

BETWEEN **DRUG FREE SPORT NEW ZEALAND**

Applicant

AND **BRENDON KEENAN**

Respondent

AND **ATHLETICS NEW ZEALAND**

Interested Party

**PROVISIONAL SUSPENSION ORDER
DATED 24 MAY 2018**

Participants Paul David QC, counsel for Applicant
Hayden Tapper, Drug Free Sport NZ
Nick Elsmore, counsel for Respondent

Chairman Sir Bruce Robertson

Registrar Neela Clinton

1. Brendon Keenan was a member of Athletics New Zealand at the time of the alleged breaches. Athletics New Zealand has adopted the Sports Anti-Doping Rules (SADR) promulgated by Drug Free Sport New Zealand (DFSNZ) as its anti-doping policy.
2. DFSNZ alleges that on 7 September 2017 Mr Keenan made an online purchase of EPO EPOTIN from a website trading as "DRS LABS". Erythropoietin is a non specified substance prohibited at all times under class S2 of the 2017 Prohibited List.
3. On 18 May 2018, DFSNZ filed an Application for the Provisional Suspension of Mr Keenan alleging breaches of 2017 SADR 2.6 and 2.2.
4. A telephone conference was scheduled on 24 May 2018 for the Tribunal Chairman to consider the Provisional Suspension Application. On 23 May, counsel for the respondent advised the application was not opposed.
5. Accordingly, and being satisfied that there was no substantive reason why provisional suspension should not be imposed, the Tribunal Chairman ordered the provisional suspension of Mr Keenan with immediate effect from 24 May 2018. Mr Keenan may not take part in any way in any event or activity, organised, sanctioned or authorised by Athletics New Zealand or by any other sporting organisation which is a signatory to the SADR.
6. Counsel for the applicant proposed timetabling directions which were agreed by counsel for the respondent. The Chairman considered the proposed directions and made the following timetabling orders in relation to the substantive anti-doping rule violation proceedings:
 - (a) DFSNZ is to file and serve any written material in support of its Form 1 by 1 June 2018;
 - (b) the Respondent is to file and serve his Form 2 together with any evidence and other written material in support by 21 June 2018;
 - (c) DFSNZ to file any statements in response and memorandum by 4 July 2018; and
 - (d) a pre-hearing teleconference is set for 9.00am on 6 July 2018.

7. A copy of this Provisional Suspension Order 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 the SADR should similarly remain confidential.

Dated: 24 May 2018



Sir Bruce Robertson
Chairman