
COACH DELORENZO
Petitioner,

- against -

LEAGUE
Respondent

x Index No. **1216**
: Date: **Dec. 12, 2007**
: Dispute: **Playoff Tiebreakers**
: Judge: **Marc Edelman**
:
: **COURT RULES THAT WHERE A**
: **LEAGUE PLAYOFF GAME ENDS IN A**
: **TIE, UNDER THE DOCTRINE OF *CY***
: ***PRES*, REGULAR SEASON RANKINGS**
: **DETERMINE PLAYOFF**
: **ADVANCEMENT.**
X

This dispute arises from an issue involving how to determine playoff advancement in a self-monitored league hosted by Fanball.com. According to the League Constitution, games in this league may end in a tie. There is no formal system of tiebreakers.

It would be arbitrary and capricious for this court to choose a single-category tiebreaker based on personal preference. Nevertheless, this Court may turn to the League Constitution for guidance about what the League implicitly intends. This guidance emerges from the section of the League Constitution that addresses how the League resolves another type of tie—one involving final league standings.

According to the League Constitution, teams are ranked within their division in the following order: “1. Overall Winning Percentage; 2. Head-to-HEAD Games Played (2 teams only); 3. Most Points For, Season To Date; 4. Most Points Against, Season To Date; 5. Virtual Coin Toss.”

Where a contract is unclear about how to allocate certain rights, many courts apply the doctrine of *cy pres*, which means “as close as possible.” Here, although the parties have not manifested any specific intent about how to break a tie score of a playoff game, the parties have manifested intent about how to break a tie in a similar situation involving final season records. That manifested intent supports a proposition that is completely reasonable here—when all else is equal, favor the team that had a better regular season.

Therefore, in this particular situation where there exists no explicit rule in the League Constitution governing playoff advancement, this Court orders the League to apply its regular-season ranking system to determine the winner of a tied playoff game.