Demand Letter

January 18, 2016

To: Mara Elliott, San Diego City Attorney

To: Kevin Faulconer, San Diego City Mayor

From: Citizens of the City and County of San Diego

We appreciate the work The Mayor, City Council, Board of Supervisors and Ron Roberts have done over the last month in a final attempt to negotiate in good faith with the San Diego Chargers exploring a viable plan to construct a new stadium. We all recognize that the San Diego Chargers are an integral part of our community. While the Chargers provide entertainment and civic pride, they also generate significant revenue streams to the City and County of San Diego. Local jobs, restaurants, and the tourism industry will be significantly impacted by the Chargers departure outside of San Diego County.

NFL's policy and procedures for proposed franchise relocations Article 8.5 of the NFL Constitution and Section 4.3 clearly state a team must have “diligently engaged in good faith efforts” to “obtain and to maintain suitable stadium facilities in their home territories” in order to qualify for relocation. We believe the NFL League and its member club, the San Diego Chargers have repeatedly failed to negotiate in good faith. At every turn in the negotiations, representatives of the San Diego Chargers, continue to reject every legitimate effort to keep the Chargers in San Diego.

At the same time, the San Diego Chargers have been working aggressively on a Chargers, Rams joint stadium project in The City of Inglewood, Los Angeles County. This has been done under the close watch and approval of the NFL League committee specifically set up to ensure that Los Angeles has two NFL teams. Land has been purchased in the City of Inglewood where construction of a new stadium is underway and is projected to be completed in 2019 for both NFL teams. These actions clearly show that an orchestrated scheme led by the NFL and the San Diego Chargers was always in the works for the Chargers to move to Los Angeles. This conduct, unless stopped and reversed, will continue with the loss of the Chargers and no replacement NFL team in San Diego.

We, the citizens of San Diego respectfully demand that our City Mayor Kevin Faulconer file an antitrust lawsuit immediately against the NFL and the Chargers to protect the rights of San Diego citizens. The NFL is a group of 32 owners that have agreed unlawfully to boycott San Diego. The clear anticompetitive purpose of this illegal effort is simple – to line the pockets of the NFL and the Chargers with even more money. The NFL’s greed has resulted in a long history of the League violating the antitrust laws, including in their efforts to artificially control the location of teams. The City of San Diego is entitled to compete on a level playing field to keep the Chargers here. The city, county and UCSD pledged a last minute contribution of $375million towards the cost of a new stadium. This offer (like every other offer) was rejected by the Chargers stating it would not cover cost needed for completion of a new stadium. The NFL monopoly power to remove a professional football team from San Diego for not dishing out more millions is a clear violation of federal antitrust laws, which prohibits monopolists from such gross misuse of their monopoly power.

As a result, we urge the City of San Diego to retain top legal representation to prosecute an antitrust lawsuit against the NFL and the Chargers to stop their illegal campaign to rob the City of San Diego of a team. Jim Quinn has a long history of standing up to the NFL and professional sports leagues when, as here, they have operated as an unlawful cartel. We respectfully make this request on behalf of the citizens of the City of San Diego.

Sincerely,

Dan Jauregui