Stock Market: "Going Public" and Professional Team Sports*, 24 J. CORP. L. 641 (1999).

4. Eric N. Cohen & Matthew C. McMurdo, *Tulane Moot Court Mardi Gras Invitational: Winning Brief*, 6 SPORTS LAW. J. 291 (1999).

5. Timothy Davis, *Racism in Athletics: Subtle Yet Persistent*, 21 U. ARK. LITTLE ROCK L. REV. 881 (1999).

6. Erika Gosker, Note: *The Marketing of Gambling to the Elderly*, 7 ELDER L.J. 185 (1999).

7. Mark A. Graber, *Law and Sports Officiating: A Misunderstood and Justly Neglected Relationship*, 16 CONST. COMMENT. 293 (1999).

8. Joseph A. Kohm Jr. & Lynne Marie Kohm, Comment: "Family Advisor:" *The Trend for Athletes With Family Values*, 14 U. MIAMI ENT. & SPORTS L. REV. 113 (1996).

9. Nathan Reiersen, Comment: *Out of Bounds? Applicability of Federal Discovery Orders Under 28 U.S.C. Section 1782 By International Athletic Governing Bodies For Use in International Dispute Resolution Procedures*, 19 LOY. L.A. ENT. L.J. 631 (1999).

10. Noreen L. Slank, *Leveling the Playing Field*, 38 WASHBURN L.J. 847 (1999).

