

  
CITY ATTORNEY'S OFFICE

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FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**OAKLAND CITY COUNCIL**

**RESOLUTION NO. 89494 C.M.S.**

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASES OF CITY OF OAKLAND V. OAKLAND RAIDERS, A CALIFORNIA LIMITED PARTNERSHIP; ARIZONA CARDINALS FOOTBALL CLUB, LLC; ATLANTA FALCONS FOOTBALL CLUB LLC; BALTIMORE RAVENS, LP; BUFFALO BILLS, LLC; PANTHERS FOOTBALL, LLC; CHICAGO BEARS FOOTBALL CLUB, INC.; CINCINNATI BENGALS, INC.; CLEVELAND BROWNS FOOTBALL COMPANY, LLC; DALLAS COWBOYS FOOTBALL CLUB, LTD.; PDB SPORTS LTD.; DETROIT LIONS, INC.; GREEN BAY PACKERS, INC.; HOUSTON NFL HOLDINGS, LP; INDIANAPOLIS COLTS, INC.; JACKSONVILLE JAGUARS LLC; KANSAS CITY CHIEFS FOOTBALL CLUB, INC.; CHARGERS FOOTBALL COMPANY LLC; THE RAMS FOOTBALL COMPANY, LLC; MIAMI DOLPHINS, LTD.; MINNESOTA VIKINGS FOOTBALL LLC; NEW YORK FOOTBALL GIANTS, INC.; NEW YORK JETS, LLC; PHILADELPHIA EAGLES LLC; PITTSBURGH STEELERS LLC; FORTY NINERS FOOTBALL COMPANY LLC; FOOTBALL NORTHWEST LLC; BUCCANEERS TEAM LLC; TENNESSEE FOOTBALL, INC.; PRO-FOOTBALL, INC.; NATIONAL FOOTBALL LEAGUE; NEW ENGLAND PATRIOTS LLC; NEW ORLEANS LOUISIANA SAINTS, LLC.; UNITED STATES DISTRICT COURT CASE NO. 3:18-CV-07444-JCS, UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT CASE NO. 20-16075, UNITED STATES SUPREME COURT CASE NO. 21A438; AND,

CITY OF OAKLAND V. THE OAKLAND RAIDERS, A CALIFORNIA LIMITED PARTNERSHIP; LAS VEGAS RAIDERS LLC; LAS VEGAS RAIDERS FOOTBALL LLC.; ARIZONA CARDINALS FOOTBALL CLUB LLC; ATLANTA FALCONS FOOTBALL CLUB, LLC; BALTIMORE RAVENS LIMITED PARTNERSHIP; BUFFALO BILLS, LLC; PANTHERS FOOTBALL, LLC; THE CHICAGO BEARS FOOTBALL CLUB, INC.; CINCINNATI BENGALS, INC.; CLEVELAND BROWNS FOOTBALL COMPANY LLC; DALLAS COWBOYS FOOTBALL CLUB, LTD.; PDB SPORTS, LTD.; THE DETROIT LIONS, INC.; GREEN BAY PACKERS, INC.; HOUSTON NFL HOLDINGS, LP; INDIANAPOLIS COLTS, INC.; JACKSONVILLE JAGUARS, LLC; KANSAS CITY CHIEFS FOOTBALL CLUB, INC.; CHARGERS FOOTBALL COMPANY, LLC; THE RAMS FOOTBALL COMPANY, LLC; MIAMI DOLPHINS, LTD.; MINNESOTA VIKINGS FOOTBALL, LLC; NEW ENGLAND PATRIOTS LLC; NEW ORLEANS LOUISIANA SAINTS, LLC; NEW YORK FOOTBALL GIANTS, INC.; NEW YORK JETS LLC; PHILADELPHIA EAGLES, LLC; PITTSBURGH STEELERS LLC; FORTY NINERS FOOTBALL COMPANY LLC; FOOTBALL NORTHWEST LLC; BUCCANEERS TEAM LLC; TENNESSEE FOOTBALL, INC; PRO-FOOTBALL, INC.; THE NATIONAL FOOTBALL LEAGUE; AND DOES 1 THROUGH 100; LOS ANGELES COUNTY SUPERIOR COURT CASE NO. 20STCV20676, COURT OF APPEAL OF THE STATE OF CALIFORNIA, SECOND APPELLATE DISTRICT CASE NO. B313388;

CITY ATTORNEY'S FILE NOS. CE-04541, CE-04541-1 AND CE-04541A; FOR DEFENDANTS' AGREEMENT TO WAIVE LITIGATION COSTS TO WHICH THEY ARE ENTITLED AS PREVAILING PARTIES IN EXCHANGE FOR THE CITY'S AGREEMENT TO TERMINATE THE LITIGATION (CITY COUNCIL – ANTITRUST/BREACH OF CONTRACT)

**WHEREAS**, the City of Oakland filed a lawsuit in the United States District Court against the National Football League (“NFL”) and Thirty-Two NFL clubs related to the Raiders’ move from Oakland to Las Vegas; and the lawsuit alleged, in part: (1) violations of the federal antitrust laws and (2) breach of contract; and

**WHEREAS**, the District Court granted Defendants’ motion to dismiss the antitrust claim and dismissed the breach of contract claim for lack of federal court jurisdiction, leaving open the possibility of refileing this claim in state court; and

**WHEREAS**, the City appealed the dismissal of the antitrust claim to the Ninth Circuit Court of Appeals and the Ninth Circuit Court of Appeals affirmed the District Court’s order dismissing the City’s case; and

**WHEREAS**, the City sought review in the United States Supreme Court and in October 2022, the Supreme Court denied review of the antitrust claim; and

**WHEREAS**, after the District Court dismissed the City’s breach of contract claims, the City filed a new lawsuit in Los Angeles County Superior Court; and

**WHEREAS**, after the state court granted the Defendants motion to dismiss, the City filed an appeal and the Court of Appeal affirmed the Superior Court’s ruling and dismissed the case; and

**WHEREAS**, The City has determined that it is in the City’s best interest to end the litigation in exchange for Defendants’ agreement to waive litigation costs to which they are entitled as prevailing parties; now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the cases of *City of Oakland v. Raiders, et al.*, United States District Court Case No. 3:18-CV-07444-JCS, United States Court of Appeals for the Ninth Circuit Case No. 20-16075, United States Supreme Court Case No. 21A438, Los Angeles County Superior Court Case No. 20STCV20676 and Court of Appeal of the State of California, Second Appellate District Case No. B313388, City Attorney’s File Nos. CE-04541, CE-04541-1 and CE-04541A, for a waiver of Defendants’ litigation costs; and be it

**FURTHER RESOLVED:** That the City Attorney is further authorized and directed to take whatever steps as may be necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

DEC 6 2022

PASSED BY THE FOLLOWING VOTE:

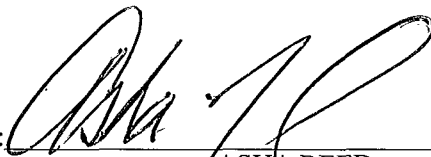
AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO ~~ASHA~~ - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Bas

ATTEST:   
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California