

HOCKEY ARBITRATION COMPETITION OF CANADA

LARS ELLER v. MONTREAL CANADIENS

Submission on Behalf of Montreal Canadiens

Salary Midpoint: \$3.50 million

Submitted by Team 26

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I. INTRODUCTION

This brief analyzes the past performance and contributions of 25-year old center Lars Eller of the Montreal Canadiens (“Canadiens”). Mr. Eller 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. Eller’s contribution to the Canadiens has been inconsistent and has struggled to continually provide offensive support. These issues are a concern to the organization. This brief will consider the criteria for admissible evidence outlined in section 12.9(g) of the CBA to demonstrate the Club’s justification for awarding Mr. Eller a lower salary. As such, the Montreal Canadiens Hockey Club (“Club”) respectfully submits that he is entitled to an award below the \$3.50 million midpoint figure, and that \$3.10 million per season is appropriate.

II. OVERALL PERFORMANCE OF THE PLAYER

Table 1. Eller’s NHL Career Statistics²

Season	Team	GP	G	A	P	PPG	+/-	PIM	TOI/G	Hits	S	S%
2009-10	BLUES	7	2	0	2	0.29	2	4	10:49	8	8	25.0
2010-11	CANADIENS	77	7	10	17	0.22	-4	48	11:08	85	79	8.9
2011-12	CANADIENS	79	16	12	28	0.35	-5	66	15:18	72	129	12.4
2012-13*	CANADIENS	46	8	22	30	0.65	8	45	14:49	86	84	9.5
2013-14	CANADIENS	77	12	14	26	0.34	-15	68	15:57	130	137	8.8
NHL TOTALS		286	45	58	103	0.36	-14	231	14:15	381	437	10.3

* 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. Eller is a 6’2, 215lbs center with 5 seasons of NHL experience who was originally drafted by the St. Louis Blues (“Blues”) 13th overall in the 2007 NHL Entry Draft.³ Mr. Eller played seven games for the Blues in his first NHL season, where he tallied 2 goals. On June 17

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

² <http://www.nhl.com/ice/player.htm?id=8474189>

³ *Ibid.*

2010, Mr. Eller was traded to the Montreal Canadiens, where he has since played the last four seasons.⁴ As seen in Table 1, he reached a career high in goals (16) in 2011-12 and a career high in points in 2012-13. In his first three seasons with the Canadiens, Mr. Eller saw his points and points per game average (“PPG”) total increase each season. However, this past season in his platform year, his points and PPG decreased. His play showed signs of great inconsistency. He started the season with 15 points in 27 games, but then finished the season with 11 points in the remaining 50 games that he played.⁵ His shooting percentage has also decreased in each of the last three seasons, even though he has taken more shots (Table 1). Another demonstration of his inconsistency is the drop in his PPG between the last two seasons, as he was producing at 52% of last year’s production during his platform season.

Defensively, Mr. Eller displayed tendencies in his platform year that are concerning. He was 4th on his team (1st in forwards) in hits with 130, which demonstrated his physicality, but hits are also an indication of players who do not have the puck and are attempting to get it off an opposing player. His +/- was also very poor last year, registering -15 on the season, which ranked him last amongst all players on the Canadiens.⁶

III. NUMBER OF GAMES PLAYED AND INJURY HISTORY

Mr. Eller has had no serious injuries during his four regular seasons with the Canadiens. In 2009, mononucleosis kept him out of the preseason. In the 2013-14 season, he missed 3 games because of the flu. Mr. Eller did suffer a serious concussion during the 2013 playoffs, which was the result of a hit from Ottawa Senators (“Senators”) defencemen Eric Gryba. Mr. Eller also

⁴ <http://www.nhl.com/ice/player.htm?id=8474189&view=notes>

⁵ <http://www.nhl.com/ice/player.htm?id=8474189&view=log&season=20132014>

⁶ <http://www.nhl.com/ice/playerstats.htm?season=20132014&gameType=2&team=MTL&position=S&country=&status=V&viewName=summary>

suffered a broken nose and fractures to his face and teeth.⁷ It was a controversial hit, although Eller's head was down when he received the hit, perhaps putting himself in a vulnerable position, which helped contribute to the injury.⁸

IV. OVERALL CONTRIBUTION TO THE CLUB

Mr. Eller's inconsistency as a player diminishes the value of his contributions to his team. His -15 +/- rating was the worst on his entire team in the regular season, and it ranked him 412th out of 447 forwards in the NHL. Clearly, he was not just the victim of some poor luck or unlucky circumstances, for he played on a high-achieving team that earned a playoff berth and went as far as the Eastern Conference Finals in the 2014 Stanley Cup Playoffs.⁹ In games the team won, he had a +5 rating. But in games the team lost, he was a drastic -20.¹⁰ This hints that he has a more negligible impact on the Club's ability to win, and does not lend credence to arguments that he is not a contributor to the team's losses. In addition, his even strength goal differential shows another alarming trend. Even strength goal differential is the amount of a team's goals-for with equal players on the ice compared to goals-against with even players on the ice. It does not include short-handed goals-for and power play goals-against (which are included in a +/- rating). When Mr. Eller was not on the ice, the Canadiens even strength goals-for was +17.¹¹ When Mr. Eller was on the ice, the Canadiens even strength goals-for was -19. Overall this means that when Mr. Eller was on the ice, the Canadiens were scored on more than when he was not on the ice by a large margin. This once again shows that Mr. Eller was a rather noticeable liability defensively for the Canadiens.

⁷ <http://www.cbc.ca/sports/hockey/nhl/habs-lars-eller-injury-overshadows-senators-win-1.1371974?cmp=rss>

⁸ *Ibid.*

⁹ *Supra*, at note 2.

¹⁰ <http://www.nhl.com/ice/player.htm?id=8474189&view=splits>

¹¹ http://www.behindthenet.ca/nhl_statistics.php?ds=25&f1=2013_s&f2=5v5&f4=C+LW+RW&f5=MTL&c=0+1+3+5+4+6+7+21+22+23+24+25+26+27+28

Mr. Eller finished in the top 15% of all forwards in penalty minutes (PIM) in the 2013-2014 season.¹² This is a dubious distinction to have, because it meant he cost his team valuable even strength time and had a habit of setting them at a disadvantage. It could also point to a lack of discipline in playing that is a concern for the Club moving forward. He consistently amassed penalty minutes in every previous season, averaging nearly 1 PIM per game, so this is part of a worrisome trend. He redeems himself slightly by playing big minutes on the penalty kill (averaging 1:24 per game) that ended up in the top five of the league in the regular season, but the Club would feel more at ease to not be put into those shorthanded situations to begin with.¹³

The Club also recognizes his markedly improved contributions in the 2014 playoffs. That was partly due to the good fortune of establishing chemistry with the players he shared a line with the most, Rene Bourque and Brian Gionta. Something similar was seen in the regular season when his line-mate at the start of the season was Brendan Gallagher. Their production was impressive until they were no longer on the same line, and from that point on Mr. Eller's production dropped off. The Club does not undervalue the effort and results he produced in the playoffs, but requires good enough performance in the regular season from all of its players to even be able to benefit off of his considerable talents come playoff time.

V. SPECIAL QUALITIES OF LEADERSHIP AND PUBLIC APPEAL

Lars Eller has never been the captain or alternate captain or held any leadership role for the Montreal Canadiens or any of his minor teams. His public appeal, one could argue, may lie in the fact that, as one of the few NHL players born and trained in Denmark, he becomes the face of the sport in that country. His performance on an exciting, successful team like the Canadiens will

¹² <http://www.nhl.com/ice/playerstats.htm?fetchKey=20142ALLFVFALL&sort=penaltyMinutes&viewName=summary>

¹³ *Ibid.*

undoubtedly help with ice hockey's popularity in his homeland. He does not shoulder that responsibility alone however, with other prominent Danes like Jannik Hansen (who has been playing in the league since 2007) of the Vancouver Canucks and Mikkel Boedker (who is the highest-drafted Dane in the NHL) of the Arizona Coyotes also in the league.¹⁴

Mr. Eller's public appeal can also be felt in his role as victim of the open-ice hit by Eric Gryba in the first round of the 2013 playoffs. His injuries were severe, and the visceral image of him lying unconscious in a pool of blood helped fuel the already intense hatred between the Canadiens and the Senators and between their respective fan bases. For that reason, we anticipate that the opposing counsel might paint Mr. Eller as a lightning rod for sympathy for the plight of the Canadiens (considering their eventual 4-1 series loss to Ottawa), and thus as a symbol that the fan base can rally around. But we submit that, in the face of the deep playoff run in just the following year, the team does not need this particular symbol, and reminder of an unsuccessful playoff series, any longer. The team's own success this year has rallied the fans and injected a dose of adrenaline back into the organization.

VI. COMPARABLE PLAYERS

A. Mats Zuccarello

Table 2. Zuccarello's NHL Career Statistics¹⁵

Season	Team	GP	G	A	P	PPG	+/-	PIM	TOI/G	Hits	S	S%
2010-11	RANGERS	42	6	17	23	0.55	3	4	14:10	56	74	8.1
2011-12	RANGERS	10	2	1	3	0.30	0	6	10:02	8	10	20.0
2012-13*	RANGERS	15	3	5	8	0.67	10	8	16:25	27	27	11.1
2013-14	RANGERS	77	19	40	59	0.77	11	32	17:08	116	170	11.2
NHL TOTALS		144	30	63	93	0.65	24	50	15:42	207	281	10.7

¹⁴ <http://www.nhl.com/ice/player.htm?id=8471498>; <http://www.nhl.com/ice/player.htm?id=8474571>

¹⁵ <http://www.nhl.com/ice/player.htm?id=8475692&view=stats>

Mats Zuccarello signed as a free agent with the New York Rangers (“Rangers”) in the summer of 2010 after playing in the Swedish Elite League.¹⁶ On July 22 2014, he signed a one-year deal for \$3.5 million with the Rangers.¹⁷ He is older than Mr. Eller by two years, but his age does not hurt him in the comparison. In fact, despite being older, Mr. Zuccarello has played in only 144 NHL games, compared to Mr. Eller’s 286, but has scored 93 points for an impressive 0.65 PPG (Table 2). Mr. Eller on the other hand has 103 points and scores at a rate of 0.36 PPG, nearly half of Mr. Zuccarello’s production (Table 1). Mr. Zuccarello has seen his PPG increase in each of the last three years. He is a hard worker, recognized as such by the Rangers organization with their annual Steven McDonald Extra Effort Award for his hustle and ability to get under opponents’ skin.”¹⁸ His production improved in all areas in the 2013-2014 season, including in all four rounds of the Stanley Cup Playoffs. He also has experience playing internationally in the Winter Olympics and in the International Ice Hockey Federation World Championships, increasing both his prestige and his versatility.¹⁹

Mr. Zuccarello impresses in other statistical categories too. In the 2013-2014 regular season, he finished at a +11 rating, which was good enough to be ranked 51st out of 447 forwards league-wide.²⁰ That included a -12 in games the team lost, and an impressive +23 in games the team won.²¹ He had a higher shooting percentage, at 11.2% (Table 2) compared to Mr. Eller’s 8.8%. He also took only 32 penalty minutes all season, in comparison to Mr. Eller’s 68. This shows that Mr. Zuccarello is a more disciplined player, another attractive feature that shows how much he deserves the annual value he received.

¹⁶ *Ibid.*

¹⁷ <http://capgeek.com/player/1777>

¹⁸ <http://www.nhl.com/ice/player.htm?id=8475692&view=notes>

¹⁹ http://en.wikipedia.org/wiki/Mats_Zuccarello

²⁰ <http://www.nhl.com/ice/playerstats.htm?fetchKey=20142ALLFV FALL&sort=plusMinus&viewName=summary>

²¹ <http://www.nhl.com/ice/player.htm?id=8475692&view=splits&season=20132014&gameType=2>

Therefore, considering that Mr. Zuccarello's impressive career PPG as well as his PPG over past three seasons is superior to Mr. Eller's, and his much more disciplined game of hockey with less PIMs and a better +/-, the Canadiens submit that Mr. Zuccarello is more valuable to his team, and as such Mr. Eller's award should not be higher than Mr. Zuccarello's \$3.5 million deal. A lower salary should be awarded.

B. Artem Anisimov

Table 3. Anisimov's NHL Career Statistics²²

Season	Team	GP	G	A	P	PPG	+/-	PIM	TOI/G	Hits	S	S%
2008-09	RANGERS	1	0	0	0	0.00	0	0	9:27	0	1	0.0
2009-10	RANGERS	82	12	16	28	0.34	-2	32	12:54	45	124	9.7
2010-11	RANGERS	82	18	26	44	0.54	3	20	16:12	74	190	9.5
2011-12	RANGERS	79	16	20	36	0.46	12	34	15:24	75	132	12.1
2012-13*	BLUE JACKETS	35	11	7	18	0.51	-6	12	16:24	13	68	16.2
2013-14	BLUE JACKETS	81	22	17	39	0.48	-2	20	16:35	31	162	13.6
NHL TOTALS		360	79	86	165	0.46	5	118	15:21	238	677	11.7

Artem Anisimov was drafted 54th overall by the New York Rangers in the 2006 NHL Entry Draft.²³ He played one game with the Rangers in the 2008-09 season where he registered one shot, and then went on to play three full seasons with the Rangers (Table 3). On July 23 2012, Mr. Anisimov was traded to the Columbus Blue Jackets ("Jackets"), where he has since played. On June 26 2013, the Jackets signed Mr. Anisimov to a 3-year deal worth an average of \$3,283,333 per season.²⁴ Mr. Anisimov (age 26) is one year older than Mr. Eller, and was the same age as Mr. Eller currently is when he signed his contract extension last year.²⁵ Both have played five full seasons in the NHL, although, at the time of Mr. Anisimov's signing, he had played in only four NHL seasons. Mr. Eller has played 286 NHL regular season games, while at

²² <http://www.nhl.com/ice/player.htm?id=8473573>

²³ *Ibid.*

²⁴ <http://capgeek.com/player/645>

²⁵ *Supra*, at note 22.

the time of Mr. Anisimov's contract extension he had played 279 games (Table 3). Both of these players play center on their respective teams. In their respective platform seasons, Mr. Anisimov averaged more TOI per game than Mr. Eller (16:35 to 15:57) and also had a better PPG than Mr. Eller (0.51 compared to 0.34) (see Table 3).

Up to and including their respective platform seasons, Mr. Anisimov has more goals (57 compared to 45), assists (69 compared to 58), and points (126 compared to 103) than Mr. Eller, despite the fact that he has played 7 less games in this timespan. In their platform seasons, Mr. Anisimov had a +/- of -2 while Mr. Eller had a +/- of -15. Career-wise, Mr. Eller is -14, while Mr. Anisimov was +7 at the time his contract was signed.

Therefore, considering that Mr. Anisimov contributed more points to his team in his platform season, had more total goals, assists, and points at the time of signing his contract in fewer games, and a better +/-, the Canadiens submit that Mr. Anisimov is more valuable to his team. As such, Mr. Eller's award should not be higher than Mr. Anisimov's \$3,283,333 deal. A lower salary should be awarded.

VII. CONCLUSION

The club recognizes Mr. Eller's offensive contributions to the Canadiens, and within the scope of comparable players and their contributions to their respective teams, wants to award him a salary that reflects his talents. However, given his inconsistent offensive contribution, very poor +/- rating, and poor even strength goal differential effect he has on his team, the Canadiens Hockey Club has valid concerns regarding Mr. Eller. Mr. Eller is entitled to an award below the \$3.50 million midpoint figure, and a \$3.10 million salary per season is appropriate.