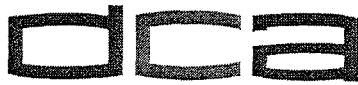


STATE OF CALIFORNIA



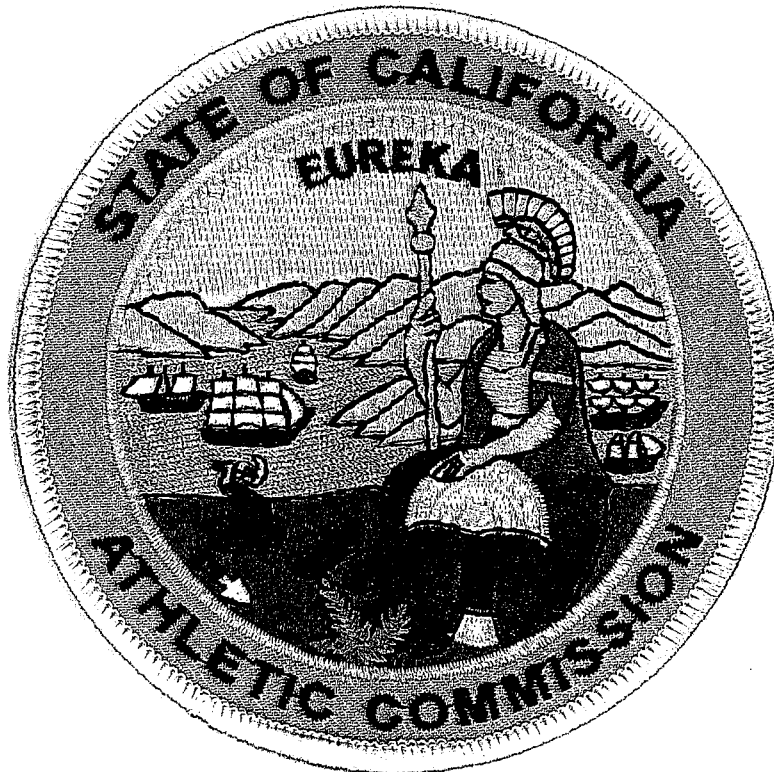
DEPARTMENT OF CONSUMER AFFAIRS

Department of Consumer Affairs

California State Athletic Commission

Commission Meeting

December 21, 2009





California State Athletic Commission
 2005 Evergreen Street, Suite 2010
 Sacramento, CA 95815
 www.dca.ca.gov/csac/
 (916) 263-2195 FAX (916) 263-2197



Members of the Commission

Mario Rodriguez, Chair
June Collison
John Frierson
Christopher Giza, M.D.
Van Lemons, M.D.
Peter Lopez

Meeting Agenda
 Monday, December 21, 2009
 9 AM to Close of Business

Location

Junipero Serra State Building
 Carmel Room
 320 West 4th Street
 Los Angeles, CA 90013

*Action may be taken
 on any item listed on
 the agenda except
 public comment.*

1. Call to Order/ Roll Call
2. Pledge of Allegiance
3. Approval of Minutes
 - August 24, 2009
 - October 26, 2009
4. Executive Officer Report – Mr. Thornton
 - Status of Office
 - Personnel Update
 - Budget Update
 - WBC Award
 - Celebrity Boxing Events
 - Promoter's Survey
5. Public Comment on Items Not on the Agenda
6. CSAC Position on Medical Marijuana – Mr. Thornton
7. CSAC Statement on Charity Boxing Events in California – Mr. Thornton
8. Regulation of Pankration Events in California – Mr. Thornton
9. Commission Member Administrative Manual – Ms. Wilson and Mr. De Luna
10. Appeal of License Denial Re: Joshua Barnett – Ms. Chappelle

California State Athletic Commission
Meeting Agenda – December 21, 2009
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11. Clinics for Physicians and Referees Pursuant to B&P Code Section 18731 – Mr. Thornton and Mr. Denkin
12. Suggestions for Changes to Qualifications/Requirements for Referees and Judges (Rules 371 & 379) – Mr. Denkin
13. Approval Process for New Officials (Referees and Judges) – Mr. Thornton
14. Process for Assignment of Officials to Events – Mr. Thornton
15. Boxer's Pension Plan Update - Mr. Deluna
16. License Revocation Hearings – Ms. Chappelle
 - Tony the Tiger Promotions (Tony Lopez)
 - Lovin' Life Entertainment (Poter, Yudin, Hurwitz, McCoriston)
 - World Combat Sports Challenge (Mike Espinoza)
 - Jose Bonicca, Chief Second for Edison Miranda
17. New Promoters for Approval/Disapproval of License - Mr. Douglas
 - Fight Quest, Ray Rodriguez
 - Paco Presents
 - Rebecca Bennion
 - South Bay Promotions
 - Ventura County Sheriff's Department
 - Champion Promotions
 - John Pena
 - Espinoza Promotions
18. Agenda Items for Future Meetings
19. Closed Session – Evaluation of Executive Officer Candidates
(Pursuant to Government Code Section 11126(a)(1))
20. Adjournment

NOTICE: The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Dave Thornton at (916) 263-2195 or email dave_thornton@dca.ca.gov or sending a written request to Dave Thornton at the California State Athletic Commission, 2005 Evergreen Street, Suite 2010, Sacramento, CA 95815. Providing your request at least five (5) days before the meeting will help ensure availability of the requested accommodation. Requests for further information should be directed to Dave Thornton at the same address and telephone number.

Meetings of the California State Athletic Commission are open to the public except when specifically noticed otherwise in accordance with the Open Meetings Act. The audience will be given appropriate opportunities to comment on any issue presented.

Agenda Item #3



California State Athletic Commission

2005 Evergreen St., Ste. #2010
 Sacramento, CA 95815
 www.dca.ca.gov/csac/
 (916) 263-2195 FAX (916) 263-2197



CALIFORNIA STATE ATHLETIC COMMISSION MEETING

Monday, August 24, 2009

8:30 AM to 3:15 PM

Junipero Serra State Building
 Carmel Room
 320 West 4th Street
 Los Angeles, CA 90013

Minutes

Commissioners Present:

Timothy Noonan, Chairman	Mario Rodriguez, Vice-Chairman
John Frierson	June Collison
Christopher Giza, M.D.	

Commissioners Absent:

Peter Lopez
 Howard Rose

Staff Present:

Dave Thornton, Interim Executive Officer	Gil De Luna, CSAC Manager
Bill Douglas, Assistant Executive Officer	Sidney Segovia, Athletic Inspector
Che Guevara, Acting Assistant Athletic Insp.	Anita Scuri, DCA Legal Counsel
James Maynard, DCA Legal Counsel	Larry Ervin, Athletic Inspector
Heather Jackson, Student Assistant	

Members of the Audience

Marty Denkin	Jack Reiss
Paul Wallace, M.D.	Roy Engelbrecht
Doreathea Johnston, DCA Deputy Director, Legal Affairs	Daniel Sandoval
Ray Corona	Tom Taylor
Karen Chappelle, Deputy Attorney General	

The minutes reflect the order in which the agenda items were heard.

Agenda Item 1: Call to Order/Roll Call

Mr. Noonan called the meeting to order at 8:30 AM. Interim Executive Officer Dave Thornton called the roll. A quorum was present.

Agenda Item 2: Pledge of Allegiance

Pledge of Allegiance was performed.

Agenda Item 3: Approval of Meeting Minutes

M/S/C to approve the Minutes of the June 22, 2009 meeting.

Jack Reiss, licensed referee, asked that the April minutes be corrected to reflect that he brought a member of the LA fire and police academy boxing team to the meeting not "a representative from the LA fire department.

Agenda Item 4: Executive Officer's Report

Interim Executive Officer Dave Thornton discussed the state of the Commission's day to day operations in the office and the field and reported the following:

- A new office technician, Tommy Nhan, was hired for the Sacramento office.
- The examinations for Chief Athletic Inspector and Assistant Chief Athletic Inspector are scheduled for September 2009.
- On August 6th in Long Beach there was a meeting with approximately 15 promoters to share information, issues of mutual interest and concerns. Gil Deluna, Che Guevara, Bill Douglas and Dave Thornton attended from CSAC. James Maynard from DCA Legal also attended.
- The Governor has ordered all state agencies under his control to take three furlough days each month. This order is in effect until June 30, 2010.
- On August 8th in Sacramento there was a one-day training session for Athletic Inspectors who serve as supervisors/leads at events.
- On August 29th and 30th in Irvine there will be a two day training clinic for all CSAC Athletic Inspectors.
- The budget for the Commission was overspent by approximately \$157,000 in Fiscal Year 08/09. CSAC management is taking measures to address any deficiencies for the 09/10 budget year by regionalizing the assignment of Athletic Inspectors and taking other measures to ensure the budget is not overspent.

Mr. Thornton reported Senator Negrete-McCloud has introduced legislation, SB389, that would require fingerprinting of all individuals licensed by the various boards and bureaus under the Department of Consumer Affairs. The Commission currently, as part of the licensing process, obtains fingerprint clearance from promoters, managers and officials. This bill is problematic in that it would require fingerprint clearance from all licensees including athletes and corners. Many athletes and their corners from other states or countries do not obtain a California license until they arrive for the weigh-in which is usually the day before the event. The author is open to amendments. It was M/S/C to allow the Executive Officer to work with the author's staff on an amendment to exempt athletes and corners from the fingerprinting requirement.

Mr. Thornton discussed the need for strategic planning. According to statute the Commission was required to have a strategic plan in place by September 2008. This has not been done. Gil De Luna discussed the process of completing the strategic plan and the requirements of Business and Professions Code section 18602.5. Mr. Noonan agreed that he and Mr. Rose could work as part of the strategic planning committee but he also wanted the new Executive Officer and Chief Athletic Inspector to be part of this process as well.

Mr. Thornton reported that Mr. De Luna has developed a customer satisfaction survey for promoters to complete after each event. This is a web based survey and only takes a few moments to complete. The survey will assist staff in improving event preparation and supervision.

Agenda Item 5: Public Comment

Ray Corona talked about the assignment of referees. That he has been a referee for 11 years and has not had a title fight. He also stated he believed some new referees were being brought in through the "back door" and are not qualified.

Daniel Sandoval has been an amateur referee for 7 years. He explained in 2006 he attended referee classes put on by Armando Garcia but has heard nothing from the Commission since. He would like to be licensed in California.

Tom Taylor wanted to reintroduce himself to the Commission and wanted an opportunity to show the Commission his love for the sport by being allowed to referee in California.

Marty Denkin spoke about the process of becoming an official (referee/judge). He believes the main thing that is missing is an education policy. He opposes licensing new officials who don't go through a formal program such as the three year program last done in 1998.

Paul Wallace, M.D., a CSAC ringside physician, is concerned about the assignment of unqualified physicians and referees. He believes this is a safety hazard for the athletes. Dr. Wallace believes there should be a mandatory meeting of all ringside physicians possibly in conjunction with a Commission meeting to discuss these issues. Dr. Wallace also reported that he performed a neuropsychological examination of a fighter and submitted a bill to Sacramento that has not been paid. He explained this is affecting his personal credit.

Jack Reiss commented that the common theme of all public comment was the assignments and scheduling of officials and wants someone to look into the situation. Mr. Reiss passed on to Mr. Noonan written comments from an anonymous source related to mismatched fighters at a recent event.

Agenda Item 6: Presentation by the Governor's Office - Conflict of Interest

Doreathea Johnson, Deputy Director, Legal Affairs for the Department of Consumer Affairs discussed her memo to the commissioners regarding their receipt of complementary tickets and credentials and the conflict of interest this may present. The commissioners and Ms. Johnson discussed the difference between a credential for commissioners vs. having promoters give complementary tickets to commissioners for their family members and guests. Ms. Johnson urged the commission to adopt a no gift policy. Mr. Noonan directed Anita Scuri and James Maynard to develop a no gift policy and bring it to the next commission meeting. ✓

Agenda Item 7: Appeal Hearings - Change of Bout Decisions

Billy Evangelista is contesting the decision in his bout with Mike Aina on May 16, 2009. This was a mixed martial arts bout in Fresno that was stopped at 3:42 of round 2 by the referee when Mr. Aina was unable to continue after what was declared an illegal knee strike by Mr. Evangelista to the head of Mr. Aina. The bout was awarded to Mr. Aina after Mr. Evangelista was disqualified for the illegal knee strike. Multiple replays of revealed the knee strike was to Mr. Aina's shoulder and not his head and therefore was legal. Bill Douglas who was ringside testified as to what he saw. Herb Dean, the referee, also testified. It was M/S/C to act using the authority under Rule 368 to change the decision. Mr. Rodriguez made a motion to change the decision to a technical draw. The motion died for lack of a second. It was M/S/C to change the results of the bout to a no decision.

JKO for Evangelista

Nate Campbell is contesting the decision in his bout with Timothy Bradley on August 1, 2009. This was a boxing match that was stopped by the ringside physician after the 3rd round due to Mr. Campbell not being about to continue as he stated he could not see. Mr. Campbell claimed he was head butted with 2:44 left in round 3 which caused a laceration over his left eye. However, the referee ruled that cut was caused by a legal blow. Following closed session under agenda item 19 the commissioners M/S/C to change the decision to a no decision.

reconvened in open session + it was

Agenda Item 19: Closed Session

The commission went into closed session pursuant to Government Code section 11126(a)(1) to evaluate executive officer candidates.

Agenda Item 16: New Promoters for Approval of License

no open session in

(This agenda item was heard in two parts - immediately following closed session under agenda item 19 and following agenda item 15.)

M/S/C to approve full licensure for the following promoters: Red Scorpion Promotions, The Fight Circuit LLC, K Stand Promotions, California Fight Syndicate, Big Star Promotions, and TKO Boxing.

Rouge Boxing - Mr. Noonan suggested they have one more event with experienced CSAC staff. M/S/C to grant ~~a~~ *one* temporary license valid until the next commission meeting.

Extreme Combat - Mr. Noonan recommended they have one more event with experienced CSAC staff. M/S/C to grant ~~a~~ *one* temporary license valid until the next commission meeting.

South Bay Promotions - There was a discussion about concerning the ring used at their event and some financial issues. M/S/C to grant ~~a~~ *one* temporary license valid until the next commission meeting.

Agenda Item 9: Weigh-in Physicians vs. Ringside Physicians

It was M/S/C to set for regulatory hearing a change to Rule 287 to clarify that weigh-in physicians must be commission-approved physicians using the same criteria as ringside physicians. The commissioners stated they expected staff to follow the spirit of this proposed change until the Rule is changed.

Agenda Item 8: Boxer's Pension Plan

Mr. De Luna explained that pursuant to Business and Professions Code section 18881(b) the commission is required to adjust the contributions to the pension fund to reflect changes in the Consumer Price Index for California. Currently, Rule 403 imposes an \$.88 assessment on each ticket sold to a boxing event up to a maximum of \$4,600. To comply with changes in the CPI Mr. De Luna is recommending Rule 403 be changed to increase the per ticket assessment to \$1.36 and increase the maximum per event to \$6,600. It was M/S/C to set for regulatory hearing a change to Rule 403 as proposed.

Agenda Item 10: Update on AMMA Delegation

The Amateur Mixed Martial Arts (AMMA) Committee consisting of Mr. Rose and Ms. Collison met on August 20, 2009 in Los Angeles to reviewed proposals from organizations wishing to be the delegated authority to oversee AMMA in California. The committee is recommending that the California Mixed Martial Arts Organization (CAMO) be that delegated organization. It was M/S/C to delegate to CAMO, pursuant to the commission's authority under Business and Professions Code section 18646, the authority to oversee AMMA in California. The commission also ~~wants~~ *directed* CAMO to make quarterly reports to the commission.

Agenda Item 11: Use of Replay in California

Mr. Thornton presented his findings on the use of instant replay by other athletic commissions. New Jersey has had instant replay since December 2007 and has only used it once in a mixed martial arts contest to determine if one of the fighters taped out. Nevada will be considering a regulation change next week to allow instant replay in Nevada. It was M/S/C to direct staff to bring back proposed language for regulation to allow instant replay in California.

Agenda Item 12: Timekeeper Equipment

Mr. DeLuna presented the commissioners with some options for equipment that timekeepers should have. It was M/S/C for staff to bring back a list of equipment for approval by the commission pursuant to Rule 328.

Agenda Item 13: Report on use of Decals on Ring Canvas

This report is being deferred to the next commission meeting.

Agenda Item 14: K.O. for Girls – Amateur Boxing Application

K.O. for Girls has held an amateur promoter's license since 2008 and has held two events. They are a 501(c)(3) charity. Staff is recommending the commission continue to work with this organization in overseeing their events. Mr. Noonan directed staff to ensure K.O. has seasoned Athletic Inspectors working their events.

Agenda Item 15: Western States Police and Fire Games

The report on the investigation of this event was deferred to the next commission meeting.

Agenda Item 17: Appeal of License Denial Re: Joshua Barnett

At the request of Mr. Barnett's attorney this item is being deferred to the next commission meeting.

Agenda Item 18: Agenda Items for Future Meetings

No gift policy
EO Report
Regulation Hearings on Rules 287, 288 and 403(a)
Report on Decals on Ring Canvas
List of Timekeeper Equipment for Commission Approval
Proposed Language for Instant Replay
Western States Police and Fire Games Report
Joshua Barnett Appeal Hearing
Update on Officials Training
Neuro Database
Report on Knockout for Girls

Agenda Item 20: Adjournment

The meeting was adjourned at 3:15 PM.

Agenda Item

#4

DEPARTMENT OF CONSUMER AFFAIRS

BUDGET REPORT

AS OF 10/31/2009

RUN DATE 11/16/2009

ATHLETIC COMMISSION
ATHLETIC COMMISSION SUPPORT

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STATE ATHLETIC COMMISSION

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
PERSONAL SERVICES							
SALARIES AND WAGES							
003 00 CIVIL SERVICE-PERM	327,112	16,005	69,685	0	69,685	257,427	
033 02 ATH INSP MSC 906,910	375,637	61,092	184,287	0	184,287	191,350	
033 04 TEMP HELP (907)	0	2,097	7,938	0	7,938	(7,938)	
063 00 STATUTORY-EXEMPT	71,634	6,304	19,863	0	19,863	51,771	
063 01 BD/COMMSN (901,920)	2,887	0	100	0	100	2,787	
083 00 OVERTIME	0	366	1,057	0	1,057	(1,057)	
TOTAL SALARIES AND WAGES	777,270	85,864	282,929	0	282,929	494,341	63.60%
STAFF BENEFITS							
103 00 OASDI	40,625	1,066	4,508	0	4,508	36,117	
104 00 DENTAL INSURANCE	4,365	101	404	0	404	3,961	
105 00 HEALTH/WELFARE INS	80,921	2,535	9,950	0	9,950	70,971	
106 01 RETIREMENT	91,709	1,387	5,443	0	5,443	86,266	
125 00 WORKERS' COMPENSATIO	20,900	0	0	0	0	20,900	
125 15 SCIF ALLOCATION COST	0	873	873	11,017	11,890	(11,890)	
133 00 UNEMPLOYMENT INSURAN	0	489	489	0	489	(489)	
134 00 OTHER-STAFF BENEFITS	201	245	1,337	0	1,337	(1,136)	
135 00 LIFE INSURANCE	0	4	18	0	18	(18)	
136 00 VISION CARE	3,180	37	175	0	175	3,005	
137 00 MEDICARE TAXATION	454	1,219	3,946	0	3,946	(3,492)	
TOTAL STAFF BENEFITS	242,355	7,957	27,143	11,017	38,160	204,195	84.25%
SALARY SAVINGS							
141 00 SALARY SAVINGS	(14,958)	0	0	0	0	(14,958)	
TOTAL SALARY SAVINGS	(14,958)	0	0	0	0	(14,958)	100.00%
TOTAL PERSONAL SERVICES	1,004,667	93,821	310,073	11,017	321,090	683,577	68.04%
OPERATING EXPENSES & EQUIPMENT							
GENERAL EXPENSE							
201 00 GENERAL EXPENSE	74,245	0	0	0	0	74,245	
205 00 DUES & MEMBERSHIPS	0	1,674	1,674	0	1,674	(1,674)	
206 00 MISC OFFICE SUPPLIES	0	386	2,016	0	2,016	(2,016)	
206 25 GEN EXPENSE - FILM	0	27	27	0	27	(27)	
207 00 FREIGHT & DRAYAGE	0	690	2,716	0	2,716	(2,716)	
213 02 ADMIN OVERHEAD-OTHR	0	3,256	3,256	0	3,256	(3,256)	

DEPARTMENT OF CONSUMER AFFAIRS

BUDGET REPORT

AS OF 10/31/2009

RUN DATE 11/16/2009

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ATHLETIC COMMISSION SUPPORT

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STATE ATHLETIC COMMISSION

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
225 00 PHOTOGRAPHY	0	5	5	0	5	(5)	
TOTAL GENERAL EXPENSE	74,245	6,038	9,694	0	9,694	64,551	86.94%
PRINTING							
241 00 PRINTING	5,472	0	0	0	0	5,472	
242 02 REPRODUCTION SVS	0	176	221	0	221	(221)	
244 00 OFFICE COPIER EXP	0	0	0	2,624	2,624	(2,624)	
245 00 PRINTED FORM/STATNRY	0	0	0	90	90	(90)	
TOTAL PRINTING	5,472	176	221	2,714	2,935	2,537	46.36%
COMMUNICATIONS							
251 00 COMMUNICATIONS	14,054	0	0	0	0	14,054	
252 00 CELL PHONES,PDA,PAGE	0	568	1,810	0	1,810	(1,810)	
254 00 FAX	0	2	2	0	2	(2)	
257 01 TELEPHONE EXCHANGE	0	859	1,132	0	1,132	(1,132)	
TOTAL COMMUNICATIONS	14,054	1,428	2,944	0	2,944	11,110	79.05%
POSTAGE							
261 00 POSTAGE	9,098	0	0	0	0	9,098	
263 05 ALLOCATED POSTAGE-DC	0	113	673	0	673	(673)	
TOTAL POSTAGE	9,098	113	673	0	673	8,425	92.61%
TRAVEL: IN-STATE							
291 00 TRAVEL: IN-STATE	291,988	0	0	0	0	291,988	
292 00 PER DIEM-I/S	0	9,509	21,895	0	21,895	(21,895)	
294 00 COMMERCIAL AIR-I/S	0	4,236	15,479	0	15,479	(15,479)	
296 00 PRIVATE CAR-I/S	0	17,614	47,095	0	47,095	(47,095)	
297 00 RENTAL CAR-I/S	0	2,103	2,563	0	2,563	(2,563)	
301 00 TAXI & SHUTTLE SERV-	0	290	335	0	335	(335)	
305 00 MGMT/TRANS FEE-I/S	0	5,715	5,990	0	5,990	(5,990)	
305 01 CALATERS SERVICE FEE	0	6	6	0	6	(6)	
TOTAL TRAVEL: IN-STATE	291,988	39,473	93,363	0	93,363	198,625	68.03%
TRAVEL: OUT-OF-STATE							
311 00 TRAVEL: OUT-OF-STATE	1,800	0	0	0	0	1,800	
TOTAL TRAVEL: OUT-OF-STATE	1,800	0	0	0	0	1,800	100.00%
TRAINING							
331 00 TRAINING	5,472	0	0	0	0	5,472	
TOTAL TRAINING	5,472	0	0	0	0	5,472	100.00%

DEPARTMENT OF CONSUMER AFFAIRS

BUDGET REPORT

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ATHLETIC COMMISSION SUPPORT

STATE ATHLETIC COMMISSION

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
FACILITIES OPERATIONS							
341 00 FACILITIES OPERATION	72,211	0	0	0	0	72,211	
343 00 RENT-BLDG/GRND(NON S	0	4,781	19,123	38,863	57,986	(57,986)	
347 00 FACILITY PLNG-DGS	0	104	313	0	313	(313)	
TOTAL FACILITIES OPERATIONS	72,211	4,885	19,435	38,863	58,298	13,913	19.27%
C/P SVS - INTERDEPARTMENTAL							
382 00 CONSULT/PROF-INTERDE	2,360	0	0	0	0	2,360	
TOTAL C/P SVS - INTERDEPARTMENTAL	2,360	0	0	0	0	2,360	100.00%
C/P SVS - EXTERNAL							
413 00 HEALTH & MEDICAL-EXT	0	2,820	4,920	88,344	93,263	(93,263)	
TOTAL C/P SVS - EXTERNAL	0	2,820	4,920	88,344	93,263	(93,263)	0.00%
DEPARTMENTAL SERVICES							
424 03 OIS PRO RATA	46,358	16,776	16,776	0	16,776	29,582	
427 00 INDIRECT DISTRB COST	118,476	44,576	44,576	0	44,576	73,900	
427 01 INTERAGENCY SERVS	105	0	0	0	0	105	
427 30 DOI - PRO RATA	4,754	1,744	1,744	0	1,744	3,010	
427 34 PUBLIC AFFAIRS PRO R	10,582	3,776	3,776	0	3,776	6,806	
427 35 CCED PRO RATA	5,750	2,124	2,124	0	2,124	3,626	
TOTAL DEPARTMENTAL SERVICES	186,025	68,996	68,996	0	68,996	117,029	62.91%
DATA PROCESSING							
432 00 MAINTENANCE-IT	3,797	0	0	0	0	3,797	
436 00 SUPPLIES-IT (PAPER,	0	85	133	0	133	(133)	
TOTAL DATA PROCESSING	3,797	85	133	0	133	3,664	96.50%
CENTRAL ADMINISTRATIVE SERVICES							
438 00 PRO RATA	95,316	0	23,829	0	23,829	71,487	
TOTAL CENTRAL ADMINISTRATIVE SERVICES	95,316	0	23,829	0	23,829	71,487	75.00%
MAJOR EQUIPMENT							
472 00 ADDITIONAL EQUIPMENT	15,000	0	0	0	0	15,000	
TOTAL MAJOR EQUIPMENT	15,000	0	0	0	0	15,000	100.00%
ENFORCEMENT							
396 00 ATTORNEY GENL-INTERD	95,697	36,720	49,298	0	49,298	46,399	
TOTAL ENFORCEMENT	95,697	36,720	49,298	0	49,298	46,399	48.49%

DEPARTMENT OF CONSUMER AFFAIRS

BUDGET REPORT

AS OF 10/31/2009

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RUN DATE 11/16/2009

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ATHLETIC COMMISSION SUPPORT

STATE ATHLETIC COMMISSION

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
MINOR EQUIPMENT							
226 00 MINOR EQUIPMENT	6,800	0	0	0	0	6,800	
<u>TOTAL</u> MINOR EQUIPMENT	6,800	0	0	0	0	6,800	100.00%
<u>TOTAL</u> OPERATING EXPENSES & EQUIPMEN	879,335	160,734	273,505	129,920	403,426	475,909	54.12%
STATE ATHLETIC COMMISSION	1,884,002	254,555	583,578	140,937	724,515	1,159,487	61.54%
	1,884,002	254,555	583,578	140,937	724,515	1,159,487	61.54%

EXECUTIVE OFFICE

1625 North Market Boulevard, Suite S-308, Sacramento, CA 95834
P 916.574.8200 F 916.574.8613 | www.dca.ca.gov



November 4, 2009

Mr. David Thornton
Interim Executive Officer
California State Athletic Commission
2005 Evergreen Street, #2010
Sacramento, CA 95815

Dear Mr. Thornton:

The California State Athletic Commission (CSAC) has faced a number of challenges in the recent past and since my appointment as director of the Department of Consumer Affairs (DCA), I have made it one of my priorities to ensure the CSAC is successful in implementing reforms to get ahead of those challenges.

As we have moved forward past those challenges, I have come to rely on you and your staff as you have been effective and instrumental in implementing a series of changes. The commissioners who volunteer their time to serve on the Commission are to be commended as well.

Today's announcement by the World Boxing Council, an organization that is universally recognized as "the gold standard" of boxing, that the CSAC has been named "Commission of the Year" shows the Commission is on the right track.

I commend you and the CSAC for this award and strongly encourage you to redouble your efforts to make the Athletic Commission the best it can be.

Sincerely,


BRIAN J. STIGER
Director

RICHARD S. GLUCKMAN, M.D., INC.
CONSULTATIVE NEUROLOGY
Diplomate, American Board of Neurology and Psychiatry
Diplomate, American Board of Quality Assurance and Utilization Review
Electromyography●Electroencephalography

1360 West 6th Street
North Building, Suite 350
San Pedro, CA 90732

Telephone (310) 832-6428
Fax (310) 832-5178

November 4, 2009

Mr. David Thornton
2005 Evergreen St., Suite 2010
Sacramento, CA 95815

Dear Dave:

Per the discussion I had with Che Gueverra, I am writing this note to express my concerns about some of the celebrity amateur bouts, despite the use of bigger gloves and head gear and short rounds.

I think that if we are going to get into the business of approving amateur bouts for individuals who, perhaps, have no experience or training in boxing or mixed martial arts and, therefore, no experience in defending themselves (which is one of the criteria we use when we approve licenses to fight on a professional or amateur basis), we should at least have some standardized criteria. For example, I think it would be very unlikely that we would consider a boxer at 60 years of age to fight professionally and I assume the Commission would turn them down before even submitting them to neurological examinations, EKG's, etc.

In this recent event, neither of the combatants I saw had ever taken a punch in the face. This raises the question of whether a person who is 60 years old is at more risk for damage than a person who is 30 years old, even if everything else was equal and even if he passed the neurological and cardiac examinations. I would expect that he would be more at risk, i.e., an older person may get a retina detachment more easily.

In addition, in these exhibitions, I am not sure if we are going to control getting two individuals who are at equal levels. In this particular situation, it was a 60-year-old against a 40-year-old, albeit the 60-year-old was in better shape. I doubt we would let a 60-year-old fight a 40-year-old in a professional sports event. Concerns about whether these individuals can defend themselves and whether there will be a matchmaker setting up a bout between relatively comparative individuals, are particularly important in this group.

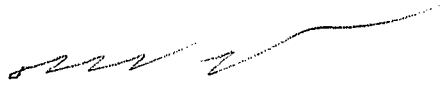
Finally, we are not subjecting any amateurs (or celebrities) to the scrutiny of the professional fighters. For example, they are not required to get an eye examination or an MRI of the brain. (I realize amateurs are not required to have these.)

Letter to Dave Thornton
November 4, 2009
Page 2.

I do not have specific answers to these issues, but I am concerned about liability for the Commission, the referees, the ringside people and the examiners, as well as the health of the combatants.

Please let me know any thoughts you have in regards to this.

Sincerely,


Richard S. Gluckman, M.D.
Diplomate, American Board
of Neurology and Psychiatry

RSG:bl

Agenda Item

#6



CSAC POSITION ON MEDICAL MARIJUANA

The California State Athletic Commission's position is that Marijuana is a banned substance pursuant to Rule 303 and that any positive drug test may result in discipline.

The California Supreme Court has weighed in on "Medical Marijuana" in the employment context and has found that an employer may discipline an employee for off-duty medical marijuana use. The court found that the Compassionate Use Act did not legalize marijuana use *per se*, but merely provided a defense to criminal charges under particular circumstances. The Court acknowledged that marijuana still had a potential for abuse and that employers continued to have a legitimate interest in whether an employee uses the drug. The Court declined to extend the protections of the Compassionate Use Act any further than the plain language of the Act and into the employer-employee relationship.

Although the question springs from professional licensing rather than employment, much of the Court's rationale applies. Because the Compassionate Use Act only provides a defense to criminal charges, any argument that the Act would allow an athlete to use the drug without consequences to his or her license must fail. If the Court were to take up a similar challenge to discipline of a licensee, it would likely find that the Commission has a legitimate interest in whether or not an athlete uses the drug because marijuana could slow a fighter's reflexes and endanger his or her health and safety in the ring or the cage.

Therefore, given the limited reach of the Compassionate Use Act and the rationale of the Supreme Court in *Ross v. RagingWire Telcomm*, the Commission may safely discipline an athlete without running afoul of any law or court decision.

Agenda Item

#7



CHARITY BOXING EVENTS IN CALIFORNIA

The California State Athletic Commission is committed to California's boxing community and will work hard to ensure the continued vitality of non-profit boxing events under the Commission's jurisdiction.

The Commission's efforts are purely focused on protecting the health and safety of athletes who compete in California and our resources are committed to assuring those athletes can continue to enjoy the satisfaction of competition without sustaining injury.

Effective immediately, the Commission will regulate charity and non-profit boxing events subject to all of the Commission's laws and regulations to ensure that the Commission's health and safety standards are applied to these events.

There are two avenues which will allow a charity or non-profit event to be held without running afoul of the Commission's laws and regulations. The first avenue is to obtain an amateur promoter's license from the Commission. The second avenue is to obtain an amateur sanction from USA Boxing. Any event held without either a Commission license or a USA Boxing sanction is illegal under California's Business and Professions and Penal Codes.

We have set up a dedicated phone line, 916-263-2196, to handle inquiries from concerned athletes and members of the boxing community to advise them how promoters, managers, and athletes can obtain licensure in California as well as how future events should be organized and ultimately approved.

Agenda Item

#8



PANKRATION EVENTS IN CALIFORNIA

The California State Athletic Commission is committed to California's martial arts community and will work hard to ensure the continued vitality of the multiple sports under the Commission's jurisdiction. The management staff of the California State Athletic Commission has determined that, pursuant to Business and Professions Code section 18627(a) and 18627(c), Pankration is considered a "full contact" (full and unrestrained contact even though there may be no strikes to the head) martial art and as such must be regulated in California.

The Commission's efforts are purely focused on protecting the health and safety of athletes who compete in California and our resources are committed to assuring those athletes can continue to enjoy the satisfaction of competition. The Commission's emphasis on health and safety is not at odds with and does not supplant the sanctioning of Pankration as a sport by national or international sanctioning bodies.

Effective January 1, 2010, the Commission will regulate professional Pankration events subject to all of the Commission's laws and regulations to ensure that health and safety standards are applied to these events. Additionally, effective immediately, all amateur Pankration events have been delegated to the California Amateur Mixed Martial Arts Organization (CAMO) to ensure that California's health and safety standards are applied to those events.

There are thus two avenues for a Pankration event to be held legally. The first is to obtain a professional or amateur promoter's license from the Commission while the second is to obtain a sanction from CAMO. Any event held without a license or a sanction is illegal under California's Business and Professions and Penal Codes.

We have set up a dedicated phone line, 916-263-2196, to handle inquiries from concerned athletes and members of the martial arts community to advise them how promoters, managers, and athletes can obtain licensure in California as well as how future events should be organized and ultimately approved.

Agenda Item #9

DEPARTMENT OF CONSUMER AFFAIRS



CALIFORNIA STATE ATHLETIC
COMMISSION

Board Member Administrative Manual



STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

2005 Evergreen Street, Suite 2010
Sacramento, Ca 95815

Adopted December 2009

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 - 5 Resignation of Commission Members
 - 5 Officers of the Commission
 - 5 Officer Vacancies
 - 6 Commission Member Orientation
 - 6 Sexual Harassment Training
 - 6 Ethics Training
 - 6 Executive Officer
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- 8 Quorum
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Introduction

Consumer Affairs Commission Member Information

The California Legislature has established 25 California Department of Consumer Affairs (DCA) regulatory Boards, Commissions and other additional programs and committees to protect public health and safety through licensing and oversight of various professions. DCA provides a variety of key administrative services to these semiautonomous boards.

Commission and Board members collectively are the leaders of these licensing agencies. Commission members make important decisions on agency policies and on disciplinary actions against professionals who violate state consumer protection laws. Commission members approve regulations and help guide licensing, enforcement, public education and consumer protection activities.

The governor appoints many commission members, but the Legislature makes appointments as well. Advisory committees for bureaus of the Department of Consumer Affairs are similar to commissions. However, these bureau advisory committees serve in an advisory capacity only, advising the commission Chief and department Director.

**General Rules of
Conduct**

All commission members shall act in accordance with their oath of office, and shall conduct themselves in a courteous, professional and ethical manner at all times. The commission shall conduct its business in an open manner, so that the public that it serves will be informed and involved, consistent with the provisions of the Bagley-Keene Open Meeting Act and all other laws applicable to similar commissions within the State of California.

- Commission members shall comply with all provisions of the Bagley-Keene Open Meeting Act.
- Commission members shall not speak or act for the commission without proper prior authorization.
- Commission members shall not privately or publicly lobby for or publicly endorse, or otherwise engage in any personal efforts that would tend to promote their own personal or political views or goals, when those are in direct opposition to an official position adopted by the commission.
- Commission members shall not discuss personnel or enforcement matters outside of their official capacity in properly noticed and agendaized meetings or with members of the public or the profession.
- Commission members shall never accept gifts from applicants, licensees, or members of the profession while serving on the commission.
- Commission members shall maintain the confidentiality of confidential documents and information related to commission business.

Commission Members & Officers

Membership (§18602)

The California State Athletic Commission consists of seven members. Five members are appointed by the Governor, one member is appointed by the Senate Rules Committee, and one member is appointed by the Speaker of the Assembly.

No person who is currently licensed, or who was licensed within the last two years, under the Boxing Act may be appointed or reappointed to serve on the commission.

Resignation of Commission Members (Government Code Section 1750 (b),(c))

In the event that it becomes necessary for a commission member to resign, a letter shall be sent to the appointing authority (e.g. the Governor's Office or the presiding officer of the senate or assembly, whichever is the appointing authority) with the effective date of the resignation. Written notification is required by state law. A copy of this letter shall also be sent to the commission chair and the executive officer.

Officers of the Commission (§18606)

The members of the commission shall elect one of their number as the chair and another member as the vice-chair. The chair and vice-chair shall be elected at the first meeting of each calendar year or when a vacancy exists.

Officer Vacancies (Proposed Commission Policy)

If an office becomes vacant during the year, the chair may appoint a member to fill the vacancy for the remainder of the term until the next annual election.

If the office of the chair becomes vacant, the vice chair shall assume the office of the chair. Elected officers shall then serve the remainder of the term.

**Executive Officer
Evaluation**
(Proposed Commission
Policy)

At the first commission meeting of each fiscal year or at any time thereafter as determined by the commission, the executive officer is evaluated by the commission. The chair solicits information from the commission on the executive officer's performance in advance of this meeting.

**Member Attendance
at Commission
Meetings**
(Proposed Commission
Policy)

Commission members shall attend a minimum of 75% of all scheduled assigned committee meetings and full commission meetings. In extraordinary circumstances, the chair may excuse a commission member from this obligation. If a member is unable to attend, he or she must contact the commission chair or the executive officer, and provide a written explanation for the absence.

**Public Attendance at
Commission Meetings**
(Government Code
Section 11120 et seq.)

Meetings are subject to all provisions of the Bagley-Keene Open Meeting Act. This Act governs meetings of the state regulatory commissions and meetings of committees of those commissions where the committee consists of more than two members. It specifies meeting notice, agenda requirements, and prohibits discussing or taking action on matters not included on the agenda. If the agenda contains matters which are appropriate for closed session, the agenda shall cite the particular statutory section and subdivision authorizing the closed session.

Public Comment
(Proposed Commission
Policy)

The commission accepts the conditions established in the Bagley-Keene Open Meeting Act and appreciates that at times the public may disapprove, reprimand, or otherwise present an emotional presentation to the commission, and it is the commission's duty and obligation to allow that public comment, as provided by law. The commission may, however, have a person removed if such person becomes disruptive at the commission meeting.

Public comment is always encouraged and allowed, however, if time constraints mandate, the comments may be limited to three minutes per person.

Meeting Rules
(Proposed Commission
Policy)

The commission will use Robert's Rules of Order, to the extent that it does not conflict with state law (e.g., Bagley-Keene Open Meeting Act or other state laws or regulations), as a guide when conducting the meetings. Questions of order are clarified by the commission's legal counsel.

**Terms & Removal of
Commission Members**
(§18602, §106)

Each member of the commission is appointed for a term of four years. All terms end on January 1. No commission member may serve more than two consecutive terms.

The Governor has power to remove from office at any time, any member appointed by him for continued neglect of duties required by law, or for incompetence, or unprofessional or dishonorable conduct. Nothing in this section shall be construed as a limitation or restriction on the power of the Governor, conferred on him by any other provision of law, to remove any member of any commission.

Commission Staff
(Proposed Commission
Policy)

Employees of the commission, with the exception of the executive officer, are civil service employees. Their employment, pay, benefits, discipline, termination, and conditions of employment are governed by a myriad of civil service laws and regulations and often by collective bargaining labor agreements.

Because of this complexity, the commission delegates authority and responsibility for management of the civil service staff to the executive officer as an instrument of the commission.

Commission members may express any concerns about staff to the executive officer but shall refrain from involvement in any civil service matter. Commission members shall not become involved in the personnel issues of any state employee, including inspectors.

Conflict of Interest

Conflict of Interest (15 U.S.C., § 6308)

No member or employee of a boxing commission, no person who administers or enforces State boxing laws, and no member of the Association of Boxing Commissions may belong to, contract with, or receive any compensation from any person who sanctions, arranges, or promotes professional boxing matches or who otherwise has a financial interest in an active boxer currently registered with a boxer registry. For purposes of this section, the term "compensation" does not include funds held in escrow for payment to another person in connection with a professional boxing match. The prohibition set forth in this section shall not apply to any contract entered into, or any reasonable compensation received, by a boxing commission to supervise a professional boxing match in another State as described in Section 6303 of the Federal Boxing Act, title 15.

Contact with Licensees and Applicants (Proposed Commission Policy)

Commission members shall not intervene on behalf of a licensee or applicant for licensure for any reason. They should forward all contacts or inquiries to the executive officer.

Gifts From Licensees and Applicants (Commission Policy)

A gift of any kind to commission members from licensees or applicants for licensure is not permitted. A gift shall be returned immediately.

**Ex Parte
Communications
(cont.)**
(Government Code
Section 11430.10 et
seq.)

If the person insists on discussing the case, he or she should be told that the commission member will be required to recuse him or herself from any participation in the matter. Therefore, continued discussion is of no benefit to the applicant or licensee.

If a commission member believes that he or she has received an unlawful ex parte communication, he or she should contact the executive officer.

**The Honoraria
Prohibition**
(Government Code
Section 89503)
(FPPC Regulations, Title
2, Division 6)

As a general rule, members of the commission should decline honoraria for speaking at, or otherwise participating in, professional association conferences and meetings. A member of a state commission is precluded from accepting an honorarium from any source, if the member would be required to report the receipt of income or gifts from that source on his or her statement of economic interest.

Commission members are required to report income from, among other entities, licensees and professional associations. Therefore, a commission member should decline all offers for honoraria for speaking or appearing before such entities.

There are limited exceptions to the honoraria prohibition. The acceptance of an honorarium is not prohibited under the following circumstances:

1. When a honorarium is returned to the donor (unused) within 30 days.

**Incompatible
Activities (cont.)**
(Executive Order 66.2)

4. Receiving or accepting money or any other consideration from anyone other than the State for the performance of an act which the appointee would be required or expected to render in the regular course of hours of his or her State employment or as a part of the appointee's duties as a State officer.

Travel Claims (cont...)
(SAM Section 700 et seq.
and DCA Memorandum
96-01)

For the expenses to be reimbursed, commission members shall follow the procedures contained in DCA Departmental Memoranda, which are periodically disseminated and provided to commission members.

Salary Per Diem
(Proposed Commission
Policy)

The following general guidelines shall be adhered to in the payment of salary per diem or reimbursement for travel:

1. No salary per diem or reimbursement for travel-related expenses shall be paid to commission members except for attendance at official commission or committee meetings, unless a substantial official service is performed by the commission member.

The executive officer shall be notified and approval shall be obtained from the commission chair prior to commission member's attendance at gatherings, events, hearings, conferences or meetings other than official commission or committee meetings in which a substantial official service is performed.

2. The term "day actually spent in the discharge of official duties" shall mean such time as is expended from the commencement of a commission or committee meeting until that meeting is adjourned.

If a member is absent for a portion of a meeting, hours are then reimbursed for time actually spent. Travel time is not included in this component.

Other Policies & Procedures

**Commission Member
Addresses**

(Proposed Commission
Policy)

Commission member addresses and telephone numbers are confidential and shall not be released to the public without expressed authority of the individual commission member. A roster of commission members is maintained for public distribution on the commission's web site using the commission's address and telephone number.

**Service of Legal
Documents**

(Proposed Commission
Policy)

If a commission member is personally served as a party in any legal proceeding related to his or her capacity as commission member, he or she must contact the executive officer immediately.

Business Cards

(Proposed Commission
Policy)

Business cards will be provided to each commission member with the commission's name, address, telephone and fax number, and website address.

**Communications With
Other Organizations &
Individuals**

(Proposed Commission
Policy)

All communications relating to any commission action, policy, or complaint to any individual, organization, or media shall be made only by the chair of the commission, his or her designee, or the executive officer.

Any commission member who is contacted by any of the above should inform the commission chair or executive officer of the contact immediately. All correspondence shall be issued on the commission's standard letterhead and will be disseminated by the executive officer's office.

**Attendance at
Committee Meetings**
(Proposed Commission
Policy, and Government
Code Section 11122.5 et
seq.)

If a commission member wishes to attend a meeting of a committee of which he or she is not a member, the commission member must obtain permission from the commission chair and must notify the committee chair and staff.

If there is a quorum of the commission at a committee meeting, commission members who are not members of the committee must sit in the audience and cannot participate in committee deliberations. It is also important to note that any time more than two commission members attend a commission committee meeting, that committee must have been publicly noticed.

The commission's legal counsel works with the executive officer to assure that any meeting that fits the requirements for a public meeting is appropriately noticed.

Agenda Item

#10



COLLINS, McDONALD & GANN, P.C.
ATTORNEYS AT LAW

MARC C. GANN*
ROBERT A. McDONALD
RICHARD D. COLLINS*

DANIEL W. RUSSO
MICHAEL J. DiMAGGIO

**Also Member MD Bar*

**Also Member PA, MA, TX and D.C. Bars*

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Sherman Oaks, CA 91403
Tel: (818) 377-2831
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‡Member CA Bar Only

JULY 29, 2009

VIA FACSIMILE 916-263-2197 AND CERTIFIED MAIL

David Thornton
Acting Executive Director
California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815

**Re: CSAC denial of license to Joshua Barnett based on the results of
June 25, 2009 Drug Test**

Dear Mr. Thornton:

Please be advised that this office represents Joshua Barnett in the above-referenced matter. Please direct all future correspondence regarding this matter to us.

We are in receipt of your July 21, 2009 letter to Mr. Barnett, in which you advise of Mr. Barnett's alleged positive test for 2 α -methy-5 α -androstan-3 α -ol-17-one and subsequent denial of his California license. While the accompanying documentation does include a summary of the drug testing report and documentation that accompanied Mr. Barnett's examination and application for licensure, the documentation does not provide any further details regarding the alleged positive test (urine specimen number CSAC 064594), such as the accompanying laboratory analysis, nor does it provide the results of the "B" sample test.

Please provide us with the following documents related to the "A" and "B" sample tests for the above-referenced urine analysis:

1. List of laboratory staff involved in the test, including signatures and/or initials and position title(s);
2. Urine integrity test results (if completed);

3. Chain of custody documentation for sample container(s);
4. Transportation chain of custody (e.g., courier documentation, laboratory receipt of container);
5. "A" sample container chain(s) of custody;
6. "A" Sample Screening Results, including:
 - a. Relevant aliquot chain(s) of custody; and
 - b. Screening procedure data, including chromatograms (or other relevant data), for Negative control urine, Positive control urine (with concentration indicated, if relevant), and Sample urine aliquot(s);
7. "A" Sample Confirmation Results, including:
 - a. Summary of the analytical principles of the confirmation method,
 - b. Aliquot chain of custody
 - c. Sequence verification data
 - d. Confirmation procedure data, including chromatograms (or other relevant data), for Negative control urine, Positive control urine (with concentration indicated, if relevant), Standard(s)/calibrator(s) (if relevant), and Sample urine aliquot(s); and
 - e. "A" sample report, including pH, Specific Gravity, and other urine integrity test results (if applicable, including abnormal appearance of sample) performed in laboratory.
8. "B" Sample Confirmation Results, including:
 - a. Summary of the analytical principles of the confirmation method (if different from the "A" confirmation method),
 - b. Aliquot chain of custody
 - c. Sequence verification data
 - d. Confirmation procedure data, including chromatograms (or other relevant data), for Negative control urine, Positive control urine

(with concentration indicated, if relevant), Standard(s)/calibrator(s) (if relevant), and Sample urine aliquot(s); and

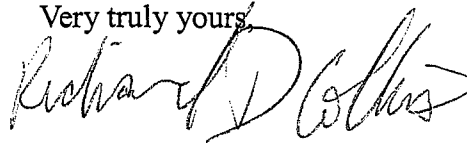
- e. "B" sample report, including pH, Specific Gravity, and other urine integrity test results (if applicable, including abnormal appearance of sample) performed in laboratory.

In addition, please provide us with a copy of the California State Athletic Commission's List of Prohibited Substances that was applicable on June 25, 2009. To be clear, this request is for the official list of prohibited substances, as opposed to the list of substances that the laboratory was requested to test for.

Finally, we understand from your letter that any appeal request must be submitted in writing on or before August 20, 2009. If you believe that this calculation of the appeal deadline is in error, please notify us as soon as possible.

Should you have any questions regarding this matter, please do not hesitate to contact us.

Very truly yours,



Collins, McDonald & Gann, P.C.
Richard D. Collins

cc: Joshua Barnett (via e-mail)

STATE OF CALIFORNIA



DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission

2005 Evergreen St., Ste. #2010

Sacramento, CA 95815

www.dca.ca.gov/csac/

(916) 263-2195 FAX (916) 263-2197



July 31, 2009

Michael J. DiMaggio
Collins, McDonald & Gann
Attorneys at Law
138 Mineola Boulevard
Mineola, NY 11501

VIA FAX & US MAIL

Re: California State Athletic Commission Denial of License to Joshua Barnett

Dear Mr. DiMaggio:

It was a pleasure talking to you on the phone yesterday regarding Mr. Barnett. As I mentioned, the next regularly scheduled meeting of the California State Athletic Commission (Commission) is Monday, August 24, 2009 in Los Angeles, CA. If Mr. Barnett wishes to appear at this meeting to appeal the denial of his license then please let me know on or before August 10, 2009 so that I can place the matter on the Commission's agenda. California law (Open Meetings Act) requires the agenda to be posted 10 days before the meeting. Once it is posted then I cannot add additional items.

In compliance with the request received from your office for material related to the positive test for anabolic steroids and the subsequent denial Joshua Barnett's application for a license to fight in California I submit the following:

- A. One page document showing collection of the urine sample from Joshua Barnett on June 25, 2009 by Athletic Inspector Mohammad Noor at 5:05 PM.
- B. One page document showing transfer of urine samples for Joshua Barnett from Athletic Inspector Mohammad Noor to the UCLA Olympic Analytical Laboratory on June 25, 2009 at 10:10 PM.
- C. Two page Drug Testing Report received by the Commission from the UCLA Olympic Analytical Laboratory.
- D. One page Drug Testing Report received by the Commission from the UCLA Olympic Analytical Laboratory.
- E. Letter of Denial from me to Joshua Barnett dated July 21, 2009.

Section 303 of Title 4 of the California Code of Regulations contains the list of prohibited substances.

The remainder of the documents your office requested can be obtained by making a request for a litigation package to the UCLA Olympic Analytical Laboratory. Their address is:

2122 Granville Avenue
Los Angeles, CA 90025
Phone: (310) 825-2635
FAX : (310) 206-9077

Michael J. DiMaggio
July 31, 2009
Page 2

Please do not hesitate to contact me if you need anything further.

Sincerely,

A handwritten signature in black ink, appearing to read "D. T. Thornton", with a long horizontal line extending to the right from the end of the signature.

David T. Thornton
Interim Executive Officer

ATTACHMENT

A

UCLA OLYMPIC ANALYTICAL LABORATORY
DEPARTMENT OF PATHOLOGY AND LABORATORY MEDICINE
 2122 GRANVILLE AVENUE LOS ANGELES, CA 90025 (310) 825-2635 FAX (310) 206-9077

LABORATORY/SAMPLE INFORMATION

6/25/09
Sample Collection Date

5:05 PM
Sample Collection Time

TEST CONDUCTED FOR THE CALIFORNIA STATE ATHLETIC COMMISSION
Anabolic Steroids and Masking Agents

0 6 4 5 8 4
SAMPLE CODE NUMBER

Specific Gravity and PH levels within range?

YES
Specific Gravity: Greater than or equal to 1.005
PH: Not less than 5.0 and not greater than 7.5

NO - Not Tested ^{MA} ₁₃

Holiday Inn - Los Angeles, CA
Collection Site Name - City, State

Mixed Martial Arts
Sport

Affliction 3
Event Name

Mohammed Noor
Collector Name (Please print clearly)

[Signature]
Collector Signature

Declaration of any recent blood transfusions, as well as any medications and other substances, including vitamins, minerals, herbs, and other dietary supplements taken during the preceding three (3) days (enter "NONE" if none declared and draw a line through any unused spaces) (attach additional information if necessary):

Name of Substance	Dosage	Date Last taken	Name of Substance	Dosage	Date Last taken
Leukic	6 pills	6/25/09	Cytomax	2-Scoops	6/25/09
Multi-vitamin	6 pills	6/25/09	Arnica	7 pills	6/25/09
Glucosamine/Chondroitin ^{MSM}	4 pills	6/25/09	L-Glutamine	3 grams	6/25/09

Consent for research (optional): By checking "I Accept" and signing in the space provided, I agree that this sample may be used for anti-doping research purposes. When analyses is completed and this sample would otherwise be discarded, it may then be used by any WADA approved laboratory for anti-doping research of any type provided that it can no longer be identified as my sample.

I Accept I Decline

COMPLETED BY DONOR:

I declare under penalty of perjury under the laws of the State of California that the foregoing information is true and correct; further I realize that any intentional misrepresentation may result in disciplinary action against my license. I certify that I provided my specimen to the collector; that I have not adulterated it in any manner; each specimen bottle used was sealed with a tamper-evident seal in my presence; and that the information and numbers provided on this form and affixed to each specimen bottle are correct.

Josh Barton
Donor Name (Please print clearly)

[Signature]
Donor Signature

6-25-09
Date

5:05 pm
Time

COMPLETED BY DONOR'S WITNESS:

I assisted the Donor in completing this form and declare under penalty of perjury under the laws of the State of California, that the foregoing information is true and correct; further I realize that any intentional misrepresentation may result in disciplinary action against my license.

Shannon Hooper
Witness Name (Please print clearly)

[Signature]
Witness Signature

6/25/09
Date

5:05 pm
Time



California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197

ATTACHMENT

B

California State Athletic Commission
Anabolic Agent / Masking Agent Testing

The following urine samples have been transferred from the custody of the "Releasing Inspector" that originally collected the urine sample to Athletic Inspector Mohammed Noor.

Table with 3 columns: Urine Sample For, Releasing Inspector, Time of Transfer. Row 1: Josh Barnett, Mohammed Noor, 5:10 PM.

All collections completed and delivery box sealed: 5:10 PM

Departure from: Holiday Inn - 1020 S. Figueroa Los Angeles, CA

Date & Time of Arrival at UCLA Olympic Analytical Laboratory
2122 Granville Ave, Los Angeles Ca 90025: 6/25/09 10:15 PM

UCLA Lab Technician:
Print name: Annabella Leung
Sign name: [Signature]
Date: 6/25/09
Time: 10:10 PM

The urine samples listed above have been transferred from the custody of Athletic Inspector Mohammed Noor to the UCLA Lab at the date and time listed above.



WADA Accredited

UCLA Olympic Analytical Laboratory
Department of Pathology and Laboratory Medicine
2122 Granville Ave. Los Angeles, CA 90025
Phone (310) 825-2635 FAX (310) 206-9077



ACCREDITED
ISO/IEC 17025
Chemical Testing
Certificate: 1420-01

CONFIDENTIAL
DRUG TESTING REPORT CSAC24 (MHM03)

July 17, 2009

California State Athletic Commission
Attn: Sarah Waklee
2005 Evergreen Street, Ste. 2010
Sacramento, CA 95815
Fax: (916) 263-2197

Dear Ms. Waklee:

This is a supplemental report for CSAC 064584 = UCLA MHM03, Sport MMA, collection date June 25, 2009 and date received June 25, 2009.

Urine specimen number CSAC 064584 = UCLA MHM03 contains 2 α -methy-5 α -androstan-3 α -ol-17-one.

Brian Ahrens

7/17/09

Certifying Scientist

Signature

Date

This report shall not be reproduced, except in full, without the written approval of the laboratory.



WADA Accredited

UCLA Olympic Analytical Laboratory
Department of Pathology and Laboratory Medicine
2122 Granville Ave. Los Angeles, CA 90025
Phone (310) 825-2635 FAX (310) 206-9077



ACCREDITED
ISO/IEC 17025
Chemical Testing
Ct

CONFIDENTIAL

ATTACHMENT

Confidential Specimen "B" Sample Analysis Result Form

DRUG TESTING REPORT CSAC 24

D

SAMPLE IDENTIFICATION

Event Affliction 3 Bottle# B 064584 Lab# MHMO3

SAMPLE ACCESSION

"A" bottle is analyzed in accordance with client's e-mail from 7/21/09 re 7/21/09

I have inspected a clear glass bottle. The clear glass bottle was sealed with a screw type cap. The screw type cap was numbered 064584 and the clear glass bottle was numbered 064584. There was no evidence of tampering.

Signature: [Signature] Date 7/22/09 Time 1:16 a.m./p.m. (p.m.)
Athlete (if present) or Surrogate

Print Name: Elena Guzman Phone: (310) 825-2635

Signature: [Signature] Date 7/22/09 Time 1:17 a.m./p.m. (p.m.)
Witness

Print Name: Brian Bishop Phone: (310) 825-2635

(For Laboratory use only)

Results of Analysis: URINE SAMPLE CONTAINS 2d-METHYL-5d-ANDROSTAN 3d-OL-17-ONE.

Signature of Certifying Scientist [Signature]

Print Name Yulia Kucherova

Date 7/24/09



FAX COVER SHEET

DATE	NUMBER OF PAGES (including this cover sheet)		5
TO	MICHAEL D. MAGGIO Collins, McDonald & Gam	FAX #	516-294-0477
FROM	DAVE HORRITON EXECUTIVE OFFICER	FAX #	
RE	JOSH BARNETT		
COMMENTS			



Attachment

E

July 21, 2009

Re: Results of your Toxicology Report – Notice of License Denied
Joshua Barnett
28150 109th Ave SE
Auburn, WA 98092

Dear Mr. Barnett:

The results of your steroid test taken on June 25, 2009 were positive for 2a-methy-5a-androstan-3a-o1-17-one.

The California Code of Regulations, Title 4, Article 6 Section 303 states:

The administration or use of any drugs, alcohol or stimulants, or injections in any part of the body, either before or during a match, to or by any boxer is prohibited.

Based on the positive laboratory findings, your license for the California has been denied.

Per Business and Professions Code 18842, you have a right to appeal this denial before the Athletic Commission. You must submit your appeal request, in writing, within 30 days of the date of this letter. Upon receipt of your request, your appeal will be included on the agenda for the next available commission meeting.

If you have any questions, please feel free to contact me at any time (916) 263-2195.

Respectfully,

Dave Thornton
Acting Executive Officer

California Athletic Commission
2005 Evergreen St. Suite 2010
Sacramento, CA 95815
Office (916) 263-2195
Fax (916) 263-2197



COLLINS, McDONALD & GANN, P.C.
ATTORNEYS AT LAW

MARC C. GANN*
ROBERT A. McDONALD
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DANIEL W. RUSSO
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**Also Member MD Bar*

**Also Member PA, MA, TX and D.C. Bars*

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TEL: (516) 294-0300 • FAX: (516) 294-0477

info@cmgesq.com • www.cmgesq.com

New York City Office By Appointment

Of Counsel

ALAN H. FELDSTEIN‡

15250 Ventura Blvd. • 3rd Floor

Sherman Oaks, CA 91403

Tel: (818) 377-2831

Fax: (818) 377-2861

‡Member CA Bar Only

AUGUST 7, 2009

VIA FACSIMILE 916-263-2197 AND REGULAR MAIL

David Thornton
Interim Executive Officer
California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815

Re: California State Athletic Commission Denial of License to Joshua Barnett

Dear Mr. Thornton:

We are in receipt of your letter dated July 31, 2009. Pursuant to your request, please allow this letter to serve as notice that Mr. Barnett wishes to appear, with counsel, on Monday, August 24, 2009 in Los Angeles, California, to appeal the denial of his license. Therefore, in accordance with the California Open Meetings Act, we request that Mr. Barnett's matter be included on the Commission's agenda for that meeting.

Thank you for your cooperation.

Very truly yours,

Collins, McDonald & Gann, P.C.
Michael J. DiMaggio

cc: Joshua Barnett (via e-mail)



COLLINS, McDONALD & GANN, P.C.
ATTORNEYS AT LAW

MARC C. GANN*
ROBERT A. McDONALD
RICHARD D. COLLINS*

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Fax: (818) 377-2861

‡Member CA Bar Only

August 19, 2009

VIA FACSIMILE, EMAIL & REGULAR MAIL

David Thornton
Interim Executive Officer
California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815

Re: Request for Additional Information re: Joshua Barnett Matter

Dear Mr. Thornton:

On Friday, August 14, 2009 we received a FedEx package from the UCLA Olympic Laboratory containing information regarding Sample number CSAC 064584 = UCLA MHM03, in response to our request for the full litigation packet. After reviewing the documentation we received, it is apparent that there are documents and information that are absent from the packet. We have submitted a formal request to the UCLA Olympic Laboratory for the missing documentation today via, Fax, Email and Regular Mail.

However, in our review of the litigation packet, we noticed that we also do not have copies of the communications between the UCLA Laboratory and the "client" (CSAC) regarding the "inadvertently opened" sample referenced on p.26 of the litigation packet, where CSAC allegedly instructed the laboratory to "proceed with the screening of the opened 'B' bottle."

We also noticed that we do not have copies of the communications referenced on p.42 of the litigation packet on the "B" Sample Analysis Result Form, where the handwritten note, initialed by YK (Yulia Kucherova), states that the "'A' Bottle is analyzed in accordance with client's e-mail from 7/21/09."

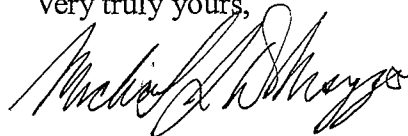
Please provide us with copies of the communications referenced above, including but not limited to the notice from the UCLA Laboratory regarding the "inadvertently opened sample," CSAC's instructions to the laboratory, and the e-mail from the CSAC dated 7/21/09.

David Thornton
August 19, 2009
Page 2

I would also like to confirm with you our understanding that according to the rules, the one (1) year period that an athlete must wait before he would be eligible to reapply for a license, begins from the date the athlete is reported to have tested positive for a banned substance, and does not begin or "re-start" from the date of an appeal.

Thank you in advance for your time and your cooperation. We look forward to receiving the above reference documentation.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michael J. DiMaggio".

Collins, McDonald & Gann, P.C.
Michael J. DiMaggio

cc: Joshua Barnett (via e-mail)



COLLINS, McDONALD & GANN, P.C.
ATTORNEYS AT LAW

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Sherman Oaks, CA 91403

Tel: (818) 377-2831

Fax: (818) 377-2861

‡Member CA Bar Only

August 19, 2009

VIA FACSIMILE, EMAIL & REGULAR MAIL

Ana Reyes
Quality Compliance Officer
UCLA Olympic Analytical Laboratory
E-mail: areyes@mednet.ucla.edu
Fax: 310 206-9077
Phone: 310 825-2635

Dear Ms. Reyes,

On Friday, August 14, 2009 we received a FedEx package from the UCLA Olympic Laboratory containing information regarding Sample number CSAC 064584 = UCLA MHM03, in response to our request for the full litigation packet. After reviewing the documentation we received, it is apparent that there are documents and information that is absent from the packet. Therefore, we would first like to confirm that this is the full litigation packet for Sample number CSAC 064584 = UCLA MHM03, which should include all analytical data and chain of custody documentation for both the "A" and "B" samples.

We would also like to make a specific request for the following information and documentation:

1. On the "A" Sample screen analysis (allegedly run on the "B" sample), it appears that the first injection was run on instrument MSDA 21 on July 1, and then reinjected to instrument MSDA17 on July 2 (p.11). The only data provided is for the reinjection on MSDA17, with no explanation for purpose of the reinjection.

Therefore, we request that you provide us with all of the data related to the testing that was performed on MSDA21.

2. On the "A" confirmation test (allegedly run on the "B" sample), aliquots appear to have been analyzed on instruments MSDA13 and MSDA 14 (p.16). The only data provided is for MSDA14.

Therefore, we request that you provide us with all of the data related to the testing that was performed on MSDA13.

3. The "B" confirmation test (allegedly run on the "A" bottle") shows 2 injection sequences - one loaded on July 23 where the controls are designated with an "L" at the end, and one loaded on July 24 where the controls are designated with a "B" at the end. The only data provided is related to the testing where the controls are designated with a "B" at the end.

Therefore, we request that you provide us with all of the data related to the injection sequence where the controls are designated with an "L" at the end.

4. Finally, the packet does not contain any data regarding the concentration of the **drostanolone metabolite**. Please provide us with this information as well as the concentration of the positive QC.

We look forward to hearing back from you and we would appreciate you providing us with this information as soon as possible.

Sincerely,



Michael J. DiMaggio
Collins, McDonald & Gann, P.C.

MJD/da

cc: David Thornton
Interim Executive Officer
California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815



UCLA OLYMPIC ANALYTICAL LABORATORY
DEPARTMENT OF PATHOLOGY & LABORATORY MEDICINE
2122 GRANVILLE AVENUE
LOS ANGELES, CALIFORNIA 90025-6106

PHONE: 310-825-2635
FAX: 310-206-9077

CONFIDENTIAL

August 21, 2009

Michael J. DiMaggio
Collins, McDonald & Gann, P.C.
138 Mineola Boulevard
Mineola, NY 11501

Re: Sample 064584 = UCLA CSAC 24 MHM03 A/B request for information

Dear Mr. DiMaggio,

In response to your request for further information dated August 19, 2009 we do confirm that the documentation package provided for sample number 064584 = UCLA MHM03 is complete and contains all documents and information relevant to our analytical finding.

With regard to specific requests 1-4, we can provide the following:

1. Data related to the "A" sample screen testing performed on July 1, 2009 on MSDA21
This data was rejected due to instrument performance found not to be suitable (specifically related to the steroid oxandrolone as indicated by calibrator data). No analytical evaluation of the data specific to MHM03 was performed.
2. Data related to the "A" sample confirmation testing performed on MSDA13
Such data does not exist. Subsequent to loading of sample MHM03 and associated controls to MSDA13 but prior to initiation of analysis the instrument was deemed unsuitable so samples were not analyzed on MSDA13. Analytical data for the "A" sample confirmation was acquired only on MSDA14.
3. Data related to the "B" sample confirmation testing performed July 23
The data acquired for the unextracted calibrator exhibited low response. No analytical evaluation of the data specific to MHM03 was performed.
4. Data regarding the concentration of drostanolone metabolite in the positive QC and sample
The Positive QC concentration is 50 ng/mL (nanograms per milliliter) as indicated in the table of contents. Although the analysis is not intended to be quantitative we can provide an estimated

approximate concentration of 250 ng/mL of drostanolone metabolite in MHM03 based upon averaged data resulting from "A" and "B" sample confirmation analyses.

Please feel free to contact us if you have additional questions regarding the documentation package.

Sincerely,

Anthony W. Butch, Ph.D.
Director, UCLA Olympic Analytical Laboratory



COLLINS, McDONALD & GANN, P.C.
ATTORNEYS AT LAW

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ROBERT A. McDONALD
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Sherman Oaks, CA 91403
Tel: (818) 377-2831
Fax: (818) 377-2861

‡Member CA Bar Only

December 9, 2009

VIA FACSIMILE, EMAIL & FED EX

Anthony W. Butch, Ph.D.
Director, UCLA Olympic Analytical Laboratory
Professor, Pathology & Lab Medicine
2122 Granville Avenue
Los Angeles, California 90025-6101
Fax: 310 206-9077
Phone: 310 825-2635

Dear Dr. Butch,

Re: Analytical Data for Sample number CSAC 064584 = UCLA MHM03

With respect to your letter, dated August 24th, responding to our request for information, we would like to make some additional specific requests for clarification and/or information and documentation:

1. You indicated in your response to our request for "Data related to the "A" sample (allegedly run on the "B" sample) screen testing performed on July 1, 2009 on MSDA21," that: *The "A" Sample screen testing (allegedly run on the "B" sample), performed on July 1, 2009, "was rejected due to unacceptable instrument performance" and therefore the "evaluation of the data specific to MHM03 was not performed."*

Therefore, we would like to know:

- i. The nature of the problem with instrument MSDA21 that resulted in the conclusion of "unacceptable instrument performance," which led to the rejection of the data.
- ii. What, if any, remedial measures were taken to correct the problem and when were they taken?
- iii. Please provide any documentation related to these inquiries, including the date and nature of the remedial measures taken?

2. You indicated in your letter that MSDA13 "*failed performance checks prior to acquiring data for sample MHM03 and associated controls and standards,*" leading to the conclusion that "*MSDA13 was found to be unsuitable for sample analysis,*":

Therefore, we would like to know:

- i. The nature of the problem with instrument MSDA13 that resulted in the conclusion that it was "unsuitable for sample analysis."
 - ii. What, if any, remedial measures were taken to correct the problem and when were they taken?
 - iii. Please provide (a) the maintenance log for MSDA13 for the month of July 2009 along with any other documentation related to these inquiries, including the date and nature of the remedial measures taken?
3. In response to our request for all of the data related to the "B" confirmation test (allegedly run on the "A" bottle") injection sequence where the controls are designated with an "L" at the end, you indicated in your letter that "*The data acquired for the unextracted calibrator exhibited a low response and was considered unacceptable.*"
- i. Was this caused by operator or equipment error? Can you please explain?
 - ii. Please provide analytical run instrument validation data run on MSDA 13 between the two analyses of the sample on July 24.

We look forward to hearing back from you and we would appreciate you providing us with this information as soon as possible.

Sincerely,



Michael J. DiMaggio
Collins, McDonald & Gann, P.C.

CC: David Thornton
Interim Executive Officer
California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815

CC: Ana Reyes
Quality Compliance Officer
UCLA Olympic Analytical Laboratory
E-mail: areyes@mednet.ucla.edu
Fax: 310 206-9077 Phone: 310 825-2635

From: William_Douglas@dca.ca.gov [mailto:William_Douglas@dca.ca.gov]
Sent: Friday, June 26, 2009 4:34 PM
To: Callahan, Thomas
Cc: 'Sarah_Waklee@dca.ca.gov'; Reyes, Ana
Subject: Re: CSAC 064584

Hi Tom,

Please proceed.

Bill Douglas
Assistant Executive Officer
California State Athletic Commission
Department of Consumer Affairs
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
P: (916) 263-2199
F: (916) 263-2197

----- Original Message -----

From: "Callahan, Thomas" [ThomasCallahan@mednet.ucla.edu]
Sent: 06/26/2009 12:56 PM
To: "'William_Douglas@dca.ca.gov'" <William_Douglas@dca.ca.gov>
Cc: "'Sarah_Waklee@dca.ca.gov'" <Sarah_Waklee@dca.ca.gov>; "Reyes, Ana" <AREyes@mednet.ucla.edu>
Subject: CSAC 064584

Bill, please advise. Tom
Received: 06/25/09
No of samples : 1
Airbill # Hand Delivered (sample # 064584)
Sport: MMA
Collection date: 06/25/09
The "B" bottle was opened by mistake. The "A" bottle is still intact.

Hello Ana,

We would like to proceed with a confirmation on the unopened sample for CSAC 064584.

Bill Douglas
Assistant Executive Officer
California State Athletic Commission

"Reyes, Ana"
<AReyes@mednet.ucla.edu>

07/20/2009 06:44 PM

To: ""William_Douglas@dca.ca.gov" <William_Douglas@dca.ca.gov>,
""Sarah_Waklee@dca.ca.gov" <Sarah_Waklee@dca.ca.gov>
cc "Callahan, Thomas" <ThomasCallahan@mednet.ucla.edu>
Subj RE: CSAC 064584
ect

Hi Bill & Sarah,

You may have already received a report this afternoon on the above referenced sample.

Based on your instructions, our staff performed the screening for prohibited drugs on the "B" bottle that was accidentally opened. The sample is positive. The "A" was saved in the positive freezer and is intact. The decision will be up to whether to order a confirmation on the unopened, intact "A" bottle.

Let me know your decision soon.

Best regards,

Ana

From: William_Douglas@dca.ca.gov [mailto:William_Douglas@dca.ca.gov]
Sent: Wednesday, July 22, 2009 10:04 AM
To: Reyes, Ana
Cc: 'Sarah_Waklee@dca.ca.gov'; Callahan, Thomas
Subject: RE: CSAC 064584

Hi Ana,

Surrogate please.

Bill Douglas
Assistant Executive Officer
California State Athletic Commission
Department of Consumer Affairs
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
P: (916) 263-2199
F: (916) 263-2197

"Reyes, Ana"
<AREyes@mednet.ucla.edu>

07/22/2009 10:00 AM

To ""William_Douglas@dca.ca.gov"" <William_Douglas@dca.ca.gov>
""Sarah_Waklee@dca.ca.gov"" <Sarah_Waklee@dca.ca.gov>, "Callahan, Thomas"
cc <ThomasCallahan@mednet.ucla.edu>
Subj RE: CSAC 064584
ect


Hi Bill,

Please let me know if this is observed or surrogate and we will proceed with the "A" unopened bottle confirmation.

Thanks,
Ana

From: William_Douglas@dca.ca.gov [mailto:William_Douglas@dca.ca.gov]
Sent: Tuesday, July 21, 2009 5:31 PM
To: Reyes, Ana
Cc: 'Sarah_Waklee@dca.ca.gov'; Callahan, Thomas
Subject: RE: CSAC 064584

William Douglas/Athletic
Commission/DCANotes
07/24/2009 10:32 AM

To "Callahan, Thomas" <ThomasCallahan@mednet.ucla.edu>,
"Reyes, Ana" <AReyes@mednet.ucla.edu>
cc "Sarah Waklee" <sarah_waklee@dca.ca.gov>
bcc
Subject Re: CSAC 064584 = CSAC 24 

Thomas,

No need to respond.

He is an athlete. We will notify him appropriately.

Bill Douglas
Assistant Executive Officer
California State Athletic Commission
Department of Consumer Affairs
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
P: (916) 263-2199
F: (916) 263-2197

----- Original Message -----

From: "Callahan, Thomas" [ThomasCallahan@mednet.ucla.edu]
Sent: 07/24/2009 08:22 AM
To: "'William_Douglas@dca.ca.gov'" <William_Douglas@dca.ca.gov>; "Reyes, Ana"
<AReyes@mednet.ucla.edu>
Cc: "'Sarah_Waklee@dca.ca.gov'" <Sarah_Waklee@dca.ca.gov>
Subject: CSAC 064584 = CSAC 24

Bill,

I received a voicemail from a Joshua Barnett asking for status and results on this case.
I do not have him on my radar as a client contact for CSAC. Please advise.

Tom

Tom Callahan

UCLA Olympic Analytical Laboratory

T (310) 825-2635 xl

F (310) 206-9077



DAVID GEFLEN
SCHOOL OF MEDICINE
AT UCLA



American Association for Laboratory Accreditation

SCOPE OF ACCREDITATION TO ISO/IEC 17025:2005

UCLA OLYMPIC ANALYTICAL LABORATORY
2122 Granville Avenue
Los Angeles, CA 90025
Ana Reyes Phone: 310 825 2635

CHEMICAL

Valid To: December 31, 2009

Certificate Number: 1420.01

In recognition of the successful completion of the A2LA evaluation process (including an assessment of the laboratory's compliance with the World Anti-Doping Agency (WADA) accreditation requirements), accreditation is granted to this laboratory to perform the following types of tests on human urine:

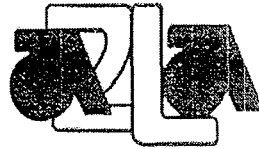
Human Studies
Toxicology and pharmacology studies.

<u>Test Method</u>	<u>Title</u>
1001	Anabolic Agents, Antiestrogenic, B-2 Agonist and Masking Agents by Mass Spectroscopy
1501	Glucocorticosteroids by Mass Spectroscopy
2001	Diuretics by Mass Spectroscopy
3001	Stimulants by Mass Spectroscopy or Immunoassay
4001	Narcotics by Mass Spectroscopy or Immunoassay
5001	Beta-Blockers by Mass Spectroscopy
6001	Peptide Hormones by Immunoassay
7001	Cannabinoids by Mass Spectroscopy or Immunoassay
8001	Steroids by Carbon Isotope Ratio by GC/IRMS
9001	Urinary Glycoprotein by Isoelectrophoresis

(A2LA Cert No. 1420.01) 02/20/2008

Page 1 of 1





THE AMERICAN ASSOCIATION FOR
LABORATORY ACCREDITATION

ACCREDITED LABORATORY

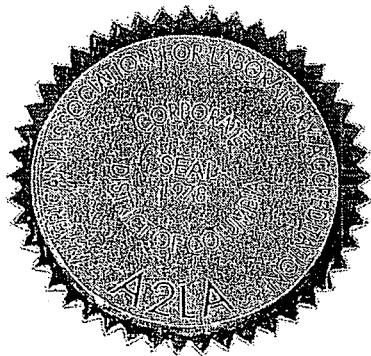
A2LA has accredited

UCLA OLYMPIC ANALYTICAL LABORATORY
Los Angeles, CA

for technical competence in the field of

Chemical Testing

This laboratory is accredited in accordance with the recognized International Standard ISO/IEC 17025:2005 *General Requirements for the Competence of Testing and Calibration Laboratories*. This accreditation demonstrates technical competence for a defined scope and the operation of a laboratory quality management system (*refer to joint ISO-ILAC-IAF Communiqué dated 18 June 2005*).



Presented this 20th day of February 2008.

A handwritten signature in cursive script, reading "Peter Meyer".

President

For the Accreditation Council

Certificate Number 1420.01

Valid to December 31, 2009

For the tests or types of tests to which this accreditation applies,
please refer to the laboratory's Chemical Scope of Accreditation.

AGENCE
MONDIALE
ANTIDOPAGE



WORLD
ANTI-DOPING
AGENCY

Accredited Laboratory

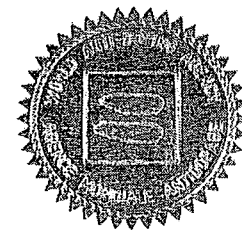
This is to certify that

UCLA Olympic Analytical Laboratory

fulfills the requirements of the World Anti-Doping Code and of
the International Standard for Laboratories of the World Anti-Doping Agency
and is authorized to conduct doping control analyses for the period covering

January 1st, 2009 to December 31st, 2009

John Fahey - WADA President



PART TWO: LABORATORY ACCREDITATION REQUIREMENTS AND OPERATING STANDARDS

4.0 Process and Requirements for WADA accreditation

This section describes the specific requirements that a laboratory shall fulfill in the process of applying, obtaining, and maintaining WADA accreditation including requirements for Major Events.

4.1 Applying for a WADA Laboratory Accreditation

4.1.1 Expression of Interest

The candidate laboratory shall officially contact WADA in writing to express its interest in the WADA accreditation process.

4.1.2 Submit initial Application Form

The candidate laboratory shall complete the necessary information in the Application Form as provided by WADA and deliver this to WADA. The Application shall be signed by the Laboratory Director and, if relevant, by the Director of the host organization.

At this stage, WADA will verify the existence of a National Anti-Doping Program (compliant with the Anti-Doping *International Standards*) in the country where the candidate laboratory is located, the ratification of the UNESCO Convention against Doping in Sport by the host country of the candidate laboratory, as well as the payment of the nation's financial contributions to WADA.

4.1.3 Provide letter(s) of support

Upon successful completion of the above, the candidate laboratory shall be requested by WADA to provide an official letter of support from the responsible National *Anti-Doping Organization* or, if not established, the *National Olympic Committee*. The letter of support shall contain as a minimum:

- Guarantee of sufficient annual financial support for a minimum of 3 years;
- Guarantee that, within two (2) years of obtaining accreditation, a minimum of 3000 *Samples* from *Code-compliant* clients (as determined by WADA) will be provided annually to the laboratory for 3 years;
- Guarantee that the necessary analytical facilities and instrumentation will be provided.

Any additional information regarding the above shall be given due consideration by WADA. The authority providing the three year letter of support is not restricted to provide exclusive support for only one laboratory.

Letters of support from international sport organizations such as International Federations may also be provided in addition to the above-mentioned letters.

If the candidate laboratory, as an organization, is linked to host organizations (e.g. universities, hospitals, private organization...) and/or supported by a public authority, an official letter of support from such authority shall be provided. In addition to the above-mentioned letter from the NADO or NOC, the following information should be provided:

- Documentation of the administrative support for the laboratory;
- Financial support for the laboratory, if relevant;
- Support for the research and development activities;
- Guarantee of provision of necessary analytical facilities and instrumentation.

4.1.4 Description of the Candidate Laboratory

The candidate laboratory shall then complete a detailed questionnaire provided by WADA and submit it to WADA no later than eight weeks following the receipt of the questionnaire. The questionnaire will include, but is not limited to, the following:

- Staff list and their qualifications;
- Description of physical facilities, including a description of the security considerations for *Samples* and records;
- List of proposed and actual instrumental resources and equipment;
- Method validation data;
- List of available Reference Materials and/or standards, or plans to acquire Reference Materials and/or standards, including properly validated biological Sample Reference Collections;
- Business plan for the laboratory demonstrating commitment to analyse 3000 *Samples* from Code-compliant Testing Authorities (as determined by WADA) annually, within two (2) years of receiving accreditation;
- List of sponsors of the laboratory.

WADA may require an update of this documentation during the process of accreditation.

4.1.5 Conduct Initial visit

WADA usually conducts an initial visit (2-3 days) to the candidate laboratory at the candidate laboratory's expense. The purpose of this visit is to clarify issues with regard to the accreditation process and the defined requirements in the ISL and to obtain information about different aspects of the laboratory relevant for the accreditation. Such a visit could be conducted prior to or during the accreditation process.

4.1.6 Issue final report and recommendation

Within approximately twelve (12) weeks after the initial visit or the receipt of the questionnaire, WADA will complete and submit a report to the candidate laboratory. In the report WADA will make the necessary recommendations with respect to granting the candidate laboratory the status of WADA probationary laboratory or if this is not the case, identifying needed improvements in order to be considered a WADA probationary laboratory.

4.1.7 Initial accreditation fee

Prior to entering the probationary period, the candidate laboratory shall pay to WADA a one time non-refundable fee to cover the costs related to the laboratory initial accreditation process. This fee shall be determined by WADA.

4.1.8 Compliance with the Code of Ethics

The candidate laboratory shall implement and comply with the provision(s) in the Code of Ethics (Annex B) which are relevant for a laboratory in the probationary period. The laboratory shall communicate the Code of Ethics to all employees and ensure understanding of and commitment to the different aspects of the Code of Ethics. The candidate laboratory shall provide to WADA a letter of compliance with the Code of Ethics, signed by the laboratory Director.

4.2 Preparing for WADA Laboratory Accreditation

Prior to entering the probationary period, the candidate laboratory may be required to participate in a pre-probationary test, consisting of at least ten (10) EQAS samples in order to assess its competence at that time. The pre-probationary test may be conducted in conjunction with an initial site visit as described in 4.1.5. The candidate laboratory shall successfully identify and document concentrations in excess of the threshold(s) or Minimum Required Performance Levels (MRPL), as applicable, of the *Prohibited Substances*, *Metabolite(s) of Prohibited Substances*, or *Marker(s) of Prohibited Substances* or *Prohibited Methods* within a time frame of 10 to 15 working days as determined by WADA. The candidate laboratory shall provide a test report for each of the samples in the pre-probationary test. For negative samples, WADA may request all or a portion of the negative Initial Testing Procedure data. For selected samples for which there is an *Adverse Analytical Finding*, the candidate laboratory shall provide a Laboratory Documentation Package. Additional data to be provided upon WADA's request. The candidate laboratory's performance in the pre-probationary test shall be taken into consideration by WADA to gauge the laboratory's competence as well as allow WADA to provide feedback on areas in need of improvement. Corrective actions, if any, shall be conducted and reported upon request. Such testing will be taken into account in the overall review of the candidate laboratory's application and may affect the timeliness of the candidate laboratory's entry into the probationary phase of accreditation.

Upon successful completion of the provisions of section 4.1 and following official notification by WADA, a candidate laboratory enters the probationary phase of WADA

accreditation as a *WADA* probationary laboratory. The probationary period shall incorporate at least twenty (20) EQAS samples, typically distributed over multiple EQAS rounds, in order to prepare the probationary laboratory for the initial accreditation. During this period, *WADA* shall provide appropriate feedback to assist the laboratory in improving the quality of its testing process. In this period the laboratory shall successfully complete provisions 4.2.1 to 4.2.5.

4.2.1 Obtain Laboratory ISO/IEC 17025 accreditation

The laboratory shall be accredited by a relevant accreditation body to ISO/IEC 17025 with primary reference to the interpretations and applications of the ISO/IEC 17025 requirements as described in the Application of ISO/IEC 17025 to the Analysis of Urine *Doping Control Samples* (Section 5.0) and the Application of ISO/IEC 17025 to the Analysis of Blood *Doping Control Samples* (Section 6.0). The relevant accreditation body shall be an International Laboratory Accreditation Cooperation (ILAC) full member that is a signatory to the ILAC Mutual Recognition Arrangement (ILAC MRA). The laboratory shall prepare and establish the required documentation and system according to the requirements in Application of ISO/IEC 17025 to the Analysis of Urine *Doping Control Samples* (Section 5.0) and, if necessary, the Application of ISO/IEC 17025 to the Analysis of Blood *Doping Control Samples* (Section 6.0). Based on this, the laboratory shall initiate and prepare for the accreditation process by consulting with a relevant accreditation body. An assessment by the representative(s) of a relevant accreditation body, including an ISL-trained assessor, shall be conducted. The laboratory shall correct any identified non-conformities within defined time-frames and document this accordingly.

Summaries of the Assessment Report and any documentation of correction of non-conformities, in English or French, should be sent to *WADA* by the relevant accreditation body. Should the laboratory prefer to send the information directly to *WADA*, the laboratory shall do so within a reasonable time frame.

The ISO/IEC 17025 accreditation shall be obtained before the end of the probationary period.

4.2.2 Participate in the WADA External Quality Assessment Scheme

During the probationary period the laboratory shall successfully analyze at least twenty (20) EQAS samples in multiple rounds containing a minimum of five samples per set (See Annex A for a description of the EQAS).

After successful completion of the probationary period, as a final proficiency test, the laboratory shall analyze a minimum of 20 EQAS samples in the presence of *WADA* representatives. The final accreditation test shall assess both the scientific competence and the capability of the laboratory to manage multiple *Samples*. Costs associated with the *WADA* on-site visit shall be at the laboratory's expense. The probationary laboratory shall successfully identify and/or document a concentration in excess of the threshold or Minimum Required Performance Level (MRPL) of the *Prohibited Substances*, *Metabolite(s) of Prohibited Substances*, or *Marker(s) of Prohibited Substances* or *Prohibited Methods* within five (5) calendar days of opening

the samples. The probationary laboratory shall provide a Test Report for each of the samples in the proficiency test. For negative samples, WADA may request all or a portion of the negative Initial Testing Procedure data. For selected samples for which there is an *Adverse Analytical Finding*, the probationary laboratory shall provide a Laboratory Documentation Package. This documentation shall be submitted within two (2) weeks of WADA's request.

It is understood that some laboratories already perform routine anti-doping activities under national legislation not yet in line with the UNESCO convention. Such laboratories entering WADA probationary phase shall report *Adverse Analytical Findings* and provide annual statistics to WADA as per provisions 4.5.1.5, 5.2.6.10, and 5.2.6.11.

4.2.3 Plan and implement research activities

The probationary laboratory shall develop a plan for its research and development activities in the field of *Doping Control* within a 3 year period including a budget. The probationary laboratory shall demonstrate in its budget an allocation to research and development activities in the field of *Doping Control* of at least 7% of the annual budget for the initial 3-year period. At least two research and development activities shall be initiated and implemented within the probationary period. The research activities can either be conducted by the laboratory or in cooperation with other WADA accredited Laboratories or other research organizations.

4.2.4 Plan and implement sharing of knowledge

The probationary laboratory shall demonstrate during the probationary period its willingness and ability to share knowledge with other WADA accredited Laboratories. The probationary laboratory shall prepare and convey information and knowledge on at least two specific issues to the other WADA accredited Laboratories within the probationary period. A description of this sharing is provided in the Code of Ethics (Annex B).

4.2.5 Professional liability insurance coverage

Probationary laboratories shall provide documentation to WADA that professional liability risk insurance coverage has been obtained to cover liability to an amount of no less than 2 million USD annually.

4.3 Obtaining WADA Accreditation

4.3.1 Participate in a WADA accreditation audit

In the last phase of the probationary period WADA will prepare in cooperation with the laboratory a final WADA accreditation assessment. Compliance with the defined requirements in the Application of ISO/IEC 17025 to the Analysis of Urine *Doping Control Samples* (Section 5.0) and if necessary, the Application of ISO/IEC 17025 to the Analysis of Blood *Doping Control Samples* (Section 6.0) and the practice and

documentation of the laboratory will be assessed. If WADA has participated in the initial ISO/IEC 17025 assessment, the final WADA assessment may only consist of a document audit. Otherwise, the audit can be conducted together with the relevant accreditation body or separately if more practical. Should an on-site audit take place by WADA, the associated cost shall be at the laboratory's expense. Based on the audit, WADA will issue an Audit Report and submit this to the laboratory. If applicable, the laboratory shall correct identified non-compliances within defined time-frames and report these to WADA.

4.3.2 WADA report and recommendation

Based on the relevant documentation from the laboratory, the Audit Report(s) from WADA representative(s) and the Audit Report(s) from the relevant accreditation body, WADA will make a final report including a recommendation concerning the accreditation of the laboratory. The report and recommendation will be submitted to the WADA Executive Committee for approval. In case that the recommendation is that the laboratory should not be accredited, the laboratory will have a maximum of six (6) months to correct and improve specific parts of their operation, at which time a further report will be made by WADA.

4.3.3 Issue and publication of Accreditation certificate

A certificate signed by a duly authorized representative of WADA shall be issued in recognition of an accreditation. Such certificate shall specify the name of the Laboratory and the period for which the certificate is valid. Certificates may be issued after the effective date, with retroactive effect. A list of accredited Laboratories will be available on WADA's website.

4.4 Maintaining WADA Accreditation

In order for the Laboratory to maintain its accreditation status, the National Anti-Doping Organization and/or NOC shall be declared *Code-compliant* (as determined by WADA) and the Laboratory host country shall have ratified the UNESCO Convention against Doping in Sport.

4.4.1 Maintain ISO/IEC 17025 accreditation

The Laboratory shall hold an accreditation from the relevant accreditation body, ILAC full member, signatory to ILAC MRA, according to ISO/IEC 17025 with primary reference to the interpretations and applications of the ISO/IEC 17025 requirements as described in the Application of ISO/IEC 17025 to the Analysis of Urine *Doping Control Samples* (Section 5.0) and if necessary, Application of ISO/IEC 17025 to the Analysis of Blood *Doping Control Samples* (Section 6.0).

4.4.2 Participate in the WADA External Quality Assessment Scheme

The WADA accredited Laboratories are required to successfully participate in the WADA EQAS which is described in more detail in Annex A.

4.4.3 Document Compliance with the WADA Laboratory Code of Ethics

The Laboratory shall annually provide to WADA a letter of compliance with the provisions of the Code of Ethics (Annex B), signed by the Laboratory Director. The Laboratory may be asked to provide documentation of compliance with the provisions of the Code of Ethics (Annex B).

4.4.4 Document implemented research activities

The Laboratory shall maintain a plan for research and development in the field of *Doping Control*, including an annual budget in this area of at least 7% of the total annual budget.

The Laboratory should document the publication of results of the research in relevant scientific papers in the peer-reviewed literature (at least one publication every two (2) years). The list of scientific papers shall be made available to WADA upon request. The Laboratory may also demonstrate a research program by documenting successful or pending applications for research grants (at least one application submitted every three (3) years).

The Laboratory shall supply an annual progress report to WADA documenting research and development results in the field of *Doping Control* and dissemination of the results. The Laboratory should also relate research and development plans for the next year.

4.4.5 Document implemented sharing of knowledge

The Laboratory shall demonstrate their willingness and ability to share knowledge with other WADA accredited Laboratories. The Laboratory should make at least one annual contribution to an anti-doping symposium or conference. The Laboratory shall supply an annual report on sharing of knowledge with all other WADA accredited Laboratories. A description of this sharing is provided in the Code of Ethics (Annex B).

4.4.6 Maintain professional liability insurance coverage

Laboratories shall provide documentation to WADA that professional liability risk insurance coverage is maintained to an amount no less than 2 million USD annually.

4.4.7 Provide renewed letter(s) of support

Letter(s) of support, as described in Section 4.1.3, from a *National Anti-Doping Organization* or *National Olympic Committee* responsible for a national *Doping Control* program or an International Federation responsible for an international *Doping Control* program shall be required in years in which there is an ISO/IEC 17025 re-assessment. For any commitment of less than three years, the *National Anti-Doping Organization* or *National Olympic Committee* responsible for a national *Doping Control* program or an International Federation responsible for an

international *Doping Control* program shall be required to provide letter(s) of support for the Laboratory every year.

A letter of support from the host organization renewing its three (3) year commitment to the Laboratory shall also be required in conjunction with each ISO/IEC 17025 re-assessment or be generated and sent to WADA at least every two (2) years.

4.4.8 Minimum number of *Samples*

In order to maintain proficiency, WADA accredited Laboratories are required, within two (2) years of the effective date of the current version of the ISL, to analyze a minimum of 3000 *Doping Control Samples* provided annually by *Code-compliant Testing Authorities* (as determined by WADA). WADA will monitor the number of *Samples* tested by the Laboratory. If the number of *Samples* falls below 3000 per year, WADA Laboratory accreditation may be suspended or revoked in accordance with sections 4.4.12.2, 4.4.12.3 and 4.4.13.

4.4.9 Participate in WADA/Accreditation Body re-assessments and surveillance assessments

WADA reserves the right to inspect and assess the Laboratory at any time. The notice of the assessment/inspection will be made in writing to the Laboratory Director. In exceptional circumstances, the assessment/inspection may be unannounced.

4.4.9.1 WADA/Accreditation Body re-assessment

The Laboratory must receive ISO/IEC 17025 accreditation including compliance with the Application of ISO/IEC 17025 for the Analysis of *Urine Doping Control Samples* (Section 5.0) and if necessary, Application of ISO/IEC 17025 for the Analysis of *Blood Doping Control Samples* (Section 6.0). The assessment team shall include an ISL-trained assessor within the assessment team selected by the accreditation body for the re-assessment.

Copies of the assessment summary report in English or French as well as the Laboratory responses should be sent in a timely fashion to WADA by the relevant accreditation body. Should the Laboratory prefer sending this information directly to WADA, the Laboratory shall do so within a reasonable time frame.

The Laboratory shall provide a copy of the ISO/IEC 17025 certificate as soon as obtained from the relevant accreditation body.

4.4.9.2 Accreditation Body surveillance assessment

In years when a surveillance ISO/IEC 17025 assessment is required, a copy of the assessment summary report and evidence of corrective

actions for any non-compliance(s), in English or French, should be sent to WADA by the relevant accreditation body. Should the Laboratory prefer sending this information directly to WADA, the Laboratory shall do so within a reasonable time frame.

4.4.10 Flexible Scope of Accreditation

WADA accredited Laboratories may modify or add analytes to existing scientific methods to expand their scope or develop new methods that involve technology already within the scope of accreditation without the need for approval by the body that completed the ISO/IEC 17025 accreditation of that Laboratory. To have a Flexible Scope of Accreditation, the laboratory must have within its quality management documentation processes for method validation/acceptance, competence of key personnel, record keeping and reporting.

Any new analytical method or procedure to *Doping control* requiring expertise and technology outside the Laboratory scope of accreditation shall be properly validated by the Laboratory and be determined as Fit-for-purpose by WADA prior to first implementation by any Laboratory into the field of anti-doping analysis. WADA shall use whatever means deemed appropriate, including formal consultation with scientific expert working groups, and/or publication(s) in peer-reviewed scientific journal(s) to evaluate whether the test is Fit-for-purpose prior to providing approval. Before applying such a new method or procedure to the analysis of *Doping Control Samples*, but after the approval by WADA, the Laboratory shall obtain an extension of the scope of accreditation by a relevant accreditation body.

4.4.11 WADA report and recommendation

WADA will annually review Laboratory compliance with the requirements listed in the ISL. With the exception of re-accreditation and other required on-site assessments, the annual review may consist of a documentation assessment. WADA may require documentation from the Laboratory. Failure of the Laboratory to provide timely information requested in evaluating performance by the specified date shall be considered a refusal to cooperate and may result in Suspension or Revocation of accreditation.

WADA will consider the overall, EQAS and routine performance of the Laboratory in making decisions regarding continued accreditation. The Laboratory's performance on aspects of the standards described in Section 5.0 and/or Section 6.0 (such as turn-around times, Documentation Package contents, and feedback from customer organizations) may be considered in formulating such recommendation.

4.4.11.1 Maintenance of accreditation

In the event that the Laboratory has maintained satisfactory performance, WADA will maintain the accreditation of the Laboratory.

4.4.11.2 Suspension of accreditation

Whenever WADA has reason to believe that Suspension may be required and that immediate action is necessary in order to protect the interests of the Anti-Doping Community, WADA may immediately suspend a Laboratory's accreditation. If necessary, such a decision may be taken by the Chairman of the WADA Executive Committee.

Suspension of accreditation may be based on, but not limited to, the following considerations:

- Suspension of ISO/IEC 17025 accreditation;
- Failure to take appropriate corrective action after an unsatisfactory performance either in routine Analytical Testing or in an EQAS test;
- Failure to comply with any of the requirements or standards listed in WADA ISL and/or Technical Documents;
- Failure to cooperate with WADA or the relevant Testing Authority in providing documentation;
- Lack of compliance with the WADA Laboratory Code of Ethics;
- Major changes in key staff without proper and timely notification to WADA;
- Failure to cooperate in any WADA enquiry in relation to the activities of the Laboratory;
- Non-compliances identified from laboratory on-site assessments;
- Loss of support jeopardizing the quality and/or viability of the Laboratory.

WADA may decide upon a Suspension of accreditation at any time based on the results of the EQAS or other evidence of serious deviation(s) of the ISL arising from the routine analysis of *Doping Control Samples*.

Violations of Laboratory routine performance will be assessed by WADA on a case-by-case basis considering severity and consequences to the Anti-Doping System. In the event of serious violations, WADA reserves the right to organize unannounced audits which may include national accreditation body- and ISL-trained assessors and/or WADA experts.

The period and terms of Suspension shall be proportionate to the seriousness of the non-compliance(s) or lack of performance and the need to ensure accurate and reliable drug testing of *Athletes*. A period of Suspension shall be up to 6 months, during which time any non-compliance must be corrected, documented and reported to WADA at least six (6) weeks before the end of the Suspension period. Delay in submitting the proper corrective actions may lead to an extension of the

Suspension period. If the non-compliance is not corrected during the Suspension period, the Laboratory accreditation will be revoked, unless an extension not to exceed two (2) months is granted by WADA.

In the case of a non-compliance, WADA may suspend the Laboratory from performing analyses for any *Prohibited Substances*. If WADA determines that the non-compliance is limited to a class of *Prohibited Substances*, WADA may limit the Suspension to analysis for the class of compounds in which the non-compliance occurred.

4.4.11.3 Revocation of accreditation

The WADA Executive Committee shall revoke the accreditation of any Laboratory accredited under these provisions if it determines that Revocation is necessary to ensure the full reliability and accuracy of drug tests and the accurate reporting of test results. Revocation of accreditation may be based on, but not limited to, the following considerations:

- Loss of ISO/IEC 17025 accreditation or repeated Suspensions of ISO/IEC 17025 accreditation;
- Systematic failure to comply with the ISL and/or Technical Documents;
- Serious Laboratory non-compliances identified (e.g. on-site assessments, documented client complaints, other enquiries);
- Repeated failure to take appropriate corrective action following unsatisfactory performance either in routine Analytical Testing or in an EQAS test;
- A serious or repeated violation of the ISL;
- Failure to correct a lack of compliance with any of the requirements or standards listed in the WADA ISL (including Annex A External Quality Assessment Scheme) during a Suspension period;
- Failure to cooperate with WADA or the relevant Testing Authority during the Suspension phase;
- Recurrent non-compliances with the ISL and/or Technical Documents and lack of cooperation with WADA;
- Failure to inform clients of Suspension of accreditation;
- A serious or repeated violation of the Code of Ethics;
- Conviction of any key personnel for any criminal offence committed that is related to the operation of the Laboratory;
- Any other cause that materially affects the ability of the Laboratory to ensure the full reliability and accuracy of drug tests and the accurate reporting of results;

- Repeated and/or continuous failure to cooperate in any WADA inquiry in relation to the activities of the Laboratory;
- Loss of support jeopardizing the quality and/or viability of the Laboratory.

A Laboratory whose accreditation has been revoked is ineligible to perform testing of *Doping Control Samples* for any Testing Authority.

If a Laboratory, whose accreditation has been revoked, should seek a new accreditation, it shall begin the process as a new laboratory as described in Section 4.1; unless there are exceptional circumstances or justifications as determined solely by the WADA Executive Committee. In the case of exceptional circumstances, the WADA Executive Committee shall determine what steps shall be followed prior to granting a new accreditation.

4.4.12 Notification

4.4.12.1 Written Notice

When a Laboratory is suspended or WADA seeks to revoke accreditation, WADA shall immediately serve the Laboratory with written notice of the Suspension or proposed Revocation by facsimile, hand delivery, or registered or certified mail, return receipt requested. This notice shall state the following:

- 1) The reason for Suspension or proposed Revocation;
- 2) The terms of the Suspension or proposed Revocation; and
- 3) The period of Suspension.

4.4.12.2 Effective Date

A Suspension is immediately effective. A proposed Revocation is effective thirty (30) calendar days after the date on the written notice or, if review is requested, upon WADA's decision to uphold the proposed Revocation. A Laboratory who has received notice that its accreditation is in the process of being revoked shall be suspended until the Revocation is made final or is rescinded by WADA. If WADA decides not to uphold the Suspension or proposed Revocation, the Suspension is terminated immediately and any proposed Revocation shall not take place.

4.4.12.3 Public Notice

WADA will immediately notify all relevant national public authorities, National Accreditation Bodies, *National Anti-Doping Organizations*, *National Olympic Committees*, International Federations, and the International Olympic Committee of the name and address of any

Agenda Item #10

Curriculum Vitae for Anthony W. Butch, Ph.D.

CURRICULUM VITAE

FULL NAME: Anthony William Butch, Ph.D.

BUSINESS ADDRESS: Geffen School of Medicine at UCLA
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HOME ADDRESS: 1203 Bienvenida Avenue
Pacific Palisades, CA 90272
310-573-7905

DATE OF BIRTH: April 16, 1955

PLACE OF BIRTH: Dearborn, Michigan

CITIZENSHIP: USA

EDUCATION/TRAINING:

1973 – 1977 **B.S.**, Michigan State University, E. Lansing, MI
Major: Medical Technology

1977 – 1978 **Medical Technology Internship**
Clinical Laboratories
Oakwood Hospital, Dearborn MI

1983 – 1985 **M.S.**, Wayne State University, Detroit, MI
Major: Immunology

1985 – 1987 **Ph.D.**, Wayne State University, Detroit, MI
Major: Immunology
Minor: Biochemistry

1987 – 1990 **Postdoctoral Clinical Chemistry Fellow**
ComACC-accredited program
Washington University School of Medicine, St. Louis, MO

1987 – 1993 **Postdoctoral Research Fellow**
Investigated cellular interactions within germinal centers (Moon Nahm lab)
Washington University School of Medicine, St. Louis, MO

LICENSURE:

2003 Clinical Chemist Scientist – California (MTC 609)
2003 Clinical Chemist – California (DRH 091)

BOARD CERTIFICATION:

1988 Registered Medical Technologist – American Society for Clinical Pathology
1994 Diplomat - American Board of Clinical Chemistry

PROFESSIONAL EXPERIENCE:

1978 – 1983 **Registered Medical Technologist**, Oakwood Hospital, Dearborn, MI

1993 – 1999 **Assistant Professor**, Department of Pathology, University of Arkansas for Medical Sciences, Little Rock, AR.

1993 – 1994 **Assistant Director of Clinical Laboratories and Assistant Director of Chemistry, Immunochemistry & Immunology**, Clinical Laboratories at the University of Arkansas for Medical Sciences, Little Rock, AR.

1993 – 1999 **Member**, Arkansas Cancer Research Center, Little Rock, AR.

1993 – 1999 **Graduate School Faculty Member**, College of Medicine, University of Arkansas for Medical Sciences, Little Rock, AR.

1994 – 1999 **Associate Director of Clinical Laboratories and Director of Chemistry, Immunochemistry & Immunology**, Clinical Laboratories at the University of Arkansas for Medical Sciences, Little Rock, AR.

1995 – 1999 **Graduate School Faculty Member**, Ph.D. Program in Molecular and Cellular Immunopathology, Department of Microbiology and Immunology, University of Arkansas for Medical Sciences, Little Rock, AR.

1999 – 2000 **Associate Director of Clinical Immunology Research Labs**, Department of Pathology & Lab Medicine, Geffen School of Medicine at UCLA, Los Angeles, CA.

1999 – 2001 **Assistant Professor**, Department of Pathology & Lab Medicine, Geffen School of Medicine at UCLA, Los Angeles, CA.

2001 – 2006 **Associate Professor**, Department of Pathology & Lab Medicine, Geffen School of Medicine at UCLA, Los Angeles, CA.

- 2003 – 2006 **Co-director** of the Jonsson Cancer Center Immunology Core Support Laboratory, UCLA Medical Center, Los Angeles, CA.
- 1999 – Present **Director of Chemistry, Toxicology, Immunochemistry, and Support Services**, Department of Pathology & Lab Medicine, Geffen School of Medicine at UCLA, Los Angeles, CA.
- 2000 – Present **Director of the Clinical Immunology Research Laboratory**, Department of Pathology & Lab Medicine, Geffen School of Medicine at UCLA, Los Angeles, CA.
- 2002 – Present **Associate Member, Cousins Center for Psychoneuroimmunology**, UCLA Neuropsychiatric Institute, Los Angeles, CA.
- 2002 – Present **Director of the Immunology Support Laboratory**, Cousins Center for Psychoneuroimmunology in the UCLA Neuropsychiatric Institute, Los Angeles, CA
- 2006 – Present **Full Professor**, Department of Pathology & Lab Medicine, Geffen School of Medicine at UCLA, Los Angeles, CA.
- 2006 – Present **Director of the General Clinical Research Center (GCRC) Core Laboratory**, Geffen School of Medicine at UCLA, Los Angeles, CA.
- 2007 – Present **Clinical Science Adjunct Faculty**, California State University, Dominguez Hills, Carson CA.
- 2007 – Present **Director of the Olympic Analytical Laboratory**, Department of Pathology & Laboratory Medicine, Geffen School of Medicine at UCLA, Los Angeles, CA.

COMMITTEE SERVICE (UNIVERSITY LEVEL):

- 1993 – 1999 Resident Training Committee, Division of Laboratory Medicine, Department of Pathology, University of Arkansas for Medical Sciences (UAMS)
- 1993 – 1999 Continuous Quality Improvement Committee, University Hospital, UAMS
- 1994 – 1999 Radiation Safety Committee, UAMS
- 1994 – 1999 Core Group Clinical Lab Planning Committee, University Hospital, UAMS
- 1995 – 1996 Admissions Committee, Ph.D. Program in Molecular and Cellular Immunopathology, Dept. of Microbiology & Immunology, UAMS
- 1999 – Present Clinical Laboratory Activities Committee, UCLA Medical Center

1999 – Present	Executive Committee, Clinical Laboratories, UCLA Medical Center
2000 – 2002	Academic Personnel Committee, Department of Pathology & Laboratory Medicine, UCLA Medical Center
2002 – 2004	Member, Practice Plan Executive Committee, Department of Pathology & Laboratory Medicine, UCLA Medical Center
2003 – 2008	Chair, Core Clinical Immunology Oversight Committee, Cousins Center for Psychoneuroimmunology in the UCLA Neuropsychiatric Institute, Los Angeles, CA
2003 – 2008	Member, Biology, Immunology and Neuroendocrinology Core Laboratory Oversight Committee, Cousins Center for Psychoneuroimmunology in the UCLA Neuropsychiatric Institute, Los Angeles, CA
2003 – Present	Member, Residency Training Program Interview Committee, Department of Pathology & Laboratory Medicine, UCLA Medical Center
2004 – 2008	Member, Internal Advisory Board, Cousins Center for Psychoneuroimmunology in the UCLA Neuropsychiatric Institute, Los Angeles, CA
2005 – 2007	Member, Practice Plan Executive Committee, Department of Pathology & Laboratory Medicine, UCLA Medical Center
2005 – 2006	Secretary/Treasurer, Practice Plan Executive Committee, Department of Pathology & Laboratory Medicine, UCLA Medical Center
2006 – Present	Member, General Advisory Committee, General Clinical Research Center, Geffen School of Medicine at UCLA, Los Angeles, CA
2007	Member, Search Committee for Director of Clinical Microbiology, Department of Pathology & Laboratory Medicine, UCLA Medical Center
2008	Chair, Search Committee for Associate Director of Clinical Chemistry, Department of Pathology & Laboratory Medicine, UCLA Medical Center

PROFESSIONAL ASSOCIATIONS & SCHOLARLY SOCIETIES:

1977 – Present	Member, American Society for Clinical Pathology
1988 – Present	Member, American Association for Clinical Chemistry
1989 – Present	Member, American Association of Immunologists
1993 – Present	Member, Academy of Clinical Laboratory Physicians and Scientists
1993 – Present	Member, Association of Clinical Scientists

1999 – Present	Member, Clinical Immunology Society
2000 – Present	Fellow, National Academy of Clinical Biochemistry
2008 – Present	Fellow, World Association of Anti-Doping Scientists
2000 – 2002	Continuing Education Chair, Southern CA Section, Am. Assoc. for Clin. Chem.
2000 – 2002	ACCENT Coordinator, Southern CA Section, Am. Assoc. for Clin. Chemistry
2000 – 2003	Nominating and Awards Committee, Academy of Clinical Laboratory Physicians & Scientists
2001	Secretary, Southern CA Section, Am. Assoc. for Clinical Chemistry
2001 – Present	Regional Delegate (Southwest), Association of Clinical Scientists
2002	Program Chair, Southern CA Section, Am. Assoc. for Clinical Chemistry
2003	Chair, Southern CA Section, Am. Assoc. for Clinical Chemistry
2003 – Present	Member, Laboratory Working Group, National AIDS Cohort Study
2004 – 2006	Nominating Committee, Am. Assoc. for Clinical Chemistry
2004 – Present	Board of Directors, American Board of Clinical Chemistry
2004 – Present	Scientific Council, Association of Clinical Scientists
2004 – 2007	Executive Council, Academy of Clinical Laboratory Physicians & Scientists
2004 – 2009	Distinguished Abstracts Review Committee, National Academy of Clinical Biochemistry
2004 – 2008	Student Poster Judge, Am. Assoc. for Clinical Chemistry annual meeting
2005 – 2009	Program and Finance Committee, Academy of Clinical Laboratory Physicians & Scientists
2005 – 2008	House of Delegates, Southern CA Section, Am. Assoc. for Clinical Chemistry
2005 – 2008	House of Delegates Representative to the Divisions Management Group, Am. Assoc. for Clinical Chemistry
2005 – Present	Awards Committee, National Academy of Clinical Biochemistry
2005 – Present	Contributing Author and Reviewer, Pathology Resident In-Service Examination, American Society for Clinical Pathology
2005 – 2006	Chair, Clinical Chemistry Exam Committee, American Board of Clinical Chemistry
2006 – 2009	Treasurer, Southern CA Section, Am. Assoc. for Clinical Chemistry
2006 – 2009	Credentials Committee, Association of Clinical Scientists
2006 – Present	Chair, Laboratory Working Group, National AIDS Cohort Study
2007 – 2009	President, American Board of Clinical Chemistry
2007 – Present	Member, California Department of Health Services Clinical Laboratory Technology Advisory Committee
2008	Chair, Program Committee, Association of Clinical Scientists
2008 – 2011	Secretary, Am. Assoc. for Clinical Chemistry
2008	Chair, Credentials Committee, Association of Clinical Scientists
2008	Local Host for the Annual Meeting of the Association of Clinical Scientists
2008 – Present	Member, Program & Finance Committee, Academy of Clinical Laboratory Physicians & Scientists
2008 – Present	Member, National Football League Anabolic Steroid Advisory Committee
2009	Local Host for the Annual Meeting of the Academy of Clinical Laboratory Physicians & Scientists

JOURNAL SERVICE:

2000 – Present	Editorial Board, <i>Annals of Clinical Laboratory Science</i>
2005 – Present	Editorial Board, <i>Laboratory Medicine</i>
1990 – Present	Ad Hoc Reviewer, <i>Clinical Chemistry</i>
1996 – Present	Ad Hoc Reviewer, <i>Journal of Immunology</i>
2000 – Present	Ad Hoc Reviewer, <i>Annals of Clinical Laboratory Science</i>
2001 – Present	Ad Hoc Reviewer, <i>Blood</i>
2001 – Present	Ad Hoc Reviewer, <i>Cellular Immunology</i>
2001 – Present	Ad Hoc Reviewer, <i>Hematologica</i>
2001 – Present	Ad Hoc Reviewer, <i>Clinical Immunology</i>
2004 – Present	Ad Hoc Reviewer, <i>Cytokine</i>
2004 – Present	Ad Hoc Reviewer, <i>Clinica Chimica Acta</i>
2004 – Present	Ad Hoc Reviewer, <i>Laboratory Medicine</i>
2005 – Present	Ad Hoc Reviewer, <i>Archives of Pathology & Laboratory Medicine</i>
2006 – Present	Ad Hoc Reviewer, <i>Clinical Chemistry & Laboratory Medicine</i>
2008 – Present	Ad Hoc Reviewer, <i>Clinical Endocrinology</i>

CONSULTING ACTIVITIES:

1993 – 1999	Research Associate in Pathology and Laboratory Service at the McClellan Memorial Veterans' Hospital, Little Rock, AR.
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HONORS & SPECIAL AWARDS:

1977	Graduated with Honors from Michigan State University
1985 – 1987	NCI Predoctoral Fellow in Biology of Cancer (T32 CA-09531), Wayne State University, Detroit, MI
1988 – 1991	NIH Postdoctoral Fellow in Immunogenetics (AI-07163), Washington University, St. Louis, MO
1990	Academy of Clinical Laboratory Physicians and Scientists Young Investigator Award
2006	Outstanding Teaching Award in Clinical Pathology, Department of Pathology & Laboratory Medicine, UCLA Medical Center
2006	Outstanding Tutor Award, problem-based learning component of the Human Biology and Disease medical education curriculum, David Geffen School of Medicine at UCLA

- 2007 Outstanding Tutor Award, problem-based learning component of the Human Biology and Disease medical education curriculum, David Geffen School of Medicine at UCLA
- 2008 Letter of Commendation for highest ranking (out of 53 presentations) for oral scientific presentation at the annual Association of Clinical Scientists meeting
- 2008 Outstanding Speaker Award in Clinical Chemistry, American Association for Clinical Chemistry

U.S. PATENTS:

1. Gatti RA, **Butch AW**, Chun HH, Sun X. ELISA for Measuring ATM Protein. UC Case 2002-426-1, filed May 6, 2002.
2. Gatti, RA, Nahas SA, **Butch AW**. Rapid Assay for Ataxia-Telangiectasia Homozygotes & Heterozygotes. UC Case 2008-615-1, filed March 14, 2008.

RESEARCH GRANTS:

- 1993 – 1994 The role of germinal centers and interleukin-4 in IgE production. Pilot Study Grant, College of Medicine, University of Arkansas for Medical Sciences Foundation, Principle Investigator, \$10,000.
- 1996 – 1997 Dendritic Cells as Immunotherapy for Multiple Myeloma, Ares-Serono Group, Arkansas Cancer Research Center, Myeloma Program Grant (Subproject), Co-Investigator, \$25,000.
- 1997 – 1998 Human Follicular Dendritic Cell Regulation of T Cell Responses, Ares-Serono Group, Arkansas Cancer Research Center, Myeloma Program Grant (Subproject), Principle Investigator, \$14,000.
- 1998 – 1999 Molecular Manipulations to Enhance Anti-Myeloma Responses, VA Merit Award, (PI: Nikhil Munshi), Co-Investigator, 20% effort and salary to A. Butch.
- 2000 – 2002 1R21AI48146, Cellular Trafficking to Inflamed Female Genital Mucosa, NIH, (PI: Kathleen Kelly), \$500,000 total direct costs, Co-investigator, 5% effort & salary to A. Butch.
- 1999 – 2004 U01 AI035040, Natural History of AIDS in Homosexual Men, NIH/NIAID, (PI: Roger Detels), \$6,927,000 total direct costs, Co-Investigator, 20% effort, \$295,000 in direct costs per year to A. Butch (includes 20% salary).
- 2001 – 2004 U01-AI/CA-35040, Natural History of AIDS in Homosexual Men: Re-Enrollment of Study Participants in MACS and WIHS, NIH, (PI: Roger Detels), \$3,653,000

- total direct costs, Co-Investigator, 20% effort, \$385,245 in direct costs per year to A. Butch (includes 20% salary).
- 2001 – 2007 UCLA Program in Psychoneuroimmunology: UCLA Program in Psychoneuroimmunology Core Facility, W. Bettingen Endowment (PI: Anthony Butch), 10% effort, \$50,000 direct costs per year.
- 2001 – 2002 Jonsson Cancer Center Foundation: Jonsson Cancer Center Foundation Immunology Core (PI: C. Uittenbogaart), \$35,000 total direct costs, 5% effort & Salary to A. Butch.
- 2002 – 2006 2P30 CA016042-29, Cancer Center Core Support Grant, Subproject: Immunology Core (Co-PI: Uittenbogaart & Butch), 10% effort, \$52,000 in direct costs per year to A. Butch (includes 10% salary).
- 2002 – 2007 2R01AI026362, T-cell Mediated Immunity in Chlamydial Infection, NIH/NIAID, (PI: Kathleen A. Kelly), \$1,250,000 total direct costs, Co-Investigator, 15% effort & salary to A. Butch.
- 2004 – 2009 2 U01 AI035040, National History of AIDS in Homosexual Men, (PI: Roger Detels), \$14,692,000 total direct costs, Co-investigator, 40% effort, \$530,000 in direct costs per year to A. Butch (includes 40% salary).
- 2004 – 2009 U2R TW006917, NIH/Fogarty (ICOHRTA), China Multidisciplinary AIDS Prevention Training Program (PI: Roger Detels), \$1,193,000 total direct costs, Co-investigator, 5% effort, no salary or supply monies.
- 2009 – 2013 U01 AI035040-17, Natural History of AIDS in Homosexual Men, NIH/NIAID, (PI: Roger Detels), \$6,927,000 total direct costs, Co-Investigator, 20% effort, \$295,000 in direct costs per year to A. Butch (includes 20% salary).

TEACHING ACTIVITIES:

I. School of Medicine - University of Arkansas for Medical Sciences (UAMS)

- A. Pathophysiology Lecture Series - 4 hours per year for sophomore medical students. Topics include autoimmune diseases, immunodeficiencies, hypersensitivity reactions, transplant immunology, liver/biliary tract diseases, lipid metabolism and atherogenesis.
- B. Case Oriented Problem Solving Exercise Series - 12 hours per year for sophomore medical students. Topics include cell alterations and adaptations, cellular necrosis, circulatory disorders, acute and chronic inflammation, wound healing, and neoplasia.
- C. Pathophysiology Review Course - 1 hour per year for sophomore medical students.

- D. Mechanisms of disease and principles of laboratory testing - 4 hours per year for sophomore medical students.
- E. Introduction to clinical medicine and basic laboratory testing - 2 hours per year for freshmen medical students.

II. College of Health Related Professions - UAMS

- A. Immunology Lecture Series - 4 lectures per year for third year medical technology students. Topics include an overview of the lymphoid system, antigens and antibodies, humoral and cell-mediated immunity, and the complement system.

III. Graduate School - UAMS

- A. Orientation to Laboratory Medicine Lecture and Lab Series - 22 hours during the month of July for second year pathology residents. Various topics in chemistry, toxicology, endocrinology, and immunology.
- B. Resident Training in Laboratory Medicine - 6 hours per week (312 hours per year) for second and third year pathology residents. Developed rotation schedule for residents covering chemistry, toxicology, endocrinology, and immunology. Interact one-on-one with residents to solve clinical problems and discuss selected topics during their rotation through specified areas of the clinical lab.
- C. Resident Board Review Series - 40 hours per year for second and third year pathology residents. Various topics in chemistry, toxicology, endocrinology and immunology are discussed using sample board questions to illustrate key concepts.
- D. Transitional Intern Training in Critical Care Chemistry - 6 hours per year.
- E. Senior Medical Student Clinical Pathology Elective - 10 hours per year.
- F. Molecular and Biochemical Pathobiology (Dept. of Pathology) - 3 lectures, 5 hours per year. Topics include cytokine networks, immunodeficiency diseases and immunology of AIDS.
- G. Biology of Cancer (Dept. of Biology) - 1 lecture on immune recognition of cancer cells, 1 hour per year.
- H. Advanced Immunology (Dept. of Micro. & Immunology) - Chaired discussion group on cytokine regulatory networks, 2 hours per year.
- I. Basic Immunology (Dept. of Micro. & Immunology) - 1 lecture on immune regulatory molecules, 1.5 hours per year.
- J. Current Topics in Immunology (Dept. of Micro. & Immunology) - 1 lecture, 1 hour per year.

IV. School of Medicine – University of California, Los Angeles (UCLA)

- A. Resident training in Laboratory Medicine – 4 hours per week for pathology residents. Interact one-on-one with residents to solve clinical problems and discuss selected topics during their rotation through specified areas of the clinical lab. 1999 - Present.
- B. Laboratory Medicine noon conference – 2 hours per year for pathology residents and faculty. Provide formal presentations on selected topics in clinical chemistry. 1999 - Present.
- C. Laboratory Medicine Call conference – 1 hour per week for pathology residents. Discuss handling of chemistry calls after hours and during weekends. 1999 - Present.
- D. Tutor for Problem Based Learning in Block 1 of the Freshman Medical Student Course titled “Foundations of Medicine”, Aug. 11 – Oct 3, 2003; Aug. 9 – Sept. 24, 2004; Aug 8 – Sept. 23, 2005, Aug. 14 – Oct. 6, 2006. Aug. 13 – Sept. 28, 2007, Aug. 11 – Sept. 26, 2008, Aug. 10 – Sept 18, 2009..
- E. Tutor for Orientation Week to Problem Based Learning in Block 1 of the Freshman Medical Student Course titled “Foundations of Medicine”, Aug. 2 – 6, 2004, Aug. 7 – 11, 2006, Aug. 6 – 10, 2007, Aug. 4 – 8, 2008, Aug. 3 – 8, 2009.

V. Outside Teaching Activities

- A. The Osler Institute Pathology Board Review Course – 1 hour lecture on Humoral & Cellular Immunity and 1 hour lecture on Immunodeficiency & Autoimmune Disorders, 2002 – present.

GRADUATE STUDENTS:

- 1993 – 1995 Shane Willbanks, M.S. in Pathology, UAMS, Thesis Title: “Regulation of T Cell Proliferation and Cytokine Production By Follicular Dendritic Cells”
- 1995 – 1997 James Yu, M.S. in Pathology, UAMS, Thesis Title: “Molecular Mechanisms by Which Human Follicular Dendritic Cells Regulate T Cell Responses”

STUDENT RESEARCH PROGRAM – UNDERGRADUATES

- 2002 Kenneth Chung, level USO
- 2003 Ying Hui Luu, level UJR
- 2007 Linda Tran, level UJR

2008 Yosuf Walid Subat UJR

GRADUATE STUDENT COMMITTEES:

1995 – 1997 Kent Tseng, Ph.D. in Microbiology & Immunology, UAMS, Thesis Title: “The Role of Natural Killer Cells in Chlamydial Genital Infection”

INVITED LECTURES & PRESENTATIONS:

1. The role of interleukin-4 in germinal center B cell development. Seminar speaker, Department of Microbiology & Immunology, University of Arkansas for Medical Sciences, Little Rock, AR, 1993.
2. Human follicular dendritic cells regulate T cell responses by novel mechanisms. Invited seminar speaker, Department of Immunology and Microbiology, Wayne State University, Detroit, MI, 1996.
3. Laboratory diagnosis of immunological disorders. Oklahoma-Arkansas Bi-State Clinical Laboratory Science Convention, Hot Springs, AR, 1997.
4. Follicular dendritic cells and dendritic cells: Two sides of a different coin? Invited seminar speaker, Department of Pathology & Laboratory Medicine UCLA, Los Angeles, CA, 1998.
5. Diagnosis and monitoring of disease in patients with multiple myeloma. Roundtable speaker, National Meeting of the American Association for Clinical Chemistry, 1999.
6. Butch AW, Barlogie B, Munshi NC. Dendritic cells as immunotherapy for multiple myeloma. Invited speaker at the Annual Meeting of the Association of Clinical Scientists, San Diego, CA, 1999.
7. Dendritic Cells as Immunotherapy for multiple myeloma. Seminar speaker, Harbor-UCLA, 2001.
8. Analytical performance of total and free PSA assays. Invited speaker, Roche Diagnostics sponsored expert panel on diagnosis of prostate cancer, Los Angeles, CA, 2001.
9. Clinical utility of total PSA and free PSA in the management of prostate cancer. Invited speaker at Roche Grand Rounds, Manhattan Beach, CA, 2002.
10. Butch AW, Chun HH, Sun X, Gatti RA. Immunoassay for ATM (ataxia telangiectasia mutated) protein, Invited speaker at the Annual Meeting of the Association of Clinical Scientists, Salt Lake City, 2002.
11. Immunosuppressive therapy. Invited speaker at Microgenics Corporation, Fremont, CA, 2002.

12. Preliminary experience in automated urine microscopy with the iQ200. Invited speaker, Iris Diagnostics sponsored workshop on the importance of accurate particle analysis at the 15th IFCC-FESCC European Congress of Clinical Chemistry and Laboratory Medicine, Barcelona, Spain, 2003.
13. Analytical performance of the CEDIA cyclosporine PLUS assay. Invited speaker at the 8th International Congress of Therapeutic Drug Monitoring & Clinical Toxicology, Basel, Switzerland, 2003.
14. ProBNP in diagnosis of congestive heart failure. Invited speaker at KAISER Permanente, Los Angeles, CA, 2003.
15. The Role of the Clinical Laboratory in Evaluating Endocrine Function. Workshop Chairman, National Meeting of the American Association for Clinical Chemistry, Orlando, FL, 2002, Philadelphia, PA 2003, Los Angeles, CA, 2004.
16. Assessing Thyroid Function: Test selection and interpretation of results. Workshop Speaker, National Meeting of the American Association for Clinical Chemistry, Orlando, FL, 2002, Philadelphia, PA 2003, Los Angeles, CA, 2004.
17. Therapeutic Drug Monitoring of Mycophenolic Acid. Invited speaker, Microgenics Corporation, Fremont, CA, 2004.
18. Laboratory Evaluation of Endocrine Function. EduTrak/Symposia Chairman, National Meeting of the American Association for Clinical Chemistry, Orlando, FL, 2005.
19. Frontiers in Thyroid Function Testing. EduTrak/Symposia Speaker, National Meeting of the American Association for Clinical Chemistry, Orlando, FL, 2005.
20. Analytical performance of the iQ200 compared with hemacytometer cell counts for CSF and serous fluid cell counting. Invited speaker, Iris Diagnostics sponsored workshop on body fluid cell counting at the National Meeting of the American Association for Clinical Chemistry, Orlando, FL, 2005.
21. Frontiers in Thyroid Function Testing. Seminar Speaker, ASCP Annual Meeting, Seattle, WA, 2005, Las Vegas, NV, 2006, New Orleans, LA, 2007.
22. Laboratory Evaluation of Endocrine Function. Symposia Chairman, National Meeting of the American Association for Clinical Chemistry, Chicago, IL, 2006.
23. Frontiers in Thyroid Function Testing. Symposia Speaker, National Meeting of the American Association for Clinical Chemistry, Chicago, IL, 2006.
24. Frontiers in Thyroid Testing. AACC's Expert Access Live Online Program, December 2007.

25. Frontiers in Thyroid Testing. Invited speaker for the 2007 Hawaiian Conference sponsored by Dade Behring, Honolulu, HI, 2007.
26. The Anti-Doping Movement in Sports: Are We Winning? Keynote Speaker, Annual Meeting of the Association of Clinical Scientists, Los Angeles, CA, 2008.
27. Member of Panel Discussion on Laboratory Testing for human growth hormone, Major League Baseball Growth Hormone Summit, Beverly Hills, CA, 2008.
28. The Anti-Doping Movement in Sports, Keynote Speaker, September Meeting of the Southern California Section of the American Association for Clinical Chemistry, Hawthorne, CA, 2008.

RESEARCH PAPERS (Peer-Reviewed)

1. Rosloniec EF, Gottlieb C, **Butch AW**, Lerman SP. Comparative growth of SJL/J lymphomas irradiated and normal SJL/J mice: Cell cycle distribution and tumor cell quantification. *J. Natl. Cancer Inst* 75:877-883, 1985.
2. **Butch AW**, Macke KA, Scott MG, Inkster M, Nahm MH. Mitogen-induced human IgG subclass expression II. IgG1 and IgG3 subclasses are preferentially stimulated by a combination of *Staphylococcus aureus* Cowan I and pokeweed mitogen. *Human Immunol* 24:207-18, 1989.
3. Thrush G, **Butch AW**, Lerman SP. CD8 suppressor cell activity and its effect on CD4 helper cell-dependent growth of SJL/J B-cell lymphomas. *Cell. Immunol.*, 122:555-62, 1989.
4. **Butch AW**, Goodnow TT, Brown WS, McClellan A, Kessler G, Scott MG. Stratus automated creatine kinase-MB assay evaluated: Identification and elimination of falsely increased results associated with a high-molecular-mass form of alkaline phosphatase. *Clin Chem* 35:2048-53, 1989.
5. Nahm M, Park KS, Chandekar L, Desi S, Kim S, **Butch AW**, Paik WK. Studies on the distribution of S-adenosylmethionine protein N-methyltransferases in human splenocytes. *Clin Chem Enzym Comm* 2:125-35, 1990.
6. Scott MG, Levine AD, **Butch AW**, Bowen MB, Macke KA, Nahm MH. Production, characterization and use of five monoclonal antibodies to human IL-4. *Lymphokine Research* 9:81-93, 1990.
7. **Butch AW**, Pesando J, Levine A, McKearn J, Nahm MH. Cytokine production by T helper cell subpopulations during prolonged in vitro stimulation. *Immunol Let* 27:85-94, 1991.
8. Bowen MB, **Butch AW**, Parvin CA, Levine A, Nahm MH. Germinal center T cells are distinct helper-inducer T cells. *Human Immunol* 31:67-75, 1991.
9. Secrist H, Holers M, Levine A, Egan M, Nahm MH, **Butch AW**, Peters M. Induction of IL-4 and IL-6 synthesis in vitro: Variation in signalling requirements and kinetics are dependent on the anatomic source of the responding mononuclear cells. *Regional Immunol* 3:341-48, 1991.

10. **Butch AW**, Nahm MH. Functional properties of human germinal center B cells. *Cell Immunol* 140:331-44, 1992.
11. **Butch AW**, Chung GH, Hoffmann JW, Nahm MH. Cytokine expression by germinal center cells. *J Immunol* 150:39-47, 1993.
12. **Butch AW**, Hug BA, Nahm MH. In vitro properties of human follicular dendritic cells isolated with HJ2, a new mouse monoclonal antibody. *Cell Immunol* 155:27-41, 1994.
13. Moncharia H, **Butch AW**, Pappas AA, Flick JT, Weinstein RS, DeTogni P, Jilka R, Parfitt AM, Manolagas SC. Quantification of vitamin D receptor mRNA by competitive polymerase chain reaction in PBMC: lack of correspondence with common allelic variants. *J Bone Miner Res* 12:726-33, 1997.
14. Zent CS, Wilson CS, Tricot G, Jagannath S, Siegel D, Desikan KR, Munshi N, Bracy D, Barlogie B, **Butch AW**. Oligoclonal protein bands and immunoglobulin isotype switching in multiple myeloma patients treated with autologous bone marrow transplantation. *Blood* 91:3518-23, 1998.
15. Fiser RT, Torres A, **Butch AW**, Valentine JL. Ionized magnesium concentrations in critically ill and healthy children. *Crit Care Med* 26:2048-52, 1998.
16. Paulson WD, Roberts WL, Lurie AA, Koch DD, **Butch AW**, Aguanno JJ. Wide variation in serum anion gap measurements by chemistry analyzers. *Am J Clin Path* 110:735-42, 1998.
17. **Butch AW**, Kelly KA, Willbanks MS, Yu X. Human follicular dendritic cells inhibit superantigen-induced T cell proliferation by distinct mechanisms. *Blood* 94:216-24, 1999.
18. Wilson CS, **Butch AW**, Lai R, Medeiros LJ, Sawyer JR, Barlogie B, McCourty BS, Kelly K, Brynes RK. Cyclin D1 and E2F-1 immunoreactivity in bone marrow biopsies of multiple myeloma: relationship to proliferative activity, cytogenetic abnormalities and ploidy. *Br J Haematol* 112:776-82, 2001.
19. **Butch AW**, Kelly KA, Munshi NC. Dendritic cells derived from multiple myeloma patients efficiently internalize different classes of myeloma protein. *Exp Haematol* 29:85-92, 2001.
20. Wilson CS, Medeiros LJ, Lai R, **Butch AW**, McCourty A, Kelly K, Brynes RK. DNA topoisomerase II-alpha in multiple myeloma: A marker of cell proliferation and not drug resistance. *Modern Path* 14:886-91, 2001.
21. **Butch AW**, Crary D, Yee, M. Analytical performance of the Roche total and free PSA assays on the Elecsys 2010 immunoanalyzer. *Clin Biochem* 35:143-45, 2002.
22. Christiansen J, Rajasekaran SA, Moy P, **Butch A**, Goodglick L, Zhennau G, Reiter RE, Bander NH, Rajaselaran AK. Polarity of prostate specific membrane antigen, prostate stem cell antigen, and prostate specific antigen in prostate tissue and in a cultured epithelial cell line. *Prostate* 55:9-14, 2003.

23. **Butch AW**, Fukuchi AM. Evaluation of a new pretreatment reagent for use with the EMIT[®] 2000 cyclosporine assay. *Clin Biochem* 36:313-6, 2003.
24. Aziz N, Fahey JL, Detels R, **Butch AW**. Analytical performance of a high sensitive C-reactive protein immunoassay and the effect of laboratory variables on measured blood levels. *Clin Diag Lab Immunol* 10:652-7, 2003.
25. Motivala SJ, Dang J, Obradovic T, Meadows, GG, **Butch AW**, Irwin M. Leptin and cellular and innate immunity in abstinent alcoholics and controls. *Alcohol Clin Exp Res* 27:1819-24, 2003.
26. Yeo, KTJ, Wu AHB, Apple FS, Kroll MH, Christenson RH, Lewandrowski KB, Sedor FA, **Butch AW**. Multicenter evaluation of the Roche NT-proBNP assay and comparison to the Biosite Triage BNP assay. *Clinica Chimica Acta* 338:107-15, 2003.
27. **Butch AW**, Fukuchi AM. Analytical performance of the CEDIA cyclosporine PLUS whole blood immunoassay. *J Anal Toxicol* 28:204-10, 2004.
28. McWhorter VC, Ford LC, **Butch AW**. Analytical performance of the Synchron LX[®]20 Pro, BN[™]II and IMMAGE[®] high sensitivity C-reactive protein assays and concordance in cardiovascular risk stratification. *Clinica Chimica Acta* 347:71-9, 2004.
29. **Butch AW**, Chun HH, Nahas SA, Gatti RA. Development of an immunoassay to measure ataxia-telangiectasia mutated (ATM) protein in cellular lysates. *Clin Chem* 50:2302-8, 2004.
30. Jahr JS, Osgood S, Rothenberg SJ, Steien E, Li QL, Bezdikian V, **Butch AW**, Gunther R, Cheung A, Driessen B. Lactate interference by hemoglobin-based oxygen carriers (Oxyglobin[®], Hemopure[®], and Hemolink[™]). *Anesth Analg* 100:431-6, 2005.
31. Wah DT, Wises PK, **Butch AW**. Analytical performance of the iQ200[®] automated urine microscopy analyzer and comparison with manual counts using Fuchs-Rosenthal cell chambers. *Am J Clin Path* 123:290-6, 2005.
32. Kelly KA, **Butch AW**. Antigen-specific IgE+ B cells are preferentially localized within germinal centers. *Immunol* 120:345-53, 2007.
33. Irwin MR, Olmos L, Wang M, Valladares EM, Motivala SJ, Fong T, Newton T, **Butch A**, Olmstead R, Cole SW. Cocaine dependence and acute cocaine induce decreases of monocyte proinflammatory cytokine expression across the diurnal period: autonomic mechanisms. *J Pharmacol Exp Ther* 320:507-15, 2007.
34. Nguyen MK, Vahram O, **Butch AW**, Kurtz I. A new quantitative method for determining the plasma water content in pseudohyponatremia. *Am J Physiol Renal Physiol* 292:1652-6, 2007.
35. Jahr JS, Weeks DL, Desai P, Lim JC, **Butch AW**, Gunther R, Driessen B. Does OxyVita[™], a new generation HBOC or oxyglobin[®] acutely interfere with coagulation compared to normal saline or 6% hetastarch: an ex-vivo TEG preliminary study. *J Cardiothorac Vasc Anesth* 22:34-9, 2008.

36. **Butch AW**, Wises PK, Wah DT, Gornet TG, Fritsche HA. A multicenter evaluation of the iQ[®]200 automated urine microscopy system body fluids module and comparison with hemocytometer cell counts. *Am J Clin Path* 129:445-50, 2008.
37. Weeks, DL, Jahr JS, Lim JC, Butch AW, Briessen B. Does heptend impair coagulation compared to 6% hetastarch? An ex vivo thromboelastography study. *Am J Ther* 15:225-30, 2008.
38. Starcevic B, **Butch AW**. Genetic variations in the UDP-glucuronosyl transferase 2B17: Implications for testosterone excretion profiling and doping control programs. *Clin Chem* 54:1945-7, 2008.
39. Moallempour M, Jahr JS, Lim JC, Weeks D, **Butch A.**, Briessen B. Methemoglobin effects on coagulation: A dose response study with HBOC-200 (Oxyglobin) in a thromboelastogram model. *J Cardiothorac Vasc Anesth* 23:41-7, 2008.
40. Nahas SA, **Butch AW**, Gatti RA. Rapid flow cytometry-based SMC1 phosphorylation assay for identification of ataxia-telangiectasia homozygotes and heterozygotes. *Clin Chem* 55:463-72, 2009.
41. Kelly KA, Wiley D, Wiesmeier E, Briskin M, **Butch A**, Darville T. The combination of the gastrointestinal integrin ($\alpha 4\beta 7$) and selectin ligand enhances T cell migration to the reproductive tract during bacterial infection with *Chlamydia trachomatis*. *Am J Reprod Immunol*, In press.
42. Kelly KA, Chan AM, **Butch A**, Darville T. Two different homing pathways involving integrin $\beta 7$ and E-selectin significantly influence trafficking of CD4 cells to the genital tract following *C. muridarum* infection. *Am J Reprod Immunol*, In press.
43. King M, Poya H, Rao J, Natarajan S, **Butch AW**, Aziz N, Kok S, Chang MH, Lyons JH, Ault K, Kelly KA. CXCL13 expression in *Chlamydia trachomatis* infection of the female reproductive tract. Submitted.

BOOK CHAPTERS

1. **Butch AW**, Pappas AA. Tumor markers. In *Clinical Chemistry: Principles, Procedures, Correlations*. Bishop ML, Duben-Engelkirk JL, Fody EP, eds. Lippincott, Philadelphia, PA, 3rd edition, pgs. 483-500, 1996.
2. **Butch AW**. Immune Disorders. In *Review Questions for Human Pathology: A Review for the USMLE Step 1, 2 and 3 Examinations*. Jones RR, ed. Parthenon Publishing, New York, pgs 36-43, 1999.
3. **Butch AW**, Massoll N, Pappas AA. Tumor markers. In *Clinical Chemistry: Principles, Procedures, Correlations*. Bishop ML, Duben-Engelkirk JL, Fody EP, eds. Lippincott, Philadelphia, PA, 4th edition, pgs 522-39, 2000.

4. **Butch AW.** Immunosuppressive Drugs: Pharmacokinetics, preanalytic variables, and analytical considerations. *In Handbook of Drug Monitoring Methods: Therapeutics and Drugs of Abuse.* Dasgupta A, ed. Humana Press, Totowa, New Jersey, 1st edition, pgs 165-201, 2007.
5. **Butch AW.** Introduction to Immunosuppressive Drug Monitoring. *In Therapeutic Drug Monitoring Data: A Concise Guide.* Hammett-Stabler CA, Dasgupta A, eds. AACC Press, Washington, DC, 3rd edition, pgs 129-61, 2007.
6. Ahrens BD, **Butch AW.** Performance Enhancing Drugs in Sports. *In Clinical Critical Issues in Alcohol and Drugs of Abuse Testing.* Dasgupta A, ed. AACC Press, Washington, DC, 1st edition, pages 289-307, 2009.
7. Kelly KA, **Butch AW.** Pharmacokinetics and Therapeutic Drug Monitoring of Immunosuppressants. *In Advances in Chromatographic Techniques for Therapeutic Drug Monitoring.* Dasgupta A, ed. CRC Press, 1st edition, pages 209-238, 2010.

LETTERS TO THE EDITOR

1. **Butch AW,** Shelton MA, Valdes Jr. R. More on the new immunometric digoxin assay on the Ames Seralyzer. *Ther Drug Monit* 12:584-5, 1990.
2. **Butch AW.** Falsely increased values for rabbit immunoglobulin-based nephelometric immunoassay attributable to human anti-rabbit antibodies. *Clin Chem* 46:1207-8, 2000.
3. **Butch AW.** Dilution protocols for detection of hook effects/prozone phenomenon. *Clin Chem* 46:1719-20, 2000.
4. Aziz N, Irwin MR, Dickerson SS, **Butch AW.** Spurious tumor necrosis factor alpha and interleukin-6 production by human monocytes from blood collected in endotoxin-contaminated Vacutainer blood collection tubes. *Clin Chem* 50:2215-6, 2004.

EDITORIALS

1. Leppert JT, Lam JS, **Butch AW,** Beldegrun AS. Are testosterone immunoassays reliable for monitoring anti-androgen therapy? *Urol Oncol* 24:277-8, 2006.
2. Gronowski AM, Sturgeon C, Stenman UH, Braunstein GD, Cowan DA, **Butch AW.** Clinical assays for human chorionic gonadotropin: what should we measure and why? *Clin Chem* 55:1900-4, 2009.

CASE REPORTS

1. Wong EC, **Butch AW,** Rosenblum JL, Ladenson JH, Scott MG. The clinical chemistry laboratory and acute pancreatitis. *Clin Chem* 39:234-43, 1993.

2. Yeh AY, Pappas AA, Flick JT, **Butch AW**. A case of aggressive multiple myeloma with cleaved, multilobated, and monocytoid nuclei, and no serum monoclonal protein. *Ann Clin Lab Sci* 30:283-7, 2000.
3. **Butch AW**, Badros A, Desikan KR, Munshi NC. Expression of a free heavy chain following autologous stem cell transplantation for IgG kappa multiple myeloma. *Bone Marrow Transplant* 27:663-9, 2001.
4. Monchamp T, Chopra IJ, Wah DT, **Butch AW**. Falsely elevated thyroid hormone levels due to anti-sheep antibody interference in an automated electrochemiluminescent immunoassay. *Thyroid* 17:271-75, 2007.
5. Sullivan PS, **Butch AW**. Long-standing anemia in a 29-year old woman. *Lab Med* 38:222-6, 2007.
6. Shackley BS, Drake TA, **Butch AW**. Chronic microcytic anemia and jaundice in a 36-year old male of Burmese descent. *Lab Med*, In press.

REVIEW ARTICLES

1. Hajek R, **Butch AW**. Dendritic cell biology and the application of dendritic cells to immunotherapy of multiple myeloma. *Med Oncol* 17:2-15, 2000.
2. **Butch AW**. Laboratory aspects of thyroid function testing. *ADVANCE for Medical Laboratory Professionals* 15:19-24, 2003.
3. **Butch AW**. Niacin Supplements: Athletes should think twice before using to beat urine drug tests. *The National Center for Drug Free Sport Newsletter*. 3rd Quarter, 2008.

BOOK REVIEWS

1. Review of the textbook *Diagnostic Immunopathology* by Colvin RB, Bhan AK, McCluskey RT, eds. Raven Press, New York, 2nd edition. *Human Path* 26:1170, 1995.
2. Review of the textbook *Tietz Textbook of Clinical Chemistry* by Burris CA, Atwood ER, Eds. Saunders, Philadelphia, 2nd edition. *Human Path* 26:1391, 1995.

ABSTRACTS

1. **Butch AW**, Genyea C, Wasserman K, Kaplan J, Lerman SP. SJL/J lymphomas: Inhibitory effects of natural killer (NK) cells. *Fed Proc* 43:1994, 1984.

2. **Butch AW**, Genyca C, Kaplan J, Lerman SP. Role of H-2D^s class I antigen in immunity to SJL lymphomas. *Fed Proc* 44:4471, 1985.
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Agenda Item

#11

AGENDA ITEM # 11

Section 18731 Business and Professions Code

No referee or physician shall be assigned to a boxing contest who has not participated in a clinic sponsored by the commission in accordance with this section in the preceding six months.

Clinics shall include, among other things, the subjects of the rules of the commission, the recognition and diagnosis of serious or life-threatening, boxing-related and neurological injuries and disorders, and refereeing a bout.

The commission is authorized to pay any necessary and authorized travel expenses of referees and physicians who attend such clinics.

Agenda Item #12

AGENDA ITEM # 12

Rule 371- Referee's License

(a) In order to be licensed as a referee, an applicant shall meet all the following requirements:

(1) Have demonstrated prior experience in refereeing and judging boxing matches and perform in a series of training sessions as a referee to successfully demonstrate proficiency. Training sessions shall be conducted by a commission representative or commission appointed licensed referee(s) and shall be approved by the commission.

(2) Be found after examination by a licensed physician to be physically and mentally fit to referee a boxing contest and to have uncorrected visual acuity of at least 20/100 in both eyes. Weight shall be proportionate to height in accordance with the standards of the American Medical Association in effect at the time of the effective date of this regulation.

(3) Be in good physical condition with the speed and reflexes in the ring necessary for the protection of the boxers.

(4) Pass a written examination administered by the commission on the fundamentals of boxing, refereeing and judging boxing matches and contests, and California law and regulations relating to boxing.

(5) Perform in a series of training sessions as a judge to successfully demonstrate proficiency. Training sessions shall be conducted by a commission representative or commission-appointed licensed referees or judges.

Rule 379 - Judge's License

In order to be licensed as a judge for boxing contests, an applicant shall meet all the following:

(a) Shall have been assigned by the California Athletic Commission for at least three years in such a capacity as to have judged, supervised or evaluated professional boxing judges.

(b) Pass a written examination administered by the commission on the fundamentals of boxing, judging boxing contests and knowledge of California law and regulations relating to boxing.

(c) These requirements may be waived for any applicant who possesses a current and valid license as a boxing judge in another state or country and has not been the subject of any disciplinary action.

(d) Must have demonstrated prior experience in judging boxing contests and must demonstrate judging proficiency. Proficiency shall be determined by a commission representative or commission-appointed licensed referees or judges and the method of evaluations shall be approved by the commission.

Agenda Item #16

STATE OF CALIFORNIA



DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission

2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197



November 25, 2009

Tony the Tiger Promotions
719 11th Street
Sacramento, CA 95814
Attn: Tony Lopez

Re: Notice of License Suspension

Dear Mr. Lopez:

Pursuant to California Business and Professions Code section 18842, your license to act as a promoter is temporarily suspended pending final determination of your case by the California State Athletic Commission ("Commission"). Section 18842 allows temporary suspension by the Commission when "the action is necessary to protect the public welfare or is in the best interest of boxing or martial arts."

Stemming from your event held on July 18, 2009, payment due to the California State Athletic Commission in the amount of \$868.80 is still due to settle the box office report. While a partial payment due to the California State Athletic Commission has been promptly submitted, a significant balance still remains outstanding.

An initial hearing in this matter, to determine what penalty should be imposed, has been set for the Commission's next meeting which will be held on December 21, 2009 in Los Angeles, California at the Junipero Serra State Building located at 320 West Fourth Street, Los Angeles, California 90013.

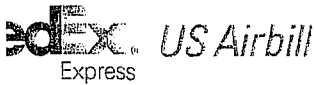
If you have any questions, please feel free to contact me at (916) 263-2195.

Respectfully,

Handwritten signature of Bill Douglas in cursive.

for Dave Thornton
Interim Executive Officer

cc: Karen Chappelle, Supervising Deputy Attorney General, Office of the Attorney General
cc: James Maynard, Legal Counsel, Department of Consumer Affairs
cc: Anita Scuri, Senior Legal Counsel, Department of Consumer Affairs
cc: Che Guevara, Assistant Chief Athletic Inspector, California State Athletic Commission
cc: Gil DeLuna, Executive Manager, California State Athletic Commission



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State CA

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4b Express Freight Service

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FedEx 1Day Freight Booking No.

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FedEx 3Day Freight Third business day. ** Saturday Delivery NOT available.

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FedEx Pak* Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak.

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FedEx Tube Other

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California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197



November 25, 2009

Lovin' Life Entertainment, Inc.
2300 Contra Costa Blvd. #100
Pleasant Hill, CA 94523

Re: Notice of License Suspension

Dear Msrs. Porter, McCoriston, Yudien, and Hurwitz:

Pursuant to California Business and Professions Code section 18842, your license to act as a promoter is temporarily suspended pending final determination of your case by the California State Athletic Commission ("Commission"). Section 18842 allows temporary suspension by the Commission when "the action is necessary to protect the public welfare or is in the best interest of boxing or martial arts."

At your event held on September 5, 2009, payment issued to Dr. Pat Golden was insufficient upon deposit in the bank and has not been resolved. The monetary amount still due is \$362. Mr. Yudien was notified via email on November 2, 2009 of the situation and what the consequences could be if the situation was not rectified. While the funds due to the California State Athletic Commission were promptly submitted, the issue with Dr. Golden remains outstanding.

An initial hearing in this matter, to determine what penalty should be imposed, has been set for the Commission's next meeting which will be held on December 21, 2009 in Los Angeles, California at the Junipero Serra State Building located at 320 West Fourth Street, Los Angeles, California 90013.

If you have any questions, please feel free to contact me at (916) 263-2195.

Respectfully,



for Dave Thornton
Interim Executive Officer

cc: Karen Chappelle, Supervising Deputy Attorney General, Office of the Attorney General
cc: James Maynard, Legal Counsel, Department of Consumer Affairs
cc: Anita Scuri, Senior Legal Counsel, Department of Consumer Affairs
cc: Che Guevara, Assistant Chief Athletic Inspector, California State Athletic Commission
cc: Gil DeLuna, Executive Manager, California State Athletic Commission

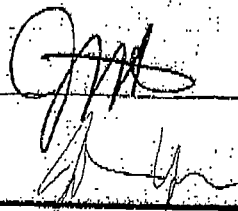
Patrick A Golden, MD
1275 E Spruce, No. 103
Fresno CA 93720
Phone: 559-432-0716
Fax: 559-432-0716

facsimile transmittal

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 From: Patrick Golden MD Date: 19-9-09
 Re: Bounced Check Pages: 1 (including header)
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Member <u>Bank of the Bay</u>			
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SECURITY FEATURES INCLUDED. DETAILS ON BACK.			

William Douglas/Athletic
Commission/DCANotes
11/02/2009 04:01 PM

To jodyjay@pacebell.net
Dave Thornton/Athletic Commission/DCANotes@DCANotes,
cc Gil DeLuna/ULA/DCANotes@DCANotes, Che
Guevara/Athletic Commission/DCANotes@DCANotes,
bcc
Subject CSAC License Status

Mr. Yudien,

During our last contact, you were representing Lovin' Life Entertainment regarding their status as a promoter in the State of California. Since our last conversation, Lovin' Life Entertainment has held one event in the State of California in September. Unfortunately, the promoter has disbursed a check to one of our Ringside Physicians in which the funds were not sufficient and the promoter has yet to fulfill the "box office" obligations due to the State of California for said live event.

Listed below are the funds that are due to "close" the event.

1. Dr. Pat Golden - \$362.00
2. California State Athletic Commission - \$657.80

Both checks are due in the form of "cashier's checks" by close of business tomorrow, November 3, 2009.

Failure on the part of Lovin' Life Entertainment to provide payments to this office at the address listed below by 5:00 pm on November 3, 2009 will result in an immediate suspension of the promoter's license for Lovin' Life Entertainment. Additionally, we will pursue "revocation" of the license at the December 8, 2009 Commission Meeting in Los Angeles, CA.

Thank you.

Bill Douglas
Assistant Executive Officer
California State Athletic Commission
Department of Consumer Affairs
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
P: (916) 263-2199
F: (916) 263-2197

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Signature Copy

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Sender's Name CSAC Phone (916) 263-2195
Company CALIFORNIA STATE ATHLETIC COM
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City SACRAMENTO State CA ZIP 95815-3831

2 Your Internal Billing Reference
First 24 characters will appear on invoice.

3 To Recipient's Name LOVIN' LIFE ENTERTAINMENT, INC. Phone
Company HOLD Weekday HOLD Saturday
Print FedEx location address below. NOT available for FedEx First Overnight. Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.
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We cannot deliver to P.O. boxes or P.O. ZIP codes.
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 FedEx 2Day Second business day.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 FedEx Express Saver Third business day.* Saturday Delivery NOT available.

4b Express Freight Service **To most locations. Packages over 150 lbs.
 FedEx 1Day Freight Next business day.** Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected. FedEx 1Day Freight Booking No.
 FedEx 2Day Freight Second business day.** Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
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5 Packaging *Declared value limit \$500.
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 No Signature Required Package may be left without obtaining a signature for delivery.
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 Indirect Signature If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only. For business.
Does this shipment contain dangerous goods? One box must be checked.
 No Yes As per attached Shipper's Declaration. Yes Shipper's Declaration not required. Dry Ice Dry Ice, 9, UN 1845 x kg
Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box. Cargo Aircraft Only

7 Payment Bill to:
 Sender Acct. No. in Section 1 will be billed. Recipient Third Party Credit Card Cash/Check
FedEx Acct. No. Credit Card No. Exp. Date

Total Packages Total Weight Total Declared Value¹
lb. \$.00

¹Our liability is limited to \$100 unless you declare a higher value. See back for details. By using this Airbill you agree to the service conditions on the back of this Airbill and in the current FedEx Service Guide, including terms that limit our liability.

553

Rev. Date 2/09-Part #158275-6/1994-2009 FedEx-PRINTED IN U.S.A.-SHS

PULL AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE. NO POUCH NEEDED.

Dave Thornton/Athletic
Commission/DCANotes

12/10/2009 03:16 PM

To mae_wcsc@yahoo.com

William Douglas/Athletic

cc Commission/DCANotes@DCANotes,

Karen.Chappelle@doj.ca.gov, Tommy Nhan/Athletic

bcc

Subject License Revocation Hearing

Mr. Espinoza,

This is official notice that the revocation hearing for your promoter's license will be held on Monday, December 21, 2009 at the Junipero Serra State Building, Carmel Room, 320 West 4th Street, Los Angeles, CA 90013. The meeting will begin at 9 AM. Attached is a copy of the Agenda.

Please let me know if you have any questions.



Commission Agenda.doc

Dave Thornton
Interim Executive Officer
California State Athletic Commission
(916) 263-2195

William Douglas/Athletic
Commission/DCANotes
11/03/2009 11:54 AM

To: Michael Espinoza <mae_wcsc@yahoo.com>
Dave Thornton/Athletic Commission/DCANotes@DCANotes,
cc: Che Guevara/Athletic Commission/DCANotes@DCANotes,
Gil DeLuna/ULA/DCANotes@DCANotes, Tommy
bcc:
Subject: Re: CSAC License Status 

Mike,

This extension runs through close of business November 23, 2009. Failure to provide payment in full by 5:00 pm on that date results in immediate suspension of your promoter license. Additionally, you will be scheduled for a revocation hearing in Los Angeles on December 8, 2009.

There will be no further written "warnings" in regard to this matter after this communication.

Thank you.

Bill Douglas
Assistant Executive Officer
California State Athletic Commission
Department of Consumer Affairs
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
P: (916) 263-2199
F: (916) 263-2197

Michael Espinoza <mae_wcsc@yahoo.com>



Michael Espinoza
<mae_wcsc@yahoo.com>
11/03/2009 11:09 AM

To: William_Douglas@dca.ca.gov
cc:
Subject: Re: CSAC License Status

Dear Mr. Douglas,

Let me begin by apologizing for any inconveniences that may have occurred from our last event. I am currently going through legal litigation with my former associate which is the cause of my financial dilemma. This situation came on unexpectedly and is the reason why this issue has not been resolved. I am currently taking all legal and financial measures to rectify this problem as quickly as possible. I have been a promoter in good standing with the state of California for 22 years and I will do everything within my means to maintain that status. I have recently applied for a personal financial loan on which I am waiting for funding. Please allow me the remainder of this month to acquire the financial means to rectify this problem. I will also make it a point to increase Ms. Nicole Johnson's purse for any of her inconveniences.

Please contact me if you would like to further discuss this matter.

My deepest and sincerest apologies to you and anyone else that this may have inconvenienced.

Respectfully,

Michael A. Espinoza
World Combat Sports Challenge
650.271.6232 (direct line)
mike@worldcsc.com (email)

From: "William_Douglas@dca.ca.gov" <William_Douglas@dca.ca.gov>
To: mae_wcsc@yahoo.com
Cc: Dave_Thornton@dca.ca.gov; Gil_DeLuna@dca.ca.gov; Che_Guevara@dca.ca.gov;
Tommy_Nhan@dca.ca.gov
Sent: Mon, November 2, 2009 4:31:57 PM
Subject: CSAC License Status

Dear Mr. Espinoza,

Unfortunately, you have yet to fulfill the "box office" obligations due to the State of California for your last live event. Additionally, you gave a check to athlete Nicole Johnson that did not have sufficient funds for her to deposit her check.

Listed below are the funds that are due to "close" the event.

1. California State Athletic Commission - \$2,737.04
2. Nicole Johnson - \$1,200.00

Payment of these checks are due in the form of "cashier's checks" by close of business tomorrow, November 3, 2009.

Failure on your part to provide payment to this office at the address listed below by 5:00 pm on November 3, 2009 will result in an immediate suspension of your promoter's license. Additionally, we will pursue "revocation" of the license at the December 8, 2009 Commission Meeting in Los Angeles, CA.

Thank you.

Bill Douglas
Assistant Executive Officer
California State Athletic Commission
Department of Consumer Affairs
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
P: (916) 263-2199
F: (916) 263-2197

Tommy Nhan/Athletic
Commission/DCANotes
10/13/2009 03:05 PM

To Mae_Wcsc@yahoo.com
cc
bcc
Subject Re: Box office dues from the 9/19/09 Kezar event

Mike,

Nicole Johnson fought in your 9/19/09 Kezar event and her check bounced. Please issue a Money Order or Cashier's Check for \$1,200.00 and send it to us along with your box office check so we do not have to take further action. Thank you

Tommy Nhan
California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
916.263.2195
Fax: 916.263.2197
Tommy_Nhan@dca.ca.gov

Tommy Nhan/Athletic Commission/DCANotes

Tommy Nhan/Athletic
Commission/DCANotes
10/13/2009 09:36 AM

To Mae_Wcsc@yahoo.com
cc
Subject Box office dues from the 9/19/09 Kezar event

Mike,

You still have not submitted your box office for the 9/19/09 event at the Kezar. The total due is \$2,737.04. Please pay this in full as soon as possible so we can revolve this issue. Thank you

Tommy Nhan
California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
916.263.2195
Fax: 916.263.2197
Tommy_Nhan@dca.ca.gov

I, Nicole Johnson, authorize Dave Marinoble to handle and negotiate all details related to this check and event.

Nicole Johnson
Nicole Johnson

10/9/2009

Witnessed by 10/9/09

Kim Min

122105278
09/28/2009
3430033990

09/22/2009
000006616954465

This is a LEGAL COPY
of your check. You can
use it the same way
you would use the
original check.

RETURN REASON-A
NOT SUFFICIENT
FUNDS

WORLD COMBAT SPORTS CHALLENGE LLC		1167
EXPENSE ACCOUNT		
1 HALLADIE PLZ, STE 708		
528575847	09-24-09 7651	
PAY TO THE ORDER OF <i>NICOLE JOHNSON</i>		
<i>ONE THOUSAND TWO HUNDRED DOLLARS</i>		\$ 1,200
CHASE		
FOR <i>prize</i>		
NON SUFFICIENT FUNDS		
00001167032227162703173757954		

RETURN REASON - A
NOT SUFFICIENT FUNDS

000011670 43222716270 3173757954 0000120000

William Douglas/Athletic
Commission/DCANotes

11/05/2009 08:20 AM

To Dave Thornton/Athletic Commission/DCANotes@DCANotes

Gil DeLuna/ULA/DCANotes@DCANotes, Che

cc Guevara/Athletic Commission/DCANotes@DCANotes,

Tommy Nhan/Athletic Commission/DCANotes@DCANotes

bcc

Subject Promoters - extended due date

Dave,

The following promoters have been granted an extension to pay their fees due to CSAC or officials. Should these promoters fail to meet the deadline, I will notify you to add to the next agenda for a revocation hearing.

1. Mike Espinoza

Still responsible for:

a. Nicole Johnson - \$1,200.00

b. CSAC - \$2,737.04

Deadline extended to close of business: November 23, 2009

2. Total Combat

Still responsible for:

a. CSAC - \$4,664.53

Deadline extended to close of business: December 21, 2009

* This matter may need to be scheduled for a Commission meeting if it runs past 12/21 *

3. California Kid Promotions

Still responsible for:

a. Dr. Gary Furness - \$1,125.00

b. Bruce Rasmussen - \$281.00

c. CSAC - \$1,817.60

Deadline extended to close of business: November 9, 2009

Bill Douglas
Assistant Executive Officer
California State Athletic Commission
Department of Consumer Affairs
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
P: (916) 263-2199
F: (916) 263-2197

