

MVP: Orrick's Jeremy Kudon

By Mike Curley

Law360 (October 15, 2020, 3:36 PM EDT) -- Orrick Herrington & Sutcliffe LLP's Jeremy Kudon has helped shepherd legislation allowing for sports and mobile betting in Michigan, Illinois and other states in the last year, earning himself a spot as one of Law360's 2020 Sports & Betting MVPs.

HIS BIGGEST ACCOMPLISHMENT THIS YEAR:

Getting Michigan's new sports betting bill passed at the end of last year was a key win, Kudon told Law360, saying the legislation includes not only sports betting, but provisions for online gambling with the cooperation of sports leagues and native tribes in the state.

"That was a complete package, and I think is a model for almost every other state going forward," he said. "The bill has something for everyone."

Leading a team that represented sports betting sites like DraftKings and FanDuel, as well as MLB, the NBA and the PGA, Kudon said they were able to negotiate an official league data provision that requires sports betting operators to use official information. He said that before the Michigan legislation, the leagues had needed to lobby to get such a provision included, while Michigan was the first time a casino supported the provision.

The Michigan bill was also a first in that no state with native tribes in it had previously gotten internet gambling included, as the tribal states have typically opposed such provisions, he said. While the tribes are allowed to hold their own gambling on their land, mobile betting falls outside the federal law that the tribes work with, Kudon said, and key to the Michigan law was convincing the tribes to allow state oversight.

HIS BIGGEST CHALLENGE THIS YEAR:

The COVID-19 pandemic that's gripped the country proved the biggest challenge this year, Kudon said, delaying a lot of the legislation he'd been helping to draft.



"Sports betting was hot. We had just passed Michigan in December, we passed Virginia in early March, right before it all ended, and we had six or seven states just lined up to go to, and all of a sudden everything just stopped," he said. "And that was a huge challenge."

Generally, he said, the work on the bills is done in person, requiring a lot of travel between the states for Kudon and his team, two things that the pandemic has made much more difficult, if not impossible. With COVID-19 taking the focus among legislators, he said, many of them aren't meeting about things like sports gambling.

The crisis has come with the occasional silver lining, however, such as in Illinois, Kudon said. That state's bill, passed in 2019, had a provision that required people to go to a casino and sign up with a mobile betting account in person, but the governor suspended that requirement because of COVID-19.

"It makes no sense to send Illinois residents to a casino to sign up for something that's on your phone in the midst of a pandemic," he said.

He added that he expects the crisis to ultimately create an opportunity for sports betting, as states are going to need revenue and sports betting bills would raise millions for the states.

WHY HE'S A SPORTS AND BETTING ATTORNEY:

Kudon said it was always a dream of his to be a sports attorney, saying he wanted to be part of the sports world but "I knew I wasn't going to be playing for the Yankees."

He said he initially focused his practice on other types of legislation, including campaigns for bills on secondary life insurance while representing Fortress Investment Group and working to defeat anti-competitive satellite TV legislation on behalf of DISH, DirecTV and Sling TV.

In 2015, he began to represent FanDuel and DraftKings, coordinating their campaigns for legislation related to daily fantasy sports gaming, before being hired by sports leagues when the decision on whether to allow sports betting came to the U.S. Supreme Court.

While betting wasn't Kudon's focus at first, he said he's honed and pursued expertise in getting legislation passed, which allowed him to enter the field once it was on the table.

"Anybody who does this will tell you that it's hard to say, 'I want to be a sports and betting attorney,'" he said. "What it really is, is that I had an expertise that has worked for this, that I could apply to sports and betting."

WHAT MOTIVATES HIM:

There are three things that keep Kudon going, he said, and the first is the sheer challenge of passing legislation.

"I'm by nature competitive, and I love the opportunity to craft a strategy, execute that strategy and see how it works out," he said. "The challenge of passing legislation is a thrill and something I enjoy doing every day of the week."

Second, he said, is that he's wanted to be a sports lawyer since he was 8, and he gets a lot of motivation from doing something unique with the law in that practice.

Finally, he said, he's motivated by his team, saying he works with great individuals and friends at the firm, as well as clients whom he considers friends.

"I want to succeed for them," he said. "I want to achieve the best for them, so that they can be successful."

HIS ADVICE FOR JUNIOR ATTORNEYS:

Kudon said the two best things a young attorney can do are to be patient and to add value to the services they provide their clients.

For many, he said, it's hard to be patient and learn when they want to head to the top and be in charge, with some young attorneys quitting from big law firms out of frustration.

"You can learn so much," he said. "By learning all the things I learned and being patient, I was able to build something of my own."

And when he got the job to help hone legislation, Kudon said he jumped at the chance to learn, do research and get better at his tasks to add value to what he offered his clients.

"If you always are looking for ways to add value, no matter what you're doing, you're going to be successful," he said.

— *As told to Mike Curley*

Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2020 MVP winners after reviewing more than 900 submissions.