

**AMERICAN ARBITRATION ASSOCIATION
Commercial Arbitration Tribunal**

**In the Matter of the Arbitration between
UNITED STATES ANTI-DOPING AGENCY, Claimant**

and

ROBERT LEA, Respondent.

Re: AAA Case No. 01-15-0005-6647

MODIFIED OPERATIVE INTERIM AWARD

A full evidentiary hearing was held in person at the American Arbitration Association in Los Angeles, California on November 19, 2015, commencing at 9:30 AM PT, before an Arbitration Panel consisting of Daniel Brent (Chair), Jeffrey Benz, and Mark Muedeking (collectively, “the Panel” or “the Arbitrators”) pursuant to the American Arbitration Association’s Commercial Arbitration Rules as modified by the American Arbitration Association Supplementary Procedures for the Arbitration of Olympic Sport Doping Disputes as contained in the Protocol for Olympic and Paralympic Movement Testing (“the Supplementary Procedures”), and pursuant to the Ted Stevens Olympic and Amateur Sports Act, 36 USC 22501, et seq. (“the USADA Protocol”). Both parties were afforded full and equal opportunity to to offer testimony under

oath, to cross-examine witnesses, and to present evidence and arguments. After considering the testimony, evidence, and arguments submitted by the parties, and consistent with the parties' mutual request for an expedited decision and the Panel's undertaking to deliver same by Saturday morning on November 21, 2015, the Panel unanimously determined on an interim basis, in operative and dispositive part, and issued a Preliminary Interim Operative Award on November 21, 2015. The parties requested that the Panel modify its Preliminary Interim Operative Award, particularly with respect to the non-disclosure provision. A telephone conference call was held with the Panel and representatives of Mr. Lea and USADA on December 11, 2015. In response to the parties' request, the Preliminary Interim Operative Award issued on November 21, 2015 is hereby modified in its entirety to read as follows:

- 1.1 Respondent acknowledged that he has committed a first anti-doping rule violation.
- 1.2 The Panel determined that the applicable standards for establishing a violation under Article 10.2.1 have not been established to the Panel's comfortable satisfaction. Consequently, in accordance with Article 10.2.2 of the WADA Code, the period of ineligibility shall not exceed two (2) years;
- 1.3 The Panel determined that the period of ineligibility for this violation shall be sixteen months, commencing on September 10, 2015, the date on which he accepted his provisional sanction;
- 1.4 The terms of this Modified Operative Interim Award may be disclosed by either party after forty-eight hours prior notice to the other party of the intent to disclose. Such notice shall state to whom and how such disclosure will be made.

- 1.5 The results of the competition in which Respondent participated on August 8, 2015 shall be disqualified; all of the Respondent's other competition results until the date he accepted his provisional sanction shall be deemed valid;
- 1.6 The Modified Operative Interim Award shall remain in effect until the Panel issues its fully reasoned Final Award, which shall occur within the time limits required by the Supplementary Procedures. The fully reasoned Award shall be due on or about January 5, 2016, which date is thirty days after the transcript was received by the Panel and the record was closed.

IT IS SO DETERMINED, AWARDED, AND ORDERED.

Dated: December 15, 2015

Daniel F. Brent

Daniel F. Brent
Arbitrator and Panel Chair
For and on behalf of the Panel