November 13, 2013

Scott M. Blackmun, Esq.
Chief Executive Officer
United States Olympic Committee

Dear Mr. Blackmun:

I am a former nationally-ranked speed skater and one of the 19 Complainants in the Grievance filed with US Speedskating on August 31, 2012. I am also a named Complainant in the "Section 10 Complaint" subsequently filed with the USOC on March 5, 2013, when USS - - in violation of its very own Bylaws -- failed and neglected for six months to provide us with a Hearing with respect to our Grievance.

I was very troubled and dismayed when I read the USOC statement widely published in newspapers on October 11, 2013, and presently on the USOC website, in which you are quoted as having cited US Speedskating, along with USA Boxing, as a "model" of a successful NGB. ("Blackmun then cited US Speedskating and USA Boxing as models of success.")

I do not know who gave you the information you relied upon, but I respectfully suggest that before you rely on that individual again in the future, at least as to US Speedskating, that you have someone else double check the facts.

US Speedskating is far from a being a model of a successful NGB. In fact, it is just the opposite. US Speedskating is an example of a failed NGB that, after more than a year and a half of concentrated effort by athletes and their parents, has yet to be fully reformed.

For years, even in the face of numerous grievances and complaints from its athletes and their parents, USS ignored, and failed to comply with, the requirements of the Ted Stevens Olympic and Amateur Sports Act, as well as the requirements for NGBs set forth in the USOC Bylaws and policies, including the USOC's 2005 "Governance Guidelines" for NGBs. USS spent hundreds of thousands of dollars on lawyers from your former law firm, in a futile defense mounted in response to these complaints going to USS's non-compliance. This was an extraordinary waste and mis-use of money that USS should have used in direct support of athlete programs. Regrettably, USS still does not fully recognize or accept the fact that what it did (or, more accurately, what it failed to do) set back the sport of speedskating in the United States for years.

The statement attributed to you that US Speedskating is a "model NGB" does not advance US Speedskating's acceptance of the fact of its shortcomings; nor does it advance USS's (and other NGBs') compliance with the Sports Act and USOC Bylaws/policies. To the contrary, it sends a signal to USS and other NGBs that being out of compliance with the Sports Act's requirements for NGBs is nothing to be concerned about, since the USOC will not take any action against an NGB for being out of compliance.

Significantly, more than 10 months after the USOC orchestrated "take-over" of US Speedskating earlier this year - - following the filing of our Section 10 Complaint with the USOC - - **US Speedskating is still not in compliance with a number of fundamental and mandatory requirements for NGB recognition.** Any NGB which fails to comply with such requirements cannot be considered a "model NGB".

For example (and this list is by no means complete):

The USS Board of Directors lacks 20% athlete representation;

USS still has no "independent directors" on its Board;

USS still lacks transparency with respect to its financials. (USS's Form 990 with respect to its FY ended May 31, 2013 has still not been made available to its membership; and no financials of any kind have been made available to members, notwithstanding repeated requests, subsequent to the publication of USS's May 31, 2012 financials);

USS's revised disciplinary procedures are still designed to tip the scales in favor of US Speedskating, and against athletes and others who wish to file grievances against USS (more on that below);

USS did not comply with the July 26, 2013 Settlement Agreement with the Section 10 Complainants, when it failed and neglected to publish, by the agreed-upon and stipulated due date of August 31, 2013, the minutes of the meetings of its three most recent Board meetings. USS - - after falsely insisting it was not out of compliance - - only complied and published the minutes of its three most recent Board meetings after we threatened to bring an enforcement action to compel compliance, and to seek costs against USS in connection therewith;

USS, in connection with the selection of short track skaters who were to represent the United States at the World Short Track Championships this past winter,

was found by a respected AAA and CAS arbitrator to have wrongfully used "unfettered discretion" in connection with these selections, and to have violated Section 220524 of the Ted Stevens Olympic and Amateur Sports Act, in the process.

These above issues deal with the present. But let us look at what US Speedskating, cited by the USOC as a model of NGB success has done in the recent past:

USS, by its then CEO and through Board members (including, specifically, Fred Benjamin), threatened to bring lawsuits (yes, lawsuits!!) against members of USS who complained about USS and its wrongful practices, including the existence of conflicts of interests of its own Board members. (Mr. Benjamin threatened a lawsuit notwithstanding the fact that the USOC, as a result of its own investigation, had found those conflicts of interest pertaining to Mr. Benjamin to be true);

But threats of lawsuits against athletes by USS were only one mechanism USS employed to keep athletes "in line". More prelevant was USS's use of its disciplinary procedures, with the issuance of so- called "Code of Conducts" as the weapon of choice.

"Code of Conducts" are statements of alleged misconduct levied by staff and administrators against athletes for a myriad of perceived offenses. The former CEO threatened to, and in fact did, "hand out Code of Conducts like candy" in an attempt to reign in the boycotting national team athletes. But that is only the start: What is more troubling is that USS, by its President or Vice President, were authorized by USS Bylaws to "investigate" the charges brought by USS (but without being required to interview the accused); make a determination of guilt or innocence (more often than not, there was a finding of "guilt," again without any evidentiary hearing); and then advise the athlete of the penalty which the President (or Vice President) had determined would be imposed. But wait, it gets worse: If athletes wanted to contest the "findings" of guilt levied by USS against them behind doors, as well as the imposition of the USS-determined penalty which had been imposed, he or she could "appeal" and have an evidentiary Hearing on the matter, but only after paying USS a filing fee of $200. One does not have to be a *summa cum laude* graduate of a Tier I law school to know that this procedure violates every conceivable concept of due process or fair dealing.

But when athletes attempted to turn the tables on USS, and themselves use Code of Conducts as a way of protecting themselves from the abuses of USS and its administrators / coaches, USS thwarted them at every turn. For the most part, Code of Conducts and Grievances filed by athletes were simply ignored. That was USS's highly effective first defense. But if USS was pressed, the Code of Conducts filed against USS

administrators and coaches were otherwise denied. For example, the Code of Conduct filed against the former CEO on his account of his threat of physical harm to an athlete, personally witnessed by the athlete's coach ("I want to grab him by the lapels and rip his f _ _ _ _ _ g head off") was summarily dismissed by USS, without so much as even interviewing the witnessing coach or complaining athlete. (Remarkably, the athlete first learned of USS's dismissal of his compliant from a press statement sent by USS to the newspapers.)

Similarly, the Code of Conduct filed by 13 boycotting athletes on September 13, 2012 against their abusive coach, Jae Su Chun, was derailed by USS and went nowhere. Here is how that went down: After the Code of Conduct was filed, USS, by its then President, Tom Frank, responded that USS had retained the law firm White & Case to investigate the charges, and USS would not do anything in response to the filing of the Code of Conduct until White & Case completed its self-characterized "independent" investigation. In January 2013, White & Case issued its "Final Report." (It had to go back to the drawing boards after White & Case admitted that its October 5, 2012 Summary Report contained factual errors as to dates, places and sources of information). White & Case's now ISU-discredited Final Report (discussed below) found that Coach Jae Su Chun had not engaged in a "pattern of abuse". One of the problems with the Final Report, from the athletes point of view, is that White & Case, acting as attorneys for USS, did not evaluate Coach Jae Su Chun's conduct against the standards of conduct set forth in the USS Code of Conduct, as alleged by the athletes in their September 13, 2012 complaint. When this was brought to the attention of USS, the response was that the coaches had resigned their membership in USS, and therefore the Code of Conduct brought against the Coaches by the athletes was now moot.

The practice followed by USS of not acting on allegations of misconduct brought by athletes until USS first conducts and completes its own internal investigation into the allegations is a serious problem. Witness not only USS's long delay, and eventually not dealing at all with the athletes' allegations of misconduct brought against Coach Jae Su Chun (delayed so long that USS declared the allegations moot), but also USS's long delay (now over 10 months) in addressing the admitted misconduct of former USS President Andy Gabel. **There is no justification for permitting USS to delay and derail the conduct of an open and fair evidentiary hearing with respect to athletes' allegations of misconduct filed against USS, until USS, by its own attorneys, completes its own so – called "independent " investigation of the allegations. The time and place to determine the facts with respect to a Grievance or Complaint is not by way of an "internal" investigation by USS's own attorneys. Rather the facts pertaining to a Grievance or Complaint should be determined at an open and fair**

evidentiary Hearing, in accordance with the terms of the USOC's Due Process Checklist, including the testimony and cross-examination of witnesses.

USS is the only NGB I am aware of which spends more money on lawyers to defend its non-compliance with the requirements of the Sports Act, than it does to provide financial support to its athletes. It was been reported that USS paid its attorneys over $300,000 to "fight" the charges of USS's obvious non-compliance with the requirements of the Sports Act and USOC Bylaws and policies. This is money that could -- and should -- have been used to support athlete programs rather than enrich your former partners at Bryan Cave/HRO. USS still does not provide a dime in direct financial stipends to its athletes, but rather (contrary to the requirements of USOC Bylaw Section 8.7 (l)), depends completely on the largess of the USOC to provide financial stipends to athletes; [It will be interesting to see if USS, when it finally discloses its financials as of the end of its Fiscal Year ending May 31, 2013, actually discloses how much it paid its attorneys to defend against its non-compliance with the Sports Act and USOC Bylaws].

Contrary to what you have been advised, the amount of money provided to individual athletes in the form of Direct Athlete Support from the USOC has been *reduced* in this critical pre-Olympic season. I am aware that you have written to others stating that DAS funding to short track skaters had not been reduced, but again, whoever is advising you of that is dead wrong. Respectfully, you need to be provided the facts, and not what someone on your staff wants to feed you in defense of a non-compliant NGB. Even a current short track world record holder had the amount of USOC-funded DAS stipends allocated to him by USS reduced by one- third. But again, what I am referring to here are USOC monies. As already mentioned, US Speedskating, on account of its decision to pay its lawyers to "defend" USS's obvious non-compliance with the Sports act, has cut its financial stipends to athletes to zero. That's "zero," as in "nothing." It is respectfully submitted that unless and until US Speeskating can provide direct athlete financial stipends to at least its national team athletes, USS can never be considered, or cited by the USOC, as a "model NGB".

It is also widely known by members of US Speedskating, including members of the USS Board of Directors, that a former National Team coach and High Performance Director was carrying on an adulterous relationship with one of the female athletes on the National Team during the time when he held these positions of authority. Incredibly, this individual was allowed by US Speedskating to sit on the 2006 Olympic Team selection committee and make Olympic Team selection decisions that involved his

mistress and her competition rivals. The women whose careers were adversely affected by this abuse of power involving improper sexual relations between a coach and an athlete, have never had their grievances addressed, much less even acknowledged.

In that regard, USS -- after TEN months - - has still failed and refused to take action against one of its former Presidents who *admitted* to a reporter for the *Chicago Tribune* in March 2013 to have had inappropriate relationships with not one, but two, underage female skaters. Such inaction by USS and its lawyers, in the face of not only complaints but also admissions, greatly diminishes the serious of the admitted charges, and calls into question the commitment of US Speedskating to actually become the "model" of NGB success the news article quotes you as saying USS is. [As an aside, it will be interesting to learn if the Sidley law firm, recommended to USS by the USOC to "investigate" Mr. Andy Gabel's prior admissions of misconduct, addresses in its long-awaited Report the long existing attitude within US Speedskating to ignore, and simply accept without rebuke, such on-going serious abuses and misconduct.]

I know of no other NGB in the history of the Olympic movement in the United States which has conducted its athlete programs in such a failed and abusive manner with the result that **over half of its national team athletes boycotted the national program and its coaches**, and decided to train on their own, and at their own expense, in order to escape the intolerable conditions to which they were subjected by US Speeskating. (Even after the athletes boycotted, USS - - for more than 7 months - - took no action until the coaches were forced to resign just two weeks before they were to be confronted by their accusers, and cross-examined by the athletes' attorney at an in-person Hearing. This Hearing had been scheduled to be had on a date certain by a respected arbitrator in an AAA arbitration initiated by the athletes when USS failed to act in the face of the imminent start date of an international competition tour, which was to be led by the very coaches who were abusing the athletes). As a footnote, the subsequent and much later filed "findings" by USS's attorneys, White & Case, that the coaches were not abusive towards the athletes were subsequently contradicted by the ISU, the international federation for speedskating, after an in-person Hearing in Frankfurt, Germany at which time the ISU took testimony and evidence from Coach Jae Su Chun and short track skaters. The ISU, unlike USS's attorneys, White & Case, had no problem finding, based on the evidence, that Coach Jae Su Chun had been abusive, and a suspended the coach from all ISU - sanctioned Competitions for a period of two years.

Further evidence of US Speedskating as a failed and non-compliant NGB

can be found in the fact that not one, but two, independent arbitrators (both also CAS arbitrators) assessed a total of over $ 22,500 in arbitrator fees, costs and expenses against USS, as a result of the indefensible positions USS took in response to the athletes' Demands for Arbitrations and Complaints. This amount does not include the additional filing fees paid by the athletes that were ordered by the arbitrators to be refunded by USS to the athletes and their counsel. If the imposition of these sanctions by the arbitrators against USS does not convince the USOC of the wrongheadedness of USS's positions, then I am concerned that nothing will.

These monetary assessments against USS are, of course, in addition to the hundreds of thousands of dollars USS chose to spend on its lawyers (or, more likely, USS's lawyers decided to spend of USS's money) to put forth USS's ridiculous and unsupported positions which USS's lawyers counseled USS to take in response to the athletes' complaints (including, most saliently, USS's ill considered motion to dismiss the athletes' Section 10 complaint). These arrogant "Never Admit Any Wrongdoing" tactics by USS and its attorneys, together with the lack of any real leadership from within US Speedskating, caused US Speedskating to spiral out of control so badly (and catch the attention of national press like the *Chicago Tribune*) with the result that the USOC could no longer ignore USS's non- compliance. Accordingly, the USOC finally intervened to compel USS to do what USS refused to do in response to the athletes' August 31, 2012 Grievance, that is, start the process to come into compliance with the requirements of the Sports Act, and USOC Bylaws/policies. As you well know, you (through former USOC Board and Executive Committee member, Mike Plant) orchestrated the removal of USS's very nice, but ineffective President, Tom Frank, and saw to it that the USS's "Gang of Four" (Jack Mortell, Andy Gabel, Fred Benjamin, and Brad Goskowicz) could no longer treat US Speedskating as their private club and run rough-shod over the CEO and staff.

If, after consideration of the above, it is the still the opinion of the USOC that US Speedskating stands as a "model" of NGB success, then I respectfully suggest that the USOC re-evaluate the standard it uses to measure NGB success.

Furthermore, if the quote attributed to you is accurate, then not only is the USOC's yardstick for measuring NGB success wrong-headed but sadly, and just as bad, the USOC denigrates and completely belittles the courageous stand the athletes took - - at great risk to themselves and their career in short track -- to address and attempt to correct US Speedskating's obvious non-compliance with the requirements of the Sports Act and

USOC Bylaws / policies, when others, including the USOC itself, stood silently on the sidelines.

There is no need for you to reply; I know how busy you are. And, most certainly, I and my fellow Grievants do not need yet another letter or statement from the USOC, calling USS a "model NGB" or otherwise defending USS's undeniable non-compliance over the years.

I also understand how difficult and unpleasant it is for the USOC to hear and consider criticisms of its member NGBs, particularly where, as here, the USOC has the power and authority to compel NGB compliance with the requirements of the Sports Act and USOC Bylaw/policies, but chooses not to do so. Accordingly, I have little expectation that this letter, if read, will have any impact on the USOC, other than to further convince the USOC that the many Grievnants, Section 10 Complainants, the athletes' parents and supporters are "fringe fire-throwers" whose complaints are to be disregarded, just as US Speedskating disregarded the athletes' August 31, 2012 Grievance.

Notwithstanding, I have a slim hope that the facts set forth in this letter, if read and carefully considered by a person devoid of prejudice and bias, will convince the reader that what US Speedskating was permitted by the USOC to do these past several years, as the USOC- designated NGB for speedskating in the United States, should never again occur.

What would be equally as good, but perhaps too much to even hope for, is for the USOC to take a page out of President Obama's Healthcare playbook, and own up to the fact that the USOC messed up by not being more vigilant, and by not earlier taking action, with respect to US Speedskating's on-going and serious non-compliance issues, and say "I'm sorry" to the many speedskating athletes and their parents who have been so adversely affected by US Speedskating's non-compliance.

And if that be the case, I will indeed be very happy and grateful.

Very truly yours,

Eva Rodansky

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From: Scott Blackmun
Sent: Wednesday, November 13, 2013 4:41 PM
To: Rodansky, Eva
Cc: Mike Plant; Michelle Stuart
Subject: Re: Letter regarding US Speedskating

Eva--

Thank you for taking the time to write this. I would like to set up a call with you, me and Mike Plant to discuss some of the facts that you have alleged. SSK is a model because they have recognized the need to change, not because they have accomplished what we all think they can accomplish. I believe in SSK, and I believe in Mike Plant and Ted Morris, and I need you to support me in this. Michelle please set up a one hour call at Mike's earliest convenience. Mike feel free to invite Ted to join.

--Scott

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November 15, 2013

Dear Mr. Blackmun:

This is further to my letter to you dated November 13, 2013 in which I questioned your characterization of US Speedskating ("USS") as a "model NGB" (another copy attached) and your email response.

In your email, you explained that USS was a "model NGB" **"because they have recognized the need to change."** (Emphasis supplied)

You also said in your email that you want and need me to support the USOC's efforts in that regard.

You further said you wanted to set up a conference call with me, together with Mike Plant and USS's new CEO, Ted Morris, to discuss the matter.

I am not sure I want to be triple-teamed in a conference call with you that also includes Mike Plant and Ted Morris; but I would certainly be pleased to speak with you at a mutually convenient date and time.

In the meantime, however, I thought it appropriate to respond in writing to your email at this time.

Your Request that I Support the USOC's Efforts to Reform USS:

Are you serious? You are now really asking for *my* support in the USOC's efforts to reform USS?

Respectfully, I think you have it backwards. We (the athletes) were there first.

Where was the USOC when we filed our 56-page Grievance with USS, and asked for the USOC'S intervention and support back in August 2012?

Where was the UOOC when over half the national team boycotted USS and its abusive coaches in the Spring of 2012?

And where was the USOC back in March 2006 when I wrote to the USOC Athlete Ombudsman about the conflicts of interest and lack of accountability of USS Board members, and also specifically addressed the issue of coaches having romantic relationships with athletes when those same coaches were responsible, at least in part, for picking the team to complete in international competitions? (The Ombudsman asked if he could share my email with others in the USOC, to which I of course replied, "yes"; but I never heard back from him other than, "Thanks".)

So for you to now ask me to support the USOC in its efforts to reform USS is indeed ironic, particularly in view of the above and the fact that I was also one of the named Complainants in the Section 10 Complaint filed with the USOC seeking to have the USOC compel USS to comply with the requirements for NGB status, as set forth in the Sports Act and USOC Bylaws/policies.

In short, there is no need for you to ask for my support to reform USS. The athletes and I are way ahead of you.

We are, of course, very happy that the USOC, at long last, has recognized the seriousness of USS's non-compliance, and has now joined us in *our long-standing efforts* to reform US Speedskating; and *we ask for the USOC's support in that regard.*

Your Characterization of USS as a "Model NGB."

As you know from my November 13 letter, I take serious issue with you proclaiming to the world that USS is a "model NGB."

Perhaps the "problem" is that you and I have two very different definitions of the term "model NGB".

From your November 13 email to me, **you state that USS "*is a model NGB because they have recognized the need to change.*"**

My definition of a "model NGB" is somewhat different. My definition of a "model NGB" adheres more closely to dictionary sense of those words, and what an ordinary person would take the words to mean, that is, **a "model NGB" is one which complies with statutory and regulatory requirements of the Sports Act and USOC Bylaws and, therefore, is worthy of being emulated. (A model)**

But under either your or my definition, US Speeskating is not a "model NGB".

First, the USOC and USS will have to concede that, contrary to your assertion, USS ***never "recognized the need to change."*** Change was resisted at every turn by USS and its attorneys (including your former law partners) in response to the athletes' attempts to effect reform; and it was not until the USOC finally entered the picture and mandated that the USS reform, that the reform process began.

To refresh your recollection, a brief review of the facts / timeline is appropriate.

We filed our 56-page Grievance with USS in August 2012 (with a copy to the USOC). USS did nothing to reform itself in response to the filing of our Grievance. In fact, contrary to its own Bylaw requirements, USS never even provided us with a Hearing on our Grievance. Consequently, having exhausted our administrative remedies within USS, we filed our Section 10 Compliant with the USOC. What did USS do in response to our filing? Did USS "recognize the need to change"? No, absolutely not. Instead, USS, upon the advice of your former law partners at Bryan Cave/HRO, filed an ill-advised Motion to Dismiss our Section 10 Complaint, which was predictably denied by a USOC Hearing Panel.

USS's dogged opposition to the changes we sought has been very costly to USS. As mentioned in my attached letter, it has been reported that USS's attorneys at Bryan Cave HRO, expended over $300,000 in attorney time in opposition to the athletes' efforts to have USS

reform.

What a terrible waste.

This is money that USS's members contributed, and sponsors paid, to USS, with every expectation that the money would be used to support athlete programs -- not pay attorneys to resist changes that USS and its attorneys knew, or should have known, were mandated by the Sports Act and USOC Bylaws/policies.

Nor can USS take credit for any of the changes that have been made by USS starting at its Board meeting in May 2013.

The USOC <u>compelled</u> USS adopt those reforms.

The only thing that USS "recognized" was that they would be de-certified as an NGB by the USOC if they did not vote, at their May 18, 2013 Board meeting, to adopt the changes that the athletes (and now, the USOC) sought to have USS make.

And, hopefully, the USS Board, at its meeting this weekend, will approve further Bylaw changes mandated by the terms of our July 26, 2013 Settlement Agreement with USS, as a condition for the voluntary dismissal of our Section 10 Complaint.

So, please do not say that USS is a "model NGB" because "USS recognized the need for change." USS did not "recognize" the need for change. USS resisted change.

<u>What Must USS Do to Become a "Model NGB"?</u>

USS if far from being a "model NGB" Under the "guidance" of the USOC - mandated and installed new President, Mike Plant, the USOC has compelled USS to make significant changes to start coming into compliance with the Sports Act and USOC Bylaws/policies. But it still has a long way to go.

Listed below are a few salient items.

First and foremost, USS must faithfully comply with all the remaining requirements of reform it agreed to undertake, as set forth in the July 26, 2013 Settlement Agreement with the Section 10 Complainants;

USS must fill the athlete vacancy which has existed on its Board of Directors for months (to comply with the 20% athlete representation requirement) and also add "independent directors" to the Board;

USS must become financially transparent, which it is not now. USS has not met the statutory deadline for the filing of its Form 990 for its FY ended May 31, 2013; nor has it yet made its financials, as of May 31, 2013, available to members and the public. As of this date, the most recent financials that have made available to its members and the public are as of May 31, 2012 (TWLEVE), a year and a half ago. It is absolutely unacceptable for a membership driven, 501(c)(3) not-for-profit corporation to be financially opaque, as USS is now.

USS must stop telling the athlete reps on the USS Board that everything discussed at USS Board meetings is "confidential" and may not be shared with the athletes and other members of USS. Athlete reps are elected to the USS Board to represent the athletes; and the athlete reps have the duty and responsibility to discuss matters of concern with the individual athletes they represent, and then to report back to the full Board with respect to the athletes' concerns. The athlete reps on the Board cannot do that if they are subject to a "gag order" from the Board.

USS should no longer be permitted to derail (and refuse to conduct) Hearings on Complaints and/ or Grievances, on the grounds that USS attorneys must first conduct and complete their own (self-characterized) "independent investigation" of the allegations.

This practice, still being followed today by USS, is dead wrong.

There is no such thing as an "independent investigation" if done by USS's own attorneys. If anyone thinks otherwise, just look at what happened with White & Case. They were no more "independent" of USS than USS's other attorneys, Bryan Cave/HRO.

The time and place for the facts relating to a Complaint and/or Grievance to be determined is at an evidentiary hearing conducted before an impartial panel of fact finders, in accordance with the USOC's Due Process Checklist (which includes 20 % athlete representation and the right to call and cross-examine witnesses).

The refusal of USS to act on the athletes' September 13, 2012 "Code of Conduct"

against Coach Jae Su Chun for his violations of the USS Code of Conduct unless and until White & Case first conduct a so-called " independent investigation" of the charges was a complete miscarriage of justice. As disclosed it its January 2013 - released (and now ISU- discredited) Final Report, White & Case did not even measure Coach Jae Su Chun's conduct against the standard of conduct set forth in the USS Code of Conduct. Rather, White & Case used as its standard the USOC's outdated Coaching Ethics Code, as opposed to the applicable USS Code of Conduct. Had White & Case considered Jae Su Chun's admitted misconduct against the standards set forth in the USS Code of Conduct (as requested by the athletes), White & Case would have been forced to reach same result as the ISU eventually did, and find him guilty of multiple violations of the USS Code of Conduct.

And it has now been TEN (10) months since the Sidley Austin law firm (with its enormous resources of over 1,700 lawyers) was asked to investigate the charges of misconduct by former USS President, Andy Gabel, which were admitted by Mr. Gabel, and published on the first page of the Sports Section of the *Chicago Tribune*. We are still waiting for the results of that investigation. At some point, the passage of time, by itself, works as a denial of due process to the victims of sexual misconduct by Mr. Gabel and others. That amount of time, I respectfully submit, has now long since passed.

USS must begin to provide financial stipends to its national team athletes, and not completely depend on the largess of the USOC, in Violation of Section 8.7(l) of the USOC Bylaws. USS does not provide a dime to its athletes in the form of direct financial stipends. All the money which could have been so allocated went, instead, to pay attorneys' fees incurred by USS in fighting the athletes' legitimate concerns of non-compliance. As previously noted, USS is believed to be the only NGB which spends more money to fight athletes than it does to support athletes.

Finally, to be even considered to be a "model NGB", US Speedskating must Re-populate its Board of Directors with Individuals of High Moral Character and Who Will Serve Without the Need for, or Expectation of, Personal Benefit.

I suggest that we have the conference call you have suggested, but perhaps only the two of us (I am uncomfortable being triple- teamed by you, Mike Plant and Ted Morris) only after the USS Board of Directors meeting, this weekend, so we can then have a better measure the progress USS has made, if any, that could eventually qualify USS be considered a "model NGB."

With all good wishes,

Very truly yours,

Eva Rodansky

Attachment

Cc: Mike Plant (w/ attch)
Via email: mike.plant@braves.com

PS: You refer in your November 13 email to "alleged facts" in my attached letter, as if you question the veracity of the facts I have set forth. I am intimately familiar with, and have carefully researched, all that I have set forth in my letter. If there is anything you feel is factually incorrect in my letter, please promptly let me know, so I can address the same and make corrections, if any are warranted. ER