

Saturday, April 9, 2005

**MLB ADVANCED MEDIA AND STEINER SPORTS INK AGREEMENTS  
TOTALING MORE THAN \$230,000 TO SETTLE CHARGES OF DECEPTIVE  
EMAIL PROMOTIONS**

***Settlement Includes Payment of \$123,000 to Fund Ball Field Restoration in  
Washington Heights, and New Equipment & Uniforms for Little League Teams***

New York City Department of Consumer Affairs (DCA) Commissioner Gretchen Dykstra, joined by New York City Parks & Recreation Commissioner Adrian Benepe, today announced agreements with MLB Advanced Media, L.P. (MLBAM) - which operates and maintains Major League Baseball's official web site, and is owned equally by all 30 baseball teams - and Steiner Sports Memorabilia, Inc., to settle charges that both companies deceived thousands of New York City fans through e-mail promotions.



The settlements, totaling \$232,600, include a payment of \$123,000 by MLBAM for the renovation of a baseball field in Highbridge Park in Manhattan, new equipment and uniforms for four Little League teams, \$76,600 in total settlement payments to New York City, more than \$33,000 worth of memorabilia to be sold by the New York City Department of Citywide Administrative Services (DCAS) at CityStore, and restitution to consumers.

"We went to bat for baseball fans throughout the City and are thrilled that the Little League athletes who play at Highbridge Park will reap the benefits," said DCA Commissioner Gretchen Dykstra. "Making deceptive claims, whether you're selling a used car or an autographed baseball, betrays consumer trust and is against the law. New York City has one of the most stringent consumer protection laws in the country to ensure the marketplace is fair. We're pleased that MLB Advanced Media and Steiner Sports have agreed to play by the rules."

"Thanks to DCA's watchful eye, Highbridge Ballfield will be an even better place for local youth leagues to enjoy," said Parks & Recreation Commissioner Adrian Benepe. "This fall, Parks will begin resodding and re-irrigating the field, which will be

completely renovated in time for the first pitch of 2006."

The DCA filed a lawsuit in New York State Supreme Court on April 2, 2004 charging that MLBAM violated the City's laws and rules against deceptive advertising. The DCA launched an investigation in May 2003 after MLBAM and Steiner emailed thousands of local fans promoting the sale of autographed baseballs and "illuminated photographs" at inflated prices by offering consumers other items that were said to be "free" or by claiming that the items were priced "20% off." In connection with this investigation, the DCA cited Steiner Sports, a partner in one of the two promotions that ran.

In its lawsuit, the DCA asserted:

- During the first May 2003 promotion, fans were offered a "free" framed photograph when they bought a baseball autographed by one of six "Superstars." In order to get the "free" photograph (which MLBAM and Steiner's email claimed was worth \$49.95) with a ball autographed by Derek Jeter, fans had to pay \$516.95. This was \$67.00 more than MLBAM's regular price - i.e. even more than the ball's regular price and the claimed value of the "free photo" combined -- and \$217.00 more than the price of the ball on Steiner's web site at the time the promotion ran. Four of the other stars' autographed baseballs were offered by the same e-mail at similar inflated prices.
- One week later, after dismal sales, the same items were offered at "20% off" using the same inflated prices.

To ensure consumers are protected from phony promotions, the City's consumer protection law sets what guidelines advertisers must follow. For example, advertisers cannot claim to have taken 20% off the price of an item that has not actually been offered for sale for a reasonably substantial period of time. Additionally, if a seller offers a "FREE" item with the purchase of another item, the item to be purchased may not be priced higher than its regular selling price.

**As part of the settlement, MLBAM has:**

- Paid \$123,000 to New York City for restoration of Highbridge Park ballfield in Washington Heights (used by Little League teams).
- Paid for new uniforms and equipment for four Alfonso Little League teams.
- Paid \$60,000 to New York City.

**As part of the settlement, Steiner Sports has:**

- Paid \$16,666 to New York City.
- Paid \$340 in restitution to two City consumers who purchased autographed balls in response to the promotion.
- Contributed memorabilia with a wholesale value of \$33,333 to the City to be sold by CityStore, the Official Store of the City of New York.

Highbridge Park, at 119 acres, is northern Manhattan's second-largest park. It has been the focus of a targeted restoration and clean up in which Parks & Recreation has

partnered with Bette Midler's New York Restoration Project and the City Parks Foundation to bring public and private funds and neighborhood residents and environmental organizations to the effort. This Washington Heights park hugs a dramatic cliff overlooking the Harlem River, and stretches from 155th Street on the south to Dyckman Street on the north. The settlements will be used for reconstruction, resodding, and re-irrigation of the ballfield. Renovations will begin this fall after the baseball season, and will be completed in time for the spring 2005 season. The field will be extensively used by local schools and youth programs.

The memorabilia - which includes hand-signed photos, baseballs, and other items -- will be sold beginning Monday, April 11 at the lower Manhattan location of CityStore in the Manhattan Municipal Building, 1 Centre Street, North Plaza (open Monday through Friday, 9:00 a.m. to 4:30 p.m.). All items also will be sold online at CityStore's web site, [www.nyc.gov/CityStore](http://www.nyc.gov/CityStore).

To file a complaint or for information on the City's Consumer Protection Law, call 311 or go online to [www.nyc.gov/consumers](http://www.nyc.gov/consumers).