TENNESSEE
ATHLETIC COMMISSION
MINUTES

DATE: September 9, 2010

PLACE: Andrew Johnson Tower, 2nd Floor Conference Room
710 James Robertson Parkway
Nashville, Tennessee

PRESENT: Commission Members:
Joe Smith, Chairman
Steve Hannah, Vice-Chairman
Melissa Bast
Chuck Clark
R. Warne Fitch, M.D.
Teri Mast
Jack Sammons
Scott White

PRESENT: Staff Members:
Jeff Mullen, Executive Director
Ed Scudder, Assistant General Counsel
Susan Lockhart, Executive Administrative Assistant

ABSENT: Commission Members:
Neal Frauwirth, M.D.

GUEST: Andrew Madagan

CALL TO ORDER

Chairman Smith called the meeting to order at 1:10 p.m. and the following business was transacted:

ROLL CALL

Mr. Mullen called the roll. Eight (8) Commission members were present and one (1) was absent. Chairman Smith welcomed Ms. Bast, the Athletic Commission's newest member.

MINUTES

Ms. Mast made a motion to approve the minutes as amended, seconded by Mr. Hannah. **Motion Carried.**

EXECUTIVE DIRECTOR'S UPDATE

Mr. Mullen gave an oral report regarding the pro and amateur events that occurred since the July 2010 meeting of the Athletic Commission. He also presented copies of the budget from Fiscal Year 08/09 and the preliminary results of the final budget for Fiscal Year 09/10. Mr. White asked Mr. Mullen to verify that all penalties do not go into the general fund and should be reflected as presented. Ms. Clark asked for supplementary data. Chairman Smith advised Mr. Mullen to meet with the appropriate staff in the Department's fiscal office to express the Commission's concerns with the time that it takes for budget data to be available to them.

NEW BUSINESS – World Series of Boxing

Chairman Smith advised that Andrew Madagan was in attendance and asked that he be moved up on the agenda. Mr. Madagan presented an overview of the World Series of Boxing (WSB) and their interest in selecting Memphis, Tennessee as one (1) of three (3) cities to be included in their United States program. Mr. White asked Mr. Madagan to forward a copy of the WSB's rules to Mr. Mullen for the Commission's review.

After some discussion, Mr. Sammons made a motion to recognized WSB as a sanctioning body subject to Legal's determination that their events and athletes would be considered amateur. The motion was seconded by Mr. Clark. Chairman Smith recused himself from voting. The **MOTION CARRIED** by six (6) votes – yes (Fitch, Sammons, Bast, Mast, Hannah & Clark); and one (1) vote – passed (White).

LEGAL REPORT

Mr. Scudder presented the following Legal Report:

1. L10-TAC-RBS-2010016621

The complaint against this unlicensed individual alleges that the Respondent engaged in conduct that was detrimental to a professional contest of unarmed combat, by participating in a brawl after a nationally-televised professional MMA contest. Additionally, the complaint alleges that the Respondent engaged in unlicensed activity by participating as a 'second' in a professional contest of unarmed combat without receiving a license from the commission. In his response, the Respondent states that he did not act as a second in a professional contest.

Recommendation: Authorization for a Formal Hearing for a civil penalty of twenty thousand dollars ($20,000), associated costs, and nine (9) month prohibition on application for licensure in Tennessee; with authority to settle by Consent Order with a civil penalty of five thousand dollars ($5,000) and a prohibition from licensure in Tennessee until this amount is paid.

Decision: Mr. Sammons made a motion to accept Legal's recommendation, seconded by Ms. Mast. **MOTION CARRIED.**

2. L10-TAC-RBS-2010020971

The complaint alleges that the Respondent nightclub has engaged in unlicensed activity by promoting professional contests of unarmed combat. The Executive Director alerted the local authorities, who closed the Respondent. The Respondent did not respond to the complaint from the Commission, but did apply for a single event permit. On August 25, 2010, a judge declared the Respondent a public nuisance; prohibited the Respondent from re-opening; and prohibited them from opening another nightclub in the same location.

Recommendation: Close

Decision: Mr. Hannah made a motion to accept Legal's recommendation, seconded by Dr. Fitch. **MOTION CARRIED.**

Mr. Scudder also advised that the $7,500 civil penalty mentioned at the July 8, 2010 meeting has been received.

OLD BUSINESS

Amateur MMA Insurance - Mr. Mullen advised that Tennessee's rules concerning Amateur MMA Insurance are inline with the State of Nevada's rules among others. The Commission agreed to leave the requirements the same at this time.

NEW BUSINESS

Discuss Rules to be Proposed at Rule Meeting - Mr. Scudder presented a draft of the rule changes previously discussed. After some discussion, additional revisions were made. Ms. Mast made a motion to approve the draft of the rules as amended, seconded by Mr. Clark. **MOTION CARRIED.**

Regulation of Amateur MMA - Mr. Mullen gave an oral report of the American Boxing Commission conference that he recently attended. The Commission agreed to table the discussion regarding regulations for amateur mixed martial art events until the current rule making process is concluded.

ADJOURN

There being no further business to discuss, the meeting adjourned at 3:50 p.m.