

**IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

NICK SNYDER and DAVID COYNE,  
on behalf of themselves and others  
similarly situated,

*Plaintiffs' Counsel's Address:*  
*Peter Romer-Friedman Law PLLC*  
*1629 K Street NW, Suite 300*  
*Washington, DC 20006*

*Plaintiffs,*

v.

WASHINGTON NATIONALS  
BASEBALL CLUB LLC,

*Defendant's Address:*  
*Washington Nationals Baseball Club LLC*  
*Attn: Legal Department*  
*1500 S. Capitol Street SE*  
*Washington, DC 20003*

*Defendant.*

Case No. 2024 CA

**CLASS ACTION COMPLAINT AND  
DEMAND FOR JURY TRIAL**

Plaintiffs Nick Snyder and David Coyne (“Plaintiffs”) respectfully submit this Class Action Complaint against the Washington Nationals Baseball Club, LLC (“Washington Nationals” or “Nationals”) for violating the D.C. Human Rights Act’s prohibition on age discrimination in places of public accommodations by denying persons 40 and older the opportunity to receive a 30% ticket discount for nearly all regular season games and a \$5 to \$15 per-ticket spending credit that the Washington Nationals have provided to 21- to 39-years-old fans through the team’s “Millennial Ticket Discount” in 2023 and “Young Professionals Ticket Discount” in 2024. The Plaintiffs also bring claims under the D.C. Consumer Protection Procedures Act for the same unlawful, discriminatory conduct and for making material misrepresentations to consumers.

## **INTRODUCTION**

1. Every spring, millions of baseball fans congregate in stadiums across America to witness the return of our national pastime. For as long as there's been baseball in America, people of all backgrounds have played, watched, and fallen in love with the sport. And perhaps more than any other sport in America, baseball has been intergenerational and age-inclusive. Each generation of fans, players, coaches, and broadcasters has endowed the next generation with its formative memories of triumph and heartbreak—Jackie Robinson wearing a Brooklyn Dodgers uniform for the first time, Hank Aaron breaking Babe Ruth's home run record, Nolan Ryan throwing his seventh no-hitter at the age of 44, Cal Ripken playing his 2,131st consecutive game, Bill Buckner's error in Game 6 of the 1986 World Series, or Curt Flood being blacklisted for seeking free agency.

2. In light of baseball's intergenerational history, it was surprising and disappointing that in 2023 the Washington Nationals decided to discriminate against fans who are 40 or older and make it harder for older fans to attend the Nationals' games relative to younger fans.

3. At the outset of the 2023 season, the Washington Nationals rolled out a "Millennial Ticket Discount" that offered a 30% discount on tickets and a \$5 to \$15 per-ticket spending credit for all regular season home games for fans who were 21 to 39 years old. At the same time, the Washington Nationals did not offer an equivalent discount for fans who were 40 or older. This year, during the 2024 season, the Washington Nationals are providing the same significant discount and spending credit for 21- to 39-year-olds. But the Washington Nationals have rebranded the deal as the "Young Professionals Ticket Discount". And just like last season, people 40 or older can't get the same discount or spending credit as 21- to 39-year-olds.

4. Because of the Washington Nationals' "Millennial" or "Young Professionals Ticket Discount," a 39-year-old who earns \$400,000 a year receives a 30% discount for the same exact seats for which a 55-year-old who earns \$50,000 a year must pay full price. That makes absolutely

no sense. But more importantly, this policy is blatantly unlawful discrimination that advances an illicit stereotype that older fans are less worthy or in need of a discount than younger fans.

5. The District of Columbia Human Rights Act (“DCHRA”) is one of our nation’s strongest civil rights laws. The DCHRA prohibits places of public accommodation like the Washington Nationals from discriminating against older customers based on their age. That means that the Washington Nationals cannot lawfully provide discounts for baseball tickets or ballpark spending credits to 21- to 39-year-olds without offering the same discount and credits to people who are 40 or older.

6. In this action, the Plaintiffs, two older baseball fans who live in the D.C. Metro area, challenge the Washington Nationals’ “Millennial” and “Young Professionals Ticket Discount” for 21- to 39-year-olds and seek to ensure that *all* fans, regardless of their age, have the same opportunity to participate in our national pastime in America’s capital.

### **PARTIES**

7. Plaintiff Nick Snyder is a 40-year-old baseball fan who lives in Maryland. During the past 12 months, Mr. Snyder purchased a non-discounted ticket from the Washington Nationals to visit the Nationals’ Stadium in the District of Columbia during the 2024 season. Because of Mr. Snyder’s age, he was ineligible to qualify for the Young Professionals Ticket Discount when he purchased a ticket for the 2024 season. Mr. Snyder plans to visit the Washington Nationals’ Stadium during the 2024 season and in future seasons.

8. David Coyne is a 58-year-old baseball fan who lives in Maryland. During the past 12 months, Mr. Coyne purchased non-discounted tickets from the Washington Nationals to visit the Nationals’ Stadium in the District of Columbia during the 2023 season. Because of Mr. Coyne’s age, he was ineligible to qualify for the Millennial Ticket Discount during the 2023 season

or the Young Professionals Ticket Discount during the 2024 season. Mr. Coyne plans to visit the Washington Nationals' Stadium during the 2024 season and in future seasons.

9. The Washington Nationals Baseball Club, LLC ("Washington Nationals") is the owner of the Washington Nationals professional baseball franchise and the operator of the Nationals' Stadium (collectively, "Washington Nationals" or "Nationals"). The Nationals are located in the District of Columbia at 1500 S. Capitol Street SE, Washington, DC 20003. The Washington Nationals have been a successful club since professional baseball returned to the District of Columbia in 2005. In 2019, the Nationals defeated the Houston Astros in the World Series, with a dynamic group of veteran players like Ryan Zimmerman, Max Scherzer, Stephen Strasburg, Howie Kendrick, and Sean Doolittle, and young stars like Juan Soto and Trea Turner. The Washington Nationals' valuation is \$2 billion with annual revenue of around \$350 million.<sup>1</sup>

## **JURISDICTION**

10. This Court has subject-matter jurisdiction under D.C. Code § 11-921(a). Because the Plaintiffs claim to be aggrieved by the Washington Nationals' unlawful discriminatory practice during the past year, they may assert a cause of action under the D.C. Human Rights Act in this Court. *See* D.C. Code § 2-1403.16(a). And because the Plaintiffs are consumers who seek relief from the Washington Nationals' trade practice that violates a D.C. law, they may bring an action under the D.C. Consumer Protection Procedures Act in this Court. *See* D.C. Code § 28-3905(k)(1)-(2).

11. This Court has personal jurisdiction over the Washington Nationals under D.C. Code § 13-422, because the Washington Nationals have their principal place of business in the

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<sup>1</sup> MLB Valuations, # 16 Washington Nationals (2023), <https://www.forbes.com/teams/washington-nationals/?sh=7ba0a52f4680>; *see also* Chelsea Janes, *Still without a buyer, Nats enter the winter meetings in a familiar spot*, Wash. Post (Dec. 3, 2023) (stating that the owners of Nationals were offered \$2 billion in 2022 to sell the team), <https://www.washingtonpost.com/sports/2023/12/03/nats-sale-update-winter-meetings/>.

District of Columbia and are organized under the laws of the District of Columbia. The Court also has personal jurisdiction under D.C. Code § 13-423(a), because the Washington Nationals transact business in the District of Columbia and the claims at issue in this case arise from sales to consumers that took place in the District of Columbia.

### **FACTUAL ALLEGATIONS**

***The D.C. Human Rights Act makes it unlawful for places of public accommodation to discriminate against persons based on their age and other protected traits.***

12. The District of Columbia Human Rights Act is one of the most protective civil rights laws in the nation. The DCHRA proclaims that:

Every individual shall have an equal opportunity to participate fully in the economic, cultural and intellectual life of the District and to have an equal opportunity to participate in all aspects of life, including, but not limited to, in employment, in places of public accommodation, resort or amusement, in educational institutions, in public service, and in housing and commercial space accommodations.

13. In particular, the D.C. Human Rights Act makes it unlawful for places of public accommodation to discriminate against persons based on their age, among other protected traits. D.C. Code § 2-1402.31(a).

14. The D.C. Human Rights Act prohibits places of public accommodation from engaging in two primary forms of age discrimination: (1) denying the full and equal enjoyment of any goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodations based on age; and (2) printing or posting a statement or advertisement that indicates that a person will be denied the full and equal enjoyment of such services or advantages of a place of public accommodations based on age. *See* D.C. Code § 2-1402.31(a)(1)-(2).

15. The D.C. Human Rights Act defines “place of public accommodation” broadly to mean “any person or place that provides, to a person in the District, access to an accommodation, service, or good,” including “any place where food is sold for consumption on the premises,” “any

store, park or enclosure where spirituous or malt liquors are sold,” “all stores where ice cream . . . or where beverages of any kind are retailed for consumption on the premises,” and “establishments dealing with goods or services of any kind”. D.C. Code § 2-1401.02(24). Thus, professional sports teams like the Washington Nationals that sell tickets, food, drinks, or merchandise to persons in the District of Columbia, and their stadiums, are places of public accommodations within the meaning of the D.C. Human Rights Act.

***The Washington Nationals offer a 30% discount and spending credit for 21- to 39-year-olds, but offer no equivalent discount for people 40 or older.***

16. For many years, the Washington Nationals have provided significant discounts to different types of fans based on their statuses or activities that are *not* tied to fans’ ages, such as discounts for servicemembers, first responders, and certain government employees.

17. During the 2023 season, the Washington Nationals introduced a “Millennial Ticket Discount” that offered a 30% discount and \$5 to \$15 spending credit to 21- to 39-years-old fans.

18. Under this “Millennial Ticket Discount,” fans between the ages of 21 and 39 received “30% off face value” of tickets purchased for *all* regular season home games and received a spending credit between \$5 and \$15 per ticket for concessions and merchandise.

19. During the 2023 season, however, the Washington Nationals did not provide an equivalent discount or spending credit to fans who were 40 or older or fans who were seniors.

20. At the outset of the 2024 season, the Washington Nationals changed the name of the “Millennial Ticket Discount” to the “Young Professionals Ticket Discount,” but have continued to provide the same 30% discount and merchandise credit between \$5 and \$15 per ticket to fans who are 21 to 39 years old for all regular season games except the home opener. And during the 2024 season, the Nationals have not offered an equivalent discount to fans who are 40 or older or fans who are seniors.

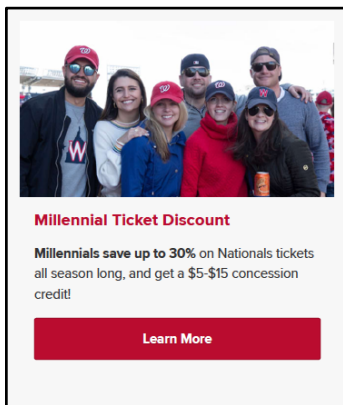
21. Persons who were 40 or older could not qualify for the Millennial Ticket Discount in 2023 *solely* because of their age. And persons who are 40 or older cannot qualify for the Young Professionals Ticket Discount in 2024 *solely* because of their age.

***When marketing the “Millennial” or “Young Professionals Ticket Discount” the Nationals indicated that younger fans will receive better treatment than older fans and that older people will be denied full and equal enjoyment of the Nationals’ services, advantages, and accommodations.***

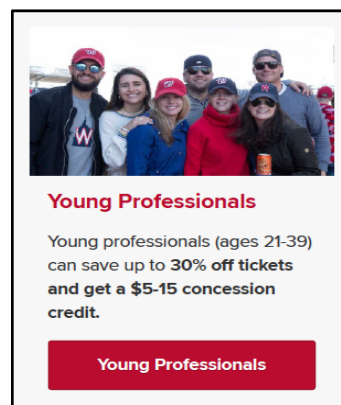
22. To encourage 21- to 39-year-olds to utilize the “Millennial” or “Young Professionals Ticket Discount,” the Washington Nationals have prominently marketed this discount through the team’s website.

23. In 2023, the Washington Nationals’ primary website for “Ticket Deals” prominently displayed the “Millennial Ticket Discount” and described how **“Millennials save up to 30% on Nationals tickets all season long, and get a \$5-\$15 concession credit!”** (emphasis in original). In 2024, the same Washington Nationals’ “Ticket Deals” website has displayed the “Young Professionals Ticket Discount” and described how “Young professionals (ages 21-39) can save up to **30% off tickets and get a \$5-15 concession credit.**” (emphasis in original). The relevant portion of the “Ticket Deals” website in 2023 and 2024 looked like the following:

**2023**



**2024**



24. During the 2023 and 2024 seasons, the Washington Nationals hosted a website exclusively to market the Millennial Ticket Discount and the Young Professionals Ticket Discount. During both seasons, this website included the same picture of younger fans at the Nationals' Stadium and included a statement "Calling all millennials" or "Calling all young professionals! (ages 21 to 39)" to utilize the 30% Millennial Ticket Discount or Young Professionals Ticket Discount. The relevant portion of the website looks like this:

### 2023

## Millennial Ticket Discounts



Calling all millennials! The Nationals have a special offer to help you save on tickets all season long!

- Save up to 30% off face value
- Offer available for all regular season home games
- Tickets start at just \$23
- Spending credit for concessions & merchandise included with each ticket (\$5 to \$15)

### 2024

## Young Professionals Ticket Discounts



Calling all young professionals! (ages 21 to 39) The Nationals have a special offer to help you save on tickets all season long!

- Save up to 30% off face value
- Tickets start at just \$25
- Spending credit for concessions & merchandise included with each ticket (\$5 to \$15)



***By offering a 30% discount and a spending credit to 21- to 39-year-olds, but not to people 40 or older, and by publicizing that younger people will receive preferential treatment, the Washington Nationals violated the D.C. Human Rights Act.***

25. By offering the Millennial or Young Professionals Ticket Discount to people 21 to 39 years old, but not providing an equivalent discount to people 40 or older, the Washington Nationals have denied the “full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of” the Nationals’ place of public accommodation in violation of the D.C. Human Rights Act, D.C. Code § 2-1402.31(a)(1).

26. The Washington Nationals’ Millennial or Young Professionals Ticket Discount expressly denies to people 40 or older two types “goods, services, facilities, privileges, advantages, and accommodations of” the Nationals’ place of public accommodation expressly because of their age. *First*, it provides significantly lower ticket prices to people 21 to 39 than to people 40 or older for the exact same Washington Nationals’ tickets and gives 21- to 39-year-olds a 30% discount on tickets that people 40 or older do not receive because of their age. *Second*, it provides a spending credit for concessions and merchandize of \$5 to \$15 per ticket for people 21 to 39 years old, but this same credit is not provided to people 40 or older because of their age.

27. Tickets to Washington Nationals’ games are services, facilities, privileges, advantages, and accommodations of the Nationals’ place of public accommodation. Likewise, the price of tickets and discount on tickets to Washington Nationals’ games are privileges or advantages of the Nationals’ place of public accommodation. A spending credit for concessions like food or drinks or for merchandise like shirts or hats is a good, service, facility, privilege, advantage, and accommodation of the Nationals’ place of public accommodation.

28. Furthermore, by publishing statements on the Washington Nationals’ website about providing a 30% discount and a spending credit to people who are Millennials, Young Professionals, or 21 to 39 years old, and calling on such younger people to use the 30% discount

and spending credit, without concurrently stating that people 40 or older can receive a 30% discount or a spending credit based on their age or their age of 40 or over, the Washington Nationals expressly stated and indicated that younger people, ages 21 to 39, will receive discounts and spending credits that the Nationals do not provide to people 40 or older, and expressly stated and indicated that people 40 or older will be refused, withheld from, or denied “the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations” of the Nationals’ place of public accommodation in violation of the D.C. Human Rights Act, D.C. Code § 2-1402.31(a)(2).

29. An ordinary reader who sees or reads the Washington Nationals’ statements about its Millennial or Young Professionals Ticket Discount would believe that people who are Millennials, Young Professionals, or 21 to 39 years old *will* receive and *do* receive preferential treatment over people who are 40 or older with respect to the price of tickets to the Nationals’ Stadium and spending credits and that people 40 or older will therefore be denied the “the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations” of the Nationals’ place of public accommodation.

***By violating the D.C. Human Rights Act in the context of a consumer transaction, the Washington Nationals have also violated the D.C. Consumer Protection Procedures Act.***

30. The District of Columbia Consumer Protection Procedures Act protects consumers from deceptive and unlawful trade practices by merchants that operate in the District of Columbia.

31. The D.C. Court of Appeals has interpreted the D.C. Consumer Protection Procedures Act to prohibit violations of any other District of Columbia statute in the context of a consumer transaction. Accordingly, when a merchant like the Washington Nationals violates the D.C. Human Rights Act in the context of a consumer transaction, it necessarily violates the D.C. Consumer Protection Procedures Act. *See District of Columbia v. Evolve, LLC*, 2020 D.C. Super.

LEXIS 6, at \*12 (D.C. Super. Feb. 25, 2020) (agreeing with the position of the District of Columbia Attorney General).

32. Plaintiffs Snyder and Coyne and other fans who have purchased tickets from the Washington Nationals are “consumers” within the meaning of the D.C. Consumer Protection Procedures Act, because they purchase or receive consumer goods or services and otherwise provide the economic demand for a trade practice. D.C. Code § 28-3901(a)(2). The Washington Nationals is a “merchant” within the meaning of the D.C. Consumer Protection Procedures Act, because in the ordinary course of business it sells or transfers consumer goods or services to consumers. D.C. Code § 28-3901(a)(3). Accordingly, when the Washington Nationals sell tickets to fans and otherwise provide them with goods or services, the Washington Nationals and fans who purchase Nationals tickets engage in consumer transactions.

33. Because the Washington Nationals’ have violated the D.C. Human Right Act in the context of a consumer transaction through its Millennial Ticket Discount and Young Professionals Ticket Discount and related statements about the deal, the Washington Nationals have also violated the D.C. Consumer Protection Procedures Act.

***By stating that “Millennials” will get a 30% discount but refusing to give that discount to Millennials who are 40 or older, the Nationals made material misrepresentations that violate the D.C. Consumer Protection Procedures Act.***

34. The D.C. Consumer Protection Procedures Act prohibits merchants from misrepresenting a material fact that has a tendency to mislead or to represent that a transaction confers or involves rights, remedies, or obligations that it does not have or involve. D.C. Code § 28-3904(e), (e-1).

35. “Millennials typically are defined as being born between 1981 and 1996.” Mike Schneider, *Sorry, boomers: millennials and younger are new US majority*, AP (Aug. 3, 2020), <https://apnews.com/article/seniors-baby-boomers-millennials-featured-u-s-news->

[757359e85c4d9f555469848b21df3ab4](#). Therefore, in 2023 a person who was born in 1981 would be 42, a person born in 1982 would be 41, and a person born in 1983 would be 40.

36. Although in 2023 the Washington Nationals marketed the “Millennial Ticket Discount” as a 30% discount and spending credit that was available to Millennials, the Washington Nationals did not actually provide that discount or credit to *all* Millennials. Instead, the Washington Nationals only offered that discount and spending credit to Millennials who were 21 to 39 years old and did not offer it to Millennials who were 40, 41, or 42 years old.

37. As described above, the Washington Nationals’ website for “Ticket Deals” stated that “Millennials save up to 30% on Nationals tickets all season long, and get a \$5-15 concession credit!” And its website for the Millennial Ticket Discount stated, “Calling *all* millennials! The Nationals have a special offer to help *you* save on tickets all season long!” (emphasis added).

38. But in 2023, people who were 40, 41, and 42 years old *were Millennials*, but none of those Millennials could receive the Washington Nationals’ “Millennial Ticket Discount”. As such, the Washington Nationals’ misrepresented a material fact—that Millennials would receive the 30% ticket discount and a \$5 to \$15 per-ticket spending credit, and the Washington Nationals represented that its ticketing would confer rights on Millennials—the same discount and spending credit—that the transaction did not actually have or involve.

39. For example, during most of the 2023 season Plaintiff Snyder was 40 years old. And despite the fact that he is a Millennial, he could not receive the Millennial Ticket Discount.

***Plaintiffs Snyder and Coyne have been denied equal treatment by the Washington Nationals and suffered both economic and stigmatic harm.***

40. During the past 12 months, Plaintiffs Snyder and Coyne each purchased one or more non-discounted tickets from the Washington Nationals for a regular season game for which the Washington Nationals offered the same tickets at a 30% discount and with a \$5 to \$15 per-ticket spending credit for people 21 to 39 years old through the Millennial or Young Professionals Ticket Discount.

41. As a result, Plaintiffs Snyder and Coyne have each been denied the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of the Washington Nationals' place of public accommodation based on their age.

42. In addition, during the past 12 months Plaintiffs Snyder and Coyne have read the Washington Nationals' statements (described above) that expressly stated and indicated that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of the Washington Nationals' place of public accommodation will be denied to people 40 or older because of their age.

43. If the Washington Nationals had offered people 40 or older the same 30% discount and \$5 to \$15 per-ticket spending credit that they gave people 21 to 39 years old during the past 12 months through the Millennial or Young Professionals Ticket Discount, Plaintiffs Snyder and Coyne would have obtained a 30% discount and spending credit when they purchased tickets from the Washington Nationals.

44. Because Plaintiffs Snyder and Coyne could not qualify for the "Millennial Ticket Discount," the "Young Professionals Ticket Discount," or another equivalent 30% discount or spending credit during the past 12 months, they paid significantly more for the same tickets as similarly situated 21- to 39-year-old fans who purchased tickets during the past 12 months and

utilized the Millennial or Young Professionals Ticket Discount. As such, Plaintiffs Snyder and Coyne have suffered economic harm from the Washington Nationals' discrimination against people 40 or older in a place of public accommodations.

45. In addition, Plaintiffs Snyder and Coyne suffered stigmatic harm from the Washington Nationals' classification and discrimination against them because of their age.

46. Plaintiffs Snyder and Coyne plan to purchase tickets from the Washington Nationals in the future.

### **CLASS ALLEGATIONS**

47. The named Plaintiffs bring this action as a proposed action under Rule 23 of the D.C. Superior Court Rules of Civil Procedure on behalf of the following class:

All persons who (1) have purchased a ticket to a Washington Nationals home baseball game from the Washington Nationals for the 2023 season, the 2024 season, or a later season through judgment in this action, who did not receive a discount of 30% or greater off the price of that ticket or a spending credit between \$5 and \$15 for that ticket, and who were at least 40 years old when that ticket was purchased, or (2) who were at least 40 years old and did not purchase at least one ticket to a Washington Nationals home baseball game from the Washington Nationals for the 2023 season, the 2024 season, or a later season through judgment in this action due to the lack of a 30% discount or spending credits or the Washington Nationals' statements regarding the Millennial or Young Professionals Ticket Discount.

#### **The proposed class satisfies the requirements of Rule 23(a).**

48. The Class members are so numerous that joinder of all members is impracticable. There are at least tens of thousands of members of the Class and likely to be hundreds of thousands of members of the Class.

49. There are questions of law and fact common to the Class Members, including:

- A. Whether the Nationals provided a 30% ticket discount and spending credits of \$5 to \$15 per ticket to people who were 21 to 39 years old, but did not provide an equivalent discount or credit to people who were 40 or older;
- B. Whether the Millennial or Young Professionals Ticket Discount violated the D.C. Human Rights Act's prohibition on denying the full and equal enjoyment

of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation based on age;

- C. Whether the Millennial or Young Professionals Ticket Discount violated the D.C. Human Rights Act's prohibition on publishing statements that indicate that a place of public accommodation will deny the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation based on age;
- D. Whether the Washington Nationals' conduct violates the D.C. Consumer Protection Procedures Act;
- E. What injunctive and declaratory relief are warranted regarding the Washington Nationals' conduct;
- F. What types of damages are warranted; and
- G. What attorneys' fees and costs are warranted.

50. The named Plaintiffs' claims are typical of the claims of the Class they seek to represent, because they are people 40 or older who were denied discounts that were provided by the Washington Nationals to people 21 to 39 years old based on their age, because the Plaintiffs' claims arise from the same pattern or practice of conduct that forms the basis of the Class Members' claims, and because they bring the same legal claims as the Class Members based on the same legal theory.

51. There is no antagonism between the interests of the Plaintiffs and those of the Class Members, and the Plaintiffs will fairly and adequately represent the Class. There is no conflict between the Plaintiffs' claims and those of the Class Members. The Plaintiffs have retained counsel skilled in complex civil rights and consumer class actions who will vigorously prosecute this litigation.

**Rule 23(b)(3) certification is appropriate.**

52. Class certification is appropriate for the proposed Class under Rule 23(b)(3). The common questions of fact and law identified above predominate over any questions affecting only individual Class Members, including whether the Nationals' Millennial or Young Professionals Ticket Discount and related statements violated the D.C. Human Rights Act and the D.C. Consumer Protection Procedures Act.

53. A class action is superior to all other available methods for the fair and efficient adjudication of this controversy. First, the Class Members do not have an interest in individually controlling the prosecution of separate actions, because their individual damages are unlikely to be large enough to warrant pursuing individual litigation in court or to obtain counsel to pursue an individual action, and because the cost of litigating the action will far exceed any potential benefit for individual Class Members. The prosecution of separate actions by individual Class Members would also impose heavy burdens upon the courts and would create a risk of inconsistent or varying adjudications of the questions of law and fact common to the proposed Classes, including the key legal questions of whether the Nationals' Millennial or Young Professionals Ticket Discount and related statements violate the D.C. Human Rights Act and the D.C. Consumer Protection Procedures Act.

54. A class action, on the other hand, would achieve substantial economies of time, effort, and expense, and would assure the uniformity of decision with respect to persons similarly situated without sacrificing procedural fairness or bringing about other undesirable results.

55. In addition, to date there has not been any litigation by the Class Members regarding the practice challenged in this action.

56. Finally, there will be no difficulties in managing this case as a class action.



## **CAUSES OF ACTION**

### **FIRST CAUSE OF ACTION**

#### **D.C. Human Rights Act**

#### **D.C. Code § 2-1402.31(a)(1)**

57. Plaintiffs incorporate by reference and reallege all previous paragraphs.

58. The Plaintiffs, on behalf of themselves and the proposed Class, bring this Count under the D.C. Human Rights Act, D.C. Code § 2-1402.31(a)(1) against the Washington Nationals.

59. The D.C. Human Rights Act provides that “It shall be an unlawful discriminatory practice to do any of the following acts, wholly or partially for a discriminatory reason based on the actual or perceived . . . age . . . [t]o deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodations”. D.C. Code § 2-1402.31(a)(1).

60. The Washington Nationals and the Nationals’ Stadium are places of public accommodation within the meaning of the D.C. Human Rights Act, because they are a “person or place that provides, to a person in the District, access to an accommodation, service, or good”. D.C. Code § 2-1401.02(24). The Washington Nationals sell food, ice cream, beverages, beer, and liquor on the premises of the Nationals’ Stadium, as well as merchandise and other goods and a range of services, such as dining and entertainment.

61. Tickets to Washington Nationals’ games are services, facilities, privileges, advantages, and accommodations of the Nationals’ place of public accommodation. Likewise, a discount on tickets to Nationals’ games are privileges and advantages of the Nationals’ place of public accommodation. A spending credit for concessions (such as food and drinks) and merchandise (such as shirts and hats) is a good, service, facility, privilege, advantage, and accommodation of the Nationals’ place of public accommodation.

62. The Washington Nationals violated D.C. Code § 2-1402.31(a)(1) by denying people 40 and older the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of the Washington Nationals' place of public accommodations, when it provided people 21 to 39 years old a Millennial Ticket Discount in 2023 and a Young Professionals Ticket Discount in 2024, including a 30% discount on tickets and a spending credits of \$5 to \$15 per ticket, while not providing an equivalent discount or spending credits to people 40 and older like the Plaintiffs and other members of the proposed Class.

63. The Nationals' Millennial or Young Professionals Ticket Discount expressly denies to people 40 and older two types "goods, services, facilities, privileges, advantages, and accommodations of" the Nationals' place of public accommodation solely because of their age. *First*, it provides significantly lower ticket prices to people 21 to 39 than to people 40 or older for the same exact Nationals' tickets by giving people 21 to 39 years old a 30% discount on tickets that people 40 or older do not receive because of their age. *Second*, it provides a spending credit for concessions and merchandize of \$5 to \$15 per ticket *only* for people 21 to 39 years old, but this same credit is not provided to people 40 or older because of their age.

64. This age-based denial of goods, services, facilities, privileges, advantages, and accommodations to people who are 40 or older in a place of public accommodation violates the D.C. Human Rights Act, D.C. Code § 2-1402.31(a)(1), because it classifies older people based on their age, because it facially and intentionally discriminates against older people based on their age, and because it advances and acts upon a stereotype that people 40 or older have more income than people under 40 and are less worthy or in need of a discount.

65. The Plaintiffs have a private right of action under D.C. Code § 2-1403.16, because they claim they have been aggrieved by the Washington Nationals' unlawful discriminatory practices that violate D.C. Code § 2-1402.31(a)(1).

66. The Washington Nationals' denial of its goods, services, facilities, privileges, advantages, and accommodations to older people in its place of public accommodation has caused economic harm and stigmatic harm to the Plaintiffs and other members of the Class.

67. The Plaintiffs seek damages for themselves and members of the proposed Class, including compensatory damages, civil penalties, and punitive damages, as well as declaratory and injunctive relief to stop the Washington Nationals' ongoing violations.

68. The Plaintiffs seek attorneys' fees and costs related to this claim and lawsuit.

**SECOND CAUSE OF ACTION**  
**D.C. Human Rights Act**  
**D.C. Code § 2-1402.31(a)(2)**

69. Plaintiffs incorporate by reference and reallege all previous paragraphs.

70. The Plaintiffs, on behalf of themselves and the proposed Class, bring this Count under the D.C. Human Rights Act, D.C. Code § 2-1402.31(a)(2), against the Washington Nationals.

71. The D.C. Human Rights Act provides that “It shall be an unlawful discriminatory practice to do any of the following acts, wholly or partially for a discriminatory reason based on the actual or perceived . . . age . . . (2) To print, circulate, post, or mail, or otherwise cause, directly or indirectly, to be published a statement, advertisement, or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation will be unlawfully refused, withheld from or denied an individual”. D.C. Code § 2-1402.31(a)(2).

72. As described above, the Washington Nationals and the Nationals' Stadium are places of public accommodation within the meaning of the D.C. Human Rights Act.

73. The Washington Nationals have published statements and advertisements on their website regarding the Millennial Ticket Discount and the Young Professionals Ticket Discount

that expressly stated and indicated that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of the Nationals' place of public accommodation will be unlawfully refused, withheld from, or denied to people 40 or older because of their age.

74. In particular, by publishing statements on the Nationals' website about providing a 30% discount and spending credits to people who are Millennials, Young Professionals, and/or 21 to 39 years old, and calling on such younger people to use the 30% discount, without concurrently stating that people 40 or older can receive a 30% discount or a spending credit based on their age or their generation, the Nationals expressly stated and indicated that younger people, ages 21 to 39, will receive discounts and spending credits that the Nationals do not provide to people 40 or older, and expressly stated or indicated that people 40 or older will be refused, withheld from, or denied "the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations" of the Nationals' place of public accommodation in violation of the D.C. Human Rights Act, D.C. Code § 2-1402.31(a)(1).

75. An ordinary reader who sees or reads the Washington Nationals' statements about the Millennial or Young Professionals Ticket Discount would believe that people who are Millennials, Young Professionals, and/or 21 to 39 years old will receive preferential treatment over people who are 40 or older with respect to the price of tickets to the Nationals' Stadium and spending credit and that people 40 or older will therefore be denied the "the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations" of the Nationals' place of public accommodation.

76. The Washington Nationals' statements and advertisements regarding the Millennial Ticket Discount and the Young Professionals Ticket Discount have caused stigmatic harm towards the Plaintiffs and other people 40 or older and discouraged some members of the proposed Class from purchasing tickets to the Nationals' Stadium.

77. The Plaintiffs seek damages for themselves and members of the proposed Class, including compensatory damages, civil penalties, and punitive damages, as well as declaratory and injunctive relief to stop the Washington Nationals' ongoing violations.

78. The Plaintiffs seek attorneys' fees and costs related to this claim and lawsuit.

**THIRD CAUSE OF ACTION**  
**D.C. Consumer Protection Procedures Act**  
**D.C. Code §§ 28-3904**

79. Plaintiffs incorporate by reference and reallege all previous paragraphs.

80. The Plaintiffs, on behalf of themselves and the proposed Class, bring this Count under the D.C. Consumer Protection Procedures Act, D.C. Code § 28-3904, against the Washington Nationals.

81. The Washington Nationals is a "person" within the meaning of D.C. Code § 28-3901(a)(1), is a "merchant" under D.C. Code § 28-3901(3), and provides "goods and services" within the meaning of D.C. Code § 28-3901(a)(7). The Washington Nationals is a "merchant" because in the ordinary course of business it sells or transfers consumer goods or services to consumers, including the services and goods it provides at the Nationals' Stadium *Id.* § 28-3901(a)(3).

82. The Plaintiffs are "persons" within the meaning of D.C. Code § 28-3901(1).

83. Plaintiffs Snyder and Coyne and the members of the proposed Class are "consumers" within the meaning of D.C. Code § 28-3901(2), because they purchased or received consumer goods or services from the Washington Nationals and otherwise provide the economic demand for the Washington Nationals' trade practice. *See* D.C. Code § 28-3901(a)(2).

84. When the Washington Nationals sell tickets to fans and otherwise provide them with goods and services at the Nationals' Stadium, the Nationals and its fans engage in consumer transactions.

85. D.C. Code § 28-3904 makes it an “unlawful trade practice” to, *inter alia*, “misrepresent as to a material fact which has a tendency to mislead,” *id.* § 28-3904(e), “[r]epresent that a transaction confers or involves rights, remedies, or obligations which it does not have or involve, or which are prohibited by law,” *id.* § 28-3904(e-1), and to violate other District of Columbia laws, such as the D.C. Human Rights Act, in the context of a consumer transaction.

86. The D.C. Consumer Protection Procedures Act makes such conduct an unlawful trade practice “whether or not any consumer is in fact misled, deceived, or damaged thereby.” D.C. Code § 28-3904.

87. The Washington Nationals have violated the D.C. Consumer Protection Procedures Act in several ways.

88. First, as described above and in Counts I and II, the Washington Nationals have violated the D.C. Human Rights Act by denying people 40 or older the full and equal enjoyment of the Nationals’ goods, services, facilities, privileges, advantages, and accommodations in a place of public accommodation based on their age and by making statements that indicate that people 40 or older will be denied such services in a place of public accommodation because of their age. Because the Washington Nationals have violated the D.C. Human Rights Act in the context of a consumer transaction, the Washington Nationals have also violated the D.C. Consumer Protection Procedures Act.

89. Second, by representing that Millennials would receive the “Millennial Ticket Discount” but refusing to provide the discount to Millennials who were 40, 41, or 42 during the 2023 season—like Plaintiff Snyder, who was 40 during most of the 2023 season—the Washington Nationals misrepresented a material fact that has a tendency to mislead in violation of D.C. Code § 28-3904(e) and the Washington Nationals represented that its ticketing transactions confer or

involve rights that they do not have or involve in violation in violation of D.C. Code § 28-3904(e-1).

90. Third, when describing the “Millennial” or “Young Professionals Ticket Discount,” the Washington Nationals represented that its ticket transactions would involve rights, remedies, or obligations that are *prohibited by law* in violation of D.C. Code § 28-3904(e-1), because the Washington Nationals stated that they would provide a discount and spending credit to 21- to 39-year-olds (but not to people 40 or older) that violates the D.C. Human Rights Act.

91. The D.C. Consumer Protection Procedures Act provides that “[a] consumer may bring an action seeking relief from the use of a trade practice in violation of a law of the District.” D.C. Code § 28-3905(k)(1)(A).

92. Plaintiffs Snyder and Coyne bring this claim on behalf of themselves and the proposed Class.

93. As a direct and proximate result of the Washington Nationals’ conduct and violations of the D.C. Consumer Protection Procedures Act, the Plaintiffs and the members of the Class have suffered injuries and monetary damages described herein, and they seek treble damages or \$1,500 per violation, whichever is greater, punitive damages, and an injunction against the use of the Washington Nationals’ unlawful trade practice.

94. The Plaintiffs seek attorneys’ fees and costs related to this claim and lawsuit.

### **JURY TRIAL DEMANDED**

The Plaintiffs hereby demand a jury trial.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiffs pray for judgment against the Defendant, and in favor of Plaintiffs and the proposed Class, and grant the following relief:

- A. Declaring that Washington Nationals’ conduct violates the D.C. Human Rights Act and the D.C. Consumer Protection Procedures Act;
- B. Enjoining the Washington Nationals’ conduct found to be in violation of the D.C. Human Rights Act and the D.C. Consumer Protection Procedures Act;
- C. Awarding the Plaintiffs restitution, treble damages, or statutory damages in the amount of \$1,500 per violation of the D.C. Consumer Protection Procedures Act, whichever is greatest.
- D. Awarding Plaintiffs damages for the Washington Nationals’ violations of the D.C. Human Rights Act and the D.C. Consumer Protection Procedures Act;
- E. Granting Plaintiffs their costs of prosecuting this action, including attorneys’ fees, experts’ fees and litigation costs together with interest; and
- F. Granting such other relief as this Court may deem just and proper.

March 28, 2024

Respectfully submitted,

/s/ Peter Romer-Friedman

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