Team 23

Dexter Fowler v. Colorado Rockies (MLB)

Submission on Behalf of the Colorado Rockies
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I. Introduction and Request for Acceptance of Proposed Offer.

This brief will cover all of the relevant factors the Panel of Major League Baseball Arbitrators (“The Panel”) will need to evaluate the career of Dexter Fowler (“Mr. Fowler”), center fielder (“CF”) for the Colorado Rockies (“Rockies”). Under Major League Baseball’s (“MLB’s”) Collective Bargaining Agreement (“CBA”), a binding agreement between the players and owners that governs all salary arbitration proceedings, a player with at least three years of Major League Service Time (“MLST”) is eligible for salary arbitration. A few enumerated exceptions exist, but for the purposes of this hearing those exceptions are irrelevant. The CBA, under Article VI, Section F, Part 12 (a) & (b), governs the scope of permissible information in an arbitration hearing. The CBA does not explicitly state how much weight should be placed on each category and does not list them according to any order of importance.1 The Panel shall consider:

1. The quality of the player’s contribution to his club during the past season,2
2. The length and consistency of his career contribution,
3. The record of the Player’s past compensation,
4. Comparative baseball salaries,
5. The existence of any physical or mental defects on the part of the Player, and
6. The recent performance record of the club including but not limited to its league standing and attendance as an indication of public acceptance.3

Any evidence that is relevant to the aforementioned may be submitted before the panel and will be given weight in accordance with the panel’s discretion.4 Furthermore, the rules state that evidence of the following will not be considered:

1. The financial position of Mr. Fowler or the Rockies;
2. Press comments, testimonials or similar material … except that recognized annual

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1 Article VI, Section F, Part 12 (a); “…the arbitration panel shall assign such weight to the evidence as shall appear appropriate under the circumstances”.
2 Article VI, Section F, Part 12 (a) & (b). Including but not limited to his overall performance, special qualities of leadership and public appeal.
3 Id.
4 Id.
Player awards for the playing shall not be excluded;
(3) Offers made by either player or Club prior to arbitration;
(4) The cost to the parties of their representatives, attorneys, etc.;
(5) Salaries in other sports or occupations.\(^5\)

In accordance with the CBA as summarized above, this brief will only include such information that is relevant and permitted. The decision standard is whether Mr. Fowler’s value is above or below the midpoint between the two offers, which is $4.3 million. The Rockies respectfully ask that the Panel carefully consider all of the information included below. The arguments and analysis will demonstrate that Mr. Fowler is rightfully entitled to receive $4.0 million for the 2013 season because his value is below the $4.3 million midpoint.

II. Quality of Mr. Fowler’s Contribution During the Past Season.

Mr. Fowler made his debut with the Rockies organization on September 2, 2008.\(^6\) Since his debut, Mr. Fowler has made notable contributions to the club as starting center fielder and batter, primarily in the leadoff position.\(^7\) His fielding performance has been average, and his speed does not offset his six errors, which tied for the fifth most errors for National League (“NL”) outfielders during 2012 and in the most for NL center fielders.\(^8\) Additionally, Mr. Fowler was only eighth in put outs during the season, leaving him with the worst fielding percentage of NL center fielders with more than 200 put outs in 2012, and in the bottom five of NL outfielders with more than 200 put outs.\(^9\)

Mr. Fowler had some success at the plate in 2012, posting career bests in hits, home runs, and Runs Batted In (“RBI’s”).\(^10\) Mr. Fowler spent the majority of the season in the lead-off

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\(^5\) *Id.* at (b).
\(^7\) According to [http://espn.go.com/mlb/player/splits/_/id/29252/dexter-fowler](http://espn.go.com/mlb/player/splits/_/id/29252/dexter-fowler), Mr. Fowler has had more than 50% of his at bats in the leadoff position in every season except for 2010, in which he batted second.
\(^9\) *Id.*
\(^10\) [http://espn.go.com/mlb/player/stats/_/id/29252/dexter-fowler](http://espn.go.com/mlb/player/stats/_/id/29252/dexter-fowler)
position, which demonstrates the value that 2012 Manager Jim Tracy placed upon Mr. Fowler’s ability to get on base, even though he has not stolen many bases since the 2009 season.\textsuperscript{11} Although he posted a notable .300 batting average, he had a below-average number of plate appearances at only 530.\textsuperscript{12} He also struck out 128 times—nearly a quarter of his plate appearances—which was above the NL average.\textsuperscript{13}

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Of greatest concern, Mr. Fowler has been unable to remain healthy and stay on the field. This past season, Mr. Fowler played in only 143 of 162 regular season games, reaching only 530 plate appearances—172 short of the league average for center fielders.\textsuperscript{14} This is largely attributable to Mr. Fowler missing games due to a sprained ankle\textsuperscript{15} and sore left wrist,\textsuperscript{16} both during the key final two months of the season. Mr. Fowler’s decrease in steals after the 2009 season demonstrates the effect that his series of injuries since 2009 have impacted his playing ability. The Rockies have not managed to make the post-season since 2009—and while it would be far-fetched to blame playoff woes on a single player, it appears that Mr. Fowler’s missed games have not helped.

Mr. Fowler’s representatives will contend that Mr. Fowler was notably exceptional at the plate this past season. Although Mr. Fowler did make a significant contribution to the batting order, looking at the numbers as a whole provides better perspective. While the 2012 season brought Mr. Fowler’s best numbers yet as far as batting average and home runs, we saw a

\textsuperscript{11} Id.
\textsuperscript{12} According to http://www.baseball-reference.com/leagues/NL/2012-standard-batting.shtml, the league average is 600 plate appearances.
\textsuperscript{13} Id.
\textsuperscript{14} http://www.baseball-reference.com/leagues/split.cgi?t=b&year=2012&lg=NL
\textsuperscript{15} http://blogs.denverpost.com/rockies/2012/08/22/dexter-fowler-avoids-break-ankle-days/12758/
\textsuperscript{16} http://blogs.denverpost.com/rockies/2012/09/24/carlos-gonzalez-dexter-fowler-injuries/12868/
decrease in at bats, runs, and extra-base hits, as well as a high strike out count and no indication of a trend towards returning to his 2009 stolen base numbers.\textsuperscript{17}

III. Length and Consistency of Career Contributions.

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As touched upon briefly in the preceding section, Mr. Fowler has been a valuable asset to the Rockies’ organization. However, the Rockies have been, at times, frustrated with Mr. Fowler’s lack of consistency and susceptibility to injury. Despite being a participant in the 2008 All-Star Futures Game, Mr. Fowler has yet to be selected for the Major League Baseball All-Star Game. Furthermore, he played more than 20 games for the Triple-A affiliate in both 2010 and 2011 seasons for rehabilitation and skill-training.\textsuperscript{18}

Until this past season, Mr. Fowler had posted a less than outstanding batting average, which hovered around .260 for the 2009, 2010, and 2011 seasons.\textsuperscript{19} His debut season presented a much lower average, but he did not get to play until late in the season. It is worth noting that all four full seasons for Mr. Fowler have seen several missed games and a below-average plate appearance count.\textsuperscript{20} Furthermore, Mr. Fowler has not shown much value as a power hitter—posting an average of seven home runs per year—and is also struggling in steals outside of the

\textsuperscript{17}http://colorado.rockies.mlb.com/team/player.jsp?player_id=451594#gameType='R'\&sectionType=career\&statType=1\&season=2012\&level='ALL'
\textsuperscript{18}http://thebaseballcube.com/players/profile.asp?P=Dexter-Fowler
\textsuperscript{19}http://colorado.rockies.mlb.com/team/player.jsp?player_id=451594#gameType='R'\&sectionType=career\&statType=1\&season=2012\&level='ALL'
\textsuperscript{20}Id.
2009 season in which he posted twice as many stolen bases as he has in any subsequent season.\textsuperscript{21} Furthermore, despite Mr. Fowler’s best batting average yet, he has shown volatility with an increasing strikeout percentage, from 23.7\% in 2010, to 27.0\% in 2011, and to a career high of 28.2\% this past season.\textsuperscript{22} Consistency and health cannot be ignored when evaluating a player’s salary and for those reasons the Rockies believe Mr. Fowler deserves no more than $4.0 million.

\textbf{IV. Past Player Compensation}

Mr. Fowler was drafted out of high school in 2004 by the Rockies organization.\textsuperscript{23} He played for the organization’s minor league affiliates until his September 2008 major league debut.\textsuperscript{24} Mr. Fowler’s 2009 season started him at $401,000, with modest raises to $406,000 and $424,000 in 2010 and 2011 respectively.\textsuperscript{25} Mr. Fowler was eligible for arbitration going into the 2012 season, but the two sides arrived at a deal prior to arbitration.\textsuperscript{26} The Rockies, recognizing the value of Mr. Fowler’s contributions to the organization, agreed to a one-year $2.35 million contract which avoided arbitration.\textsuperscript{27} The $1.9 million raise reflected a more than fair amount for Mr. Fowler in his first year of arbitration eligibility.

The Rockies are unwilling to accept Mr. Fowler’s $4.6 million proposal, instead offering $4.0 million—a fair $1.65 million raise from this past season’s salary. Mr. Fowler’s volatility at the plate and league-leading errors in the field as well as an inability to put up an average amount of plate appearances for a starting center fielder do not warrant a $2.25 million raise, even when taking into account Mr. Fowler’s production when healthy.

\textsuperscript{21} Id.
\textsuperscript{22} Id.
\textsuperscript{23} http://sports.yahoo.com/mlb/players/8370
\textsuperscript{24} http://www.milb.com/milb/stats/stats.jsp?sid=milb&tt=p_pbp&pid=451594
\textsuperscript{25} http://www.baseball-reference.com/players/f/fowlede01.shtml
\textsuperscript{26} http://colorado.rockies.mlb.com/news/article.jsp?ymd=20120117&content_id=26368928&vkey=news_mlb&c_id=mlb
\textsuperscript{27} Id.
V. Comparative Baseball Salaries

Angel Pagan

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Angel Pagan (“Mr. Pagan”) is a CF for the New York Mets. Although Mr. Pagan hit less homeruns and amassed less hits in the season leading up to his 2011 salary arbitration hearing, Mr. Pagan stepped up to the plate twenty-four more times than Mr. Fowler did this past season despite playing in twenty less games.28 Even with fewer plate appearances, in 2012 Mr. Fowler managed to strike out sixty-six more times than Mr. Pagan did in 2010 and also stole twenty fewer bases.

Mr. Pagan also demonstrates higher overall production value, despite fewer overall at bats and games prior to arbitration. He has only one less stolen base and two fewer triples in 130 fewer games. He also boasts a strikeout percentage of only 17.4%—much lower than Mr.

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Fowler’s 25.7%. Mr. Pagan also had a higher overall batting average, and surpassed Mr. Fowler in hits and RBIs when adjusted to an equal number of at bats.

With 4.144 years of MLST Mr. Pagan settled for a one-year $3.5 million contract prior to arbitration, a $2 million increase for a season which showed great progress. That $2 million increase rewarded Mr. Pagan for a season in which he improved on almost all of his major statistical categories; HR’s increased by five, RBI’s increased by 37, hits increased by 63, and Mr. Pagan played in 63 more games (151) in comparison to his prior season. With a similar 4.168 years of MLST and without measurably better production value, the Rockies do not believe Mr. Fowler’s production surpasses Mr. Pagan’s by $1.1 million. Further, the Rockies feel that a $1.65 million raise sufficiently reflects the balance of Mr. Fowler’s progress and regression based on his year-to-year statistics.

**B.J. Upton**

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Melvin Emanuel Upton (“B.J”) is a center fielder for the Tampa Bay Rays. In the season prior to his 2011 salary arbitration, B.J had 110 more plate appearances than Mr. Fowler had.
during this past season. Although B.J. has a lower batting average and on-base percentage, B.J.’s
RBI and home runs numbers have shadowed those of Mr. Fowler, and B.J.’s ability to create
runs with his speed—evidenced by his 42 stolen bases—clearly surpasses any discrepancies in
these batting statistics.

With 4.126 years of MLST at the time, B.J. and the Tampa Bay Rays settled on a one-year
$4.83 million contract, a $1.7 million increase following a season in which Mr. Upton continued
to progress. That $1.7 million increase rewarded B.J. for a season in which he improved on
almost all of his major statistical categories; HR’s increased by seven, RBI increased by seven,
wells increased ten, and B.J played in ten more games (154) in comparison to his prior season.
While Mr. Fowler will argue that this supports his $4.6 million proposal, Mr. Fowler does not
have the same production value as B.J. Furthermore, the Rockies’ proposal of $4.0 million is a
$1.65 million raise from Mr. Fowler’s 2012 salary, which is approximately equal the raise given
to B.J—and, in fact, a larger percentage increase in salary. These comparisons support the
Rockies’ firm belief that $4.0 million, and not $4.6 million, reflects a fair amount for Mr.
Fowler’s services under the circumstances.

VI. Existence of Physical or Mental Defects

Mr. Fowler has struggled to stay on the field. Mr. Fowler has yet to surpass the league
average for plate appearances for starting center fielders or all outfielders. 29 He spent
rehabilitation time in the minors in both 2010 and 2011. 30 Of greatest concern is Mr. Fowler’s
self-described reoccurring ankle sprains, which has happened several times in his life. 31

31 http://espn.go.com/mlb/story/_/id/8295053/colorado-rockies-dexter-fowler-sprains-ankle
Furthermore, he is averaging just 134 games per season, and has been below average in plate appearances in each season. This predictable and unfortunate trend has and will continue to be of great concern for the Rockies and this risk must be accounted for when determining the proper salary for Mr. Fowler.

VII. Recent Performance of the Club

The Rockies organization has not enjoyed much success in recent years. Both 2011 and 2012 saw losing seasons for the Rockies, with 73 and 64 wins respectively. 2009 and 2010 were slightly over .500, with 92 and 83 wins respectively. This displays an alarming downward trend since Mr. Fowler’s first full season. Despite the recent lack of success, however, the Rockies enter 2012 with high expectations of rebuilding a winning club.

VIII. Conclusion

The Rockies recognize the contribution that Mr. Fowler provides to the organization and value him accordingly. The Rockies believe the $4 million offer sufficiently reflects the contributions that Mr. Fowler provides while accounting for the past and future risk of injury as well as statistical inconsistencies. The Rockies ask that this panel consider all that has been included in this brief in making a determination.