

**BEFORE THE SPORTS TRIBUNAL
OF NEW ZEALAND**

ST 06/07

BETWEEN

GLEN WILLIAMS

Appellant

AND

TRIATHLON NEW ZEALAND (INC)

Respondent

ORDER STRIKING OUT

Dated 9th day of November 2007

1. In a minute dated 18 October 2007, I advised that, in my view, the Tribunal does not have jurisdiction to hear this appeal. Mr Williams was given seven days to advise whether he intended to proceed with the appeal.
2. An email has been received from Mr Williams advising that, after discussions with his lawyer "it appears that continuing is unlikely to be viable unless Triathlon New Zealand agrees for the Sports Disputes Tribunal to hear the case". He indicated he is working through SPARC to discuss resolution to try and make this happen.
3. I take it from the email that Mr Williams accepts that this Tribunal does not have jurisdiction to hear the appeal. This is clearly my view and it is pointless to convene a hearing to argue a matter which would lead to an inevitable striking out.
4. If Triathlon NZ agrees to have the matter resolved by the Tribunal, it is not as part of the appeal process. It will come within another provision of the Tribunal Rules. In these circumstances, the appeal will be struck out.

ORDER

5. The appeal by Mr Williams is struck out.

Dated the 9th day of November 2007



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Hon B J Paterson QC
Chairman