

BETWEEN DRUG FREE SPORT NEW ZEALAND

Applicant

AND LACHLAN FREAR

Respondent

AND NZ ICE HOCKEY FEDERATION

Interested Party

**PROVISIONAL SUSPENSION ORDER AND
MINUTE OF TELEPHONE CONFERENCE
DATED 3 NOVEMBER 2017**

Present: Paul David QC, counsel for Applicant
Jude Ellis, Drug Free Sport NZ
Liam Collins, counsel for Respondent

Chairperson: Sir Bruce Robertson

Registrar: Neela Clinton

1. Lachlan Frear is a member of NZ Ice Hockey Federation which has adopted the Sports Anti-Doping Rules (SADR) promulgated by Drug Free Sport New Zealand (DFSNZ) as its anti-doping policy.
2. On 27 October 2017, DFSNZ filed an Application for the Provisional Suspension of Mr Frear alleging breaches of 2014 SADR 3.2 and 3.6 and 2015 SADR 2.2 and 2.6.
3. A telephone conference was convened by the Tribunal Chairperson on 3 November 2017 in respect of the provisional suspension application. Counsel for the Respondent advised that Mr Frear did not oppose the provisional suspension application.
4. Accordingly, and being satisfied that there was no substantive reason why provisional suspension should not be imposed, the Tribunal Chair ordered the provisional suspension of Mr Frear with immediate effect from 3 November 2017. Mr Frear may not take part in any way in any event or activity, organised, sanctioned or authorised by NZ Ice Hockey Federation or by any other sporting organisation which is a signatory to the SADR.
5. The following timetabling orders were made in relation to the substantive anti-doping rule violation proceedings:
 - (a) the Respondent is to file and serve any evidence and other written material in support by 5pm on Friday 17 November 2017;
 - (b) DFSNZ is to file and serve any written material in response by 5pm on Friday 1 December 2017; and
 - (c) a hearing is set for Monday 4 December 2017 at 9.00am.
6. A copy of this Minute will be sent to the parties but otherwise should remain confidential until publication of the final decision on the Anti-Doping Rule Violations. All other process steps under SADR should similarly remain confidential.

Dated: 3 November 2017



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Sir Bruce Robertson
Chairperson