

UNITED STATES OLYMPIC & PARALYMPIC COMMITTEE

HOPE SOLO,	)	
	)	
Complainant	)	
	)	ORDER
v.	)	
	)	
US SOCCER FEDERATION,	)	
	)	
Respondent.	)	November 18, 2020

---

I.     BACKGROUND

1.     On November 9, 2020, the Hearing Panel issued an Order relating to discovery disputes between Hope Solo (“Solo”) and US Soccer Federation (USSF) (individually referred to as a “party” and collectively referred to as (“parties”)).

2.     The Hearing Panel provided that the parties shall proceed along one of the following avenues:

- a.     The parties meet and confer, and after a good faith effort to resolve their discovery issues, come to an agreement regarding the documents each will produce and whether any such documents deserve an “Attorneys’ Eyes Only” designation, or whether such documents can be produced pursuant to the Confidentiality Agreement currently in place.
- b.     The parties file an action in court (or request one of the courts in their current litigations) asking for the court to rule on their discovery issues.
- c.     A special master be appointed to resolve the parties’ discovery issues. The parties should come to an agreement on whom they would like to recommend to the Hearing Panel for appointment as special master. If the parties cannot

agree on a special master, then the Hearing Panel will determine who should serve as the special master. The parties should inform the Hearing Panel no later than 5pm MST, November 16, 2020, either (i) that a special master has been agreed upon and who the special master is or (ii) that no agreement as to a special master has been reached. The parties will share the special master's fees equally.

3. The parties responded to the Hearing Panel on November 16, 2020, as requested.

4. The parties met and conferred on November 16, 2020, to discuss their discovery disputes and the potential paths for resolution as set forth in the November 9, 2020, Order. The parties indicate that they were unable to resolve the disputes on their own and were unable to determine an agreed path for resolution.

5. USSF indicated that it would agree to the appointment of a special master to resolve the discovery issues between the parties.

6. Solo indicated that she objects to all three of the proposed options laid out in the Panel's November 9, 2020, Order. Instead Solo requested that the Panel order USSF to produce the remaining documents that she requested, including those documents which USSF indicates it will only produce under an "Attorneys' Eyes Only" designation.

## II. DISCUSSION

7. Special masters are utilized in a variety of circumstances to assist in overseeing one or more aspects of litigation or administrative proceedings, including managing pretrial or prehearing discovery. One benefit to utilizing special masters in discovery issues is that the person chosen can have expertise in resolving issues relating

to financial matters and the production of confidential information. They can also have experience in dealing with problematic legal issues, such as whether documents should be designated as “Attorneys’ Eyes Only.”

8. Although the Hearing Panel has attempted to guide the parties and get them to come to some resolution regarding the discovery issues in this proceeding, issues continue to be raised that only delay the proceeding. The hearing in this case was to take place on December 14 and 15, 2020. That is not possible now. The Hearing Panel is intent on moving this case forward with as little further delay as necessary.

9. Accordingly, the Hearing Panel is appointing the Honorable William G. Bassler, as the special master, to assist the Hearing Panel in ruling on the various discovery issues pertaining to this proceeding. Judge Bassler is a former U.S. District Court Judge for the District of New Jersey with extensive experience in legal and arbitral proceedings, including the resolution of complex and disputed legal matters.

10. Judge Bassler will meet with the parties, hear their respective positions and resolve the discovery issues raised in this proceeding. His rulings will be provided to the Hearing Panel for their review and approval. So as to move this proceeding forward, the Hearing Panel requests that a determination be made by Judge Bassler by December 28, 2020, and that the parties complete exchange of documents no later than 5pm MST, December 31, 2020.

11. The November 9, 2020, Order stated that all discovery disputes shall be resolved and a Joint Report of such shall be provided to the Hearing Panel by 5pm MST, November 30, 2020. In order to allow more time to brief the discovery disputes with the special master, the Hearing Panel is extending the completion deadline as noted above

and requests that the parties provide a Joint Report to the Hearing Panel by 5pm MST, January 4, 2021. This Joint Report should include the parties' recommendations as to a revised scheduling order and hearing date.

12. The parties shall cooperate fully with Judge Bassler and provide him every courtesy. The parties shall not cause this matter to be delayed further but shall promptly and faithfully comply with any scheduling orders and requests for information Judge Bassler deems necessary.

13. The parties shall share Judge Bassler's fees, including any costs, equally.

III. ORDER

14. It is so ordered.

Dated this November 18, 2020.



\_\_\_\_\_for  
Robert Wood, Chair

Alex Natt, Panel member  
Mark Ladwig, Panel member