

IN THE MATTER OF SALARY ARBITRATION

BETWEEN:

CODY FRANSON

(“THE PLAYER”)

- AND -

THE TORONTO MAPLE LEAFS

(“THE CLUB”)

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THE PLAYER’S BRIEF

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TEAM 4

Counsel for “THE PLAYER”

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## **1. INTRODUCTION AND OVERVIEW**

[1] This is a matter of the arbitration between Cody Franson (“Franson” or “the Player”) and the Toronto Maple Leafs (“the Club”) pursuant to Article 12 of the 2013 Collective Bargaining Agreement (“CBA”) between the National Hockey League (“NHL”) and the National Hockey League Players’ Association (“the NHLPA”).

[2] The following brief will establish the fair value of Cody Franson as a defenceman in the National Hockey League and as a member of the Toronto Maple Leafs. The brief will examine Franson’s performance both in the NHL and in minor professional leagues, his offensive and defensive statistics in comparison to similar defensemen in the NHL, and Franson’s additional intangible contributions that establish his position as an elite offensive-defenseman in the NHL. Based on the aforementioned criteria, this brief will conclude that Franson should be awarded a one-year Standard Player’s Contract (“SPC”) with a value of no less than \$3.4 million.

## **2. OVERALL PERFORMANCE OF THE PLAYER**

[3] Franson is an offensively gifted defenseman with the ability to lead an effective power play. He was drafted in the 3<sup>rd</sup> round, 79<sup>th</sup> overall, by the Nashville Predators in 2005 and joined the Maple Leafs in 2011 following a multi-player trade.<sup>1</sup> At 6’5” and 213lbs, Franson uses his impressive size in the defensive zone to block shots and lay devastating hits on the opposing team. This combination of size and skill makes Franson both an offensive and defensive asset for the Toronto Maple Leafs. Franson’s regular season career stats are reflected in Table 1 below.

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<sup>1</sup> <http://www.nhl.com/ice/news.htm?id=568385&navid=mod-rr-headlines>

**Table 1: NHL Regular Season Statistics for Cody Franson<sup>2</sup>**

Season	Team	GP	G	A	PTS	PPP	+/-	PPG	HTS	BLKS
2009-2010	Nashville	61	6	15	21	6	15	0.34	55	53
2010-2011	Nashville	80	8	21	29	6	10	0.36	81	52
2011-2012	Toronto	57	5	16	21	7	-1	0.37	102	53
2012-2013*	Toronto	45	4	25	29	13	4	0.64	124	59
2013-2014	Toronto	79	5	28	33	18	-20	0.42	282	111
<b>Career</b>	-	<b>322</b>	<b>28</b>	<b>105</b>	<b>133</b>	<b>50</b>	<b>8</b>	<b>0.41</b>	<b>644</b>	<b>328</b>

\*Lockout-shortened season of 48 games.

[4] In the 2013-2014 season, Franson ranked first amongst Leafs' defensemen in scoring with 33 points, with 18 of those points coming on the power play. With keen vision of the ice and a booming right-handed shot, Franson logs significant time on the Club's power play unit. Franson's efforts led to the Toronto Maple Leafs having the 6<sup>th</sup> best power play in the league in the 2013-2014 season, converting on approximately 19.8% of their chances.<sup>3</sup>

[5] While his offensive prowess might be the most notable feature of Franson's game, his defensive play during the 2013-2014 allowed him to solidify his reputation as a formidable two-way player. Using his 6'5" frame, Franson blocked 111 shots and lead all defensemen in the NHL with 282 hits. While the Club may point to his 2013-2014 plus-minus rating of -20, it is worth noting that this is a team statistics that depends on a variety of factors outside the individual player's control. Franson's career stats reflect this, with a career plus-minus of -17 with the Toronto Maple Leafs but a plus-minus of +25 with the Nashville Predators. It is doubtful that the difference between these two ratings correlates to his individual play, but rather to his team's overall performance. For this reason blocks and hits reflect defensive efforts better and show Franson's continual improvement over his career.

<sup>2</sup><http://www.nhl.com/ice/player.htm?id=8471742&docid=TeamPlayerBio:43094#&navid=nhl-search>;  
<http://sports.yahoo.com/nhl/players/3952/> for hits and blocks.

<sup>3</sup><http://www.nhl.com/ice/teamstats.htm?fetchKey=20142ALLSAAALL&sort=powerPlayPercentage&viewName=su>  
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[6] Lastly, Franson’s NHL playoff career statistics show him to be a player that rises to the occasion and significantly increases his level of play in high-pressure scenarios. See Table 2 below that details his offensive statistics for his career playoff performance.

**Table 2: NHL Playoff Statistics for Cody Franson<sup>4</sup>**

Season	Team	GP	G	A	P	PPP	+/-	PPG
2009-2010	Nashville	4	0	1	1	0	1	0.25
2010-2011	Nashville	12	1	5	6	3	0	0.50
2012-2013	Toronto	7	3	3	6	3	0	0.86
<b>Career</b>	-	<b>23</b>	<b>4</b>	<b>9</b>	<b>13</b>	<b>6</b>	<b>8</b>	<b>0.56</b>

[7] The statistics from Table 2 show that Cody Franson produces at a rate significantly higher during playoff games than during regular-season games. Despite being a small sample size, his career average of 0.56 points-per-game in the postseason shows his ability to elevate his game in high-pressure scenarios. Further, the fact that nearly half of his points come on the man advantage further emphasizes his skill on the power play.

### **3. SELECTION OF COMPARABLE PLAYERS**

[8] In order to evaluate the value of Cody Franson in the NHL marketplace, it is necessary to compare his performance to other similar defensemen in the league. The most relevant criteria to determine a proper comparison are age, career and platform year performance, NHL experience and the player’s intangible contributions to their respective teams. The comparable players are Jason Demers (“Demers”) of the San Jose Sharks and Jeff Petry (“Petry”) of the Edmonton Oilers.

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<sup>4</sup> *Ibid.*

#### 4. COMPARISON TO COMPARABLE PLAYERS

**Table 3: Cody Franson v Comparable Players Career Performance Statistics<sup>5</sup>**

Player	GP	G	A	PTS	PPG	PPP	+/-	HTS	BLKS
Franson	322	28	105	133	0.41	50	8	644	328
Demers	280	16	79	95	0.34	31	26	290	301
Petry	236	13	46	59	0.25	11	-40	467	393

**Table 4: Cody Franson v Comparable Players Platform Season Statistics<sup>6</sup>**

Player	GP	G	A	PTS	PPG	PPP	+/-	HTS	BLKS
Franson	79	5	28	33	0.42	18	-20	282	111
Demers	75	5	29	34	0.45	9	14	69	107
Petry	80	7	10	17	0.21	2	-22	181	132

**Table 5: Cody Franson v Comparable Player Contracts<sup>7</sup>**

Player	Current Age	Contract Length	Platform Year	AAV
Franson	27	1 year	2013-2014	Unknown
Demers	26	2 year	2013-2014	\$3,400,000
Petry	26	1 year	2013-2014	\$3,075,000

##### 4.1. CODY FRANSON v. JASON DEMERS

[9] Jason Demers (“Demers”) is a 6’1”, 195 lb. defenseman for the San Jose Sharks. He was drafted in the 7<sup>th</sup> round, 186<sup>th</sup> overall by the Sharks and has played all five of his NHL seasons with the team. In the 2014-2015 season Demers will earn \$3.4 million as part of a two-year SPC signed during this offseason. Both Demers and Franson have played five seasons in the NHL. However, during that time Franson has produced at a slightly higher point-per-game rate (0.41) than Demers (0.34) and has accumulated more blocked shots and significantly more hits. While Demers career plus-minus ratio is higher than Franson’s, this can be attributed to the overall performance of the San Jose Sharks. While Demers did perform at a better points-per-game pace during his platform year (0.45) than Franson (0.42), this slight difference in platform year

<sup>5</sup> <http://sports.yahoo.com/nhl/players/3952/>.

<sup>6</sup> *Ibid*; <http://sports.yahoo.com/nhl/players/4849/>; <http://sports.yahoo.com/nhl/players/4578/>.

<sup>7</sup> <http://capgeek.com/player/155>; <http://capgeek.com/player/1071>; <http://capgeek.com/player/1659>.

production is outweighed by Demers' inconsistent play and lack of intangible defensive statistics. See Table 6 below for Demers' career statistics that show his inconsistent play.

**Table 6: NHL Regular Season Statistics for Jason Demers<sup>8</sup>**

Season	GP	G	A	PTS	+/-	PPG	HTS	BLKS
2009-2010	51	4	17	21	5	0.41	42	40
2010-2011	75	2	22	24	19	0.32	87	72
2011-2012	57	4	9	13	-8	0.23	60	58
2012-2013*	22	1	2	3	-4	0.14	32	24
2013-2014	57	5	29	34	14	0.45	69	107
<b>Career</b>	<b>280</b>	<b>16</b>	<b>79</b>	<b>95</b>	<b>26</b>	<b>0.34</b>	<b>290</b>	<b>301</b>

\*Lockout shortened season

[10] As Table 6 shows Demers actually has had three poor seasons from 2010-2013 bookended by two relatively good seasons. When compared to Franson's career stats, provided in Table 1, we can see that Franson's offensive statistics improve as his career progresses. While it is true that Franson's statistics during the 2012-2013 season are better than his platform year statistics, this can be attributed to the relatively small sample-size of the lockout-shortened season. Between the two players Demers reveals himself as a talented but inconsistent defenseman with offensive upside, whereas Franson shows himself as a consistent offensive-defenseman that plays the game with a more physical edge.

**Table 7: Cody Franson v Jason Demers Career Playoff Statistics<sup>9</sup>**

Player	GP	G	A	PTS	PPP	+/-	PPG
Franson	23	4	9	13	6	8	0.56
Demers	39	3	6	9	5	-6	0.23

[11] Each player's ultimate worth in the NHL is their ability to help their club win the Stanley Cup. Of the two comparable players, Demers is the only player with post-season experience that can help put Franson's post-season performance into perspective. Table 7 above details both players' comparative statistics during their career playoff appearances. While Demers has more

<sup>8</sup> <http://sports.yahoo.com/nhl/players/4578/>.

<sup>9</sup> *Ibid*; <http://sports.yahoo.com/nhl/players/3952/>.

experience in the playoffs, he has actually managed to produce fewer total points than Franson. Further, when we compare Demers' points-per-game ratio for his NHL post-season career (0.23) to Franson's (0.56) we see that Franson contributes at a great rate for his team when it matters.

[12] If Demers' \$3.4 million contract is a valid indicator of the value of a player with similar performance statistics, then it is difficult to argue that Franson deserves any less than the same amount. With less inconsistency and better performance during the post-season, Franson has established himself as a far safer investment for a NHL team. Further, Franson fulfills an additional role that Demers does not – that of the power play specialist. During his platform year Franson scored 54% of his points on the power play, compared to Demers scoring only 26% of his points on the power play. With his ability to fulfill both the role of the power play specialist and the role of the physical defensive-defenseman Franson proves himself as a flexible player that would be valuable on any NHL team.

#### 4.2. CODY FRANSON v. JEFF PETRY

[13] While his offensive prowess can be readily compared to that of Demers, it is important to evaluate the other aspect of Franson's game – his value as a shutdown defenceman. Jeff Petry is useful to evaluate the worth of Franson in this role.

[14] Petry, drafted 45<sup>th</sup> overall in the 2<sup>nd</sup> round of the NHL entry draft by the Edmonton Oilers, is a 6'3" 189 lb. defenseman used in a primarily defensive role. In the 2014 offseason he signed a one-year SPC with the Edmonton Oilers for \$3.07 million. His value to his team is in his responsible play and willingness to sacrifice his body in the defensive zone. During his



platform year he was ranked 16<sup>th</sup> overall for defensemen in hits (181) and 37<sup>th</sup> overall in blocked shots (132). In comparison, Franson ranked 1<sup>st</sup> overall in his platform year in hits (282) and 77<sup>th</sup> overall in blocked shots (112). Given the similarity of these players in these defensive stats, it is worth examining how their respective teams used them throughout the season.

[15] In the 2013-2014 season, Petry started approximately 57% of his shifts in the defensive zone.<sup>10</sup> Franson also started approximately 57% of his shifts in the defensive zone.<sup>11</sup> These advanced statistics show that both players are trusted to start the majority of their shifts in the defensive zone and help their respective teams reclaim the puck. Looking at their defensive-zone starts and their comparable hits and blocks, it appears that Petry and Franson both have similar defensive value.

**Table 8: Career NHL Regular Season Statistics for Jeff Petry<sup>12</sup>**

Season	GP	G	A	P	+/-	P/G	HTS	BLKS
2010-2011	35	1	4	5	-12	0.14	48	49
2011-2012	73	2	23	25	-7	0.34	126	126
2012-2013*	48	3	9	12	1	0.25	112	86
2013-2014	80	7	10	17	-22	0.21	181	132
<b>Career</b>	<b>236</b>	<b>13</b>	<b>46</b>	<b>59</b>	<b>-40</b>	<b>0.25</b>	<b>467</b>	<b>393</b>

[16] Despite their defensive prowess, both players assist their team in scoring points from the blue line. However, with Franson playing more than a full season of games (86) than Petry during his career, a comparison of their total points is not particularly helpful. During his platform year, Petry scored at a point-per-game pace of 0.21, while Franson exceeded these numbers and scored at a point-per-game pace of 0.41. When we look at the career numbers of Petry, detailed in Table 8 Above, we can see that while the 2013-2014 season might have been a

<sup>10</sup> Vollman, Rob, *Rob Vollman's Hockey Abstract with Tom Awad and Iain Fyffe*, 2014, hockeyabstract.com; DobberHockey.com, *Dobber Hockey's 2014-2015 Fantasy Guide*, 9<sup>th</sup> ed, 2014.

<sup>11</sup> *Ibid.*

<sup>12</sup> <http://sports.yahoo.com/nhl/players/4849/>.

little underwhelming in terms of Petry's offensive output, it is by no means an outlier. A fair evaluation of his offensive talents is somewhere between 0.34 and 0.25 points-per-game.

[17] The value of an NHL player is in their aggregate abilities – both defensively and offensively. Comparing the statistics of Petry and Franson shows that each plays a solid defensive game that is of value to their teams. However, Franson clearly shines in his offensive abilities, making him a more sought after commodity in the NHL marketplace. If Petry deserves \$3.075 million per season based on his offensive and defensive abilities, then it is reasonable for Franson to merit an award greater than \$3.4 million per season.

## **5. CONCLUSION**

[18] Cody Franson is an offensively gifted defenseman that produces under pressure and drives the success of the Toronto Maple Leafs' power play. He has excelled at each level of play that he has been involved in, leading the Vancouver Giants of the WHL to a Memorial Cup in 2007.<sup>13</sup> Further, he was part of the gold medal winning Canada Junior team in the 2007 World Junior Championship in Sweden.<sup>14</sup> Since transitioning to the NHL he has seen his offensive output steadily increase, despite being given more defensive-zone starts and increasing his hits and blocked shots output. If his defensive play continues to improve, his value as one of the most versatile young defensemen in the NHL is limitless. Based on an analysis of his performance, in comparison to similar defenseman qualifying for salary arbitration in 2013-2014, we respectfully request that the panel award Cody Franson an SPC of at least \$3.4 million for the 2014-2015 NHL season.

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<sup>13</sup> <http://www.mastercardmemorialcup.ca/historyrosters>;

<sup>14</sup> [http://www.iihf.com/Hydra/Tournaments\\_07/output/w20/hydra.iihf.com/data/iihf/output/xml/96/IHM0960CAN\\_33\\_2\\_0.pdf](http://www.iihf.com/Hydra/Tournaments_07/output/w20/hydra.iihf.com/data/iihf/output/xml/96/IHM0960CAN_33_2_0.pdf).