

**BEFORE THE AMERICAN ARBITRATION ASSOCIATION  
COMMERCIAL ARBITRATION TRIBUNAL**

United States Anti-Doping Agency	)	
(USADA)	)	
Claimant	)	
	)	
v.	)	AAA No.01-20-0003-7972
	)	
	)	
Daton Fix	)	
(Athlete)	)	
Respondent	)	

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**CONSENT AWARD**

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On August 10, 2020, a videoconference hearing was convened before an Arbitration Panel comprised of Christopher Campbell, Jeffrey Mishkin, and Daniel F. Brent, duly designated as Chair. The Panel was selected from the U.S. Olympic Anti-Doping Panel administered by the American Arbitration Association.

Counsel for both parties appeared at this hearing and affirmed on behalf of their clients that the representations stipulated by the parties as the basis of their proposed Consent Award were factually

correct and were accurately predicated on the parties' mutual determinations of witness credibility during USADA's investigation of the instant anti-doping violation. Counsel further averred that, if called as witnesses, Daton Fix and his father, Derek Fix, would testify in accordance with the representations made by counsel.

This Consent Award sets forth the relevant background facts, applicable legal analysis, and terms upon which the United States Anti-Doping Agency ("USADA") and Daton Fix are willing to settle the matter currently pending before the American Arbitration Association ("AAA") in case number AAA No. 01-20-0003-7972. The Panel examined counsel regarding the stipulated facts and findings of credibility incorporated in the Consent Award.

Having thoroughly reviewed the parties' submissions, the terms of the proposed Consent Award, and based on the expressed representations of Counsel for USADA and for Daton Fix, the undersigned Panel, having been designated in accordance with the procedures of the American Arbitration Association and its U.S. Olympic Anti-Doping Panel, and having been duly sworn, hereby

incorporate the terms set forth in that settlement and issue the following Consent Award.

## **I. APPEARANCES**

For Respondent Daton Fix:

Howard L. Jacobs, Esq., Law Offices of Howard Jacobs

Lindsay Brandon, Esq., Law Offices of Howard Jacobs

For USADA:

William Bock, Esq., General Counsel

Ted Koehler, Esq., Legal Affairs and Trial Counsel Manager

Jeff T. Cook, Results Management and Investigations Senior  
Director

April Ostler, Paralegal

## **II. BACKGROUND**

1. Mr. Daton Fix is an American freestyle wrestling athlete from Tulsa, Oklahoma, competing in the 57 kg weight class. Currently, he is 22 years of age and wrestles for USA Wrestling and Oklahoma State University.

2. During the 2019–2020 school year, Mr. Fix decided to “Redshirt” the season and not compete for Oklahoma State University so that he could focus on qualifying for the 2020 Summer Olympic Games in Tokyo, Japan. Throughout this time, Mr. Fix lived off campus in an apartment near his parents’ home and regularly visited his parents’ home to relax or to have dinner.

3. In January 2020, Mr. Fix competed at the United World Wrestling (“UWW”) Matteo Pellicone Ranking Series in Rome, Italy. Before departing for Italy, Mr. Fix visited his parents’ home on January 12 and January 14, 2020. Upon returning to Oklahoma, Mr. Fix visited his parents’ home again on January 20 and January 21, 2020.

4. Mr. Fix was unaware at the time that his father, Derek Fix, had been using ostarine (under the name “MK-2866”) every day beginning in late December 2019 or early January 2020. Derek purchased the ostarine online approximately two weeks earlier on the advice of his friend, Chris Perry. According to Derek, he stored the ostarine in his garage refrigerator and would take the ostarine either sublingually or mixed in water bottles with “Vasayo” drink mix. (Vasayo is a health and wellness supplement company for

whom Derek's wife, Mr. Fix's mother, serves as a representative.)

Though the ostarine itself remained in Derek's garage refrigerator, sometimes the water bottles mixed with ostarine and Vasayo drink mix would be placed in the refrigerator inside his house.

5. On January 22, 2020, Mr. Fix underwent an out-of-competition doping control test. He did not declare any substances, supplements, or methods on his Doping Control Official Record ("DCOR") at the time.

6. On February 10, 2020, USADA notified Mr. Fix that his sample, Sample #1634190, tested positive for ostarine. Ostarine is a Non-Specified Prohibited Substance in the class of Anabolic Agents on the World Anti-Doping Agency ("WADA") Prohibited List and is prohibited at all times. The estimated ostarine concentration present in Mr. Fix's sample was 0.065 ng/mL, a very small amount.

7. After learning of his positive test, Mr. Fix began exploring possible explanations for the source of ostarine in his sample. Derek informed Mr. Fix that he had been using ostarine in the weeks preceding Mr. Fix's doping control test, but Mr. Fix did not initially believe Derek's ostarine was the source of the positive test.

8. On February 22, 2020, Mr. Fix voluntarily submitted to a polygraph examination. He was asked if, since November 2019, had he ever physically used any ostarine and in that same time frame whether he knowingly consumed anything containing ostarine. Mr. Fix answered that he had not, and the results of that test determined that Mr. Fix was not deceptive when giving his answers.

9. Mr. Fix examined whether any supplements he used preceding his positive test were contaminated with ostarine. Between February 20 and March 26, 2020, Mr. Fix sent a total of ten supplements to Korva Labs in Los Angeles, California for ostarine contamination testing. None were found to contain ostarine.

10. Because Mr. Fix's supplements were not contaminated with ostarine, he had another conversation with his father, Derek. During that conversation, Mr. Fix learned for the first time that Derek would occasionally mix his ostarine into water bottles with Vasayo drink mix that were sometimes placed in the refrigerator inside Derek's home. Mr. Fix specifically remembers drinking somewhere between a couple sips to a few gulps from a water bottle

premixed with Vasayo that he took from the refrigerator inside his parents' home while visiting sometime before or after his trip to Italy.

11. On March 2, 2020, USADA notified Mr. Fix that the B sample analysis confirmed the presence of ostarine in his sample and that his case would be submitted to a panel of the Anti-Doping Review Board ("ADRB"). On March 10, 2020, USADA formally charged Mr. Fix with an anti-doping rule violation ("ADRV") for the presence of ostarine in his urine sample and for the use, or attempted use, of ostarine pursuant to Articles 2.1 and 2.2 of the UWW Anti-Doping Rules and Articles 2.1 and 2.2 of the World Anti-Doping Code, which have been incorporated into the Protocol.

12. Mr. Fix requested a hearing before a panel of three arbitrators in this matter on March 19, 2020. USADA initiated the hearing process on March 20, 2020.

13. On March 23, 2020, USADA made a formal discovery request to Mr. Fix. He provided responses and attached documentation to USADA on May 15, 2020.

14. Following interviews with Mr. Fix and his father, as well as a preliminary conference call with Mr. Fix and the AAA Panel, USADA made an additional discovery request on June 26, 2020.

15. Shortly thereafter, Mr. Fix and USADA agreed to a stipulation of uncontested facts and issues on July 7, 2020.

16. On July 10, 2020, Mr. Fix provided his responses to USADA's additional discovery request.

17. On July 13, 2020, the Sports Medicine Research and Testing Laboratory ("SMRTL") confirmed the presence of ostarine in Derek Fix's MK-2866 supplement, detecting ostarine at approximately 50 mg/ml.

18. After reviewing the relevant scientific data, Dr. Matthew Fedoruk, USADA's Chief Science Officer, opined that Mr. Fix's explanation for how he ingested ostarine and the amount of ostarine ingested is consistent with the very low level of ostarine in his sample.

19. On July 14, 2020, Mr. Fix submitted his pre-hearing brief and exhibits in support of his position.

20. After conducting discovery and thoroughly reviewing the submissions made in the arbitration, USADA concluded that it



appeared likely that Mr. Fix would be able to establish that his ingestion of ostarine was accidental and not intended to enhance his athletic performance. It also became apparent to USADA that, as described below, Mr. Fix's degree of fault was low.

21. Accordingly, USADA discussed with Mr. Fix's counsel the prospect of submitting this matter to the arbitration panel on agreed facts and with an agreed sanction for the arbitrators to conduct an impartial review of the stipulated facts, applicable rules, and pertinent case precedents before approving the parties' proposed case resolution.

### **III. APPLICABLE RULES**

22. This matter is governed by the UWW Anti-Doping Rules and USADA Protocol, both of which have incorporated the anti-doping provisions of the World Anti-Doping Code. The most relevant articles and provisions are provided below:

#### ***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 rule violation under Article 2.1.

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

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

## **3.1 Burdens and Standards of Proof**

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

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

The period of *Ineligibility* imposed for a first violation of Articles 2.1, 2.2 or 2.6 shall be as follows, subject to potential reduction or suspension of sanction pursuant to Articles 10.4, 10.5 or 10.6:

10.2.1 The period of *Ineligibility* shall be four years where:

10.2.1.1 The anti-doping rule violation does not involve a *Specified Substance*, unless the *Athlete* or other *Person* can establish that the anti-doping rule violation was not intentional.

10.2.2 If Article 10.2.1 does not apply, the period of *Ineligibility* shall be two years.

10.2.3 As used in Articles 10.2 and 10.3, the term “intentional” is meant to identify those *Athletes* who cheat. The term, therefore, requires that the *Athlete* or other *Person* engaged in conduct which he or she knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall not be considered intentional if the substance is not a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition* in a context unrelated to sport performance.

## **10.5 Reduction of the Period of Ineligibility based on No Significant Fault or Negligence**

### **10.5.2 Application of *No Significant Fault* or *Negligence* beyond the Application of Article 10.5.1.**

If an *Athlete* or other *Person* establishes in an individual case where Article 10.5.1 is not applicable, that he or she bears *No Significant Fault* or *Negligence*, then, subject to further reduction or elimination as provided in Article 10.6, the otherwise applicable period of *Ineligibility* may be reduced based on the *Athlete* or other *Person's* degree of *Fault*, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Article may be no less than eight years.

### **Appendix 1: Definitions – *No Significant Fault* or *Negligence***

The *Athlete* or other *Person'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. 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.

### **10.11 Commencement of *Ineligibility* Period**

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

10.11.3 Credit for Provisional Suspension or Period of Ineligibility Served

10.11.3.1 If a *Provisional Suspension* is imposed and respected by the *Athlete* or other *Person*, 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. If a period of *Ineligibility* is served pursuant to a decision that is subsequently appealed, then the *Athlete* or other *Person* shall receive a credit for such period of *Ineligibility* served against any period of *Ineligibility* which may ultimately be imposed on appeal.

IV. ANALYSIS

23. Mr. Fix does not contest the finding of ostarine in his sample and does not contend that he bears “No Fault or Negligence” for his positive test. Therefore, the sole question is the length of Mr. Fix’s sanction based on his degree of fault.

24. Mr. Fix has submitted that his positive test must have been caused by accidentally ingesting some of his father’s ostarine as a result of drinking from a water bottle mixed with Vasayo and ostarine while visiting his parents’ home, either in the days before

he left for his competition in Italy or in the days following his return to Oklahoma.

25. Mr. Fix's theory of contamination is supported by the following facts:

- a. None of the samples of supplements Mr. Fix used preceding his doping control test tested positive for ostarine;
- b. Mr. Fix was unaware that his father, Derek, had been using ostarine every day from late December 2019 or early January 2020;
- c. Without Mr. Fix's knowledge, Derek Fix's ostarine was sometimes mixed into water bottles with Vasayo and placed in the refrigerator inside the family home;
- d. SMRTL confirmed the presence of ostarine in Derek Fix's supplement;
- e. Mr. Fix regularly visited his parents' home and it was not uncommon for him to drink water bottles premixed with Vasayo from the refrigerator in the family home as his mother is a sales representative for this product;

f. Mr. Fix is certain he drank somewhere between a couple sips to a few gulps from a water bottle mixed with Vasayo product that he found in the refrigerator inside the family home on either January 14, 20, or 21, 2020

g. There was no way for Mr. Fix to readily discern or suspect any of the water bottles mixed with Vasayo Products were contaminated with Ostarine;

h. Dr. Fedoruk concluded that the estimated amount of ostarine ingested by Mr. Fix is consistent with the amount in his sample based on the excretion rate for oral doses of ostarine.

26. For these reasons, Mr. Fix has met his burden of establishing how ostarine entered his system by a balance of probability.

27. Because ostarine is a Non-Specified Substance on the Prohibited List, Mr. Fix's default sanction is four years unless he can prove his ostarine use was not intentional.

28. Under Article 10.2.3, "intentional" is meant to identify those athletes who cheat. Code Art. 10.2.3. As such, the term required Mr. Fix to engage in conduct he knew constituted an ADRV

or knew there was a significant risk that his conduct might result in an ADRV and manifestly disregarded that risk. *Id.* As explained above, Mr. Fix could not reasonably have known that any of the water bottles at his parents' home contained ostarine. Thus, Mr. Fix has met his burden of proving that his ostarine use was not intentional by a balance of probability. Code Art. 3.1.

29. As a result, Mr. Fix's starting sanction is two years per Article 10.2.2, with the potential of being reduced to a minimum of twelve months, if he can demonstrate he acted with "No Significant Fault or Negligence" when he ingested the ostarine per Article 10.5.2. A threshold requirement to proving "No Significant Fault or Negligence" is that an athlete must first establish how the prohibited substance entered his system. Mr. Fix has satisfied this burden of proving by a balance of probability how the ostarine entered his system.

30. *Cilic v. ITF* has been cited in determining the appropriate sanction in this case based on Mr. Fix's degree of fault. *Cilic* describes three categories of fault with associated sanction ranges:

- a. Light degree of fault: 0–8 months, with a "standard" light degree of fault suspension of 4 months;



- b. Normal degree of fault: 8–16 months, with a “standard” normal degree of fault suspension of 12 months;
- c. Significant degree of fault: 16–24 months, with a “standard” significant degree of fault sanction of 20 months.

31. However, because ostarine is a non-specified substance, it is appropriate to adjust these sanction ranges in the instant case to account for the minimum 12-month period of ineligibility applicable in Mr. Fix’s case:

- a. Light degree of fault (12–16 months);
- b. Normal degree of fault (16–20 months);
- c. Significant degree of fault (20–24 months).

32. In determining which category of fault an athlete’s particular case falls, the Panel considered both the objective and subjective elements. The objective element describes what standard of care could have been expected from a reasonable person in the athlete’s situation. The subjective element describes what could have been expected from that particular athlete in light of his or her personal capacities.

33. *Cilic* suggests that the objective element should be used to determine which of the three categories an athlete's case falls, and the subjective element should be used to move a particular athlete up or down within that category.

34. The *Cilic* "objective element" factors, which are taken into account when assessing which category of fault a case falls, state that for substances like ostarine that are prohibited at all times, an athlete is reasonably expected to: (i) read the label of the product used (or otherwise ascertain the ingredients), (ii) cross-check all the ingredients on the label with the list of prohibited substances, (iii) make an internet search of the product, (iv) ensure the product is reliably sourced and (v) consult appropriate experts in these matters and instruct them diligently before consuming the product.

35. Mr. Fix contends that he read the labels of all products he regularly consumed and cross-checked their ingredients; he was unaware that his father was using ostarine; he could not conduct a feasible internet search to determine if the water bottle contained ostarine; he never knowingly used a banned substance, nor had any intention to cheat; and did not perceive any danger in drinking

a water bottle with apparently familiar ingredients in the comfort of his parents' home.

36. Based on the objective factors, Mr. Fix reasonably believed that he was drinking vitamin water. He has therefore established that he bears no significant fault or negligence and that his case falls into the light degree of fault category.

37. The *Cilic* "subjective element" factors that are taken into account for assessing where within the light degree of fault range Mr. Fix's case falls are: (i) an athlete's youth and/or inexperience; (ii) language or environmental problems encountered by the athlete; (iii) the extent of anti-doping education received by the athlete or reasonably accessible by the athlete; and (iv) any other "personal impairments," such as those suffered by an athlete who has taken a certain product over a long period of time without incident, or an athlete whose level of awareness has been decreased by a careless but understandable mistake.

38. The subjective factors that decrease Mr. Fix's degree of fault are: (1) Mr. Fix is only 22 years of age and is not considered an experienced veteran of the sport, having joined the registered testing pool at the end of 2018; (2) he had no way of readily

discerning the water contained ostarine; (3) his level of awareness or attentiveness to potential contamination was reduced at his parents' home, as he regularly visited and consumed food or drinks there; and (4) his mother was a Vasayo representative and seeing a water bottle with a Vasayo mix was not unusual and did not raise suspicion as Vasayo was a trusted product that had never caused any issues.

39. Along with the *Cilic* factors, the following CAS cases are persuasive in evaluating the merits of Mr. Fix's case and assessing the appropriate period of ineligibility:

a. In *WADA v. Marr*, the panel found that professional triathlete Timothy Marr's ("Marr") "very limited" degree of fault or negligence accompanying his inadvertent ingestion of Adderall, which contained the non-specified stimulant amphetamine, warranted a twelve-month sanction. While driving to a competition with a close friend, Marr unknowingly ingested Adderall as a result of drinking from his friend's soda. His friend had put the Adderall in one of two identical large Coke sodas in the center console when Marr was away from the vehicle.

The panel accepted Marr's explanation and determined that his degree of fault or negligence was "very limited" considering Marr had no intention to take Adderall, no intention to enhance sports performance, did not know of his friend's Adderall prescription or use, and was not in a hostile environment or otherwise had any reason to suspect the beverage was contaminated with a prohibited substance. Thus, the panel agreed that Marr was entitled to a substantial reduction of the standard two-year period of ineligibility and imposed a twelve-month sanction.

b. In *Errani v. ITF*, where the athlete, Sara Errani ("Errani"), inadvertently ingested the prohibited substance, letrozole, as a result of food contamination, the tribunal concluded she had a light degree of fault. After all of Errani's supplements tested negative for letrozole, she determined that she must have accidentally consumed one of her mother's anti-cancer medication pills containing letrozole during the three days she spent at her parents' home preceding her test date. Because her mother kept her medication on the counter near the area she prepared food, Errani believed that one of the pills must have accidentally dropped and

dissolved into some food she cooked for Errani, as her mother's pills had fallen onto the food prep area on at least one previous occasion.

The tribunal found that Errani "just slightly" established her theory of contamination by a balance of probability and concluded that Errani's conduct fell into the upper range of a light degree of fault, reasoning that, although she was unaware of her mother's medication use and was in an environment where she would not expect to be confronted with contaminated food, she should have done more as an experienced athlete to avoid a "careless but understandable mistake." Ultimately, the tribunal reduced Errani's sanction from two years to ten months for her light degree of fault or negligence.

c. In *Puerta v. ITF*, the panel reduced the athlete's sanction from eight years to two years for his second ADRV because he accidentally drank his wife's medicine containing a specified substance. Upon returning to the table where he had just eaten lunch after spending a few minutes in the changing room, Mariano Puerta ("Puerta"), poured his own bottled water—which he purposely brought with him to avoid contamination—into a glass he believed to be his. Mr. Puerta was unaware that his wife had

changed seats and used his glass to take her colorless, odorless, tasteless medication containing a banned substance while he was away.

The Panel accepted Puerta's theory of contamination and determined that because he took precautionary measures to attempt to drink clean water, had no intention to cheat, had no way of knowing his wife used his glass for her medication, and had a negligible quantity of the prohibited substance in his sample, Puerta's degree of fault was "so slight" that reducing his sanction based on no significant fault or negligence was "inevitable and necessary." Accordingly, the Panel concluded that a two-year sanction was the "only just and appropriate sanction," in Puerta's "very rare case" despite the otherwise mandatory minimum eight-year sanction for second offenses.

40. Mr. Fix's case bears strong resemblance to *Marr, Errani*, and *Puerta*. Just like the athletes in *Marr* and *Errani*, who were unaware that someone with access to their food or drink was using prohibited substances until after receiving notice of the positive test, Mr. Fix was unaware that his dad was using ostarine, let alone mixing it into water bottles placed inside the family home's

refrigerator, until after Mr. Fix received notice of his positive test. Furthermore, as in *Marr*, *Errani*, and *Puerta*, Mr. Fix was in an environment—his parents’ home—where an athlete would understandably have a reduced level of awareness for contaminated products. Moreover, as a relatively young athlete of 22 years of age, Mr. Fix had even more reason to trust the food and drink made available to him by his parents.

41. In addition, the negligible amount of the prohibited substance in the athlete’s sample, as in *Puerta*, weighs in favor of a minimal degree of fault, because the trace amounts of ostarine in Mr. Fix’s sample are consistent with the contamination theory. Finally, like *Marr*, *Errani*, and *Puerta*, where the athletes had no way of readily discerning the food or drink they consumed were contaminated with a prohibited substance, Mr. Fix had no way of detecting the ostarine inside the premixed water bottle and no reason to suspect that he should ask his parents whether the bottle contained anything other than the Vasayo mix that he was accustomed to drinking without issue.

42. The athletes in the above cases were found to have no significant degree of fault or negligence. Notably, neither *Marr* nor



*Errani* were sanctioned more than twelve months, and *Puerta* almost certainly would not have been sanctioned for more than twelve months had it been his first violation. Likewise, Mr. Fix's light degree of fault and striking similarities to the *Marr*, *Errani*, and *Puerta* cases demand a sanction at the lowest end of the light degree of fault category, *i.e.*, twelve months.

43. Under Article 10.11.3 of the Code, Mr. Fix is entitled to credit for the period of ineligibility served under his provisional suspension, which was imposed on February 10, 2020.

44. The Panel has reviewed the facts, documents, credibility determinations, and legal analysis submitted by the parties, and finds the case resolution set forth below to be consistent with the stipulated facts and credibility findings confirmed by both parties at the arbitration hearing; to be an appropriate result under applicable rules; and to be manifestly fair, reasonable, and just under the stipulated circumstances

## V. AWARD

The parties having reached a settlement of their dispute and in consideration of the mutual positions of the parties and their respective Counsel, the evidence and legal analysis described above, and after due deliberation, WE, THE UNDERSIGNED PANEL, having been designated in accordance with the procedures of the American Arbitration Association and its U.S. Olympic Anti-Doping Panel, and having been duly sworn, hereby incorporate the terms set forth in that settlement as the Panel's AWARD as follows:

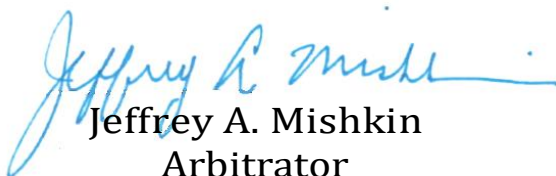
1. Mr. Daton Fix has committed an anti-doping rule violation under Article 2.1 of the Code.
2. Mr. Fix did not intentionally violate the anti-doping rules under Article 10.2.3, and therefore the default period of ineligibility for the anti-doping rule violation is two years, which penalty is subject to further reduction.
3. Mr. Fix sustained his burden of proving under Article 10.5.2 of the Code that he bears No Significant Fault or Negligence for the anti-doping rule violation. Therefore, his period of ineligibility is reduced from two years to 12 months.

4. The start date of Mr. Fix's period of ineligibility is the date of his provisional suspension, February 10, 2020.
5. Mr. Fix's competitive results, if any, from the date of sample collection on January 22, 2020 through the date of provisional suspension, February 10, 2020, are disqualified, and any medals, points and prizes earned during that period shall be forfeited.
6. This Award is in full settlement of all claims submitted to this arbitration. All claims not expressly granted herein are hereby denied.
7. Costs and fees due the American Arbitration Association and the Panel shall be paid forthwith by the US Olympic and Paralympic Committee.
8. Each party shall pay the fees and expenses of its own counsel.



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Daniel F. Brent Chair



Jeffrey A. Mishkin  
Arbitrator



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Christopher L. Campbell  
Arbitrator

Dated: August 31, 2020