

BETWEEN DRUG FREE SPORT NEW ZEALAND

Applicant

AND MARK SPESSOT

Respondent

AND CYCLING NEW ZEALAND

Interested Party

**PROVISIONAL SUSPENSION ORDER AND MINUTE OF TELEPHONE
CONFERENCE
DATED 23 DECEMBER 2015**

Present: Mark Spessot, Respondent
Paul David, Counsel for Drug Free Sport NZ
Graeme Steel, Drug Free Sport NZ
Jude Ellis, Drug Free Sport NZ

Chairperson : Sir Bruce Robertson

Registrar: Megan Lee-Joe

1. Mark Spessot is a member of Cycling New Zealand which has adopted the Sports Anti-Doping Rules 2015 (the Rules) as its anti-doping policy.
2. On 22 December 2015, Drug Free Sport New Zealand (DFS) filed an application for the provisional suspension of Mr Spessot pursuant to the Rules.
3. A hearing was held by telephone conference on 23 December 2015 in respect of the provisional suspension application. Mr Spessot did not oppose the provisional suspension application.
4. Accordingly, and being satisfied that there is no substantive reason why provisional suspension should not be imposed, the Tribunal orders the provisional suspension of Mr Spessot with effect from 23 December 2015. Mr Spessot may not take part in any way in any event or activity, organised, sanctioned or authorised by Cycling New Zealand or by any other sporting organisation which is a signatory to the Rules.
5. Mr Spessot does not wish to have his B sample analysed.
6. DFS will file its substantive application with the Tribunal and serve this on Mr Spessot as soon as reasonably practicable in the new year.
7. Mr Spessot shall provide his written response to the substantive application as soon as possible (preferably within seven working days). Mr Spessot may refer to the information provided in support of an earlier retrospective Therapeutic Use Exemption (TUE) application, submitted by him but declined by DFS, and provide any further information to explain the circumstances relating to the adverse finding.
8. Once Mr Spessot's response has been received by the Tribunal, the Registrar will arrange a further telephone conference to deal with procedural matters regarding the hearing of the substantive application.
9. A copy of this provisional suspension order and minute will be sent to Mr Spessot, DFS and Cycling New Zealand.

Dated: 23 December 2015



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Sir Bruce Robertson
Chairperson