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Sports Law 2007 Spring Quiz 2

1. Straight out of the University of Maryland Law School, Natasha Sachs signs a 5-year contract with the New York Yankees for \$175,000 a year. The contract also requires the new team owner, Lauren DuBose, to pay \$250,000 in Year 2 of the contract to his favorite charity. DuBose (incorrectly) argues that the clause requires him to pay only if Sachs is in the top ten in MVP balloting at the end of each year. After the first year of the contract, Sachs performs poorly and DuBose refuses to pay. Sachs sues the Yankees for breach of contract and prevails. Sachs' attorney cites the "Catfish Hunter" case and asks that Sachs be made a free agent. Sachs will:

- A. Unlikely prevail
- B. Probably prevail
- C. Certainly prevail

2. In Question #2, what does Sachs have if he prevailed?

- A. a void contract
- B. a voidable contract
- C. a void or voidable contract at Sachs' option
- D. a void or voidable contract at DuBose's option
- E. None of the above

3. After a great college career at NOVA, Mindy Colwell has been a starting wide receiver for the Columbia Ravens, a women's professional football league, for the last three years. Mindy is injured in a football game and returns four weeks later. Her time in the forty-yard dash drops of by .3 of a second after her injury (a significant drop for a WNFL player). Two weeks after her return, she is released. Mindy files a lawsuit against the Ravens. The Ravens' team doctor, Laura McTernan, offers testimony during his deposition that the player "was fit to return because her injury had healed to the point where Mindy was at no further risk of exacerbating the injury." The Ravens filed Requests for Admissions. One request asked that plaintiff admit the substance of McTernan's above-referenced testimony. This request is admitted. Discovery is closed. The Ravens file a motion for summary judgment, claiming that they should win as a matter of law because Mindy admitted she was fit to play. Experts were not deposed but will testify at trial. Should the Ravens win their summary judgment motion?

- A. Yes
- B. No

4. If the Ravens did not file a motion for summary judgment (or lost the motion) in Question #3, would Mindy need an expert(s) at trial and, if so, who would the expert(s) be and, specifically, what would their testimony need to be?

Yes, At the time in question Ms. Colwell was ^{physically} unable to play her job for the Columbia Ravens.

5. Pam Varoski is an average player in the Women's Professional Softball League (WPSL). She signs a two-year contract with the Fells Point Festivals, a WPSL team, for \$100,000 per year. At the end of the first year, her best friend purchases the Canton Cannons, a team in World Women's Professional Softball League (WWPSL), a competing league. With one year left on her contract, Pam signs with the Cannons for a salary of \$75,000. Her salary reflects her new market value in light of her poor season with the Festivals. The Festivals sue Pam for breach of contract and ask for a temporary injunction prohibiting her from playing for the Cannons. Pam argues that the Festivals' request for a temporary injunction should be denied because they are unlikely to prevail on the merits of the case. Pam would most likely win this case if it were heard in:

- A. 1492
- B. 1904
- C. 2002

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Yes she would need an expert - the expert would be her own doctor (not the team doctor) and their testimony would need to say that she was not fit to return to playing.

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Either team trainer or private doctor. Testimony would need to be that player fully healed, rather than was no longer @ risk of exacerbating injury

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