

**California State Athletic Commission**

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**CALIFORNIA STATE ATHLETIC COMMISSION****Tuesday, March 4, 2008****10:00 A.M. – 11:00 A.M.**

**Junipero Serra State Building
Pacific Room
320 West Fourth Street
Los Angeles, California 90013**

Minutes**Commissioners Present:**

Timothy Noonan
Mario Rodriguez
Peter Lopez
June Collison

Commissioners Absent:

Howard Rose
Christopher Giza
Julio Ramirez

Staff Present:

Armando Garcia, Executive Officer
Bill Douglas, Associate Governmental Program Analyst

Karen Chappelle, Deputy Attorney General
Spencer Walker, Legal Counsel, DCA

Agenda Item 1. The meeting was called to order by Chairman Timothy Noonan at 10:15 a.m. Executive Officer Armando Garcia called the roll. Chairman Noonan and Commissioners Rodriguez, Collison, and Lopez were present. Vice-Chair Ramirez and Commissioners Giza and Rose were absent.

Agenda Item 2. Appeals of Suspensions and Fines**Toby Gear**

Mr. Gear's history with the California State Athletic Commission was discussed. He did not list any medications or supplements on his questionnaires until after his first suspension. Mr. Gear's bout was November 29, 2007. The urine sample taken from him tested positive for marijuana. The chain of custody was intact. Mr. Gear was notified of his one hundred eighty (180) day suspension and one thousand (\$1,000) dollar fine on January 30, 2008.

The letter from Mr. Gear's treating physician was discussed regarding the use of marinol and medicinal marijuana. Don Duncan, Director, from Americans For Safe Access spoke on behalf of Mr. Gear. Mr. Gear gave various reasons for his positive test citing the legality of medicinal marijuana in California.

Commissioner Lopez discussed medicinal marijuana use in combative sports.

A motion was made and seconded to uphold the suspension and fine. Unanimous vote to uphold the suspension and fine (4-0).

Agenda Item 3. Public Comment Period

No public comment.

Agenda Item 4. Adjournment

The meeting was adjourned at 11:15 am.