

UNITED STATES OLYMPIC COMMITTEE

In the matter of:)	
)	
FARRAH HALL,)	SCHEDULING ORDER
Complainant,)	
)	MAY 27, 2008
vs.)	
)	
US SAILING ASSOCIATION,)	
Respondent.)	

I. BACKGROUND

On February 7, 2008 Farrah Hall (“Hall”) filed a Complaint with the United States Olympic Committee against US Sailing Association (“US Sailing”) pursuant to Article VIII, Section 8.1 of the USOC Bylaws and Section 220527 of the Ted Stevens Olympic and Amateur Sports Act (36 USC §§ 220501-220529) (the “Act”). In response, US Sailing filed a Motion to Dismiss on February 27, 2008. After being briefed and hearing argument on the Motion, the Hearing Panel, on May 23, 2008, denied US Sailing’s Motion to Dismiss.

As the Complaint is now ready to be heard, the Hearing Panel has scheduled a hearing on the merits for June 12, 2008 commencing at 10:00 AM Mountain Daylight Time.

As stated in the Complaint, the issue before the Hearing Panel is whether:

The United States Sailing Association has violated the standards set forth in Section 220522 of the Ted Stevens Act and Section 10.5 of the USOC Bylaws, which require a National Governing Body (“NGB”) to provide “fair notice and opportunity for a hearing to any amateur athlete . . . before declaring the individual ineligible to participate,” and the more general obligation to provide for “the prompt and equitable resolution of

grievances of its members." Ted Stevens Olympic and Amateur Sports Act § 220522(a)(8), (13).

Hall Complaint, Summary of Claims, Page 1.

II. HEARING PROCEDURES

The following procedures will apply:

1. Both Hall and US Sailing should be prepared to present their cases in full on June 12, 2008.
2. The hearing shall occur by conference call. The Parties shall be notified prior to the hearing of the conference call number.
3. Each Party shall submit on or before June 3, 2008 a succinct statement, not exceeding two (2) pages in length, double spaced, on 8.5x11 size paper of issues that will be presented by the Parties for consideration by the Hearing Panel. A copy of the statement of issues shall be served on the other Party on June 3, 2008
4. Each party shall submit a pre-hearing brief to the Hearing Panel on or before June 9, 2008. The pre-hearing brief should not exceed ten (10) pages in length, double spaced, on 8.5x11 size paper. A copy of the pre-hearing brief shall be served on the opposing Party on June 9.
5. The Parties shall have until June 9, 2008 to submit any documentary evidence that they wish the Hearing Panel to consider. Any documentary evidence submitted shall also be served on the opposing Party on June 9. Each piece of documentary evidence shall be identified by an exhibit number. Hall's exhibits shall be numbered H-1, H-2, etc. US Sailing's exhibits shall be numbered USS-1, USS-2, etc.

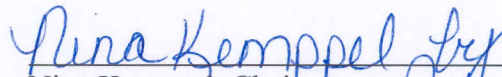
6. The Parties shall have until June 9, 2008 to submit any testimony that they wish the Hearing Panel to consider in the form of a sworn affidavit. Any testimony by affidavit submitted shall also be served on the opposing Party on June 9.
7. Any person who submits testimony by affidavit shall be available on June 12, 2008 for cross-examination by the other Party.
8. Each Party shall have forty-five minutes to present their case. The Parties may reserve whatever time they feel is necessary to provide concluding remarks to the Hearing Panel at the end of the hearing. Hall shall present her case first. US Sailing shall present its case after conclusion of Hall's case.
9. If either Party desires that the hearing be stenographically recorded, the Party making such request shall notify the Hearing Panel by June 5, 2008. The Party requesting that the hearing be recorded shall arrange for a stenographer. The Party requesting that the hearing be recorded shall pay for the cost of the stenographer, unless both Parties want the hearing recorded, then the cost of the stenographer shall be equally divided. A Party requesting a transcript of the hearing shall pay for the cost of the transcript. If a Party orders a transcript, a copy shall be provided to the Hearing Panel at the cost of the Party ordering the transcript, unless both Parties order a transcript, then the cost of providing a copy of the transcript to the Hearing Panel shall be equally divided.

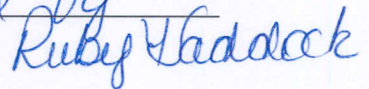
10. The hearing shall be open to the public. Notification of the hearing shall be placed on the USOC website. The Hearing Panel shall make arrangements for interested individuals to join the conference call as observers only. Each Party shall provide the Hearing Panel, by June 9, 2008, with an estimate of the number of individuals who will be on the conference call as observers.
11. The Hearing Panel shall determine the admissibility, relevance, and materiality of any evidence offered and may exclude evidence deemed by the Hearing Panel to be cumulative or irrelevant. The Hearing Panel may limit or disallow the appearance of any witness on the grounds of irrelevance.
12. The Hearing Panel shall declare the hearing closed once all evidence has been offered or the Hearing Panel is satisfied that the record is complete.
13. The Parties shall be civil and courteous towards each other, treating each other with dignity and respect. The Hearing Panel strongly encourages the Parties to discuss issues that may arise, and make a good faith effort to reach mutually agreeable terms thereto, prior to seeking adjudication of those issues from the Hearing Panel.
14. There shall be no *ex parte* communication between the Parties or their counsel and members of the Hearing Panel.
15. All communications to the Hearing Panel, all documentary evidence and all affidavit testimony shall be sent to the USOC Office of General Counsel, addressed to Susan Riggs (susan.riggs@usoc.org), with a copy to

Gary Johansen (gary.johansen@usoc.org). All communications, documentary evidence and affidavit testimony shall be sent electronically, if possible. If a Party cannot send communications, documentary evidence or affidavit testimony electronically, the Party should contact the Office of General Counsel to discuss the method of providing the document to the Hearing Panel. The Office of General Counsel shall distribute all such communications, documentary evidence and affidavit testimony to the Hearing Panel.

III. MOTIONS

Neither Party shall file a further motion with the Hearing Panel, unless first making a request to the Hearing Panel and second being granted permission to file such motion by the Hearing Panel.


Nina Kemppel, Chair



Scott Fortune, Panel Member
Bob Mitchell, Panel Member
Jeanne Picariello, Panel Member
Ron Van Pool, Panel Member

Dated this 27st day of May, 2008