

Department of Consumer Affairs
California State Athletic Commission

Commission Meeting

June 10, 2013

Los Angeles, CA



Chairman John Frierson
Vice-Chairman Dr. Christopher Giza
Executive Officer Andy Foster



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



Members of the Commission

John Frierson, Chair
 Christopher Giza, MD, Vice-Chair
 VanBuren Lemons, MD
 Dean Grafilo
 Martha Shen-Urquidez
 Mary Lehman
 John Carvelli

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

COMMISSION MEETING AGENDA

June 10, 2013
 10:00 a.m. – Conclusion of Business

Location:
 Ronald Reagan State Building
 300 South Spring Street
 Los Angeles, California 90013

OPEN SESSION

1. Call to Order/Pledge of Allegiance/Roll Call
2. Chairman's Opening Remarks/Welcome and Swearing in of new Commissioner John Carvelli
3. Approval of April 22, 2013 Commission Meeting Minutes
4. Executive Officer's Report
 - a. Budget Update
 - b. Status of Pending Regulations
 - c. Boxer's Pension Fund/Neurological Examination Account Update
 - d. Staffing Update
 - e. Past Audit Recommendations Progress Report
 - f. Update on Current 60 Day Responses for Audits for BSA
 - g. Update on current legislation
5. Subcommittee on Therapeutic Use Exemption – Discussion and possible action regarding draft policy
6. Subcommittee on Licensing of Transgender Athletes – Discussion and possible action regarding draft policy
7. Discussion and possible action regarding the neurological fund

8. Discussion and possible action to adopt a formal policy for communication between the Executive Officer and the Commissioners
9. Discussion and possible action on youth pankration and the "United States Fight League"
10. Annual Review and possible action regarding California Amateur Mixed Martial Arts Organization's amateur MMA delegation – (*Business and Professions Code § 18646*)
11. Discussion and possible action on a budget for fiscal year 2014-2015
12. Request to appeal bout decision – (*Business and Professions Code § 18611&18640; and Title 4, Section 368*)
 - a. Jeremy Rosales vs. Scott Rosa
 - b. DonYil Livingston vs. Paul Mendez
 - c. Martha Salazar vs. Sonja Lamonakis
13. New Promoter Applications for Licensure – (*Business and Professions Code § 18662*)
 - a. Nick Diaz Promotions, LLC
14. Public Comment on Items not on the Agenda
(*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 pursuant to Government Code §§ 11125, 11125.7(a)*)

Closed Session

15. Pursuant to Government Code Section 11126(e) (1) the Commission will confer with Legal Counsel to discuss pending litigation
 - a. Dwayne Woodard vs. California State Athletic Commission, Department of Consumer Affairs, Case No. BC487180, Los Angeles Superior Court.
 - b. Sarah Waklee vs. California State Athletic Commission, Department of Consumer Affairs

Open Session

16. Future Agenda Items and Meeting Dates

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 Andy Foster at (916) 263-2195 or email Andy.Foster@dca.ca.gov or sending a written request to Andy Foster 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 Andy Foster at the same address and telephone number.

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

AGENDA ITEM

3



Members of the Commission

John Frierson, Chairperson
VanBuren Lemons, MD
Christopher Giza, MD
Dean Grafilo
Martha Shen-Urquidez
Mary Lehman

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

**CALIFORNIA STATE ATHLETIC COMMISSION
MEETING MINUTES**

April 22, 2013

10:00a.m. - Conclusion of Business

Location:

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

Commissioners Present

Chairman John Frierson
VanBuren Lemons, MD
Christopher Giza, MD
Dean Grafilo
Martha Shen-Urquidez
Mary Lehman

Commissioners Absent

Staff Present

Andy Foster, Executive Officer
Michael Santiago, Senior Staff Counsel, DCA
Shilo Wilson, Office Technician, CSAC

Agenda Item 1 – Call to Order / Roll Call / Pledge of Allegiance

The meeting was called to order at 9:07 a.m. and a quorum was present.

Agenda Item 2 – Chairman's Opening Remarks

- Chairman Frierson welcomed all who were present and those on the panel for their attendance.
- The Executive Officer, Andy Foster and Chairman Frierson swore in new Commissioner Shen-Urquidez and Commissioner Lehman.

Agenda Item 3 – Election of Vice Chairman For the Upcoming Year

Chairman John Frierson made a motion to nominate Commissioner Giza to serve as Vice-Chairman for the upcoming year. Commissioner Lehman seconded the motion and the commission approved the motion by a 6-0 vote.

Agenda Item 4 – Approval of February 25, 2013 Meeting Minutes

Vice-Chairman Giza made a motion to approve the February 25, 2013 meeting minutes. Chairman Lemons seconded the motion and the commission approved the motion by a 6-0 vote.

Agenda Item 5 – Executive Officer's Report

a) Budget Update

- a. Executive Officer Foster stated the commission now has a healthy fund with a reserve balance equal to eight months.
- b. Chairman Frierson asked for information regarding the Governor's budget for the commission and that Mr. Foster keep the Governor updated on the commission's budget status.
- c. Commissioner Lemons asked Executive Officer Foster if there was a way to negotiate and reduce the pro-rata fees.
- d. Vice Chairman Giza requested that a DCA budget representative attend the next commission meeting.
- e. Commissioner Lemons stated that the commission is still losing money at events and something needs to be done and additional data needs to be collected.
- f. Chairman Frierson asked the opinion of the board members present if a subcommittee should be formed with respect to the long-term financial plan. Commissioner Grafilo moved to postpone the subcommittee until the next commission meeting when a DCA budget representative could be present so that the board could have a better understanding of the long-term financial plan.
- g. Executive Officer Foster stated that he would like to start charging a small administrative fee for federal identification cards. Mr. Foster plans to charge \$20 for each card as it takes a tremendous amount of time to issue them and athletes frequently request a re-issue of their cards. The revenue would go into the commission's athletic support fund.
- h. Executive Officer Foster would like to change the regulator caps for amateur events from \$500 to \$1000, and for professionals \$1,000 to \$1,200 in order to better ensure the commission does not lose money regulating events.

b) Status of Pending Regulations

- a. Executive Officer Foster requests a change to the way athletes are evaluated when turning professional. Mr. Foster stated there should be a license for trainers with a cost of \$100 so there is an accountable source for the training and evaluation of a fighter that wants to turn professional.

- b. The purpose of the training license is not to generate money for the commission, but to better protect the health and safety of amateur fighters that want to turn professional.
 - c. Chairman Frierson asked how much does it cost the commission to have a lead athletic inspector or other staff person do an evaluation for an athlete that wants to turn professional.
 - d. Executive Officer Foster stated that it costs the commission \$150 to \$200 each time a staff person performs an evaluation for an athlete that wants to turn professional.
- c) Boxer's Pension Fund/Neurological Examination Account Update**
- a. Executive Officer Foster stated that the boxer pension fund continues to grow due to the fact that the commission cannot distribute the money as quickly as it would like to. Eligible fighters are typically not aware that they have money due them and it is very difficult for the commission to locate them.
- d) Staffing Update**
- a. Half-day training sessions have been scheduled for all athletic inspectors and officials to ensure they receive it twice per year.
 - b. Executive Officer Foster stated he will provide the training because he is qualified to do so.
 - c. The commission filled one of its office technician positions with a recent hire.
 - d. Executive Officer Foster stated he would like fill the vacant Assistant Executive Officer and/or the vacant Office Technician positions as soon as possible. Mr. Foster is working with DCA budgets with respect to funding the positions.
- e) Past Audit Recommendations Progress Report**
- a. Chairman Frierson stated that the commission needs to meet every month because the infrequency of the past commission meetings has adversely impacted the commission's effectiveness in doing its business.
 - b. Executive Officer Foster stated that he would like for the commission to meet frequently.
 - c. Chairman Frierson also stated that the length of time between meetings is insufficient as fighters are looking to obtain their licenses or have suspensions removed. Additionally, boxers who are eligible want to obtain their pension. Commissioner Lehman agreed with the Chairman.
- f) Update on Current Audits in Progress**
- a. Executive Officer Foster gave an update that the 60 Day audit response to the Bureau of State Audits was being worked on.
- g) Update on Inspector Trainings**
- a. Executive Officer Foster stated that inspector training would happen at some time in June. The date is still being determined.
- h) PUBLIC COMMENT**

Agenda Item 6 – Discussion and Possible Action Regarding Neurological Testing Recommendations Made by the Committee on Medical and Safety Standards

- a) Agenda Item not discussed and deferred until the next commission meeting.

Agenda Item 7 – Discussion and Possible Action regarding Therapeutic Use Exemption recommendations made by the Committee on Medical and Safety Standards.

- a) Agenda Item not discussed and deferred until the next commission meeting.

Agenda Item 8 – Discussion and Possible Action Regarding a proposal for use of the neurological fund

- a) Agenda Item not discussed and deferred until the next commission meeting.

Agenda Item 9 – Discussion and Possible Action Regarding Licensure of Transgender Athletes

- a) Commissioner Lemons recommended creating two subcommittees, one to look into the transgender issue and the other to look into Therapeutic Use Exemption.

Agenda Item 10 – Discussion and possible action regarding George Parra request for early medical pension distribution

- a) Vice-Chairman Giza made a motion to approve the early medical pension distribution request for George Para. Chairman Lemons seconded the motion and the commission approved the motion by a 6-0 vote.

Agenda Item 11 – Discussion and possible action regarding Gabriel Ruelas request for early medical pension distribution

- a) Vice-Chairman Giza made a motion to approve the early medical pension distribution request for Gabriel Ruelas. Chairman Lemons seconded the motion and the commission approved the motion by a 6-0 vote.

Agenda Item 12 – Development and possible action regarding long term financial plan for the Athletic Commission

- a) Agenda item deferred until next meeting when a DCA budget representative will be in attendance.

Agenda Item 13 – Discussion and possible adoption of a formal policy for communication between the Executive Officer and the Commission

- a) Commissioner Lemons stated that information about the events that took place between commission meetings would be helpful.
- b) Executive Officer stated the commission tracks event profit and loss information and will provide it to the commission.
- c) Attorney Michael Santiago recommended not approving the policy until a comparison is made to the Executive Officer's job duty statement.
- d) Commissioner Shen-Urquidez agreed to work with Michael Santiago to draft a policy.

Agenda Item 14 – Creation and Discussion of an officials evaluation policy for event officials

- a) Commissioner Shen-Urquidez agreed to work with someone on drafting this policy.
- b) Executive Officer stated the commission needs to have a policy for the evaluation of event officials. The commission has regulations on the books and will start to evaluate officials again.

Agenda Item 15 – Creation and Discussion of an inspector evaluation policy for event inspectors

- a) Commissioner Shen-Urquidez agreed to work with someone on drafting this policy.

- b) Executive Officer stated the commission needs to have a policy for the evaluation of event officials. The commission has regulations on the books and will start to evaluate officials again.

Agenda Item 16 – Nomination of Steven Steinschriber, M.D. to the Commission Medical Advisory Panel

- a) Moved to the next meeting.
- b) Vice-Chairman Giza made a motion to create a subcommittee to evaluate nominations to the Medical Advisory Panel. Chairman Lemons seconded the motion and the commission approved the motion by a 6-0 vote.

Agenda Item 17 – Applications for Licensure:

- a) **Top Players Promotions, Inc.** Chairman Shen-Urquidez made a motion to conditionally approve the license pending receipt of satisfactory financial statements within 30 days. Vice-Chairman Giza seconded the motion and the commission approved the motion by a 6-0 vote.
- b) **Flawless MMA, Inc.** Vice Chairman Giza made a motion to conditionally approve the license pending changes to the name on the application and bond to the corporation name of Flawless MMA, Inc. Chairman Lemons seconded the motion and the commission approved the motion by a 6-0 vote.
- c) **PARS Promotions, Inc.** Executive Officer asked to put this off until the next meeting.
- d) **OPP Promotions .** Vice Chairman Giza made a motion to approve the license for OPP Promotions. Chairman Lemons seconded the motion and the commission approved the motion by a 6-0 vote.
- e) **H&E Entertainment, Inc.** Vice Chairman Giza made a motion to conditionally approve the license pending updated financials done by a CPA. Chairman Lemons seconded the motion and the commission approved the motion by a 6-0 vote.

Agenda Item 18 – Public Comment on Items not on the Agenda

No actions taken.

Agenda Item 19 – Future Agenda Items and Meeting Dates

Executive Officer Foster proposed the next meeting be held in southern California on June 10th. Chairman agreed with the Executive Officer. Location pending.

AGENDA ITEM

4a

ATHLETIC COMMISSION FY 2012-13 EXPENDITURE PLANNING VS ACTUAL SPENDING

	12-13 Gov Budget	Updated with FM09 Calstars																				Proposed Expenditure	ACTUAL Expenditure		
		ACTUAL July	ACTUAL August	ACTUAL September	ACTUAL October	ACTUAL November	ACTUAL December	ACTUAL January	ACTUAL February	ACTUAL March	ACTUAL April	ACTUAL May	ACTUAL June												
PERSONAL SERVICES:																									
Civil Service-Perm	407,722	\$ 23,942	\$ 25,747	\$ 23,942	\$ 26,084	\$ 27,206	\$ 19,957	\$ 27,206	\$ 15,294	\$ 27,206	\$ 13,907	\$ 14,551	\$ 12,069	\$ 14,551	\$ 10,914	\$ 14,952	\$ 10,838	\$ 14,952	\$ 14,784	\$ 14,952	\$ 15,349	\$ 14,952	\$ 14,952	\$ 233,364	\$ 164,943
Statutory-Exempt (EO)	89,611	\$ 7,485	\$ 7,139	\$ 7,485	\$ -	\$ 7,485	\$ 7,154	\$ 7,485	\$ 3,001	\$ 7,485	\$ 5,233	\$ 7,485	\$ 6,772	\$ 7,485	\$ 6,772	\$ 7,485	\$ 6,772	\$ 7,485	\$ 6,772	\$ 7,485	\$ 6,772	\$ 7,485	\$ 7,485	\$ 83,820	\$ 56,387
Athletic Inspectors	299,279	\$ 13,108	\$ -	\$ 13,108	\$ 20,382	\$ 12,865	\$ 15,082	\$ 13,848	\$ 18,776	\$ 9,162	\$ 13,097	\$ 11,128	\$ 20,977	\$ 8,906	\$ 6,899	\$ 9,404	\$ 16,902	\$ 15,828	\$ 17,680	\$ 13,108	\$ 21,701	\$ 12,609	\$ 13,606	\$ 146,680	\$ 151,496
Board/Commission	2,887	\$ -	\$ 900	\$ -	\$ -	\$ -	\$ 300	\$ 900	\$ -	\$ -	\$ 300	\$ -	\$ (100)	\$ 900	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 900	\$ -	\$ -	\$ 900	\$ 4,500	\$ 500
Temporary Help	-	\$ -	\$ 22,412	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,412
Overtime	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,184
Staff Benefits	278,533	\$ 13,514	\$ 18,311	\$ 13,514	\$ 16,515	\$ 14,917	\$ 14,537	\$ 14,917	\$ 10,038	\$ 14,917	\$ 19,120	\$ 9,475	\$ 9,555	\$ 9,475	\$ 9,116	\$ 9,648	\$ 7,996	\$ 9,648	\$ 21,696	\$ 9,648	\$ 10,504	\$ 9,648	\$ 9,648	\$ 138,969	\$ 137,388
TOTAL, PERSONAL SERVICES	1,078,032	\$ 58,049	\$ 73,609	\$ 58,949	\$ 62,981	\$ 62,473	\$ 57,030	\$ 64,356	\$ 48,329	\$ 58,770	\$ 52,222	\$ 42,639	\$ 49,273	\$ 41,317	\$ 33,701	\$ 41,489	\$ 42,508	\$ 47,913	\$ 61,331	\$ 46,093	\$ 54,326	\$ 44,694	\$ 46,591	\$ 613,333	\$ 535,310
OPERATING EXPENSE AND EQUIPMENT																									
General Expense	41,435	\$ 3,000	\$ 121	\$ -	\$ 364	\$ 3,000	\$ 8,776	\$ -	\$ 843	\$ 3,000	\$ 988	\$ -	\$ 131	\$ 3,000	\$ 2,700	\$ -	\$ 2,261	\$ 3,000	\$ 910	\$ -	\$ 984	\$ 3,000	\$ -	\$ 18,000	\$ 18,078
Printing	5,472	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500	\$ 18	\$ -	\$ -	\$ -	\$ 440	\$ -	\$ -	\$ 500	\$ 125	\$ -	\$ 1,615	\$ -	\$ -	\$ -	\$ 500	\$ 2,000	\$ 2,198
Communication	12,362	\$ 250	\$ 4	\$ 250	\$ 412	\$ 250	\$ 4	\$ 250	\$ 172	\$ 250	\$ 416	\$ 250	\$ 416	\$ 250	\$ 703	\$ 250	\$ 516	\$ 250	\$ 139	\$ 250	\$ 834	\$ 250	\$ 250	\$ 3,000	\$ 3,616
Postage	9,098	\$ 100	\$ -	\$ 100	\$ 201	\$ 100	\$ 106	\$ 100	\$ 130	\$ 100	\$ 64	\$ 100	\$ 76	\$ 100	\$ 184	\$ 100	\$ 58	\$ 100	\$ 252	\$ 100	\$ 62	\$ 100	\$ 100	\$ 1,200	\$ 1,133
Travel In State	287,098	\$ 5,909	\$ -	\$ 5,909	\$ 784	\$ 5,810	\$ 1,407	\$ 9,209	\$ 9,533	\$ 4,309	\$ 7,685	\$ 5,106	\$ 5,885	\$ 7,205	\$ 7,496	\$ 4,407	\$ 13,279	\$ 7,010	\$ 1,403	\$ 5,707	\$ 4,869	\$ 6,110	\$ 5,909	\$ 72,600	\$ 52,341
Training	5,472	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Facilities Operations	72,211	\$ 5,220	\$ 5,117	\$ 5,220	\$ 5,117	\$ 5,220	\$ 5,579	\$ 5,220	\$ 5,563	\$ 5,220	\$ 5,402	\$ 5,220	\$ 5,403	\$ 5,220	\$ 5,403	\$ 5,220	\$ 5,403	\$ 5,220	\$ 5,403	\$ 5,220	\$ 5,403	\$ 5,220	\$ 5,220	\$ 62,640	\$ 53,793
C/P Services - Internal	2,360	\$ 2,248	\$ -	\$ 2,248	\$ 58	\$ 2,203	\$ -	\$ 2,385	\$ -	\$ 1,515	\$ -	\$ 1,880	\$ -	\$ 1,468	\$ -	\$ 1,560	\$ -	\$ 2,753	\$ -	\$ 2,248	\$ -	\$ 2,154	\$ 2,340	\$ 25,000	\$ 58
C/P Services - External	-	\$ 2,655	\$ -	\$ 2,655	\$ -	\$ 2,655	\$ 499	\$ 2,655	\$ 8,925	\$ 2,655	\$ 2,430	\$ 2,655	\$ 3,000	\$ 2,655	\$ 5,000	\$ 2,655	\$ (426)	\$ 2,655	\$ 5,505	\$ 2,655	\$ 1,655	\$ 2,655	\$ 2,655	\$ 31,860	\$ 26,588
DCA Pro Rata	200,146	\$ -	\$ -	\$ -	\$ 50,012	\$ 50,037	\$ -	\$ -	\$ 50,012	\$ -	\$ -	\$ 50,037	\$ -	\$ -	\$ 47,207	\$ -	\$ -	\$ 50,037	\$ -	\$ 49,077	\$ -	\$ -	\$ 50,037	\$ 200,148	\$ 196,308
DEPARTMENTAL SERVICES																									
DP Maintenance & Supplies	3,797	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3
Central (State) Adm Pro Rata	122,920	\$ -	\$ -	\$ -	\$ 30,730	\$ 30,730	\$ -	\$ -	\$ -	\$ 30,730	\$ 30,730	\$ -	\$ -	\$ -	\$ -	\$ 30,730	\$ 30,730	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,730	\$ 122,920	\$ 92,190
ENFORCEMENT																									
Attorney General	95,697	\$ 4,000	\$ -	\$ 4,000	\$ 1,482	\$ 4,000	\$ 473	\$ 4,000	\$ 3,315	\$ 4,000	\$ 10,400	\$ 4,000	\$ 5,343	\$ 4,000	\$ 6,245	\$ 4,000	\$ 8,983	\$ 4,000	\$ 12,410	\$ 4,000	\$ 4,645	\$ 4,000	\$ 4,000	\$ 48,000	\$ 53,296
Major Equipment	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Minor Equipment	2,900	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 51	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 51
TOTALS, OE&E	860,968	\$ 23,882	\$ 5,242	\$ 20,382	\$ 89,160	\$ 104,005	\$ 16,844	\$ 24,319	\$ 78,511	\$ 21,049	\$ 58,115	\$ 99,978	\$ 20,694	\$ 23,898	\$ 74,989	\$ 18,692	\$ 60,932	\$ 105,755	\$ 27,637	\$ 20,180	\$ 67,529	\$ 23,489	\$ 101,741	\$ 587,368	\$ 499,653
TOTAL EXPENSE	1,939,000	\$ 81,930	\$ 78,851	\$ 79,330	\$ 152,141	\$ 166,478	\$ 73,874	\$ 88,675	\$ 126,840	\$ 79,819	\$ 110,337	\$ 142,617	\$ 69,967	\$ 65,215	\$ 108,690	\$ 60,181	\$ 103,440	\$ 153,668	\$ 88,968	\$ 66,273	\$ 121,855	\$ 68,183	\$ 148,332	\$ 1,200,701	\$ 1,034,963

Athletic Commission Fund Revenue

Fund 0326

Updated with Revenue Info from Calstars

	Projected Revenue	Actual Revenue*	YTD Difference
CY 2012-13			
July	\$ 135,950	\$ 70,941	\$ -65,009
August	\$ 161,988	\$ 133,363	\$ -28,625
September	\$ 114,574	\$ 290,459	\$ 175,885
October	\$ 115,872	\$ 122,018	\$ 6,146
November	\$ 60,046	\$ 126,011	\$ 65,965
December	\$ 147,572	\$ 69,238	\$ -78,334
January	\$ 109,922	\$ 99,055	\$ -10,867
February	\$ 45,440	\$ 146,108	\$ 100,668
March	\$ 121,498	\$ 216,840	\$ 95,342
April	\$ 100,617	\$ 45,428	\$ -55,189
May	\$ 100,184		
June	\$ 166,181		
FY 2012-13 Total	\$ 1,379,844	\$ 1,319,460	\$ 205,981

* Actual Revenue based on monthly Calstars reports and includes processing lags

Athletic Commission Expenditures

Fund 0326

Updated with Expenditure Info from Calstars

	Projected Expenditures	Actual Expenditures*	YTD Difference**
CY 2012-13			
July	\$ 81,930	\$ 78,851	\$ -3,079
August	\$ 79,330	\$ 152,141	\$ 72,811
September	\$ 166,478	\$ 73,874	\$ -92,604
October	\$ 88,675	\$ 126,840	\$ 38,165
November	\$ 79,819	\$ 110,336	\$ 30,517
December	\$ 142,617	\$ 69,968	\$ -72,649
January	\$ 65,215	\$ 108,689	\$ 43,474
February	\$ 60,181	\$ 103,439	\$ 43,258
March	\$ 153,668	\$ 88,968	\$ -64,700
April	\$ 66,273	\$ 121,855	\$ 55,582
May	\$ 68,183		
June	\$ 148,332		
FY 2012-13 Total	\$ 1,200,701	\$ 1,034,961	\$ 50,775

* Actual Rev/Exp based on monthly Calstars reports and include processing lags

** Athletic Inspector and Travel Backlog

FY 12-13 Actual Cashflow of Athletic Commission Fund

Fund 0326

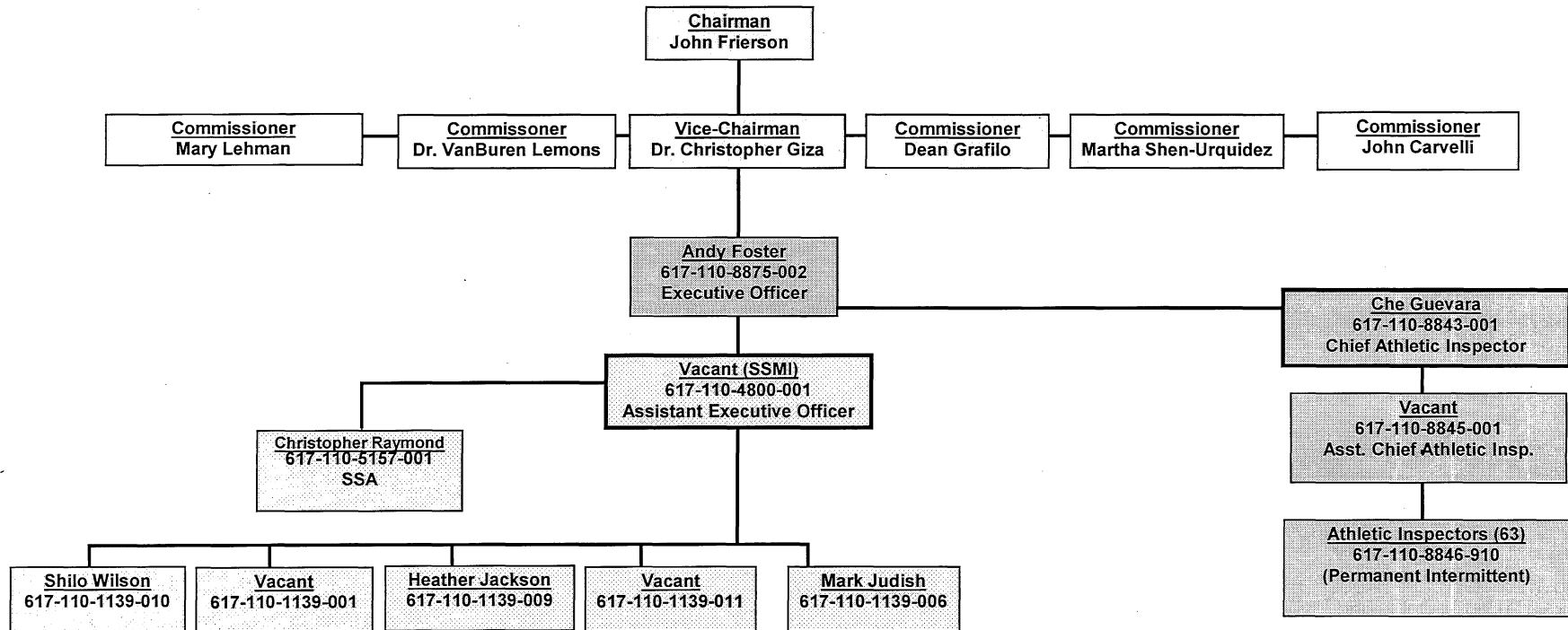
Based on Monthly Calstars Reports

	Revenue	Expenditures	Balance	Comments
CY 2012-13				
Beginning balance:			\$ 22,941	FY 2011-12 Closing Balance
July	\$ 70,941	\$ 78,851	\$ 15,031	Actual Revenue and Expenditures based on FM01 Calstars
August	\$ 133,363	\$ 152,141	\$ -3,747	Actual Revenue and Expenditures based on FM02 Calstars
September	\$ 290,459	\$ 73,874	\$ 212,838	Actual Revenue and Expenditures based on FM03 Calstars
October	\$ 122,018	\$ 126,840	\$ 208,016	Actual Revenue and Expenditures based on FM04 Calstars
November	\$ 126,011	\$ 110,336	\$ 223,691	Actual Revenue and Expenditures based on FM05 Calstars
December	\$ 69,238	\$ 69,968	\$ 222,961	Actual Revenue and Expenditures based on FM06 Calstars
January	\$ 99,055	\$ 108,689	\$ 213,326	Actual Revenue and Expenditures based on FM07 Calstars
February	\$ 146,108	\$ 103,439	\$ 255,995	Actual Revenue and Expenditures based on FM08 Calstars
March	\$ 216,840	\$ 88,968	\$ 383,867	Actual Revenue and Expenditures based on FM09 Calstars
April	\$ 45,428	\$ 121,855	\$ 307,440	Actual Revenue and Expenditures based on FM10 Calstars
May	\$ 100,184	\$ 68,183	\$ 339,442	
June	\$ 166,181	\$ 148,332	\$ 357,291	
FY 2012-13 Total	\$ 1,585,825	\$ 1,251,476		

AGENDA ITEM

4d

California State Athletic Commission



Personnel Analyst Date

Executive Officer Date

AGENDA ITEM

4f



May 21, 2013

Ms. Elaine Howle, CPA
State Auditor
555 Capitol Mall, Suite 300
Sacramento, CA 95814

RE: 60-day Response to the California Athletic Commission Audit, Report 2012-117

Dear Ms. Howle:

The Department of Consumer Affairs and the California State Athletic Commission are pleased to provide our 60-day response to your report dated March 21, 2013, titled "State Athletic Commission: Its Ongoing Administrative Struggles Call Its Future Into Question." Attached is our progress on your recommendations. We also addressed the concerns outlined on page 73 of the report regarding conflict-of-interest requirements.

If you have any questions, please contact Annecia Wallace, Audit Supervisor, at (916) 574-8192

Sincerely,

Handwritten signature of Denise D. Brown in cursive.

Denise D. Brown, Director
Department of Consumer Affairs

Handwritten signature of Andy Foster in cursive.

Andy Foster, Executive Officer
California State Athletic Commission

Attachment

Finding 1:

THE STATE ATHLETIC COMMISSION HAS PROVIDED INADEQUATE OVERSIGHT OF ITS FINANCIAL AND ADMINISTRATIVE OPERATIONS

BSA Recommendation:

To increase transparency and to ensure that commissioners provide a sufficient level of oversight over the commission's operations and budget process, the executive officer should work with the commissioners to establish written policies and procedures that delineate the executive officer's responsibilities related to communicating with the commissioners.

To ensure its future financial stability, the commission should work with Consumer Affairs to establish a long-term financial plan that contains the following:

- A reasonable annual budget with an accurate forecast of planned expenditures. The commission should determine this budget based in part on its ability or inability to meet the expenditure limitations stipulated in the solvency plan.

CSAC Response: *The Executive Officer and the Commission are working together with the Department of Consumer Affairs' (DCA) budget office to develop a reasonable long-term budget. Please see the initial preliminary attachment (Attachment 1)*

BSA Recommendation:

- The number of inspectors necessary to regulate each type of event. In establishing this number, the commission should take into account the varying size and complexity of the events. It should also determine the cost for each inspector to regulate an event.

CSAC Response: *The Commission has determined the minimum number of inspectors needed is 4-5 and 5-6 being the norm. In larger events, to ensure all locker room and anti-doping procedures are being followed, the Commission may assign more inspectors. This policy has been established and implemented. Additionally, the costs for each inspector have been delineated in Attachment 2.*

BSA Recommendation:

- An estimate of its costs to regulate different types of events. To arrive at a reasonable estimate, the commission will need to track at least six months of actual expenditures.

CSAC Response: *In January 2013, the Commission began tracking all the events it regulates using November's 2012 numbers as control, and has completed five months of tracking. (See Attachment 2)*

BSA Recommendation:

- The number of staff necessary to perform all of the commission's necessary functions. The commission will need to conduct a workload analysis as soon as possible to determine how many staff it requires and adjust its planned expenditures accordingly.

CSAC Response: *The prior CSAC Executive Officer began a workload analysis and we are currently updating the analysis. We estimate that we are approximately 25 percent complete at this time. We plan to coordinate with the DCA Human Resources' Office to help us complete a detailed workload study. We plan to have one completed by our six month reporting period. (Our initial draft is available upon request).*

BSA Recommendation:

- Funds for athletic inspectors' training that are sufficient to meet the requirement that inspectors receive training within six months of an event that they are scheduled to work.

CSAC Response: *The Executive Officer and the Commission have worked closely with the DCA and secured a \$200,000 supplement in the 2013/2014 budget that is available for inspector wages, travel, and training. (See Attachment 3)*

BSA Recommendation:

- Strategies to increase revenue. The commission may need to conduct analyses to determine whether the opportunities it is currently considering are legally permissible and fiscally prudent. If so, the commission should take steps to implement those strategies, including seeking any necessary legislative changes.

CSAC Response: *The Commission has worked with DCA and legislative staff to add many revenue-enhancing strategies to the Commission's sunset bill. Some of these strategies include an increase in the TV tax cap, charging a fee for the creation of federal identification cards, and the creation of a new license type. (See Attachment 4)*

BSA Recommendation:

The commission should establish a formal policy to ensure that it assigns inspectors to events based primarily on their proximity to the events.

CSAC Response: *As is evident in the Commission's administrative manual, proximity is a key factor for assigning inspectors. This is further demonstrated by the Commission's current event average profit/loss statement and monthly CalStars reports which show sharply reduced travel expenses. (See policy on pages 5 and 6 of the Commission's Administrative Manual and the Event Profit/Loss Statement. This recommendation has been fully implemented (See Attachments 5 and 6)*

BSA Recommendation:

To ensure that it adequately tracks critical information related to its basic functions and mission, the commission should do the following:

- Develop and implement procedures and written guidelines to ensure that it consistently tracks information related to all events and their associated revenues

and expenditures. These guidelines should also ensure that it tracks the inspectors it assigns to events and the athletes it licenses.

CSAC Response: *The Executive Officer, working in conjunction with the Commission and DCA, has created revenue and expenditure tracking and inspector assignment policies and procedures. This recommendation has been fully implemented. (See Attachment 2) With respect to the tracking of athletes, the Commission has already provided this information to the BSA.*

BSA Recommendation:

- Once it has developed a reliable listing of the events it regulates, conduct an analysis to determine the manner in which events affect its financial condition. For example, the commission could compile the expenditures related to each event, including inspectors' wages and travel, and compare its expenditures to the revenue it received. Although the commission may need to regulate small events to ensure that it meets its responsibilities, it should still consider the cost of doing so in order to ensure that it stays within its spending authority.

CSAC Response: *This analysis has been performed. With new cost saving measures the Commission is very rarely losing money on even the smallest events. With the revenue strategies set forth in Senate Bill 309, using newly developed management techniques, the Commission will cease to regulate revenue negative events. (See Attachments 4 and 6)*

BSA Recommendation:

- Ensure that its system for tracking the number of events, the inspectors it assigns to events, and its revenues and expenditures is compatible with the online program Consumer Affairs is developing so that it may easily import this information into the new program when it is complete.
- Work with Consumer Affairs to ensure that the new online program will meet its needs and requirements. Once the program is in place, the commission should use it as its central means for tracking its operations.

CSAC Response: *DCA has assured the Commission that the licensing database it is using is BreZE compliant. The inspector tracking spreadsheet is similar, but the Commission will need to work with DCA to ensure that the information migrates without problems. The Commission is in the final phase of the BreZE rollout. Until then, the Commission cannot give a complete comment on this recommendation at this time. It will be included in our six month update.*

BSA Recommendation:

To ensure that it accurately collects revenue, the commission should do the following:

- Formalize policies and procedures directing inspectors to take the necessary steps to make sure they correctly and consistently calculate taxes, assessments, and fees in accordance with state law and regulations.

CSAC Response: *The Commission agrees with this recommendation and has taken steps to address this, but we are still in the development phase of implementing this recommendation.*

BSA Recommendation:

- Calculate the pension assessment by counting all the complimentary tickets issued, except for working complimentary tickets, not merely the complimentary tickets that are redeemed. If the commission does not agree that it should calculate the pension assessment by counting all the complimentary tickets issued, it should seek a change in its regulations to calculate the fee based only on the number of complimentary tickets redeemed.

CSAC Response: *The Commission is pursuing changes to its regulations to be in compliance with the law. Also, the Executive Officer is currently working with DCA legislative staff to clarify this provision in the statute.*

BSA Recommendation:

- Seek legislation, with the assistance of Consumer Affairs, that requires promoters to submit their broadcast contracts and authorizes the commission to impose penalties on those promoters who refuse to submit these contracts. Once the commission has received a sufficient number of broadcast contracts, it needs to conduct an analysis to determine whether the maximum fee of \$25,000 on broadcast contracts is appropriate in light of the amounts of the contracts or whether the fee structure should be increased through a change in state law.

CSAC Response: *The promoters will not submit their broadcast contracts to the Commission. TV contracts are highly confidential, and promoters are very protective of them. As such, the Commission disagrees with imposing penalties on promoters for refusing to submit broadcast contracts. (Please See Attachments 4 and 7)*

BSA Recommendation:

- Continue its efforts to ensure that promoters, inspectors, and staff are aware of their responsibilities related to the accurate reporting of box office information and the submission of key documents that substantiate the reported information.

CSAC Response: *We provide the promoters a Promoter Responsibilities Worksheet. This worksheet was created in direct collaboration with Chairman Frierson. (See Attachment 8) Additionally, inspectors are provided training as required by law every six months and an office staff member verifies the accuracy of each box office report. The inspectors are given this worksheet along with the promoters to ensure that the requirements are met and enforced.*

BSA Recommendation:

- Take steps to ensure that promoters adhere to its new process of certifying in writing that the information they provide is complete and accurate.

CSAC Response: *The Commission agrees with this recommendation. The box office forms now require a signature under penalty of perjury and post-event audits are conducted to ensure compliance. (See Attachment 9)*

BSA Recommendation:

- Adhere to its regulations by establishing a process for approving ticket printers and maintain a list of those it has approved.

CSAC Response: *The Commission has approved several ticket printers and receives additional applications every week. The Commission has established a process in order to become compliant with this regulation. (See Attachment 10 and Attachment 11)*

BSA Recommendation:

To correct the deficiencies in its processing of revenue, the commission should continue to ensure the appropriate separation of duties. In addition, the commission should continue to require staff to track revenues received from events and reconcile those amounts to the events' box office reports.

CSAC Response: *The Commission concurs with this recommendation and is continuing to ensure appropriate separation of duties. (See Attachment 12)*

BSA Recommendation:

To ensure that designated employees and officers disclose potential conflicts of interest on their statements of economic interests as the law requires, the commission should notify Consumer Affairs' filing officer promptly when these employees or officers assume or leave office.

CSAC Response: *The Commission will notify the filing officer promptly when employees or officers assume or leave office.*

BSA Recommendation:

To ensure that all designated parties complete statements of economic interests as the law requires, Consumer Affairs should improve its policies and procedures to ensure that it identifies any incomplete statements and promptly notifies the Fair Political Practices Commission when necessary.

DCA Response: *The DCA follows the guidelines as set forth in the Fair Political Practices Commission Notification Guidelines for Filing Officers Statement of Economic Interests (Form 700). The DCA Filing Officer identifies any incomplete statements and notifies the Fair Political Practices Commission. When a filer has not submitted the Form 700 in a timely manner, a letter is sent to them requesting the form. If the form has not been received after the first request, a*

second letter is sent, and a referral is made to DCA's Enforcement Division to ensure compliance. (See Attachments 13 and 14)

Finding 2:

THE STATE ATHLETIC COMMISSION HAS NOT CONSISTENTLY ENFORCED ALL REQUIREMENTS INTENDED TO PROTECT ATHLETES, AND ITS POOR ADMINISTRATION CALL ITS FUTURE INTO QUESTION.

BSA Recommendation:

To ensure that it maintains adequate documentation to demonstrate that it has regulated events in accordance with state law, the commission needs to update its policies and procedures to ensure that inspectors prepare and submit key documents after events.

CSAC Response: *The Commission requires staff and inspectors to complete the event packet checklist for each event. This packet consists of key documents to ensure adequacy of regulation of the event. The packet is then reviewed by the Executive Officer and/or the Lead Inspector for verification and submission. (See Attachment 15)*

BSA Recommendation:

To ensure that inspectors receive training as state law requires, the commission should do the following:

- Conduct trainings every six months, or within six months of an event at which inspectors are scheduled to work.

CSAC Response: *The Commission is conducting training on June 9th. The training will include box office procedures, event administration with five inspectors, and anti-doping processes. (See Attachment 16)*

BSA Recommendation:

- Formalize a process to track inspectors' training status.

CSAC Response: *This policy has been developed (See Attachment 17)*

BSA Recommendation:

- Continue to evaluate more cost-effective ways of providing training.

CSAC Response: *The Commission will continue to do this. In the interim, training is being provided by in-house staff to lower the cost of the training program.*

BSA Recommendation:

To ensure that it uses the neurological account as the Legislature intended, the commission needs to conduct a thorough analysis that identifies the average cost of neurological examinations and the number of athletes whom it licenses. If, after performing such an analysis, the commission determines that it cannot comply with the law as it is currently written, it needs to work with Consumer Affairs' legal counsel and the Legislature to determine a reasonable alternative use of the neurological account.

CSAC Response: *The Commission, in conjunction with the DCA and the Legislature has conducted a thorough analysis and the findings are reflected in Senate Bill 309. (See Attachments 4, 18, and 19)*

BSA Recommendation:

The commission needs to establish regulations that describe its process for determining its ticket assessment for the neurological account so that it avoids the use of underground regulations.

CSAC Response: *The Commission is working with legislative staff and with the DCA's Legislative Policy Review Division to comply with this recommendation.*

BSA Recommendation:

To operate the pension plan effectively and maximize boxers' benefits, the commission should create policies and procedures for its administration to ensure that it does the following:

- Continue to take action to locate eligible boxers, such as issuing periodic press releases.

CSAC Response: *The Commission plans to issue another press release in June 2013 and has developed a brochure to hand out at event weigh-ins in addition to the standard enrollment form. Other options are also being explored, funding permitted, to locate eligible boxers through low cost investigatory means. (See Attachment 20 and Attachment 21)*

BSA Recommendation:

- Establish a formal process that will enable it to better track boxers' mailing addresses.

CSAC Response: *The Commission has established a formal tracking system and is now tracking addresses in its licensing database. The Commission provided this information to the BSA on May 20, 2013.*

BSA Recommendation:

- Transfer funds on a regular basis from the pension fund's state account into its investment account.

CSAC Response: *The Commission is working very diligently to develop a process to transfer funds from the pension fund's state account into its investment account, but more work is needed and an update will be provided at the six-month reporting period.*

BSA Recommendation:

To comply with state law governing the pension plan, the commission needs to do the following:

- Limit its expenditures for administering the pension plan to 20 percent of the average of the prior two years' contributions to the plan.

CSAC Response: *The Commission has taken steps to comply with this recommendation. First, the Commission has moved the staff service analyst that was paid a .5 position from the pension account and a .5 from the neurological account to the support fund. This reduction of approximately \$30,000 from the pension fund moved the Commission closer to compliance. While this does not get the Commission into compliance, it does take the positive step to comply. Further, the Commission has worked with DCA and the Legislature to address this provision within Senate Bill 309. Should Senate Bill 309 pass, the Commission will be in full compliance. (See Attachment 4 and 22)*

BSA Recommendation:

- Discontinue paying the pension plan's administrative costs from its athletic commission fund. It should ensure that it pays those costs only from the pension fund.

CSAC Response: *This recommendation has been fully implemented. (See Attachment 22)*

BSA Recommendation:

After it has an accurate and complete listing of all licensed athletes and box office information by event type, conduct the analysis to determine the feasibility of expanding the pension plan to cover all athletes and report the results to the Legislature.

CSAC Response: *We have substantially completed the list of all licensed athletes and box office event type. The analysis of expanding the pension plan is still underway.*

BSA Recommendation:

To ensure that it promptly addresses this report's findings, the commission should work with Consumer Affairs to develop an action plan to prioritize and resolve its most significant deficiencies within a specified time frame. At the very least, the commission should commit to the following within one year:

- Establishing policies and procedures that clearly delineate the roles and responsibilities of the commissioners, the executive officer, and commission staff in the commission's administrative processes, such as developing and approving its budget.

CSAC Response: *The Commission is working with DCA to establish this policy. The policy will be available by the six-month follow-up.*

BSA Recommendation:

- Developing a long-term financial plan based on its actual event revenues and expenditures that includes practical cost-cutting and revenue-enhancing strategies.

CSAC Response: *The Commission is working on a long term financial plan along with revenue enhancing strategies that have been incorporated into Senate Bill 309. The plan will be discussed and possibly voted on at the June 10, 2013 Commission meeting. (See Attachments 1)*

BSA Recommendation:

- Setting up systems to track key information, including revenues, expenditures, events, inspectors, and licensees.

CSAC Response: *This recommendation has been fully implemented. (See Attachment 2)*

BSA Recommendation:

- Formalizing administrative policies, procedures, and controls that relate to revenue collection, revenue processing, and separation of duties.

CSAC Response: *This recommendation has been fully implemented. (See Attachment 12)*

AGENDA ITEM

4g



BILL DOCUMENTS

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Documents associated with SB 309 in the Session

Status - 05/30/2013 1632 bytes

History - 05/29/2013 1930 bytes

In order to view the PDF version of the bill text documents, you may need a free viewer from Adobe.

Amended	- 05/08/2013	<u>PDF</u> - 392353 bytes	<u>HTML</u>	- 85556 bytes
Amended	- 04/24/2013	<u>PDF</u> - 517131 bytes	<u>HTML</u>	- 103930 bytes
Introduced	- 02/15/2013	<u>PDF</u> - 181984 bytes	<u>HTML</u>	- 19360 bytes

Analyses

<u>Senate Floor</u>	- 05/24/2013 - 25953 bytes
<u>Senate Committee</u>	- 05/23/2013 - 10919 bytes
<u>Senate Committee</u>	- 05/13/2013 - 10999 bytes
<u>Senate Committee</u>	- 04/25/2013 - 62492 bytes

Votes

<u>Senate Floor</u>	- 05/28/2013 - 1003 bytes
<u>Senate Committee</u>	- 05/23/2013 - 811 bytes
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UNOFFICIAL BALLOT

MEASURE: SB 309
AUTHOR: Price
TOPIC: State Athletic Commission.
DATE: 05/28/2013
LOCATION: SEN. FLOOR
MOTION: Senate 3rd Reading SB309 Price
(AYES 36. NOES 3.) (PASS)

AYES

Beall Berryhill Block Calderon
Cannella Corbett Correa De León
DeSaulnier Emmerson Evans Fuller
Gaines Galgiani Hancock Hernandez
Hill Hueso Jackson Knight
Lara Leno Lieu Liu
Monning Nielsen Padilla Pavley
Price Roth Steinberg Torres
Walters Wolk Wright Yee

NOES

Anderson Huff Wyland

NO VOTE RECORDED

Vacancy

AGENDA ITEM

5



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



THERAPEUTIC USE EXEMPTION APPLICATION

Send completed forms to the following:

California State Athletic Commission

Mail: 2005 Evergreen St., Ste. #2010

Sacramento, CA 95815

Fax: (916) 263-2197 Email: csac@dca.ca.gov

Please retain a copy for your own records

1. ATHLETE INFORMATION

Last Name		First Name	
Gender (circle one)	Male	Female	DOB (dd/mm/yyyy)
CSAC License #		Cell Phone	
Email			
Phone		Fax	
Mailing Address			
City		State	
Zip code			
Sport			
How would you like for us to contact you (circle one):	Mail	E-mail	Fax
Have you submitted any previous TUE application in the United States?	Yes	No	(circle one)
<i>If yes, please state: date of application(s) (dd/mm/yyyy):</i>			
What State(s) did you submit the application(s) to?			
What was the result of the application(s)?			

THERAPEUTIC USE EXEMPTION APPLICATION

Athlete Name: _____

2. MEDICAL INFORMATION (To Be Completed by Board Certified Physician)

Diagnosis – Please attach sufficient medical information. For testosterone see Physician’s Guidelines

If a permitted medication can be used to treat the medical condition, provide clinical justification for the request use of the prohibited medication:

3. MEDICATION DETAILS (To Be Completed by Board Certified Physician)

Prohibited Substance(s): Generic name	Dose	Route of Administration	Frequency of Administration	Duration of Treatment
Enter all that apply	e.g. 200 mg	e.g. , inhalation, local injection	e.g., BID, QID	e.g., one-time use, emergency, one year
1.				
2.				
3.				
4.				

Physician’s Attestation must be submitted with this application. Failure to submit the attestation may result in summary rejection of this application.

THERAPEUTIC USE EXEMPTION APPLICATION

Athlete Name: _____

4. ATHLETE'S DECLARATION

I, _____, CSAC license number _____, certify that the information on this form is accurate and that I am requesting approval to use a substance or method from the Prohibited Substance List. I authorize the release of my personal medical information to CSAC, CSAC's medical experts, as well as to DCA and its staff and authorize CSAC to use this information for the purposes of determining the resolution of this application.

I understand that my information may only be used for evaluating my TUE request and in the context of possible anti-doping violation investigations and procedures. I further understand that CSAC may retain the information contained herein and submitted as part of this application for the sole purpose of establishing a possible anti-doping rule violation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this _____ day of _____, 20____ in _____ (City), _____ (State).

Athlete's Signature		Date (dd/mm/yyyy)	
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DRAFT

PHYSICIAN'S GUIDELINES

INTRODUCTION

The California State Athletic Commission (CSAC) regulates combat sports in the State of California, including boxing, kickboxing, Muay Thai, and Mixed Martial Arts. Since its inception, CSAC's primary mission remains the health and safety of the athletes CSAC regulates. To that end, these athletes are forbidden to use exogenous testosterone or any agent designed to elevate testosterone levels except. However, athletes with irreversible, structural/organic hypogonadism may be granted a TUE for testosterone.

BACKGROUND

Male hypogonadism is a recognized clinical entity that results in the failure of the testes to produce testosterone (endogenous testosterone) due to disruption of the hypothalamic-pituitary-testicular (HPT) axis at one or more levels. The failure can be primary, at the level of the testes. With primary hypogonadism, testosterone levels are low, but luteinizing hormone (LH) and follicle stimulating hormone (FSH) levels are elevated. Hypogonadism can also be secondary, at the level of the hypothalamus or pituitary gland. With secondary hypogonadism, testosterone levels are low, and LH and FSH levels are inappropriately normal or low. The failure in the HPT axis can result from a structural or organic defect, or can be functional, in the absence of identifiable pathologic changes.

TUEs may be granted to men with irreversible organic hypogonadism, providing the appropriate documentation has been submitted to and accepted by CSAC. All competitors are subject to testosterone level testing before, during, and after competition at the direction of CSAC. TUEs will not be granted to females for the use of testosterone. TUEs will be granted to transgender men who follow the CSAC transgender policies. TUEs will be granted to men with irreversible, organic male hypogonadism for the use of testosterone replacement, which can include clomiphene or hCG to raise testosterone levels and maintain fertility. TUEs are not needed for the use of FSH.

PURPOSE

This TUE application must be completed by a board-certified endocrinologist. This application will serve to assist CSAC in determining an athlete's eligibility for a TUE for testosterone.

GENERAL PRINCIPLES

TUE will only be approved for androgen deficiency that has an irreversible organic etiology. TUE should not be approved for androgen deficiency due to functional disorders. TUE for androgen deficiency should not be approved for females.

Androgen deficiency may be primary, due to a problem with the testes, or secondary, due to a problem with the hypothalamic-pituitary-gonadal axis or a combined primary and secondary deficiency.

The etiology of androgen deficiency may be organic, in which there is a pathological physical change in the structure of an organ or within the hypothalamic-pituitary-testicular axis. Androgen deficiency may be functional in which there is no observable pathological change in the structure of an organ or within the hypothalamic-pituitary-testicular axis. Organic defects are usually long lasting or permanent while functional defects are potentially reversible.

PHYSICIAN'S GUIDELINES

ORGANIC CAUSES OF ANDROGEN DEFICIENCY

Organic primary androgen deficiency may be due to:

1. **Genetic abnormalities** – Klinefelter's Syndrome and variants (i.e. 47, XYY/46XY, 46, XX testicular DSD, 45, X/46, XY), dysgenetic testes, myotonic dystrophy.
2. **Developmental abnormalities** – cryptorchidism, congenital anorchia.
3. **Metabolic abnormalities** – hemochromatosis (usually consistent with secondary hypogonadism). Direct testicular trauma, surgical bilateral orchidectomy, testicular torsion.
4. **Orchitis** – severe bilateral with subsequent testicular atrophy due to mumps or other infections. Radiation treatment or chemotherapy.

Organic secondary androgen deficiency may be due to:

1. **Genetic abnormalities** – Isolated hypogonadotropic hypogonadism (IHH) and variants.
2. **Pituitary disorders** – hypopituitarism, tumor, infection, hemochromatosis, hyperprolactinemia due to prolactin-secreting pituitary tumor.*
3. **Structural and infiltrative effects of systemic diseases** – CNS developmental abnormalities, infection, β -thalassemia/hemoglobinopathies, granulomatous diseases, lymphocytic hypophysitis, hemochromatosis, sickle cell disease.*
4. **Anatomical problems** - Pituitary stalk section, hypophysectomy, pituitary-hypothalamic disease, traumatic brain injury with permanent hypothalamic and/or pituitary injury*

FUNCTIONAL CAUSES OF ANDROGEN DEFICIENCY

Functional androgen deficiency may be due to:

1. Severe emotional stress
2. Morbid Obesity, untreated obstructive sleep apnea
3. Overtraining, malnutrition/nutritional deficiency, eating disorders
4. Medication – opioids, androgens, selective androgen receptor modulators (SARMs), glucocorticosteroids, progestins, estrogens, medication-induced hyperprolactinemia
5. Chronic systemic illness (chronic organ failure, diabetes mellitus, malignancy, rheumatic disease, HIV infection, Crohn's disease, inherited metabolic storage diseases)*
6. Constitutional delayed puberty**
7. Aging/Late onset hypogonadism (LOH)
8. Alcohol excess

Defects in androgen action include:

1. Androgen receptor defects include a full spectrum from testicular feminization to Reifenstein's Syndrome to mild defects. Serum testosterone levels are not reduced and LH and estradiol levels may be increased.
2. 5α -reductase deficiency - May present with selective signs of partial androgen deficiency. Serum testosterone levels are not reduced.

PHYSICIAN'S GUIDELINES

A. HISTORY

Must include all items listed in the Physician's Guidelines:

1. Pubertal progression - incomplete or delayed sexual development.
2. Reduced libido and sexual activity.
3. Decreased spontaneous erections and/or ejaculations.
4. Hot flushes, sweats.
5. Non specific symptoms – decreased energy, depressed mood, dysthymia, poor concentration, sleep disturbance, hypersomnolence, mild anemia, reduced muscle bulk & strength, increased body fat and BMI, diminished work performance.
6. Low or zero sperm count (may not be associated with low testosterone).
7. Low bone density (loss of height or low trauma fractures).
8. History of cryptorchidism, torsion or significant testicular injuries.
9. History of significant head injuries.
10. History of orchitis.
11. Family history of delayed puberty.
12. Reduced shaving.

B. PHYSICAL EXAM

Should include evaluations for all items listed in the Physician's Guidelines:

1. Gynecomastia.
2. Changes in hair pattern (axillary & pubic), absence of temporal recession.
3. Testicular volume (small testes) <15cc by orchidometry or ultrasound, and consistency (turgid or soft).

C. TESTING/LABORATORY EVALUATION – As provided in the Physician's Guidelines.

A demonstrated history of androgen deficiency should be provided with the TUE application including:

1. Total testosterone – assay using an accurate and reliable method which is liquid chromatography (LC) tandem mass spectrometry (MS); must be drawn fasting, early morning on at least two occasions at least a week apart in a 4-week period. If this history is not available, the athlete must withdraw testosterone therapy for two months after which labs should be repeated.
2. Free testosterone – using calculated free testosterone from total testosterone and SHBG (sex hormone binding globulin) measurements or free testosterone by equilibrium dialysis; must be drawn fasting, early morning on at least two occasions at least a week apart in a 4-week period.
3. LH and FSH - must be drawn fasting, at 8AM in the morning (if not at 8AM then by 10AM with an explanation provided as to why the lab was drawn later) on at least two occasions at least a week apart in a 4-week period.
4. SHBG - must be included with total and free testosterone measurements; a low value must be explained as it is associated with androgen abuse
5. Semen analysis including sperm count if fertility is an issue
6. DEXA scan if bone density an issue
7. Urine drug screens may be requested and organized by the CSAC
8. If hypogonadotropic hypogonadism or hypopituitarism is the diagnosis:
 - a. MRI of brain with pituitary (sella) cuts with and without contrast
 - b. Pituitary function tests if appropriate

PHYSICIAN'S GUIDELINES

- c. Other appropriate diagnostics to identify an organic etiology for secondary hypogonadism (e.g. prolactin, iron studies and genetic testing for hereditary hemochromatosis)
- d. Documentation of appropriate evaluation of the etiology of hypogonadism should be provided with the TUE application.

D. REFERENCE RANGE LOWER LIMIT

The lower level of normal for testosterone should follow Endocrine Society Guidelines (see references) where <300 ng/dl is considered the lower level of normal; recent data is consistent with this range (Bhasin et al., 2011). The CSAC will review data pertinent to the normal testosterone reference range yearly.

E. REFERENCE RANGE UPPER LIMIT

The upper limit of the normal range for testosterone should follow the established range from the reference laboratory. The CSAC will accept laboratory data from the following labs for hormone testing; the upper limits of normal for testosterone for these labs are as follows: Quest - upper normal range 1100 ng/dL; Labcorp: upper normal range 1197 ng/dL; ARUP: upper normal range 1080 ng/dL.

MEDICAL TREATMENT

A. SOME NAMES OF PROHIBITED SUBSTANCES INCLUDE: Testosterone, human Chorionic Gonadotropin (hCG) or clomiphene.

B. ROUTE/DOSAGE/FREQUENCY

Treatment with approved testosterone formulations, or clomiphene or hCG if the athlete has secondary hypogonadism documented and desires fertility.

1. Testosterone may be administered by regular intramuscular injection. The treatment must be recorded by a health professional and kept available for review at any time. The administration of intramuscular testosterone will be by IM injection every one to two weeks to replace endogenous secretion. If testosterone intramuscular injection is every week, then the dose should be lower than every two week dosing. If testosterone undecanoate ester is the medication prescribed, the dosing intervals are every 12 weeks on average.
2. Testosterone may also be administered by transdermal patch, gel, buccal tablet or subcutaneous pellet(s).
3. Human Chorionic Gonadotropin (hCG) may be used in doses of 1000-2000 IU IM 2-3 times per week for those individuals requesting fertility. Higher doses may be needed in some men in order to maintain physiological testosterone levels. FSH, if required, is not a prohibited substance.
4. Clomiphene is administered from three times a week to daily with doses ranging from 50-100mg.

PHYSICIAN'S GUIDELINES

C. MONITORING OF DOSAGE

Regular physician visits with documentation that testosterone, hCG or clomiphene treatment improved clinical manifestations of testosterone deficiency in the medical record are required. The athlete is responsible for maintaining a complete record of testosterone prescriptions of oral, gel or buccal testosterone products and date, dosage and name of medical personnel administering injections of testosterone, hCG or clomiphene. Frequent testing of serum testosterone including unannounced urine and blood testing as ordered by CSAC (at least 1-2 times per year) are required and will be related to injection timing or gel application. Treatment should return the testosterone to mid-normal levels.

The dosage and frequency of the testosterone, hCG or clomiphene are to be determined by the prescribing healthcare provider utilizing standard dosage regimens. Testosterone levels should be measured as peak and trough levels for injections, and during a steady state of administration for the other preparations with times and dates noted of administration and testing. The testosterone product, dosage and timing of the previous treatment with injectable testosterone products must be recorded and submitted for annual review or for dosage changes. HCG should be monitored with trough serum testosterone levels the morning after an injection on the day previous. The dosage and timing of treatments with hCG must be recorded and submitted for annual review or for dosage changes. The dosing regimen for clomiphene must be recorded and testosterone levels should be morning levels at 8AM as per testosterone administration. Any change in product, dosage or treatment schedule of testosterone, hCG or clomiphene should be reported to the CSACMAC.

D. DURATION OF TREATMENT

The duration of treatment may be life-long but annual renewal, including evidence of well-controlled therapy, as well as dosage and timing of treatments. All serum testosterone levels must be submitted for review.

* The list is representative of observed conditions and not necessarily complete

** May be approved for limited time until puberty is attained

2013 THERAPEUTIC USE EXEMPTION POLICY

INTRODUCTION

The California State Athletic Commission (CSAC) regulates combat sports in the State of California, including boxing, kickboxing, Muay Thai, and Mixed Martial Arts. Since its inception, CSAC's primary mission remains the health and safety of the athletes CSAC regulates. To that end, these athletes are forbidden to use any substance that would give them an unfair advantage over their opponent, e.g. any agent designed to elevate testosterone levels. However, athletes with irreversible, structural/organic hypogonadism may be granted a TUE.

GENERAL PRINCIPALS

It is each Athlete's personal duty to ensure that no Prohibited Substance enters his or her body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples.

All athletes licensed by CSAC may be required to submit to testing for prohibited substances at any time whether in or out of competition and whether or not they have a competition scheduled.

Athletes with documented medical conditions requiring the use of a Prohibited Substance or a Prohibited Method in any event sanctioned by CSAC or its authorized amateur sanctioning bodies must request a therapeutic use exemption ("TUE") from CSAC.

Applications must be completed on authorized CSAC application forms and all requirements attached thereto must be fully adhered to. Failure to comply with any single requirement may result in the summary rejection of the application.

An application for a TUE will not be considered for retroactive approval except in cases where:

1. Emergency treatment or treatment of an acute medical condition was necessary, or
2. Due to exceptional circumstances, sufficiency of which shall be determined at the sole discretion of CSAC.

These TUE policy and guidelines apply equally to foreign athletes, and athletes who are not residents of the State of California and/or the United States.

Athletes may apply to CSAC for a TUE for any substance at any time. However, such applications must be complete and received by CSAC at least twenty-one (21) days in advance of any use prohibited in sport.

WARNING: For substances which are prohibited only in-competition the athlete must ensure sufficient time for clearance from the body before the competition. Urine excretion rates for various substances vary between individuals and the Athlete must allow sufficient time to avoid an anti-doping rules violation. Of course, discontinuance of a medication can also have adverse health consequences and should never be undertaken without consultation with the Athlete's physician and a full appreciation of the risks involved. The only completely safe method for an athlete to use a Prohibited Substance without risking an anti-doping rule violation is to obtain a TUE prior to using a Prohibited Substance or Prohibited Method.

2013 THERAPEUTIC USE EXEMPTION POLICY

PROHIBITED SUBSTANCES

A List of Prohibited shall be made available to all athletes through the CSAC web site and will be provided to the athlete applicant as part of their application package. The List of Prohibited substances may be revised from time-to-time to accommodate the changes in science and medicine.

For substances listed in the List of Prohibited Substances and referred to in E above:

1. The Athlete has a medical condition which was well documented in his or her medical records prior to the date doping control was performed.
2. The Athlete, at the Athlete's expense, promptly undergoes any additional medical examination and testing requested by CSAC, including, but not limited to, seeing particular physicians which may be designated by CSAC.
3. The facts and circumstances of the case put to rest any reasonable suspicion that the Athlete used the substance for the purpose of enhancing the Athlete's performance. Completing the "Declaration of Use," the sufficiency of which shall be determined at the sole discretion of CSAC.
4. If the Athlete intends to compete further in any event or competition that may be drug tested by CSAC the Athlete must apply for a TUE for any prohibited substance in advance of any further Event or Competition.
5. The information provided to CSAC must include the diagnosis, the name of the substance, the dose to be taken, and the name and contact details of the physician. The information provided to CSAC must comply with the requirements contained in section F herein.

REQUIREMENTS FOR TUE

1. TUE applicants must submit a medical work-up, including the attestation of the physician who is board certified in the appropriate medical specialty following the guidelines set forth in the Physicians Guidelines.
2. Physician's Guidelines, which may be revised from time to time to accommodate any changes in the medical sciences, will be provided to athletes and attached to the applications for TUE. Athletes shall bear the sole responsibility of providing these Physician's Guidelines to their evaluating endocrinologist.
3. The physician's work up shall include the following:
 - a) **Sanctions** - Athletes must report prior sanctions for doping or other non-exempted use.
 - b) **Diagnosis** - Etiology based upon the treating physicians evaluation. For testosterone, see attached Physician's Guidelines for criteria.
 - c) **Evaluating Physician** - The athlete must undergo evaluation by a board-certified physician in the appropriate medical field.
 - d) **History** - Must be consistent with the standard of practice in the industry. For testosterone, the endocrinologist must include all items listed in the Physician's Guidelines.
 - e) **Physical exam** - Must be consistent with the standard of practice in the industry. For testosterone, the endocrinologist must include all items listed in the Physician's Guidelines.
 - f) **Application** - A completed CSAC TUE application form.
 - g) **Testing/Laboratory evaluation** - Must be consistent with the standard of practice in the industry. For testosterone, the endocrinologist must include all items listed in the Physician's Guidelines.

2013 THERAPEUTIC USE EXEMPTION POLICY

- h) **Pre Fight** - Athletes shall submit lab data for the therapeutic agent in question. For testosterone or its equivalent and sex hormone binding globulin (SHBG) athletes shall submit lab data levels drawn during the past 6 months prior to a fight including one value within one month of the fight. Athletes should not have testosterone levels above the normal range or SHBG levels below normal. If a value is found to be out of the normal range, the athlete's provider should take action to correct the level by repeating the lab and/or adjusting medication appropriately, which should be documented in notes submitted to the CSAC. Repeat elevated testosterone levels (x2) during the 6 months prior to the fight will be grounds for disqualification evaluated on a case by case basis by the CSAC. The day prior to the fight, the athlete should submit the time, date and amount and method of the last dose of testosterone or other medication administered.
- i) **Day of Fight** – Agent specific levels will be drawn on the day of Fight. For Testosterone its equivalent and SHBG level, will also be drawn on the day of Fight. Testosterone levels should not be above the normal range for the reference laboratory as described above (1100 ng/dL). Any level of testosterone above the normal range places the athlete at risk for disciplinary action. Testosterone injections should be dosed appropriately to avoid peak levels above the normal range during testing.

EFFECTIVE DATE

This CSAC TUE Policy shall go into effect on this _____ day of _____, 2013.

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2013 LIST OF PROHIBITED SUBSTANCES

This is the 2013 Prohibited List of Substances by the California State Athletic Commission. Substances and Methods on this list are prohibited at all times in and out of competition.

NON-APPROVED SUBSTANCES

Any pharmacological substance which is not addressed by any of the following sections of this List and with no current approval by any governmental regulatory health authority for human therapeutic use (e.g. drugs under pre-clinical or clinical development or discontinued, designer drugs, substances approved only for veterinary use) is prohibited at all times.

ANABOLIC AGENTS

Anabolic agents are prohibited.

1. Anabolic Androgenic Steroids (AAS)

a) Exogenous* AAS, including:

1-androstenediol (5 α -androst-1-ene-3,17-diol); 1-androstenedione (5 α -androst-1-ene-3,17-dione); bolandiol (estr-4-ene-3,17-diol); bolasterone (estr-4-ene-diol); bolasterone; boldenone; boldione (androsta-1,4-diene-3,17-dione); calusterone; clostebol; danazol ([1,2]oxazolo[4',5':2,3]pregna-4-en-20-yn-17-ol); dehydrochloromethyltestosterone (4-chloro-17-hydroxy-17-methylandrosta-1,4-dien-3-one); desoxymethyltestosterone (17-methyl-5-androst-2-en-17-ol); drostanolone; ethylestrenol (19-norpregna-4-en-17-ol); fluoxymesterone; formebolone; furazabol (17-methyl[1,2,5] oxadiazolo [3',4':2,3]-5-androstan-17-ol); gestrinone; 4-hydroxytestosterone (4,17-dihydroxyandrost-4-en-3-one); mestanolone; mesterolone; metenolone; methandienone (17-hydroxy-17-methylandrosta-1,4-dien-3-one); methandriol; methasterone (17-hydroxy-2,17-dimethyl-5-androstan-3-one); methyldienolone (17-hydroxy-17-methylestra-4,9-dien-3-one); methyl-1-testosterone (17-hydroxy-17-methyl-5-androst-1-en-3-one); methylnor-testosterone (17-hydroxy-17-methylestr-4-en-3-one); methyltestosterone; metribolone (methyltrienolone, 17 β -hydroxy-17 α -methylestra-4,9,11-trien-3-one); mibolerone; nandrolone; 19-norandrostenedione (estr-4-ene-3,17-dione); norboletone; norclostebol; norethandrolone; oxabolone; oxandrolone; oxymesterone; oxymetholone; prostanazol (17-[(tetrahydropyran-2-yl)oxy]-1'H-pyrazolo[3,4:2,3]-5 α -androstane); quinbolone; stanozolol; stenbolone; 1-testosterone (17-hydroxy-5-androst-1-en-3-one); tetrahydrogestrinone (17-hydroxy-18-homo-19-nor-17-pregna-4,9,11-trien-3-one); trenbolone (17-hydroxyestr-4,9,11-trien-3-one); and other substances with a similar chemical structure or similar biological effect(s).

b) Endogenous** AAS when administered exogenously:

androstenediol (androst-5-ene-3,17-diol); androstenedione (androst-4-ene-3,17-dione); dihydrotestosterone (17-hydroxy-5-androstan-3-one); prasterone (dehydroepiandrosterone, DHEA, 3 β -hydroxyandrost-5-en-17-one); testosterone; and their metabolites and isomers, including but not limited to: 5-androstane-3,17-diol; 5-androstane-3,17-diol; 5-androstane-3,17-diol; 5-androstane-3,17-diol; androst-4-ene-3,17-diol; androst-4-ene-3 α ,17-diol; androst-4-ene-3,17-diol; androst-5-ene-3,17-diol; androst-5-ene-7-l; androst-5-ene-3,17-diol; 4-androstenediol (androst-4-ene-3,17-diol); 5-androstenedione (androst-5-ene-3,17-dione); epi-dihydrotestosterone; epitestosterone; etiocholanolone; 3-hydroxy-5-androstan-17-one; 3-hydroxy-5-androstan-17-one; 7-hydroxy-DHEA; 7-hydroxy-DHEA; 7-keto-DHEA; 19-norandrosterone; 19-noretiocholanolone.

2. Other Anabolic Agents, including but not limited to: Clenbuterol, selective androgen receptor modulators (SARMs), tibolone, zeranol, zilpaterol.

For purposes of this section:

* "exogenous" refers to a substance which is not ordinarily capable of being produced by the body naturally.

** "endogenous" refers to a substance which is capable of being produced by the body naturally.

2013 LIST OF PROHIBITED SUBSTANCES

PEPTIDE HORMONES, GROWTH FACTORS AND RELATED SUBSTANCES

The following substances and their releasing factors are prohibited:

1. Erythropoiesis- Stimulating Agents [e.g. erythropoietin (EPO), darbepoetin (dEPO), hypoxia-inducible factor (HIF) stabilizers, methoxypolyethyleneglycol-epoetin beta (CERA), peginesatide Hematide)];
2. Chorionic Gonadotrophin (CG) and Luteinizing Hormone (LH) in males ;
3. Corticotrophins;
4. Growth Hormone (GH), Insulin-like Growth Factor-1 (IGF-1), Fibroblast Growth factors (FGFs), Hepatocyte Growth Factor (HGF), MechanoGrowth Factors (MGFs), Platelet-Derived Growth Factor (PDGF), Vascular-Endothelial Growth Factor (VEGF) as well as any other growth factor affecting muscle, tendon or ligament protein synthesis/degradation, vascularisation, energy utilization, regenerative capacity or fibre type switching; and other substances with similar chemical structure or similar biological effect(s).

BETA-2 AGONISTS

All beta-2 agonists, including alloptical isomers (e.g. d- and l-) where relevant, are prohibited except inhaled salbutamol (maximum 1600 micrograms over 24 hours), inhaled formoterol (maximum delivered dose 54 micrograms over 24 hours) and salmeterol when taken by inhalation in accordance with the manufacturers' recommended therapeutic regimen.

The presence in urine of salbutamol in excess of 1000ng/mL or formoterol in excess of 40ng/mL is presumed not to be an intended therapeutic use of the substance and will be considered as an adverse analytical finding unless the athlete proves, through a controlled pharmacokinetic study, that the abnormal result was the consequence of the use of the therapeutic inhaled dose up to the maximum indicated above.

HORMONE AND METABOLIC MODULATORS

The following are prohibited:

1. Aromatase inhibitors including, but not limited to: aminoglutethimide, anastrozole, androsta-1,4,6-triene-3,17-dione (androstatrienedione), 4-androstene-3,6,17-trione (6-oxo), exemestane, formestane, letrozole, testolactone.
2. Selective estrogen receptor modulators (SERMs) including, but not limited to: raloxifene, tamoxifen, toremifene.
3. Other anti-estrogenic substances including, but not limited to: clomiphene, cyclofenil, fulvestrant.
4. Agents modifying myostatin function(s) including, but not limited, to: myostatin inhibitors.
5. Metabolic modulators:
 - a) Insulins
 - b) Peroxisome Proliferator Activated Receptor δ (PPAR δ) agonists (e.g. GW 1516), PPAR δ -AMP-activated protein kinase (AMPK) axis agonists (e.g. AICAR).

2013 LIST OF PROHIBITED SUBSTANCES

DIURETICS AND OTHER MASKING AGENTS

Masking agents are prohibited. They include: Diuretics, desmopressin, plasma expanders (e.g. glycerol; intravenous administration of albumin, dextran, hydroxyethyl starch and mannitol), probenecid; and other substances with similar biological effect(s). Local administration of felypressin in dental anaesthesia is not prohibited.

Diuretics include: Acetazolamide, amiloride, bumetanide, canrenone, chlorthalidone, etacrynic acid, furosemide, indapamide, metolazone, spironolactone, thiazides (e.g. bendroflumethiazide, chlorothiazide, hydrochlorothiazide), triamterene; and other substances with a similar chemical structure or similar biological effect(s) (except drospirenone, pamabrom and topical dorzolamide and brinzolamide, which are not prohibited).

The use in and out of competition, as applicable, of any quantity of a substance subject to threshold limits (i.e. formoterol, salbutamol, cathine, ephedrine, methylephedrine and pseudoephedrine) in conjunction with a diuretic or other masking agent requires the deliverance of a specific Therapeutic Use Exemption for that substance in addition to the one granted for the diuretic or other masking agent.

PROHIBITED METHODS

MANIPULATION OF BLOOD AND BLOOD COMPONENTS

The following are prohibited:

1. The administration or reintroduction of any quantity of autologous, homologous or heterologous blood or red blood cell products of any origin into the circulatory system.
2. Artificially enhancing the uptake, transport or delivery of oxygen, including, but not limited to, perfluorochemicals, efaproxiral (RSR13) and modified haemoglobin products (e.g. haemoglobin-based blood substitutes, microencapsulated haemoglobin products), excluding supplemental oxygen.
3. Any form of intravascular manipulation of the blood or blood components by physical or chemical means.

CHEMICAL AND PHYSICAL MANIPULATION

The following are prohibited:

1. Tampering, or attempting to tamper, in order to alter the integrity and validity of samples collected during doping control. These include but are not limited to urine substitution and/or adulteration (e.g. proteases).
2. Intravenous infusions and/or injections of more than 50 mL per 6 hour period except for those legitimately received in the course of hospital admissions or clinical investigations.

2013 LIST OF PROHIBITED SUBSTANCES

GENE DOPING

The following, with the potential to enhance sport performance, are prohibited:

1. The transfer of polymers of nucleic acids or nucleic acid analogues;
2. The use of normal or genetically modified cells.

SUBSTANCES AND METHODS PROHIBITED IN-COMPETITION

In addition to the categories defined above, the following categories are prohibited in competition.

PROHIBITED SUBSTANCES

STIMULANTS

All stimulants, including all optical isomers (e.g. d- and l-) where relevant, are prohibited, except imidazole derivatives for topical use and those stimulants included in the 2013 Monitoring Program.

Stimulants include:

a) Non-Specified Stimulants:

Adrafinil; amfepramone; amiphenazole; amphetamine; amphetaminil; benfluorex; enphetamine; benzylpiperazine; bromantan; clobenzorex; cocaine; cropropamide; crotetamide; dimethylamphetamine; etilamphetamine; famprofazone; fencamine; fenetylline; fenfluramine; fenproporex; furfenorex; mefenorex; mephentermine; mesocarb; methamphetamine(d-); p-methylamphetamine; methylenedioxyamphetamine; methylenedioxymethamphetamine; modafinil; norfenfluramine; phendimetrazine; phenmetrazine; phentermine; 4-phenylpiracetam (carphedon); prenylamine; prolintane.

A stimulant not expressly listed in this section is a Specified Substance.

b) Specified Stimulants (examples):

Adrenaline**; cathine***; ephedrine****; etamivan; etilefrine; fenbutrazate; fencamfamin; heptaminol; isometheptene; levmetamfetamine; meclofenoxate; methylephedrine****; methylhexaneamine(dimethylpentylamine); methylphenidate; nikethamide; norfenefrine; octopamine; oxilofrine (methylsynephrine); arahydroxyamphetamine; pemoline; pentetrazol; phenpromethamine; propylhexedrine; pseudoephedrine*****; selegiline; sibutramine; strychnine; tuaminoheptane; and other substances with a similar chemical structure or similar biological effect(s).

Cathine is prohibited when its concentration in urine is greater than 5 micrograms per milliliter.

Each of ephedrine and methylephedrine is prohibited when its concentration in urine is greater than 10 micrograms per milliliter.

Pseudoephedrine is prohibited when its concentration in urine is greater than 150 micrograms per milliliter.

2013 LIST OF PROHIBITED SUBSTANCES

NARCOTICS

The following are prohibited:

Buprenorphine, dextromoramide, diamorphine (heroin), fentanyl and its derivatives, hydromorphone, methadone, morphine, oxycodone, oxymorphone, pentazocine, pethidine.

CANNABINOIDS

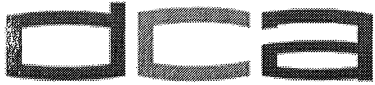
Natural (e.g. cannabis, hashish, marijuana) or synthetic delta 9-tetrahydrocannabinol (THC) and cannabimimetics (e.g. "Spice", JWH018, JWH073, HU-210) are prohibited.

GLUCOCORTICOSTEROIDS

All glucocorticosteroids are prohibited when administered by oral, intravenous, intramuscular or rectal routes.

DRAFT

STATE OF CALIFORNIA



DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission

2005 Evergreen St., Ste. #2010

Sacramento, CA 95815

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**PHYSICIAN'S ATTESTATION**

FOR THERAPEUTIC USE EXEMPTION APPLICATIONS (GENERAL)

****STRICTLY CONFIDENTIAL****

Physician's Attestation of Athlete's Eligibility for a Testosterone TUE:

I, _____, declare and state as follows:

I am a **board-certified physician** in the _____ medical field, duly licensed to practice medicine in the United States of America. I am currently in good standing and have never had my license suspended or revoked for any reason.

My offices are located at _____, City of _____, State of _____, Zip code _____. My telephone number is _____.

I have read and understand the guidelines for TUE as set forth in CSAC regulations for TUE.

I examined the athlete _____, license number _____ and based upon the standard of practice in the industry this athlete qualifies for TUE.

I declare under penalty of perjury the aforementioned is true and correct.

Executed on this _____ day of _____, 2013.

Print Name of Physician_____
Signature of Physician

Acknowledged by: _____

Print Name of Athlete_____
Signature of Athlete



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PHYSICIAN'S ATTESTATION
FOR THERAPEUTIC USE EXEMPTION APPLICATIONS (TESTOSTERONE)
****STRICTLY CONFIDENTIAL****

Endocrinologist's Attestation of Athlete's Eligibility for a Testosterone TUE:

I, _____, declare and state as follows:

I am a **board-certified endocrinologist**, duly licensed to practice medicine in the United States of America. I am currently in good standing and have never had my license suspended or revoked for any reason.

My offices are located at _____, City of _____, State of _____, Zip code _____. My telephone number is _____.

I have read and understand the guidelines for TUE as set forth in the Physician's Guidelines published by the California State Athletic Commission.

I examined the athlete _____, license number _____ based upon the criteria set forth in the Physician's Guidelines.

I attest that the athlete qualifies for a testosterone TUE based on criteria established by the California State Athletic Commission, based upon my examination of the athlete and the Physicians Guidelines.

I declare under penalty of perjury the aforementioned is true and correct.

Executed on this _____ day of _____, 2013.

Print Name of Physician

Signature of Physician

Acknowledged by:

Print Name of Athlete

Signature of Athlete

AGENDA ITEM

6

Introduction

These policies initially used as a core structure the Association of Boxing Commissions (ABC) Medical Committee's suggested guidelines to Commissioners concerning the health and safety of combat sports participants with specific reference to the Transgender Policy, July 2012. Modifications were made based upon CSACMAC research and opinions, and the Department of Consumer Affairs California State Athletic Commission Medical Advisory Committee meeting held in Sacramento, California on April 7, 2013. The policies outlined herein are aimed at allowing sports athletes to participate in competition in accordance with their gender identity while maintaining the relative balance of competitive equity among competitors.

Hormonal therapy is discussed to ensure replacement of endogenous sex hormone levels with those of the reassigned sex, and that hormones are maintained within the normal range for all competitors.

Trans-women: Male to Female

1. Psychiatric confirmation of DSM-IV,V criteria for transgender.

Comment [cg1]: Differs from ABC policy, which requires surgery.

1.2. Individuals undergoing sex reassignment from male to female prior to puberty are regarded as girls and eventually women (female).

Comment [cg2]: Does this mean hormone tx and/or surgical tx? Ask if ongoing hormone tx is required? May not matter if before or after puberty.

2.3. Individuals undergoing sex reassignment from male to female after puberty may be eligible for participation in female competitions under the following conditions:

a) Surgical anatomical changes have been completed including gonadectomy and surgical changes of external genitalia;

b) Hormone therapy for the assigned sex (female) has been administered for a minimum of one two years after gonadectomy preferably by a board-certified endocrinologist, internist, paediatrician, or any physician or D.O., known to have significant knowledge and experience with transsexual and transgender individuals. This is the current understanding of the minimum amount of time necessary to obviate male hormone gender related advantages in sports competition. Hormone therapy prior to gonadectomy is not included in the two years due to the potential for the production of endogenous testosterone from the gonads during periods when hormones were not available or were dosed below that needed to completely suppress testosterone production.

Comment [cg3]: As long as we have good medical data. Or should it be closer to 2 years.

Comment [cg4]: Is this adequate to assure expertise of physician or a loophole? Means of verification?

e) A letter from the physician responsible for the care of this patient will need to be submitted to the medical review panel, the athletic commission being petitioned for licensure, and to the CSACMAC including the following:

Comment [cg5]: Maybe testify in person, or by phone.

- Initial date of hormone therapy for the assigned sex (female) (can be prior to gonadectomy but is not included in the two year requirement for hormone therapy after gonadectomy)
- Date, location, surgeon and surgical report of the gonadectomy (if relevant)
- Date, location, surgeon and surgical report for any other surgery involving the genitalia (if relevant)
- Hormone name/type, dose and interval of administration over the past two years

- Lab reports of estradiol and testosterone levels within the past two years with a goal of serum estradiol levels within the normal range for healthy premenopausal women (<200 pg/ml) and suppression of testosterone levels to those normally found in women (<55 ng/dl)
- Name, dose and duration of any anti-androgen treatment used over the past two years
- Name, dose and duration of any other medication used as part of the management of the transgender state

A trans-woman (male to female) athlete being treated with testosterone suppression medication may compete as a male until completing two years of documented testosterone suppression therapy.

TUE will not be granted for Hormone Replacement Therapy.

Trans-men: Female to Male

1. Individuals undergoing sex reassignment from female to male prior to puberty are regarded as boys and eventually men (male).
 2. Individuals undergoing sex reassignment from female to male after puberty should be eligible in male competition under the following conditions:
 - a) Surgical anatomical changes have been completed which at a minimum must include breast reduction but may additionally include surgical changes of internal (hysterectomy and or ovariectomy) and/or external genitalia;
 - b) Hormone therapy for the assigned sex (male) has been administered for a minimum of two years preferably by a board-certified endocrinologist, internist, and pediatrician; or by a physician or D.O. specialist known to have significant knowledge and experience with transsexual and transgender individuals. This is the current understanding of the minimum amount of time necessary to promote the male gender for sports competition.
 - c) A letter from the physician responsible for the care of this patient will need to be submitted to the medical review panel of the athletic commission being petitioned for licensure and the CSACMAC.
 - Initial date of hormone therapy for the assigned sex (male)
 - Date, location, surgeon and surgical report of any surgery including breast reduction, gonadectomy, hysterectomy or any other surgery involving the genitalia.
- Hormone name/type, dose and interval of administration over the past two years
- Lab reports of estradiol and testosterone levels within the past two years with a goal of serum estradiol levels within the normal range for healthy men (lab specific) and testosterone levels within the range for healthy men (≥300 ng/dl – the upper level of the normal range; lab specific)
- Name, dose and duration of any anti-estrogen treatment used over the past two years

Comment [cg6]: May make a difference in athletic clothing worn.

Comment [cg7]: Safety issues?

____ Name, dose and duration of any other medication used as part of the management of the transgender state

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A Trans-male (Female to Male) athlete who is on testosterone replacement therapy may compete only as a male. TUE may be granted if appropriate documentation is provided. TUE will be based on CSACMAC TUE policy.

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Maybe add section on safety clothing or equipment on a case-by-case basis. Education parameters should be included.

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Working Draft

AGENDA ITEM

8



POLICY AND PROCEDURE

<i>TITLE:</i> Policies, Procedures and Duties of the Executive Officer	<i>SUPERSEDES:</i> None	<i>POLICY #:</i> 2013-02
<i>POLICY OWNER:</i> California State Athletic Commission	<i>EFFECTIVE:</i> Immediately	<i>PAGE:</i> 1 of 3
<i>DISTRIBUTE TO:</i> Executive Officer	<i>ORIGINAL APPROVED BY:</i> Commissioners of the State Athletic Commission	
<i>ISSUE DATE:</i> April 12, 2013		

Policy: Policies, Procedures and Duties of the Executive Officer of the California State Athletic Commission

Purpose:

The purpose of this document is to memorialize the Executive Officer's duties and responsibilities as they relate to communication with the Commissioners of the California State Athletic Commission ("Commission"). This policy and procedure is to be read in conjunction with the Job Duties of the Executive Officer as approved by the Department of Consumer Affairs.

Applicability:

To be adhered to by the Executive Officer.

Authority

Commissioners of the State Athletic Commission

Introduction

The Executive Officer reports to the Commission Board, and is responsible for the organization's consistent achievement of its mission and financial objectives. In program development and administration, the Executive Officer:

1. Assures that the organization has a long-range strategy that achieves its mission in a consistent and timely manner.
2. Provides leadership in developing program, organizational and financial plans with the Commission and staff, and carries out plans and policies as desired by the Commission.
3. Promotes active and broad participation by staff and Commission in all areas of the organization's work.
4. Maintains official records and documents, and ensures compliance with federal, state and local laws and regulations.

5. Maintains a working knowledge of significant developments and trends in the field of combat sports.

General Communication Requirements:

1. It is incumbent upon the Executive Officer to ensure that the Commission is kept fully informed of the condition of the organization and all important factors influencing it on a minimum of a weekly basis by way of email, facsimile or telephone. The communications will include circulating documentation, where appropriate, relevant to the subject of each communication.

2. The Executive Officer is responsible for publicizing the activities of the organization, its programs and goals as directed by the Commission as well as to the public in order to maintain transparency and to ensure there is oversight. This publication shall be done through the web site and updated monthly.

3. The Executive Officer shall be responsible for establishing sound working relationships and cooperative arrangements with government, appropriate groups and organizations at the direction of the Commission and the Executive Officer shall keep the Commission abreast of developments by way of email, telephone or facsimile.

4. The Executive Officer shall represent the opinions of the Commission to agencies, organizations, and the general public at the direction of the Commission.

Administrative Duties and Responsibilities of the Executive Officer:

1. The Executive Officer shall communicate issues with the administration and management of all Commission employees and personnel to the Commission on a monthly basis by way of email, telephone or facsimile, including but not limited to the preparation of job descriptions, oversight of regular performance, preparation of regular evaluations and execution of sound human resource practices.

2. The Executive Officer shall prepare and execute a succession plan at the direction of the Commission.

3. The Executive Officer shall engage in staff development, education, and appropriate training at the direction of the Commission.

Budget and Finance Duties of the Executive Officer:

1. The Executive Officer shall develop and maintain sound financial practices and communicate with the Commission on a monthly basis the Commission's short term and long term budget and financial strategies and state of financial condition.

2. The Executive Officer shall prepare and execute a budget at the direction of the Commission.

3. The Executive Officer shall advise the Commission on a monthly basis the funds that are available for the Commission to oversee boxing, kick boxing, mixed martial arts and martial arts in California.

4. The Executive Officer shall communicate with the Commission on a monthly basis the legal matters pending and upcoming involving the Commission, including but not limited to pending and anticipated litigation.

AGENDA ITEM

11

ATHLETIC COMMISSION FY 2013-14 - LONG TERM FINANCIAL PLAN

Prepared: 4/15/2013

13-14 Gov	Budget	July	August	September	October	November	December	January	February	March	April	May	June	Proposed Expenditure	Difference	%
PERSONAL SERVICES:																
Civil Service-Perm	183,905	\$ 27,296	\$ 27,296	\$ 27,296	\$ 27,296	\$ 27,296	\$ 27,296	\$ 27,296	\$ 27,688	\$ 27,688	\$ 27,688	\$ 28,136	\$ 28,136	\$ 330,409	\$ 146,504	46.6%
Statutory-Exempt (EO)	90,029	\$ 7,100	\$ 7,100	\$ 7,100	\$ 7,100	\$ 7,100	\$ 7,100	\$ 7,100	\$ 7,100	\$ 7,100	\$ 7,100	\$ 7,100	\$ 7,100	\$ 85,200	\$ -4,829	-1.5%
Athletic Inspectors	146,680	\$ 18,430	\$ 18,430	\$ 18,061	\$ 19,557	\$ 12,423	\$ 15,416	\$ 12,034	\$ 12,792	\$ 22,571	\$ 18,430	\$ 17,671	\$ 19,188	\$ 205,000	\$ 58,320	18.5%
Board/Commission	4,500	\$ -	\$ 714	\$ -	\$ 714	\$ 714	\$ -	\$ 714	\$ 714	\$ -	\$ 714	\$ -	\$ 714	\$ 5,000	\$ 500	0.2%
Temporary Help	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
Overtime	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
Staff Benefits	136,581	\$ 14,790	\$ 14,790	\$ 14,790	\$ 14,790	\$ 14,790	\$ 14,790	\$ 14,790	\$ 14,959	\$ 14,959	\$ 14,959	\$ 15,151	\$ 15,151	\$ 178,712	\$ 42,131	13.4%
TOTAL, PERSONAL SERVICES	561,695	\$ 67,616	\$ 68,330	\$ 67,247	\$ 69,458	\$ 62,324	\$ 64,602	\$ 61,934	\$ 63,254	\$ 72,318	\$ 68,891	\$ 68,058	\$ 70,290	\$ 804,321	\$ 242,626	77.1%
OPERATING EXPENSE AND EQUIPMENT																
General Expense	10,211	\$ 3,500	\$ -	\$ 3,500	\$ -	\$ 3,500	\$ -	\$ 3,500	\$ -	\$ 3,500	\$ -	\$ 3,500	\$ -	\$ 21,000	\$ 10,789	3.4%
Printing	2,000	\$ 1,000	\$ -	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ 1,000	\$ 4,000	\$ 2,000	0.6%
Communication	3,000	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 3,000	\$ -	0.0%
Postage	1,200	\$ 360	\$ 360	\$ 352	\$ 382	\$ 242	\$ 301	\$ 235	\$ 250	\$ 440	\$ 360	\$ 345	\$ 374	\$ 4,000	\$ 2,800	0.9%
Travel In State	72,600	\$ 10,788	\$ 10,788	\$ 10,572	\$ 11,448	\$ 7,272	\$ 9,024	\$ 7,044	\$ 7,488	\$ 13,212	\$ 10,788	\$ 10,344	\$ 11,232	\$ 120,000	\$ 47,400	15.1%
Training	-	\$ -	\$ -	\$ -	\$ 2,500	\$ -	\$ -	\$ -	\$ -	\$ 2,500	\$ -	\$ -	\$ -	\$ 5,000	\$ 5,000	1.6%
Facilities Operations	62,640	\$ 5,220	\$ 5,220	\$ 5,220	\$ 5,220	\$ 5,220	\$ 5,220	\$ 5,220	\$ 5,220	\$ 5,220	\$ 5,220	\$ 5,220	\$ 5,220	\$ 62,640	\$ -	0.0%
C/P Services - Internal	25,000	\$ 2,248	\$ 2,248	\$ 2,203	\$ 2,385	\$ 1,515	\$ 1,880	\$ 1,468	\$ 1,560	\$ 2,753	\$ 2,248	\$ 2,154	\$ 2,340	\$ 25,000	\$ -	0.0%
C/P Services - External	73,860	\$ 6,155	\$ 6,155	\$ 6,155	\$ 6,155	\$ 6,155	\$ 6,155	\$ 6,155	\$ 6,155	\$ 6,155	\$ 6,155	\$ 6,155	\$ 6,155	\$ 73,860	\$ -	0.0%
DCA Distributed	215,101	\$ -	\$ -	\$ 53,775	\$ -	\$ -	\$ 53,775	\$ -	\$ -	\$ 53,775	\$ -	\$ -	\$ 53,775	\$ 215,101	\$ -	0.0%
DEPARTMENTAL SERVICES																
Interagency Services	105	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -105	0.0%
Central (State) Adm Pro Rata	117,588	\$ -	\$ -	\$ 29,397	\$ -	\$ -	\$ 29,397	\$ -	\$ -	\$ 29,397	\$ -	\$ -	\$ 29,397	\$ 117,588	\$ -	0.0%
ENFORCEMENT																
Attorney General	48,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 48,000	\$ -	0.0%
Major Equipment	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000	\$ 4,000	1.3%
Minor Equipment	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
TOTALS, OE&E	631,305	\$ 33,520	\$ 29,020	\$ 115,424	\$ 33,340	\$ 28,154	\$ 110,002	\$ 31,871	\$ 25,923	\$ 121,203	\$ 29,021	\$ 31,968	\$ 113,744	\$ 703,189	\$ 71,884	22.86%
TOTAL EXPENSE	1,193,000	\$ 101,136	\$ 97,350	\$ 182,671	\$ 102,797	\$ 90,478	\$ 174,604	\$ 93,805	\$ 89,176	\$ 193,520	\$ 97,912	\$ 100,026	\$ 184,033	\$ 1,507,510	\$ 314,510	26.4%

FY 13-14 Projected Cashflow of Athletic Commission Fund

Fund 0326

	Revenue	Expenditures	Balance	Comments
CY 2012-13				
Beginning balance:			\$ 300,000	FY 2012-13 Closing Balance (Estimate)
July	\$ 135,950	\$ 101,136	\$ 334,814	
August	\$ 161,988	\$ 97,350	\$ 399,452	
September	\$ 114,574	\$ 182,671	\$ 331,355	
October	\$ 115,872	\$ 102,797	\$ 344,430	
November	\$ 60,046	\$ 90,478	\$ 313,998	
December	\$ 147,572	\$ 174,604	\$ 286,965	
January	\$ 109,922	\$ 93,805	\$ 303,082	
February	\$ 45,440	\$ 89,176	\$ 259,345	
March	\$ 121,498	\$ 193,520	\$ 187,323	
April	\$ 100,617	\$ 97,912	\$ 190,029	
May	\$ 100,184	\$ 100,026	\$ 190,187	
June	\$ 166,181	\$ 184,033	\$ 172,334	
FY 2012-13 Total	\$ 1,379,844	\$ 1,507,510		

AGENDA ITEM

12a

West Coast Fighting Championship III
"Resolution"
Fight Card

8. Justin Baesman vs. Kito Andrews 170 lb. Title 5x5

7. Nick Christy vs. Marcus Gaines 170 lbs. 3x5

6. Scott Rosa vs. Jeremy Rosales 190 lbs. 3x5

5. Orlando Sanchez vs. CJ Leveque HW 3x5

4. Dan Reyes vs. Dino Espinoza 155lbs. 3x5

3. Tyshon Johnson vs. D.J. Roberson 170 lbs. 3x5

2. Micah Herbert vs. Richard Blake 205 lbs. 3x5

1. Kory Morford vs. Granson Clark 205 lbs. 3x3

Blue Corner walks out first

Red Corner walks out second.

ROSALES



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



ACTUAL WEIGHT
196.2

BOUT CONTRACT
READ ENTIRE CONTRACT BEFORE SIGNING

DATE: 9/7/12 VENUE: Yuba Sutter Fairgrounds
CONTESTANT: Jeremy Rosales CONTRACT WEIGHT: 190 lb
OPPONENT: Scott Rosa CONTRACT WEIGHT: 190 lb
PROMOTER: Brandon Ware MANAGER: —

This bout will be televised. Yes No This bout will be taped for later resalé or viewing: Yes No

This contract is made this 7 day of Sept, 2012 between:

Promoter Brandon Ware and Contestant Jeremy Rosales and Manager —

The above parties agree with each other and the California State Athletic Commission, hereinafter referred to as the commission, to induce its acceptance of this bout contract, as follows:

BOUT AND WEIGHT 1. Contestant shall appear and enter into a **boxing** (martial arts) bout (circle one) at the stated venue for the promoter at the proposed weight on the 7 day of Sept, in the year 2012, or on a date to be agreed upon not later than — weeks from the date set forth above, for 3x5 rounds to a decision. Contestant weights shall be in compliance with Rule 298 (Boxing) or 510 (Martial Arts).

Contract Weight means the weight that the bout is proposed for. Record only the **exact** Contract Weight. If a Contestant fails to make the Contract Weight the commission determines the course of action in accordance to regulations and or policies.

All Contestants shall be weighed in the presence of a commission representative, on scales approved by the commission and at a time and place to be set by the commission. The "ACTUAL WEIGHT" on the bout contract is the official weight. The "PROPOSED WEIGHT" on the bout contract is the weight initially agreed upon by all parties subject to commission approval. Weight loss as determined by the commission to be detrimental to the health and safety of a contestant shall not be allowed. Contestant shall report at the required time and place to be weighed and undergo a medical examination in accordance with the laws and regulations of the commission. Contestant shall also report to the promoter or designated commission representative at the time instructed by the commission. Failure to comply with these provisions shall be deemed to be a breach of this contract.

If the contestant fails to make the contracted weight, 20% of his or her purse shall be forfeited. The Manager shall also forfeit a sum of money equal to that which was forfeited by the contestant. The amount forfeited shall be divided equally between the opponent and the commission.

COMPENSATION 2. Promoter will pay contestant the sum of _____ Dollars (\$ 1.00) or N/A percent (_____ %) of the gross receipts of the promoter whichever is greater. This payment is due the night of the bout and represents full payment for the contestant's performance of this contract. The percentage shall be determined after deducting from the gross receipts any payments for taxes and any deductions agreed upon by the contestant and the promoter and approved by the commission prior to the bout that are itemized in accordance with Paragraph 3 of this contract.

DEDUCTIONS 3. Deductions shall either itemized in an addendum approved and filed with the commission or be clearly detailed in the "ADDITIONAL TERMS" section of this contract. Deductions that are not itemized either in an approved addendum or in the "ADDITIONAL TERMS" section of this contract shall not be deducted from the

ROSA



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



ACTUAL WEIGHT
149

BOUT CONTRACT
READ ENTIRE CONTRACT BEFORE SIGNING

DATE: 9/7/12 VENUE: Yuba-Sutter Fairgrounds
CONTESTANT: Scott Rosa CONTRACT WEIGHT: 190 lb
OPPONENT: Jeremy Rosaks CONTRACT WEIGHT: 190 lb
PROMOTER: Brandon Ware MANAGER: _____

This bout will be televised. Yes X No This bout will be taped for later resale or viewing: X Yes ___ No

This contract is made this 7 day of Sept, 2012 between:

Promoter Brandon Ware and Contestant Scott Rosa and Manager _____

The above parties agree with each other and the California State Athletic Commission, hereinafter referred to as the commission, to induce its acceptance of this bout contract, as follows:

BOUT AND WEIGHT 1. Contestant shall appear and enter into a boxing (martial arts) bout (circle one) at the stated venue for the promoter at the proposed weight on the 7 day of Sept, in the year 2012, or on a date to be agreed upon not later than ___ weeks from the date set forth above, for 3xs rounds to a decision. Contestant weights shall be in compliance with Rule 298 (Boxing) or 510 (Martial Arts). Contract Weight means the weight that the bout is proposed for. Record only the exact Contract Weight. If a Contestant fails to make the Contract Weight the commission determines the course of action in accordance to regulations and or policies. All Contestants shall be weighed in the presence of a commission representative, on scales approved by the commission and at a time and place to be set by the commission. The "ACTUAL WEIGHT" on the bout contract is the official weight. The "PROPOSED WEIGHT" on the bout contract is the weight initially agreed upon by all parties subject to commission approval. Weight loss as determined by the commission to be detrimental to the health and safety of a contestant shall not be allowed. Contestant shall report at the required time and place to be weighed and undergo a medical examination in accordance with the laws and regulations of the commission. Contestant shall also report to the promoter or designated commission representative at the time instructed by the commission. Failure to comply with these provisions shall be deemed to be a breach of this contract.

If the contestant fails to make the contracted weight, 20% of his or her purse shall be forfeited. The Manager shall also forfeit a sum of money equal to that which was forfeited by the contestant. The amount forfeited shall be divided equally between the opponent and the commission.

COMPENSATION 2. Promoter will pay contestant the sum of ___ Dollars (\$350) or ___ percent (___%) of the gross receipts of the promoter whichever is greater. This payment is due the night of the bout and represents full payment for the contestant's performance of this contract. The percentage shall be determined after deducting from the gross receipts any payments for taxes and any deductions agreed upon by the contestant and the promoter and approved by the commission prior to the bout that are itemized in accordance with Paragraph 3 of this contract.

DEDUCTIONS 3. Deductions shall either itemized in an addendum approved and filed with the commission or be clearly detailed in the "ADDITIONAL TERMS" section of this contract. Deductions that are not itemized either in an approved addendum or in the "ADDITIONAL TERMS" section of this contract shall not be deducted from the



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

121-303



123-875

PROMOTER: <u>West Coast</u>				CITY: <u>Yuba City</u>				DATE: <u>9/8/2012</u>												
RED				VS				BLUE												
<u>Rosa</u>								<u>Rosales</u>												
JUDGE: <u>SUSAN THOMAS GITLAN</u> <small>(WHITE)</small>				JUDGE: <u>BRUCE RASMUSSEN</u> <small>(BLUE)</small>				JUDGE: <u>WADE VIENNA</u> <small>(BLACK)</small>												
NAME: <u>Rosa</u>				NAME: <u>Rosales</u>				NAME: <u>Rosa</u>				NAME: <u>Rosales</u>								
NET	Points	ROUND	Rounds	ROUND	POINTS	NET	NET	Points	ROUND	Rounds	ROUND	POINTS	NET	NET	Points	ROUND	Rounds	ROUND	POINTS	NET
POINTS	Deducted	POINTS		POINTS	Deducted	POINTS	POINTS	Deducted	POINTS		POINTS	Deducted	POINTS	POINTS	Deducted	POINTS		POINTS	Deducted	POINTS
9		9	1	10		10	9		9	1	10		10	9		9	1	10		10
18		9	2	10		20	18		9	2	10		20	18		9	2	10		20
			3							3							3			
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			10							10							10			
			11							11							11			
			12							12							12			
← TOTAL				TOTAL →				← TOTAL				TOTAL →								
NET POINTS				NET POINTS				NET POINTS				NET POINTS								
RESULTS: <u>Tap out Rnd 3 0:53</u>				REMARKS: <u>Laceration @ eyebrow Rosales</u>																

Josh Rosenthal
 REFEREE'S NAME

[Signature]
 SIGNATURE OF COMMISSION REPRESENTATIVE

AGENDA ITEM

12b



BOXING 360
183 Bleecker Street
New York, NY 10012
Tel: 212-505-5577
Fax: 212-505-3293

April 30, 2013

VIA FEDERAL EXPRESS

Che Guevara, Chief Athletic Inspector
California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815

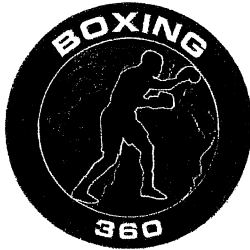
Dear Mr. Guevara:

As per my letters of September 24 and 25, 2012, as well as the attached e-mail correspondence, all of which is enclosed herein for your review, I have been steadily contacting you for seven months to request that the California Commission schedule a hearing to overturn the ruling of the Paul Mendez versus DonYil Livingston bout, which occurred on Saturday, September 22, 2012. On September 25, 2012, you confirmed via email that you had received Boxing 360's bout appeal and would "get together a written response and determine a date for that to be heard." I have not heard from you since that date, despite having followed up diligently. To my dismay, Mr. Livingston recently visited the Commission to inquire into the status of his bout appeal and was told that the Commission had nothing on file and had never received my request, nor the taped broadcast sent to your attention on September 25, 2012. The enclosed paperwork more than establishes that both the bout appeal and the taped broadcast were delivered to your office and confirmed to be in your possession.

I am writing now to urgently request your undivided attention to this matter. We ask that you prioritize our request and schedule Mr. Livingston for the very first hearing that is available in May. Mr. Livingston's career has been put on hold since the adverse decision was made last September. We trust you will understand how important this is to our fighter and ask again to for his case to be heard without further delay.

Very truly yours,

Laura Leibfreid, Esq.
General Counsel, Boxing 360 LLC



BOXING 360
183 Bleecker Street
New York, NY 10012
Tel: 212-505-5577
Fax: 212-505-3293

September 24, 2012

VIA FED EX/FACSIMILE/ELECTRONIC MAIL

Che Guevara, Chief Athletic Inspector
California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815

Dear Mr. Guevara:

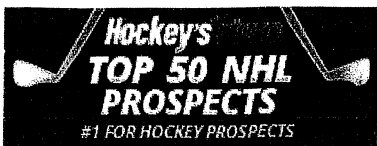
On behalf of Boxing 360 LLC, I am writing to appeal to the California State Athletic Commission to overturn the ruling of the Paul Mendez versus DonYil Livingston bout, which occurred on Saturday, September 22, 2012 at the Woodland Community Center in Woodland Hills, California. As seen live on *Telefutura*, as well as in the Solo Boxeo taped broadcast, referee Dan Collins stopped the fight in the first minute of the seventh round, awarding Paul Mendez a technical knockout victory. However, as the *Telefutura* replays clearly indicate, DonYil Livingston, a boxer within Boxing 360 LLC's exclusive promotion, was hit with an unintentional low blow a "good six inches" below the belt, as reported by *Doghouseboxing.com*, *Fightnews.com*, and *RingTV.com* (see articles attached), from which he was unable to beat the 10 count.

With this letter, Boxing 360 LLC respectfully requests that the California State Athletic Commission review the decision prior to the next meeting on October 8, 2012, in order to change the ruling from a technical knockout win for Paul Mendez to a no contest decision. To do so, we will be providing you with a copy of the taped broadcast as soon as we receive it. Should you require additional information or documentation, we would be happy to abide by the Commission's procedures. Please advise at your earliest possible convenience.

Very truly yours,

Laura Leibfreid, Esq.
General Counsel
Boxing 360 LLC

Search...



Mendez stops Livingston with controversial body shot

by Doug Fischer
Sep 23rd, 2012

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Northern California-based middleweight Paul Mendez scored a controversial seventh-round stoppage of once-beaten DonYil Livingston in a Telefutera-televised bout from Woodland, Calif. on Saturday.

Mendez (10-2-1, 4 knockouts), of Delano, Calif., appeared to drop and stop Livingston with a body shot landed in the first minute of the seventh round of their scheduled eight-round *Solo Boxeo* main event. However, Telefutera replays clearly showed that Mendez's body shot landed below Livingston's beltline.

The initial call of referee Dan Collins stood and Mendez was awarded a seventh-round technical knockout victory but Livingston can appeal the official decision to the California State Athletic Commission with the taped evidence from the *Solo Boxeo* broadcast and conceivably push to have the result changed to a No Contest.

Should the result change a rematch may be in order. Their fight was a good one up until the stoppage. Both middleweights started fast and hard exchanges highlighted the second and third rounds. Livingston (8-2-1, 4 KOs), a Palmdale-based native of Tulsa, Okla., was quicker with his jab and appeared stronger on the inside whenever they grappled.

Mendez, who stands 6-foot-1 with a 78-inch wingspan, negated his height and reach advantage by not working a consistent jab but he outworked his shorter opponent, particularly when he was able to press the 28-year-old former amateur standout to the ropes.

Mendez rocked Livingston with a right hand at the start of the fourth round. Livingston returned the favor one minute into the fifth, buzzing Mendez with a right hand that made his 23-year-old foe hold on.

Mendez was busier and more aggressive in round six but both landed uppercuts when Livingston's back was to the ropes.

The fight appeared up for grabs at the time of the stoppage. It's a pity the ending came from an uncalled foul.

In the co-featured bout of the broadcast, junior featherweight prospect Manuel "Tino" Avila improved to 10-0, with three KOs, by outboxing and outpointing 35-year-old Colombian veteran John Alberto Molina (32-20-3, 20 KOs) over eight rounds.

Avila, a 20-year-old former amateur standout from Fairfield, Calif., won by unanimous scores of 79-73.

Tagged: DonYil Livingston Paul Mendez Solo Boxeo Telefutera

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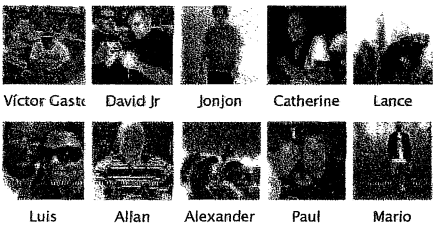
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Mendez impressive, controversial stoppage not

By John J. Raspanti, Doghouse Boxing (Sept 24, 2012) Doghouse Boxing (Photo © Chris Farina / Top Rank)

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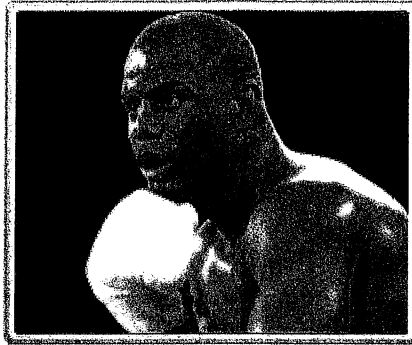
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Paul Mendez (10-2, 4 KOs) used a combination of jabbing and right hands to stop Donyil Livingston (8-2-1, 4 KOs) 43 seconds into round seven Saturday night at the Woodland Community Center in Woodland, Calif.

But as they say, not so fast.

Livingston was dropped by a left hook that was good six inches below the belt. The Palmdale, Calif. resident writhed in pain as referee Don Collins picked up the count. Collins reached the fatal 10 with Livingston unable to stand. As the crowd roared, Livingston's corner screamed in disbelief. They jumped in the ring to help their fighter, but also to complain to the referee.



From this writer's vantage point the blow was obviously low. Collins was out of position and couldn't see the punch. The procedure is to ask for help from the ringside judges. Collins questioned judge Kermit Bayless. Unfortunately Bayless, on the other side of the ring, was unable to see the low blow. Why Collins didn't ask for a second opinion is unknown. As of this writing, Livingston's team was preparing to file a protest with the California State Athletic Commission.

At the time of the stoppage, Mendez's performance was sharp and efficient. He was constantly able to beat the aggressive Livingstone to the punch. It's likely he was on his way to a victory.

All three judges had Mendez ahead at the time of the stoppage. This writer concurred, giving Mendez the edge 58-56. Livingston's intensity had increased in the previous round, but Mendez was still connecting with cutting right hands.

Manuel "Tino" Avila (10-0, 3 KOs) dominated 35-year-old Jhon Molina (32-20-3, 19 KOs) over eight rounds to win a unanimous decision. The judges had Avila winning 79-73.

Avila's quickness was immediately evident as he outworked Molina. The veteran from Cartagena, Columbia, stalked Avila, but found himself outmaneuvered throughout the bout. Avila's quicker hands peppered Molina with combinations. When Molina pushed, Avila cracked him with right hands that stung.

Avila, 20, like Mendez, has showed steady improvement in his last few fights.

Entertaining Guy Robb (9-1, 4 KOs) and journeyman Jonathan Ancantara (6-9-2, 1 KO) battled over six rounds with Robb winning by a unanimous decision. The scoring was 6-54, three times.

After a quiet opening minute, Robb and Ancantara met in the center of the ring and went toe to toe. Robb knocked Ancantara down with a beautiful left - right combination in round three.

Jonathan Chicas (7-0, 3 KOs) outworked Jorge Mendoza (7-7, 3 KOs) over five rounds. All three judges had the San Francisco native winning every round. Chicas worked the head and body extensively.

Follow and visit John on Twitter: twitter.com/#!/johnboxing1

-- Questions/comments johnboxing1@hotmail.com

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Write for Doghouse Boxing: anthony1974@gmail.com.

UFC 153 **SILVA BONNAR**
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BOXING NEWS

Livingston camp gearing up for protest

Saturday Nights' Telefutera main event featuring Paul Mendez versus Donyil Livingston ended controversially when the bout's official 7th round KO winner Mendez hit Livingston with an unintentional low blow after which Livingston went down and was counted out. Livingston is promoted by Boxing360 who already has their legal team drawing up a formal protest in writing to be sent first thing Monday morning to the California State Athletic Commission. "The television replays clearly showed this was a low blow that ended the fight and hopefully the California Athletic Commission after careful review will reverse this to what I feel is the rightful decision of a no contest," said Boxing360 Founder/CEO Mario Yagobi.

September 23rd, 2012

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The punch WAS low, but was because Donyil was pushing down on Mendez's neck. What I didn't understand is why Donyil made no attempt to sell the foul. He never complained outwardly, in fact, his dad did all the complaining. It was a pretty competitive hookup and a rematch s/b in order. I'm not so sure Donyil has enough power for the ranked mwt. s.

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LAW OFFICES OF LAURA LEIBFREID, PLLC

137 MONTAGUE STREET, #314
BROOKLYN, NY 11201

TELEPHONE: (718) 775-3293
FAX: (718) 228-9827

FAX

To: Che Guevara, CSAC	From: Laura Leibfreid, Esq.
Fax: (916) 263-2197	Pages: 5
Phone: (916) 263-2195	Date: 09/24/2012
Re:	cc:

Comments:

Please see attached on behalf of Boxing 360 LLC.

Regards,

Laura Leibfreid, Esq.
General Counsel
Boxing 360 LLC
laura@boxing360.com

TRANSMISSION VERIFICATION REPORT

TIME : 09/24/2012 06:14
NAME :
FAX :
TEL :
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DATE, TIME 09/24 06:11
FAX NO./NAME 919162632197
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LAW OFFICES OF LAURA LEIBFREID, PLLC

137 MONTAGUE STREET, #314
BROOKLYN, NY 11201

TELEPHONE: (718) 775-3293
FAX: (718) 228-9827

FAX

To: Che Guevara, CSAC	From: Laura Leibfreid, Esq.
Fax: (916) 263-2197	Pages: 5
Phone: (916) 263-2195	Date: 09/24/2012
Re:	cc:

Comments:

Please see attached on behalf of Boxing 360 LLC.

Regards,

Laura Leibfreid, Esq.
General Counsel
Boxing 360 LLC
laura@boxing360.com



Laura Leibfreid <laura.leibfreid@gmail.com>

FedEx Shipment 799038542178 Delivered

1 message

trackingupdates@fedex.com <trackingupdates@fedex.com>

Tue, Sep 25, 2012 at 12:19 PM

Reply-To: trackingmail@fedex.com

To: laura.leibfreid@gmail.com

This tracking update has been requested by:

Company Name:	Law Offices of Laura Leibfreid
Name:	Laura Leibfreid, Esq.
E-mail:	laura.leibfreid@gmail.com

Our records indicate that the following shipment has been delivered:

Reference:	Boxing 360
Ship (P/U) date:	Sep 24, 2012
Delivery date:	Sep 25, 2012 9:10 AM
Sign for by:	T.JENNINGS
Delivery location:	SACRAMENTO, CA
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Priority Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb.
Special handling/Services:	Deliver Weekday
Tracking number:	799038542178

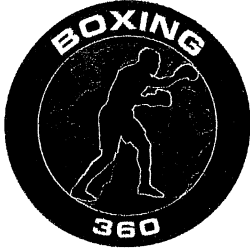
Shipper Information
Laura Leibfreid, Esq.
Law Offices of Laura Leibfreid
#314
137 Montague Street
Brooklyn
NY
US
11201

Recipient Information
Che Guevara, Chief Athletic Inspec.
California State Athletic Commi.
2005 Evergreen Street
Ste. 2010
SACRAMENTO
CA
US
95815

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BOXING 360
183 Bleecker Street
New York, NY 10012
Tel: 212-505-5577
Fax: 212-505-3293

September 25, 2012

VIA FEDERAL EXPRESS

Che Guevara, Chief Athletic Inspector
California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815

Dear Mr. Guevara:

As per my correspondence yesterday, enclosed please find a copy of the taped broadcast of the Paul Mendez versus DonYil Livingston bout, which occurred on Saturday, September 22, 2012. Should you require additional information or documentation, please do not hesitate to contact us. We trust the Commission will have time to review the tape prior to the October 8th meeting.

Very truly yours,

Laura Leibfreid, Esq.
General Counsel
Boxing 360 LLC





Laura Leibfreid <laura.leibfreid@gmail.com>

FedEx Shipment 799048135544 Delivered

1 message

trackingupdates@fedex.com <trackingupdates@fedex.com>

Wed, Sep 26, 2012 at 12:17 PM

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To: laura.leibfreid@gmail.com

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Name:	Laura Leibfreid, Esq.
E-mail:	laura.leibfreid@gmail.com

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Sign for by:	T.JENNINGS
Delivery location:	SACRAMENTO, CA
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Priority Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb.
Special handling/Services:	Deliver Weekday

Tracking number: 799048135544

Shipper Information
Laura Leibfreid, Esq.
Law Offices of Laura Leibfreid
#314
137 Montague Street
Brooklyn
NY
US
11201

Recipient Information
California State Athletic Commis.
Che Guevara, Chief Athletic Inspect
2005 Evergreen Street, Suite 2010
SACRAMENTO
CA
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95815

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Appeal of Mendez vs. Livingston Decision

Laura Leibfreid <laura@boxing360.com>
To: che_guevara@dca.ca.gov
Cc: yagobi <mario@boxing360.com>

Mon, Sep 24, 2012 at 3:49 PM

Dear Mr. Guevara,


On behalf of Boxing 360 LLC, please allow the attached letter to serve as a formal request to appeal the Paul Mendez vs. DonYil Livingston decision from September 22, 2012. I will be sending the same materials to your attention via facsimile and Federal Express.

Please feel free to contact me with any questions or concerns.

Many thanks and kind regards,

Laura

Laura Leibfreid, Esq.
General Counsel
Boxing 360 LLC
137 Montague Street, #314
Brooklyn, NY 11201
(718) 775-3293 (phone)
(718) 228-9827 (facsimile)
laura@boxing360.com

 **0028_001.pdf**
351K

Guevara, Che@DCA <Che.Guevara@dca.ca.gov>
To: Laura Leibfreid <laura@boxing360.com>
Cc: yagobi <mario@boxing360.com>

Tue, Sep 25, 2012 at 6:52 PM

Hello Laura,

We have received the bout appeal for Mr. Livingston. Please allow us to get together a written response and determine a date for that to be heard.

Che Guevara

From: laura.leibfreid@gmail.com [mailto:laura.leibfreid@gmail.com] **On Behalf Of** Laura Leibfreid
Sent: Monday, September 24, 2012 12:49 PM
To: Guevara, Che@DCA
Cc: yagobi

Subject: Appeal of Mendez vs. Livingston Decision

[Quoted text hidden]

Laura Leibfreid <laura@boxing360.com>
To: "Guevara, Che@DCA" <Che.Guevara@dca.ca.gov>
Cc: yagobi <mario@boxing360.com>

Wed, Sep 26, 2012 at 10:11 AM

Hi Che,

Thanks for your quick response. Sure, that would be fine. Would you like someone from Boxing 360 to be in attendance at the meeting? What is your preference?

Best regards,

Laura

Laura Leibfreid, Esq.
General Counsel
Boxing 360 LLC
137 Montague Street, #314
Brooklyn, NY 11201
(718) 775-3293 (phone)
(718) 228-9827 (facsimile)
laura@boxing360.com

[Quoted text hidden]

Laura Leibfreid <laura@boxing360.com>
To: "Guevara, Che@DCA" <Che.Guevara@dca.ca.gov>
Cc: yagobi <mario@boxing360.com>

Tue, Oct 2, 2012 at 7:01 PM

Dear Mr. Guevara,

I wanted to check in with you regarding the status of the DonYil Livingston bout appeal. Please provide me with an update at your earliest convenience.

Many thanks and kind regards,

Laura

Laura Leibfreid, Esq.
General Counsel
Boxing 360 LLC
137 Montague Street, #314
Brooklyn, NY 11201
(718) 775-3293 (phone)
(718) 228-9827 (facsimile)
laura@boxing360.com

On Tue, Sep 25, 2012 at 6:52 PM, Guevara, Che@DCA <Che.Guevara@dca.ca.gov> wrote:

[Quoted text hidden]

Laura Leibfreid <laura@boxing360.com>
To: "Guevara, Che@DCA" <Che.Guevara@dca.ca.gov>
Cc: yagobi <mario@boxing360.com>

Mon, Nov 19, 2012 at 10:54 PM

Dear Mr. Guevara,

I was hoping you might have some news for me regarding the DonYil Livingston matter we discussed back in September. We're anxious to know when we might receive a written response and be scheduled for a hearing? Please advise when you have a moment.

Best regards,

Laura

Laura Leibfreid, Esq.
General Counsel
Boxing 360 LLC
137 Montague Street, #314
Brooklyn, NY 11201
(718) 775-3293 (phone)
(718) 228-9827 (facsimile)
laura@boxing360.com

[Quoted text hidden]

Laura Leibfreid <laura@boxing360.com>
To: "Guevara, Che@DCA" <Che.Guevara@dca.ca.gov>
Cc: yagobi <mario@boxing360.com>

Wed, Mar 6, 2013 at 7:51 PM

Dear Mr. Guevara,

I am writing to ascertain where things stand with Boxing 360 LLC's request to appeal the Paul Mendez vs. DonYil Livingston decision from September 22, 2012. On September 25, 2012, you requested time to draft a written response and determine a hearing date. We have now been waiting over five months for a response to our bout appeal request. Kindly reply to my e-mail as soon as possible with a status update regarding this matter.

Regards,

Laura Leibfreid, Esq.
General Counsel
Boxing 360 LLC
137 Montague Street, #314
Brooklyn, NY 11201
(718) 775-3293 (phone)
(718) 228-9827 (facsimile)
laura@boxing360.com

[Quoted text hidden]

Laura Leibfreid <laura@boxing360.com>
To: "Guevara, Che@DCA" <Che.Guevara@dca.ca.gov>
Cc: yagobi <mario@boxing360.com>

Wed, Mar 20, 2013 at 4:34 PM

Dear Mr. Guevara:

Following my e-mails of September 24, 2012, September 26, 2012, October 2, 2012, November 19, 2012, and March 6, 2013, I am writing once again regarding Boxing 360 LLC's request to appeal the Paul Mendez vs. DonYil Livingston decision from September 22, 2012. We have not heard back from you since your e-mail of September 25, 2012, in which you requested time to draft a written response and determine a hearing date. Is there someone else I should be contacting to follow up about this?

We would be very grateful for a return phone call or e-mail updating us on the situation.

Many thanks and kind regards,

Laura

Laura Leibfreid, Esq.
General Counsel
Boxing 360 LLC
137 Montague Street, #314
Brooklyn, NY 11201
(718) 775-3293 (phone)
(718) 228-9827 (facsimile)
laura@boxing360.com

[Quoted text hidden]

AGENDA ITEM

12c

Jackson, Heather@DCA

From: Sonya Lamonakis [slamonakis@yahoo.com]
Sent: Thursday, April 18, 2013 1:13 PM
To: CSAC@DCA
Attachments: calicomm.docx

Hello,

This is a follow up email to my appeal letter for the fight that took place on April 13 in Sacramento, CA

I have faxed this letter, sent a hard copy and this is the electronic copy.

Thanks,
Sonya Lamonakis
646.895.0890

Dear Mr. Foster,

April 14, 2013

I am writing this letter as official documentation asking you to please overturn the fight that just occurred on Saturday April 13, 2013. At the Bike and Bash show in Sacramento. Sonya Lamonakis vs. Martha Salazar

Our contracts stated 6 rounds. Women fight two minute rounds. The time keeper completed 3 minute rounds, so therefore we fought an extra 6 minutes. 18 minutes instead of 12 minutes can change the outcome drastically. Rules are rules, they are there to govern the sanctioning body. I hope you will make this fight a no contest because of a technicality and remove it off our records.

I thank you in advance for you attention to this matter.

Sonya Lamonakis

slamonakis@yahoo.com
646.895.0890