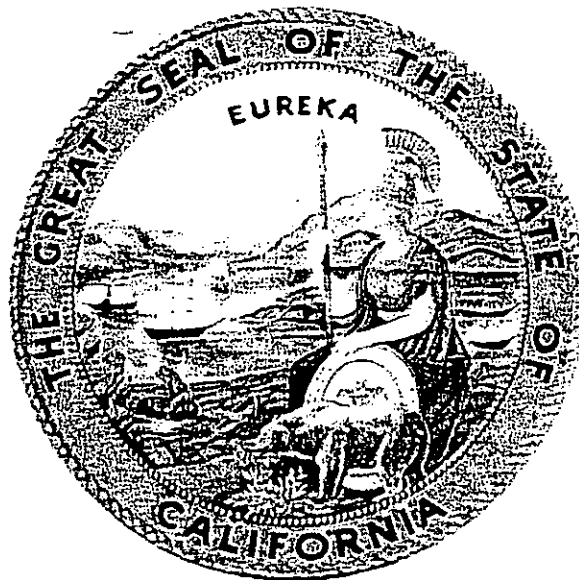


Department of Consumer Affairs  
California State Athletic Commission

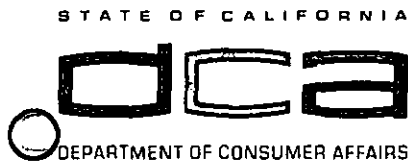
Commission Meeting

August 15, 2011

Los Angeles, CA



Chairman John Frierson  
Vice-Chairman Dr. Christopher Giza  
George Dodd, Executive Officer  
California State Athletic Commission Program



## California State Athletic Commission

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

Members of the Commission

Commissioner John Frierson, Chair  
 Commissioner Christopher Giza, Vice-Chair  
 Commissioner Van Lemons, M.D.  
 Commissioner Eugene Hernandez  
 Commissioner Brian Edwards  
 Commissioner Linda Forster  
 Commissioner Mike Munoz

Action may be taken on any item listed on  
 the agenda except public comment.  
 Agenda items may be taken out of order

## MEETING AGENDA

Monday August 15, 2011

9:30 A.M. to Close of Business

Location

Ronald Regan State Building  
 Auditorium  
 300 South Spring Street  
 Los Angeles, CA 90013

1. Call to Order/Roll Call/Pledge of Allegiance
2. Chairman's Report
3. Approval of Minutes
  - a. May 18, 2011
  - b. June 20, 2011
4. Executive Officer Report
  - a. Budget Update
  - b. Update on Status of Regulations
  - c. Staff Update – New Assistant Executive Officer and Office Tech
  - d. Stakeholders conference call
  - e. Medical documentation – MRI and EKG every five years
  - f. Executive Officer Evaluation
5. Public Comment on Items not on the Agenda - *Note: The Commission may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a)]*

*Break*

6. Request to Appeal Bout Decision –
  - a. Frankie Gomez vs Khadaphi Proctor
  - b. Christy Martin vs. Dakota Stone
7. Appeal of License Suspension – Steroids/Drug of Abuse
  - a. Karl Mahealania Santiago
  - b. Thor Skancke
  - c. Mat Conte

8. California Police Athletic Federation Request to Regulate Event
9. Ringside Physician Association Presentation on Mission and Purpose – Dr. Paul Wallace
10. Report From Medical Advisory Committee – Update
11. Incident Report from Fox Theater – Pomona, CA – June 4, 2011

Lunch

12. Policy for handling allegation of illegal activities
13. Procedure for handling unregulated events
14. Previous Promoters Request
  - a. Changing Rule 242 Minimum number of rounds
  - b. Request to Change license to calendar year – January to December
  - c. Moratorium on Neuro fund payment by promoters
15. Annual report from CAMO
16. Ethics Training (Open Meeting Act) – DCA Legal Counsel
17. Agenda Items and Meeting Dates for Future Meetings

#### *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 George Dodd at (916) 263-2195 or email [george.dodd@dca.ca.gov](mailto:george.dodd@dca.ca.gov) or sending a written request to George Dodd 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 George Dodd 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.

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

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Chairman's Report



Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

3a

Approval of Minutes

May 18, 2011





## CALIFORNIA STATE ATHLETIC COMMISSION MEETING MINUTES

Monday, June 20, 2011

9:30 A.M. – 1:40 P.M.

Van Nuys State Building

6150 Van Nuys Blvd.

Van Nuys, CA 91401

Commissioners Present:

Chairman John Frierson

Commissioner Dr. Van Buren Lemons

Vice Chairman Dr. Christopher Giza

Staff Present:

George Dodd, Executive Officer

Anita Scuri, DCA Legal

Dale Chessey, Assistant Executive Officer

Brian Stiger, DCA Acting Director

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

### Agenda Item 1. Call to Order/Roll Call/Pledge of Allegiance

### Agenda Item 2. Chairman's Reports

Chairman Frierson announced that public comment on any item should be held to three (3) minutes or at the Chairman's discretion. Additionally, he reminded all present that safety of the fighter is the primary mission of the Commission.

### Agenda Item 3. Approval of Minutes

- a. April 18, 2011 Commission meeting minutes.  
Motioned, Seconded, Carried (M/S/C) to approve minutes as corrected.

### Agenda Item 4. Executive Officer Report - George Dodd

- a. Strategic Plan Update (*continued on page 3*)  
The Denkins gave a presentation on referee training modules; Pension Fund needs to be re-evaluated – lower vesting requirements:
- b. Budget Update  
Mr. Dodd reported that the Commission will be reverting funds.
- c. Training Schedule  
Mr. Dodd reported that Athletic Inspector training will be held on June 26th.
- d. Update on Status of Regulations  
Mr. Dodd reported that he had removed the regulation to increase gym fees due to oversight agency concerns and also the regulation regarding drinks in paper cups.

Condolences were offered to Genaro Hernandez's family. Mr. Hernandez was a former Super Feather Weight Champion who passed away on June 7, 2011.

### **Agenda Item 5. DCA Director's Report – Brian Stiger**

Mr. Stiger announced that the new DCA Agency Secretary is Anna Caballero and the Under Secretary is Willie Armstrong. He reviewed Governor Brown's Executive Orders: cutbacks to state vehicles; cell phone reduction; hiring freeze with exemption; and travel restrictions. There is hope that once the budget has passed the hiring freeze/exemptions will be lifted.

Mr. Stiger reported that the BREEZE contract is expected to be in place by August 2011.

Mr. Stiger indicated that the Executive Office has received several requests for salary increases for executive officers (EO) throughout DCA and that DCA has contracted with an outside vendor to study the salary levels of executive officers. Once the study is complete, a report will be offered on the issue. Additionally, Mr. Stiger has received several complaints from board members that there is no successful and reasonable way to evaluate an executive officer. However, a team of individuals in DCA developed a new EO evaluation process that is currently operating as a pilot project, but is expected to be in full production at the end of June. Mr. Stiger encouraged Commission members to complete an executive officer evaluation on a yearly basis.

### **Agenda Item 6. Public Comment on Items not on the Agenda**

Dr. Paul Wallace brought up an incident that occurred on June 4 at the Fox Theater. He stated that Dr. Beard, the event ringside physician, was undermined in that Dr. Beard's decision was not supported by the lead athletic inspector. A request was made to put this topic on the agenda for discussion at the next Commission meeting.

Additionally, Dr. Wallace believes that "cherry-picking" of ringside physicians is being done by promoters; based on whether or not the physician is liked.

Finally, Dr. Wallace believes that if there is a disagreement between two physicians, the option that provides the greatest safety to the fighter must prevail. He indicates this practice has been eroding for the last six to seven years. Approval of the fighter by the primary ringside physician should not be challenged by staff.

Chairman Frierson and Dr. Lemons agreed that the June 4 Fox Theater incident needs to be placed on the agenda for the next meeting so that it can be discussed. Staff was instructed to invite all witnesses and affected persons.

Tony Rivera, a cutman specialist, stated that cuts are being limited to what medications can be used and that cut medications should be worked out without interference by inspectors. He asked about the use of coco butter prior to Vaseline. Additionally, he reported that regarding hand wraps, Joe Chavez wants gauze under the tape to prevent the ripping off hair when removing tape.

### **Agenda Item 7. Applicants for License as a Referee and Judge to Appear Before the Commission (section 18662 of the Business and Professions Code) – Original Application**

#### **a. Supachai Prasertphong – Muay Thai Judge**

Marty Denkin stated that the Athletic Commission should form one board with stakeholder members to make decision's regarding officials. This practice should not be left up to the Commission staff or word of international organizations.

M/S/C to issue license as a Muay Thai judge and to permit staff, after successful evaluation of the applicant, to issue a license as a referee.

- b. Ron McCarthy – MMA Judge  
JT Steele (CAMO) indicated support of licensure.

David Denkin (CAMO) indicated support of licensure.

M/S/C to issue license as MMA judge.

- c. Nelson Hamilton – Boxing Judge  
Mr. Hamilton successfully completed the requirement that he be mentored for eligibility for licensure as a boxing judge.

M/S/C to issue license as a boxing judge.

**Agenda Item 8. New Promoter Applications for Licensure – Executive Officer, George Dodd**

- a. Caged in Promotions (Scott Hemming) - MMA  
M/S/C to grant second temporary permit for a period not to exceed 120 days, contingent upon submission of financial statements on CPA letterhead.
- b. Fight for Wrestling (Craig Tobin) – Professional MMA Promoter  
M/S/C to grant promoter licensure.
- c. Western States Police and Firefighter Games – (Mike Graham)  
M/S/C to grant an amateur promoter license.

**Agenda Item 4. Executive Officer Report (continued)**

- a. Strategic Plan Update

Commissioner Frierson expressed concern that during the Executive Officer's Report on the Strategic Plan an update on diversity was not given. Mr. Dodd explained that the commission will begin promoting diversity through the gym inspection program that was recently approved through the Spring Finance letter. The program will include a component specific to officials.

**Agenda Item 9. Possible Action against Judge's License**

- a. Gene Lebell – MMA Judge  
Mr. Dodd presented the matter.

Marty Denkin stated that there should be a back-up plan in place when the red and blue corner changes as this causes things to break down. Mr. Denkin recommends the referee tell the judges who is who.

Commissioner Frierson suggested that red/blue tape be placed on the gloves for each corner.

M/S/C not to suspend Mr. Lebell's license.



**Agenda Item 10. Appeal of Decision**

a. Russ Miura vs. Isaac DeJesus

Request to change "decision win (DeJesus)" to "no decision" pursuant to rule 368(a)(4).

M/S/C to change to "no decision" pursuant to Rule 303.

**Agenda Item 11. Process for Scheduling Officials**

Commissioner Lemons requested that additional information be provided regarding the number of assignments an official has refused.

Marty Denkin believes some officials receive better assignments than others and he plans on providing statistics supporting the statement at the next meeting.

Raul Caiz Jr. questioned the qualifications and training of new officials coming on. He thought that Mr. Dodd indicated previously that no new officials would be added; however, some have been. He believes instituting the A/B/C category for the officials is a good idea.

Pat Russell believes more experienced officials should be mentoring the new officials.

Jack Reiss believes the Commission needs a system in place to help the newer officials grow. Also, he wants the official's statistics placed online, prior to the meetings so that corrections can be identified and corrected prior to the information being presented in the meeting packets.

Discussion ensued and it was suggested that legislation be proposed to limit the number of officials the Commission can/will license. It was also suggested that information on the number of assignments of officials and the amounts they make should be made public.

Anita Scuri indicated that draft language had previously been presented to the Commission. She will forward that language to Mr. Dodd for transmittal to Mr. Reiss.

David Denkin stated that he was part of the 1998 class of officials hired. He has never received a "championship fight" despite the fact that he does a great job.

Marty Denkin agrees that a ranking system for officials is needed.

Brian Stiger reported he has received complaints regarding this issue and believes a sub-committee should be formed to research and address this issue.

Commissioner Frierson is concerned about the lack of diversity (no African-Americans) and supports the A/B/C categorization.

**Agenda Item 12. Set for Regulatory Hearing – Criteria for Rehabilitation**

Rule 399.1 – Evidence of Rehabilitation language was proposed.

M/S/C to set for regulatory hearing.

**Agenda Item 13. Medical Advisory Committee - Update**

a. Recommendation to Commission for appointment of physicians to the Medical Advisory Committee

No nominees at this time. One member withdrew. The Commission is working to fill this vacancy. August 14, 2011, is the first scheduled meeting for the committee.

**Agenda Item 14. Policy for Handling Allegation of Illegal Activity**

This item was tabled for discussion at the next meeting.

**Agenda Item 15. Policy for Handling Illegal Events**

Assistant Chief Athletic Inspector, Che Guevara, explained the current policy and noted that the safety of the inspector is a concern. Badges/credentials are needed. Changing the policy to a procedure should be considered.

Sid Segovia asked for more authority, requested badges and mentioned the possibility of carrying a gun.

**Agenda Item 16. Policy for Accepting Medical Documents from Outside the United States – Rule 280(b)**

This item was tabled for discussion at the next meeting.

**Agenda Item 17. Agenda Items and Meeting Dates for Future Meetings**

- June 4, Fox Theater incident
- New Officials – mentorship (for officials committee)
- Assignments categories
- California Police Athletic Federation – request for authority to regulate their events
- Ringside Physician Association report
- Executive Officer Evaluation
- August 14, Medical Advisory Committee
- August 15, Commission Meeting, Location in LA (Junipero Serra or Ronald Reagan Bldg.)

Adjournment

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Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

3b

Approval of Minutes

June 20, 2011





**CALIFORNIA STATE ATHLETIC COMMISSION MEETING MINUTES  
APPEAL HEARING – CHAEL SONNEN**

Wednesday, May 18, 2011

9:30 A.M. to 2:00 P.M.

**Location**

Ronald Reagan State Office Building  
300 South Spring Street 13<sup>th</sup> Floor, Executive Officer's Conference Room  
Los Angeles, CA 90013

Commissioners Present:

Chairman John W. Frierson  
Commissioner VanBuren Ross Lemons, M.D.  
Commissioner Anthony Thompson

Vice Chairman Christopher Giza, M.D.  
Commissioner Gene Hernandez

Staff Present:

George Dodd, Executive Officer  
Karen Chappelle, Supervising Deputy Attorney General  
Michael Santiago, DCA Legal  
Elizabeth Parkman, AGPA (CSAC Program Analyst)

Present via Video Conference for State of Nevada:

Keith Kizer, Executive Director, Nevada State Athletic Commission  
Chris Eccles, Deputy Attorney General  
Vivienne Rakowsky, Deputy Attorney General

**Agenda Item 1. Call to Order/Roll Call/Pledge of Allegiance**

Present were commissioners Frierson, Giza, Lemons, Hernandez, Thompson. Also in attendance were Mr. Chael Sonnen and his counsel's Mr. Steven Thompson and Mr. Raffi Nahabedian. Supervising Deputy Attorney General Karen Chapelle was in attendance representing the California State Athletic Commission. Mr. Michael Santiago, Department of Consumer Affairs Legal office, presided over the hearing.

**Agenda Item 2. License Suspension Appeal**

**SUMMARY**

Michael Santiago opened the meeting requesting an introduction by attendees for the commissioners. He requested counsel's documentation be submitted before the start of the meeting so it could be marked accordingly. Finally, Mr. Santiago established a one (1) hour time limit for each counselor then asked Ms. Chapelle to give a brief summary of the appeal.

Ms. Chapelle explained that Mr. Sonnen was issued an indefinite suspension of his MMA license in California. Mr. Sonnen asked for a special meeting of the commission, since they were not due to meet again until June 20<sup>th</sup>, to appeal his licensure suspension. This hearing is to determine if returning Mr. Sonnen's license would bring a discredit to the state of California and the sport of MMA.

Ms. Chapelle showed a power point presentation offering a timeline of Mr. Sonnen's fights, documents of his conviction in Oregon and information regarding his suspension. Ms. Chapelle showed video clips in which Mr. Sonnen stated he spoke directly to Keith Kizer, Executive

Officer for Nevada State Athletic Commission, and was told he was approved for the therapeutic use exemption and did not need to discuss further with anyone as it was cleared by Mr. Kizer. Upon questioning, Mr. Kizer said he had never spoken to Mr. Sonnen personally. Ms. Chapelle further reported that when Mr. Sonnen applied for his California MMA license he was currently under investigation for money laundering in the state of Oregon and, therefore, he lied on his application to CSAC when he failed to report it. Ms. Chapelle argued that Mr. Sonnen will say anything, even if it's a lie, to get what he wants.

Mr. Thompson, opposing counsel, began by explaining that Mr. Sonnen felt as though he was being re-tried for his conviction in Oregon. Mr. Thompson wanted the commissioners to understand that Mr. Sonnen did not need to reinstate his license but he wanted to clear his name. Mr. Thompson explained that the commissioners should not focus on what's in the media but instead focus on the facts. While he was found guilty, Mr. Sonnen was not the ringleader of the money laundering scandal. He served his time and is now a pillar in the community and a mentor to the children in the area. He is as an example of both success and consequence. He has shown responsibility for his actions to the extent that the judge in his case gave him a character witness statement for today's hearing.

#### QUESTIONING

##### **Mr. Keith Kizer was sworn in.**

Mr. Kizer was questioned about the validity of the statements made by Mr. Sonnen regarding him having spoken to and approved Mr. Sonnen's "therapeutic use" of testosterone. Mr. Sonnen testified at the December 2, 2010 commission meeting that Mr. Kizer approved a therapeutic use exemption for testosterone and that Mr. Sonnen did not need to disclose this information to any other commission or commissioner since he was approved through Mr. Kizer. Mr. Kizer denied ever having this conversation with Mr. Sonnen or approving a therapeutic use exemption.

##### **Mr. Chael Sonnen was sworn in.**

Mr. Sonnen responded to questions from his counsel by explaining he did not intend to deceive CSAC. Mr. Sonnen testified that no other state has used his conviction against him and he currently holds a promoter's license in Oregon. He explained that he's been given the opportunity to be on the television show "Ultimate Fighter." However, to be eligible to compete on the show Mr. Sonnen needs his CA license reinstated. If his license is not reinstated he will effectively retire from MMA. Mr. Sonnen explained to the commissioners that he does not want to retire, he is actively involved in his community as a volunteer, he doesn't drink, smoke, or swear. Mr. Sonnen testified that he was embarrassed by the last hearing and that he never meant to mislead or deceive anyone or offend Mr. Kizer. He simply would like to return to work as an MMA fighter. Mr. Sonnen also testified that he did not know what money laundering was, so he did not realize he was committing a crime; and that he turned himself in, he wasn't caught. Also, there is was no pending investigation and no charges filed until he began his campaign for public office; at which time the issue resurfaced and an investigation into money laundering began, leading to his conviction.

##### **Mr. George Dodd was sworn in.**

Mr. Dodd was questioned by opposing counsel about his knowledge of other licensee's who have had investigations and/or convictions at the time of their licensure and are currently suspended or received a suspension for lying on their application. Mr. Dodd said no other athlete has received a suspension of this nature since his employment began in February 2010.

#### REBUTTAL

Ms. Chapelle gave her rebuttal.

Mr. Thompson gave his rebuttal.

#### DISCUSSION AND DECISION FROM THE COMMISSIONER

The commissioners discussed the honesty and veracity of statements made by Mr. Sonnen, the use of testosterone, the discrepancy in his statements, and his lack of remorse.

A motion was made to uphold the suspension for the remainder of the life of the license in the state of California. Motion/Seconded/Carried 4-1 (Opposed-Thompson).

#### ADJOURNMENT

With no further items for discussion the meeting was adjourned.

BEFORE THE  
CALIFORNIA STATE ATHLETIC COMMISSION  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Appeal of	)	
Suspension and Fine Against:	)	Case No. 2011-0518-1
	)	
CHAEI SONNEN	)	
License No. PA00001943	)	
	)	
Petitioner.	)	
_____	)	

**DECISION**

This matter came on regularly for hearing before a quorum of the California State Athletic Commission ("Commission") on May 18, 2011 in Los Angeles, California.

On September 2, 2010, the Commission issued a suspension and fine to Chael Sonnen ("Petitioner") after receiving test results indicating the presence of a drug (exogenous testosterone) that licensees are prohibited from using. (Cal. Code Regs. tit. 4, § 303.)

On December 2, 2010, petitioner appeared before the Commission to appeal the suspension and fine previously imposed for his unauthorized use of the prohibited substance testosterone. At the conclusion of the hearing, the Commission reduced the suspension to six months from the earlier imposed one year and upheld the \$2,500 fine.

On April, 19, 2011, the Commission again suspended petitioner's license. Petitioner appealed the suspension and requested a hearing. Present at the May 18, 2011 hearing were commissioners Frierson, Giza, Hernandez, Lemons, and Thompson. Respondent was present at the hearing and was represented by Steven J. Thompson and Raffi Nahabedian. Karen Chappelle, Supervising Deputy Attorney General was present and represented Mr. George Dodd, Executive Officer of the Commission. Documentary evidence and oral testimony was presented to the Commission. At the conclusion of the hearing, the matter was submitted to the Commission for decision. The Commission voted 4-1 to uphold the suspension against Petitioner.

The Commission heard the matter pursuant to the authority granted to it by Business and Professions Code sections 18640 and 18841 through 18843, inclusive, and Title 4 California Code of Regulations sections 390 and 502.

## FINDINGS OF FACT

1. By letter dated April 19, 2011 the Commission suspended petitioner's license for: (1) providing false statements at the December 2, 2010 hearing before the Commission; and (2) being recently convicted of, and sentenced to two years of probation and ten thousand dollars in restitution for money laundering and fraud, which resulted in the revocation of petitioner's real estate license in the state of Oregon.
2. Petitioner timely appealed the suspension and requested that the matter be heard before the Commission.
3. At the December 2, 2010 hearing, petitioner testified under oath that "once we had disclosed it [petitioner's use of testosterone] to the [Nevada] commissioner his statement was you do not need to bring this up again, he [Keith Kizer] specifically said don't bring this up again, it is in my office."
4. Keith Kizer is the Executive Officer of the Nevada State Athletic Commission. Mr. Kizer testified that he has never spoken personally to petitioner.
5. Mr. Kizer testified via video that petitioner never had a therapeutic-use exemption for testosterone in the state of Nevada. Mr. Kizer recalled speaking with petitioner's manager/agent/trainer, Matt Lindland sometime in 2008 regarding prescription medications, and nothing in particular about petitioner or petitioner's medical condition/background. Mr. Kizer testified that he never told petitioner or any person employed by or representing petitioner not to disclose petitioner's use of testosterone to treat petitioner's medical condition of hypogonadism. Mr. Kizer's testimony is credible.
6. Petitioner testified that his prior testimony at the December 2, 2010 hearing might have been unclear and that although he might have misspoken, he had no intention to mislead the Commission that he actually had any conversations directly with Keith Kizer. Petitioner testified that it was his belief that his manager/agent, Matt Lindland spoke with Mr. Kizer about his use of testosterone to treat his hypogonadism.
7. Petitioner testified that if his license in California is suspended, he "will be retired" since he will be unable to obtain any type of employment or engage in any fights.
8. Evidence was presented that on April 8, 2011, petitioner entered a plea of guilty to a violation of 18 USC section 1956(a)(1)(B)(1) – money laundering – for an offense committed on or about June 20, 2006 whereby petitioner initiated a financial transaction knowing that the purpose of this transaction was to further a scheme to defraud a mortgage company. In lieu of a possible sentence of 20 years imprisonment and a \$500,000 fine, petitioner received two years' probation, a \$10,000 fine, and was required to surrender his Oregon state issued Real Estate license.



9. Petitioner testified that he did not believe he engaged in "money laundering" since his actions that led to his guilty plea were sanctioned or condoned by his supervisors at that time.

### DISCUSSION

1. Business and Professions Code section 18868(a) provides in part:

The commission shall have the authority to obtain and review criminal history information to determine whether an applicant or licensee has been convicted of any offense or has been arrested for any offense for which disposition is still pending. A conviction, or a plea of guilty or nolo contendere to an offense, may be cause to deny an application or take disciplinary against a licensee dependent on the relevancy of the offense to the licensed activity.

2. Business and Professions Code section 490 provides in part:

A board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

3. California Code of Regulations, title 4, section 390 provides:

Any licensee who violates the laws of the State of California, with the exception of minor traffic violations, or the rules of the Athletic Commission, or who fails or refuses to comply with a valid order of a commission representative, or who **conducts himself or herself at any time or place in a manner which is deemed by the commission to reflect discredit to boxing [emphasis added]**, may have his or her license revoked, or may be fined, suspended or otherwise disciplined in such manner as the commission may direct.

4. California Code of Regulations, title 4, section 501(a) provides:

Unless otherwise specified in this chapter, all of the professional boxing rules apply to martial arts contests or matches except the following: Sections 242, 298, 306, 309 through 313, 322, 337, 338, 339, 357, and 400 through 416.

5. The burden of proof is a preponderance of the evidence. Cal. Code Regs. tit. 4, § 389.

6. The Commission finds that petitioner provided false statements to the Commission at the December 2, 2010 hearing. Petitioner's false statements are a discredit to the sport of mixed martial arts since he should have been forthright at the December 2, 2010 hearing that he never personally spoke with Keith Kizer about using testosterone or obtaining any type of therapeutic-use exemption from Mr. Kizer. Petitioner was in a position to ensure that he made accurate and truthful statements to the Commission. Mixed Martial Arts fighters licensed in the state of California are required to be truthful in all dealings with the Commission, and any such deviation from this standard obstructs the Commission's goal of protecting the public, which is the Commission's highest priority. As such, pursuant to Rule 390, suspension is proper in this case.

7. The Commission finds that petitioner's conviction for money laundering is relevant to the licensed activity of engaging in the sport of mixed martial arts, and is also a discredit to the sport of mixed martial arts. Petitioner's conviction for money laundering evidences his propensity for dishonesty, as well as his disregard for the law. Mixed Martial Arts fighters licensed in the state of California are required to be truthful in all dealings with the Commission and abide by all rules and regulations set forth by the Commission. Petitioner's conviction illustrates how lightly he takes into account abiding by laws, which puts into question his ability to exercise proper judgment. Thus, pursuant to Business and Professions Code section 18868(a) and Rule 390, cause exists to take disciplinary action against petitioner for his money laundering conviction.

#### LEGAL CONCLUSIONS

Grounds exist to discipline license no. PA00001943 issued to Chael Sonnen as a professional martial arts athlete based on Business and Professions Code Sections 18843, and Title 4 Cal.Code Regs. section 390, based on the Findings of Fact listed above.

#### ORDER

The suspension of Chael Sonnen, License No. PA00001943, issued on April 19, 2011 by commission staff is upheld.

IT IS SO ORDERED this 29 day of June, 2011.

  
JOHN FRIERSON, Chair  
California State Athletic Commission

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item  
4a  
Budget Update



**CALIFORNIA STATE ATHLETIC COMMISSION (SUPPORT) FUND - 0326**  
**Budget Report**  
**FY 2010-11 Expenditure Projection**

Current Fiscal Month: 12

Months Remaining: 0

OBJECT DESCRIPTION	FY 2009/10		FY 2010/11				
	ACTUAL EXPENDITURES (MONTH 13)	EXPENDITURES AS OF 6/30/2010	BUDGET ALLOTMENT	EXPENDITURES AS OF 6/30/2011	PERCENT OF BUDGET SPENT	PROJECTIONS TO YEAR END	UNENCUMBERED BALANCE
<b>PERSONAL SERVICES:</b>							
Salaries and Wages							
Civil Service-Perm	177,383	177,139	342,729	284,050	82.9%	284,050	58,679
Athletic Inspectors	507,951	511,930	729,637	394,690	54.1%	394,690	334,947
Temp Help	24,952	24,952	0	51,314	0.0%	51,314	(51,314)
Statutory-Exempt (EO)	70,768	70,768	89,820	83,944	93.5%	83,944	5,876
Board/Commission	2,000	1,200	2,887	3,700	128.2%	3,700	(813)
Overtime	3,036	2,261	0	9,050	0.0%	9,050	(9,050)
Staff Benefits	97,286	105,498	270,763	176,773	65.3%	176,773	93,990
Salary Savings	0	0	(68,481)	0	0.0%	0	(68,481)
<b>TOTAL, PERSONAL SVC</b>	<b>883,376</b>	<b>893,748</b>	<b>1,367,355</b>	<b>1,003,521</b>	<b>73.4%</b>	<b>1,003,521</b>	<b>363,834</b>
<b>OPERATING EXPENSE AND EQUIPMENT</b>							
Fingerprints	51	51	0	0	0.0%	0	0
General Expense	84,527	61,096	70,486	41,239	58.5%	41,239	29,247
Printing	3,842	3,842	5,472	8,952	163.6%	8,952	(3,480)
Communication	10,810	10,710	14,054	9,704	69.0%	9,704	4,350
Postage	1,999	1,585	9,098	1,845	20.3%	1,845	7,253
Travel In State	247,703	237,101	403,788	201,282	49.8%	201,282	202,506
Travel Out-of-State	0	0	0	0	0.0%	0	0
Training	0	0	5,472	8,250	150.8%	8,250	(2,778)
Facilities Operations	59,869	59,869	72,211	62,425	86.4%	62,425	9,786
C/P Services - Internal	165	165	2,360	0	0.0%	0	2,360
C/P Services - External	34,944	23,144	0	133,350	0.0%	133,350	(133,350)
DCA Pro Rata	178,785	185,916	177,205	328,368	185.3%	328,368	(151,163)
<b>DEPARTMENTAL SERVICES</b>							
DP Maintenance & Supplies	897	197	3,902	704	18.0%	704	3,198
Central (State) Adm Pro Rata	95,316	95,316	74,398	74,398	100.0%	74,398	0
Other Items of Expense	0	0	0	0	0.0%	0	0
Vehical Operations	0	0	0	60	0.0%	60	(60)
<b>ENFORCEMENT</b>							
Attorney General	180,365	157,331	95,697	145,890	152.4%	145,890	(50,193)
Office Admin. Hearing	0	0	0	0	0.0%	0	0
Evidence / Witness Fees	500	0	0	1,463	0.0%	1,463	(1,463)
Court Reporters	1,598	1,098	0	3,129	0.0%	3,129	(3,129)
DOI Investigations	0	19,500	22,560	20,779	0.0%	20,779	1,781
Tort Payment	19,500	0	0	0	0.0%	0	0
Major Equipment	0	0	0	0	0.0%	0	0
Minor Equipment	5,771	5,771	0	5,407	0.0%	5,407	(5,407)
<b>TOTALS, OE&amp;E</b>	<b>926,642</b>	<b>862,692</b>	<b>956,703</b>	<b>1,047,245</b>	<b>109.5%</b>	<b>1,047,245</b>	<b>(90,542)</b>
<b>TOTAL EXPENSE</b>	<b>1,810,018</b>	<b>1,756,440</b>	<b>2,324,058</b>	<b>2,050,766</b>	<b>88.2%</b>	<b>2,050,766</b>	<b>273,292</b>
<b>SURPLUS/(DEFICIT):</b>							<b>11.76%</b>

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# DEPARTMENT OF CONSUMER AFFAIRS

## BUDGET REPORT

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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
<b>PERSONAL SERVICES</b>							
<b>SALARIES AND WAGES</b>							
003 00 CIVIL SERVICE-PERM	342,729	0	284,050	0	284,050	58,679	
033 02 ATH INSP MSC 906,910	729,637	34,809	394,690	0	394,690	334,947	
033 04 TEMP HELP (907)	0	3,221	51,314	0	51,314	(51,314)	
063 00 STATUTORY-EXEMPT	89,820	0	83,944	0	83,944	5,876	
063 01 BD/COMMSN (901,920)	2,887	300	3,700	0	3,700	(813)	
083 00 OVERTIME	0	1,427	9,050	0	9,050	(9,050)	
<b>TOTAL SALARIES AND WAGES</b>	<b>1,165,073</b>	<b>39,757</b>	<b>826,748</b>	<b>0</b>	<b>826,748</b>	<b>338,325</b>	<b>29.04%</b>
<b>STAFF BENEFITS</b>							
101 00 STAFF BENEFITS	0	1,898	1,898	0	1,898	(1,898)	
103 00 OASDI	43,816	0	27,223	0	27,223	16,593	
104 00 DENTAL INSURANCE	4,365	0	1,247	0	1,247	3,118	
105 00 HEALTH/WELFARE INS	86,311	0	29,002	0	29,002	57,309	
106 01 RETIREMENT	111,822	0	38,752	0	38,752	73,070	
125 00 WORKERS' COMPENSATIO	20,900	0	0	0	0	20,900	
125 15 SCIF ALLOCATION COST	0	0	6,505	0	6,505	(6,505)	
133 00 UNEMPLOYMENT INSURAN	0	0	8,712	0	8,712	(8,712)	
134 00 OTHER-STAFF BENEFITS	201	0	51,876	0	51,876	(51,675)	
135 00 LIFE INSURANCE	0	0	209	0	209	(209)	
136 00 VISION CARE	3,180	0	561	0	561	2,619	
137 00 MEDICARE TAXATION	66	0	10,789	0	10,789	(10,723)	
<b>TOTAL STAFF BENEFITS</b>	<b>270,661</b>	<b>1,898</b>	<b>176,773</b>	<b>0</b>	<b>176,773</b>	<b>93,888</b>	<b>34.69%</b>
<b>SALARY SAVINGS</b>							
141 00 SALARY SAVINGS	(68,481)	0	0	0	0	(68,481)	
<b>TOTAL SALARY SAVINGS</b>	<b>(68,481)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(68,481)</b>	<b>100.00%</b>
<b>TOTAL PERSONAL SERVICES</b>	<b>1,367,253</b>	<b>41,655</b>	<b>1,003,520</b>	<b>0</b>	<b>1,003,520</b>	<b>363,733</b>	<b>26.60%</b>
<b>OPERATING EXPENSES &amp; EQUIPMENT</b>							
<b>GENERAL EXPENSE</b>							
201 00 GENERAL EXPENSE	70,486	0	0	0	0	70,486	
205 00 DUES & MEMBERSHIPS	0	0	200	0	200	(200)	
206 00 MISC OFFICE SUPPLIES	0	4,602	10,531	0	10,531	(10,531)	
207 00 FREIGHT & DRAYAGE	0	500	9,982	0	9,982	(9,982)	
213 00 TRANSCRIPTION SVS	0	0	1,692	0	1,692	(1,692)	

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STATE ATHLETIC COMMISSION

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
213 02 ADMIN OVERHEAD-OTHR	0	0	18,668	0	18,668	(18,668)	
238 00 NOC-GOODS-GEN EXP	0	0	152	0	152	(152)	
239 00 NOC-SERV/RENT-GEN EX	0	0	14	0	14	(14)	
<b>TOTAL GENERAL EXPENSE</b>	<b>70,486</b>	<b>5,102</b>	<b>41,239</b>	<b>0</b>	<b>41,239</b>	<b>29,247</b>	<b>41.49%</b>
<b>PRINTING</b>							
241 00 PRINTING	5,472	0	0	0	0	5,472	
242 00 PAMPHLT/LEAFLT/BROCH	0	0	3,546	0	3,546	(3,546)	
242 02 REPRODUCTION SVS	0	0	1,097	0	1,097	(1,097)	
242 03 ALLOCATED COPY COSTS	0	0	240	0	240	(240)	
243 00 PHOTOCOPY PAPER	0	0	1,000	0	1,000	(1,000)	
244 00 OFFICE COPIER EXP	0	0	1,249	1,375	2,624	(2,624)	
245 00 PRINTED FORM/STATNRY	0	0	0	445	445	(445)	
<b>TOTAL PRINTING</b>	<b>5,472</b>	<b>0</b>	<b>7,132</b>	<b>1,820</b>	<b>8,952</b>	<b>(3,480)</b>	<b>-63.59%</b>
<b>COMMUNICATIONS</b>							
251 00 COMMUNICATIONS	14,054	0	0	0	0	14,054	
252 00 CELL PHONES,PDA,PAGE	0	225	5,489	0	5,489	(5,489)	
253 00 CENT COMM (CALNET.CE	0	0	36	0	36	(36)	
254 00 FAX	0	0	5	0	5	(5)	
257 01 TELEPHONE EXCHANGE	0	1,050	4,174	0	4,174	(4,174)	
<b>TOTAL COMMUNICATIONS</b>	<b>14,054</b>	<b>1,275</b>	<b>9,704</b>	<b>0</b>	<b>9,704</b>	<b>4,350</b>	<b>30.95%</b>
<b>POSTAGE</b>							
261 00 POSTAGE	9,098	0	0	0	0	9,098	
262 00 STAMPS, STAMP ENVEL	0	0	2	0	2	(2)	
263 05 ALLOCATED POSTAGE-DC	0	0	1,842	0	1,842	(1,842)	
<b>TOTAL POSTAGE</b>	<b>9,098</b>	<b>0</b>	<b>1,845</b>	<b>0</b>	<b>1,845</b>	<b>7,253</b>	<b>79.72%</b>
<b>TRAVEL: IN-STATE</b>							
291 00 TRAVEL: IN-STATE	403,788	0	0	0	0	403,788	
292 00 PER DIEM-I/S	0	21,511	49,645	0	49,645	(49,645)	
293 00 VEHICLE, GS-I/S	0	926	7,384	0	7,384	(7,384)	
294 00 COMMERCIAL AIR-I/S	0	0	52,835	0	52,835	(52,835)	
296 00 PRIVATE CAR-I/S	0	0	84,685	0	84,685	(84,685)	
297 00 RENTAL CAR-I/S	0	346	6,139	0	6,139	(6,139)	
301 00 TAXI & SHUTTLE SERV-	0	0	134	0	134	(134)	
305 00 MGMT/TRANS FEE-I/S	0	0	306	0	306	(306)	
305 01 CALATERS SERVICE FEE	0	0	153	0	153	(153)	

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ATHLETIC COMMISSION  
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STATE ATHLETIC COMMISSION

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
<b>TOTAL TRAVEL: IN-STATE</b>	403,788	22,783	201,282	0	201,282	202,506	50.15%
<b>TRAINING</b>							
331 00 TRAINING	5,472	0	0	0	0	5,472	
332 00 TUITN/REGISTRATN FEE	0	8,100	8,250	0	8,250	(8,250)	
<b>TOTAL TRAINING</b>	5,472	8,100	8,250	0	8,250	(2,778)	-50.77%
<b>FACILITIES OPERATIONS</b>							
341 00 FACILITIES OPERATION	72,211	0	0	0	0	72,211	
343 00 RENT-BLDG/GRND(NON S	0	0	60,470	0	60,470	(60,470)	
346 00 RECURRING MAINT SVS	0	0	863	0	863	(863)	
347 00 FACILITY PLNG-DGS	0	0	1,092	0	1,092	(1,092)	
<b>TOTAL FACILITIES OPERATIONS</b>	72,211	0	62,425	0	62,425	9,786	13.55%
<b>C/P SVS - INTERDEPARTMENTAL</b>							
382 00 CONSULT/PROF-INTERDE	2,360	0	0	0	0	2,360	
<b>TOTAL C/P SVS - INTERDEPARTMENTAL</b>	2,360	0	0	0	0	2,360	100.00%
<b>C/P SVS - EXTERNAL</b>							
413 00 HEALTH & MEDICAL-EXT	0	0	37,341	85,809	123,150	(123,150)	
418 02 CONS/PROF SVS-EXTRNL	0	0	10,200	0	10,200	(10,200)	
<b>TOTAL C/P SVS - EXTERNAL</b>	0	0	47,541	85,809	133,350	(133,350)	0.00%
<b>DEPARTMENTAL SERVICES</b>							
424 03 OIS PRO RATA	36,703	0	35,012	0	35,012	1,691	
427 00 INDIRECT DISTRB COST	120,712	0	120,712	0	120,712	0	
427 01 INTERAGENCY SERVS	105	153,835	153,835	0	153,835	(153,730)	
427 30 DOI - PRO RATA	4,720	(547)	4,173	0	4,173	547	
427 34 PUBLIC AFFAIRS PRO R	9,486	(614)	8,872	0	8,872	614	
427 35 CCED PRO RATA	5,764	0	5,764	0	5,764	0	
<b>TOTAL DEPARTMENTAL SERVICES</b>	177,490	152,674	328,368	0	328,368	(150,878)	-85.01%
<b>DATA PROCESSING</b>							
431 00 INFORMATION TECHNOLO	3,797	0	0	0	0	3,797	
436 00 SUPPLIES-IT (PAPER,	0	0	444	260	704	(704)	
<b>TOTAL DATA PROCESSING</b>	3,797	0	444	260	704	3,093	81.47%
<b>CENTRAL ADMINISTRATIVE SERVICES</b>							
438 00 PRO RATA	74,398	0	74,398	0	74,398	0	
<b>TOTAL CENTRAL ADMINISTRATIVE SERVICES</b>	74,398	0	74,398	0	74,398	0	0.00%

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ATHLETIC COMMISSION  
ATHLETIC COMMISSION SUPPORT

STATE ATHLETIC COMMISSION

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
<b>VEHICLE OPERATIONS</b>							
525 00 GASOLINE	0	0	60	0	60	(60)	
<b>TOTAL VEHICLE OPERATIONS</b>	<b>0</b>	<b>0</b>	<b>60</b>	<b>0</b>	<b>60</b>	<b>(60)</b>	<b>0.00%</b>
<b>ENFORCEMENT</b>							
396 00 ATTORNEY GENL-INTERD	95,697	1,998	145,890	0	145,890	(50,193)	
414 31 EVIDENCE/WITNESS FEE	0	500	1,463	0	1,463	(1,463)	
418 97 COURT REPORTER SERVS	0	500	3,129	0	3,129	(3,129)	
427 31 DOI - INVESTIGATION	22,779	(2,000)	20,779	0	20,779	2,000	
<b>TOTAL ENFORCEMENT</b>	<b>118,476</b>	<b>998</b>	<b>171,260</b>	<b>0</b>	<b>171,260</b>	<b>(52,784)</b>	<b>-44.55%</b>
<b>MINOR EQUIPMENT</b>							
226 10 MIN EQPMT-GEN-ADD'L	0	0	1,033	816	1,849	(1,849)	
226 15 MIN EQPMT-GEN-REPL	0	0	0	3,558	3,558	(3,558)	
<b>TOTAL MINOR EQUIPMENT</b>	<b>0</b>	<b>0</b>	<b>1,033</b>	<b>4,374</b>	<b>5,407</b>	<b>(5,407)</b>	<b>0.00%</b>
<b>TOTAL OPERATING EXPENSES &amp; EQUIPMEN</b>	<b>957,102</b>	<b>190,932</b>	<b>954,981</b>	<b>92,263</b>	<b>1,047,244</b>	<b>(90,142)</b>	<b>-9.42%</b>
<b>STATE ATHLETIC COMMISSION</b>							
	<b>2,324,355</b>	<b>232,586</b>	<b>1,958,502</b>	<b>92,263</b>	<b>2,050,764</b>	<b>273,591</b>	<b>11.77%</b>
	<b>2,324,355</b>	<b>232,586</b>	<b>1,958,502</b>	<b>92,263</b>	<b>2,050,764</b>	<b>273,591</b>	<b>11.77%</b>

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ATHLETIC COMMISSION  
ATHLETIC COMMISSION - NEUROLOGICAL

STATE ATHLETIC COMM - BOXERS NEURO ACCT

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
<b>PERSONAL SERVICES</b>							
<b>SALARIES AND WAGES</b>							
003 00 CIVIL SERVICE-PERM	55,004	0	27,213	0	27,213	27,791	
<b>TOTAL SALARIES AND WAGES</b>	<b>55,004</b>	<b>0</b>	<b>27,213</b>	<b>0</b>	<b>27,213</b>	<b>27,791</b>	<b>50.53%</b>
<b>STAFF BENEFITS</b>							
103 00 OASDI	2,028	0	1,531	0	1,531	497	
104 00 DENTAL INSURANCE	617	0	428	0	428	189	
105 00 HEALTH/WELFARE INS	8,564	0	7,631	0	7,631	933	
106 01 RETIREMENT	4,975	0	4,880	0	4,880	95	
125 00 WORKERS' COMPENSATIO	287	0	0	0	0	287	
125 15 SCIF ALLOCATION COST	0	0	89	0	89	(89)	
134 00 OTHER-STAFF BENEFITS	313	0	30	0	30	283	
136 00 VISION CARE	201	0	106	0	106	95	
137 00 MEDICARE TAXATION	0	0	358	0	358	(358)	
<b>TOTAL STAFF BENEFITS</b>	<b>16,985</b>	<b>0</b>	<b>15,053</b>	<b>0</b>	<b>15,053</b>	<b>1,932</b>	<b>11.38%</b>
<b>SALARY SAVINGS</b>							
141 00 SALARY SAVINGS	(1,056)	0	0	0	0	(1,056)	
<b>TOTAL SALARY SAVINGS</b>	<b>(1,056)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(1,056)</b>	<b>100.00%</b>
<b>TOTAL PERSONAL SERVICES</b>	<b>70,933</b>	<b>0</b>	<b>42,266</b>	<b>0</b>	<b>42,266</b>	<b>28,667</b>	<b>40.41%</b>
<b>OPERATING EXPENSES &amp; EQUIPMENT</b>							
<b>GENERAL EXPENSE</b>							
201 00 GENERAL EXPENSE	2,752	0	0	0	0	2,752	
213 02 ADMIN OVERHEAD-OTHR	0	0	134	0	134	(134)	
<b>TOTAL GENERAL EXPENSE</b>	<b>2,752</b>	<b>0</b>	<b>134</b>	<b>0</b>	<b>134</b>	<b>2,618</b>	<b>95.13%</b>
<b>PRINTING</b>							
241 00 PRINTING	690	0	0	0	0	690	
<b>TOTAL PRINTING</b>	<b>690</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>690</b>	<b>100.00%</b>
<b>COMMUNICATIONS</b>							
251 00 COMMUNICATIONS	217	0	0	0	0	217	
<b>TOTAL COMMUNICATIONS</b>	<b>217</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>217</b>	<b>100.00%</b>
<b>POSTAGE</b>							
261 00 POSTAGE	1,463	0	0	0	0	1,463	

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ATHLETIC COMMISSION

ATHLETIC COMMISSION - NEUROLOGICAL

STATE ATHLETIC COMM - BOXERS NEURO ACCT

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
<u>TOTAL</u> POSTAGE	1,463	0	0	0	0	1,463	100.00%
TRAINING							
331 00 TRAINING	246	0	0	0	0	246	
<u>TOTAL</u> TRAINING	246	0	0	0	0	246	100.00%
FACILITIES OPERATIONS							
341 00 FACILITIES OPERATION	2,779	0	0	0	0	2,779	
<u>TOTAL</u> FACILITIES OPERATIONS	2,779	0	0	0	0	2,779	100.00%
C/P SVS - EXTERNAL							
402 00 CONSULT/PROF SERV-EX	20,329	0	0	0	0	20,329	
<u>TOTAL</u> C/P SVS - EXTERNAL	20,329	0	0	0	0	20,329	100.00%
DEPARTMENTAL SERVICES							
424 03 OIS PRO RATA	3,828	0	3,828	0	3,828	0	
427 00 INDIRECT DISTRB COST	8,065	0	8,065	0	8,065	0	
427 01 INTERAGENCY SERVS	13	0	0	0	0	13	
427 30 DOI - PRO RATA	302	(35)	267	0	267	35	
427 34 PUBLIC AFFAIRS PRO R	622	(40)	582	0	582	40	
427 35 CCED PRO RATA	370	0	370	0	370	0	
<u>TOTAL</u> DEPARTMENTAL SERVICES	13,200	(75)	13,112	0	13,112	88	0.67%
CENTRAL ADMINISTRATIVE SERVICES							
438 00 PRO RATA	4,200	0	4,200	0	4,200	0	
<u>TOTAL</u> CENTRAL ADMINISTRATIVE SERVICES	4,200	0	4,200	0	4,200	0	0.00%
<u>TOTAL</u> OPERATING EXPENSES & EQUIPMEN	45,876	(75)	17,446	0	17,446	28,430	61.97%
STATE ATHLETIC COMM - BOXERS NEURO ACCT	116,809	(75)	59,712	0	59,712	57,097	48.88%
	116,809	(75)	59,712	0	59,712	57,097	48.88%

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ATHLETIC COMMISSION

ATHLETIC COMMISSION - BOXERS PENSION FUND 9250

BOXERS PENSION FUND 9250

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
<b>PERSONAL SERVICES</b>							
<b>SALARIES AND WAGES</b>							
003 00 CIVIL SERVICE-PERM	29,997	0	26,908	0	26,908	3,089	
<b>TOTAL SALARIES AND WAGES</b>	<b>29,997</b>	<b>0</b>	<b>26,908</b>	<b>0</b>	<b>26,908</b>	<b>3,089</b>	<b>10.30%</b>
<b>STAFF BENEFITS</b>							
103 00 OASDI	1,589	0	1,668	0	1,668	(79)	
104 00 DENTAL INSURANCE	15	0	0	0	0	15	
105 00 HEALTH/WELFARE INS	2,037	0	0	0	0	2,037	
106 01 RETIREMENT	2,734	0	5,018	0	5,018	(2,284)	
125 00 WORKERS' COMPENSATIO	151	0	0	0	0	151	
125 15 SCIF ALLOCATION COST	0	0	47	0	47	(47)	
134 00 OTHER-STAFF BENEFITS	0	0	10	0	10	(10)	
136 00 VISION CARE	1	0	0	0	0	1	
137 00 MEDICARE TAXATION	0	0	390	0	390	(390)	
<b>TOTAL STAFF BENEFITS</b>	<b>6,527</b>	<b>0</b>	<b>7,133</b>	<b>0</b>	<b>7,133</b>	<b>(606)</b>	<b>-9.28%</b>
<b>TOTAL PERSONAL SERVICES</b>	<b>36,524</b>	<b>0</b>	<b>34,041</b>	<b>0</b>	<b>34,041</b>	<b>2,483</b>	<b>6.80%</b>
<b>OPERATING EXPENSES &amp; EQUIPMENT</b>							
<b>GENERAL EXPENSE</b>							
201 00 GENERAL EXPENSE	10,470	0	0	0	0	10,470	
213 02 ADMIN OVERHEAD-OTHR.	0	0	246	0	246	(246)	
<b>TOTAL GENERAL EXPENSE</b>	<b>10,470</b>	<b>0</b>	<b>246</b>	<b>0</b>	<b>246</b>	<b>10,224</b>	<b>97.65%</b>
<b>POSTAGE</b>							
261 00 POSTAGE	1,034	0	0	0	0	1,034	
<b>TOTAL POSTAGE</b>	<b>1,034</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,034</b>	<b>100.00%</b>
<b>TRAVEL: IN-STATE</b>							
291 00 TRAVEL: IN-STATE	889	0	0	0	0	889	
<b>TOTAL TRAVEL: IN-STATE</b>	<b>889</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>889</b>	<b>100.00%</b>
<b>C/P SVS - EXTERNAL</b>							
402 00 CONSULT/PROF SERV-EX	42,112	0	0	0	0	42,112	
418 02 CONS/PROF SVS-EXTRNL	0	0	0	29,500	29,500	(29,500)	
<b>TOTAL C/P SVS - EXTERNAL</b>	<b>42,112</b>	<b>0</b>	<b>0</b>	<b>29,500</b>	<b>29,500</b>	<b>12,612</b>	<b>29.95%</b>

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DEPARTMENT OF CONSUMER AFFAIRS

BUDGET REPORT

AS OF 6/30/2011

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RUN DATE 7/26/2011

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ATHLETIC COMMISSION

ATHLETIC COMMISSION - BOXERS PENSION FUND 9250

BOXERS PENSION FUND 9250

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
<b>DEPARTMENTAL SERVICES</b>							
424 03 OIS PRO RATA	2,438	0	2,438	0	2,438	0	
427 00 INDIRECT DISTRB COST	4,480	0	4,480	0	4,480	0	
427 01 INTERAGENCY SERVS	8	0	0	0	0	8	
427 30 DOI - PRO RATA	168	(19)	149	0	149	19	
427 34 PUBLIC AFFAIRS PRO R	345	(22)	323	0	323	22	
427 35 CCED PRO RATA	204	0	204	0	204	0	
<b>TOTAL DEPARTMENTAL SERVICES</b>	<b>7,643</b>	<b>(41)</b>	<b>7,594</b>	<b>0</b>	<b>7,594</b>	<b>49</b>	<b>0.64%</b>
<b>CENTRAL ADMINISTRATIVE SERVICES</b>							
438 00 PRO RATA	3,556	0	3,556	0	3,556	0	
<b>TOTAL CENTRAL ADMINISTRATIVE SERVICES</b>	<b>3,556</b>	<b>0</b>	<b>3,556</b>	<b>0</b>	<b>3,556</b>	<b>0</b>	<b>0.00%</b>
<b>TOTAL OPERATING EXPENSES &amp; EQUIPMEN</b>	<b>65,704</b>	<b>(41)</b>	<b>11,396</b>	<b>29,500</b>	<b>40,896</b>	<b>24,808</b>	<b>37.76%</b>
<b>SPECIAL ITEMS OF EXPENSE</b>							
<b>RETIREMENT DISBURSEMENTS</b>							
623 00 RETIREMT DISBURSMNTS	0	0	1,608	0	1,608	(1,608)	
<b>TOTAL RETIREMENT DISBURSEMENTS</b>	<b>0</b>	<b>0</b>	<b>1,608</b>	<b>0</b>	<b>1,608</b>	<b>(1,608)</b>	<b>0.00%</b>
<b>TOTAL SPECIAL ITEMS OF EXPENSE</b>	<b>0</b>	<b>0</b>	<b>1,608</b>	<b>0</b>	<b>1,608</b>	<b>(1,608)</b>	<b>0.00%</b>
<b>BOXERS PENSION FUND 9250</b>	<b>102,228</b>	<b>(41)</b>	<b>47,044</b>	<b>29,500</b>	<b>76,544</b>	<b>25,684</b>	<b>25.12%</b>
	<b>102,228</b>	<b>(41)</b>	<b>47,044</b>	<b>29,500</b>	<b>76,544</b>	<b>25,684</b>	<b>25.12%</b>

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DEPARTMENT OF CONSUMER AFFAIRS

BUDGET REPORT

AS OF 6/30/2011

FM 13

RUN DATE 7/26/2011

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ATHLETIC COMMISSION

BOXERS PENSION CONTINUOUSLY APPROPRIATED 9250

BOXERS PENSION CONTINUOUSLY APPROPRIATED

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
<b>SPECIAL ITEMS OF EXPENSE</b>							
RETIREMENT DISBURSEMENTS							
623 00 RETIREMT DISBURSMNTS	0	(91,921)	175,748	0	175,748	(175,748)	
<u>TOTAL</u> RETIREMENT DISBURSEMENTS	0	(91,921)	175,748	0	175,748	(175,748)	0.00%
<u>TOTAL</u> SPECIAL ITEMS OF EXPENSE	0	(91,921)	175,748	0	175,748	(175,748)	0.00%
<b>ERS PENSION CONTINUOUSLY APPROPRIATED</b>							
	0	(91,921)	175,748	0	175,748	(175,748)	0.00%
	0	(91,921)	175,748	0	175,748	(175,748)	0.00%

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DEPARTMENT OF CONSUMER AFFAIRS  
ENCUMBRANCE REPORT

AS OF: 6/30/2011

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RUN DATE: 7/26/2011

09250 BOXERS PENSION FUND 9250

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DOCUMENT	VENDOR	ORIG. AMOUNT	ADJUSTMENTS	LIQUIDATIONS	BALANCE
C/P SVS - EXTERNAL					
418 02 009-4125--7 0000071737-00	RAYMOND JAMES FIN	\$29,500.00	\$0.00	\$0.00	\$29,500.00
TOTAL C/P SVS - EXTERNAL					\$29,500.00

09250 BOXERS PENSION FUND 9250 \$29,500.00

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DEPARTMENT OF CONSUMER AFFAIRS  
ENCUMBRANCE REPORT

AS OF: 6/30/2011

FM 13

RUN DATE: 7/26/2011

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09326 STATE ATHLETIC COMMISSION

DOCUMENT	VENDOR	ORIG. AMOUNT	ADJUSTMENTS	LIQUIDATIONS	BALANCE
<b>GENERAL EXPENSE</b>					
226 10 REQ00063-40 0000020110-00	PRISON INDUSTRIES	\$816.00	\$0.00	\$0.00	\$816.00
226 15 REQ00061-91 0000020110-00	PRISON INDUSTRIES	\$3,558.00	\$0.00	\$0.00	\$3,558.00
<b>TOTAL GENERAL EXPENSE</b>					<b>\$4,374.00</b>
<b>PRINTING</b>					
244 7040C181-26 0000065284-00	SHARP ELECTRONICS	\$2,624.00	\$0.00	(\$1,249.12)	\$1,374.88
245 REQ00063-54 0000020068-00	DEPT OF GENERAL S	\$445.00	\$0.00	\$0.00	\$445.00
<b>TOTAL PRINTING</b>					<b>\$1,819.88</b>
<b>C/P SVS - EXTERNAL</b>					
413 REQ00046-37 0000072798-00	DRUG TESTING NETW	\$74,000.00	\$0.00	(\$3,804.00)	\$70,196.00
413 REQ00048-40 0000072765-00	REGENTS OF UNIV O	\$49,150.00	\$0.00	(\$33,537.05)	\$15,612.95
<b>TOTAL C/P SVS - EXTERNAL</b>					<b>\$85,808.95</b>
<b>DATA PROCESSING</b>					
436 REQ00065-99 0000053934-00	SQUAW VALLEY OFFI	\$259.70	\$0.00	\$0.00	\$259.70
<b>TOTAL DATA PROCESSING</b>					<b>\$259.70</b>

09326 STATE ATHLETIC COMMISSION

\$92,262.53

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CSTARH10 1110 (DEST: A1 CAL2) PY,C,6,5,4,0,  
 PRIOR FISCAL YEAR: 2010

\*\*\*\*\* RUN:07/26/11 TIME:06.00

6(INDEX) 5(PCA ) 4(AGYOBJ) 0(NOFUND) FUND(ALL ) GL(ALL )  
 DEPT OF CONSUMER AFFAIRS - REGULATORY BOARDS  
 HISTORY FILE EXPENDITURE RECORDS SUPPORTING THE Q16 REPORT  
 AS OF 06/30/11

\*\*\*\*\*  
 PFY: 10  
 PCA: 09-10-000-000-09326 STATE ATHLETIC COMMISSION  
 \*\*\*\*\*

SEC	SS	U	SU	SSU	INDEX	DESCRIPTION	C	OB	OD	AO	DESCRIPTION	CUR MONTH EXP
09	00	00	00	00	0900	ATHLETIC COMMISSION ACCR090010	1	01	033	02	ATH INSP MSC 906,910 11071500A14 07/15/11 215	34,809.36
*TOTAL AGENCY OBJECT 02 ATH INSP MSC 906,910												34,809.36
09	00	00	00	00	0900	ATHLETIC COMMISSION ACCR090010	1	01	033	04	TEMP HELP (907) 11071500A14 07/15/11 215	3,220.85
*TOTAL AGENCY OBJECT 04 TEMP HELP (907)												3,220.85
09	00	00	00	00	0900	ATHLETIC COMMISSION ACCR090010	1	01	063	01	BD/COMMSN (901,920) 11071500A14 07/15/11 215	300.00
*TOTAL AGENCY OBJECT 01 BD/COMMSN (901,920)												300.00
09	00	00	00	00	0900	ATHLETIC COMMISSION ACCR090010	1	01	083	00	OVERTIME 11071500A14 07/15/11 215	1,426.72
*TOTAL AGENCY OBJECT 00 OVERTIME												1,426.72
09	00	00	00	00	0900	ATHLETIC COMMISSION ACCR090010	1	03	101	00	STAFF BENEFITS 11071500A14 07/15/11 215	1,897.60
*TOTAL AGENCY OBJECT 00 STAFF BENEFITS												1,897.60
09	00	00	00	00	0900	ATHLETIC COMMISSION 10AC0176DB	3	11	206	00	MISC OFFICE SUPPLIES 11071800A19 07/18/11 215 U S BANK	4,601.65
*TOTAL AGENCY OBJECT 00 MISC OFFICE SUPPLIES												4,601.65
09	00	00	00	00	0900	ATHLETIC COMMISSION 10AC0044SC	3	11	207	00	FREIGHT & DRAYAGE 11071400A09 07/14/11 215 FEDERAL EXPRESS CORP	500.00
*TOTAL AGENCY OBJECT 00 FREIGHT & DRAYAGE												500.00
09	00	00	00	00	0900	ATHLETIC COMMISSION 10AC0117SC	3	13	252	00	CELL PHONES, PDA, PAGER 11071400A09 07/14/11 215 VERIZON WIRELESS	225.00
*TOTAL AGENCY OBJECT 00 CELL PHONES, PDA, PAGER												225.00
09	00	00	00	00	0900	ATHLETIC COMMISSION 10AC0009SC 10AC0054SC	3	13	257	01	TELEPHONE EXCHANGE 11071400A09 07/14/11 215 AT&T 11071400A09 07/14/11 215 VERIZON BUSINESS SERVICE	50.00 1,000.00

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CSTARH10 1110 (DEST: A1 CAL2) PY,C,6,5,4,0,  
 PRIOR FISCAL YEAR: 2010 6(INDEX) 5(PCA ) 4(AGYOBJ) 0(NOFUND) FUND(ALL ) GL(ALL )  
 DEPT OF CONSUMER AFFAIRS - REGULATORY BOARDS  
 HISTORY FILE EXPENDITURE RECORDS SUPPORTING THE Q16 REPORT  
 AS OF 06/30/11

\*\*\*\*\* RUN:07/26/11 TIME:06.00

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FFY: 10  
 PCA: 09-10-000-000-09326 STATE ATHLETIC COMMISSION

\*\*\*\*\*  
 SEC SS U SU SSU INDEX DESCRIPTION C OB OD AO DESCRIPTION

INVOICE	DOC DATE REF DOC SX CUR DOC SX CLAIM NO	BATCH	HDR PR DATE TC R	VENDOR NAME	CUR MONTH EXP
*TOTAL AGENCY OBJECT 01 TELEPHONE EXCHANGE					1,050.00
09 00 00 00 00 0900	ATHLETIC COMMISSION	3 17 292 00	PER DIEM-I/S		
	10AC0010BD	11071800A23	07/18/11 215	MS.TRAVELS	21,510.93
*TOTAL AGENCY OBJECT 00 PER DIEM-I/S					21,510.93
09 00 00 00 00 0900	ATHLETIC COMMISSION	3 17 293 00	VEHICLE, GS-I/S		
	10AC0061DB	11071200A01	07/12/11 285	DEPT OF GENERAL SERVICES	926.00
*TOTAL AGENCY OBJECT 00 VEHICLE, GS-I/S					926.00
09 00 00 00 00 0900	ATHLETIC COMMISSION	3 17 297 00	RENTAL CAR-I/S		
	10AC0453DG	11071600A18	07/18/11 215	AM EXPRESS 3782-940798-41006	346.13
*TOTAL AGENCY OBJECT 00 RENTAL CAR-I/S					346.13
09 00 00 00 00 0900	ATHLETIC COMMISSION	3 21 332 00	TUITN/REGISTRATN FEE		
	10AC0023SC	11071400A09	07/14/11 283	STATE PERSONNEL BOARD	4,200.00
	10AC0023SC	11071800A21	07/18/11 285	STATE PERSONNEL BOARD	4,200.00
	10AC0023SC	11071800A21	07/18/11 283 R	STATE PERSONNEL BOARD	4,200.00-
	10AC0135SC	11071800A27	07/18/11 285	STATE PERSONNEL BOARD	3,900.00
*TOTAL AGENCY OBJECT 00 TUITN/REGISTRATN FEE					8,100.00
09 00 00 00 00 0900	ATHLETIC COMMISSION	3 25 396 00	ATTORNEY GENL-INTERDEPT		
	10AC0123DB	11071800A20	07/18/11 285	DEPT OF JUSTICE	1,997.50
*TOTAL AGENCY OBJECT 00 ATTORNEY GENL-INTERDEPT					1,997.50
09 00 00 00 00 0900	ATHLETIC COMMISSION	3 26 414 31	EVIDENCE/WITNESS FEES		
	07/18/11 10AC0004BE	11071803017	07/18/11 215	MR. WITNESS	500.00
*TOTAL AGENCY OBJECT 31 EVIDENCE/WITNESS FEES					500.00
09 00 00 00 00 0900	ATHLETIC COMMISSION	3 26 418 97	COURT REPORTER SERVS		
	07/18/11 10AC0005BE	11071803017	07/18/11 215	MR. WITNESS	500.00
*TOTAL AGENCY OBJECT 97 COURT REPORTER SERVS					500.00
09 00 00 00 00 0900	ATHLETIC COMMISSION	3 27 427 01	INTERAGENCY SERVS		
	COSTALLOMC	11072008129	07/20/11 242		153,835.48

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CSTARH10 1110 (DEST: A1 CAL2) PY,C,6,5,4,0,  
 PRIOR FISCAL YEAR: 2010 6(INDEX) 5(PCA ) 4(AGYOBJ) 0(NOFUND) FUND(ALL ) GL(ALL )  
 DEPT OF CONSUMER AFFAIRS - REGULATORY BOARDS  
 HISTORY FILE EXPENDITURE RECORDS SUPPORTING THE Q16 REPORT  
 AS OF 06/30/11

\*\*\*\*\* RUN:07/26/11 TIME:06.00

FFY: 10  
 PCA: 09-10-000-000-09326 STATE ATHLETIC COMMISSION

\*\*\*\*\*  
 SEC SS U SU SSU INDEX DESCRIPTION C OB OD AO DESCRIPTION

INVOICE	DOC	DATE	REF	DOC	SX	CUR	DOC	SX	CLAIM	NO	BATCH	HDR	PR	DATE	TC	R	VENDOR NAME	CUR	MONTH	EXP
*TOTAL AGENCY OBJECT 01 INTERAGENCY SERVS																			153,835.48	
09	00	00	00	00	0900	ATHLETIC COMMISSION			3	27	427	30	DOI - PRO RATA							
						PRORATA-10					11072208131	07/22/11	242	R						547.00-
*TOTAL AGENCY OBJECT 30 DOI - PRO RATA																			547.00-	
09	00	00	00	00	0900	ATHLETIC COMMISSION			3	27	427	31	DOI - INVESTIGATION							
						PRORATA-10					11072208132	07/22/11	242	R						2,000.00-
*TOTAL AGENCY OBJECT 31 DOI - INVESTIGATION																			2,000.00-	
09	00	00	00	00	0900	ATHLETIC COMMISSION			3	27	427	34	PUBLIC AFFAIRS PRO RATA							
						PRORATA-10					11072208135	07/22/11	242	R						614.00-
*TOTAL AGENCY OBJECT 34 PUBLIC AFFAIRS PRO RATA																			614.00-	
*TOTAL INDEX 0900 ATHLETIC COMMISSION																			232,586.22	
*TOTAL PCA 09326 STATE ATHLETIC COMMISSION																			232,586.22	

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CSTARH10 1110 (DEST: A1 CAL2) PY,C,6,5,4,0,  
 PRIOR FISCAL YEAR: 2010 6(INDEX) 5(PCA ) 4(AGYOBJ) 0(NOFUND) FUND(ALL ) GL(ALL )  
 DEPT OF CONSUMER AFFAIRS - REGULATORY BOARDS  
 HISTORY FILE EXPENDITURE RECORDS SUPPORTING THE Q16 REPORT  
 AS OF 06/30/11

\*\*\*\*\* RUN:07/26/11 TIME:06.00

FFY:	10																			
PCA:	09-20-000-000-09492	STATE ATHLETIC COMM - BOXERS NEURO ACCT																		
SEC	SS	U	SU	SSU	INDEX	DESCRIPTION	C	OB	OD	AO	DESCRIPTION									
INVOICE	DOC	DATE	REF	DOC	SX	CUR	DOC	SX	CLAIM	NO	BATCH	HDR	PR	DATE	TC	R	VENDOR NAME	CUR	MONTH	EXP
09	00	00	00	00	0900	ATHLETIC COMMISSION				3	27	427	30	DOI - PRO RATA						
						PRORATA-10					11072208131	07/22/11	242	R						35.00-
*TOTAL AGENCY OBJECT 30 DOI - PRO RATA																			35.00-	
09	00	00	00	00	0900	ATHLETIC COMMISSION				3	27	427	34	PUBLIC AFFAIRS PRO RATA						
						PRORATA-10					11072208135	07/22/11	242	R						40.00-
*TOTAL AGENCY OBJECT 34 PUBLIC AFFAIRS PRO RATA																			40.00-	
*TOTAL INDEX 0900 ATHLETIC COMMISSION																			75.00-	
*TOTAL PCA 09492 STATE ATHLETIC COMM - BOXERS NEURO ACCT																			75.00-	

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CSTARH10 1110 (DEST: A1 CAL2) PY,C,6,5,4,0,  
 PRIOR FISCAL YEAR: 2010 6(INDEX) 5(PCA ) 4(AGYOBJ) 0(NOFUND) FUND(ALL ) GL(ALL )  
 DEPT OF CONSUMER AFFAIRS - REGULATORY BOARDS  
 HISTORY FILE EXPENDITURE RECORDS SUPPORTING THE Q16 REPORT  
 AS OF 06/30/11

\*\*\*\*\* RUN:07/26/11 TIME:06.00

FFY: 10  
 PCA: 09-40-000-000-09250 BOXERS PENSION FUND 9250

SEC	SS	U	SU	SSU	INDEX	DESCRIPTION	C	OB	OD	AO	DESCRIPTION							VENDOR NAME	CUR MONTH EXP
09	00	00	00	00	0900	ATHLETIC COMMISSION PRORATA-10	3	27	427	30	DOI - PRO RATA	11072208131	07/22/11	242	R				19.00-
*TOTAL AGENCY OBJECT 30 DOI - PRO RATA																			19.00-
09	00	00	00	00	0900	ATHLETIC COMMISSION PRORATA-10	3	27	427	34	PUBLIC AFFAIRS PRO RATA	11072208135	07/22/11	242	R				22.00-
*TOTAL AGENCY OBJECT 34 PUBLIC AFFAIRS PRO RATA																			22.00-
*TOTAL INDEX 0900 ATHLETIC COMMISSION																			41.00-
*TOTAL PCA 09250 BOXERS PENSION FUND 9250																			41.00-

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CSTARH10 1110 (DEST: A1 CAL2) PY,C,6,5,4,0,  
 PRIOR FISCAL YEAR: 2010 6(INDEX) 5(PCA ) 4(AGYOBJ) 0(NOFUND) FUND(ALL ) GL(ALL )  
 DEPT OF CONSUMER AFFAIRS - REGULATORY BOARDS  
 HISTORY FILE EXPENDITURE RECORDS SUPPORTING THE Q16 REPORT  
 AS OF 06/30/11

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FFY: 10  
 PCA: 09-45-000-000-BOXPN BOXERS PENSION CONTINUOUSLY APPROPRIATED

\*\*\*\*\*  
 SEC SS U SU SSU INDEX DESCRIPTION C OB OD AO DESCRIPTION

INVOICE	DOC DATE	REF DOC	SX CUR	DOC SX	CLAIM NO	BATCH	HDR PR	DATE	TC	R	VENDOR NAME	CUR MONTH EXP
09 00 00 00 00	BOXR	BOXER PENSION CONTINUOUSLY APPR	4	49 623 00	RETIREMT DISBURSMNTS							
				1002780000		11071307005	07/14/11	253			FINANCIAL AGENT	21,698.20-
	06/24/11			1002780000		11071307005	07/14/11	253			JAMES WAIRE	21,446.00-
	06/24/11			1002780000		11071307005	07/14/11	253			LUCILO NOLASCO	9,693.00-
	06/24/11			1002780000		11071307005	07/14/11	253			LARRY MUSGROVE	15,975.00-
	06/24/11			1002780000		11071307005	07/14/11	253			PERRY THOMAS LEVOE	7,204.40-
	06/24/11			1002780000		11071307005	07/14/11	253			MITCHELL JULIEN	15,904.00-

\*TOTAL AGENCY OBJECT 00 RETIREMT DISBURSMNTS 91,920.60-

\*TOTAL INDEX BOXR BOXER PENSION CONTINUOUSLY APPR 91,920.60-

\*TOTAL PCA BOXPN BOXERS PENSION CONTINUOUSLY APPROPRIATED 91,920.60-

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CSTARQ24 1110 (DEST: A1 CAL2) 13,C,6,5,2,0, ,6212,  
 FISCAL MONTH: 13 PY: 2010 6(INDEX) 5(PCA ) 2(AGYSRC) 0(NOFUND) FUND(ALL ) GL(6212)  
 DEPT OF CONSUMER AFFAIRS - REGULATORY BOARDS  
 RECEIPTS BY ORGANIZATION AND SOURCE  
 AS OF 06/30/11

\*\*\*\*\* RUN:07/26/11 TIME:06.00

\*\*\*\*\* PAGE 11 \*\*\*\*\*  
 ENY: 10 FFY: 10  
 SECTION: 09 ATHLETIC COMMISSION  
 SUB-SECTION: 00  
 UNIT: 00  
 SUB-UNIT: 00  
 SUB-SUB-UNIT: 00  
 INDEX: 0900 ATHLETIC COMMISSION  
 \*\*\*\*\*

PROGRAM							
PG	EL	CMP	TSK	PCA	DESCRIPTION		
REF	SOURCE	ASRC	DESCRIPTION		PLANNED RECEIPTS	A C T U A L R E C E I P T S	BALANCE
						CURRENT MONTH	YEAR-TO-DATE
09 10	000 000	80326	ATHLETIC COMMISSION FD 0326				
980	125600	CA	BOXING - GATE TAXES		0.00	0.00	313,442.19
980	125600	CB	WRESTLING - GATE TAXES		0.00	0.00	255,885.98
980	125600	CC	KARATE - GATE TAXES		0.00	0.00	31,098.02
980	125600	CD	RADIO AND TV - GATE TAXES		0.00	0.00	475,344.08
980	125600	FT	CITATION/FINE FTB COLLECTION		0.00	0.00	301.69
980	125600	00	OTHER REGULATORY FEES	1,980,000.00	0.00	0.00	1,980,000.00
980	125600	13	COMMISSION FINES VARIABLE	0.00	0.00	0.00	74,756.05
980	125600	19	MIXED MARTIAL ARTS FEES/TAXES-VAR	0.00	0.00	0.00	370,218.43
*TOTAL SOURCE 125600					1,980,000.00	0.00	1,521,046.44
980	125700	CK	PRO CLUB-LICENSE FEE \$1000	0.00	0.00	0.00	13,000.00
980	125700	CN	AMATEUR CLUB-LICENSE FEE \$250	0.00	0.00	0.00	2,000.00
980	125700	CY	BOXER - LICENSE FEE \$60	0.00	0.00	0.00	6,120.00
980	125700	CZ	PROFESSIONAL JUDGE \$150	0.00	0.00	0.00	750.00
980	125700	C3	MATCHMAKER LICENSE \$200	0.00	0.00	0.00	1,000.00
980	125700	00	OTHER REGULATORY LICENSES AND PER	151,000.00	0.00	0.00	151,000.00
980	125700	3C	PROFESSIONAL LIC FEE-KICKBOXER -\$	0.00	0.00	0.00	120.00
980	125700	3D	PROFESSIONAL LIC FEE-MARTIAL ARTS	0.00	0.00	0.00	2,820.00
980	125700	3K	MANAGER LIC FEE-\$150	0.00	0.00	0.00	4,950.00
980	125700	3L	PROFESSIONAL REFEREE LIC FEE-\$150	0.00	0.00	0.00	600.00
980	125700	37	SECOND LIC FEE-\$50	0.00	0.00	0.00	19,200.00
*TOTAL SOURCE 125700					151,000.00	0.00	50,560.00
980	125800	00	RENEWAL FEES	240,000.00	0.00	0.00	240,000.00
980	125800	1N	SECOND RENEWAL FEE-\$50	0.00	0.00	0.00	70,550.00
980	125800	1P	TIMEKEEPER'S RENEWAL FEE-\$50	0.00	0.00	0.00	650.00
980	125800	1Q	PROFESSIONAL RENEWAL FEE-BOXER \$6	0.00	0.00	0.00	27,420.00
980	125800	1R	PROFESSIONAL RENEWAL FEE-KICKBOXE	0.00	0.00	0.00	660.00
980	125800	1S	PROFESSIONAL RENEWAL FEE-MARTIAL	0.00	0.00	0.00	26,280.00
980	125800	1V	MANAGER RENEWAL FEE-\$150	0.00	0.00	0.00	6,000.00
980	125800	1W	PROFESSIONAL REFEREE RENEWAL FEE-	0.00	0.00	0.00	4,200.00

11a-19

CSTARQ24 1110 (DEST: A1 CAL2) 13,C,6,5,2,0, ,6212,  
 FISCAL MONTH: 13 PY: 2010 6(INDEX) 5(PCA ) 2(AGYSRC) 0(NOFUND) FUND(ALL ) GL(6212)  
 DEPT OF CONSUMER AFFAIRS - REGULATORY BOARDS  
 RECEIPTS BY ORGANIZATION AND SOURCE  
 AS OF 06/30/11

\*\*\*\*\*  
 ENY: 10 FFY: 10  
 SECTION: 09 ATHLETIC COMMISSION  
 SUB-SECTION: 00  
 UNIT: 00  
 SUB-UNIT: 00  
 SUB-SUB-UNIT: 00  
 INDEX: 0900 ATHLETIC COMMISSION  
 \*\*\*\*\*

PROGRAM  
 PG EL CMP TSK PCA DESCRIPTION

REF	SOURCE	ASRC	DESCRIPTION	PLANNED RECEIPTS	ACTUAL RECEIPTS		BALANCE
					CURRENT MONTH	YEAR-TO-DATE	
980	125800	1X	PROFESSIONAL JUDGE RENEWAL FEE-\$1	0.00	0.00	5,400.00	5,400.00-
980	125800	1Y	MATCHMAKER RENEWAL FEE-\$200	0.00	0.00	1,000.00	1,000.00-
980	125800	28	AMATEUR CLUB RENEWAL FEE-\$250	0.00	0.00	1,500.00	1,500.00-
980	125800	29	PROF CLUB RENEWAL FEE-\$1000	0.00	0.00	37,000.00	37,000.00-
*TOTAL SOURCE 125800				240,000.00	0.00	180,660.00	59,340.00
980	141200	00	SALES OF DOCUMENTS	0.00	0.00	50.00	50.00-
*TOTAL SOURCE 141200				0.00	0.00	50.00	50.00-
980	150300	00	INCOME FROM SURPLUS MONEY INVESTM	9,000.00	1,013.72	4,609.27	4,390.73
*TOTAL SOURCE 150300				9,000.00	1,013.72	4,609.27	4,390.73
980	161000	02	REVENUE CANCELLED WARRANTS	0.00	0.00	50.00	50.00-
*TOTAL SOURCE 161000				0.00	0.00	50.00	50.00-
980	161400	FT	MISC REVENUE FTB COLLECTION	0.00	0.00	492.87	492.87-
980	161400	00	MISCELLANEOUS REVENUE	1,000.00	0.00	0.00	1,000.00-
980	161400	91	DISHONORED CHECK FEE-VAR	0.00	0.00	125.00	125.00-
*TOTAL SOURCE 161400				1,000.00	0.00	617.87	382.13
09 20	000 000	84920	BOXERS NEURO EXAM ACCT				
980	125600	CG	BOXER'S NEUROLOGICAL EXAM - VAR	0.00	0.00	144,529.32	144,529.32-
980	125600	00	OTHER REGULATORY FEES	96,000.00	0.00	0.00	96,000.00-
*TOTAL SOURCE 125600				96,000.00	0.00	144,529.32	48,529.32-
980	150300	00	INCOME FROM SURPLUS MONEY INVESTM	6,000.00	119.70	324.00	5,676.00

4a.20

CSTARQ24 1110 (DEST: A1 CAL2) 13,C,6,5,2,0, 6212,  
 FISCAL MONTH: 13 PY: 2010 6(INDEX) 5(PCA ) 2(AGYSRC) 0(NOFUND) FUND(ALL ) GL(6212)  
 DEPT OF CONSUMER AFFAIRS - REGULATORY BOARDS  
 RECEIPTS BY ORGANIZATION AND SOURCE  
 AS OF 06/30/11

\*\*\*\*\* RUN:07/26/11 TIME:06.00

ENY: 10 FFY: 10  
 SECTION: 09 ATHLETIC COMMISSION  
 SUB-SECTION: 00  
 UNIT: 00  
 SUB-UNIT: 00  
 SUB-SUB-UNIT: 00  
 INDEX: 0900 ATHLETIC COMMISSION

PROGRAM  
 PG EL CMP TSK PCA DESCRIPTION

REF	SOURCE	ASRC	DESCRIPTION	PLANNED RECEIPTS	ACTUAL CURRENT MONTH	RECEIPTS YEAR-TO-DATE	BALANCE
*TOTAL SOURCE	150300			6,000.00	119.70	324.00	5,676.00
09 40 000 000	89250		BOXERS PENSION REVENUE 9250				
980 221600 00			CONT. TO FIDUCIARY F - EXTERNAL:	79,000.00	0.00	0.00	79,000.00
980 221600 01			BOXERS PENSION FUND 9250	0.00	0.00	92,412.08	92,412.08-
*TOTAL SOURCE	221600			79,000.00	0.00	92,412.08	13,412.08-
980 250300 00			INCOME FROM SURPLUS MONEY INVESTM	2,000.00	72.43	558.18	1,441.82
*TOTAL SOURCE	250300			2,000.00	72.43	558.18	1,441.82
*TOTAL PROG	09			2,564,000.00	1,205.85	1,995,417.16	568,582.84
*TOTAL REFERENCE	980			2,564,000.00	1,205.85	1,995,417.16	568,582.84
*TOTAL INDEX	0900			2,564,000.00	1,205.85	1,995,417.16	568,582.84
*TOTAL SEC	09			2,564,000.00	1,205.85	1,995,417.16	568,582.84

40-21



Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

4b

Update on Status of Regulations





**Agenda Item 4b**  
**Regulation Update**  
August 15, 2011

**Title IV, California Code of Regulations**

- Sections 221, 222, 226, 230 – amendment to contracts between promoters and boxers
- Section 262 – repeal the use of courtesy passes
- Section 288 – amendment to clarify the definition of Ringside Physician
- Section 300 – amendment to examinations given to contestants by physicians
- Section 340 – adopt rules to address how to score when an injury occurs that is not the result of a foul

*-Regulation package became effective July 14, 2011*

**Title IV, California Code of Regulations**

- Section 323 – amendment to rules regarding materials used for hand wraps
- Section 399 – amendments to criteria for evaluating the rehabilitation of an individual's eligibility for licensure after revocation or denial of a license.
- Section 511 – adopt a minimum and maximum number of scheduled rounds for mixed martial arts events

*-Regulation package submitted to the Office of Administrative Law (OAL) on July 22, 2011. OAL has 30 calendar days to approve/disapprove the regulation package. Effective date will be 30 days after approved by OAL and filed with the Secretary of State.*

**Title IV, California Code of Regulations**

- Section 303 – amendment to clarify the permitted use of certain types/doses of asthma medication
- Section 303.1 – adopt a process to obtain a therapeutic exemption to use a medically prescribed drug
- Sections 371, 543 – amendment to clarify the criteria for referee licensure
- Sections 379, 547 – amendment to clarify the criteria for judge licensure
- Section 403 – amendment that provides for a yearly assessment to adjust the monetary amount collected for the Boxer Pension Program

*-45-day notice to be given week of August 15, 2011, followed by public hearing. Hearing to be scheduled for October 2011 Commission meeting.*

Department of Consumer Affairs  
California State Athletic Commission Program

Commission Meeting

Agenda Item

4c

Staff Update



Chairman John Frierson  
Vice-Chairman Dr. Christopher Giza  
George Dodd, Executive Officer  
California State Athletic Commission Program

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

4d

Stakeholders conference call



## Request To Have Following Items Put On California State Athletic Commission June Agenda

To: George Dodd  
From: Roy Englebrecht  
Subject: Request For Agenda Items

May 14, 2011

Good Morning George, and after surveying a large number of licensed fight promoters in California it is their desire that every effort be made to get the following items on the next Commission meeting agenda, and if not the June meeting the following one.

There is no doubt that the hard work, commitment, passion, and business acumen of most licensed fight promoters in our state drives the engine of combative sports in California. The efforts of promoters, day in and day out, is what funds the CSAC office, provides income for hundreds of athletes, provides income for scores of officials, and perhaps most important generates substantial income for venues, their employees and the communities they are located in.

But while everyone mentioned in the above paragraph gets paid at the end of the day, it is a constant struggle at each and every show for promoters to remain profitable. With the present economy in the shape it is in, and the shrinking discretionary dollars that consumers might have, the same dollars they will spend to go to a fight, the challenge that promoters face is daunting!

But one area that can provide hope for promoters is for the CSAC to address some Rules & Regulations that would immediately impact promoter's show expenses which would positively affect their bottom line. It is my feeling that as the Executive Officer of the CSAC as well as the Commissioners, have a duty to address and move without delay on the promoter's requests to address these critical areas, many that have been stated at several meeting you have had with promoters.

With all this said below are the areas that we would like you to present to the Commission Chairman to get listed on the next meeting agenda.

1. The immediate change in compensation for officials, to now creating a standard set fee to be paid at each and every show by promoters, regardless of the gross receipts or broadcast revenue. The only change would be for a title fight of some kind. The proposed new Officials Fee Structure to be:
  - a. Referee - \$350
  - b. Judges - \$300
  - c. Doctors - \$600 includes one suturing, and cap at \$200 each additional suturing as needed
  - d. Timer - \$200
  - e. No travel paid unless official is coming from over 100 miles and only paid one way.
2. Only assign four (4) officials to work a show. Two referees and two judges, and have one referee move to a judge position when not in the ring.
3. Change minimum number of rounds that currently require 26 rounds or a promoter gets fined \$200 per round they are short, to now read either five (5) bouts or 26 rounds.
4. To have the regulation now read to allow promoters to provide "Either an ambulance and one paramedics OR a Critical Care Unit.
5. Immediate put a moratorium on promoters 60 cents per ticket Neuro Fund payment, until a clear decision is reached regarding how the current Neuro Funds will be spent.
6. Approve the Neuro test be only given to fighters once every two years unless fighter is knockout out.
7. Approve CSAC now pays for all fighters Neuro test out of Neuro Fund.
8. Change all fighters blood test to yearly instead of current every six months.
9. Yearly license and medicals good from January 1<sup>st</sup> to December 31<sup>st</sup>.

If just these nine listed R&R changes were approved it would provide promoters a savings of approximately \$2,000 per show, and while that may not seem like a lot, if a promoter has 10 shows in a year the savings is now \$20,000.....and that is a lot!!

George, thank you for your interest in working to grow the combative sports business in California, but it really starts with the promoters and their financial well being, and this area has to be addressed immediately, which is why our request for these changes are so important to us.

Department of Consumer Affairs  
California State Athletic Commission Program

Commission Meeting

Agenda Item  
4e

Medical documentation  
MRI and EKG every five years



Chairman John Frierson  
Vice-Chairman Dr. Christopher Giza  
George Dodd, Executive Officer  
California State Athletic Commission Program

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

4f

Executive Officer Evaluation





# DEPARTMENT OF CONSUMER AFFAIRS

## EXECUTIVE OFFICER PERFORMANCE EVALUATION GUIDE

### INSTRUCTIONS:

This Guide is intended to help conduct evaluations of Executive Officers using the State of California Leadership Competency Model (Leadership Competency Model) described in the attached Appendix. The Leadership Competency Model describes the general competencies required for successful performance as an executive with the State of California. These competencies have been incorporated into training provided by SOLID Training Solutions at DCA. This guide has been designed to apply to Career Executive Appointments (CEA). For an overview on the California Merit Principle, please access <http://www.dpa.ca.gov/hr-modernization/competency-based-hr-tools/merit-system-principles.ppt>.

Behavioral-based evaluation is based on the concept that the best predictor of a candidate's future performance is his or her past performance. Therefore, behavioral competencies are measured against observed performance and interaction. The Performance Evaluation process is based on the principle that performance should be evaluated on a regular basis in order to provide recognition of effective performance and as a tool to provide guidance in improving future performance.

The Performance Evaluation may also be used relative to salary issues. For example, when a General Salary Increase is approved by the Governor and the Legislature, or if the Executive Officer is not at the maximum range of salary, the Board may be empowered to grant a pay-for-performance (PFP) salary increase for the Executive Officer. To qualify for such increases, the Executive Officer must meet performance expectations, as determined by the Board. This form can thus also document the Board's recommendation to grant or deny a salary increase.

### *Before the evaluation:*

- The Board will request the Deputy Director, Board/Bureau Relations to initiate the evaluation process with the DCA Office of Human Resources (OHR).
- OHR will provide the following materials to the Board:
  - Executive Officer Performance Evaluation Guide
  - Current Executive Officer Duty Statement
  - Previous Executive Officer Evaluations
  - Current Executive Officer salary and available salary increases
  - Current salary of the top two highest paid Board staff
  - Turnover and/or grievance data
  - Training Resources; such as links to Cooperative Personnel Services, Sacramento State University Continuing Education Leadership series, SOLID Training Solutions training calendar.

### *Conducting the evaluation:*

- ◆ The chair/president of each Board is responsible for initiating the evaluation process. The form should be sent to all board/committee members as well as to the DCA Director and/or Deputy Director of Board/Bureau Relations. The report should also be sent to the Executive Officer to complete a self evaluation and provide the opportunity to give examples of his/her self ratings. The report is available in electronic format. The chair/president should compile the results and discuss them in a closed session and prior to review with the Executive Officer. Specific comments and/or recommendations should be included in the final report
- ◆ You must provide comments to justify your rating level. Ratings of Below Average Performance or Unacceptable Performance will not be considered unless specific examples are provided. Comments to the Executive Officer, should:
  - include factual examples and give suggestions on how performance can be improved
- ◆ The Overall Ratings must be consistent with the factor ratings and comments, but there is no prescribed formula for computing the overall rating.
- ◆ Overall Comments provided on Page 11 may consist of a summary of comments from specific competencies, general comments or comments on other job-related factors which the rater wishes to discuss. Additional pages may be attached.

- ♦ The Rater(s) (Board President and/or members or designee) will discuss the evaluation with the Executive Officer and give him/her a copy. If the Board determines that board members will be present, no more than two members shall attend unless the discussion is conducted in a closed session. In signing the evaluation, the Executive Officer merely acknowledges that s/he has seen the evaluation and has discussed it with the rater. His/her signature does not indicate agreement with the ratings or comments.

After the interview:

- ♦ Forward the original copy of the evaluation to the Department of Consumer Affairs Office of Human Resources (OHR). The document will be placed in the Executive Officer's Official Personnel File.
- ♦ OHR will provide notification of any approved salary increases by returning a copy of the compiled results page to both the Board Chair/President and the Executive Officer.

### PERFORMANCE EVALUATION RATING SYSTEM

The rating system consists of six (6) Rating Categories, as defined below:

#### **☛ Exceptional Performance**

Performance *consistently* far exceeds expectations due to exceptionally high quality of work performed in all essential areas of responsibility resulting in an overall quality of work that is superior.

#### **☛ Highly Successful Performance**

*Consistently strong level of performance*; meeting and often exceeding the performance goals of the job; goals are consistently achieved, many times overcoming significant challenges. Work that is characterized by a consistently high level of accomplishment; independently demonstrates fully proficient knowledge, skills, abilities, and personal characteristics for the required work.

#### **☛ Appropriate Performance**

Performance that meets expectations.

#### **☛ Below Average Performance**

Performance *does not consistently meet expectation*, showing the need for improvement; requires more than average guidance.

#### **☛ Unacceptable Performance**

Performance is consistently below expectations in most essential areas of responsibility, and/or fails to meet reasonable progress towards critical goals.

#### **☛ Not Observed**

Rater is unable to assess the Executive Officer in this area, or the area is not applicable to the employee's job.



# CREATING ORGANIZATIONAL TRANSFORMATION CLUSTER



# CREATING ORGANIZATIONAL TRANSFORMATION CLUSTER Continued

<b>Competencies: Global Perspective, Organizational Awareness, Vision and Strategic Thinking</b>	<b>Examples of Successful Behavioral Indicators</b>
<ul style="list-style-type: none"> <li>• Demonstrates a knowledge of external issues impacting organizational goals and objectives</li> <li>• Negotiates Board interests to mitigate external influences</li> <li>• Partners with external stakeholders and others that have shared purpose or program impact</li> <li>• Implements and complies with Board laws and regulations</li> <li>• Expresses vision and Influences others to translate vision into action</li> </ul>	<ul style="list-style-type: none"> <li>◆ Maintains a professional awareness of cultural, economic and political issues</li> <li>◆ Has been cognizant of both DCA and the Board's interests and goals</li> <li>◆ Uses effective communication skills and persuasion to represent departmental interests before industry associations to provide information regarding Board laws, regulations, programs and policies</li> <li>◆ Manages Board's public relations efforts</li> <li>◆ Directs consumer outreach efforts</li> <li>◆ Acts as liaison with educational institutions</li> <li>◆ Tracks legislative trends and keeps the Board members apprised of legislation of interest</li> <li>◆ Has considered the organization's strategic goals and objectives when making decisions</li> <li>◆ Has demonstrated an understanding of the major concerns of the organization by keeping open communication with staff, managers, and other executives</li> <li>◆ Stays informed of issues and trends by building networks with stakeholders and professional organizations</li> <li>◆ Has initiated the implementation of the vision and strategic plan</li> <li>◆ Has ensured that the organization's tactical business plan is in line with it's strategic plan</li> <li>◆ Has established an environment where individuals are recognized for putting the strategic vision into action</li> <li>◆ Has established or adjusted the department's strategic plan, goals and objectives to align with global changes, organizational changes, or input from key stakeholders</li> </ul>

<b>RATING:</b>					
Exceptional Performance	Highly Successful Performance	Appropriate Performance	Below Average Performance	Unacceptable Performance	Not Observed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Rating Justification – Include specific examples that justify the rating:*

# MAXIMIZING PERFORMANCE RESULTS CLUSTER

Competencies: Analytical Thinking, and Decision Making	Examples of Successful Behavioral Indicators
<ul style="list-style-type: none"> <li>• Identifies causes</li> <li>• Approaches problems by breaking them down</li> <li>• Recognizes actions and underlying issues</li> <li>• Makes critical and timely decisions</li> <li>• Makes tough and appropriate decisions</li> </ul>	<ul style="list-style-type: none"> <li>◆ Has identified causes for highly sensitive problems which may affect the organization, other departments and/or outside stakeholders</li> <li>◆ Has considered politics, socio-economics, media interest, policy impact, cross-organizational impact, risk and legal implications when breaking down highly sensitive and complex problems</li> <li>◆ Has synthesized information provided by the management team, board members and stakeholders</li> <li>◆ Has considered the strategic goals and objectives of the organization when setting key priorities</li> <li>◆ Has anticipated highly sensitive organizational key actions (policy changes, legislative changes) and recognized underlying issues and the impact to the organization and stakeholders</li> <li>◆ Has made mission critical and/or politically sensitive decisions with limited information under tight deadlines</li> <li>◆ Has kept abreast of department policies, priorities and of internal and external factors in order to make decisions which may affect the organization, other departments and/or outside stakeholders</li> <li>◆ Has encouraged and supported innovative ideas and approaches to improve public service and/or deliverables</li> <li>◆ Has exercised critical judgment with confidence in consideration of the range of impact to all affected parties</li> </ul>

**RATING:**

Exceptional Performance	Highly Successful Performance	Appropriate Performance	Below Average Performance	Unacceptable Performance	Not Observed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Rating Justification – Include specific examples that justify the rating:*

# MAXIMIZING PERFORMANCE RESULTS CLUSTER Continued

Competencies Continued: Forward Thinking and Results Oriented	Examples of Successful Behavioral Indicators
<ul style="list-style-type: none"> <li>• Anticipates problems and develops contingency plans</li> <li>• Anticipates how individuals and groups will react to situations and information and plans accordingly</li> <li>• Develops challenging but achievable goals</li> <li>• Finds or creates ways to measure performance against goals</li> <li>• Keeps Board apprised of examination, enforcement and licensing trends and issues</li> </ul>	<ul style="list-style-type: none"> <li>◆ Has collaboratively developed contingency plans and alternatives</li> <li>◆ Has anticipated continual changes in the environment (e.g., industry, workforce, political, etc.)</li> <li>◆ Has developed plans to prepare for opportunities or problems</li> <li>◆ When problems arise, presents potential solutions along with the problems</li> <li>◆ Has discussed plans with staff and/or stakeholders as appropriate and made adjustments as necessary</li> <li>◆ Has developed program goals based on the organization's vision, mission and strategic goals and objectives</li> <li>◆ Has considered the impact of fiscal constraints in meeting organizational goals and setting realistic priorities (e.g., considered mandatory versus discretionary workloads)</li> <li>◆ Has communicated the impact of fiscal constraints to board and stakeholders as appropriate</li> <li>◆ Has developed realistic, quantifiable milestones and measurements that encouraged raising organizational performance and measured return on investment</li> <li>◆ Ensures effective and efficient management of enforcement programs</li> <li>◆ Maintains security of the examination process</li> <li>◆ Monitors validity/defensibility of examinations and provides appropriate recommendations for action</li> <li>◆ Monitors and identifies trends in candidate qualifications, pass/fail rates, etc.</li> <li>◆ Resolves problems which arise in the exam process</li> <li>◆ Keeps Board apprised of exam and licensing programs and process developments</li> </ul>

**RATING:**

Exceptional Performance	Highly Successful Performance	Appropriate Performance	Below Average Performance	Unacceptable Performance	Not Observed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Rating Justification – Include specific examples that justify the rating:*



## PROMOTING A HIGH PERFORMANCE CULTURE CLUSTER

<b>Competency: Fostering Diversity and Workforce Management</b>	<b>Examples of Successful Behavioral Indicators</b>				
<ul style="list-style-type: none"> <li>• <b>Fosters and values an environment in which people who are diverse can work together cooperatively and effectively in achieving organizational goals</b></li> <li>• <b>Maintains a work environment that is free of sexual harassment and discrimination</b></li> <li>• <b>Hires and retains appropriate staff, conducts workforce and succession planning</b></li> <li>• <b>Provides feedback on employee performance</b></li> <li>• <b>Addresses employee problems</b></li> <li>• <b>Is a resource for career development</b></li> </ul>	<ul style="list-style-type: none"> <li>◆ <b>Has fostered an inclusive work environment where diversity and individual differences are valued and used positively to achieve the mission and strategic goals of the organization</b></li> <li>◆ <b>Has established a work environment that is free of sexual harassment and discrimination</b></li> <li>◆ <b>Has ensured that there are appropriate policies, processes and procedures established to respond expeditiously to complaints of sexual harassment or discrimination</b></li> <li>◆ <b>Has ensured that a workforce and succession plan and planning process is in place to recruit and retain valuable talent in order to meet the organization's long and short term strategic goals and objectives</b></li> <li>◆ <b>Has initiated regular discussions of the workforce planning process with the management team.</b></li> <li>◆ <b>Has ensured that policies and procedures are implemented to hire and retain staff with the skills required for the organization to achieve its strategic goals and objectives</b></li> <li>◆ <b>Has established an environment where staff receives consistent feedback on performance, regular and effective performance reviews and the guidance to carry out work activities effectively</b></li> <li>◆ <b>Has established expectations that corrective action will be taken when necessary</b></li> <li>◆ <b>Has modeled career development by maintaining his/her own high level of professional expertise</b></li> <li>◆ <b>Has mentored others to gain experiences which will assist them to achieve their career goals and objectives</b></li> <li>◆ <b>Has demonstrated an understanding of the organization's financial and budget management process in order to secure sufficient funding for staff training and development needs</b></li> </ul>				
<b>RATING:</b>					
<b>Exceptional Performance</b>	<b>Highly Successful Performance</b>	<b>Appropriate Performance</b>	<b>Below Average Performance</b>	<b>Unacceptable Performance</b>	<b>Not Observed</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Rating Justification – Include specific examples that justify the rating:</i>					

## BUILDING TRUST AND ACCOUNTABILITY CLUSTER

<b>Competencies:</b> <b>Ethics, Integrity and Personal Credibility</b>	<b>Examples of Successful Behavioral Indicators</b>
<ul style="list-style-type: none"> <li>• Treats others with respect</li> <li>• Takes responsibility</li> <li>• Uses applicable professional standards and establishes procedures</li> <li>• Identifies ethical dilemmas and takes action</li> <li>• Displays honesty and is forthright with people</li> <li>• Follows through on commitments</li> <li>• Respects concerns shared by others</li> </ul>	<ul style="list-style-type: none"> <li>◆ Has established an environment where different styles and approaches are valued</li> <li>◆ Has recognized the value of diverse opinions and approaches</li> <li>◆ Has established expectations for ethical behavior in the workplace</li> <li>◆ Has held oneself and others accountable</li> <li>◆ Has recognized and valued ethical behavior</li> <li>◆ Has fostered an environment of openness and transparency</li> <li>◆ Has ensured that a high level of professional standards, procedures and policies are adhered to throughout the organization</li> <li>◆ Has created an environment that consistently emphasizes integrity and respect for people at all levels within and outside the organization</li> <li>◆ Provides Board with advice during consideration of issues</li> <li>◆ Has defended the organization and staff in adverse situations</li> <li>◆ Has personally accepted consequences for the organization</li> <li>◆ Has strived to meet commitments to internal and external stakeholders while maintaining a balance between organizational goals and political directives</li> <li>◆ Has established a culture of respect at all levels of the organization</li> <li>◆ Has set expectations that diverse views will be considered</li> <li>◆ Has coached others on the ability to respectfully express or listen to divergent viewpoints</li> <li>◆ Remains impartial and treats all Board members in a professional manner</li> <li>◆ Maintains respect and trust of Board members</li> </ul>

**RATING:**

<b>Exceptional Performance</b>	<b>Highly Successful Performance</b>	<b>Appropriate Performance</b>	<b>Below Average Performance</b>	<b>Unacceptable Performance</b>	<b>Not Observed</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Rating Justification – Include specific examples that justify the rating:*

# PROMOTING A HIGH PERFORMANCE CULTURE CLUSTER

Competency: Fostering Diversity and Workforce Management	Examples of Successful Behavioral Indicators
<ul style="list-style-type: none"> <li>• Fosters and values an environment in which people who are diverse can work together cooperatively and effectively in achieving organizational goals</li> <li>• Maintains a work environment that is free of sexual harassment and discrimination</li> <li>• Hires and retains appropriate staff, conducts workforce and succession planning</li> <li>• Provides feedback on employee performance</li> <li>• Addresses employee problems</li> <li>• Is a resource for career development</li> </ul>	<ul style="list-style-type: none"> <li>◆ Has fostered an inclusive work environment where diversity and individual differences are valued and used positively to achieve the mission and strategic goals of the organization</li> <li>◆ Has established a work environment that is free of sexual harassment and discrimination</li> <li>◆ Has ensured that there are appropriate policies, processes and procedures established to respond expeditiously to complaints of sexual harassment or discrimination</li> <li>◆ Has ensured that a workforce and succession plan and planning process is in place to recruit and retain valuable talent in order to meet the organization's long and short term strategic goals and objectives</li> <li>◆ Has initiated regular discussions of the workforce planning process with the management team.</li> <li>◆ Has ensured that policies and procedures are implemented to hire and retain staff with the skills required for the organization to achieve its strategic goals and objectives</li> <li>◆ Has established an environment where staff receives consistent feedback on performance, regular and effective performance reviews and the guidance to carry out work activities effectively</li> <li>◆ Has established expectations that corrective action will be taken when necessary</li> <li>◆ Has modeled career development by maintaining his/her own high level of professional expertise</li> <li>◆ Has mentored others to gain experiences which will assist them to achieve their career goals and objectives</li> <li>◆ Has demonstrated an understanding of the organization's financial and budget management process in order to secure sufficient funding for staff training and development needs</li> </ul>

**RATING:**

Exceptional Performance	Highly Successful Performance	Appropriate Performance	Below Average Performance	Unacceptable Performance	Not Observed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Rating Justification – Include specific examples that justify the rating:*

# BUILDING COALITIONS CLUSTER

<b>Competencies: Influencing Others and Relationship Building</b>	<b>Examples of Successful Behavioral Indicators</b>
<ul style="list-style-type: none"> <li>• Demonstrates the ability to influence others</li> <li>• Knows when to bring issues to the attention of the Board</li> <li>• Develops and maintains relationships inside and outside the organization</li> <li>• Provides assistance and support to others in the development of collaborative networks</li> </ul>	<ul style="list-style-type: none"> <li>◆ Has gained the support and buy-in of others by effectively articulating the organization's position and forming alliances</li> <li>◆ Has used good judgment to identify stalemates and when issues needed to be brought to the attention of the Board</li> <li>◆ Has anticipated key objectives and potential resolutions</li> <li>◆ Has actively assisted others within and outside the organization in the development of collaborative networks in order to meet shared business objectives</li> <li>◆ Keeps the Department of Consumer Affairs informed of Board issues, problems, and accomplishments.</li> <li>◆ Maintains a positive working relationship with other State Agencies</li> <li>◆ Manages sunset review process</li> <li>◆ Manages Board legislative program and efforts.</li> <li>◆ Represents the Board before the Legislature.</li> </ul>

**RATING:**

Exceptional Performance	Highly Successful Performance	Appropriate Performance	Below Average Performance	Unacceptable Performance	Not Observed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Rating Justification – Include specific examples that justify the rating:*

## Overall Rating

The overall rating must be consistent with the competency ratings and comments, but there is no prescribed formula for computing the overall rating. Please provide a justification for your overall rating including examples and recommendations for improvement if necessary. The rating system is described on page 2.

- Exceptional Performance
- Highly Successful Performance
- Appropriate Performance
- Below Average Performance
- Unacceptable Performance
- Not Observed

### OVERALL COMMENTS *(Attach additional pages, if necessary)*


### I HAVE PARTICIPATED IN A DISCUSSION OF OVERALL JOB PERFORMANCE

Signature of Executive Officer: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Rater: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Salary Increase recommendation (if applicable):

- No increase
- Increase to \_\_\_\_\_ (insert amount in accordance with the information provided by OHR)

For OHR Use Only:		
Action:	Date:	Completed by: (Insert Name)
Evaluation Received		
Salary Increase Processed		
Effective Date of Increase		
Copy Sent to Rater, Executive Officer and Official Personnel File		

## Appendix

# LEADERSHIP COMPETENCY MODEL

## Executive Competencies

### FOSTERING A TEAM ENVIRONMENT CLUSTER

**Communication:** The ability to listen to others and communicate in an effective manner. The ability to communicate ideas, thoughts, and facts in writing. The ability/skill to use correct grammar, correct spelling, sentence and document structure, accepted document formatting, and special literary techniques to communicate a message in writing.

**Interpersonal Skills:** The ability to get along and interact positively with coworkers. The degree and style of understanding and relating to others.

### CREATING ORGANIZATIONAL TRANSFORMATION CLUSTER

**Change Leadership:** The ability to manage, lead, and enable the process of change and transition while helping others to deal with their effects.

**Flexibility:** The ability to adapt to and work with a variety of situations, individuals and groups. The ability to be open to different and new ways of doing things. The willingness to modify one's preferred way of doing things.

**Global Perspective:** The ability to recognize and address the impact of the Board decisions. The ability to view issues without any pre-set biases or limitations. The ability to see the "big" picture.

**Organizational Awareness:** The ability to understand the workings, structure, and culture of the organization as well as the political, social, and economic issues affecting the organization.

**Vision & Strategic Thinking:** The ability to support, promote, and ensure alignment with the organization's vision and values. The ability to understand how an organization must change in light of internal and external trends and influences.

## **MAXIMIZING PERFORMANCE RESULTS CLUSTER**

**Analytical Thinking:** The ability to approach a problem by using a logical, systematic, sequential approach.

**Decision Making:** The ability to make decisions and solve problems involving varied levels of complexity, ambiguity, and risk.

**Forward Thinking:** The ability to anticipate the implications and consequences of situations and take appropriate action to be prepared for possible contingencies.

**Results Oriented:** The ability to focus personal efforts on achieving results consistent with the organization's objectives.

## **BUILDING TRUST & ACCOUNTABILITY CLUSTER**

**Ethics & Integrity:** The degree of trustworthiness and ethical behavior of an individual with consideration for the knowledge one has of the impact and consequences when making a decision or taking action.

**Personal Credibility:** Demonstrating concern that one be perceived as responsible, reliable, and trustworthy.

## **PROMOTING A HIGH PERFORMANCE CULTURE CLUSTER**

**Fostering Diversity:** The ability to promote equal and fair treatment and opportunity for all. The ability to effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment. The ability to demonstrate the knowledge of a supervisor's responsibility for promoting equal opportunity in hiring and employee development and promotion.

**Workforce Management:** The ability to effectively recruit, select, develop, and retain competent staff; includes making appropriate assignments and managing staff performance.

## **BUILDING COALITIONS CLUSTER**

**Influencing Others:** The ability to gain others' support for ideas, proposals, projects, and solutions.

**Relationship Building:** The ability to develop, maintain, and strengthen relationships with others inside or outside of the organization who can provide information, assistance, and support.

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

5

Public Comment on Items not on the  
Agenda





Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

6a

Request To Appeal Bout Decision  
Frankie Gomez vs Khadaphi Proctor





Agenda Item 6a  
August 15, 2011

### Appeal of Decision

**Summary:** On July 1, 2011, a scheduled eight round professional boxing match featuring Frankie Gomez of Los Angeles vs. Kadaphi Proctor of Los Angeles took place at the Fantasy Springs Casino in Indio, CA. In the third round, Proctor was knocked down with a straight left despite it being a delayed reaction to the punch. While Proctor was down on one knee, Gomez hit him with what appeared to be an intentional illegal blow. Proctor promptly got to his feet and appeared unhurt and finished the round. The referee did not acknowledge the blow as illegal. All three judges scored the round 10-8. In the fourth round Gomez struck Proctor with numerous unanswered straight right hands. After a few more damaging blows the referee stopped the bout at 2:25 in round four; declaring Gomez the winner by KO.

#### **Rule 368. Change of Decision.**

(a) A decision rendered at the termination of any boxing contest is final and shall not be changed unless following the rendition of a decision the commission determines that any one of the following occurred:

- (1) There was collusion affecting the result of any contest;
- (2) The compilation of the scorecard of the judges, and the referee when used as a judge, shows an error which would mean that the decision was given to the wrong boxer;
- (3) There was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.
- (4) The winner of a bout tested positive immediately after the bout for a substance listed in Rule 303(c).

(b) A petition to change a decision shall be in writing and filed by a boxer or the boxer's manager within five (5) calendar days from the date the decision was rendered.

(c) If a petition to change a decision is not filed in writing within five (5) days of the decision, the commission may, upon the vote of at least a majority of the commissioners present, hold a hearing to change the decision at any time.

(d) If the commission determines that any of the above occurred with regards to any contest then the decision rendered shall be changed as the commission may direct.

#### **California Code of Regulations**

##### **Rule 337. Fouls in Boxing.**

- (1) Hitting below the hip line.
- (2) **Hitting an opponent who is down, is getting up after being down or who is hanging helplessly over the ropes.**
- (3) Holding an opponent with one hand and hitting with the other.

- (4) Excessive holding or deliberately maintaining a clinch.
- (5) Wrestling, kicking, or biting.
- (6) Grabbing and/or holding the ropes.
- (7) Butting with the head or shoulder.
- (8) Hitting with the open glove, or with the butt of the hand, the wrist, the forearm, the elbow, the knee, and all backhand blows.
- (9) Deliberate use of the rabbit punch (hitting behind the head).
- (10) Striking deliberately at that part of the body over the kidneys.
- (11) Spinning and hitting.
- (12) Excessive taunting, abusive language or gestures.
- (13) Any unsportsmanlike act.
- (14) Hitting on the break.
- (15) Hitting after the bell has sounded ending the round, including the last round.
- (16) Hitting an opponent who is entangled in the ropes.
- (17) Pushing an opponent.
- (18) Continuous dropping of the mouthpiece.
- (19) Striking a blow during intervention by the referee under Rule 349.

**Rule 350. A Boxer Shall be Deemed "Down" When.**

A boxer shall be deemed to be "down" when any part of his body but his feet is on the floor, or if he is hanging helplessly over the ropes. A referee may count (see Counting) a contestant out either on the ropes or on the floor.

**Recommendation:**

Although Rule 337(2) was clearly violated when Gomez struck Proctor when he was down the blow was not damaging to the point where Proctor was visibly injured or shaken by the punch or affect him in a negative manner. Proctor was able to stand up in a very prompt fashion and respond to the referees ten count to finish the round on his feet. Furthermore, Proctor went on to box until the bout was stopped in the very next round due to excessive punishment.

Although the foul occurred, it did not change the landscape of the bout nor did it contribute to the fight being stopped in the next round. Therefore, it is recommended that the bout result stand and the appeal be denied.

**Dodd, George@DCA**

---

**From:** Alan Piccione [apiccione@farmersagent.com]  
**Sent:** Tuesday, July 05, 2011 2:00 PM  
**To:** Dodd, George@DCA  
**Subject:** protest fight

Mr. george Dodd

My name is Al Piccione. I am the manager & trainer of a fighter named Khadaphi proctor. Khadaphi was involved in the main event at fantasy springs casino and hotel, on July 1st, 2011, against Frankie Gomez. Although we knew we were the opponent, we were on a

three fight winning streak, and trained as always, diligently for this fight. I am protesting the result of the fight, and asking for it to be changed to no contest. The reason for this being is the referee's actions and non actions in the third round. Although we probably lost the first two rounds, we were in the fight. Khadaphi and Frankie fought a sloppy brawl. Although Khadaphi did not follow my

instructions to box, the bout was still competitive for the first two and a half rounds. In the third round Khadaphi's ankle gave way, and the referee called it a knock down. While down Khadaphi was struck a blow to the left side of his head. He appeared to be shaken. The referee did not warn or take a point away for the foul. Khadaphi was not allowed time to recover from the foul. As you will see in the video, Khadaphi was not the same after the foul, and I believe resulted in him being stopped the next round. The tv

commentator said that the referee should not have ruled the slip a knock down and were surprised that the foul was not

recognized by a warning or point deduction, and that fighters have even been disqualified for hitting a fighter while down. Please

send a copy of this email to the referee, so that in the future this type of disregard does not result in serious injury, or changing the

outcome of a fight.

Sincerely Al Piccione

**Alan Piccione**  
 Farmers Insurance  
 10232 I Ave Ste 9  
 HESPERIA, CA 92345-5485  
 License Number: 0395902  
 760-240-8812 (Office)  
 760-947-1250 (Fax)  
[apiccione@farmersagent.com](mailto:apiccione@farmersagent.com)  
<http://www.farmersagent.com/apiccione>



**FARMERS**



STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.  
**CALIFORNIA STATE ATHLETIC COMMISSION**  
2005 Evergreen Street, Suite 2010 Sacramento, CA 95815  
P (916) 263-2195 F (916) 263-2197 website: www.dca.ca.gov/csac



July 28, 2011

Alan Piccione  
10232 I Ave Ste 9  
Hesperia, CA 92345-5485

Re: Proctor Bout Appeal

Dear Mr. Piccione:

I have reviewed your request and studied the video provided to appeal the decision of the fight between Khadaphi Proctor vs Frankie Gomez at Fantasy Springs Casino in Indio, CA on July 1, 2011.

Based on my review of the regulations there may be grounds for an appeal pursuant to Rule 368(a):

*A decision rendered at the termination of any boxing contest is final and shall not be changed unless following the rendition of a decision the commission determines that any one of the following occurred:*

- (1) There was collusion affecting the result of any contest;*
- (2) The compilation of the scorecard of the judges, and the referee when used as a judge, shows an error which would mean that the decision was given to the wrong boxer;*
- (3) There was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.*
- (4) The winner of a bout tested positive immediately after the bout for a substance listed in Rule 303(c).*

All the Commissioners will have the ability to review the materials prior to the hearing in July.

You and Mr. Proctor will be required to attend the Commission meeting scheduled for August 15, 2011 at 300 S Spring Street, Los Angeles, CA 90013 in order for your appeal to be heard. The meeting will start at 9:30 a.m.

Thank you for contacting the Commission.

Sincerely,

George Dodd  
Executive Officer



July 28, 2011

Frankie Gomez  
3620 N. Broadway  
Los Angeles, CA 90031

Re: Bout Appeal

Dear Mr. Gomez,

This letter is to inform you that your bout that was fought on July 1, 2011 between yourself and Khadaphi Proctor at Fantasy Spring is being appealed for a violation of rule 368: illegal blow to a down fighter and the referee did not give Mr. Proctor time to recover from an illegal blow. If you wish to make comment during the appeal process, you will need to appear before the Commission on August 15, 2011 at the Ronald Regan Building 300 S. Spring St. Los Angeles, CA 90013 at 09:30 a.m.

If you are not able to appear but wish to provide written comment, it must be received in the office no later than the 8<sup>th</sup> of August.

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

Respectfully,

A handwritten signature in black ink that reads "George Dodd".

George Dodd  
Executive Officer



CALIFORNIA STATE ATHLETIC COMMISSION  
 2005 EVERGREEN ST, SUITE 2010  
 SACRAMENTO, CA 95815  
 (916) 263-2195 FAX (916) 263-2197



PROMOTER: Goldenboy CITY: Fantasy Springs Casino DATE: 7/1/11  
 RED FRANKIE GOMEZ VS KHADAFI PROCTOR BLUE

JUDGE Jerry Cantu (PINK)

NAME: F. GOMEZ NAME: K. PROCTOR

NET POINTS	Points Deducted	ROUND POINTS	Rounds 8	ROUND POINTS	POINTS Deducted	NET POINTS
		10	1	9		
20		10	2	9		18
30		10	3	8		26
			4			
			5			
			6			
			7			
			8			
			9			
			10			
			11			
			12			
← TOTAL NET POINTS		TOTAL NET POINTS →				

JUDGE Jose Cohen (PINK)

NAME: F. GOMEZ NAME: K. PROCTOR

NET POINTS	Points Deducted	ROUND POINTS	Rounds 8	ROUND POINTS	POINTS Deducted	NET POINTS
		10	1	9		
20		10	2	9		19
30		10	3	8		26
			4			
			5			
			6			
			7			
			8			
			9			
			10			
			11			
			12			
← TOTAL NET POINTS		TOTAL NET POINTS →				

JUDGE Tony Grebs (PINK)

NAME: F. GOMEZ NAME: K. PROCTOR

NET POINTS	Points Deducted	ROUND POINTS	Rounds 8	ROUND POINTS	POINTS Deducted	NET POINTS
		10	1	9		
20		10	2	9		18
30		10	3	8		26
			4			
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			7			
			8			
			9			
			10			
			11			
			12			
← TOTAL NET POINTS		TOTAL NET POINTS →				

RESULTS: 225 4th Rd  
 Gomez winner by KO

REMARKS: 3rd Rd Gomez knocks down Proctor cross  
 Ref stops fight Proctor taking beating

Eddie Hernandez  
 REFEREE'S NAME

Brian Morris  
 SIGNATURE OF COMMISSION REPRESENTATIVE

6a-6

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

6b

Request To Appeal Bout Decision  
Christy Martin vs. Dakota Stone







Agenda Item 6b  
August 15, 2011

Appeal of Decision

**Summary:** Christy Martin fought Dakota Stone on June 4, 2011, at Staples Center in Los Angeles, CA. Ms. Stone was declared the winner of the bout by technical knock out 1:01 minutes into round one. The fight was stopped by the ringside physician based upon his clinical judgment that the health and safety of Ms. Martin was at risk. Ms. Martin broke her hand in the fourth round and when the fight was stopped in the sixth round, Ms. Martin threw a punch after which she turned her back to her opponent in pain from her broken hand. The referee stopped the fight and had the physician evaluate Ms. Martin. After evaluation, the referee and the physician felt Ms. Stone could not properly defend herself and stopped the fight.

**California Code of Regulations  
Rule 368. Change of Decision.**

(a) A decision rendered at the termination of any boxing contest is final and shall not be changed unless following the rendition of a decision the commission determines that any one of the following occurred:

- (1) There was collusion affecting the result of any contest;
- (2) The compilation of the scorecard of the judges, and the referee when used as a judge, shows an error which would mean that the decision was given to the wrong boxer;
- (3) There was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.
- (4) The winner of a bout tested positive immediately after the bout for a substance listed in Rule 303(c).

(b) A petition to change a decision shall be in writing and filed by a boxer or the boxer's manager within five (5) calendar days from the date the decision was rendered.

(c) If a petition to change a decision is not filed in writing within five (5) days of the decision, the commission may, upon the vote of at least a majority of the commissioners present, hold a hearing to change the decision at any time.

(d) If the commission determines that any of the above occurred with regards to any contest then the decision rendered shall be changed as the commission may direct.

**Business and Professions Code**

Section 18707. A physician in attendance at any contest or match pursuant to Section 18705 shall have the authority to stop any contest or match that is conferred upon the referee. The physician's authority shall be limited to a medically related injury and the physical condition of a contestant.

**Recommendation:** Grounds do not exist to change the decision pursuant to Rule 368. Additionally, there is no evidence to suggest that the determination to stop the fight was due to the fighter's gender. The fight was stopped due to concern for the health and safety of the fighter.

*Law Offices*  
**ALLRED, MAROKO & GOLDBERG**  
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DOLORES Y. LEAL  
R. TOMÁS OLMOS  
RENEE MOCHKATEL  
MARGERY N. SOMERS  
MARÍA G. DÍAZ  
RAMIT MIZRAHI

\*A PROFESSIONAL CORPORATION

June 15, 2011

*Via Email & Federal Express*

Mr. George Dodd  
California State Athletic Commission  
2005 Evergreen Street, Suite 2010  
Sacramento, California 95815

Re: Petition to Change Decision in June 4, 2011 Boxing Match between Christy Martin and Dakota Stone

Dear Mr. Dodd:

Thank you for the time you spent on the phone with me on June 13, 2011 regarding the petition by our client Christy Martin to change the decision declaring Dakota Stone as the winner of the June 4, 2011 boxing match between Ms. Martin and Ms. Stone. During our conversation, you mentioned that you had attended the match in question, and that the Chairman of the State Athletic Commission had also attended. Your attendance, and/or that of the Chairman, presents a serious due process issue in the context of Ms. Martin's pending petition.

It is my understanding that you and others, including the Chairman, constitute the body that will hear and then decide Ms. Martin's petition. Since you and the Chairman were at the match that gave rise to the petition, the two of you are also witnesses to the facts giving rise to the dispute.

In this case, it appears that Ms. Martin's petition will be decided by the Commission itself. If the Commission decides that petition, its members are simultaneously both "jurors" (i.e., fact finders) and judges in the matter.

It is beyond dispute that an individual who is a percipient witness to factual matters in dispute cannot serve as a judge or as a jurist in the resulting lawsuit. Out of a concern for due process, the courts of this state have applied the same principles to administrative proceedings. The relevant principles were summarized in Gray v. City of Gustine, 224 Cal.App.3d 621, 632, 273 Cal.Rptr. 730, 736-37 (Cal. Ct. App. 1990):<sup>1</sup>

<sup>1</sup> Gray was distinguished and explained in Gai v. City of Selma, 68 Cal.App.4th 213, 79 Cal.Rptr.2d 910 (1998).

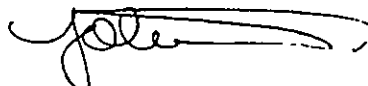
Mr. George Dodd  
California State Athletic Commission  
June 15, 2011  
Page 2

“Under Code of Civil Procedure section 170.1, subdivision (a)(1), a judge must be disqualified if the judge ‘has personal knowledge of disputed evidentiary facts concerning the proceeding.’ Though this section and Code of Civil Procedure sections 170.2 through 170.4 have been written for state court judges, the California Supreme Court in *Andrews* held that these sections should apply to administrative hearing officers as well. (citation omitted) *Andrews* equates administrative judges with judicial officers. (citation omitted) Courts of appeal have also applied these sections of the Code of Civil Procedure to administrative judges. (*American Isuzu Motors, Inc. v. New Motor Vehicle Bd.*, *supra*, 186 Cal.App.3d 464, 472–473, 230 Cal.Rptr. 769; *United Farm Workers of America v. Superior Court* (1985) 170 Cal.App.3d 97, 103–104, 216 Cal.Rptr. 4.)”

Before this matter proceeds, I ask that the Commission state its intentions regarding the participation of Commissioners who were percipient witnesses to the Martin-Stone match in the appeal from the decision in that match. On behalf of Ms. Martin, we would object to proceedings in which one or more percipient witnesses are also fact finders or perform judicial functions.

Very truly yours,

ALLRED, MAROKO & GOLDBERG  
GLORIA ALLRED  
JOHN S. WEST



JOHN S. WEST

JSW:js

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Gloria Allred (SBN 65033)  
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Suite 1500  
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Los Angeles, California 90048-5217  
Telephone: (323) 653-6530  
Facsimile: (323) 653-1660

Attorneys for Christy Martin, Licensed Boxer

DEPARTMENT OF CONSUMER AFFAIRS  
CALIFORNIA STATE ATHLETIC COMMISSION

IN RE: ) PETITION TO CHANGE DECISION  
JUNE 4, 2011 BOXING MATCH BETWEEN )  
CHRISTY MARTIN AND DAKOTA STONE )

Petitioner Christy Martin ("Ms. Martin") hereby petitions the State Athletic Commission to change the decision of the Judges and any other officiating personnel who participated in the decision to declare Dakota Stone as the winner of the sanctioned boxing match between Ms. Martin and Ms. Stone held on June 4, 2011 at the Staples Center in Los Angeles, California.

This Petition is made on the following grounds:

1. Ms. Martin was at all relevant times a duly licensed and qualified female professional boxer.
2. On June 4, 2011, Ms. Martin participated in an appropriately sanctioned boxing match against Ms. Dakota Stone at the Staples Center in Los Angeles, California.
3. Boxing officials and a ring doctor approved by the State Athletic Commission presided over the match. The match was at all relevant times subject to the rules and regulations of the State of California, including rules and regulations set forth in the Code of California Regulations ("CCR").

///

1           4.     It was at all times agreed that the boxing match between Ms. Martin and Ms.  
2 Stone was to last six rounds.

3           5.     With approximately 51 seconds remaining on the clock of the sixth and final  
4 round, and at a time when Ms. Martin was ahead in points on the score cards of all three judges,  
5 the ring doctor stopped the fight purportedly due to Ms. Martin having suffered a broken right  
6 hand.

7           6.     The California Code of Regulations, 4 CCR §345, provides that a referee shall  
8 have the power to stop a contest at any stage if he or she considers it too one-sided, or if either  
9 contestant is in such condition that to continue might subject him or her to serious injury.

10          7.     None of the conditions contained in 4 CCR §345 could reasonably have been  
11 applied to the circumstances in the ring at the time the fight doctor stopped the match between  
12 Ms. Martin and Ms. Stone. The ring doctor and officials who implemented his decision abused  
13 their discretion in stopping the fight and/or awarding the fight to Ms. Stone by virtue of the  
14 following:

15           a.     Ms. Martin was winning the match on the scorecards of all judges.

16           b.     At no time did Ms. Martin ever lose the ability to block the punches of her  
17 opponent or to maneuver herself away from the punches of her opponent.

18           c.     Ms. Martin clearly indicated to the referee and doctor that she wished to  
19 continue the fight, and was in complete control of her mental and physical capabilities at the time  
20 the fight was stopped.

21           d.     Ms. Martin, an experienced boxer, had no other significant fight injuries at  
22 the time, and was not in danger of serious injury from continuing to fight for the 51 seconds  
23 remaining in the last round.

24           e.     The referee in charge of the fight had previously instructed Ms. Martin to  
25 use her broken right hand to fight (despite Ms. Martin's stated preference for using her left hand  
26 at the time), and Ms. Martin demonstrated her ability to fight effectively in accordance with his  
27 instructions.

28     ///

1 f. Although it was the referee who instructed Ms. Martin to fight with her  
2 right hand, despite her stated preference for using her left, Ms. Martin was unjustly penalized for  
3 following that directive when, in a "Catch-22" situation, the fight doctor told the referee that the  
4 fight should be stopped because Ms. Martin was using her right (broken) hand. Had Ms. Martin  
5 been permitted to fight left handed, in accordance with her stated desire, the fight doctor would  
6 not have stopped the match due to her having fought right handed for the short period of time  
7 remaining in the match, and Ms. Martin undoubtedly would have won.

8 g. Ms. Martin's trainer Miguel Diaz confirmed to the referee that she was  
9 ready willing and able to continue fighting, and requested that the match continue. Mr. Diaz  
10 never conceded the fight.

11 h. Ms. Martin had previously completed another bout in New York with Ms.  
12 Stone with a broken hand.

13 i. 4 CCR § 368 provides that decision in a boxing match can be changed if  
14 "[t]here was a violation of the laws or rules and regulations governing boxing which affected the  
15 result of any contest." California's laws governing discrimination on the basis of gender are  
16 incorporated into all laws, rules and regulations of the state, including those pertaining to boxing  
17 matches. A boxing decision which violates the anti-discrimination laws and/or which is the  
18 product of discrimination is therefore in violation of the laws or rules and regulations governing  
19 boxing. In addition to the abuses of discretion and/or disregard for controlling rules set forth  
20 above, it appears that the decision to stop a the fight between Ms. Martin, a female, and Ms.  
21 Stone when Ms. Martin was ahead on points with only 51 seconds remaining in the fight was the  
22 product of gender discrimination. Numerous bouts between male boxers have historically been  
23 allowed to proceed when one of the fighters was known to have sustained a broken hand during  
24 those bouts. Examples include:

25 • Floyd Mayweather, Jr. broke his hand 3 or 4 times in fights that  
26 were not stopped.

27 • Brandon Rios fought Miguel Acosta with a broken hand in Las  
28 Vegas, Nevada. He won the fight by a knockout fighting with a broken hand.

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• Rafael Ruelas broke his arm in a fight and was permitted to continue fighting.

j. Had the match between Ms. Martin and Ms. Stone been permitted to continue for the short period of time remaining prior to the expiration of the last round, Ms. Martin would certainly have won based upon the judges' scoring.

8. Ms. Martin protests the decision in favor of Ms. Stone, and requests that the Commission set a hearing on this petition to change that decision pursuant to 4 California Code of Regulations §368 on the grounds, inter alia, that there was a violation of the rules and regulations governing boxing in that there was no legally recognized grounds for stopping the fight, and the ring doctor and/or officials abused their discretion in stopping the fight and/or awarding the fight to Ms. Stone and/or that the decision was the product of gender discrimination.

Dated: June 9, 2011

ALLRED, MAROKO & GOLDBERG

By:   
GLORIA ALLRED  
Attorneys for Christy Martin, Licensed Boxer





**CALIFORNIA STATE ATHLETIC COMMISSION**  
2005 Evergreen Street, Suite 2010 Sacramento, CA 95815  
P (916) 263-2195 F (916) 263-2197 website:  
[www.dca.ca.gov/csac](http://www.dca.ca.gov/csac)



June 21, 2011

Allred, Maroko, & Goldberg  
Attn: Jeff West  
6300 Wilshire Boulevard  
Suite 1500  
Los Angeles, CA 90048

Re: Appeal of Bout Decision: Christy Martin vs. Dakota Stone on June 4, 2011

Dear Mr. West:

I have reviewed your request dated June 9, 2011 on behalf of Christy Martin to appeal the decision of the fight between Christy Martin vs. Dakota Stone at the Staple Center on June 4, 2011.

Based on my review of the documentation and video, there are no grounds for appealing this decision as there is no violation of Rule 368.

Rule 368 states:

a) A decision rendered at the termination of any boxing contest is final and shall not be changed unless following the rendition of a decision the commission determines that any one of the following occurred:

- (1) There was collusion affecting the result of any contest;
- (2) The compilation of the scorecard of the judges, and the referee when used as a judge, shows an error which would mean that the decision was given to the wrong boxer;
- (3) There was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.
- (4) The winner of a bout tested positive immediately after the bout for a substance listed in Rule 303(c).

In this case the ringside physician stopped the fight based on his clinical judgment that the health and safety of the fighter was at risk in accordance with Business and Profession Code 18707. Therefore, I need not address the issue you raised in your letter of June 15, 2011.

Thank you for contacting the Commission.

Sincerely,

George Dodd  
Executive Officer  
California State Athletic Commission

*Law Offices*  
**ALLRED, MAROKO & GOLDBERG**  
A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

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MARGERY N. SOMERS  
MARÍA G. DÍAZ  
RAMIT MIZRAHI

\*A PROFESSIONAL CORPORATION

REC'D JUN 30 2011

June 27, 2011

*Via Email & U.S. Mail*

Mr. George Dodd  
California State Athletic Commission  
2005 Evergreen Street, Suite 2010  
Sacramento, California 95815

Re: Appeal of Decision: Christy Martin vs. Dakota Stone (June 4, 2011)

Dear Mr. Dodd:

In your letter of June 21, 2011, you state: "Based on my review of the documentation and video, there are no grounds for appealing this decision as there is no violation of Rule 368." You, however, are not empowered to make that determination, putting aside our disagreement over whether there was any violation of applicable Rules. In an effort to avoid the filing of a writ of mandamus procedure, I hope to persuade you that regardless of your own view that the appeal lacks merit, the Commission must grant Ms. Martin a hearing.

To begin with, while you are the Executive Officer of the California State Athletic Commission ("Commission"), you are clearly not the Commission itself. As used in the California Business and Professions Code provisions relating to boxing, the term "commission" means the State Athletic Commission. (Business and Profession Code section 18621). Similarly, the California Code of Regulations defines the term "commission" in 4 CCR section 201.5(a) as follows: "'Commission' means the State Athletic Commission." Business and Profession Code section 18602 provides that the "*State Athletic Commission...consists of seven members.*"

On its face, Rule 368(a) states that a "decision...is final and shall not be changed unless...the *commission* determines that" any one of several violations have occurred. That rule is consistent with the provisions of Business and Profession Code section 18640, which provides that the "*commission* has the sole discretion, management, control of and jurisdiction over all professional and amateur boxing...conducted, held or given within this state." It follows that you, acting alone, are not the State Athletic Commission according to the statutory definition.

The rules and statutes do not provide any mechanism for you, or any other single individual employed by the Commission, to decide an appeal, or to decide that a petition on its face lacks merit. By announcing what appears to be a pre-hearing decision for the Commission,

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Mr. George Dodd  
California State Athletic Commission  
June 27, 2011  
Page 2

you have assumed powers that you do not have, and your action can be reversed by a Court in a mandamus setting. “[D]iscretion cannot be exercised so as to ‘enlarge its own boundaries or support acts requiring other legal bases. Even within its legal limits the power is not unbridled...’” Walsh v. Kirby, 13 Cal.3d 95, 103, 118 Cal.Rptr. 1, 8 (1974).

Moreover, your unilateral action deprives Ms. Martin of the ability to present evidence in support of her petition. A Court may reverse your decision on the grounds that the petitioner was denied fundamental fairness. The “exclusion of evidence that is crucial to a party's case can in some circumstances be the essence of unfairness.” (3 Davis, Administrative Law Treatise (2d ed. 1980) § 16.11, p. 264.) Under California administrative law, an abuse of discretion can occur when a party is denied the right to present a defense (citation omitted), to present the testimony of key witnesses (citation omitted), or to take testimony out of state (citation omitted).” Apte v. Regents of University of California, 198 Cal.App.3d 1084, 1098, 244 Cal.Rptr. 312, 321 (1988).

Putting aside the issue of your lack of power to decide this matter, we fundamentally disagree over whether there was a violation of Rule 368. Your letter states that the “ringside physician stopped the fight based on his clinical judgment that the health and safety of the fighter was at risk in accordance with Business and Professions Code section 18707.” While section 18707 gives the physician in attendance the “authority to stop any contest or match...,” that authority, like any other authority that is legally granted, is not absolute or unlimited. The discretion of a fight physician, like that of a judge or any administrative agency, cannot be abused. “The agency's discretion is not unfettered, and reversal is warranted when the administrative agency abuses its discretion, or exceeds the bounds of reason.” Kolender v. San Diego County Civil Service Commission, 132 Cal.App.4th 716, 721, 34 Cal.Rptr.3d 1, 4 (2005).

4 CCR § 368 provides that decision in a boxing match can be changed if “[t]here was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.” The laws governing the conduct of boxing matches necessarily incorporate the legal principles quoted above concerning the limits of discretion. And, in paragraph 7 of her petition, Ms. Martin clearly alleged that “[t]he ring doctor and officials who implemented his decision *abused their discretion in stopping the fight...*”

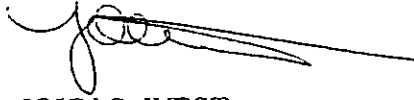
While you undoubtedly disagree with the contention in paragraph 7(i) that the decision to stop Ms. Martin's fight was discriminatory, that allegation (regardless of how strongly you disagree) also amounts to a violation of the rules, regulations and laws governing boxing as set forth in Rule 368.

Mr. George Dodd  
California State Athletic Commission  
June 27, 2011  
Page 3

The fact that you disagree with Ms. Martin's allegations has clearly been communicated. The question now is whether the Commission intends to give her the hearing on August 15, 2011 to which she is entitled. Please state the Commission's intentions in this regard in writing.<sup>1</sup>

Very truly yours,

ALLRED, MAROKO & GOLDBERG  
GLORIA ALLRED  
JOHN S. WEST

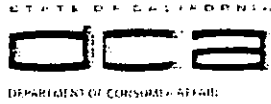
A handwritten signature in black ink, appearing to read 'John S. West', with a long horizontal flourish extending to the right.

JOHN S. WEST

JSW:js

---

<sup>1</sup> I previously requested that the Commission state its intentions regarding the participation of Commissioners who were percipient witnesses to the Martin-Stone match in the appeal from the decision in that match. Your last letter indicated that you saw no need to reply to the request. For the reasons set forth above, I believe that a response is appropriate.



STATE AND COUNTY SERVICE AGENCY • GOVERNOR EDWIN P. BRIDGE  
**CALIFORNIA STATE ATHLETIC COMMISSION**  
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July 18, 2011

Dakota Stone  
3383 Dorothys Lane  
Clinton, WA 98236

Re: Bout Appeal

Dear Ms. Stone,

This letter is to inform that your bout that was fought on June 4, 2011 between yourself and Christy Martin at Staple Center is being appealed for a violation of rule 368: there were no legally recognized grounds for stopping the fight, and the ring doctor and/or officials abused their decision in stopping the fight. If you wish to make comment during the appeal process, you will need to appear before the Commission on August 15, 2011 at the Ronald Regan Building 300 S. Spring St. Los Angeles, CA 90013 at 09:30 a.m.

If you are not able to appear but wish to provide written comment, it must be receive in the office no later than the 1<sup>st</sup> of August.

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

Respectfully,

George Dodd  
Executive Officer

66-13

KAMALA D. HARRIS  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



RONALD REAGAN BUILDING  
300 SOUTH SPRING STREET, SUITE 1702  
LOS ANGELES, CA 90013

Public: (213) 897-2000  
Telephone: (213) 897-8944  
Facsimile: (213) 897-2804  
E-Mail: karen.chappelle@doj.ca.gov

July 21, 2011

John S. West, Esq.  
Law Offices of Allred, Maroko & Goldberg  
6300 Wilshire Boulevard, Suite 1500  
Los Angeles, CA 90048

RE: In the Matter of the Petition to Change Decision Re: June 4, 2011 Boxing Match between  
Christy Martin and Dakota Stone  
**CHRISTY MARTIN**, Boxing License  
Response to June 15, 2011 Letter Sent to George Dodd, Executive Officer of the  
California State Athletic Commission

Dear Mr. West:

As you know, I represent the California State Athletic Commission in enforcement matters pertaining to their licensees. In a letter dated June 15, 2011, you objected to the participation of certain California State Athletic Commissioners, specifically naming Chairman John Frierson, because Commissioner Frierson witnessed the Martin-Dakot bout on June 4, 2011.

Pursuant to Business and Professions Code section 18640, the Commission has the sole jurisdiction over all professional boxing matches held in California. According to Business and Professions Code section 18602.1, the Commission's highest priority in exercising its licensing, regulatory, and disciplinary functions is public protection. The goal of public protection is best served with the participation of all available Commissioners, which is why then attend events in person.

Commissioner Frierson's participation in this appeal is not only necessary but is a required aspect of his responsibility as a commissioner. Disqualification of commissioners in matters before the California State Athletic Commission for observing a boxing match in their official capacity would cause disqualifications in nearly every appeal. The observing commissioners would essentially be disqualified from participation in any matter before them. Moreover, his vote constitutes one of seven members.

Next, Commissioner Frierson's participation will not deprive Ms. Martin of her due process rights. The Government Code, Business and Professions Code, and the California Code of Regulations lack any provision requiring his disqualification on grounds that he witnessed the precipitating event. This Petition For Change of Decision is not tantamount to an administrative

66-14  
66-14

or adversarial proceeding. Therefore, your reliance on *Gray v. City of Gustine*, (1990) 224 Cal.App.3d 621 and Code of Civil Procedure section 170.1, subdivision (a)(1) is misplaced. Mr. Frierson did not act as an investigator or advocate in this matter. He merely observed a boxing match in his role as Chair of the California State Athletic Commission. There is nothing to indicate that he would fail to exercise his independent and objective judgment.

While *Gray* supports the broad principles of impartiality and fairness in the administrative appeal process, the case does not support your request for Mr. Frierson's dismissal and is distinguishable from the circumstances of this proceeding. In *Gray*, the city manager terminated the police chief's employment. The police chief requested an administrative appeal. In response, the city manager proposed to conduct the hearing himself and submit to the city council a recommendation concerning the police chief's reinstatement. The police chief refused to have his hearing heard before the same city officer who terminated his employment and petitioned for a writ of mandate to compel the requested administrative appeal. *Gray* involved facial fairness concerns because the proposed fact finder was the one who terminated the police chief's employment. In contrast, Mr. Frierson merely observed the June 4, 2011 Martin-Stone bout and had no affect on its outcome. The bout's outcome was governed by the ring physician's authority pursuant to Business and Professions Code section 18707 and the referee's powers pursuant to California Code of Regulations, title 4, section 345.

Moreover, the named factors enunciated in *Gray* that would show good cause for disqualification such as significant bias or prejudice do not exist. In *Gray*, the Court stated "[t]he fact that members of the city council heard evidence of the city manager's investigation of Gray does not alone establish bias." Merely seeing evidence is insufficient to show good cause for Mr. Frierson's disqualification.

Finally, your reliance on Code of Civil Procedure section 170.1, subdivision (a)(1), is also misplaced because Mr. Frierson is not a judge to which that section applies exclusively. Mr. Frierson is a commissioner for the California State Athletic Commission. Even if the section is extended to cover commissioners, Code of Civil Procedure section 170.1, subdivision (a)(1), requires disqualification when "[t]he judge has personal knowledge of disputed evidentiary facts concerning the proceeding." In our conversation on July 19, 2011, we agreed to stipulate to the material facts that Ms. Martin suffered a broken right hand and that the ring physician and referee stopped the fight with approximately fifty-one seconds remaining in the sixth and final round. Thus, there are no disputed material facts concerning this proceeding.

John S. West, Esq.  
July 21, 2011  
Page 3

At the upcoming meeting on August 15, 2011, the California State Athletic Commission need only decide the legal issue of whether stoppage due to a broken hand constituted gender discrimination against Ms. Martin, as alleged in your petition. Mr. Frierson's observation of the bout will not cause your client to face undue prejudice or bias.

As to your request regarding the participation or presence of Executive Officer George Dodd, the EO does not have a vote. I think it goes without saying that as the Executive Officer, he is entitled to be present at events, and his function is to advise the Board. Moreover, any request that Executive Officer George Dodd not participate in the matter will be a question for the Commission itself to decide at the August 15, 2011 hearing.

For the foregoing reasons, Mr. Frierson's participation as a commissioner in this matter is warranted, necessary, and proper.

Sincerely,



KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
Licensing Section

For KAMALA D. HARRIS  
Attorney General

cc: George Dodd, Executive Officer, California State Athletic Commission, Sacramento  
Chairman John Frierson

6b-16



Promoter: Top Rank  
 City: Los Angeles  
 Date: 6/4/11

California State Athletic Commission  
 2005 Evergreen Street #2010 Sacramento, CA 95815-3831  
 916-263-2195 Fax 916-263-2197

**Master Score Sheet**

Christy Martin vs Dakota Stone

Judge (W): Fritz Werner

Judge (B): ~~Alfonso Berhin~~

Judge (C): ~~Gwen Adair~~

Name: Christy <u>R</u>				Name: Dakota <u>B</u>				
Net Pts	Pts Deduct	Rnd Pts	RDS Pts	Rnd Pts	Pts Deduct	Net Pts		
		10	1	9				
20		10	2	9		18		
29		9	3	10		28		
39		10	4	8		36		
49		9	5	10		46		
			6					
			7					
			8					
			9					
			10					
			11					
			12					
Total				Total				

Name: Christy				Name: Dakota				
Net Pts	Pts Deduct	Rnd Pts	RDS Pts	Rnd Pts	Pts Deduct	Net Pts		
		10	1	9				
20		10	2	9		18		
29		9	3	10		28		
39		10	4	8		36		
49		9	5	10		46		
			6					
			7					
			8					
			9					
			10					
			11					
			12					
Total				Total				

Name: Christy				Name: Dakota				
Net Pts	Pts Deduct	Rnd Pts	RDS Pts	Rnd Pts	Pts Deduct	Net Pts		
		10	1	9				
20		10	2	9		18		
29		9	3	10		28		
39		10	4	8		37		
49		10	(5)	9		46		
			6					
			7					
			8					
			9					
			10					
			11					
			12					
Total				Total				

**Results:**  
 Winner: Stone  
 TKO 1:09 Rnd 6

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**Remarks:**  
 - Possible broken right hand - Martin

Referees Name: David Mendoza

Commission Representative: [Signature]

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Gloria Allred (SBN 65033)  
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Suite 1500  
6300 Wilshire Boulevard  
Los Angeles, California 90048-5217  
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Facsimile: (323) 653-1660

Attorneys for Christy Martin, Licensed Boxer

DEPARTMENT OF CONSUMER AFFAIRS  
CALIFORNIA STATE ATHLETIC COMMISSION

IN RE: ) HEARING BRIEF OF PETITIONER  
          ) CHRISTY MARTIN  
JUNE 4, 2011 BOXING MATCH BETWEEN )  
CHRISTY MARTIN AND DAKOTA STONE )  
\_\_\_\_\_)

TO THE CALIFORNIA STATE ATHLETIC COMMISSION:

Petitioner Christy Martin hereby files the following hearing brief in support of her  
petition in the above referenced matter.

Dated: August 8, 2011

ALLRED, MAROKO & GOLDBERG

By: Gloria Allred for  
GLORIA ALLRED  
Attorneys for Christy Martin, Licensed Boxer

6b-18

1 **BRIEF OF APPELLANT CHRISTY MARTIN**

2 **(A) Introduction**

3 Christy Martin, a professional boxer for approximately 22 years, has petitioned the  
4 California State Athletic Commission ("the Commission") to change the decision reached in her  
5 June 4, 2011 Los Angeles, California six round bout against Ms. Dakota Stone. This petition  
6 arises out of the fact that the bout was stopped with only 51 seconds remaining in the sixth and  
7 final round by the fight doctor. He stopped the fight based upon his suspicion that Ms. Martin  
8 had broken her right hand.

9 Ms. Martin's injury was sustained in the fourth round, a round that Ms. Martin won! In  
10 fact, the fight doctor stopped the bout at a point in time when Ms. Martin was (1) clearly winning  
11 the fight (ahead 145 points to 138 on the judges' scorecards), (2) clearly able to land punches, (3)  
12 clearly able to maneuver away from Ms. Stone and to otherwise protect herself, (4) never on the  
13 ropes or in a corner, (5) not running away from Ms. Stone, (6) not clenching Ms. Stone to run out  
14 the clock, (7) clearly fit to continue, (8) clearly willing to continue, (9) clearly not in undue pain,  
15 and (10) only 51 seconds away from outright victory.

16 The fight seems to have been stopped because Ms. Martin momentarily winced after  
17 throwing a right handed punch while she was cruising to victory. It is beyond dispute, however,  
18 that she threw that right *because the fight doctor and/or referee told her to throw it to*  
19 demonstrate that she was able to defend herself. He then disregarded the fact that Ms. Martin was  
20 in control of the fight, disregarded the fact that she was only doing what he had told her to do,  
21 and then penalized her for wincing after throwing the punch he directed.

22 While fight doctors have considerable discretion, their discretion is certainly not  
23 unlimited. The stopping of the June 4, 2011 fight was such an extraordinary abuse of discretion  
24 as to require a setting aside of the result. That abuse of discretion is perhaps best illustrated by  
25 the fact that Ms. Martin's apparent hand injury was the same kind of injury that has occurred in  
26 scores of professional fights between male boxers whose bouts were not stopped.

27 Section E of this Brief contains a long list of bouts in which an obviously injured male  
28 was allowed to keep fighting with the same apparent injury that Ms. Martin suffered (or a worse

1 injury). Ms. Martin, however, had her victory taken away because the fight doctor ruled that she  
2 was unfit to continue. Given the circumstances at the time of that decision, it appears that some  
3 form of sexual stereotyping about female "lack of toughness," or some feeling that female  
4 fighters need more protection than male fighters, caused this fight to be stopped with 51 seconds  
5 to go and Ms. Martin cruising to a win. It is immaterial whether that stereotyping was intentional  
6 or unintentional. Either way, it constituted a discriminatory, and therefore illegal, motive that  
7 changed the outcome of the June 4, 2011 bout.

8 (B) Background-In a prior bout, Ms. Martin, despite fighting with a broken  
9 hand, had already beaten Ms. Stone

10 This was not the first bout between Ms. Martin and Ms. Stone. In fact, Ms. Martin had  
11 soundly beaten Ms. Stone in an earlier bout on September 9, 2009. Not only had Ms. Martin  
12 already beaten Ms. Stone, she actually did so with a broken hand!

13 (C) The June 4, 2011 bout:

14 Even though she had already beaten Ms. Stone once with a broken hand, Ms. Martin  
15 wanted to be in the best possible shape for her June 4, 2011 rematch. She therefore hired Miguel  
16 Diaz, a trainer with over forty years of experience, to train her for the June 4 bout. Mr. Diaz has  
17 served as a trainer for more than 30 boxers (all of them males) who have been permitted to fight  
18 with suspected broken hands. He pronounced Ms. Martin in superb shape for the June 4, 2011  
19 fight, which was scheduled to go six rounds.<sup>1</sup>

20 Ms. Martin won the first round by three points according to the judges' scorecards, and  
21 she won the second round by another three points.<sup>2</sup> The judges gave the third round to Ms. Stone  
22 (by three points). Thus, Ms. Martin began the fourth round ahead by three points.

23 With one minute and thirty eight seconds remaining in the fourth round, Ms. Martin  
24 suffered an apparent hand injury. She continued to fight hard for the rest of the round, and used  
25 her right hand a number of times. Among other things, she managed to knock Ms. Stone down  
26

27 <sup>1</sup> Mr. Diaz has furnished the Commission with a declaration containing his account of the matters  
28 under appeal. A copy of that declaration is attached as Exhibit "A."

<sup>2</sup> Copies of the judges' scorecards are attached as Exhibit "B."

1 with a combination of a left upper cut and a subsequent right to Ms. Stone's jaw. *The judges*  
2 *awarded the fourth round to Ms. Martin, with an injured right hand, by a wide margin: 30 to*  
3 *25 points.*

4 At the end of the fourth round, the referee and the fight doctor went to Ms. Martin's  
5 corner. The doctor asked for her right hand and squeezed her glove several times. She did not  
6 react visibly, and the fight doctor then pronounced her "good" to continue. He also told the  
7 referee to stop the fight if Ms. Martin were to hold her right hand.

8 Knowing that Ms. Martin was easily winning the fight, and aware of her excellent  
9 physical condition, her trainer Miguel Diaz told her to fight left-handed from that point forward.  
10 His advice was simply precautionary, since he had no concern about her ability to continue  
11 fighting Ms. Stone, and no concern about Ms. Martin losing the fight even if she continued left  
12 handed. Confident that she could easily win the fight left handed, and having already beaten Ms.  
13 Stone once with a broken hand, Ms. Martin readily agreed to fight left-handed.

14 She fought the fifth round left handed, and fought well. The fighters exchanged punches,  
15 there was no need for them to be separated, Ms. Martin was never on the ropes, in a corner, or on  
16 the run. Even though the judges awarded the round to Ms. Stone (by one point), Ms. Martin was  
17 clearly boxing well, and was clearly able to protect herself.

18 At the end of the fifth round, the judges' scorecards showed the score to be Ms. Martin:  
19 145 points, Ms. Stone: 138 points. In short, Ms. Martin had a commanding lead.

20 Between the fifth and sixth rounds, the referee, acting on behalf of the fight doctor  
21 approached Ms. Martin's corner and ordered: "Christy you have to use your right hand." At that  
22 point, Ms. Martin felt that she had no choice in the matter, and resolved to pick a moment in the  
23 sixth and final round to comply with his directive.

24 During the sixth and final round, Ms. Martin continued to fight well with her left hand.  
25 Her trainer saw no signs of pain or weakness in her, and she continued to outfight her opponent.  
26 Once again, Ms. Martin moved well, threw short punches, avoided Ms. Stone's punches, and was  
27 never against the ropes or in a corner.

28 With around 51 seconds remaining in the final round, Ms. Martin saw her chance to

1 throw the right handed punch that the referee had instructed her to throw. Since she knew that  
2 she was comfortably winning the fight, Ms. Martin threw that punch for one, and only one,  
3 reason. She threw it because the officials had told her to throw it, and because and she did not  
4 want to have the fight stopped because of any inferences that might be drawn from her refusal to  
5 throw a right handed punch, or to comply with an official's directive.

6 Ms. Martin was able to land that punch. The impact of the punch caused Ms. Martin a  
7 brief moment of pain. She turned her body in the direction that the punch carried it, turning away  
8 from Ms. Stone for a brief instant. Ms. Martin then immediately turned to face Ms. Stone, ready  
9 to fight for the remainder (around 50 seconds) of the fight.

10 What happened next was, for lack of a better word, shocking. Despite the fact that Ms.  
11 Martin was (1) clearly winning the fight (ahead 145 points to 138 on the judges' scorecards), (2)  
12 clearly able to land punches, (3) clearly able to maneuver away from Ms. Stone and to otherwise  
13 protect herself, (4) never on the ropes or in a corner, (5) not running away from Ms. Stone, (6)  
14 not clenching Ms. Stone to run out the clock, (7) clearly fit to continue, (8) clearly willing to  
15 continue, (9) clearly not in undue pain, and (10) only 51 seconds away from outright victory, the  
16 referee began waving his hands because the fight doctor had stopped the fight. Ms. Martin  
17 certainly would have won the bout had she been permitted to fight the last 51 seconds of the  
18 bout.

19 At this point, the views of Ms. Martin's veteran trainer Miguel Diaz are appropriate. As  
20 he said in his declaration: "With forty years of boxing experience behind me, I was utterly  
21 stunned by the decision to stop this fight. Christy Martin had out boxed her opponent in every  
22 way throughout that fight, the fight was in its last round, there was less than a minute to go in  
23 that round, and her opponent was in relatively poor shape....Ms. Martin could easily have lasted  
24 the remaining 51 seconds of the fight, and could easily have continued to fight effectively with  
25 her left hand. She certainly would have won the bout had she been permitted to fight the last 51  
26 seconds of the bout."

27 ///

28 ///

1           (D)    Authority to change the outcome

2           While California Business and Professions Code section 18707 gives the physician in  
3 attendance at a boxing match the "authority to stop any contest or match..." that authority, like  
4 any other authority that is legally granted, is not absolute or unlimited. The discretion of a fight  
5 physician, like that of a judge or any administrative agency, cannot be abused. "[D]iscretion is  
6 not unfettered, and reversal is warranted when the administrative agency abuses its discretion, or  
7 exceeds the bounds of reason." Kolender v. San Diego County Civil Service Commission, 132  
8 Cal.App.4th 716, 721, 34 Cal.Rptr.3d 1, 4 (2005). In the related area of mandamus, one Court  
9 has summarized the relevant principles as follows: "It has long been reiterated by courts in this  
10 state that while mandamus will not lie to control discretion vested in an agency the courts will  
11 intervene to correct an abuse of discretion, disregard of the law, capricious or arbitrary action,  
12 and bias by an agency." Jaffee v. Psychology Examining Com., 92 Cal. App. 3d 160, 167, 154  
13 Cal. Rptr. 687, 691 (1979).<sup>3</sup>

14           Here, the issue of the fight doctor's discretion may also be wound up with the issue of  
15 legality. 4 CCR § 368 provides that decision in a boxing match can be changed if "[t]here was a  
16 violation of the laws or rules and regulations governing boxing which affected the result of any  
17 contest."

18           The laws governing the conduct of boxing matches necessarily incorporate the legal  
19 principles quoted above concerning the limits of discretion. Those laws also include fundamental  
20 guarantees against discrimination. Referring to California Constitution's Article I section 8<sup>4</sup>  
21 prohibition against sex discrimination, the court in Rojo v. Kliger, 52 Cal. 3d 65, 90, 801 P.2d  
22 373, 389 (1990) held: "Regardless of the precise scope of its application, article I, section 8 is  
23 declaratory of this state's fundamental public policy against sex discrimination..." Likewise, this  
24 State's Unruh Civil Rights Act, embodied in California Civil Code section 51(b), provides in  
25 relevant part: "All persons within the jurisdiction of this state are free and equal, and no matter

26 \_\_\_\_\_  
27 <sup>3</sup> In paragraph 7 of her petition, Ms. Martin clearly alleged that "*[t]he ring doctor and officials  
who implemented his decision abused their discretion in stopping the fight...*"

28 <sup>4</sup> Article I, Section 8 provides: "A person may not be disqualified from entering or pursuing a  
business, profession, vocation, or employment because of sex..."

1 what their sex...are entitled to the full and equal accommodations, advantages, facilities,  
2 privileges, or services in all business establishments of every kind whatsoever." As held in  
3 Pizarro v. Lamb's Players Theatre, 135 Cal. App. 4th 1171, 1174, 37 Cal. Rptr. 3d 859, 861  
4 (2006): "The objective of the Act is to prohibit businesses from engaging in unreasonable,  
5 arbitrary or invidious discrimination. (citation omitted) Therefore, the Act applies not merely in  
6 situations where businesses exclude individuals altogether, but also where treatment is unequal."

7 (E) This petition should be granted on the grounds that the decision to stop the  
8 June 4, 2010 bout was an abuse of discretion and was illegal in the sense that  
9 it was the product of sexual stereotyping.

10 The fight doctor and/or referee abused their discretion by stopping the June 4, 2011 fight  
11 when Ms. Martin was, as noted above, (1) clearly winning the fight, (2) clearly able to land  
12 punches, (3) clearly able to maneuver away from Ms. Stone and to otherwise protect herself, (4)  
13 never on the ropes or in a corner, (5) not running away from Ms. Stone, (6) not clenching Ms.  
14 Stone to run out the clock, (7) clearly fit to continue, (8) clearly willing to continue, (9) clearly  
15 not in undue pain, and (10) only 51 seconds away from outright victory. The fight was stopped  
16 because Ms. Martin momentarily winced after throwing a right handed punch while cruising to  
17 victory. She only threw that punch in the first place *because the fight doctor told her to throw it*  
18 to demonstrate that she was able to defend herself. He then disregarded the fact that Ms. Martin  
19 was in commanding control of the fight (ahead 145 to 138 as of the end of the fifth round),  
20 disregarded the fact that she was only doing what he had told her to do, and then penalized her  
21 for wincing.

22 Since Ms. Martin and Ms. Stone are both females, a female fighter was obviously going  
23 to win the June 4, 2011 bout. That fact does not, however, mean that discrimination could not  
24 play a decisive role in the outcome of that bout. Given the absurdity of this outcome, it appears  
25 that something more than even abuse of discretion was present. Under the totality of the  
26 circumstances, it appears that the doctor and/or referee concluded that because Ms. Martin was a  
27 female who appeared to have a broken hand, she would be unable to defend herself for the last  
28



1 51 seconds of the fight that she was winning. In short, it appears that the doctor and/or referee  
2 acted upon some notion of female "lack of toughness" or some misguided notion that there was a  
3 greater need to protect female fighters than there is to protect male fighters.

4 In language which appears written with this petition in mind, the California Supreme  
5 Court in Koire v. Metro Car Wash, 40 Cal. 3d 24, 35-36, 707 P.2d 195, 201-02 (1985) held: "  
6 '[T]he Unruh Civil Rights Act prohibits all forms of stereotypical discrimination.' (citation  
7 omitted)." That same Court went on to hold: "However, discriminatory intent is not required by  
8 the Unruh Act. The Act states simply that '[a]ll persons ... are entitled to [ ] full and equal ...  
9 advantages [or] privileges....' Plaintiff was entitled to equal treatment, "no matter what [his]  
10 sex,' regardless of defendants' intent in denying him equal treatment." Koire v. Metro Car Wash,  
11 40 Cal. 3d 24, 33, 707 P.2d 195, 200 (1985)

12 There is overwhelming evidence to suggest that the gender of the fighters played an  
13 improper role in the decision to stop the fight. Had Ms. Martin been a male boxer, history shows  
14 that this bout would never have been stopped under the circumstances. That kind of  
15 discrimination amounts to a violation of the rules, regulations and laws governing boxing as set  
16 forth in Rule 368.

17 A slice of that history includes the following undisputed facts:

18 1) Floyd Mayweather vs. Carlos Hernandez- Grand Rapids, MI (5/2001).

19 [http://boxrec.com/media/index.php/Talk:Floyd\\_Mayweather\\_Jr.\\_vs.\\_Carlos\\_Hernandez](http://boxrec.com/media/index.php/Talk:Floyd_Mayweather_Jr._vs._Carlos_Hernandez)

20 In the sixth round, Mayweather took a knee and told his corner his hand hurt. It was the  
21 first knockdown of his career. In the 7th round he changed his stance to southpaw to compensate  
22 for pain in his right hand. Between the seventh and eighth rounds, Mayweather told his corner  
23 that his hand was "killing" him. During the bout, one of his cornermen told the commentators  
24 that Mayweather's hand was damaged going into the bout. In the 12th round, Mayweather told  
25 his corner that both of his hands were hurt. Mayweather won by decision.

26 2) Miguel Cotto vs. Yuri Foreman- New York City, NY (6/2010)

27 <http://ringtv.craveonline.com/blog/123679-nysacs-handling-of-foreman-cotto-fight-couldve->  
28 [resulted-in-disaster](http://ringtv.craveonline.com/blog/123679-nysacs-handling-of-foreman-cotto-fight-couldve-)

1 Foreman's leg gave out twice in the 7th round. The referee could be heard saying: "Suck  
2 it up, kid." Foreman's corner threw in the towel in the 8th round because they knew something  
3 was wrong and immediately entered the ring. (If corner men enter the ring during a round it is a  
4 disqualification). The referee told everyone to get out of the ring and that Foreman's corner did  
5 not mean to throw in the towel. It wasn't until the 9th round when Foreman's leg gave way.

6 3) Kermit Cintron vs. Jesse Feliciano- Los Angeles, CA (11/2007)

7 [http://afp.google.com/article/ALeqM5hR0UzRrabhOCN52\\_xbZrLHJ2irNA](http://afp.google.com/article/ALeqM5hR0UzRrabhOCN52_xbZrLHJ2irNA)

8 Cintron broke his hand in the first round of the bout. He said after the fight that he heard  
9 the hand crack. He continued fighting into the 10th round, when the referee stopped the bout  
10 because Cintron threw damaging blows to Feliciano's head. Cintron won the bout.

11 4) Joe Calzaghe vs. Peter Manfreda- Cardiff, Wales (4/2010)

12 <http://sports.espn.go.com/sports/boxing/news/story?id=2831805>

13 Calzaghe has a history of hand problems and still competed in this match. He won in the  
14 3rd round by knockout.

15 5) Wladimir Klitschko vs. Lamon Brewster- Las Vegas, NV (7/2007)

16 <http://query.nytimes.com/gst/fullpage.html?res=9901EFDC103EF93AA35754C0A9619C8B63>

17 Klitschko fought with a broken left hand for much of the fight. In the 7th round, his  
18 opponent's trainer stopped the fight.

19 6) Shane Cameron vs. Bob Mirovic- Sydney, Australia (3/2007)

20 [http://www.nzherald.co.nz/sport/news/article.cfm?c\\_id=4&objectid=10427701](http://www.nzherald.co.nz/sport/news/article.cfm?c_id=4&objectid=10427701)

21 Cameron crushed his knuckle in the first round and can be heard telling his trainer that  
22 his hand is broken. He won the bout in the 8th round by knockout.

23 7) Brandon Rios vs. Miguel Acosta- Las Vegas, NV (2/2011)

24 <http://sports.espn.go.com/sports/boxing/news/story?id=6165936>

25 Rios broke hand in the 8th round, and told corner about the hand. He continued to fight.  
26 Rios told corner about the hand again before the 9th round, and was told to fight left handed. He  
27 won in a 10th round knockout.

28 8) Kris Hughes vs. James Ancliff- Glasgow, Scotland (5/2011)

1 [http://www.dailyrecord.co.uk/sport/boxing-news/2011/05/15/brave-boxing-star-kris-hughes-](http://www.dailyrecord.co.uk/sport/boxing-news/2011/05/15/brave-boxing-star-kris-hughes-fights-with-broken-hand-to-win-title-86908-23132372/)  
2 [fights-with-broken-hand-to-win-title-86908-23132372/](http://www.dailyrecord.co.uk/sport/boxing-news/2011/05/15/brave-boxing-star-kris-hughes-fights-with-broken-hand-to-win-title-86908-23132372/)

3 Hughes broke his hand in the second round, went eight more rounds and won by  
4 decision.

5 9) Ty Barnett vs. Tyrese Hendrix – Tunica, MS (7/2010)

6 [http://www.abc24.com/content/sports/story/Barnett-Wins-In-Tunica-Despite-Broken-](http://www.abc24.com/content/sports/story/Barnett-Wins-In-Tunica-Despite-Broken-Hand/mfoRbRIS7k-ysnWfyrslXg.cspX)  
7 [Hand/mfoRbRIS7k-ysnWfyrslXg.cspX](http://www.abc24.com/content/sports/story/Barnett-Wins-In-Tunica-Despite-Broken-Hand/mfoRbRIS7k-ysnWfyrslXg.cspX)

8 Barnett broke his right hand and won in an eight round decision.

9 10) David Haye vs. Nikolai Valuev- Nuremburg, Germany (11/2009)

10 <http://www.guardian.co.uk/sport/2009/nov/08/david-haye-nikolai-valuev>

11 Haye broke his hand in the second or third round from blows to the head of Valuev. He  
12 went on to win on points, thus gaining the WBA Heavyweight belt.

13 11) Paul Malignaggi\* v. Jose Miguel Cotto

14 [http://onthebeak.com/2011/05/25/orthodox-american-paulie-malignaggi-reveals-the-perils-that-](http://onthebeak.com/2011/05/25/orthodox-american-paulie-malignaggi-reveals-the-perils-that-boxers-face-during-training-camp-fighters-fear-retinal-damage-159/)  
15 [boxers-face-during-training-camp-fighters-fear-retinal-damage-159/](http://onthebeak.com/2011/05/25/orthodox-american-paulie-malignaggi-reveals-the-perils-that-boxers-face-during-training-camp-fighters-fear-retinal-damage-159/)

16 Malignaggi hurt his right hand in the 6th round; his left hand was also hurt. He continued  
17 to fight with his left hand because the pain was not as bad. He ended up breaking his left hand  
18 and still won the bout in the 10th round.

19 12) Paul Malignaggi\* vs. Lovemore N'Dou- Manchester, England (05/2008)

20 [http://www.timesonline.co.uk/tol/sport/more\\_sport/article4004548.ece](http://www.timesonline.co.uk/tol/sport/more_sport/article4004548.ece)

21 Malignaggi broke his hand in the 6th round, but fought the remaining six rounds to win in  
22 a split decision over N'Dou.

23 13) Joshua Clotey vs. Antonio Margarito- New York, NY

24 <http://www.fightwriter.com/miguel-cotto-vs-joshua-clotey>

25 Though Clotey lost in his bout against Margarito, he went all 12 rounds with a broken  
26 hand.

27

28

- 1 14) Manny Pacquiao vs. Miguel Cotto- Las Vegas, NV (11/2009)  
2 [http://www.boxingnews24.com/2009/11/pacquiao%E2%80%99s-future-i%E2%80%99m-still-](http://www.boxingnews24.com/2009/11/pacquiao%E2%80%99s-future-i%E2%80%99m-still-stuck-on-november-14th/)  
3 [stuck-on-november-14th/](http://www.boxingnews24.com/2009/11/pacquiao%E2%80%99s-future-i%E2%80%99m-still-stuck-on-november-14th/)  
4 Pacquiao suffered a ruptured right eardrum and broken right hand in his win over Cotto.
- 5 15) Felix Trinidad vs. Jake Williams- San Juan, Puerto Rico (12/1991)  
6 [http://www.latinosportslegends.com/Trinidad\\_Felix\\_bio.htm](http://www.latinosportslegends.com/Trinidad_Felix_bio.htm)  
7 In the 2nd round Trinidad broke his right hand. In the 4th round he broke his left hand.  
8 He ended up winning the bout in a 10 round unanimous decision.
- 9 16) Roy Jones Jr.\* vs. Bernard Hopkins- Washington D.C. (5/1993)  
10 [http://en.wikipedia.org/wiki/Roy\\_Jones,\\_Jr.](http://en.wikipedia.org/wiki/Roy_Jones,_Jr.)  
11 Jones entered the fight with a broken right hand and won by unanimous decision in the 12th.
- 12 17) Fernando Vargas vs. Javier Castillejo-(8/2005)  
13 [http://en.wikipedia.org/wiki/Fernando\\_Vargas](http://en.wikipedia.org/wiki/Fernando_Vargas)  
14 Vargas broke his right hand in the 3rd round and won a 10 round unanimous decision.
- 15 18) Roy Jones Jr.\* vs. David Telesco- (01/2000)  
16 [http://findarticles.com/p/articles/mi\\_m1608/is\\_1\\_24/ai\\_n24251057/](http://findarticles.com/p/articles/mi_m1608/is_1_24/ai_n24251057/)  
17 Roy Jones broke his left wrist jumping off a motorcycle in Dec. '99 and passed a pre-  
18 fight physical in January. He ended up beating Telesco in the 12th round by unanimous decision.
- 19 19) Andrew Golota vs. Riddick Bowe- Atlantic City, NJ (12/1996)  
20 <http://www.fightsaga.com/Fights/item/649-Bowe-vs-Golota-II>  
21 Golota suffered a broken jaw during the fight. He was ahead on all scorecards but was  
22 disqualified because of repeated low blows to Bowe.
- 23 20) Arthur Abraham vs. Edison Miranda- Wetzler, Germany (09/2006)  
24 [http://www.usatoday.com/sports/boxing/2006-09-23-abraham-miranda\\_x.htm](http://www.usatoday.com/sports/boxing/2006-09-23-abraham-miranda_x.htm)  
25 Abraham broke his jaw in the 4th round. "Abraham repeatedly turned his back on  
26 Miranda after a clinch -- apparently his concentration gone -- and each time the Colombian ran  
27 after him and tried to knock him out from behind." Abraham lasted the 12 rounds and won the  
28 bout. He ended up with a double fractured jaw.

1 21) Arturo Gatti vs. Micky Ward- Atlantic City, NJ (6/2003)

2 [http://en.wikipedia.org/wiki/Arturo\\_Gatti](http://en.wikipedia.org/wiki/Arturo_Gatti)

3 Gatti broke his twice-repaired right hand on an uppercut to the hip in the fourth, and he  
4 dropped his arm. Gatti went down in the final seconds of the sixth, but still won the fight

5 22) Zab Judah vs. Edwin Vasquez- Biloxi, Mississippi (9/7/07)

6 [http://en.wikipedia.org/wiki/Zab\\_Judah](http://en.wikipedia.org/wiki/Zab_Judah)

7 Despite suffering a cut over his left eye and a broken left hand in the 6th round, Judah  
8 defeated Vasquez by unanimous decision.

9 23) Brian Vitoria vs. Jose Antonio Aguirre- Honolulu, Hawaii (2/2006)

10 <http://the.honoluluadvertiser.com/article/2006/Jun/16/sp/FP606160349.html>

11 Vitoria suffered a broken right hand in the earlier rounds (2nd or 3rd) of his 12 round  
12 unanimous decision over Aguirre. This is the second time Vitoria has broken the right hand in  
13 his career.

14 24) Shane Cameron\* vs. Dominic Veal- Sydney, Australia (7/2011)

15 [http://www.nzherald.co.nz/boxing/news/article.cfm?c\\_id=23&objectid=10740332](http://www.nzherald.co.nz/boxing/news/article.cfm?c_id=23&objectid=10740332)

16 Cameron suffered a broken hand bone (the second time he broke that bone) in the fourth  
17 or fifth round and knocked out Veal in the 12th round.

18 25) John Hopoate vs. Bob Mirovic- Canberra, Australia (9/2008)

19 [http://www.foxsports.com.au/other-sports/boxing/hopoate-wins-with-broken-hand/story-](http://www.foxsports.com.au/other-sports/boxing/hopoate-wins-with-broken-hand/story-e6frf5h3-1111117450820)  
20 [e6frf5h3-1111117450820](http://www.foxsports.com.au/other-sports/boxing/hopoate-wins-with-broken-hand/story-e6frf5h3-1111117450820)

21 Both boxers suffered broken bones in this bout. Mirovic suffered a broken right forearm  
22 in the 7th round. Hopoate suffered a broken right hand in the 6th round. The bout continued to  
23 the 9th round with Hopoate winning.

24 26) Moses Kinyua vs. Briton Lee Haskins- Bristol, England (01/2005)

25 [http://www.korogocho.org/english/index.php?option=com\\_content&view=article&id=531:kinyu](http://www.korogocho.org/english/index.php?option=com_content&view=article&id=531:kinyua-survives-a-broken-jaw-and-encourages-boxers-not-to-give-up&catid=76:others&Itemid=95)  
26 [a-survives-a-broken-jaw-and-encourages-boxers-not-to-give-up&catid=76:others&Itemid=95](http://www.korogocho.org/english/index.php?option=com_content&view=article&id=531:kinyua-survives-a-broken-jaw-and-encourages-boxers-not-to-give-up&catid=76:others&Itemid=95)

27 Kinyua broke his jaw in the 3rd round against Haskins and still managed to compete for  
28 seven more rounds before losing on points.

Dated: August 8, 2011

ALLRED, MAROKO & GOLDBERG  
GLORIA ALLRED  
JOHN WEST  
By *Gloria Allred*  
GLORIA ALLRED, Attorneys for  
CHRISTY MARTIN

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DECLARATION OF MIGUEL DIAZ

I, Miguel Diaz, do hereby declare and affirm.

1. I am a resident of the state of Nevada. For the past forty years, I have worked as a trainer for in the field of boxing, and have trained hundreds of boxers. I was Christy Martin's trainer, and was in her "corner" in that capacity, in connection with her June 4, 2011 bout with Dakota Stone ) ("the June 4, 2011 fight"). The following is true of my own personal knowledge. If called, I could and would competently testify there to.

2. This declaration is furnished in support of Christy Martin's Petition to Change Decision, which relates to the stopping of the June 4, 2011 fight, and the decision to award that fight, to Dakota Stone.

3. It is my understanding that the June 4, 2011 fight was stopped by the fight doctor because Ms. Martin had a broken hand.

4. Over the years, I have served as the trainer for more than 30 boxers who have been permitted to fight with suspected broken hands. With the exception of the June 4, 2011 fight involving Ms. Martin, I have never in approximately 40 years as a trainer seen a bout stopped because of a suspected broken hand. The boxers whom I have seen continue to fight with broken hands, and whose bouts were not stopped, were all male. The first fight I have ever seen stopped due to a broken hand was the one between Christy Martin and Dakota Stone on June 4, 2011.

5. I started to work with Christy Martin before the June 4, 2011 fight. Ms. Martin trained hard, and had worked herself into fantastic physical condition, for that fight.

6. The June 4, 2011 fight was to last six rounds.

7. During the break between the fourth and fifth rounds, Ms. Martin informed me that the fight doctor said that he thought she had a broken hand. I told Ms. Martin to fight the remainder of the bout left-handed, and was confident that she could do so without risking undue harm, because of her excellent conditioning, and because she had clearly outfought Ms. Stone throughout the fight.

8. During that same break (between the fourth and fifth rounds), the referee came to our corner to ask if Ms. Martin had a broken right hand. She said that she did not think that her hand

1 was broken. At that point, the referee squeezed Ms. Martin's right hand. She did not react at all,  
2 and the referee told her to keep fighting.

3 9. In the fifth round, Ms. Martin fought left-handed without any problem, and again  
4 appeared to outfight her opponent. To my knowledge there was no discussion about the  
5 condition of her hand with the referee or fight doctor either during that round or the break  
6 between that round and the sixth.

7 10. During the sixth and final round, Ms. Martin continued to fight well with her left hand. I  
8 saw no signs of pain or weakness in her, and she continued to outfight her opponent.

9 11. With approximately 51 seconds remaining in the sixth round, Ms. Martin connected with  
10 a right-handed punch. For a very brief moment, Ms. Martin turned her body, and then quickly  
11 turned to face Ms. Stone once again. That brief gesture appeared insignificant to me, and I had  
12 no reason to think that Ms. Martin was unable to fight through the last seconds of the bout.

13 12. At that point, however, the fight doctor decided to stop the bout, and the referee accepted  
14 the fight doctor's recommendation.

15 13. With forty years of boxing experience behind me, I was utterly stunned by the decision to  
16 stop this fight. Christy Martin had out boxed her opponent in every way throughout that fight, the  
17 fight was in its last round, there was less than a minute to go in that round, and her opponent was  
18 in relatively poor shape.

19 14. Ms. Martin could easily have lasted the remaining 51 seconds of the fight, and could  
20 easily have continued to fight effectively with her left hand. She certainly would have won the  
21 bout had she been permitted to fight the last 51 seconds of the bout.

22 15. After the fight ended, Ms. Martin told me that she had twice been told by the referee to  
23 throw right-handed punches. She said that in the fifth and sixth rounds, she was told by the  
24 referee to throw right-handed punches to "prove" there was no break of her hand. I believe that  
25 this directive was entirely improper, since Ms. Martin could easily have continued to fight  
26 effectively left-handed through the end of the fight. In fact, even fighting left-handed she was  
27 easily out boxing her opponent and would have certainly won the bout.

28 16. I declare under the penalty of perjury, under the laws of the State of California that the



1 foregoing is true and correct.

2

3 Executed on this \_\_\_\_ day of August 2011 in Las Vegas, Nevada.

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MIGUEL DIAZ

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California State Athletic Commission Dept of Consumer Affairs  
**Judges Round Card**  
 Fritz Werner

Promoter: Top Rank Date: 6/4/11 City: Los Angeles

Round #

R 1 B

Christy Martin vs Dakota Stone  
 Boxers Name Boxers Name

10 Pts by Round 9 Pts by Round  
 Pts Deducted Pts Deducted

10 Net Total Pts 9 Net Total Pts

Signature: Fritz Werner  
 Judge: White

California State Athletic Commission Dept of Consumer Affairs  
**Judges Round Card**  
 Alejandro Rochin

Promoter: Top Rank Date: 6/4/11 City: Los Angeles

Round #

RED 1 BLUE

Christy Martin vs Dakota Stone  
 Boxers Name Boxers Name

10 Pts by Round 9 Pts by Round  
 Pts Deducted Pts Deducted

10 Net Total Pts 9 Net Total Pts

Signature: [Signature]  
 Judge: Blue

California State Athletic Commission Dept of Consumer Affairs  
**Judges Round Card**  
 Gwen Adair

Promoter: Top Rank Date: 6/4/11 City: Los Angeles

Round #

Red 1

Christy Martin vs Dakota Stone  
 Boxers Name Boxers Name

10 Pts by Round 9 Pts by Round  
 Pts Deducted Pts Deducted

10 Net Total Pts 9 Net Total Pts

Signature: Gwen Adair  
 Judge: Red

California State Athletic Commission Dept of Consumer Affairs  
**Round Card**  
 Fritz Werner

Promoter: Top Rank Date: 6/4/11 City: Los Angeles

Round #

R 2 B

Christy Martin vs Dakota Stone  
 Boxers Name Boxers Name

10 Pts by Round 9 Pts by Round

     Pts Deducted      Pts Deducted

10 Net Total Pts 9 Net Total Pts

Signature: Fritz Werner  
 Judge: White

California State Athletic Commission Dept of Consumer Affairs  
**Round Card**  
 Alejandro Rochin

Promoter: Top Rank Date: 6/4/11 City: Los Angeles

Round #

RED 2 BLUE

Christy Martin vs Dakota Stone  
 Boxers Name Boxers Name

10 Pts by Round 9 Pts by Round

     Pts Deducted      Pts Deducted

10 Net Total Pts 9 Net Total Pts

Signature: [Signature]  
 Judge: Blue

California State Athletic Commission Dept of Consumer Affairs  
**Round Card**  
 Gwen Adair

Promoter: Top Rank Date: 6/4/11 City: Los Angeles

Round #

Red 2     

Christy Martin vs Dakota Stone  
 Boxers Name Boxers Name

10 Pts by Round 9 Pts by Round

     Pts Deducted      Pts Deducted

10 Net Total Pts 9 Net Total Pts

Signature: Gwen Adair  
 Judge: Red

California State Athletic Commission Dept of Consumer Affairs  
**Judges Round Card**  
 Fritz Werner

Promoter: Top Rank      Date: 6/4/11 City: Los Angeles

Round #

R      3      B

Christy Martin      vs      Dakota Stone  
 Boxers Name      Boxers Name

9 Pts by Round      10 Pts by Round

   Pts Deducted         Pts Deducted

9 Net Total Pts      10 Net Total Pts

Signature: Fritz Werner  
 Judge: White

California State Athletic Commission Dept of Consumer Affairs  
**Judges Round Card**  
 Alejandro Rochin

Promoter: Top Rank      Date: 6/4/11 City: Los Angeles

Round #

RED      3      BLUE

Christy Martin      vs      Dakota Stone  
 Boxers Name      Boxers Name

9 Pts by Round      10 Pts by Round

   Pts Deducted         Pts Deducted

9 Net Total Pts      10 Net Total Pts

Signature: [Signature]  
 Judge: Bliss

California State Athletic Commission Dept of Consumer Affairs  
**Judges Round Card**  
 Gwenn Adair

Promoter: Top Rank      Date: 6/4/11 City: Los Angeles

Round #

Red      3        

Christy Martin      vs      Dakota Stone  
 Boxers Name      Boxers Name

9 Pts by Round      10 Pts by Round

   Pts Deducted         Pts Deducted

9 Net Total Pts      10 Net Total Pts

Signature: Gwenn Adair  
 Judge: Red

**Round Card**  
Fritz Werner

Promoter: Top Rank      Date: 6/4/11 City: Los Angeles

Round #

R

Christy Martin  
Boxers Name

10 Pts by Round

   Pts Deducted

10 Net Total Pts

Signature: *Christy Martin*

Judge: White

vs.

**1 KO**

3

Dakota Stone  
Boxers Name

8 Pts by Round

   Pts Deducted

8 Net Total Pts

**Judges Round Card**  
Alejandro Rochin

Promoter: Top Rank      Date: 6/4/11 City: Los Angeles

Round #

**RED**

Christy Martin  
Boxers Name

10 Pts by Round

   Pts Deducted

10 Net Total Pts

Signature: *[Signature]*

Judge: Blue

vs.

**BLUE**

Dakota Stone  
Boxers Name

8 Pts by Round

   Pts Deducted

8 Net Total Pts

California State Athletic Commission Dept of Consumer Affairs

**Judges Round Card**  
Gwen Adair

Promoter: Top Rank      Date: 6/4/11 City: Los Angeles

Round #

**Red**

Christy Martin  
Boxers Name

10 Pts by Round

   Pts Deducted

10 Net Total Pts

Signature: *Gwen Adair*

Judge: Red

vs.

4

Dakota Stone  
Boxers Name

9 Pts by Round

   Pts Deducted

9 Net Total Pts

California State Athletic Commission Dept of Consumer Affairs  
**Judges Round Card**  
 Fritz Werner

Promoter: Top Rank      Date: 8/4/11 City: Los Angeles

Round #

R      5      B

Christy Martin      vs      Dakota Stone  
 Boxer's Name      Boxer's Name

9 Pts by Round      10 Pts by Round

     Pts Deducted           Pts Deducted

9 Net Total Pts      10 Net Total Pts

Signature: Fritz Werner  
 Judge: White

California State Athletic Commission Dept of Consumer Affairs  
**Judges Round Card**  
 Alejandro Rochin

Promoter: Top Rank      Date: 8/4/11 City: Los Angeles

Round #

RED      5      BLUE

Christy Martin      vs      Dakota Stone  
 Boxer's Name      Boxer's Name

9 Pts by Round      10 Pts by Round

     Pts Deducted           Pts Deducted

9 Net Total Pts      10 Net Total Pts

Signature: [Signature]  
 Judge: Blue

California State Athletic Commission Dept of Consumer Affairs  
**Judges Round Card**  
 Gwon Adair

Promoter: Top Rank      Date: 8/4/11 City: Los Angeles

Round #

Red      5          

Christy Martin      vs      Dakota Stone  
 Boxer's Name      Boxer's Name

10 Pts by Round      9 Pts by Round

     Pts Deducted           Pts Deducted

10 Net Total Pts      9 Net Total Pts

Signature: Gwon Adair  
 Judge: Red

**Judges Round Card**  
Fritz Werner

Promoter: Top Rank      Date: 6/4/11 City: Los Angeles

Round #

R       6       3

Christy Martin      vs      Dakota Stone  
Boxer's Name      Boxer's Name

Pts by Round       Pts by Round

Pts Deducted       Pts Deducted

Net Total Pts       Net Total Pts

Signature: *Fritz Werner*  
Judge: White

**Judges Round Card**  
Alejandro Rochin

Promoter: Top Rank      Date: 6/4/11 City: Los Angeles

Round #

RED       6       BLUE

Christy Martin      vs      Dakota Stone  
Boxer's Name      Boxer's Name

Pts by Round       Pts by Round

Pts Deducted       Pts Deducted

Net Total Pts       Net Total Pts

Signature: *[Signature]*  
Judge: Blue

California State Athletic Commission Dept of Consumer Affairs

**Judges Round Card**  
Gwen Adair

Promoter: Top Rank      Date: 6/4/11 City: Los Angeles

Round #

R       6     

Christy Martin      vs      Dakota Stone  
Boxer's Name      Boxer's Name

Pts by Round       Pts by Round

Pts Deducted       Pts Deducted

Net Total Pts       Net Total Pts

Signature: *Gwen Adair*  
Judge: Red

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

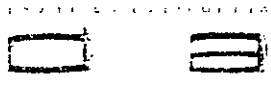
Agenda Item

7a

Appeal of License Suspension  
Steroids/Drugs of Abuse  
Karl Mahealania Santiago







CALIFORNIA STATE ATHLETIC COMMISSION  
2005 Evergreen Street, Suite 2010 Sacramento, CA 95815  
P (916) 263-2195 F (916) 263-2197 website: www.dca.ca.gov/csac

May 9, 2011

Re: Results of your Toxicology Report – Notice of License Suspension

Karl Santiago  
4063 Lois St.  
La Mesa, CA 91941

Dear Mr. Santiago:

The results of your drugs of abuse test taken on May 1, 2011 were positive for marijuana metabolites. The result of the test has been included with this letter for your review.

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.

You are also being suspended for violation of California Code of Regulations, Title 4, Article 6 Section 390 which states:

Any licensee who violates the laws of the State of California, with the exception of minor traffic violations, or the rules of the Athletic Commission, or who fails or refuses to comply with a valid order of a commission representative, or who conducts himself or herself at any time or place in a manner which is deemed by the commission to reflect discredit to boxing, may have his or her license revoked, or may be fined, suspended or otherwise disciplined in such manner as the commission may direct.

Based on the positive laboratory findings, your California license as a Mixed Martial Arts athlete is hereby suspended for six months, beginning on November 1, 2011 and you are fined \$500.

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,

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

7a-1

FAX  
LABORATORY REPORT



Quest  
Diagnostics

80308651 AREA/ROUTE/STOP: XXXXXX  
CAL STATE ATHLETIC  
COMMISSION/W DOUGLAS  
2005 EVERGREEN ST #2010  
SACRAMENTO, CA 95818

PARTICIPANT NAME 602300051		PARTICIPANT ID SANTIAGO, KARL		ROOM NO.	AGE	SEX	PHYSICIAN
PAGE 1	REQUISITION NO. 0902112	ACCESSION NO. 321781U	LAB REF. #	COLLECTION DATE & TIME 05012011 03:04PM	LOG-IN-DATE 05042011	FAX DATE 05052011	& TIME 09:01AM

REMARKS: Client Site Location:  
REASON FOR TEST: OTHER  
DONOR ID VERIFIED: PHOTO I.D.

REPORT STATUS	FINAL	TEST	RESULT		UNITS	REFERENCE RANGE	SITE CODE
			IN RANGE	OUT OF RANGE			
EMPLOYER NP REPORT FOR:		CAL STATE ATHLETIC - 80308651 COMMISSION/W DOUGLAS 2005 EVERGREEN ST #2010 SACRAMENTO, CA 95818					
		*** POSITIVE/ABNORMAL REPORT ***					
Tests Ordered:		30497N (SAP 10-50/300+ETOH)					
Substance Abuse Panel					Initial Test Level	MS Confirm Test Level	
	AMPHETAMINES	Negative			1000 ng/mL	500 ng/mL	
	BARBITURATES	Negative			300 ng/mL	200 ng/mL	
	BENZODIAZEPINES	Negative			300 ng/mL	200 ng/mL	
	COCAINE METABOLITES	Negative			300 ng/mL	150 ng/mL	
	MARIJUANA METABOLITES		POSITIVE		50 ng/mL	15 ng/mL	
	METHADONE	Negative			300 ng/mL	200 ng/mL	
	METHAQUALONE	Negative			300 ng/mL	200 ng/mL	
	OPIATES	Negative			300 ng/mL	300 ng/mL	
	OXYCODONES	Negative			100 ng/mL	100 ng/mL	
	PHENCYCLIDINE	Negative			25 ng/mL	25 ng/mL	
	PROPOXYPHENE	Negative			300 ng/mL	200 ng/mL	
	ALCOHOL, ETHYL (U)	Negative				.02 * (1)	
Quantitative Results							
	MARIJUANA METABOLITE		25 ng/mL				
* (1) Test confirmed by GC							
CERTIFYING SCIENTIST: Jim Mank							
>> REPORT CONTINUED ON NEXT PAGE <<							

7a-2

FAX  
LABORATORY REPORT



Quest  
Diagnostics

CONTINUED REPORT

80308651 AREA/ROUTE/STOP: XXXXXX  
CAL STATE ATHLETIC  
COMMISSION/W DOUGLAS  
2005 EVERGREEN ST #2010  
SACRAMENTO, CA 95818

PARTICIPANT NAME 602300051		PARTICIPANT ID SANTIAGO, KARL		ROOM NO.	AGE	SEX	PHYSICIAN
PAGE 2	REQUISITION NO. 090211Z	ACCESSION NO. 321781U	LAB REF. #	COLLECTION DATE & TIME 05012011 03:04PM	LOG-IN-DATE 05042011	FAX DATE 05052011	& TIME 09:01AM

REMARK: Client Site Location:  
REASON FOR TEST: OTHER  
DONOR ID VERIFIED: PHOTO I.D.

REPORT STATUS	TEST	RESULT		UNITS	REFERENCE RANGE	SITE CODE
		IN RANGE	OUT OF RANGE			
FINAL	EMPLOYER NP REPORT FOR:					
		CAL STATE ATHLETIC - 80308651 COMMISSION/W DOUGLAS 2005 EVERGREEN ST #2010 SACRAMENTO, CA 95818				
	SPECIMEN RECEIVED AND PROCESSED IN THE LENEXA DHHS CERTIFIED LABORATORY.					
	LAB	Quest Diagnostics-Lenexa 10101 Renner Blvd Lenexa KS 66219				
		>> END OF REPORT <<				

7a-3

June 6, 2011

RE: Appeal to Toxicology Report

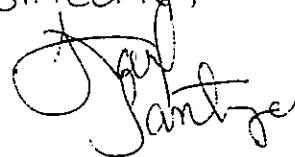
To Whom it may Concern

My name is Karl Santiago and I am responding to your letter concerning a previous drug test conducted at Long Beach Fight Night on May 1, 2011. During the fight I was not under the influence of any controlled substance however you claim to have found traces of Marijuana Metabolites in my urine. I would like to emphasize that I did not ingest any substance before or during the fight. The traces you have claimed to have found are the result of ingesting Medical Marijuana three weeks prior to the fight as recommended by Dr. Kenneth D. Johnson, for my [REDACTED].

Attached to this letter is a copy of my Doctors Recommendation. If you have any further questions please feel free to contact me at any time (619) 228-6353.

Sorry for any inconvenience & thank you for your time.

Sincerely,



7a-4

# MEDIMAR

2121 5<sup>th</sup> Avenue Ste 100, San Diego, CA 92101

[www.medimarclicnic.net](http://www.medimarclicnic.net)

877-627-1644

Pursuant to California Health and Safety Code Section 11362.5

## PHYSICIAN'S STATEMENT AND RECOMMENDATION

This is a legal medical document; its purpose is solely to affirm that the use of cannabis (marijuana) for medical purposes may be appropriate for the patient listed below. This document is to be used to help law enforcement officers to identify individuals whose possession and cultivation of medical cannabis (marijuana) is legal and permissible pursuant to Health and Safety Code Section 11362.5 and SB 420

This affirms that **KARL MAHEALANI SANTIAGO** has been examined and evaluated by:

**Kenneth D. Johnson, M.D.** and is a patient of Kenneth D. Johnson, M.D. at Medimar. I have discussed the medicinal benefits of cannabis (marijuana) use with the patient as a treatment. It is my assessment, based on my medical evaluation, that the use of cannabis (marijuana) for medical purposes be suitable for the above mentioned patient, under Health and Safety Code Section 11362.5

I, Kenneth D. Johnson, M.D., recommend the use of medical cannabis (marijuana) for this patient. If this patient so chooses to use cannabis (marijuana) for medical purposes. The staff at Medimar will monitor the status of this patient and if needed, will offer advice to the patient on the use of cannabis (marijuana) for his or her condition.

*I have informed the patient that Cannabis (marijuana) may affect or impair: coordination and cognition, ability to drive, operate heavy machinery, or ability to engage in potentially hazardous activities.*

Signed  License # G26947 Date 11-11-2010

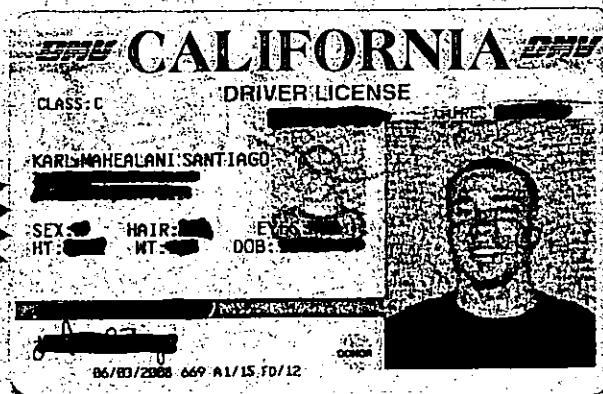
Physician's Signature

NOT VALID WITHOUT SEAL

### TIME PERIOD COVERED\*

- 6 Months
- 1 Year
- Other \_\_\_\_\_

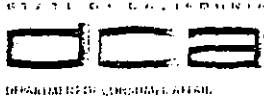
\* After which time a reevaluation will determine if a recommendation renewal will be issued.



Patient ID # 

To verify this patient quickly, please visit our website at [www.medimarclicnic.net](http://www.medimarclicnic.net) and enter patient ID#.

7a-5



CALIFORNIA STATE ATHLETIC COMMISSION  
2005 Evergreen Street, Suite 2010 Sacramento, CA 95815  
P (916) 263-2195 F (916) 263-2197 website: www.dca.ca.gov/csac



July 11, 2011

Karl Santiago  
[Redacted]  
[Redacted]

RE: Karl Mahealani Santiago License Suspension

Dear Mr. Santiago:

Pursuant to your request of June 6, 2011, the California State Athletic Commission has placed you on the agenda for the Commission meeting on August 15, 2011.

The hearing will take place at the Ronald Regan State Office Building, 300 S. Spring Street, Los Angeles, California 90013 in the Ronald Regan Auditorium. The meeting is expected to start at 0930.

If you would like to submit anything in writing for the Commissioners to consider other than what has already been presented, please submit seven copies to the above address, with a copy of all such material to Karen Chapelle, Supervising Deputy Attorney General, at her office not later than August 4, 2011 so that it can be included in the commission packet.

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

Respectfully,

George Dodd  
Executive Officer

7a-6



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



### 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.

7a-7

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

7b

Appeal of License Suspension  
Steroids/Drugs of Abuse  
Thor Skancke







June 14, 2011

Thor Skancke  
5124 Marmol Dr.  
Woodland Hills, CA 91364

Notice of Suspension and Fine

Dear Mr. Skancke:

The results of your steroid test taken on May 1, 2011 were received on May 2, 2011 and tested positive for steroid use. Attached are the results from the Lab.

Title 4 California Code of Regulations, Section 303 states in part:

*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 California license as a Mixed Martial Arts athlete is hereby suspended for 1 year, beginning on May 1, 2012 and you are fined \$2,500.

Per Business and Professions Code section 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,

A handwritten signature in black ink that reads "George Dodd".

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

7b-1



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



**CONFIDENTIAL**  
**Carbon Isotope Ratio Report - CSAC72 (TVD03)**

June 06, 2011

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

Specimen number: 2488018  
UCLA Code: TVD03  
Sport: MMA  
Collection date: 05/01/11  
Date Received at Lab: 05/02/11  
Date of Analysis: 06/01/11  
Condition and custody of sample: Acceptable

Analysis: The urine sample was analyzed using method 8001, steroids by carbon isotope ratio by GC/IRMS.

**Analytical Findings:**

IRMS Laboratory Result:	$\Delta$ (Pdiol-Etio)	$\Delta$ (Pdiol-Andro)	Result*
	6.9 ± 0.9	5.9 ± 0.8	Adverse

\* Where "Inconclusive" or "Negative" indicates results are consistent with endogenous origin and "Adverse" indicates results are consistent with administration of a steroid.

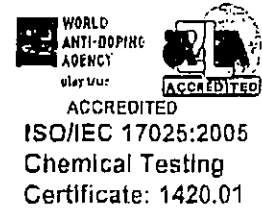
Unit of measurement for the two values is  $\delta^{13}C$  [‰]. The value after the ± is the uncertainty of measurement (k=2).

Anthony Butch, Ph.D.	<i>Anthony Butch</i>	6/6/11
_____ Certifying Scientist	_____ Signature	_____ Date

7b-2



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



CONFIDENTIAL  
DRUG TESTING REPORT CSAC72

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

UCLA code: TVD  
Sport: MMA  
Number of samples: 2  
Date of laboratory receipt: 05/02/11  
Date of analysis: 05/03/11

The laboratory analyzed the urine specimens listed below using method 1001 anabolic and masking agents.

The specimen condition and custody (C) is acceptable if indicated by 'Y'.

UCLA Code	Specimen#	Results	C
TVD03	2488018	>>>>>>>>	Y SEE LETTER OF MAY 19, 2011
TVD04	2488027	NEGATIVE	Y

Sanja Starcevic Ph.D.

*S. Starcevic*

5/20/11

Certifying Scientist

Signature

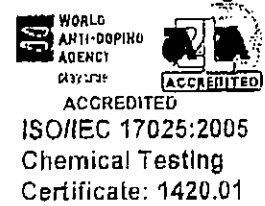
Date

7b-3

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



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



CONFIDENTIAL  
DRUG TESTING REPORT CSAC72 (TVD03)

May 19, 2011

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 an atypical finding for CSAC 2488018 = UCLA TVD03, MMA, collection date May 01, 2011 and date received May 02, 2011.

Urine specimen number CSAC 2488018 = UCLA TVD03 has T/E ratio of  $29.6 \pm 17\%$  (k=2). The threshold T/E ratio is 4.0. We recommend carbon isotope ratio analysis and/or longitudinal follow-up.

Sanja Starcevic Ph.D.

*S. Starcevic*

5/20/11

\_\_\_\_\_  
Certifying Scientist

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

7b-4

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

**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**

5-1-11

Sample Collection Date

3:36 PM

Sample Collection Time

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

7	4	8	8	0	1	8	
---	---	---	---	---	---	---	--

SAMPLE CODE NUMBER

Specific Gravity and PH levels within range?

YES

NO

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

NET TESTED

L.B. CITY COLLEGE, LONG BEACH CA  
 Collection Site Name / City, State

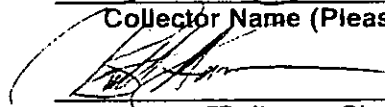
MMA

Sport

TOPPING'S EVENTS  
 Event Name

BRUCE A. COOPER

Collector Name (Please print clearly)



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
<u>PROTEIN</u>	<u>30 GR.</u>	<u>4-30-11</u>	<u>NONE</u>	<u>_____</u>	<u>_____</u>
<u>B-12</u>	<u>2 PILLS</u>	<u>4-30-11</u>	<u>NONE</u>	<u>_____</u>	<u>_____</u>
<u>MULTI-VITAMIN</u>	<u>2 PILLS</u>	<u>4-30-11</u>	<u>NONE</u>	<u>_____</u>	<u>_____</u>

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.

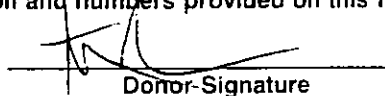
I Accept

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.

Thor Skancke  
 Donor Name (Please print clearly)

  
 Donor Signature

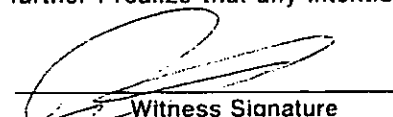
5/1/11  
 Date

3:36  
 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.

Jon Levy  
 Witness Name (Please print clearly)

  
 Witness Signature

5/1/11  
 Date

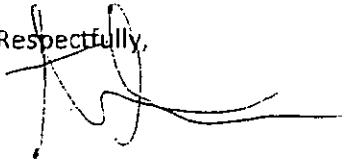
3:36  
 Time

**7b-5**

Dear Mr. Dodd:

I am writing this letter to appeal my suspension per business and Professions code section 18842, on the grounds that I have never injected or used any drugs or stimulants. Please put my request on the agenda for the next upcoming hearing.

Respectfully,

A handwritten signature in black ink, appearing to be 'Thor Skancke', written over the word 'Respectfully,'.

Thor "TNT" Skancke

5124 Marmol Dr.

Woodland Hills CA, 91364

██████████

7b-6



July 19, 2011

Thor Skancke  
5124 Marmol Dr.  
Woodland Hills, CA 91364

Notice To Appeal Suspension and Fine

Dear Mr. Skancke:

Pursuant to your request, the California State Athletic Commission has placed you on the agenda to hear your appeal. The next Commission meeting is schedule for August 15, 2011.

The Commission meeting will take place on Monday, August 15, 2011 at the Ronald Regan State Office Building, 300 S. Spring Street, Los Angeles, California 90013 in the auditorium, first floor. It is scheduled to start at 09:30 a.m.

If you would like to submit anything in writing for the Commissioners to consider other than what has already been presented, please submit seven copies to the above address, with a copy of all such material to Karen Chappelle, Supervising Deputy Attorney General, at her office no later than August 1, 2011 so that it can be included in the commission package.

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

Respectfully,

A handwritten signature in cursive script that reads 'George Dodd'.

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

7b-7

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

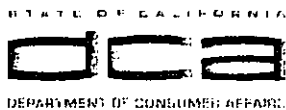
Agenda Item

7c

Appeal of License Suspension  
Steroids/Drugs of Abuse  
Mat Conte







STATE AND CONSUMER SERVICES AGENCY • ARNOLD SCHWARZENEGGER GOVERNOR

**California State Athletic Commission**  
2005 Evergreen Street, Suite 2010, Sacramento, CA, 95825  
P 916-263-2195 F 916-263-2197 [www.dca.ca.gov/csac](http://www.dca.ca.gov/csac)



July 12, 2011

Re: Results of your Toxicology Report – Notice of License Suspension

Matthew Conte  
751 Rocky Trial Road  
Henderson, NV 89104

Dear Mr. Conte:

The results of your drugs of abuse test taken on June 30, 2011, were positive for opiates (hydrocodone and hydromorphone). The result of the test has been included with this letter for your review.

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.

You are also being suspended for violation of California Code of Regulations, Title 4, Article 6 Section 390 which states:

Any licensee who violates the laws of the State of California, with the exception of minor traffic violations, or the rules of the Athletic Commission, or who fails or refuses to comply with a valid order of a commission representative, or who conducts himself or herself at any time or place in a manner which is deemed by the commission to reflect discredit to boxing, may have his or her license revoked, or may be fined, suspended or otherwise disciplined in such manner as the commission may direct.

Based on the positive laboratory findings, your California license as a boxer is hereby suspended for 6 months, beginning on December 30, 2011 and you are fined \$500.

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,

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

7c-1

80308651 AREA/ROUTE/STOP: XXXXXXXX  
 CAL STATE ATHLETIC  
 COMMISSION/W DOUGLAS  
 2005 EVERGREEN ST #2010  
 SACRAMENTO, CA 95818



PARTICIPANT NAME 530332845		PARTICIPANT ID CONTE, MATT		ROOM NO.	AGE	SEX	PHYSICIAN
PAGE	REQUISITION NO	ACCESSION NO.	LAB REF. #	COLLECTION DATE & TIME	LOG-IN-DATE	FAX DATE	& TIME
1	0902147	998080U		06302011 06:15PM	07022011	07072011	11:50AM

REMARKS: Client Site Location:  
 REASON FOR TEST: MMA  
 DONOR ID VERIFIED: PHOTO I.D.

REPORT STATUS	FINAL	TEST	RESULT		UNITS	REFERENCE RANGE	SITE CODE	
			IN RANGE	OUT OF RANGE				
EMPLOYER NP REPORT FOR:		CAL STATE ATHLETIC - 80308651 COMMISSION/W DOUGLAS 2005 EVERGREEN ST #2010 SACRAMENTO, CA 95818						
		*** POSITIVE/ABNORMAL REPORT ***						
Tests Ordered:		30497N (SAP 10-50/300+ETOH)						
Substance Abuse Panel					Initial Test Level	MS Confirm Test Level		
	AMPHETAMINES	Negative			1000 ng/mL	500 ng/mL		
	BARBITURATES	Negative			300 ng/mL	200 ng/mL		
	BENZODIAZEPINES	Negative			300 ng/mL	200 ng/mL		
	COCAINE METABOLITES	Negative			300 ng/mL	150 ng/mL		
	MARIJUANA METABOLITES	Negative			50 ng/mL	15 ng/mL		
	METHADONE	Negative			300 ng/mL	200 ng/mL		
	METHAQUALONE	Negative			300 ng/mL	200 ng/mL		
	OPIATES				300 ng/mL			
	CODEINE	Negative				300 ng/mL		
	MORPHINE	Negative				300 ng/mL		
	HYDROCODONE			POSITIVE		300 ng/mL		
	HYDROMORPHONE			POSITIVE		300 ng/mL		
	OXYCODONES	Negative			100 ng/mL	100 ng/mL		
	PHENCYCLIDINE	Negative			25 ng/mL	25 ng/mL		
	PROPOXYPHENE	Negative			300 ng/mL	200 ng/mL		
	ALCOHOL, ETHYL (U)	Negative				.02 * (1)		
* (1) Test confirmed by GC								
CERTIFYING SCIENTIST: Nathaniel Tompkins								
>> REPORT CONTINUED ON NEXT PAGE <<								

7c-2



July 20, 2011

Matthew Conte  
C/O Moran Law Firm  
Las Vegas, NV 89101

Notice To Appeal Suspension and Fine

Dear Mr. Conte:

Pursuant to your request, the California State Athletic Commission has placed you on the agenda to hear your appeal. The next Commission meeting is schedule for August 15, 2011.

The Commission meeting will take place on Monday, August 15, 2011 at the Ronald Regan State Office Building, 300 S. Spring Street, Los Angeles, California 90013 in the auditorium, first floor. It is scheduled to start at 09:30 a.m.

If you would like to submit anything in writing for the Commissioners to consider other than what has already been presented, please submit seven copies to the above address, with a copy of all such material to Karen Chappelle, Supervising Deputy Attorney General, at her office no later than August 1, 2011 so that it can be included in the commission package.

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

Respectfully,

A handwritten signature in cursive script, appearing to read "George Dodd".

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

July 28, 2011

Karen Chappelle  
Supervising Deputy Attorney General  
CALIFORNIA STATE ATHLETIC COMMISSION  
2005 Evergreen Street, Suite 2010  
Sacramento, CA 95825

RE: MATTHEW CONTE / COMMISSION MEETING AUGUST 15, 2011

Dear Ms. Chappelle:

I am on the August 15, 2011 California Athletic Commission Meeting agenda and as such I would like to submit the following copies to the Commissioners to consider at my hearing:

1. A copy of my Professional Athlete Physical Examination  
Which I submitted to the Athletic Commission in advance  
Of my fight which indicates I take [REDACTED] occasionally.
2. A copy of my prescription from Dr. Paulin for [REDACTED].

Thank you for your help on this matter.

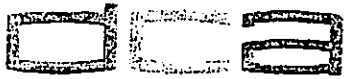
Respectfully,

  
Matthew Conte

MC/hgf

7c-4

STATE OF CALIFORNIA



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



PROFESSIONAL ATHLETE PHYSICAL EXAMINATION

Only a licensed Physician may conduct this examination and complete this form.
Please complete this form in its entirety.

BOXING

MIXED MARTIAL ARTS

KICKBOXING

Office Use
Approved by:
Date:

Last Conte First Matthew Middle J.
Address:
751 Rocky Trail
Street (No PO BOX) city Henderson State NV Zip Code 89014 Country USA
Telephone number:

Age: Birth Date: (MM / DD / YYYY):

PHYSICAL HISTORY: Please check all that applies below: Asthma Blood in urine Allergies
Fainting spells Rupture (hernia) Chest pains Operations Shortness of breath Swollen joints
Rheumatism Diabetes Frequent headaches Convulsions (fits) Chronic cough Spitting of blood
Cerebral hemorrhage or serious head injury If yes, please explain:

When was the last time you took any type of medication or drug? (State what type and when and be specific):

Have you ever undergone any type of surgery? (State what type and when and be specific):

When was the last time you took any type of vitamin supplement? (State what type and when and be specific):

Professional boxing record:
Wins: Wins by KO/TKO: Losses:
Losses by KO/TKO:
Amateur boxing record:
Wins: Wins by KO/TKO: Losses:
Losses by KO/TKO:

Professional martial arts record:
Kickboxing Mixed Martial Arts
Wins: Wins by KO/TKO/Submissions:
Losses: Losses by KO/TKO/Submissions:
Amateur martial arts record:
Kickboxing Mixed Martial Arts
Wins: Wins by KO/TKO/Submissions:
Losses: Losses by KO/TKO/Submissions:

PROFESSIONAL ATHLETE PHYSICAL EXAMINATION

APPLICANT NAME: Matthew Conte

PHYSICAL EXAMINATION:

General appearance: [redacted] Height: [redacted] Weight: [redacted]  
 Temperature: [redacted] Disabling scars: [redacted] Mouth: [redacted] Teeth: [redacted] Tonsils: [redacted]  
 Neck: [redacted] Pulse at rest: [redacted] Pulse after 100 hops: [redacted] Blood pressure: At rest: [redacted] After 100 hops: [redacted] 2 minutes later: [redacted]  
 Enlarged glands: [redacted] - Goiter: [redacted] - Heart: Pulse rhythm [redacted]  
 Murmurs: [redacted] Musculoskeletal system: [redacted]  
 Apical impulse: [redacted] - Lungs: Rales [redacted]  
 Abdomen: Enlargement of liver [redacted] Breasts: Mass Yes  No  Tenderness [redacted]  
 Discharge [redacted] - Enlargement of Spleen: [redacted] - Hernia: [redacted]  
 Testicles: [redacted]  
 Remarks: \_\_\_\_\_

Reflexes: Pupils  Knee jerks [redacted] Romberg [redacted] Babinski [redacted]  
 Skin: Tone [redacted] Rash [redacted] Boils [redacted] Other: \_\_\_\_\_  
 Unhealed wounds: [redacted]  
 Remarks: \_\_\_\_\_

EYE HISTORY:

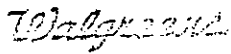
Have you ever had any surgical procedures done to your eye(s) or the tissues around your eye(s) other than simple sutures of the skin around the eye?  
 Yes  No  If YES, please explain in full: \_\_\_\_\_

**You must also go to an Ophthalmologist and undergo a Commission ATHLETE OPHTHALMOLOGIC EXAMINATION**

EXAMINING PHYSICIAN:

Based on your personal observation and review of the test results and considering Commission rules, is it your medical opinion that this applicant is physically fit to be licensed and compete in combative sports? Yes  No   
 If no, please explain: \_\_\_\_\_

<u>Ed Hoffman</u> LICENSED PHYSICIAN'S NAME (print)	<u>05229</u> MEDICAL LICENSE NO.	<u>Matthew Conte</u> APPLICANT NAME (print)
[redacted] ADDRESS / CITY / STATE / ZIP CODE		<u>[Signature]</u> APPLICANT SIGNATURE
[redacted] TELEPHONE NO.	<u>3pm 6/24/11</u> DATE/TIME	PERSON WHO ASSISTED'S NAME (print)
<u>[Signature]</u> PHYSICIAN'S SIGNATURE		PERSON WHO ASSISTED'S SIGNATURE



YOUR PERSONAL PRESCRIPTION INFORMATION



Your Walgreens Pharmacy Location  
6390 Boulder Hwy  
Las Vegas, NV 89122  
(702)435-6263

*Walgreens*

**MATTHEW CONTE**  
751 Rocky Trail Rd, Henderson, NV 89014  
(702)429-1148  
RX # 0091411-11668

DATE: 06/23/11

Customer  
Receipt

*Walgreens*

**MATTHEW CONTE**  
751 Rocky Trail Rd, Henderson, NV 89014  
(702)429-1148  
RX # 0091411-11668

DATE: 06/23/11

Duplicate  
Receipt

QTY: [REDACTED]  
Refill [REDACTED] NDC: [REDACTED]  
Retail Price: [REDACTED] Your Insurance Saved You: \$44.99

\$ [REDACTED]

QTY: [REDACTED]  
Refill [REDACTED]  
Retail Price: [REDACTED] Your Insurance Saved You: [REDACTED]

\$ [REDACTED]

S. PAULIN, MD  
MFC: [REDACTED]  
EFD/ / / TAMC

PLAN: PAID  
GROUP# UNEVADA  
CLAIM REF# [REDACTED]

S. PAULIN, MD  
MFC: [REDACTED]  
EFD/ / / TAMC

PLAN: PAID  
GROUP# UNEVADA  
CLAIM REF# [REDACTED]

DIRECTIONS TAKE 1 TABLET BY MOUTH FOUR TIMES DAILY AS NEEDED.

INGREDIENT NAME: [REDACTED]

Drug Description Redacted

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7c-7

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

8

California Police Athletic Federation  
Request to Regulate Event







**California Police Athletic Federation**  
**United States Police and Fire Championships**  
**World Police and Fire Games**



8304 Clairemont Mesa Blvd. #107 San Diego, CA 92111 USA  
Tele: 858.571.9919 Fax: 858.571.1641 Email: [4info@cpaf.org](mailto:4info@cpaf.org)

July 26, 2011

California State Athletic Commission  
2005 Evergreen Street, suite 2010  
Sacramento, CA 95815

ATTN: John FRIERSON, Chairman  
George DODD, Executive Officer

UPDATE to our letter of July 14, 2011

The California Police Athletic Federation (CPAF) is formally requesting the permanent authority to sanction our amateur boxing event at the United States Police and Fire Championships (United States Police and Fire Championships) to be held yearly in the month of June in San Diego, CA. We request this authority because of our compliance with the requirements under 18646 sub (a) and (b) of the Business and Professions Code.

1. The history of the California Police Athletic Federation (CPAF), a California chartered 501 (c) 3 corporation, is included in this correspondence as Attachment 1.
2. The rules that govern this amateur boxing tournament are included as Attachment 2.
3. Recently, the CPAF applied for an Amateur Boxing Promoter's license for the singular purpose of sanctioning the amateur boxing event at the Western States Police and Fire Games, held this year in Ontario, CA. All aspects of licensing were complied with and the CSAC thoroughly vetted the conduct of the event during the two days of competition. The results of that intense scrutiny were reported at the last CSAC meeting. The CSAC formally granted the CPAF a permanent promoter's license. A copy of this document is Attachment 3.
4. The United States Police and Fire Championships will be held once per year in June, in San Diego. The United States Police and Fire Championships boxing event is free for all spectators, which is the same policy for all United States Police and Fire Championships events. The only cost to the competitor is the standard entry fee charged to all competitors in the games.

The CPAF is requesting the authority to conduct this singular amateur boxing tournament yearly as part of the United States Police and Fire Championships under our rules, regulations and with the highest standards of safety. Our safety and fairness standards far exceed the basic components for amateur boxing licensing. Our record of safe conduct of this event for over 31 years is unequalled. Perhaps the best review of our event was comments at the last CSAC meeting from one of the lead inspectors at the Ontario event. He stated that the event was "one of the safest" he had ever seen and the standard for fair competition. He concluded that our standard of self-regulating was so high, that additional regulating was "unnecessary".

The athletes that compete in this event, police officers and firefighters, are our own. We always have, and always will, take superb care of them. We request the CSAC grant us this authorization for this singular, yearly event.

Best regards,

Michael Graham, President

**Dodd, George@DCA**

---

**From:** Marianne Gallagher [p.russell1@cox.net]  
**Sent:** Wednesday, July 27, 2011 5:44 AM  
**To:** Dodd, George@DCA  
**Cc:** Mike Graham  
**Subject:** CSAC licensing  
George,

Let me address counsel's inquiry.

1. The CPAF is a non-profit (not charitable) organization. The fee charged for competitors is to cover the expenses involved in the conduct of that event. In the boxing event, besides the normal administrative fees, those expenses include safety equipment (headgear, gloves, wrap), the actual boxing ring rental, the venue cost and the per diem and accommodation expenses of the officials.

2. A non-profit organization is required to submit a non-profit corporate tax form every year, detailing the income and expenditures during the course of that year. In the specific case, the CPAF accounting firm submitted material the CSAC during the recent licensing process. For the record, a non-profit corporation is subject to extensive audits by IRS. The penalty for false statements or sham accounting is the revocation of the non-profit status. The CPAF has been a non-profit in good standing (and by examination) since 1967.

3. For clarification purposes (and as described in the attachment material to the July 26 request for sanctioning), the boxing event is one of **seventy (70) events** that are conducted at the United States Police and Fire Games every year.

4. I will send a copy of the application form to you by separate correspondence.

The CPAF stands ready to answer any inquiry regarding our request.

Thank you,

Pat Russell

8-3

**Dodd, George@DCA**

---

**From:** Marianne Gallagher [p.russell1@cox.net]

**Sent:** Friday, July 29, 2011 5:03 AM

**To:** Dodd, George@DCA

**Cc:** Mike Graham

**Subject:** CPAF licensing

George/Anita

Let me answer the inquiry.

1. The CPAF is the sanctioning body for the Games. Over the years, cities have bid to host the games. The CPAF grants them the right to conduct those games that year. At the conclusion of those games, the "host" city would donate any moneys received above costs to local charities. Last year, the City of Ontario was the host and made a charitable donation.

2. This is the first year that the CPAF now assumes the permanent role of "host" of the games. The CPAF Board will address which charity(s) will receive any moneys above cost at a upcoming Board meeting. At the conclusion of the games, a donation will be made.

I hope this addresses that issue.

Thank you,

Pat

8-4

7/29/2011

CPAF Application for authorization to conduct an Amateur Boxing competition under authority of B&P section 18646.

The California Police Athletic Federation (CPAF), a California chartered 501 (c) 3 corporation, is applying for the authority to conduct an Amateur Boxing competition under authority of B&P section 18646. This application is for the specific purpose of licensing the boxing competition of the United States Police and Fire Championships to be held yearly in San Diego during the month of June. To assist the CSAC in its determination of licensing, the background of the CPAF and the games is in order.

The CPAF is a non-profit corporation created to run police and fire competition in over 60 sports. The initial "games" were conducted in San Diego in 1967 and have been successfully conducted ever since. The purpose of the games is to provide police and fire personnel an opportunity to train for and compete in a variety of sports, including competition specific to the police and fire professions. The California-based "games" were very successful and in 1984, the CPAF decided to open the competition to international police and fire athletes. The first World Police and Fire Games were conducted that year in San Jose, California and were wildly successful. The world games have been conducted very two years since in several countries, including Australia, Spain, Sweden and Canada. The success continued to grow and, in 2009, the World Games held in Vancouver, British Columbia had over 10,000 participating athletes. The World Games is being conducted this year in New York City on the eve of the ten-year anniversary of 9/11. As of this date, over 14,500 participating athletes from around the world have registered for competition in over 60 sports. It will be the largest participant sporting event in the world.

The California Games were equally successful and in 2005, the competition was renamed the Western States Police and Fire Games. The games now included athletes from Nevada, Arizona, Oregon, Washington and Hawaii. Responding to increasing demand, the CPAF expanded the charter to include athletes from all over the United States. This expanded competition, now renamed the United States Police and Fire Championships, will conduct its first competition in 2012 in San Diego. During the over 44 years of competition, the games have averaged between 4,000 to 6,000 competitors. The expanded format is expected to draw numbers well above the average.

The CPAF has managed to regulate and sanction the 60 odd sports successfully for 44 years. Amateur boxing is one of the premier sports in the competition, allowing athletes the opportunity to box in front of large crowds of their peers. In 1980, the CPAF reached out to members of their police and boxing professions to more safely regulate and conduct the event. Those officials included Pat Connolly, now retired Chief of Chino Police, Bob Byrd, now retired CHP Captain and Pat Russell, now retired SD District Attorney Investigator. They created rules and procedures that went far beyond the requirements of the CSAC. Utilizing the expertise of this group of officials, the CPAF successfully conducted well over 500 amateur boxing events without a serious injury in California alone. The record is equally successful for the international competition. The

fact that the event participation continues to grow is a testament not to good fortune, but to hard, dedicated work by professionals working within the CPAF.

The CPAF is now formally applying for the authority under B&P 18646 to be conduct our amateur boxing tournament at the upcoming United States Police and Fire Championships. The CPAF welcomes the opportunity to showcase their ability to regulate this event with standards that exceed the normal requirements for licensure.

For over 44 years, the CPAF has successfully conducted amateur boxing without serious injury, both in California and worldwide. We have always taken care of our own. We believe that the continued successful conduct of police and fire games brings great credit to California and its Athletic Commission.

We ask for the CSAC approval to continue our unequalled record of success.

## BOXING - Page 1

### GUIDING BODIES

United States Police and Fire Championships Federation (USPFCF)  
8304 Clairemont Mesa Blvd., #107. San Diego CA 92111  
Tele. 858-571-9919 FAX: 858-571-1641 E-mail: 4info@cpaf.org

California State Athletic Commission  
2005 Evergreen Street, Suite 201, Sacramento, CA 95815  
Tele: (916) 263-2195 FAX: (916) 263-2197 website: www.dca.ca.gov/csac

### EVENTS

#### **MEN DIVISION: NOVICE, INTERMEDIATE & OPEN; WOMEN'S DIVISION: OPEN**

No entries will be accepted and no competition allowed for competitors who are 36 years of age or older at the start date of USPFCF.

#### **WEIGHT CLASSES:**

##### **MEN:**

Light Welter Weight	-	139 lbs. & under
Welter Weight	-	147 lbs. & under
Light Middle Weight	-	156 lbs. & under
Middle Weight	-	165 lbs. & under
Light Heavy Weight	-	179 lbs. & under
Cruiser	-	190 lbs. & under
Heavy Weight	-	201 lbs. & under
Super Heavy Weight	-	Over 201 lbs.

##### **WOMEN:**

125 lbs. & under
132 lbs. & under
139 lbs. & under
147 lbs. & under
156 lbs. & under
165 lbs. & under
179 lbs. & under

### OFFICIALS

#### Referees

A list of authorized referees will be agreed upon where at least one of the following referees are present from the date of weigh-in through the close of the event:

Pat Russell, Pat Connolly, Robert Byrd or Jack Reiss

Four officials are required for each bout, three scoring judges and one referee.

#### Sport Coordinator

This person should be very familiar with the sport of boxing and be able to withstand the many pressures that accompany organizing this sport.

#### Bout Director

This person keeps the on-deck fighters ready and keeps the bouts moving at a steady pace.

8-7

## BOXING - Page 2

### Seconds

Seconds should be made available to fighters who need them.

### Announcer

A clear, loud, articulate person should be utilized for this position. Experienced in announcing at boxing matches. The dress of the announcer must be established in advance, and the Host will pay the cost for any clothing rental. A tuxedo is mandatory for the final night of the event (Police Officer Memorial).

### MEDICAL

Ambulance with EMT's MUST be on site during all bouts.

TWO (2) physicians: (See General Sports Rules for duties.)

Clean-up Technician: There shall be one person assigned to clean up blood in the ring area.

\* NOTE: All medical personnel working in the ring area shall wear rubber gloves.

Basic medical supplies, such as a first aid kit will be provided by the Host at each venue. Communications shall be available at each venue and preparations made in case it is necessary to summon emergency services.

### COMPETITORS' MEDICAL REQUIREMENTS, GENERAL

A medical release, based upon a medical examination performed within 6 months of USPFPC date, in the form of the United States Police and Fire Championships "Report of Physical Examination", signed by a licensed physician, is required.

### FACILITY

#### Ring:

Requirements: In all competitions, the ring shall conform to the following requirements:

1. Size. The minimum size shall be 16 feet and the maximum 20 feet square inside the line of the ropes.
2. Platform and Corner Pads. The Platform shall be safely constructed, level and free from any obstructing projections and shall extend for at least 18 inches outside the line of the ropes. It shall be fitted with four corner posts, which shall be well padded or otherwise so constructed as to prevent injury to the boxers.
3. Floor Covering. The floor shall be covered with felt, rubber or other suitable approved material having the same quality of elasticity, not less than half an inch and not more than three-quarters of an inch thick over which canvas shall be stretched and secured in place. The felt, rubber or other approved material, and canvas, shall cover the entire platform, (nylon is not approved).

8-8



## BOXING - Page 3

4. Ropes. Of the four ropes used, the lower rope shall be 18 inches above the ring floor, the second rope 30 inches, the third rope 42 inches, and the fourth rope 54 inches above the ring floor. The pieces must not slide along the rope.

5. Steps. The ring shall be provided with three steps. Two steps at the opposite corners for the use of contestants and seconds, --one step in the neutral corner for use by the Referees and Doctors.

6. Plastic Bag. In the two neutral corners outside the ring, a small plastic bag shall be fixed in which the referee shall drop the cotton or tissue pads used by him to nurse bleedings.

7. Ring posts shall not be less than three inches or more than four inches in diameter, extending from the floor to the height of 58 inches above the ring floor. The ropes shall be connected to posts. The turnbuckles must be covered with a protective padding.

Auditorium: Should be large enough to hold at least 3,500 spectators.

**Locker room:** Locker rooms must be made available to boxers and their handlers. If there are women boxers competing, a separate locker room will be needed.

### EQUIPMENT

Boxer must provide the following equipment:

**Shoes:** All Boxers will wear Boxing/Wrestling shoes. NO exceptions.

**Mouth protection:** A form-fitted mouth piece will be worn and provided by the competitor.

**Chest Protector:** WOMEN shall provide their own chest protector, to be worn during all bouts.

Host must provide the following equipment and must be new or in excellent (like new) condition.

**Boxing gloves:** Thumbless and 12 oz. only. The Host must have at least 5 sets of new gloves available (10 pairs). The Host may require 14 oz. gloves for boxers in the Light Heavyweight Divisions and above.

**Scales:** For official weigh-ins, see CSAC Rules

**Groin protectors; Men:** Either a protective cup or Boxing groin protector shall be worn. The Host shall provide 5 sets (10) groin protectors.

**Head protection:** Host will provide 5 sets of (10) head protectors. The head protection will be competition head protectors without cheek or nose guards. (Velcro closures are NOT recommended. If used, they must be taped prior to competition.

8-9

## BOXING - Page 4

**Hand Wraps:** Host shall provide hand wraps as follows: 10 yards/meters of surgical gauze per hand, per contestant, per fight. The gauze shall generally conform to international standards.

**Tape:** Tape shall generally conform to international standards.

**All individual competitor equipment must be inspected and approved by USPFCE officials at the time of weigh-in.**

Prohibited: The following equipment shall NOT be worn:

- Eye protection or contact lenses
- Hearing aids
- Jewelry

### EQUIPMENT REQUIRED AT RINGSIDE – PROVIDED BY HOST

- a. Disinfectant: Two (2) spray bottles containing the following solution: One (1) part chlorine (household bleach) to 7 parts water.
- b. Blankets
- c. Oxygen
- d. Stretcher
- e. **The following personnel should wear rubber Surgical Gloves:**
  - Corner Personnel
  - Seconds
  - Ring Maintenance Personnel
  - Referees.
- f. Time keeper bell and striker
- g. Time keeper whistle
- h. 2 stop watches (minimum)
- I. 2 spit buckets
- j. 2 stools
- k. Sufficient towels for all matches

REPUTABLE SUPPLIER: **Ringside**; P.O. Box 14171 C; West 85th; Lenexa, KS 66215

8-10

BRACKETS

Single Elimination

- A. The Draw. The draw shall take place after the medical examination and weigh-in.
- B. Byes and Divisions. In competitions where there are more than two competitors, a sufficient number of byes shall be drawn for the first night of boxing to balance the number of competitors in subsequent boxing nights. If there are over eight boxers in the same class and weight division an A & B division will be created and a second set of medals awarded. The boxing officials will divide the division taking age and experience into consideration.

If two competitors from the same department are listed together in the first round, they will be matched with another competitor, if possible. All subsequent rounds will be per bracket eliminations.

- C. Where appropriate, two bronze medals may be awarded to avoid a third place bout.

SCHEDULING

It is recommended that the event be held in the evening, beginning no earlier than 6:30 P.M.

SCORING

10 point must system. Scoring per the national/state body affiliated with CSAC.

GENERAL SPORTS RULES for Boxing

1. NO PERSON WHO HAS FOUGHT IN ANY PROFESSIONAL BOUTS OR EXHIBITIONS SHALL BE ALLOWED TO COMPETE IN THE USPFC BOXING EVENT.
2. Competitor must state on their application either Novice, Intermediate or Open and must include their projected weight class.
3. Novice class boxers: Shall not have fought in more than five amateur boxing or Mixed Martial Arts (MMA) bouts.
4. Intermediate Class boxers: Shall not have fought in more than ten amateur boxing or MMA bouts, nor more than ten California Police and Fire Games, Police Olympics/Summer Games or World Police and Fire Games bouts, or any combination of ten bouts thereof.
5. Open class boxers: Boxers who do not qualify for the Novice or Intermediate classes shall fight in Open Class.
6. If a competitor does not qualify for their projected weight class at the time of weigh-in, he/she has the option of fighting in his/her qualifying weight class. EXCEPTION: In the event only one registered competitor in any weight class

8-11

## BOXING - Page 6

shows up for competition, he/she may elect to move up one weight class and compete at that level, if approved by USPFCA officials and CSAC Guidelines.

7. All entrants are required to submit a current medical release in the form of the UNITED STATES POLICE AND FIRE CHAMPIONSHIPS "REPORT OF PHYSICAL EXAMINATION" signed by a licensed physician.

The USPFCA or Host shall provide the release form to each applicant. This form shall be submitted with the competitor's entry or submitted at the time of Registration. The coordinator is responsible for having a copy of each medical release available for the physician at the pre-fight check-up.

THE COMPETITOR IS ALSO RESPONSIBLE FOR PROVIDING PROOF OF MEDICAL INSURANCE,

8. There will be a pre-fight check-up by a doctor one hour before each fighter's scheduled bout. There shall be two (2) physicians present at all times during competition.
9. No bouts shall begin without the presence of a physician at ringside and an ambulance present at the venue.
10. There shall be a stretcher, blanket and oxygen maintained at ringside.
11. Each boxer while competing shall wear the following items:
  - a. 12 oz. thumbless gloves
  - b. Approved head gear
  - c. Mouthpiece
  - d. Custom Cup & Groin Protector
  - e. Trunks: Fitted Boxing trunks required and provided by the competitor. (Equivalent to Everlast or other official Boxing brand.)
  - f. Boxing or Wrestling shoes: NO EXCEPTIONS
  - g. Sleeveless jersey: Boxers will require one blue and one red singlet or sleeveless jersey.

DRESS RULES SHOULD BE STRICTLY ENFORCED.

12. If a competitor's mouthpiece is knocked out, action shall stop immediately. The mouthpiece shall be cleaned and replaced by the referee or coach.
13. Bouts consist of three 2 minute rounds.
14. One minute rest periods between rounds.
15. Only one handler in ring - all others may be on apron.
16. No excessive coaching during rounds.
17. Coach may throw in towel, but must follow it into the ring immediately.

8-12

**BOXING - Page 7**

18. Any fighter suffering a KNOCK-OUT shall be taken immediately to a hospital for follow-up examination. Such fighter may not compete further in the competition. Hospitalization expenses shall be borne by the competitor suffering the knock-out.
19. No competitor shall compete in more than one (1) bout on each day of competition.
20. No competitor should compete on consecutive days. (If a facility is available competition should be on Monday, Wednesday, and Friday.) There must be one (1) day of rest between each day of competition.

Exception: If there are more than eight boxers in a weight division, so that a winner cannot be determined during scheduled Boxing event days, Boxing officials may, at their discretion, elect to:

1. Conduct the additionally needed bouts on the off-days, beginning with the first off-day. These bouts shall be held at the Boxing event facility or at a properly equipped local gym. All regulations, including officials, and medical personnel apply.
2. Divide the affected weight class (es) into 2 sub-divisions so:
  - a. The numbers of boxers in each sub-division is as equal as possible and;
  - b. The weights of the boxers in each sub-division are as close as possible.

If this option is selected, the Host must provide times for the extra bouts and additional medals.

21. If a fighter is considered by the referee to be outclassed by his opponent, the fight shall be stopped immediately.
22. Confirmation letters and pre-fight check-in will include an explanation of the rules on medical treatment (specifically, regarding knock-outs and financial responsibility).
23. Timeliness: It is the sole responsibility of the competitor to be aware of, and respond to, all required show-up times. This information will be included in the Confirmation Letter.

8-13

AWARDS

A maximum of thirty-one (31) sets of medals (1st through 3rd place) will be required USPFCF will advise you of the actual number of sets needed based on total entries, plus a reasonable margin. A maximum of sets of medals cannot be determined prior to weigh-in of the event. (1<sup>st</sup> through 3<sup>rd</sup> place) will be required.

**ATTENTION COORDINATORS**

**THE GENERAL RULES APPLY TO ALL SPORTS.  
YOU MUST BE FAMILIAR WITH ITS CONTENTS.**

**PRECISE RESULTS, ON FORMS PROVIDED, MUST BE FORWARDED  
TO THE HOST COMMITTEE IMMEDIATELY FOLLOWING THE  
CONCLUSION OF THIS SPORT**

The USPFCF Director assigned to your sport is knowledgeable and experienced in providing assistance during the preparation and running of the sport. Questions, a detailed accounting of your preparations, and any area requiring approval of the USPFCF shall be submitted in a timely manner to this USPFCF Director.

The USPFCF Directors want to work with you to make your sport a success.

***PLEASE USE THE USPFCF DIRECTORS AS A RESOURCE.***

8-14



June 20, 2011

California Police Athletic Federation  
Attn: Michael Graham  
8304 Clairemont Mesa Blvd  
Suite 107  
San Diego, CA 92111

Re: Approval of Permanent Promoter's License

Dear Mr. Graham

This letter is to inform you that you have been granted a permanent promoter's license by the California State Athletic Commission.

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

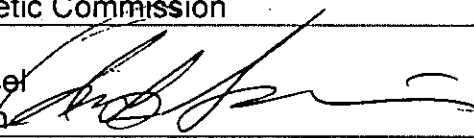
Respectfully,

A handwritten signature in cursive script that reads 'George Dodd'.

George Dodd  
Executive Officer



## MEMORANDUM

<b>DATE</b>	August 10, 2011
<b>TO</b>	George Dodd Executive Officer California State Athletic Commission
<b>FROM</b>	Anita Scuri Sup. Sr. Staff Counsel Legal Affairs Division 
<b>SUBJECT</b>	<b>California Police Athletic Federation--Request for Delegation Pursuant to Business and Professions Code Section 18646</b>

At the June 20, 2011 meeting of the California State Athletic Commission ("commission"), the California Police Athletic Federation ("CPAF") was granted an amateur boxing promoter license. CPAF also requested that the commission delegate to it the authority to regulate amateur boxing events for the Western States Police and Fire Games and the United States Police and Fire Championships ("Games"). However, that item was not properly on the agenda and therefore it could not be considered.

### Question Presented

Whether the commission may delegate its authority to regulate amateur boxing to CPAF despite the fact that it has already made such a delegation to USA Boxing.

### Conclusion

The commission may delegate to CPAF, in addition to its previous delegation to USA Boxing, the commission's authority to regulate amateur boxing if that delegation assists the commission with its highest priority—the protection of the public—and if the commission has a sound factual basis for that conclusion. There appears to be a sound factual basis upon which to reach such a conclusion.

### Analysis

I.

Business and Professions Code Section 18646 (all references are to that code) provides:

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“(a) This chapter applies to all amateur boxing, wrestling, and full contact martial arts contests.

(b) The commission may, however, authorize a nonprofit boxing, wrestling, or martial arts club or organization, upon approval of its bylaws, to administer its rules for amateur boxing, wrestling, and full contact martial arts contests, and may, therefore, waive direct commission application of laws and rules, including licensure, subject to the commission's affirmative finding that the standards and enforcement of similar rules by that club or organization meet or exceed the safety and fairness standards of the commission. The commission shall review the performance of any such club or organization annually.

(c) Every contest subject to this section shall be preceded by a physical examination, specified by the commission, of every contestant. A physician shall be in attendance at the contest. There shall be a medical insurance program satisfactory to the commission provided by the amateur club or organization in effect covering all contestants. The commission shall review compliance with these requirements.

(d) Any club or organization which conducts, holds, or gives amateur contests pursuant to this section, which collects money for the event, shall furnish a written financial report of receipts and disbursements within 90 days of the event.

(e) The commission has the right to have present without charge or restriction such representatives as are necessary to obtain compliance with this section.

(f) The commission may require any additional notices and reports it deems necessary to enforce the provisions of this section.”

In order to determine that CPAF meets the above requirements, the commission would have to find:

1. CPAF is a nonprofit organization; and
2. CPAF's standards and enforcement of rules meet or exceed the safety and fairness standards of the commission.

Our review of the Internal Revenue Service website indicates that CPAF is a 501(c)3 nonprofit organization.

We have attached a copy of the “abridged rules” submitted by CPAF at the commission's last meeting. Commission staff will best be able to respond regarding the sufficiency of those rules.

II.

Pursuant to Section 18646 quoted above, the commission has delegated to USA Boxing ("USAB") and to the California Mixed Martial Arts Organization ("CAMO") its authority to regulate amateur boxing and amateur mixed martial arts ("MMA"), respectively.

Our office previously opined on October 12, 2009 (memo attached) that nonprofit, charitable organizations may not hold boxing and/or MMA events unless licensed by the commission or unless operating under an event sanction from USAB or CAMO, as appropriate. In that same opinion, we concluded that delegation to one nonprofit entity per sport was consistent with the plain meaning of the statute and with the commission's mandate that protection of the public is its highest priority (Section 18602.1), given the known dangers inherent in boxing and MMA and the need, therefore, for the commission to carefully enforce all of its rules and regulations. We believe this conclusion to be sound.

However, we note that the commission may nonetheless choose to delegate its authority to regulate amateur boxing or amateur MMA to more than one nonprofit entity if it believes that such a delegation would assist the commission with its highest priority—the protection of the public—and if the commission has a sound factual basis to support its conclusion.

In this case, the commission must first determine whether CPAF meets the requirements of Section 18646. If it finds that CPAF meets those requirements, the commission must then determine whether delegation to CPAF assists the commission with its highest priority—the protection of the public.

There is a reasonable basis for the commission to find that delegation to CPAF assists the commission with consumer protection since CPAF limits participation to police and fire personnel, has previously successfully regulated its own events in the past, and complied rigorously with all commission requirements at the event held under the supervision of the commission pursuant to its amateur promoter license. It could reasonably find that such a delegation would assist the commission in protecting the public by freeing up resources that would otherwise be unnecessarily allocated to regulation of the Games, thus ensuring resources can be utilized where most needed.

We trust the foregoing is of assistance.

*g/la/athletic commission/legal opinions*

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5/19/2011

Boxing

Boxing

## ABRIDGED RULES

### GUIDING BODIES

Western States Police and Fire Games Federation (WSPFGF)  
8304 Clairemont Mesa Blvd., #107, San Diego CA 92111  
Tele: 858-571-9919 FAX: 858-571-1641 E-mail: 4info@cpaf.org

U. S. A. Boxing  
One Olympic Plaza, Colorado Springs, CO 80909-5776  
Tele: (719) 866-4506 FAX: (719) 632-3426 website: www.usaboxing.org

### EVENTS

MEN DIVISION: NOVICE, INTERMEDIATE & OPEN; WOMEN'S DIVISION: OPEN

No entries will be accepted and no competition allowed for competitors who are 36 years of age or older at the start date of WSPFG.

### WEIGHT CLASSES:

#### MEN:

Light Welter Weight - 139 lbs. & under  
Welter Weight - 147 lbs. & under  
Light Middle Weight - 156 lbs. & under  
Middle Weight - 165 lbs. & under  
Light Heavy Weight - 179 lbs. & under  
Cruiser - 190 lbs. & under  
Heavy Weight - 201 lbs. & under  
Super Heavy Weight - Over 201 lbs.

#### WOMEN:

125 lbs. & under  
132 lbs. & under  
139 lbs. & under  
147 lbs. & under  
156 lbs. & under  
165 lbs. & under  
179 lbs. & under

### COMPETITORS' MEDICAL REQUIREMENTS, GENERAL

A medical release, based upon a medical examination performed within 6 months of WSPFG date, in the form of the Western States Police and Fire Games "Report of Physical Examination", signed by a licensed physician, is required.

### EQUIPMENT

Boxer must provide the following equipment:

Shoes: All Boxers will wear Boxing/Wrestling shoes. NO exceptions.

Mouth protection: A form-fitted mouth piece will be worn and provided by the competitor.

Chest Protector: WOMEN shall provide their own chest protector, to be worn during all bouts.

Prohibited: The following equipment shall NOT be worn:

- Eye protection or contact lenses
- Hearing aids
- Jewelry

### BRACKETS

#### Single Elimination

A. The Draw. The draw shall take place after the medical examination and weigh-in.

B. Byes and Divisions. In competitions where there are more than two competitors, a sufficient number of byes shall be drawn for the first night of boxing to balance the number of competitors in subsequent boxing nights. If there are over eight boxers in the same class and weight division an A & B division will be created and a second set of medals awarded. The boxing officials will divide the division taking age and experience into consideration.

If two competitors from the same department are listed together in the first round, they will be matched with another

5/19/2011

Boxing

C. Where appropriate, two bronze medals may be awarded to avoid a third place bout.

#### SCORING

10 point must system. Scoring per the national/state body affiliated with USAB. The computer scoring system can be used if available to the Host.

#### GENERAL SPORTS RULES for Boxing

1. NO PERSON WHO HAS FOUGHT IN ANY PROFESSIONAL BOUTS OR EXHIBITIONS SHALL BE ALLOWED TO COMPETE IN THE WSPFG BOXING EVENT.

2. Competitor must state on their application either Novice, Intermediate or Open and must include their projected weight class.

3. Novice class boxers: Shall not have fought in more than five amateur boxing or Mixed Martial Arts (MMA) bouts.

4. Intermediate Class boxers: Shall not have fought in more than ten amateur boxing or MMA bouts, nor more than ten California Police and Fire Games, Police Olympics/Summer Games or World Police and Fire Games bouts, or any combination of ten bouts thereof.

5. Open class boxers: Boxers who do not qualify for the Novice or Intermediate classes shall fight in Open Class.

6. If a competitor does not qualify for their projected weight class at the time of weigh-in, he/she has the option of fighting in his/her qualifying weight class. EXCEPTION: In the event only one registered competitor in any weight class shows up for competition, he/she may elect to move up one weight class and compete at that level, if approved by WSPFGF officials.

7. All entrants are required to submit a current medical release in the form of the WESTERN STATES POLICE AND FIRE GAMES "REPORT OF PHYSICAL EXAMINATION" signed by a licensed physician.

The WSPFGF or Host shall provide the release form to each applicant. This form shall be submitted with the competitor's entry or submitted at the time of Registration. The coordinator is responsible for having a copy of each medical release available for the physician at the pre-fight check-up.

8. There will be a pre-fight check-up by a doctor one hour before each fighter's scheduled bout. There shall be two (2) physicians present at all times during competition.

9. No bouts shall begin without the presence of a physician at ringside and an ambulance present at the venue.

10. There shall be a stretcher, blanket and oxygen maintained at ringside.

11. Each boxer while competing shall wear the following items:

a. 12 oz. thumbless gloves

b. Approved head gear

c. Mouthpiece

d. Custom Cup & Groin Protector

e. Trunks: Fitted Boxing trunks required and provided by the competitor. (Equivalent to Everlast or other official Boxing brand.)

f. Boxing or Wrestling shoes: NO EXCEPTIONS

g. Sleeveless jersey: Boxers will require one blue and one red singlet or sleeveless jersey.

#### DRESS RULES SHOULD BE STRICTLY ENFORCED.

12. If a competitor's mouthpiece is knocked out, action shall stop immediately. The mouthpiece shall be cleaned and replaced by the referee or coach.

13. Bouts consist of three 2 minute rounds.

14. One minute rest periods between rounds.

15. Only one handler in ring - all others may be on apron.

16. No excessive coaching during rounds.

17. Coach may throw in towel, but must follow it into the ring immediately.

18. Any fighter suffering a KNOCK-OUT shall be taken immediately to a hospital for follow-up examination. Such fighter may not compete further in the competition. Hospitalization expenses shall be borne by the competitor suffering the knock-out.

19. No competitor shall compete in more than two (2) bouts, in one day. EACH COMPETITOR SHALL HAVE ONLY ONE FIGHT ON THE FINAL NIGHT OF COMPETITION.

20. No competitor should compete on consecutive days. (If a facility is available competition should be on Monday, Wednesday, and Friday.) There must be one (1) day of rest between each day of competition.

Exception: If there are more than eight boxers in a weight division so that a winner cannot be determined during scheduled

5/19/2011

Boxing

Boxing event days, Boxing officials may, at their discretion, elect to:

1. Conduct the additionally needed bouts on the off-days, beginning with the first off-day. These bouts shall be held at the Boxing event facility or at a properly equipped local gym. All regulations, including officials, and medical personnel apply.
2. Divide the affected weight class (es) into 2 sub-divisions so:
  - a. The numbers of boxers in each sub-division is as equal as possible and;
  - b. The weights of the boxers in each sub-division are as close as possible.

If this option is selected, the Host must provide times for the extra bouts and additional medals.

21. If a fighter is considered by the referee to be outclassed by his opponent, the fight shall be stopped immediately.
22. Confirmation letters and pre-fight check-in will include an explanation of the rules on medical treatment (specifically, regarding knock-outs and financial responsibility).
23. Timeliness: It is the sole responsibility of the competitor to be aware of, and respond to, all required show-up times. This information will be included in the Confirmation Letter.

11/29/10

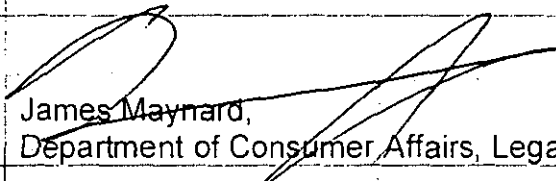
Written by California Police Athletic Federation Saturday, 20 November 2010 20:41

Last Updated ( Tuesday, 07 December 2010 13:20 )



At Comm-  
tion

ATTORNEY CLIENT PRIVILEGE

<b>MEMORANDUM</b>	
<b>DATE</b>	October 12, 2009
<b>TO</b>	Dave Thornton, Interim Executive Officer, Athletic Commission
<b>FROM</b>	 James Maynard, Department of Consumer Affairs, Legal Office
<b>SUBJECT</b>	<b>Charitable Events Within the Jurisdiction of the State Athletic Commission – Application of California’s Business and Professions Code section 18646</b>

**I. ISSUE STATEMENT**

May non-profit, charitable organizations hold boxing and/or mixed martial arts events without being licensed by the State Athletic Commission ("Commission") or obtaining an event sanction from USA Boxing ("USAB") or the California Mixed Martial Arts Organization ("CAMO")?

**II. SHORT ANSWER**

No. Such an organization must either be licensed directly by the Commission or seek a sanction through one of the Commission's delegates. Although Business and Professions Code section 18646 allows the Commission to delegate its authority to non-profit organizations, the Commission's delegation authority is limited to a single entity for boxing and a single entity for mixed martial arts. The Commission has delegated its authority to oversee amateur boxing to USAB and has delegated its authority to oversee amateur mixed martial arts to CAMO.

**III. BACKGROUND**

The Commission has plenary authority over all full-contact combative sports in California:

The commission has the sole direction, management, control of, and jurisdiction over all professional and amateur boxing, professional and amateur kickboxing, all forms and combinations of forms of full contact martial arts contests, including mixed martial arts, and matches or exhibitions conducted, held, or given within this state. No event shall take place without the prior approval of the commission. No person shall engage in the promotion of, or participate in, a boxing or martial arts contest, match, or exhibition without a license, and except in accordance with this chapter and the rules adopted hereunder. (Bus. & Prof. Code § 18640.)

No combative sporting event may take place without the Commission's prior approval. The Business and Professions Code outlines a detailed statutory framework ("Boxing Act") that authorizes the Commission to oversee and regulate combative sport in California and to ensure the health and safety of those athletes who participate in these inherently dangerous activities. (Bus. & Prof. Code §§ 18600 *et seq.*) The Boxing Act also provides that unlicensed activity is a misdemeanor and that aiding and abetting such activity is also unlawful. (See, e.g., *id.* at §§ 18870, 18878; Penal Code § 412 *et seq.*)

There are two lawful exemptions from the Commission's authority to completely oversee both amateur and professional boxing and mixed martial arts. The first exemption is for those events "conducted under the supervision or control of an entity of the United States Government." (Bus. & Prof. Code § 18655.) The second exemption is for those events conducted by a school or college where the participants in such contests are bona fide students. (Bus. and Prof. Code § 18656.) There is no exemption, other than these two, under which a charitable organization is exempt from the Boxing Act and the Commission rules.

If a charitable organization wishes to hold an amateur boxing event with Commission oversight, the organization must first obtain an amateur promoter's license. (*Id.* at §§ 18641-18642.) Section 18805 requires an amateur promoter to pay a licensing fee of \$250. Section 18681 requires an amateur promoter to post a \$1,000 bond. Section 18868 and Commission Rule 211, Cal. Code Regs., tit. 4, § 211(b), require the individual who signs an amateur promoter application to submit his or her fingerprints via the California Department of Justice Live Scan system.

Once the organization obtains an amateur promoter's license and holds an event, the organization is required to pay a Commission fee for each event that is held pursuant to Business and Professions Code section 18824(a)(2)(E).<sup>1</sup> This fee may not be waived and covers the cost of Commission inspectors and staff who provide oversight and technical assistance during an event. Additionally, the charitable organization must comply with the applicable Commission laws and rules which govern the health and safety of amateur participants.

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<sup>1</sup> The minimum Commission fee for an amateur contest is \$500.

Most of the organizations that propose these types of events ask for a complete exemption from Commission oversight. Those organizations that do not ask for a complete exemption ask for an exemption from the statutorily mandated fees. These organizations also balk at obtaining a sanction from USAB or CAMO because of what the organizations consider overly onerous and restrictive health and safety rules. Neither USAB nor CAMO, however, will grant sanctions to charitable organizations that refuse to comply with the rules and regulations as set forth in those bodies' by-laws.

Some of the organizations that contact the Commission have asserted that Business and Professions Code section 18646(b) allows them to hold an event without Commission oversight. That subsection provides:

The commission may, however, authorize a nonprofit boxing, wrestling, or martial arts club or organization, upon approval of its bylaws, to administer its rules for amateur boxing, wrestling, and full contact martial arts contests, and may, therefore, waive direct commission application of laws and rules, including licensure, subject to the commission's affirmative finding that the standards and enforcement of similar rules by that club or organization meet or exceed the safety and fairness standards of the commission.

Section 18646 allows the Commission to delegate its authority to a nonprofit entity only if the Commission approves the entity's by-laws and safety standards. (*Id.* at § 18646(c)-(f).) Any grant of authority is discretionary and can only be made after an affirmative finding that the nonprofit's safety standards meet or exceed those of the Commission. (*Id.* at § 18646(b).) Those nonprofit entities that hold their events and seek forgiveness, rather than permission, clearly violate the Boxing Act.

As previously noted, the Commission delegated its authority over amateur boxing to USAB and its authority over amateur mixed martial arts to CAMO. The delegation of authority was made, in each instance, only after an exhaustive review of the nonprofit organization's rules and bylaws to ensure that their respective safety and fairness standards met or exceeded those of the Commission.

Recently, several nonprofit organizations that wish to hold amateur boxing or mixed martial arts events have inquired as to whether the Commission would grant their organization a waiver of the Commission's laws and rules because the proposed event is charitable in nature.<sup>2</sup> The organizers of such events seek a waiver of Commission oversight because the waiver would allow a larger percentage of the event proceeds to be donated to charity. Although the motive is altruistic, such a blanket waiver

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<sup>2</sup> Many of these events match police and/or firefighters from different jurisdictions against one another. These events are known by various monikers, including but not limited to "Battle of the Badges," the "California Police and Fire Games," or "Guns & Hoses."



endangers the health and safety of the amateur athletes who participate in these events and contravenes the purpose of the Boxing Act.

Finally, though the organizers of these charitable events universally claim their safety standards exceed those of the Commission, USAB, or CAMO, it should be noted that several deaths have occurred at such charitable events. In September 2008, for instance, a Phoenix police officer died after participating as a boxer at an Arizona event.<sup>3</sup>

#### IV. ANALYSIS

The fundamental rules of statutory construction are well settled. (See, e.g., *Renee J. v. Superior Court* (2001) 26 Cal.4th 735, 743; *Burden v. Snowden* (1992) 2 Cal.4th 556, 562.) "The first task in construing a statute is to ascertain the Legislature's intent so as to effectuate the purpose of the law." (*Hunt v. Superior Court* (1999) 21 Cal.4th 984, 1000.) If there is no ambiguity in the language, we presume the Legislature meant what it said, and the plain meaning of the statute governs." (*Id.*) If the language is clear, the inquiry ends as long as such an interpretation does not contravene legislative intent. (*Renee J. v. Superior Court* (2001) 26 Cal.4th 735, 743.)

Here, the section which many of these non-profit, charitable organizations believe allows a waiver of direct application of the Commission's laws or rules is Business and Professions Code section 18646. The plain language of section 18646 is set forth above but the relevant portion of the statute is this: "the Commission may, however, authorize a nonprofit boxing, wrestling, or martial arts club or organization, upon approval of its bylaws to administer its rules [rather than the Commission's rules]." (*Id.* at § 18646(b) (emphasis added).) The word "a" is an indefinite article "used before nouns and noun phrases that denote a single, but unspecified, person or thing." (American Heritage Dictionary, 2d College Edition (emphasis added).)

Statutory language is not examined in isolation, however, but should be read in "the context of the statutory framework as a whole in order to determine its scope and purpose and to harmonize the various parts of the enactment." (*Ailanto Properties, Inc. v. City of Half Moon Bay* (2006) 142 Cal.App.4th 572, 582.) Section 18646, when read in conjunction with the rest of the Boxing Act, contemplates the delegation of authority over amateur boxing or martial arts to a single entity in each instance. The delegation of authority to a single entity assists the Commission with its highest priority, the "protection of the public." (Bus. & Prof. Code § 18602.1.) Further, when "protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount." (*Id.*)

The dangers of boxing and mixed martial arts are well known. In order to comply with the legislative command that protection of the public shall be the Commission's highest priority; the Commission must carefully enforce all of its rules and regulations. Multiple delegations of authority to various nonprofits undermine the Commission's ability to

<sup>3</sup> Cause of death determined to be a blow to the head. (See <http://www.eastvalleytribune.com/story/126581>.)

safely oversee the sport and undermine the Commission's mandate to protect the public. Limiting its delegation of authority to one entity per sport allows the Commission to effectively oversee the state of amateur combative sport in California and promotes accountability. Matches held with substandard health and safety conditions endanger the well-being of California's amateur athletes. If, as has been urged by several of these charitable organizations, the Commission were to delegate its authority to the many different organizations that wish to hold amateur boxing matches for charity, public safety would be entirely subsumed.

Even if the Commission were to allow delegation of its authority to many different charitable organizations, the Commission itself is still required to review each organization's safety and fairness standards so that it can make a determination that the standards "meet or exceed the safety and fairness standards of the Commission." (*Id.* at § 18646(b).) Several smaller charitable organizations have appeared before the Commission and have asked for such a delegation. In every instance the proposed safety standards promulgated by these organizations were substandard and did not meet or exceed the standards outlined in the Boxing Act and the California Code of Regulations.

## V. CONCLUSION

In short, events such as the "Battle of the Badges," and "Knockouts for Girls," may not lawfully proceed unless the organizer of the event is licensed by the Commission or has obtained a sanction from USAB or CAMO. Although the Commission's prior administration may have turned a blind eye toward these types of events or even tacitly approved them, such events are not legal. An event that proceeds without a license or a sanction may be stopped through the use of a cease and desist order and by seeking the assistance of local law enforcement.

Exempting these types of charitable events from Commission oversight would require a change in the laws that govern combative sport in California. Enacting such legislation would, however, remove an inherently dangerous sport from the State's regulatory oversight and could negatively impact the health and safety of California's amateur athletes.

I hope that the foregoing is of assistance.

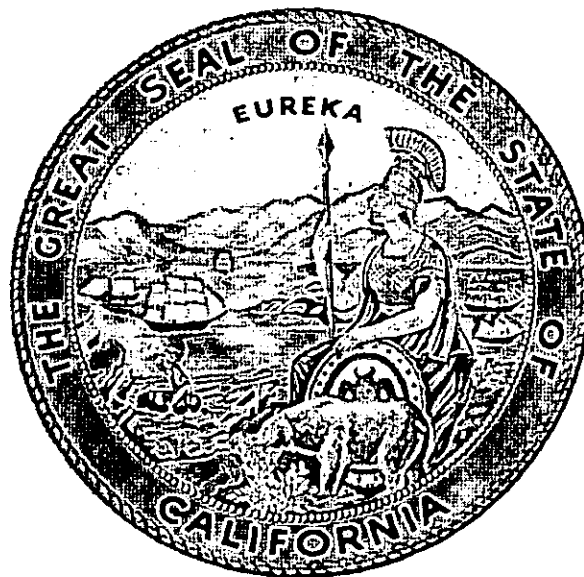
Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

9

Ringside Physician Association  
Presentation on Mission and Purpose-  
Dr. Paul Wallace



## MINIMUM CAPRP CRITERIA TO BECOME A PROFESSIONAL RINGSIDE PHYSICIAN

Licensed Physician must be a minimum of one year post completion of a residency program or 3 years post receiving a M.D. or D.O. degree

Must provide proof of having mal-practice insurance covering their type of practice.

Must provide proof of having current staff privileges in a California Hospital.

Must be licensed and is not restricted from practicing Ringside Medicine by the California Medical Board.

Must be physically and mentally able to carry out the duties of a CA Ringside Physician

Licensees from other Commissions must provide a letter of good standing and proof of working a minimum of 12 shows (six (6) Boxing and six (6) MMA) in the past 18 months. If this cannot be provided the individual will be consider a new trainee.

### TRAINING

All new trainees must attend one CA Ringside Physician Clinic prior to being proctored. They must attend two meetings to be approved by CAPRP to be eligible for assignment by the CA State Athletic Association. Each clinic will review all the responsibilities and duties of Ringside Physicians.

Licensees from other Commissions: Must attend one CA Ringside Physician Clinic prior to being proctored. They must attend two meetings to be approved by CAPRP to be eligible for assignment by the CA State Athletic Association. Each clinic will review all the responsibilities and duties of Ringside Physicians.

New trainees must be proctored (by 3 different Senior Ringside Physicians) a minimum of six (6) Commission sanctioned Boxing shows (5 or more fights) and six (6) MMA shows (5 or more fights). The trainee will be evaluated on all responsibilities and duties of a Ringside Physician. Satisfactory completion is 75% or more each show.

Licensees from other Commissions: Must be proctored (by 3 different Senior Ringside Physicians) a minimum of two (2) Commission sanctioned Boxing shows (5 or more fights) and two (2) MMA shows (5 or more fights), if MMA was part of the sanctioned duties of their current commission. If not, six (6) MMA show (5 or more fight) will be necessary. The trainee will be evaluated on all responsibilities and duties of a Ringside Physician. Satisfactory completion is 75% or more each show.

New Trainees and Licensees from other Commissions will take a written and oral examination. Passing minimum is 80%.

New CA Licensees:

All new licensees and Licensees from other Commissions will have a probationary period of four (4) Commission sanctioned shows. While on probation, the physician **cannot** be assigned as the only physician working an event and must be paired with a Senior Physician.



# CAPRP RINGSIDE PHYSICIAN CERTIFICATION APPLICATION

**Certification Type:**  *"Grand-fathered" Certification Program (>10YRS)*

(please check appropriate box)  *New Certification Program*

*Re-certification Program*

**Name:** \_\_\_\_\_

**Degree:** \_\_\_\_\_

**Home Address:**

\_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Country:** \_\_\_\_\_ **Phone:** \_\_\_\_\_ **Fax:**

\_\_\_\_\_

**Work Address:**

\_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Country:** \_\_\_\_\_ **Phone:** \_\_\_\_\_ **Fax:**

\_\_\_\_\_

**e-mail Address:**

\_\_\_\_\_

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Date of Birth: \_\_\_/\_\_\_/\_\_\_ Social Security #: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

**Medical School Education:**

Name: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Country: \_\_\_\_\_ Graduation Year: \_\_\_\_\_ Degree: \_\_\_\_\_

**Residency Program:**

Name: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Country: \_\_\_\_\_ Specialty: \_\_\_\_\_ Graduation Year: \_\_\_\_\_

**Fellowship Program:**

Name: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Country: \_\_\_\_\_ Specialty: \_\_\_\_\_ Graduation Year: \_\_\_\_\_



Primary Medical Specialty \_\_\_\_\_ Sub-Specialty:  
\_\_\_\_\_

Board certified: Yes \_\_\_\_ No \_\_\_\_ Board Eligible: Yes \_\_\_\_ No \_\_\_\_

Years in Practice: \_\_\_\_\_ Currently in Practice: Yes \_\_\_\_ No \_\_\_\_

**Primary Medical License:**

\*(please provide copy) State: \_\_\_\_\_ Number: \_\_\_\_\_

State: \_\_\_\_\_ Number: \_\_\_\_\_

**Malpractice Insurance Coverage:**

\*(provide copy of declaration page) Carrier: \_\_\_\_\_

Policy #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

\*Please check if you currently do not carry malpractice coverage? \_\_\_\_\_

DRUG ENFORCEMENT ADMINISTRATION (DEA) NUMBER: \_\_\_\_\_

UNIQUE PHYSICIAN IDENTIFICATION NUMBERS (UPIN): \_\_\_\_\_

Hospital affiliation/s \_\_\_\_\_

name city state

1) Has your medical license ever been suspended or revoked in any state? Yes \_\_\_\_  
No \_\_\_\_

2) Have you ever been convicted of a felony? Yes \_\_\_\_ No \_\_\_\_

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3) Do you currently have a drug or alcohol addiction? Yes \_\_\_\_\_ No \_\_\_\_\_

4) Has your medical staff privileges ever been suspended or revoked by any hospital? Yes \_\_\_\_\_  
No \_\_\_\_\_

Please Explain Any Yes Answers Below:

### Ringside Physician Information:

1) How long have you worked as a Professional Ringside Physician? \_\_\_\_\_

1. Have you ever worked as a Ringside Physician for amateur boxing? Yes \_\_\_\_\_  
No \_\_\_\_\_

If yes, for how many years? \_\_\_\_\_

2. How many professional boxing events have you worked as a Ringside Physician?

5. \_\_\_\_\_ 6-10 \_\_\_\_\_ 11-15 \_\_\_\_\_ more than 15 \_\_\_\_\_

4. In which state(s)/jurisdiction(s) have you worked as a Professional Ringside Physician?

\_\_\_\_\_

5) In which state(s)/jurisdiction(s) do you plan to work as a Professional Ringside Physician?

\_\_\_\_\_

Please list two references affiliated with your state boxing commission who can attest to your qualifications as an experienced Professional Ringside Physician (one of these must be a physician)

Reference: \_\_\_\_\_

Name	State	Position
------	-------	----------

Reference: \_\_\_\_\_

Name	State	Position
------	-------	----------

**ACLS/ATLS Certification:** \*please provide documentation

(must be either ACLS/ATLS/AAPRP course certified within past five years)

- 1) ACLS \_\_\_\_ Date: \_\_\_\_\_
- 2) ATLS \_\_\_\_ Date: \_\_\_\_\_
- 3) AAPRP Approved Course \_\_\_\_ Date: \_\_\_\_\_
- 4) Other: \_\_\_\_ (please explain)

**CME Credit Hours:** \_\_\_\_\_ \* please provide documentation

(minimum 20 hours required/year)

**ARP Seminar Attendance:** \*must attend one AAPRP seminar every three years

Year's Attended: \_\_\_\_\_

**FOR RE-CERTIFICATION CANDIDATES ONLY**

Have there been any changes in your status as a professional Ringside Physician since your initial application? Yes \_\_\_\_ No \_\_\_\_ (please explain below)

**FOR ALL CANDIDATES**

I, \_\_\_\_\_ submit my application for certification status as a

Professional Ringside Physician. I attest that all of the above information provided by me is true and accurate. I agree to maintain such status by adhering to the certification criteria set forth by the CAPRP. I also understand and agree that the CAPRP, in granting me certification as a Professional Ringside Physician, assumes absolutely no liability for any medical malpractice issues or other circumstances which may arise from my involvement in the sport of boxing or mixed martial arts.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Certification Fees:**

*Licensure Method \*Fee*

<b>New Complete Certification Packet</b>	<b>\$300</b>
<b>Grand-fathered Certification Packet</b>	<b>\$250</b>
<b>Re-certification Packet</b>	<b>\$150</b>

**\* Fee includes all queries to the National Practitioner Data Bank and the Healthcare**

**Integrity and Protection Data Bank**

Please make checks payable to "CAPRP." Please include two recent photographs with your application and mail to:

CAPRP

c/o PAUL W. WALLACE, MD

8950 WEST OLYMPIC BLVD #410

BEVERLY HILL, CA 90211

# CA Association of Professional Ringside Physicians, Inc.

## Professional Ringside Physician Training and Experience Verification Form

Dr. \_\_\_\_\_ is a professional ringside  
physician

(Print Name)

in good standing in the state of

\_\_\_\_\_.

(Print State or Jurisdiction)

He/She has been working as a professional ringside physician for this

commission since \_\_\_\_\_ and has worked a minimum of ten

(Print Year)

professional boxing or mixed martial arts events.

Note: To satisfy criteria for CAPRP Grand-Fathered Certification, this applicant must be in good standing with your commission, participated in a minimum of ten professional boxing or mixed martial arts events and has worked as a ringside physician for a minimum of five years.

\_\_\_\_\_  
\_\_\_\_\_

Name

Signature

\_\_\_\_\_  
\_\_\_\_\_

Boxing Commission Title

Date

**Note: This form may only be signed by the State Boxing Commissioner or Boxing Commission Director.**

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# CAPRP

## *Certification Check List*

Document	Included	On-File	Not Applicable
1) Completed Application _____	_____	_____	
2) Medical License Copy _____	_____	_____	
3) Malpractice Insurance Coverage _____	_____	_____	
4) Two Personal References _____	_____	_____	
5) ACLS/ATLS/AAPRP Course _____	_____	_____	
6) CME Documentation _____	_____	_____	
7) Commissioner Verification Form _____	_____	_____	

8) Application Fee \_\_\_\_\_

---

*Do not write below this line (CAPRP internal Use)*

- National Practitioner Data Bank \_\_\_\_\_
- Healthcare Integrity and Protection Data Bank \_\_\_\_\_
- License Verification \_\_\_\_\_
- Fee Processed \_\_\_\_\_

*Grand-Fathered* \_\_\_\_\_

*New Application* \_\_\_\_\_

*Re-certification* \_\_\_\_\_

*Reviewed:*

*Name:* \_\_\_\_\_

*Date:* \_\_\_\_\_

*Signature:* \_\_\_\_\_

*Approved:* \_\_\_\_\_ *Rejected:* \_\_\_\_\_

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Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

10

Report From Medical Advisory  
Committee-Update





STATE OF CALIFORNIA



DEPARTMENT OF CONSUMER AFFAIRS

## California State Athletic Commission

2005 Evergreen St., Ste. #2010

Sacramento, CA 95815

[www.dca.ca.gov/csac/](http://www.dca.ca.gov/csac/)

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

Members of the Commission

Commissioner John Frierson, Chair  
 Commissioner Christopher Giza, Vice-Chair  
 Commissioner Van Lemons, M.D.  
 Commissioner Eugene Hernandez  
 Commissioner Brian Edwards  
 Commissioner Linda Forster  
 Commissioner Mike Munoz

-----  
 Action may be taken on any item listed on  
 the agenda except public comment.  
 Agenda items may be taken out of order  
 -----

**MEETING AGENDA****Advisory Committee on Medical Safety Standards****Sunday August 14, 2011**

1:00 P.M. to Close of Business

**Location****Junipero Serra State Building****Carmel Room****320 West 4<sup>th</sup> Street**

1. Call the Meeting to Order/Pledge of Allegiance
2. Welcome
3. Brief introduction to physician roles with CSAC and prior history of the committee
4. Listing of goals/objectives for the committee and prioritization of these goals (all members)
5. Assignment of topics to subcommittees
6. Research presentation example – MRI data
7. Research presentation example – dehydration
8. Consideration of whether to review of neurocognitive testing
9. Future agenda

**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 George Dodd at (916) 263-2195 or email [george.dodd@dca.ca.gov](mailto:george.dodd@dca.ca.gov) or sending a written request to George Dodd 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 George Dodd 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.

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Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

11

Incident Report from Fox Theater-  
Pomona, CA June 4, 2011



Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

12

Policy for handling allegation of illegal  
activities





## POLICY NOTICE

<b>TITLE:</b> Allegations of Illegal Activities	<b>SUPERSEDES</b>	<b>POLICY #:</b>
<b>POLICY OWNER:</b> California State Athletic Commission	<b>EFFECTIVE:</b> Immediately	<b>PAGE:</b> 1
<b>DISTRIBUTE TO:</b> All Employees and Licensees	John Frierson, Chairman California State Athletic Commission	
<b>ISSUE DATE:</b> June 20, 2011		

**DRAFT**

**Policy:**

The California State Athletic Commissions (CSAC) is dedicated to the health, safety and welfare of participants in regulated competitive sporting events, through ethical and professional service.

**Purpose:**

The purpose of this policy is to provide clarity regarding the process employed by CSAC upon receipt of allegations of illegal activities.

**Applicability:**

All licensees and each organization to which the CSAC has delegated its authority to regulate amateur boxing or martial arts are expected to comply with the law. This policy applies to any complaint or allegation regarding illegal activities by such persons.

**Authority:**

Business and Professions Code sections 18600 through 18887 and California Code of Regulation Title 4 Division 2.

**CSAC Process:**

When dealing with confirmed allegations of illegal activities the Executive Officer will utilize all remedies available to investigate the allegations and will seek assistance of the Office of the Attorney General where appropriate. A licensee's admission that he or she has violated a commission law or rule is sufficient basis upon which to immediately suspend a license, in accordance with Business and Professions Code Section 18842. A written report will be provided to the commission along with appropriate recommendations, which may include referral to local law enforcement agencies.

**Related Documents:**

Business and Professions Code sections 18600 through 18887 and California Code of Regulations Title 4, Division 2.

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

13

Procedure for handling unregulated  
events





# PROCEDURE

<b>TITLE:</b> Process to be Followed when Notified of an Unregulated Event	<b>SUPERSEDES</b>	<b>POLICY #:</b>
<b>POLICY OWNER:</b> California State Athletic Commission	<b>EFFECTIVE:</b> Immediately	<b>PAGE:</b> 1 of 3
<b>DISTRIBUTE TO:</b> All Employees	<b>ORIGINAL APPROVED BY:</b> John Frierson, Chairman California State Athletic Commission	
<b>ISSUE DATE:</b> August 15, 2011		

**DRAFT**

**Policy:**

The California State Athletic Commission's (CSAC) mission is dedicated to the health, safety, and welfare of participants in regulated competitive sporting events, through ethical and professional service.

**Purpose:**

The purpose of this procedure memo is to clarify the process that staff will follow when notified of an unregulated event being promoted in California but not on tribal land.

**Applicability:**

All promoters, participants and spectators are subject to criminal sanctions for participating in unregulated events, as are landlords and other property owners who permit their property to be used for an unregulated event.

**Authority:**

Business and Professions Code sections 18640 provides: "The commission has the sole direction, management, control of, and jurisdiction over all professional and amateur boxing, professional and amateur kickboxing, all forms and combinations of forms of full contact martial arts contests, including mixed martial arts, and matches or exhibitions conducted, held, or given within this state. No event shall take place without the prior approval of the commission. No person shall engage in the promotion of, or participate in, a boxing or martial arts contest, match, or exhibition without a license, and except in accordance with this chapter and the rules adopted hereunder." See also Business and Professions Code 18641 and Title 4 California Code of Regulations 213 and 218.

CSAC's enforcement powers include, but are not limited to, the issuance of monetary fines and referral to the District Attorney's office, as well as the State Attorney General for criminal action.

**The law requires all persons who want to promote a combative sport event to be properly licensed to hold such event.** Business and Profession Code section 18641 sets forth the requirements to conduct events. However, illegal unregulated events still happen throughout California. It is not a defense to argue, as some clubs and gym owners do, that their event is an exhibition and does not require compliance with CSAC laws and rules, including the requirements for licensure. Business and Profession Code Section 18641 clearly provides that no exhibitions in either boxing or mixed martial arts are to take place without a license, and except in accordance with the Boxing Act and rules adopted under that law.

In such instances where a person may attempt to hold an unregulated event, CSAC has the authority under Penal Code 412 to stop that event from occurring.

**The following procedure must be followed when the commission has been notified of an unregulated event scheduled to take place in California but not on tribal land.**

- When the commission has been informed that an unregulated event is scheduled to occur, the office staff will attempt to verify the nature of the event and the date it is scheduled to occur. This verification can result from an Internet search, obtaining a copy of the flyer for the event, or some other form of documentary evidence. Once the event has been verified, office staff will contact both the venue (including the property manager) and the person named as organizing or holding the event.
- If able to contact those persons, office staff will advise them as to the legal requirements for conducting a contest or exhibition and will prepare and send to those persons a cease and desist letter, following the appropriate template. The cease and desist letter must include the necessary information, including address and contact information, consequence of holding or permitting someone to hold an unregulated event, including specific details of Business and Professions Code Section 18640 and Penal Code Section 412.

**If office staff has been unable to contact both the property owner/ manager and the person who is organizing the event:**

- Office staff will compose a cease and desist letter, following the appropriate template.
- Office staff will then transmit the completed cease and desist letter to the athletic inspectors charged with serving the letter. While it is best to have two athletic inspectors serve a cease and desist letter, it may be served by one athletic inspector alone if circumstances require.
- The athletic inspectors will contact the local watch commander of the police department, provide a copy of the cease and desist letter to the watch commander, and request the necessary support to serve the cease and desist letter and shut down the event, based on the expected number of occupants at the unregulated event. The athletic inspectors will also provide the watch commander with any other information requested by the watch commander.
- If the necessary external support has been established, the athletic inspectors and law enforcement assigned to support them will approach the suspected unregulated event, locate the organizer of the event and also the property owner and/or manager, notify them of the present violation, and serve the cease and desist letter on them. The athletic inspectors must complete a proof of service form showing the name of each person to whom the letter was delivered, and the address, date and time of delivery. The athletic inspectors will sign and date that proof of service form.
- At this point an athletic inspector will supervise the termination of the unregulated event and take diligent notes on the participants, facilities, safety equipment being utilized and any other potential violations witnessed by the athletic inspectors. The athletic inspectors will speak directly with any licensees who may have been involved and acquire their contact information so potential violations can be addressed at a later date.

- Safety is the first priority. If the property owner and/or organizer of the event or participants in the event (including audience members) resist the commission's attempt to shut down the unregulated event or there is reasonable belief that safety will be compromised if the event is shut down, the athletic inspectors must leave the premises.
- The athletic inspectors must work closely with and take direction from the on-site law enforcement members. If law enforcement members direct the athletic inspectors for safety reasons to cease their efforts to shut down the unregulated event, the athletic inspectors shall document that direction and the factual situation that gave rise to the direction. "Factual situation" means the actual facts and not simply a conclusion that the situation appeared to be dangerous. Rather, the details that would support such a conclusion must be included. For example: the participants cornered one inspector and said they planned to beat him up.
- In the event the organizer cooperates with the cease and desist order and immediately ends all unregulated activity, the athletic inspectors shall educate the organizers on the necessary requirements for licensure as a promoter and the rules regarding regulated events.
- If local law enforcement declines to support service of the cease and desist letter or closure of the unregulated event, the athletic inspectors shall not take any steps to shut down the event but rather shall document the activities that occurred and the identities of all of those participating in the event. Safety comes first. If the athletic inspectors have a reasonable belief that they cannot obtain the necessary documentation without compromising their safety, they must leave the premises.

#### **Report Required**

In every situation described above, the athletic inspectors shall write a full report on the incident and forward it to the CSAC Executive Officer no later than three (3) calendar days after the date of the event. A signed and dated report may be sent to the commission office as an email attachment.

The CSAC Executive Officer will contact the local district attorney's office to determine if charges will be filed. If the district attorney's office chooses not to file charges, CSAC will forward the matter to the Office of the Attorney General and request further guidance.



Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

14

Previous Promoters Request





**Agenda Item 14**  
**Response to Promoter's Request**  
August 15, 2011

1. Promoter's request: The immediate change in compensation for officials, to now creating a standard set fee to be paid at each and every show by promoters, regardless of the gross receipts or broadcast revenue. The only change would be for a title fight of some kind. The proposed new Officials Fee Structure to be:
  - a. Referee - \$350
  - b. Judges - \$300
  - c. Doctors - \$600 includes one suturing, and cap at \$200 each additional suturing as needed
  - d. Timer - \$200
  - e. No travel paid unless official is coming from over 100 miles and only paid one way. **Response: To be discussed during Executive Officer Report.**
2. Promoter's request: Only assign four (4) officials to work a show. Two referees and two judges, and have one referee move to a judge position when not in the ring. - This topic was discussed during the Executive Officer's Report.  
**Response: To be discussed during Executive Officer Report.**
3. Promoter's request: Rule 242 - Change minimum number of rounds that currently require 26 rounds or a promoter gets fined \$200 per round they are short, to now read either five (5) bouts or 26 rounds. **Response: This would require a regulatory change, which is within the Commission's authority. The rule was put in place to ensure that when consumers are paying to view a boxing event that they are not just paying for a limited number of bouts. Promoters are currently required to have a standby bout.**
4. Promoter's request: [Rule 294 -] To have the regulation now read to allow promoters to provide "Either an ambulance and one paramedics OR a Critical Care Unit. **Response: To be referred to the Advisory Committee on Medical Safety Standards to make a recommendation to the Commission.**
5. Promoter's request: Immediate put a moratorium on promoters 60 cents per ticket Neuro Fund payment, until a clear decision is reached regarding how the current Neuro Funds will be spent. **Response: To be reviewed and placed on the next Commission meeting agenda.**

Response to Promoter's Request  
August 15, 2011

6. Promoter's request: Business and Profession 18711 - Approve the Neuro test be only given to fighters once every two years unless fighter is knockout out.  
**Response: This would require legislation. To be referred to the Advisory Committee on Medical Safety Standards to make a recommendation to the Commission.**
7. Promoter's request: Approve CSAC now pays for all fighters Neuro test out of Neuro Fund. **Response: To be reviewed and placed on the next Commission meeting agenda.**
8. Promoter's request: Change all fighters blood test to yearly instead of current every six months. **Response: This would require legislation. This is a health and safety standard that would need to be referred to the Advisory Committee on Medical Safety Standards to make a recommendation to the Commission.**
9. Promoter's request: Business and Profession 18822(a). - Yearly license and medicals good from January 1<sup>st</sup>.to December 31<sup>st</sup>. **Response: This would require a legislative change. This may simplify the processing of licenses within the office and help stakeholders remember exactly when a license expires. However, it may mean that athletes and other licensees who do not apply for a license until June (for example) would receive only six months of licensure despite paying the full license fee.**

## **California Code of Regulations**

### **Rule 242. Number Of Rounds Scheduled.**

Clubs shall not schedule less than 26 rounds of boxing, nor more than 40 rounds, except with the approval of the commission for any one program. A standby bout shall be provided in the event an arranged card breaks down, and if it is necessary to put on another bout in order to meet the minimum requirement.

### **Rule 294. Emergency Equipment Required.**

The club shall ensure that an ambulance staffed by at least one paramedic is available at the site during a show and after a show until released by a ringside physician. The club shall also ensure that there is adequate access, as determined by a commission representative and a ringside physician on a case-by-case basis, for a medical evacuation should that become necessary.

## **Business and Professions Code**

### **CHAPTER 2. BOXING, WRESTLING AND MARTIAL ARTS**

**Section 18711.** (a) (1) (A) The commission shall require, as a condition of licensure and as a part of the application process, the examination by a licensed physician and surgeon who specializes in neurology and neurosurgery of each applicant for a license as a professional athlete or contestant licensed under this chapter or, if for the renewal of a license, this examination every year, in addition to any other medical examinations.

(i) Upon initial licensure, the examination shall include tests and examinations designed to detect physical conditions that could place the athlete or contestant at risk for serious injury or permanent or temporary impairment of any bodily function. These tests or examinations shall include, but not be limited to, a neurological examination or a neuro-psychological examination, a brain imaging scan, and an electrocardiogram (EKG). The physician may recommend any additional tests or evaluations he or she deems necessary.

(ii) For renewal of a license, the physician shall determine the tests or evaluations necessary, if any.

(iii) The commission may require an athlete or contestant licensed under this chapter to undergo additional neurological tests where, based on the totality of the athlete's or contestant's records, it appears the athlete or contestant may be at risk of cognitive impairment.

(iv) On the basis of a physical examination under this subdivision, and any additional tests that are conducted, the physician may recommend to the commission whether the applicant may be permitted to be licensed in California or not. The executive officer shall review these recommendations and report any denials of licensure. If, as a result of these recommendations, the executive officer refuses to grant the applicant a license or to renew a license, the applicant shall not compete in California until the denial has been overruled by the commission as provided in this chapter.

(v) The commission may waive the requirement for a brain imaging scan or an EKG if a brain imaging scan or EKG was completed as part of the licensing requirements in another state, the commission determines that this brain imaging scan or EKG creates a reliable baseline for the athlete or contestant, and the commission has been provided with a copy of the brain imaging scan or EKG reports.

(vi) This subparagraph shall become inoperative on the date the regulations adopted by the commission pursuant to subparagraph (B) become operative.

(B) On and after January 1, 2008, all professional athletes licensed under this chapter shall be required by the commission to complete a medical examination process, which shall include the completion of specific medical examinations, to be determined by the commission through regulations, as a condition of initial licensure and license renewal. This medical examination process may include examinations required under current law and any additional medical examinations determined to be medically necessary. In adopting the medical examination process, the commission shall consider the health and safety of contestants, the medical necessity of any examinations required, and the financial aspects of requiring those medical

examinations.

(2) In the absence of any pertinent untoward medical event, the commission may, in its discretion, on forms prescribed by the commission, accept tests or evaluations that are equivalent to those described in paragraph (1) and that have been completed within one year of licensure to meet the requirements of this subdivision.

(3) (A) Any medical records obtained, reviewed, or created under this chapter shall be utilized only for purposes of administering this chapter. The commission and any physician may not disclose the athlete's medical records without a signed authorization from the athlete, except that the commission may disclose those records to other state licensing boards and commissions to which the athlete has applied for licensure or has an enforcement action pending, or upon court order in a criminal or civil action.

(B) After the adoption of regulations to establish a process for participating in medical research studies, the commission may use medical information for purposes of participating in medical research studies of the effects on the human body of contests and exhibitions regulated under this chapter. However, medical information shall not include any personal identifying information on any contestant, including, but not limited to, the contestant's name, address, telephone number, social security number, license number, federal identification number, or any other information identifying the contestant. The medical information shall only be provided if the licensed athlete has consented in writing to participate in the research study. The regulations adopted by the commission shall include a process to ensure that no conflicts of interest arise regarding which medical examinations are required to be completed by contestants.

(b) If an applicant for licensure as a professional athlete under this chapter undergoes a neurological examination for purposes of licensure within the 120-day period immediately preceding the normal expiration of that license, the applicant shall not be required to undergo an additional neurological examination within the following 12 consecutive month license period unless the commission, for cause, orders that the examination be taken. The commission shall notify all commission-approved physicians and referees that the commission has the authority to order any professional athlete to undergo a neurological examination.

(c) The cost of the examinations required by this section shall be paid from assessments on any one or more of the following: promoters of professional matches, managers, and professional athletes or other contestants licensed under this chapter. The rate and manner of assessment shall be set by the commission, and may cover all costs associated with the requirements of this section. This assessment shall be imposed on all contests approved by the commission under this chapter. As of July 1, 1994, all moneys received by the commission pursuant to this section shall be deposited in and credited to the State Athletic Commission Neurological Examination Account which is hereby created in the General Fund.

(d) Whenever a reference is made to the Boxers' Neurological Examination Account, it is to be construed as referring to the State Athletic Commission Neurological Examination Account.

**Section 18822.** (a) For licenses issued before January 1, 2007, a license may be renewed at any time prior to midnight on December 31 of the year in which it was issued. If not renewed, the license shall expire at that time.

(b) A license issued on or after January 1, 2007, shall expire 12 months after issuance, on the last day of the 12th month. To renew an unexpired license, the licenseholder shall, on or before midnight of the day on which the license would otherwise expire, apply for renewal on a form prescribed by the commission and pay the prescribed renewal fee. If the licenseholder is a boxer or martial arts contestant, the renewal application shall also be accompanied by the required medical examinations and test results. Renewal of an unexpired license shall continue the license in effect for one year from the expiration date of the license, when it shall again expire if it is not renewed.

## Request To Have Following Items Put On California State Athletic Commission June Agenda

To: George Dodd

May 14, 2011

From: Roy Englebrecht

Subject: Request For Agenda Items

Good Morning George, and after surveying a large number of licensed fight promoters in California it is their desire that every effort be made to get the following items on the next Commission meeting agenda, and if not the June meeting the following one.

There is no doubt that the hard work, commitment, passion, and business acumen of most licensed fight promoters in our state drives the engine of combative sports in California. The efforts of promoters, day in and day out, is what funds the CSAC office, provides income for hundreds of athletes, provides income for scores of officials, and perhaps most important generates substantial income for venues, their employees and the communities they are located in.

But while everyone mentioned in the above paragraph gets paid at the end of the day, it is a constant struggle at each and every show for promoters to remain profitable. With the present economy in the shape it is in, and the shrinking discretionary dollars that consumers might have, the same dollars they will spend to go to a fight, the challenge that promoters face is daunting!

But one area that can provide hope for promoters is for the CSAC to address some Rules & Regulations that would immediately impact promoter's show expenses which would positively affect their bottom line. It is my feeling that as the Executive Officer of the CSAC as well as the Commissioners, have a duty to address and move without delay on the promoter's requests to address these critical areas, many that have been stated at several meeting you have had with promoters.

With all this said below are the areas that we would like you to present to the Commission Chairman to get listed on the next meeting agenda.

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1. The immediate change in compensation for officials, to now creating a standard set fee to be paid at each and every show by promoters, regardless of the gross receipts or broadcast revenue. The only change would be for a title fight of some kind. The proposed new Officials Fee Structure to be:
  - a. Referee - \$350
  - b. Judges - \$300
  - c. Doctors - \$600 includes one suturing, and cap at \$200 each additional suturing as needed
  - d. Timer - \$200
  - e. No travel paid unless official is coming from over 100 miles and only paid one way.
2. Only assign four (4) officials to work a show. Two referees and two judges, and have one referee move to a judge position when not in the ring.
3. Change minimum number of rounds that currently require 26 rounds or a promoter gets fined \$200 per round they are short, to now read either five (5) bouts or 26 rounds.
4. To have the regulation now read to allow promoters to provide "Either an ambulance and one paramedics OR a Critical Care Unit.
5. Immediate put a moratorium on promoters 60 cents per ticket Neuro Fund payment, until a clear decision is reached regarding how the current Neuro Funds will be spent.
6. Approve the Neuro test be only given to fighters once every two years unless fighter is knockout out.
7. Approve CSAC now pays for all fighters Neuro test out of Neuro Fund.
8. Change all fighters blood test to yearly instead of current every six months.
9. Yearly license and medicals good from January 1<sup>st</sup> to December 31<sup>st</sup>.

If just these nine listed R&R changes were approved it would provide promoters a savings of approximately \$2,000 per show, and while that may not seem like a lot, if a promoter has 10 shows in a year the savings is now \$20,000.....and that is a lot!!

George, thank you for your interest in working to grow the combative sports business in California, but it really starts with the promoters and their financial well being, and this area has to be addressed immediately, which is why our request for these changes are so important to us.

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Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

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Annual Report from CAMO







July 27, 2011

To: California State Athletic Commission

From: California Amateur Mixed Martial Arts Organization, Inc.

Re: Progress Report #4 – Annual Review (August 2010-August 2011)

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Founded in 2009, the California Amateur Mixed Martial Arts Organization, Inc. ("CAMO") is a non-profit 501(c)(3) corporation dedicated to help foster the growth of the sport of amateur Mixed Martial Arts ("MMA") and to oversee the health, safety and welfare of the athletes that choose to participate in it. On August 24, 2009, the California State Athletic Commission ("CSAC") officially delegated to CAMO the exclusive authority to regulate Amateur MMA and Pankration in the state of California. Since that time, CAMO has been working diligently to oversee these sports in a professional and safe manner and has been working closely with George Dodd, the Executive Officer of CSAC, the CSAC staff, the Department of Consumer Affairs legal department and the State Attorney General's Office regarding CAMO's rules, regulations and its enforcement of such. As requested by CSAC, the following is an update on CAMO's progress since it last appeared before the Commission for its annual report in July of 2010.

#### Continued Growth

The CAMO program has now been operational for just under 2 years, and it continues to grow at a rapid pace. As of July 2011, CAMO has over 1300 fighters participating in the program, 72 promoters, 51 judges, 43 referees, 136 inspectors and over 1800 corner-men. Within the last 12 months CAMO has overseen 122 events (98 were All Amateur and 24 were Pro-Ams).

Within the last 12 months CAMO has governed over 930 individual bouts. Its knockout ratio has fallen slightly to 4% from just under 5%. Its percentage of decisions has increased from 35% to 45% and its TKO's have gone down from 45% to 27%. CAMO believes these numbers to be attributable to the increased proficiency in match making given the number of experienced CAMO participants.

### Increased Safety Standards and Official Training

CAMO continues to focus on improving the safety of its program and has implemented rule changes over the last year to better increase fighter safety. Working very closely with Mr. Dodd, the DCA legal department and CAMO's board of advisors, including John McCarthy and Bas Rutten, CAMO has adopted the following rule changes:

- Rotational leg locks have been made illegal
- Knees to the head are no longer allowed for the first five fights of a fighter's career (after five fights, if both fighters agree, knees to the head in the standing position will be allowed – we have not had any of these bouts to date).
- The Heavyweight class has now been broken up into two weight classes:
  - Cruiserweight = 205 lbs to 230 lbs; and
  - Heavyweight = 230 lbs to 265 lbs

CAMO has also increased its Official Training programs. It has held four inspector trainings within the last 12 months and has implemented a new inspector structure into the program having promoted several inspectors into higher positions. CAMO has promoted two of its inspectors to Chief Athletic Inspectors (1 in Northern California, 1 in Southern California), it has promoted four inspectors to the level of Senior Inspector and has appointed a Senior Training Inspector as well to oversee the curriculum for the training program for all inspectors.

### 1<sup>st</sup> Official California State Championship

In 2010, CAMO crowned official California State Champions in 8 weight classes for the first time in this country's history. The tournament started in September in 8 regions across the state. It was an open registration single elimination tournament in 8 weight classes. Over 200 athletes entered the tournament and it spanned over 14 events over the next three and a half months until finally culminating in a fantastic event held on December 4, 2010 at the Westin Bonaventure Hotel in Los Angeles. The finals were promoted by All Star MMA with the Southern California Champions taking on the Northern California Champions for the State Championship Title.

### The Amateur's Path to be a Professional

CAMO is proud to announce that over the past 12 months it has a number of its participants move up to the professional ranks. It has had several fighters now graduate from the amateur program into the pros and they are doing quite well. It has also had judges, referees, doctors and promoters who all got their start in the CAMO amateur program move up to working for CSAC at the pro level and they are doing a tremendous job. CAMO is continuing to prove that it is an excellent training program and truly is a "pathway to the pros" for its licensees.

### "What You Need to Know Before You Go Pro" Seminar

On the weekend of the finals for the California State Championship, CAMO hosted a seminar entitled "What You Need To Know Before You Go Pro." The seminar was free, and it provided invaluable information to young fighters and their camps about what is

important to understand before becoming a professional. An exceptional panel of speakers came and shared their thoughts and took questions from the audience. The panel included such stars as MMA Legend and former UFC Champion Bas Rutten, former WEC Champion Razor Rob McCullough, and former UFC Champion and top rated heavyweight Josh Barnett, along with a reporter from CBS Sports, several managers, promoters and PR professionals. It was a fantastic and extremely informative event covering such areas as proper training, marketing, what to look for in a manager/agent, how to meet promoters and the dangers of steroid use. The fighters in attendance all thought it was very beneficial and CAMO plans to hold the seminar again during the finals of the 2011 State Championship later this year.

#### New Tools for the Website

CAMO has now launched the new version of its website ([www.camo-mma.org](http://www.camo-mma.org)). The new website has many additional features to help improve the interactivity of the CAMO community and has made the process of holding events and competing in fights easier. Promoters are now able to conduct location searches on fighters in the database. For example, they are able to pull up all fighters within 25 miles of the location of their venue for the event. They also continue to be able to contact fighters through the website. Additionally, fighters looking for fights are now able to reach out to promoters through the website and let them know they are available. This provides fighters from smaller, lesser known gyms to have more opportunities to participate in the program. The site also offers an automated feature for upcoming events where promoters can go online to check the status of their fight card. At any time, they can log on and see who on their card is cleared and fully licensed to fight and who still needs to turn certain things in. The site tracks records, suspensions and our upcoming and past events calendar.

#### New Insurance Policy

CAMO has now secured a blanket medical insurance policy covering its events and licensed participants. Pursuant to CAMO's rules and regulations, promoters must carry insurance covering both injury and accidental death at a minimum of \$25,000 coverage. Since the program first began, such coverage was costing between \$1500 and \$2500 for up to 10 fights (about 1/2 of the premium charged for a pro policy). With the new policy that CAMO has secured, the cost to promoters is now \$450 for up to 10 fights. CAMO oversees all administrative work involving claims made with the insurance provider. This lower cost is of great benefit to the amateur promoter and has dramatically reduced the promoter's cost of operations.

#### Implementation of the MMAS Scoring System

In January of 2011, CAMO implemented a new scoring system, specific to MMA. For over a decade, all MMA competitions sanctioned in the US, professional and amateur, have used the same *10-Point Must* system as used in boxing because there was no alternative scoring system specific to MMA. In recent years, California's very own Nelson "Doc" Hamilton developed a new system known as the Mixed Martial Arts Specific (MMAS) scoring system. In a bold move to improve the sport of MMA, CAMO implemented the MMAS scoring system with the help of a prestigious scoring system committee that includes John McCarthy, George Dodd, Nelson Hamilton, Jeremy

Lappen, Herb Dean, and JT Steele. The MMAS system includes an improved scoring criteria by which points are awarded and also allows judges to incorporate the use of a half point when needed. Preliminary statistics from the first six months of use indicate that scores awarded to fighters under the MMAS Scoring System more closely reflect the true action of the fight than the traditional *10-Point Must* system.

Media outlets and athletic commissions around the country are looking to CAMO as a test ground for the MMAS system. CAMO has also been asked to share the statistical data report covering the last six months of MMAS use to the Association of Boxing Commissions ("ABC") for their discussion and consideration during their annual convention in Washington, DC.

#### Disciplinary Actions:

At times, it is necessary for CAMO to take firm disciplinary action against licensees when there are violations of the AMMA Rules and Regulations. In 2011, CAMO took disciplinary measures against some of its licensees as follows:

- Forged blood tests: 4 indefinite suspensions
- Abuse of officials: 1 incident
- Solicitation of amateur athletes: 1 incident
- Unsportsmanlike conduct: 2 incidents
- Breach of bout agreement: 23 suspensions
- Positive for infectious diseases: 3 indefinite suspensions
- Retina disorder: Indefinite suspension

#### Hydration Study

In August of 2011, CAMO began a medical study designed to research the effects of dehydration on amateur MMA athletes as it relates to head trauma and injuries. The research study will be overseen by accomplished physicians including Dr. Christopher Giza and Dr. Van Lemons of the California State Athletic Commission. CAMO and CSAC will work together on the hydration study in hopes to find data that will guide the evolution of combative sports towards safer events and more enlightened weight-cutting practices. The study involves testing athlete's weight and urine, both pre and post-fight, and comparing the data with injury reports and bout results. CAMO and CSAC are proud to start this research as it is the first hydration study to date in combative sports. CAMO projects to report a study of at least 200 athletes later this year.

#### Upcoming Initiatives for 2012

The program is continuing to grow and is improving all of the time. For 2012, we plan to heavily emphasize official training. We are in the process of working with John McCarthy on a Senior Referee Training Program where select experienced referees are taught how to oversee and train younger referees in the field. We are also working on improving our judge and referee evaluation program along with implementing an annual testing program. Per CSAC's direction we are in the process of putting together our Judge Apprentice Program to allow participants an alternative to taking John McCarthy, Herb Dean or Doc Hamilton's courses. In addition to the above, CAMO will also be focusing on revising its rules for Pankration and creating a Division II/Developmental league for athletes who would like to participate in the sport with a much more watered

down rule set (no head strikes, starting with no striking on the ground, etc.). Finally, CAMO will also look to increase its number of educational programs for the fighters, officials and promoters through additional seminars and online articles and blogs.

Thank you again for your belief in our organization. We look forward to appearing before you on August 15<sup>th</sup>, 2011 for our annual review.

Sincerely,

Jeremy Lappen and JT Steele  
California Amateur Mixed Martial Arts Organization, Inc.

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

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Ethics Training (Open Meeting Act)-  
DCA Legal Council



## DIVERSION EVALUATION COMMITTEES

### BAGLEY-KEENE OPEN MEETING ACT TOP TEN RULES (August 2011)

[NOTE: GC § = Government Code Section; AG = Opinions of the California Attorney General.]

1. All meetings are public. (GC §11123.)
2. Meetings must be noticed 10 calendar days in advance—including posting on the Internet. (GC §11125(a).)
3. Agenda required—must include a description of specific items to be discussed (GC §§ 11125 & 11125.1). Licensee names should not be listed on the agenda. No item may be added to the agenda unless it meets criteria for an emergency. (GC §11125(b).)
4. Meeting is “gathering” of a majority of the committee where committee business will be discussed. Includes telephone & e-mail communications. (GC § 11122.5).
5. Public comment must be allowed on open session agenda items before or during discussion of each item and before a vote. (GC §11125.7.)
6. Closed session is authorized only to consider a report pertaining to a specific licensee when necessary to protect the privacy of such a licensee. (B&P Code Sections 1696, 2770.10, 4869, GC Section 11126(c)(2)—advisory body that does not include quorum of full body where matter would constitute unwarranted invasion of privacy if discussed in open session)
7. At least one board staff member must be present to record topics discussed and decisions made because staff is required by law to maintain a minute book with that information. (GC § 11126.1).
8. No secret ballots or votes except mail votes on enforcement matters. (68 AG 65; GC §11526.)
9. No proxy votes. (68 AG 65.)

10. Meetings by teleconferencing (GC §11123.)

- a. Suitable audio or video must be audible to those present at designated location(s). (subd. (b)(1)(B).)
- b. Notice and agenda required. (subd. (b)(1)(A).)
- c. Every location must be open to the public and at least one board member must be physically present at the specified location. All members must attend at a public location. (subds. (b)(1) (C), and (F).)
- e. Rollcall vote required. (subd. (b)(1)(D).)
- f. Emergency meeting closed sessions not allowed. (subd. (b)(1)(E).)

Reference: January 2011 "Public Meetings" Memorandum & Attached Guide to the Bagley-Keene Open Meeting Act

[http://www.dca.ca.gov/publications/bagleykeene\\_meetingact.pdf](http://www.dca.ca.gov/publications/bagleykeene_meetingact.pdf)



# ETHICAL DECISION MAKING

Handout #2

Questions	Mandatory Disqualification	Need Further Discussion
Have you served as <ul style="list-style-type: none"> <li>• investigator</li> <li>• prosecutor, or</li> <li>• advocate</li> </ul> before or during the adjudicative proceeding?	<b>Yes</b>	
Are you biased or prejudiced for or against the person?  or  Do you have an interest (including a financial interest) in the proceeding?	<b>Yes</b>	
Have you <ul style="list-style-type: none"> <li>• engaged in a prohibited ex parte communication before or during adjudicative proceeding (may result in disqualification)?</li> </ul> OR <ul style="list-style-type: none"> <li>• complained to you about investigation currently in progress and said how great he or she is</li> </ul> ✓ "Ex parte" communication: direct or indirect communication with you by one of the parties or its representative without notice and opportunity for all parties to participate in the communication (e.g. applicant or licensee (or someone acting on that person's behalf))		<b>Yes</b>
Do you or your spouse or a close family member (such as an uncle or cousin) have personal knowledge of disputed evidentiary facts concerning the proceeding?		<b>Yes</b>
Do you doubt your capacity to be impartial?		<b>Yes</b>
Do you, for any reason, believe that your recusal would further the interests of justice?		<b>Yes</b>



## MEMORANDUM

DATE: January 5, 2011

TO: Executive Officers  
Executive Directors  
Registrars  
Bureau Chiefs  
Interested Parties

FROM:   
DOREATHEA JOHNSON  
Deputy Director  
Legal Affairs

Subject: Public Meetings (Bagley-Keene Open Meeting Act)

This memorandum is to update you on the provisions of the public meetings law, officially called the Bagley-Keene Open Meeting Act (Article 9 (commencing with section 11120), Chapter 1, Part 1, Division 3, Title 2 of the Government Code). The attached guide includes all statutory amendments through January 1, 2011. Please disregard all of our previous memoranda on the subject, and our Guide to the Bagley-Keene Open Meeting Act, issued January 5, 2010.

The following changes are important:

1. Page 21: We have added a new section on the use of electronic devices by board members during an open meeting – this is very important.
2. Page 23: We have added a section on webcasting – including suggested language to be placed on your agenda when you plan to webcast a meeting.

We hope you find this document helpful in answering questions you may have about the requirements of the Open Meeting Act. If you have any suggestions for ways to improve the guide in the future, please let us know.

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Contact Commission office at (916) 263-2195 for a copy of  
the Guide to the Bagley-Keene Open Meeting Act  
(Includes Amendments through January 1, 2011)

Department of Consumer Affairs  
California State Athletic Commission

Commission Meeting

Agenda Item

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Agenda Items and Meeting Dates for  
Future Meetings



# Calendar for year 2012 (United States)

January						
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Holidays and Observances:	
Jan 1 New Year's Day	Aug 14 Laylat al-Qadr
Jan 2 'New Year's Day' observed	Aug 19 National Aviation Day
Jan 13 Stephen Foster Memorial Day	Aug 19 Eid-al-Fitr
Jan 16 Martin Luther King Day	Sep 3 Labor Day
Jan 23 Chinese New Year	Sep 8 Carl Garner Federal Lands Cleanup Day
Feb 1 National Freedom Day	Sep 9 National Grandparents Day
Feb 5 Prophet's Birthday	Sep 11 Patriot Day
Feb 14 Valentine's Day	Sep 17 Rosh Hashana
Feb 20 Presidents' Day	Sep 17 Constitution Day and Citizenship Day

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Continue on back

**Holidays and Observances:**

Feb 21 Shrove Tuesday/Mardi Gras	Sep 21 National POW/MIA Recognition Day
Apr 6 Good Friday (Many regions)	Sep 26 Yom Kippur
Apr 7 First day of Passover	Sep 30 Gold Star Mother's Day
Apr 8 Easter Sunday	Oct 1 Child Health Day
Apr 9 Easter Monday	Oct 7 Last day of Sukkot
Apr 14 Last day of Passover	Oct 8 Columbus Day (Most regions)
Apr 17 Tax Day	Oct 15 White Cane Safety Day
May 1 Loyalty Day	Oct 26 Eid-al-Adha
May 1 Law Day	Oct 31 Halloween
May 3 National Day of Prayer	Nov 6 Election Day
May 13 Mother's Day	Nov 11 Veterans Day
May 15 Peace Officers Memorial Day	Nov 12 'Veterans Day' observed
May 18 National Defense Transportation Day	Nov 15 Muharram/New Year
May 19 Armed Forces Day	Nov 22 Thanksgiving Day
May 22 National Maritime Day	Dec 7 Pearl Harbor Remembrance Day
May 28 Memorial Day	Dec 9 First Day of Chanukah
Jun 14 Flag Day	Dec 16 Last day of Chanukah
Jun 17 Isra and Mi'raj	Dec 17 Pan American Aviation Day
Jun 17 Father's Day	Dec 17 Wright Brothers Day
Jul 4 Independence Day	Dec 24 Christmas Eve
Jul 20 Ramadan begins	Dec 25 Christmas Day
Jul 22 Parents' Day	

Calendar generated on [www.timeanddate.com/calendar](http://www.timeanddate.com/calendar)