

In Fight for Legacy, Rodriguez Fields Costly Team of All-Stars

By Steve Eder

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With Alex Rodriguez, everything is always outsize, from his \$275 million contract, to his gaudy home run totals, to the vitriol he faces at nearly every major league baseball stadium.

So it is fitting that as he prepares to appeal his 211-game suspension — baseball's longest doping punishment — he has a supersize team of advisers to counsel him in a showdown that could define, or destroy, his legacy.

The case carries considerable weight for both sides. A lengthy suspension could cost Rodriguez roughly \$32 million in lost salary, and perhaps end his career. Major League Baseball sees the suspension as a symbol of its efforts to fight doping, which has ensnared many of the sport's biggest names in recent years.

If Rodriguez manages to get his suspension reversed, it will be a devastating embarrassment for the league. And that is exactly what his blue-chip lawyers have been assembled to make happen.

ARod Corp., as Rodriguez's corporate entity is officially known, has on retainer more than a dozen advisers, including well-known lawyers, public-relations experts, and an investigative firm led by a former federal agent. The lawyers are from three prominent law firms: Gordon & Rees; Tacopina Seigel & Turano; and Reed Smith, an international firm with more than 1,800 lawyers that specializes in representing financial institutions.

The team includes Joseph Tacopina, one of New York's most aggressive and widely known lawyers, who in 2011 won the acquittal of two New York police officers charged with raping a drunken woman.

There is also Guidepost Solutions, a private investigative firm run by Andrew O'Connell, a former federal prosecutor and Secret Service agent who helped Dominique Strauss-Kahn, the former managing director of the International Monetary Fund, gain a dismissal in the sexual assault case against him.

Rodriguez's personal spokesman is Ron Berkowitz of Berk Communications, a high-end public-relations consultant who counts Jay-Z among his other clients, and has guided Rodriguez through an endless barrage of bad publicity in recent months.

All that help does not come cheap. ARod Corp.'s team of advisers probably costs hundreds of thousands of dollars a month, according to people familiar with the case.

"Everyone has a right to the best defense money can buy, and Alex Rodriguez has got a lot of money, so he's bought a lot of defense," said Warren Zola, a professor of sports law at Boston College.

The legal team is set to appear next Monday during a closed hearing at the commissioner's office, where it will square off against Major League Baseball's own formidable team of lawyers, including its own outside lawyers, at Rodriguez's arbitration hearing. The hearing is being overseen by Fredric Horowitz, an independent arbiter chosen by Major League Baseball and the players union. Arguments are expected to last about five days.

Rodriguez's personal lawyers will be flanked by ones from the players association.

The hearing will come a day after the regular season ends and just as the postseason is about to begin — in all likelihood without the Yankees. Rodriguez rejoined the team last month and has been playing surprisingly well after a long injury layoff. His home run with the bases loaded last week won an important game for the Yankees and allowed him to surpass Lou Gehrig's career grand slam record. But this year, it will be his legal team, probably not his baseball team, competing in October.

It is fair to say that the sports world has never before seen anything like A-Rod's carefully assembled A-team. Balancing the collection of substantial egos has been a delicate task, but with the proceedings date approaching, the team appears to have jelled, according to interviews with people not authorized to speak publicly.

Tacopina, a seasoned trial lawyer who charges \$950 an hour and has represented the disgraced former New York City police commissioner Bernard B. Kerik and the former New York state senator Hiram Monserrate, will be the courtroom performer. His job is to grill baseball's witnesses and publicly defend Rodriguez, even if that means pitting him against the Yankees, as he did in interviews this summer.

David Cornwell is the sports law expert, hired for his fluency in the game's legal arcana. He carries baseball's union contract with him at all times, and has worked on numerous cases representing professional athletes. A partner with Gordon & Rees, Cornwell is the point person on baseball's voluminous contract with the union and on doping rules. At the arbitration, he will be the one challenging baseball on its application of the rules, as well as dissecting any scientific evidence.

Cornwell has succeeded in doping cases before. He represented Ryan Braun of the Milwaukee Brewers in his landmark victory during doping arbitration early last year. In that case, Braun tested positive for elevated levels of testosterone after a playoff game, but the arbitrator threw out his suspension, agreeing with Cornwell's argument that Braun's sample had been improperly handled. (Cornwell did not represent Braun when he later accepted a 65-game ban.)

Since this spring, lawyers from Reed Smith, a large, old-line Pittsburgh law firm with offices in more than 25 cities in the United States and overseas, have been advising Rodriguez behind the scenes.

James McCarroll, who heads the firm's investment management group, has been a sort of legal maestro, coordinating the expansive team. Another Reed Smith partner, Jordan Siev, a co-leader of the firm's United States commercial litigation group, is the team's point person on litigation preparation.

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