

OFFICE OF THE COMMISSIONER
OF BASEBALL
350 PARK AVENUE
NEW YORK, NEW YORK

In the Matter of:)
)
)

Peter Edward Rose, Manager,)
Cincinnati Reds Baseball Club)
_____)

AGREEMENT AND RESOLUTION

On March 6, 1989, the Commissioner of Baseball instituted an investigation of Peter Edward Rose, the field manager of the Cincinnati Reds Baseball Club, concerning allegations that Peter Edward Rose engaged in conduct not in the best interests of baseball in violation of Major League Rule 21, including but not limited to betting on Major League Baseball games in connection with which he had a duty to perform.

The Commissioner engaged a special counsel to conduct a full, fair and confidential inquiry of the allegations against Peter Edward Rose. Peter Edward Rose was given notice of the allegations and he and his counsel were generally apprised of the nature and progress of the investigation. During the inquiry, Peter Edward Rose produced documents, gave handwriting exemplars and responded to questions under oath upon oral deposition. During the deposition, the special counsel revealed key evidence gathered in the inquiry to Peter Edward Rose and his counsel.

On May 9, 1989, the special counsel provided a 225-page report, accompanied by seven volumes of exhibits, to the Commissioner. On May 11, 1989, the Commissioner provided a copy of the Report and exhibits to Peter Edward Rose and his counsel, and scheduled a hearing on May 25, 1989 to give Peter Edward Rose an opportunity to respond formally to the information in the report. Peter Edward Rose received, read and is aware of the contents of the Report. On May 19, 1989, Peter Edward Rose requested, and subsequently received, an extension of the hearing date until June 26, 1989. Peter Edward Rose acknowledges that the Commissioner has treated him fairly in this Agreement and has acted in good faith throughout the course of the investigation and proceedings.

Peter Edward Rose will conclude these proceedings before the Commissioner without a hearing and the Commissioner will not make any formal findings or determinations on any matter including without limitation the allegation that Peter Edward Rose bet on any Major League Baseball game. The Commissioner has determined that the best interests of Baseball are served by a resolution of this matter on the following agreed upon terms and conditions:

1. Peter Edward Rose recognizes, agrees and submits to the sole and exclusive jurisdiction of the Commissioner:

- A. To investigate, either upon complaint or upon his own initiative, any act, transaction or practice charged, alleged or suspected to be not in the best interests of the national game of Baseball; and

B. To determine, after investigation, what preventive, remedial or punitive action is appropriate in the premises, and to take such action as the case may be.

2. Counsel for Peter Edward Rose, upon his authority, have executed a Stipulation dismissing with prejudice the civil action that was originally filed in the Court of Common Pleas, Hamilton County, Ohio, captioned Peter Edward Rose v.

A. Bartlett Giamatti, No. A8905178, and subsequently removed to the United States District Court from the Southern District of Ohio, Eastern Division, Docket No. C-2-89-577.

3. Peter Edward Rose will not avail himself of the opportunity to participate in a hearing concerning the allegations against him, or otherwise offer any defense to those allegations.

4. Peter Edward Rose acknowledges that the Commissioner has a factual basis to impose the penalty provided herein, and hereby accepts the penalty imposed on him by the Commissioner and agrees not to challenge that penalty in court or otherwise. He also agrees he will not institute any legal proceedings of any nature against the Commissioner or any of his representatives, either Major League or any Major League Club.

5. The Commissioner recognizes and agrees that it is in the best interests of the national game of Baseball that this matter be resolved pursuant to his sole and exclusive authority under the Major League Agreement.

THEREFORE, the Commissioner, recognizing the benefits to Baseball from a resolution of this matter, orders and directs that Peter Edward Rose be subject to the following disciplinary sanctions, and Peter Edward Rose, recognizing the sole and exclusive authority of the Commissioner and that it is in his interest to resolve this matter without further proceedings, agrees to accept the following disciplinary sanctions imposed by the Commissioner:

a. Peter Edward Rose is hereby declared permanently ineligible in accordance with Major League Rule 21 and placed on the Ineligible List.

b. Nothing in this Agreement shall deprive Peter Edward Rose of the rights under Major League Rule 15(c) to apply for reinstatement. Peter Edward Rose agrees not to challenge, appeal or otherwise contest the decision of, or the procedure employed by, the Commissioner or any future Commissioner in the evaluation of any application for reinstatement.

c. Nothing in this agreement shall be deemed either an admission or a denial by Peter Edward Rose of the allegation that he bet on any Major League Baseball game.

Neither the Commissioner nor Peter Edward Rose shall be prevented by this agreement from making any public statement relating to this matter so long as no such public statement contradicts the terms of this agreement and resolution.

This document contains the entire agreement of the parties and represents the entire resolution of the matter of Peter Edward Rose before the Commissioner.

Agreed to and resolved this 23rd day of August 1989.

Peter Edward Rose
Peter Edward Rose

A. Bartlett Giamatti
A. Bartlett Giamatti

Commissioner of Baseball

Witnessed by:

Steven J. Katz
Steven J. Katz, Esquire
Att. Teller, Grant & Wild

Witnessed by:

F. Thurgood