

BETWEEN **DRUG FREE SPORT NEW ZEALAND**
Applicant

AND **TRAVELL NGATOKO**
Respondent

AND **NEW ZEALAND RUGBY LEAGUE**
Interested Party

**PROVISIONAL SUSPENSION ORDER AND
MINUTE OF TELEPHONE CONFERENCE
DATED 13 DECEMBER 2016**

Present: Paul David, Counsel for Drug Free Sport NZ
 Jude Ellis, Drug Free Sport NZ
 David Fraundorfer and Sam Fellows, Counsel for Respondent
 Kevin Bailey, New Zealand Rugby League

Chairperson : Sir Bruce Robertson

Registrar: Megan Lee-Joe

1. Travell Ngatoko is a member of New Zealand Rugby League which has adopted the Sports Anti-Doping Rules (SADR) promulgated by Drug Free Sport New Zealand (DFS) as its anti-doping policy.
2. On 14 November 2016, DFS filed an Application for the Provisional Suspension of Mr Ngatoko. Service of the Provisional Suspension Application was effected through counsel on 7 December 2016. The substantive Form 1 Application for Anti-Doping Rule Violation Proceedings was filed and served by DFS on 9 December 2016.
3. A telephone conference was convened by the Tribunal Chairperson on 13 December 2016 in respect of the provisional suspension application. Counsel for the Respondent advised that Mr Ngatoko did not oppose the provisional suspension application and also waived his right to have his 'B' sample analysed.
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 Ngatoko with effect from 13 December 2016. Mr Ngatoko may not take part in any way in any event or activity, organised, sanctioned or authorised by the New Zealand Rugby League or by any other sporting organisation which is a signatory to 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 his Form 2 together with any evidence and other written material in support by 5pm on Friday 20 January 2017;
 - (b) DFS is to file and serve any written material in response by 5pm on Friday 27 January 2017; and
 - (c) a hearing by telephone conference is set down for 9am on Tuesday 31 January 2017.
6. A copy of this provisional suspension order and minute will be sent to the parties.

Dated: 13 December 2016



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Sir Bruce Robertson
Chairperson