

# STREET & SMITH'S SportsBusiness JOURNAL<sup>®</sup>

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MAY 3, 2010

## Firm an unlikely nerve center for media deals

BY MICHAEL SMITH

STAFF WRITER

The Charlotte-based legal team of Robinson, Bradshaw & Hinson never set out to be a power broker in sports business.

For years, the firm did occasional business with NASCAR clients, which seemed logical because of the sport's base in Charlotte. Then another local sports client, UNC Charlotte, in the mid-1990s led to a relationship with Conference USA, and more recently the Southeastern Conference.

Those recommendations led the NCAA to the firm last year, putting it at the center — literally and figuratively — of the largest individual sports media rights contract in U.S. television history.

"It's not something we ever really put on our radar," said Stoke Caldwell, an attorney who first led the firm into sports law through his NASCAR contacts in the early 1990s. "It's not like we sat in a room and said, 'We've got to develop this sports and entertainment practice.' But as NASCAR grew and Charlotte grew, the money followed and there became more opportunities."

The final days of the NCAA's 14-year, \$11 billion negotiation with CBS and Turner Sports played out in Robinson, Bradshaw & Hinson's 18th-floor office in downtown Charlotte last month. That's also where the SEC in 2008 finalized its 15-year deals for a combined \$3 billion with CBS and ESPN.

Jack Roush and John Henry leaned on the firm's guidance to become 50-50 partners in Roush Fenway Racing, and Ray Evernham used the firm when he sold majority interest in his race team to George Gillett.

The firm also oversees sponsorship agreements, including Bank of America's recent deal with the New York Yankees.

Put it all together and Robinson, Bradshaw & Hinson has evolved into a significant player in sports law, especially in NASCAR and intercollegiate athletics circles.

It all happened through the most effective marketing tool of all — word of mouth.

"We heard about them from the SEC," said Greg Shaheen, the NCAA's senior vice president of basketball and business strategies. "Then as we checked around, we heard more good things from our NASCAR contacts. When we met with them and saw their expertise in transactions and some of their experience with media, we thought it was a natural fit."

The result of the NCAA's negotiations with CBS/Turner was a 60-page document outlining the 14-year deal, but Robinson, Bradshaw & Hinson was instrumental in earlier steps too, as the NCAA exercised its escape from the previous CBS contract.

ROBINSON BRADSHAW & HINSON

**Headquarters:** Charlotte

**No. of attorneys:** 130

**Sports-related clients:** NCAA, South-eastern Conference, Roush Fenway Racing, Richard Petty Motorsports, US F1, Dale Earnhardt Jr., Danica Patrick, Jeff Gordon, Ray Evernham, Dale Jarrett, Kevin Harvick, Bank of America.



Robinson



Newmark



Fuller



Caldwell

"The firm was exceptionally valuable because they made sure every action by the NCAA was consistent with the CBS contract," said Kevin O'Malley, a media consultant with the NCAA. "They just provided a high level of confidence with everything we were doing. All the way through, we wanted to make sure we were following proper protocol."

Only in the last few years, though, has the firm of 130 attorneys, one of the larger law offices in Charlotte, acknowledged its expertise in sports law by creating a sports and entertainment division. It is seeking to grow the sports practice with new clients, Caldwell said.

Thirteen attorneys work in sports and entertainment, although many more spend time with sports clients, who include Dale Earnhardt Jr., Danica Patrick and Jeff Gordon, one of the firm's first sports clients.

The firm does not act as a typical sports agent, in terms of seeking deals, but it reviews contracts and protects the rights of its clients. Its revenue is typically based on billable hours rather than a percentage of contracts.

"Some of it has to do with our level of expertise and experience and some of it, quite frankly, has to do with being in the right place at the right time," said Steve Newmark, who

last week left the firm to join Roush Fenway Racing, a client of the firm, as a senior vice president. "I think there's also a benefit to being in Charlotte because the rates are lower than the firms in New York. For the same or better quality, you get a more efficient price."

Robinson, Bradshaw & Hinson, founded in 1960, first stepped into sports business in the early 1990s when a client, Ken Barbee, bought Hendrick Sportswear, a NASCAR licensee, from team owner Rick Hendrick. Once the transaction closed, Barbee needed a new round of licensing agreements with many of the top drivers of the day: Terry Labonte, Bill Elliott, Kyle Petty and others.

Over the next five years, Caldwell worked closely with Barbee to secure licensing agreements and, along the way, made new relationships with several drivers and teams, many of whom later became clients.

About the same time, in the mid-1990s, Robert Fuller made the firm's entree into collegiate sports. Through a local tie, the firm represented UNC Charlotte and later South Florida during the formation of Conference USA, which merged teams from the old Metro and Great Midwest conferences. Fuller ended up being retained by C-USA's commissioner at the time, Mike Slive, who moved to the SEC in 2002 and took Robinson, Bradshaw & Hinson with him.

"We were quick to realize that he's an outstanding attorney and could be of considerable help to us," said Slive, who has a background as an attorney. "Any time there's a sense that there could be legal ramifications with a decision, we talk and make sure everything is taken care of beforehand."

Through the firm's conference associations, Fuller and Graham Robinson have negotiated bowl contracts, media deals and conference championship venues, "all things that relate to the business of the conference," Slive said.

But it's the media contracts that have brought the most attention to the firm because of their sheer value. Those deals are the largest source of revenue for the conferences.

"It helped that we'd done a lot of this before," Fuller said. "We knew the provisions that were most important and it helped move things along as we worked through a long weekend to get a deal done."

## Robinson Bradshaw