



Dave Greenspan

Partner
Co-Chair, Sports Practice

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An accomplished antitrust, sports, and complex-commercial litigator, Dave counsels clients on wide-ranging matters and represents them both at trial and on appeal.

Dave Co-Chairs Winston's top-ranked Sports Law Practice. One of the nation's leading sports law litigators, Dave has litigated sports-industry cases involving antitrust law, labor law, licensing, agent regulation, active and retired player rights, and collegiate athlete rights. Dave has represented all four major U.S. professional sports players associations, myriad professional athletes and agents, and on occasion teams and owners in disputes with their respective leagues. He was trial and appellate counsel in the landmark *Alston v. NCAA* antitrust litigation, wherein the team prevailed at trial and that culminated in a widely reported unanimous Supreme Court victory.

In the antitrust arena, Dave has litigated cases involving alleged cartels, monopoly and monopsony conduct, predatory pricing, price fixing, group boycotts, bid rigging, and other restraints of trade. His practice is balanced between litigation defense, litigation prosecution, and counseling. Representative defense work includes defending alleged cartel activities in multidistrict class actions, defending alleged monopolization under various federal and state antitrust laws, and defending companies in criminal and administrative proceedings brought by the U.S. Department of Justice (DOJ) and international competition authorities. On the plaintiff's side, Dave has prosecuted group boycotts and other restraints of trade in the sports and entertainment industries, among others. Dave

regularly counsels clients on antitrust matters, including implementing antitrust compliance policies, conducting antitrust trainings, and advising on day-to-day business issues.

Dave is part of the group recognized with GCR's 2022 "Litigation of the Year: Cartel Prosecution" award for Winston's historic unanimous Supreme Court victory for college athletes in *Alston v. NCAA*.

Key Matters

- *Alston v. NCAA* — Trial, appellate, and Supreme Court counsel for classes of collegiate players in their landmark antitrust victory against the NCAA concerning its restraints on athlete compensation.
- *NFLMC v. NFLPA (Tom Brady)* — Represented the NFLPA and Mr. Brady in arbitration and litigation challenges to discipline imposed on Mr. Brady in connection with so-called "Deflategate."
- *Johnson v. NFLPA* — Argued Second Circuit appeal affirming summary judgment for the NFLPA.
- *Job Creators Network v. MLB, MLBPA* — Represented the MLB Players Association (MLBPA) in litigation challenging MLB's decision to move the All-Star Game.
- *WME v. WGA* — Represented William Morris Endeavor Entertainment in antitrust litigation against the Writers Guild of America.
- *House v. NCAA* — Represents classes of collegiate players in antitrust litigation against the NCAA concerning its restraints on name, image and likeness compensation.
- *In re Automotive Brake Hoses Antitrust Litig.* — Represented Hitachi Metals, Ltd. in defense of bid-rigging claims.
- *Drabinsky v. Actor's Equity Association* — Represents Actor's Equity in antitrust litigation with a producer.
- *Kaepernick v. NFL* — Represented the NFLPA in connection with Colin Kaepernick's collusion claim against the NFL.
- *NFLPA v. NFL (Saints "Bounty" Discipline)* — Represented the NFLPA and certain NFL players in litigation and multiple arbitrations that resulted in all discipline being vacated.
- *In re Optical Disc Drives Antitrust Litig.* — Represented Panasonic in defense of price fixing claims.
- *NBPA/NBA Player Litigations* and *Brady v. NFL* — Represented NBA players and NFL players in their respective antitrust lawsuits challenging lockouts imposed by the NBA and NFL.
- *In re Refrigerant Compressors Antitrust Litig.* — Represented Panasonic in defense of price fixing claims.
- *Thales v. Panasonic Avionics Corp.* — Represented Panasonic Avionics Corp. in a matter in which Panasonic achieved summary judgment against claims of unlawful monopolization and predatory pricing.
- *Ferguson v. WPT Enterprises, Inc.* — Represented seven of the world's top poker players in an antitrust lawsuit against the World Poker Tour.
- *In re Dewey Ranch Holdings* — Represented PSE Sports & Entertainment in James Balsillie's bid to purchase and relocate the Phoenix Coyotes hockey franchise out of bankruptcy.

Recent Experience

Won Important Dismissal of Sherman Act Claims Against Actors' Equity on Statutory Labor Exemption Grounds

Successful Resolution of Cleveland Browns Quarterback DeShaun Watson Arbitration Contesting NFL's Unprecedented Disciplinary Recommendation

Recognitions

Dave has been recognized for his legal acumen by a number of publications:

- Ranked in *Chambers USA* (2018–2023) as one of the nation’s leading attorneys in Sports Law
 - Selected by his peers for inclusion in *The Best Lawyers in America*® (2019–2024) in the field of Sports Law
 - Recognized in *Benchmark Litigation US* (2023–2024) as a “Litigation Star”
 - Recognized in *Lawdragon*’s “500 Leading Litigators in America” for Antitrust, Sports, Complex Commercial Litigation and Appeals (2023–2024)
 - 2021 and 2019 AAI Antitrust Enforcement Award for Private Litigation
 - Recognized as a “Key Lawyer” in *The Legal 500 US* 2022–2023 for his work in Antitrust: Civil Litigation/Class Actions: Defense
 - Recognized as a “Leading Lawyer” in *The Legal 500 US* 2010, 2018, and 2021–2023 for his work in Sports Law
 - 2016 “Under 40 Hot List” by *Benchmark Litigation US*
 - 2016 “Rising Star” by Law360 in its list of four “Sports Lawyers Under 40 to Watch”
 - 2016 and 2014 “40 Under 40” by *Sports Business Journal* as one of the top young executives in the sports industry
 - 2015 “Leaders in Their Field” and “Up & Coming” rankings by *Chambers USA* for Sports Law
 - 2015 and 2014 “Rising Star” by *Super Lawyers*
 - 2014 “Rising Star” by the *New York Law Journal* as a top contributor to the practice of law and the community
 - 2013 “Rising Star” by Law360 in its list of four “Media & Entertainment Lawyers under 40 to Watch”
 - 2004 “Rights of Workers” Pro Bono Award from the Legal Aid Society in 2004 for achieving summary judgment in a matter of first impression on behalf of low-income childcare worker
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Activities

- Dave serves on Winston’s Racial Equity Task Force
 - Dave has served as chair of Winston’s Associate Evaluation Committee since 2016
 - 2016, 2018, and 2019 Law360 Sports Editorial Advisory Board Member
 - Dave formerly served as the chair of the New York City Bar Association’s Sports Law Committee
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Credentials

EDUCATION

Dave received a J.D. from the University of Pennsylvania Law School in 2001, and a B.A., *cum laude*, from the University of Pennsylvania in 1998.

ADMISSIONS

- New York

Related Insights & News

- Speaker, 25th Annual Fordham Sports Law Symposium, March 11, 2022
- Panelist, University of Pennsylvania Law School, Sports Law Symposium, February 2021
- Co-author, *"The NIL in Amateurism's Coffin: How the NCAA's Policy Reversal Shows Once Again That Compensating Student-Athletes Won't Hurt College Sports,"* Journal of Sports and Entertainment Law (August 2020)
- Panelist, ABA Section of Antitrust Law Committee, *Collusion in Sports* (May 30, 2019)
- Panelist, Update on Labor Relations, Sports Lawyers Ass'n (May 2019)
- Panelist, ABA Trade, Sports, and Professional Associations Committee, "Hot Topics in Sports and Antitrust" (March 9, 2018)
- Panelist, Fifth Annual Penn Law Sports Law Symposium, Sponsored by Penn Law, COP, and the Entertainment and Sports Law Society (February 9, 2018)
- Panelist, Association of Business Trial Lawyers, Tackling NFL Player Litigation: From Bountygate to Deflategate (February 6, 2018)
- ABA International Committee Monthly Corporate Counsel Update (November 2017)
- Panelist, NYU Law School Sports Law Colloquium (March 2016)
- NYU School of Professional Studies, "Labor Relations in Sports," Guest Lecturer, February 2016
- University of New Hampshire, Professor Michael McCann's Deflategate Course, Guest Lecturer, October 2015
- William B. Bryant Inn of Court, "Deflategate Goes to Federal Court," Guest Lecturer, October 2015
- Panelist, NY State Bar Association Antitrust Law Section Annual Meeting, "Amateur in Name Only? The Intersection Between Antitrust Law and College Athletics," January 2015
- NYU School of Professional Studies, "Labor Relations in Sports," Guest Lecturer, December 2014
- Panelist, CSE Sports Marketing Symposium, "College Sports: The Changing Relationship with Athletes and the Implications on Sports and Sports Marketing," October 2014
- Panelist, Federal Bar Council, "The Role of Federal Litigation in Governing Sports in the 21st Century," September 2014
- Panelist, University of Pennsylvania Law School, Sports Law Symposium, February 2014
- CPI Antitrust Chronicle, *Litigating Change in CollegeSports*, Author, January 2014
- Bloomberg TV, Market Makers, Discussing Alex Rodriguez lawsuit, October 2013
- ABA Section of Antitrust Law: Cartel and Criminal Practice and Economics Committee, "The Economics of Collusion," Moderator, July 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

NOVEMBER 10, 2023

RECOGNITIONS

Winston & Strawn Recognized in 2024 *Benchmark Litigation*

OCTOBER 6, 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

2022 Pro Bono Impact Report

MAY 1, 2023

Capabilities

Litigation/Trials

Antitrust/Competition

Commercial Litigation & Disputes

Class Actions & Group Litigation

Sports