



MARTIN J. GREENBERG

Martin J. Greenberg is a 1967 graduate of the University of Wisconsin with honors and a 1971 graduate of Marquette University Law School. At Marquette University Law School, he was an editor and contributor to the Marquette Law Review, a recipient of the Thomas More and Francis X. Swietlik scholarships, the Woolsack Society Award and was initiated into Alpha Sigma Nu, the Jesuit Honorary Fraternity.

In 1988, the Milwaukee Bar Association named Greenberg Lawyer of the Year-Legal Scholar. In June 1990, February 1995 and October 1999, Milwaukee Magazine named him one of the Top Real Estate Lawyers in Milwaukee. He is in private law practice, specializing in the areas of real estate, corporate and sports law. He is also an Adjunct Professor at the Marquette University Law School and has taught real estate and sports law courses for well over 45 years. Greenberg was also a Visiting Professor at Anglia University, Chelmsford, England, and was a scholar in residence at the Lynn University Sports Management School in March 2007. He is presently teaching courses entitled Representing Professional Athletes and Coaches Workshop and Sports Venues: From Election Day to Game Day. Greenberg was the founder and Director of the National Sports Law Institute of Marquette University Law School from November of 1989 to April of 1997 and has authored or co-authored three books, *Sport\$Biz* (Leisure Press), *Sports Law Practice* (Michie Company - 1993), and *The Stadium Game* (Marquette University Press - 2002). He also served as the Institute's Chairman. The Institute has created the Martin J. Greenberg Award for Excellence in Sports Law.

Greenberg has had an array of experience in the area of sports law. He has represented basketball, football and soccer players, general managers, trainers and sports broadcasters in contract negotiations both in the formation and termination stages. He has represented athletes in financial workouts with respect to investments that either went sour or were unperfected in their documentation. He has represented sports agents with respect to questions relative to fiduciary duties and compliance with both union regulations and state registration statutes. Greenberg represented Yesterdays Negro League Baseball Players, a group of former Negro League Baseball Players, and helped create the Yesterday's Negro League Baseball Players Wall of Fame at Milwaukee County Stadium. He has created the legal documentation for a professional basketball league known as the NBL of South Africa. He has assisted in the legal creation of a Professional Billiards Tour, including the drafting of By-Laws, Commissioner's Agreement, Standard Player Agreements, TV Agreements, Cross Endorsement Agreements, Trading Card Agreements and Promoter and Venue Agreements. Greenberg represented Conference USA in the negotiation of its Commissioner's Agreement, Formation Agreement and Conference Bylaws. Greenberg has represented potential owners in their attempts to obtain professional franchises. He has also acted as an expert witness and

consultant with regards to how Major League Baseball teams are legally structured. Greenberg has current experience in the representation of prospective owners in their pursuit of the acquisition of professional sports teams. Greenberg has recently represented a group that contracted to buy the Diamondbacks' Chase Field in Phoenix, Arizona, and also submitted a Letter of Intent to Alameda County to purchase the Oakland Coliseum in Oakland, California.

Greenberg has concentrated his efforts in the representation of college and professional coaches. Some of the coaches that he has acted as a legal adviser to are: Brian Ellerbe, former University of Michigan Basketball Coach; Jim Fleming, Head Football Coach – University of Rhode Island; Jim Grobe, Head Football Coach - Wake Forest University; Ken Karcher, former Head Football Coach - Liberty University; Rick Majerus, former Head Coach – University of Utah; Manny Matsakis, former Head Football Coach – Texas State University; Joey Meyer, former Head Basketball Coach – DePaul University; Michael O’Cain, former Head Football Coach – North Carolina State University; Randy Walker, Head Football Coach – Northwestern University; Andy Talley, Head Football Coach – Villanova University; Mari Warner, Head Women’s Basketball Coach – University of Albany; Rick Minter, former Head Football Coach – University of Cincinnati; Jeff Genyk, Head Football Coach – Eastern Michigan University; Mark Richt, Head Football Coach – University of Georgia; Jim Jabir, Head Women’s Coach, Providence College; Hal Mumme – Former Head Football Coach of New Mexico State University and University of Kentucky; and Del Harris, former Head Coach of the Milwaukee Bucks and Los Angeles Lakers.

His articles, “College Coaching Contracts: A Practical Perspective,” “College Coaching Contracts Revisited,” “A Study of Division I Assistant Football and Men’s Basketball Coaches’ Contracts,” “Coaches’ Contracts: Terminating A Coach Without Cause and the Obligation to Mitigate Damages,” and “You Get Hired to Get Fired” that appeared in *The Marquette Sports Law Review* are the seminal works in the field. The National Sports Law Institute of Marquette University Law School has created on its research website Greenberg's Coaching Corner, a collection of articles over the years that Greenberg has written about coaches' contracts.

Because of Greenberg’s terminus knowledge of college coaching contracts, he has often been asked to serve as an expert witness, and has served as an expert witness in the matter of *Paterno, et al. v. NCAA, et al.*

Greenberg has lectured extensively on the issues of coaches’ contracts, including lectures to the National Association of Collegiate Directors of Athletics, Legal Issues in Intercollegiate Athletics-DePaul University, the American Football Coaches Association, NCAA Men’s Coaches Academy, and the Tallahassee Club – Florida State University. Currently, Greenberg is a principal and managing member in The Gamebreakers, LLC, a company that represents college coaches, college athletic directors, college presidents, and sports broadcasters in contract negotiations.

Greenberg has specialized in the practice of real estate law since 1973. He is designated a Master Real Estate Consultant by NIREC and has served as an expert witness in numerous real estate cases. He has extensive experience in real estate contract negotiation, real estate development and construction, condominiumization, lease negotiations, tax planning, deferred exchanges, and creative financing of real estate. He has served on the Village of Shorewood Board of Review, City of Milwaukee Zoning and Drug House Task

Forces and the Forms Revision Committee for the Wisconsin Real Estate Board. Greenberg has served as a guest columnist for the *Builder-Architect Magazine*, *Broker-Agent Magazine*, and *On Line*, the Multiple Listing Service monthly newsletter. He also taught Property I, Property II, Advanced Real Estate and Real Estate Investment and Taxation at the Marquette University Law School. Greenberg has authored several books on real estate, including *Wisconsin Real Estate Practice* (Lawyers Cooperative Publishing Company), *Mortgage and Real Estate Finance*, (Michie Company), and *Real Estate Tax Guide 1990* (Callaghan & Company). *Milwaukee Magazine* in its June 1990, February 1995, and October 1995 issues noted Attorney Greenberg as one of the top real estate lawyers in Milwaukee. The Milwaukee Bar Association has honored Greenberg as Lawyer of the Year and Legal Scholar in 1988. Greenberg is a historic preservationist and has been involved in the ownership and rehabilitation of the following historic residences: Hawley-Bloodgood residences -1240 N. Franklin Place and 1139 E. Knapp Street; Collins-Elwell residence, 1363 N. Prospect Avenue; Dr. Robert J. Faries residence, 3011 W. State Street; Frederick Pabst, Jr., residence - 3112 W. Highland Blvd.; George J. Koch residence, 3209 W. Highland Blvd.; and 3127 West Wisconsin Avenue.

Greenberg has, because of his vast experience and knowledge in real estate, also been asked to serve as an expert witness in various real estate cases in areas such as the “As is, Where Is” Clause, the chain and status of title, interpretations of exculpatory clauses, real estate brokers’ fiduciary obligations, provisional failures and drafting failures in leases, representations and warranties, “best efforts” and “good faith” requirements in real estate transactions.

Combining his love of real estate and sports, Greenberg also concentrates his practice in sports facility development.

Greenberg presented papers at the National Sports Law Institute Symposium entitled Sports Values, Venues and Revenues in October of 1994, 1995 and 1996 at Milwaukee, Wisconsin, on subjects related to stadium and arena leases. Greenberg has reviewed stadium and arena leases to make recommendations on how the subject leases can be financially enhanced. Greenberg has participated as a guest of the Brookings Institution in Washington, DC on the topic of Stadium Financing. Greenberg has also spoken to the American Bar Association on stadium and arena issues for lawyers in the coming millennium. Greenberg has filed a report with the Southeast Wisconsin Professional Baseball Park District Board relative to the financial valuation of naming rights and construction build-outs for the Milwaukee Brewers. He has acted as a consultant and expert witness on lease issues for the *San Diego Tribune*, Baltimore Orioles and Nashville Predators. He has also represented the Milwaukee Metropolitan Association of Commerce in the negotiation of a Ticket Guarantee Agreement with the Milwaukee Brewers and loans to be made by the business community to the Milwaukee Brewers for completion of Miller Park. Greenberg served as Managing Member of ScheerGame Sports Development, LLC, a sports facility development company, and through ScheerGame, has had facility experiences in Jacksonville, Florida; Manchester, New Hampshire; St. Louis University; Oklahoma State University; and University of Akron, to name a few.

Greenberg also regularly puts forth presentations for the Continuing Legal Education events series, including presentations entitled *Ethical Issues Lawyers Face Delivering Services in the Development of Sports Venues* and *An Introduction to Sports Law*.

Greenberg has spoken on sports facility issues at the Brookings Institution, Sports Lawyers Association, International Association of Assembly Managers, American Bar Association, Wisconsin - Minnesota Bar Associations, The Economic Club of Florida, the National Sports Law Institute, and Florida Atlantic University.

Greenberg has recently published two articles in the *Marquette Sports Law Review* of sports facility interest, including an article on athletic directors entitled "Special Report: Athletic Directors;" an article about coach termination clauses entitled "You Get Hired to Get Fired;" an article about relocation agreements in professional sports entitled "Non- Relocation Agreements in Major League Baseball: Comparison, Analysis, and Best Practice Clauses," and an article about real estate development and sports facility development in "Sports.Comm: It Takes a Village to Build a Sports Facility." He presented a report to the Southeast Wisconsin Professional Baseball Park District (Miller Park) Board entitled "Ten Years Later: Miller Park and Real Estate Development in the Village of West Milwaukee and the Menomonee Valley."

Greenberg has also lectured extensively in the area of Sports Risk Management, and through the National Sports Law Institute is responsible for creating the program "Reduce Your Risk" for the Milwaukee Public Schools. The subject program required all coaches and athletic directors to attend seminars relative to increasing their knowledge in the area of sports risk management. Greenberg was involved in creating a risk management and safety video for City of Milwaukee high school athletes, entitled *Start Playing Safe*. Greenberg also acted as special counsel to the Commissioner of Athletics for the City of Milwaukee with respect to legal and risk management issues.

In addition to his teaching commitment, Greenberg is a frequent contributor to magazines and journals on topics of practical interest to lawyers.

He has authored the articles *College Coaches at the Bargaining Table - Employment Contract* for The Sports Lawyer magazine, *Throw Them to the Lions: The Sacrifice of Athletes and Academic Integrity in the University Sports Arena* for Athletic Business Magazine, *College Coaching Contracts: A Practical Perspective* for The Marquette Sports Law Review, *Benching Of An Athlete With Medical Problems May Spur Legal Problems* for The National Law Journal; *An Exemption in Jeopardy* for the Los Angeles Daily Journal; *Sports Contracts* for Hanaekthe International Sports Law Review; *Enforcing Sports Contracts* for the International Athletic Foundation Supplement to Sport and Law; *The NBA - A Model for Success* for the British Association for Sport and Law Journal; *Commercialization of Athletes: Opportunities, Restrictions and Protections* for the Fifth Conference - International Association for Sports Law; *What the Future Holds for the European Transfer System: The American Experience* for the I.A.S.L. Congress; *Coaching Contracts: The Nuances of Termination Clauses, No Games, No Rent* for The Sports Lawyer; *Representation of College Coaches in Contract Negotiations* for the Marquette Sports Law Review; *Stadium Financing and Franchise Relocation Act of 1999* for the Marquette Sports Law Review; *Sports Facility Financing and Development Trends in the United States* for the Marquette Sports Law Review; *Non-Relocation Agreements in Major League Baseball: Comparison, Analysis, and Best Practice Clauses* for the Marquette

Sports Law Review; Donald Brown, Jr. Case – Another Look at Liquidated Damage Provisions for *For the Record*; *Sleeping in Seattle – Good-bye NBA* for *For the Record*; Rich Rodriguez – *Jumping Has Legal Consequences* for *For the Record*; *Legal Questions Become More Prominent for Those Overseeing Athletic Programs* for the *NCAA News*; *When Baseball's Best Interest Isn't Served* for *The Sporting News*; *Citizenship Based Quota Systems in Athletics* for the *Marquette Sports Law Review*; *The Legal Aspects of the Tonya Harding Figure Skating Eligibility Case* for *Sports Law* published by British Association for Sports Law; *The Stadium Game* for *Pan Stadia Quarterly*, London, England; *Designing and Implementing a Sports-Based Risk Management Program* for the *British Association for Sport and Law Journal*; *The Name is the Game* for *The Sports Lawyer*; *Drafting of Players Contracts and Clauses* for the *Marquette Sports Law Review*; *Bob Huggins – Compromise Rather than Litigate* for *For the Record*; *The Rick Neuheisel Case – Lessons Learned from the Washout in Washington* for *For the Record*; *What's in a Name* for *For the Record*; *Good Drafting Makes Good Contracts* for *For the Record*; *Sports Condominiums* for *For the Record*; *College Athletics – Chasing the Big Bucks* for *For the Record*; *Take My Coach and I'll Take You to Court* for *For the Record*; *Head Coaches' Authority to Hire Assistant Coaches and the Necessity of a Paper Trail - The Jimmy Williams Case* for *For the Record*; *Sports.Comm: It Takes a Village to Build a Sports Facility* for the *Marquette Sports Law Review*; *CEO in Headphones – Financial Engineering* for “Greenberg’s Coaching Corner;” *CEO in Headphones –Postscript* for “Greenberg’s Coaching Corner;” *Summer Camps – A Coach’s Primer* for “Greenberg’s Coaching Corner;” *Tough Love – Crossing the Line* for the 2014 *Depaul Journal of Sports Law and Contemporary Problems Symposium*; *Representations and Warranties in College Coaching Contracts* for “Greenberg’s Coaching Corner;” *Checklist for Negotiating and Drafting of Coaches’ Employment Agreements* for “Greenberg’s Coaching Corner;” *Restrictive Covenants in College Coaching Contracts* for the Current Issues in Sports Law Seminar at Marquette University Law School; *You Get Hired to Get Fired* for the *Marquette Sports Law Review*; *Coaches’ Contracts: Terminating a Coach Without Cause and the Obligation to Mitigate Damages* for the *Marquette Sports Law Review*; *The Disappearance of a Dinosaur: Reassignment Clauses are Losing their Footing in College Coaches’ Contracts* for the *Marquette Sports Law Review*; *Special Report: Athletic Directors* for the *Marquette Sports Law Review*; *Beckie Francis Sues Oakland for a Non-Redacted Investigation Report that Led to Her Termination* for “Greenberg’s Coaching Corner;” *Zero Tolerance – Abuse Must End – An Opinion* for “Greenberg’s Coaching Corner;” *Buyouts – Coaching Free Agency* for “Greenberg’s Coaching Corner;” *The Buyout Game – An Opinion* for “Greenberg’s Coaching Corner;” *Disability and Death Clauses in College Coaches’ Contracts* for “Greenberg’s Coaching Corner;” *Ethical Considerations in the Representation of College Coaches* for the Current Issues in Sports Law Seminar at Marquette University Law School; *Morals Clauses in College Coaching Contracts* for “Greenberg’s Coaching Corner;” *A Clash of the Titans* for “Greenberg’s Coaching Corner;” *Trademarks in College Coaching* for “Greenberg’s Coaching Corner;” *Bo Pelini Firing Outrage* for “Greenberg’s Coaching Corner;” *An Open Letter to President Mark Emmert of the NCAA* for “Greenberg’s Coaching Corner;” *Coaches Performance Evaluations* for “Greenberg’s Coaching Corner;” *Joe Wickline: To Call Plays or Not to Call Plays, that was the Question at the Forefront of Wickline’s Contract Battle with Oklahoma State* for “Greenberg’s Coaching Corner;” *Rutgers Settles Randall’s Abuse Lawsuit* for “Greenberg’s Coaching Corner;” *Search Firms* for “Greenberg’s Coaching Corner;” and *Earl Holmes vs. FAMU: How a Contract Term can be Cut Short by University Rules and Regulations*.

Additionally, Greenberg currently maintains a blog entitled “Sport\$Biz – An Irreverent

Look at Big Business in Pro Sports.” Current postings include: *Corporate Naming Rights: The Current Phenomenon of College Sports Facility Financing*; *The Rooney Rule and Diversity in the NFL Workplace*; *Financial Mismanagement*; *Personal Seat Licenses in the NBA: Golden State Warriors*; *Cost Overruns and Sports Venue Construction*; *The Referendum*; *NFL Cross-Ownership Rule*; *Samantha Brown: A Hero in our Midst*; *The Ice District*; *Stadium Technology*; *EB5 for Stadium Construction*; *Milwaukee Bucks Non-Relocation Agreement*; *NBA Draft 2016 – Early Entry Rules and Deadlines*; *Blast Off! Why are MLB Franchise Values Skyrocketing at an Astounding Rate*; *Pettit National Ice Center*; *NFL’s Revised Personal Conduct Policy*; *The Windfall Clause*; *Deflatgate*; *Soccer Specific Stadiums*; *Clinton Portis – A Cautionary Tale*; *Foul Balls & Broken Bats, Oh My! MLB Safety Concerns at the Forefront of Major Class-Action Lawsuit as Fan Injuries Rise*; *Miller Park Sales Tax Sunset Dates: Miller Park – The Best Public-Private Partnership in the History of Wisconsin*; *Indeed, the Value of NBA Franchises Has Skyrocketed*; *NFL G-3 and G-4 Credit Facility Has Made Possible New State-of-the-Art Stadiums*; *UMW Basketball: Under Supported and Under Fire*; *Marquette University Law School – The Best Sports Law Program Among American Law Schools and Thank You*; *Phase 1 – Titledown Development District*; *The Grubers*; *A St. Louis Court Victory, But Will It Prevent the Rams Relocation*; and *The Stadium Name Game: Why Lambeau Field Is, and Always Will Be, Simply Lambeau Field*.

Greenberg is listed in the Best Lawyers in America -Sports Law.

Greenberg is a great believer in giving back to the community, especially in the areas where his skills have been enhanced through education and practical experiences. Greenberg served on the Athletic Board of Marquette University. Greenberg is a member of the Wisconsin Department of Regulation & Licensing Athlete Agents Advisory Committee. He served as Secretary of the Wisconsin Sports Authority and acted as chief negotiator in the acquisition of the promoter’s rights to the Miller 200 – Milwaukee Mile Race at Wisconsin State Fair Park. Greenberg was the Chairman of the Board of Wisconsin State Fair Park and Wisconsin Exposition Center. He was instrumental in turning the financial fortunes of the Park from deficits and losses to profitability during his term as Chairman. Wisconsin State Fair Park includes such properties as The Milwaukee Mile, Wisconsin Exposition Center, Wisconsin State Fair, and the Pettit National Ice Center. Greenberg was the Chairman of the Wisconsin Sports Development Corporation, which is the sponsor and producer of the Badger State Games, Ironman, the Wisconsin Athletic Hall of Fame, the Wisconsin Walk of Fame, and numerous health programs for children and adults. Greenberg also served on the Southeast Wisconsin Professional Baseball Park District Board (Miller Park).

Martin J. Greenberg in conjunction with Time Warner Sports – Time Warner Cable Channel 32 – inaugurated one of the first sports business shows in the United States, entitled *Sport\$Biz*. The show consisted of commentary by Greenberg and an interview with a person who impacted both business and sports in the state of Wisconsin. The purpose of this show was to introduce to television viewers high profile individuals who make the sports world and economy in the state of Wisconsin go around and to educate the general public of the importance of business as part of the games we play and watch every day. Some of the guests have included: Commissioner Bud Selig, Senator Herb Kohl, Bob Harlan, Craig Leipold, Mark Attanasio, Mark Murphy, Barry Alvarez, Pat Richter, Charles Woodson, Rick Schlesinger, Governor Jim Doyle, and Jerry Reinsdorf. Greenberg was also a participant in the PBS documentary “A Braves New World,” a public television documentary about the Milwaukee

Braves removal to Atlanta in 1966.

Greenberg often contributes editorials to the Milwaukee Journal Sentinel on public policy issues of sports interest, including "NBA lockout's collateral damage" (11/1/11); "Selig deserves credit for MLB labor peace" (11/26/11); "A bad year for college sports raises questions/Universities should do some soul-searching" (12/25/11); "To Packers Nation, stock isn't worthless" (2/12/12); "The Economics of Miller Park" (4/5/12); "Planning for a new arena must begin soon" (5/5/12); "Woodson, a Financial All-Star: (9/21/12); "Opinion: Behind the Bielema Jump" (12/19/12); "Why Sports Stars Should Not be Role Models" (8/5/13); "A New Arena is Necessary for the Future of Milwaukee" (7/13/15).

Greenberg and his wife Bev have been active in the community in fundraising activities. They have served as co-chairs of the Zoo Ball 13 - Cats, 1996; Milwaukee Symphony Ball, 1998; and Make-a-Wish Foundation Host Night, 2003.

Greenberg has received various honors for his academic and workplace experiences, including: Marquette Law Student of the Year, 1970-71; Wisconsin Bar Foundation Lawyer Pro Bono Publico Award, 1978; Milwaukee Bar Association 'Lawyer of the Year – Legal Scholar', 1988; Milwaukee Magazine, named "Top Real Estate Lawyers in Milwaukee" – June 1990, February 1995, and October 1999; Joseph O'Neill Award, 2001; Jewish National Fund Service Award, 2001; Charles W. Mentkowski Sports Law Alumnus of the Year Award, 2007; the Focus on Diversity Excellence Award, 2007, the Milwaukee Chapter of American Jewish Committee Community Service Human Relations Award, 2008; the Wisconsin Bar Foundation Donald O'Melia Local Service Award, 2009; *Wisconsin Law Journal* Leaders in the Law 2009; St. Francis Children's Center Community Service Award, 2009, and has been selected as one of the top five Power People in sports by The Milwaukee Business Journal, and named as one of the most influential people in sports in the state of Wisconsin by the Milwaukee Journal Sentinel. The Milwaukee Business Journal named Greenberg and his wife Beverly as a Power Couple in Milwaukee in 2010, and the Milwaukee Business Journal named Greenberg as one of Milwaukee's most influential people in 2011. Marquette University Law School – National Sports Law Institute has awarded Greenberg the prestigious "Master of the Game" Award in October 2014. The State Bar of Wisconsin Senior Lawyers Division awarded Greenberg its 2017 Leonard L. Loeb Award.