IN THE MATTER BETWEEN

WILLIAM “DEXTER” FOWLER ($4.6 million)       THE COLORADO ROCKIES ($4.0 million)

“It’s déjà vu all over again”
-Yogi Berra

BRIEF IN SUPPORT OF WILLIAM “DEXTER” FOWLER

- Team 34 -
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I. **Introduction and Request for Hearing Decision**

This matter, by and between William “Dexter” Fowler (“Fowler”) and the Colorado Rockies Baseball Club (“Rockies”), has been brought forth for the purpose of establishing Fowler’s salary for the 2013 season. Pursuant to the Collective Bargaining Agreement (“CBA”)\(^1\) of Major League Baseball (“MLB”), Fowler is eligible, with 3.168 years of MLB service, to submit the issue of his salary to final and binding arbitration.\(^2\) Through the tendering of this brief, Fowler desires to exercise this right and respectfully requests an arbitration hearing to resolve the matter.

In preparation for the hearing and in compliance with CBA regulations,\(^3\) the parties have exchanged salary figures for the upcoming season, which are hereby submitted to the Arbitration Panel (“Panel”), with Fowler requesting $4.6 million and the Rockies offering $4.0 million.

Based on the six criteria set forth in the CBA,\(^4\) the value of Fowler’s services not only exceeds the $4.3 million midpoint, but is also reasonably aligned with Fowler’s $4.6 million request and the prevailing standards of today’s marketplace. Thus, Fowler respectfully requests the Panel appropriately find that he is entitled to a 2013 arbitration award of $4.6 million.

II. **Quality of Contributions During the Past Season**

Fowler is coming off a stellar platform season, his best to date, finishing among the league leaders in several statistical categories. In the midst of setting career highs in hits, homeruns, RBIs, walks, total bases, batting average, on-base percentage, slugging percentage, and on-base plus slugging,\(^5\) Fowler has elevated his game to become one of the most versatile, all-around offensive players in all of baseball, and certainly one of the more productive leadoff hitters in the

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\(^1\) The governing document ratified by MLB and the MLB Players Association.
\(^3\) *Id.* at Article VI(E)(4).
\(^4\) *Id.* at Article VI(E)(10)(a).
league today. He was one of only nine players in MLB to have a “slash line” greater than .300/.380/.470 for 2012, and one of only two players to accomplish this feat primarily from the leadoff spot. His totals in triples, homeruns, walks, batting average, on-base percentage, slugging percentage, and on-base plus slugging would place him in the top five in each category, respectively, among leadoff hitters, Fowler’s predominate position in the lineup.

<table>
<thead>
<tr>
<th>TABLE 1: Dexter Fowler Platform Season</th>
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<tbody>
<tr>
<td>AB</td>
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<tr>
<td>-----</td>
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<tr>
<td>2012</td>
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</tbody>
</table>

To put Fowler’s impressive 2012 “slash line” into context, his .300 batting average topped MVP-caliber hitters such as Albert Pujols, and Alex Rodriguez; his .389 on-base percentage surpassed perennial All-Stars such as Josh Hamilton and Robinson Cano; and his .474 slugging percentage exceeded those of well-known sluggers such as Adam Dunn and Adrian Gonzalez.

Moreover, the switching-hitting sensation, one of the game’s best, maintained his solid production and consistency from, not only both sides of the plate, but also when hitting in many key situations throughout the year.

<table>
<thead>
<tr>
<th>TABLE 2: Dexter Fowler Platform Season Situational Statistics</th>
</tr>
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<tbody>
<tr>
<td>Right-Handed</td>
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<tr>
<td></td>
</tr>
<tr>
<td>Left-Handed</td>
</tr>
<tr>
<td>With Two Outs</td>
</tr>
<tr>
<td>Runners on Base</td>
</tr>
<tr>
<td>Within One Run</td>
</tr>
<tr>
<td>Innings 7-9</td>
</tr>
</tbody>
</table>

7 Id. (the other being Mike Trout, American League Rookie of the Year and runner-up MVP).
9 BASEBALL-REFERENCE.COM, supra note 5.
10 ESPN.COM, supra note 6.
All in all, Fowler’s 2012 season was nothing short of spectacular and illustrative of his seemingly limitless potential.

III. Length and Consistency of Fowler’s Career Contributions

After three consecutive years as a Top 100 prospect by Baseball America, Fowler exploded onto the major league scene in 2009. Within his first month as the everyday leadoff hitter for the Rockies, he posted a solid .290/.366/.452 “slash line,” homered from both sides of the plate, and tied a modern-day (since 1900) rookie record with five stolen bases in a game. By the All-Star break, Fowler would be among the National League’s (“NL”) top rookies, leading the class in walks, runs, stolen bases, and doubles (and second in hits). At year’s end, Fowler would finish in the top ten, among all NL players, in triples and stolen bases on his way to becoming a finalist for NL Rookie of the Year.

In 2010, showing no signs of the proverbial sophomore slump, Fowler led all of baseball in triples, setting a new Rockies single-season record in the process. He would also manufacture an astonishing, video-game-type “slash line” of .418/.500/.627 when batting in games “late and close,” playing a critical (and successful) role in the most crucial situations for the Rockies.

Fowler continued to progress in 2011, tallying personal career-highs (up to that point) in hits, runs, RBIs, walks, doubles, triples, total bases, slugging percentage, and on-base plus slugging.

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14 Id.
15 Id.
16 Id.
17 Id.
19 BASEBALL-REFERENCE.COM, supra note 5.
Factoring in his 2012 season, Fowler has now amassed fifty triples over his young career, the most of any player since his 2009 debut and already a Rockies all-time club record.\textsuperscript{20} Further, he is the only player in MLB to collect ten or more triples in each of the past four seasons (2009-12),\textsuperscript{21} his first four full years in big leagues, a feat not even Willie Mays could achieve,\textsuperscript{22} arguably the greatest all-around hitter to ever play the game. The triple, a rare display of power and speed, is the “most exciting play in baseball,”\textsuperscript{23} and nobody in the game today (perhaps ever?) does it better than Dexter Fowler.

### TABLE 3: Dexter Fowler Career\textsuperscript{24}

<table>
<thead>
<tr>
<th>MLB Service: 3.168 years</th>
<th>Age: 26</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AB</td>
</tr>
<tr>
<td>2009</td>
<td>433</td>
</tr>
<tr>
<td>2010</td>
<td>439</td>
</tr>
<tr>
<td>2011</td>
<td>481</td>
</tr>
<tr>
<td>2012</td>
<td>454</td>
</tr>
<tr>
<td>Career</td>
<td>1833</td>
</tr>
</tbody>
</table>

In sum, Fowler’s 2012 success was no aberration. Fowler has exhibited sustained success throughout his career and, year after year, his star increasingly beams brighter (and brighter).

### IV. Existence of Physical or Mental Defects

Since coming into the league as a full-time starter in 2009, the twenty-six year old Fowler has been every bit as healthy as he has been productive. He has played in at least 125 games each season, accumulating, at minimum, 500 plate appearances.\textsuperscript{25} Moreover, Fowler is coming off a 2012 season in which he never once made a trip to the disabled list.\textsuperscript{26} In fact, throughout his young career in the big leagues to this point, Fowler has only been placed on the disabled list

\textsuperscript{20} \textsc{Fangraphs.com}, Career Leaders, available at \url{http://www.fangraphs.com}.
\textsuperscript{21} Id.
\textsuperscript{22} \textsc{Baseball-reference.com}, \url{http://www.baseball-reference.com/players/m/mayswi01.shtml}.
\textsuperscript{23} \textsc{Predictem.com}, Hank Aaron, \url{http://www.predictem.com/mlb/quotes.php}.
\textsuperscript{24} \textsc{Baseball-reference.com}, supra note 5.
\textsuperscript{25} Id.
\textsuperscript{26} \textsc{Baseballprospectus.com}, \url{http://www.baseballprospectus.com/card/card.php?id=47493}.
twice (both of which were short, 15-day trips), an average of only one stint every two seasons.\textsuperscript{27} Thus, having played a relatively injury-free 2012 season and having avoided the 60-day disabled list, Fowler remains without any lingering injuries, and together with a sensational 2012 season, is entering 2013 full of confidence and poised for yet another standout year.

\textbf{V. Fowler’s Past Compensation}

Despite strong and steady production his first three full seasons, indicative of a promising and prosperous career in its infancy, Fowler was compensated near the league minimum in each of those three seasons, earning just $401,000 in 2009, $406,000 in 2010, and $424,000 in 2011.\textsuperscript{28}

However, as a result of a successful 2009 spring training campaign,\textsuperscript{29} Fowler began the 2009 season on the active roster, an achievement that subsequently granted him “Super Two” status, deservingly so, following the 2011 season. This immediate impact allowed Fowler to accelerate his arbitration status and secure a 2012 salary of $2.35 million during his first eligible year.\textsuperscript{30}

Now, after elevating his career to another level (yet again!) and having significantly outperformed his salary in each of his first four years, Fowler is due a substantial raise commensurate with him becoming one of the most dynamic and prolific players in baseball.

\textbf{VI. Comparative Player Salaries}

Following his exceptional platform year and his history of prolonged success at the big league level, Fowler, now entering his second year as arbitration-eligible, stacks up favorably when evaluated in comparison to his “peers.”\textsuperscript{31} These comparisons provide compelling insight

\textsuperscript{27} Id.
\textsuperscript{28} BASEBALL-REFERENCE.COM, supra note 5.
\textsuperscript{30} Id.
\textsuperscript{31} In particular, outfielders in their second year of arbitration eligibility.
into Fowler’s value at this stage in his career and clearly confirm his value lies well-above the $4.3 million midpoint in this case.

a. Adam Jones, CF – Baltimore Orioles ($6.15 million in 2012)\textsuperscript{32}

Adam Jones (“Jones”) is one of the most recent outfielders to file for arbitration in his second year of eligibility, having gone through the process just last offseason. Compared to Jones, who settled his case for $6.15 million, Fowler has produced at levels even Jones had yet to attain, leaving no question that the market dictates Fowler be rewarded with a salary in excess of the midpoint. Of note, shortly after Jones settled his arbitration case, he would go on to sign a 6-year, $85.5 million extension,\textsuperscript{33} making him one of the highest paid outfielders in the game.

| TABLE 4: Comparative Statistics between Dexter Fowler and Adam Jones\textsuperscript{34} |
|---------------------------------|---|---|---|---|---|---|---|---|---|
| **Platform** |
| Fowler |
| AB | 454 | H | 136 | HR | 13 | RBI | 53 | BB | 68 | H/CG | 1.25 | R/CG | .661 | AVG | .300 | OBP | .389 | SLG | .474 | OPS | .863 |
| Jones |
| AB | 567 | H | 159 | HR | 25 | RBI | 83 | BB | 29 | H/CG | 1.14 | R/CG | .486 | AVG | .280 | OBP | .319 | SLG | .466 | OPS | .785 |
| **Career** |
| Fowler |
| AB | 1833 | H | 497 | HR | 28 | RBI | 168 | BB | 260 | H/CG | 1.15 | R/CG | .708 | AVG | .364 | OBP | .427 | SLG | .791 | OPS | |
| Jones |
| AB | 2237 | H | 616 | HR | 75 | RBI | 291 | BB | 117 | H/CG | 1.14 | R/CG | .574 | AVG | .319 | OBP | .437 | SLG | .756 | OPS | |

\textit{Platform}

To his credit, Jones had a great platform season (2011) in his own right, posting career-high power numbers and otherwise performing on par with the top centerfielders in the league. However, despite Jones’ homerun output, Fowler finished with a higher slugging percentage, a better indicator of extra base hit production. Further, Fowler fashioned better numbers, almost unanimously, in their respective, pivotal platform years.

\textsuperscript{33} Id.
\textsuperscript{34} BASEBALL-REFERENCE.COM, supra note 5; BASEBALLPROSPECTUS.COM, supra note 31.
Career

Similar to Fowler, Jones has demonstrated remarkable consistency over his career, showing steady progress year after year. Nevertheless, in comparison, Fowler’s career statistics are persuasively appealing considering the midpoint in Fowler’s situation. Although Jones has the edge in career batting average and slugging percentage (both by a slim margin), Fowler has the edge in career on-base percentage and on-base plus slugging (both by a wide margin). Moreover, whereas Jones has never had an on-base percentage greater than .340, Fowler has never had an on-base percentage lower than .340, and whereas Jones has never walked more than forty times in a season, Fowler has never walked less than fifty times in a season. Lastly, Jones has never had a season in which he hit .300 or slugged .470. Fowler has accomplished both…in the same season…his platform season no less. Yet, Jones settled his arbitration case for $6.15 million, almost a 50% increase over the midpoint in the present case.

b. B.J. Upton, CF – Tampa Bay Rays ($4.825 million in 2011)\(^{35}\)

B.J. Upton (“Upton”) provides another useful comparable. Upton was eligible for arbitration for the second time following the 2010 season, eventually settling for a 2011 salary of $4.825 million, far-above Fowler’s midpoint. Yet, similar to the comparison of Jones, Fowler has excelled, relative to Upton, in many respects, which further merits an arbitration award in Fowler’s favor.

**TABLE 5: Comparative Statistics between Dexter Fowler and B.J. Upton**

<table>
<thead>
<tr>
<th>Platform</th>
<th>AB</th>
<th>H</th>
<th>HR</th>
<th>RBI</th>
<th>BB</th>
<th>H/CG</th>
<th>R/CG</th>
<th>AVG</th>
<th>OBP</th>
<th>SLG</th>
<th>OPS</th>
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</thead>
<tbody>
<tr>
<td>Fowler</td>
<td>454</td>
<td>136</td>
<td>13</td>
<td>53</td>
<td>68</td>
<td>1.25</td>
<td>.661</td>
<td>.300</td>
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<td>.863</td>
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<tr>
<td>Upton</td>
<td>536</td>
<td>127</td>
<td>18</td>
<td>62</td>
<td>67</td>
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<td>.650</td>
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<td>.322</td>
<td>.424</td>
<td>.745</td>
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</table>

<table>
<thead>
<tr>
<th>Career</th>
<th>AB</th>
<th>H</th>
<th>HR</th>
<th>RBI</th>
<th>BB</th>
<th>H/CG</th>
<th>R/CG</th>
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<td>.708</td>
<td>.271</td>
<td>.364</td>
<td>.427</td>
<td>.791</td>
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<tr>
<td>Upton</td>
<td>2435</td>
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<td>67</td>
<td>288</td>
<td>314</td>
<td>1.07</td>
<td>.637</td>
<td>.260</td>
<td>.345</td>
<td>.413</td>
<td>.758</td>
</tr>
</tbody>
</table>

**Platform**

Despite a $4.825 million settlement from the Rays, much to Fowler’s benefit, Upton’s platform year pales in comparison to Fowler’s when evaluated against the majority of statistical standards, some showing significant discrepancies. Like Jones, Upton’s homerun and RBI totals surpassed Fowler’s, albeit by a much narrower difference. However, like Jones, Upton’s “slash line” was also considerably lower than Fowler’s. In fact, each of Upton’s “slash line” categories was at least forty points lower than its counterpart in Fowler’s line (including a drop-off of almost seventy points in on-base percentage, possibly the most valuable of the three metrics).

**Career**

Analogous to his platform year, Upton’s career slash line is, likewise and universally, not as robust as Fowler’s. Perhaps more importantly, though, at the point of their respective careers as second year arbitration eligible, Upton and Fowler were trending in opposite directions. While Upton has consistently regressed (substantially!), Fowler has consistently progressed (substantially!). And, as a reminder, Upton’s case settled for $4.825 million, exceeding not only Fowler’s midpoint, but also Fowler’s offer.

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36 BASEBALL-REFERENCE.COM, supra note 5; BASEBALL-REFERENCE.COM, supra note 34.
c. Michael Bourn, CF – Atlanta Braves ($4.4 million in 2011)\textsuperscript{37}

Michael Bourn (“Bourn”) reached his second year of arbitration after the 2010 season (the same year as Upton) and, for his contributions, received a $4.4 million settlement (again, above Fowler’s midpoint) for the 2011 season. Those contributions, however, fail to equate to those provided by Fowler and, as such, provide more evidence for the Panel to find in Fowler’s favor.

| TABLE 6: Comparative Statistics between Dexter Fowler and Michael Bourn\textsuperscript{38} |
|---------------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Platform                                    | Fowler  | H       | HR      | RBI     | BB      | H/CG    | R/CG    | AVG     | OBP     | SLG     | OPS     |
|                                            | 454     | 136     | 13      | 53      | 68      | 1.25    | .300    | .389    | .474    | .863    |
|                                            | Bourn   | 535     | 142     | 2       | 38      | 59      | 1.11    | .656    | .341    | .346    | .686    |
| Career                                     | Fowler  | 1833    | 497     | 28      | 168     | 260     | 1.15    | .708    | .271    | .364    | .427    | .791    |
|                                            | Bourn   | 1735    | 456     | 11      | 108     | 173     | 1.17    | .690    | .263    | .331    | .348    | .679    |

Platform

Unfortunately for Bourn, but to Fowler’s advantage yet again, Bourn declined in his platform year from the previous year. This decline is further exacerbated by the lack of any power production to compensate for the decline. Meanwhile, Fowler, having increased his output from the previous year, not only outperformed Bourn in a similar manner as he did Jones and Upton, but also had far greater power numbers than Bourn as well.

Career

Bourn’s career numbers, similar to his platform numbers, are, by all accounts, inferior to Fowler’s in just about every respect. Inferiority aside, and perhaps as significant, Bourn’s career has been, simply put, consistently inconsistent. Meanwhile, Fowler, on the other hand, has been consistently consistent AND more productive, collectively translating into more valuable.

\textsuperscript{38} BASEBALL-REFERENCE.COM, supra note 5; BASEBALL-REFERENCE.COM, supra note 36.
VII. Recent Club Performance

The Rockies had a “rocky” 2012 season (pun intended), closing out the year 64-98 (.395 winning percentage), a distant thirty games back in the NL West.39 However, the Rockies had one of the most prolific offenses in MLB, finishing in the top five by many statistical standards,40 with Fowler playing an instrumental role in their offensive success as the team’s catalyst. He was unquestionably the most valuable hitter on the team and led the Rockies in walks and on-base percentage as their superlative leadoff hitter.41 In fact, in games in which Fowler had, at minimum, four plate appearances (essentially, when he plays the full game), the Rockies averaged 4.97 runs per game with a .411 winning percentage, as opposed to just 4.11 runs per game with a measly .364 winning percentage in games in which Fowler had less than four plate appearances, almost a full run difference and a fifty point swing in winning percentage.42 All told, Fowler was the best hitter on one of the best hitting teams in the league this past year.

VIII. Conclusion

Based on the foregoing, Fowler respectfully request the Panel grant him an arbitration award of $4.6 million for the 2013 season. As evidenced, this represents a fair and appropriate resolution to this matter. Fowler is an exceptional talent that has proven his worth. Dynamic and versatile, he is unparalleled amongst his “peers”43 and has become a fixture within the Rockies organization. Year after year, season after season, the ultra-consistent Fowler

43 See supra note 30.
continually progresses, leaving no reason to suggest 2013 will be any different. After all, as history has shown, with Dexter Fowler, it really is like “déjà vu all over again.”