

IN THE MATTER OF SALARY ARBITRATION BETWEEN:

LARS ELLER

-AND-

THE MONTREAL CANADIANS

BRIEF ON BEHALF OF LARS ELLER

TEAM 12

I. INTRODUCTION AND OVERVIEW

Pursuant to section 12.9 of the NHL Collective Bargaining Agreement, this brief will analyze the performance of Lars Eller of the Montreal Canadiens.¹ Mr. Eller will submit to the panel three main reasons why he is deserving of his requested salary. First, he is an established playoff performer, leading Montreal into the Eastern Conference Finals as the top scoring forward on the team. Second, his overall contribution to the Canadian's success relies on his defensive role as a checking centre due to the depth of smaller, offensive minded players on the Canadiens. Third, he is in the prime of his career with an offensive breakthrough in the playoffs which will lead to increased offensive production with additional minutes in the upcoming year. Thus, after breaking down his true value to the Montreal organization along with looking at comparable players, it is Mr. Eller's position that he be entitled to an award above the \$3.5 million midpoint figure and that \$3.7 million per season would be more appropriate.

A. Overall Contribution to Team's Success

The goal of a NHL team is to win the Stanley Cup. Mr. Eller established himself as playoff performer, leading the Canadiens to a successful run to the Eastern Conference Finals during the 2013-2014 season. During the playoffs, it is harder to score due to increased intensity, fewer penalties and an increase in quality opposition. This was evidenced by the top two forwards on the Canadiens during the regular season, Max Pacioretty and David Desharnais, having significantly lower points per game in the playoffs than in the regular season.² Mr.

¹ NHL Collective Bargaining Agreement, 2005, s.12

²<http://www.nhl.com/ice/playerstats.htm?season=20132014&gameType=3&team=MTL&position=S&country=&status=&viewName=summary>

Pacioretty dropped from .82 P/GP to .65 P/GP, while Mr. Desharnais decreased from .66 P/GP to .47 P/GP.³ This may have attributed to the lack of size and grit necessary to get to the net.

On the other hand, due to his impressive strength and size at 215 pounds and a high compete level, Mr. Eller had a significant increase in the playoffs. This was evident in his P/GP elevating from .34 in the regular season to over double at .76, demonstrating a desire to win when it really matters.⁴ This makes his 13 points in 17 games even more critical to the team's overall success.⁵ In addition from being second in points on the team, behind only Norris Trophy winner P.K. Subban who had 14, he also was a plus 6 +/- and had increased minutes to 16:27 from 15:57 in the regular season.⁶ Furthermore, this success was all done with only 0.28 minutes per game on the power play as compared to Mr. Subban's 5:20 and fellow center Mr. Deharnais's 3:20.⁷ Thus, when given an increased role, Mr. Eller has a significant contribution to the success of the Canadians.

2. Defensive Ability

In addition to being a playoff competitor, Mr. Eller is an excellent defender, consistently playing against the other team's top players. The Selke award, given to the NHL forward who demonstrates the most defensive skill is consistently given to players that win over 50% of their face-offs, consistently block shots and have solid takeaway to giveaway ratios.⁸ The past two

³ *Ibid.*

⁴ <http://www.nhl.com/ice/playerstats.htm?gameType=3&position=S&season=20132014&sort=points&status=A&team=MTL&viewName=points>

⁵ *Supra* note 3.

⁶ <http://www.nhl.com/ice/playerstats.htm?gameType=3&position=S&season=20132014&sort=timeOnIce&status=A&team=MTL&viewName=timeOnIce>

⁷ *Ibid.*

⁸ http://en.wikipedia.org/wiki/Frank_J._Selke_Trophy

winners Jonathon Toews and Patrice Bergeron were both among the league leaders in face-offs, ranking 3 and 5 respectively.⁹

Similar to both Mr. Toews and Mr. Bergeron, fellow Olympian Mr. Eller is ranked among the elite centers at face-offs at 26th, winning an impressive 53.2% of those taken.¹⁰ This makes him a valuable asset in the defensive zone and when the game is on the line, especially on a Montreal team that only won a combined 49.6%.¹¹ In addition, Mr. Eller not only has great size but he uses it, evidenced by leading all of the Montreal forwards in hits with 130 and Blocked shots at 58.¹² Furthermore, he had a positive give-away to take-away ratio. Thus, even though he had a negative plus-minus this season, his defensive stats clearly show a commitment to playing both ends of the ice.

3. Increase in Role and Production

Mr. Eller is a blue-chip prospect (drafted 1st round) that is now entering the prime of his career.¹³ A recent study, done by UBC business school, found that based on predicting regular season points scored and plus-minus, the peak performance was 25 years of age.¹⁴ This will lead to an increase in production next season. First, for his role, likely following his strong playoff performance, he will be expecting an increase in minutes played to something similar to his playoff 16:27 per game.¹⁵ Next, after displaying the highest P/GP at .76 for Montreal forwards in the playoffs, he could be expecting additional minutes in the offensive zone and on the power

⁹ *Ibid.*

¹⁰ <http://www.nhl.com/ice/playerstats.htm?gameType=2&position=S&season=20132014&sort=faceOffWinPctg&status=A&viewName=faceOffPercentage>

¹¹ <http://www.nhl.com/ice/teamstats.htm?season=20132014&gameType=2&viewName=summary>

¹² <http://www.nhl.com/ice/playerstats.htm?gameType=2&position=S&season=20132014&sort=gamesPlayed&status=A&team=MTL&viewName=rtssPlayerStats>

¹³ <http://www.nhl.com/ice/player.htm?id=8474189>

¹⁴ <http://www.cbc.ca/news/when-nhl-players-peak-hockey-metrics-1.2646054>

¹⁵ *Supra* note 9.

play.¹⁶ In 2013-2014, only 3 of his 26 points were on the power play due to the lack of playing time.¹⁷ Lastly, with the increase in his experience, he will be even more valuable in the defensive zone, evidenced from his progression in face-off percentage from 49.3 in 2012-2013 to 53.2 last season.¹⁸ These projections are also attainable due to his durability. In the last three seasons, despite his physical play, he has averaged at least 77 of 82 games per season.¹⁹ Thus, based on him entering his prime, with his likely increased role and production, his award should be above the mid-point of \$3.5 million.

II. VALID COMPARABLE PLAYERS

A. Brandon Sutter

In August 2014, Brandon Sutter of the Pittsburgh Penguins signed a two-year contract worth \$6.6 million, an average annual value of \$3.3 million.²⁰ The comparison between Mr. Sutter and Mr. Eller is inescapable. First, they are of similar age and stature. Both of the players are 25 with the same draft year, almost following each other in the first round at 11 and 13th overall.²¹ Second, Mr. Sutter plays a similar role on his Penguins team, that of a third line center, clearly below Sidney Crosby and Evgeni Malkin on the depth chart. The minutes played per game are also very comparable with 15:46 for Mr. Sutter and 15:57 for Mr. Eller. In addition, they are both larger players, filling the role of the third line center. Lastly, the production of the players was almost identical from last season. Both of the Players had 26 points, were a minus - primarily due to playing against tough competition, and played a similar

¹⁶ *Supra* note 2.

¹⁷ *Supra* note 6.

¹⁸ <http://www.nhl.com/ice/playerstats.htm?gameType=2&position=S&season=20132014&sort=faceOffWinPctg&status=A&team=MTL&viewName=faceOffPercentage>

¹⁹ *Supra* note 13

²⁰ <http://www.nhl.com/ice/news.htm?id=727868>

²¹ <http://www.nhl.com/ice/player.htm?id=8474091>

number of games. In addition, both of the players were not major contributors to the power play with only 5 of Mr. Sutter's 26 points on the power-play.

These similarities, however, are primarily on paper and do not identify the stark contrast in each players contribution to their respective teams. As mentioned, both players are third-liners but the opportunity for additional minutes is limited only in the case of Mr. Sutter. While Mr. Sutter is currently handcuffed by the two bona fide superstar centres (Malkin and Crosby) above him, Mr. Eller, as indicated by his increased role during the playoffs, has an opportunity to become a substantial offensive contributor on his team. In fact, Mr. Eller was only 8 and 4 goals away from the top 2 centers his team, as compared to 23 and 13 for Mr. Sutter.²² In addition, although both were a major part of their team's playoff run, Mr. Eller played a much bigger part. While Mr. Sutter's 7 points were significant, he was still third among centers, and fifth among forwards on the Penguins.²³ On the other hand, Mr. Eller's 13 points was first among centers, leading all forwards on the Canadians.²⁴ Thus, based on only Mr. Eller demonstrating a justified argument for additional minutes and production this season, he should be given a much higher award than Mr. Sutter's 3.3 million.

In addition to a possible increased offensive role, the statistics from last season clearly indicate Mr. Eller's substantially better defensive ability, which is the key attribute of a third line center. As discussed previously, Mr. Eller is the top face-off man on the Canadians with 53.2%, making him very valuable in the defensive zone.²⁵ By glaring contrast, Mr. Sutter had the lowest

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

²³<http://www.nhl.com/ice/playerstats.htm?season=20132014&gameType=3&team=PIT&position=S&country=&stat us=&viewName=summary>

²⁴ *Supra* note 5.

²⁵ *Supra* note 10.

percentage on the Penguins at 47.7, considerably lower than the second lowest centre at 52.5.²⁶

This means that in addition to having less value in the Penguin's zone, he would get more offensive zone starts which has inflated his offensive stats. In addition, Mr. Eller plays a much more physical style of play, another valued trait of a third line player. In essentially the same amount of minutes played, Mr. Eller had nearly double of hits with 130 to Mr. Sutter's 69, including 18 more blocked shots.²⁷ This demonstrates that although they are of similar role and size, Mr. Eller plays the role of a big player, desperately needed on the smaller Montreal team. By contrast, with the same points as Mr. Eller, without the defensive acumen, Mr. Sutter is clearly less valuable to his team. In conclusion, these two player are similar in many respects, especially with points, but with a significantly greater contribution to the team's success and better defensive ability, Mr. Eller should receive a higher award than Mr. Sutter's 3.3 million.

B. Josh Bailey

In July 2013, Mr. Bailey and the Islanders agreed on a new five-year contract, worth \$3.3 million per season.²⁸ This analysis will only consider the production of Mr. Bailey up until the point when he signed his deal. In terms of age and size, Mr. Eller is slightly bigger but at the time of the contract, Mr. Bailey was 23 as compared to 25.²⁹ Both of these ages is close to the physical prime of a player. In addition, each of these players were drafted in the first round.

²⁶<http://www.nhl.com/ice/playerstats.htm?season=20132014&gameType=2&team=PIT&position=S&country=&status=&viewName=faceOffPercentage>

²⁷<http://www.nhl.com/ice/playerstats.htm?gameType=2&position=S&season=20132014&sort=gamesPlayed&status=A&team=MTL&viewName=rtssPlayerStats>

²⁸ <http://www.capgeek.com/player/1084>

²⁹ *Ibid.*

Both of the players play similar roles, with neither being highly offensive, indicated by the ranking for points on their teams of 8th for Mr. Bailey and 9th for Mr. Eller.³⁰

At the time of Mr. Bailey's signing as an RFA, the careers' of the two players were strikingly similar. Mr. Bailey had played 329 games, with 58 goals, 81 assists and 139 points, for a .42 P/GP.³¹ This compares to Mr. Eller's 286 games, 45 goals, 58 assists and 103 points for a .36 P/GP.³² In the season leading up to their contracts, they also had similar production. In terms of minutes played, Mr. Bailey played 0:54 shorthanded, 1:17 on the power-play, and 16:22 overall per game, compared to 1:24, 1:06, and 15:57 for Mr. Eller.³³ The only noticeable difference is the 0:30 difference attributed to Mr. Eller's larger role while the team is shorthanded. For points in the Platform year, Mr. Bailey was slightly above his career average with 19 points in 38 games for a .5 P/GP.³⁴ It will likely be contested that this indicates a substantially higher offensive role given Mr. Eller's .34 last season. However, this is a small sample during a shortened season, and a more accurate statistic would be his P/GP over his career, or more specifically, the last two seasons (which includes a full season), where over the course of the last 118 games, his P/GP was .43. In addition, as playoff games are played during the year, they should be included to get a true picture of each players' offensive capabilities. Over the course of the year, including playoffs, Mr. Bailey's total P/GP remained at .5 while Mr. Eller saw an increase to .41.

Although the offensive roles in their last season on their respective teams are similar, the overall contribution to the team's success, especially in the playoffs is where Mr. Eller is clearly

³⁰<http://www.nhl.com/ice/playerstats.htm?season=20122013&gameType=2&team=NYI&position=S&country=&status=&viewName=summary>

³¹ *Ibid.*

³² *Supra* note 13.

³³ <http://www.nhl.com/ice/player.htm?id=8474573>

³⁴ *Ibid.*

superior. First, the contrast begins with their positions. Mr. Eller plays a critical role of shut-down third line center with 53.2% of his face-offs won.³⁵ Mr. Bailey, is mainly a winger, and has played center, but with a 46.7% faceoff percentage, he is a liability in the defensive zone.³⁶ In addition, only Mr. Eller accepts the physical role on his team, with almost three times as many hits per game at 1.7 per game compared to the .63 for Mr. Bailey.³⁷ This physical play is even more critical during the playoffs. In addition, it is not only the physical play in the playoffs where Mr. Eller has outshined Mr. Bailey. In fact, Mr. Bailey has not registered a goal, with only 3 points in his 6 career playoffs games.³⁸ This pales into comparison to the outstanding playoff run of Mr. Eller, where he had 13 points in 17 games. Thus, not only does he have a greater contribution to his team's success, Mr. Eller, at this point in their short careers is the only player that can reliably be counted on to produce in the playoffs. Therefore, these stark differences should equate to an increased valuation over the 3.3 million given to Mr. Bailey.

III. CONCLUSION

Lars Eller has a beneficial role to the Montreal Canadians and has only recently began to reach his potential, evident from his contribution to the Canadians in the 2013-2014 playoffs. In addition to his recent offensive breakout, his role as a shut-down checking centre that wins a majority of his face-offs and leads the forwards in hits and blocked shots, is even more critical to the team's success. In comparison to players of similar age and pedigree, it is Mr. Eller's position that he is entitled to an award above \$3.5 million and that \$3.7 would be a fair salary.

³⁵ *Supra* note 9.

³⁶ <http://www.nhl.com/ice/playerstats.htm?gameType=2&position=S&season=20122013&sort=totalFaceOffs&status=A&team=NYI&viewName=faceOffPercentageAll>

³⁷ <http://www.nhl.com/ice/playerstats.htm?gameType=2&position=S&season=20122013&sort=gamesPlayed&status=A&team=NYI&viewName=rtssPlayerStats>

³⁸ *Supra* note 33.