

**1025 P Street**

**Gering, NE 69341**

FOR IMMEDIATE RELEASE March 31, 2022

**CITY OF GERING RELEASES STATEMENT REGARDING THE 2022 BASEBALL SEASON**

**AT OREGON TRAIL PARK STADIUM**

GERING – In late 2017, the City of Gering entered into a Lease Agreement with HF baseball, LLC and the Expedition League, Inc. The lease of the Gering baseball stadium (Oregon Trail Park Stadium) had a term from May 1, 2018 to December 31, 2022.

Sometime in 2021, HF Baseball, LLC d/b/a The Pioneers, and another six teams, left the Expedition League and created a new League called the Independence League.

In November and December 2021, the City’s attorneys exchanged communications with Steve Wagner (Expedition League) and Chuck Heeman (Pioneers) wherein the City wanted both parties to honor their commitment to play baseball in Gering. During this period of time, the Expedition League and Pioneers expressed their commitment to play baseball in Gering in 2022.

On December 8, 2021, Gering’s City Attorneys wrote letters to Steve Wagner (Expedition League) and Chuck Heeman (Pioneers) with concerns about playing baseball in Gering in 2022. A recommendation was made to these parties to consider mediation of their contractual disputes. Gering expressed its willingness to work with the respective parties to resolve any lease issues.

On January 28, 2022, the Expedition League attorneys filed a lawsuit in the state of South Dakota, County of Pennington/Circuit Court (Seventh Judicial Circuit), against all owners and teams who left the Expedition League to form the Independence League. This included The Western Nebraska Pioneers and Charles and Mayra Heeman.

On February 1, 2022, Expedition League attorneys from Minnesota sent a letter to the City of Gering outlining the Expedition League's position, relying on contractual agreements between The Pioneers, its owners, and the Expedition League. The Expedition League put the City of Gering on notice of its position that the Pioneers violated the current Lease Agreement and other contractual obligations between the Pioneers and the Expedition League. The letter stated that allowing the Western Nebraska Pioneers to play baseball at Oregon Trail Park Stadium, or any other League outside of the Expedition League, would amount to a breach of the lease by the City of Gering. The letter/notice further advised the City that it could be liable to the Expedition League for damages in the event that the Nebraska Pioneers were allowed to play. The letter referenced Affiliation Agreement language between the Expedition League and H.F. Baseball, L.L.C.

On March 18, 2022, the Defendants (consisting of Independence League owners and their teams) filed an Answer and a Counterclaim against the Expedition League. The legal issues on both sides are complex and contentious.

On March 16, 2022, the Expedition League filed an Emergency Motion for Temporary Restraining Order and Preliminary Injunction. The Motion requests that the Court enter an Order to enjoin the Defendants from playing in the Independence League. In addition, the request is to disallow the Defendants from using team marks, logos, names, and symbols. This was followed by the Defendants/Independence League teams and owners’ Motion to Dismiss non-compete related claims of the Expedition League. The Circuit Court is to hear one or more of the Motions filed by both parties tentatively on May 2, 2022. It appears that all parties have significant claims that require adjudication.

The City of Gering has, through its City Attorneys, requested that all parties resolve their respective differences as soon as possible. Although some negotiations have taken place, the City of Gering is concerned that there may not be any resolution of key relevant issues prior to or after the proposed start of the baseball season and that the ongoing dispute between the Pioneers and the Expedition League may jeopardize the upcoming baseball season. Without a resolution of the dispute between the League and the Pioneers team, a baseball season might not be possible this summer at Oregon Trail Park Stadium. As new information becomes available, the City anticipates providing additional press releases.