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MEMORANDUM

October 2, 2007

TO: Baseball Student-Athletes with Remaining Eligibility.

FROM: Rachel Newman Baker
Director of Agent, Gambling and Amateurism Activities

Steve Mallonee
Managing Director of Membership Services/Division I Governance
Liaison.

SUBJECT: Information Regarding the 2008 Major League Baseball (MLB)
First-Year Player Draft, Agents, and Tryouts.

We understand that you may have remaining intercollegiate eligibility, but are also eligible to be drafted in the upcoming 2008 Major League Baseball (MLB) first-year player draft scheduled for June 5 and 6. Many prospective and enrolled student-athletes will be facing difficult decisions in deciding whether to participate in collegiate or professional baseball. To assist you in making the best possible decision, the following document has been developed to help you sort through some of the issues that you, your parents and your institution may confront.

You will attempt to gauge your readiness for competition at the next level through a variety of methods, including tryouts with professional teams and you will undoubtedly rely on a number of individuals to assist in the decision-making process.

At the end of this process, you may in fact reach the conclusion that it is not in the best interest to pursue a professional career at this time, but rather to continue athletics participation at the intercollegiate level while pursuing your academic degree.

Involvement in activities during this process can affect your intercollegiate eligibility. The following information is designed to help you protect your eligibility while you "test the waters."

Five Points to Remember:

You will lose your eligibility IF:

1. You agree orally or in writing to be represented by an agent or any individual acting on behalf of the agent [e.g., runner].

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2. You accept any benefits from an agent, a prospective agent or any individual acting on behalf of the agent [e.g., runner].
3. If an advisor markets your athletic ability or reputation to a professional team on your behalf.
4. If you participate in a tryout with an MLB team that lasts longer than 48 hours, which you have not personally financed.
5. If you tryout with a professional team during the academic year and miss class.

Key Dates:

- MLB Draft: June 5, 2008.
- Signing Date Deadline: August 15, 2008.

MLB Draft

1. *Am I allowed to be drafted in the MLB draft without losing my eligibility?*

YES! Because the MLB draft does not require a student-athlete to affirmatively declare his intentions to enter the draft, you may be drafted during your collegiate career without jeopardizing your eligibility, provided that you do not violate any of the rules described in this memorandum.

2. *What happens if I don't sign a contract with the team that I was drafted by before the signing date deadline of the end of day on August 15?*

Any drafted player with remaining collegiate eligibility that does not sign a contract with the MLB team that has drafted him prior to the end of the day on August 15 will be placed back into the draft pool for the 2009 MLB draft. If the student-athlete has not violated any NCAA rules through this process, he will remain eligible to compete at an NCAA institution.

3. *What happens if I was eligible to be drafted, but was not chosen by an MLB team in the draft?*

If you were eligible to be drafted but were not chosen by an MLB team, you are able to sign a contract with *any* MLB organization until you attend classes at your institution.

Agents/Advisors

4. *What is an "agent" according to NCAA rules?*

An individual would be considered an "agent" if the individual markets your baseball skills to any MLB team or other professional teams (e.g., contact MLB teams to discuss your skills, set up tryouts with MLB teams).

5. *Am I allowed to have any type of agreement with an agent?*

NO! You are not permitted to have a written or oral agreement with an agent, or anyone who is employed by or acting on behalf of an agent or sports agency (i.e., "runner").

6. *What is an "oral agreement" with an agent?*

An oral agreement occurs if you verbally agree to have an agent perform any services (e.g., providing any expenses related to tryouts, arranging disability insurance, etc.) on your behalf OR you have knowledge that an agent is performing such services.

7. *Am I permitted to have an advisor during this process?*

YES, provided the advisor does not market you to MLB teams. However, an advisor will be considered an agent if they contact teams on your behalf to arrange private workouts or tryouts. Under NCAA regulations, you and your parents are permitted to receive advice from a lawyer or other individual concerning a proposed professional sports contract, provided the advisor does not represent you directly in negotiations for the contract. In this regard, it is permissible for an advisor to discuss with you the merits of a proposed contract and give you suggestions about the type of offer you should consider. In order to maintain your eligibility at an NCAA school, however, you may not use this advisor as a link between you and the professional sports team. Rather, you must view the advisor as an extension of your own interests and not as a source to contact a professional team. If you use the advisor as a direct contact with a professional team, the advisor shall be considered an agent and you will have jeopardized your eligibility at an NCAA school. For example, an advisor may not be present during the discussions of a contract offer with a professional team or have any direct contact (including, but not limited to, in person, by telephone, e-mail or mail) with the professional sports team on your behalf. Finally, it is important to note that in order to maintain your eligibility at an NCAA school, if you receive assistance from an advisor, you will be required to pay that advisor at his or her normal rate for such services.

8. *Do I need to have an advisor in order to be noticed and drafted by MLB teams?*

NO! You do NOT need to have an advisor to be "recognized" or drafted by a MLB club. MLB employs a multitude of scouts, and with 50 rounds of selections, their teams can discover the talents of potential draftees without the assistance of advisors.

9. *Is an agent allowed to contact teams on my behalf to arrange private workouts or tryouts?*

NO! You cannot have an agent arrange a private workout/tryout with an MLB team. However, you and your family are allowed to contact MLB teams directly in order to arrange private workouts or tryouts.

10. *Can my family members or other individuals who are associated with me as a result of playing baseball (e.g., high school coach, summer baseball coach, etc.) have an agreement with an agent to perform services on my behalf?*

NO! Family members and other individuals are not permitted to enter into any agreements with an agent on your behalf.

11. *Am I allowed to have an agreement with an agent if it is for future representation?*

NO! You are not permitted to agree to a future representation agreement with an agent.

12. *Is an agent allowed to provide me any benefits?*

NO! You, your family, or your friends are not permitted to receive any benefits from an agent. Examples of material benefits include money, transportation, dinner, clothes, cell phones, jewelry, etc. However, benefits may also include, but are not limited to, activities such as tryout arrangements with a professional team and coordinating tryout schedules.

13. *Can an institution cancel my athletics scholarship if I have an agreement with an agent?*

YES! An institution is permitted to rescind your athletics scholarship if you have an agreement with an agent.

Tryouts

14. *Can I participate in private workouts/tryouts with MLB teams if school is still in session?*

YES! You may tryout with an MLB team (or participate in a combine including that team) during the academic year if you are enrolled full-time as long as you don't miss class. You may also tryout with an MLB team during the summer.

15. *Can MLB teams pay for my private workouts/tryouts?*

YES! You may receive actual and necessary expenses from the MLB team in conjunction with one 48-hour tryout per team (or combine including that team). The 48-hour tryout period begins when you arrive at the tryout location. At the completion of the 48-hour period you must depart the location of the tryout immediately in order to receive transportation expenses.

16. *Can I pay for my own private workouts/tryouts with MLB teams?*

YES! A tryout may extend beyond 48 hours if the individual self-finances additional expenses, including return transportation. A self-financed tryout may be for any length of

time, provided you don't miss class. You and your family are responsible for paying for any expenses associated with a self-financed tryout. Agents, runners or advisors may not pay for you to attend a tryout with an MLB team.

Helpful Tips:

- You should keep your head coach and compliance coordinator informed of all activities during this process.
- Be careful who you associate with during this process. Do it all yourself or work through your head coach. You may receive the assistance of your family members, provided they are not working with any individual who is marketing your athletics ability (e.g., contacting MLB teams, setting up tryouts with MLB teams).
- If you do not have knowledge of who arranged your tryout, you have a responsibility to find out who did.
- If applicable, you should remain in school and complete your academic courses while you "test the waters."
- If you have questions regarding this information, please contact the NCAA agent, gambling, and amateurism activities staff at 317/917-6866 or rnewman@ncaa.org.

SIGNATURE:

Please sign your name and date below, which confirms that you have reviewed and understand this form and the information contained therein. I understand that if I am found to be in violation of the provisions of any of the information mentioned above, I may be declared ineligible for further intercollegiate competition.

Student-Athlete Signature

Date

Printed Name

Institution

Head Coach

Date

Compliance Officer

Date