



David Feher

Partner
Co-Chair, Sports Practice

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David has been recognized in *Chambers USA – America’s Leading Lawyers for Business* from 2005–2023 as “one of the country’s leading sports attorneys.” He was also recognized in *The Legal 500 US* 2019 for his work in Sports Law and International Litigation, recognized in Lawdragon’s “500 Leading Litigators in America” 2023 and 2024, and selected by his peers for inclusion in *The Best Lawyers in America*® 2019–2024 in the field of Sports Law.

David is the Co-Chair of the firm’s Sports Law Practice. He is one of the leading sports lawyers in the country, with extensive experience in complex litigations, negotiations, and arbitrations involving contract, sponsorship, intellectual property, antitrust, and international issues.

He has been outside counsel for the NFL Players Association (NFLPA) and the NBA Players Association (NBPA) for many years. He is one of the prime negotiators of the collective bargaining agreements (CBAs) and antitrust settlements in the NFL and NBA and has represented clients in numerous landmark litigations and negotiations in the sports industry.

Key Matters

David has represented clients in many prominent sports lawsuits, arbitrations, and negotiations, including:

- **North American Soccer League (NASL)** in antitrust litigation against the USSF and Major League Soccer (MLS) regarding USSF sanctioning decisions and other conduct adverse to NASL
- **U.S. Women's National Team** (soccer) in the historic fight for equal pay, and other litigation and negotiations with the U.S. Soccer Federation (USSF)
- **Classes of Division 1 college basketball and Football Bowl Subdivision players** in the *Jenkins v. NCAA* landmark antitrust suit challenging NCAA and major conference restrictions on competition for player services, and the *House v. NCAA* class action challenging restrictions on competition for player name, image and likeness (NIL) rights
- **Guggenheim Partners** in their sponsorship contract with Andretti Formula E
- **Bose Corporation** in its sponsorship of the NFL
- **Owner/organizer of Madrid Open tennis tournament** and **Ion Tiriac** in scheduling and related disputes with the Women's Tennis Association (WTA)
- **Major investor in a professional bull riding franchise**, in the acquisition of the equity interest
- **Prominent PGA golfers** in various contract and disciplinary matter disputes
- **U.S. double amputee 400m sprinter Blake Leeper** in the eligibility process before the International Association of Athletics Federations (IAAF) and USA Track & Field
- **Non-binary runner Cal Calamia** in obtaining a Therapeutic Use Exemption from the US Antidoping Agency
- **NFLPA** and **NBPA** in their respective annual reviews of NFL and NBA finances to determine the Salary Caps and other revenue-sharing based metrics in those sports
- **Top European men's professional soccer team** in a dispute with the European soccer federation (UEFA)
- **Oakley** in the Oakley/Rory McIlroy/Nike litigation (concerning a right of first refusal in Mr. McIlroy's contract with Oakley, which resulted in a settlement with Mr. McIlroy)
- **National Invitational Tournament (NIT)** in the *NCAA/NIT* litigation (which resulted in a favorable settlement for the five New York City colleges and universities that operated the NIT)
- **Double-amputee Oscar Pistorius**, as co-lead counsel, in the successful and historic *pro bono* effort to overturn the ban against Mr. Pistorius competing in IAAF track events and the Olympics (which led to Mr. Pistorius competing in the 2012 London Olympics), and **800M World Champion sprinter Caster Semenya** in her initial eligibility dispute with the IAAF
- **One of the lead lawyers for the NFLPA and NFL players** in the *New Orleans Saints Bounty Case* that overturned the discipline the NFL had imposed on the players for allegedly participating in an undisclosed "pay-for-performance/bounty" program operated by the team
- **All of the major U.S. professional sports player associations** as principal author of the brief submitted on behalf of the associations to the U.S. Supreme Court in the landmark *American Needle* case, which rejected the NFL's efforts to characterize itself as a "single entity" for antitrust purposes
- **Agents and their clients at Creative Artists Agency (CAA), Wasserman Media Group (WMG), and other such firms** in various matters
- **Avon Products, Inc.** in negotiating its sponsorship of the Olympic Games and its licensing contract with Derek Jeter
- **NFLPA** as trial counsel in the *Freeman McNeil/NFL* antitrust trial

- **NFLPA** in the Reggie White and Patrick Ewing class actions
- **NFLPA** in the NFL lockout insurance/network TV contract case
- **Jeremy Lin** in the “Bird Rights” arbitration
- **Drew Brees** in the Franchise Player arbitration
- **Michael Vick** in the roster bonus forfeiture arbitration
- **Terrell Owens** in arbitrations
- **The Arena Football League Players Association** in a class action
- **Bill Belichick** in the New York Jets litigation
- **Latrell Sprewell** in grievance proceedings

In addition, David has represented a number of large U.S. and international companies in various non-sports matters, including:

- Successfully defended **Avon Products, Inc.** against a US\$100 million false advertising claim in the *C. Johnson v. Avon Products* trial
- Represented a **Turkish company** in a landmark case successfully vacating an arbitration award on grounds of evident partiality
- Represented **noted nutritionist and New York Times best-selling author Dr. Joel Fuhrman** in a successful arbitration and negotiation regarding the terms of a joint venture

Recent Experience

Secured New CBA Deal for NBA Players Following Round-the-Clock Negotiating Sessions with NBA

Secured Landmark Equal-Pay Settlement for Current and Former USWNT Members

Recognitions

David has been recognized in *Chambers USA – America’s Leading Lawyers* for Sports Law and Business from 2005–2023 as “one of the country’s leading sports attorneys.” He was recognized in *Lawdragon’s* “500 Leading Litigators in America” 2023 and 2024 for Complex Litigation, Sports, Antitrust, and IP. He was recognized in *The Legal 500 US* 2018 and 2022 for his work in Sports Law and International Litigation and also recognized as a “key lawyer” in the 2023 edition in the area of Antitrust-Civil Litigation/Class Actions: Defense. He was selected by his peers for inclusion in *The Best Lawyers in America*® 2019–2024 in the field of Sports Law, selected in the first 100 *Lawdragon* “New Stars” in 2006, and named by *Super Lawyers* to the New York *Super Lawyers* list from 2010–2022 as a “Top Rated Entertainment & Sports Attorney in New York, New York.”

David is part of the group recognized with GCR’s 2022 “Litigation of the Year: Cartel Prosecution” award, as well as being awarded the “2015 Team of the Year” in Cartel Defense by *The Legal 500 US*. Winston & Strawn’s Sports Law Practice has been recognized by *U.S. News & World Reports – Best Lawyers* as “Law Firm of the Year” in Sports Law for 2012–2013 and 2018–2022.

In February 2022, David was among the team of lawyers named as runners-up for “Litigator of the Week” by *The American Lawyer* for their representation of current and former members of the U.S. Women’s National Team (soccer) in their landmark settlement of the equal pay portion of their lawsuit seeking to equalize pay and working conditions between the men’s and women’s U.S. national soccer teams.

Activities

David is a member of the American Bar Association and the Sports Lawyers Association. He also often writes and speaks on antitrust and sports topics, and served as an Adjunct Professor of Law at the Benjamin Cardozo School of Law.

Credentials

EDUCATION

David received a J.D. from Duke University in 1984, where he was an article editor for the *Duke Law Journal*. He received an A.B., *magna cum laude*, from Georgetown University in 1980.

ADMISSIONS

- New York

Related Insights & News

Publications

- “A Structural Overview of Competition Law as Applied to U.S. Major League Team Sports,” *Concurrences Journal* N° 2-2014, Art. N° 65481, May 2014
- *Inside the Minds: Winning Legal Strategies for Entertainment, Sports, and Media Law*, Chapter, Aspatore Books, 2006
- “The Supreme Court’s Decision in *Dagher*: Canary in a Coal Mine or Antitrust Business as Usual?” *Antitrust*, Co-author, Fall 2006
- “The Corporate Counsellor & Antitrust,” *Corporate Counsellor’s Deskbook*, Chapter 12, Co-author, 5th ed.
- “The Adverse Effects of *Brown v. Pro Football* on Labor Relations in Professional Sports,” *Antitrust Magazine*, Co-author, Spring 2000 Issue

Speeches and Programs

- NYU Sports Law Association 11th Annual Sports Law Colloquium, NYU Law School, “The Future of Name, Image, & Likeness Policy for College Athletes,” Panelist, New York, NY, March 4, 2022
- Tulane Law School, “Tulane Pro Basketball Negotiation Competition,” Speaker, New Orleans, LA, March 4, 2022
- Harvard Sports Law Symposium, Harvard Law School, “The NCAA, Amateurism, NIL Rights, and California’s ‘Fair Pay to Play’ Act,” October 22, 2021
- West Legal Ed Center, “*Alston v. NCAA*: A Reckoning for the Big Business of College Sports,” Panelist, September 14, 2021
- Sports Lawyers Association Virtual Annual Conference, “The NCAA in the Supreme Court: Amateurism, *Alston*, Antitrust, and the Next Step in the Evolution of College Sports,” Panelist, May 18, 2021
- Tulane Law School, “Tulane Pro Basketball Negotiation Competition,” Speaker, New Orleans, LA, March 2019
- Duke Exchange, Duke University Fuqua School of Business, “The Law of College Sports: An Inside Look at NCAA Rules, Infractions, and the Regulation of College Athletics,” Speaker, Durham, NC, February 10, 2018

- Minnesota State Bar Association, “Sports Antitrust: The Rules Off the Field are Changing,” Speaker, Minneapolis, MN, April 20, 2017
- 6th Annual NYU Sports Law Colloquium, “Team Relocations & League Expansion,” Speaker, New York, NY, April 14, 2017
- New York Law School, “Sports Law Symposium,” Speaker, New York, NY, March 30, 2017
- University of Pennsylvania Law School Entertainment & Sports Law Society, 4th Annual Penn Law Sports Law Symposium, “Gender Equality in Sports: On the Field and in the Front Office,” Speaker, Philadelphia, PA, January 27, 2017
- Sports Arbitration, Georgetown International Arbitration Society, Georgetown University Law Center, Panelist, Washington, D.C., April 19, 2016
- ABA Forum on the Entertainment and Sports Industries, 2016 International Legal Symposium on the World of Music, Film, Television, and Sports, Panelist, Miami, Florida, March 7, 2016
- FIFPro Legal Conference 2015, “Legal Legends in Sport and the Future of Sports Law,” Speaker, Amsterdam, Netherlands, December 14, 2015
- NYU School of Professional Studies, “Sports Economics,” Guest Lecturer, New York, New York, December 1, 2015
- Sports Law, St. John’s University School of Law, Guest Lecturer, October 22, 2015
- “An Inside Look at the World of Agents: Past, Present and Future,” The Jeffrey S. Moorad Sports Law Journal Annual Symposium, Villanova University School of Law, Speaker, March 21, 2014
- “The Litigation-ization of Sports,” American Bar Association, 2013 ABA Annual Meeting, Section of Litigation, Panelist, San Francisco, California, August 8, 2013

SPONSORSHIP

Winston & Strawn Sponsors 9th Annual Sport Resolutions Conference 2024

MAY 2, 2024

RECOGNITIONS

Winston & Strawn Wins Three Law360 Practice Group of the Year Awards

JANUARY 22, 2024

IN THE MEDIA

Winston & Strawn Files Antitrust Class Action Against NCAA “Amateurism” Ban on Athlete Compensation

DECEMBER 11, 2023

PRESS RELEASE

Winston & Strawn and Hagens Berman File Landmark Antitrust Class Action Challenging NCAA “Amateurism” Ban on Athlete Compensation

DECEMBER 7, 2023

RECOGNITIONS

Winston Team Led by Jeffrey Kessler and David Greenspan Featured in Litigator of the Week

PRESS RELEASE

Winston Represents Nonbinary Runner Cal Calamia in Securing Groundbreaking Therapeutic Use Exemption From USADA

OCTOBER 9, 2023

RECOGNITIONS

Winston & Strawn Partners Recognized in 2024 *Lawdragon* 500 Leading Litigators in America

SEPTEMBER 8, 2023

RECOGNITIONS

Winston Attorneys Recognized in *The Best Lawyers in America*® 2024

AUGUST 17, 2023

RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S.* 2023

JUNE 7, 2023

RECOGNITIONS

Winston & Strawn Recognized in *Chambers USA* 2023

JUNE 6, 2023

SPONSORSHIP

Winston Sponsors 8th Annual Sport Resolutions Conference 2023

MAY 4, 2023

NEWS

Winston Helps NBA Players Reach New CBA Deal

APRIL 1, 2023

Capabilities

- Litigation/Trials
- Antitrust/Competition
- Sports
- Media & Entertainment