

ANTI-DOPING POLICY

~~July 2015~~
April 2017

PROGRAM OBJECTIVES

This Policy is a central part of *UFC's* expanded efforts to protect the health and safety of its *Athletes*, and also to protect their right to compete on a level playing field. *UFC's* goal for this Policy is to be the best anti-doping program in all of professional sport.

This Anti-Doping Policy is modeled on the World Anti-Doping Code (the "*Code*") and, except as provided otherwise herein, should be interpreted and applied in a manner consistent with the *Code*.

This Anti-Doping Policy consists of sport rules governing the conditions under which *UFC* sport is conducted. It is distinct in nature from criminal and civil laws, and is not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings. When reviewing the facts and the law of any given case, all judicial or other adjudicating bodies should be aware of and respect the distinct nature of this Anti-Doping Policy and the fact that the *Code* upon which it is based represents the consensus of a broad spectrum of stakeholders around the world as to what is necessary to protect and ensure fair sport. *UFC* may delegate all or any part of its responsibilities and authority under this Program to the United States Anti-Doping Agency ("*USADA*"), other *Anti-Doping Organizations*, or other third-party providers of anti-doping services. References to *UFC* in this Program shall include *USADA*, other *Anti-Doping Organizations*, or third-party anti-doping service providers to which *UFC* has made a delegation.

SCOPE AND APPLICATION OF THE POLICY

This Anti-Doping Policy shall apply to *UFC* and its officials, employees and independent contractors, and each *Participant* in a *UFC Bout*. It also applies to the following: *Athletes*, *Athlete Support Personnel*, and other *Persons*, each of whom is deemed, as a condition of his/her contract with *UFC*, license with any *Athletic Commission*, accreditation and/or participation in a *UFC Bout* or by the preparation of *Athletes* for participation in any *UFC Bout*, to have agreed to be bound by this Anti-Doping Policy, and to have submitted to the authority of *UFC* and *USADA* to enforce this Anti-Doping Policy and to have submitted to the jurisdiction of the hearing panel specified in Article 8 to hear and determine cases brought under this Anti-Doping Policy. More specifically, this Anti-Doping Policy shall apply to:

- A. All *Athletes* under contract (i.e., have executed a Promotional Agreement) with *UFC*, from the effective date of their ~~first~~ contract until the earlier of the termination of their contract with *UFC* or such time as they give notice to *UFC* in writing of their retirement from competition; and
- B. All *Athlete Support Personnel* who: ~~participate in any UFC Bout in any capacity, including without limitation as a manager, coach, trainer, second, corner man, agent, official, medical or paramedical personnel, are directly working with, treating or~~

assisting an Athlete in a Professional or Sport Related Capacity or who have been identified by an *Athlete* to UFC or USADA as an *Athlete Support Person*.

Any *Athlete*, *Athlete Support Personnel*, or other *Person* who commits an Anti-Doping Policy Violation while subject to this Policy shall remain subject to this Policy for purposes of results management and discipline after the relationship which originally gave rise to UFC's or USADA's authority has ceased.

ARTICLE 1: DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the Anti-Doping Policy Violations set forth in Article 2.1 through Article 2.10 of this Anti-Doping Policy.

ARTICLE 2: ANTI-DOPING POLICY VIOLATIONS

The purpose of Article 2 is to specify the circumstances and conduct which constitute Anti-Doping Policy Violations. Hearings in doping cases will proceed based on the assertion that one or more of these specific policies have been violated.

Athletes or other *Persons* shall be responsible for knowing what constitutes an Anti-Doping Policy Violation and the substances and methods which have been included on the *Prohibited List*.

The following constitute Anti-Doping Policy Violations:

2.1 Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*

2.1.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, *Fault*, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an Anti-Doping Policy Violation under Article 2.1.

2.1.2 Sufficient proof of an Anti-Doping Policy Violation under Article 2.1 is established by any of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analyzed; or, where the *Athlete's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*; or in the conditions described in the *WADA International Standard For Laboratories*, where the *Athlete's B Sample* is split into two bottles and the analysis of the second bottle confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first bottle.

2.1.3 Excepting those substances for which a quantitative threshold is specifically identified in the *Prohibited List*, the presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an Anti-Doping Policy Violation.

2.1.4 As an exception to the general rule of Article 2.1, the *Prohibited List* or *International Standards* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

~~2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method~~

~~2.2.1~~ **2.1.5** In the event an *Athlete* entering the Program voluntarily and promptly discloses to *USADA*, prior to testing by *USADA*, the *Use* or *Attempted Use* of a substance or method that is prohibited at all times on the *Prohibited List*, then the presence or evidence of *Use* of such disclosed substance or method in an *Athlete's Sample*, shall not be considered an Anti-Doping Policy Violation if it is determined by *USADA* to have resulted from *Use* of the *Prohibited Substance* or *Prohibited Method* which occurred prior to the *Athlete* entering the Program.

2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method

2.2.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body and that no *Prohibited Method* is *Used*. Accordingly, it is not necessary that intent, *Fault*, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an Anti-Doping Policy Violation for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

2.2.2 The success or failure of the *Use* or *Attempted Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* or *Attempted* to be *Used* for an Anti-Doping Policy Violation to be committed.

2.3 Evading, Refusing or Failing to Submit to *Sample* Collection

Evading *Sample* collection, or without compelling justification refusing or failing to submit to *Sample* collection after notification as authorized in this Anti-Doping Policy.

2.4 Whereabouts Failures

Any combination of three *Whereabouts Failures* within a twelve-month period as defined in the Whereabouts Policy developed by UFC.

2.5 Tampering or Attempted Tampering with any part of Doping Control

Conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. Without limitation, Tampering shall include, ~~without limitation, intentionally, the following:~~

2.5.1 Intentionally interfering or attempting to interfere with a *Doping Control* official, providing fraudulent information to UFC or USADA, or intimidating or attempting to intimidate a potential witness.

2.5.2 Absent a compelling justification, the failure to disclose to USADA, prior to entering the Program, the Use, Attempted Use or Possession within the previous one year of a substance or method that is classified as prohibited at all times on the Prohibited List. The past Use, Attempted Use or Possession of a Prohibited Substance or Prohibited Method shall not constitute a violation of these Policies if disclosed prior to entering the Program; however, the admission of such conduct shall subject the Athlete to the notice period requirements outlined in Article 5.7.4. Furthermore, unless the Athlete's use of the substance or method in question was pursuant to a valid medical prescription or recommendation, such conduct may also be considered in sanctioning or counted as a violation for purposes of Article 10.7 if the Athlete subsequently commits an Anti-Doping Policy Violation.

2.6 Possession of a Prohibited Substance or a Prohibited Method

2.6.1 *Possession* by an *Athlete In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by an *Athlete Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited *Out-of-Competition* unless the *Athlete* establishes that the *Possession* is consistent with a Therapeutic Use Exemption ("TUE") granted in accordance with Article 4.4 or other acceptable justification.

2.6.2 *Possession* by an *Athlete Support Person In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by an *Athlete Support Person Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited *Out-of-Competition* in connection with an *Athlete*, competition or training, unless the *Athlete Support Person* establishes that the *Possession* is consistent with a TUE

granted to an *Athlete* in accordance with Article 4.4 or other acceptable justification.

2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method

2.8 Administration or Attempted Administration to any Athlete, In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is prohibited Out-of-Competition

2.9 Complicity

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving (a) an Anti-Doping Policy Violation, Attempted Anti-Doping Policy Violation or violation of Article 10.12.1 by another Person; or (b) conduct committed by an individual who is not subject to this Policy, which would otherwise have constituted an Anti-Doping Policy Violation.

2.10 Prohibited Association

Association by an *Athlete* or other *Person* in a ~~professional~~Professional or ~~sport-related capacity~~Sport Related Capacity with any *Athlete Support Person* who:

2.10.1 If subject to the authority of *UFC, USADA, another Anti-Doping Organization or Athletic Commission*, is serving a period of *Ineligibility*; or

2.10.2 If not subject to the authority of *UFC, USADA another Anti-Doping Organization or Athletic Commission*, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of this Anti-Doping Policy if this Anti-Doping Policy had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of six years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

2.10.3 Is serving as a front or intermediary for an individual described in Article 2.10.1 or 2.10.2.

In order for this provision to apply, it is necessary that the *Athlete* or other *Person* has previously been advised in writing by *USADA*, of the *Athlete Support Person's* disqualifying status and the potential *Consequence* of prohibited association and that the *Athlete* or other *Person* can reasonably avoid the association. *USADA* shall also use reasonable efforts to advise the *Athlete Support Person* who is the subject of the notice to the *Athlete* or other *Person* that the *Athlete Support Person* may, within 15 days, come forward to *USADA* to explain that the criteria

described in Articles 2.10.1 and 2.10.2 do not apply to him or her. (Notwithstanding Article 17, this Article applies even when the *Athlete Support Person's* disqualifying conduct occurred prior to the ~~effective date~~Program Start Date provided in Article 20.5.).

The burden shall be on the *Athlete* or other *Person* to establish that any association with *Athlete Support Personnel* described in Article 2.10.1 or 2.10.2 is not in a ~~professional or sport-related capacity~~Professional or Sport Related Capacity.

ARTICLE 3: PROOF OF DOPING

3.1 Burdens and Standards of Proof

USADA shall have the burden of establishing that an Anti-Doping Policy Violation has occurred. The standard of proof shall be whether *USADA* has established an Anti-Doping Policy Violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where this Anti-Doping Policy places the burden of proof upon the *Athlete* or other *Person* alleged to have committed an Anti-Doping Policy Violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

3.2 Methods of Establishing Facts and Presumptions

Facts related to Anti-Doping Policy Violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:

3.2.1 Analytical methods or decision limits approved by *WADA* after consultation within the relevant scientific community and which have been the subject of peer review are presumed to be scientifically valid.

3.2.2 *WADA*-accredited laboratories, and other laboratories approved by *WADA*, are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard for Laboratories*. The *Athlete* or other *Person* may rebut this presumption by establishing that a departure from the *International Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*. If the *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the *International Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*, then *USADA* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

3.2.3 Departures from any other *International Standard* or other Anti-Doping Policy or rule set forth in this Anti-Doping Policy which did not cause an *Adverse Analytical Finding* or other Anti-Doping Policy Violation shall not invalidate such evidence or results. If the *Athlete* or other *Person* establishes a departure from another *International Standard* or other Anti-Doping Policy or rule which could reasonably have caused an Anti-Doping Policy Violation based on an *Adverse Analytical Finding* or other Anti-Doping Policy Violation, then *USADA* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the factual basis for the Anti-Doping Policy Violation.

3.2.4 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Athlete* or other *Person* to whom the decision pertained of those facts unless the *Athlete* or other *Person* establishes that the decision violated principles of natural justice.

3.2.5 The hearing panel in a hearing on an Anti-Doping Policy Violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an Anti-Doping Policy Violation based on the *Athlete's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or *USADA*.

ARTICLE 4: THE PROHIBITED LIST

4.1 Incorporation of the *Prohibited List*

This Anti-Doping Policy incorporates the *Prohibited List*, which is published and revised by *WADA* as described in Article 4.1 of the *Code*. Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under this Anti-Doping Policy three months after publication by *WADA*, without requiring any further action by *UFC*. All *Athletes* and other *Persons* shall be bound by the *Prohibited List*, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Athletes* and other *Persons* to familiarize themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4.2.1 Prohibited Substances and Prohibited Methods

The *Prohibited List* shall identify those *Prohibited Substances* and *Prohibited Methods* which are prohibited as doping at all times (both *In-Competition* and *Out-of-Competition*) because of their potential to enhance performance in future *Bouts* or their masking potential, and those substances and methods which are prohibited *In-Competition* only.

4.2.2 Specified Substances

For purposes of the application of Article 10, all *Prohibited Substances* shall be *Specified Substances* except substances in the classes of anabolic agents and hormones, and those stimulants and hormone antagonists and modulators so identified on the *Prohibited List* and any new class of *Prohibited Substances* added to the *Prohibited List* which WADA's Executive Committee may designate not to be *Specified Substances*. The category of *Specified Substances* shall not include *Prohibited Methods*.

4.3 WADA's Determination of the Prohibited List

WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List*, the classification of substances into categories on the *Prohibited List*, and the classification of a substance as prohibited at all times or *In-Competition* only, is final and shall not be subject to challenge by an *Athlete* or other *Person* based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

4.4 Therapeutic Use Exemptions ("TUEs")

4.4.1 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers*, and/or the *Use* or *Attempted Use*, *Possession* or *Administration* or *Attempted Administration* of a *Prohibited Substance* or *Prohibited Method*, shall not be considered an Anti-Doping Policy Violation if it is consistent with the provisions of a *TUE* granted by *USADA*.

4.4.2 All *Athletes Using* or intending to *Use* a *Prohibited Substance* or *Prohibited Method* must seek a *TUE* from *USADA* or its designee pursuant to the *TUE* Policy developed by *UFC*.

4.4.3 Any *Athlete* subject to *UFC* or *USADA* authority as provided in the scope of this Anti-Doping Policy who obtains a *TUE* from an *Athletic Commission* or other *Anti-Doping Organization* shall promptly provide *USADA* with a copy of the *TUE* and all documentation submitted in

support of the *TUE*. *USADA* shall also have the right to request additional documentation and evaluation from the *Athlete*. *USADA* shall, within 21 days of *USADA*'s receipt of a request for a *TUE*, documentation supporting the *TUE*, and any additional information requested by *USADA*, notify the *Athlete* that it is either granting or denying the *TUE*.

4.4.4 Requests for *TUEs* should be submitted in accordance with the following timeline: (a) at least 21 days in advance of the *Athlete*'s intended *Use* of the prohibited medication when the *Athlete* is not scheduled to participate in a *Bout*; (b) at least 90 days in advance of the *Athlete*'s intended *Use* when the *Athlete* is scheduled to participate in any *Bout* more than 90 days in the future; or (c) as soon as practicable when the *Athlete* is scheduled to participate in a *Bout* with less than 90 days advance notice. *USADA* will consider late filed or applications for retroactive *TUEs*; however, in such instances, the *Athlete* may be charged up to the full cost for processing the *TUE* application where such late filing, in the determination of *USADA*, is not attributed to factors outside the *Athlete*'s control.

4.4.5 Expiration, Cancellation, Withdrawal or Reversal of a *TUE*

4.4.5.1 A *TUE* granted pursuant to this Anti-Doping Policy: (a) shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formality; (b) may be cancelled if the *Athlete* does not promptly comply with any requirements or conditions imposed by the *TUE* Committee upon grant of the *TUE*; or (c) may be withdrawn by the *TUE* Committee if it is subsequently determined that the criteria for grant of a *TUE* are not in fact met.

4.4.5.2 In such event, the *Athlete* shall not be subject to any *Consequences* based on his/her *Use* or *Possession* or *Administration* of the *Prohibited Substance* or *Prohibited Method* in question in accordance with the *TUE* prior to the effective date of expiry, cancellation, withdrawal or reversal of the *TUE*. The review pursuant to Article 7.2 of any subsequent *Adverse Analytical Finding* shall include consideration of whether such finding is consistent with *Use* of the *Prohibited Substance* or *Prohibited Method* prior to that date, in which event no Anti-Doping Policy Violation shall be asserted.

4.4.6 Coordination with *Athletic Commissions*

UFC or *USADA* will attempt to coordinate *TUE* applications with applicable *Athletic Commissions*. *UFC Athletes* are on notice, however, that because *UFC* and *USADA* do not control *Athletic Commission* decisions to recognize a *UFC TUE* or to grant their own *TUEs*, *UFC Athletes* should not use any substance or method

prohibited by an *Athletic Commission* unless they are certain that an *Athletic Commission TUE* is in place. In addition, any *Athlete* who obtains a *TUE* from an *Athletic Commission* or other *Anti-Doping Organization*, will still need to apply for a *UFC TUE*.

4.4.7 Appeal of a TUE Application Denied by UFC

USADA's denial of a *TUE* application may be appealed pursuant to the *UFC Arbitration Rules* after exhaustion of the administrative review provided in this Policy and in any *TUE Policy* adopted by *UFC* or its designee.

ARTICLE 5: TESTING AND INVESTIGATIONS

5.1 Purpose of Testing and Investigations

Testing and investigations by *USADA*, or *UFC* in cooperation with *USADA*, shall only be undertaken for anti-doping purposes. They shall be conducted in conformity with the provisions of the *International Standard* for Testing and Investigations and any specific protocols of *UFC* supplementing or modifying that *International Standard*.

5.1.1 *Testing* shall be undertaken to obtain analytical evidence as to the *Athlete's* compliance (or non-compliance) with the strict prohibition on the presence/Use of a *Prohibited Substance* or *Prohibited Method*. Test distribution planning, *Testing*, post-*Testing* activity and all related activities conducted by *USADA* shall be in conformity with the *International Standard* for Testing and Investigations unless otherwise modified by a *UFC* protocol. *USADA* shall determine the number of finishing placement tests, random tests and targettype of tests to be performed, in accordance with the criteria established by the *International Standard* for Testing and Investigations. Unless otherwise modified by a *UFC* protocol, provisions of the *International Standard* for Testing and Investigations shall apply automatically in respect of all such *Testing*.

5.1.2 Investigations shall be undertaken:

5.1.2.1 in relation to *Atypical Findings*, *Atypical Passport Findings* and *Adverse Passport Findings*, in accordance with Articles 7.2 and 7.3 respectively, gathering intelligence or evidence (including, in particular, analytical evidence) in order to determine whether an Anti-Doping Policy Violation has occurred under Article 2.1 and/or Article 2.2; and

5.1.2.2 in relation to other indications of potential Anti-Doping Policy Violations, in accordance with Articles 7.4 and 7.5, gathering intelligence or evidence (including, in particular, non-analytical evidence) in order to determine whether an Anti-

Doping Policy Violation has occurred under any of Articles 2.2 to 2.10.

5.1.3 *USADA* and *UFC* may obtain, assess and process anti-doping intelligence from all available sources, to inform the development of an effective, intelligent and proportionate test distribution plan, to plan *Target Testing*, to form the basis of an investigation into a possible Anti-Doping Policy Violation(s) and/or to bring cases based on evidence of the violation of anti-doping rules.

5.2 Authority to conduct *Testing*

5.2.1 *USADA* shall have *In-Competition* and *Out-of-Competition Testing* authority over all of the *Athletes* identified in this Anti-Doping Policy (under the heading "Scope and Application of the Policy").

5.2.2 *USADA* may require any *Athlete* over whom it has *Testing* authority (including any *Athlete* serving a period of *Ineligibility*) to provide a *Sample* at any time and at any place.

5.3 *Bout Testing*

5.3.1 Unless otherwise required by an *Athletic Commission*, at *UFC Bouts*, the collection of *Samples* shall be initiated and directed by *USADA* or its designee.

5.4 Test Distribution Planning

Consistent with the *International Standard* for Testing and Investigations, *USADA* shall develop and implement an effective, intelligent and proportionate test distribution plan, including consideration of types of *Testing*, types of *Samples* collected, and types of *Sample* analysis, ~~all in compliance with the requirements of the *International Standard* for Testing and Investigations.~~

5.5 Coordination of *Testing*

USADA may coordinate *Testing* with *Athletic Commissions* or other *Anti-Doping Organizations* conducting *Testing* of the same *Athletes*.

5.6 *Athlete Whereabouts Information*

Athletes shall provide their whereabouts information to *USADA* as required by the *Whereabouts Policy* developed by *UFC*.

5.7 Notice Requirements for New UFC Athletes and Former UFC Athletes Returning to UFC Competition

5.7.1 An Athlete who has not previously competed in UFC, may not compete in UFC Bouts until he/she has executed a Promotional Agreement with UFC and made him/herself available for Testing for a minimum period of one month before his/her first UFC Bout. Where the conditions set forth in Article 5.7.6 below are satisfied, the foregoing rule shall not prevent a new UFC Athlete from participating in a Bout less than one month after entering into a Promotional Agreement with UFC.

5.7.2 An Athlete who ceases to have a contractual relationship with UFC due to UFC-Initiated Inactivity, may not resume competing in UFC Bouts until he/she has entered into a new Promotional Agreement with UFC and has made him/herself available for Testing for a period of one month before returning to competition. Where the conditions set forth in Article 5.7.6 below are satisfied, the foregoing rule shall not prevent a returning UFC Athlete from participating in a Bout less than one month after entering into a new Promotional Agreement with UFC.

5.7.3 An Athlete who gives notice of retirement to UFC, or has otherwise ceased to have a contractual relationship with UFC due to Athlete-Initiated Inactivity, may not resume competing in UFC Bouts until he/she has given UFC written notice of his/her intent to resume competing and has made him/herself available for Testing for a period of ~~four~~six months before returning to competition. UFC may grant an exemption to the ~~four~~six-month written notice rule in exceptional circumstances or where the strict application of that rule would be manifestly unfair to an Athlete.

~~5.7.2~~5.7.4 A new or returning Athlete who admits or has an established and verifiable history of the Use, Attempted Use or Possession of a substance or method that is classified as prohibited at all times on the Prohibited List shall not be permitted to compete in UFC Bouts until he/she has made him/herself available for Testing for a minimum period of six months before competing. At USADA's discretion, such Athletes may also be required to provide a minimum of two negative Samples during the minimum six-month notice period before being cleared for competition. This provision shall not apply in situations in which (i) the Athlete's Use of the Prohibited Substance or Method was pursuant to a valid TUE or (ii) USADA subsequently grants the Athlete a TUE for the substance or method in question.

5.7.5 If an Athlete retires from UFC competition while subject to a period of Ineligibility, the Athlete shall not resume competing in UFC Bouts or competitions approved or sanctioned by an Athletic Commission until the Athlete has given ~~four~~six months prior written

notice (or notice equivalent to the period of *Ineligibility* remaining as of the date the *Athlete* retired, if that period was longer than ~~four~~six months) to *UFC* of his/her intent to resume competing and has made him/herself available for *Testing* ~~for that notice period.~~ throughout the notice period. Similarly, if an *Athlete* is retired at the time a period of *Ineligibility* is imposed, then the *Athlete's* sanction shall be tolled until such time he/she provides written notice of his/her return from retirement and makes him/herself available for *Testing*.

5.7.6 The one-month notice period requirement for an *Athlete* subject to Articles 5.7.1 and 5.7.2 shall be waived automatically where he/she is named to a *Fight Card* as a replacement for an *Athlete* who was withdrawn from the *Fight Card* due to loss of eligibility, injury or other event not reasonably foreseeable to *UFC*.

ARTICLE 6: ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

6.1 Use of Accredited and Approved Laboratories

For purposes of Article 2.1, *Samples* shall be analyzed only in laboratories accredited or otherwise approved by *WADA*. The choice of the *WADA*-accredited or *WADA*-approved laboratory used for the *Sample* analysis shall be determined exclusively by *USADA*. For purposes other than Article 2.1, *USADA* may rely upon *Sample* analysis conducted elsewhere than at a *WADA* accredited or approved laboratory.

6.2 Purpose of Analysis of Samples

6.2.1 *Samples* shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* and other substances as may be directed by *WADA* pursuant to the Monitoring Program described in Article 4.5 of the *Code*; or to assist *USADA* in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including DNA or genomic profiling; or for any other legitimate anti-doping purpose. *Samples* may be collected and stored for future analysis.

6.3 Research on Samples

No *Sample* may be used for research without the *Athlete's* written consent. *Samples* used for purposes other than Article 6.2 shall have any means of identification removed such that they cannot be traced back to a particular *Athlete*.

6.4 Standards for *Sample* Analysis and Reporting

Laboratories shall analyze *Samples* and report results in conformity with the *International Standard* for Laboratories.

6.4.1 As provided in the *International Standard* for Laboratories, laboratories at their own initiative and expense may analyze *Samples* for *Prohibited Substances* or *Prohibited Methods* not specified by *USADA*. Results from any such analysis shall be reported and have the same validity and consequence as any other analytical result.

6.5 Further Analysis of *Samples*

Any *Sample* may be stored and subject to further analysis by *USADA* at any time before both the A and B *Sample* analytical results (or A *Sample* result where B *Sample* analysis has been waived or will not be performed) have been communicated by *USADA* to the *Athlete* as the asserted basis for an Anti-Doping Policy Violation. Further analysis of *Samples* shall conform to the requirements of the *International Standard* for Laboratories

Samples may be stored and subjected to further analysis for the purpose of Article 6.2 at any time exclusively at the discretion of *USADA*. Further analysis of *Samples* shall conform to the requirements of the *International Standard* for Laboratories.

ARTICLE 7: RESULTS MANAGEMENT

USADA or its designee shall have exclusive results management authority for any Anti-Doping Policy Violation asserted under these policies.

7.1 Results Management for *Tests* Initiated by *USADA*

Results management for tests initiated by *USADA* or its designee shall proceed as set forth below:

7.1.1 The results from all analyses must be sent to *USADA* in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted confidentially.

7.1.2 Upon receipt of an A *Sample Adverse Analytical Finding*, *USADA* shall conduct a review to determine whether: (a) the *Adverse Analytical Finding* is consistent with a *TUE* that has been or will be granted as provided in the UFC *TUE* Policy, or (b) there is any apparent departure from the *International Standard* for Testing and Investigations or

International Standard for Laboratories that caused the *Adverse Analytical Finding*.

7.1.3 If the initial review of an *Adverse Analytical Finding* under Article 7.1.2 does not reveal an applicable *TUE* or entitlement to a *TUE*, as provided in the UFC *TUE* Policy, or departure that caused the *Adverse Analytical Finding*, *USADA* shall promptly and simultaneously give notice to the *Athlete*, *UFC*, and *Athletic Commission*, if applicable. Notice shall include the information described in Article 14.1.3, as well as: (a) the *Adverse Analytical Finding*; (b) the Anti-Doping Policy violated; (c) the *Athlete's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed waived; (d) the scheduled date, time, and place for the *B Sample* analysis (which shall be scheduled within the time period specified in the *International Standard* for Laboratories) if the *Athlete* or *USADA* choose to request an analysis of the *B Sample*; (e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis within the time period specified in the *International Standard* for Laboratories if such analysis is requested; (f) the *Athlete's* right to request copies of the *A* and *B Sample* laboratory documentation package which includes information as required by the *International Standard* for Laboratories; and (g) any *Provisional Suspension* imposed. If *USADA* decides not to bring forward the *Adverse Analytical Finding* as an Anti-Doping Policy Violation, it shall so notify the *Athlete*.

7.1.4 Where requested by the *Athlete* or *USADA*, arrangements shall be made for *Testing* the *B Sample* within the time period specified in the *International Standard* for Laboratories. An *Athlete* may accept the *A Sample* analytical results by waiving the requirement for *B Sample* analysis. If waived by the *Athlete*, *USADA* may nonetheless elect to proceed with the *B Sample* analysis.

7.1.5 The *Athlete* and/or his or her representative shall be allowed to be present at the analysis of the *B Sample*, which shall take place within the time period specified in the *International Standard* for Laboratories. Also, a representative of *USADA* shall be allowed to be present.

7.1.6 If the *B Sample* proves negative, then, unless *USADA* takes the case forward as an Anti-Doping Policy Violation under Article 2.2, the entire *Test* shall be considered negative and the *Athlete* and *UFC* shall be so informed.

7.1.7 If a *Prohibited Substance* or the *Use of a Prohibited Method* is identified (i.e., if the *B Sample* analysis confirms the *A Sample* analysis), or the *B Sample* analysis is not requested or is waived, the *Athlete* shall be given notice of: (a) the Anti-Doping Policy Violation asserted; (b) the basis of that assertion, (c) the additional information set forth in Article 14.1.3; (d) the *Consequences* that will be imposed; (e) the *Athlete's* right,

within ten days of the notice, to request a hearing; and (f) that, if the *Athlete* does not request a hearing within the time limit indicated at subsection (e) of this Article, the *Consequences* will be imposed immediately.

7.1.8 Notice to an *Athlete* or other *Person*, for all purposes of this ~~policy~~ **Policy**, shall be effective when delivered by overnight courier to the *Athlete* or other *Person's* most recent mailing address on file with *USADA* or the *UFC* legal department or by email to the *Athlete* or other *Person's* most recent email address on file with *USADA* or the *UFC* legal department. Actual notice may be accomplished by any other means.

7.2 Review of Atypical Findings

7.2.1 As provided in the *International Standard* for Laboratories, in some circumstances laboratories are directed to report the presence of *Prohibited Substances*, which may also be produced endogenously, as *Atypical Findings*, i.e., as findings that are subject to further investigation.

7.2.2 Upon receipt of an *Atypical Finding*, *USADA* shall conduct a review to determine whether: (a) an applicable *TUE* has been granted or will be granted as provided in the *UFC TUE Policy*, or (b) there is any apparent departure from the *International Standard* for Testing and Investigations or *International Standard* for Laboratories that caused the *Atypical Finding*.

7.2.3 If the review of an *Atypical Finding* under Article 7.2.2 reveals an applicable *TUE* or a departure from the *International Standard* for Testing and Investigations or the *International Standard* for Laboratories that caused the *Atypical Finding*, the entire *Test* shall be considered negative for purposes of Article 2.1 and the *Athlete* shall be so informed.

7.2.4 If that review does not reveal an applicable *TUE* or a departure from the *International Standard* for Testing and Investigations or the *International Standard* for Laboratories that caused the *Atypical Finding*, *USADA* shall conduct the required investigation or cause it to be conducted. After the investigation is completed, if the *Atypical Finding* will be brought forward as an *Adverse Analytical Finding*, the *Athlete* shall be notified in accordance with Article 7.1.7.

7.2.5 *USADA* will not provide notice of an *Atypical Finding* until it has completed its investigation and has decided whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless one of the following circumstances exists:

7.2.5.1 If *USADA* determines the *B Sample* should be analyzed prior to the conclusion of its investigation, it may conduct the *B Sample* analysis after giving notice to the *Athlete*, with such notice to include a description of the *Atypical Finding* and the information described in Article 7.1.3(d) to (f).

7.2.5.2 If *UFC* is asked by an *Athletic Commission* to disclose whether any *Athlete* licensed by the *Athletic Commission* has a pending *Atypical Finding*, *UFC* shall so advise the *Athletic Commission* after first providing notice of the *Atypical Finding* to the *Athlete*.

7.3 Review of *Atypical Passport Findings* and *Adverse Passport Findings*

USADA may provide *Athlete Biological Passport* information to and receive *Athlete Biological Passport* information from other *Anti-Doping Organizations*.

Review of *Atypical Passport Findings* and *Adverse Passport Findings* shall take place as provided in the *International Standard* for Testing and Investigations and *International Standard* for Laboratories. At such time as *USADA* is satisfied that an *Anti-Doping Policy Violation* has occurred, it shall promptly give notice to the *Athlete*, as provided in Article 7.1.7, as applicable.

7.4 Review of *Whereabouts Failures*

USADA shall review potential *Whereabouts Failures*, as defined in *UFC's* *Whereabouts Policy*. At such time as *USADA* is satisfied that an Article 2.4 *Anti-Doping Policy Violation* has occurred, it shall promptly give notice to the *Athlete*, providing information identified in Article 7.1.7, as applicable.

7.5 Review of Other Potential *Anti-Doping Policy Violations* Not Covered by Articles 7.1–7.4

USADA shall conduct any follow-up investigation required into any potential *Anti-Doping Policy Violation* not covered by Articles 7.1- 7.4. At such time as *USADA* is satisfied that an *Anti-Doping Policy Violation* has occurred, it shall promptly give notice to the *Athlete* or other *Person*, providing information identified in Article 7.1.7, as applicable.

7.6 Identification of Prior *Anti-Doping Policy Violations*

Before giving an *Athlete* or other *Person* notice of an asserted *Anti-Doping Policy Violation* as provided above, *USADA* shall attempt to determine whether any prior *Anti-Doping Policy Violation* exists.

7.7 *Provisional Suspensions*

7.7.1 *Optional Provisional Suspension:* USADA may impose a *Provisional Suspension* on an *Athlete* or other *Person* against whom an Anti-Doping Policy Violation is asserted at any time after the review and notification described in Article 7.1 and prior to the final hearing as described in Article 8.

7.7.2 Where a *Provisional Suspension* is imposed pursuant to Article 7.7.1, the *Athlete* or other *Person* shall be given either: (a) an opportunity for a *Provisional Hearing* either before or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited final hearing in accordance with Article 8 on a timely basis after imposition of the *Provisional Suspension*.

7.7.2.1 *Provisional Hearings shall be conducted by a single Arbitrator and heard via conference call within the time frame specified by USADA. The sole issue to be determined by the Arbitrator at such a hearing will be whether USADA's decision that a Provisional Suspension should be imposed shall be upheld.*

7.7.2.2 *USADA's decision to impose a Provisional Suspension shall be upheld if probable cause exists for USADA to proceed with a charge of an Anti-Doping Policy Violation against the Athlete. It shall not be necessary, however, for any B Sample analysis to have been completed in order to establish probable cause.*

7.7.2.3 *The Provisional Suspension may also be lifted if the Athlete demonstrates to USADA or to the ~~hearing body~~ Arbitrator that ~~the~~his/her violation is likely to have resulted from the Use of a Contaminated Product.*

7.7.3 If a *Provisional Suspension* is imposed based on an *A Sample Adverse Analytical Finding* and subsequent analysis of the *B Sample* does not confirm the *A Sample* analysis, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1.

7.7.4 In all cases where an *Athlete* or other *Person* has been notified of an Anti-Doping Policy Violation but a *Provisional Suspension* has not been imposed on him or her, the *Athlete* or other *Person* shall be offered the opportunity to accept a *Provisional Suspension* voluntarily pending the resolution of the matter.

7.8 Resolution without a Hearing

7.8.1 An *Athlete* or other *Person* against whom an Anti-Doping Policy Violation is asserted may admit that violation at any time, waive a hearing, and accept the *Consequences* that have been offered by *USADA*.

7.8.2 Alternatively, if the *Athlete* or other *Person* against whom an Anti-Doping Policy Violation is asserted fails to dispute that assertion within the deadline specified in the notice sent by *USADA* asserting the violation, then he/she shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the *Consequences* that have been offered by *USADA*.

7.8.3 In cases where Article 7.8.1 or Article 7.8.2 applies, a hearing before a hearing panel shall not be required. Instead *USADA* shall promptly issue a written decision confirming the commission of the Anti-Doping Policy Violation and the *Consequences* imposed as a result, and setting out the reasons for any period of *Ineligibility* imposed. *UFC* shall *Publicly Disclose* that decision in accordance with Article 14.3.2.

7.9 Retirement or Termination of UFC Contract

If an *Athlete* retires or ceases to be under contract with *UFC* while *USADA* is conducting the results management process, including the investigation of any *Atypical Finding* or *Atypical Passport Finding*, *USADA* retains jurisdiction to complete its results management process. If an *Athlete* retires or ceases to be under contract with *UFC* before any results management process has begun, and *USADA* had results management authority over the *Athlete* at the time the *Athlete* committed an Anti-Doping Policy Violation, *USADA* has authority to conduct results management in respect of that Anti-Doping Policy Violation. If *USADA* had results management authority over *Athlete Support Personnel* or another *Person* at the time they committed an Anti-Doping Policy Violation, *USADA* has authority to conduct results management in respect of that Anti-Doping Policy Violation.

ARTICLE 8: RIGHT TO A FAIR HEARING

8.1 Any *Athlete* or other *Person* who is asserted to have committed an Anti-Doping Policy Violation shall have a right to a hearing as provided in the *UFC* Arbitration Rules.

8.2 Waiver of Hearing

The right to a hearing may be waived either expressly or by the *Athlete's* or other *Person's* failure to challenge *USADA's* assertion that an Anti-Doping Policy Violation has occurred within the specific time period provided in *UFC's* policies.

ARTICLE 9: [INTENTIONALLY OMITTED]

ARTICLE 10: SANCTIONS ON INDIVIDUALS

10.1 *Disqualification of Results for an Anti-Doping Policy Violation in Connection with a Bout*

An Anti-Doping Policy Violation occurring during, or in connection with, a *Bout* may, upon the decision of *UFC*, lead to *Disqualification* of all of the *Athlete's* results obtained in that *Bout* with all *Consequences*, including, without limitation, forfeiture of title, ranking, purse or other compensation, except as provided in Article 10.1.1.

Factors to be included in considering whether to *Disqualify* an *Athlete's* results might include, for example, the seriousness of the *Athlete's* Anti-Doping Policy Violation and the *Athlete's* degree of *Fault*.

10.1.1 If the *Athlete* establishes that he or she bears *No Fault or Negligence* for the violation, at the discretion of the *UFC* and/or the relevant *Athletic Commission*, the *Athlete's* results in the *Bout* shall not be *Disqualified*, unless the *Athlete's* results were likely to have been affected by the *Athlete's* Anti-Doping Policy Violation.

10.2 *Ineligibility for Presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method*

The period of *Ineligibility* for a violation of Articles 2.1, 2.2 or 2.6 shall be as follows, subject to potential reduction or suspension pursuant to Articles 10.4, 10.5 or 10.6 or potential increase in the period of *Ineligibility* under Article 10.2.3:

10.2.1 The period of *Ineligibility* shall be two years where the Anti-Doping Policy Violation involves a *non-Specified Substance* or *Prohibited Method*.

10.2.2 The period of *Ineligibility* shall be one year where the Anti-Doping Policy Violation involves a *Specified Substance*.

10.2.3 The period of *Ineligibility* may be increased up to an additional two years where *Aggravating Circumstances* are present.

10.3 *Ineligibility* for Other Anti-Doping Policy Violations

The period of *Ineligibility* for Anti-Doping Policy Violations other than as provided in Article 10.2 shall be as follows, unless ~~Articles 10.5 or~~ Article 10.6 ~~are~~is applicable:

10.3.1 For violations of Article 2.3 or Article 2.5, the period of *Ineligibility* shall be a minimum of two years up to four years.

10.3.2 For violations of Article 2.4, the period of *Ineligibility* shall be two years, subject to reduction down to a minimum of six months, depending on the *Athlete's* degree of *Fault*. The flexibility between two years and six months of *Ineligibility* in this Article is not available to *Athletes* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* was trying to avoid being available for *Testing*.

10.3.3 For violations of Article 2.7 or 2.8, the period of *Ineligibility* shall be a minimum of four years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a *Minor* shall be considered a particularly serious violation and, if committed by *Athlete Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for the *Athlete Support Personnel*. In addition, ~~significant~~-violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, ~~shall~~may be reported to the competent administrative, professional or judicial authorities.

10.3.4 For violations of Article 2.9, the period of *Ineligibility* imposed shall be a minimum of two years, up to four years, depending on the seriousness of the violation.

10.3.5 For violations of Article 2.10, the period of *Ineligibility* shall be two years, subject to reduction down to a minimum of nine months, depending on the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case.

10.4 Elimination of the Period of *Ineligibility* where there is **No Fault or Negligence**

If an *Athlete* or other *Person* establishes in an individual case that he or she bears *No Fault or Negligence*, then the otherwise applicable period of *Ineligibility* shall be eliminated.

10.5 Reduction of the Period of *Ineligibility* based on degree of *Fault*

10.5.1 Reduction of Sanctions for *Specified Substances* or *Contaminated Products* for Violations of Article 2.1, 2.2 or 2.6.

10.5.1.1 Specified Substances

Where the Anti-Doping Policy Violation involves a *Specified Substance*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, the period of *Ineligibility* set forth in Article 10.2.2, depending on the *Athlete's* or other *Person's* degree of *Fault*.

10.5.1.2 Contaminated Products

In cases where the *Athlete* or other *Person* can establish that the detected *Prohibited Substance* came from a *Contaminated Product*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, the period of *Ineligibility* set forth in Article 10.2, depending on the *Athlete's* or other *Person's* degree of *Fault*.

10.5.1.3 For *Specified Substances* which are also drugs of abuse, the otherwise applicable period of *Ineligibility* may be reduced upon satisfactory completion of a rehabilitation program approved by *UFC* and *USADA*.

10.5.2 Other Anti-Doping Policy Violations

For Anti-Doping Policy Violations not described in Articles 10.5.1.1 or 10.5.1.2, subject to further reduction or elimination as provided in Article 10.6, the otherwise applicable period of *Ineligibility* may be reduced based on the *Athlete* or other *Person's* degree of *Fault*, but the reduced period of *Ineligibility* may not be less than one-quarter of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Article may be no less than eight years.

10.6 Elimination, Reduction, or Suspension of Period of *Ineligibility* or other *Consequences* for Reasons Other than *Fault*

10.6.1 *Substantial Assistance* in Discovering or Establishing Anti-Doping Policy Violations

10.6.1.1 *USADA* in its sole discretion may suspend all or part of the period of *Ineligibility* and other *Consequences* imposed in an individual case in which it has results management authority where the *Athlete* or other *Person* has provided *Substantial*

Assistance to USADA or another Anti-Doping Organization, criminal authority or professional disciplinary body which results in: (i) USADA or another Anti-Doping Organization discovering or bringing forward an Anti-Doping Policy Violation by another Person and the information provided by the Person providing Substantial Assistance is made available to USADA, or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another Person and the information provided by the Person providing Substantial Assistance is made available to USADA. The extent to which the otherwise applicable period of Ineligibility and other Consequences imposed may be suspended shall be based on the seriousness of the Anti-Doping Policy Violation committed by the Athlete or other Person and the significance of the Substantial Assistance provided by the Athlete or other Person to the effort to eliminate doping in sport. If the Athlete or other Person fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of the period of Ineligibility or other Consequences was based, USADA shall reinstate the original period of Ineligibility and other Consequences.

10.6.2 Admission of an Anti-Doping Policy Violation in the Absence of Other Evidence

Where an *Athlete* or other *Person* voluntarily admits the commission of an Anti-Doping Policy Violation before having received notice of a *Sample* collection which could establish an Anti-Doping Policy Violation (or, in the case of an Anti-Doping Policy Violation other than Article 2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.

10.6.3 Prompt Admission of an Anti-Doping Policy Violation

Where an *Athlete* or other *Person* promptly admits the asserted Anti-Doping Policy Violation after being confronted by *USADA*, that may be considered as a mitigating factor when the period of *Ineligibility* established by these Anti-Doping Policies is set forth as a high/low range. It shall also eliminate the possibility of sanction on account of *Aggravating Circumstances*.

10.7 Multiple Violations

10.7.1 For an *Athlete* or other *Person's* second Anti-Doping Policy Violation, the period of *Ineligibility* shall be the greater of:

- (a) six months;
- (b) one-half of the period of *Ineligibility* imposed for the first Anti-Doping Policy Violation without taking into account any reduction under Article 10.6; or
- (c) twice the period of *Ineligibility* otherwise applicable to the second Anti-Doping Policy Violation treated as if it were a first violation, without taking into account any reduction under Article 10.6.

The period of *Ineligibility* established above may then be further reduced by the application of Article 10.6.

10.7.2 A third Anti-Doping Policy Violation will result in a period of *Ineligibility* of a minimum of double the period of *Ineligibility* which would apply if it were a second violation up to lifetime *Ineligibility*.

10.7.3 An Anti-Doping Policy Violation for which an *Athlete* or other *Person* has established *No Fault or Negligence* shall not be considered a prior violation for purposes of this Article.

10.7.4 Additional Policies for Certain Potential Multiple Violations

10.7.4.1 For purposes of imposing sanctions under Article 10.7, an Anti-Doping Policy Violation will only be considered a second violation if *USADA* can establish that the *Athlete* or other *Person* committed the second Anti-Doping Policy Violation after the *Athlete* or other *Person* received notice pursuant to Article 7, or after *USADA* made reasonable efforts to give notice of the first Anti-Doping Policy Violation. If *USADA* cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

10.7.4.2 If, after the imposition of a sanction for a first Anti-Doping Policy Violation, *USADA* discovers facts involving an Anti-Doping Policy Violation by the *Athlete* or other *Person* which occurred prior to notification regarding the first violation, then *USADA* shall impose an additional sanction based on the sanction that could have been imposed if the two violations had been adjudicated at the same time. Results in all *Bouts* dating back to

the earlier Anti-Doping Policy Violation will be subject to *Disqualification* as provided in Article 10.8.

10.7.4.3 Decisions made either before or after the effective date of this Policy by an *Athletic Commission* or other *Anti-Doping Organization*, finding that an *Athlete* or other *Person* violated a rule involving *Prohibited Substances* or *Prohibited Methods* or committed an Anti-Doping Policy Violation may be considered in sanctioning or counted as a violation under this Article where the process was fair and the violation would also be a violation of these policies ~~or otherwise considered in sanctioning. Where such offense would not also constitute a violation under this Policy, then the offense shall not count as a violation for purposes of Article 10.7.~~

10.7.5 Multiple Anti-Doping Policy Violations during Ten-Year Period

For purposes of Article 10.7, each Anti-Doping Policy Violation must take place within the same ten-year period in order to be considered multiple violations.

10.8 *Disqualification of Results in Bouts* Subsequent to *Sample Collection* or *Commission of an Anti-Doping Policy Violation*

In addition to the *Disqualification* of the results of a *Bout* under Article 10.1, all other competitive results of the *Athlete* obtained from the date an Anti-Doping Policy Violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, may, unless fairness requires otherwise, be *Disqualified* by *UFC* with all of the resulting *Consequences* including, without limitation, forfeiture of any title, ranking, purse, or other compensation.

10.9 Allocation of Forfeited Compensation

Unless required otherwise by an *Athletic Commission*, forfeited compensation shall, at *UFC's* discretion, be applied to offset the costs of the Program or given to anti-doping research.

10.10 Additional Financial Consequences

In addition to the other *Consequences* described under this Article 10, *UFC* may impose a fine on an *Athlete* or other *Person* who commits an Anti-Doping Policy Violation up to the sum of \$500,000 depending on the seriousness of the violation and the relative compensation of the *Athlete* or other *Person*. All money received by *UFC* on account of fines shall be applied in the same manner as provided in Article 10.9.

The imposition of a financial sanction by *UFC* shall not be considered a basis for reducing the *Ineligibility* period or other sanction which would otherwise be applicable under this Anti-Doping Policy.

10.11 Commencement of *Ineligibility* Period

Except as provided below, the period of *Ineligibility* shall start on the date of the final hearing decision providing for *Ineligibility* or, if the hearing is waived or there is no hearing, on the date *Ineligibility* is accepted or otherwise imposed.

10.11.1 Delays Not Attributable to the *Athlete* or other *Person*

Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete* or other *Person*, *USADA* may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another Anti-Doping Policy Violation last occurred. All *Bout* results achieved during the period of *Ineligibility*, including retroactive *Ineligibility*, may be *Disqualified* by *UFC*.

10.11.2 Timely Admission

Where the *Athlete* or other *Person* promptly (which, in all cases, for an *Athlete* means before the *Athlete Bouts* again) admits the Anti-Doping Policy Violation after being confronted with the Anti-Doping Policy Violation by *USADA*, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another Anti-Doping Policy Violation last occurred. In each case, however, where this Article is applied, the *Athlete* or other *Person* shall serve at least one-half of the period of *Ineligibility* going forward from the date the *Athlete* or other *Person* accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed. This Article shall not apply where the period of *Ineligibility* has already been reduced under Article 10.6.3.

10.11.3 Credit for *Provisional Suspension* or Period of *Ineligibility* Served

10.11.3.1 If a *Provisional Suspension* is imposed on, or voluntarily accepted by, an *Athlete* or other *Person* and that *Provisional Suspension* is respected, then the *Athlete* or other *Person* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed.

10.11.3.2 No credit against a period of *Ineligibility* shall be given for any time period before the effective date of the

Provisional Suspension, or suspension by any *Athletic Commission*, regardless of whether the *Athlete* elected not to compete.

10.12 Status during *Ineligibility*

10.12.1 Prohibition against Participation during *Ineligibility*

No *Athlete* or other *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in connection with a *UFC Bout*, or any match or competition sanctioned or licensed by an *Athletic Commission*, or participate in any capacity in a competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by any *Signatory*, *Signatory's* member organization, or a club or other member organization of a *Signatory's* member organization.

10.12.2 Violation of the Prohibition of Participation during *Ineligibility*

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.12.1, the results of such participation shall be *Disqualified* and a new period of *Ineligibility* equal in length up to the original period of *Ineligibility* shall be added to the end of the original period of *Ineligibility*. The new period of *Ineligibility* may be adjusted based on *USADA's* assessment of the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case.

Where an *Athlete Support Person* or other *Person* assists a *Person* in violating the prohibition against participation during *Ineligibility*, *USADA* shall impose sanctions for a violation of Article 2.9 for such assistance.

10.13 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication, as provided in Article 14.3.

ARTICLE 11: [INTENTIONALLY OMITTED]

ARTICLE 12: [INTENTIONALLY OMITTED]

ARTICLE 13: [INTENTIONALLY OMITTED]

ARTICLE 14: CONFIDENTIALITY AND REPORTING

14.1 Information Concerning *Adverse Analytical Findings, Atypical Findings, and Other Asserted Anti-Doping Policy Violations*

14.1.1 Notice of Anti-Doping Policy Violations to *Athletes* and other *Persons*

Notice to *Athletes* or other *Persons* of Anti-Doping Policy Violations asserted against them shall occur as provided under Articles 7 and 14 of this Anti-Doping Policy.

14.1.2 Notice of Anti-Doping Policy Violations to *Athletic Commissions* and other *Anti-Doping Organizations*

Notice of the assertion of an Anti-Doping Policy Violation may be given to any *Athletic Commission*, where an *Athlete* or *Athlete Support Person* is licensed or subject to state law or regulation, or to any relevant *Anti-Doping Organization*, *simultaneously with, or after, notice to the Athlete or other Person*.

14.1.3 Content of an Anti-Doping Policy Violation Notice

Notification of an Anti-Doping Policy Violation under Article 2.1 shall include, at a minimum: the *Athlete's* name and country, whether the violation was in connection with a particular *Bout*, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection, the analytical result reported by the laboratory, and other information as required by the *International Standard* for Testing and Investigations.

Notice of Anti-Doping Policy Violations other than under Article 2.1 shall include, at a minimum: the policy violated, the basis of the asserted violation, and whether the violation was in connection with a particular *Bout*. The failure to properly identify the *Bout[s]*, if any, with which a violation may be connected shall not invalidate the notice or effect the *Disqualification* of results under this Policy.

14.1.4 Status Reports

When *USADA* has *given* notice of an Anti-Doping Policy Violation under Article 14.1.2, *UFC* shall provide a written explanation of the resolution of the matter to any *Athletic Commission* or *Anti-Doping Organization* which has been notified.

14.2 [INTENTIONALLY OMITTED]

14.3 *Public Disclosure*

14.3.1 The identity of any *Athlete* or other *Person* who is asserted by *USADA* to have committed an Anti-Doping Policy Violation, as well as the factual basis of the assertion, may be *Publicly Disclosed* by *UFC* after notice to the *Athlete* or other *Person* has been provided in accordance with Articles 7.1.3, 7.2.4, 7.3, 7.4, and 7.5.

14.3.2 No later than twenty days after a decision has been rendered in a hearing in accordance with Article 8 or the right to a hearing has been waived, or the assertion of an Anti-Doping Policy Violation has not been timely challenged, *UFC* shall *Publicly Report* the disposition of the matter, including the Anti-Doping Policy violated, the name of the *Athlete* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved (if any), and the *Consequences* imposed.

14.3.3 In any case where it is determined, after a hearing, that the *Athlete* or other *Person* did not commit an Anti-Doping Policy Violation, the decision may, unless the Anti-Doping Policy Violation has previously been *Publicly Disclosed*, only be *Publicly Disclosed* with the consent of the *Athlete* or other *Person* who is the subject of the decision.

14.3.4 Publication shall be accomplished at a minimum by placing the required information on ~~UFC's website~~ the UFC anti-doping website (www.UFC.USADA.org) and leaving the information up for the longer of one month or the duration of any period of *Ineligibility* or by publishing it through other means.

14.3.5 Neither *USADA* nor any *WADA*-accredited laboratory, or official of either, shall publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Athlete*, other *Person* or their representatives.

14.3.6 The mandatory *Public Reporting* required in Article 14.3.2 shall not be required where the *Athlete* or other *Person* who has been found to have committed an Anti-Doping Policy Violation is a *Minor*. Any optional *Public Reporting* in a case involving a *Minor* shall be proportionate to the facts and circumstances of the case.

14.4 **Statistical Reporting**

UFC may publish general statistical reports of its *Doping Control* activities. *UFC* may also publish reports showing the name of any *Athletes* tested and the date of each *Testing*.

14.5 Data Privacy

14.5.1 *UFC* and *USADA* may collect, store, process or disclose personal information relating to *Athletes* and other *Persons* where necessary and appropriate to conduct its anti-doping activities under the *International Standards* (including specifically the *International Standard* for the Protection of Privacy and Personal Information) and this Anti-Doping Policy.

14.5.2 Any *Athlete* who submits information including personal data to *UFC*, *USADA* or any *Person* in accordance with this Anti-Doping Policy shall be deemed to have agreed, pursuant to applicable data protection laws and otherwise, that such information may be collected, processed, disclosed and used by *UFC*, *USADA* or such *Person* for the purposes of the implementation of this Anti-Doping Policy, in accordance with the *International Standard* for the Protection of Privacy and Personal Information and otherwise as required to implement this Anti-Doping Policy.

14.5.3 No data submitted or acquired as a result of any application for a *TUE*, *Sample* collection or analysis or anti-doping investigation shall be considered medical information or health care information.

14.6 Sharing of Information in Connection with an Investigation

UFC or *USADA* may share confidential information with an *Athletic Commission* or any *Code Signatory Anti-Doping Organization* in connection with an investigation being conducted by *UFC*, *USADA*, an *Athletic Commission*, or that other *Anti-Doping Organization*.

ARTICLE 15: APPLICATION AND RECOGNITION OF DECISIONS

15.1 *Testing*, hearing results or other final adjudications of any *Athletic Commission* or other *Anti-Doping Organization* which are consistent with this Anti-Doping Policy and are within that party's authority shall be recognized and respected by *UFC*.

15.2 It is the expectation of *UFC*, and *Athletes*, *Athlete Support Personnel*, and other *Persons* subject to this Anti-Doping Policy that any decision of *UFC* or *USADA* regarding a violation of this Anti-Doping Policy will be recognized by all *Athletic Commissions*, other promoters whose competitions are approved or licensed by *Athletic Commissions*, and other *Anti-Doping Organizations*, which shall take all necessary action to render *UFC's* or *USADA's* decision effective.

ARTICLE 16: [INTENTIONALLY OMITTED]

ARTICLE 17: STATUTE OF LIMITATIONS

No Anti-Doping Policy Violation proceeding may be commenced against an *Athlete* or other *Person* unless he or she has been notified of the Anti-Doping Policy Violation as provided in Article 7, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.

ARTICLE 18: EDUCATION

UFC and *USADA* shall plan, implement, evaluate and monitor information, education and prevention programs for doping-free sport and shall support active participation by *Athletes* and *Athlete Support Personnel* in such programs.

ARTICLE 19: [INTENTIONALLY OMITTED]

ARTICLE 20: AMENDMENT AND INTERPRETATION OF THESE ANTI-DOPING POLICIES

20.1 This Anti-Doping Policy may be amended from time to time by *UFC*. Unless otherwise indicated, any amendments shall go into effect 30 days after publication on the *UFC* anti-doping website (www.UFC.USADA.org).

20.2 This Anti-Doping Policy shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

20.3 The headings used for the various Parts and Articles of this Anti-Doping Policy are for convenience only and shall not be deemed part of the substance of this Anti-Doping Policy or to affect in any way the language of the provisions to which they refer.

20.4 The *Code*, the comments annotating various provisions of the *Code*, and the *International Standards* may be used to interpret this Anti-Doping Policy, unless there is a conflict, in which case this Anti-Doping Policy shall prevail.

20.5 ~~This~~The *UFC* Anti-Doping Policy has come~~Program entered~~ into full force and effect on July 1, 2015 (the "EffectiveProgram Start Date"). Except as provided in the "Scope and Application of the Policy" ~~it~~this Anti-Doping Policy shall not apply retroactively to matters pending before the EffectiveProgram Start Date; provided, however, that conduct disclosed pursuant to Article 2.5.2 and Anti-Doping Policy Violations established by *Athletic Commissions* or other *Anti-Doping Organizations* prior to the EffectiveProgram Start Date may count

as "first violations" or "second violations" for purposes of determining sanctions under Article 10 for violations taking place after the Effective Program Start Date.

20.6 The official text of this Anti-Doping Policy shall be English. In the event of a conflict between the English and any other translation, the English version shall prevail.

ARTICLE 21: ADDITIONAL ROLES AND RESPONSIBILITIES OF *ATHLETES* AND OTHER *PERSONS*

21.1 Roles and Responsibilities of *Athletes*

21.1.1 To be knowledgeable of and comply with this Anti-Doping Policy.

21.1.2 To be available for *Sample* collection at all times.

21.1.3 To take responsibility, in the context of anti-doping, for what they ingest and *Use*.

21.1.4 To inform medical personnel of their obligation not to *Use Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate this Anti-Doping Policy.

21.1.5 To disclose to *UFC* and *USADA* any decision by an *Athletic Commission* or non-*Signatory* finding that the *Athlete* committed a doping violation within the previous ten years.

21.1.6 To cooperate with *UFC's* and *USADA's* investigations of Anti-Doping Policy Violations. Failure by any *Athlete* to cooperate in full with a *UFC* or *USADA* investigation of an Anti-Doping Policy Violation may result in a charge of misconduct under *UFC's* Fighter Conduct Policy or other disciplinary rules.

21.2 Roles and Responsibilities of *Athlete Support Personnel*

21.2.1 To be knowledgeable of and comply with this Anti-Doping Policy.

21.2.2 To cooperate with the *Athlete Testing* program.

21.2.3 To use his or her influence on *Athlete* values and behavior to foster anti-doping attitudes.

21.2.4 To disclose to *UFC* and *USADA* any decision by an *Athletic Commission* or non-*Signatory* finding that the he or she committed doping violation within the previous ten years.

21.2.5 To cooperate with *UFC's* and *USADA's* investigations of Anti-Doping Policy Violations. Failure by any *Athlete Support Personnel* to cooperate in full with a *UFC* or *USADA* investigation of Anti-Doping Policy Violations may result in a charge of misconduct under *UFC's* disciplinary rules.

21.2.6 *Athlete Support Personnel* shall not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification. *Use* or *Possession* of a *Prohibited Substance* or *Prohibited Method* by *Athlete Support Personnel* without valid justification may result in a charge of misconduct under *UFC's* disciplinary rules.

ARTICLE 22: WAIVER AND RELEASE

As a condition of participating in or preparing for a *Bout* or working with an *Athlete* who is participating in or preparing for a *Bout*, *Athletes*, *Athlete Support Personnel* and other *Persons* agree to release and hold harmless *UFC*, *USADA* and their designees from any claim, demand or cause of action, known or unknown, now or hereafter arising, including attorney's fees, resulting from acts or omissions which occurred in good faith.

ARTICLE 23: TRANSITIONAL PROVISIONS

23.1 General Application of the 2017 Anti-Doping Policy

The 2017 Anti-Doping Policy shall apply in full as of April 1, 2017 (the "Effective Date").

23.2 Non-Retroactive Unless Principles of "Lex Mitior" Applies

With respect to any Anti-Doping Policy Violation case which is pending as of the Effective Date and any Anti-Doping Policy Violation case brought after the Effective Date based on an Anti-Doping Policy Violation which occurred prior to the Effective Date, the case shall be governed by the substantive anti-doping rules in effect at the time the alleged Anti-Doping Policy Violation occurred unless the current rules would be more beneficial to the Athlete or other Person and the panel hearing the case determines that the circumstances of the case warrant the application of those rules.

23.3 Application to Decisions Rendered Prior to the 2017 Anti-Doping Policy

The 2017 Anti-Doping Policy shall have no application to any Anti-Doping Policy Violation case where a final decision finding an Anti-Doping Policy Violation has been rendered and the period of *Ineligibility* has expired.

23.4 Additional Anti-Doping Policy Amendments

Any additional Anti-Doping Policy Amendments shall go into effect as provided in Article 20.1.

APPENDIX 1 DEFINITIONS

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the *Use* or *Attempted Use* by another *Person* of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method* used for genuine and legal therapeutic purposes or other acceptable justification and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the *International Standard* for Laboratories and related Technical Documents, identifies in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use* of a *Prohibited Method*.

Adverse Passport Finding: A report identified as an *Adverse Passport Finding* as described in the applicable *International Standards*.

Aggravating Circumstances: *Aggravating Circumstances* exist where the Anti-Doping Policy Violation was intentional, the Anti-Doping Policy Violation had significant potential to enhance an *Athlete's Bout* performance, and one of the following additional factors is present: the *Athlete's* or other *Person* committed the Anti-Doping Policy Violation as part of a doping plan or scheme, either individually or involving a conspiracy or common enterprise to commit an Anti-Doping Policy Violation; the *Athlete* or other *Person Used* or *Possessed* multiple *Prohibited Substances* or *Prohibited Methods* or *Used* or *Possessed* a *Prohibited Substance* or *Prohibited Method* on multiple occasions; the *Athlete* or *Person* engaged in deceptive or obstructing conduct to avoid the detection or adjudication of an Anti-Doping Policy Violation.

Anti-Doping Organization: UFC, USADA, WADA, a *Code Signatory*, or other organization that is responsible for conducting an anti-doping program.

Athlete: Any fighter who ~~is under contract~~ has executed a *Promotional Agreement* with ~~the UFC, or participates as a fighter in UFC Bouts, or is scheduled~~ to participate as a fighter in a UFC Bout. For purposes of *Administration* or *Attempted Administration* under Article 2.8, the term "*Athlete*" shall refer to both UFC-Bouts-contracted fighters and non-UFC fighters competing in amateur or professional mixed martial arts.

Athlete Biological Passport: The program and methods of gathering and collating data as described in the *International Standard* for Testing and Investigations and *International Standard* for Laboratories.

Athlete-Initiated Inactivity: See *Inactivity (Athlete-Initiated)*, below.

Athlete Support Personnel: Any ~~coach, trainer, corner man, second, manager, agent, official, medical or paramedical personnel, or any other~~ Person directly working with, treating or assisting an Athlete ~~participating in or preparing for~~ in a *Bout/Professional or Sport Related Capacity*.

Athletic Commission: Any regulatory body established or recognized by a state or other governmental entity with authority to regulate, approve, sanction or license mixed martial arts competitions or the *Participants* in those competitions.

Attempt: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an Anti-Doping Policy Violation. Provided, however, there shall be no Anti-Doping Policy Violation based solely on an *Attempt* to commit a violation if the *Person* renounces the *Attempt* prior to it being discovered by a third party not involved in the *Attempt*.

Atypical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory which requires further investigation as provided by the *International Standard* for Laboratories or related Technical Documents prior to the determination of an *Adverse Analytical Finding*.

Atypical Passport Finding: A report described as an *Atypical Passport Finding* as described in the applicable *International Standards*.

Bout: A mixed martial arts contest or exhibition promoted or otherwise conducted by UFC.

Code: The World Anti-Doping Code.

Consequences of Anti-Doping Policy Violations ("Consequences"): An Athlete's or other Person's violation of an Anti-Doping Policy may result in one or more of the following: (a) *Disqualification* means the Athlete's results in a particular *Bout* are invalidated, with all resulting *Consequences* including, without limitation, potential forfeiture of title, ranking, purse or other compensation; (b) *Ineligibility* means the Athlete or other Person is barred on account of an Anti-Doping Policy Violation for a specified period of time from participating in connection with any *Bout* or competition as provided in Article 10.12.1; (c) *Provisional Suspension* means the Athlete or other Person is barred temporarily from participating in connection with any *Bout* or competition prior to the final decision at a hearing conducted under Article 8; (d) *Financial Consequences* means a financial sanction imposed for an Anti-Doping Policy Violation; and (e) *Public Disclosure or Public Reporting* means the dissemination or distribution of information to the general public.

Contaminated Product: A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable Internet search.

Disqualification: See *Consequences of Anti-Doping Policy Violations* above.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any hearing including all steps and processes in between such as provision of whereabouts information, *Sample* collection and handling, laboratory analysis, *TUEs*, results management and hearings.

Fault: *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an *Athlete* or other *Person's* degree of *Fault* include, for example, the *Athlete's* or other *Person's* experience, whether the *Athlete* or other *Person* is a *Minor*, special considerations such as impairment, the degree of risk that should have been perceived by the *Athlete* and the level of care and investigation exercised by the *Athlete* in relation to what should have been the perceived level of risk. In assessing the *Athlete's* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Athlete's* or other *Person's* departure from the expected standard of behavior. If the *Athlete* or other *Person* can establish that the violation was not intended to enhance an *Athlete's* performance, that factor may also be considered in assessing the *Athlete's* or other *Person's* degree of *Fault*.

Fight Card: A program of the *Bouts* scheduled to take place during a *UFC* promoted mixed martial arts event.

Financial Consequences: see See *Consequences of Anti-Doping Policy Violations*, above.

In-Competition: For purposes of this Anti-Doping Policy, "In-Competition" means the period commencing six hours at noon on the day prior to the commencement of the scheduled weigh-in and ending six hours after the conclusion scheduled start of the *Fight Card* on which a *Bout* is contested and ending upon the completion of the post-*Bout Sample* or *Specimen* collection. If a post-*Bout Sample* or *Specimen* collection is not initiated by *USADA* within a reasonable time, which will not exceed one hour following an *Athlete's* post-*Bout* medical clearance, then the *In-Competition* period shall expire at that time.

Inactivity (Athlete-Initiated): An *Athlete* shall be considered inactive due to *Athlete-Initiated Inactivity* when the *Athlete*, while within the term defined in his/her *Promotional Agreement*, informs *UFC* and *USADA* of his/her retirement or hiatus from *UFC* competition, and is thereafter relieved of his/her obligation to provide whereabouts information or make him/herself available for *Testing* by *USADA*.

Inactivity (UFC-Initiated): An *Athlete* shall be considered inactive due to *UFC-Initiated Inactivity* when the *Athlete* no longer has a contractual relationship with the *UFC* due to the termination of the *Promotional Agreement* by *UFC* or refusal by *UFC* to renew or otherwise continue the contractual relationship with *Athlete* upon the expiration of the *Promotional Agreement*.

Ineligibility: See *Consequences of Anti-Doping Policy Violations* above.

International Standard: A standard adopted by WADA in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly. *International Standards* shall include any Technical Documents issued pursuant to the *International Standard*.

Marker: A compound, group of compounds or biological variable(s) that indicates the Use of a *Prohibited Substance* or *Prohibited Method*.

Metabolite: Any substance produced by a biotransformation process.

Minor: A natural *Person* who has not reached the age of eighteen years.

No Fault or Negligence: The *Athlete* or other *Person* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method* or otherwise violated an Anti-Doping Policy. Except in the case of a *Minor*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered his or her system.

Out-of-Competition: Any period which is not *In-Competition*.

Participant: Any *Athlete* or *Athlete Support Person*.

Person: A natural *Person*, including but not limited to an *Athlete* or *Athlete Support Personnel*, or an organization or other entity.

Possession: The actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the *Person* has exclusive control or intends to exercise control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists); provided, however, that if the *Person* does not have exclusive control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists, constructive *Possession* shall only be found if the *Person* knew about the presence of the *Prohibited Substance* or *Prohibited Method* and intended to exercise control over it. Provided, however, there shall be no Anti-Doping Policy Violation based solely on *Possession* if, prior to receiving notification of any kind that the *Person* has committed an Anti-Doping Policy Violation, the *Person* has taken concrete action demonstrating that the *Person* never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to an *Anti-Doping Organization*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes *Possession* by the *Person* who makes the purchase.

Professional or Sport Related Capacity: Acting in a *Professional* or *Sport Related Capacity* shall include, without limitation, acting as a manager, coach, trainer, second, corner man, agent, official, medical or paramedical personnel. For purposes

of this Policy, it shall not include indirect or peripheral involvement in an Athlete's training, or acting as an Athlete's training partner.

Prohibited List: The List identifying the *Prohibited Substances* and *Prohibited Methods*.

Prohibited Method: Any method so described on the *Prohibited List*.

Prohibited Substance: Any substance, or class of substances, so described on the *Prohibited List*.

Promotional Agreement: A Promotional and Ancillary Rights Agreement or similar contractual relationship by and between UFC and an Athlete.

Provisional Hearing: For purposes of Article 7.97, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

Provisional Suspension: See *Consequences of Anti-Doping Policy Violations* above.

Publicly Disclose or Publicly Report: See *Consequences of Anti-Doping Policy Violations* above.

Sample or Specimen: Any biological material collected for the purposes of *Doping Control*.

Signatories: Those sports organizations which have signed and agreed to comply with the Code.

Specified Substance: See Article 4.2.2.

Substantial Assistance: For purposes of Article 10.6.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or she possesses in relation to Anti-Doping Policy Violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by *USADA* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Tampering: Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring.

Target Testing: Selection of specific *Athletes* for *Testing* based on criteria set forth in the *International Standard for Testing and Investigations*.

Testing: The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

Trafficking: Selling, giving, transporting, sending, delivering or distributing (or *Possessing* for any such purpose) a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by an *Athlete*, *Athlete Support Person* or any other *Person* subject to the jurisdiction of an *Anti-Doping Organization* to any third party; provided, however, this definition shall not include the actions of "bona fide" medical personnel involving a *Prohibited Substance* used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* are intended to enhance sport performance and not for genuine and legal therapeutic purposes.

TUE: Therapeutic Use Exemption, as described in Article 4.4.

UFC: Ultimate Fighting Championship and any entity to which *UFC* delegates responsibilities or authority under this Anti-Doping Policy, including, but not limited to, the United States Anti-Doping Agency.

UFC-Initiated Inactivity: [See *Inactivity \(UFC-Initiated\)*, above.](#)

USADA: United States Anti-Doping Agency or any entity contracted by *UFC* to fulfill the responsibilities under this Anti-Doping Policy.

Use: The utilization, application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or *Prohibited Method*.

WADA: The World Anti-Doping Agency.

Whereabouts Failure: The failure by any *Athlete* to comply with the ~~UFC~~UFC's Whereabouts Policy by failing to timely, accurately and completely provide required whereabouts information and/or for being unavailable for *Testing* due to inaccurate information provided on the Whereabouts Filing.