**IN THE MATTER OF SALARY ARBITRATION:**

**CODY FRANSON**

**-AND-**

**THE TORONTO MAPLE LEAFS**

**BRIEF OF CODY FRANSON**

**TEAM 22**

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**I. INTRODUCTION AND OVERVIEW**

 Pursuant to section 12.9 of the NHL Collective Bargaining Agreement,[[1]](#footnote-1) this brief will analyze the performance and contributions of the Toronto Maple Leafs’ Cody Franson. As the analysis will show, Mr. Franson is a multidimensional defenseman, a clutch performer, and a physical presence on the ice. Accordingly, Mr. Franson is entitled to an award above the $3.3 million midpoint, and $4.4 million is an appropriate and fair award.

1. **Multidimensional Defenseman**

Mr. Franson has been a steady point contributor throughout his entire career, averaging .413 points per game throughout his 5 NHL seasons.[[2]](#footnote-2) Last season, he produced 5 goals and 28 assists for 33 points, which led all Toronto defensemen, was good for 7th on the team, and tied for 38th among all NHL defensemen.[[3]](#footnote-3) For a team that struggled offensively last season, Mr. Franson was one of the few offensive bright spots.

Mr. Franson’s contributions to both the offensive and defensive side of the puck have improved throughout his entire career. Over the past three seasons, his total ice time per game has increased from 16:11 in 2011-2012, to 18:47 in 2012-2013, and finally to 20:41 in 2013-2014.[[4]](#footnote-4) Mr. Franson’s 20:41 in ice time per game last season ranked 3rd highest out of all Toronto defensemen, which solidified his role as a top 4 defenseman in the NHL.[[5]](#footnote-5) He ranked second on the team in shifts per game, trailing only the top Toronto defenseman, Dion Phaneuf.[[6]](#footnote-6)

Mr. Franson also logged significant minutes on the power play and can be credited for much of the team’s success in this area of the game last season. On the power play, he logged 2:54 per game and contributed 1 goal and 17 assists.[[7]](#footnote-7) His 18 power play points were good for second on the team[[8]](#footnote-8), and were a major reason the Maple Leaf’s power play unit ranked 5th in the league during the 2013-2014 season.[[9]](#footnote-9)

On the penalty kill, Mr. Franson’s abilities have improved significantly during his tenure with the Maple Leafs. After only recording 0:03 of shorthanded ice time per game in the 2011-2012 season, that number increased to 0:54 in the 2012-2013 season, and last season he logged 1:38 per game.[[10]](#footnote-10) He also has increased his number of blocked shots during this time frame, increasing from 53, to 59, to 111, respectively.[[11]](#footnote-11) Based on these numbers, it is clear that Mr. Franson has worked to improve the defensive aspects of his game, and he has been rewarded for his hard work with increased playing time, especially on the penalty killing unit.

 One area where Mr. Franson’s stats declined from the previous year was in the plus minus category. After posting a plus 4 in 2013-2014, that stat fell to minus 20 during the 2013-2014 season.[[12]](#footnote-12) On the surface, some may assume this was due to Mr. Franson’s poor defensive play, but that is an illogical assessment as plus minus is a stat that relies on team performance as a whole. The Maple Leafs goal differential decreased significantly from the 2012-2013 season to the 2013-2014 season. In 2012-2013, Toronto averaged 3.02 goals per game and allowed 2.77 goals against per game.[[13]](#footnote-13) In 2013-2014, the team’s goals per game decreased to 2.81, while goals against per game increased to 3.12.[[14]](#footnote-14) Aside from the team’s declining performance as a whole, the quality of goaltending also led to Mr. Franson’s negative rating. In 2013-2014, Toronto’s goalies posted a save percentage of .918, which was a decline from the .924 save percentage Toronto goalies had in 2012-2013.[[15]](#footnote-15) The plus minus stat is a poor indicator of a player’s offensive or defensive contributions. As was shown, Mr. Franson’s negative statistic was due to the poor performance of his teammates, and the Maple Leafs team as a whole. Therefore, it should not be used as an indicator when evaluating Mr. Franson’s 2013-2014 season.

Mr. Franson is a key contributor to the Toronto Maple Leafs in at both ends of the ice. He is a versatile defenseman who puts up points, logs substantial minutes, and plays on both the power play and penalty kill. Accodingly, Mr. Franson should be paid above the $3.3 million midpoint figure, with Mr. Franson submitting $4.4 million per year as a fair and just award.

1. **A Clutch Performer**

Mr. Franson has performed exceptionally well during some of the most important moments of his career, specifically the playoffs. Mr. Franson has been on teams that made the playoffs on three separate occasions, and has played in in 23 playoff games in his career.[[16]](#footnote-16) He has put up very impressive stats in theses games, posting 4 goals, 9 assists, and a plus 1 rating.[[17]](#footnote-17) Out of the 5 seasons Mr. Franson has played in the NHL, his teams have made the playoffs three times.[[18]](#footnote-18)

In the 2012-2013 season, Mr. Franson helped the Maple Leafs advance to the playoffs for the first time in since the 2003-2004 season.[[19]](#footnote-19) Mr. Franson advanced to the playoffs during his first two seasons in the NHL, both with Nashville, and brought this experience with him when he was traded to Toronto.[[20]](#footnote-20) With Toronto in the 2012-2013 playoffs, Mr. Franson posted 3 goals and 3 assists in the seven game series against the eventual Eastern Conference Champion Boston Bruins.[[21]](#footnote-21) In the deciding game seven, Mr. Franson scored 2 goals in the 5-4 overtime loss.[[22]](#footnote-22)

Mr. Franson has also performed very well on the power play throughout his career. Over the past 2 seasons, Mr. Franson has posted 31 power play points in 124 games, good for 0.25 power play points per game.[[23]](#footnote-23) His 18 power play points last year were good for second on the Maple Leafs, and first among defensemen.[[24]](#footnote-24) It is clear that Mr. Franson is a very productive player on the power play. The team has realized this as well, evidenced in the increasing amount of time he has played on the power play over the last three years.[[25]](#footnote-25)

Performing well in high-pressure situations, such as the playoffs and on the power play, are assets that Mr. Franson has always provided for the Toronto Maple Leafs. Accordingly, he should be paid above the $3.3 million midpoint figure, specifically $4.4 million per year.

**C. Physical Defensive Force**

 During the 2013-2014 season, Mr. Franson was second in the NHL with 282 hits.[[26]](#footnote-26) He has embraced his 6’5” frame more and more throughout his career, leading up to last year’s 3.6 hits per game. What is most impressive is how Mr. Franson has been able to throw his body around without incurring numerous penalties. Last season, he finished with just 30 penalty minutes, good for 0.38 penalty minutes per game.[[27]](#footnote-27) The league leader in hits, Matt Martin, finished the season with three times as many penalty minutes, averaging 1.14 penalty minutes per game. In Mr. Franson, the Maple Leafs have a big, physical defenseman who can intimidate opponents, but is not a liability on the ice.

 Mr. Franson has also become comfortable with putting his body on the line to block shots. Last season, he was third on the team with 111 blocked shots.[[28]](#footnote-28) These defensive skills have led to the large increase in penalty kill time noted above. Mr. Franson is blessed with a big frame, and he uses it to his advantage in both the physical and defensive phases of the game. These defensive and physical characteristics are ideal compliments to Mr. Franson’s impressive offensive capabilities. As such, he should be paid above the $3.3 million midpoint figure, specifically $4.4 million.

**II. VALID COMPARABLE PLAYERS**

**A. Dmitry Kulikov – Florida Panthers** In July 2014, Dmitry Kulikov signed a 3-year contract extension worth an average of $4,333,333 with the Florida Panthers.[[29]](#footnote-29) Mr. Franson and Mr. Kulikov are similar in that both have accrued 5 NHL seasons, with Mr. Franson playing in 322 games compared to Mr. Kulikov’s 313.[[30]](#footnote-30) Last season, both players played significant time on the power play and penalty kill, with Mr. Franson averaging 2:54 and 1:38, and Mr. Kulikov averaging 2:23 and 1:48, respectively.[[31]](#footnote-31)

 Last season, Mr. Franson beat out Mr. Kulikov in almost every statistical category. Mr. Franson had 33 points in 79 games, with 18 of those points coming on the power play.[[32]](#footnote-32) In 81 games, Mr. Kulikov scored just 19 points, with only 5 of those points coming on the power play.[[33]](#footnote-33) Mr. Kulikov was major part of a power play unit that ranked last in the NHL and converted on just 10% of its opportunities.[[34]](#footnote-34) On the contrary, Mr. Franson was an integral piece of the Maple Leafs 6th ranked power play that converted on 19.8% of its opportunities.[[35]](#footnote-35) It is very unlikely that Mr. Kulikov would play on the power if he played for the Maple Leafs. Over the course of their careers, Mr. Franson has routinely outscored Mr. Kulikov. Mr. Franson has averaged 0.41 points per game throughout his career, while Mr. Kulikov has averaged just 0.32.[[36]](#footnote-36) Mr. Franson is much more impressive than Mr. Kulikov on the offensive side of the puck, and this is displayed by statistics from both last season and over the course of their careers.

 Although Mr. Kulikov played more minutes per game on the penalty kill than Mr. Franson, he also played on the worst penalty kill unit in the entire NHL last season.[[37]](#footnote-37) Mr. Kulikov also had less blocked shots last season, 92 compared to 111, and less than half the number of hits Mr. Franson compiled last season.[[38]](#footnote-38) Mr. Kulikov was part of an all around weak defensive unit that gave up 3.20 goals per game last season, compared to the 3.07 goals per game given up by the Maple Leafs.[[39]](#footnote-39)

 Mr. Franson has also been a part of more playoff teams than Mr. Kulikov and performed better in the playoffs. Mr. Franson has been to the playoffs on three different occasions, and in 23 playoff games has produced 4 goals, 9 assists, and a plus 1 rating.[[40]](#footnote-40) In Mr. Kulikov’s lone trip to the playoffs during the 2010-2011 season, he was almost nonexistent offensively, posting 0 goals, 1 assist, and a minus 4 rating in 7 games. [[41]](#footnote-41) Mr. Franson has been much more reliable and productive when the games matter most.

 Mr. Franson is a more all-around talented and productive player than Mr. Kulikov and the evidence shows in both the players’ stats and the performance of their teams. As such, Mr. Franson is entitled to an award greater than that of Mr. Kulikov’s $4,333,333, specifically $4.4 million per year.

**B. Jake Gardiner – Toronto Maple Leafs**

 In July 2015, Jake Gardiner signed a five-year contract worth an average of $4.05 million per year.[[42]](#footnote-42) Mr. Franson and Mr. Gardiner are very similar in that both players have played for the Toronto Maple Leafs during the last three seasons, and Mr. Gardiner has had Mr. Franson as a teammate for his entire career. During their rookie years, both player played identical minutes on the power play at 1:58 per game.[[43]](#footnote-43) Mr. Gardiner put up 30 points, which averaged out to 0.4 points per game, while Mr. Franson scored 21 points, which put him at a mark of 0.34 points per game.[[44]](#footnote-44)

The stark contrast is how much more efficient Mr. Franson was than Mr. Gardiner. Mr. Franson put up these stats while playing 14:11 in total ice time per game, while Mr. Gardiner was playing 21:35 per game.[[45]](#footnote-45) During their rookie seasons, Mr. Franson was averaging a point for every 41:12 he was on ice, while it took Mr. Gardiner an average of 53:58 to score a point.[[46]](#footnote-46) So while Mr. Gardiner may have played more minutes earlier on in his career, Mr. Franson was much more efficient in his rookie year, and has been throughout his entire career. Mr. Franson has averaged 0.413 points per game throughout his career, compared to Mr. Gardiner’s mark of .389.[[47]](#footnote-47)

In the three years the two players have been teammates, Mr. Franson has played in 181 games compared to 167 games for Mr. Gardiner.[[48]](#footnote-48) Over this period, Mr. Franson has averaged 0.46 points per game while Mr. Gardiner has scored just 0.39 points per game. Last season, although he played one less game than Mr. Gardiner, Mr. Franson had more points, power play points, power play time on ice, penalty kill time on ice, blocked shots, and hits.[[49]](#footnote-49) Both players played with the same teammates, and Mr. Franson was able to produce a far superior statistical season than Mr. Gardiner.

Mr. Franson has also outperformed Mr. Gardiner in the playoffs. In the 2012-2013 season, when the Maple Leafs advanced to the playoffs, Mr. Franson posted 3 goals, 3 assists, and an even rating in 7 games played.[[50]](#footnote-50) Mr. Gardiner only played 6 games and finished with one goal, 4 assists, and a minus four rating.[[51]](#footnote-51) Both when the two players played on the same team, and over the course of his career, Mr. Franson has outperformed Mr. Gardiner in the playoffs.

Mr. Franson is more physical and efficient on both the offensive and defensive sides of the puck than Mr. Gardiner. Accordingly, Mr. Franson is entitled to an award greater than that of Mr. Gardiner’s $4.05 million, specifically $4.4 million per year.

**III. CONCLUSION**

 Mr. Franson is a well-rounded defenseman who excels at every facet of the game. He plays significant minutes on both special teams, is a physical force that plays up to his massive frame, and has produced points at big moments throughout his entire career. When comparing Mr. Franson to other players in the price range, it is evident that he is entitled to an award above the $3.3 million midpoint, and $4.4 million is a fair and appropriate award.

1. NHL Collective Bargaining Agreement, 2005, s.12. [↑](#footnote-ref-1)
2. http://www.nhl.com/ice/playerstats [↑](#footnote-ref-2)
3. *Ibid.* [↑](#footnote-ref-3)
4. *Ibid.* [↑](#footnote-ref-4)
5. *Ibid.* [↑](#footnote-ref-5)
6. *Ibid.* [↑](#footnote-ref-6)
7. *Ibid.* [↑](#footnote-ref-7)
8. *Ibid.* [↑](#footnote-ref-8)
9. http://mapleleafs.nhl.com/club/teamstatscomparison.htm [↑](#footnote-ref-9)
10. http://www.nhl.com/ice/playerstats [↑](#footnote-ref-10)
11. *Ibid.* [↑](#footnote-ref-11)
12. *Ibid.* [↑](#footnote-ref-12)
13. http://mapleleafs.nhl.com/club/teamstatscomparison.htm [↑](#footnote-ref-13)
14. *Ibid.*  [↑](#footnote-ref-14)
15. *Ibid.* [↑](#footnote-ref-15)
16. http://www.nhl.com/ice/playerstats [↑](#footnote-ref-16)
17. *Ibid.* [↑](#footnote-ref-17)
18. *Ibid.* [↑](#footnote-ref-18)
19. http://www.nhl.com/ice/standings.htm [↑](#footnote-ref-19)
20. *Ibid.*  [↑](#footnote-ref-20)
21. *Ibid.*  [↑](#footnote-ref-21)
22. http://www.nhl.com/ice/player.htm?id=8471742&view=log&season=20122013 [↑](#footnote-ref-22)
23. http://www.nhl.com/ice/playerstats [↑](#footnote-ref-23)
24. http://mapleleafs.nhl.com/club/teamstatscomparison.htm [↑](#footnote-ref-24)
25. http://www.nhl.com/ice/playerstats [↑](#footnote-ref-25)
26. http://www.nhl.com/ice/player.htm?id=8471742&view=notes [↑](#footnote-ref-26)
27. http://www.nhl.com/ice/playerstats [↑](#footnote-ref-27)
28. http://www.nhl.com/ice/player.htm?id=8471742&view=notes [↑](#footnote-ref-28)
29. http://www.capgeek.com/ [↑](#footnote-ref-29)
30. http://www.nhl.com/ice/playerstats [↑](#footnote-ref-30)
31. *Ibid.*  [↑](#footnote-ref-31)
32. *Ibid.* [↑](#footnote-ref-32)
33. *Ibid.* [↑](#footnote-ref-33)
34. http://www.nhl.com/ice/teamstats [↑](#footnote-ref-34)
35. *Ibid.* [↑](#footnote-ref-35)
36. *Ibid.* [↑](#footnote-ref-36)
37. http://mapleleafs.nhl.com/club/teamstatscomparison.htm [↑](#footnote-ref-37)
38. http://www.nhl.com/ice/playerstats [↑](#footnote-ref-38)
39. http://www.nhl.com/ice/teamstats [↑](#footnote-ref-39)
40. *Ibid.* [↑](#footnote-ref-40)
41. *Ibid.* [↑](#footnote-ref-41)
42. http://www.capgeek.com/ [↑](#footnote-ref-42)
43. http://www.nhl.com/ice/playerstats [↑](#footnote-ref-43)
44. *Ibid.* [↑](#footnote-ref-44)
45. *Ibid.*  [↑](#footnote-ref-45)
46. *Ibid.* [↑](#footnote-ref-46)
47. *Ibid.* [↑](#footnote-ref-47)
48. *Ibid.* [↑](#footnote-ref-48)
49. *Ibid.* [↑](#footnote-ref-49)
50. *Ibid.*  [↑](#footnote-ref-50)
51. *Ibid.* [↑](#footnote-ref-51)