

**MICHAEL McCANN**  
Boston College Law School  
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**EMPLOYMENT AND PROFESSIONAL ACTIVITIES:**

**Vermont Law School**, South Royalton, VT      *Associate Professor of Law*, Jan. 2009 –

- Courses expected to include sports law, administrative law, torts, food and drug law, and sales.

**Boston College Law School**, Newton, MA      *Visiting Associate Professor of Law*, Aug. 2008 – Jan. 2009

- Courses expected to include sports law and administrative law.

**Mississippi College School of Law**, Jackson, MS      *Distinguished Visiting Hall of Fame Professor of Law*, May 08 –  
*Assistant Professor of Law*, Aug. 2005 – May 2008

- As an assistant professor of law, courses included torts, sports law, consumer law, health care law, and immigration law. As the “Distinguished Visiting Hall of Fame Professor of Law,” will teach a two-week sports law course every May.
- In November 2007, law school faculty unanimously voted to recommend promotion to associate professor of law, effective in the 08-09 academic year. Promotion approved by Board of Trustees.
- Recipient of law school’s most prestigious teaching awards:
  - 2007-08 Professor of the Year Award (voted on by the entire law student body)
  - 2007-08 Professor of the Year for First-Year Classes Award (voted on by first-year law students)
  - 2007-08 Shirley Norwood Jones Faculty Collegiality Award (voted on by law faculty)
  - 2007-08 Phi Delta Phi Professor of the Year Award (voted on by Phi Delta Phi Legal Society)
  - 2006-07 Professor of the Year Award (voted on by the entire law student body)
  - 2006-07 Professor of the Year for First-Year Classes Award (voted on by first-year law students)
  - 2005-06 Professor of the Year for First-Year Classes Award (voted on by first-year law students)
- Member of Faculty Appointments Committee and Faculty Scholarship Committee.
- Faculty Advisor to the American Association for Justice Chapter and Sports and Entertainment Law Society.

- Sports Illustrated**, New York City, NY *Columnist and Legal Expert*, Aug. 2007 – Present
- Author of “Sports and the Law” column on SI.com.
  - Legal expert for *Sports Illustrated* and SI.com stories.
- Association of American Law School’s Section on Sports and Law** *Chair*, Jan. 2008 – Present  
*Chair-Elect*, Jan. 2007 – Jan. 2008  
*Secretary*, Jan 2006 – Jan. 2007
- In addition to serving as Chair, author of Section Newsletter.
- Harvard Law School Project on Law and Mind Sciences**, Cambridge, MA *Co-Founder*, Jan. 2007 – Present
- The Project is devoted to understanding the implications of social psychology, social cognition, and other related mind sciences for law, policymaking, and legal theory.
- U.S. Rep. Martin T. Meehan**, Washington, D.C. *Legal Counsel & Senior Advisor*, May 2006 – May 2007  
*Judiciary Committee Fellow*, Aug. 2004 – Aug. 2005
- Provided advice to Congressman Meehan, who represents the 5<sup>th</sup> Congressional District in Massachusetts and serves on the House Judiciary and Armed Services Committees, on legal and policy matters.
  - Wrote speeches and op-eds; drafted a legislative proposal based on article in the *Wisconsin Law Review*.
- Maurice Clarett’s Legal Team** (*Clarett v. NFL*), Pennsauken, NJ *Counsel*, Feb. – Aug. 2004
- Provided labor and antitrust analysis in *Clarett v. NFL*, 369 F.3d 124 (2<sup>nd</sup> Cir. 2004), a case involving an Ohio State University football player who was deemed ineligible for the NFL Draft due to his age.
  - Retained by Legal Team after lead counsel Alan Milstein read my law review article “Illegal Defense: The Irrational Economics of Banning High School Players from the NBA Draft.”
- Harvard Law School**, Cambridge, MA *Visiting Researcher*, Jan. – July 2004
- Sponsored by Professor Jon Hanson. Researched and published article in the *Wisconsin Law Review* on nutritional labeling and the law.
- Paragon Law Group, LLP**, Boston, MA *Equity Partner*, Jan. 2003 – Apr. 2004
- Litigated antitrust disputes and employment matters before federal and state courts. Accepted invitation from a litigation partner of Testa, Hurwitz & Thibault to co-found firm.
- Testa, Hurwitz & Thibault, LLP**, Boston, MA *Associate*, Sept. 2002 – Jan. 2003
- Litigated antitrust disputes and employment matters at a law firm that employed over 400 attorneys.

**CASE BOOKS:**

*Situationist Torts* (work in progress with Jon Hanson)

**LAW REVIEW PUBLICATIONS:**

*Putting Americans to the Test: Moving Groups in the Name of Measuring Individuals* (work in progress with Jon Hanson)

*Legislative Dessert: Psychology and the Overlooked Link between the Farm Bill, Overproduction of Corn, and Obesity* (work in progress)

*Situationist Policy* (work in progress with Jon Hanson)

*Situationist Torts: Introducing our Casebook* 41 LOYOLA LAS ANGELES LAW REVIEW \_\_ (2008) (work in progress with Jon Hanson for “Frontiers of Tort Law” symposium in January 2008)

*It's Not About the Money: The Role of Preferences, Cognitive Biases and Heuristics Among Professional Athletes*, 71 BROOKLYN LAW REVIEW 1459 (2006)

*Legality of Age Restrictions in the NBA and NFL*, 56 CASE WESTERN RESERVE LAW REVIEW 731 (2006) (with Joseph S. Rosen)

*Social Psychology, Calamities, and Sports Law*, 42 WILLAMETTE LAW REVIEW 585 (2006)

*The Reckless Pursuit of Dominion: A Situational Analysis of the NBA and Diminishing Player Autonomy*, 8 UNIVERSITY OF PENNSYLVANIA JOURNAL OF LABOR AND EMPLOYMENT LAW 819 (2006)

*Dietary Supplement Labeling: Cognitive Biases, Market Manipulation & Consumer Choice*, 31 AMERICAN JOURNAL OF LAW AND MEDICINE 215 (2005)

*Economic Efficiency and Consumer Choice Theory in Nutritional Labeling*, 2004 WISCONSIN LAW REVIEW 1161 (2004)

*Illegal Defense: The Irrational Economics of Banning High School Players from the NBA Draft*, 3 VIRGINIA SPORTS AND ENTERTAINMENT LAW JOURNAL 113 (2004)

*Resolving Physician-Patient E-mail through Contract Law*, 5 YALE JOURNAL OF LAW AND TECHNOLOGY 102 (2003)

*A Vote Cast; A Vote Counted: Quantifying Voting Rights through Proportional Representation in Congressional Elections*, 12 KANSAS JOURNAL OF LAW AND PUBLIC POLICY 191 (2002)

*National Missile Defense: Legal & Policy Justifications for Expanding Deterrence & Preventing War in the 21<sup>st</sup> Century*, 3 SAN DIEGO INTERNATIONAL LAW JOURNAL 207 (2002)

**OTHER SELECTED SHORTER WORKS:**

- Mindy McCready Unlikely to Be Tipping Point in Roger Clemens' Defamation Suit*, SPORTS ILLUSTRATED.COM (Apr. 29, 2009)
- Tammy Thomas' Trial may be a Precursor to Barry Bonds'*, SPORTS ILLUSTRATED.COM (Apr. 7, 2008)
- Barry Bonds' Indictment Needs Re-Working*, SPORTS ILLUSTRATED.COM (Mar. 1, 2008)
- Roger Clemens' Legal Strategy Backfired*, SPORTS ILLUSTRATED.COM (Feb. 28, 2008)
- Congress United Against Roger Clemens in Request for Probe*, SPORTS ILLUSTRATED.COM (Feb. 27, 2008)
- What's Next for Roger Clemens?*, SPORTS ILLUSTRATED.COM (Feb. 20, 2008)
- Roger Clemens Stands Tall on the Hill*, SPORTS ILLUSTRATED.COM (Feb. 13, 2008)
- Answering Questions from the Wild Legal Saga*, SPORTS ILLUSTRATED.COM (Feb. 12, 2008)
- Burden of Proof: Examining the Latest Twist in Roger Clemens Saga*, SPORTS ILLUSTRATED.COM (Feb. 7, 2008)
- What's Next for Randy Moss?*, SPORTS ILLUSTRATED.COM (Jan. 16, 2008)
- MLB Could Punish Teams, Too*, SPORTS ILLUSTRATED.COM (Jan. 15, 2008)
- Miguel Tejada Facing Trouble with Investigation*, SPORTS ILLUSTRATED.COM (Jan. 15, 2008)
- Donald Fehr and Bud Selig in D.C.*, SPORTS ILLUSTRATED.COM (Jan. 14, 2008)
- Did Taped Call Help Roger Clemens?*, SPORTS ILLUSTRATED.COM (Jan. 7, 2008)
- Legal Implications of Roger Clemens' Denial on 60 Minutes*, SPORTS ILLUSTRATED.COM (Jan. 6, 2008)
- What's in Store for those Named in Mitchell Report?*, SPORTS ILLUSTRATED.COM (Dec. 13, 2007)
- Analyzing the Michael Vick Sentence*, SPORTS ILLUSTRATED.COM (Dec. 10, 2007)
- Michael Vick's Fate after Co-Defendants' Sentencing*, SPORTS ILLUSTRATED.COM (Nov. 30, 2007)
- Barry Bonds' Indictment Leads to New Questions*, SPORTS ILLUSTRATED.COM (Nov. 15, 2007)
- Legal Implications of George Mitchell Report*, SPORTS ILLUSTRATED.COM (Nov. 12, 2007)
- Questioning Legality of Pat-downs at NFL Games*, SPORTS ILLUSTRATED.COM (Oct. 24, 2007)
- Isiah Thomas Fallout: Jury Decides Against Thomas, MSG*, SPORTS ILLUSTRATED.COM (Oct. 2, 2007)
- NFL's Retirement System Raises more Questions than Answers*, SPORTS ILLUSTRATED.COM (Sept. 18, 2007)
- What's Next for Michael Vick after Guilty Plea?*, SPORTS ILLUSTRATED.COM (Aug. 27, 2007)
- Michael Vick's Future Still Up in the Air*, SPORTS ILLUSTRATED.COM (Aug. 24, 2007)
- Black History is Now* (with Jon Hanson), THE SITUATIONIST (Feb. 14, 2007)
- Tort Law and Social Psychology in Violent Videogames*, THE SITUATIONIST (Jan. 25, 2007)
- The Psychopathology of Athlete Worship* (Op-Ed, with Jon Hanson), PROVIDENCE JOURNAL (Aug. 24, 2006)
- Privacy Laws and Psychological Testing of Prospective NBA Draft Picks*, SPORTS LAW BLOG (June 12, 2006)
- Racism Among College Football Coaches* (Op-Ed), HARVARD LAW RECORD 1 (Nov. 11, 2005)
- The Inverse Relationship Between Education Level and Arrest Propensity Among NBA Players* (empirical study of arrested NBA players), SPORTS LAW BLOG (July 20, 2005)
- Comparing Legal, Economic, and Legislative Approaches to Nutritional Labeling of Fast Food Labeling* (Feature Article) 3 UPDATE MAGAZINE (FOOD & DRUG LAW INSTITUTE) 1 (Jan./Feb. 2005)

**LECTURES, PANELS, AND PRESENTATIONS:**

*Panel Speaker at the University of Memphis*, Apr. 17, 2008 (invited to discuss the connection between race, law, and college sports at College Sport Research Institute Conference)

*Featured Speaker at Boston University Department of Broadcast Journalism*, Mar. 20, 2008 (invited to discuss experience covering sports law for Sports Illustrated)

*Conference Speaker at Harvard Law School*, Mar. 8, 2008 (invited to discuss the connection between ideology, psychology, and law at Second Harvard Conference on Law and Mind Sciences)

*Symposium Speaker at the University of Virginia School of Law*, Mar. 7, 2008 (invited to discuss morals clauses in sports contracts at Second Annual Sports and Entertainment Law Symposium)

*Panel Speaker at Yale Law School*, Mar. 4, 2008 (invited to discuss the Mitchell Report and performance enhancing substances in Major League Baseball)

*Conference Speaker at Florida State University College of Law*, Feb. 23, 2008 (invited to discuss topic of "Criminal and League Resolutions to Athletes on the Stand" at Entertainment and Sports Law Society Annual Conference)

*Symposium Speaker at Loyola Law School Los Angeles*, Jan. 25, 2008 (discussing "Situationist Torts" project with Jon Hanson at Law Review's Frontiers of Tort Law Symposium)

*Panel Speaker at the AALS Minority Section Meeting in New York City*, Jan. 6, 2008 (discussing topic of "E-racing the Color Line" on panel of experts related to race, law, and sports)

*Moderator at the AALS Sports and the Law Section Meeting in New York City*, Jan. 5, 2008 (moderating panel on intellectual property issues in sports)

*Guest Lecturer at Harvard Law School*, Oct. 18, 2007 (lecturing on age eligibility rules in professional sports in Professor Peter Carfagna's Sports and the Law course)

*Guest Lecturer at Boston College Law School*, Oct. 17, 2007 (lecturing on obesity and choice in Professor Kent Greenfield's Elements of the Law course)

*Symposium Speaker at West Virginia University College of Law*, Oct. 4, 2007 (discussing race, law, and sports, at symposium hosted by WVU College of Law School)

*Colloquium Speaker at Marquette University Law School*, Sept 27, 2007 (presenting on topic of "Connecting Social Psychology to Sports Law" at Sports Law Scholarship and Teaching Colloquium)

*Panel Speaker at Harvard Law School*, Apr. 18, 2007 (discussing topic of "The NBA's Regulation of Player Expression" on panel hosted by the Harvard Law School Committee on Sports and Entertainment Law that included columnist Jason Whitlock and representatives of LeBron James and Vince Carter)

*Panel Speaker at the University of Memphis*, Apr. 13, 2007 (discussing whether colleges deserve tax exemption for revenue generated by college sports on panel of sports law and sports business experts)

*Conference Speaker at Florida State University College of Law*, Mar. 31, 2007 (discussing antitrust and labor law issues in professional sports at the Entertainment, Arts, and Sports Industry Conference)

*Panel Speaker at Mississippi College School of Law, Feb. 21, 2007 (discussing race and the law issues in honor of Black History Month at panel sponsored by the Black Law Students' Association)*

*Panel Moderator at Mississippi College School of Law, Feb. 19, 2007 (moderating panel on sports litigation with Alan Milstein, counsel to Allen Iverson among other professional and amateur athletes)*

*Conference Speaker at Harvard Law School, Feb. 10, 2007 (discussing intersection between social psychology and torts at the Conference on Law and Mind Sciences)*

*Conference Speaker at Thomas Jefferson School of Law, Feb. 10, 2007 (discussing experience as counsel to Maurice Clarett in Clarett v. NFL and the legality of age limits in professional sports at annual conference hosted by the Thomas Jefferson School of Law Sports and Entertainment Law Society)*

*Symposium Speaker at the University of Virginia School of Law, Feb. 2, 2007 (discussing law and psychology of age limits in pro sports at symposium hosted by the Virginia Sports & Entertainment Law Journal)*

*Guest Lecturer at the University of Mississippi School of Law, Nov. 13, 2006 (lecturing on how labor and antitrust law intersect in sports law in Professor Paul Secunda's Labor Law course)*

*Colloquium Speaker at Marquette University Law School, Oct. 27, 2006 (presenting on topic of intellectual testing of NBA and NFL draft-eligible players at Scholarship in Labor and Employment Law Colloquium)*

*Presenter at the Southeastern Association of Law Schools New Scholars Speaker Series (Palm Beach, Florida), July 20, 2006 (discussing project on mind sciences and the law)*

*Symposium Speaker at DePaul University College of Law, Apr. 28, 2006 (discussing age limits in professional sports at symposium hosted by DePaul Journal of Sports Law and Contemporary Problems)*

*Symposium Speaker at Willamette University College of Law, Mar. 17, 2006 (presenting at Symposium on Future of Sports Law hosted by Willamette Law Review)*

*Debater at Mississippi College School of Law, Feb. 16, 2006 (debating Professor Todd Zywicki of George Mason University School of Law in a *Federalist Society* Debate on subject of "Obesity in America: The State's Right to Pass Laws Requiring the Restaurant Industry to Provide Nutritional Information")*

*Featured Speaker at Duke Law School, Feb. 2, 2006 (presenting article "Illegal Defense" and receiving critique from Duke Law Professors Paul Haagen and Barak Richman)*

*Symposium Speaker at the University of Pennsylvania Law School, Jan. 27, 2006 (discussing NBA Dress Code and DNA testing of NBA Players at Symposium hosted by Journal of Labor and Employment Law)*

*Symposium Speaker at Case Western Reserve University Law School, Nov. 11, 2005 (discussing eligibility issues for sports at Symposium on Professional Sports and Eligibility hosted by the Center for Law, Technology and Arts and the Case Western Reserve Law Review)*

*Panel Speaker at Harvard Business School, Oct. 14, 2004 (discussing law review article "Illegal Defense" and Clarett v. NFL at event hosted by Sports Business Society)*

*Featured Speaker at the University of Virginia School of Law, Apr. 15, 2004 (discussing law review article "Illegal Defense" and Clarett v. NFL)*

*Featured Speaker at Harvard Law School, Mar. 18, 2004 (discussing the law and economics of nutritional labeling in Visiting Scholars Colloquium)*

**EDUCATION:**

**HARVARD LAW SCHOOL**

LL.M., June 2005

- Area of Focus: Social Psychology and the Law (Jon Hanson faculty advisor)
- Thesis: “Pharmaceutical Drugs, Consumers, and the Law”
- Finalist for John M. Olin Law and Economics Award

**UNIVERSITY OF VIRGINIA SCHOOL OF LAW**

J.D., Top 11%-13% of Class (estimated), May 2002

- Editor-in-Chief of the VIRGINIA SPORTS AND ENTERTAINMENT LAW JOURNAL
- Hardy Cross Dillard Fellow (Teaching fellow for Legal Research & Writing)
- Best Oral Advocacy Award in First-Year Moot Court Competition

**GEORGETOWN UNIVERSITY**

B.A. in Government, *magna cum laude*, May 1998

- President of the Blue and Gray Organization
- Tutor to Men’s Basketball Team

**MEDIA:**

Over the last three years, I have been a guest on over 30 television and radio shows, and interviewed for over 100 newspaper, magazine, and on-line articles. They include:

*Morning Edition, NPR*, Seattle, Washington, first aired Apr. 19, 2008 (discussing legal and economic implications of NBA’s approval of the franchise relocation of the Sonics from Seattle to Oklahoma City)

*Headline News, CNN*, Atlanta, Georgia, first aired Dec. 13, 2007 (discussing legal implications of the Mitchell Report and its naming of Major League Baseball players)

*Power Lunch, CNBC*, New York, New York, first aired Dec. 13, 2007 (discussing legal implications of the Mitchell Report and its naming of Major League Baseball players)

*Isiah Thomas Takes Center Court*, David Segal, WASHINGTON POST, Sept. 26, 2007, at C1

*Power Lunch, CNBC*, New York, New York, first aired June 20, 2007 (discussing whether shareholders in the World Wrestling Entertainment can sue over the faked death of founder and chairman Vince McMahon)

*On the Money with Darren Rovell, CNBC*, New York, New York, first aired Jan. 10, 2007 (discussing legality of restrictions imposed by the San Diego Chargers in their sale of tickets to New England Patriots fans for a playoff game between the two teams; also discussing lawsuit between Patriots and Stubhub)

*Are Fantasy Sports Real life Gambling?*, Tresa Baldas, NATIONAL LAW JOURNAL, Aug. 14, 2006, at 1

*World Have Your Say, BBC Radio*, London, England, first aired Oct. 31, 2005 (discussing legal and racial issues of new NBA dress code)

*Bob Costas Now, Home Box Office (HBO)*, New York, New York, first aired June 10, 2005 (discussing Clarett v. NFL and impact of law review article “*Illegal Defense*” on NBA-NBPA collective bargaining)