
HIGHWAY TO NIL – S02E04: UNC COACH ERIN MATSON DISCUSSES NIL **RECORDED 5/23/23**

Mia Marko:

Hello and welcome back to *Highway to NIL*, the podcast series that discusses legal developments and the name, image, and likeness for NIL space. NIL of course affects colleges and universities and student athletes all over the country. On this podcast series, we typically delve into current NIL rules impacting colleges and universities. But for today's episode, we're doing something a bit different. We're interviewing a series of collegiate athletes about their perspectives on NIL. Before we get started, I'll introduce myself. My name is Mia Marko and I'm an associate in the firm's business litigation group. I work on all different types of commercial litigation matters, but a large part of my practice is in the higher education space and involves providing litigation, counseling and investigative services to colleges and universities. And more recently involves advising colleges and universities on NIL issues. I'm also a former division one athlete.

I graduated from Yale University in 2012 and played four years of varsity field hockey there. Today I am so excited and honored to be joined by Erin Matson, former UNC field hockey player, and now UNC head coach. For those of you who don't know, Erin is one of the most decorated athletes in UNC history and has been compared to other UNC legends like Michael Jordan and Mia Hamm. Due to the COVID-19 pandemic, Erin got five years of eligibility. So she played at UNC from 2018 to 2022. During those years, she won five ACC titles in her five seasons and won four NCAA championships in 2018, '19, '20, and '22. She also won the Honda Sports Award three times being recognized as the nation's top collegiate field hockey player in 2019, '20 and '22, and became only the second player to ever win that honor three times. She was recognized as the ACC Player of the Year and ACC Offensive Player of the Year every season she played at UNC.

She finished her career as the all-time leading scorer in both ACC history and NCAA tournament play. And in 2021, she was named by the ACC network as one of the top 10 female athletes in conference history. In addition to her impressive collegiate career, Erin has extensive international playing experience. She was a member of the US national team since the age of 16, only one of two players to ever be selected at that age. She was a top scorer in the 2022 PanAm Cup in Chile and has represented the US all over the world in countries including India, England, South Africa, and New Zealand. And after a truly inspiring career, Erin graduated from UNC in December of 2022 and was announced a short few months later that she'll be the new head field hockey coach at UNC taking over for Karen Shelton, who had headed the program for the last 42 years. Continuing to make history, Erin is one of the youngest D1 coaches in the country. Erin, thank you so much for being here today.

Erin Matson:

Thank you. No, this is awesome. I can't wait to talk about it. It's been a very wild ride as a student athlete, obviously, and now, yeah, doing it as a coach, so it's going to be great to talk about.

Mia Marko:

I want to sort of start at the beginning. I know you've had this incredible career, but I want to go back to when you first started recruiting to play field hockey in college. When did that start and what happened?

Erin Matson:

I started playing very young. I just fell in love with the sport. Field hockey is a pretty tight-knit community where you know everybody, you see them at every tournament, you get to know the coaches of every club with every university. So we're lucky in that sense, and I just built relationships over the years, but I'm very, very lucky to have parents who put a lot of work in to try to raise me right. They were very involved with keeping my options open, being respectful, just building relationships with as many people as possible and everything. So recruiting, I never wanted to just go here and didn't look anywhere else.

It was like, let's make sure the place I end up is the place I want to be at. So didn't really rush into anything, but for whatever reason, whenever I came back down to Chapel Hill, I just felt like home. It was eventually it got to the point where I was like, this is it. This is where I want to be. I feel at home and it's felt like home for five years now, and luckily I still get to call it home. But yeah, I mean, recruiting is everything, especially wearing the head coach hat now. So it's a big part of it and it's important to try to do it the right way.

Mia Marko:

Yeah, I'm sure it's so interesting to see it from the other side as a coach. So before you sort of narrowed it down to UNC, did you start really broad and look at schools all over the country or were you focused based on geography or academics or were there certain things that went into your decision that ultimately led to UNC?

Erin Matson:

I think definitely sitting down at the beginning of it all understanding, okay, what are my values that drive me and all of that, and staying true to those. But then also, what do I want to get out of the college experience? Am I someone who puts academics solely first? Am I someone who only cares about winning national championships? Am I someone who wants both? The social aspect of college and all of the lessons you learn, all of that stuff. So just figuring out, I think what your goals are, what you want to get out of it is important. So we spent a lot of time doing that and just discussing with not only your parents, but different people, different viewpoints and everything. But I definitely wanted somewhere where academics was a huge part of it along with a strong athletic program. So I wasn't necessarily focused geographically or anything.

I was looking at Stanford, I was looking at Michigan, I was looking at UNC and Duke and UVA, Princeton. It was pretty much just anywhere where I feel like I can thrive and it's the right environment for that while getting everything I wanted to get out of college. Went on visits, talked to all the coaches, everyone was wonderful at the end of the day, got down and you narrow it down based on different things. Do I want to city school, do I see myself at more of a small college town? Whatever it is, and everyone's different. Just narrowing it down based on what feels right for you. And then eventually, yeah, we got to a small group and then it was like, okay, that feeling when you step on campus kind of takes over, I feel like.

Mia Marko:

Yeah, and I mean, I think everyone that has played field hockey in the last decade or two, think so highly of UNC and it's a top school for all athletes. They're aspiring to play there, so I'm sure it was very exciting to go through that process with them. I'm curious, since I know you started playing so young, you were, at least from my perspective as a more senior player, like a child prodigy, and I'm sure all different schools were vying for your attention and probably at a younger age than maybe other players had that type of attention. So did you find that to be overwhelming? How did you deal with that type of recruiting process when you're like the top player in the country?

Erin Matson:

It's funny because this question... It's all very similar in the sense of how did you handle the pressure of having to win four national championships? How am I surviving right now, in this job at 23 years old? How are you doing that? And I honestly don't know. I can't pinpoint the right answer. I never really looked at pressure as pressure. I just loved it. I think the whole recruiting process, just taking a step back, and again, my parents put a huge role in instilling this in me. But just simplifying your lights and appreciating the moments and just doing what's right, being kind, being a good person. I think at the end of the day, if you can just simplify all of that and take a step back, everything else kind of falls into place.

And again, I was super lucky. I had a really good support system around me to remind me of that, which is a huge part of it, and I'm fortunate, but I think it's easy, especially nowadays, all of these kids want to, let's do this and this person's doing this and comparing this and that and wanting to rush towards things. That's where I feel like you fall into a trap because again, what are my values? What do I want to get out of it? I'm just going to keep working hard at my score and getting good grades and building relationships and connecting with people. It's funny and it just kind of works out.

And I think for yourself internally, it's easier than to not feel that pressure and not get so wrapped up in it and everything and just feel grateful, but continue to keep working hard. But then also a lot of the times it pays out in the long run too, because you're just focused on what you're doing and you're setting goals and the little wins and everything and not really getting too far ahead of yourself for getting distracted on things. So I don't know the exact answer, but I was fortunate.

Mia Marko:

So I guess I want to pivot and talk about your experience with NIL. 'Cause I know you started attending UNC, there's no NIL opportunities, and then I think it was maybe your first senior year, your fourth season when the NCAA reacts to the Supreme Court decision, enacts the policy allows student athletes to profit from their name, image, and likeness. So can you talk about what happened, if you remember when that court case came out, how you became aware, sort of what your reaction was to hearing that student athletes can now profit on their name, image and likeness?

Erin Matson:

Yeah, so it was July 1 in the summer. It was the talk for years, but it was like, oh, this isn't going to happen anytime soon. And then it hit a point, and I don't exactly remember when, but it was like, oh no, this summer is the point it's happening. And then the whole question was, what are

the regulations going to be set by the NCAA? And then it was like, wait, the NCAA's not really setting regulations, so then it's okay, what regulations are the universities going to set? But then it's all different regulations based on the school and everything. It was just super crazy, interesting. It's still so fluid. It's nuts to think about all the changing rules and everything and seeing what this university's doing based on this university compared to this university and everything, and everyone's doing it their own way. But I remember finding out and then all of the questions of the trademarks and logos, and it's like, well, I just want to scream that I'm a Tar Heel.

Let me use them. But then it's no, but now I understand why we can't use them and then it's okay, let's go do it with this company. But then another big thing was all the time that it takes. So then it is, is this money worth all the time that I'm putting into it? Like a student athlete, it was already booked up all week, so there were so many things to just think about and talk through. And again, my parents were super involved. They were like my managers through it all, which I was so lucky for. But just to have people who have a good outlook on things and are business-minded, but also understand the goal at the end of the day of it all, it was just a crazy summer. I signed my first couple of deals and everything, and it was great. It was so interesting.

I learned so much just having to grow up a little bit quicker. And I really do think that the passing of NIL helped me in this position now because I got a headstart on all of the tax stuff and this and that, LLCs and all of that. Again, another one of those things that happened for a reason, but it definitely was a lot of time just, okay, what does this mean for me and my sport and my university and everything? And then, yeah, what direction do I personally want to go through with it? Having all of those conversations again with yourself and leaning on the resources provided by Carolina and everything, but it's still a whirlwind of just what the heck is going on.

Mia Marko:

It definitely still is, and I think that's sort of one of the struggles even today is trying to navigate all the state regulations, the university's policies, the NCAA policies, which have not given as much guidance, I think as everyone hoped. I completely understand. We're almost two years after the fact and it's still a bit of a murky area to navigate. I'm curious what it was like being at UNC and being on the field hockey team, what was the dynamic, I guess, on your team? How was that experience?

Erin Matson:

Again, in general, like a field hockey team or a lacrosse team or sports in general, you're going to have your top two or three people really benefiting, and then maybe there's an opportunity for a team-wide thing where you can spread out the funds or a company wants to have the team endorse their product, whatever and everything. So it's not like a basketball team where you have five guys out there getting millions of dollars thrown at them. It's more of a competition already. But then I also think it's super important if you are that person, that one or two or three people on the team who are really profiting, then you have even more responsibility to put the locker room atmosphere at the forefront of your mind and be a leader and not let that stuff bleed in. So NIL's another layer, but then, okay, if you really want to take advantage of that and you have the platform and ability to do that, you also have another layer of leadership and empathy and really taking time out of your day to think about, okay, this is impacting me.

Yes, because it's my name, image, and likeness, but you're also representing a team. You're carrying that with you into the locker room, out on the field, whatever you're doing. So there's not a right answer for any of it, but if you're going to do it, and you should, right? For Olympic

sports, it's huge to be able to pocket some money and put that into savings. So then if you want to continue to compete for your country or whatever, you have that to lean on. NIL is awesome if it's done the right way, but it's then figuring out, okay, what is that right way depending on the sport, the team, the athlete, the program, the school, all of that, just taking time to be mindful of it and act on it. Myself and a couple others really took pride in that, and I think we already have the culture of a team like that.

We're really about acceptance and inclusion and understanding and supporting each other. So okay, NIL great, but we're going to continue to stay true to that and be mindful of everyone and support each other. I think coupled together with helping each other but also making an effort to do that, I think we did a great job and it never really bled into the locker room at all. And I think the more you can use the people around you and say, okay, yes, I am maybe the face of this campaign, but I'm going to continue to talk about how I'm a Tar Heel, how I'm a Carolina student athlete, how I'm a UNC field hockey player, right? Looping the team in because it's a team sport. We never had issues at all. And I'm super grateful for that and won't try to carry that going forward for whoever wants to take advantage of the NIL landscape and you can, but it's hard.

I totally get the basketball teams or football teams where, okay, maybe football yet, two or three guys are really profiting still, but they're making a heck of a lot more money than anybody else. You can totally see how even with the care and the attention of somebody who's trying to not let it bleed into the locker room or anything, at some point some kids are going to be jealous. Some kids are going to say, this isn't right, this isn't fair, because there are total regulations and all of that. So I don't know. Again, I'm glad I'm not the person who has to make the decision somehow to do it, but we've seen it done really brilliant ways and beautiful ways, which I think of course is what it was intended for. And then, yeah, you've seen unfortunate stories and whether it's intentional or not on how it's been a little detrimental to some teams and players and programs.

Mia Marko:

I'm curious in your opinion, there's been some commentary about how having NIL opportunities for female athletes is really great because it sort of levels the playing field and brings more attention to female sports compared to what we've all experienced at the men's sports, get the attention and the money and the deals and the TV time. From your perspective as either a player or coach, do you think it's good for female athletes and especially sports like field hockey or lacrosse, there might be a little less known across the country. Do you think it's a good thing for women to have as they're looking forward into college and this is just another opportunity to play and to get experience like that maybe men traditionally had?

Erin Matson:

Yeah, totally. I think the push for women's sports is amazing. I think we need to rally behind it. I think it's been great, and NIL's another avenue where we can get a female athlete on the Instagram feed. We can get a female athlete on a billboard. At Carolina, our women's teams dominate in national championships, but at the same time, it's okay, again, taking a step back and saying, that's great, but we wouldn't have the stadium we have without the basketball. We wouldn't have the opportunities to play without the male sports and the revenue generating sports. So having that mutual respect and understanding and everything is super important. But then, yeah, hey, our women's teams are excelling. Hey, this female athlete is this absolute star of the show. Get them out there, promote them. I think it's a reward based on performance and everything and who they're as a person, but it's also just the time to do it and how many girls are picking up a field hockey stick, lacrosse stick, soccer cleats, whatever it is.

We want the younger generation of girls to feel all the confidence and learn the lessons and everything that we teach, and we felt and keep growing that number while yes, not downplaying the male sports at all, let's do it together. But I think for a long time, female sports haven't gotten that recognition. So it's really great to see more of it, and now it's just, okay, let's continue it and keep getting more. But NIL'S definitely been a good avenue for that just because yeah, brands are linking up with female only rosters from a couple players from different schools are focusing on this one female athlete who has excelled this past year and all of that.

They have a way to generate the hype around that too, to get more engagement, get more watchers and everything. So again, yeah, if it's done right, I think it's been awesome to see more females out there for themselves and just to grow female athletics. And also if you're a great male athlete, you deserve it just as much. So it's good to see it just balancing out and we'll continue to fight for female athletes because I think there's still long way to go.

Mia Marko:

Yeah, it's definitely exciting to watch as an outsider. And I think the opportunities, it's just incredible. I want to talk about your experience with NIL deals. I know you mentioned that you had a few, I think even right after the announcement was made in 2021. So can you talk about what that process was like, if you had a plan or if it just happened organically or what that looked like?

Erin Matson:

There were a couple that we've had conversations for years of, "We want to sponsor you and do this." "Oh, I can't do that because in the NCAA, I'm a collegiate athlete." "Okay, well, we'll be here when you're done." And then it happened and we were like, "Oh, great, we can do it." So some that, yes, I've been talking to and expected. And then of course the field hockey companies, HOCSOX Socks and Longstreth CK, no-brainer, right? But it was really interesting to then see what happened organically and what companies reached out. It was really cool. But definitely we had a lot of conversations of, okay, we should probably set up an LLC and then, okay, that means I need to issue 1099s when I hire people, and then I got to file taxes at the end of the year and what does that look like?

And I need to talk to the accountant now rather than just my parents. And so many things like that just happen so fast. We knew it was coming again, but it all just kind of happened. I think there was just a lot of learning with that. And then I guess I'm just seasoned with it a little bit, and student athletes are in general, but we represent the team we play on, we represent the university we play for. So it's not necessarily that much different than representing a company or me promoting UNC field hockey because I'm proud and everything is no different to an extent than me promoting a company that I am partnering with because I'm proud to partner with them. So all of those things I think just carried over and it went back to the whole, yeah, what do I want to get out of NIL?

What are my values? What are these companies values? Do I align? Am I just doing this for the money and the paycheck? Which is not what I was intended for. So all of those conversations too. But it all happened really fast, and we've mentioned multiple times it's still changing. So all of these athletes have to navigate the change as well. But it was great. I learned a lot of lessons and honestly gained a lot of full experiences and opportunities and built relationships with people that I wouldn't have. It was cool, but we'll see where it goes.

Mia Marko:

Definitely. I know you had said earlier your parents served as your managers while you were navigating this and you had to deal with things that maybe not typically a 21-year old in college deal with creating a business, setting up an LLC, filing taxes. Was it really just you and your parents? Did you end up hiring outside consultants? How did you navigate being a business owner at such a young age, essentially?

Erin Matson:

My parents were very involved. They were the ones I leaned on. I still lean on them. Carolina had a lot of really good resources. Just we're here, ask questions, we want to help. So I did that. I think also I've just connected with and built relationships with a lot of people, not just in the athletic department at Carolina, but Graham's club members or professors that I was able to reach out and say, "Hey, what's your viewpoint on this? Hey, have you heard of this company? Hey, have you ever been in a similar situation?" Other athletes as well throughout campus, UNC has a lot of star-studded, big name athletes.

"Hey, Sam, how'd you go about this? I'm not making nearly as much money as you, but what do you think about..." All of these things, leaning on the people around you definitely helps. But my parents, yeah, they were wonderful at the start of it again, and I think the major question when getting into NIL is, and I'm not here to tell anybody how to do it, but in my opinion, it was intended for the experiences and the opportunities and great, if I can pocket some money, that helps me a little bit and I can put that towards college, I can put that towards living expenses.

I can save it for if I want to go continue playing afterwards, whatever. But the money is secondary and has always been in my mind. It's more, okay, there's another avenue for you to do everything. I think that is so awesome, and that's what it's meant for not, Hey, we'll pay you this much money to tweet this out. And then it's more about the money. That's just my opinion about it. So at the start of it, my parents and I went, okay, sure. We need to set the baseline for field hockey players in America, right? On what we're making, what we're doing in our everything. But everything I get into is one, my values must align with who I'm partnering with, who I'm representing, and two, I need to stay true to those values throughout all of this. And three, it is a partnership. It's not me taking advantage or a company taking advantage of me, vice versa.

Either way, it is okay, I have the ability you think to help you, and here's how you can help me as well. Let's do this together. So at the end of the day, my parents were always super involved with that and helping me read through all the contracts and discussing... When it got to the point for the monetary piece of it, okay, how can we be fair while still setting the baseline and helping each other? Everything at the end of the day went back to a partnership and a mutual respect thing. They took a big role in all of that. And I think, again, I had good people surrounding me, whether they were student athletes, athletic department people, just Tar Heels in general, anyone affiliated with Carolina. But yeah, my parents were definitely like my go-to. They still are.

Mia Marko:

That doesn't surprise me knowing how incredible your parents are, they would, I'm sure, be excellent managers for you or anyone else. So our firm has been tracking a lot of the state legislation. We have a 50 state tracker where we keep apprised of all the different laws that are passed state by state, and some of the states have obligations for schools to have certain types of training for student athletes, financial literacy training or other things like that just to provide

these resources for student athletes who might not otherwise be business majors and learning about these types of things. So what's, I guess your perspective on that? Maybe not UNC or field hockey specific, but just generally for student athletes across the country, do you think that's something that schools should be offering to their student athletes?

Erin Matson:

I 100% think so. I am so fortunate because of my support system, and it's still like I didn't do it perfectly. I was still learning day by day. I still mis-stepped here, there, like no one is perfect and no one can do it perfectly, especially with just the realm to navigate it. It's crazy in itself, but I don't know how somebody who isn't aware of all of the different layers and pieces to it really gets through it one and doesn't tarnish their reputation or get into trouble. You've seen and heard of those horror stories where that happens, or the other side isn't totally taking advantage of it because they don't have the resources, or the understanding and you don't know what you don't know.

And I still, especially now, I am not afraid to ask questions and everything, but sometimes you don't even know the right question to ask. So, I definitely think, yeah, I don't know who's going to make the call if it's NCAA or it's up to the universities again, whatever. But there, in my opinion, definitely needs to be some sort of finance classes or this is what's going on. Or even brand management and what that means. It's so broad, but just the bare minimum of what kids should have available. I think there needs to be something like that.

Mia Marko:

So now sitting in the coach's seat, I know you're newly named coach, you'll have your inaugural season this fall, and I'm sure you're already recruiting for future seasons. How do you plan to navigate NIL from the perspective as a coach in both the recruiting process and also setting the tone for the locker room, which I'm assuming you want to mirror what you had seen as a player. How do you think about those things?

Erin Matson:

Yeah, definitely. We have compliance updates meetings all the time with everything changing just in general. But NIL's always a five-minute conversation out of that meeting because there's something always tweaking and evolving. So I think definitely just continuing to stay up to date with what's going on, what's the direction it's heading, did anything actually shift gears or whatever, and being attentive to that just because that's my job and my student athletes deserve that. I think with the locker room atmosphere, you can't force it, right? I don't think that inclusive, accepting environment happens just because we're like, okay, with NIL, we're going to pinpoint on it and focus on and everything. It's actually, I feel like backwards where we take time out of every week to have sports psych meetings and we make the extra effort to connect off the field and all of that, and then it's like, oh yeah, with NIL still, we're accepting and inclusive and there's transparency and we're supportive.

So just continuing to keep our culture and the environment like it is, I think that'll just be a byproduct of it. It'll help, but not taking our foot off the gas, always being attentive to it, but not necessarily harping on it. And then again, in a field hockey coach sense, hey, I am literally the only college coach who has gone through it as a player. So trust I have the ability to talk through things and guide you and help you with this. Carolina provides updates all the time, people in the department, their job is to focus on NIL and what that means and how it's changing. So you have the resources here I can guide you with that, give you the resources with that.

Mia Marko:

Well, I'm so excited to see how you navigate this. I'm sure it'll be with the grace and thoughtfulness that you have navigated the rest of your career, and I'm sure there'll be a lot of NCAA championships along with that. I can't wait to see all the success you're going to have. So Erin, thank you so much for joining me today. It was really great chatting with you about your experience both as a player and as a new coach, and then your perspective on NIL generally. And thank you to all of our listeners. We hope that you enjoyed this episode. If anyone has any thoughts or comments about this series or this episode, please contact our NIL team, Cal Stein, Chris Brolley, or me, Mia Marko. You can subscribe and listen to other Troutman Pepper podcasts wherever you listen to podcasts, including on Apple, Google, and Spotify. Thanks for listening and take care.

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