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THE FOODMAN FIRM
MEET YOUR EXPECTATIONS

APRIL 2022



WHO WE ARE

WITH NEARLY **TWENTY YEARS** OF EXPERIENCE HANDLING **COMPLEX, HIGH-STAKES** MATTERS FOR A VARIETY OF CLIENTS - BOTH **INDIVIDUALS** AND **CORPORATIONS**, **DOMESTIC** AND **INTERNATIONAL** - **THE FOODMAN FIRM** **CONSISTENTLY PRODUCES** VALUE-DRIVEN **RESULTS** FOR OUR CLIENTS, WITH AN EMPHASIS ON **QUALITY OVER QUANTITY**.

OUR PRIMARY FOCUS AT **THE FOODMAN FIRM** IS TO PROVIDE OUR CLIENTS WITH THE MOST EFFECTIVE COUNSEL, AND TO **FOSTER LONG-TERM RELATIONSHIPS** THAT OUR CLIENTS CAN DEPEND ON.

THE FOODMAN FIRM TAILORS ITS INNOVATIVE FEE STRATEGIES TO MEET THE INDIVIDUAL NEEDS OF EACH CLIENT.

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ARBITRATION PROVISIONS AND THE BENEFITS TO THE NFL.

The NFL has utilized arbitration provisions for years in an attempt to keep its dirt under the proverbial rug. Numerous claims made by former employees, management, and players of NFL teams, that if adjudicated in the public eye, could have caused great harm to the reputation and finances of the NFL, which is effectively a monopoly and money-making juggernaut.

The newest claim threatening the NFL's reputation is the lawsuit filed by former Miami Dolphins coach, Brian Flores. Mr. Flores brought a landmark lawsuit against the NFL and several teams alleging systematic racism in the hiring process. As Mr. Flores

was employed by the Miami Dolphins, he is subject to his employment contract, which like most NFL team contracts broadly requires any dispute to be resolved through the arbitration process.

The NFL will be diligent in enforcing the arbitration provisions of Mr. Flores' contract to avoid the embarrassment of testimony from NFL and team executives being filed publicly, and having testimony heard in an open courtroom. While Mr. Flores will argue that arbitration is stacked against him and it is biased in favor of the NFL and teams, he will have an uphill battle convincing a court not to enforce an arbitration provision, which are typically enforced.

An alternative that Mr. Flores is considering is to file an administrative claim with the federal Equal Employment Opportunity Commission, which an arbitration provision cannot avoid. This alternative would keep pressure on the NFL to make the systemic changes Mr. Flores seeks. In addition, it may result in a quick financial settlement for Mr. Flores, who undoubtedly has altered the long-term trajectory of his coaching career by filing a lawsuit against the NFL, even if employed by an NFL team currently. If, however, the NFL is successful in invoking the arbitration provision, it will likely result in yet another private settlement and the maintenance of its reputation.



FLORIDA LEGISLATIVE UPDATE

Disney was just caught in a mouse trap by the Florida Legislature.

Disney was just caught in a mouse trap by the Florida Legislature. The Florida Legislature ended its session on March 14, 2022, but in an interesting turn of events, the legislature met and passed a bill on April 21, 2022, abolishing all special districts (there are six) established before 1968 in Florida. The most notable impact is to Disney, which has been operating its special district, the Reedy Improvement District, that enabled Disney to self-govern like a local government. Disney's self-governance included, among other things, the power to control roads, construction permits, building codes, and municipal codes. The impact of this legislation, which was signed by Governor DeSantis into law, is significant financially and politically. It will require Disney to comply with all the requirements any other business faces in

Florida. Given the nature of Disney's capital-intensive business and the manner by which it operates, it is likely to cost Disney significant money and efficiency. In addition, it is self-evident that by the passage of this bill that Disney has lost significant political capital. The bill is not without controversy as some will argue that it was retribution by the legislature for Disney publicly opposing a contentious new law passed in Florida that restricts what can be communicated to children below third grade regarding sexuality. However, others will argue that this law was a long time coming because Disney's direct competitors and other businesses do not have the same advantages as Disney from self-governance. Regardless, it will be interesting to see the impact of any court challenges on the new law.



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We encourage all of you to take the necessary steps to ensure that you and your company are safe, compliant and ready to take on new business! Call us today at **(305) 201-3663** or visit our [WEBSITE](#) to schedule a consultation to discuss your business's needs and how The Foodman Firm can assist you! If you want to sign up for our newsletter, please [CLICK HERE](#), and follow us on [LinkedIn](#)