

UNITED STATES OLYMPIC & PARALYMPIC MOVEMENT ARBITRATION RULES
Administered by New Era ADR

In the Matter of the Arbitration Between

Sylvia Hoffman,
Claimant

Case No.26-01-2607

v.

USA Bobsled & Skeleton (USABS)
Respondent

and

Jadin O'Brien, and Azaria Hill,

Kaillie Humphries, Jasmine Jones, Kaysha Love, Sadie McMullen, Emily Renna, and
Elana Meyers Taylor

Affected Athletes

FINAL AWARD

I, THE UNDERSIGNED ARBITRATOR, having been designated by New Era ADR, and in accordance with the Ted Stevens Olympic and Amateur Sports Act, 36 U.S.C., §220505 *et seq.*, and Section 9 of the United States Olympic and Paralympic Committee ("USOPC") Bylaws, and the USOPC Arbitration Rules ("Arbitration Rules"), having been duly sworn, and having heard and considered the arguments of the parties and their counsel regarding during an approximately 12-hour video hearing held on Saturday, January 31, 2026. At the conclusion of the hearing, the Parties confirmed they were provided a full and fair opportunity to present their respective cases, witnesses, and evidence they deemed appropriate. Having considered the parties' case presentations, written submissions, exhibits, and legal authorities, the Arbitrator issues this **Final Award** as follows:

I. Factual and Procedural Background

1. Claimant, Ms. Sylvia Hoffman, is an elite U.S. bobsled athlete. Claimant began competing in bobsled in 2018. In the 2022 Olympic Winter Games, Claimant (as brakeman/pilot), with Elana Myers-Taylor (as pilot), secured a Bronze Olympic medal for Team USA, in the 2-woman bobsled event. After the 2022 Games, Claimant trained and competed in the pilot position for approximately two years. In May 2025, Claimant determined she had a stronger chance of securing an Olympic spot for the 2026 Games as a brakeman. Claimant competed as a brakeman in World Championships, and multiple IBSF World Cup sanctioned

events, as well as 2025 U.S. Push Championships. Claimant is one of six brakeman/push athletes in contention for three brakeman slots for Team USA at the 2026 Milan Cortino Winter Olympic Games. She was not selected.

2. The other female push athletes eligible for nomination under the published and approved USA Bobsled /Skeleton (USABS) Bobsled Athlete Selection Procedures - 2026 Olympic Winter Games” included: Jasmine Jones, Azaria Hill, Emily Renna, Jadin O’Brien, and Sadie McMullen. Kaillie Humphries, Kaysha Love, and Elana Meyers Taylor were selected for pilot slots, and their nomination is not at issue. For purposes of this arbitration, the forementioned athletes are collectively, the “Affected Athletes.”

3. Respondent USA Bobsled & Skeleton (USABS), as recognized by the USOPC, is the National Governing Body (“NGB”) for the sports of bobsled and skeleton in the United States. As the NGB for the sports of bobsled and skeleton, USABS has the authority, under the Ted Stevens Olympic and Amateur Sports Act (“Sports Act”) and USOPC Bylaws, to “establish procedures for determining eligibility standards for participation in competition” and “designate individuals and teams to represent the United States in international amateur athletic competition.” See 36 U.S.C. § 220523(a)(5)&(7).

4. By federal law, the USABS is required to “ensure[] that the selection criteria for individuals and teams that represent the United States are— . . . (C) consistently applied, using objective and subjective criteria appropriate to the applicable sport.” 36 U.S.C. 220522(10)(C). NGBs, including the USABS, are required to “establish a written procedure, approved by the USOPC to fairly select athletes and team officials for the Olympic ... Games.”

5. On March 28, 2025, USA Bobsled & Skeleton (“USABS”) published the “USA Bobsled /Skeleton (USABS) Bobsled Athlete Selection Procedures - 2026 Olympic Winter Games” (“**Selection Procedures**”). The Selection Procedures set forth the criteria for selecting Push Athletes for the 2026 Olympic Games (Milan-Cortina) for USA Bobsled. They note that Team USA has three quota places in the two-woman bobsled event, with a maximum six-person team size (3 x 2-women teams). Each team consists of a Pilot/Driver and Push/Brakewoman. Selection Procedures, 6.1.

6. On January 19, 2026, the USABS Team Selection Committee announced the athletes who would be nominated to the 2026 Olympic Bobsled Team for the 2026 Winter Games in Italy. For the three US entries in the two-woman bobsled, USABS selected three Pilot Athletes (Kaysha Love, Kaillie Humphries, Elana Meyers Taylor); and three Push Athletes (“Brakewomen”) (Jasmine Jones, Azaria Hill, and Jadin O’Brien). Emily Renna was named as an alternate. The Claimant, Ms. Sylvia Hoffman, was not among the six individuals selected.

7. Ms. Renna filed a separate Section 9 arbitration in New Era Case No. 26012203, contesting the selection committee decision. Ms. Hoffman was not identified as an Affected Athlete in that matter. On January 24, 2026, Arbitrator Kristen Thorsness issued an Operative Award denying Ms. Renna’s request for relief.

8. On January 26, 2026, USABS submitted its nominations to the IOC.

9. On January 27, 2026, Ms. Hoffman, her counsel, and USABS representatives (including counsel) met informally to discuss the decision not to select Ms. Hoffman to the 2026 Olympic Winter Games team as a push athlete.
10. On January 28, 2026, Claimant Sylvia Hoffman, through counsel, filed a Demand for Arbitration, naming as Respondent USA Bobsled and Skeleton ("USABS"), and invoking Section 9 of the USOPC Bylaws' Accelerated Standard Proceedings under the U.S. Olympic & Paralympic Movement Arbitration Rules (USOPC Rules).
11. The undersigned was appointed as Arbitrator on January 29, 2026.
12. A Preliminary Hearing was held on Thursday, January 29, 2026.
13. On January 29, 2026, the Arbitrator granted Claimant's MOTION FOR LEAVE TO AMEND TO ADD AFFECTED PARTIES JADIN O'BRIEN, and AZARIA HILL. This same evening, Mr. Matt Kaiser, Counsel for USOPC, provided formal notice, signed by the Arbitrator, to both athletes, in addition to additional potentially Affected Athletes: Kaillie Humphries, Jasmine Jones, Kaysha Love, Sadie McMullen, Emily Renna, and Elana Meyers Taylor.
14. On January 30, 2026, Claimant and Respondent both timely submitted their respective Prehearing Briefs, in addition to number exhibits. Counsel for Affected Athlete Jadin O'Brien also filed a Motion to Dismiss or Limit Hearing.
15. An arbitration hearing in this matter was conducted on Saturday, January 31, 2026, in accordance with Section 9 of the U.S. Olympic & Paralympic Committee Bylaws. Parties in attendance included the Claimant, Ms. Sylvia Hoffman, with Counsel Lannie Marchant. Respondent USABS was represented by Steven Smith & Annalisa Kolb, BCLP Law, and Mr. Aron McGuire appeared as Representative for USABS. Representatives appearing with Observer Status from the U.S. Olympic & Paralympic Committee included Matthew Kaiser, Counsel, USOPC Dispute Resolution, and Aaron Mojarres, USOPC Athlete Ombuds. Legal Counsel for Affected Athletes included John Clune & Ashland Hare for Jadin O'Brien; April Stone, counsel for Emily Renna; Katy Freeman, for Elana Myers Taylor.
16. As a preliminary matter, the Arbitrator *denied* the Motion to Dismiss or Limit Hearing, filed by counsel for Ms. O'Brian, on the grounds that Ms. Hoffman was neither named as, nor participated in, a separate Section 9 arbitration between Claimant Emily Renna and USA Bobsled and Skeleton, and Affected Athletes Jadin O'Brien and Elana Meyers Taylor, New Era Case No. 26-01-2203. Accordingly, Ms. Hoffman was entitled to be fully heard with respect to her Section 9 opportunity to participate raised in this arbitration.
17. At the hearing, the parties presented their respective opening statements and had the opportunity to present and examine all witnesses, and provide closing arguments.

18. The Arbitrator heard testimony from the following witnesses: Curt Tomasevicz, PhD (USABS); Coach Chris Fogt (USABS), Jamie Poser (USABS); Elana Meyers Taylor (Affected Athlete); and Claimant Sylvia Hoffman. No other Affected Athlete provided testimony at the hearing, although Counsel for Affected Athletes O’Brian, Renna, and Meyers-Taylor appeared for the duration of the hearing and participated accordingly.

19. On February 1, 2026, the Arbitrator issued an Operative Award denying Claimant’s requested relief.

II. Summary of Party Contentions

This arbitration concerns whether USABS complied with its published and approved Selection Procedures for the 2026 Olympic Winter Games and the governing obligations that constrain discretionary selection.

A. *Claimant*

Claimant contends that the USABS Selection Committee failed to follow and fairly apply its published USABS Bobsled Athlete Selection Procedures – 2026 Olympic Winter Games (the “Selection Procedures”) in selecting push athletes for the 2026 Olympic Winter Games, which allegedly “result[ed] in the erroneous selection of another athlete and the improper exclusion of the Claimant from the Olympic Team.” (Claimant, Demand for Arbitration).

Claimant advances two principal arguments: (1) USABS deviated from the required sequencing by finalizing pilot–push athlete combinations before the Olympic Games, even though nominations were to be made based on individual evaluations; and (2) USABS failed to apply the push-athlete selection criteria as written. Claimant further alleges that the Selection Committee did not follow the “tiered” procedures set forth in the Selection Procedures and instead gave undue weight to pilot-athlete input and preferences.

As relief, Claimant asks the Arbitrator to: (1) set aside the challenged selection decision; (2) direct that Claimant be named to the 2026 Winter Games Team as a women’s bobsled push athlete; and (3) grant such further relief as is just and equitable. *Id.*

B. *Respondent*

The position of both Respondent USA Bobsled and Affected Athletes O’Brien, Meyers-Taylor, and Renna is that the Claimant’s fails to meet the required burden of proof and that her request be denied.

III. Jurisdiction and Standard of Review

The Arbitrator has jurisdiction over this dispute pursuant to the Ted Stevens Olympic and Amateur Sports Act ("the Act"), 36 U.S.C. § 220501, *et seq.*, as this is a controversy involving claimants' opportunity to participate in the Olympic Games. *See also* USOPC Bylaw, Section 9.2 (“Any athlete who alleges that they have been denied, or threatened denial, by a corporation

member an opportunity to participate as established by Section 9.1 of these Bylaws, may seek to protect their opportunity to participate by filing a complaint with the corporation, and may make a subsequent demand for arbitration.”). The parties confirmed acceptance to arbitral jurisdiction to hear this dispute and proceeded without objection in these proceedings.

The Claimant bears the burden of proof and must establish the claim by a preponderance of the evidence. *See, e.g., Jurak v. U.S. Speedskating*, AAA Case No. 01 22 0000 1852 (January 28, 2022). In selection-dispute cases, that burden generally requires proof that the National Governing Body (NGB) (1) breached its approved selection procedures, (2) applied those procedures inconsistently to similarly situated athletes; (3) acted in bad faith or with bias; and/or violated applicable federal law. *See e.g., Hyatt v US Judo*.

Accordingly, in this case the Claimant has the burden to demonstrate by a preponderance of evidence that USABS failed to properly apply its approved selection procedures to the facts presented. As *Duering v. USA Cycling*, AAA 01-16-000-18462 (2016), notes, even when the applicable procedures require the exercise of discretion by the national governing body (NGB), the core question remains “[w]hether the NGB breached its published Selection Procedures, applied them inconsistently to athletes similarly situated, acted in bad faith towards or with bias against the athlete, and/or or violated applicable federal or state laws (e.g., Ted Stevens Olympic and Amateur Sports Act).” (citing *Craig v. USA Taekwondo, Inc.*, AAA Case No. 77 190E 00144 11 JENF at 5 (2011)).

The standard of review in Section 9 eligibility cases is de novo. As *Craig v. USA Taekwondo, Inc.*, AAA Case No. 77 190E 00144 11 (August 21, 2011), explains, “Section 9 proceedings are not appeals of NGB decisions and there is no requirement for an arbitrator in these proceedings to give any deference to any prior decision and in fact it would be incorrect to do so.” At the same time, the arbitrator may not, however, “substitute [their] judgment or conclusions regarding the qualifications of the complainants for that of the [NGB].” *Blumer v. United States Ski & Snowboard Association*, AAA Case No. 30 190 0002798 (January 30, 1998). The Arbitrator’s role is not to determine whether the NGB chose the best process for selecting teams, or to substitute lay judgment for the expert professional judgment of USABS in establishing Selection Procedures. *Komanski v. USA Cycling*, AAA Case No. 01-15-0004-9907 (Nov. 15, 2015) at 5.

IV. USA Bobsled/Skeleton (USABS) Bobsled Athlete Selection Procedures 2026 Olympic Winter Games

1. The USABS Selection Procedures, published March 25, 2025, outline the pathway for selection to the Milano-Cortina 2026 Olympic Winter Games (Games) for USA Bobsled/Skeleton. Team USABS was allotted 6 women (3x 2-woman teams).
2. The relevant part of the **Selection Procedures** are as follows:

SECTION 5: EVALUATIVE EVENTS.

Event names, dates, and locations of all trials, competitions, and camps to be used as part of the selection process.

DATE(S)	DESCRIPTION NAME/LOCATION
March 3-16, 2025	2025IBSF World Championships / Lake Placid, NY *This event will only serve as an evaluation event for Pilots for the Medal Contender Waiver.
March 20-21, 2025	National Selection Races / Lake Placid, NY
September 2025	National Push Championships / Lake Placid, NY
November 2025	National Selection Races *Please note that this event is currently tentatively scheduled. This event will only occur if the IBSF International training period in Italy allows for these races to be held. It is anticipated that the training period in Italy may not be confirmed until June 2025.
2025/26	IBSF World Cup (WC) races
2025/26	IBSF Europa Cup (EC) races
2025/26	IBSF North America Cup (NAC) races

3. **Section 6: SELECTION PROCESS.** Subsection 6.1 Total Quota Places: states that up to . . . three (3) 2-woman teams . . . may qualify. Qualification is achieved by pilot results and pilots obtain a qualification slot for their NOC.”

4. Discretionary Criteria. Section 7 of the USABS Selection Procedures is entitled “**Discretionary Criteria to Nominate Athletes for the Team.**”

Section 7.1(2) explains the rationale for utilizing discretionary selection:

In the nomination of push athletes *who will compete together as a team*, it is difficult to make nominating decisions based solely upon objective criterial. It is the belief of USABS that *considering a mix of selection criteria, which includes subjective components as well as objective data to evaluate performance ability*, will provide USABS with the best chance to win the maximum number of medals at the Games.” (emphasis added)

5. Pilot athlete qualification slots are determined by objective result rankings, under 7.2.1. By contrast, the Push Athlete Nomination involves discretionary selection under criteria set forth in Section 7.2.2.

6. Section 7.2.2 details the discretionary criteria the Selection Committee is to consider for Push Athlete Nomination. This criteria includes nine factors to be considered “in priority order by tier.” Tiers 1, 2, and 3. As written, this provides:

7.2.2. Push Athlete Nomination

Push athletes and push Ap Alternate Athletes will be nominated to the Team by the Team Selection Committee using the criteria below. The Team Selection Committee will nominate the number of push athletes and push Ap Alternate Athletes allowed by the IOC and the IBSF. The following criteria listed in priority order by tier will be considered by the Team Selection Committee when determining discretionary selections for push athletes and push Ap Alternate Athletes*.

Tier 1: The highest emphasis will be placed on:

- Upward/downward trend of push times, start rank, and velocity at the start in IBSF and USABS sanctioned events
- Results from the Evaluation Events listed in Section 5

Tier 2: The next highest emphasis will be placed on:

- Proven international experience with history/results of team combinations emphasizing top six (6) start times and finishes at the Evaluation Events listed in Section 5.
- 2025 Push Championships combination results (time and velocity)
- 2025 Push Championships individual results (time and velocity)
- Team results at the 2025/26 Selection Races with focus on both the start performance and finish results.
- Size and weight of the push athlete

Tier 3: Other criteria to consider:

- Pre-season 30-meter sprint and vertical jump results
- Athlete input requested from athletes via a Qualysis survey (collected by Team Selection Committee athlete representatives prior to the Team Selection Committee meeting)

*Please note for push Ap Alternate Athlete nomination only, athlete input will be evaluated as part of Tier 1 criteria instead of as part of Tier 3 criteria.

- However, if a push Ap Alternate Athlete is needed to replace an athlete nominated to the Team (see Section 11), athlete input will be evaluated as part of Tier 3 criteria.

Pilot/Push Athlete Combinations shall be assembled by the Team Selection Committee in consultation with the nominated Olympic Team Pilots and Push Athletes using the Push Athlete criteria above. Final Team combinations will be decided at the Olympic Games by the Team Selection Committee.

7. **Team Selection Committee.** Section 7.3 identified “the committee that will be responsible for making discretionary selections or other decisions and recommendations directly impacting athletes in the selection process” to include:

- USABS Director of Sport Performance
- USABS Head Coach
- USABS Assistant Coach
- USABS 10 Year Athlete Representative selected/approved by the AAC
- USABS 10 Year or 10+ Year Athlete Representative selected/approved by the AAC

8. SECTION 9: DATE OF TEAM NOMINATION provided that “The Nomination of Athletes, including replacements, will be announced to all athletes and submitted to the USOPC on or before: January 21, 2026.”

V. **Findings**

Selection Committee Process and Decision

1. The USABS Selection Committee, properly constituted, met on both January 18 and 19, 2026 to make selections for the Olympic Team, including women's push athletes. Meeting Notes kept by Curt Tomasevicz show attendance by duly constituted Selection Committee members, including Coach Fogt, Jamie Poser, Brian Shimer, Jamie Gruebel, Chris Kinney (Zoom), Hayden Walker (observing by Zoom).

2. On January 19, 2026, USABS announced the 2026 Women's Bobsled Team¹:

“The following athletes are named to the 2026 U.S. Olympic Team:

- Women's Bobsled Athletes (pilot / push athlete):
- Kaillie Armbruster Humphries / Jasmine Jones
- Kaysha Love / Azaria Hill
- Elana Meyers Taylor / Jadin O'Brien

3. USABS Selection Committee members who testified at the arbitration hearing included: Curt Tomasevicz, PHD, Director of Sport Performance for US Bobsled and Chair of US Bobsled's Selection Committee; Head Coach of the US Bobsled Team, Chris Fogt; and Jamie Poser, USABS 10 Year Athlete Representative.

4. Mr. Tomasevicz meeting notes, dated 1/18-19/2025, set out the verbatim the criteria in Section 7.2.2:

The following criteria listed in priority order by tier will be considered by the Team Selection Committee when determining discretionary selections for push athletes and push Ap Alternate Athletes*.

Tier 1: The highest emphasis will be placed on:

- Upward/downward trend of push times, start rank, and velocity at the start in IBSF and USABS sanctioned events
- Results from the Evaluation Events listed in Section 5

Tier 2: The next highest emphasis will be placed on:

- Proven international experience with history/results of team combinations emphasizing top six (6) start times and finishes at the Evaluation Events listed in Section 5.
- 2025 Push Championships combination results (time and velocity)
- 2025 Push Championships individual results (time and velocity)
- Team results at the 2025/26 Selection Races with focus on both the start performance and finish results.
- Size and weight of the push athlete

Tier 3: Other criteria to consider:

- Pre-season 30-meter sprint and vertical jump results
- Athlete input requested from athletes via a Qualysis survey (collected by Team Selection Committee athlete representatives prior to the Team Selection Committee meeting)

These notes listed the six push athletes in contention, along with discussion notes. (Due to the confidentiality agreement, detailed comments on individual athletes are not set forth in this

¹ <https://www.usabs.com/news/2026/january/19/usa-bobsled-skeleton-announces-2026-winter-olympic-team>”

Award).

5. Head Coach Chris Fogt also testified that he is with the athletes in trainings and competitions nearly full-time, knows athlete performances, trends, start times, start rank, and velocity, and results. He prepared various reports detailing the qualifying races and performances with the three nominated Pilots (Elana, Kaillie and Kasha). Respondent Exhibit (R-9)

6. Selection Committee member and athlete representative, Jamie Poser, Olympian and former brakeman and driver in Bobsled, also provided her meeting notes which detailed comparisons of athlete’s records, strengths and weaknesses. She also testified as to considering and following the criteria in assessing athlete performance comparisons and athlete selection.

7. Regarding the Claimant’s argument regarding pilot-push athlete pairings, the arbitrator in *Renna* was unpersuaded that any rule violation occurred. Pilot selection, based on IBSF combined ranking list points, had already been determined. Push-athlete selection, by contrast, is determined by the Selection Committee using discretionary criteria that account for a range of factors, including performance metrics. USABS 7.1.2 Push athletes compete across different events and with different pilots, making direct, apples-to-apples comparisons difficult and preventing any single “exact” results-based comparison.

8. For example, Respondent’s Exhibit 9 shows the individual and team performance metrics that the Selection Committee considers in its determination.

	Elana				Kaillie				Kaysha				Top Pushing team	
	Heat 1	Heat 2	Behind	Finish	Heat 1	Heat 2	Behind	Finish	Heat 1	Heat 2	Behind	Finish		
Cortina	5.19 (4)	5.21 (6)	-.16	6	5.25 (11)	5.20 (4)	-.21	3	5.15 (3)	5.14 (2)	-.05	2	Buckwitz/Schuten	Nolte and Levi Raced
Igls	5.55 (10)	5.51 (8)	-.25	6	5.53 (9)	5.48 (4)	-.20	4	5.44 (3)	5.41 (1)	-.04	2	Nolte/Levi	
Lillehammer	5.38 (8)	5.42 (11)	-.27	9	5.36 (6)	5.39 (9)	-.22	5	5.28 (2)	5.30 (4)	-.05	4	Nolte/Levi	
Sigulda	5.31 (4)	5.30 (4)	-0.25	4	5.34 (6)	5.34 (5)	-0.32	1	5.34 (6)	5.36 (10)	-0.34	13	Buckwitz/Siebert	Nolte/Kluwig
Winterberg	5.72 (17)	5.54 (6)	-0.29	8	5.62 (9)	5.61 (11)	-0.26	4	5.55 (3)	5.47 (2)	-0.05	10	Nolte/Levi	
St. Moritz	5.57 (13)	5.56 (12)	-0.22	10	5.50 (5)	5.49 (6)	-0.08	1	5.51 (6)	5.46 (2)	-0.06	8	Buckwitz/Lipperheidi	Nolte/Kluwig
Altenberg	5.76 (7)	5.72 (5)	-0.33	7	5.71 (3)	5.67 (4)	-0.23	2					Nolte/Levi	
	Azaria													
	Jasmine													
	Sylvia													
	Jadin													
	Emily													
	Sadie													

9. The Arbitrator in *Renna*, faced a similar challenge to the USABS’s selection decision. There, in the Operative Award, the Arbitrator found:

“In uncontradicted testimony, all three of the selection committee member witnesses testified that they considered all of the selection criteria set out in the US Bobsled Athlete Selection Procedures (the "Procedures") for the 2026 Olympic Winter Games, and

weighted them as set out in those Procedures. Rather than a pre-determined decision intended to benefit Ms. O'Brien, the committee performed a detailed analysis of Ms. Renna's and Ms. O'Brien's performances in the various tests and competitions and other criteria set out in the Procedures over the course of 3-4 hours of back-and-forth discussion. They acknowledged that both athletes were of extremely high quality, and that this was a complex decision, but ultimately found that Ms. O'Brien was the better choice.” *Renna v. USABS*, Case No. 26012203, Operative Award (Jan. 24, 2026) (K. Thorsness).

10. *Selection Committee Deliberations.* USABS Selection Committee Members testified that they had considered each of the “Nine Factors” within the Three Tiers and applied them in the priority order set out in the Tier 1, 2, and 3 categories. Committee member notes and testimony reflected their consideration of the tiered discretionary framework in the Selection Procedures. The testimony comparing Ms. Hoffman, Ms. Azaria, and Ms. O’Brien showed that the Committee evaluated the relevant tiers and criteria and concluded that the selected athletes held a “slight edge.”

11. Among the Tier 1 considerations, the Committee cited other push athletes’ “upward trend, relative to a downward trend for Ms. Hoffman, in push times, start rank, and velocity as reflected in IBSF data. The Selection Committee considered the Tiered criteria in its evaluation and selection, while recognizing Ms. Hoffman’s international experience and performance metrics, evaluated that in context of other qualified candidates. Athlete input did appear to be a consideration, although not dispositive. Because two-woman bobsled is inherently a team event, nominating pilot–push combinations necessarily involves team-composition judgments.

While the Claimant has an impressive performance record and significant international experience, the evidence presented showed that the USABS’s approach was not arbitrary, and other similarly situated athletes received comparable consideration in application of the selection procedures.

V. Final Decision

The Arbitrator recognizes the difficulty of these selection decisions and further recognizes that it is not the Arbitrator’s role to substitute judgment for that of a properly constituted Selection Committee or to reweigh the merits of the Committee’s decision. The Arbitrator concludes that Claimant failed to prove, by a preponderance of the evidence, that USABS failed to follow or fairly apply its Selection Procedures. The record reflects that the Selection Committee exercised its independent duty to evaluate the relevant information and criteria required by the USABS Selection Procedures and Discretionary Selection Process Criteria.

The Arbitrator further finds no persuasive evidence of bias or impropriety. Accordingly, Claimant did not meet her burden to prove, by a preponderance of the evidence, that: (a) USABS breached its Selection Procedures; (b) USABS applied its Selection Procedures inconsistently to similarly situated athletes; (c) USABS acted in bad faith; (d) USABS violated applicable federal or state law; (e) USABS acted arbitrarily or capriciously; or (f) USABS made a decision lacking

a rational basis. The Arbitrator therefore finds that USABS followed its published selection criteria and interpreted and applied those criteria in a rational, reasonable, and consistent manner, without bias against Ms. Hoffman.

ACCORDINGLY, The Arbitrator rules for this Final Award that

- A. Claimant's requested relief is DENIED;
- B. The parties shall bear their own attorney's fees and costs associated with this arbitration;
- C. The administrative fees of New Era and the compensation and expenses of the Arbitrator shall be borne by the parties as incurred; and
- D. This Award shall be in full and final resolution of all claims and defenses submitted to this Arbitration. The Arbitrator has considered all the arguments made by the parties, whether they are specifically referenced in this Award. All claims not expressly granted herein are hereby denied.

IT IS SO AWARDED.

Dated: February 27, 2026

Maureen Weston

Arbitrator