

Rising Star: Winston & Strawn's David Greenspan

By Abigail Rubenstein

Law360, New York (April 10, 2013, 1:30 PM ET) -- From successfully challenging the discipline imposed on NFL players over the New Orleans Saints' bounty program to bringing antitrust suits that helped end the recent NFL and NBA lockouts, Winston & Strawn LLP partner David Greenspan's tireless devotion to advancing the rights of professional athletes has earned him a spot among Law360's top four media and entertainment attorneys.

A complex commercial litigator who also spends his time on more traditional antitrust matters, Greenspan, 37, has already made a name for himself as an integral part of Winston & Strawn's thriving sports law practice, putting his skills as a litigator to work both for individual athletes and players' associations in high-stakes disputes. His litigation achievements have helped shape the sports business industry and earned the New York-based attorney his place on Law360's Rising Star list of top lawyers under 40.

"Sports law doesn't refer to a substantive area of law but rather that your clients earn their living in the business of sports," Greenspan told Law360. "A sports law case can cover antitrust or labor law, contracts or workers compensation or intellectual property, so substantively it is really all over the map, and that diversity is in large part what makes sports law so challenging and fun."

And Greenspan said he also enjoys that sports law often gives him the chance to take a matter from start to finish in a relatively short period of time and to stand up for players whose livelihoods and reputations are on the line — both of which were the case in a recent matter where he helped the players embroiled in the Saints bounty scandal to clear their names.

Greenspan represented four players hit with suspensions by NFL Commissioner Roger Goodell after news broke of their alleged participation in a program that incentivized players to injure members of opposing teams.

Through a series of victories before an arbitration appeals panel and before a Louisiana federal court, Greenspan and the rest of the Winston & Strawn team prevented the suspensions from being put in place during the NFL season and eventually forced Goodell to step down as arbitrator in favor of former NFL Commissioner Paul Tagliabue, who ultimately vacated all discipline against the players.

"There were five different arbitrations and ongoing federal court litigation, so it became a complicated chess match — or maybe six chess matches — and ultimately the players were completely vindicated," Greenspan said. "What made the cases so challenging and gratifying was that we were fighting within a system that had broken down in terms of the players getting a fair process, and it was rewarding to see the failings in the process exposed and remedied."

Though the Saints matter may have netted the most headlines, it was hardly the first time Greenspan found himself advocating for football players. His client roster has included Terrell Owens, Michael Vick, Plaxico Burress, Larry Johnson, Daunte Culpepper, Terrell Suggs, Albert Haynesworth, Deion Branch, Ashley Lelie and Ricky Williams.

And sometimes Greenspan's work for individuals has big repercussions for players throughout the industry, like when he represented nine individual football players as plaintiffs in 2011 in a groundbreaking antitrust suit challenging the league's lockout of players that ended with a settlement that helped end the lockout, save the season and put players back to work.

He pulled off a similar feat with the NBA that same year, representing individual players in an antitrust action against that league's lockout that also ended with a similarly successful settlement.

Greenspan also regularly helps stand up for athletes as a group by representing players associations like the NFL Players Association, the NBA Players Association, the MLB Players Association and the NHL Players' Association.

He has also represented players in major licensing and contract matters, and even tried to help a businessman purchase a bankrupt NHL team.

With so many sports law accomplishments, it might look like this was always Greenspan's goal, but he says it was luck that first led him to sports law, when he teamed up years back with Winston & Strawn's preeminent sports law attorney Jeffrey Kessler.

Young attorneys and law students hoping to follow a similar career path often ask Greenspan what the secret to becoming a successful sports lawyer is, but he says the best thing aspiring sports attorneys can do is focus on honing their litigation skills.

"Sports litigators are simply great commercial litigators," Greenspan said.

"Any sports practice will benefit from the addition of great litigators, so my advice to younger lawyers interested in pursuing this practice is that it is more important to develop their trial and litigation skills generally than to focus on any one particular substantive area of law," he said. "There is always room for someone with a lot of talent, a lot of smarts and a lot of skill in a sports litigation practice."

--Editing by Andrew Park.

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