

# Daily Journal

www.dailyjournal.com

MONDAY, JUNE 20, 2011

## An Open Letter from Frank McCourt to Bud Selig

By Dan Lawton

This letter from Frank McCourt, the owner of the Los Angeles Dodgers, to the commissioner of Major League Baseball Bud Selig, is a work of fiction.

Dear Bud:

In this letter I respond to your threat to seize and sell my most beloved asset, the Los Angeles Dodgers Baseball Club. I think you and I both know it is a threat bound to lead to a great wailing and gnashing of teeth, mostly your teeth. I explain below.

At the outset I wish to remind you that the Dodgers do not include the stadium, the land underlying it, or the parking lots surrounding it. Those I own myself. Please bear in mind that, should you seize the Dodgers, I will remain their landlord. The annual rent on the stadium is now only \$14 million. I should hasten to add I am mulling over a rent hike in light of market conditions. That is, I'm guessing you would rather open a vein with a pen knife than move my team to the Los Angeles Coliseum or Cal State Fullerton. And so we'll see about the rent. \$20 million sounds about right.

I know it seems strange for me,

Please bear in mind that,  
should you seize the Dodgers,  
I will remain their landlord.

the owner of the team, to pay rent to myself for the stadium, which I also own. "Who does that?" as a fan wearing a Don Drysdale jersey asked me the other day, before my security detail whisked him away. The answer is, "I do." My tax situation is, shall we say, complicated. I don't expect you to understand the ins and outs of that. But suffice it to say a man like me does not wind up with zero taxable income for six years in a row without some very competent accounting.

This brings me to the matter of the parking lots. As you know, I made my fortune in the parking lot business. I get \$15 per vehicle right now. But this too is under review. I know the neighbors are up in arms about all the people who park on the street for free instead of paying the

\$15. I have heard their accounts of drunkenness, sidewalks littered with empties and used condoms, raucous tailgaters into the wee hours after games, and so forth. All I can say is, my neighbors are free to move elsewhere if they don't like living in Chavez Ravine. They're lucky to be living there in the first place, if you recall the history. Some day when I finally get to develop the land around the stadium, their home values will go through the roof. Until then earplugs, double-paned windows, and a healthy dose of patience will stand them in good stead.

I now turn to the unpleasant topic of the upcoming payroll. I am sorry to say that I can't meet the June 30 payroll today. But I think we can both agree June 30 isn't here yet, and I have a trick or two up my sleeve. The Fox TV people have lent me money to make payroll before and I'm guessing they will again. And why shouldn't they? The Dodgers are the premiere baseball team in southern California, except for the Angels, and a lot of people who can't afford the tickets or the parking want to watch them on Fox! Of course, the Fox people are shrewd. But I am shrewder. Only a shrewd man possibly could have bought the Dodgers in the first place with just \$200 of his own money and the rest somebody else's. In my game of poker with Fox, I'm Texas Dolly holding all the aces and Fox is the randy liquored-up rube with a pair of twos and his bleary eyes glued to the curvy cocktail waitress. And Bud, I think you know who has the edge in that poker game.

Also, my business school classmate, Morrie Stanhouse, is still into me for \$200 I lent him in 1974 so he could take his girlfriend to Atlantic City for the weekend, and the accrued interest on that is significant. I am calling him today to tell him to pay up. So when we put all that together I am guessing I am going to make payroll on June 30. If not, our loyal players, employees, and creditors will accept the vouchers, which my lawyers have prepared out of an abundance of caution. The vouchers will be redeemable for Dodgers memorabilia and merchandise wherever it is sold.

I have heard much recently about



Associated Press

Los Angeles Dodgers owner Frank McCourt walks back into his office at Dodger Stadium in Los Angeles, April 29.

Dodger tradition, Jackie Robinson, Vin Scully, and what have you. I have to tell you I don't see what any of that has to do with our situation. I have not closely studied what happened with Jackie Robinson. But based on what my people have told me so far I'm pretty sure he would be on my side here. If Jackie Robinson stood for anything it was for a man hanging onto the property that many, many bankers worked hard to get for him. Isn't that what civil rights is all about? As for Vin Scully, I see him in the elevator and understand he is the broadcaster for our club. I have heard he is very good and if you do take over I am recommending that you keep him on.

Lastly, I would like to address the "agreement" with your office, which I allegedly signed at the time I bought the club in 2004. I acknowledge it says you have certain powers over the club, which you get to exercise in the "best interests of baseball" — whatever that means. This agreement reminds me a lot of the post-nup, which my ex-wife Jamie and I signed back when. Thanks to my legal team, I was able to modify this post-nup overnight to say something different than what Jamie said it said. Jamie's lawyer,



David Boies, and Judge Scott Gordon did not agree with this, and they threw the agreement out, and I'm sure you know that.

And Mr. Commissioner, that is not America. Call me a romantic. I believe we still live in a country where a man can change a contract using word processing software and then ask the other party to sign it again without telling her he's changed it. So beware of trying to enforce your supposed "agreement" against me. The Judge Gordon thing is on appeal and from what I am told the appellate court reverses things all the time.

In sum, Mr. Commissioner, you have been warned. As you may have read, I employ an army of lawyers. My attorney fees for the divorce case alone now exceed the annual GNPs of Trinidad and Tobago. Just imagine what they will be if you force me to take you to court to defend what is rightfully mine and possibly also half my ex-wife's. The attorneys are asking me to pay them in advance and I'm working on it every day.

Yours very truly,  
Frank H. McCourt Jr.

**Dan Lawton** is the principal of Lawton Law Firm in San Diego. He specializes in intellectual property litigation and appellate litigation. He is an adjunct professor of law at Thomas Jefferson School of Law.