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5 **OFFICE OF THE COMMISSIONER OF BASEBALL**

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8 Attorneys for the Office of the Commissioner of Baseball

9
10 **UNITED STATES BANKRUPTCY COURT**

11 **DISTRICT OF ARIZONA**

12 In re:

13 DEWEY RANCH HOCKEY, LLC; COYOTES
HOLDINGS, LLC; COYOTES HOCKEY, LLC;
and ARENA MANAGEMENT GROUP, LLC,

14 Debtors.

No. 2-09-bk-09488-RTB

CHAPTER 11

(Jointly Administered)

15 **STATEMENT OF POSITION OF THE**
16 **OFFICE OF THE COMMISSIONER OF**
BASEBALL

17 This filing applies to:

18 X All Debtors
Specified Debtors

DATE: May 19, 2009

TIME: 1:30 p.m.

LOCATION: 230 North First Avenue

Phoenix, Arizona

Courtroom 703, 7th Floor

20 The Office of the Commissioner of Baseball ("MLB") hereby files this Statement of
21 Position in support of the Limited Objection of The National Hockey League to Motion of the Debtors
22 for Entry of an Order (A) Authorizing Conduct of an Auction of Coyotes Hockey, LLC's Assets; (B)
23 Establishing Procedures to be Employed in Connection with the Sale Including Approval of Termination
24 Fee; and (C) Approving Form of Order and Manner of Notice of Conditional Cure Notice and
25 Solicitation Notice [Docket No. 92], and respectfully represents as follows:
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1 The Major League Constitution provides for procedures governing franchise ownership
2 transfer and relocation, and requires certain votes of the MLB member clubs. These procedures are
3 critical to the MLB member clubs' ability to produce the collective MLB baseball product and to the
4 success of the League as a whole. Thus, MLB respectfully submits that the sales procedures regarding
5 the Phoenix Coyotes franchise to be ordered by the Court in this case should respect the National
6 Hockey League rules and procedures regarding ownership transfer and relocation, and not set precedent
7 that could severely disrupt the business of professional hockey, baseball and other major league sports.

8 DATED this 18th day of May, 2009.

9 OFFICE OF THE COMMISSIONER
10 OF BASEBALL
11 245 Park Avenue
12 New York, New York 10167

13 and

14 SCHIAN WALKER, P.L.C.

15 By /s/ DALE C. SCHIAN, #010445
16 Dale C. Schian

17 Attorneys for the Office of the Commissioner
18 of Baseball
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