

THE THINGS WE THINK AND DO NOT SAY

Thoughts of a Sports Attorney

Miami Hilton, 1 AM

It's 1 AM and this might be the bad pizza I had earlier talking, but I believe I have something to say. Or rather, I have something to say that I believe in. My father once said, "Get the bad news over with first. You be the one to say the tough stuff." Well, here goes. There is a cruel wind blowing through our business. We all feel it, and if we don't, perhaps we've forgotten how to feel. But here is the truth. We are less ourselves than we were when we started this organization.

Sports Management International began as a small company. I was hired by Jack Scully in 1981, I was fresh out of college, I didn't even watch much sports. But a young man came to me, and his name was Bill Apodaca. He asked me to look at a contract he'd acquired to play football for the Atlanta Falcons. Before long I was overseeing the business of another member of the Falcons, and two baseball players. The nuances and the small miracles of professional sports would soon hook me -- there was something simple and perfect about the way a stadium felt. The way you felt when a player you'd helped and represented made his stand in front of 54,000 people. And I remember the conversation Mr. Scully and I had by an elevator, standing next to one of those sand-filled ashtray posts, right before he hired me as one of the first agents in this company. "You and I are blessed," he said, "we do

something that we love."

Tonight, I find those words guiding me back to an important place, and an important truth. I care very much about the fact that I have learned to care less. Now our company is one of the top three in this business, and we represent over a thousand athletes. Over sixty agents work at our huge new office, and I still haven't met all of you. The business of sports has never been bigger, or tougher, or more written about. And we are at the forefront. But I wonder tonight, as we leave our 13th annual conference... we've talked a lot and partied a lot over the last three days, but I dare say that not one of us, our diet Pepsis and sheaf of papers in hand, have said what we really think.

It is beyond the easy arguments waged against sports, and our business on the editorial pages of the New York Times. It is beyond the huge salaries, the endorsements all our clients now want because "I'm a better actor than Michael Jordan." Beyond the globalization and merchandization of the games. It's more subtle than the baseball strike, more about loyalty than the Colts moving to Indiana, the Rams going to St. Louis, or the Cleveland Browns moving to... someplace. I'm talking about something they don't write about. I'm talking about something we don't talk about.

We are losing our battle with all that is personal and real about our business. Every day I can look at a list of phone calls only partially returned. Driving home, I think of what was not accomplished, instead of what was accomplished. The gnawing feeling continues. That families are sitting waiting for a call

3

from us, waiting to hear the word on a contract, or a General Manager's thoughts on an upcoming season. We are pushing numbers around, doing our best, but is there any real satisfaction in success without pride? Is there any real satisfaction in a success that exists only when we push the messiness of real human contact from our lives and minds? When we learn not to care enough about the very guy we promised the world to, just to get him to sign. Or to let it bother us that a hockey player's son is worried about his dad getting that fifth concussion.

There is a good bet that I will erase all of this from my laptop, and you will never read it. But if you are reading it, and you're reading it right now, it is only because I was unable to stop. I was unable to forget the quiet questions in the hallways, when some of you, usually the younger agents, or interns, asked me on the side: "How do you keep all these lives, all these clients, separated in your mind?"

Chances are, I didn't say much. I might have told you "it's easy" or "you're not working hard enough." Chances are, I said something that you expected, maybe even wanted to hear. But it wasn't the truth, and it wasn't what I felt. And if you ever wondered about the drawbacks of being quiet about important things, talk to yourself in the mirror some time, say the truth. Yell the truth to yourself, when no one is listening. See how good it feels?

My father worked for the United Way for 38 years. We lived in San Diego for many years, before I left to move up the

coast to Los Angeles. One of the things my father said was: "Every time you allow a problem in your life, you are actually at a point of transformation. Crisis is a powerful point of transformation." (Never mind that he sat at the same chair for 38 years, and when he retired said only that he'd wished he'd asked for a more comfortable place to sit.)

We are now at a point of transformation with this company. But this is not something to fear, it is something to celebrate. Because I come to you tonight, looking out at the dark Miami skyline, not only with a challenge. I come to you with answers too.

But first let us define our position.

Right now we are a breaking point with our client list. We are not so huge that we must hire more agents, and not so small that we have not experienced huge success. We are at a point of neutrality. We are all, right now, neutral. Neutral, as in not black or white. Not bad or good. Even. Neutral:

Even in my own life, after 35 years, I feel that I have never done that one thing, that noble thing that defines a life. Even writing this Mission Statement is odd for me. I am used to flying below the radar, enjoying my life and friends. But I have not been truly tested. I have not gone to India to explore my life, as my brother has. I have not been in a major car accident, or fathered a child. I have not created a life, nor have I killed anyone. I am neutral. I haven't started a war, and I haven't stopped a war. I have broken even with my life. I have nice home,

a nice car, a fiancée who makes my heart race. But I have not taken that step, or risk, that makes the air I have breathed for 35 years worthwhile. I once had a yellow couch. I got rid of it because it was neutral. My life is now like that yellow couch.

And yet, as I sit here in the wonderful Miami Hilton, I have never been so happy to be alive. I have said "later" to most anything that required true sacrifice. Later I will spend a weekend reading real books, not just magazines. Later I will visit my grandmother who is 100 and unable to really know the difference. Later I will visit the clients whose careers are over, but of course I promised to stay in touch. Later later later later. It is too easy to say "later" because we all believe our work to be too important to stop, minute to minute, for something that might interfere with the restless and relentless pursuit of forward motion. Of greater success. Make no mistake, I am a huge fan of success. But tonight, I propose a better kind of success. I could be wrong, but if you keep reading and I keep writing, we might get there together.

* * *

Random Fact # 128:

Sports Management International, founded in 1981, was dedicated to the then-rock solid notion that athletes deserve a decent home with decent pay. The original client roster existed of four athletes, one of them was the first American Frisbee Champion, Chester Savage, who was actually born in Australia.

* * *

Now of course we all know that we possess the job of the decade. Last year, when a poll of college students was taken, our occupation, Sports Agent or Sports Attorney ranked number two to Rock Star. But rock stars, like sports stars, have a limited time in the spotlight. Nobody likes an old lineman or a bald rock star. But sports representation can give you a career into your 80's, like the original sports agent Dicky Fox, who died on his way to a Chicago Bulls playoff game in 1993... He died gloriously, right by the 3 gates, a happy man who had actually written a book called A Happy Life. Taken by a heart attack, he left a loving wife and family, and a home next door to his first client. And we won't think about the two guys who stole his playoff tickets, right out of his pocket as he lay on the cool floor of the 'O Hare airport. They were yanked from Dicky's seats in the first quarter, and two guards kept the seats empty in tribute to him.

A Happy Life.

And to those young agents who never met him, Dicky Fox always said the same thing when asked for his secret. "The secret to this job," he said, "is personal relationships."

We are agents. To some, that brings with it the image of a Slickster. A Huckster. Someone profiting off the efforts of others. For many of those we've met or observed, that is exactly what we are. I know an agent operating in this very state who

regularly gets the phone numbers of college athletes by calling school offices and posing as a tutor who has lost their student's contact number. He is often successful in acquiring athletes, but none for very long. Privately, an agent can be a father, a friend, an inspiring force in the life of a young man or woman. We are sometimes as important as priests or poets, but until we dedicate ourselves to worthier goals than getting a illegal phone number, we are poets of emptiness.

Somehow all this has been bubbling up inside me. A man is the sum total of his experiences. And it is now that I am interested in shaping the experiences to come. What is the future of what we do? Give me a goal, and I will achieve it. That has been my secret design for most of my life. Perhaps you are the same. We're all goal-oriented, so I hereby present a goal.

How can we do something surprising, and memorable with our lives? How can we turn this job, in small but important ways, into a better representation of ourselves? Most of us would easily say that we are our jobs. That's obvious from the late hours we all keep. So then, it is bigger than work, isn't it? It is about us.

How do we wish to define our lives? So that when we are sixty, or seventy, or eighty and we're sinking down onto that cool floor of 'O Hare airport, with playoff tickets in our pockets, perhaps we too can know that we led A Happy Life? Is it important to be a Person and not just a slave to the commerce of Professional Sport? Do we want to be Remembered?

Or do we just want to be the guy who sold the guy who sold shoes that came with the little pump?

Recently I was asked by the son of a client, in so many words, "what do you stand for?" I was lost for an answer. At 14, I wasn't lost for that answer. At 18, I wasn't lost for an answer. At 15, I was blown away that I had no answer. I could only look at the face of a 12 year-old boy, concerned about his dad, needing my help, just looking at me for the answer I didn't have.

The look on that kids face is a part of me now. And the feeling I had, and have now, is pushing me forward, writing this Mission Statement.

1:17 AM, Miami, thoughts:

What am I doing? I must erase this entire document. I'll write a little more, save it and go to bed.

My dad was one of the good guys. He studied at West Point, went to Korea in the conflict there. Later, he left a glittering life in the military to move to California, because my mother did not take well to the army life. My father never complained about it. He was prone to tell his war stories, but never in a beery "you gotta listen to me" way. He was graceful and

he was funny, and he didn't complain. For the late part of the sixties and the early seventies, even while doing volunteer work for United Way, as I previously described, he was an operator of Telephone Answering Services. He had two of these businesses. Long rooms filled with telephone operators who coolly answered your phone for you when you were away from home.

"Can I take a message?"

Almost as soon as he began this business, the first automatic telephone answering machine was introduced onto the market. Our conversations at the table were often about the future, and whether the world would accept these new machines.

"I just can't talk to one," said my mother.

"Neither can I," said my older brother. "Nobody wants to talk to a machine."

"They'll never last," said my dad. "People only like to talk to people."

Within three years, mechanical answering machines were everywhere: The whole idea of a human answering your phone while you were away was no longer important. People were talking with machines, regularly and familiarly. Making funny phone messages, personalizing the machine of forward motion that had arrived in their homes. There was no way back. The machine was a part of life, but only when everyone learned to personalize it.

The same thing is true of sports. Sports may never be the pure and simple thing that older men pine for. That ball park in the corn fields of Field of Dreams is, of course, a fantasy that

lives in the mind. Sports is a huge operation, always was, but now that fact is no longer a secret that lives in the luxury boxes of ownership. The secret is out of the bag. Way, way out. Everyone knows that Sports is a machine. The Endorsement is now in danger of overshadowing the game. The commercials are often more interesting than the telecast. Money sits on the bench, right alongside the players. The players know, the owners always knew, the fans know. The machine has moved into our homes.

The question is, how do we personalize that machine? It is a question we must now ask ourselves at S.M.I.

I propose that, like the world embraced those telephone answering devices, we talk to the machines. We deal with the future that is already here. It isn't even the future, it is now, so let us talk to the Machine and see what it says to us.

Let's bring soul and character to what is already there.

I propose that we recreate everything that we're currently about. Right now we're at the top of our game. Traditionally people do one thing at this point in their success. They cry like hell to maintain what they did to get there. Their personal and intense road to success, their original inspiration (which is at the heart of every success) is now lost in the pursuit to keep the money machine smoothly rolling forward. Delivering crisp green sheets of greater and greater amounts of fortune. But there is a problem with this stage in the success game. In so doing this maintain-success cycle, they forget the original glimmer of passion that got them there.

And historically, no one successful ever pauses to think that they might tumble like everyone before them who forgot. The whole success cycle dooms the very thing that causes the success in the first place -- it puts shutters on the windows of reality. It makes us all forget that monetary success comes from something very pure. It comes from a desire to do well, to make life better, not just to do well with financial regularity.

* * *

Recent telephone conversation with a Client who had been accused of "selling out" by a local columnist:

"Of course I sold out. My old problem is, I sold out before there was any money in it."

* * *

It is not easy to hide a winning formula. Take a successful t.v. show. The following season, you see twenty others just like it. Same goes for our company. Sports Management International was of the first great success stories of our business. But the great ones all do one thing at the time of their greatest success. They change the game. They make it harder for themselves. They raise the bar. They work not just harder, but they work smarter. That is why the great athletes, politicians, musicians, philosophers all got stronger instead of more weary.

We must do the same. And for those wondering when I will propose an answer to these many questions, I must ask you simply to hold on. Because it's coming.

I have just poured a pot of coffee. Maybe I'm crazy, maybe it's just tonight, but I really do think I'm onto something here. And, as I said earlier, if you're reading this, it means that I didn't conquer this statement with my own fears of rejection. If if you knew me, and many of you do, you know that "rejection" and "fear" are not words I say easily. But this is more than a Mission Statement. This is not the equivalent of one of those magnetic "poetry kits," you know the ones you buy at a stationary store, a mess of words so you can assemble funny poems on your refrigerator door. This is from my heart. This is a love letter to a business I truly love.

* * *

Miami, 2:37 AM, Thoughts:

Coffee tastes different at night. It tastes like college.

* * *

I'm back. Just checked the messages at home, and sure enough one of them was a man I will call Client X. Client X was watching ESPN and he saw Athlete Y talking about the many many millions he has in contracts both in football, baseball and product representation. We have all been on the receiving end of a message

like the one I just picked up on my answering machine.

"Why aren't I making what Athlete Y makes," said my client. And the truth is obvious to everyone but Client X. Athlete Y is a superstar, and is more talented. But to tell this to Client X would be asking him to become Ex-Client X.

And so begins the game of flattery, of lip service, of doing everything possible to soothe and stroke. It is part of our lives, and part of our jobs. The game of agenting. The tapdance. Not only will Client X be a tapdance, but there will be a tapdance involved in explaining why I didn't return the call and begin the tapdance earlier. I know it is a tapdance, and so does he. I have seventy-two clients, and over sixty of them are full-time tapdances. I sign ten or twelve new ones a year. As many of you know, it is going in the wrong direction.

But as I sit here in the darkness of this hotel room, the answer to the future is rather obvious. If the tapdancing becomes less constant, less furious, less necessary, what will the result be? The result will be more honesty, more focus, fewer clients, but eventually the revenues will be the same. Because the new day of honesty will create a machine more personalized, more truthful, and the client that wasn't bullshitted this year, has a greater chance of greatness next year.

And now we get to the answer that Dicky Fox knew years ago. The answer is fewer clients. Less dancing. More truth. We must crack open the tightly clenched fist of commerce and give a little back for the greater good. Eventually revenues will be the

same, and that goodness will be infectious. We will have taken our number oneness and turned it into something greater. And eventually smaller will become bigger, in every way, and especially in our hearts.

Forget the dance.

Focus.

Learn who these people are. That is the stuff of your relationship. That is what will matter. It is inevitable, at our current size, to keep many athletes from leaving anyway. People always respond best to personal attention, it is the simplest and easiest truth to forget.

Love the job. Be the job.

The phone calls will still come in at 2 AM, but on the other end of that phone at 2 AM will be someone deserving of your time, and you will be honored to share their time. And that will be what the road to greatness feels like. A little rocky at first. But think how good it will feel to wake up in the morning and know that when the phone rings, it is not Client X demanding the response. It will be Client K, whose life we know and share in.

Let us be honest with ourselves.

Let us be honest with them.

Forget the dance.

Focus.

I propose this as the very heart of the Mission Statement that is flying across my screen. I am not a writer but I can't stop from writing this. It is something pure, from the deepest

part of me. It has to be right, and as one of the Senior Agents at this company, I ask to be heard. And if I am wrong, then grab me by the collar and tell me why you disagree. And I will happily talk with you because we are talking about something that matters.

Down below on the Promenade, I see a young girl skating in the night. The simple beauty with which she cascades across the smooth cement, the intelligence with which she uses this path that is crowded with shoppers and businessmen in the daytime. At night, it is hers. She owns it. I feel the same pride of ownership, owning this world that allows me to type this message to you. And perhaps save the future of this company. It is a great feeling, not just that wretched desire to survive, to outswim the huge wave that may drill me into the sand below the water, but to seize this time. To set the agenda. To say what I feel.

* * *

Miami, 3:13 AM, Thoughts:

I have the distinct feeling that what I have written is "touchy feely." I don't care. I have lost the ability to bullshit.

* * *

I feel so good about not erasing this Mission Statement. There is so little that we are able to create in this business.

Most of the time, we are creating nothing. We are shoving digits around. But to address the growing pains of our business, and to create a new way of looking at what we do... because these growing pains could easily be dying pains. But we are meant to live at this company. Our work actually does have an effect on people. In a cynical world, we make people happy. We let them know that one athlete can make a difference.

The same can be said of one company.

* * *

Random Travel Tip # 434:

When using a hang-up bag, whenever possible pack clothes in dry cleaning bags. The extra layer prevents wrinkling.

* * *

I propose also that we step up our concerns to build in non-profit areas of our contracts. It is something that we often talk about, sitting in those athletes living rooms, but often we let these factors slip away. How often have we advised clients to move to Florida, this very state, where taxes are lenient? Let us use the same sharp thinking not just to set up Charity Golf tournaments, but to help build schools in the communities where many of our finest athletes first found the inspiration to help them onto greatness.

It is important to tweak the greater concerns of our

athletes as well. Because the ability to forget social causes happens easily, in the night. Suddenly the desire to survive obscures the quest to give back to a community. If we don't exercise the muscle of charity, one day it is dead. It doesn't respond, it's just a fiber in your body that serves no purpose. And the next thing that happens is the lack of depth that comes with financial prosperity. How many rich people have said this in our presence: "I thought I would feel better when I was rich, but I don't."

That happens when we don't listen to the loud sound of the quiet voice inside. Life, I believe, is not a country club where we forget the difficulties and anxieties. Life is the duty of confronting all of that within ourselves. I am the most successful male in my family, but I am hardly the happiest. My brother works for Nasa, helping grow blue-green algae that will one day feed the world. He was originally targeted as the "successful" one in my family. But he gave up early, for a quieter kind of success. He was once tortured, now he is quietly making the world a better place. He learned earlier what I am just now starting to wake up to. He sleeps well at night. And he doesn't worry about being too preoccupied or too busy to get the dance right. He dances for something greater.

* * *

Next door, someone named David is having sex. I know because his girlfriend or wife just yelled something out in the throes of ecstasy: "Put the top back on, David!" I pause and wonder. What did David open, and why does he now have to close it?

* * *

You can e-mail the President, you can get sushi in a supermarket in the middle of the desert, you don't even have to read a book anymore, you can buy a tape where it is read out-loud. But where is the simple truth about how to live a quality life? I hope that I have not overstepped my boundaries by writing this to you. This is an attempt to reach out, and say loudly the things that have been festering within. And once you begin to speak these things, it's hard to stop.

I have decided to tell you about Mimeo. A few days ago I got a phone call from a friend. Mimeo Benadetta had died. I barely knew her, she was the girlfriend of a friend. They broke up in the middle 80's, but Mimeo and I had the attraction of two people who might have been together, had circumstances been different. We lost touch. And now she is gone, dead from a car accident, and I find myself thinking about what I could have done while she lived.

Last Christmas I felt the tingle of a thought -- call her. I delayed calling, now it is too late. I think that tingle, the small voice inside, is always the voice of what is right. And

How much sound and fury exists in our life determines how easy it is to listen.

I miss you, Mimeo. You and I both know. We had something that was never followed up on. I wish you well on your journey.

* * *

Random Airport Fact # 23:

Denver International Airport is a converted cornfield that sinks 3/4 inch deeper into mud every year. This airport also contains the best gift-shop, with adjacent ATM access, in the continental United States.

* * *

I have never been a writer, but I can see how this great lost art will never truly die. Putting words to paper is a sacred thing. It's more than a phone conversation, it is a document. It is something you are putting on paper. The relationship between a phone call and a letter is the difference between a magazine and a book. One you leave on a plane, the other you save.

I am too excited to sleep. I want this Mission Statement to last to the light of day. Outside, a passing car plays a snatch of an old Pink Floyd album. "Money..."

I am wondering what that exact moment is when we truly,

truly love our jobs. Is it during the day, or at the end of the day, or is it years later looking back on all we accomplished? I think perhaps truly loving something is the ability to love it at that moment. It is an elusive ability, something I have never been able to quite accomplish. I must go home, and take my experiences like a squirrel, and consider them, before I can truly enjoy them. I must work on this. The daily journey is everything. Being able to enjoy enjoyment while it is happening. I might erase this part.

* * *

4:45 AM, Miami; Thoughts:

Whatever David opened, the top is now back on and not much has changed. Does sex really sound this silly? And if it does, why don't people laugh more when they're having it?

* * *

Why do I feel more alive for having written all of this? Some of you are younger than me, some of you are older than me. Right now I have one foot in each of your worlds. I am thinking about marriage, and the future, but I'm old enough to have a past that I (hopefully) have learned from. In another hour or so, a USA Today will plop at the door, phone calls will come in, and provide a whole new set of distractions to keep me from the central issue, the issue that we have discussed all this week, in various ways and in various forums, but have we really discussed it?

I have now written far too much on the subject of our future, the future of this business. But the beauty of this proposal, I think, is that it is only a slight adjustment, an adjustment in our minds. An adjustment in attitude. An adjustment to point where we can discuss the things that really matter to us, and our many clients. This coming holiday season, that time when we all know we must work harder to let our clients know what we're doing for them, that difficult time when big decisions are made and agents are often fired, let us really reach out. Let us celebrate the clients that have meant more to us because of this small adjustment.

Let us work less hard to sign the clients that we know won't matter in long run, and work twice as hard to keep the ones who will. I believe in these words, and while they may not yet be true for you, they are true for me. And I ask that you read this with that in mind. I am dictating not what I want us to be, but what I wish us to be. There is a difference. You can only get there if I have written this correctly, and if you are inspired. I am reaching out to you, personally. I choose to be passionate again. I choose to reclaim everything that was once exciting about this job. I wonder if this might just be the best idea I've ever had. I hope you understand. In the words of Martin Luther King, whose suit I suggest you all visit before they move it from its display in the Atlanta airport: "A life is not worth living until you have something to die for."

A life is not worth living if you are sleepwalking

through it. Because that is what feels like death. That is what causes athletes to, out of despair, get drunk and wrap their cars around a pole. Or lash out at someone they love. Or that is what might have caused Mimeo to careen into another car in an oncoming lane of traffic. It is the feeling of sleepwalking. Of others living life around you, keeping their fists tightly wound around whatever dollars they can muster, caring little more than nothing about those around you. We cannot sleepwalk. We cannot just survive, anything goes. We can take control of our lives, we can quit sleepwalking, we can say -- right now, these are our lives, it is time to start living it. It is time to not second guess, to move forward, to make mistakes if we have to, but to do it with a greater good in mind.

Let us start a revolution. Let us start a revolution that is not just about basketball shoes, or official licensed merchandise. I am prepared to die for something. I am prepared to live for our cause. The cause is caring about each other. The secret to this job is personal relationships.

JERRY MAGUIRE