

Rising Star: Keker Van Nest's Adam Lauridsen

Law360 (August 29, 2018, 11:17 AM EDT) -- Keker Van Nest & Peters partner Adam Lauridsen has worked on a number of cases involving the controversial issue of how far ballparks have to go to protect their fans from foul balls and broken bats, including helping to defeat a class action against Major League Baseball and its clubs in California, landing him among the four sports attorneys dubbed Law360 Rising Stars.

THE BIGGEST CASES OF HIS CAREER:

In the Northern District of California, Lauridsen defended the MLB in a putative class suit against it and all 30 clubs alleging they negligently failed to extend netting in their ballparks. The lead plaintiff did not ask for damages, as she was not injured but feared injury, and instead sought an injunction requiring netting from foul pole to foul pole in all major and minor league ballparks.

“We obtained complete victory for baseball in the trial court and the Ninth Circuit regarding the extension of the nettings,” Lauridsen said. “Baseball cares greatly about the safety of its fans. But it also cares very much about catering to the interests of its fans. And many fans want to sit with an unobstructed view without a net, where they can interact more directly with the field,” he says.

“Baseball clubs have made the decision that they will net parts of the field but not all of it. The court made a factual determination that the risk of being hit by a foul ball in an unnetted area was so slight that there was no legal basis to force baseball to extend the netting,” Lauridsen added. “As the Ninth Circuit found, you would have to go to hundreds of years worth of baseball games before the risk in those seats became significant.”

RISING
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STAR



Adam Lauridsen
Keker Van Nest

Age: 40

Home base: San Francisco

Position: Partner

Law school: Harvard Law School

First job after law school:
Clerk to Judge William Schwarzer in the Northern District of California.

OTHER NOTABLE CASES:

Major League Baseball, its commissioners and all 30 clubs once again hired Lauridsen when their 100-year-old unique exemption to federal antitrust laws was put to the test in a federal antitrust suit filed by a putative class of former minor league players. They alleged that MLB and its clubs narrowed the labor market for players, thus suppressing wages. The suit challenged MLB's exemption from the antitrust laws first recognized by the U.S. Supreme Court in 1922. Lauridsen successfully wrote and argued the motion to dismiss the case.

"I've worked with Major League Baseball now on three cases regarding the antitrust exemption, which is one of the foundations on which baseball as a league has been built over the last 100 years," he says. "The opportunity to work with them in defending the exemption in baseball has been incredibly significant to me."

WHY HE IS A SPORTS ATTORNEY:

That he was always a fan of sports is one thing, he says. But the specialty of sports in the legal profession brings with it a unique chance to flex many attorney muscles.

"I've always been a sports fan but I am also a generalist as a litigator and as a trial lawyer, and sports is still an area where you can still be a generalist," he said. "You can take on lots of interesting issues that come through a sports league. Fortunately, the leagues are now sophisticated businesses. They have a number of different problems and I have been lucky enough, in my practice, to help them in a variety of different legal areas."

HOW SPORTS LAW WILL CHANGE IN THE NEXT 10 YEARS:

While technology has all but killed certain forms of media consumption, live sporting events aren't going anywhere. The solid draw of sports versus the evolving channels through which to deliver it can only mean plenty of new legal challenges down the road, Lauridsen says.

"Sports are only becoming a more popular and more prominent part of our society and I think the merger of technology issues and sports issues will continue to be a legal problem that needs to be resolved — whether it's the use of social media, whether it's online gambling, whether it's intellectual property issues, whether it's using different sports technology — I think we are going to see a lot of complicated legal disputes spin out of the sports world over the next few years."

— As told to John Petrick

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2018 Rising Stars winners after reviewing more than 1,200 submissions. This interview has been edited and condensed.