

## Ready to Play Hardball

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The battle between San Jose and Major League Baseball is really a match between two hard-throwing lawyers.

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If he hadn't been a litigator, Joseph Cotchett would have made a terrific politician. He is an expert user of the conspiratorial wink. He swears judiciously and often, like the Special Forces paratrooper and army colonel he once was. He wears a sports coat instead of a suit during trials to make himself more approachable. In legal circles, he is considered one of the legendary lions of the profession, an aggressive, take-no-prisoners plaintiff's lawyer who has gone up against such heavy hitters as the FBI, the U.S. Navy, Charles Keating, and late Oakland Raiders owner Al Davis.

So it should come as no great shock that Cotchett is the man to whom the city of San Jose turned to take on another great, blustering American institution: Major League Baseball. In June, Cotchett filed an antitrust lawsuit against MLB on behalf of the city, accusing the league of a "blatant conspiracy" to block San Jose from luring the Oakland Athletics to the South Bay. "It's a very interesting case, and I've had some great cases," says the 74-year-old. "It's certainly a case that cries out for some justice."

Cotchett will be pitted against another grizzled Bay Area lawyer, John Keker, who is representing MLB as lead attorney. He is the same Keker who prosecuted Oliver North during the Iran-Contra scandal in the 1980s and who, more recently, represented Lance Armstrong in a federal case that was dropped by prosecutors last year. Both attorneys have been inducted into the Litigation Trial Lawyers Hall of Fame, the Cooperstown of the profession. And Keker, like Cotchett, is no stranger to combat outside the courtroom—a former Marine, he earned a Purple Heart in Vietnam after he was shot in the elbow and nearly lost his arm. Keker still retains a military bearing, and paintings of Napoleon bedeck the walls of his office on Battery Street...

### Attorneys

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### Practice Areas

Antitrust & Global Competition