

BETWEEN **DRUG FREE SPORT NEW ZEALAND**

 Applicant

AND **MICHAEL BUTSON**

 Respondent

AND **NEW ZEALAND RUGBY LEAGUE**

 Interested Party

**PROVISIONAL SUSPENSION ORDER AND
MINUTE OF TELEPHONE CONFERENCE
DATED 19 DECEMBER 2016**

Present: Paul David QC, Counsel for Drug Free Sport NZ
 Jude Ellis, Drug Free Sport NZ
 Andrew McCormick, Counsel for Respondent
 Michael Butson, Respondent
 Kevin Bailey, New Zealand Rugby League

Chairperson : Sir Bruce Robertson

Registrar: Megan Lee-Joe

1. Michael Butson is a member of New Zealand Rugby League which has adopted the Sports Anti-Doping Rules (SADR) promulgated by Drug Free Sport New Zealand (DFSNZ) as its anti-doping policy.
2. On 12 December 2016, DFSNZ filed an Application for the Provisional Suspension of Mr Butson.
3. A telephone conference was convened by the Tribunal Chairperson on 19 December 2016 in respect of the provisional suspension application. Counsel for the Respondent advised that Mr Butson 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 Butson with effect from 19 December 2016. Mr Butson 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) DFSNZ is to file and serve its Form 1 and written material in support by 5pm on Friday 20 January 2017;
 - (b) the Respondent is to file and serve his Form 2 together with any evidence and other written material in support by 5pm on Friday 3 February 2017;
 - (c) DFSNZ is to file and serve any written material in response by 5pm on Friday 17 February 2017; and
 - (d) a pre-hearing telephone conference will be convened at 9am on Monday 20 February 2017.
6. The Tribunal notes that Mr Butson has asked for his 'B' sample to be analysed. Leave is reserved for the parties to request a telephone conference if required following the test results of the Respondent's 'B' sample.

7. A copy of this provisional suspension order and minute will be sent to the parties.

Dated: 19 December 2016



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Sir Bruce Robertson
Chairperson