BETWEEN DRUG FREE SPORT NEW ZEALAND

Applicant

AND STACEY MIKARA

Respondent

AND NEW ZEALAND RUGBY LEAGUE

Interested Party

PROVISIONAL SUSPENSION ORDER AND MINUTE OF TELEPHONE CONFERENCE DATED 18 JANUARY 2017

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

- Stacey Mikara 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 14 November 2016, DFSNZ filed an Application for the Provisional Suspension of Mr Mikara. The Provisional Suspension Application was personally served on Mr Mikara on 20 December 2016.
- 3. A telephone conference was convened by the Tribunal Chairperson on 18 January 2017 in respect of the provisional suspension application. Counsel for the Respondent advised that Mr Mikara 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 Mikara with effect from 18 January 2017. Mr Mikara 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 the Form 1 Application for Anti-Doping Rule Violation Proceedings by 5pm on Tuesday 24 January 2017;
 - (b) the Respondent is to file and serve the Form 2 Notice of Defence in Anti-Doping Violation Proceeding / or Notice of Wish to Participate on Sanctions together with any evidence and other written material in support by 5pm on Tuesday 31 January 2017;
 - (c) DFSNZ is to file and serve any written material in response by 5pm on Tuesday 7 February 2017; and
 - (d) a hearing by telephone conference is set down for 9.30am on Monday 13 February 2017. Leave is reserved to the parties to contact the Registrar if that date or time is unsuitable.

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

Dated: 18 January 2017

Sir Bruce Robertson Chairperson