

Decision
No. 1 / 25.01.2008

The Appeal Commission assembled on 25.01.2008, 10h00 a.m., at National Anti-Doping Agency's official seat in Bucharest, 37-39 Basarabia Blvd, District 2, in order to solve the appeal formulated by the athlete Mihaela BOTEZAN against the Sanction Committee's Decision no. 17/17.10.2007, which establishes a two (2) years ineligibility for the athlete Mihaela BOTEZAN, registered at C.S.A. STEAUA BUCURESTI Sport Club and Universitatea Cluj Sport Club, according to Article 31 of the Law no. 227/2006 regarding the prevention and fight against doping in sport, as she was found guilty of violating the provisions of Article 2 paragraph 2 (a) of the above mentioned Law.

The Appeal Commission meeting was attended by:

- The athlete, Mihaela BOTEZAN
- Mrs. Graziela Elena VAJIALA, representative of the Sanctions Committee

The Appeal Commission was composed of:

- Mr. ZAHARIA LEFTER Constantin- – Chairman
- Mrs. CHIRIPUS Dana – member
- Mrs. TEIANU Daniela – member
- Mrs. ENACHE Mihaela – member, being absent from this meeting.

Analyzing the appeal statement having the registration number 1166/11.12.2007 formulated against the Sanction Committee's Decision no. 17/17.10.2007, the Appeal Commission establishes the followings:

De facto, through the Decision no. 17/17.10.2007, the Sanction Committee within National Anti-Doping Agency has decided a two (2) years ineligibility sanction for athlete Mihaela BOTEZAN, registered at C.S.A. STEAUA BUCURESTI Sport Club and Universitatea Cluj Sport Club, according to Article 31 of Law no. 227/2006 regarding the prevention and fight against doping in sport, being found guilty of violating the provisions of Article 2 paragraph 2 (a) of the above mentioned Law.

After reviewing the appeal statement formulated by the athlete Mihaela BOTEZAN against the above mentioned Decision, the Appeal Commission establishes that the appeal is ungrounded.

Taking into account the conclusions presented by the representative of the Sanctions Committee, and on the basis of article 30 (a) of the Disposition no. 60/2007, the Appeal Commission

DECIDES:

Denies the appeal no. 1166/11.12.2007 as ungrounded and maintains the Sanction Committee's decision no. 17/17.10.2007 as grounded and legal.

The Appeal Commission's decision may be appealed before the Court of Arbitration in Sport in Lausanne, in maximum 21 days from its communication.

CHAIRMAN OF THE APPEAL COMMISSION,

Constantin ZAHARIA LEFTER