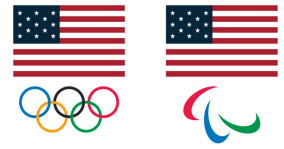


SECTION 10 COMPLAINTS



What is a Section 10 Complaint?

An individual* who believes that their National Governing Body (NGB) is out of compliance with its obligations under the Ted Stevens Olympic & Amateur Sports Act and/or NGB certification standards as set forth in the USOPC Bylaws may file a Section 10 complaint with the USOPC.

**An "individual" may include an amateur sports organization or a person that belongs to, or is eligible to belong to, an NGB.*

Dispute Resolution Unit (DRU) Support

-  General Administration
-  Review & Acknowledgement
-  Hearing Panel Appointment
-  Hearing Panel Education
-  Hearing Panel Support
-  Communication with Parties
-  Case Management & Logistics
-  Arbitration Support

Authority & Governance






Ted Stevens Olympic & Amateur Sports Act (the Act): Grants individuals the right to take formal action in situations when they allege an NGB is not in compliance with membership requirements established by the USOPC (Section 220527) and sets forth NGB obligations (Sections 220522-220525).



USOPC Bylaws: Section 8 of the USOPC Bylaws articulates the minimum requirements NGBs must meet in order to maintain their member certification. Additionally, Section 10 of the USOPC Bylaws details the process for the filing and disposition of non-compliance complaints against an NGB.

ADDITIONAL RESOURCES

-  [NGB Audit Reports](#)
-  [Past Section 10 Cases and Reports](#)
-  [DRU Framework - Section 10](#)

CONTACT INFORMATION

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SECTION 10 COMPLAINTS



What is the Section 10 Process?

The Section 10 process involves the adjudication of an NGB non-compliance complaint through a hearing and final determination.



Constituent Involvement

- ★ **NGB member**
The complainant bringing forth non-compliance allegations against an NGB.
- ★ **NGB**
The respondent who must demonstrate compliance with the Act and/or USOPC Bylaws.
- ★ **Hearing Panel**
The hearing panel consists of three independent individuals comprised of (i) USOPC Board member, (ii) NGBC rep., and (iii) AAC rep. tasked to decide NGB compliance.
- ★ **DRU**
DRU administers the proceeding and supports the hearing panel.
- ★ **USOPC Board**
The USOPC Board reviews the decision of the hearing panel and determines action to be taken against the NGB.
- ★ **American Arbitration Association (AAA)**
The arbitral organization that administers the arbitration proceeding.



DRU Support Details



General Administration

DRU oversees the general administration of a Section 10 proceeding to ensure that the complaint is heard in a timely and efficient manner. This involves managing the overall processing of the complaint, from initiation of the matter to the closing of the case. DRU receives the complaint, reviews filing deficiencies, acknowledges the complaint, provides education to hearing panel members, serves as a liaison and counsel to the hearing panel, communicates with the parties, and oversees the general case management, among any other administrative or legal support.



Review & Acknowledgement

Upon filing of a Section 10 complaint, in accordance with the requirements in the USOPC Bylaws, DRU is immediately notified of the complaint. DRU reviews the complaint in a timely manner to ensure all filing requirements are met. In particular, this may include receipt of the filing fee, proper service of the complaint on the respondent, signing of the complaint, and compliance with any other filing requirement as outlined in the USOPC Bylaws.

If any of the minimum requirements are not met, DRU will notify the complainant of the deficiency and provide them with an opportunity to correct. DRU makes no legal determination or judgment as to the merits of the complaint, but rather ensures that the complaint meets the minimum requirements for filing.

If there are deficiencies with the filing requirements, DRU may direct the complainant to an alternate complaint process that may be more appropriate for their claims. Correcting filing deficiencies and providing general advice on various USOPC complaint processes is done in an effort to ensure that the claims fit within the correct forum to properly bring resolution in a timely manner and are not duplicative of other processes.

After any potential filing deficiencies have been corrected, DRU formally acknowledges receipt of the Section 10 complaint with the complainant, along with providing notice of the complaint to the NGB in the case. DRU also provides notice of the Section 10 complaint to the USOPC CEO, USOPC General Counsel, Chair of the AAC, relevant sport AAC representative, Chair of the NGBC, the Athlete Ombuds, and relevant USOPC Sport Performance representatives.

DRU Support Details



Hearing Panel Appointment

Upon receipt of a properly filed Section 10 complaint, DRU assists in the hearing panel appointment process by promptly collaborating with relevant stakeholders to recommend individuals to serve as members on the panel.

For this complaint process, the Chair of the USOPC Board appoints a three-person disinterested hearing panel comprised of: (i) USOPC Board member, (ii) NGB Council (NGBC) representative, and (iii) Athletes' Advisory Council (AAC) representative. DRU will identify, vet, and recommend individuals for the NGBC and AAC positions after consultation with the Chair of the NGBC and Chair of the AAC. DRU may also assist in the recommendation of the USOPC Board member position. DRU provides the recommendations of candidates to the Chair of the USOPC Board for final appointment.

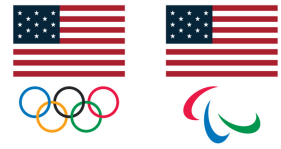
In the vetting and appointment process, DRU also gathers any disclosures the panel members have and ensures that proper disclosures are provided to the parties with an opportunity to provide any objections to a panel member.



Hearing Panel Education

DRU provides education to the hearing panel members upon appointment. This includes providing an overview of the governing authority for the complaint process and jurisdictional basis (i.e. from the Act, a specific section from the USOPC Bylaws or other policy), explaining relevant precedents and standards, outlining the various steps in the process, detailing a panel member's role and authority, and clarifying any additional responsibilities required of panel members.

DRU delivers a presentation, intended for education of hearing panel members, immediately upon appointment. Education for hearing panel members occurs on a continuous basis throughout the process. This includes providing memos on various precedents and standards, outlining agendas, answering questions and offering guidance on the hearing panel authority, all in an objective manner.



DRU Support Details



Hearing Panel Support

DRU serves as liaison to the hearing panel in this type of proceeding. This includes setting up meetings, staying apprised of filings, forwarding party communication, answering procedural and logistical questions, and working through hearing panel needs. As all hearing panels are comprised of volunteers, DRU is respectful of the hearing panel members' time and serves to support them in their role by making any part of the process as streamlined and efficient as possible.

Additionally, an attorney within DRU serves as counsel to the hearing panel in this complaint process. In the role as legal counsel to the hearing panel, the attorney may provide general legal advice and guidance and answer any questions related to legal issues that arise in the proceeding. This includes setting out the standards and scope of review so the hearing panel understands the appropriate purview of the proceeding, along with its authority. A representative of DRU participates in all hearing panel deliberations to assist the hearing panel with points of clarification, but does not have any decision-making authority. DRU drafts all orders, decisions and/or reports in line with the hearing panel's decision in each particular case for final review and approval by the hearing panel.



Communication with Parties

DRU communicates directly with the parties or involved individuals in the case and serves as a liaison between the parties and the hearing panel. This prevents any ex-parte communications with the panel, along with streamlining information. This also allows for the effective facilitation of information to the panel by eliminating extraneous communications. DRU ensures that all documents, filings submissions, or formal requests are promptly delivered to the panel and confirms receipt and delivery with the parties.

DRU may answer logistical, administrative, or other questions from the parties directly, along with addressing any procedural questions on behalf of the USOPC.

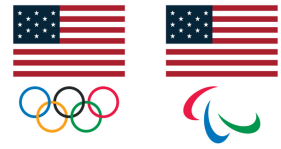


Case Management & Logistics

DRU utilizes an internal case management site to effectively track all details within a case from filing to resolution, in accordance with the timeframes as set forth in the USOPC Document Retention Policy. This includes storing:

- Contact information from relevant individuals in the case (e.g. parties, hearing panel, counsel, representatives, other affected parties)
- Filings and submissions
- Deadlines
- Orders and decisions
- Summaries of claims, issues, and decisions
- Key features and outcomes

(continued)



DRU Support Details



Case Management & Logistics (*continued*)

Additionally, DRU ensures that hearing panel members have access to case details in an effective manner. To accomplish this, DRU may create an external case management site for hearing panel members. DRU also keeps an ongoing and updated summary of all filings/submissions, along with a spreadsheet of the timeline of key events, to assist hearing panel members in staying apprised of the high-level information in a case. DRU reminds hearing panel members about upcoming or past deadlines and may communicate with the parties if deadlines are not complied with.

DRU with the assistance of the USOPC Communications department, ensures that all orders, decisions and awards from cases are publicly posted on TeamUSA.org.

To provide services for an effective proceeding, DRU provides logistical support for any conference calls or hearings. DRU sets up all conference calls, including providing links or call-in details and sending calendar invites and reminders. DRU completes roll call for all calls and hearings, keeps track of time, and assists with taking notes, when appropriate.

Additionally, DRU arranges all administrative aspects for each hearing, including setting the conference line and/or securing office space, providing breakout rooms for the parties and the hearing panel, arranging travel and accommodations for hearing panel members, distributing case materials to the hearing panel members and counsel, IT setup requests, and any other logistical issue that may arise.



Arbitration Support

The USOPC Board has the authority to determine which arbitral organization is appointed to hear Section 10 complaints. The USOPC currently utilizes the American Arbitration Association (AAA) for Section 10 complaints. DRU serves as a liaison to the AAA for the administration of Section 10 cases.

As Section 10 of the USOPC Bylaws provides that the USOPC may participate in the arbitration process for these matters, a representative from DRU will, at a minimum, observe the arbitration proceeding. Additionally, a representative of DRU may answer questions on behalf of the USOPC during the proceedings that an arbitrator may request. In instances where the USOPC may have a direct interest in the case, an attorney from DRU may represent the USOPC in the proceeding and participate to any extent, including as a party.

SECTION 10 COMPLAINTS



Ted Stevens Olympic and Amateur Sports Act



Section 220527:

(a) General.

(1) An amateur sports organization or person that belongs to or is eligible to belong to a national governing body may seek to compel the national governing body to comply with sections 220522, 220524, and 220525 of this title by filing a written complaint with the corporation. A copy of the complaint shall be served on the national governing body.

(2) The corporation shall establish procedures for the filing and disposition of complaints under this section.

(b) Exhaustion of Remedies.

(1) An organization or person may file a complaint under subsection (a) of this section only after exhausting all available remedies within the national governing body for correcting deficiencies, unless it can be shown by clear and convincing evidence that those remedies would have resulted in unnecessary delay.

(2) Within 30 days after a complaint is filed, the corporation shall decide whether the organization or person has exhausted all available remedies as required by paragraph (1) of this subsection. If the corporation determines that the remedies have not been exhausted, it may direct that the remedies be pursued before the corporation considers the complaint further.

(c) Hearings. *If the corporation decides that all available remedies have been exhausted as required by subsection (b)(1) of this section, it shall hold a hearing, within 90 days after the complaint is filed, to receive testimony to decide whether the national governing body is complying with sections 220522, 220524, and 220525 of this title.*

(d) Disposition of Complaint.

(1) If the corporation decides, as a result of the hearing, that the national governing body is complying with sections 220522, 220524, and 220525 of this title, it shall so notify the complainant and the national governing body.

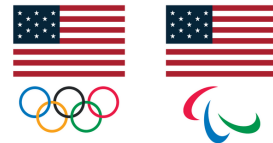
(2) If the corporation decides, as a result of the hearing, that the national governing body is not complying with sections 220522, 220524, and 220525 of this title, it shall

(A) place the national governing body on probation for a specified period of time, not to exceed 180 days, which the corporation considers necessary to enable the national governing body to comply with those sections; or

(B) revoke the recognition of the national governing body.

(continued)

SECTION 10 COMPLAINTS



Ted Stevens Olympic and Amateur Sports Act



Section 220527:

(d) Disposition of Complaint (continued).

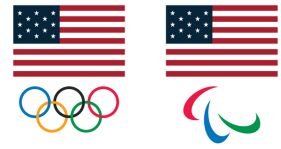
(3) If the corporation places a national governing body on probation under paragraph (2) of this subsection, it may extend the probationary period if the national governing body has proven by clear and convincing evidence that, through no fault of its own, it needs additional time to comply with sections 220522, 220524, and 220525 of this title. If, at the end of the period allowed by the corporation, the national governing body has not complied with those sections, the corporation shall revoke the recognition of the national governing body.

Section 220522:

(a) General. *An amateur sports organization is eligible to be recognized, or to continue to be recognized, as a national governing body only if it*

- (1) is incorporated under the laws of a State of the United States or the District of Columbia as a not-for-profit corporation having as its purpose the advancement of amateur athletic competition*
 - (2) has the managerial and financial capability to plan and execute its obligations;*
 - (3) submits:*
 - (A) an application, in the form required by the corporation, for recognition as a national governing body;*
 - (B) a copy of its corporate charter and bylaws; and*
 - (C) any additional information considered necessary or appropriate by the corporation*
 - (4) agrees to submit to binding arbitration in any controversy involving*
 - (A) its recognition as a national governing body, as provided for in section 220529 of this title, upon demand of the corporation; and*
 - (B) the opportunity of any amateur athlete, coach, trainer, manager, administrator or official to participate in amateur athletic competition, upon demand of the corporation or any aggrieved amateur athlete, coach, trainer, manager, administrator or official, conducted in accordance with the Commercial Rules of the American Arbitration Association, as modified and provided for in the corporation's constitution and bylaws, except that if the Athletes' Advisory Council and National Governing Bodies' Council do not concur on any modifications to such Rules, and if the corporation's executive committee is not able to facilitate such concurrence, the Commercial Rules of Arbitration shall apply unless at least two-thirds of the corporation's board of directors approves modifications to such Rules*
 - (5) demonstrates that it is autonomous in the governance of its sport, in that it*
 - (A) independently decides and controls all matters central to governance;*
 - (B) does not delegate decision-making and control of matters central to governance; and*
 - (C) is free from outside restraint;*
- (continued)**

SECTION 10 COMPLAINTS



Ted Stevens Olympic and Amateur Sports Act



Section 220522 (continued):

(a) General.

(6) demonstrates that it is a member of no more than one international sports federation that governs a sport included on the program of the Olympic Games or the Pan-American Games;

(7) demonstrates that its membership is open to any individual who is an amateur athlete, coach, trainer, manager, administrator, or official active in the sport for which recognition is sought, or any amateur sports organization that conducts programs in the sport for which recognition is sought, or both;

(8) provides an equal opportunity to amateur athletes, coaches, trainers, managers, administrators, and officials to participate in amateur athletic competition, without discrimination on the basis of race, color, religion, sex, age, or national origin, and with fair notice and opportunity for a hearing to any amateur athlete, coach, trainer, manager, administrator, or official before declaring the individual ineligible to participate;

(9) is governed by a board of directors or other governing board whose members are selected without regard to race, color, religion, national origin, or sex, except that, in sports where there are separate male and female programs, it provides for reasonable representation of both males and females on the board of directors or other governing board;

(10) demonstrates, based on guidelines approved by the corporation, the Athletes' Advisory Council, and the National Governing Bodies' Council, that its board of directors and other such governing boards have established criteria and election procedures for and maintain among their voting members individuals who are actively engaged in amateur athletic competition in the sport for which recognition is sought or who have represented the United States in international amateur athletic competition within the preceding 10 years, that any exceptions to such guidelines by such organization have been approved by the corporation, and that the voting power held by such individuals is not less than 20 percent of the voting power held in its board of directors and other such governing boards;

(11) provides for reasonable direct representation on its board of directors or other governing board for any amateur sports organization that

(A) conducts a national program or regular national amateur athletic competition in the applicable sport on a level of proficiency appropriate for the selection of amateur athletes to represent the United States in international amateur athletic competition; and

(B) ensures that the representation reflects the nature, scope, quality, and strength of the programs and competitions of the amateur sports organization in relation to all other programs and competitions in the sport in the United States;

(continued)

SECTION 10 COMPLAINTS



Ted Stevens Olympic and Amateur Sports Act



Section 220522 (continued):

(a) General.

- (12) demonstrates that none of its officers are also officers of any other amateur sports organization recognized as a national governing body;*
- (13) provides procedures for the prompt and equitable resolution of grievances of its members*
- (14) does not have eligibility criteria related to amateur status or to participation in the Olympic Games, the Paralympic Games, or the Pan-American Games that are more restrictive than those of the appropriate international sports federation; and*
- (15) demonstrates, if the organization is seeking to be recognized as a national governing body, that it is prepared to meet the obligations imposed on a national governing body under sections 220524 and 220525 of this title.*

(b) Recognition of Paralympic Sports Organizations. *For any sport which is included on the program of the Paralympic Games, the corporation is authorized to designate, where feasible and when such designation would serve the best interest of the sport, and with the approval of the affected national governing body, a national governing body recognized under subsection (a) to govern such sport. Where such designation is not feasible or would not serve the best interest of the sport, the corporation is authorized to recognize another amateur sports organization as a paralympic sports organization to govern such sport, except that, notwithstanding the other requirements of this chapter, any such paralympic sports organization*

- (1) shall comply only with those requirements, perform those duties, and have those powers that the corporation, in its sole discretion, determines are appropriate to meet the objects and purposes of this chapter; and*
- (2) may, with the approval of the corporation, govern more than one sport included on the program of the Paralympic Games.*

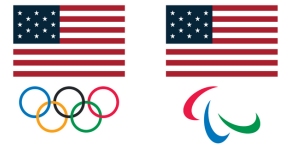
Section 220523:

(a) Authority. *For the sport that it governs, a national governing body may*

- (1) represent the United States in the appropriate international sports federation;*
- (2) establish national goals and encourage the attainment of those goals;*
- (3) serve as the coordinating body for amateur athletic activity in the United States;*
- (4) exercise jurisdiction over international amateur athletic activities and sanction international amateur athletic competition held in the United States and sanction the sponsorship of international amateur athletic competition held outside the United States;*

(continued)

SECTION 10 COMPLAINTS



Ted Stevens Olympic and Amateur Sports Act



Section 220523 (continued):

(a) Authority. For the sport that it governs, a national governing body may

- (5) conduct amateur athletic competition, including national championships, and international amateur athletic competition in the United States, and establish procedures for determining eligibility standards for participation in competition, except for amateur athletic competition specified in section 220526 of this title;
- (6) recommend to the corporation individuals and teams to represent the United States in the Olympic Games, the Paralympic Games, and the Pan-American Games; and
- (7) designate individuals and teams to represent the United States in international amateur athletic competition (other than the Olympic Games, the Paralympic Games, and the Pan-American Games) and certify, in accordance with applicable international rules, the amateur eligibility of those individuals and teams.

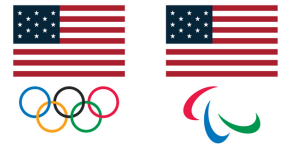
(b) Replacement of National Governing Body Pursuant to Arbitration. A national governing body may not exercise any authority under subsection (a) of this section for a particular sport after another amateur sports organization has been declared (in accordance with binding arbitration proceedings prescribed by the organic documents of the corporation) entitled to replace that national governing body as the member of the corporation for that sport.

Section 220524:

For the sport that it governs, a national governing body shall

- (1) develop interest and participation throughout the United States and be responsible to the persons and amateur sports organizations it represents;
 - (2) minimize, through coordination with other amateur sports organizations, conflicts in the scheduling of all practices and competitions;
 - (3) keep amateur athletes informed of policy matters and reasonably reflect the views of the athletes in its policy decisions;
 - (4) disseminate and distribute to amateur athletes, coaches, trainers, managers, administrators, and officials in a timely manner the applicable rules and any changes to such rules of the national governing body, the corporation, the appropriate international sports federation, the International Olympic Committee, the International Paralympic Committee, and the Pan-American Sports Organization;
 - (5) allow an amateur athlete to compete in any international amateur athletic competition conducted by any amateur sports organization or person, unless the national governing body establishes that its denial is based on evidence that the organization or person conducting the competition does not meet the requirements stated in section 220525 of this title;
- (continued)**

SECTION 10 COMPLAINTS



Ted Stevens Olympic and Amateur Sports Act



Section 220524 (continued):

For the sport that it governs, a national governing body shall

- (6) provide equitable support and encouragement for participation by women where separate programs for male and female athletes are conducted on a national basis;*
- (7) encourage and support amateur athletic sports programs for individuals with disabilities and the participation of individuals with disabilities in amateur athletic activity, including, where feasible, the expansion of opportunities for meaningful participation by individuals with disabilities in programs of athletic competition for able-bodied individuals;*
- (8) provide and coordinate technical information on physical training, equipment design, coaching, and performance analysis; and*
- (9) encourage and support research, development, and dissemination of information in the areas of sports medicine and sports safety.*

Section 220525:

(a) Prompt Review and Decision. *For the sport that it governs, a national governing body promptly shall*

- (1) review a request by an amateur sports organization or person for a sanction to hold an international amateur athletic competition in the United States or to sponsor United States amateur athletes to compete in international amateur athletic competition outside the United States; and*
- (2) grant the sanction if*
 - (A) the national governing body does not decide by clear and convincing evidence that holding or sponsoring an international amateur athletic competition would be detrimental to the best interest of the sport; and*
 - (B) the requirements of subsection (b) of this section are met.*

(b) Requirements. *An amateur sports organization or person may be granted a sanction under this section only if the organization or person meets the following requirements:*

- (1) The organization or person must pay the national governing body any required sanctioning fee, if the fee is reasonable and nondiscriminatory.*
 - (2) For a sanction to hold an international amateur athletic competition in the United States, the organization or person must*
 - (A) submit to the national governing body an audited or notarized financial report of similar events, if any, conducted by the organization or person; and*
 - (B) demonstrate that the requirements of paragraph (4) of this subsection have been met.*
- (continued)**

SECTION 10 COMPLAINTS



Ted Stevens Olympic and Amateur Sports Act

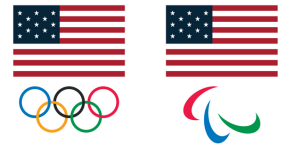


Section 220525 (continued):

(b) Requirements. *An amateur sports organization or person may be granted a sanction under this section only if the organization or person meets the following requirements:*

- (3) For a sanction to sponsor United States amateur athletes to compete in international amateur athletic competition outside the United States, the organization or person must
 - (A) submit a report of the most recent trip to a foreign country, if any, that the organization or person sponsored for the purpose of having United States amateur athletes compete in international amateur athletic competition; and*
 - (B) submit a letter from the appropriate entity that will hold the international amateur athletic competition certifying that the requirements of paragraph (4) of this subsection have been met.**
- (4) The requirements referred to in paragraphs (2) and (3) of this subsection are that
 - (A) appropriate measures have been taken to protect the amateur status of athletes who will take part in the competition and to protect their eligibility to compete in amateur athletic competition;*
 - (B) appropriate provision has been made for validation of any records established during the competition;*
 - (C) due regard has been given to any international amateur athletic requirements specifically applicable to the competition;*
 - (D) the competition will be conducted by qualified officials;*
 - (E) proper medical supervision will be provided for athletes who will participate in the competition;*
 - (F) proper safety precautions have been taken to protect the personal welfare of the athletes and spectators at the competition; and*
 - (G) the amateur sports organization or person requesting sanction from a national governing body will implement and abide by the policies and procedures to prevent the abuse, including emotional, physical, and child abuse, of amateur athletes participating in amateur athletic activities applicable to such national governing body.**

SECTION 10 COMPLAINTS



USOPC Bylaws



Section 10 Complaints of NGB Non-Compliance:

Section 10.1.1 Request for Corporation Compliance Action. Any amateur sports organization or person that belongs to, or is eligible to belong to, an NGB may ask the corporation to investigate and take any appropriate compliance action against such NGB to compel satisfaction of the requirements of Section 8 of these Bylaws and Sections 220522-220525 of the Act by making a request to the corporation's compliance division and providing full factual details and bases for the request. The corporation will consider any such request and inform the requestor if it will pursue direct compliance action including possible filing of a complaint under Section 8.14 of these Bylaws.

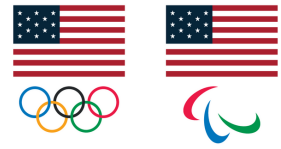
Section 10.1.2 Formal Complaint. In any case where the corporation declines to pursue direct compliance action under Section 10.1.1 hereof or where an amateur sports organization or person that belongs to, or is eligible to belong to, an NGB itself otherwise wishes to compel such NGB to comply with the requirements of Section 8 of these Bylaws and Sections 220522-220525 of the Act, such party may file a written complaint with the corporation's Dispute Resolution team, with a copy to the corporation's legal division, and serving the complaint on the applicable NGB. The party filing the complaint will file with the corporation proof of service on the NGB.

Section 10.2 The Complaint. The complaint will be in writing and signed by the individual or the chief executive officer of the group or organization making the complaint. The complaint will set forth the factual allegations in numbered paragraphs, each paragraph containing a single factual allegation, and will contain, at a minimum, the following:

- a) the names and addresses of the parties;
- b) the jurisdictional basis of the complaint;
- c) the efforts made to exhaust available remedies, or if such remedies have not been exhausted, the grounds upon which the complainant alleges that exhaustion would result in unnecessary delay;
- f) the alleged grounds of noncompliance;
- g) the supporting evidence or documentation forming the basis of the complaint; and
- i) the relief sought.

Section 10.3 Filing Fee. A complaint filed by an individual will be accompanied by a \$250 filing fee. A complaint filed by an organization will be accompanied by a \$500 filing fee. Such filing fee will be made payable to the corporation. The complainant may request that the filing fee be reimbursed for reasons of significant financial hardship or if there is otherwise just cause. If such request is made, the hearing panel will determine whether or not to reimburse the filing fee.

SECTION 10 COMPLAINTS



USOPC Bylaws



Section 10.4 Failure to Properly File. A complaint that is not filed in accordance with Sections 10.2 and 10.3 of these Bylaws, or which is not accompanied by the designated filing fee as set forth in Section 10.3 of these Bylaws will render the filing ineffective and the complaint will not be considered to have been properly filed.

Section 10.5 Administration. Complaints filed under this Section 10 will be administered by the corporation's dispute resolution division.

Section 10.6 Hearing Panel. A complaint properly filed under this provision will be heard by a corporation hearing panel. The hearing panel will consist of a panel of three individuals appointed by the Chair in consultation with AAC and NGBC leadership. The hearing panel will consist of one member of the Board, one individual who is a member of the NGBC and one individual who is a member of the AAC. The Chair will also appoint the chair of the hearing panel. The hearing panel will not include any individual having a direct interest, either personally or by virtue of organizational affiliation, in the outcome of the proceeding.

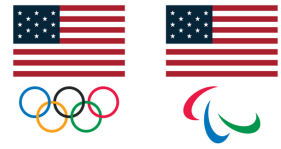
If for any reason a hearing panel member is unable to perform their duties as a Panel member, and such vacancy occurs prior to commencement of a hearing on the merits, the Chair will appoint a substitute hearing panel member in consultation with the AAC and NGBC as appropriate. If such vacancy occurs after commencement of the hearing, the remaining hearing panel members may continue with the hearing and render a decision on the complaint, unless the parties agree to have a substitute hearing panel member appointed.

Section 10.7 Communication with the Hearing Panel. No party and no one acting on behalf of any party will communicate directly with a hearing panel member unless the communication is simultaneously provided to all hearing panel members and parties involved.

Section 10.8 Mediation. At the request of a party, the hearing panel may adjourn the proceeding to allow for mediation of the complaint. The hearing panel will set a deadline for completion of the mediation. The Chair will appoint a mediator, after consultation with the parties. The mediator will not be a member of the hearing panel associated with the mediation.

Section 10.9 Conduct of the Proceeding. The hearing panel will have the authority to rule on all motions and other matters raised in the proceeding. The hearing panel will set such timelines and other rules regarding the proceeding, and the conduct of the hearing, as it deems necessary.

SECTION 10 COMPLAINTS



USOPC Bylaws



Section 10.10 Time Computation. *In computing any period of time, the last day of the period so computed will be included, unless it is a Saturday, a Sunday or a legal holiday, in which event the period runs until the end of the next day which is not one of the aforementioned days. The parties may modify any period of time by mutual agreement and consent of the hearing panel. The hearing panel may extend any period of time as it deems necessary.*

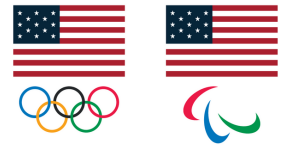
Section 10.11 Exhaustion of Remedies. *The complainant may file a complaint under this Section 10 only after exhausting all available remedies with the NGB for correcting deficiencies, unless it can be shown by clear and convincing evidence that those remedies would have resulted in unnecessary delay. The hearing panel will determine whether the complainant has exhausted their or its remedies within the applicable NGB. If the hearing panel determines that such remedies have not been exhausted, it may direct that such remedies be pursued before the hearing panel will further consider the complaint.*

Section 10.12 Motion to Dismiss. *If the respondent contends that jurisdiction of the complaint is improper, that the complainant has failed to exhaust available remedies, that there is some other procedural or jurisdictional defect that would preclude a hearing on the merits, or that the complaint fails to state a claim upon which relief can be granted, it may move to dismiss the complaint. Such motion to dismiss will set forth the grounds for dismissal and will be filed within 30 days after receipt of the complaint by the respondent. The complainant will be given the opportunity to submit papers in opposition to the respondent's motion to dismiss. The hearing panel will determine whether or not to have argument on the motion to dismiss.*

Section 10.13 Answer. *If no motion to dismiss is filed, the respondent will file an answer within 30 days after receipt of the complaint by the respondent. If the hearing panel finds against the respondent with respect to its motion to dismiss, the respondent will file an answer to the complaint within 30 days after the hearing panel issues its decision on the motion to dismiss. If no answer is filed within the stated time, the respondent will be deemed to have agreed with the claim.*

Section 10.14 Preliminary Hearing. *Either on its own directive or at the request of a party, the hearing panel may schedule a preliminary hearing with the parties. The preliminary hearing may be conducted by telephone at the hearing panel's discretion. During the preliminary hearing, the parties and the hearing panel will discuss the future conduct of the proceeding, including clarification of the issues and claims, a schedule for the hearing and any other preliminary matter.*

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Section 10.15 Exchange of Information. *Either on its own directive or at the request of a party, the hearing panel may direct the production of documents and other information. Further, the hearing panel may require that the parties (i) identify any witnesses the parties intend to call at the hearing and (ii) exchange copies of all exhibits the parties intend to submit at the hearing. The hearing panel will set due dates for the exchange of such information. The hearing panel is authorized to resolve any disputes concerning the exchange of information.*

Section 10.16 Recording the Proceedings. *Proceedings may be recorded by a court reporter upon the request of a party. The party making the request will pay for the services of the court reporter, or if the parties mutually agree, the cost may be equally divided between the parties. A party requesting a transcript will pay for the cost of the transcript. Any transcript ordered by a party will be made available to the hearing panel upon request of the panel.*

Section 10.17 Hearing. *Provided that the complaint is not dismissed, the hearing panel will hold a hearing on the merits of the complaint. The hearing panel will set such timelines and other rules regarding the hearing as it deems necessary.*

At any hearing all parties will be given a reasonable opportunity to present oral or written evidence, to cross-examine witnesses, and to present such factual or legal claims as desired. Rules of evidence generally accepted in administrative proceedings will be applicable. The hearing panel will determine the admissibility, relevance, and materiality of the evidence offered and may exclude evidence it deems to be cumulative or irrelevant. The hearing panel will have the right to question witnesses or the parties to the proceeding at any time.

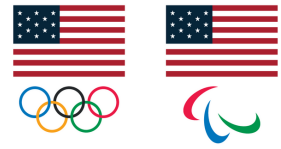
The burden of proof will be upon the complainant who will also initially have the burden of going forward with the evidence. The respondent will then have the burden of going forward with evidence in opposition to the complaint and in support of respondent's position.

The complainant must establish by a preponderance of the evidence that the NGB has failed to meet one or more of the criteria of Section 8 of these Bylaws and/or Sections 220522-220525 of the Act.

Section 10.18 Decision. *A decision will be determined by a majority of the hearing panel. The hearing panel will issue a written reasoned decision of its findings. The decision will be made public and may be published on the corporation's website.*

(continued)

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Section 10.18 Decision. (continued)

If the hearing panel determines that the NGB is in compliance with the requirements of Section 8 of these Bylaws and Sections 220522-220525 of the Act, it will so notify the Board, the complainant and such NGB.

If the hearing panel determines that the NGB is not in compliance with the requirements of Section 8 of these Bylaws and/or Sections 220522 –220525 of the Act, it will so notify the Board, the complainant and the NGB. Further, the hearing panel will make a recommendation to the Board either to place the NGB on probation or to decertify the NGB. However, if the hearing panel finds that the NGB's non-compliance can readily be rectified, then, prior to making a recommendation to the Board, the hearing panel may issue an order directing that the NGB take such action as is appropriate to correct the deficiency, and if such deficiency is corrected, the hearing panel may then make a finding of compliance.

Section 10.19 Action of the Board. *Upon receipt of the hearing panel's notification of non-compliance, the Board will determine whether:*

- a) to place the NGB on probation for a specified period of time, not to exceed 180 days, which it considers necessary to enable such NGB to comply with such requirements; or*
- b) to decertify the NGB.*

In making this determination the Board will consider the recommendation of the hearing panel, but is not bound by it.

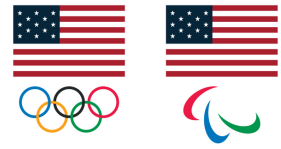
Section 10.20 Probation. *If an NGB is placed on probation, it will, at the conclusion of the probationary period, submit a report to the hearing panel as to whether or not it is in compliance. The hearing panel will then convene to consider the report.*

If, after considering the report of the NGB, the hearing panel determines that such NGB is in compliance with the requirements of Section 8 of these Bylaws and Sections 220522-220525 of the Act, it will so notify the Board and the NGB.

If, after consideration of the report of the NGB, the hearing panel determines that such NGB is not in compliance with the requirements of Section 8 of these Bylaws and/or Sections 220522-220525 of the Act, it will so notify the Board and the NGB. If the hearing panel determines that the NBAs proven by clear and convincing evidence that, through no fault of its own, it needs additional time to comply with such requirements, the hearing panel may recommend to the Board that the probationary period be extended.

(continued)

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Section 10.20 Probation. (continued)

If, at the end of the probationary period allowed by the Board, the NGB has not complied with such requirements, the Board will decertify the NGB.

Section 10.21 Arbitration. *There will be no right of appeal to any other body of the corporation from a decision of the hearing panel or from a remedy imposed by the Board. Any party that considers itself aggrieved by a decision of the hearing panel on the merits of the complaint or by a remedy imposed by the Board may, within 30 days after such decision or imposition of remedy, file a demand for arbitration with the arbitral organization designated by the Board. The corporation has the right to participate in the arbitration proceeding, but it cannot be involuntarily joined by a party.*

A respondent will be entitled in a demand for arbitration to raise any jurisdictional or procedural objection to the complaint raised in its original motion to dismiss, but determined against it by the hearing panel that considered the jurisdictional or procedural challenge.

The arbitrator will render a reasoned award in writing. All such awards will be made public and may be published on the corporation's website. The arbitral award will be binding upon the parties, and unless the award is inconsistent with the terms of the Act, these Bylaws, or the rules of the IOC, upon the corporation.