**

CONFIDENTIAL

[*Athlete’s* name and address]

By courier and e-mail: [*Athlete’s* e-mail address] [date ]

Article 2.10 Notice under the [*ADO*] Anti-Doping Rules

This is an Article 2.10 Notice letter and requires your immediate attention.

Dear [*Athlete’s* name]

This Article 2.10 Notice concerns your obligations pursuant to Article 2.10 of the World Skate Anti-Doping Rules. These Rules are referred to as “the ADR” in this letter.

1. The Anti-Doping Rules
   1. You are subject to and bound to comply with the ADR. Capitalized terms used, but not defined in this letter, are as defined in the ADR.
   2. Article 2.10 of the ADR provides that the following conduct will constitute an Anti-Doping Rule Violation (“ADRV”):
   3. Prohibited Association

Association by an *Athlete* or other *Person* subject to the authority of an *Anti- Doping Organization World Skate* in a professional or sport-related capacity with any *Athlete Support Person* who:

* + 1. If subject to the authority of an *ADO*, is serving a period of

*Ineligibility*; or

* + 1. If not subject to the authority of an *ADO*, and where *Ineligibility* has not been addressed in a Results Management process pursuant to the World Anti-Doping Code (“*Code*”), has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of the ADR if *Code*-compliant rules had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of 6 years from the criminal, professional or

disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

* + 1. Is serving as a front or intermediary for an individual described in Article 2.10.1 or 2.10.2.

For ease of reference, we refer in this letter to any *Person* who falls within one of the descriptions contained in Articles 2,10.1, 2.10.2 or 2.10.3 as a “Disqualified Person.” Article 2.10 makes “associating” with a “Disqualified Person” an ADRV.

The reason we are writing to you is that we have reason to believe that you are associating, and/or have been associating with, a Disqualified Person. This letter explains why we believe this to be the case and what action we require from you.

1. **The Disqualified Person**

The Disqualified Person with respect to whom we are providing you with notice is [Name]. We explain below why we believe that [Name] is a Disqualified Person.

[*The letter should explain why it is believed that [Name] is a Disqualified Person. If the Disqualified Person is such because he/she falls within Article 2.10.1 – that is, that he/she is serving a doping ban – that will be straightforward to substantiate. It is expected that most cases will be of this nature.*

*If the Disqualified Person falls within Article 2.10.2, the letter will need to:*

1. *describe in reasonable detail the criminal, disciplinary or professional proceeding that it is said would have constituted a violation of the ADR if Code-compliant rules had been applicable to the Disqualified Person, including the date of the relevant “finding” from those proceedings and wherever possible, a copy of the relevant notice of decision/conviction record/other official document; and*
2. *explain how this conduct would have constituted a violation of* the *ADR if Code-compliant rules had been applicable to the Disqualified Person.*

*If Article 2.10.3 is being relied upon, there will be at least two Disqualified Persons. The first Disqualified Person will be the “front or intermediary,” and the second will be the Disqualified Person for whom the first Disqualified Person is acting as a “front or intermediary.” The letter will need to explain the basis upon which both Persons are considered to be Disqualified Persons.]*

We will be writing separately to [Name] to notify him/her that we have sent you this Article 2.10 Notice. This letter will provide [Name] with an opportunity to

dispute our assertion that he/she is a Disqualified Person. We refer to this further below in the section “Next Steps.”

1. Association

The Comment to *Code* Article 2.10 gives the following examples of “association”: “obtaining training, strategy, technique, nutrition or medical advice; obtaining therapy, treatment or prescriptions; providing any bodily products for analysis; or allowing [an] *Athlete Support Person* to serve as an agent or representative.” The Comment also says, “prohibited association need not involve any form of compensation.”

We believe you have been “associating” with [Name]. We base this belief on the following.

*[The letter should explain in reasonable detail the basis for the belief that [Athlete] has been associating with [Name]. The evidence may be a combination of witness evidence, open source information such as news reports, press articles and the like. The evidence must support a strong case that both the “association” is taking place, and the nature of the association falls within Code Article 2.10. This must be capable of being shown to meet a “comfortable satisfaction” standard. If so, the Athlete must show that the association is not in a “professional or sporting capacity.” The Athlete need only show this on a “balance of probabilities” standard.]*

You are required, pursuant to the ADR, to stop associating with [Name]. We expand on this below.

1. Next Steps

We require you to do the following:

1. If you dispute our claim that [Name] is a Disqualified Person, either you or [Name] must explain why. If you believe that [Name] is not a Disqualified Person, please let us know – with detailed reasons – within 14 days of the date of this letter.
2. We will endeavor to bring this letter to [Name]’s attention. However, we suggest that you provide a copy of this letter to [Name]. If [Name] disputes that he/she is a Disqualified Person, he/she can contact us directly. He/she must do so within 15 days of becoming aware of this letter.
3. Article 2.10 provides that you will not commit any ADRV in connection with your association with [Name], if you can show that you cannot

“reasonably avoid” associating with [Name]. The onus is on you to show this. If you believe that you cannot reasonably avoid associating with [Name], please let us know – with detailed reasons – within 14 days of the date of this letter.

1. If you claim that [Name] is not a Disqualified Person and/or you are unable to reasonably avoid associating with [Name] within the time frames stipulated, we will consider the basis for your claim and advise you within 7 days if we accept or reject that claim. If we accept the claim, this Article 2.10 Notice will be withdrawn. If we reject the claim, we will explain why, and paragraph (f) below will apply. If we reject the claim, that does not mean that you are precluded from relying on it on any subsequent disciplinary proceedings that we may bring against you.
2. If you do not claim that [Name] is not a Disqualified Person and/or you are unable to reasonably avoid associating with [Name], we require you to cease all association with [Name] within 28 days of receipt of this letter.
3. If you claim that [Name] is not a Disqualified Person and/or you are unable to reasonably avoid associating with [Name], but we reject the claim, we will require you to cease all association with [Name] within 28 days of the notification of the rejection.
4. Anti-Doping Rule Violation

If you are unable to establish that that all association with [Name] within the timeframes stipulated in Paragraph 4(e) or (f) above, is not in a sporting context this matter may result in disciplinary proceedings being brought against you. In particular, you may be charged with committing an ADRV contrary to Article 2.10. The sanction provided for in the ADR in respect of such a violation is a period of *Ineligibility* from sport of between 1 and 2 years.

I look forward to hearing from you as soon as possible.

Yours sincerely,

World Skate



Patricia Wallace

WORLD SKATE



WORLD SKATE

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