

Clifton R. Jessup, Jr. (TBN 10655020)
Bruce H. White (TBN 21288850)
Bryan L. Elwood (TBN 24029535)
GREENBERG TRAURIG, LLP
2200 Ross Avenue, Suite 5200
Dallas, Texas 75201
Telephone: (214) 665-3600
Facsimile: (214) 665-5938

Attorneys for Radical Pitch LLC

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re:)	Chapter 11
)	
Texas Rangers Baseball Partners,)	Case No. 10-43400-dml-11
)	
Debtor.)	
)	

**EMERGENCY MOTION FOR ORDER DIRECTING MAJOR LEAGUE
BASEBALL AND THE OFFICE OF THE COMMISSIONER
OF BASEBALL TO EXPEDITE APPROVAL PROCESS**

Radical Pitch LLC (“**Radical Pitch**”) hereby files this *Emergency Motion for Order Directing Major League Baseball and the Office of the Commissioner of Baseball to Expedite the Approval Process* (the “Motion”). In support of the Motion, Radical Pitch hereby represents to the Court as follows:

1. Radical Pitch intends to submit its bid on August 3, 2010, as contemplated by the bid procedures established by this Court.
2. On July 31, 2010, Major League Baseball (“MLB”) and the Office of the Commissioner of Baseball (the “BOC”) informed Radical Pitch that its approval process could take as long as six (6) to nine (9) months. Radical Pitch requested MLB and the BOC to expedite the approval process but, as of the filing of this Motion, has received no response to its request.

3. Assuming Radical Pitch is the successful bidder at the auction, Radical Pitch must close on or before August 16th. Closing on or before August 16th, however, requires MLB and the BOC to expedite the approval process. MLB and the BOC have the ability to expedite the approval process but, for reasons unknown, appears wholly unwilling to do so.

4. Texas Ranger Baseball Express, LLC (“Baseball Express”), the stalking horse bidder, has an August 9th meeting with MLB and the BOC in furtherance of an expedited approval process. Yet, when Radical Pitch requested a meeting on that date if it is the successful bidder, MLB and the BOC declined.

5. In order for Radical Pitch, and any other bidder, to have a fair opportunity to bid on a playing field level with Baseball Express, it needs to have the same consideration and timeframe granted to Baseball Express, or a reasonable timeframe set for approval.

6. Indeed, the Court set forth in the Order Adopting Bid Procedures [Doc. No. 363] the following requirement:

Following entry of a Bankruptcy Court order approving the Successful Bid and Debtor’s Plan of Reorganization, the Successful Bidder shall be required to seek the approval of Major League Baseball in accordance with the Major League Baseball Constitution, the MLB Guidelines, and other relevant rules and regulations of MLB. MLB shall act in respect of such approval in good faith; in the event MLB declines approval of the Successful Bidder, the Bankruptcy Court, upon motion by the Debtor, its general partners or the Successful Bidder will determine whether MLB has acted in good faith. Should the Qualified Bidder be unable to obtain the requisite approval of MLB, then the Backup Bid may be submitted to MLB for such approval.

7. MLB, however, is not giving the same consideration to Radical Pitch as is Baseball Express. As such, assuming Radical Pitch is the successful purchaser at auction, a closing might not occur until March 2011. The potential for such delay is not acceptable considering the potential harm to the Debtors, creditors and other parties-in-interest.

8. As such, the Court should require that MLB and the BOC provide the same consideration and comparable timeframes to Radical Pitch and any other bidder as it has and agreed to do for Baseball Express or at least a timeframe that is within two weeks of the timeframe MLB and the BOC has promised to Baseball Express.

WHEREFORE, PREMISES CONSIDERED, Radical Pitch hereby requests that the Court enter an order requiring Major League Baseball and the Office of the Commissioner of Baseball to expedite the approval process of Radical Pitch should Radical Pitch be the successful purchaser at auction, and that the Court grant to Radical Pitch such further and other relief as is just and equitable.

Dated: August 2, 2010

Respectfully submitted,

/s/ Clifton R. Jessup, Jr.
Clifton R. Jessup, Jr.
Texas State Bar No. 10655020
jessupc@gtlaw.com
Bruce H. White
Texas State Bar No. 21288850
whiteb@gtlaw.com
Bryan L. Elwood
Texas State Bar No. 24029535
elwoodb@gtlaw.com
GREENBERG TRAUIG, LLP
2200 Ross Avenue, Suite 5200
Dallas, Texas 75201
Telephone: (214) 665-3600
Facsimile: (214) 665-5938

Attorneys for Radical Pitch LLC

CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the foregoing pleading were forwarded on August 2, 2010, to all parties receiving electronic notification in this case from the Court's electronic case filing system.

/s/ Bryan L. Elwood