

City of San Jose to File Antitrust Lawsuit Over Prevention of A's Relocating

Written by Maury Brown

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With MLB languishing on a decision, and the Giants saying they will not allow encroachment on their league territory, the City of San Jose is about ready to try and push the door open to the Oakland Athletics relocating there.

According to Raj Mathai , the weeknight news anchor and Sports Director Emeritus for NBC Bay Area ([via Twitter](#)), the City of San Jose will file an anti-trust lawsuit against the MLB in an effort to allow the club to relocate. Mathai reports that San Jose has hired a private law firm to represent them in the case. The city will reportedly file the suit on noon Pacific Time.

Based on Major League Baseball's constitution and by-laws, there are defined physical territories for all 30 of the clubs. The Giants currently control Santa Clara Co. where the A's are seeking to relocate. At one point the A's controlled the county but Walter Haas relinquished it in the 1990s when then Giants owner Bob Lurie sought to relocate that team to San Jose. Two referendums for stadium funding failed, and only a last minute effort for a new ballpark in San Francisco saved the Giants from relocation out of the region. Even though the Giants never relocated to San Jose, the rights to Santa Clara Co. were reaffirmed, and they have stayed in the Giants control to this day.

In 2009, Bud Selig put together a blue-ribbon panel to try and reach some kind of solution on the relocation of the A's to San Jose. To date, that panel has not been able to reach any solution that will satisfy the Giants.

The move by San Jose would be to challenge the league's territorial alignments. The city will likely see an uphill battle. A case in 2009 by which former Blackberry CEO Jim Balsillie looked purchase the bankrupt Phoenix Coyotes of the NHL and relocate them against the will of the league to Hamilton, Ontario, Canada was shot down by the court. In that case, the judge sided

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that sports leagues have the right to assign club territories for business reasons. Currently the Giants and A's share the two-team Bay Area market in terms of television, radio, sponsors and potential fans.

There is no word on how the A's fit into the lawsuit. It is highly unlikely that club will be a partner in the suit against Major League Baseball and instead will sit on the sidelines.



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