Buchalter

Clayton Barnett

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Senior Counsel

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Areas of Practice & Industry Specialties
Litigation; Labor & Employment; Sports Industry Law

Clay Barnett is a Senior Counsel in the Firm's Denver office and a member of the Litigation practice group and maintains a national sports law practice that involves many facets of collegiate and professional sports.

Mr. Barnett also has two decades of experience as a commercial litigation attorney with a particular emphasis on partnership disputes as well as cases involving real estate, energy, construction and employment matters. He frequently litigates contract disputes, employment matters as well as class action and appellate cases.

Mr. Barnett comes from a collegiate sports family and has continued his involvement in sports throughout his professional career. After playing collegiate football, he worked in the scouting departments of two separate NFL teams. As a law student, he was President of the Sports and Entertainment Law Society and earned the Scholastic Excellence award in Amateur Sports Law. He now serves as outside counsel to various NIL Collectives where he is regularly involved in compliance oversight, contract drafting, as well as structuring and monitoring NCAA-compliant compensation programs. His sports law practice also includes the representation of college and professional coaches in a wide variety of roles, including contract negotiations, internal investigations, public relations, and crisis management. Representative matters have included:

- Represented for-profit and non-profit entities in the creation of NIL Collectives as well as formulating compliance guidelines;
- Drafted NIL contracts relating to both domestic and international student athletes;
- Drafted and negotiated third-party vendor contracts involving businesses, collectives and student athletes;
- Regularly providing oversight and management of intellectual property rights related to institutions and NIL Collectives;
- Providing day-to-day NIL Collective compliance oversight;
- Providing regular compliance review and oversight related to press releases and external marketing and advertising campaigns;
- Structured and negotiated NIL Collective merger;
- Represented coaches in relation to contract negotiations;

Defended coaches in matters in internal investigations related to allegations of misconduct.

Professional Involvement

- Colorado Bar Association
- Denver Bar Association
- Sports Lawyers Association

Publications

- NIL: Never-ending Intercollegiate Litigation, *Buchalter Client Alert*, February 7, 2024

Webinars

- "Strafford Webinar: NIL Recent Developments: Monitoring and Enforcement, New NCAA Policies and Protections, State-Specific NIL Laws," March 14, 2024

Education
Mr. Barnett obtained his J.D. from the University of Denver Sturm College of Law, where he also served as the President of the Sports & Entertainment Law Society. During his time at the university, he was honored with the Scholastic Excellence Award in the field of Amateur Sports Law. Additionally, Mr. Barnett holds a M.S. degree in Global Energy Management from the esteemed Business School at the University of Colorado Denver. Prior to this, he completed his undergraduate studies at Georgetown University in Washington, DC, earning a B.A. degree in Psychology.

Bar Admissions

- Colorado

Court Admissions

- United States District Court – District of Colorado

Community

- Co-Founder and Director of Football Operations, Erie Elite Sports