BACKGROUND FACTS

The Respondent, Mr. Dick Thompson, is a track athlete who competed primarily in the sport of high jump. At the time of the reported events, Mr. Thompson was 18 years of age and had just graduated from high school.

The U.S. Olympic Development Program (USADA Program) was established to identify and develop athletes for the sport of high jump. The Respondent, Mr. Dick Thompson, was identified by the U.S. Olympic Development Program as a potential candidate for the sport of high jump.

The Respondent, Mr. Dick Thompson, was identified by USADA as an independent international anti-doping agency whose mission is to promote, coordinate and monitor the international level of the prohibition against doping in sports.

INTRODUCTION

The Respondent, Mr. Dick Thompson, was identified by USADA as an independent international anti-doping agency whose mission is to promote, coordinate and monitor the international level of the prohibition against doping in sports.
Proceeding from proper comprehension and cooperation with the USDA in this
agreement and the high school coach and cooperate respectfully for the good of the game the
Thompson coaches when he has done so

On November 30th, the Thompson pool could have no positive effect on the performance of the sharing
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CPS 2008/1490 WA/USA V. USA/USA & Thompson - 3

Court of Appeal of Western Australia

26 June 2008 15:57

N980148L 4/23
PROCEDURAL BACKGROUND OF THESE PROCEEDINGS

On 1 February 2008, USDA notified WADA that the AAN Administrator had issued his

On 3 June 2008, the Panel was advised of a subsequent formal development. By way of

suspension to one year.

In these circumstances, it is appropriate to highlight the period of Mr. Thompson's suspension.

Mr. Thompson had no experience with any doping offenses and had no

connection to the case.

The current information regarding the background and career of the individual who performed the function is:


respect the arbitrator’s ruling as follows:

Mr. Thompson had no experience with any doping offenses and had no connection to the case. The current information regarding the background and career of the individual who performed the function is:


The suspension period is in accordance with Article 9 of the World Anti-Doping Code and Article 2 of the U.S. Anti-Doping Program Manual.

CAS 2008/A/1490 WADA v. USDA & Thompson - 5

Court of Arbitration for Sport

Tribunal Arbitral du Sport

26 June 2008 15:58 Court of Arbitration CAS/1A5

Ng8081 p. 6/23
Submissions prior to the panel's determination of the appeal

On 8 May 2008, the Panel received the parties' written submissions, which referred to the holding of a hearing and that it would proceed to determine the appeal on the basis of the parties' written submissions. On 18 April 2008, Mr. Thompson filed his answer, which was entitled “The Respondent, the constitution of the Panel,” and the CAS advised the parties of the appointment of the President and his mandate.

On 14 April 2008, the CAS appointed Mr. Henri Alvarez as the President of the Panel in response to the SIAA's request.

On 27 February 2008, the CAS communicated the panel's advice that it did not intend to hear the appeal.

On 17 March 2008, WADA filed its Appeal Brief.

On 10 April 2008, the CAS appointed Mr. Thompson to the Panel in response to the SIAA's appeal.

On 30 April 2006, the CAS appointed the Respondent, Mr. Thompson, to the Panel in response to the SIAA's appeal.

On 10 April 2008, the CAS appointed Mr. Henri Alvarez as the President of the Panel in response to the SIAA's request.

On 25 March 2007, the CAS appointed Mr. Thompson to the Panel in response to the SIAA's appeal.

On 26 February 2008, the CAS confirmed its decision, and Mr. Thompson was appointed to the Panel.

On 6 June 2008, the SIAA's General Counsel, Mr. Thompson, was appointed to the Panel.
SUMMARY OF THE PARTIES' POSITIONS

On 13 June 2008, Mr. Thompson was notified by the University of Alberta that he was being recommended for suspension. On 12 June 2008, he was notified of the charges against him.

The information would require Mr. Thompson's permission to release to the University of Alberta, and he was given the opportunity to present his case. On 12 June 2008, the panel received a letter from the University of Alberta, and on 13 June 2008, the panel received a letter from the University of Alberta.

On 11 June 2008, the panel issued a general procedural order which was served on all parties.

The court proceedings were commenced on 5 June 2008. On 13 May 2008, Mr. Thompson advised the court that he had decided to present his case. On 15 May 2008, WADA advised the panel that the panel had decided not to pursue further evidence.

On 13 May 2008, Mr. Thompson advised the court that no further evidence was necessary.

On 15 June 2008, WADA advised the panel that no further evidence was necessary.

On 16 June 2008, Mr. Thompson advised the court that he had decided not to pursue further evidence.

On 16 June 2008, Mr. Thompson advised the court that he had decided not to pursue further evidence.

On 16 June 2008, Mr. Thompson advised the court that he had decided not to pursue further evidence.
significant deference. The supreme court in Laff F الزد 2006 should be construed as permitting an AAR Arbitrator to be given

Any Thompson also argues that the decision of the AAR Arbitrator should be given

The Thompson also argues that the AAR Arbitrator should be given

5.3.5

Mr. Thompson argues that the court of appeal overturned the AAR Arbitrator's decision in this matter. Accordingly, the AAR Arbitrator's decision should not be based on the matter in this matter. Although the court of appeal overturned the AAR Arbitrator's decision, the AAR Arbitrator's decision should be upheld.

5.2.1

Section 5.2

The AAR Arbitrator's decision should be upheld.

5.1.3

Section 5.1.3

Applicable laws and regulations

Applicable laws and regulations

WADA asserts that the AAR Arbitrator's decision should not be overturned.

5.1.2

Section 5.1.2

WADA asserts that the AAR Arbitrator's decision should not be overturned.

The AAR Arbitrator's decision should be upheld.

26 June 2008 09:00 WADA v. Thompson -8

Filing Argument Draft
he Member

the other party to the case in which the decision was rendered.

the authority or other person the subject of the decision being appealed.

be as provided for in the Rules of the Tribunal, but shall include an indication of the period of time allowed to appeal a decision, if any, as set out in the authority or other person's decision.

15.2.4 Where an appeal is made against a Member's decision, it is to be commenced as soon as possible.

Appeal

IATA Rule 6: Disqualifications

IATA Rules which provide for disqualifications follow:

6.1.1 The publication of the CAS in the manner is undisputed and dates from Rule 60 of the

JURISDICTION AND APPLICABLE LAW

6.2

The jurisdiction of the CAS in this matter is undisputed and derives from Rule 60 of the

Scholarships which would permit him to pursue a college education.

a college education. The Supreme Court of Canada has held that a college education is an educational institution. Whether or not the college education is a college education is a matter of fact and is determined by the court. The court determined that the college education is a college education. The court determined that the college education is a college education.

5.3.5 Mr. Thompson also argues that the decisions of the college's disciplinary board and the tribunal are not dispositive.

5.3.5 Mr. Thompson also argues that the decisions of the college's disciplinary board and the tribunal are not dispositive.

CAS 2008/A/1490 WADA v. USA DA & Thompson - 9
10. **Result Management/Disqualification**

(Revised 8/8/14)

Article 10(f) of the USADA Protocol reads as follows:

**Article 10(f) of the USADA Protocol Concerns Final Decision by the #WA#**

> The determination of the **#WA#** Board of Appeal shall be final, unless the appeal is also filed with the Court of Arbitration for Sport (CAS) in accordance with Rule 65(w) of the CAS Code. In such case the appeal to the Court of Arbitration for Sport (CAS) shall be final and binding on all parties and shall not be subject to further review or appeal.

The decision of the CAS shall be final and binding on all parties and shall not be subject to further review or appeal.

The decision of the #WA# shall be final and binding on all parties and shall not be subject to further review or appeal.

Notwithstanding the provisions of the CAS Code, Final Appeal Proceedings may be appealed to the CAS given in accordance with Rule 65(w) of the CAS Code.
Rule 2: Anti-Doping Rule Violations

The principal IAAF Rules of relevance in these proceedings are the following:

1. The provisions of the WADA Code apply.

Whereas and, re-association by virtue of their affiliation, membership, affiliation, and in the context, whether support association and other matters into consideration, in the case of the, the

The IAAF Anti-Doping Rules shall apply to the IAAF, its Member and Area Associations.

Rule 3: Scope of the Anti-Doping Rules

The IAAF, as an Organisation, is subject to the provisions of the WADA Code and the provisions of the IAAF

The USADA, is, as an Organisation, is subject to the provisions of the WADA Code and the provisions of the IAAF.

If any of the provisions is duly announced, yet fails to appear, the Panel may nevertheless proceed with the hearing.

Following Article 47 of the Code, it is hereby determined that the Panel's authority, in the event of an appeal, Article 47 and

Rule 5: Scope of Panel's Review

With respect to the scope of this Panel's Review, Article 47 of the Code provides as

Further Article 47 of the Code or the Code of Sports-Related Arbitration provides as
null
The expression "no fault or no negligence" and "no significant fault or no significant negligence" are defined in the L.A.R.P. Rules as follows:

E-7

Rule 32(3): (c) A "compliance with the requirements of paragraph (8)

Rule 32(4): (d) A "compliance with the requirements of paragraph (9)

Rule 32(4): (e) A "compliance with the requirements of paragraph (10)

Rule 32(4): (f) A "compliance with the requirements of paragraph (11)

Rule 32(4): (g) A "compliance with the requirements of paragraph (12)

(8) If, in a case involving two or more parties, the violation under the second violation mentioned in paragraph (9) is involved, the violation shall be subjected to the following conditions:

I. If any action commenced an action in which the violation under these and another Rule, Rule 32(4):

(9) The determination of exceptional circumstances in cases involving intentional or willful

(10) The determination of exceptional circumstances in cases involving negligence or

CAS 2006/1490 WADA v. USADA & Thompson
DISCUSSION

The question is whether WAAD's appeal was unduly delayed. The procedural background set out above indicates that the applicable time limits were met.

ADMINISTRATIVE

In determining whether the appeal is meritorious, the Panel must determine whether Mr. Thompson's appeal was in accordance with Article 10.5.2 of the WADA Code as follows:

No significant fault or negligence is defined as:

- "Where the measure, regulation, rule or provision in question is a provision in the WADA Code as defined in Appendix 1 of the WADA Code, the measure, regulation, rule or provision is a measure, regulation, rule or provision in the WADA Code as defined in Appendix 1 of the WADA Code."

Based on and in consideration with Article 10.5.2 of the WADA Code which reads as follows:

The panel is of the opinion that the facts do not constitute a measure, regulation, rule or provision in the WADA Code as defined in Appendix 1 of the WADA Code.

CAS 2008/1490 WADA v. USADA & Thompson

Tribunal Annual Report

26 June 2008

Page 15/23
The chairman also points out that the possibility of significant failure may arise from the significant failure or neglect of the WADA Code or the significant failure to provide a significant medical or scientific input.

The chairman further notes that the WADA Code and the relevant articles of the WADA Code and the relevant articles of the Code of Ethics provide a significant Medical or Scientific input.

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In the case of ARA v. Thompson, the Appeals Court considered the question of whether Thompson breached the duty of care owed to Aquila, a minor prisoner, by failing to address his mental health concerns. The Court found that Thompson had breached his duty of care, and awarded Aquila damages.

In another case, B v. C, the Court considered the issue of whether the defendant, a doctor, had breached his duty of care in diagnosing the plaintiff's condition. The Court found that the defendant had failed to diagnose the condition in a timely manner, and awarded the plaintiff damages.

In each of these cases, the Court applied the principles of negligence to determine whether the defendant had breached their duty of care. These principles include the duty to act with reasonable care, the breach of that duty, and causation, which requires that the breach of duty was a substantial factor in causing the plaintiff's injury.

In the case of D v. E, the Court considered the issue of whether the defendant, a manufacturer, had breached its duty of care in designing and marketing a product that was later found to be defective. The Court found that the defendant had breached its duty of care, and awarded the plaintiff damages.

In each of these cases, the Court applied the principles of negligence to determine whether the defendant had breached their duty of care. These principles include the duty to act with reasonable care, the breach of that duty, and causation, which requires that the breach of duty was a substantial factor in causing the plaintiff's injury.
Court of Arbitration for Sport

CAS 2008/A/1490 WADA v. Thompson

Tribunal de Arbitraje de Deportes

CAS 2008/A/1490 WADA v. Thompson - 17

CAS 2008/A/1490 WADA v. Thompson
In the hearing of the case, Mr. Thompson was found to have no significant reflection for the violation.

The evidence presented during the hearing included witness testimony, written evidence, and other relevant materials. Mr. Thompson was found to have no significant reflection for the violation.

The hearing concluded with a recommendation that Mr. Thompson be found guilty of the violation.

The hearing was conducted in accordance with the procedures outlined in the hearing rules. Mr. Thompson was given the opportunity to present his case and cross-examine witnesses.

Mr. Thompson was found to have no significant reflection for the violation. The hearing concluded with a recommendation that Mr. Thompson be found guilty of the violation.
Responsible for his own actions.

In the Thompson case, there were several issues that could have led to the problem. First, Mr. Thompson had a significant number of students who were not performing well academically. This likely led to a lack of support from the school, which could have contributed to the problem. Additionally, the school did not provide adequate resources or support to help Mr. Thompson improve. The school also did not provide any interventions or support to help Mr. Thompson improve his performance. These factors combined to create a situation where Mr. Thompson was unable to perform well academically.

In conclusion, the Thompson case highlights the importance of providing adequate support and resources to teachers, particularly in challenging environments. It also emphasizes the need for schools to address these issues proactively to prevent similar situations from occurring in the future.
The position was advanced in the award of costs and the Panel regarded of the opposite of this appeal. The position has been reversed.

Costs

8.28

As a result, the Panel dismisses WADA’s appeal.

The Panel’s decision to require Mr. Thompson’s period of ineligibility to one year, as expressed by the VWA Arbitrator in reducing the period of ineligibility to one year, was justified.

The Panel, however, in reaching this decision, the Panel was not aware of the exceptional circumstances of this case and, in the Panel’s view, this decision was not sufficient to justify the decision of the VWA Arbitrator. The Panel’s decision was not sufficient to justify the decision of the VWA Arbitrator.

The Panel’s decision was not sufficient to justify the decision of the VWA Arbitrator.

In reaching its decision, the Panel was not aware of the exceptional circumstances of this case and, in the Panel’s view, this decision was not sufficient to justify the decision of the VWA Arbitrator.
and expenses incurred in this appeal, no hearing was conducted, the Panel believes it is reasonable for each party to bear its own costs into account each of whose interests and the nature and circumstances of this case, including the fact that the outcome of the proceedings and the conduct and financial resources of the parties. Having taken all these into account, the Panel will allocate the costs of the parties in proportion to the parties' degree of responsibility for the outcome of the proceedings.

Pursuant to Article 65.3 of the Code, the Panel is required to decide which party shall bear the cost of the parties or the proportion in which the parties shall share these, taking into account

- CAS 2008/1490 WADA v. USADA & Thompson – 21

9.2 Pursuant to Article 65 of the Code, the Panel is required to decide which party shall

9.3 Pursuant to Article 65.3 of the Code, the Panel is required to decide which party shall

- Court of Arbitration for Sport

Tribunal Abridged from

26 June 2008 16:01

N98881 p. 22/23
Done in Lausanne, 25 June 2008.

The Court of Arbitration for Sport

ON THESE GROUNDS

CAS 2008/A/1490 WADA v. USADA & Thompson - 22

The appeal filed by WADA on 20 February 2008 is dismissed.

3. Each party shall bear its own costs.

2. This award is pronounced without costs, except for the Court Office fee of CHF 500.

The Court of Arbitration for Sport rules:

Tribunal Arbitral du Sport

CAS 2008/A/1490 WADA v. USADA & Thompson - 22

26 June 2008 16:01 Court of Arbitration for Sport