



## **Ed Desser Biography & History of Desser Media, Inc./Desser Sports Media (2021 CV)**

**1. Education/Experience.** I am the President of Desser Sports Media, Inc. (DSM) and Desser Media, Inc. (“DMI”), a California-based consultancy serving the strategic media business needs of the sports television industry. I have a Bachelor of Arts (BA) in Economics from the University of California at Los Angeles and a Masters of Business Administration (MBA) in Marketing from the University of Southern California. I have more than 44 years of continuous experience and notable achievements working in the sports media industry, performing media rights valuations, negotiating major media deals in the local, national and international TV marketplaces, and serving a diverse group of sports and media ownership and senior management clients as a strategic planner, management advisor, and expert witness.

**2. Vocational History-National Basketball Association.** For 23 years, I served as the senior media executive in the Commissioner’s Office of the National Basketball Association, ultimately serving as President of NBA Television and New Media Ventures, L.L.C., and Executive Vice President, Strategic Planning and Business Development, where I was the chief negotiator for all NBA and WNBA national media agreements, including those with CBS Sports, NBC Sports, ABC Sports, ESPN, Turner Sports (TBS and TNT), CTV, TSN, Sportsnet and The Score (Canada), USA Network, Fox, Comcast, and unaffiliated Regional Sports Networks (“RSNs”), as well as AOL, Yahoo, DIRECTV, DISH Network, Cox Communications, Time Warner Cable, Cablevision, In Demand, Intel, and Sirius Satellite Radio. I served on the NBA Board of Governors Planning Committee. I also invented and spearheaded the launch of NBA TV and NBA TV Canada, the first league-owned national cable sports network, personally handling

the strategic plan and affiliate distribution agreement negotiations. In addition, I designed and launched nba.com; created the NBA League Pass outer-market games subscription package and negotiated all related carriage agreements with MVPDs; established and managed the league's broadcast regulatory framework (including rules pertaining to and fostering the development of RSNs) and assisted many NBA teams in connection with the negotiation of their respective regional media rights agreements. I also served as NBA Director of Broadcasting/Executive Producer, handling administration and fulfillment of league media agreements; the first VP/International Television, growing the NBA's media footprint to nearly 200 countries; and as VP/General Manager of NBA Entertainment, Inc., the media production and licensing arm of the league.

**3. Vocational History-Local Media & Sports Management.** In the decade prior to joining the NBA, I was the Director of Broadcasting/Executive Producer for the Los Angeles Lakers, Los Angeles Kings, and The Forum, where, among other things, I did development work which led to the creation of the Prime Ticket RSN in Southern California, today know as Fox Sports West—the area's first RSN. I started my career in local broadcasting, serving in functions which included production, programming, promotion, on-air talent, live remote, news, engineering, business operations, and live sports broadcasts. I produced Monday Night Football and NASCAR race broadcasts, and I was the Executive Producer for the Los Angeles Lakers Radio Network.

**4. Desser Media Inc./Desser Sports Media, Inc.** In 2005, I founded Desser Sports Media, Inc. (DSM), and in 2018 added Desser Media, Inc. (DMI) which today specializes in strategic media planning, performing rights valuations and creating business plans for networks and RSNs, conducting regional, national and international media rights negotiations, mergers & acquisitions support, providing expert litigation support, and generally assisting professional sports teams, leagues, college conferences, programmers and distributors in strategic planning and business development towards maximizing the value of their media rights.<sup>1</sup> Combined, we have advised on over \$30 billion in sports and media transactions to date, averaging 108% deal-over-deal increases for our clients. Today Desser Media, Inc. handles consulting and Desser Sports Media, Inc. now concentrates in technology, sales and licensing.

**5. Regional Sports Media Rights.** I have personally negotiated more than 50 regional sports media rights deals. DSM/DMI has advised a substantial number of professional sports teams with respect to their media rights, including (i) negotiating or advising with respect to regional media agreements for the Detroit Pistons, Phoenix Suns, Miami Heat, Dallas Mavericks, San Antonio Spurs (twice), Oklahoma City Thunder, Minnesota Timberwolves (twice), Los Angeles Clippers (twice), Los Angeles Kings, Los Angeles Galaxy, Chivas USA, Seattle Sounders, Tampa Bay Lightning, Atlanta Hawks and Thrashers, San Jose Sharks, Calgary Flames Winnipeg Jets, Edmonton Oilers and Milwaukee Bucks franchises with Fox, Rogers, Bell and Comcast-owned RSNs in those teams' respective markets and (ii) advising the Houston Astros, Houston Rockets, Sacramento Kings, and Portland Trailblazers with respect to deals to launch new Comcast/NBC RSNs featuring those professional sports teams, and (iii) working with MLB clubs such as the Washington Nationals, Atlanta Braves and a media-related analysis of local media

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<sup>1</sup> Also see [www.desser.tv](http://www.desser.tv) for additional company accomplishments and background.

rights for the Office of the Commissioner of Major League Baseball. I have also worked with the Tribune Company in connection with strategic planning with respect to future sports media opportunities, as well as preparing a media valuation and rebuttal report relating to the Chicago Cubs local and national media rights, and well as Rogers Communications with respect to the Toronto Blue Jays rights.

**6. National and Regional Sports Networks (RSNs).** Throughout my career, I have developed a detailed understanding of the television, television network and RSN businesses in the US and Canada. This includes a thorough understanding of the key revenue and expense drivers, customary practices and business terms, programming elements, event, studio and remote production, critical keys to success, and ad sales. I am generally familiar with each operational national sports network and RSNs, and with the history of the sports network and sports programming industry. I am also generally familiar with each of the major MVPD's, (and new VMVPDs), and BDUs in Canada which affiliate with these networks and RSNs, as well as a wide variety of other networks which program major sports. Due to the overshadowing impact of affiliate distribution and revenues to all networks, I am particularly familiar with the details of the affiliation agreements between them and MVPDs and BDUs.

**7. Testimony/Conflict Resolution.** Other examples of my work include expert and fact witness services in arbitration, litigation, and mediation support of: (i) the New Jersey Nets vs. the YES Network, (ii) the Portland Trailblazers, (iii) a major MVPD and major regional sports programming networks, (iv) the Miami Heat vs. Clear Channel Communications, (v) O'Bannon et. al. vs. NCAA, (vi) Jenkins et. al. vs. NCAA, Pac 12, Big 10, Big 12, ACC and SEC Conferences, (vii) CRTC arbitrations on behalf of Canadian BDU TELUS and one between Videotron and a major Canadian programmer, (viii) in two LA Dodgers-related cases (see below),

(ix) was an expert in an arbitration between NBC Universal and a major US MVPD, (x) served as an expert in a programming rights matter between a Power 5 college conference and a major international entertainment company, and (xi) was retained as an expert by World Wrestling Entertainment in a securities-related litigation. I also testified in US federal court in (i) Chicago Bulls and WGN/Tribune Broadcasting vs. NBA, (ii) in NBA vs. Motorola and Stats Inc. I served as an expert witness in (iii) Copyright hearings at the Library of Congress on behalf of the Joint Sports Claimants, which includes the NFL, MLB, NBA, NHL, WNBA, and the NCAA, and have (iv) served as a witness in hearings before the Canadian Copyright Board.

**8. Mergers & Acquisitions.** DSM/DMI have also served a number of clients in connection with media property valuations and potential sports/media property acquisitions. These included (i) the CFL's potential acquisition of a Canadian sports TV network; (ii) the Washington Nationals valuation of its ownership interest in the MASN Network; (iii) the actual or potential purchases of the Houston Astros, Sacramento Kings, Chicago Cubs, Dallas Stars, and L.A. Dodgers (see below). We also worked with (iv) Maple Leaf Sports + Entertainment in connection with its acquisition by a JV between Bell Media and Rogers Communications, and have also served (v) a major league professional ownership group estimating media rights revenues for a potential expansion franchise.

**9. Distribution.** I participated in negotiations for programming rights and cable network distribution deals with major cable, telecommunications and satellite operators including Comcast, Time Warner Cable, Cox, Charter (Spectrum), Verizon, AT&T, DIRECTV, DISH, Bell, Rogers, Shaw, and Cablevision. In addition, I have provided sports media consulting services to MVPDs including DIRECTV, Time Warner Cable, Rogers Communications, TELUS, and Videotron.

**10. International.** As the founder of NBA's highly successful international TV business, I am knowledgeable about the innerworkings of media rights agreements outside of North America as well. I have negotiated international distribution agreements on behalf of a number of my US and Canadian clients, and advised world broadcasters in connection with the FIBA World Championships.

**11. Los Angeles Lakers/Time Warner Cable.** I led the NBA's Los Angeles Lakers in connection with then the largest regional sports media rights deal in TV history, and the country's most significant RSN transaction in nearly a decade. In connection with that transaction, DSM created a business plan for a two new Southern California RSNs (one in English and another in Spanish), performed team rights valuations, executed market research related to the attractiveness of various teams in the market to subscribers of major cable and satellite operators, and negotiated or discussed a potential business relationships with Fox, Time Warner Cable, AT&T, Verizon, DIRECTV, Root Sports (Liberty Communications, and now AT&T Networks), CBS, and other potential team rights purchasers/backers including investment bankers and private equity funds. DSM also provided the Lakers with negotiation assistance on Spanish and English flagship radio, and radio network distribution agreements.

**12. Los Angeles Dodgers.** I participated in several ways with respect to the media rights of the L.A. Dodgers. I was (i) an expert witness for Major League Baseball in the first stage of the team's bankruptcy proceedings. Later, (ii) I was an expert witness for Fox Sports in connection with the second phase of the bankruptcy case. I then (iii) represented Joe Torre and Rick Caruso in connection with a bid to purchase the team. Later, (iv) wrote an article valuing the Dodgers media rights for the Hollywood Reporter (estimating a result very close to the amount ultimately

negotiated), and finally (v) represented Time Warner Cable in connection with its record-breaking Dodgers media rights acquisition in 2013.

**13. Other Major Engagements and Clients.** I have also negotiated on behalf of, advised, or performed analysis for the National Football League (NFL), California Interscholastic Federation (CIF), the PGA Tour, Major League Soccer (MLS), the Professional Rodeo Cowboys Association (PRCA twice), The Jockey Club, the NFL Network, the Western Collegiate Hockey Association (WCHA), the National Hot Rod Association (NHRA twice), where I also currently serve on the organization's Board of Directors, The American Athletic Conference (AAC), and the Canadian Football League (CFL) multiple times for both Canadian and US media rights agreements. I have also worked on a variety of projects for or with Staples Center and professional sports team owner and developer Anschutz Entertainment Group (AEG), Kilmer Van Nostrand, Co., Ltd., McKinsey & Co., Goldman Sachs, Maple Leaf Sports + Entertainment (Toronto Maple Leafs, Raptors, TFC, Leafs TV, NBA TV Canada, GOL TV Canada), the National Basketball Association (NBA), the US Pro Cycling Challenge, the Professional Bowlers Association (PBA) and the Ultimate Fighting Championships (UFC). I also provided guidance to multiple parties in connection with the assessment and valuation of the Fox RSN's, which were ultimately sold by Disney to Sinclair.

**14. Digital Sports Media.** In addition to my early digital media work at the NBA establishing the league's digital business operations by developing a live statistics distribution network and launching nba.com and League Pass, I have been deeply involved in the development of Digital media projects. Some of the projects include work for Qualcomm, Google, and YouTube, as well as many of the media rightsholders we have served, as set forth above. We have

also developed business plans, and worked to implement the launch of new digital video services for multiple major league franchises.

**15. Publishing and Public Speaking.** I have been quoted in many hundreds of newspaper, magazine and trade publication articles, in scholarly works, and TV interviews throughout my career. I have written dozens of articles for publications such as the Sports Business Journal, the leading sports business publication in North America, and Sportico. I have spoken at multiple industry conferences, and I have guest-lectured at USC, USF, UCF, NYU, Columbia, UCLA, Cal Tech and Fordham University Business and graduate schools.