



## **SARAH HARTLEY**

**Partner**

**Washington / Boulder**

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## **BIOGRAPHY**

Sarah has nearly 20 years' experience as a trial lawyer and appellate advocate across a wide variety of industries, and as a trusted advisor and consultant on a broad array of antitrust, athletics, higher education, and governance issues. She is co-chair of BCLP's Higher Education Team, a member of the Sports & Entertainment Group, and leads BCLP's workplace investigations team. She is expert in addressing and investigating allegations of sexual misconduct, discrimination, and other workplace issues, as well investigating and adjudicating allegations under Title IX. She also advises educational institutions on various aspects of Title IX compliance, including policy reviews, disciplinary proceedings, and athletic compliance with gender equity mandates. She works to find effective solutions in light of the real world challenges facing athletic departments particularly in light of the changing landscape of university athletics. She also assists professional and Olympic sports clients on a broad range of commercial, governance, and compliance issues.

In addition to her practice at BCLP, Sarah serves as adjunct professor at the University of Virginia School of Law, where she teaches a sports law course focused on governance, sexual misconduct, doping, collegiate sports, and other hot topics in sports, and has previously taught a similar course at the University of Colorado Law School. She guest lectures for the University of Oregon School of Law's Summer Sports Law Institute and is a regular contributor to sports law publications such as *Law In Sport*.

## **AREAS OF FOCUS**

- Retail & Consumer Products

## **CIVIC INVOLVEMENT & HONORS**

- Board of Directors, Colorado Outward Bound School (2015-2022)
- Board of Directors, Positive Coaching Alliance (2015-2018)
- Board of Directors, Mile High Squash (2011-2014)
- Articles Review Editor, *Virginia Environmental Law Journal*

## **PROFESSIONAL AFFILIATIONS**

- Board Member, College Squash Association (2023 – present)
- Member, The Women's Sports Foundation's Legal & Legislative Subcommittee (2024 – present).
- Sports Lawyers Association
- National Association of College and University Attorneys (NACUA), Member

## **MEDIA MENTIONS**

Quoted, "[Poll: Majority of Americans Support College Athlete Name, Image, and Likeness Monetization](#)," [Diverse Issues in Higher Education](#), March 2, 2023

## **COMMITTEE CONTENT**

Women's Board

### **ADMISSIONS**

- District of Columbia, 2022
- Colorado, 2011
- New York, 2008
- California, 2005

### **EDUCATION**

- University of Virginia, J.D., 2005
- Yale University, B.A., with distinction, 2001

### **RELATED CAPABILITIES**

- Business & Commercial Disputes
- Antitrust
- Real Estate
- Real Estate Disputes
- Investigations
- Cross-border Employment Issues
- Employment & Labor
- Regulation, Compliance & Advisory
- Appellate
- Litigation & Dispute Resolution
- Contract, Endorsement & Celebrity Representation
- Anti-Doping
- Sports & Event Venue Real Estate Infrastructure & Operation
- Naming Rights & Sponsorship
- Sports & Entertainment M&A
- Sports, Media & Entertainment Litigation
- Collegiate Sports
- Sports, Media & Entertainment

- Entertainment Industry
- Retail & Consumer Products
- Olympic & National Governing Bodies
- Professional Sports Team Representation
- Higher Education
- Sports & Event Financing
- Oil, Gas & Sustainable Fuels

## **EXPERIENCE**

### **Sports**

- Developed policies and procedures for investigation and arbitration of Safe Sport complaints for new U.S. Center for Safe Sport.
- Works with various NGBs on Safe Sport issues.
- Handles Safe Sport complaints, including evidentiary hearings.
- Works with various NGBs and leagues on governance issues, sponsorship deals, and employment matters.
- Successfully represented professional football team in litigation over use of trademarks.

### **Antitrust**

- Represented telecommunications manufacturer in a seven-month jury trial and subsequent appeal regarding numerous antitrust issues.
- Represented state university in defense of antitrust claims regarding on-campus student housing.
- Won dismissal in Federal Court in Denver in a Section 1 and Section 2 gas transportation antitrust case seeking more than \$100 million. Briefed the appeal in the 10th Circuit.

### **Commercial Litigation**

- Won trial in Colorado state court, involving control of a \$90 million natural gas pipeline. Briefed and won appeal in Colorado Court of Appeals.
- Won arbitration involving attempts to shut down a natural gas pipeline.

- Represented telecommunications manufacturer in \$30 billion patent licensing dispute regarding cell phone technology.
- Obtained favorable settlement for natural gas exploration and development company in royalty dispute.
- Represented insurance company to develop global strategy for managing and resolving multi-district and international litigation regarding defective Chinese drywall.
- Represented parties in arbitration contesting ownership of major social media platform.
- Obtained favorable settlement for transgendered Federal inmate on claims of failure to protect and failure to provide necessary medical treatment.
- Represented direct sales company in dispute regarding supply of ingredient for cosmetics line.
- Represented outside directors in indemnification action against former bank.
- Represented major retail company in trademark suit regarding parody on company marks.

## RESOURCES

### PUBLICATIONS

"Caster Semenya: Why is the Olympic champion challenging the IAAF's testosterone rules? A sports law expert explains," *City A.M.*, June 24, 2018

"Defining Female Athletes: IAAF Gets It Wrong Again," *Law360*, June 4, 2018

"Defining 'Sport' In The Age Of Competitive Video Gaming," *Law360*, November 20, 2017

## RELATED INSIGHTS

News

Mar 24, 2025

**BCLP Partner as Lead Source in Law.com's Coverage of DOE Dismantling**

Insights

Feb 06, 2025

**Litigation trends for 2025: what will this year hold for business and commercial disputes?**

We explore the trends for Business and Commercial Disputes in the UK, US and France/EU in 2025. Here's what you should know. UK In the spotlight: corporates asserting privilege against shareholders Continued focus on

litigation funding Increase in open justice Easier enforcement Court-compelled Negotiated Dispute Resolution – watch this space France Rise of mass claims in France and rise of class actions in France and the EU The new EU product liability directive adopted on October 11, 2024 Rise of ESG related claims US More M&A deals means more post-closing disputes? Head off rising number of workplace issues with internal investigations Disclosure of litigation funding in the United States

Blog Post

Feb 03, 2025

## **Immediate Action Item for All Employers: Prepare for an ICE Raid**

Insights

Jan 17, 2025

## **OCR Confirms Title IX Applies to Institutions' Direct NIL and Revenue-Sharing**

News

Jan 15, 2025

## **BCLP Partners Jenny Durkan and Sarah Hartley Present at AALS 2025 Annual Meeting**

Insights

Jan 15, 2025

## **State of Tennessee v. Cardona: Implications of the Vacatur of the 2024 Title IX Regulations**

Insights

May 09, 2024

## **Department of Education issues Dear Colleague Letter as student protests continue**

Insights

Feb 07, 2024

## **NLRB Regional Director determines Dartmouth basketball players are employees**

News

Aug 31, 2023

## **BCLP announces dedicated DEI task force**