

**AMERICAN ARBITRATION ASSOCIATION**  
Commercial Arbitration Tribunal

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In the matter of the arbitration between

**DENNIS HALL, Claimant**

and

**AWARD OF ARBITRATOR**

**USA WRESTLING, Respondent**

**Case Number 30 190 00444 00**

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The undersigned arbitrator, having been designated in accordance with the arbitration agreement of the above named parties, and having duly heard and fully considered the proofs, allegations and evidence of the parties, hereby FINDS and AWARDS as follows:

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. On June 24, 2000, at Dallas, Texas, Claimant, Dennis Hall, competed against Jim Gruenwald in the final trials for nomination as a Greco-Roman wrestler to the 2000 U.S. Olympic team. Mr. Gruenwald won the second and third matches of the best-of-three contest after Mr. Hall had won the first, and Mr. Gruenwald was accordingly declared the winner. Mr. Hall immediately protested the awarding of the third and decisive match to Mr. Gruenwald, alleging that Mr. Gruenwald had defended with his legs in violation of Article 61 of the International (FILA) Rule Book & Guide to Wrestling with USA Wrestling Modifications which governed the match, and that the match officials had erred by determining that Mr. Gruenwald had not violated that rule.
2. Article 61, in relevant part, provides as follows:
  - Article 61 - Special Prohibitions
    - A. In Greco-Roman wrestling, it is forbidden to grasp the opponent below the hips or to squeeze him with the legs. All pushing, pressing or "lifting" by means of contact with the legs on any part of the body of the opponent is also strictly forbidden.
3. The Protest Committee, noting Article 63 of the aforesaid rules, determined that the officials' decision with respect to the claimed rule violation by Mr. Gruenwald was a judgment decision which is not subject to protest.
4. Mr. Hall next, pursuant to USA Wrestling rules, appealed the Protest Committee's decision to the USA Wrestling Greco-Roman Sport Committee. That body agreed with the Protest Committee's decision that Mr. Hall's claim was based on a challenge to a judgment call by the

officials and consequently was not a permitted basis for protest under the rules. Accordingly, on July 19, 2000, the Greco-Roman Sport Committee unanimously upheld the Protest Committee's decision and denied Mr. Hall's appeal.

5. Claimant Hall thereupon filed a Demand For Arbitration naming USA Wrestling, the United States Olympic Committee and Jim Gruenwald as respondents. On its motion and without objection, the United States Olympic Committee was dismissed from the case at a telephonic pre-hearing conference on July 28, 2000. Respondent Gruenwald was dismissed from the case by the arbitrator at the August 3, 2000 hearing on this matter, Claimant Hall and Respondent USA Wrestling having agreed to such dismissal.
6. Claimant's case rests on two principal contentions. First, Claimant asserts that the Mat Chairman, Rick Tucci, misunderstood and misapplied Article 61 which, in Claimant's view, strictly prohibits any contact by a wrestler's legs with the opponent's body, while Mr. Tucci understood the rule to prohibit only the types of leg contact specifically listed there - squeezing, pushing, pressing and lifting - and ruled that any contact with Mr. Hall's legs constituted only "incidental touching" which is not prohibited. Second, in his testimony, including demonstrative illustration of his movements and position during the incident in question, Claimant Hall contended that Mr. Gruenwald's actions did in fact go beyond incidental touching, that there was pushing, pressing or other leg contact specifically prohibited by Article 61 and that this contact prevented him from completing his move, caused him to fall to his back, lose points and, thereby, lose the bout.
7. With respect to Claimant's contention that there was in fact leg contact of one or more of the types specifically prohibited by Article 61 - the arbitrator finds that Mr. Tucci's decision in this regard was a judgment call and there is no claim or suggestion that it was not made in good faith.

Claimant's right to pursue in arbitration his demand that he be awarded a re-match because of a claimed mistaken call by an official or officials is based ultimately upon Section 220522 (a) (4) (B) of the Ted Stevens Olympic and Amateur Sports Act which provides in relevant part:

"An amateur sports organization is eligible to be recognized ... as a national governing body only if it ... agrees to submit to binding arbitration in any controversy involving the opportunity of any amateur athlete ... to participate in amateur athletic competition ..."

This provision is repeated in the United States Olympic Committee's constitution and bylaws and is binding upon USA Wrestling, the national governing body for wrestling.

In construing the language of a statute, where more than one construction is possible, constructions which produce reasonable rather than unreasonable results should be preferred on the assumption that the legislative body could not have intended an unreasonable result. It is the arbitrator's view that, absent allegations of bad faith or violation of the rules under which the competition was conducted, Congress could not have intended that the myriad of officials' judgment calls in the sports involved in Olympic trials should be subject to reversal by arbitrators. Hypothetical parallels in a non-Olympic professional context which illustrate the

absurdity of such a result would be a rule of law which permitted a football player or team to challenge an official's pass interference call in court, or a baseball player or team to ask a judge or arbitrator to reverse an umpire's call that a player was out sliding into third base.

Accordingly, the arbitrator finds that Claimant's contention that the Mat Chairman's decision was wrong because there was in fact conduct by Mr. Gruenwald specifically prohibited by Article 61 (squeezing, pushing, pulling or lifting with the legs) is a challenge of an official's good faith judgment decision and is not arbitrable. Claimant's demand for arbitration in this regard is dismissed.

8. However, claimant's contention that Mat Chairman Tucci misunderstood and mis-applied Article 61 does present a controversy which is within the meaning of Section 220522 of the Stevens Act. It involves an assertion that the rules governing the match were not properly applied rather than a challenge to an official's good faith judgment call. But claimant's case fares no better here for the arbitrator is of the opinion and so finds that Mat Chairman Tucci's understanding of the rule is the correct one. Article 61 is clear: grasping the opponent below the hips, squeezing him with the legs, pushing, pressing or lifting by means of contact with the legs on the opponent's body are all prohibited. But not all leg contact falls within one of the forbidden categories and incidental touching with the legs is not prohibited by the rule.

**THEREFORE, based on the above findings and conclusions, the claim is DENIED.**

The fees and expenses of the American Arbitration Association ("the Association") shall be borne 50% by claimant Dennis Hall and 50% by respondent USA Wrestling and shall be paid as directed by the Association.

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All claims not expressly granted in this arbitration are hereby DENIED.

This award is in full settlement of all claims presented to this arbitration.

  
Herbert S. Channick, arbitrator

Date: Aug 7, 2000