

PROSKAUER ROSE

STEVEN C. KRANE

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Practice Areas:

Alternative Dispute Resolution

Constitutional
 Commercial Litigation
 Securities
 Sports
 Appellate
 Legal Ethics Counseling
 Gambling / Lotteries
 Licensing / Sports
 Law Firm Advisory Group

Education:

- NEW YORK UNIVERSITY SCHOOL OF LAW, J.D., 1981
- EDITOR, NEW YORK UNIVERSITY JOURNAL OF INTERNATIONAL LAW AND POLITICS, 1979-1981
- STATE UNIVERSITY OF NEW YORK AT STONY BROOK, B.A., CUM LAUDE, 1978
- PHI BETA KAPPA

Bar Admission:

- 1982 NEW YORK

Court Admissions:

- 1982 U.S. DISTRICT COURT, NEW YORK, EASTERN DISTRICT
- 1982 U.S. DISTRICT COURT, NEW YORK, SOUTHERN DISTRICT
- 1987 U.S. COURT OF APPEALS, SECOND CIRCUIT
- 1987 U.S. SUPREME COURT
- 1997 U.S. COURT OF APPEALS, SIXTH CIRCUIT
- 2000 U.S. COURT OF APPEALS, THIRD CIRCUIT
- 2001 U.S. COURT OF APPEALS, FIRST CIRCUIT
- 2004 U.S. COURT OF APPEALS, DISTRICT OF COLUMBIA CIR.

Bar Affiliations:

- NEW YORK STATE BAR ASSOCIATION, PRESIDENT, 2001-2002
- NEW YORK STATE BAR ASSOCIATION, PRESIDENT-ELECT, 2000-2001
- NEW YORK STATE BAR ASSOCIATION, IMMEDIATE PAST PRESIDENT, 2002-2003
- NEW YORK STATE BAR ASSOCIATION, EXECUTIVE COMMITTEE, 1998-2003
- NEW YORK STATE BAR ASSOCIATION, FINANCE COMMITTEE, MEMBER, 2000-2003
- NEW YORK STATE BAR ASSOCIATION, NOMINATING COMMITTEE, CHAIR, 2004
- NEW YORK STATE BAR ASSOCIATION, NOMINATING COMMITTEE, MEMBER AT LARGE, 2003
- NEW YORK STATE BAR ASSOCIATION, HOUSE OF DELEGATES, CHAIR, 2000-2001
- NEW YORK STATE BAR ASSOCIATION, HOUSE OF DELEGATES, MEMBER 1996 - PRESENT

- NEW YORK STATE BAR ASSOCIATION , HOUSE OF DELEGATES, LIFE MEMBER, 2002 - PRESENT
- NEW YORK STATE BAR ASSOCIATION, CHAIR, SPECIAL COMMITTEE TO REVIEW THE CODE OF PROFESSIONAL RESPONSIBILITY, 1995-1999
- NEW YORK STATE BAR ASSOCIATION, MEMBER, SPECIAL COMMITTEE TO REVIEW THE CODE OF PROFESSIONAL RESPONSIBILITY, 1992-1995
- NEW YORK STATE BAR ASSOCIATION, CHAIR, SPECIAL COMMITTEE ON MULTI-DISCIPLINARY PRACTICE, 2003 - PRESENT
- NEW YORK STATE BAR ASSOCIATION, CO-CHAIR, SPECIAL COMMITTEE TO REVIEW ATTORNEY FEE REGULATION, 2003 - PRESENT
- NEW YORK STATE BAR ASSOCIATION, CO-CHAIR, PRESIDENT'S COMMITTEE ON ACCESS TO JUSTICE, 2000-2001
- NEW YORK STATE BAR ASSOCIATION, VICE-CHAIR, SPECIAL COMMITTEE ON THE LAW GOVERNING FIRM STRUCTURE AND OPERATION ("MACCRATE COMMITTEE"), 1999-2003
- NEW YORK STATE BAR ASSOCIATION, VICE-CHAIR, SPECIAL COMMITTEE ON THE FUTURE OF THE PROFESSION, 1997-2000
- NEW YORK STATE BAR ASSOCIATION, FELLOW, NEW YORK BAR FOUNDATION, 1998 - PRESENT
- NEW YORK STATE BAR ASSOCIATION, MEMBER, SPECIAL COMMITTEE ON LEGAL ISSUES AFFECTING SAME-SEX COUPLES, 2003 - PRESENT
- NEW YORK STATE BAR ASSOCIATION, MEMBER, SPECIAL COMMITTEE ON LAW PRACTICE CONTINUITY, 2002 - PRESENT
- NEW YORK STATE BAR ASSOCIATION, MEMBER, SPECIAL COMMITTEE ON MULTI-DISCIPLINARY PRACTICE AND THE LEGAL PROFESSION, 1998-1999
- NEW YORK STATE BAR ASSOCIATION, MEMBER, MEMBERSHIP COMMITTEE, 1998-2003
- NEW YORK STATE BAR ASSOCIATION, MEMBER, COMMITTEE ON MASS DISASTER RESPONSE, 1997-2003
- NEW YORK STATE BAR ASSOCIATION, MEMBER, EXECUTIVE COMMITTEE, INTERNATIONAL LAW AND PRACTICE SECTION, 2003 - PRESENT
- NEW YORK STATE BAR ASSOCIATION, MEMBER, COMMITTEE ON PROFESSIONAL ETHICS, 1990-1994
- AMERICAN BAR ASSOCIATION, MEMBER, STANDING COMMITTEE ON ETHICS AND PROFESSIONAL RESPONSIBILITY, 2004 - PRESENT
- AMERICAN BAR FOUNDATION, FELLOW, 2000 - PRESENT
- AMERICAN BAR ASSOCIATION, MEMBER, GRAMM-LEACH-BLILEY TASK FORCE, 2002 - PRESENT
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, MEMBER, SPECIAL COMMITTEE ON GOVERNMENT ETHICS, 1988-1990
- AMERICAN BAR ASSOCIATION, MEMBER, HOUSE OF DELEGATES, 2000 - PRESENT
- AMERICAN BAR ASSOCIATION, NEW YORK STATE CHAIR, 2003 - PRESENT
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, MEMBER, AD HOC COMMITTEE ON PRIVATE LEGAL REFERRAL SERVICES, 1987-1989
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, CHAIR, COMMITTEE ON PROFESSIONAL AND JUDICIAL ETHICS, 1993-1996; MEMBER, 1990-1993; SECRETARY, 1985-1988
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, MEMBER, COMMITTEE ON FEDERAL COURTS, 1996-1999
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, MEMBER, AD HOC COMMITTEE ON MASS DISASTER

PLANNING, 1996-1999

- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, CHAIR, DELEGATION TO THE NYSBA HOUSE OF DELEGATES, 1997 - 1998; MEMBER 1996 - 1998

Other Affiliations:

- THE FEDERALIST SOCIETY, LAWYERS DIVISION, SENIOR ADVISOR, PROFESSIONAL RESPONSIBILITY PRACTICE GROUP, EXECUTIVE COMMITTEE, 2003 - PRESENT; MEMBER, 1999-2002
- THE FEDERALIST SOCIETY, LAWYERS DIVISION, CHAIR, COMMITTEE ON CONFLICTS OF INTEREST, 1999-2002
- THE FEDERALIST SOCIETY, LAWYERS DIVISION, MEMBER, NEW YORK CHAPTER STEERING COMMITTEE, 1994 - PRESENT
- NEW YORK BAR FOUNDATION, TRUSTEE, 2004 - PRESENT
- AMERICAN LAW INSTITUTE, MEMBER, 1993 - PRESENT

Clerkship:

- LAW CLERK, HON. JUDITH S. KAYE, NEW YORK STATE COURT OF APPEALS, ALBANY, NY, 1984-1985

Government Service:

- CHAIR, GRIEVANCE PANEL, UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK, 1995 - 2001
- MEMBER, DEPARTMENTAL DISCIPLINARY COMMITTEE OF THE APPELLATE DIVISION, FIRST DEPARTMENT, 1996 - 1999
- SPECIAL TRIAL COUNSEL, DEPARTMENTAL DISCIPLINARY COMMITTEE OF THE APPELLATE DIVISION, FIRST DEPARTMENT, 1991-1993
- MEMBER, NEW YORK STATE OFFICE OF COURT ADMINISTRATION TASK FORCE ON ATTORNEY PROFESSIONALISM AND CONDUCT, 1996 - 1998

Biography:

Steven Krane joined Proskauer upon his graduation from New York University School of Law in 1981, taking a year off in 1984-85 to serve as law clerk to Judge Judith S. Kaye of the New York Court of Appeals. He became a partner in the Litigation and Dispute Resolution Department in 1989. Although a general commercial litigator, Steven has considerable experience in representing sports leagues and teams in a wide variety of matters, and also maintains a practice concentration in the field of legal ethics and professional responsibility.

Sports Law

Sports leagues and teams frequently need advice on a wide variety of issues, and Steven has been consulted by them on questions relating to, among other things, antitrust law, trademark law and labor relations. Over the past several years, Steven has represented the National Basketball Association, National Hockey League, Major League Baseball, Major League Soccer and the Women's National Basketball Association in a broad range of litigated and non-litigated matters. Among the more prominent matters in which Steven has been involved were the NBA's successful challenge to Oregon's basketball lottery; the Bridgeman and Williams antitrust lawsuits that led to the NBA's 1988 and 1994 collective bargaining agreements; the NBA players' 1995 campaign to "decertify" their union; and the 1991 arbitration concerning Patrick Ewing's claimed status as an unrestricted free agent.

A few months ago, Steven brought to a successful conclusion a racketeering case brought against the NHL by an alleged class of former players against the League and Alan Eagleson, the former Executive Director of the players' union. The players contended that the NHL and its team owners permitted Eagleson to divert money from the players' union for his own personal benefit in exchange for concessions in collective bargaining. Steven is currently defending Major League Soccer in an antitrust class action challenging the terms and conditions under which professional soccer players are employed. Major League Soccer is not a traditional, franchise-based sports league, but is structured as a single entity. The litigation, which challenges the structure of the League, has far-reaching implications for all sports leagues.

He has also been involved in successfully lobbying the U.S. Congress, which led to the

Professional and Amateur Sports Protection Act of 1992 -- the law that prohibits most sports betting in the United States -- and the Governor of Oregon who, in response to legal arguments, withdrew his support for sports betting at gambling casinos in the state.

Professional Responsibility/Ethics

It has been said that "sometimes even lawyers need lawyers." Steven has been active in representing lawyers and law firms in a variety of professional matters, such as defending them against charges before grievance and disciplinary committees; representing them in disputes concerning admission to the Bar; and defending them in cases charging that they participated in securities fraud committed by their clients, as well as rendering opinions and otherwise counseling them on a broad range of ethical issues. He has served as a litigation consultant and has been an expert witness on a variety of issues such as conflicts of interest and solicitation of clients by lawyers leaving a law firm. Steven has written extensively on issues of professional responsibility. One of his major articles, "When Lawyers Represent Their Adversaries: Conflicts of Interest Arising out of the Lawyer-Lawyer Relationship," was published in the *Hofstra Law Review* in 1995 and has been relied upon by the American Law Institute's *Restatement of the Law Governing Lawyers*. He was recently appointed a member of the American Bar Association's Standing Committee on Ethics and Professional Responsibility.

Steven currently serves as Chair of the New York State Bar Association's Committee on Standards of Attorney Conduct, which is in the process of overhauling New York's rules of legal ethics. He served as a member of the NYSBA Committee on Professional Ethics for four years (1990-94). On June 1, 2001, he took office as President of the NYSBA, the youngest person ever to hold that post.

Steven spent nine of the 11 years from 1985 to 1996 associated in various capacities with the Committee on Professional and Judicial Ethics of the Association of the Bar of the City of New York, most recently serving a three-year term as the Committee Chair. During his tenure, the City Bar Ethics Committee published an unprecedented 35 formal opinions on a broad range of topics of general interest to the Bar. He was elected to membership in the American Law Institute in 1993. Steven served as a Hearing Panel Chair for both the Departmental Disciplinary Committee for the First Judicial Department and the Committee on Grievances of the United States District Court for the Southern District of New York. He also previously served as a special prosecutor for the First Department Disciplinary Committee.

Steven has taught and lectured extensively in both of his fields of concentration. He developed and taught a course in sports law at the Georgia Institute of Technology, and for several years taught legal ethics at the Columbia University School of Law as a member of its adjunct faculty. He is a frequent lecturer on professional responsibility and on antitrust and other issues affecting the sports industry.

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