

**2014 HOCKEY ARBITRATION COMPETITION OF CANADA**

**Cody Franson v. Toronto Maple Leafs**

*Submission on Behalf of Cody Franson*

*Midpoint: \$3.3 million*

*Submission by Team 6*

## I. INTRODUCTION

This brief will analyze the past output and contribution of Cody Franson (the "Player" or "Mr. Franson"). Mr. Franson is a right-handed defenseman for the Toronto Maple Leafs organization (the "Club" or the "Leafs").<sup>1</sup> Mr. Franson signed a three year entry level Standard Player Contract (SPC) in 2006 with the Nashville Predators ("Nashville"), however that contract was put on hold until 2007 as he returned to junior hockey.<sup>2</sup> Mr. Franson re-signed with the predators before being traded to the Leafs in 2011.<sup>3</sup> Mr. Franson was 19 years of age on September 15, 2006, and has acquired more than four years of professional playing experience. Mr. Franson is therefore eligible for salary arbitration pursuant to section 12.1 of the *National Hockey League Collective Bargaining Agreement (CBA)*.<sup>4</sup>

According to the *CBA*, the following evidence is to be considered in determining a player's salary arbitration compensation: overall performance including NHL official stats of player in previous seasons; the number of games played by the player, his injuries or illnesses during the preceding seasons; the length of the service of that player to the Club; the overall contribution of the player to the Club; any special qualities of leadership or public appeal; the overall performance of players alleged to be comparable to the Player whose salary is in dispute; and the compensation of players alleged to be comparable to the Player whose salary is in dispute.<sup>5</sup>

As the evidence in this brief will show, Mr. Franson is an effective offensive defenseman. He is a valuable asset on the power play and is a defenseman with great size. Mr. Franson is

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<sup>1</sup> <http://www.nhl.com/ice/player.htm?id=8471742>.

<sup>2</sup> <http://forecaster.thehockeynews.com/hockeynews/hockey/player.php?5199>.

<sup>3</sup> *Ibid.*

<sup>4</sup> Collective Bargaining Agreement Between NHL and NHLPA, 2012, Article 12.1 (a)-(c).

<sup>5</sup> Collective Bargaining Agreement Between NHL and NHLPA, 2012, Article 12.9 (g) (ii).

therefore entitled to a salary that exceeds the \$3.3 million midpoint. The player respectively request the panel find that he is entitled to an award of \$3.5 million.

## II. OVERALL PERFORMANCE OF THE PLAYER

### A. CAREER PERFORMANCE

Table 1: Career Statistics for Cody Franson<sup>6</sup>

<b>Season</b>	<b>GP</b>	<b>G</b>	<b>A</b>	<b>P</b>	<b>+/-</b>	<b>TOI</b>	<b>PPP</b>	<b>PIM</b>
2009-2010	61	6	15	21	15	14:11	6	16
2010-2011	80	8	21	29	10	15:10	6	30
2011-2012	57	5	16	21	-1	16:11	6	22
2012-2013	45	4	25	29	4	18:47	12	8
2013-2014	79	5	28	33	-20	20:41	18	30
<b>CAREER</b>	<b>322</b>	<b>28</b>	<b>105</b>	<b>133</b>	<b>+8</b>		<b>48</b>	<b>106</b>

Mr. Franson is a talented defenseman who can be effective in the offensive zone and on the power play. He has demonstrated his prowess on the power play over the last two season. Here, he scored almost 50% of his total points on the power play in 2012-2013, and over 50% of his total points on the power play in 2013-2014. While contributing offensively throughout his career, Mr. Franson has maintained a +8 plus/minus rating for his career despite an uncharacteristic 2013-2014 where he was -20. Mr. Franson possesses great mobility despite his 6'5" frame. He uses this mobility to move the puck up the ice and also quarterback the Leafs power play. He has the ability to use his size effectively in his own zone as well, where he has only 106 penalty minutes for his career while consistently playing more and more minutes per game as his career progresses (See Table 1).

### B. 2013-2014 REGULAR SEASON PERFORMANCE

Table 2: 2013-2014 Regular Season Statistics for Cody Franson (Platform Year)

<b>Season</b>	<b>GP</b>	<b>G (G/G)</b>	<b>A (A/G)</b>	<b>P (P/G)</b>	<b>+/-</b>	<b>TOI</b>	<b>PPP (PPP/G)</b>	<b>PIM (PIM/G)</b>
2013-2014	79	5 (0.06)	28 (0.35)	33 (0.42)	-20	20:41	18 (0.23)	30 (0.38)

<sup>6</sup> <http://forecaster.thehockeynews.com/hockeynews/hockey/player.php?5199>.

The Toronto Maple Leafs struggled as a team in 2013-2014 where they failed to make the playoffs. While the Club struggled, Mr. Franson managed to lead the teams defenseman in assists and points.<sup>7</sup> He only missed 3 games and averaged over 20 minutes of playing time a game, the highest of his career. While Mr. Fransons plus/minus faltered, it is important to note that the team struggled as well. Until the 2013-2014 season Mr. Franson had a very respectable plus/minus rating of +28. It should also be noted that when Mr. Franson does contribute on the power play, he does not get a plus in the plus/minus statistic. Therefore, there are often times when Mr. Franson contributes offensively but his plus/minus does not get rewarded.

### **III. NUMBER OF GAMES PLYED AND HISTORY OF INJURIES**

Cody Franson has played 322 regular season NHL games. He has also competed in 23 NHL playoff games as a member of Nashville and Toronto. In the last 2 seasons, Mr. Franson has only missed 6 games of a possible 130.<sup>8</sup>

In 2010-2011, his first full season with the Nashville Predators, Mr. Franson only missed 2 games and averaged more than 15 minutes of ice time per game. The 2 games he missed were for personal reasons, and not for injury.<sup>9</sup>

In Mr. Fransons first season with the Leafs, 2011-2012, he played in 57 games where he missed 2 games with facial injury. In the games that he did play, Mr. Franson saw his average ice time increase to over 16 minutes per game.

In 2012-2013, Mr. Franson enjoyed one of his finest seasons, playing in all but 3 of the Clubs 48 games and also played in all 7 of their playoff games. He averaged more than 18

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<sup>7</sup> <http://mapleleafs.nhl.com/club/stats.htm?season=20132014>.

<sup>8</sup> <http://forecaster.thehockeynews.com/hockeynews/hockey/player.php?5199>.

<sup>9</sup> *Ibid.*

minutes of ice time per game. In the playoffs, Mr. Franson averaged an impressive 22:49 minutes per game where the Leafs lost to the Boston Bruins in 7 games.<sup>10</sup>

In his platform year, 2013-2014, Mr. Franson only missed 3 of the Clubs 82 games. He averaged over 20 minutes a game of ice time, the highest of his career.<sup>11</sup> However, the Leafs failed to make the playoffs.

Looking at his career as a whole, Mr. Franson has avoided missing serious playing time due to injury. He has also seen his average playing time significantly increase over his career. Mr. Franson has shown that he will be available to play big minutes for the Leafs in most, if not all, of the Clubs games in the years to come.

#### **IV. LENGTH OF SERVICE**

Mr Franson was drafted in the 3rd round of the 2005 NHL Entry Draft by the Nashville Predators.<sup>12</sup> He signed a three year entry level SPC with Nashville but the contract did not start until the 2007-2008 season as he was sent back to junior hockey. He re-signed with Nashville in 2010 before being traded to the Toronto Maple Leafs. Overall, Mr. Franson has played 5 years in the NHL between the Nashville Predators and the Toronto Maple Leafs.

#### **V. OVERALL CONTRIBUTION TO THE COMPETITIVE SUCCESS OF THE CLUB**

In his platform year, Mr. Franson lead the Toronto Maple Leafs in points and assists as a defenseman. While the Leafs failed to make the playoffs, Mr Franson contributed on offence, and on the power play.<sup>13</sup>

Mr. Fransons contributions were best displayed in the 2012-2013 season, where he again lead all Leafs defenseman in points and assists.<sup>14</sup> He was also 4th on the entire Leafs roster in

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<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

<sup>13</sup> <http://www.nhl.com/ice/player.htm?id=8471742&season=20132014&view=log>.

points.<sup>15</sup> The Leafs finished 5th in the Eastern Conference, making the playoffs for the first time since 2003-2004.<sup>16</sup> His contributions that season did not only end there. In the playoffs, Mr. Franson lead all defenseman, and was second on the team in points, scoring 6 points in 7 games.<sup>17</sup> Unfortunately, the Leafs lost in overtime of the 7th game to the eventually Eastern Conference champions, the Boston Bruins.

## **VI. SPECIAL QUALITIES OF LEADERSHIP OR PUBLIC APPEAL**

Mr. Franson has the ability to be the top point getter among defenseman on the Leafs roster. He has done so the last 2 years, including the playoffs.<sup>18</sup> Not only that, he has been among the top point getters on the entire team in both seasons.<sup>19</sup> He is very effective in power play situations, being relied on to quarterback the Leafs power play over the last 2 seasons.

Mr. Franson has also shown to be a very good playoff performer. As a member of the Nashville Predators, Mr. Franson had 6 points in 12 playoff games in 2010-2011.<sup>20</sup> He continued his solid playoff performances as a member of the Toronto Maple Leafs, where he was second on the team in points in 7 games.<sup>21</sup> He had an assist on the game winning goal in Game 6 to force Game 7, and had 2 goals in Game 7.<sup>22</sup> While the Leafs lost the series, it was evident that Mr. Franson greatly contributed in these clutch situations.

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<sup>14</sup> <http://mapleleafs.nhl.com/club/stats.htm?season=20122013>

<sup>15</sup> *Ibid.*

<sup>16</sup> <http://www.hockey-reference.com/teams/TOR/>

<sup>17</sup> <http://mapleleafs.nhl.com/club/stats.htm?season=20122013>

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> <http://forecaster.thehockeynews.com/hockeynews/hockey/player.php?5199>

<sup>21</sup> <http://mapleleafs.nhl.com/club/stats.htm?gameType=3&season=20122013>

<sup>22</sup> <http://www.nhl.com/gamecenter/en/recap?id=2012030147>

## VII. COMPARABLE PLAYERS

In order to determine an arbitration award, it is essential to determine comparable players to examine salary benchmarks for players with a similar skill set. The following players that are going to be comparable to Mr. Franson were arbitration-eligible at the end of either the 2013-2014 or 2012-2013 seasons. The most noteworthy benchmarks used to determine where a player stands amongst his colleagues is based on a combination of career statistics, length of service, age, position and platform year statistics.<sup>23</sup> Appropriately, Jason Demers and Zach Bogosian are the most accurate players when engaging in a direct comparison with Mr. Franson. In regards to the salary, it will be referred to as the Average Annual Value (AAV) to illustrate the comparisons in the most accurate light.

### A. JASON DEMERS

Table 3: Platform Year Statistical Comparison<sup>24</sup>

<b>Player</b>	<b>GP</b>	<b>G (G/G)</b>	<b>A (A/G)</b>	<b>P (P/G)</b>	<b>+/-</b>	<b>PIM (PIM/G)</b>	<b>Hits</b>	<b>Blocked Shots</b>	<b>Takeaways</b>
Cody Franson	79	5 (0.06)	28 (0.35)	33 (0.42)	-20	30 (0.38)	282	111	50
Jason Demers	75	5 (0.07)	29 (0.39)	34 (0.45)	14	30 (0.40)	69	107	40

Jason Demers is directly comparable to Cody Franson. Both players have similar goals, assists, points, penalty minutes, and blocked shots in their platform years. Mr. Demers and Mr. Franson both play analogous roles on their individual teams as offensive defenseman. They are known for their offensive instincts, powerful shots from the point, quarterbacking the power play, carrying the puck, and also have a strong physical presence on the ice. Although, one must make note that Mr. Franson outmatches Mr. Demers in multiple areas. First off is his playing experience. Being one year older, Franson has accumulated over 41 games more than Mr.

<sup>23</sup> CBA s.12.9(g)(ii)(A)-(G).

<sup>24</sup> All player statistics are referenced from [www.NHL.com](http://www.NHL.com).

Demers.<sup>25</sup> This illustrates that by playing over half a professional season longer, it is clear that Franson is more experienced and likely to remain composed in crucial situations. Secondly, being a notably 4 inches taller than Demers, Franson sheer size is a deterrent for opposing forwards. Franson had a whooping 282 hits during his platform year which marginalizes Demers minimal 69. Franson plays with physical aggression in a disciplined way. He had over 213 more hits than Demers yet had the exact same penalty minutes.<sup>26</sup> This truly illustrates that Franson is able to make offenders think twice when Mr. Franson is on the ice.. Furthermore, Cody Franson has led his Club in points by a defenseman in both of the last two seasons, has consistently quarterbacked the Toronto's first power play unit, and is a rare right-handed defenseman with size.<sup>27</sup> Therefore, since Mr. Demers is compensated at an AAV of \$3,400,000 it would be inconsistent to offer Mr. Franson an award that does not exceed this figure. Subject to the highlights above, we believe that Mr. Franson would be served justice by receiving an award of \$3,500,000.

#### B. ZACH BOGOSIAN

Table 3: Platform Year Statistical Comparison<sup>28</sup>

<b>Player</b>	<b>GP</b>	<b>G (G/G)</b>	<b>A (A/G)</b>	<b>P (P/G)</b>	<b>+/-</b>	<b>PIM (PIM/G)</b>	<b>Hits</b>	<b>BS</b>	<b>TA</b>
Cody Franson	79	5 (0.06)	28 (0.35)	33 (0.42)	-20	30 (0.38)	282 (3.6)	111 (1.4)	50 (0.63)
Zach Bogosian	33	5 (0.15)	9 (0.27)	14 (0.42)	-5	29 (0.88)	79 (2.4)	50 (1.5)	12 (0.36)

Zach Bogosian is directly comparable to Cody Franson. Both players have similar assists, points, and blocked shots per game in their platform years. Mr. Bogosian and Mr. Franson both play similar roles on their individual teams as offensive defenseman. They are

<sup>25</sup> *Ibid.*

<sup>26</sup> *Ibid.*

<sup>27</sup> *Ibid.*

<sup>28</sup> All player statistics are referenced from [www.NHL.com](http://www.NHL.com).



known for their offensive instincts, powerful shots from the point, quarterbacking the powerplay, carrying the puck, and also have a strong physical presence on the ice. Although, one must make note that Mr. Franson outmatches Mr. Bogosian in multiple areas. First off is his physical presence on the ice. Even though they are of similar size, Franson is more likely to use his sheer size as a deterrent for opposing forwards. Franson had a whopping 282 hits during his platform year which marginalizes Bogosian minimal 79. This equals out to over a hit per game more. In addition to the outnumbered hits, Mr. Franson finishes his checks in a disciplined manner. He had over 203 more hits than Bogosian yet only accumulated one more penalty minute. To magnify that one penalty minute more, one should note that is in comparison to Bogosian's shortened season due to the lockout of 2012-2013. Therefore to put it in perspective, Cody Franson averaged an impressive 0.38 penalty minutes per game, compared to Zach Bogosian's substantial 0.88 penalty minutes per game. That means that Mr. Bogosian averages over 50% more penalty minutes without the any reasonable excuse. Lastly, Mr. Franson truly outmatches Mr. Bogosian in the takeaway category as he averaged over 0.27 more per game. Accordingly, since Mr. Bogosian is compensated at an AAV of \$5,142,857 it would be inconsistent to offer Mr. Franson an award that falls substantially below this figure. Therefore, we believe that when you compare Mr. Bogosian career parallel to Mr. Franson's, an award of \$3,500,000 is visibly justified.

## **VII. CONCLUSION**

Based on the evidence provided above, Mr. Franson has proven himself to be an effective offensive defenseman. He is a valuable asset on the power play and possesses great size. Therefore, we respectfully submit that Mr. Franson deserve compensation greater than the \$3,300,000 midpoint salary. We submit that an award of \$3,500,000 is appropriate.