



Editor's Note

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Almost two years ago, a group of students at the Harvard Law School (“HLS”) embarked on a journey to bring sports and entertainment law to the forefront of the legal discourse on campus. This was a continuation of a quest beginning over three decades ago, originating in the work and dedication of Professor Paul C. Weiler. Professor Weiler not only put sports and entertainment law on the map, but also made Harvard a preeminent source of scholarship in these fields. Professor Weiler’s students over the years have gone on to become prominent executives and intellectual leaders in the sports and entertainment industries. While as students, these future leaders in sports and entertainment were able to take classes in these fields and hear from guest speakers, they were without an outlet to publish their own scholarship. In 2001, a group of students attempted to create a journal of sports and entertainment law. Although the timing was not right, their hard work and initiative laid the groundwork for the eventual approval of this journal. In preparing to launch this journal, we closely consulted the previous proposal and the people involved with that effort in order to understand the challenges they faced and sought their advice in accomplishing the task they set out on almost a decade ago. We simply would not have a journal today without their efforts in 2001, and the current and future staff of

* J.D., Harvard Law School, 2010; M.Phil., University of Cambridge, 2006; A.B., Harvard College, 2005. I would first like to thank my parents and brother, without whose constant love, support, and encouragement, I could not have taken on the daunting task of founding a journal and then putting in the time, energy, and effort necessary to complete the long and challenging journey to publication. I am also extremely grateful to my friends, members of the HLS community, and the HLS administration, who not only believed in my potential and gave me the confidence and inspiration to follow through on my vision, but also provided perspective and a sense of humor to keep me grounded throughout the entire process. JSEL further confirms my belief that with enough hard work, support, determination, and inspiration, anything is possible.

JSEL will forever be indebted to those who initially sought to bring a sports and entertainment law journal to HLS.

One of Professor Weiler's former students, Professor Peter A. Carfagna, returned to HLS three years ago, and his arrival sparked a renewed interest in these fields. Under Professor Carfagna's guidance, there have been two additional sports law courses added to the HLS curriculum, a significant increase in the amount of independent writing projects in the area, a variety of clinical internship opportunities for students, and a scholarship for a sports law student created in Professor Weiler's name. Students who had benefited from this explosion of opportunities in sports and entertainment law decided to contribute in their own way, by hosting the first annual Sports Law Symposium at HLS in March 2009 and the first annual Entertainment Law Symposium at HLS in November 2009. These events were a huge success, as various prominent HLS alumni and other leaders in these fields were able to provide robust discussion on the key issues facing each industry to an audience of students eager to interact with these prominent figures. The 2009 Sports Law Symposium focused on the effects of the economic downturn on the sports industry, while the 2009 Entertainment Law Symposium focused on the interrelation between entertainment, celebrity, and the law. The second annual HLS Sports Law Symposium has since been held, and focused on the upcoming collective bargaining negotiations across the three major leagues. The Committee on Sports and Entertainment Law ("CSEL") plans to host these events annually, in addition to planning a variety of other events that will allow interested students to connect with distinguished individuals in the fields of sports and entertainment. This journal—the *Harvard Journal of Sports and Entertainment Law* ("JSEL")—is a product of the momentum created by all of these other developments, which have collectively enhanced the profile of sports and entertainment law at HLS.

Publishing this inaugural issue was not an easy task. We encountered numerous challenges along the way. Two of these challenges were finding appropriate venues in which to solicit articles, and creating the infrastructure for an entirely student-run journal. Achieving balance between sports and entertainment law in our inaugural issue, and publicizing the existence of the journal were but two pressing concerns in the solicitation and review of articles. Secondly, we needed to rapidly increase our staffing and build an appropriate infrastructure to support our submissions and editing process. Creating our distinctive brand amongst a crowded journals field at HLS was a challenge we faced immediately and one we will continue to meet as we build our identity on campus.

The support of the Harvard Law School administration and its visionary leader, Dean Martha Minow, enabled us to institutionalize the journal and helped us build upon our own vision. We are also grateful to the various authors, scholars, alumni, and fellow students who have provided invaluable advice and contributed in various ways to this publication. JSEL is extremely indebted to our faculty advisor, Professor Peter A. Carfagna, who provided great oversight of our entire operation, gave us tremendous encouragement throughout the publication process, and most of all, showed incredible faith in our abilities to produce a high-quality issue in our first attempt.

Finally, I want to take this opportunity to thank every member of JSEL for their time, effort, hard work, and patience throughout this long process. As a new journal, we faced many obstacles for which we had to find creative solutions, leading to additional work and requiring untold amounts of additional patience on your part; I am so grateful that you stuck with the journal, believed in our mission, and contributed so much to this publication. Many of you did not have prior journal experience and were in fact attracted to the opportunity and challenge of having significant responsibility, which is certainly available with any new journal. I am incredibly proud of your efforts, which included managing submissions teams and article editing, tasks that are seldom given to first or second-year law students with no previous journal experience. I am also confident that this early exposure to the most critical tasks of a journal will make next year's issue even stronger, and I am thrilled to see that many of you will continue to be deeply engaged with the journal. Last, but certainly not least, I want to thank my Executive Board—Ryan Gauthier, Josh Podoll, and Abigail Hackler—for your incredible dedication and wonderful insights from the moment this journal was conceived to the publication of this issue. This journal would not have been possible without the institutional knowledge that you brought from your previous journal experiences and the creative solutions that you generated to all of the obstacles that we faced. JSEL stands as a testament to the hard work and dedication of all of its members, and I will be eternally grateful for all of your help and support in turning our collective vision into this inaugural issue.