

IN THE MATTER OF SALARY ARBITRATION BETWEEN:

CODY FRANSON

- AND -

THE TORONTO MAPLE LEAFS

BRIEF OF THE TORONTO MAPLE LEAFS

TEAM 27



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1. INTRODUCTION AND OVERVIEW

Pursuant to section 12.9 of the NHL Collective Bargaining Agreement, this brief will analyze the individual performance of Cody Franson (“Mr. Franson”), and his overall contribution to the Toronto Maple Leafs. While Mr. Franson has been an adequate and consistent producer offensively, his defensive game has been poor, and not up to the required standard. It will also be shown that it is questionable as to whether and to what degree Mr. Franson positively contributes to the success of the Toronto Maple Leafs. We submit that a fair and appropriate award for Mr. Franson is a one-year contract at a value of \$3.15 million.

A. MODEST OFFENSIVE PRODUCTION

Mr. Franson is a 6’5, 213lb NHL defenseman with five years of NHL experience. TSN describes Mr. Franson as a defenseman with offensive ability, but one who struggles defensively and produces inconsistently.¹ He is also recognized as slow and even cumbersome skater who, even with his size, lacks aggression or a noticeable physical game.² In 2012-2013, Mr. Franson played 45 of 48 possible games and scored an impressive 29 points (0.64 points per game (“PPG”)).³

Mr. Franson failed to follow-up his productive 2012-2013 campaign in his 2013-2014 (the “Platform Year”), which was marred by various offensive and defensive setbacks. While Mr. Franson played essentially the entire season as a second-line defenseman (averaging 20:41 minutes per game), his statistical production fell in every major statistical category. Indeed, his 5 goals (0.06 goals per game (“GPG”)) and 33

¹ <http://www.tsn.ca/nhl/player-bio/cody-franson/bio>

² <http://www.tsn.ca/nhl/player-bio/cody-franson/bio>

³ <http://www.nhl.com/ice/player.htm?id=8471742&docid=TeamPlayerBio:43094#&navid=nhl-search>

points (0.42 PPG) paled in comparison to his 2012-2013 performance and instead represented a return to career averages of 0.09 GPG and 0.41 PPG.⁴ While Mr. Franson's goal and point totals – 75th and 42nd respectively amongst NHL defenseman – were respectable, they were disappointing for a defenseman primarily relied upon for offensive production. Mr. Franson also scored no shorthanded points, no game winning or overtime goals and generated less than 1.5 shots per game, while his shooting percentage was an abysmal 4.3% – 577th league wide and the lowest of his career.⁵

Mr. Franson's Platform Year as compared to his career totals suggests that his productive 2012-2013 campaign was a statistical anomaly. Indeed, in the three years prior to 2012-2013, Mr. Franson amassed just 19 goals and 71 points in 198 games for a PPG of merely 0.36, or prorated to 29 points over an entire season – hardly impressive numbers for a primarily offensive defenseman.⁶

B. DEFENSIVE LIABILITY

While Mr. Franson's offensive production in his Platform Year was average for an offensive defenseman, his performance in his own zone was deplorable. Indeed, his horrendous minus 20 (-20) placed him 290th amongst 303 NHL defensemen and a distant last on an already substandard Maple Leafs' defence. While Mr. Franson was a respectable shot blocker and hitter, he had a horrendous 68 giveaways – the 22nd highest in the NHL – providing opposing teams with countless scoring opportunities.⁷ Toronto's coaching staff recognized Mr. Franson's defensive shortcomings, exemplified by his

⁴ <http://www.nhl.com/ice/player.htm?id=8471742&view=stats>

⁵ <http://www.nhl.com/ice/player.htm?id=8471742>

⁶ <http://www.nhl.com/ice/player.htm?id=8471742>

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<http://www.nhl.com/ice/playerstats.htm?fetchKey=20142ALLSASALL&sort=giveaways&viewName=rtssPlayerStats>

average of a mere 1:39 time spent on the penaltykill (“SH TOI”), which ranked 144th amongst NHL defenseman and was comparable with defenseman who played approximately 3 minutes less per game on average.⁸ In fact, of the 25 defenseman ranked in the 125th-150th range for SH TOI, only two defenseman averaged more total minutes than Mr. Franson, and both had a better plus-minus.⁹

C. POTENTIAL INJURY CONCERNS

Mr. Franson has been fortunate to not suffer any significant injuries in his young career. There is a concern, however, that Mr. Franson may be prone to lower body injuries. Mr. Franson was injured in February 2010 in the ribs, which caused him to miss several games. This rib injury later resurfaced and caused the defenseman to miss 9 games in March. He then missed games in November and December in his Platform Year with another lower-body injury.¹⁰ It is unclear whether he is more or less susceptible to these types of injuries, and the Maple Leafs express concern over his future durability and fitness given his established mobility issues.

D. FAILURE TO PROMOTE TEAM SUCCESS

There is no evidence that Mr. Franson had any positive contribution as a member of a Maple Leafs team that woefully underperformed to expectations during his Platform Year. In 2013-2014 Mr. Franson averaged 20:41 TOI, 3rd on the team and just seconds under Jake Gardiner’s average TOI, who was +17 higher. Mr. Franson also logged the 3rd

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<http://www.nhl.com/ice/playerstats.htm?fetchKey=20142ALLDADALL&viewName=timeOnIce&sort=avgShortHandedTOIPerGame&pg=5>

¹⁰ <http://www.nhl.com/ice/player.htm?id=8471742&view=notes>

most SH TOI on a Maple Leafs penalty kill unit that was ranked 28th in the NHL.¹¹ Moreover, he logged the 2nd most even-strength time on the team that finished -25 overall and 22nd in the league on 5-on-5 goals for/goals against ratio.¹² Perhaps most telling is that Mr. Franson was the 3rd defenseman on a team that finished a clear 30th in the NHL for shots against per game.¹³

Detrimental to Franson's long-term value to the Maple Leafs is the fact that Toronto is currently in a transitional rebuild period whereby the team is growing extensively on defence. Highly touted prospect Morgan Reilly just completed his rookie season and is soon to establish himself as the team's offensive defenseman, and young defenseman Jake Gardiner also appears to be settling into a permanent role on the team. The Maple Leafs also traded Carl Gunnarson, who played in the team's top four, for Roman Polak and signed veteran Stephane Robidas, both prior to Mr. Franson's scheduled arbitration; both are expected to push for spots in Toronto's top four. This evidence suggests that Mr. Franson may be trending towards a role on the Maple Leafs' third defence pairing. Such a transition would inevitably have a negative impact on Franson's offensive production and value.

Moreover, Mr. Franson does not seem to have any noticeably positive impact on the Maple Leafs' team success. In his three seasons with the Maple Leafs, Mr. Franson has played in one playoff series. While Mr. Franson was productive in this tightly

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<http://www.nhl.com/ice/teamstats.htm?fetchKey=20142ALLSAAAll&sort=goals5On5ForAgainstRatio&viewName=summary>

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<http://www.nhl.com/ice/teamstats.htm?fetchKey=20142ALLSAAAll&sort=goals5On5ForAgainstRatio&viewName=summary>

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<http://www.nhl.com/ice/teamstats.htm?fetchKey=20142ALLSAAAll&sort=avgShotsAgainstPerGame&viewName=summary>

contested series with Boston, scoring 3 goals and 6 points, he had a plus-minus of zero (0) as the Maple Leafs were eliminated in an infamous game 7 collapse in which Mr. Franson was on the ice for an important third period Boston goal as well as the eventual series winner in overtime.¹⁴ In his five-year career, Mr. Franson has played in just 23 playoff games.¹⁵

2. VALID COMPARABLE PLAYERS

A. CARL GUNNARSSON

In July 2013, the Toronto Maple Leafs signed defenseman Carl Gunnarsson to a three-year contract at an average annual value of \$3.15 million.¹⁶ Mr. Gunnarsson is an ideal comparable player because he, like Mr. Franson, is considered to be an offensive-defenceman who played for an underperforming Maple Leafs team. Mr. Gunnarsson too has experienced injury concerns, having, like Mr. Franson, yet to complete a full 82 game NHL season.¹⁷

During his platform year of 2012-2013, Mr. Gunnarsson provided the Maple Leafs with one goal and 14 assists, producing at an admirable rate of 0.41 PPG, nearly identical to the 0.42 PPG provided by Mr. Franson during the Platform Year.¹⁸ Like Mr. Franson, Mr. Gunnarsson formed part of a Maple Leafs team that has struggled to control the flow of play, and both were defensively suspect to the extent that both failed to prevent the Maple Leafs from finishing 27th and 30th in the NHL respectively in shots

¹⁴ <http://www.nhl.com/scores/htmlreports/20122013/GS030147.HTM>

¹⁵ <http://www.nhl.com/ice/player.htm?id=8471742>

¹⁶ www.capgeek.com

¹⁷ <http://mapleleafs.nhl.com/club/player.htm?id=8474125>

¹⁸ *Ibid.*

against during the 2012-2013 and 2013-2014 seasons. Unlike Mr. Franson, however, Mr. Gunnarsson would go on to provide more sustainable defensive play in 2013-2014, playing to an impressive plus 12 (+12).

B. JASON DEMERS

On July 16th, 2014, defenseman Jason Demers signed a two-year pre-arbitration settlement with the San Jose Sharks worth a total of \$6.8 million. For the 2014-2015 season, Mr. Demers is scheduled to earn \$3.15 million. The Maple Leafs submit that the \$3.15 million value is also appropriate for Mr. Franson for the 2014-2015 season on the basis of a one-year contract.

Mr. Demers and Mr. Franson produced a nearly identical statistical record during the Platform Year.¹⁹ Mr. Demers produced one more point than Mr. Franson on the season, recording five goals and 29 assists for a total of 34 points. Both players logged a similar amount of ice time (19:29 per game for Demers; 20:41 for Franson), and both contributed to the powerplay and penaltykill in nearly identical amounts.²⁰

The glaring difference in the play of Mr. Franson and Mr. Demers during the Platform Year came in the form of defensive reliability and efficiency. Mr. Demers was an impressive plus 14 (+14), while Mr. Franson was, as discussed, a horrid minus 20 (-20). In addition, while Toronto finished dead last in shots against, San Jose finished an impressive 6th in the NHL, conceding over eight fewer shots per game than the Maple Leafs.²¹ This is, in part, indicative of the fact that Mr. Demers was more effective with the puck, and provided an arguably greater contribution to team success than Mr.

¹⁹ <http://www.nhl.com/ice/player.htm?id=8474218&view=splits&season=20132014&gameType=2>

²⁰ *Ibid.*

²¹ <http://www.nhl.com/ice/teamstats.htm?fetchKey=20142ALLSAAALL&sort=avgShotsAgainstPerGame&viewName=summary>

Franson. Thus, while both players logged a similar amount of ice time over a similar number of games, Mr. Demers' time was much more efficient, and contributed more to team success than that of Mr. Franson.

3. CONCLUSION

Mr. Franson is a serviceable NHL defenceman with offensive upside. The Toronto Maple Leafs key concerns are with respect to his consistency, defensive ability and capability to influence positive team results. The Toronto Maple Leafs have finished 24th, 27th, and 30th respectively in shots against since Mr. Franson's arrival for the 2011-2012 season, showing a concerning regression in the team's ability to control the play and earn victories.²² Mr. Franson's play has been a key part of this slide, as demonstrated through his defensive struggles, particularly evident during the Platform Year.

The Toronto Maple Leafs submit that, on the basis of objective statistical production, Mr. Franson is directly comparable to defenceman Carl Gunnarsson and Jason Demers. It is for this reason that the Toronto Maple Leafs submit that Mr. Franson warrants an identical award of \$3.15 million for a one-year contract.

²² <http://www.nhl.com/ice/player.htm?id=8471742&view=stats>