

## Mary K. Braza

### Partner/Retired

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Milwaukee



Mary K. Braza, former co-chair of the Sports Industry Team at Foley & Lardner LLP, has established herself as a recognized leader on national sports legal issues and as an effective advocate for her clients. With more than 30 years of experience, she has a broad range of experience in both litigation and deal-making in sports. She acted for many years as a strategic adviser and counselor to Major League Baseball under former Commissioner Allan H. (“Bud”) Selig. She championed the cause of the University of Maryland in a fight over conference realignment. She serves on the boards of three national organizations examining the role of sports law and is the recipient of many awards and honors.

As a leader in sports law, Mary is one of the founding members of Foley & Lardner’s Sports Industry Team, Mary has helped build the firm into a national sports law leader that has played a direct role in some of the sports industry’s highest-profile acquisitions, litigations, and media deals over the past decade.

Mary is a partner and litigation lawyer with Foley & Lardner LLP and a former member of the firm’s management committee. As former co-chair of the Sports Industry Team, she both litigated cases involving sports issues and advised stakeholders in significant sports franchise acquisitions and valuations; stadium/arena financings, redevelopments and ancillary developments; and issues surrounding league and team operations such as broadcast television and radio deals, regional sports networks, new media, social media, mobile rights, sponsorship agreements, naming rights, concession and merchandising agreements, and revenue sharing.

She is a trial lawyer by training, but since the mid-1990s has been involved in a number of transactions involving the sports industry.

The following are among the varied sports cases and matters she has worked on:

### **Sports Litigation**

- Defended **DraftKings** in a class action brought on behalf of NCAA athletes asserting the right of publicity claims
- Represented the **University of Maryland** in its move from the Atlantic Coast Conference to the Big Ten Conference, and related antitrust litigation
- Represented **MLB Advanced Media** in a lawsuit involving rights of publicity and First Amendment challenges to a licensing program for use of player information on fantasy sports websites
- Obtained an early dismissal of a RICO litigation brought against **Commissioner Allan H. (Bud) Selig** and **MLB President Bob DuPuy** by former owners of the Montreal Expos Baseball Club
- Successfully argued in favor of the baseball antitrust exemption on behalf of **Major League Baseball**, shutting down an antitrust investigation by the Office of the Florida Attorney General
- Represented **Major League Baseball** in a ticketholder class action litigation over the All-Star Game
- Represented **MLB Clubs** in an insurance coverage litigation

### Purchase and Sale of Teams

- Represented the successful bidders for the **Texas Rangers Baseball Club** in 2010, leading a team of lawyers in a \$590 million transaction that was ultimately concluded in an auction for the team in a bankruptcy court
- Represented the Ricketts Family in the successful acquisition of the **Chicago Cubs** for a then record-setting price of \$845 million
- Represented an estate in the sale of a 30 percent interest in a **National Football League** franchise in 2011
- Represented bidders for the **San Diego Padres, Cleveland Indians, New York Mets, and Atlanta Braves**

### Media Negotiations

- Represented the **Texas Rangers** ownership in negotiations for a 25-year extension of a broadcasting agreement and partnership with Fox in a Texas regional sports network, reported in the press as worth \$1.6 billion
- Represented the **San Diego Padres** ownership in negotiations for a 25-year extension of a broadcasting agreement and partnership with Fox in a San Diego-based regional sports network
- Represented the **Chicago Cubs** in 2009 in negotiations for an extension of a broadcasting agreement with WGN
- Negotiated on behalf of **MLB** and the **Washington Nationals** to establish a regional sports network co-owned by the Baltimore Orioles and Washington Nationals and in related antitrust litigation, investigations and Congressional hearings
- Helped establish **MLB Advanced Media**, baseball's internet company and operator of MLB.com and 30 team websites

### Advice on Strategic Initiatives In Sports

- Represented the **Texas Rangers** in negotiations with the City of Arlington over a Master Agreement for financing and construction of a new ballpark in Arlington, Texas
- Advised **MLB owners** on the formation of the sports industry's first league-owned investment vehicle
- Counseled on the relocation of the **Montreal Expos** to Washington, D.C., and negotiated the successful settlement of a dispute concerning public funding for the Washington Nationals Ballpark
- Negotiated the settlement of claims by Peter Angelos, owner of the Baltimore Orioles, concerning the relocation of the **Washington Nationals Baseball Club**
- Advised **MLB** in the 2007 investigation into the use of steroids and other performance enhancing substances by MLB players
- Advised on the possible formation of a team-based **professional bowling league**
- Advised on the **formation of an international electronic gaming league**

In addition to her sports practice, Mary has extensive experience in litigating commercial disputes in federal and state courts, involving such areas as environmental law, bankruptcy, distribution, insurance coverage, reinsurance and health care.

### Awards and Recognition

Mary has been Peer Review Rated as AV® Preeminent™, the highest performance rating in Martindale-Hubbell's peer review rating system and is the 2012 recipient of the Joseph A. O'Neill Award, which recognizes an individual with a significant contribution to the sports industry while exemplifying the highest ethical standards. She is also recognized nationally as one of America's Leading Lawyers in the area of sports law by *Chambers USA*, 2006-2017, and *Super Lawyers*, 2006, and 2011-2012. In 2010, and 2014 – 2016, *The Legal 500* recognized her for her work in sports law. Mary is included in *The Best Lawyers in America*® 2017 list, in the area of sports law and commercial litigation, as well as listed in Who's Who Legal for her practice in entertainment and sports law.

***"Braza a national leader in sports law"***

– 2016 Leaders in the Law,  
*Wisconsin Law Journal*,  
February 18, 2016

### Affiliations

Mary is an elected member of the Sports Lawyers Association board of directors and is vice chair of the National Sports Law Institute's board of advisors. She serves on the Advisory Committee for the Sports Governance Center at the University of Colorado-Boulder. She also is a member of the American Bar Association Forum on Sports and Entertainment and the Women's Sports Foundation. Mary is a frequent speaker on sports-related legal topics.

Since 2006, Mary has served as an adjunct professor at Marquette University Law School and John Marshall Law School, where she teaches Sports Law. She is an instructor at the National Institute of Trial Advocacy

and has lectured on a variety of trial-related topics.

Mary is married to a lawyer and is the proud mother of two daughters, Laura (a New York theater director) and Carolyn (Manager, Digital Analytics). She focuses her charitable efforts on issues involving mental illness, serving as the chair of the board of the Grand Avenue Club of Milwaukee, and poverty and hunger, serving as the founder and member of Foley's "K's for a Cause" program. Mary is a member of the firm's LGBTA affinity group.

## **Presentations and Publications**

- "Power Player – Outside Counsel," *Sports Business Journal* (June 27, 2016)
- "4 BigLaw Attorneys The Sports World Can't Live Without," *Law 360* (July 21, 2015)
- "Female Powerbrokers Q&A: Foley's Mary Braza," *Law360*
- "The intersection of law and sports: Chance encounters, close connections brought powerful lawyers to industry," *Sports Business Journal* (April 25, 2011)

## **Education**

- Cornell University (J.D., magna cum laude, 1981)
  - Editor, *Cornell International Law Journal*
  - Order of the Coif
- Cornell University (Bachelor's degree, 1978)

## **Admissions**

- Wisconsin Bar
- Federal District Court
- Appellate Courts