

UFC ANTI-DOPING POLICY



UFC Anti-Doping Program



Effective January 1, 2022

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PROGRAM OBJECTIVES

This Anti-Doping Policy is a central and integral part of *UFC's* efforts to protect the health and safety of its *Athletes*, and their right to compete on a level playing field. *UFC's* goal for this Anti-Doping Policy is to be the best, most effective and progressive 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, other *Anti-Doping Organizations*, or other third-party providers of anti-doping services. Other than where express rights are reserved or delegated to *UFC*, 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 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; (for the avoidance of doubt, if an *Athlete* returns to *UFC* under the same or a new *Promotional Agreement*, this Anti-Doping Policy shall apply to such *Athlete*); and
- B.** All *Athlete Support Personnel* who 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 Person*, or other *Person* who commits an Anti-Doping Policy Violation while subject to this Anti-Doping Policy shall remain subject to this Anti-Doping Policy for purposes of results management and *Consequences* (to the extent applicable) 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 by USADA that one or more of these specific policies has been violated.

Athletes or other *Persons* subject to this Anti-Doping Policy shall be responsible for knowing what constitutes an Anti-Doping Policy Violation and the substances and methods included on the *UFC 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 (subject to the other express provisions of this Anti-Doping Policy that do incorporate concepts of intent, knowledge, *Fault*, *No Fault* or *Negligence* or other evidentiary standards).
- 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, after notice to the *Athlete* is provided in Article 7, the B *Sample* is not analyzed (including due to the *Athlete's* waiver of its right to have to the B *Sample* 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* A or B *Sample* is split into two parts and the analysis of the confirmation part of the split *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first part of the split *Sample* or the *Athlete* waives analysis of the confirmation part of the split *Sample*.
- 2.1.3. Except for those substances for which a quantitative threshold or *Decision Concentration Level* is specifically identified in the *UFC Prohibited List*, and as provided in Articles 2.1.3.1 and 2.1.3.2, 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.

- 2.1.3.1 Solely for those *Prohibited Substances* for which a *Decision Concentration Level* is specifically identified in the *UFC*

Prohibited List, if the A or B *Sample* is below the applicable *Decision Concentration Level*, then such finding shall be treated as an *Atypical Finding* under this Anti-Doping Policy.

- 2.1.3.2 Solely for those *Prohibited Substances* for which a *Decision Concentration Level* is specifically identified in the *UFC Prohibited List*, if both of the *Athlete's* A and B *Samples* are at or above the applicable *Decision Concentration Level*, then the *Athlete* shall not be permitted to challenge, in a hearing or otherwise, that the *Athlete's* A and/or B *Sample* was below the applicable *Decision Concentration Level* (provided that, this provision shall not limit the *Athlete's* right to challenge, in a hearing or otherwise, whether the *Prohibited Substance* was present in the *Athlete's* A and/or B *Samples*).
- 2.1.4. As an exception to the general rule of Article 2.1, the *International Standards* and *WADA Technical Documents* or the *UFC Prohibited List* may establish special criteria for the evaluation of specific *Prohibited Substances* and *Prohibited Methods*.
- 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 any *Prohibited Substance* or *Prohibited Method* included on the *UFC 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, except as specifically provided otherwise in this Anti-Doping Policy, 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* (subject to the other express provisions of this Anti-Doping Policy that do incorporate concepts of intent, knowledge, *Fault*, *Negligence* and other standards).
- 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

Intentionally evading *Sample* collection, or without compelling justification, intentionally refusing or intentionally or negligently 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**

Intentional 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 the following:

- 2.5.1. Offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *UFC* or *USADA* or *TUE* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *UFC* or *USADA* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.
- 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 clomiphene, a *Non-Specified Method*, or a *Non-Specified Substance* prohibited at all times by the *UFC 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 or Attempted Complicity by an Athlete or Other Person**

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 Anti-Doping 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* or *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* under Article 10.12.1.2; 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 Articles 2.10.1 or 2.10.2.

To establish a violation of Article 2.10, *USADA* must establish that the *Athlete* or other *Person* knew 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 Article 2.10 do not apply to him or her.

The burden shall be on the *Athlete* or other *Person* to establish that any association with an *Athlete Support Person* described in Article 2.10.1 or 2.10.2 is not in a *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 with *Clear and Convincing* evidence. 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 preponderance of the evidence except as otherwise provided herein.

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. *Decision Concentration Levels* set forth in the *UFC Prohibited List* shall not be subject to challenge.
- 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 irrefutable 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 a reasoned 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 written 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.

- 3.2.6. The presumptions set forth in Article 3.2.1 and 3.2.2 may be rebutted by an *Athlete* or other *Person* as provided in Article 3.1.

ARTICLE 4: THE UFC PROHIBITED LIST AND TUES

4.1. Incorporation of the UFC Prohibited List

This Anti-Doping Policy hereby incorporates the *UFC Prohibited List*. Unless provided otherwise in the *UFC Prohibited List* and/or a revision thereof, the *UFC Prohibited List* and revisions shall go into effect under this Anti-Doping Policy three months after publication by UFC (or, to the extent applicable, WADA), without requiring any further action by UFC. All *Athletes* and other *Persons* shall be bound by the *UFC 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 *UFC Prohibited List* and all revisions thereto.

4.2. Prohibited Substances and Prohibited Methods Identified on the UFC Prohibited List

4.2.1. Prohibited Substances and Prohibited Methods

The *UFC Prohibited List* (which incorporates the WADA Prohibited List as further described therein) 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 and Specified Methods.

For purposes of the application of Article 10, the *UFC Prohibited List* (which incorporates the WADA Prohibited List as further described therein) shall identify which *Prohibited Substances* are *Specified* or *Non-Specified Substances* and which *Prohibited Methods* are *Specified* or *Non-Specified Methods*. If not otherwise specifically identified on the *UFC Prohibited List*, the identification of a *Prohibited Substance* or a *Prohibited Method* as a *Specified* or *Non-Specified Substance* or *Method* in the WADA Prohibited List or Code shall apply.

4.3. UFC's Determination of the Prohibited List

UFC's or WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *UFC Prohibited List*, the classification of substances into categories on the *UFC 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 Anti-Doping 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 prohibitions set forth in this Anti-Doping Policy 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 and type of tests to be performed, in accordance with the criteria established by the *International Standard* for Testing and Investigations and this Anti-Doping Policy. 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 *Adverse Analytical Findings*, *Atypical Findings*, *Atypical Passport Findings* and *Adverse Passport Findings*, in accordance with Articles 7.1, 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

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.

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 six months before returning to competition. *UFC* may grant an exemption to the six-month written notice rule in exceptional circumstances or where the strict application of that rule would be manifestly unfair to an *Athlete* provided that in either instance the *Athlete* provides a minimum of two negative *Samples* before returning to competition.

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 clomiphene, a *Non-Specified Method*, or a *Non-Specified Substance* prohibited at all times by the *UFC Prohibited List* while the *Athlete* was not subject to an Anti-Doping Policy, 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 or one year after the *Athlete's* last established *Use*, whichever is shorter. 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 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 six months) to *UFC* of his/her intent to resume competing and has made him/herself available for *Testing* 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. Nothing in this Article shall prevent USADA from using other laboratories to conduct other types of forensic analysis (e.g. DNA testing or fingerprinting) or seeking the advice of outside experts.

6.2. Purpose of Analysis of Samples

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 before the *Athlete's* written consent has been given. *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 in accordance with this Anti-Doping Policy 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*, or is below the *Decision Concentration Level* and will therefore be administered by USADA as an *Atypical Finding*, USADA shall, except in the case of *Atypical Findings*, promptly and simultaneously give written notice to the *Athlete* and UFC, and may also give notice to an *Athletic Commission*, if applicable. Written notice shall include the information described in Article 14.1.1.1, 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 chooses 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; and (f) 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*. USADA shall promptly provide the *Athlete* with an abbreviated A *Sample* documentation package. Upon receipt of the complete A *Sample* documentation package from the laboratory, USADA shall provide the complete A *Sample* documentation package to the *Athlete* containing all information required by the *International Standard for Laboratories*, unless the *Athlete's* case has been resolved by agreement between USADA and 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*, or such longer time as may be reasonably required under the circumstances without undue delay. 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*, or such longer time as may be reasonably required under the circumstances without undue delay. 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 presence of a *Prohibited Substance* or *Prohibited Method* in the *Sample* (except as contemplated by Article 2.1.3.1)), or the B *Sample* analysis is not requested or is waived (in accordance with this Anti-Doping Policy), the *Athlete* shall be given written notice of: (a) the Anti-Doping Policy Violation asserted; (b) the basis of that assertion, (c) the additional information set forth in Article 14.1.1.1; (d) the *Consequences* that *USADA* will seek to impose; (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 in subsection (e) of this Article, the *Consequences* will be imposed immediately. If not already provided to *Athlete*, once received by *USADA*, *USADA* shall promptly provide the *Athlete* with copies of the complete A and B *Sample* laboratory documentation packages that include all information required by the *International Standard for Laboratories*. *USADA* shall not be required to provide B *Sample* documentation if the *Athlete* waives analysis of its B *Sample*.
- 7.1.8. Written notice to an *Athlete* or other *Person*, for all purposes of this Anti-Doping 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.
- 7.1.9. When a reported *Adverse Analytical Finding* is at a concentration below the *Decision Concentration Level* set forth in the *UFC Prohibited List*, the *Sample* shall be reviewed by *USADA* as an *Atypical Finding*. *USADA* may establish that such *Atypical Finding* is an Anti-Doping Policy Violation if, and only if, *USADA* establishes that the *Athlete* intentionally used or actually knew it used such *Prohibited Substance* or *Prohibited Method*, or recklessly disregarded an obvious risk that such *Athlete* was using a

Prohibited Substance or *Prohibited Method*. In the case of a *Substance of Abuse* reported below an applicable *Decision Concentration Level*, *USADA* must establish that the *Athlete* intentionally used the *Prohibited Substance* for performance enhancing purposes.

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 certain other *Prohibited Substances*, 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 written 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* or *USADA* is asked by an *Athletic Commission* that has jurisdiction over an *Athlete* at the time of sample collection or jurisdiction over such *Athlete* with respect to a disciplinary or licensing hearing scheduled with the *Athlete* for which pending *Atypical Findings* are relevant or such a hearing is contemplated or disciplinary action by the *Athletic Commission* is being investigated, to disclose whether an *Athlete* licensed by the *Athletic Commission* has a pending *Atypical Finding*,

UFC or USADA may so advise the *Athletic Commission* upon confirmation that such *Atypical Finding* has been disclosed to the applicable *Athlete*. USADA shall provide prior notice to UFC and USADA shall consult with UFC regarding whether the *Athletic Commission* has the requisite jurisdiction. If, following consultation, USADA disagrees with UFC's determination regarding jurisdiction of the *Athletic Commission*, and USADA desires to proceed with disclosure to the *Athletic Commission*, then, prior to such disclosure, and unless otherwise mutually agreed by USADA and UFC, USADA and UFC shall jointly submit the dispute on jurisdiction to the Arbitrator (which, as of the date of this Anti-Doping Policy, is McLaren Global Sport Solutions Inc.) for final determination by a single arbitrator in an expedited telephonic arbitration, and USADA and UFC will use their respective reasonable efforts to complete the arbitration, and instruct the Arbitrator to render a decision, within 48 hours of the dispute having been referred to the Arbitrator (the costs of such arbitration shall be borne by the non-prevailing party in such arbitration).

- 7.2.5.3. If an *Athletic Commission* that has requested test results and has jurisdiction over an *Athlete* at the time of sample collection or jurisdiction over such *Athlete* with respect to a disciplinary or licensing hearing scheduled with the *Athlete* for which the test results are relevant or such a hearing is contemplated or disciplinary action by the *Athletic Commission* is being investigated, and USADA is aware that a laboratory report of an *Adverse Analytical Finding* below a *Decision Concentration Level* may be evidence of a violation of the rules or regulations of an *Athletic Commission*, USADA may give notice to the *Athletic Commission* with prior notice to the UFC, unless time is of the essence. USADA shall consult with UFC regarding whether the *Athletic Commission* has the requisite jurisdiction. If, following consultation, USADA disagrees with UFC's determination regarding jurisdiction of the *Athletic Commission*, and USADA desires to proceed with disclosure to the *Athletic Commission*, then, prior to such disclosure, and unless otherwise mutually agreed by USADA and UFC, USADA and UFC shall jointly submit the dispute on jurisdiction to the Arbitrator (which, as of the date of this Anti-Doping Policy, is McLaren Global Sport Solutions Inc.) for final determination by a single arbitrator in an expedited telephonic arbitration, and USADA and UFC will use their respective reasonable efforts to complete the arbitration, and instruct the Arbitrator to render a decision, within 48 hours of the dispute having been referred to the Arbitrator (the costs of such arbitration shall be borne by the non-prevailing party in such arbitration). Results may also be provided with the prior written consent of the UFC.

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 Results Management* and *International Standard for Laboratories*.

At such time as USADA is satisfied that an Anti-Doping Policy Violation has occurred, it shall promptly give written 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 written 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 written 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* written 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 Arbitrator that 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, expressly 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 reasonable deadline specified in the notice sent by USADA asserting the violation, then the *Athlete* or other *Person* 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 *Adverse Analytical Finding*, *Atypical Finding*, *Atypical Passport Finding*, or potential non-analytical violation, 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, IMPARTIAL AND INDEPENDENT HEARING

8.1 Hearing

Any *Athlete* or other *Person* who is asserted to have committed an Anti-Doping Policy Violation shall have a right to a fair hearing before an impartial and independent hearing Panel as provided in the UFC Arbitration Rules. Decisions rendered pursuant to the UFC Arbitration Rules shall be final and binding and shall not be subject to appeal.

8.2 Waiver of Hearing

The right to a hearing may be waived either by the *Athlete* or *Person's* express written consent or by the *Athlete* or other *Person's* failure to challenge USADA's assertion that an Anti-Doping Policy Violation has occurred as provided in UFC's policies (provided that USADA has complied with all applicable notice provisions).

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 or present 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 *Non-Specified Method*.
- 10.2.2 The period of *Ineligibility* shall be one year where the Anti-Doping Policy Violation involves a *Specified Substance* or *Specified Method*.
- 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 Article 10.6 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 and a maximum of 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, violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, 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 No Violation where there is No Fault or Negligence

- 10.4.1 If an *Athlete* or other *Person* establishes in an individual case that he or she bears *No Fault or Negligence*, then there shall be no violation of this Anti-Doping Policy, subject to the right of *UFC* or an *Athletic Commission* to disqualify bout results with the resulting consequences.
- 10.4.2 Without limitation of other evidentiary methods, an *Athlete* shall bear *No Fault or Negligence* in an individual case where the *Athlete*, by *Clear and Convincing* evidence, demonstrates that the cause of the *Adverse Analytical Finding* was due to a (i) *Contaminated Product* or (ii) *Certified Supplement*. In such a case, there will be no Anti-Doping Policy Violation based on the *Adverse Analytical Finding* and the *Athlete* will not be permitted to compete in a *Bout* until, based on follow-up *testing*, the *Prohibited Substance* is no longer present in the *Athlete's Samples* (or below the applicable *Decision Concentration Level* for such *Prohibited Substance*, if any) or no appreciable performance advantage is obtained from the presence of the substance.

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

- 10.5.1 Reduction of sanctions for *Specified Substances* or *Specified Method* for Violations of Article 2.1, 2.2 or 2.6.

Where the Anti-Doping Policy Violation involves a *Specified Substance* or *Specified Method*, 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*.
- 10.5.2 Other Anti-Doping Policy Violations

For Anti-Doping Policy Violations not described in Article 10.5.1, 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*.

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*, (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*, (iii) which results in *WADA* initiating a proceeding against a *Signatory*, *WADA*-accredited laboratory or *Athlete* passport management unit (as defined in the *International Standard for Testing and Investigations*) for non-compliance with the *Code*, *International Standard* or *Technical Document*; or (iv) which results in a criminal or disciplinary body bringing forward a criminal offense or the breach of professional or sport rules arising out of a sport integrity violation other than doping. The extent to which the otherwise applicable period of *Ineligibility* and other *Consequences* imposed may be suspended or eliminated 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, non-compliance with this *Policy* or the *Code* and/or sport integrity violations. 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 *Full and Complete Cooperation*

- 10.6.2.1 *USADA* in its sole discretion may suspend all or any 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 *Full and Complete Cooperation*. The extent to which the otherwise applicable period of *Ineligibility* may be suspended or eliminated shall be based on the seriousness of the Anti-Doping Policy Violation and the significance of the *Full and Complete Cooperation* provided by the *Athlete* or other *Person*.

10.6.3 [INTENTIONALLY OMITTED]

10.6.4 Substances of Abuse: Rehabilitation in Lieu of, or to Reduce, *Ineligibility*

- 10.6.4.1 Notwithstanding any other provision in this Article 10, (i) when a violation of Articles 2.1 or 2.2 involves a *Substance of Abuse* and (ii) the *Athlete* can establish by a preponderance of the evidence that the violation did not enhance, and was not intended to enhance, the *Athlete's* performance in a *Bout*, then, provided that the foregoing clauses (i) and (ii) are satisfied, the otherwise applicable period of *Ineligibility* may be reduced or eliminated, as determined by *USADA* in its sole discretion based upon the *Athlete's* participation in a rehabilitation program as provided below.
- 10.6.4.2 Completion by the *Athlete*, at the *Athlete's* sole cost, of a certified, accredited and independent substance abuse treatment program may result in a reduced or eliminated period of *Ineligibility*, as determined by *USADA* in its sole discretion. The reduction or elimination of the period of *Ineligibility* shall at all times be subject to the *Athlete's* full and satisfactory completion of such substance abuse treatment program. To the extent that the *Athlete* does not complete such substance abuse treatment program in accordance with the foregoing sentence, the *Athlete's* otherwise applicable period of *Ineligibility* shall be automatically imposed (subject to receiving credit under Article 10.11.3.1 for the time period served by such *Athlete* in the substance abuse treatment program).

- 10.6.5 *USADA's* discretionary decisions to eliminate or reduce, or not to eliminate or reduce, the otherwise applicable period of *Ineligibility* under Articles 10.6.1, 10.6.2 or 10.6.4 may be reviewed in a hearing or subject to appeal

solely to the extent that the *Athlete* establishes in such hearing or appeal that such discretionary decision was retaliatory or otherwise biased against the *Athlete* due to the *Athlete's* views on the *Program*.

10.7 Multiple Violations

- 10.7.1 Subject to Article 10.7.3, for an *Athlete* or other *Person's* second Anti-Doping Policy Violation, the period of *Ineligibility* shall be the lesser of:

- (a) the period of *Ineligibility* applicable to the first violation plus the period of *Ineligibility* for the second violation, not taking into account any reduction under Article 10.6 for either violation; or
- (b) twice the period of *Ineligibility* for the second violation, not 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 Subject to Article 10.7.3, 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 a lifetime *Ineligibility*.
- 10.7.3 *USADA* may, in its sole discretion, elect not to impose an enhanced sanction for a multiple violation in the event *USADA* has determined in *USADA's* sole and unreviewable discretion, it was unlikely that one or more of the *Athlete's* violations was intentional and/or based upon the *Athlete's* provision of significant *Substantial Assistance* or *Full and Complete Cooperation* as determined by *USADA*. Notwithstanding the prior sentence, the *Athlete* may challenge the imposition of an escalation of the period of *Ineligibility* under this Article 10.7, provided that the *Athlete* must demonstrate, by *Clear and Convincing Evidence*, that such second or third (or other applicable additional violation) was not intentional.
- 10.7.4 If the *Athlete* or other *Person* establishes by *Clear and Convincing Evidence* that its most recent Anti-Doping Policy violation was not intentional, then the *Athlete* or other *Person* shall not be subject to an enhancement under Article 10.7.
- 10.7.5 Additional Policies for Certain Potential Multiple Violations
- 10.7.5.1 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 violation after the *Athlete* or other *Person* received notice pursuant to Article 7, or after *USADA* made reasonable efforts to give written notice of the first Anti-Doping Policy Violation (and/or all prior violations, as applicable). If *USADA* cannot establish this, the violations shall be considered together as a single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

10.7.5.2 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 Anti-Doping Policy 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.

10.7.5.3 Decisions made either before or after the Effective date of this Anti-Doping 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. Where such offense would not also constitute a violation under this Anti-Doping Policy, then the offense shall not count as a violation for purposes of Article 10.7.

10.7.6 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 [INTENTIONALLY OMITTED]

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 in accordance with this Anti-Doping Policy, 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* competes in a *Bout* 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.

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

10.12.1.1 No *Athlete* who has been declared *Ineligible* may, during the period of *Ineligibility*, compete in a *UFC Bout* (but may be permitted to be a training partner, corner, coach or serve in a similar non-competing capacity). An *Athlete* subject to a period of *Ineligibility* shall remain subject to *Testing* in accordance with this Anti-Doping Policy.

10.12.1.2 No *Person* or *Athlete Support Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in connect with a *UFC Bout*.

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 14.1.1.1 of this Anti-Doping Policy.

- 14.1.1.1. Content of an Anti-Doping Policy Violation Notice to an *Athlete* or other Person 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 Results Management*.

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, whether the violation was in connection with a particular *Bout*, and the *Athlete's* or other Person's rights to challenge the asserted violation in accordance with

this Anti-Doping Policy. 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 Anti-Doping Policy.

14.1.2. Notice of Anti-Doping Policy Violations

- 14.1.2.1. USADA will notify UFC of the assertion of an Anti-Doping Policy Violation simultaneously with notification to the *Athlete* or other Person. USADA will also notify UFC if USADA decides not to assert an *Adverse Analytical Finding* as an Anti-Doping Policy Violation (pending completion of USADA's investigation with respect to such *Adverse Analytical Finding*).
- 14.1.2.2. Notice of the assertion of an Anti-Doping Policy Violation may be given by USADA to any *Athletic Commission* provided the *Athletic Commission* has requested the results and the *Athletic Commission* has jurisdiction over an *Athlete* at the time of sample collection or jurisdiction over an *Athlete* with respect to a disciplinary or licensing hearing scheduled with the *Athlete* for which the test results are relevant or such a hearing is contemplated or disciplinary action by the *Athletic Commission* is being investigated. Results may also be provided with the written consent of the UFC. USADA shall provide prior notice to UFC and USADA shall consult with UFC regarding whether the *Athletic Commission* has the requisite jurisdiction. If, following consultation, USADA disagrees with UFC's determination regarding jurisdiction of the *Athletic Commission*, and USADA desires to proceed with disclosure to the *Athletic Commission*, then, prior to such disclosure, and unless otherwise mutually agreed by USADA and UFC, USADA and UFC shall jointly submit the dispute on jurisdiction to the Arbitrator (which, as of the date of this Anti-Doping Policy, is McLaren Global Sport Solutions Inc.) for final determination by a single arbitrator in an expedited telephonic arbitration, and USADA and UFC will use their respective reasonable efforts to complete the arbitration, and instruct the Arbitrator to render a decision, within 48 hours of the dispute having been referred to the Arbitrator (the costs of such arbitration shall be borne by the non-prevailing party in such arbitration). USADA shall not have any responsibility for what the *Athletic Commission* does with that information.
- 14.1.2.3. To the extent that USADA or any laboratory used by USADA discloses any analytical results to WADA, then such disclosure shall be on an anonymous basis (to the extent practicable or unless such information is otherwise public) and shall not include any other information that can be reasonably used to determine the identity of the *Athlete* or other Person whose results are being disclosed.

14.1.3. 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 (but not by USADA without UFC's prior express written consent) 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. Publication shall be accomplished at a minimum by placing the required information on 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.

14.3.4. If an *Athletic Commission* has requested testing results and has jurisdiction over an *Athlete* at the time of sample collection or has jurisdiction over such *Athlete* with respect to a disciplinary or licensing hearing scheduled or contemplated with the *Athlete* for which the test results are relevant or if USADA is advised such an *Athletic Commission* is conducting an investigation for which the results may be relevant, USADA may give notice to the *Athletic Commission*. USADA shall provide prior notice to UFC and USADA shall consult with UFC regarding whether such *Athletic Commission* has the requisite jurisdiction. If, following consultation, USADA disagrees with UFC's determination regarding jurisdiction of the *Athletic Commission*, and USADA desires to proceed with disclosure to the *Athletic Commission*, then, prior to such disclosure, and unless otherwise mutually agreed by USADA and UFC, USADA and UFC shall jointly submit the dispute on jurisdiction to the Arbitrator (which, as of the date of this Anti-Doping Policy, is McLaren Global Sport Solutions Inc.) for final determination by a single arbitrator in an expedited telephonic arbitration, and USADA and UFC will use their respective reasonable efforts to complete the arbitration, and instruct the Arbitrator to render a decision, within 48 hours of the dispute having been referred to the Arbitrator (the costs of such arbitration shall be borne by the non-prevailing party in such arbitration). Results may also be provided with the written consent of the UFC and pursuant to Articles 7.2.5.2, 7.2.5.3, and 14.1.2.2.

14.3.5. 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* by UFC with the consent of the *Athlete* or other *Person* who is the subject of the decision.

14.3.6. 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.

14.3.7. 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.

14.3.8. Notwithstanding Articles 14.3.4, 14.3.5 or 14.3.6 either UFC or USADA may (i) respond proportionally to public comments made about any decision, or action taken, under this Anti-Doping Policy, or (ii) provide testimony or other information to an *Athletic Commission* or other governmental regulatory, legislative or administrative body, or law enforcement, in each case, provided that such entity or authority or body has requisite jurisdiction over the *Athlete*. With respect to *Athletic Commissions*, USADA shall provide prior notice to UFC and USADA shall consult with UFC regarding whether the *Athletic Commission* has the requisite jurisdiction. If, following consultation, USADA disagrees with UFC's determination regarding jurisdiction of the *Athletic Commission*, and USADA desires to proceed with disclosure to the *Athletic Commission*, then, prior to such disclosure, and unless otherwise mutually agreed by USADA and UFC, USADA and UFC shall jointly submit the dispute on jurisdiction to the Arbitrator (which, as of the date of this Anti-Doping Policy, is McLaren Global Sport Solutions Inc.) for final determination by a single arbitrator in an expedited telephonic arbitration, and USADA and UFC will use their respective reasonable efforts to complete the arbitration, and instruct the Arbitrator to render a decision, within 48 hours of the dispute having been referred to the Arbitrator (the costs of such arbitration shall be borne by the non-prevailing party in such arbitration).

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 and as permitted or authorized by this Anti-Doping Policy, in accordance with the *International Standard* for the Protection of Privacy and Personal Information.

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*, any *Code Signatory Anti-Doping Organization* or law enforcement in connection with an investigation being conducted by *UFC*, *USADA*, an *Athletic Commission*, law enforcement or *Anti-Doping Organization*, in each case, provided that such entity or authority or body has requisite jurisdiction over the *Athlete*. For purposes of the foregoing, it is not necessary that the scope of jurisdiction among the various entities or bodies be identical or substantially similar. With respect to *Athletic Commissions*, *USADA* shall provide prior notice to *UFC* and *USADA* shall consult with *UFC* regarding whether the *Athletic Commission* has the requisite jurisdiction. If, following consultation, *USADA* disagrees with *UFC*'s determination regarding jurisdiction of the *Athletic Commission*, and *USADA* desires to proceed with disclosure to the *Athletic Commission*, then, prior to such disclosure, and unless otherwise mutually agreed by *USADA* and *UFC*, *USADA* and *UFC* shall jointly submit the dispute on jurisdiction to the Arbitrator (which, as of the date of this Anti-Doping Policy, is McLaren Global Sport Solutions Inc.) for final determination by a single arbitrator in an expedited telephonic arbitration, and *USADA* and *UFC* will use their respective reasonable efforts to complete the arbitration, and instruct the Arbitrator to render a decision, within 48 hours of the dispute having been referred to the Arbitrator (the costs of such arbitration shall be borne by the non-prevailing party in such arbitration).

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, and the *UFC Prohibited List*, 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 The *Program* entered into full force and effect on July 1, 2015 (the "*Program Start Date*"). Except as provided in the "Scope and Application of the Policy" this Anti-Doping Policy shall not apply retroactively to matters pending before the *Program 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 *Program Start Date* may count as "first violations" or "second violations" for purposes of determining sanctions under Article 10 for violations taking place after the *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.
- 21.1.7 To use reasonable efforts to examine products to determine whether such products are *Contaminated Products* or *Certified Supplements*.

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 2021 Anti-Doping Policy

This 2021 Anti-Doping Policy shall become effective upon January 1, 2021 (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 Effective Date of 2021 Anti-Doping Policy

The 2021 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 prior to the Effective Date.

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 Analytical Finding Results Management Decision Concentration Level ("Decision Concentration Level"): As provided in the UFC Prohibited List, the Adverse Analytical Finding Results Management Decision Concentration Level is the detected quantity of a Prohibited Substance below which a reported Adverse Analytical Finding shall be administered by USADA as an Atypical Finding.

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 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 has executed a Promotional Agreement with the UFC 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-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 Person directly working with, treating or assisting an Athlete in a 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: Intentionally 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.

Certified Supplement: See UFC Prohibited List.

Clear and Convincing: A standard of proof greater than a preponderance of the evidence but less than proof beyond a reasonable doubt.

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 competing or participating in connection with a Bout as provided in Article 10.12.1; (c) Provisional Suspension means the Athlete or other Person is barred temporarily from competing or participating in connection with any Bout to the same extent described in 10.12.1 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 (other than a supplement) that either (i) contains a Prohibited Substance due to environmental or other innocent contamination, such as the contamination of water, food (including food that may have crossed applicable country borders not withstanding laws or regulations in the country of origin or country of ingestion) or prescription medication or (ii) contains a Prohibited Substance that is not disclosed on the product label and all circumstances considered, a reasonable person using due care would not have suspected that there is a material risk that the product contains a Prohibited Substance.

Decision Concentration Level: See *Adverse Analytical Finding Results Management Decision Concentration Level*.

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*, investigations, 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 and did not 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 *Consequences of Anti-Doping Policy Violations*, above.

Full and Complete Cooperation: Where an *Athlete* demonstrates, as determined by *USADA* in its discretion, that he or she did not intend to commit the Anti-Doping Policy Violation to enhance its performance and has provided full, prompt and truthful responses and information (in each case, in all material respects) to all reasonable inquiries and requests for information regarding the applicable subject matter, which shall take into account as a mitigating factor admissions of an Anti-Doping Policy Violation, whether before notice of *Sample* collection or after. *Full and Complete Cooperation* shall in no case require an *Athlete* to, or consider whether an *Athlete* did, provide *Substantial Assistance*. *Full and Complete Cooperation* shall eliminate the possibility of sanction on account of *Aggravating Circumstances*.

In-Competition: For purposes of this Anti-Doping Policy, "*In-Competition*" means the period commencing at noon on the day prior to the 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 Anti-Doping Policy, it shall not include indirect or peripheral involvement in an *Athlete's* training, or acting as an *Athlete's* training partner.

Program: The UFC anti-doping program described in this Anti-Doping Policy.

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

Prohibited Substance: Any substance, or class of substances, so described on the *UFC 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 7.7, 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.

Results Management: The process encompassing the timeframe between notification as per Article 6, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, whereabouts failure), such pre-notification steps expressly provided for in Article 5 of the *International Standard for Results Management*, through the charge until the final resolution of the matter, including the end of the hearing process.

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.

Substance of Abuse: A *Prohibited Substance* identified as a *Substance of Abuse* on the *UFC Prohibited List*.

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: See Article 2.5 and 2.5.1.

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* has delegated 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.

UFC Prohibited List: The *UFC* list incorporated into this Anti-Doping Policy identifying the *Prohibited Substances* and *Prohibited Methods*.

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'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.

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UFC Anti-Doping Program

(719) 785-2000

Toll-Free (866) 601-2632

International Toll-Free: +8008-120-8120

UFCathleteexpress@USADA.org

www.UFC.USADA.org