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16 Attorneys for Defendants
 17 OFFICE OF THE COMMISSIONER OF BASEBALL,
 an unincorporated association doing business as Major League
 18 Baseball; and ALLAN HUBER "BUD" SELIG

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA / SAN JOSE DIVISION

21 CITY OF SAN JOSÉ; CITY OF SAN JOSÉ
 AS SUCCESSOR AGENCY TO THE
 22 REDEVELOPMENT AGENCY OF THE
 CITY OF SAN JOSÉ; and THE SAN JOSÉ
 23 DIRIDON DEVELOPMENT AUTHORITY,

24 Plaintiffs,

25 v.

26 OFFICE OF THE COMMISSIONER OF
 BASEBALL, an unincorporated association
 doing business as Major League Baseball; and
 27 ALLAN HUBER "BUD" SELIG,

28 Defendants.

Case No. 13-CV-02787-RMW

**[PROPOSED] ORDER GRANTING
 DEFENDANTS' REQUEST FOR
 JUDICIAL NOTICE IN SUPPORT OF
 MOTION TO DISMISS PLAINTIFFS'
 COMPLAINT**

Hearing Date: October 4, 2013

Judge: Hon. Ronald M. Whyte

Date Filed: June 18, 2013

Trial Date: None Set

1 THIS MATTER having come before the Court on Defendants Office of the Commissioner of
2 Baseball and Allan Huber “Bud” Selig’s (“Defendants”) Request for Judicial Notice in Support of
3 Defendants’ Motion to Dismiss Plaintiffs’ Complaint (the “Request”), and having considered the
4 relevant papers and pleadings on file, and good cause appearing,

5 **THE COURT HEREBY GRANTS** Defendants’ Request for Judicial Notice and takes
6 judicial notice of the following documents:

- 7 A. San José City Council Resolution 74908, adopted May 12, 2009 (“2009 City Council
8 Resolution”), attached as Exhibit A to the Request;
- 9 B. Excerpts from the record of the 1982 hearings before the Senate Judiciary Committee on
10 Professional Sports Antitrust Immunity, 97th Cong., Serial No. J-97-134, attached as
11 Exhibit B to the Request;
- 12 C. The October 29, 1997 Report of the Senate Judiciary Committee on the Curt Flood Act
13 (bill S. 53, later enrolled as 15 U.S.C. § 26B), S. Rep. 105-118, attached as Exhibit C to
14 the Request;
- 15 D. The California State Controller’s March 2013 Review Report entitled “Redevelopment
16 Agency of the City of San Jose: Asset Transfer Review January 1, 2011, through January
17 31, 2012” (“Controller’s Report”), attached as Exhibit D to the Request; and
- 18 E. A memorandum of the San José City Manager and San José Redevelopment Agency
19 Executive Director bearing the subject line “Option Agreement for Sale of Property to
20 Athletics Investment Group, LLC,” dated October 24, 2011 (“October 2011
21 Memorandum”), attached as Exhibit E to the Request.

22
23 **IT IS SO ORDERED.**

24
25 Dated: _____, 2013

26
27 _____
28 Hon. Ronald M. Whyte
United States District Judge