



## Supplementary Procedures for the Arbitration of Sports Participation and Name, Image, and Likeness Disputes

### P-1. Applicability

The Supplementary Procedures for the Arbitration of Sports Participation and Name Image and Likeness Disputes (Supplementary Procedures) shall apply to any arbitration in which all parties to the arbitration have expressly agreed in writing, including in an arbitration agreement, to arbitrate their disputes pursuant to these Supplementary Procedures. These Supplementary Procedures modify the Commercial Arbitration Rules of the American Arbitration Association® (AAA®), and where there are inconsistencies between these Supplementary Procedures and the Commercial Arbitration Rules, these Supplementary Procedures shall govern. The arbitrator shall have final authority to resolve any inconsistency between any agreement of the parties and these Supplementary Procedures.

### P-2. AAA Panel of Sports Arbitrators

Arbitrators appointed to an arbitration to which these Supplementary Procedures apply shall be on the AAA's Panel of Sports Arbitrators, which adheres to approved Qualification Criteria.<sup>1</sup>

### P-3. Number of Arbitrators

The dispute shall be heard and determined by one arbitrator unless the parties agree that three arbitrators shall hear and determine the case.

### P-4. Emergency Hearing Request

If a party requests that a sports participation or eligibility dispute between an athlete and a sports organization be heard and determined on an emergency basis, the AAA shall appoint a single arbitrator within two business days of the filing requirements being met. As soon as possible, but in any event within two business days of the AAA's confirmation of the arbitrator's appointment, the arbitrator shall establish a schedule for deciding the dispute on an expedited basis. The schedule may provide for written submissions and for a hearing on the matters raised. The schedule shall provide a reasonable opportunity to all parties to be heard but may provide for proceeding by telephone or video conference or on written submissions as alternatives to a hearing.

### P-5. Non-Emergency Hearing Cases

For cases not falling under Supplementary Procedure P-4, the hearing shall commence within one month of the AAA's confirmation of the arbitrator's appointment, unless otherwise agreed upon by the parties or at the discretion of the arbitrator.

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<sup>1</sup> The AAA offers a Panel of Sports Arbitrators in whom parties can have the utmost confidence, comprised of individuals who meet the Qualification Criteria and Responsibilities for Members of the AAA Panel of Sports Arbitrators.



### **P-6. Method and Locale of Hearing**

Hearings shall be conducted through video, audio, or other electronic means, unless otherwise agreed upon by the parties or at the discretion of the arbitrator.

If the parties mutually agree to an in-person hearing, or if the arbitrator at the arbitrator's discretion deems an in-person hearing appropriate, the arbitrator shall determine the locale where the arbitration shall be held, giving deference to a locale that is convenient to the athlete's or athlete's representative's city and state of residence or is deemed convenient by the parties. The parties also may mutually agree on the locale.

### **P-7. Discovery, Motions, Conduct of Proceedings**

Procedure E-5 of the Expedited Procedures of the Commercial Arbitration Rules shall apply to arbitrations conducted under these Supplementary Procedures.

### **P-8. Time of Award**

The award shall be made promptly by the arbitrator and, unless otherwise agreed by the parties or at the discretion of the arbitrator, no later than three months from the AAA's confirmation of the arbitrator's appointment and, in non-emergency cases, not later than 14 days from the closing of the hearing.

In emergency cases, the award shall be made within one business day from the closing of the hearing, and such award may be in the form of a standard award that states the arbitrator's disposition of the case, subject to issuance of a reasoned award within three business days from the date the standard award is issued.

### **P-9. Form of Award**

The award shall be a reasoned award, unless otherwise agreed upon by the parties or at the arbitrator's discretion.