ARBITRATION BRIEF FOR DEXTER FOWLER
Submission by Team 40
Team's Final Offer: $4 Million
Player's Final Offer: $4.6 Million
Midpoint: $4.3 Million
I. Introduction and Request for Decision Hearing

This brief analyzes the assets and contributions of center fielder Dexter Fowler ("Mr. Fowler") to be reflected in his 2013 contract with the Colorado Rockies ("the Club"). This arbitration hearing is governed by the Major League Baseball ("MLB") Collective Bargaining Agreement ("CBA"). The CBA establishes that the following criteria shall be considered in determining the player's award: (1) the quality of the player's contribution to club during the past season, including, but not limited to, his overall performance, special qualities of leadership, and public appeal; (2) the length and consistency of his career contributions; (3) the record of the player's past compensation; (4) comparative baseball salaries; (5) the existence of any physical or mental defects; and (6) the recent performance of the Club, including but not limited to its League standings and attendance as an indication of public acceptance.¹ Mr. Fowler has reached 3.168 years of major league service ("MLST"), entitling him to his second year of arbitration eligibility.² His first year of eligibility was as a “Super Two.”³

Mr. Fowler is coming off of a banner 2012 campaign in which he significantly increased both his power numbers and his average (AVG) and on-base percentage (OBP). He has established himself as an elite center fielder and believes that he is entitled to a second arbitration salary reflecting his contributions to the Club. The evidence presented in this brief and hearing will demonstrate that Mr. Fowler is entitled to a salary above the $4.3 million midpoint between his offer and that of the Club. Mr. Fowler respectfully requests that this Panel award him a 2013 salary of $4.7 million.

³ Id.
II. The Quality of Mr. Fowler’s Contribution to the Club During the 2012 Season

Mr. Fowler had the best season of his career in 2012. He had career bests in games played, hits, homeruns, RBIs, AVG, OBP, and SLG. In addition to his success at the plate, Mr. Fowler stole twelve bases.

<table>
<thead>
<tr>
<th>Table 1: Dexter Fowler Offensive Production 2012</th>
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<tbody>
<tr>
<td>Games</td>
</tr>
<tr>
<td>143</td>
</tr>
</tbody>
</table>

Mr. Fowler’s personal best in games played is significant because 2012 was the first season in which he was not sent down to the minors at any point to work through a slump. Mr. Fowler has “arrived” as a preeminent centerfielder in the majors. He simultaneously crossed the vaulted “.300 hitter” threshold while more than doubling his single season high mark for homeruns shows that he is an elite player on the rise that will contribute to the Club not only through getting on base consistently, but also through power production. Mr. Fowler finished the season with the second highest AVG among center fielders in the National League, behind only Pittsburgh’s Andrew McCutchen, and tied for the fourth highest in the majors. 5

Mr. Fowler kept his AVG consistent over the course of the season, hitting for .300 before the All-Star break and .299 after the All-Star break. 6 A big part of his ability to hit for .300 on the season was the fact that the Mr. Fowler, a switch hitter, set a new high for himself from the left side of the plate, hitting .293 (he hit .315 from the right side of the plate). 7 Mr. Fowler also

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5 MLB Player Sortable Player Stats, MLB, http://mlb.mlb.com/stats/sortable.jsp
7 Supra note 4.
demonstrated his ability to get hits when they matter, batting .342 with runners on base in contrast to .276 with none on.\(^8\)

In 2012, Mr. Fowler responded well to his first arbitration eligible contract with a banner season. The Panel should weigh this performance heavily and value Mr. Fowler’s 2013 contract above the midpoint of $4.3 million.

**III. The Length and Consistency of Mr. Fowler’s Career Contribution**

Prior to the 2012 season, Mr. Fowler had established himself as a .260 hitter with yearly production of about 75 runs, 5 homeruns, and 38 RBIs.\(^9\) These numbers were fairly consistent through the 2009, 2010, and 2011 seasons. As discussed above, in 2012, after receiving a substantial salary increase in his first year of arbitration eligibility, Mr. Fowler drastically improved many of these categories, as well as SLG and OBP.

<table>
<thead>
<tr>
<th>Season</th>
<th>Games</th>
<th>Runs</th>
<th>RBI</th>
<th>HR</th>
<th>SB</th>
<th>AVG.</th>
<th>SLG</th>
<th>OBP</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>135</td>
<td>73</td>
<td>34</td>
<td>4</td>
<td>27</td>
<td>.266</td>
<td>.406</td>
<td>.363</td>
</tr>
<tr>
<td>2010</td>
<td>132</td>
<td>73</td>
<td>36</td>
<td>6</td>
<td>13</td>
<td>.260</td>
<td>.410</td>
<td>.347</td>
</tr>
<tr>
<td>2011</td>
<td>125</td>
<td>84</td>
<td>45</td>
<td>5</td>
<td>12</td>
<td>.266</td>
<td>.432</td>
<td>.363</td>
</tr>
<tr>
<td>2012</td>
<td>143</td>
<td>72</td>
<td>53</td>
<td>13</td>
<td>12</td>
<td>.300</td>
<td>.474</td>
<td>.389</td>
</tr>
</tbody>
</table>

As the side-by-side comparisons show, Mr. Fowler has increased his production in RBIs and SLG each season in the majors. His OBP and AVG have generally increased each season. Although he has not been able to recreate his big SB season in 2009, every year since has been the mark of consistency. Mr. Fowler is confident that not only can he maintain these impressive numbers, but improve upon them. Only 26, Mr. Fowler is about to enter the prime of his career as he continues to mature as a MLB player and there is no reason he can’t continue to improve his overall performance.

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\(^8\) Id.
\(^9\) Id.
\(^10\) Id.
IV. The Record of Mr. Fowler’s Past Compensation

Mr. Fowler was compensated at or near the MLB minimum in each of his first three seasons, before seeing his salary greatly increased in his first year of arbitration eligibility.

<table>
<thead>
<tr>
<th>Season</th>
<th>Salary11</th>
<th>League Minimum12</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>$401,000</td>
<td>$400,000</td>
</tr>
<tr>
<td>2010</td>
<td>$406,000</td>
<td>$400,000</td>
</tr>
<tr>
<td>2011</td>
<td>$424,000</td>
<td>$414,500</td>
</tr>
<tr>
<td>2012</td>
<td>$2,350,000</td>
<td>$480,000</td>
</tr>
</tbody>
</table>

Mr. Fowler’s should once again see a large increase in his salary in response to his 2012 performance. The Panel should value him above the $4.3 million midpoint.

V. Comparative Baseball Salaries

Michael Bourn (“Mr. Bourn”), Adam Jones (“Mr. Jones”), and B.J. Upton (“Mr. Upton”), provide good benchmarks for determining Mr. Fowler’s value.

a. Michael Bourn

Comparing Mr. Fowler with Mr. Bourn demonstrates that Mr. Fowler is currently worth more than the midpoint. Mr. Bourn was eligible for arbitration for the second time in 2011 and eventually signed for $4.4 million, just $100,000 more than the midpoint.13 Though Mr. Bourn had 4.028 days of MLST,14 or 32 days more than Mr. Fowler’s 3.168, they started roughly the same number of games in their career—548 for Mr. Fowler versus 558 for Mr. Bourn.15 The two

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11 Supra note 2.
12 http://www.spotrac.com/terms/mlb/mlb-minimum-salary-69/
14 Id.
15 Id.
were paid very similar salaries in their first seasons of arbitration eligibility—$2.4 million for Mr. Bourn versus $2.35 million for Mr. Fowler.\textsuperscript{16}

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline
& Platform & & & & & & & & \\
\hline
Player & MLST & Games & R & RBI & HR & SB & AVG. & SLG & OBP \\
\hline
Fowler & 3.168 & 143 & 72 & 53 & 13 & 12 & .300 & .474 & .389 \\
Bourn & 4.028 & 141 & 84 & 38 & 2 & 52 & .265 & .346 & .341 \\
\hline
\end{tabular}
\caption{Comparative Hitting Statistics - Dexter Fowler v. Michael Bourn\textsuperscript{17}}
\end{table}

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline
& Career & & & & & & & & \\
\hline
Player & MLST & Games & R & RBI & HR & SB & AVG. & SLG & OBP \\
\hline
Fowler & 3.168 & 548 & 305 & 168 & 28 & 64 & .271 & .427 & .364 \\
\hline
\end{tabular}
\caption{Comparative Hitting Statistics - Dexter Fowler v. Michael Bourn\textsuperscript{17}}
\end{table}

\textit{Career}

Despite having played in ten fewer games in his career than Mr. Bourn, Mr. Fowler had surpassed him in all relevant hitting categories except for stolen bases. Mr. Fowler had scored 36 more runs, drove in 60 more runs, and hit 17 more homeruns. Additionally, Mr. Fowler bested Mr. Bourn in AVG, SLG, and OBP by amounts of .008, .079, and .033, respectively. Mr. Bourn, on the other hand, stole 109 more bases than Mr. Fowler. Comparing the two center fielders solely based on their career numbers, and considering the fact that Mr. Bourn was paid just $100,000 more than the midpoint in this hearing, the Panel would have to subjectively place a much higher value on stolen bases than the other categories in order to find Mr. Fowler deserving of a salary below the midpoint.

\textit{Platform}

Comparing the two players’ platform seasons reveals the same results. The only difference is that in addition to stealing more bases, Mr. Bourn bested Mr. Fowler in runs scored. Mr. Bourn scored 12 more runs than Mr. Fowler and stole 40 more bases. However, Mr. Fowler

\textsuperscript{16} Id.
\textsuperscript{17} Michael Bourn, Batting Statistics, Baseball Reference, http://www.baseball-reference.com/players/b/bournmi01-bat.shtml
drove in 15 more runs, hit 11 more homeruns, and outdid Mr. Bourn’s AVG, SLG, and OBP numbers by .035, .128, and .048, respectively.

Despite Mr. Bourn’s excellent ability to steal bases, were the Panel to value Mr. Fowler below the midpoint, not enough deference would be paid to Mr. Fowler’s dominance in the other offensive categories. Therefore, the Panel should find that Mr. Fowler’s value is greater than the $4.3 million midpoint in this hearing.

b. Adam Jones

Mr. Jones was eligible for arbitration for the second time in 2012 and eventually signed for $6.150 million.\textsuperscript{18} Although this amount is substantially more than Mr. Fowler’s final offer, a comparison of the two center fielders’ statistical achievements, particularly in their platform seasons, helps demonstrate that Mr. Fowler should be valued above the midpoint in this hearing. Mr. Jones received a salary of $3.250 million in his first season of arbitration eligibility, $900,000 than Mr. Fowler was paid in his first season of arbitration eligibility.\textsuperscript{19}

| Table 5: Comparative Hitting Statistics - Dexter Fowler v. Adam Jones\textsuperscript{20} |
|-----------------|---|---|---|---|---|---|---|---|
| Player | MLST | Games | R | RBI | HR | SB | AVG. | SLG | OBP |
| Fowler | 3.168 | 143 | 72 | 53 | 13 | 12 | .300 | .474 | .389 |
| Jones | 4.139 | 151 | 68 | 83 | 25 | 12 | .280 | .466 | .319 |

| Career |
|-----------------|---|---|---|---|---|---|---|---|
| Player | MLST | Games | R | RBI | HR | SB | AVG. | SLG | OBP |
| Fowler | 3.168 | 548 | 305 | 168 | 28 | 64 | .271 | .427 | .364 |
| Jones | 4.139 | 624 | 310 | 291 | 75 | 44 | .275 | .437 | .319 |

Career

Mr. Fowler and Mr. Jones’s career numbers heading into their respective second years of arbitration eligibility are somewhat difficult to compare because Mr. Jones had played in 76

\textsuperscript{19} Id.
more games, which is a sizeable enough amount to skew the data. This is mainly because Mr. Jones narrowly missed classification as a Super Two after his second season. Despite playing in 76 fewer games, Mr. Fowler scored only five fewer runs than Mr. Jones and stole 20 more bases. However, Mr. Jones managed hit far more homeruns (47) and drove in far more RBIs (123) in his 76 additional games. However, the two players were within .004 and .010 of each other in AVG and SLG, respectively, and Mr. Fowler bested Mr. Jones by .045 in OBP.

**Platform Season**

In their respective platform seasons, Mr. Jones only played in eight more games than Mr. Fowler, making their relative statistics riper for comparison. Mr. Fowler scored four more runs than Mr. Jones and also exceeded Mr. Jones in AVG, SLG, and OBP by .020, .008, and .070, respectively. The two were even with 12 stolen bases. Mr. Jones managed to hit 12 more homeruns than Mr. Fowler and drive in 30 more runs. Mr. Fowler’s higher SLG was largely the result of his hitting 11 triples to Mr. Jones’s 2 triples.

The extra homeruns and RBIs Mr. Jones produced, both in his platform season as well as in his career, are surely the driving forces behind Mr. Jones’s impressive salary of $6.150 million. Given, however, Mr. Fowler’s comparable contributions in many categories including his superior contributions in categories such as runs, stolen bases, and OBP, the amount of Mr. Jones’s salary illustrates that Mr. Fowler’s value lies above the $4.3 million midpoint.

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21 After the 2009 season, three players—Jones, Mike Fontenot, and Micah Owings—all had 2,139 days of MLST but only one could be designated a super two. Mike Fontenot was given Super Two status based on the tie breaker of he having more service time in the prior season. Fontenot Awarded ‘Super Two’ Status, MLB.Com, http://mlb.mlb.com/news/article.jsp?ymd=20091111&content_id=7655452&vkey=news_mlb&fext=.jsp&c_id=mlb

22 Supra note 5; supra note 20
c. B.J. Upton

Mr. Upton entered his second year of arbitration eligibility in 2011 and eventually signed for $4.825 million—$525,000 more than the midpoint. Mr. Upton received a salary for $3 million during his first year of arbitration eligibility—$650,000 more than Mr. Fowler received in his first year of arbitration eligibility. These amounts, standing on their own indicate that Mr. Fowler is due to receive an increase comparable to that received by Mr. Upton. A similar disparity between Mr. Upton and Mr. Fowler’s career numbers arises as that described in the comparison to Mr. Jones above because, like Mr. Jones, Mr. Upton narrowly missed eligibility as a Super Two.

| Table 6: Comparative Hitting Statistics - Dexter Fowler v. B.J. Upton |
|---------------------------|--------|------|---|-----|---|-----|-----|-----|
| Player                | MLST   | Games | R  | RBI | HR | SB  | AVG. | SLG | OBP |   |
| Fowler                | 3.168  | 143   | 72 | 53  | 13 | 12  | .300 | .474 | .389 |   |
| Upton                 | 4.126  | 154   | 89 | 62  | 18 | 42  | .237 | .424 | .322 |   |

<table>
<thead>
<tr>
<th>Player</th>
<th>MLST</th>
<th>Games</th>
<th>R</th>
<th>RBI</th>
<th>HR</th>
<th>SB</th>
<th>AVG.</th>
<th>SLG</th>
<th>OBP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fowler</td>
<td>3.168</td>
<td>548</td>
<td>305</td>
<td>168</td>
<td>28</td>
<td>64</td>
<td>.271</td>
<td>.427</td>
<td>.364</td>
</tr>
<tr>
<td>Upton</td>
<td>4.126</td>
<td>667</td>
<td>378</td>
<td>288</td>
<td>67</td>
<td>165</td>
<td>.260</td>
<td>.413</td>
<td>.345</td>
</tr>
</tbody>
</table>

Career

Mr. Upton had played in 119 more games than Mr. Fowler upon obtaining second year arbitration eligibility. Because of this, their career numbers in runs, RBIs, homeruns, and stolen bases are not very instructive. However, the two players have similar numbers in AVG, SLG, and OBP, with Mr. Fowler besting Mr. Upton by .011, .014, and .019, respectively.

24 Id.
Platform Season

Turning to the two center fielders’ platform seasons, Mr. Upton clearly had a superior season to Mr. Fowler, but the level of superiority lines up with the difference between Mr. Upton’s salary and a valuation of Mr. Fowler above the midpoint in this hearing. In 11 more games, Mr. Upton scored 17 more runs, drove in nine more runs, and hit five more homeruns, in addition to stealing 30 more bases. However, an even greater disparity than in the aforementioned career numbers comparison, demonstrates Mr. Fowler was superior in terms of AVG, SLG, and OBP, besting Mr. Upton by .063, .050, and .067. These numbers represent Mr. Fowler’s vastly superior ability to get on base, and to produce extra base hits. Considering these statistics in collaboration with the categories in which Mr. Upton had the advantage, helps to illustrate why Mr. Fowler should be valued above the midpoint of $4.3 million.

VI. The Existence of Any Physical or Mental Defects on the Part of Mr. Fowler

Mr. Fowler has never spent significant time on the disabled list. He has only been placed on the 15-day disabled list (“DL) twice during his 3.168 years of service. His first stint on the DL occurred on August 25, 2009, when he suffered a slight knee contusion after being hit by a foul ball.26 The only other time Mr. Fowler was placed on the DL occurred almost two years later on June 5, 2011 when he suffered an abdomen strain.27 Mr. Fowler has proven himself as a reliable, everyday major league starter and there is no physical or mental defect that should prevent him from receiving a salary above the midpoint in this hearing.

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27 Id.
VII. The Recent Performance Record of the Club

The Club has struggled recently, finishing in last place in the National League West Division, 30 games out of first place and 24 games out of a wildcard playoff berth. The 2011 and 2010 seasons did not go much better, with the Club finishing 21 games out of first in 2011 and nine games out of first in 2010. Mr. Fowler’s performance was one of the lone bright spots on the Club last season, as he managed to put up career numbers while avoiding joining many of his teammates on the disabled list.

VIII. Conclusion

Based on the evidence presented in this brief, this Panel should recognize Mr. Fowler’s achievements in his breakout season by valuing him above the midpoint and awarding him a 2013 salary of $4.6 million.

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29 Id.
30 http://www.denverpost.com/rockies/ci_21521255/rockies-dexter-fowler-flying-high-breakout-2012-season