

CPM Client San Jose Asks US Supreme Court to Overturn Baseball's Antitrust Exemption

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An antitrust lawsuit filed by the city of San Jose against Major League Baseball in 2013 began its expected final chapter Wednesday with the city's appeal to the U.S. Supreme Court.

The city asked the high court to overturn an exemption from antitrust laws it granted to professional baseball in 1922.

"The exemption is causing ever-increasing harm to baseball fans and their local communities," the city's lawyers wrote in a petition for hearing.

"The time has come to put an end to baseball's court-created antitrust exemption, or at the very least to confine the exemption to its original context," the petition says.

San Jose's lawsuit claims MLB violated antitrust laws by allegedly delaying and blocking a possible move by the Oakland A's to San Jose.

The lawsuit was dismissed in 2013 by a federal trial judge in San Jose and in January of this year by the 9th U.S. Circuit Court of Appeals. Both courts said they were bound by the U.S. Supreme Court's 1922 decision and two later rulings reaffirming that precedent in 1953 and 1972. In February, the San Jose City Council voted to appeal to the high court.

Because only the Supreme Court or Congress can change the precedent, San Jose was forced in its lower court arguments to avoid attacking the exemption directly and instead to contend it should be interpreted narrowly in a way that did not apply to the city's claims.

In today's petition, by contrast, the city directly asks the court to abolish the exemption... *(To read the entire article, please click [HERE](#))*