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COURT OF FANTASY BASEBALL

-----	X	Index No. <b>3004</b>
<b>PHILADELPHIA FREEDOMS</b>	:	Date: <b>April 10, 2009</b>
	:	League Type: <b>BASEBALL -- MIXED</b>
Petitioner,	:	Dispute: <b>FREE AGENT BIDDING</b>
	:	<b>PROCEDURE</b>
- against -	:	Chief Justice: <b>MARC EDELMAN</b>
	:	Deputy Justices: <b>BRIAN DOYLE,</b>
<b>CEDARBURG TIGERS &amp; THE HAMPSHIRE</b>	:	<b>MATTHEW COHEN, MICHAEL</b>
<b>BASEBALL LEAGUE</b>	:	<b>COLLIGAN, JOSEPH ROMANO</b>
	:	
Respondent	:	
-----	X	<b>COURT UNANIMOUSLY</b>
		<b>OVERTURNS LATE BID</b>
		<b>SUBMITTED BY CEDARBURG</b>
		<b>TIGERS</b>

This dispute involves whether the Commissioner of the Hampshire Baseball League was within his rights to allow one of its teams, the Cedarburg Tigers, to submit a late bid for free agent second baseman Emilio Bonifacio. Based upon a review of the facts, this court rules that it was not proper for the Commissioner to extend the bidding period beyond the stated 24-hour period. Therefore, the court orders the rights to Emilio Bonifacio to revert to the Philadelphia Freedoms—the team that had submitted the highest bid at the time the player auction officially expired.

While the court recognizes this case is complicated by the Commissioner’s original error in prematurely announcing the auction for Bonifacio closed, the Cedarburg Tigers nevertheless are barred from challenging this original decision under the *Doctrine of Laches*. This is because the Tigers had failed to bring such a challenge to the Commissioner’s attention within a reasonable period of time.

**THE DISPUTE**

***The Hampshire League Free Agent Auction Rule:***

The Hampshire Baseball League is a mixed (AL & NL) fantasy baseball league, currently in its ninth season. The league maintains a free agent auction rule, which allows teams to bid for free agent players using an in-season auction bidding process. This means, each time a team seeks to sign a free agent, that team must place a bid for the player. The other teams then have a chance to top that bid.

From the league's first season in 2001 through 2007, Hampshire League maintained a free agent bidding period of just four hours. Then, in 2008, the Hampshire League changed its rules to allow for a 24 hour bidding period.

The 2009 season marked the Hampshire League's second season under its new 24-hour bidding procedure. All league owners were on notice of the league bidding procedure given that all owners had competed in the league during the previous season.

### ***The Bidding for Emilio Bonifacio:***

On April 7, 2009, at 8:00 A.M., the Cedarburg Tigers called to auction Florida Marlins second baseman Emilio Bonifacio with a bid of \$0.25. Two hours later, at 10 A.M., the Philadelphia Freedoms topped that bid with a \$2.00 offer. Then at noon, the league Commissioner posted a message on the league message board declaring the auction "CLOSED" and awarding Bonifacio's rights to the Philadelphia Freedoms. This decision, however, was incorrect. Pursuant to the current league rules, the auction should have lasted for twenty-four hours—not four hours. Therefore, other teams should have still had the opportunity to top the Freedoms' bid. Nevertheless, no team challenged the Commissioner's decision to close the bidding process early—even though all teams in the Hampshire League played under the 24-hour auction rule the previous season.

Thereafter, on April 9 at 10 A.M., the Commissioner realized himself that he had improperly closed the bid period on Bonifacio. In an attempt at fairness, the Commissioner then unilaterally decided to offer the Cedarburg Tigers additional time to match the Freedoms bid on Bonifacio, which they did. The Commissioner then sought to award Bonifacio to the Cedarburg Tigers.

### ***The Parties Arguments:***

Both parties submit somewhat reasonable arguments as to why they should be allowed to keep the rights to Emilio Bonifacio. The Cedarburg Tigers' owner contends he might have matched the \$2.00 bid for Bonaficio; however, he "figured that [the commissioner] would know the rules [so he] respected that and moved on. Meanwhile, the Philadelphia Freedoms owner contends that "[the league] rules are very clearly written ....The other owner should have known the rules. If he did not know the rules, he could have simply looked at them. They are posted on our website." Nevertheless, neither of these arguments resolves the situation in a perfect manner.

## **THE RULING**

The general rule of this court is that wherever there is a dispute over league rules, language in the league constitution trumps all other considerations. (*See Public Opinion No. 257, Hermann's Head v. Commissioner of Yale Football League*). In addition, unless stated

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otherwise in the league constitution, the league commissioner is no more powerful than any other owner when it comes to changing the rules in the league constitution. (*See Public Opinion No. 257, Hermann's Head v. Commissioner of Yale Football League*) (*denying the league commissioner the right to unilaterally change the league's roster size*).

Here, the dispute amongst the parties involves the length of the free agent bidding period. All parties agree that the league constitution states this period shall last for just twenty-four hours. However, the parties disagree about whether the Commissioner is allowed to increase the length of this period as a way to correct for his own earlier mistake in declaring the period prematurely complete.

This court recognizes that there may be an exception to the general rule for certain extremely unusual circumstances, which possibly could toll a constitutionally stated bidding period. For example, potential reasons why a commissioner might be allowed to toll the twenty-four hour period might include an outage on the site that collects bids, or a temporary suspension of league operations.

While this court is mixed on the issue of whether a commissioner's inaccurate statement could ever toll a bidding period for a free agent, the court is unanimous that the commissioner may not unilaterally toll the period in a situation, such as is here, where no party even requested tolling until the bid period had concluded. This conclusion is based on the equitable Doctrine of Laches, which this court has applied on several previous occasions. (*See Public Opinion No. 2959-T, Commissioner v. Teams 1, 2, and 3*). This is a legal doctrine that, as matter of fairness, prevents an unduly slothful party from thereafter seeking a remedy.

Here, it would be inappropriate to allow a Commissioner to indefinitely extend a bidding period based on his own mistake given that no league owner questioned the Commissioner's decision and brought it to his attention during a reasonable period of time. Indeed, the Cedarburg Tigers had access to the rules. The Cedarburg Tigers could have checked the rules, and brought their grievance to the Commissioner before the 24-hour bid period lapsed. However, they chose not to do so, and instead simply proceeded with the season without having Emilio Bonifacio on their roster. As a result, it was improper for the Commissioner, thereafter, to conduct his own independent investigation and award a remedy to the Cedarburg Tigers.

It is true that the Hampshire League Commissioner attempted to extend the bid period for the Cedarburg Tigers by only a short amount of time. However, allowing such an extension would naturally lead the court down a slippery slope that it finds unacceptable. What if the Commissioner discovered his error one week later? One month? Three months? This court is simply not going to go down that path.

If the Cedarburg Tigers had correctly believed they had an additional twenty-hour window in which to bid on Bonifacio, they should have made that known within this twenty-hour window. By waiting longer than that period, as a matter of fairness and certainty, they forever waived such rights, if any.

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## **Holding**

For the foregoing reason, this court unanimously overturns the late bid submitted by the Cedarburg Tigers and awards the rights to Emilio Bonifacio to the Philadelphia Freedoms.

Respectfully Submitted,  
The SportsJudge.com Team