

**AMERICAN ARBITRATION ASSOCIATION**  
**Commercial Arbitration Tribunal**

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In the Matter of the Arbitration between

**Re: 30 190 00235 06**  
**Michael Farry**  
**and**  
**US Rowing, N.G.B. for the Olympic Sport**  
**of Rowing**

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**ORDER OF ARBITRATION PANEL**

Currently before this panel are four applications. Claimant appeals from certain USOC determinations set forth in his "Amendment to Claimant's July 17<sup>th</sup> Submission." Respondent seeks to dismiss Claimant's appeal, to compel production of all tapes and transcripts of USOC proceedings made by or in the control or possession of claimant, and an allocation of costs in its favor. It is our view, in light of the central ruling below, that consideration of costs is premature, and must await the final Award in this matter. However, we hereby order Claimant to produce to respondent's counsel, within ten days of receipt of this order, a true, correct, and complete copy of all tapes and transcripts of the USOC proceedings in his control or possession.

Claimant, acting pro se, has set forth objections to a number of USOC rulings, including elements from proceedings or rulings that were either withdrawn or superseded. We limit our review to the last USOC Decision of June 29, 2007, and to the key issue in this matter – can claimant clearly and convincingly demonstrate that, had he filed a grievance with respondent in accordance with its bylaws, a hearing on that grievance would have met with unnecessary delay? We hereby order that a hearing be conducted before us on this single issue. To conduct a hearing on this appeal, we would like the parties to consider jointly every possible means of doing so in an expedited and economical manner. Would it be possible to convene by phone or closed circuit camera to avoid travel costs? Are there witnesses other than Messrs. Farry and Langford who must appear? Can witness statements be used in lieu of direct testimony? Can we dispense with pre- and/or post-hearing submissions?

On or before August 24, 2007, the parties are directed to submit to the Association any guidelines on the hearing procedures to which they may mutually agree, together with their schedule of availability for hearing dates during the months of September and October, 2007. The panel will consider the parties' submissions and issue a scheduling order for the conduct of the hearing, or if required, schedule a conference call with the parties to discuss it.

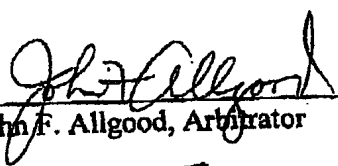
Following the hearing, the panel intends to rule on the all of the remaining applications in its Award.

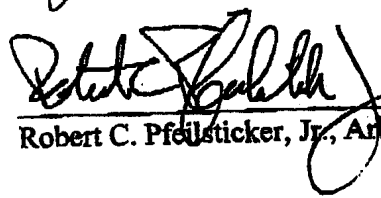
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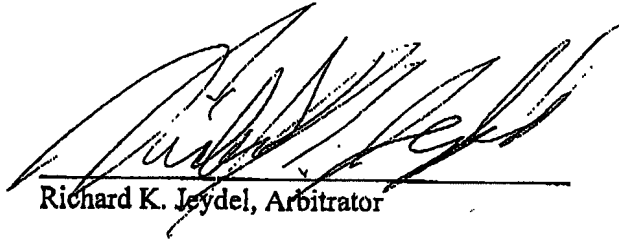
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Richard K. Jeydel, Arbitrator

  
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John F. Allgood, Arbitrator

  
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Robert C. Pfeilsticker, Jr., Arbitrator

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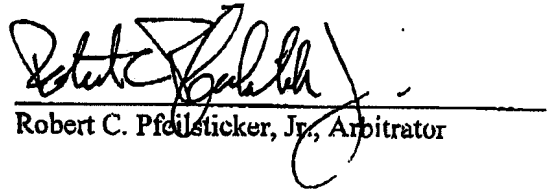
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John F. Allgood, Arbitrator

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Robert C. Pfalsticker, Jr., Arbitrator