

Federal Appeals Court Dunks on Jim Dolan in Charles Oakley Case

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The Second Circuit Court of Appeals revived **Charles Oakley's** lawsuit against **Jim Dolan**, the owner of the New York Knicks. Dolan infamously ejected Oakley from Madison Square Garden on February 8, 2017, sparking outrage among fans with fond memories of Oakley's play for the team from the late '80s to late '90s.

Oakley sued Dolan and Madison Square Garden in 2017 alleging assault and battery, but a district court dismissed the complaint in Feb. 2020. That court said MSG "had the right to expel Oakley from the Garden and that his refusal to leave justified their use of reasonable force to remove him – a licensee who became a trespasser by refusing to leave their property after being directed to do so."

The ugly incident was caught on video:



Watch Video At: https://youtu.be/wjJVmod_R3A

But the appellate court ruled on Monday that Oakley's unreasonable force allegations were actually sufficient enough to have defeated Dolan's motion to dismiss. The appellate court kicked the case back down to the trial court for further proceedings.

“In Oakley’s case, his allegations sufficed to defeat a motion to dismiss the assault and battery claims in the amended complaint,” the court wrote. “Accordingly, the judgment is reversed as to the causes of action for assault and battery and affirmed as to other causes of action in a summary order filed this date, and the case is remanded for further proceedings.”

Douglas Wigdor, an attorney for Oakley, said in a statement to Law&Crime that it was clear from the start that Dolan “acted improperly.”

“As we have always stated, Mr. Dolan and MSG acted improperly, and unlawfully, when they violently threw Mr. Oakley out of MSG without provocation. We are pleased that the Second Circuit has allowed Mr. Oakley to have his day in court and to finally be able to hold Mr. Dolan accountable for his actions,” he said. “This is a great day for Knicks fans and fans of Mr. Oakley, and we look forward to the truth of what happened finally coming out.”

Oakley himself said that he was pleased the truth about the incident will “come out at trial.”

“I am appreciative of the appeals court as I now have a chance to show the world what I said from day one was true,” he said. “The truth is going to come out at trial and Dolan will be held responsible for what he did.”