



GUVERNUL ROMÂNIEI
AGENȚIA NAȚIONALĂ ANTI-DOPING

**THE HEARING COMMISSION FOR THE ATHLETES AND THEIR
SUPPORT PERSONNEL WHO VIOLATED THE ANTI-DOPING RULES**

To
KIM ROBERT
Gold Star Gym Baia Mare Sport Club
Romanian Bodybuilding and Fitness Federation
Ministry of Youth and Sport
International Bodybuilding and Fitness Federation
Romanian Olympic and Sport Committee
World Anti-Doping Agency

Bucharest, 04.06.2013

Regarding the case of **National Anti-Doping Agency** *versus* the athlete **Kim Robert**,
affiliated to Gold Star Gym Baia Mare Sport Club,
sport discipline bodybuilding

DECISION

No. 6/04.06.2013

Issued by

**THE HEARING COMMISSION FOR THE ATHLETES AND THEIR
SUPPORT PERSONNEL WHO VIOLATED THE ANTI-DOPING RULES**

With the following structure:

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Secretary of the Hearing Commission: **Gabriela ANDREIASU**

Summoned on 04.06.2013, 10:00 H, at the National Anti-Doping Agency official seat in Bucharest, 37 – 39 Basarabia Bvd., District 2, for the hearing of the athlete Kim Robert, affiliated to Gold Star Gym Baia Mare Sport Club, residing in Baia Mare, 89 Granicerilor Street, Appt.7, holds the followings:

Following the statement of the athlete KIM ROBERT, registered with no. 12310 D.C.T.I.S.I/ 25.03.2013, the National Anti-Doping Agency took a note that he admitted voluntarily the fact that he had received and used doping substances included in class S1.1 a) Exogenous Androgynous Anabolic Steroids of the Prohibited List, from the date of his affiliation to Gold Star Gym Baia Mare Sport Club until 25.03.2013, based on the scheme provided by Mrs. Monica Muresan, while Mr. Mircea Muresan advised him to follow the treatment scheme provided by Mrs. Muresan in order to obtain the performance.

Taking into account the highlighted issues, the *Hearing Commission for athletes and their support personnel who violated the anti-doping rules* besides National Anti-Doping Agency summoned on 03.04.2013 for the hearing of the athlete Kim Robert.

On 03.04.2013 the Hearing Commission disposed the summons of the athlete Kim Robert and Mrs. Monica Muresan. The Commission also considered necessary to have the athlete subjected to an out of competition doping testing and the athlete to complement his statement submitted on 25.03.2013. In this respect, it disposed to postpone the case for 08.05.2013.

On 04.04.2013 a team consisting in Mrs. Valentina Alexandrescu, General Secretary and Mr. Alexandru Butoi, advisor of Testing and Social-Educational Programs Department went to Baia Mare for a meeting with the athlete and his friend, Andrei Cseterki in order to comply with the Hearing Commission's requirements. At that date and location the athlete gave a written statement showing how he had received the doping schemes from the coach Mrs. Monica Muresan, as well as the recipients with the doping substances received from her husband, Mr. Mircea Muresan, the statement was registered at National Anti-Doping Agency with no. 12359 DCTISI/04.04.2013. He also mentioned the fact that these substances had been administered to him by injection by another person, out of the fitness gym of this club and the prices of these recipients were variable, even if it contained always

the same substances, but with different volume. All these issues were sustained by Andrei Cseterki, a colleague of the athlete, who also received these doping substances within the fitness gym of Gold Star Gym Baia Mare Sport Club during the 2012.

Mr. Andrei Cseterki agreed to provide an urine sample to demonstrate the stated aspects.

Following the doping control conducted out of competition on 04.04.2013, in Baia Mare, the analytical result of the athlete Kim Robert sample with the code number 6044833A, indicated the presence of the prohibited substance 5β -androst- $1\text{en} - 17\beta$ -ol-3-one. The presence of the metabolite indicates the administration of the prohibited substance boldenone. This substance is included in class S1.1.a of the 2013 Prohibited List – **Exogenous Androgynous Anabolic Steroids**.

At the same time, the Doping Control Laboratory also indicated T/E>4 ratio, testosterone > 200ng/ml, metabolites of methandienone, 19-norandrosterone ~ 10ng/mL, carboxy THC>15ng/mL detected in the sample of Mr. Andrei Cseterki, having the code number 6025540A.

On 08.05.2013, the athlete did not show at the Hearing Commission meeting session, even if he had been legally summoned. With this occasion Mrs. Monica Muresan, the coach, also was summoned, as well as a representative of Romanian Bodybuilding and Fitness Federation, but no one was present.

On 07.05.2013 Mrs. Monica Muresan the coach sent a letter showing she was not able to be present on 08.05.2013, because on 07.05.2013 she returned from the European Championships for juniors and seniors, which took place in Santa Susana, Spain.

She also stated that the athlete Kim Robert was no longer training under her coordination since February 2013 and he did not participate at the training sessions within Gold Star Gym Baia Mare.

On 07.05.2013, Romanian Bodybuilding and Fitness Federation sent to the Agency a letter dated 23.03.2013 showing that Mrs. Monica Muresan notified the Federation that in February she had disagreements with the athlete regarding the training and nutrition program.

Taking into account the nature of these aggravating facts, as well as the fact that no other person presented at the hearing meeting session, the Commission members postponed the decision of the case for 04.06.2013, when the following persons: Mrs. Monica Muresan, Mr. Mircea Muresan, Mr. Tiberiu Apostol – General Secretary of Romanian Bodybuilding and Fitness Federation and the athlete Kim Robert were summoned. The Commission also disposed the hearing of Mr. Andrei Cseterki.

On 04.06.2013, Mr. Apostol Tiberiu - General Secretary of Romanian Bodybuilding and Fitness Federation, Mr. Oprea Daniel – delegated by Romanian Bodybuilding and Fitness Federation, Mrs. Monica Musresan – the coach of the athlete Kim Robert and also vice-president of the same federation, as well as Mr. Barbu Victor – attorney, who had the legal authority to represent Mrs. Monica Muresan in this case showed to the Hearing Commission meeting session.

Mrs. Monica Muresan's statements showed the athlete Kim Roberts and his friend, Andrei Cseterki who practice recreational sport had an argument in February because "bottles with water and protean bars were missing" from the training gym, which contradicted the statement sent on 23.03.2013 by Mrs. Monica Muresan to the Romanian Bodybuilding and Fitness Federation and transmitted to the Agency on 07.05.2013.

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules*, after reviewing the documents within the file, the analysis bulletin no. 196/18.04.2013 of Bucharest Doping Control Laboratory, the gravity of the facts, the nature of the prohibited substance detected in athlete's sample, as well as the national and international legal provisions:

DECIDES

The ineligibility of the athlete Kim Robert, affiliated to Gold Star Gym Baia Mare Sport Club from any national or international competitions, for a period of one (1) year, pursuant to the provisions of article 48 (9) of Law 227/2006 regarding prevention and fight against doping in sport, republished with subsequent

amendments, as the athlete violated the provisions of article 2, paragraph (2), letter b).

The ineligibility period begins to run from the date of the current decision, while the provisional period shall be credited against the total period of ineligibility. Thus, the period of athlete's ineligibility is: 04.06.2013-07.05.2014.

The decision shall be communicated to the athlete Kim Robert, Gold Star Gym Baia Mare Sport Club where he is affiliated, Romanian Bodybuilding and Fitness Federation, Ministry of Youth and Sport, Romanian Olympic and Sport Committee, International Bodybuilding and Fitness Federation and World Anti-Doping Agency.

The decision may be appealed to the Appeal Commission besides National Anti-Doping Agency in 21 days since its notification.

Pursuant to the provisions of art.45 of the mentioned law, during the ineligibility period, the athlete has the obligation to submit his whereabouts information to the Agency. Aiming to reintegrate in sport activity, during the ineligibility period, the athlete has to undergo four (4) no advance notice doping testing, one of them at the moment when the sport activity is started again. When the athlete firstly retires from sport activity during the ineligibility period and then he requests to be reintegrated in sport activity, he won't be reintegrated until he informs the Agency and no advance notice doping testing is performed during a period of time equal to the ineligibility period remained when he retired.

Romanian Bodybuilding and Fitness Federation has the obligation to apply the provisions of the current decision and to comply with the legal provisions in force pursuant to the provisions of the articles 37 and 71 of the Law 227/2006.

Pursuant to the provisions of art. 36, paragraph (4) of the Law 227/2006 regarding prevention and fight against doping in sport, republished, with subsequent amendments, the above-mentioned institutions are required to maintain confidentiality of the information communicated, until the public disclosure of the case.

CHAIRMAN OF HEARING COMMISSION

IOAN DOBRESU