

UNITED STATES OLYMPIC COMMITTEE

KENNETH RICHARDS)	
)	
Complainant)	
)	SCHEDULING ORDER
v.)	
)	
USA DANCE, Inc.)	
)	
Respondent.)	January 25, 2019

I. BACKGROUND

1. On November 5, 2018, Kenneth Richards (“Complainant”) filed a Complaint with the USOC against USA Dance (“USAD”) (hereinafter referred to as “Parties”) pursuant to Section 220527 of the Act and Section 10 of the USOC Bylaws. USAD is a Recognized Sport Organization (“RSO”) member of the United States Olympic Committee (“USOC”) pursuant to the Ted Stevens Olympic and Amateur Sports Act (36 USC §§ 220501-220529) (the “Act”) and Section 8 of the USOC Bylaws.

II. HEARING PANEL APPOINTMENT

2. In accordance with Section 220527(a)(2) of the Act and Section 10 of the USOC Bylaws, USOC Chief Executive Officer, Sarah Hirshland, appointed a Hearing

Panel of three members for the purpose of hearing this matter. The Panel members are:

Kikkan Randall, Hearing Panel Chair and USOC Board Member;
Christopher Parker, President and CEO of the National Junior College
Athletic Association and Member of the Multisport Organization
Council (“MSOC”),
Sarah Gascon, Team Handball athlete and athlete representative on the
Athletes’ Advisory Council (“AAC”).

3. The Parties were notified of the composition of the Hearing Panel by letter from Sarah Hirshland on December 7, 2018. The Parties did not object to the appointment of the Hearing Panel members.

4. Accordingly, the Hearing Panel was seated without objection.

III. COUNSEL

5. Complainant is represented by Ellen M. Zavian, Esq.

6. USAD is represented by Jesse A. Salen of the firm Sheppard, Mullin, Richter & Hampton LLP.

IV. MOTION TO DISMISS

7. USAD filed a Motion to Dismiss on December 5, 2018, pursuant to Section 10.12 of the USOC Bylaws.

8. In response to the Motion, the Hearing Panel directed the following briefing schedule, as communicated to the Parties via email.

i. January 3, 2019. Deadline for Complainant to submit a Response to the Motion.

ii. January 10, 2019. Deadline for USAD to submit its Reply.

9. Complainant filed its Response to the Motion on December 30, 2018.

10. USAD filed its Reply in Support of the Motion on January 10, 2019.

V. SCHEDULING AND PROCEDURAL ORDER FOR ORAL ARGUMENT

11. The Hearing Panel sets the following scheduling and procedural order for oral argument on the Motion.

- a. The oral argument is set for 10:00am PST/11:00am MST/12:00pm CST/1:00pm EST on January 29, 2019.
- b. The oral argument will be held telephonically and will be for a total of one hour. Dial in information will be provided to the Parties.
- c. Each Party will have 20 minutes to present their argument to the Hearing Panel.
- d. USAD, the Party bringing forth the Motion, shall present its argument first. Richards shall then have an opportunity to respond. USAD can then use any of its remaining time to reply.

VI. ORDER

12. It is so ordered.

Dated this 25th day of January, 2019.



Kikkan Randall, Chair

Christopher Parker, Panel Member
Sarah Gascon, Panel Member