

Jeffrey A. Mishkin

Skadden

Partner, New York

Antitrust and Competition; Sports; Litigation



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Education

J.D., Cornell Law School, 1972
B.A., State University of New York
at Albany, 1969

Bar Admissions

New York

Experience

Adjunct Professor, Cardozo Law School,
Professional Sports and the Law
(1984-1989)

Jeffrey A. Mishkin's practice centers on all aspects of sports law and includes antitrust, intellectual property, labor and a wide range of trial and appellate business litigation. Mr. Mishkin joined Skadden's New York office in 2000, after serving as executive vice president and chief legal officer of the National Basketball Association for seven years. For many years, he has represented the NBA as its chief outside counsel.

Mr. Mishkin has participated in every major legal decision that has affected the NBA in the past 35 years — first as an associate and then as a partner in private practice with a large New York firm, and later as the head of the NBA's in-house legal department. He has been involved in every round of collective bargaining negotiations between the NBA and the National Basketball Players Association, and he directed the NBA's legal effort in its 1998-1999 labor dispute with NBA players.

As executive vice president and chief legal officer, Mr. Mishkin oversaw every aspect of the NBA's legal affairs, including all litigation, labor relations, commercial transactions, legislation, and enforcement of the league's intellectual property rights and its anti-drug program, personally trying and arguing the NBA's most important cases, including *NBA v. Williams* (an antitrust and labor law case regarding the NBA's salary cap); *Chicago Professional Sports and WGN v. NBA* (an antitrust case involving the league's national television rights); and *NBA v. Motorola* (an intellectual property case closely watched across the country concerning the unauthorized transmission via pagers and the Internet of real-time scores and statistics of NBA games).

Since coming to Skadden, his sports practice has expanded to include representation of the PGA TOUR, National Football League, National Hockey League, Major League Baseball, National Collegiate Athletic Association, United States Tennis Association, Major League Baseball Advanced Media, Collegiate Licensing Association, Madison Square Garden, New York Knicks, New York Rangers, New Jersey (now Brooklyn) Nets, Boston Celtics, Phoenix Suns, Toronto Raptors, Toronto Maple Leafs, Denver Nuggets, Miami Heat and many other sports organizations. Among other notable matters, Mr. Mishkin successfully represented the PGA TOUR in *Morris Communications v. PGA TOUR*, an antitrust case in which the Eleventh Circuit upheld the right of the PGA TOUR to prohibit the unauthorized sale of real-time golf scores.

Mr. Mishkin was named a "Litigator of the Week" by *The Am Law Litigation Daily* (September 19, 2013) for his work on behalf of the four major U.S. professional sports leagues and the National Collegiate Athletic Association in securing an affirmance by the Third Circuit of a permanent injunction preventing the state of New Jersey from authorizing gambling on the leagues' athletic events. He also serves as an arbitrator for the Court of Arbitration for Sport headquartered in Lausanne, Switzerland.

Mr. Mishkin has been listed repeatedly for sports law in *Chambers USA: America's Leading Lawyers for Business* and *The Best Lawyers in America*, in which he was named 2018 and 2012 New York Sports Law Lawyer of the Year. He also was named as a leading lawyer in *Legal 500* in 2015 and 2016. Mr. Mishkin was selected by the *SportsBusiness Journal* as a Power Player in sports law in 2016. He was named as one of the "Most Highly Regarded Individuals" by *The International Who's Who of Sports & Entertainment Lawyers 2013* and he was included in *Lawdragon 500 Leading Lawyers in America*.

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Associations

Chair, Committee on Federal Courts, Association of the Bar of the City of New York (1989-1992)

Member, Committee on Federal Courts, Association of the Bar of the City of New York (1986-1989)

Secretary, Committee on Entertainment and Sports Law, Association of the Bar of the City of New York (1983-1986)

Secretary, Committee on Professional Discipline, Association of the Bar of the City of New York (1980-1983)

Member, Young Lawyers Committee, Association of the Bar of the City of New York (1977-1980)

Member, New York State Bar Association; American Bar Association; Federal Bar Council

Publications

Author, "Professional Sports Leagues Need Fiscal Responsibility - Exploring 'Salary Cap' Systems and Other Lawful Solutions," *New York Law Journal* (August 2000)

Author, "Football's Post-Season Play: Courtroom Drama Looms For The NFL and Its Players," *Between The Lines*, Ernst & Young's Financial Newsletter for the Sports World (Winter 1992)

Author, "The Sports Television Marketplace — Two Unresolved Legal Issues," *Between The Lines*, Ernst & Young's Financial Newsletter for the Sports World (Fall 1991)

Author, "What Happens To Free-Agency Rules When Collective Bargaining Pact Expires?" *New York Law Journal* (May 1989)

Author, "Does a League Have The Right to Determine Where Teams Play?" *National Law Journal* (November 1987)

Author, "Application of *Goldberg v. Kelly* Hearing Requirements to Termination of Social Security Benefits," *Stanford Law Review*, Vol. 26, No. 3 (February 1974)