

## Sports and Gaming

Jenner & Block's Sports and Gaming Practice team is immersed in all aspects of the sports and gaming industries and highly knowledgeable about the ways that the two intersect. The practice uniquely combines the firm's powerhouse litigation, transactional, investigations, regulatory, and Native American Law practices. Using our breadth of cross-industry experience, we regularly represent clients in the matters shaping these industries.

Leveraging our comprehensive understanding of the sector, we have contributed to some of the most significant legal, business, and policy developments. From shaping the future of sports betting legislation and partnerships, to helping clients navigate government investigations, compliance defense, and litigation, and providing strategic advice and counsel on Anti-Money Laundering (AML) issues and programs, we offer market-leading representation to some of the largest casinos in the United States, national and regional sports networks, professional sports teams, daily fantasy sports operators, sportsbooks, Native American tribes, gaming companies, gaming equipment manufacturers, technology companies, and investors.

We counsel individuals and companies involved in various aspects of the gaming industry in a wide array of litigation matters, including bankruptcy, intellectual property, insurance coverage, and complex commercial litigation. We also represent clients dealing with regulatory authorities, including gaming boards.

Our team is bolstered by one of the top Native American Law practices in the country, led by enrolled members of federally recognized tribes, including a former general counsel of the National Indian Gaming Commission and the first Native American to serve as a US Ambassador. We have a deep understanding and experience navigating Tribal-State Gaming Compacts, the Indian Gaming Regulatory Act, the National Indian Gaming Commission, and more. This knowledge and experience also benefits our non-tribal clients, given the deep involvement of tribes in the development of gaming across the country.

### **Recognized Leaders in the Field**

We are known for our significant achievements for clients—from our work securing a multibillion-dollar arbitration win for client Fox Corporation, our representation of Fox Sports in the first-of-its-kind national media and sports wagering partnership in the United States, an impactful Indiana Supreme Court ruling, to a successful effort to shape sports betting legislation in Illinois and California, to supporting other significant transactions, including the sale of PointsBet's US business to Fanatics, the largest sports and collectibles licensee in the world that recently diversified into

betting, gaming, and other areas, and the launch of The Big Ten Network. For our work on these groundbreaking matters, we have earned wide recognition in the market, including being named “Sports & Betting Practice Group of the Year” in 2020 and 2023 by *Law360*. Our Sports and Gaming lawyers are also frequently recognized by *The National Law Journal*, *Variety*, *Daily Journal*, and *The Recorder*, as leaders in the field.

### **Holistic Guidance for Sports Industry Clients**

For professional sports leagues, and professional and college teams, we offer holistic guidance across the full spectrum of litigation, investigations, regulatory, and transactional issues they may face. Our lawyers are the dealmakers behind many of the sports industry’s most important transactions, including many of the Major League Baseball’s “Most Valuable Television Deals,” as recognized by *Forbes*.

A litigation powerhouse, we have significant experience in sports broadcasting litigation, including matters involving the valuation of media rights and music licensing for professional and college sports telecasts, as well as broadcasting issues related to new stadium construction. Our lawyers also have successfully represented clients in high-profile right of publicity, corruption, and antitrust matters in the sports industry. We have also represented colleges and universities in NCAA investigations and enforcement actions, as well as internal athletic department investigations.

### **A Multifaceted Approach to Tackling Complex Issues in Sportsbetting**

Recognizing the complexity of issues inherent in sports betting, we bring a multidisciplinary approach to clients in the burgeoning sports betting industry. Our team comprises renowned lawyers from across the Jenner & Block platform to assist with a full range of issues including members of our Appellate and Supreme Court; Investigations, Compliance, and Defense; Restructuring and Bankruptcy; State Attorneys General; and Native American Law practices.

### **Representation of Casino/Gaming Clients**

Our team brings a rich variety of litigation and investigations experience to casino clients. Our experience includes leading internal investigations, advising clients before state gaming commissions, and representing gaming clients in licensing and grand jury investigations, as well as litigation within the gaming industry.

### **Collaborative Representation for Tribal Casinos**

With Native American tribes and tribal casinos operating in the gaming ecosystem, we help tribal clients navigate transactions, litigation, investigations, and government relations matters involving, among other issues, sovereign immunity, treaties, taxation, reservation land status, and the Indian Gaming Regulatory Act.

## Experience

- Advised PointsBet, the seventh-largest US sports betting operator, in the \$225 million sale of its US business to a subsidiary of Fanatics, the largest sports and collectibles licensee in the world that recently diversified into betting, gaming, and other areas.
- Secured a multibillion-dollar arbitration win for client Fox Corporation in its litigation against Flutter Entertainment, the parent company of sports betting company, FanDuel.
- Secured the dismissal of a proposed class action claiming that a casino skimmed change from patrons cashing out gaming vouchers.
- Represented Fox Sports in the first-of-its kind national media and sports wagering partnership in the United States that created FOX Bet. This historic partnership with The Stars Group involved a complex array of media rights, equity, and commercial components.
- Represented leading video gaming terminal (VGT) company in litigation with competitor.
- Led a significant internal review and produced a public report for the Chicago Blackhawks, investigating allegations that in 2010 a player was sexually assaulted by an assistant coach who was later and separately criminally convicted of sexually abusing a minor.
- In conjunction with the firm's Native American Law Practice, we have conducted multiple sensitive internal investigations of gaming clients' casino operations in response to federal investigations, data breaches, and employment issues.
- Investigated and advised a gaming client in response to a potential data breach.
- Developed legal strategies for several tribes to respond to potentially adverse industry outcomes from Propositions 26 and 27 that Californians voted on in November 2022.
- Representation of Las Vegas casino in a DOJ investigation into its AML program and certain patrons resulting in declination of matter by DOJ.
- Representation of a leading Las Vegas hotel and casino in a DOJ and FinCEN investigation into its AML program.
- Representation of casino employee in DOJ investigation into casino patron and AML practices.
- Assisted clients in structuring partnerships to address various State casino and gaming licensure requirements.
- Served as lead counsel for Fox Corp. in the announced closure of sports betting platform FOX Bet.

- Secured a victory in the Indiana Supreme Court in a closely watched putative class action accusing daily fantasy sports operators of profiting from the unauthorized use of the names and likenesses of former NCAA athletes.
- Successfully opposed the so-called “penalty box” amendment in Illinois legislation aimed at legalizing sports betting, which would have imposed a three-year ban on daily fantasy sports operators going to market in Illinois.
- Advised NFL and MLB teams on the resolution of FAA obstruction and radio/radar interference issues impeding new stadium construction.
- Represented Fox Sports Net in the creation, development and operations of the Big Ten Network, a 20-year joint venture with an affiliate of the Big Ten Conference.

## Co-Chairs



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## Related Capabilities

Anti-Corruption and FCPA

Bankruptcy and Restructuring

Business Litigation

Corporate

Energy

Government Strategy

Intellectual Property

Investigations

Investigations, Compliance, and Defense

Litigation

Mergers and Acquisitions

Native American Law

Post-*Chevron* Task Force

Real Estate and Hospitality

Transactional