

**USA Field Hockey Executive Director's Report-USAFH Board of Directors'  
Meeting-The Nook-Lancaster, PA. August 10<sup>th</sup> and 11<sup>th</sup>, 2013**

**Brainstorming Session:** On Saturday the 10<sup>th</sup>, we will initiate, at the beginning of the Board meeting, a brainstorming session with the Board as we seek guidance in three important areas that will need policy clarification. The areas of concern include *The Men's High Performance (HP) Program*. This session will be led by *Dr. Peter Davis, Ph.D.* Peter crafted the *London Olympic Games* review for us and is a gifted moderator for controversial topics revolving around HP sport. *Chris Clements*, Men's Senior HP Coach, will be unable to attend as he will be in Toronto preparing for the *Pan Am Cup*. We will initiate a subsequent telephonic meeting with the Board and Chris at the conclusion of the *Pan Am Cup* to obtain Chris' perspective and take a look at the *Pan Am Cup* outcome (see the next bolded area below). The second topic will be *Safe Sport*, the *USOC* initiated program that deals with issues of bullying, sexual abuse and molestation. This program has serious implications to *USA Field Hockey* from both a morale and financial standpoint. The program will be described in depth as it seems to now be a moving target within the *USOC*. The final topic will deal with the transformation of the *USAFH Foundation*. The purpose of the transformation is to change the purpose of the *Foundation* from a caretaker group to an actual fundraising group.

**Chris Clements availability for telephonic conference call with the Board** Chris advises that his time will be consumed through the 18<sup>th</sup> at the *Pan Am Cup*. His first available date for a call is now Monday, August 19<sup>th</sup>. We also have a time crunch of getting the men's side of the High Performance Plan (HPP) to the *USOC* that week (they are giving us some slack as the HPP plans are actually due August 1<sup>st</sup>). I will be setting up a conference call for 9pm ET the evening of the 19th for Chris to provide his Men's HP perspective and reflect on the outcome of the *Pan Am Cup*.

**Tour of The Nook** This will be special, especially for those of you who have not been in this facility. It is grand, massive, and better than any *Olympic Training Center* in any country I have ever seen. The relationship we have built with *Sam Beiler*, the financier of *The Nook*, his staff, the staff of the *Orthopedic Associates of Lancaster* including their CEO *Bill Wiek* and lead orthopedist *Dr. Paul Carroll* (his daughter is a hockey athlete) is so positive as they all are interested in providing premium service to athletes for all the right reasons. This will truly be the highlight of this Board meeting.

**Terry Walsh-Sports/Tec Software** Over time, I have been keeping you abreast of the *Sports/Tec* situation insofar as our acquisition of *Sports/Code* software used by our HP Group. In review, Terry Walsh's contracts concluded at the end of 2012. Within the first contract (one in which Walsh served as an employee) was a section dealing with the leasing of software and software upgrades from a contractually identified entity known as *Terron Pty, LTD*, a sport technology company. A portion of that Walsh contract included payments for software and the updates. Through the term of this first Walsh contract (between January, 2006-June, 2010) a total of \$111,250 was expended for *Sports/Code*

software leasing and updating. The second Walsh contract (he became a contractor in the second contract) was for the period July, 2010-December, 2012. In that contract, the leasing amount was not broken out, but it can be interpolated that another \$66,250 during the contract's term was expensed using the first contract's numbers as a guide. Therefore, a total of ~\$177,500 was paid to *Terron Pty, Ltd.* during the time frames noted above for software leasing and updating. Had *USAFH* purchased the software in 2006, our costs over time would have been considerably less, even with the additional amounts for updating, and we would have owned the software.

Upon the conclusion of the Walsh contracts, *USAFH* researched with the owner of *Sports/Code* software, *Sports/Tec*, the costs of either leasing or purchasing the *Sports/Code* product. It was determined to purchase the software for \$160,550 from *Sports/Tec* as we would then have equity and our further expenses would only be for future updates. In the process of acquisition, and while in discussions with principals of *Sports/Tec* including their CEO, they were questioning why we had never purchased/leased software from *Sports/Tec* before. They found that particularly curious as Terry Walsh was associated with *USA Field Hockey* and he was involved with the initial development of the *Sports/Code* product. The *Sports/Tec* principals were advised that *USAFH* had been leasing and updating the software through an Australian company known as *Terron Pty, Ltd.* This was a familiar entity to them as they have paid royalties to Walsh based upon his early input on the product. The CEO, Philip Jackson, indicated that *Terron Pty, Ltd.* is a retirement fund, not a sport technology company. Also, during development and after, Terry Walsh was provided with copies of the *Sports/Code* software under the presumption he would use it for his private use and to help further develop the product. In the end, these were the software licenses he used to lease to *USAFH*. While it was not an authorized use of the licenses and he was leasing property not belonging to him, *Sports/Tec* decided not to litigate due to the expense of litigation and because, from the outset, they had not provided Walsh limitations on the use of his licenses in writing. They thought that it was a *given* as their line of business is the leasing, selling and updating of these sorts of software products. We pursued from *Sports/Tec* a release of liability as they could have pursued us for leasing their intellectual property from an unauthorized agent and we received the release from *Sports/Tec* earlier this year.

Via emails, I brought the episode to Terry Walsh's attention. In his first response to me he indicated my commentary was not accurate. In a following email I asked him what was inaccurate about the email describing the matter. He has not responded since, even though I have asked three times. The following is the thread of emails sent to Walsh:

*Dear Terry,*

*I have not as of yet received a response to my letter that you acknowledged receipt of on April 10, and to my follow up on emails of April 10 and April 19. As I state in the original email "USA Field Hockey believes it is in your and the organization's best interest—as well as the best interest of the sport—for us to be able to reach a mutually agreeable resolution to this matter."*

*Please could you respond (in writing) at your earliest convenience?*

*Steven M Locke*

-----Original Message-----

*From: Steve Locke  
Sent: Friday, April 19, 2013 2:24 PM  
To: 'Terry Walsh'  
Subject: RE: SportsCode Software*

*Terry*

*I received your VM earlier and noted that you are receiving outside guidance and I presume that means legal assistance. Please see below my earlier note. Would you please identify the inaccuracies in writing so we have clarity on what they may be from your perspective?*

*Steven Locke  
Executive Director  
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-----Original Message-----

*From: Steve Locke  
Sent: Wednesday, April 10, 2013 11:19 AM  
To: 'Terry Walsh'  
Subject: RE: SportsCode Software*

*Terry*

*What elements are inaccurate?*

*Steven Locke  
Executive Director  
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-----Original Message-----

From: Terry Walsh [<mailto:terrywalsh2@mac.com>]

Sent: Wednesday, April 10, 2013 10:46 AM

To: Steve Locke

Subject: Re: SportsCode Software

Steve

*The effort you made to get the document into a readable format I appreciate.*

*I acknowledge receipt of this correspondence.*

*Many elements of your commentary are inaccurate.*

Terry

> April 2, 2013

> Terry Walsh

> Terron Pty., Ltd.

> Re: SportsCode Elite Software

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> Dear Terry:

> As you know, it has recently come to our attention that the SportsCode Elite software Terron Pty., Ltd. licensed to USA Field Hockey from 2006 to 2012 was the proprietary material of Sportstec Ltd. We have also learned that Sportstec did not authorize you to license its software on behalf of the company. In fact, Sportstec had no idea that you were doing so. You were a trusted intermediary between USA Field Hockey and Sportstec, and you violated that trust for close to six years. Additionally, you, through your company, collected sums far exceeding the purchase price of the software, and now USA Field Hockey is left in a position where it must spend additional sums to purchase the software from Sportstec, a purchase that should have originally been made with Sportstec. Terry, we both know that this is not acceptable.

>

> USA Field Hockey continues to evaluate this situation, but we first wanted to provide you the opportunity to make the situation right and restore the relationship between you and USA Field Hockey. International-level field hockey is a small community, and we are all working for the betterment of the sport. USA Field Hockey believes it is in your and the organization's best interest—as well as the best interest of the sport—for us to be able to reach a mutually agreeable resolution to this matter.

>

> I look forward to hearing from you.

>

>

> [[cid:image001.png@01CE343B.BFC72FA0](#)][[cid:image004.png@01CE343B.BFC72FA0](#)]Regards,

>

> Steven M. Locke

>

>

> Steven Locke

> Executive Director

> USA Field Hockey

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>  
> [[cid:image005.png@01CE343B.BFC72FA0](#)]

Finally, this is brought to your attention as we are fiducially responsible to advise membership both the good and not so good news within this organization. The public notice is through the minutes of this Board meeting of which this report will be an element. For your information, we did pursue the possibility of litigation and our attorney determined it would be expensive; even though we were harmed, our case would be less impactful as *Sports/Tec* was not litigating; and, even if we were successful, the possibility of collecting due funds was unlikely as Terry Walsh's location is in Australia.

**Succession Plan** Several weeks ago, Board member Tony Gulotta suggested to chair Rene' Zelkin the need to create a succession plan in the event I leave this position after the current term of my contract. I agree that that is a project that will need some attention. I will work toward creating such a plan and present it to the Board during the winter Board meeting in West Palm Beach.

**USA Field Hockey Sports Science at *The Nook*** Within the USAFH *Nook* operation will be a new approach to sports science for HP. This approach will be a departure from the past as each athlete will be individually assessed and provided a physiological prescription to better not only fitness levels but also many physical elements meant to improve upon technique used during competition. The protocols for this approach were developed by new *Director of Sport Performance Dave Hamilton* during his many years in Great Britain as strength and conditioning coach for their elite hockey teams. The departure is that sports science will be *sport specific* as opposed to the *general* applications of sport science we have experienced in the past. Both Craig and Dave will speak of their approaches during the Board meeting and Craig will also provide further elaboration of his philosophical approach in coaching.

**USAFH Hall of Fame** *The USAFH Hall of Fame* has been dormant for many years and as a result we have lost opportunities to honor those from within the sport that have served as outstanding athletes, umpires and other contributors to the sport. We are in the midst of planning for a *USAFH Hall of Fame* induction at *The Nook* for 2014 and wanted to provide you with a timeline associated with the planning. *USAFH Fundraising Manager Meagan Connolly* is heading up the effort:

**Timeline of Events:**

1. *Establish the qualifications and requirements to be nominated for the H of F (July 2013)*
2. *Develop a list of potential candidates to form the Hall of Fame Committee (August 2013)*
3. *Recruit Members for the Committee and have committee complete by October 2013*
4. *Have first meeting with the committee (November 2013)—Weekend Retreat?*
  - a. *During this time, solicit our audience for potential Hall of Fame nominations while advertising the criteria for candidates to be nominated*
  - b. *Assign different tasks for each member of the committee with target dates of completion. (Process overseen by the Fundraising Manager) Examples:*

