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Manatt Wins, 12 to Zero, For The Clippers Against Elgin Baylor

Author: [Benjamin G. Shatz](#)

Yesterday, after only about three hours of deliberations, the jury returned a unanimous (12-0) verdict for Manatt's clients in the highly publicized lawsuit filed by Elgin Baylor against the Clippers. This swift verdict proved that, as the Clippers maintained from the outset, the lawsuit was meritless.

Sports fans know Elgin Baylor. They know him as the National Basketball Hall of Fame forward who played 13 seasons with the Minneapolis/Los Angeles Lakers, leading the Lakers to the NBA finals eight times. Baylor began his professional career as the number one draft pick in 1958; was the NBA's rookie of the year in 1959; and was named an All-Star 11 times. A gifted shooter, strong rebounder, and accomplished passer, he dazzled fans with his acrobatic maneuvers, especially his hanging jump shot.

Sports fans also know that the end of Baylor's playing career was not the end of his sports career. He served as a coach for the New Orleans Jazz and then as the General Manager of the Los Angeles Clippers, a post he held for 22 years, from 1986 until his resignation in 2008. When he chose to resign, Baylor was the NBA's longest serving General Manager.

But Manatt's sports lawyers know Baylor as "the plaintiff." In 2009, Baylor staged a press conference to announce his filing of an employment discrimination lawsuit in Los Angeles Superior Court against the NBA, the Clippers, and the Clippers' owner (Donald Sterling) and President (Andy

Roeser). Seeking millions of dollars in damages, Baylor alleged that the Clippers underpaid and then wrongfully terminated his employment because of his age and race. He also alleged harassment and retaliation.

In 2009 Manatt partner Bob Platt, representing the Clippers' defendants, issued a responsive press statement noting that before leaving the Clippers, Baylor never voiced any claims of unfair treatment. More directly: "It's hard to believe that [Baylor] would make these ridiculous claims after the [Clippers] stood by him for 22 years and only three playoff appearances. It would be hard to find any sports team that has demonstrated greater loyalty to its General Manager."

Platt has been with the Clippers nearly as long as Baylor, serving as General Counsel for the team for over two decades now. Having worked with Baylor for this long period of time, Platt knows that the team always treated Baylor well, giving him numerous salary increases. Platt explains that Baylor chose to resign after rejecting the opportunity to continue with the team as a paid consultant or retain his same position. Moreover, given that the typical tenure for an NBA manager is less than five years, and given the Clippers' poor draft history and record, Baylor's longevity with the Clippers is a testament to the team's loyalty.

The Clippers defendants vigorously defended themselves against Baylor's allegations. Baylor's race discrimination claims were thrown out of court before trial, so the trial concerned only age discrimination claims. The jury rejected those claims, finding not just that Baylor failed to meet the legal standard of "severe and pervasive harassment," but that there was no harassment at all.

Even without any legal analysis, sports fans know that the Clippers have enjoyed few winning seasons during Baylor's tenure. Yet the team stuck with him — and he remained with the team — for 22 years. Had there truly been racism or ageism at the Clippers, why would he have stayed so long without

complaint? Rather than a case of any injustice, Baylor's lawsuit, coming at the end of his long career, looked suspiciously like a case of sour grapes.

Mr. Platt focuses on general commercial litigation, complex business litigation, employment law and sports law, throughout the United States. He has served as the General Counsel for the Los Angeles Clippers basketball team since 1988. Platt led a Manatt trial team that included partner [Esrá Hudson](#) and associate [Justin Johnson](#).