

HOCKEY ARBITRATION COMPETITION OF CANADA

DERICK BRASSARD v. NEW YORK RANGERS

Submission on Behalf of Derick Brassard

Salary Midpoint: \$5.00 million

Submitted by Team 26

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I. INTRODUCTION

This brief analyzes the past performance and contributions of 27-year old center Derick Brassard of the New York Rangers (“Rangers”). Mr. Brassard is a restricted free agent and is eligible for salary arbitration under section 12.1 of the Collective Bargaining Agreement (“CBA”).¹ As will be made clear by the evidence presented here, Mr. Brassard’s contribution to the Rangers has been consistent and he has been an overall positive asset to the organization. This brief will consider the criteria for admissible evidence outlined in section 12.9(g) of the CBA to demonstrate the justification for asking the Rangers Hockey Club (“Club”) to award Mr. Brassard a higher salary. The party for Mr. Brassard respectfully submits that he is entitled to an award above the \$5.00 million midpoint figure, and that \$5.1 million per season is appropriate.

II. OVERALL PERFORMANCE OF THE PLAYER

Table 1. Brassard’s NHL Career Statistics²

Season	Team	GP	G	A	P	PPG	+/-	PIM	TOI/G	Hits	S	S%
2007-08	BLUE JACKETS	17	1	1	2	0.12	-4	6	9:03	11	13	7.7
2008-09	BLUE JACKETS	31	10	15	25	0.81	12	17	14:25	40	59	17.0
2009-10	BLUE JACKETS	79	9	27	36	0.46	-17	48	14:56	125	125	7.2
2010-11	BLUE JACKETS	74	17	30	47	0.64	-11	55	17:01	121	183	9.3
2011-12	BLUE JACKETS	74	14	27	41	0.55	-20	42	16:20	137	125	11.2
2012-13*	BLUE JACKETS/ RANGERS	47	12	17	29	0.62	1	16	16:33	83	88	13.6
2013-14	RANGERS	81	18	27	45	0.56	2	46	15:47	124	159	11.3
NHL TOTALS		403	81	144	225	0.56	-37	230	15:39	641	752	10.8

* Due to the Owner’s Lockout, the 2012-13 Regular Season was 48 games and 99 days in duration. The conventional National Hockey League (“NHL”) Regular Season length is 82 games and 185-187 days in duration.

Mr. Brassard is a 6’1, 202lbs center with 7 seasons of NHL experience who was drafted by the Columbus Blue Jackets (“Jackets”) 6th overall in the 2006 NHL Entry Draft.³ Mr. Brassard split his time between the Jackets and their American Hockey League (“AHL”)

¹ National Hockey League Collective Bargaining Agreement, 2005, s. 12.1.

² <http://www.nhl.com/ice/player.htm?id=8473544>

³ *Ibid.*

affiliate, the Syracuse Crunch, during his first season, and played sporadically in his second season, but afterwards played 3 full seasons with the Jackets. As seen in Table 1, he reached a career high points per game average (“PPG”) in his second season with the Jackets, tabulating 25 points in 31 games for a 0.81 PPG. Mr. Brassard’s career statistics should, in theory, have suffered from years of being mired in the basement of the Western Conference as part of the Jackets from 2007-2013. Yet, even on a poor team, he maintained high goal production. In the 2011-2012 season, his last full one with the Jackets, he was ranked third on the team in points.⁴ Although his +/- rating was drastically low in that season, he was on par with the rest of the high scorers on the team who saw the most time on ice (“TOI”), such as Rick Nash.

On April 3 2013, Mr. Brassard was traded to the Rangers, where he has since played one full season. Last year, in his platform season, he averaged 0.56 PPG. Mr. Brassard’s 45 points that year resulted in him being tied for fourth on the Rangers in team points. He also was fourth on the team in goals, and fifth in assists.⁵ Another observation was his fairly equal contribution of power play and even-strength points. 60% of his points were scored at even strength, with the other 40% on the power play, showing that he contributes in both situations and does not need to rely on the man advantage to score points.⁶ Overall, Mr. Brassard has amassed 225 points in 403 regular season NHL games. This averages to a 0.56 PPG total over his career (Table 1).

Mr. Brassard has also proven that he is a valuable player during the playoffs. Mr. Brassard has played in the NHL playoffs the past two seasons with the Rangers, and overall has tallied 8 goals, 16 assists and 24 points in 35 playoff games, and a +5 rating.⁷ During the Rangers run to the Stanley Cup final in the 2014 Playoffs, Mr. Brassard was a valuable part of the team.

⁴ <http://www.nhl.com/ice/playerstats.htm?season=20112012&gameType=2&team=CBJ&position=S&country=&status=V&viewName=summary>

⁵ <http://www.nhl.com/ice/player.htm?id=8473544&view=notes>

⁶ <http://www.nhl.com/ice/player.htm?id=8473544&view=splits>

⁷ *Supra*, at note 2.

He tallied 12 points in 23 games and was shooting at a 13.3%. He established playoff career-highs in games played (23), goals (six), plus/minus rating (+4), and game-winning goals (“GWG”) (two).⁸ Overall in his playoff appearance, he has an 11.9% shooting percentage, which is higher than that in his career regular season.

III. NUMBER OF GAMES PLAYED AND INJURY HISTORY

Mr. Brassard suffered two main injuries early in his career with the Jackets. Mr. Brassard broke his jaw in his first season in the AHL, which caused him to miss two months.⁹ In 2008, he dislocated his shoulder during a fight, which he had to undergo surgery to repair. Since then, he has only missed a minimal amount of games per season. During the 2014 playoffs, he missed two games with an upper body injury in the Conference Final against the Montreal Canadiens. He left Game 1 but returned to play in Game 4.¹⁰

IV. OVERALL CONTRIBUTION TO THE CLUB

Mr. Brassard’s contribution to the Club is unmistakable, and his play has made the Rangers a stronger team, thus demonstrating his value. His +/- immediately skyrocketed once he got traded, from a -20 in 2011-2012 to -2 in 2012-2013 before the trade to +3 after the trade, and then maintained at +2 in his platform year. And with this +/- rating, his point production also increased, as he set career-highs in goals and games played in his first full season with the Rangers (Table 1). The fact that he tied for the team lead in power play goals and for second in power play points showed the amount of trust the Club put in him and the payoff he provided in return for that trust.

One of Mr. Brassard’s main areas of benefit to the Rangers is on the power play, where this past season he totalled 2:31 minutes of power play ice time (5th among Rangers forwards, 6th

⁸ *Supra*, at note 6.

⁹ http://en.wikipedia.org/wiki/Derick_Brassard

¹⁰ <http://www.nhl.com/ice/player.htm?id=8473544&view=log&season=20132014>

on the team).¹¹ He had a team-high 7 power play goals this season and was tied for second in points with 18, showing he is a valuable asset on the power play who can execute. He does not play on the penalty kill, averaging only 0:01 minutes of ice time per game.¹² This can be explained by the Rangers' depth of players that are adept at killing penalties, such as Brian Boyle, Dominic Moore, Carl Hagelin, Taylor Pyatt, and Derek Stepan.

Mr. Brassard's performance in other aspects indicates that he is a well-rounded player and an all-around contributor. He earned more points on the road than at home, by a slight margin of 25 to 20.¹³ Unlike some other players, whose production correlates to where they are playing on a given night, he has shown that he can produce equally consistently in any atmosphere under any pressure, no matter the hostile environment. This past season he also tied for third on the Rangers for GWG's, corroborating the assertion that he plays well under pressure. He ranked sixth in the league for GWG's during the 2014 playoffs.¹⁴ After being traded in the lockout-shortened season and then playing in 12 playoff games with the Rangers, he put up 12 points, a remarkable point-per-game pace that was made more remarkable given his immediate need to adjust to the new team and new environment, and the fact that it was his first experience with NHL playoff hockey.¹⁵ He was thrust into a difficult position, but he showed himself to be adaptable and resilient. While the 1.0 PPG pace slowed down in the 2014 playoffs, he still put up 0.52 PPG while playing an expanded role and contributing to the Rangers' trip to the Stanley Cup Final.¹⁶ In the 2014 regular season, he established career-highs in games played (81), goals (18), power play points (18), and GWG's (four). He also tied for the team lead in

¹¹ *Supra*, at note 6.

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ *Supra*, at note 5.

¹⁵ *Supra*, at note 2.

¹⁶ *Ibid.*

power play goals, tied for second in power play points, tied for third in GWG's, ranked fourth in goals and points (45), tied for fourth in power play assists, and ranked fifth in assists (27).¹⁷

V. SPECIAL QUALITIES OF LEADERSHIP AND PUBLIC APPEAL

As a member of the 2014 Eastern Conference champions the New York Rangers, Mr. Brassard has no doubt amassed a lot of public goodwill and esteem, especially given his sizeable contribution toward bringing the Club to the Stanley Cup Final. He also brings to the table a history of being recognized for his talents and off-ice qualities. He was named to the AHL All Star Game in 2007-2008 and received the honour of NHL Rookie of the Month in October 2008 for scoring the most points.¹⁸

VI. COMPARABLE PLAYERS

A. Tyler Ennis

Table 2. Ennis' NHL Career Statistics¹⁹

Season	Team	GP	G	A	P	PPG	+/-	PIM	TOI/G	Hits	S	S%
2009-10	SABRES	10	3	6	9	0.90	1	6	15:20	2	23	13.0
2010-11	SABRES	82	20	29	49	0.60	0	30	15:40	42	210	9.5
2011-12	SABRES	48	15	19	34	0.71	11	14	16:09	26	82	18.3
2012-13*	SABRES	47	10	21	31	0.66	-14	16	17:52	28	108	9.3
2013-14	SABRES	80	21	22	43	0.54	-25	42	18:51	89	210	10.0
NHL TOTALS		267	69	97	166	0.62	-27	108	17:05	187	633	10.9

Tyler Ennis was drafted 26th overall by the Buffalo Sabres ("Sabres") in the 2008 NHL Entry Draft.²⁰ On July 17 2014, the Sabres signed Mr. Ennis to a five-year deal worth \$4.6 million per season.²¹ Mr. Brassard (27) is two years older than Mr. Ennis and has two more seasons of NHL experience, although in the first two seasons of Mr. Brassard's career he only played 10 and 31 games respectively, while Mr. Ennis has four seasons where he has played

¹⁷ *Supra*, at note 5.

¹⁸ *Supra*, at note 9.

¹⁹ <http://www.nhl.com/ice/player.htm?id=8474589>

²⁰ *Ibid*.

²¹ <http://capgeek.com/player/1572>

more than half the regular season games (his first season he only played 10 games). While a couple of years younger and with less games played than Mr. Brassard, we submit that Mr. Ennis' salary is too low for Mr. Brassard. They both are centers on their respective teams and scored a similar amount in their platform year (43 for Mr. Ennis, second amongst the Sabres players). But Mr. Ennis had a -25 rating, even ranking 23rd of 28 on his team, which came in last place in the league.²² He was not very defensively responsible on a team full of defensive liabilities. Mr. Brassard, on the other hand, was +2, which landed about in the middle of the Rangers roster.²³ However, this roster went all the way to Game 5 of the Stanley Cup Finals; clearly it is a talented and deep roster, and Mr. Brassard is playing at a high level with many of his equals. In other words, he is a good player on a very good team. He also had a better faceoff percentage, with 48.0% compared to Mr. Ennis' 38.7%, while taking more faceoffs and with both taking at least 600 over the season.²⁴ Mr. Brassard has considerably more playoff experience than Mr. Ennis, playing in 35 games to Mr. Ennis' 13. Mr. Ennis has 8 points in 13 games for a 0.62 PPG while Mr. Brassard averages 0.69 PPG in playoffs.²⁵

Therefore, because of Mr. Brassard's better +/-, higher point total in his platform year, better success in the faceoff circle, and his effectiveness and more experience in NHL playoffs, Mr. Brassard is more valuable than Mr. Ennis, and thus should deserve an award significantly higher than Mr. Ennis' \$4.6 million per season.

B. Sam Gagner

Table 3. Gagner's NHL Career Statistics²⁶

²² <http://www.nhl.com/ice/playerstats.htm?season=20132014&gameType=2&team=BUF&position=S&country=&status=V&viewName=summary>

²³ <http://www.nhl.com/ice/playerstats.htm?season=20132014&gameType=2&team=NYR&position=S&country=&status=V&viewName=summary>

²⁴ *Supra*, at note 2.

²⁵ <http://www.nhl.com/ice/player.htm?id=8474589&view=splits&season=20132014&gameType=2>

²⁶ <http://www.nhl.com/ice/player.htm?id=8474040&view=stats>

Season	Team	GP	G	A	P	PPG	+/-	PIM	TOI/G	Hits	S	S%
2007-08	OILERS	79	13	36	49	0.62	-21	23	15:40	18	135	9.6
2008-09	OILERS	76	16	25	41	0.54	-1	51	16:45	28	156	10.3
2009-10	OILERS	68	15	26	41	0.60	-8	33	16:17	30	170	8.8
2010-11	OILERS	68	15	27	42	0.62	-17	37	17:44	24	138	10.9
2011-12	OILERS	75	18	29	47	0.63	5	36	17:10	21	149	12.1
2012-13*	OILERS	48	14	24	38	0.79	-6	23	19:24	35	113	12.4
2013-14	OILERS	67	10	27	37	0.55	-29	41	18:22	33	143	7.0
NHL TOTALS		481	101	194	295	0.61	-77	244	17:12	189	1004	10.1

Sam Gagner was drafted 6th overall by the Edmonton Oilers (“Oilers”) in the 2007 NHL Entry Draft.²⁷ On July 22 2014, the Oilers signed Mr. Gagner to a three-year deal worth \$4.8 million per season.²⁸ He was traded to the Tampa Bay Lightning followed by another trade to the Arizona Coyotes in the 2014 offseason.²⁹ Mr. Gagner has played seven full seasons with the Oilers (Table 3), and is two years younger than Mr. Brassard. In his platform year with the Oilers, he performed at a 0.79 PPG, which is higher than Mr. Brassard’s 0.56 PPG in his own platform year (Table 3). However, Mr. Gagner’s achievements come with the caveat of happening in the lockout-shortened season, which was almost half as long as a regular season. Their career PPG’s are much more similar (Mr. Gagner’s 0.61 to Mr. Brassard’s 0.56). Mr. Gagner has also not matched his career high in points (49) since his very first season in the NHL as an 18 year-old. Mr. Gagner has a horrendous career +/- of -77, including -6 in his platform year (Table 3). Mr. Brassard has a relatively better -37, including a +2 in his platform year. Both players have taken more than 900 faceoffs in their careers, and Mr. Brassard has a slight advantage there (48.0% to 46.8%).³⁰ Mr. Brassard has demonstrated that he is a much more physical player than Mr. Gagner, with 641 hits compared to Mr. Gagner’s 189. Mr. Brassard also

²⁷ *Ibid.*

²⁸ <http://capgeek.com/player/23>

²⁹ http://espn.go.com/nhl/story/_/id/11154445/tampa-bay-lightning-acquire-sam-gagner-edmonton-oilers-teddy-purcell

³⁰ *Supra*, at note 6; <http://www.nhl.com/ice/player.htm?id=8474040&view=splits&season=20132014&gameType=2>

brings to the table 35 games of valuable NHL playoff experience, including five games in the Stanley Cup Final. Mr. Gagner, on the other hand, brings none and thus is untried in the high intensity playoff atmosphere.

The fact that Mr. Gagner has no playoff experience in seven seasons can be attributed to playing on a poor team that routinely finishes close to last in the standings. That being said, Mr. Brassard's much higher playoff experience, as well as his strong and consistent play during the playoffs, gives Mr. Brassard an edge over Mr. Gagner, as Mr. Brassard has proven he is an asset during the gruelling Stanley Cup Playoffs. Mr. Gagner is still unknown in this regard. In addition, Mr. Brassard's better +/-, physicality, and results in the faceoff circle make him slightly more valuable than Mr. Gagner, and thus should deserve an award slightly higher than Mr. Gagner's \$4.8 million per season.

VII. CONCLUSION

The evidence in this brief indicates that Mr. Brassard has made considerable contributions to the Rangers and clearly demonstrates the value he has to the Club. Within the scope of the comparable players and their contributions to their respective teams, a salary should be awarded to Mr. Brassard that reflects those talents. His heavy use and production on the Rangers' power play and his stellar playoff performance over the past two years, especially his contributions in the 2014 playoff run to the Stanley Cup Final, demonstrate the positive effect Mr. Brassard has with the Rangers and confirms that he is a valuable asset for the organization. Mr. Brassard is entitled to an award above the \$5.0 million midpoint figure, and a \$5.1 million per season salary is appropriate.