



Members of the Commission

John Frierson, Chairperson  
Eugene Hernandez, Vice-Chairperson  
Commissioner VanBuren Lemons, MD  
Commissioner Christopher Giza, MD  
Commissioner Dean Grafilo

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Action may be taken on any item listed on  
the agenda except public comment.  
Agenda items may be taken out of order

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# COMMISSION MEETING NOTICE August 8, 2012

Location:  
Department of Consumer Affairs  
Hearing Room  
1625 North Market Blvd.  
Sacramento, CA 95834

## AGENDA

Wednesday, August 8, 2012  
10:30 a.m. – Conclusion of Business

### OPEN SESSION

1. Call to Order/Roll Call/Pledge of Allegiance
2. Chairman's Opening Remarks

### CLOSED SESSION

3. Appointment of Acting or Interim Executive Officer (*The Commission will meet in closed session pursuant to Government Code § 11126(a)(1) to discuss and appoint an Acting or Interim Executive Officer*)

### OPEN SESSION

4. Report from Closed Session (*Pursuant to Government Code Section 11125.2*)
5. Process for Selection of a New Executive Officer
6. Approval of Minutes
  - a. June 4, 2012
  - b. June 26, 2012
  - c. June 30, 2012
  - d. July 16, 2012

7. Executive Officer's Report
  - a. Budget Update
  - b. Status of Regulations
  - c. Staffing Update
  - d. Sunset Review Report Status
  - e. Report of July 15, 2012 Stakeholders Conference Call
  
8. Public Comment on Items not on the Agenda (*The Commission may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting pursuant to Government Code §§ 11125, 11125.7(a)*)
  
9. Petitions for Change of Decision (*Title 4 Cal. Code Regs. § 368*)
  - a. Issac De Jesus vs Adrian Diaz - MMA
  - b. Dave Villescaz vs Michael Person – MMA
  - c. Villagomez vs Madriz – MMA
  
10. Applications for Licensure – Appearance before Commission (*Business and Professions Code § 18662*)
  - a. Milton Wallace – MMA Referee
  
11. Request for Renewal of License  
Thor Skancke – Fighter
  
12. Future Agenda Items and Meeting Dates

#### ADJOURNMENT

NOTICE: The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Kathi Burns at (916) 263-2195 or email [kathi.burns@dca.ca.gov](mailto:kathi.burns@dca.ca.gov) or sending a written request to Kathi Burns at the California State Athletic Commission, 2005 Evergreen Street, Suite 2010, Sacramento, CA 95815. Providing your request at least five (5) days before the meeting will help ensure availability of the requested accommodation. Requests for further information should be directed to Kathi Burns at the same address and telephone number.

Meetings of the California State Athletic Commission are open to the public except when specifically noticed otherwise in accordance with the Open Meetings Act. The audience will be given appropriate opportunities to comment on any issue presented.



Members of the Commission

John Frierson, Chairperson  
Eugene Hernandez, Vice-Chairperson  
VanBuren Lemons, MD  
Christopher Giza, MD  
Mike Munoz  
Brian Edwards  
Linda Forster

**CALIFORNIA STATE ATHLETIC COMMISSION**  
**MEETING MINUTES**  
Monday, June 4, 2012  
10:00 a.m.

Front Street State Building  
1320 Front Street, Room B109  
San Diego, CA 92101

Commissioners Present

Chairman John Frierson  
VanBuren Lemons, MD  
Linda Forster

Mike Munoz  
Dean Grafilo

Commissioners Absent

Vice-Chairman Eugene Hernandez  
Brian Edwards

Staff Present

George Dodd, Executive Officer  
Anita Scuri, Supervising Staff Counsel, DCA  
Michael Santiago, Senior Staff Counsel, DCA

Agenda Item 1 – Call to Order / Roll Call / Pledge of Allegiance

The meeting was called to order and a quorum was present.

Agenda Item 2 – Chairman Opening Remarks

None

### **Agenda Item 3 – Approval of Minutes**

#### **a. February 6, 2012**

It was (M) Forster/(S) Lemons/(C) to approve the minutes as corrected.  
VOTE: Unanimous

#### **b. April 9, 2012**

It was (M) Lemons/(S) Munoz/(C) to approve the minutes as corrected.  
VOTE: Unanimous

### **Agenda Item 4 – Executive Officer's Report**

#### **a. Budget Update**

Mr. Dodd reported that revenue projections for fiscal year (FY) 2011/2012 have been less than expected, so in order to avoid over spending the budget, he reduced the number of inspectors at events, eliminated temporary office staff, reduced staff travel and is working with staff and inspectors to streamline processes and further reduce spending. He is working closely with the Department of Consumer Affairs' (DCA) budget office to develop a plan to remain solvent through the end of this fiscal year and for FY 2012/2013.

Additionally, Mr. Dodd requested a review, through the DCA and the Dept. of Personnel, of how pay is calculated for athletic inspectors. Currently they are paid for the time it takes to drive to an event venue and back. This adds a substantial amount to what each inspector is paid for working an event. Reducing drive time pay would achieve significant savings.

Dr. Lemons' requested further analysis as to why there has been such a drop in big events being held in California and why the revenue typically generated by those events we did hold, was less than expected.

Ms. Forster questioned why spending continued when it became apparent that revenue was not going to meet expectations. Mr. Dodd explained the difficulty in projecting revenue and that the unpredictability of revenue associated with big events took him somewhat by surprise as events expected to bring in nearly \$80,000, brought in less than \$30,000.

Mr. Dodd answered questions regarding the number of inspectors at each event and the need to go back to using less inspectors as in prior years; how other states pay their inspectors, and the number of inspectors at each event; and ensuring the promoter provides security so inspectors are not expected to perform that duty.

Mr. Dodd reported that he sent a letter to promoters explaining the reduction in inspectors at events and asking for their assistance with venue layout and other issues within their control. Additionally, Mr. Dodd has asked officials to assist where they can

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and has requested athletic inspectors to temporarily volunteer at events to help the Commission ensure the health and safety of fighters.

The members directed Mr. Dodd to communicate with them early and often regarding the budget and expressed their unhappiness at finding out about the possible insolvency of the Commission through a letter from the Director of the DCA.

Mr. Dodd agreed and indicated that he would continue to work with the DCA budget office to make more realistic projections and reduce expenditures wherever possible. Mr. Dodd will prepare a response to the letter from the Director which will include a plan for remaining solvent. All members will receive a copy.

**b. Status of Regulations**

Mr. Dodd reviewed the status of each regulation listed on the summary sheet provided in the meeting packet and referenced that the hearing regarding the Hand Wrap regulations will occur later today as will discussion regarding the next step in the regulatory process for the Therapeutic Use Exemption regulations.

**c. Boxer's Pension Fund – Update/Outreach**

Mr. Dodd reported that staff gave him a list of all eligible boxers that he will be forwarding to several media sources in hopes that more boxers will be located and paid the funds for which they are entitled.

Mr. Frierson asked Mr. Dodd to contact national Hall of Fame organizations to enlist their services in locating eligible boxers nationwide and in Mexico.

Mr. Frierson asked if any of the members had received information from Raymond James regarding the pension fund. Mr. Munoz explained that he and Mr. Edwards met with the Raymond James representative and reviewed the financial history and found everything in order. He further stated that they found that a large number of boxers are just now coming of age to be eligible to collect.

**d. Response to Letter from Senator Current D. Price, Jr.**

Mr. Dodd provided a copy of the final draft of the letter written by Drs. Lemons and Giza addressing Senator Price's concerns over recent proposed changes in the Neurological Exam Account and his desire to be involved in future actions.

**e. Sunset Review Report Status**

Mr. Dodd referred to the draft Sunset Review report provided in the packet and asked for the members to provide staff with input or changes they may have.

**Public Comment:**

Frank Gonzales Jr., Athletic Inspector, expressed how difficult it is to run an event with a reduced number of athletic inspectors. He described some of the duties that are

**6A3**

performed and reminded the Commission that they are running a business and gathering revenue at each event and reducing the number of inspectors could jeopardize their ability to ensure proper collection of revenue.

**Agenda Item 5 – 10:00 a.m. REGULATIONS – PUBLIC HEARING Hand Wraps. (CCR, Title 4, Division 2, Chapter 1, Article 7, section 323)**

Dr. Giza opened the hearing at 10:45 a.m. and read instructions and procedures for the hearing process and the giving of public comment.

Anita Scuri explained the recent revisions to the language.

**Public Comment:**

Frank Gonzales, Jr., Athletic Inspector, asked some clarifying questions regarding the language and wanted to make sure these regulations still require an inspector to sign off on the hand wrap, that the opponent can watch the hand wrap, and that no stacking is being permitted.

Dr. Lemons suggested the language read “cloth” gauze instead of gauze and “cloth or paper” tape instead of “surgical” tape.

It was (M) Munoz/(S) Forster/(C) to delegate to the Executive Officer the authority to adopt the modified regulations which have been further modified at the expiration date of the 15-day comment period if there are no adverse comments

VOTE: Unanimous

**Agenda Item 6 – Therapeutic Use Exemption Proposed Regulation (Rule 303.1) – Discussion and/or Action**

Mr. Dodd explained that adverse comments were received relating to the part of this regulatory package that establishes a therapeutic use exemption. Therefore, this matter was unable to move forward in the regulatory process and is now before the Commission for consideration of the adverse comments.

Michael Santiago reviewed four (4) possible options including the staff's recommendation that the Commission separate this regulation into two packages and move forward to 1) adopt the part of the regulation pertaining to asthma medication (Rule 303) as there was no opposition presented; and 2) assigned to an ad hoc committee of the Commission the part of the package that establishes a therapeutic use exemption (303.1) so that further consideration to procedures used by WADA and USADA can be reviewed and possibly incorporated into the language.

It was (M) Munoz /(S) Forster/(C) to adopt the proposed changes to the Rule 303 regarding asthma medication.

VOTE: Unanimous

It was (M) Giza/(S) /(C) to adopt the staff recommendation regarding Rule 303.1 and assign an ad hoc committee to review the regulation considering the WADA and USADA standards.

VOTE: Unanimous

**Agenda Item 7 – Public Comment on Items not on the Agenda**

None.

**Agenda Item 8 – Applicants for Referee and Judge to Appear Before the Commission – Original Application**

**a. Wade Vierra – MMA Judge**

Mr. Vierra summarized his background in MMA and his desire to be a California MMA judge.

Mr. Dodd confirmed that Mr. Vierra meets the minimum requirements for licensure.

It was (M) Munoz/(S) Giza/(C) to grant Mr. Vierra a California MMA judge's license.  
VOTE: Unanimous

**b. Mark Lawley – MMA Judge/Referee**

Mr. Lawley summarized his background in MMA and his desire to be a California MMA judge and referee.

Mr. Dodd confirmed that Mr. Lawley meets the minimum requirements for licensure; however, all of the events he has worked were amateur events. As such, Mr. Dodd recommended Mr. Lawley be issued a temporary license so that he can work with and be evaluated by senior professional officials prior to issuance of a permanent license.

JT Steele, CAMO, spoke in support of licensing Mr. Lawley.

It was (M) Munoz/(S) Giza/(C) to grant Mr. Lawley a temporary judge and referee license and upon favorable evaluations by senior officials, authorize the Executive Officer to issue Mr. Lawley a permanent license.

VOTE: Unanimous

**c. David Bell – MMA Judge/Referee**

Mr. Bell summarized his background in MMA and his desire to be a California MMA judge.

Mr. Dodd confirmed that Mr. Bell meets the minimum requirements for licensure; however, all of the events he has worked at were amateur events. As such, Mr. Dodd recommended Mr. Bell be issued a temporary license so that he can work with and be evaluated by senior professional officials prior to issuance of a permanent license.

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JT Steele, CAMO, spoke in support of licensing Mr. Bell.

It was (M) Munoz/(S) Lemons/(C) to grant Mr. Bell a temporary judge and referee license and upon favorable evaluations by senior officials, authorize the Executive Officer to issue Mr. Bell a permanent license.

VOTE: Unanimous

### **Agenda Item 9 – New Promoter Applications for Licensure**

#### **a. Extreme Fighters World Championship, LLC – David Brock**

Mr. Dodd described Mr. Brock's work as a temporary license holder including the fact that at his last event the payment checks bounced and Mr. Brock did not make good on those checks until Mr. Dodd explained that he would be recommending to the Commission the denial of a promoters license. Mr. Dodd recommends that Extreme Fighters World Championship, LLC be denied licensure at this time.

Mr. Jack Fleishli and Mr. David Brock introduced themselves and answered questions from the Commission and addressed the circumstances leading up to the bounced checks. Mr. Fleishli assured the Commission that Mr. Brock began working to attain payment for all participants immediately upon learning that he lacked the necessary funding.

It was (M) Munoz /(S) Giza /(C) to deny issuing a promoter license to Extreme Fighters World Championship, LLC – Mr. Brock.

VOTE: Unanimous

### **Agenda Item 10 – Appeal License Suspension**

#### **a. Thor Skancke – Appealing Fine**

Mr. Dodd explained that Mr. Skancke was suspended and fined \$2,500 due to positive drug testing indicating he had an elevated level of testosterone. Mr. Dodd further explained that Mr. Skancke's license had expired and no application was currently pending.

Mr. Santiago explained that Mr. Skancke's suspension was effective May 1, 2011 but his license expired July 18, 2011 and with no application being on file, Mr. Skancke is not under the Commission's jurisdiction at this time. Additionally, Ms. Scuri noted that the time to appeal a fine would have been back in May of 2011, when the fine was issued. Mr. Skancke noted that he did appeal back in May 2011, however, he was unable to appear at the meeting where the hearing was scheduled.

Mr. Frierson was concerned that Mr. Skancke was not informed of the requirement to have filed an application for licensure prior to appearing at this meeting. Mr. Dodd explained that he did not realize that Mr. Skancke would need to have an application on file in order for the Commission to consider his appeal and apologized.

**6A6**



Mr. Skancke explained that he would like to get his license to fight in California renewed and he was here today to ask that his fine be waived or at least reduced. He would then pay whatever was required and be able to fight again in California. He noted that he only makes about \$2,000 a fight and the fine he received was more than he could afford. He is a personal trainer and recognizes that what he did was stupid and he was not here to justify it. He had knee problems and instead of having a surgery he couldn't afford, he took a product he thought would help him get better faster and would be out of his system prior to his next fight; which clearly do not happen and was the reason for the positive drug test. He further explained that he had never before tested positive and accepts full responsibility for what occurred.

Dr. Giza explained to Mr. Skancke that he needs to pay his fine and complete and application for licensure and then come back before the Commission requesting license reinstatement.

### **Agenda Item 11 – Appeal of License Denial**

#### **a. Anthony Figueroa**

Mr. Figueroa explained that when he was 13 years old he got hit in the head with a baseball and experienced a brain hemorrhage. He had boxed as a youngster but stopped for a while after that and did not resume until he was 18 years old. He fought 16 -17 times as an amateur and was cleared by a doctor. In 2006, when MMA became legal in California, he got his license and has renewed it every year. In 2007, he was asked to undergo testing and the first doctor would not sign off to allow him to fight so he went to Dr. Gluckman who evaluated him further and signed off allowing him to become licensed in California. He has been fighting professionally since then. When he requested to fight in February, the Commission instructed him to get a new MRI. He did that with Dr. Blumfield in San Jose who explained that state requirements precluded him from signing off on his medical clearance due to the past hemorrhage. Mr. Figueroa is here today to ask the Commission to approve his application to renew his fighter's license and allow him to continue fighting in California as he has done over the last 6 years.

Ms. Scuri noted that Rule 281(c) prohibits any one from being licensed if they have ever suffered a brain hemorrhage; and no provision exists that allow a waiver of the prohibition. She explained that this same language was in existence in 2007. It was unclear how Mr. Figueroa was originally allowed to be licensed.

Given that there is no basis in law to issue a waiver and allow Mr. Figueroa to obtain a fighter's license in California; the Commission was unable to consider overturning the denial.

It was (M) Munoz/(S) Giza /(C) to sustain the denial of Anthony Figueroa's license to fight.

VOTE: 5 – 0 (Lemons abstained).

**6A7**

## **Agenda Item 12 – Advisory Committee on Medical and Safety Standards - Update**

### **a. Recommendation to Appoint Member(s) to Advisory Committee**

Tabled until the Committee meets and a recommendation is determined.

## **Agenda Item 13 – Legislation – Commission Position Decision**

### **a. AB 2100 (Alejo)**

Mr. Dodd announced that this piece of legislation did not make it out of appropriations on time so it is dead. However, he requested the Commission consider taking a position on the bill in case it is attached to another piece of legislation.

Lawrence Epstein, the Executive Vice President and general counsel of Zuffa, LLC (UFC) introduced colleagues from UFC; Lorenzo Fertitta, Owner and CEO; Kirk Hendrick, COO; Marc Ratner, VP of Government and Regulatory Affairs; and fighters Chuck Lyddell, Ronda Rousey and Dominick Cruz.

Mr. Epstein explained the UFC's history in California and acknowledged the successful relationship it has with the California State Athletic Commission. He highlighted the number of events they've held in California and the positive economic impact UFC events have had on the state.

Mr. Epstein explained that AB 2100 threatens the UFC's future in California and went on to describe the components of AB 2100 and their possible impact on UFC and MMA events in California. Mr. Epstein urged the Commission to take an oppose position on this or any similar type of legislations.

The Commission discussed the legislation and agreed to take an oppose position.

It was (M) Lemons/(S) Forster /(C) to oppose AB 2100 or any legislation that is similar to AB 2100.

VOTE: Unanimous

## **Agenda Item 14 – Neurological Examination Account and Boxer Pension Fund Report to the Legislature**

Mr. Dodd explained that the Commission is required to submit a report to the Legislature by July 31, 2012 regarding the status of the Neurological Examination Account and the Boxer's Pension Fund. The report is in the packet for review. Any changes should be forwarded to Mr. Dodd by July 15, 2012.

## **Agenda Item 15 – Agenda Items and Dates for Future Meetings**

### Future Agenda Items

- Detailed budget status
- Therapeutic Use Exemption (report from ad hoc committee)

**6A8**

Next regular Commission meetings will be August 8, 2012, in Sacramento and October 8, 2012 in Los Angeles.

Mr. Dodd thanked Ms. Scuri for her many years as the legal counsel for the Commission and for her assisting him to understand the workings of the Commission. On behalf of the Commission, he presented her with a retirement gift.

Dr. Giza thanked her as well, for nurturing him through his green period.

Mr. Frierson reminisced about the many topics they have addressed over the years and wished her the best in her retirement.

The meeting adjourned at approximately 1:30 p.m.



**Members of the Commission**

John Frierson, Chair  
Eugene Hernandez, Vice-Chair  
VanBuren Lemons, MD  
Christopher Giza, MD  
Mike Munoz  
Dean Grafilo  
Linda Forster

**CALIFORNIA STATE ATHLETIC COMMISSION  
MEETING MINUTES**  
Tuesday, June 26, 2012  
12:00 p.m.

1180 Durfee Avenue  
South El Monte, CA 91733

**Commissioners Present:**

Chairman John Frierson  
VanBuren Lemons, MD  
Linda Forster

Vice Chairman Eugene Hernandez  
Mike Munoz  
Dean Grafilo

**Commissioners Present:**

Christopher Giza, MD

**Staff Present:**

George Dodd, Executive Officer  
Michael Santiago, Senior Staff Counsel-DCA  
Elizabeth Parkman, Program Analyst

**Agenda Item 1 - Call to Order/Roll Call/Pledge of Allegiance**

The meeting was called to order and a quorum was present. Commissioner Munoz joined via teleconference from Chicago, IL.

**Agenda Item 2 - Budget Update**

Department of Consumer Affairs (DCA), Budget Analyst, Brian Skewis, advised the Commission members of the current status of the Commission's budget and reviewed past trends indicating that the Commission historically spends more money than it brings in. Additionally, he explained that the Commission's revenue **6B1**

projections have continuously been higher than the actual revenue received. He provided statistical data referencing fiscal years 2007/08 – 2012/13. Mr. Skewis indicated that at this time, it appeared that the Commission would become insolvent by the end of this fiscal year.

Commissioner Munoz asked what had changed since the June 4, 2012 meeting and this meeting, since concern for insolvency was not brought up in June. Mr. Skewis explained that more information and detailed projections from Commission staff had been analyzed since the June meeting.

Executive Officer, George Dodd, explained that he had requested help from the DCA when he first began as Executive Officer. He recounted the history of the Commission's revenue and expenditures since the time he was appointed. He explained that he did not receive any assistance from DCA.

### **Agenda Item 3 – Public Comment and Public Comment on Items not on the Agenda**

Awet Kidane, Chief Deputy Director of DCA addressed the fiscal conditions of the Commission, explaining that the DCA is ready to aid upon the request of the Commission. He and Director Brown have selected a team of experts to bring this fund solvent. Mr. Kidane expressed that through 18 meetings with the Commission staff; no help was produced, nor was it requested until mid-June. Mr. Kidane stated that he had been communicating with the Executive Officer and believed Mr. Dodd was informing the Commissioners of the status of the budget.

Legal counsel, Michael Santiago, stated that if the Commission wished to accept the DCA's offer of assistance, a motion would need to be made. He advised that the Chairman and Vice-Chairman be included in all decisions regarding any changes or actions affecting the Commission.

Chairman Frierson expressed concern that 18 meetings were held between the Commission staff and the DCA and none of the Commissioners knew about it. The DCA should have contacted them to advise them of the position they were in. Until the Commissioners received the letter from Director Brown they had no idea the Commission's budget was in such dire straits.

Dr. Lemons recommended that the DCA's offer of fiscal assistance be decided after closed session.

Promoter's Roy Englebrecht, Robert Diaz, Tom Brown and Alex Capanova of Thompson Boxing all made statements in support of keeping Mr. Dodd as the Executive Officer. They stated that he keeps his ego in check and works with the promoters to see how he can work with them. Fights have been brought to California because of Mr. Dodd. To place blame for the fiscal crisis of the Commission on Mr. Dodd would be irresponsible as this has been an on-going problem for several years.

**6B2**

Athletic Inspectors and Officials also gave public comment about the positive changes brought to the Commission by Mr. Dodd.

**CLOSED SESSION**

**Agenda Item 4 - Continued Employment of the Executive Officer**

See #6 below – Report from Closed Session.

**Agenda Item 5 - Appointment of an Acting or Interim Executive Officer**

Not applicable

**OPEN SESSION**

**Agenda Item 6 - Report from Closed Session**

Open session began at 2:21 p.m.

Chairman Frierson thanked everyone who attended for their input on this situation and advised that he tried to make everyone happy though he believes that will not ever be the case. He asked Vice-Chairman Hernandez to read the decision. The following five points were decided:

- Censure the Executive Officer regarding the budget
- Require Mr. Dodd to work closely with the DCA to oversee the Fiscal Year 2012/13 budget
- Evaluate Mr. Dodd's performance in 3 months
- The Commission retains the right to terminate Mr. Dodd's employment
- A three month probation report on Mr. Dodd will be given

**Agenda Item 7 - Process for Selection of New Executive Officer**

Not applicable.

The meeting adjourned at 2:42 p.m.



Members of the Commission

John Frierson, Chairperson  
Eugene Hernandez, Vice-Chairperson  
VanBuren Lemons, MD  
Christopher Giza, MD  
Mike Munoz  
Brian Edwards  
Linda Forster

**CALIFORNIA STATE ATHLETIC COMMISSION  
STRATEGIC PLANNING MEETING MINUTES**

Monday, June 4, 2012  
3:00 p.m.

Front Street State Building  
1320 Front Street, Room B109  
San Diego, CA 92101

**Commissioners Present**

Chairman John Frierson  
VanBuren Lemons, MD  
Linda Forster

Mike Munoz  
Dean Grafilo

**Commissioners Absent**

Vice-Chairman Eugene Hernandez  
Brian Edwards

**Staff Present**

George Dodd, Executive Officer  
Anita Scuri, Supervising Staff Counsel, DCA  
Michael Santiago, Senior Staff Counsel, DCA

**Agenda Item 1 – Call to Order / Roll Call / Pledge of Allegiance**

The meeting was called to order and a quorum was present.

**Agenda Item 2 – Introductions**

The Commission members were introduced.

**Agenda Item 3 – Public Comment Session**

No public comment was given.

**6B4**

**Agenda Item 4 – Strategic Planning for Years 2013 – 2015**

The members reviewed the prior Strategic Plan, noted the items accomplished and established future goals for the Commission to achieve in the years 2013 – 2015.

The meeting adjourned at approximately 5:00 p.m.

**6B5**





**Members of the Commission**

Commissioner John Frierson, Chairperson  
Commissioner Eugene Hernandez Vice-Chairperson  
Commissioner VanBuren Lemons, M.D.  
Commissioner Christopher Giza, M.D.  
Commissioner Mike Munoz  
Commissioner Dean Grafilo

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Action may be taken on any item listed on  
the agenda except public comment.  
Agenda items may be taken out of order

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**CALIFORNIA STATE ATHLETIC COMMISSION  
EMERGENCY MEETING MINUTES  
Saturday, June 30, 2012  
9:00 AM PST**

**Teleconference Location**  
Department of Consumer Affairs  
2005 Evergreen Street, Suite 2010  
Sacramento, CA 95815

8675 Falmouth Avenue #323  
Playa Del Rey, CA 90293

Radisson Blue Scandinavia  
Holbergsgt, 30 N-0166  
Oslo, Norway

3415 American River Dr., Ste. A  
Sacramento, CA 98564

**Commissioners Present:**

Chairman John Frierson  
Commissioner Dr. VanBuren Lemons

Vice-Chairman Eugene Hernandez  
Commissioner Mike Munoz

**Commissioners Not Present:**

Commissioner Dr. Christopher Giza

Commissioner Dean Grafilo

**Staff Present:**

George Dodd, Executive Officer  
Dorothea Johnson, Deputy Director, Office of Legal Affairs  
Reichel Everhart, Board and Bureaus Relations  
Anita Scuri, DCA Legal Office  
Sid Segovia, CSAC Inspector

A quorum was present. Commissioner Giza and Commissioner Grafilo were absent.

The emergency teleconference meeting of the California State Athletic Commission (commission) was called to order at 9:10 AM on June 30, 2012. Roll was called. Present via telephone were: Chairperson John Frierson, Vice-Chairperson Eugene Hernandez and commissioners Lemons and Munoz. A quorum was established.

Ms. Scuri initially explained the reasons that an emergency meeting may be conducted. There was consensus among the commissioners that the current situation met the requirements for an emergency meeting as set forth in Government Code section 11125.5 in that without holding this emergency meeting a “[w]ork stoppage or other activity that severely impairs public health or safety, or both” was imminent.

### **Agenda Item 2 – Consideration of Delegation of Authority**

Vice-Chairperson Hernandez explained that the reason for the current meeting was to clarify the intent of the motion made at the June 26, 2012 meeting with respect to delegation of authority to the chairperson and vice-chairperson concerning budget matters so that quick action could be taken where needed to address fiscal issues.

It was moved and seconded (Hernandez/Munoz) to delegate authority to the Chair and Vice-Chair to act on behalf of the Commission with regard to budget issues involving the Athletic Commission fund, including but not limited to seeking any loans if necessary, and to direct Commission staff to assess whether employee layoffs should be a part of any plan of action.

After there was a discussion concerning the original motion, Mr. Hernandez amended his original motion and was seconded by Commissioner Munoz: To ask the director of the Department of Consumer Affairs to work with the commission’s two officers and staff to seek a loan and to delegate authority to the chair and vice-chairperson to act on behalf of the commission with respect to budget issues involving the commission’s fund, including but not limited to seeking loans if necessary, and directing commission staff to assess whether employee layoffs should be a part of any plan of action.

Public comment was called for. Sid Segovia, a commission lead inspector, asked the members to consider inspectors’ duties in the field and the health and safety effects of reducing the number of inspectors at events.

After much discussion and public comment, a roll call vote was conducted.

A roll call for the motion was made by Chairman Frierson:

Chairman Frierson - yea

Vice-Chairman Hernandez – yea

Commissioner Lemon – yea

Commissioner Munoz – yea

The motion passed, with all members voting in favor of the motion.

Mr. Dodd indicated to the commissioners that according to Government Code 11125.5 that the minutes for the meeting will be posted for the next ten days. He also stated that the agenda was posted on the Athletic Commissions website the night prior to the meeting and that there were no request from the media of notice of meetings.

**Agenda Item 3**

There was no public comment.

The meeting was adjourned at 10:15 AM.



Members of the Commission

John Frierson, Chairperson  
Eugene Hernandez, Vice-Chairperson  
VanBuren Lemons, MD  
Christopher Giza, MD  
Dean Grafilo

**CALIFORNIA STATE ATHLETIC COMMISSION  
MEETING MINUTES**

Monday, July 16, 2012  
9:00 a.m.

Teleconference Locations

Department of Consumer Affairs  
2005 Evergreen St., Ste. 2010  
Sacramento, CA 95815

8675 Falmouth Ave. #323  
Playa Del Rey, CA 90293

20355 Yorba Linda Blvd.  
Yorba Linda, CA 92886

Four Points by Sheraton  
8818 Jones Maltsberger  
San Antonio, TX 78216

1307 NE Rosemont St.  
Prineville, OR 97754

Commissioners Present:

Chairman John Frierson  
Vice-Chairman Eugene Hernandez  
Dean Grafilo

Commissioners Not Present:

Christopher Giza, MD  
VanBuren Lemons, MD

Staff Present:

George Dodd, Executive Officer  
Kathi Burns, Assistant Executive Officer  
Diane Dobbs, Senior Staff Counsel - DCA  
John Perry, Legislative Analyst - DCA

**6D1**

### **Agenda Item 1 – Call to Order / Roll Call / Pledge of Allegiance**

The meeting was called to order and a quorum was present. It was explained that Commissioner Munoz did not get confirmed by the Senate and was no longer on the Commission.

### **Agenda Item 2 – Ratification of Action taken at June 30, 2012 meeting**

Mr. Dodd read the motion: To ask the Director of the Department of Consumer Affairs (DCA) to work with the Commission's two officers and staff to seek a loan and to delegate authority to the Commission Chairperson and Vice-Chairperson to act on behalf of the Commission with respect to budget issues involving the Commission's fund, including but not limited to seeking loans if necessary, and directing Commission staff to assess whether employee layoffs should be a part of any plan of action.

A roll call for the vote was made by Mr. Dodd:

Chairman Frierson - yea  
Vice-Chairman Hernandez – yea  
Mr. Grafilo - yea

The motion passed, unanimous.

### **Agenda Item 3 – Budget Update**

Mr. Dodd explained that the Commission staff is currently working with the DCA to obtain a Control Section 14.00 loan from the Department of Finance to assist the Commission in remaining solvent throughout fiscal year 2012/13. He explained that Commission staff have prepared revenue and expenditure projections to illustrate the Commission's financial situation and to demonstrate its ability to pay back a loan should one be secured.

Commissioners Frierson and Grafilo asked for final numbers indicating how the Commission's budget ended for fiscal year 2011/12. Mr. Dodd explained that those numbers are not yet available from the DCA, but expects to have them by the August 8, 2012 Commission meeting.

### **Agenda Item 4 – Public Comment**

None.

The meeting adjourned at 9:10 a.m.



## MEMORANDUM

<b>DATE</b>	August 1, 2012
<b>TO</b>	All Commission Members
<b>FROM</b>	<i>Kathi Burns</i> Kathi Burns, Assistant Executive Officer California State Athletic Commission
<b>SUBJECT</b>	<b>Budget Update</b>

As you know, the CSAC realized a significant reduction to revenue in FY 2011-12 due to unexpected circumstances linked to Commission regulated event attendance. Due to the decreased revenue, the Commission was at the risk of insolvency and had to make drastic cuts to finish FY 2011-12 with cash in the fund. In the last two weeks of the fiscal year, unanticipated revenue of \$40,000 was collected. Based on year-end reports, the CSAC will close out the year with a minimal positive fund balance of approximately \$23,000.

Attached are documents that outline the cuts that were made and the resulting savings as well as a FY 2012-13 and 2013-14 cashflow projection. The cashflow projections are based upon the continued cutbacks in the areas identified in the Solvency Steps document (see last table).

## California State Athletic Commission Solvency Steps

### FY 2011-12

On May 31, 2012, the Commission was projected to close FY 2011-12 with a fund deficit of approximately \$24,000. Facing insolvency, the Commission took various steps (outlined below) to make sure that their expenditures didn't exceed their fund balance. After the cost-cutting steps, and based on year-end reports, the Commission will close out the year with approximately \$23,000 in the fund.

	Projected	Actual
<b>Beginning Fund Balance</b>	\$ 466,923	\$ 466,923
<b>Revenue</b>	\$ 1,300,222	\$ 1,386,266
<b>Expenditures</b>	\$ 1,791,101	\$ 1,830,248
<b>Fund Balance</b>	\$ - 23,956	\$ 22,941

The significant reasons for the Commission's solvency are as follows:

- Actual revenue totaled over \$86,000 more than recent Commission projections (yet still significantly under the revenue levels projected in the Governor's Budget)
  - Events were scheduled late in the year
  - One event not originally scheduled for television was aired for an additional \$25,000 in revenue
- Expenditures exceeded their projected amount due to additional events
  - Although these events increased spending, revenue from these events exceeded expenditures

Projected Fund Balance	\$ -23,956
Additional Revenue	\$ 86,044
Additional Expenditures	\$ -39,147
<b>Revised Fund Balance</b>	<b>\$ 22,941</b>

### FY 2012-13 and 2013-14

In order to maintain solvency, the Commission will have to spend less than is collected. Based on projected revenue of \$1.38M in FY 2012-13 and \$1.39M in FY 2013-14, the Commission formulated an expenditure plan for the two fiscal years that allows for significant savings that will be used to build the fund balance back to a safe level. Business and Professions Code (BPC) Section (§) 128.5 states that the Commission's fund balance cannot exceed two years (24 months) of operating expenditures. Common practice is to maintain a minimum of three months of operating expenses in reserve. Assuming that the Commission's two-year expenditure and revenue plan is achieved, the fund will have approximately \$467,000 in the fund which translates to 2.8 months in reserve. The five major line items where savings will be achieved are outlined below.

Line Item	11-12 Actual Expenditures	12-13 Proposed Expenditures	13-14 Proposed Expenditures	Steps Taken
Personal Services	\$ 314,971	\$ 233,364	\$ 180,714	Reduce to 5.0 office positions
Athletic Inspectors	\$ 431,220	\$ 146,680	\$ 146,680	3-5 instead of 6-12/event
Temporary Help	\$ 41,378	\$ -	\$ -	No temporary help
Staff Benefits	\$ 200,919	\$ 138,969	\$ 116,330	Savings due to layoff
In-State Travel	\$ 207,847	\$ 72,600	\$ 72,600	Due to less inspectors/event and less office staff travel
<b>Totals*</b>	<b>\$ 1,196,335</b>	<b>\$ 591,613</b>	<b>\$ 516,324</b>	
<b>Savings Achieved</b>		<b>\$ 604,722</b>	<b>\$ 680,011</b>	

\*Totals will not tie to FM13 as this chart only contains the five major line items where savings will be achieved

## FY 12-13 & 13-14 Cashflow Projection of Athletic Commission Fund

Fund 0326

Prepared on: July 31, 2012

	Revenue	Expenditures	CS. 14.00 Loan	Balance	Comments
<b>CY 2012-13</b>					
Beginning balance:				\$ 22,941	FY 2011-12 Closing Balance
July*	\$ 135,950	\$ 81,930		\$ 76,961	Revenue based on Commission calendar of events
August*	\$ 161,988	\$ 79,330		\$ 159,619	Revenue based on Commission calendar of events
September	\$ 114,574	\$ 166,478		\$ 107,715	
October	\$ 115,872	\$ 88,675		\$ 134,912	
November	\$ 60,046	\$ 79,819		\$ 115,139	
December	\$ 147,572	\$ 142,617		\$ 120,093	
January	\$ 109,922	\$ 65,215		\$ 164,800	
February	\$ 45,440	\$ 60,181		\$ 150,059	
March	\$ 121,498	\$ 153,668		\$ 117,889	
April	\$ 100,617	\$ 66,273		\$ 152,233	
May	\$ 100,184	\$ 68,183		\$ 184,235	
June	\$ 166,181	\$ 148,332		\$ 202,084	
FY 2012-13 Total**	\$ 1,379,844	\$ 1,200,701	\$ -		
<b>BY 2013-14</b>					
Beginning balance:				\$ 202,084	
July	\$ 49,645	\$ 69,074		\$ 182,655	
August	\$ 137,533	\$ 66,474		\$ 253,713	
September	\$ 123,905	\$ 148,954		\$ 228,663	
October	\$ 125,156	\$ 71,152		\$ 282,667	
November	\$ 99,291	\$ 62,296		\$ 319,662	
December	\$ 159,505	\$ 143,191		\$ 335,976	
January	\$ 118,759	\$ 65,788		\$ 388,947	
February	\$ 49,089	\$ 60,550		\$ 377,486	
March	\$ 131,275	\$ 154,037		\$ 354,724	
April	\$ 108,747	\$ 66,642		\$ 396,829	
May	\$ 108,191	\$ 68,552		\$ 436,468	
June	\$ 179,530	\$ 148,701		\$ 467,296	
FY 2013-14 Total	\$ 1,390,624	\$ 1,125,412	\$ -		

\* Revenue based on 3-year monthly average is significantly lower, however calendar based projections are more accurate

\*\*September-June Revenue based on the 3-year monthly average



**California State Athletic Commission –Regulation Summary**  
**as of July 27, 2012**

<b>Regulation</b>	<b>Current Status</b>	<b>Next Steps</b>	<b>Comments</b>
Hand Wraps (323)	15-day public comment period ended July 7, 2012	Prepare FSR and submit to OAL	
Asthma Medications (303)		Prepare FST and submit to OAL	
Therapeutic Use Exemption (303.1)	Assigned to ad hoc committee	Committee to report to Commission with recommendations	
Boxer Pension Program (403)	Language drafted/approved – revisions forthcoming	Prep 45-day notice/set for hearing	May be including revisions to 403
Officials Licensure (372, 379, 543 & 547)	Language drafted/approved – Revisions forthcoming	Prep 45-day notice/set for hearing	Further revisions necessary
Change mechanics prior to ending round (345)	Information/research stage-official's association	Submit draft language to Commission once available	



Members of the Commission

John Frierson, Chair  
Eugene Hernandez, Vice-Chair  
VanBuren Lemons, MD  
Christopher Giza, MD  
Dean Grafilo

**CALIFORNIA STATE ATHLETIC COMMISSION**  
**Stakeholders Telephone Meeting**  
**NOTES**  
**Sunday, July 15, 2012**  
**9:00 a.m.**

Staff Present:

George Dodd, Executive Officer  
Kathi Burns, Assistant Executive Officer  
Che Guevara, Chief Athletic Inspector

**1. Budget Issues**

Mr. Dodd explained that due to the Commission's current budget situation, the number of athletic inspectors being assigned to events has been reduced. He asked the promoters to work closely with the Commission to make adjustments to ensure that events still run smoothly with a smaller crew.

**2. Promoter Information**

**a. Time frame when requesting events**

Mr. Dodd requested that promoters give the Commission 45 days notice prior to events whenever possible.

Mr. Dodd explained that it takes 5 to 7 days once and the Commission receives an event request before it displays on the Internet. The Commission does not operate its Web site independently, it uses the information technology services of the Department of Consumer Affairs.

**b. Box Office Report Requirements**

Mr. Dodd reminded promoters that they must submit box office payments and associated documentation to the Commission within 72 hours after an event. He explained that if the box office report is not completed the night of the event, then the lead inspector must collect all available tickets and provide them to the Sacramento office for completion of the box office report. The promoter will have to send the remaining tickets to Sacramento. This is done to prevent the altering of tickets. E.g. a 7E1

\$50 ticket gets labeled a comp. Mr. Dodd wants the tickets sold included in the promoter package because it allows for the Commission to properly audit the box office report.

Promoter, Roy Englebrecht pointed out how this could be problematic for someone like him because fighters get blocks of tickets to sell and trying to get back the unsold tickets within a short time frame is hard to do. He also brought up the issue of deadwood (tickets).

### **c. Evaluations**

The topic of evaluations is covered under #3 below.

Che Guevara discussed the quality of the bouts being approved last-minute by the Commission has improved and that California is doing a better job than other states. However, when a bout falls out, a replacement must be provided ASAP, will all the necessary documentation. Otherwise, lead inspectors become loaded up with medicals. Mr. Guevara considers last-minute bouts to be 'high-caution fights' and they should be avoided when possible. He told promoters to not hand over bout cards at the last minute.

Mr. Guevara reminded everyone that it's the promoter's responsibility to make sure a fighter who is currently on suspension, but is then cleared, be cleared on Fightfax prior to scheduling that fighter to fight.

### **3. Transition from Amateurs to Professional**

Mr. Dodd explained that the process to have an amateur fighter evaluated to become a professional fighter takes at least 2 to 3 weeks, so last minute requests are not feasible. The Commission needs time to schedule evaluations in groups in order to avoid paying excess fees to inspectors to perform evaluations.

Mr. Englebrecht suggested the Commission use retired officials to perform evaluations or to pass the cost of last minute evaluations onto the promoter. It was noted that establishing a fee for this service would require a regulation.

Mr. Guevara spoke on the need to ensure that those who obtain licenses as professional fighters truly have the skills to compete at that level. He believes far too many amateurs are being given a professional license prematurely. He is currently working on a way to schedule evaluations that are cost effective and ensure that those who receive approval to become licensed as professional fighters are worthy. He noted that he is arranging for an evaluation session on August 3, 2012.

It was discussed that if a promoter needed to have someone evaluated, that submitting video documentation to Mr. Guevara, with other detailed and relevant information, may suffice – thereby bypassing the need for an in-person evaluation. Mr. Guevara will develop criteria of what the video should show and what other information would need to be provided.

**7E2**



Agenda Item 9(a)  
August 8, 2012

### **Appeal of Decision**

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On May 18, 2012, the CSAC received a request to appeal a decision from Manager Tom Call on behalf of athlete Isaac Dejesus. Mr. Dejesus wishes to appeal his bout with Adrian Diaz based the possible premature stoppage of a professional mixed martial arts bout on May 18<sup>th</sup> in Stockton, CA.

#### **Summary**

On May 18, 2012, professional mixed martial artists Isaac Dejesus and Adrian Diaz competed in a scheduled 5 minute 5 round bout in Stockton, CA under the Up and Comers promotion. After a competitive first round Mr. Diaz secured a tight guillotine choke on Mr. Dejesus and referee Ed Collantes stoppped the bout at 1:34. Mr. Dejesus adamantly reacted to the stoppage showing he was actually not close to unconsciousness and stated he was never in any danger nor did he tap; therefore claiming an early stoppage.

After reviewing the bout on video we have found that Mr. Dejesus did not tap, verbally submit, or appear to lose consciousness at any time during the submission attempt by Mr. Diaz. Therefore it is believed that the portion of rule 345 that states, if the referee is unclear whether the boxer intends to stop fighting, then the referee shall ask the boxer if the boxer wishes to stop fighting and if the response is affirmative, and then the referee shall immediately stop the contest. It appears this rule was violated when the referee failed to ask Mr. Dejesus if he wanted to stop fighting before he called an end to the bout due to submission, resulting in a win for Mr. Diaz.

In conclusion, under rule 368(a)(3), this appeal does meet the criteria necessary to change of decision. Staff recommends the decision be changed to a "no contest."

#### **Related Rules**

##### **345. The Referee Shall Have Power To Stop Contest.**

The referee shall have the power to stop a contest at any stage if he or she considers it too one-sided, or if either contestant is in such condition that to continue might subject him or her to serious injury, and in either case to render a decision in the manner prescribed by Rule 339.

Regardless of any examination by the ringside physician, if a boxer unequivocally manifests intent to stop fighting, the referee shall immediately stop the contest. If the referee is unclear whether the boxer intends to stop fighting, then the referee shall ask the boxer if the boxer wishes to stop fighting and if the response is affirmative, then the referee shall immediately stop the contest.

**368. Change of Decision.**

(a) A decision rendered at the termination of any boxing contest is final and shall not be Changed unless following the rendition of a decision the commission determines that any one of the following occurred:

(1) There was collusion affecting the result of any contest;

(2) The compilation of the scorecard of the judges, and the referee when used as a judge, shows an error which would mean that the decision was given to the wrong boxer;

**(3) There was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.**

(4) The winner of a bout tested positive immediately after the bout for a substance listed in Rule 303(c).

(b) A petition to change a decision shall be in writing and filed by a boxer or the boxer's Manager within five (5) calendar days from the date the decision was rendered.

(c) If a petition to change a decision is not filed in writing within five (5) days of the decision, the commission may, upon the vote of at least a majority of the commissioners present, hold a hearing to change the decision at any time.

(d) If the commission determines that any of the above occurred with regards to any contest then the decision rendered shall be changed as the commission may direct.

May 21, 2012

Introduced by:

Tom Call

tomcall@impactfightmanagement.com

707.235.9047

**Subject:** Formal appeal of Mixed Martial Arts Contest May 18<sup>th</sup> 2012 Stockton Ca

George Dodd:

I am writing to you regarding the Mixed Martial Arts contest on May 18<sup>th</sup> 2012 Stockton California. I am Isaac De Jesus's business manager and representing him in this matter. The contest was between Isaac De Jesus and Adrian Diaz. The grounds on which we wish to appeal are that the fight was stopped prematurely in error.

Relevant Information:

- Mr. DeJesus never submitted by tapping or verbally
- Mr. DeJesus remained completely conscience and was defending himself
- The referee never communicated with Mr. DeJesus to express concern
- Video from the bout will show there was no "tap out" and that Mr. DeJesus was still moving his hands to defend himself.
- Mr. Diaz has been quoted in many interviews saying there was no tapout.

Isaac DeJesus and Adrian Diaz both agree there was no tapout or verbal submission. I think that fact along with video evidence will show that an error was made by the referee. Referees in our sport have one of the toughest jobs in all of sports. I recognize and appreciate their efforts to protect fighters' safety. However I think the evidence is very clear that we have a simple case of human error. Therefore, I am requesting your reconsideration of this issue. It is our belief that a "No Contest" should be the official result of this match.

We also would like to have this matter addressed as soon as possible. We would request that this appeal be heard at the very next CSAC meeting.

The last thing we would like your consideration on is the potential fine of Mr. DeJesus for his reaction post fight. Both Mr. DeJesus I and would like to apologize for his language and his reaction. We do recognize the situation could have been handled more professionally. However please consider that it was an emotionally charged situation and I was prevented from getting in the cage to help my client. Ultimately we will respect and abide by your final decision however we are asking for your leniency. It was a very emotional contest and an unfortunate stoppage. Mr. DeJesus and Mr. Diaz were the primary forces for that events success. Everyone who participated in the event; all the fighters, CAMO and CSAC had an

opportunity to participate because of those 2 individuals and their ability to get people to attend this event. So as you consider discipline action against Mr. DeJesus please recognize his contributions and influence on the entire event.

Sincerely,

Tom Call



June 14, 2012

Re: Bout Appeal Isaac De Jesus vs Adrian Diaz

Dear Mr. Call,

I have reviewed your request and studied the video provided to appeal the decision of the fight between Isaac De Jesus vs Adrian Diaz at the Stockton Civic Center in Stockton, CA on May 18, 2012. Based on my review of the regulations there may be grounds for an appeal pursuant to Rule 368(a):

A decision rendered at the termination of any boxing contest is final and shall not be changed unless following the rendition of a decision the commission determines that any one of the following occurred:

- (1) There was collusion affecting the result of any contest;
- (2) The compilation of the scorecard of the judges, and the referee when used as a judge, shows an error which would mean that the decision was given to the wrong boxer;
- (3) There was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.
- (4) The winner of a bout tested positive immediately after the bout for a substance listed in Rule 303(c).

The appeal is based on a possible violation of rule 345: The referee shall have the power to stop a contest at any stage if he or she considers it too one-sided, or if either contestant is in such a condition that to continue might subject him or her to serious injury, an in either case to render a decision in the manner prescribed in rule 339. Regardless of any examination by the ringside physician, if a boxer unequivocally manifests an intent to stop fighting, the referee shall immediately stop the contest. If the referee is unclear whether the boxer intends to stop fighting, then the referee shall ask the boxer if the boxer wishes to stop fighting and if the response is affirmative, then the referee shall immediately stop the contest.

If there is any additional material you wish for the commissioners to consider prior to the meeting in December, you must provide a copy to this office prior to July 15, 2012. This will allow the commissions plenty of time to review the material prior to the hearing in August.

Mr. De Jesus and his representatives will be required to attend the Commission meeting scheduled for August 8 2012 at the Department of Consumer Affairs, Hearing Room 1625 North Market Blvd, Sacramento, CA 95834. Please arrive at 9:30 a.m. since action items may be taken out of order.

Thank you for contacting the Commission.

Sincerely,

George Dodd  
Executive Officer

Cc: Isaac De Jesus  
Adrian Diaz

9A5





Agenda Item 9(b)  
August 8, 2012

### **Appeal of Decision**

---

On May 26, 2012, the CSAC received a request from Dave Villescaz to appeal a decision between himself and Michael Person because his bout contract was for three, three minute rounds; however, the first round went five minutes.

#### **Summary:**

Professional mixed martial artists Dave Villescaz and Mike Person signed a bout agreement to compete in a three, three minute rounds contest on May 26, 2012 for the Rebel Fighter promotion in Plymouth, CA. After the conclusion of the first round Mr. Villescaz's trainer Jeff Baca informed the inspector that the round went well over the three minutes they were contracted to compete. The inspector confirmed with the lead that in fact the round mistakenly went the full five minutes. The mistake was immediately corrected by informing the timekeeper of the correct duration of the remaining two rounds. It was determined the lead inspector did not give the correct time to the timekeeper at the beginning of the bout. The bout later ended late in the third when Mike Persons won by Knockout.

In conclusion, under rule 368(a)(3), this appeal does meet the criteria necessary to change of decision. Staff recommends the decision be changed to a "no contest."

#### **Relevant Code Sections:**

##### **368. Change Of Decision.**

(a) A decision rendered at the termination of any boxing contest is final and shall not be changed unless following the rendition of a decision the commission determines that any one of the following occurred:

- (1) There was collusion affecting the result of any contest;
- (2) The compilation of the scorecard of the judges, and the referee when used as a judge, shows an error which would mean that the decision was given to the wrong boxer;

##### **(3) There was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.**

- (4) The winner of a bout tested positive immediately after the bout for a substance listed in Rule 303(c).

(b) A petition to change a decision shall be in writing and filed by a boxer or the boxer's manager within five (5) calendar days from the date the decision was rendered.

- (c) If a petition to change a decision is not filed in writing within five (5) days of the decision, the commission may, upon the vote of at least a majority of the commissioners present, hold a hearing to change the decision at any time.
- (d) If the commission determines that any of the above occurred with regards to any contest then the decision rendered shall be changed as the commission may direct.

To Whom It May Concern:

This is an appeal request in regards to a professional mixed martial arts bout between Dave Villescaz and Michael Pearson which was held in Plymouth, Ca. on May 26<sup>th</sup>, 2012. The event was Rebel Fighter "Prevail" and was promoted by Enrique Perez, and overseen by CSAC Lead Rep Nicole as well as Executive Officer George Dodd. Referee was Ed Collantes and cage side inspectors were Sarah and Mike. Timekeeper for this bout was Terry.

I, Dave Villescaz would like to appeal my bout in its entirety and have my loss admonished from my record due to the fact there was a breach of my bout contract on the part of CSAC. My CSAC bout agreement was agreed and signed by myself, the promoter Enrique Perez, and my opponent Michael Pearson with the emphasis that the bout would be 3 rounds with each round being 3 minutes and 1 minute rest between each.

The agreed 3 minute rounds were emphasized because I took this bout on short notice (less than 3 weeks) and the bout itself was not actually confirmed until the week of the fight. Prior to this bout I had not fought or trained in approximately 1 year. To say that I was not in peak fight condition would be an understatement. Myself and my trainer knew that I was not training for 5 minute rounds. I however was conditioned and had been training for the 3 weeks for 3 minute rounds for this bout.

To my amazement, when my bout's 1<sup>st</sup> round commenced, I felt like it was a never-ending 1<sup>st</sup> round. I dominated and won the 1<sup>st</sup> round but was completely exhausted. My trainer Jeff Baca, was upset and said that CSAC had made my opponent and I fight a 5 minute 1<sup>st</sup> round. That is not what I agreed to fight during this bout. Inspector Mike advised my trainer Jeff Baca that indeed they made a mistake and that the 2<sup>nd</sup> and 3<sup>rd</sup> rounds would be 3 minutes each. That was too little to late. In the 2<sup>nd</sup> round I was gassing out, my opponent took me down and took my back but could not advance position nor submit me and the 2<sup>nd</sup> round ended. At this time I had won a round and lost a round. The 3<sup>rd</sup> round would be the deciding factor of who would win and I was completely exhausted from the extended 1<sup>st</sup> round. When the 3<sup>rd</sup> round begins I neutralized my opponent's takedown attempts and landed some good punches and then he pushed me to the cage and we clinched up. On the break of the clinch, I could barely stand from exhaustion and I could barely keep my hands up. My opponent capitalized on that and hit me in the face and dropped me to the canvas where I lost do to knock out shortly before the bell.

Do to the negligence of CSAC I feel strongly that my fight be deemed a "no contest" and the loss be taken off my record. I have attached a copy of my bout agreement where it clearly states the agreed 3 minute rounds. I have also provided video footage of my fight which clearly shows my bout's 1<sup>st</sup> round was at least 5 minutes in duration. I believe that had this mistake not been made by CSAC, I would not have become so exhausted so early. Given my performance in my bout's 1<sup>st</sup> round, there was a very good chance that I would have been dominate in the 2<sup>nd</sup> round and possibly the 3<sup>rd</sup> given the fact I had been training for 3 minute rounds.

9B3

My trainer spoke with CSAC lead Nicole and she confirmed that the 1<sup>st</sup> round was at least 5 minutes. She apologized and stated that she did not confirm with the timekeeper Terry, that my bout was supposed to be 3 minute rounds. Nicole also advised my trainer Jeff Baca that she reviewed my bout agreement and confirmed it was indeed supposed to be 3 minute rounds.

I believe that with all of the evidence provided, I have a strong case and plead that CSAC do what is right and deem my bout a "no contest" and have my loss taken off my record.

Thank You

Dave Villescaz

9B4



California State Athletic Commission  
2005 Evergreen Street, Suite 2010  
Sacramento, CA 95815  
www.dca.ca.gov/csac/  
(916) 263-2195 FAX (916) 263-2197



### REQUEST FOR APPEAL

This request is to be forwarded to the Commission office and the Office of the Attorney General at 300 South Spring Street, Suite 5212, Los Angeles, California 90013

Appellant Name: Dank Villescaz

Appellant Address: \_

Appellant Telephone

Appellant E-mail Add

Type of License App

Is Appellant represer contact information.

Attorney Name: \_

Attorney Address: \_

Attorney Telephone |

Attorney E-mail Add:

Will you require the services of an interpreter? \_\_\_ Yes  No If Yes, please state what language: \_\_\_\_\_

### STATEMENT

Provide a detailed statement showing grounds for reduction or dismissal of the fine or suspension, as applicable. Use additional sheets if necessary.

Please see attached 2 pages

Dank Villescaz  
Appellant Signature

5/28/12  
Date of Request

FOR COMMISSION USE ONLY  
Date received: \_\_\_\_\_ Received by: \_\_\_\_\_



CALIFORNIA STATE ATHLETIC COMMISSION  
2005 Evergreen Street Suite 2010 Sacramento, CA 95815  
www.dca.ca.gov/csac/  
(916) 263-2195 FAX (916) 263-2197



ACTUAL WEIGHT  
184.4

**BOUT CONTRACT**  
**READ ENTIRE CONTRACT BEFORE SIGNING**

DATE: 5-26-12 VENUE: ACFG  
CONTESTANT: DAVID VILLESCAZ CONTRACT WEIGHT: 186  
OPPONENT: MIKE PERSON CONTRACT WEIGHT: 186  
PROMOTER: ENRIQUE PEREZ MANAGER: \_\_\_\_\_

This bout will be televised,  Yes  No This bout will be taped for later resale or viewing:  Yes  No

This contract is made this 25 day of May, 2012 between:

Promoter \_\_\_\_\_ and Contestant \_\_\_\_\_ and Manager \_\_\_\_\_

The above parties agree with each other and the California State Athletic Commission, hereinafter referred to as the commission, to induce its acceptance of this bout contract, as follows:

**BOUT AND WEIGHT 1.** Contestant shall appear and enter into a boxing (circle one) at the stated venue for the promoter at the proposed weight on the 20 day of May, in the year 2012, or on a date to be agreed upon not later than 1/4 weeks from the date set forth above, for 3+3 rounds to a decision. Contestant weights shall be in compliance with Rule 298 (Boxing) or 510 (Martial Arts).

Contract Weight means the weight that the bout is proposed for. Record only the exact Contract Weight. If a Contestant fails to make the Contract Weight the commission determines the course of action in accordance to regulations and or policies.

All Contestants shall be weighed in the presence of a commission representative, on scales approved by the commission and at a time and place to be set by the commission. The "ACTUAL WEIGHT" on the bout contract is the official weight. The "PROPOSED WEIGHT" on the bout contract is the weight initially agreed upon by all parties subject to commission approval. Weight loss as determined by the commission to be detrimental to the health and safety of a contestant shall not be allowed. Contestant shall report at the required time and place to be weighed and undergo a medical examination in accordance with the laws and regulations of the commission. Contestant shall also report to the promoter or designated commission representative at the time instructed by the commission. Failure to comply with these provisions shall be deemed to be a breach of this contract.

If the contestant fails to make the contracted weight, 20% of his or her purse shall be forfeited. The Manager shall also forfeit a sum of money equal to that which was forfeited by the contestant. The amount forfeited shall be divided equally between the opponent and the commission.

**COMPENSATION 2.** Promoter will pay contestant the sum of one dollar Dollars (\$ 1.00 ) or \_\_\_\_\_ percent ( \_\_\_\_\_ %) of the gross receipts of the promoter whichever is greater. This payment is due the night of the bout and represents full payment for the contestant's performance of this contract. The percentage shall be determined after deducting from the gross receipts any payments for taxes and any deductions agreed upon by the contestant and the promoter and approved by the commission prior to the bout that are itemized in accordance with Paragraph 3 of this contract.

**DEDUCTIONS 3.** Deductions shall either itemized in an addendum approved and filed with the commission or be clearly detailed in the "ADDITIONAL TERMS" section of this contract. Deductions that are not itemized either in an approved addendum or in the "ADDITIONAL TERMS" section of this contract shall not be deducted from the contestant's full payment under this bout contract. A deduction for licensed seconds shall be included either in the "ADDITIONAL TERMS" of this contract or in an approved addendum, and the promoter shall deduct that sum from the contestant's purse and pay it directly to the named licensed second(s).

**GROUND TO DENY COMPENSATION TO CONTESTANT 4.** Unless ordered by the commission, contestant shall not be entitled to the compensation described in Paragraph 2 or any part thereof if the referee or the commission decides that the contestant and or manager:

- a. did not enter into the contract in good faith; or
- b. had any collusive understanding or agreement regarding the termination of the bout; or
- c. contestant did not compete in earnest; or
- d. contestant and/or manager have violated any of the laws, rules or regulations administered by the commission and or the State of California.

Promoter shall pay to the commission any compensation forfeited under the terms of this paragraph. The commission shall dispose of said compensation in accordance with Business and Professions Code Sections 18860 and 18861, including but not limited to forfeiture to the commission or payment of all or a portion thereof to contestant. All parties agree to accept and to be bound by the decision of the commission, which shall be final.

**CONFLICTING BOUT AGREEMENTS 5.** The promoter, manager, and contestant agree that they have not and will not enter into any other bout contract, written or oral, or contest that may conflict with this contract or any other bout contract filed with this commission or any other commission.

**CONSEQUENCES IF BOUT FAILS TO OCCUR 6.** If the promoter fails to perform as required by the terms of the contract or any statute, rule or policy enforced by the commission, the promoter shall pay the contestant reasonable compensation as determined by the commission. Nothing in this contract precludes the commission from taking immediate disciplinary action against any party to this contract for a violation of a statute, rule or policy enforced by the commission.

The promoter shall not be deemed to have failed to perform if either contestant does not appear for the bout or carry out their respective contract. If the contestant fails to perform as required by the terms of this contract, the contestant shall not compete in any subsequent bout until the contestant has competed for the promoter in a subsequent equivalent bout. The contestant will then be placed on administrative suspension until he or she fulfills their obligation to the promoter, or until the promoter releases the contestant from the obligation.

**ADDITIONAL TERMS:**

CONTESTANT HAS BEEN COMPENSATED FOR BOUT \$600



CALIFORNIA STATE ATHLETIC COMMISSION
2005 Evergreen Street Suite 2010 Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197



ACTUAL WEIGHT
185.4

BOUT CONTRACT
READ ENTIRE CONTRACT BEFORE SIGNING

DATE: 5-20-12 VENUE: ACFG
CONTESTANT: MIKE PEREZ CONTRACT WEIGHT: 186
OPPONENT: DAVID VILLESCHIZ CONTRACT WEIGHT: 186
PROMOTER: ENRIQUE PEREZ MANAGER:
This bout will be televised. Yes No This bout will be taped for later resale or viewing: Yes No
This contract is made this 25 day of May 2012 between:
Promoter and Contestant and Manager

The above parties agree with each other and the California State Athletic Commission, hereinafter referred to as the commission, to induce its acceptance of this bout contract, as follows:

BOUT AND WEIGHT 1. Contestant shall appear and enter into a boxing/martial arts bout (circle one) at the stated venue for the promoter at the proposed weight on the 20 day of May in the year 2012, or on a date to be agreed upon not later than 14 weeks from the date set forth above, for 3 rounds to a decision. Contestant weights shall be in compliance with Rule 298 (Boxing) or 510 (Martial Arts). Contract Weight means the weight that the bout is proposed for. Record only the exact Contract Weight. If a Contestant fails to make the Contract Weight the commission determines the course of action in accordance to regulations and or policies. All Contestants shall be weighed in the presence of a commission representative, on scales approved by the commission and at a time and place to be set by the commission. The "ACTUAL WEIGHT" on the bout contract is the official weight. The "PROPOSED WEIGHT" on the bout contract is the weight initially agreed upon by all parties subject to commission approval. Weight loss as determined by the commission to be detrimental to the health and safety of a contestant shall not be allowed. Contestant shall report at the required time and place to be weighed and undergo a medical examination in accordance with the laws and regulations of the commission. Contestant shall also report to the promoter or designated commission representative at the time instructed by the commission. Failure to comply with these provisions shall be deemed to be a breach of this contract.

If the contestant fails to make the contracted weight, 20% of his or her purse shall be forfeited. The Manager shall also forfeit a sum of money equal to that which was forfeited by the contestant. The amount forfeited shall be divided equally between the opponent and the commission.

COMPENSATION 2. Promoter will pay contestant the sum of one dollar Dollars (\$1.00) or percent (%) of the gross receipts of the promoter whichever is greater. This payment is due the night of the bout and represents full payment for the contestant's performance of this contract. The percentage shall be determined after deducting from the gross receipts any payments for taxes and any deductions agreed upon by the contestant and the promoter and approved by the commission prior to the bout that are itemized in accordance with Paragraph 3 of this contract.

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- a. did not enter into the contract in good faith; or
b. had any collusive understanding or agreement regarding the termination of the bout; or
c. contestant did not compete in earnest; or
d. contestant and/or manager have violated any of the laws, rules or regulations administered by the commission and or the State of California.

Promoter shall pay to the commission any compensation forfeited under the terms of this paragraph. The commission shall dispose of said compensation in accordance with Business and Professions Code Sections 18860 and 18861, including but not limited to forfeiture to the commission or payment of all or a portion thereof to contestant. All parties agree to accept and to be bound by the decision of the commission, which shall be final.

CONFLICTING BOUT AGREEMENTS 5. The promoter, manager, and contestant agree that they have not and will not enter into any other bout contract, written or oral, or contest that may conflict with this contract or any other bout contract filed with this commission or any other commission.

CONSEQUENCES IF BOUT FAILS TO OCCUR 6. If the promoter fails to perform as required by the terms of the contract or any statute, rule or policy enforced by the commission, the promoter shall pay the contestant reasonable compensation as determined by the commission. Nothing in this contract precludes the commission from taking immediate disciplinary action against any party to this contract for a violation of a statute, rule or policy enforced by the commission.

The promoter shall not be deemed to have failed to perform if either contestant does not appear for the bout or carry out their respective contract. If the contestant fails to perform as required by the terms of this contract, the contestant shall not compete in any subsequent bout until the contestant has competed for the promoter in a subsequent equivalent bout. The contestant will then be placed on administrative suspension until he or she fulfills their obligation to the promoter, or until the promoter releases the contestant from the obligation.

9B7

ADDITIONAL TERMS:

CONTESTANT HAS BEEN COMPENSATED FOR BOUT \$600



June 27, 2012

Dave Villesacaz

Re: Appeal of Bout Decision: Dave Villesacaz vs. Michael Pearson

Dear Mr. Villesacaz:

I have reviewed your request dated May 28, 2012 to appeal the decision of your bout with Michael Pearson on May 26, 2012 Plymouth, CA.

A hearing based upon your appeal will be held at the Commission meeting scheduled for August 8, 2012, at the Department of Consumer Affairs, Hearing Room, 1625 North Market Blvd. Sacramento, CA 95834. Please arrive at 9:30 a.m. since action items on the agenda may be taken out of order.

If there is any additional material you wish for the commissioners to consider prior to the meeting, you must provide a copy to this office no later that July 20, 2012. This will allow the commissioner time to review the material prior to the hearing.

Thank you for contacting the Athletic Commission.

Sincerely,

A handwritten signature in black ink that reads "George Dodd".

George Dodd  
Executive Officer

Cc: Che Guevara, Chief Athletic Inspector  
Michael Pearson

9B8





Agenda Item 9(c)  
August 8, 2012

### **Appeal of Decision**

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On May 12, 2012, the CSAC received a request to appeal the bout between boxers Luis Villagomez and Denis Madriz. The appeal alleges that the ruling of a TKO loss to Luis Villagomez was incorrect, as the stoppage that occurred was due to an illegal blow, and not a legal blow as the referee indicated.

#### **Summary**

Professional boxers Luis Villagomez and Dennis Madriz participated in a bout scheduled for four rounds on May 12, 2012, in Woodland, CA under Chargin Promotions. In the last 10 seconds of the third round Villagomez suffered a severe laceration above his right eye. Referee Ed Collantes indicated that it was from a legal blow meaning that if the bout was later stopped due to the cut, it would be ruled a TKO loss for the fighter that was unable to continue as required by Rule 339 (b).

In conclusion, despite reviewing the video of the bout and clearly seeing that in fact the laceration was not from a legal blow, but rather an accidental head butt; none of the necessary criteria of Rule 368 exist; therefore, it does not meet the criteria necessary to change a decision.

#### **Related Rules**

##### **339. Unintentional-Fouling.**

(a) When a bout is interrupted due to an injury caused by an unintentional foul, the referee in consultation with the ringside physician shall determine whether the boxer who has been fouled can continue or not. If the referee sees, or if after consultation with the judges, determines that a boxer is unintentionally fouled and if the boxer's chance of winning has not been seriously jeopardized as a result of a foul, the referee may order the bout continued after a reasonable interval.

(b) If the referee and/or the ringside physician determine that the bout may not continue because of an injury suffered as the result of an unintentional foul or because of an injury inflicted by an unintentional foul which later becomes aggravated by fair blows, the bout must be declared a draw if the bout is stopped before the bell rings to begin the fourth round. After the bell rings to begin the fourth round, the outcome shall be determined by scoring the completed rounds and the round during which the referee or ringside physician stopped the bout

##### **368. Change Of Decision.**

(a) A decision rendered at the termination of any boxing contest is final and shall not be changed unless following the rendition of a decision the commission determines that any one of the following occurred:

(1) There was collusion affecting the result of any contest;

**9C1**

(2) The compilation of the scorecard of the judges, and the referee when used as a judge, shows an error which would mean that the decision was given to the wrong boxer;

(3) There was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.

(4) The winner of a bout tested positive immediately after the bout for a substance listed in Rule 303(c).

(b) A petition to change a decision shall be in writing and filed by a boxer or the boxer's manager within five (5) calendar days from the date the decision was rendered.

(c) If a petition to change a decision is not filed in writing within five (5) days of the decision, the commission may, upon the vote of at least a majority of the commissioners present, hold a hearing to change the decision at any time.

(d) If the commission determines that any of the above occurred with regards to any contest then the decision rendered shall be changed as the commission may direct.

GEORGE DODD,

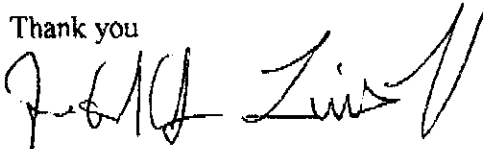
7/06/12

This is the email i originally sent to Che Guevara May 12 & 13th and we also sent him a DVD of the fight showing the head butt in the last 2 seconds of the third round. We are still awaiting word on this decision.

Here is a link to a youtube video of the last minute of the fight and a two different slow motion shots of the head butt.

<http://youtu.be/krALRYgCuj4>

Thank you



Frank Aleman & Luis Villagomez

Che Guevara

I would like to start a formal protest of Saturday May 12th's fight between Luis Villagomez and Denis Madriz in Woodland CA.

The ruling was a tko loss for Luis Villagomez from a cut that was caused by a head butt but called from a punch.

The head butt occurred in the last ten seconds of the third round and the video from Solo Boxeo clearly shows it. We are asking for a technical decision or no contest.

We will get video evidence to submit from solo Boxeo

Please let me know what to do.

Frank Aleman  
Aleman Boxing Fresno  
1229 N Sierra Vista Ave  
Fresno CA 93703  
559-905-7125  
[www.alemanboxing.com](http://www.alemanboxing.com)

9C3



July 24, 2012

Aleman Boxing Fresno  
1229 N. Sierra Vista Avenue  
Fresno, CA 93703

Re: Petition for Change of Decision (Villagomez vs Madriz)

Dear Mr. Aleman:

The California State Athletic Commission received your request to appeal the decision of the fight between Luis Villagomez and Denis Madriz held in Woodland on May 12, 2012. **As such a hearing on the matter has been scheduled for the Commissions August 8, 2012 meeting that begins at 10:00 a.m. Mr. Villagomez and/or his representative must be present.**

The Commission has the authority to change a decision only if the commission determines that any one of the following occurred:

- 1) There was collusion affecting the result of any contest;
- 2) The compilation of the scorecard of the judges, and the referee when used as a judge, shows an error which would mean that the decision was given to the wrong boxer;
- 3) There was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.
- 4) The winner of a bout tested positive immediately after the bout for a substance listed in Rule 303(c).

If there is additional material you wish the Commissioners to consider prior to the meeting, besides the information and video submitted with your appeal, you must provide a copy to this office no later than August 1, 2012.

If you have any questions, please contact me at (916) 263-2195.

Sincerely,

A handwritten signature in cursive script that reads "Kathi Burns".

Kathi Burns  
Assistant Executive Officer

cc: Frank Aleman  
Denis Madriz  
Don Chargin and Paco Presents  
Ed Collantes



Agenda Item 10(a)  
August 8, 2012

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**Application for Professional MMA Referee Licensure**

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**Milton Wallace**

**Summary**

Mr. Wallace meets the minimum requirements for licensure as a MMA referee. He has three years documented experience refereeing amateur mixed martial arts or kickboxing matches with a minimum of 100 matches; has been found to be physically and mentally fit to referee; and has performed a demonstration of competency by performing as a referee in mixed martial arts matches before a representative of the commission.

**Recommendation**

Staff recommends that Mr. Wallace be issued a temporary referee's permit at this time since his experience was gained through refereeing amateur events only and there is a different skill set required to referee professional matches. A temporary permit will allow Mr. Wallace to demonstrate his competency at the professional level. Upon favorable evaluations by senior officials, Mr. Wallace should then be issued a permanent referee's license.

May 21, 2012

Mr. George Dodd  
Executive Officer  
California State Athletic Commission  
2005 Evergreen Street, Suite 2010  
Sacramento, CA 95815

Mr. Milton Wallace

Dear Mr. Dodd,

I would like to take the time to thank you for taking the time to read my letter. I am writing you because my two year anniversary as an amateur MMA referee is coming up on June 1, 2012. I have learned and seen a lot over the past two years, and I feel ready to begin the process of becoming a professional MMA referee for CSAC. Enclosed is my fee of \$150 payable to CSAC. Per our last conversation at the referee clinic with John Mccarthy and Herb Dean, you said my application and medical physical were still on file.

I am only sending the check, and please let me know if there has been a change in the fees. I am just as passionate about being a professional MMA referee as I was as a professional MMA fighter. I will conduct myself with professionalism inside and outside of the cage, and I fully understand that I would be a representative of the state.

Thank you again, and I look forward to hearing from you.

*Milton Wallace*

California Athletic Commission

MAY 24 2012

10A2



August 2, 2012

Dear Ms. Burns,

This letter confirms our support of referee/judge Milton Wallace as he pursues a professional license to referee/judge with the California State Athletic Commission ("CSAC").

Mr. Wallace is currently licensed as a referee/judge with the California Amateur Mixed Martial Arts Organization, Inc. ("CAMO"). As a prerequisite to become a CAMO-licensed referee, Mr. Wallace completed John McCarthy's referee course which is the most comprehensive and intense referee training in the country. Per our records, Mr. Wallace has never been subject to any disciplinary action or grievance proceedings. Further, he has never been late for an assignment, rejected an assignment or otherwise failed to perform his duties. During his time in the CAMO program, Mr. Wallace has officiated in a wide variety of venues that range from small outdoor venues to large crowds at Strikeforce events.

Mr. Wallace has demonstrated a high level of proficiency and excellence in the CAMO program. He has served our sport well and will be an asset to any organization. If you need any additional information, we will be immediately available to assist you.

Best,

J.T. Steele | President

**Burns, Kathi@DCA**

**From:** Ray Balewicz [medisales@msn.com]

**Sent:** Friday, August 03, 2012 10:41 AM

**To:** Burns, Kathi@DCA

**Cc:**

**Subject:** Milton Wallace

Kathi,

I have been a referee with the athletic commission since 1999. I referee boxing, kickboxing and MMA. I have watched and worked with Milton for at least 200 bouts in CAMO. He has improved steadily and is now a competent referee. Milton will not allow anyone to get hurt in the cage. Milton works well with people and will be an asset to the commission. I recommend that he be given his license.

If you have any question, please call me/  
Ray Balewicz

**10A4**





Agenda Item 11  
August 8, 2012

**Application for License Renewal after Suspension**

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**Thor Skancke – MMA Fighter**

**History**

June 14, 2011	Suspended for positive steroid test
July 15, 2011	Requested appeal of suspension
August 15, 2011	Failed to appear for suspension hearing – suspension and fine upheld
May 7, 2012	Requested appeal of fine
June 4, 2012	Appeared before commission – no decision made/time for appeal of fine lapsed
June 28, 2012	Application for License Renewal received
August 2, 2012	Application for License Renewal complete

**Factors to Consider**

\$2,500 fine issued for the positive steroid test remains unpaid.

**Options**

- Upon payment of fine, issue unrestricted license
- Upon payment of fine, issue license with terms and conditions
- Deny license



July 26, 2012

Thor Skancke

**Re: Renewal of your California Fighter's License**

Dear Mr. Skancke:

You have applied to renew your license to fight in California. Given that you were suspended from fighting by the California State Athletic Commission (Commission) for using a banned substance, you must appear before the Commission to request such renewal.

You have been scheduled to appear at the following Commission meeting:

**Date: August 8, 2012**  
**Time: 10:00 a.m.**  
**Place: Department of Consumer Affair – Hearing Room**  
**1625 North Market Blvd.**  
**Sacramento, CA 95834**

Remember, all documents and fees related to your application must be submitted to the Commission office prior to the meeting. Otherwise, your renewal cannot be considered.

If you have any questions, please contact me at (916) 263-2195.

Sincerely,

A handwritten signature in cursive script that reads "Kathi Burns".

Kathi Burns  
Assistant Executive Officer

Enclosures