

UNITED STATES OLYMPIC COMMITTEE

LYNN PEARCE WOOLDRIDGE-THURSBY)	
)	
Complainant)	
)	ORDER
v.)	ON
)	MOTION TO COMPEL
USA JUDO)	
)	
Respondent.)	July 20, 2015

I. BACKGROUND

1. This matter was commenced on February 27, 2015, when Lynn Pearce Wooldridge-Thursby (“Wooldridge-Thursby”) filed a Section 10 Complaint against USA Judo (“USAJ”).

2. In its Order of May 11, 2015, the Hearing Panel set forth the following discovery schedule:

- a) USAJ shall file its Request for Production, if any, by May 29, 2015.
- b) If there are discovery issues, the Parties shall meet and confer by June 12, 2015, in an attempt to resolve them.
- c) If there are any outstanding discovery issues after the Parties meet and confer, the Parties shall notify the Hearing Panel by June 19, 2015, with accompanying reasons why production is objected to or should be compelled.

3. On June 19, 2015, Wooldridge-Thursby filed a Motion to Compel Further Production of Documents and Other Information (“Motion to Compel”).

4. By Order of June 26, 2015, the Hearing Panel allowed USAJ until July 8, 2015, to respond to the Motion to Compel.

5. On July 1 and July 8, 2015, the Parties produced non-contested documents.
6. On July 8, 2015, USAJ filed a Response to the Motion to Compel.
7. On July 17, 2015, the Hearing Panel held a hearing on the Motion to Compel.

II. DISCUSSION

8. A number of issues raised by Wooldridge-Thursby in her Motion to Compel were resolved by the Parties on July 1 and 8 when documents were produced by USAJ. The Hearing Panel commends the Parties for their collaboration in resolving these issues.

9. During the hearing Wooldridge-Thursby inquired whether USAJ had fully complied with discovery requests 1.1, 1.6, 1.7, 1.9, 1.11, 1.12 and 1.17. USAJ responded that it had produced documents in response to Wooldridge-Thursby's request. USAJ also indicated that when it made its production it had informed Wooldridge-Thursby that it would supplement its production if additional documents were discovered or determined to be responsive to Wooldridge-Thursby's request.

10. USAJ agreed at the hearing, and the Hearing Panel confirms with this Order, that USAJ will conduct a further search and by July 24, 2015, either produce outstanding documents or inform Wooldridge-Thursby that no such documents exist.

11. The primary issue discussed during the hearing was Wooldridge-Thursby's request 1.3, in which Wooldridge-Thursby asked for:

“Copies of all bank statements (including deposits) for USA Sports Production Management, Inc., from January 1, 2010, to the present.”

12. Wooldridge-Thursby asserts that these documents are discoverable as they are reasonably calculated to lead to the discovery of admissible evidence. Wooldridge-Thursby argues that production could provide evidence that business opportunities are being diverted from USAJ to USA Sports Production, Inc. Wooldridge-Thursby claims that Mr. Rodriguez, who is the CEO of USAJ, has an ownership interest in USA Sports Production, Inc. Wooldridge-Thursby alleges that this association provides a legal basis for ordering production.

13. USAJ contends that it does not control USA Sports Production Management, Inc., and that therefore there is no legal basis for ordering USAJ to produce the documents requested. USAJ also asserts that Wooldridge-Thursby has not demonstrated a basis for her allegation that business is being diverted from USAJ to USA Sports Production Management, Inc. and that the request is merely a fishing expedition.

14. During the hearing there was discussion as to whether Wooldridge-Thursby could amend or narrow her request so that USAJ would not find it objectionable.

15. The Hearing Panel is not convinced that, even though Mr. Rodriguez may be associated with USA Sports Production Management, Inc. as Wooldridge-Thursby contends, it has the authority to order USAJ to produce documents in the possession of USA Sports Production Management, Inc. Even if the Panel issues such an order, it raises the question of how to compel USA Sports Management, Inc. to produce documents in compliance with the order.

16. The Hearing Panel is also not convinced by USAJ's contention that Wooldridge-Thursby's request is a fishing expedition and that production of the documents would fail to lead to admissible evidence.

17. After considering the matter, the Hearing Panel denies Wooldridge-Thursby's Motion to Compel as it pertains to request 1.3. However, Wooldridge-Thursby is granted leave until July 24, 2015, to either amend or narrow request 1.3 if she so desires. Wooldridge-Thursby has until July 24, 2015, to submit a revised request to USAJ. The Hearing Panel encourages the Parties to attempt resolution of a revised request, if submitted, that is agreeable to both. If such resolution cannot be accomplished, the Parties should notify the Hearing Panel accordingly.

III. ORDER

18. By July 24, 2015, USAJ shall either produce the documents requested in discovery requests 1.1, 1.6, 1.7, 1.9, 1.11, 1.12 and 1.17 or inform Wooldridge-Thursby that no such documents exist.

19. Wooldridge-Thursby's Motion to Compel as it pertains to request 1.3 is denied. Wooldridge-Thursby is granted leave until July 24, 2015, to either amend or narrow request 1.3. If a revised request is submitted, the Parties shall notify the Hearing Panel if the matter cannot be resolved.

Dated this 20th day of July, 2015.



Max Cobb, Chair

Steve Mesler, Panel Member
James Gillenwater, Panel Member