

June 18, 2015

To: Jan Goldsmith, San Diego City Attorney

From: Citizens of the City and County of San Diego

We appreciate the work The Mayor, City Council, Board of Supervisors and yourself have done over the last several months to produce the foundation of a financially viable plan to construct a new stadium. We believe that these activities as well as the activities of the Citizens Stadium Advisory Group have been carried out in good faith. 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 club member, the San Diego Chargers have failed to negotiate in good faith. At every turn in the negotiations, top NFL executives, including Eric Grubman, and representatives of the San Diego Chargers, including Mark Fabiani, continue to reject every legitimate effort to keep the Chargers in San Diego.

At the same time, the San Diego Chargers have been working secretly and aggressively on stadium plans in The City of Carson, Los Angeles County. This has been done under the close watch of the NFL League committee specifically set up to ensure that Los Angeles has an NFL team soon and has been and continues to be discussed at NFL meetings of the owners. Land has been purchased in the City of Carson, a signature drive for a finance plan stadium proposal is underway, and the recent hiring of NFL executive Carmen Policy as a consultant for a new stadium, all show that an orchestrated scheme led by the NFL is in the works for the Chargers to move to Los Angeles. This conduct, unless stopped, will continue with the loss the Chargers and no replacement NFL team in San Diego.

We, the citizens of San Diego respectfully demand that an antitrust lawsuit be filed 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.

As a result, we urge the City of San Diego to retain a law firm 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 of Weil, Gotshal & Manges LLP 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