

## Virginia Eichner

---

**From:** Kate Corkery <Kate.Corkery@asada.gov.au>  
**Sent:** Friday, 29 May 2015 4:11 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Sanction Recommendation - Nicholas Mastrodomenico [SEC=UNCLASSIFIED]

Dear [REDACTED],

The Anti-Doping Rule Violation Panel (ADRVP) determined on [REDACTED] that it was satisfied it was possible that Mr Nicholas Mastrodomenico (Athlete) had committed the possible anti-doping rule violations (ADRVs) of Presence, Use and Trafficking and accordingly made assertions with respect to the Athlete. In accordance with clause 1.02A(2) of the National Anti-Doping scheme (NAD scheme), contained in Schedule 1 of the Australian Sports Anti-Doping Authority Regulations 2006, the CEO of ASADA is authorised to make a recommendation to the National Rugby League (NRL) as to the consequences of those assertions. The specific assertions were:

- Presence of a Prohibited Substance or its metabolite namely, 17a-Trenbolone (a metabolite of Trenbolone) on 23 August 2014 contrary to clause 2.01(2)(a) of the NAD scheme;
- Use of a prohibited substance, namely Trenbolone on or before 23 August 2014 contrary to clause 2.01(2)(b) of the NAD scheme;
- Use or Attempted Use of a prohibited substance, namely Trenbolone, in and about February 2014 and May 2014 contrary to clause 2.01(2)(b) of the NAD scheme.
- Trafficking of prohibited substances, namely Trenbolone and Testosterone esters (Sustanon 250), in and about March 2014 and April 2014 contrary to clause 2.01(2)(h) of the NAD scheme.

### Sanction Recommendation

The Leagues Anti-Doping Policy 2013 (**Leagues Policy**) specifies that the Presence, Use and Trafficking of a Prohibited Substance are ADRVs under Rules 32, 37 and 44 of the Policy respectively.

The relevant substances are classified as 'Non-Specified' substances under the 2014 WADA Prohibited List and are prohibited at all times.

Under Rule 153 of the Leagues Policy (WADA Code (**WADC**) 10.2), the Athlete shall be subject to a period of Ineligibility of two (2) years for the ADRVs of Presence and Use and under Rule 156 of the Leagues Policy the Athlete shall be subject a minimum four (4) years up to lifetime Ineligibility for Trafficking unless he is able to satisfy Rules 159 (WADC 10.5.1) or 160 (WADC 10.5.2) (the defences of 'No Fault or Negligence' or 'No Significant Fault or Negligence'). Under Rule 168 of the Leagues Policy the violations should be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the most severe sanction; however the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances (if relevant).

The onus is on the Athlete to provide the relevant material to establish the defences. The relevant Rules are set out below:

#### **Rule 159 (WADC 10.5.1) No Fault or Negligence**

*If an Athlete establishes in an individual case that he or she bears No Fault or Negligence, the otherwise applicable period of Ineligibility shall be eliminated. When a Prohibited Substance or its Markers or Metabolites is detected in an Athletes Sample in violation of Article 2.1 (presence of Prohibited Substance), the Athlete must also establish how the Prohibited Substance entered his or her system in order to have the period of Ineligibility eliminated.*

#### **Rule 160 (WADC 10.5.2) No Significant Fault or Negligence**

*If an Athlete establishes in an individual case that he or she bears No Significant Fault of Negligence, the otherwise applicable period of Ineligibility may be reduced, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable...*

*When a Prohibited Substance or its Markers or Metabolites is detected in an Athlete's Sample in violation of Article 2.1 (presence of Prohibited Substance), the Athlete must also establish how the Prohibited Substance entered his or her system in order to have the period of Ineligibility reduced.*

No Fault or Negligence and No Significant Fault or Negligence is defined in the Leagues Policy as:

*No Fault or Negligence: The Athlete's 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.*

*No Significant Fault or Negligence: The Athlete's establishing that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relationship to the anti-doping rule violation.*

The commentary to Articles 10.5.1 and 10.5.2 in the WADC provides that the defences of No Fault or Negligence and No Significant Fault or Negligence are meant to have an impact only in cases where the circumstances are truly exceptional and not in the vast majority of cases (emphasis added).

Further, in order to be eligible for a reduction in sanction under Articles 10.5.1 and 10.5.2 of the WADC the Athlete must first (as a threshold question) establish on the balance of probabilities how the Prohibited Substance entered his system.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Analysis of the facts:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

I am happy to discuss any of the aspects of this case or the recommendation set out above.

Kind regards  
Kate

**Kate Corkery**  
Lawyer  
Australian Sports Anti-Doping Authority

T +61 (0) 2 6222 4247  
F +61 (0) 2 6222 4347

E [kate.corkery@asada.gov.au](mailto:kate.corkery@asada.gov.au)  
W [www.asada.gov.au](http://www.asada.gov.au)

---

---



**Virginia Eichner**

---

**From:** Kate Corkery <Kate.Corkery@asada.gov.au>  
**Sent:** Friday, 29 May 2015 3:45 PM  
**To:** [REDACTED]  
**Subject:** Sanction Recommendation - Nicholas Mastrodomenico [SEC=UNCLASSIFIED]

Dear [REDACTED],

The Anti-Doping Rule Violation Panel (ADRVP) determined on [REDACTED] that it was satisfied it was possible that Mr Nicholas Mastrodomenico (Athlete) had committed the possible anti-doping rule violations (ADRVs) of Presence, Use and Trafficking and accordingly made assertions with respect to the Athlete. In accordance with clause 1.02A(2) of the National Anti-Doping scheme (NAD scheme), contained in Schedule 1 of the Australian Sports Anti-Doping Authority Regulations 2006, the CEO of ASADA is authorised to make a recommendation to the Australian Rugby Union (ARU) as to the consequences of those assertions. The specific assertions were:

- Use or Attempted Use of a prohibited substance, namely Testosterone esters (Sustanon 250), in and about March 2013 and April 2013 contrary to clause 2.01(2)(b) of the NAD scheme.
- Use or Attempted Use of a prohibited substance, namely Trenbolone, in and about June 2013 and July 2013 contrary to clause 2.01(2)(b) of the NAD scheme.
- Trafficking of a prohibited substance, namely Testosterone, in and about June 2013 and July 2013 contrary to clause 2.01(2)(h) of the NAD scheme.

**Sanction Recommendation**

The ARU Anti-Doping Policy (Policy) specifies that the Presence, Use and Trafficking of a Prohibited Substance are ADRVs under Articles 5.2.1, 5.2.2 and 5.2.7 of the Policy respectively.

The relevant substances are classified as 'Non-Specified' substances under the 2013 WADA Prohibited List and are prohibited at all times.

Under Article 23.1 of the Policy, the Athlete shall be subject to a period of Ineligibility of two (2) years for the ADRVs of Presence and Use and under Article 23.2(b) of the Policy the Athlete shall be subject a minimum four (4) years up to lifetime Ineligibility for Trafficking unless he is able to satisfy Article 23.4(a) or 23.4(b) (the defences of 'No Fault or Negligence' or 'No Significant Fault or Negligence'). Under Article 23.9D(i) of the Policy the violations should be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the most severe sanction; however the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances (if relevant).

The onus is on the Athlete to provide the relevant material to establish the defences. The relevant Rules are set out below:

**(a) No Fault or Negligence**

If a Player or other Person establishes in an individual case that he bears No Fault or Negligence, the otherwise applicable period of Ineligibility shall be eliminated. When a Prohibited Substance or its Markers or Metabolites is detected in a Player's Sample in violation of Clause 5.2.1 (presence of a Prohibited Substance or its Metabolites or Markers), the Player must also establish how the Prohibited Substance entered their system in order to have the period of Ineligibility eliminated. In the event this Code is applied and the period of Ineligibility otherwise applicable is eliminated, the Anti-Doping Rule Violation shall not be considered a violation for the limited purpose of determining the period of Ineligibility for multiple violations under Clause 23.9.

**(b) No Significant Fault or Negligence**

If a Player or other Person establishes in an individual case that he bears No Significant Fault or Negligence, the otherwise applicable period of Ineligibility may be reduced, but the reduced period of Ineligibility may

not be less than one-half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this section may be no less than eight years. When a Prohibited Substance or its Markers or Metabolites is detected in a Player's Sample in violation of Clause 5.2.1 (presence of Prohibited Substance or its Metabolites or Markers), the Person must also establish how the Prohibited Substance entered their system in order to have the period of Ineligibility reduced.

No Fault or Negligence and No Significant Fault or Negligence are defined in the Policy as:

**No Fault or Negligence** means the Player establishing that they did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that they had used or been administered the Prohibited Substance or Prohibited Method;

**No Significant Fault or Negligence** means the Player establishing that their fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relationship to an Anti-Doping Rule Violation;

The commentary to Articles 10.5.1 and 10.5.2 in the WADC provides that the defences of No Fault or Negligence and No Significant Fault or Negligence are meant to have an impact only in cases where the circumstances are truly exceptional and not in the vast majority of cases (emphasis added).

Further, in order to be eligible for a reduction in sanction under either of these Articles the Athlete must first (as a threshold question) establish on the balance of probabilities how the Prohibited Substance entered his system.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

[Redacted]

I am happy to discuss any of the aspects of this case or the recommendation set out above.

Kind regards  
Kate

**Kate Corkery**  
Lawyer  
Australian Sports Anti-Doping Authority

T +61 (0) 2 6222 4247  
F +61 (0) 2 6222 4347

E [kate.corkery@asada.gov.au](mailto:kate.corkery@asada.gov.au)  
W [www.asada.gov.au](http://www.asada.gov.au)

Virginia Eichner

---

**From:** Kate Corkery <Kate.Corkery@asada.gov.au>  
**Sent:** Wednesday, 29 April 2015 9:21 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Dylan Lauri - Sanction recommendation to NRL [SEC=UNCLASSIFIED]  
**Attachments:** [REDACTED]

Good morning [REDACTED]

The ASADA CEO has considered the appropriate sanction in this matter and makes the following recommendation:

- | [REDACTED]
- | [REDACTED]
- | [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- | [REDACTED]
- | [REDACTED]
- | [REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

[Redacted]

If you have any queries with respect to this recommendation please do not hesitate to contact me.

Kind regards

Kate

**Kate Corkery**

Lawyer

Australian Sports Anti-Doping Authority

T +61 (0) 2 6222 4247

F +61 (0) 2 6222 4347

E [kate.corkery@asada.gov.au](mailto:kate.corkery@asada.gov.au)

W [www.asada.gov.au](http://www.asada.gov.au)



The Greatest Game of All

**Confidential**  
**BY EMAIL**

9 September 2015

Mr Dylan Lauri  
[REDACTED]  
[REDACTED]

Dear Mr Lauri

## **DECISION AND SANCTION UNDER THE LEAGUES ANTI-DOPING POLICY**

1. This is the decision and notice of sanction imposed on you pursuant to Rule 63 of the Leagues Anti-Doping Policy 2015 (**2015 ADP**). It relates to the following contraventions of the Leagues Anti-Doping Policy 2013 (**2013 ADP**) which were alleged against you in a Notice of Alleged Anti-Doping Rule Violation dated 20 July 2015 (**Notice of Alleged ADRVs**):
  - (a) **ADRV 1 – Presence of 19-Norandrosterone**

*A Prohibited Substance, namely 19-Norandrosterone (a metabolite of Nandrolone, Norandrosteredione or Norandrosterediol) was detected in a Sample that you, being an Athlete within the meaning of the 2013 ADP, provided on 18 March 2014, in contravention of Rule 32 of the 2013 ADP [WADC 2.1].*
  - (b) **ADRV 2 – Use of 19-Norandrosterone**

*On or before 18 March 2014 you, being an Athlete within the meaning of the 2013 ADP, Used a Prohibited Substance, namely 19-Norandrosterone (a metabolite of Nandrolone, Norandrosteredione or Norandrosterediol), in contravention of Rule 37 of the 2013 ADP [WADC 2.2].*
  - (c) **ADRV 3 – Use of Sustanon 250**

*Between August and November 2013 you, being an Athlete within the meaning of the 2013 ADP, Used a Prohibited Substance, namely Sustanon 250, in contravention of Rule 37 of the 2013 ADP [WADC 2.2].*

(d) **ADRV 4 – Use of Trenbolone**

*Between August 2013 and November 2013 you, being an Athlete within the meaning of the 2013 ADP, Used a Prohibited Substance, namely Trenbolone, in contravention of Rule 37 of the ADP [WADC 2.2].*

(e) **ADRV 5 – Use of Clenbuterol**

*Between October 2013 and November 2013 you, being an Athlete within the meaning of the 2013 ADP, Used a Prohibited Substance, namely Clenbuterol, in contravention of Rule 37 of the ADP [WADC 2.2].*

(f) **ADRV 6 – Administration of Sustanon 250**

*Between, in and about August 2013 to November 2013 you, being an Athlete within the meaning of the 2013 ADP, Administered a Prohibited Substance, namely Sustanon 250, to another Athlete in contravention of Rule 45 of the 2013 ADP [WADC 2.8].*

2. The 2015 ADP governs the procedure under which the matters alleged in the Notice of Alleged Anti-Doping Rule Violation are to be determined. This decision is the “reasoned decision” for the purposes of Rule 83 (WADC 8.3) of the 2015 ADP. Capitalised terms and phrases in this notice have the same meaning as in the 2015 ADP, unless specified otherwise herein.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[Redacted]

- [Redacted]

- [Redacted]

- [Redacted]

- [Redacted]

- [Redacted]

[Redacted]

- [Redacted]

[Redacted]

- [Redacted]

- [Redacted]

- [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Yours faithfully

[Redacted]

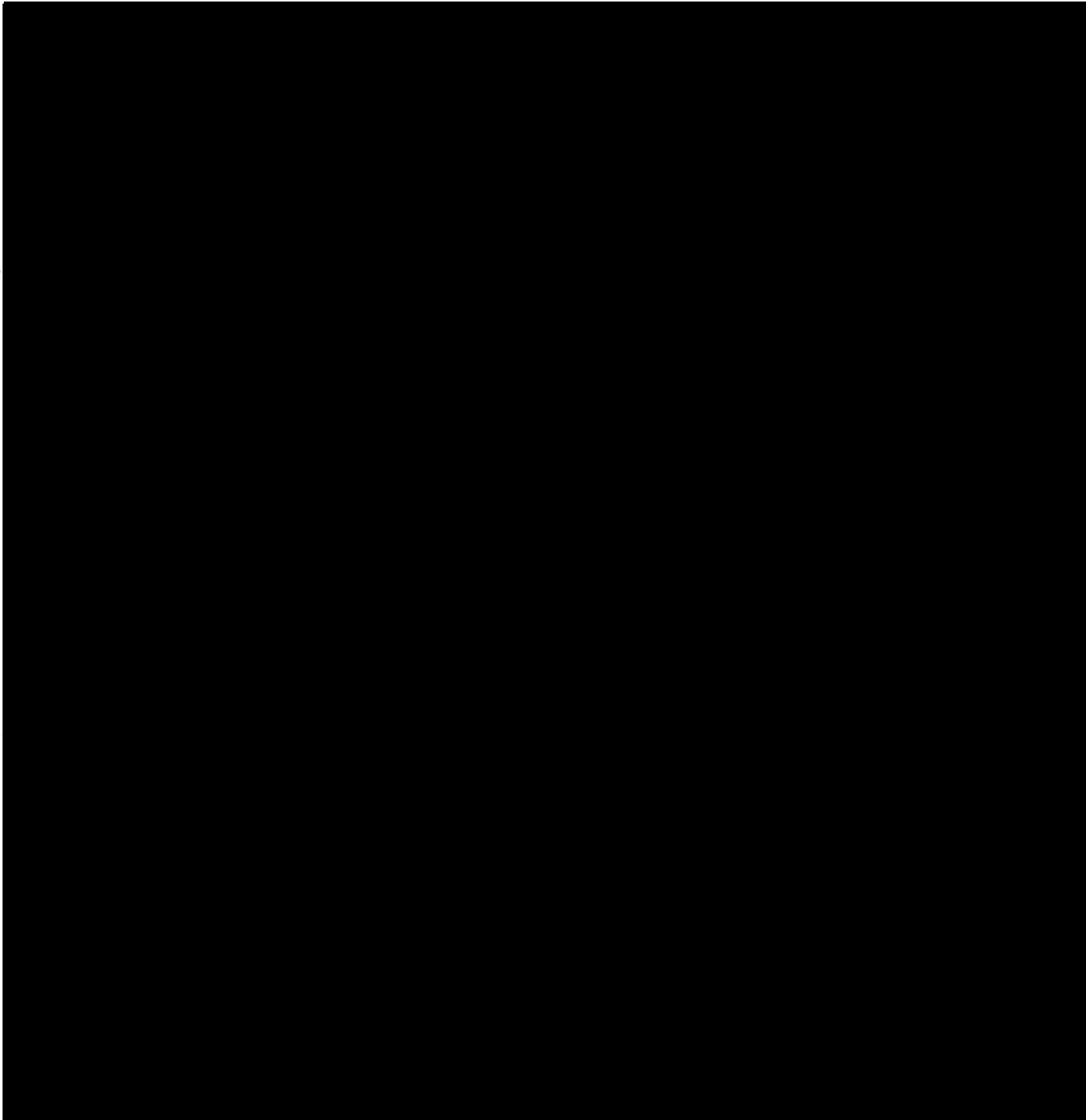
[Redacted]  
**Anti-Doping Co-ordinator**  
**National Rugby League Limited**

cc: Stephen White, ASADA



Rec'd  
31/7/15





**National Rugby League Limited**

Rugby League Central, Driver Avenue  
Moore Park NSW 2021

Locked Bag 5000  
Paddington NSW 2021

T +61 2 9359 8500  
F +61 2 9359 8555

nrl.com  
ABN 23 082 088 962