TEAM 12

Case 2: KYLE QUINCEY

Acting for PLAYER

1. Introduction

This brief analyzes the statistics, attributes, comparable player salaries, and other factors of

Kyle Quincey ("Mr. Quincey"), defenseman for the Detroit Red Wings Hockey Club (the "Club" or the "Red Wings"), that are relevant to the estimation of appropriate salary compensation for the 2012-2013 season. The National Hockey League Collective Bargaining Agreement ("CBA"), Article 12.9(g) sets the criteria for evidence that may be considered in this arbitration¹:

12.9 (g)(ii) The parties may offer evidence of the following:

- A) the overall performance, including official statistics prepared by the League, of the Player in the previous season or seasons;
- B) the number of games played by the Player, his injuries or illnesses during the preceding seasons;
- C) the length of service of the Player in the League and/or with the Club;
- D) the overall contribution of the Player to the competitive success or failure of his Club in the preceding season;
- E) any special qualities of leadership or public appeal not inconsistent with the fulfillment of his responsibilities as a playing member of his team;
- F) the overall performance in the previous season or seasons of any Player(s) who is alleged to be comparable to the party Player whose salary is in dispute.
- G) The compensation of any Player(s) who is alleged to be comparable to the party Player, provided, however, that in applying this or any of the above subparagraphs, the Salary Arbitrator shall not consider a Player(s) to be comparable to the party Player unless a party to the arbitration has contended that the Player(s) is comparable; nor shall the Salary Arbitrator consider the compensation or performance of a Player(s) unless a party to the arbitration has contended that the Player(s) is comparable.

This arbitration will give particular attention to Players alleged to be comparable to Mr.

Quincey that were eligible for arbitration in the summer of 2010-2011 or 2011-2012, and who were awarded 1-2 year contracts, either through negotiation with their Club or through a formal arbitration. Alleged comparable Players whose contracts began before the new CBA was introduced in 2005 are not valid for the purposes of this arbitration. Mr. Quincey respectfully submits that the Salary Arbitrator find that he is entitled to receive a contract with an average annual value of \$3.8 million.

¹ NHL Collective Bargaining Agreement. Available at http://www.nhlpa.com/about-us/cba.

i. Average Annual Value versus Salary

When offering contracts to players, NHL teams are first and foremost concerned about the annual cap hit of the contract, rather than the player's actually yearly salary. The average annual value of the contract, or the cap hit, is the number that affects the team's overall budget for players each year. Further, NHL teams often structure contracts strategically to accommodate player preferences, reward players for giving up unrestricted free agent years, or anticipate a decrease in playing ability.² Thus, the salary of a player for a given year only reflects his worth to the team if analyzed from the perspective of annual average value, or the cap hit. This approach also provides parity between players with one-year contracts, whose annual average value and salary are necessarily the same), and players with longer contracts, whose annual salary for a given year may appear inflated or deflated when considered on its own.³ For these reasons, we propose the use of the average annual value of players' contracts when making evaluations about Mr. Quincey's value on the Red Wings, and comparing his worth to similar players in the League.

2. Overall Performance

Mr. Quincey's performance statistics reveal a player that is a well-rounded offensive defenseman, and who has demonstrated scoring and special teams abilities. In 2011-2012, Mr. Quincey was 6th in the Club for hits, with 101, 4th for Red Wings defensemen in points, with 26 (23 points with the Colorado Avalanche), and 3rd on the team in blocked shots, with 94. These numbers become more impressive when it is considered that Mr. Quincey only ranked 5th among Red Wings defensemen for Time on Ice in his platform year⁴.

² Derek R. Marr. 2011. "The Puck Stops Here: Analysis of Salary Arbitration in the National Hockey League" at page 16. Available at: http://works.bepress.com/derek_r_marr/2.

³ ibid

⁴ Note: Unless otherwise cited, all performance statistics are drawn from www.nhl.com.

It has been suggested that due to the importance of positioning and more subjective statistics for defensemen that time on ice is a particularly important consideration for defensemen⁵. In 2011-2012, Mr. Quincey played an average of 21:51 per game, with an average of 2:21 on the PP and 2:18 shorthanded. When only the current Club roster is considered, Mr. Quincey would rank 3rd for defensemen in minutes played per game, 2nd in minutes played during the PP, and 2nd in minutes played shorthanded⁶. The considerable time played by Mr. Quincey in all situations demonstrates his versatility and importance to the Club.

Mr. Quincey's offensive statistics are also impressive. He has maintained a fairly stable plus minus rating throughout his career, with a -1 rating during the platform year. Given the amount of time Mr. Quincey spends playing in short handed situations, this is a strong indication of his maturity and skill. Further, Mr. Quincey averaged .36 points per game in the platform year. This is a particularly important statistic, as it is a more accurate measure of a player's offensive contributions than total points⁷.

Mr. Quincey's statistics must also be interpreted in light of his mid-season trade to the Club⁸. Mr. Quincey has proven his ability to play within the Red Wings system in 2005-2008. Reacquiring Mr. Quincey suggests that the Club finds significant value in Mr. Quincey's style of play and potential contributions to the team. Due to this late trade, it is reasonable to assume that Mr. Quincey's performance statistics were affected. Transitioning from one team to another is a stressful process, and while players adjust to their new roles, points often suffer. In addition, the injuries and suspension suffered by Mr. Quincey soon after the trade further hindered his ability to adjust immediately and contribute offensively as he and the Red Wings expected.⁹ It should be considered

⁵ supra note 2 at 27.

⁶ Rankings provided by http://sports.yahoo.com/nhl/stats

⁷ supra note 2 at 34.

⁸ http://www.mlive.com/redwings/index.ssf/2012/05/defenseman_kyle_quincey_lookin.html

⁹ ibid

that his performance in Colorado and the Club's confidence in his skill set suggest that Mr. Quincey is capable, and primed for a much more productive season next year.

The importance of these accomplishments to the Club should also be considered in combination with the off-season changes to the Red Wings line up. Two of the Club's top defencemen will no longer be playing this year. Niklas Lidstrom, the 7-time Norris Trophy winner who was 2nd in Red Wings defencemen for points last year, and Brad Stuart, who led the team in hits in 2011-2012, will not be on the roster.¹⁰ This improves Mr. Quincey's standing as a defenceman on the Red Wings, and suggests that the Club will have further need to make use of Mr. Quincey's versatility and offensive skills.

In summary, Mr. Quincey has shown an ability to contribute to the Club on the PP, shorthanded, and at even strength. The value of Mr. Quincey to the Red Wings is evident in his average time spent on the ice, and with the loss of two of the Club's best defensemen, it is likely that Mr. Quincey's playing time would further increase in 2013-2014. Ultimately, Quincey has shown himself to be a resilient, well-rounded defenseman entering his prime. A salary of \$3.8 million would reflect his integral position on the team and his potential in future seasons with the Red Wings, and is consistent with that of similar players.

3. Number of Games Played/Injuries and Illnesses

Mr. Quincey has not suffered any injuries that have become a recurring problem, or suggest any lack of durability. In 2010-2011 he suffered a concussion which caused him to miss 8 regular season games¹¹. This was the first major concussion suffered by Mr. Quincey in his professional career, and as such does not carry a significantly higher risk of future concussion issues.

¹⁰ http://insider.espn.go.com/nhl/story/_/id/8176800/nhl-losing-jiri-hudler-nicklas-lidstrom-brad-stuart-detroit-red-wings-need-pieces

¹¹ http://www.tsn.ca/nhl/teams/players/bio/?id=3471

In 2011, Mr. Quincey underwent surgery to repair a shoulder injury. The treatment caused him to miss the remainder of the season¹²; however, the shoulder was not a problem during the 2011-2012 season, suggesting that the swift course of action will prevent the injury from hindering Mr. Quincey's performance or durability in the future. The sole other injury suffered by Mr. Quincey in 2011-2012 was a minor groin injury which forced him to miss four games late in the year¹³. As the injury was not an issue during his play in the World Championships in June, there is no reason to think that it has not healed completely.

4. Length of Service

Since Mr. Quincey was drafted by the Red Wings in the fourth round in 2003 he has played in 257 NHL Games. This considerable experience has allowed Quincey to develop

Although Mr. Quincey recently acquired by the Red Wings, his experience in the NHL and his previous play on the Red Wings' AHL affiliate and with the Club greatly increase his value to the Red Wings and should be reflected in his final salary. Of his 7 years in the NHL, Mr. Quincey has spent half of this time, 2005-2008 and half of the 2011-2012 season, on the Red Wings roster.

It should also be noted that the average age of Norris Trophy winners for best defensemen have averaged an age of 31 years old in the past five years¹⁴. This suggests that defensemen tend to become more successful later in their careers, after obtaining considerable experience in the league. Mr. Quincey is currently 27 years old, and as such is in an ideal age range for the Club. He has gained substantial experience in the league, and has been called upon to play significant ice-time for the Red Wings in all situations, yet is still likely to improve as a defenseman over the next few years.

5. Overall Contribution

Mr. Quincey's has a demonstrated ability to capitalize on chances to score, with a scoring percentage of .054. This conversion rate was 4th among Red Wings defensemen in the platform year,

¹² ibid

¹³ ibid

¹⁴ http://www.nhl.com/ice/news.htm?id=635305

and would rank 2nd on the Club's current roster.¹⁵ This strong conversion rate allows Mr. Quincey to maximize his offensive contribution to the team. Further, Mr. Quincey displayed the value of his strength and aggressive nature upon re-joining the Red Wings with an increase in his number of hits per game post-trade.

The Club's General Manager, Ken Holland, who recently expressed regret in losing Mr. Quincey in 2008, has openly acknowledged Mr. Quincey's contribution to the Red Wings as a versatile, well-rounded defenseman. Said Mr. Holland, "In hindsight, should have never let him go...He's 26 years old and we know him and he can play in the top four on the blue line...We felt he's 26 and in the prime of his career. He fits all we are looking for".¹⁶ This is by far the most telling record of Mr. Quincey's value to the Red Wings. Not only is the Club confident in Mr. Quincey's ability to fit in with their system and play a major role on the team, they recognize that Mr. Quincey is at the prime age for defensemen in the league.

Mr. Holland has also noted that Mr. Quincey arrived in Detroit in 2011 when "our team was playing the worst hockey of the year".¹⁷ Two of the best offensive players on the Red Wings, Nicklas Lidstrom and Pavel Datsyuk, were injured when Mr. Quincey arrived, which is certain to have caused further disruption to the success of the team. These injuries would have also decreased Mr. Quincey's opportunities to contribute offensively, as both players are integral to the Club's power play and offensive strategy. Further, Mr. Holland noted that he thought Mr. Quincey "was better later in the year", and that he "think[s] the opportunity for him to start right from training camp and get a comfort level will help this year."¹⁸ These candid comments reveal the Club's confidence and appreciation for Mr. Quincey as a player. They also help to put Mr. Quincey's post-trade statistics in context. Not only was Mr. Quincey forced to adapt mid-season to a new system and role on the team, but he was placed

¹⁵ Rankings provided by http://sports.yahoo.com/nhl/stats

¹⁶ http://flyers.nhl.com/v2/ext/Daily%20Clips%20-%20Flyers%20&%20NHL/07.18.2012%20nhlc.pdf

¹⁷ *ibid*

¹⁸ ibid

in the midst of a team that was already struggling with injuries and poor performances. Additionally, the groin injury suffered by Mr. Quincey shortly after he joined the Red Wings further disrupted his adjustment process.¹⁹ It is clear that although Mr. Quincey did not post record high numbers for the Red Wings in 2012, his skill and value to the team have not gone unnoticed.

6. Leadership/Public Appeal

Mr. Quincey's leadership ability as an experienced NHL defenceman is particularly important to a team like the Red Wings. With 19 games of playoff experience, and with the loss of Niklas Lidstrom and Brad Stuart, Mr. Quincey is one of the most experienced defensemen on the Club's roster²⁰. His ability to play in all situations, and with many different defensive pairings is further evidence of his versatility, and will allow the Club to pair him with younger players to provide stability and leadership on the ice, and in playoff situations. This is even more important given that the Red Wings have been in contention for the Stanley Cup in recent years (finishing in the top 6 teams in the NHL in points in each of the last 3 years).²¹ This suggests that the team will be looking to make sustained Cup runs, and will count on durable, experienced players such as Quincey to take on considerable responsibility on the ice throughout both the regular season and the playoffs.

Mr. Quincey's athletic skill and leadership has also been recently noticed by Hockey Canada, who selected Mr. Quincey to appear in the 2012 International Ice Hockey Federation World Championships.²² The fact that Mr. Quincey was chosen now, and not in the season's wherein the scored the most points, is another indication of the improvement in Mr. Quincey's overall play, his ability to adapt and provide experience and leadership, and his versatility on the ice.

¹⁹ supra at note 9.

²⁰ http://thehockeywriters.com/kyle-quincey-provides-red-wings-with-much-needed-defensive-depth/

²¹ *ibid*

²² http://sports.nationalpost.com/2012/05/06/canada-adds-kyle-quincey-to-world-championship-roster/

7. Comparables

A number of useful comparisons can be drawn to highlight Mr. Quincey's value, and provide context for his performance statistics.

Mike Green

Mr. Green's current contract is a 4 year deal with the Washington Capitals, with an annual average value of \$6.083 million. It is in effect from 2012-2015. Although in the past, Mr. Green has had extremely high point totals, he has not been able to produce as successfully in the last few years, and his durability has been more than questionable.

In the last two years, Mr. Green has played a total of 57 games, due to injuries to the head, ankle, and groin.²³ In 2011-2012, he missed 23 games with a strained groin, and commented that "I don't think I'll be 100 percent for a long time", and that "I'm going to have to be cognizant of this for the rest of my career".²⁴ This admission suggests that Green may be at high risk for re-injury in the coming years compared to Mr. Quincey, who has only faced minor injuries from which he has always fully recovered. To value Mr. Quincey, a player who has demonstrated his potential to improve, the same as a player who admits he cannot play at his best, and thus is unlikely to near his career best performances in the near future would be unfair.

Mr. Green's performance statistics in his platform year are also outshined by Mr. Quincey's. In 27 games, Mr. Green posted only 7 points, or .291 points per game compared to Mr. Quincey's .36 points per game. Averaging 21:02 minutes per game, Mr. Green also spent less time on the ice than Mr. Quincey. Mr. Green had a plus minus rating of -7 in the platform year, which is significantly lower than Mr. Quincey's rating of -1, and when it is considered that Mr. Green averages only 1:10 per game in shorthanded situations, should hold considerable weight.

²³ http://www.tsn.ca/nhl/teams/players/bio/?id=4600

²⁴ http://kingsofleonsis.com/2012/01/08/capitals-must-be-cognizant-of-mike-greens-injury-problems-this-summer/

Although Mr. Green has performed well in the past, Mr. Quincey has demonstrated an ability to play just as well, if not better than Mr. Green in recent years. Further, Mr. Quincey's high playing time and ability to play a significant role on both the powerplay and shorthanded are a testament to his versatility and experience.

Erik Johnson

Mr. Johnson's current contract is a four year (2012-2016) deal with the Colorado Avalanche, with an average annual salary of \$3.75 million.

Although Mr. Johnson and Mr. Quincey have very similar performance statistics in the platform year (same number of points, same number of games, similar number of hits and blocked shots), Mr. Quincey's experience, both in the NHL and with his team, should be considered. As previously mentioned, defensemen tend to reach their prime around age 30. Mr. Johnson, at age 24, does not have the experience and maturity of Mr. Quincey, and accordingly, his average playing time is less than that of Mr. Quincey, a good indicator of the value and skill of defensemen. Further, Mr. Johnson has not demonstrated the versatility and offensive efficiency that makes Mr. Quincey a particularly valuable player. Specifically, while Mr. Johnson spends approximately the same amount of time on the powerplay as Mr. Quincey, Mr. Quincey scored 6 powerplay goals in the platform year, while Mr. Johnson scored only one. In addition, Mr. Johnson has not yet shown that he is reliable in short handed situations, playing only 1:10 shorthanded, while Mr. Quincey plays almost double that amount shorthanded. Mr. Johnson also holds a plus minus rating that is considerably less impressive than Mr. Quincey's at -7, and when it is considered that Mr. Quincey spends more time on the ice when his team is short handed, this comparison should demonstrate Mr. Quincey's superior reliability and skill.

8. Conclusion

Mr. Quincey's greatests assets are his versatility on the ice and his experience in the NHL. Able to play effectively in all situations and with a variety of defensive partners, Mr. Quincey will provide

the Club with both an offensive edge and dependable defensive play. When compared with a player such as Mike Green, who has put up much less impressive performance statistics in recent years, or Erik Johnson, who has much less experience than Mr. Quincey and is trusted with significantly less ice time, both overall and short handed, it is clear that Mr. Quincey deserves a significant increase in salary.

Mr. Quincey's familiarity with the Red Wings system is also of great value to the Club, as noted by Red Wings General Manager Ken Holland, who has admitted that it was a mistake to ever let Mr. Quincey go. Further, given the loss of two top defensemen in the off season, Mr. Quincey's is likely to be given more responsibility and playing time. This demonstrates that the Club has a great deal of confidence in Mr. Quincey's potential, which should be reflected in his recommended salary. With these considerations in mind, Mr. Quincey submits that an appropriate salary for 2012-2013 is \$3.8 million.