



ATHLETIC COMMISSION
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243
615-741-1831

Meeting Minutes for December 11, 2023
Davy Crockett Tower
Conference Room 1B

The Tennessee Athletic Commission met on December 11, 2023, in the first-floor conference room of the Davy Crockett Tower in Nashville, Tennessee. The following business was transacted:

BOARD MEMBERS PRESENT: Christy Halbert, Ben Grove, Dan McGrew, Matthew Reddish and Patrick Wrenn

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Roxana Gumucio, Jesse Gentry, and Katie Long

CALL TO ORDER/ROLL CALL

Director Gumucio called the meeting to order at 2:00 p.m. and took roll, establishing that a quorum was present.

Director Gumucio explained that a member of the public may provide comments as they relate to the agenda. This opportunity is added at the end under new business.

NOTICE OF MEETING

Director Gumucio read the notice of meeting into the record as follows: "Notice of the December 11, 2023, meeting of the Athletic Commission including date, time and location has been noticed on the website since June 14, 2022; additionally, this month's agenda has been posted to the website since November 28, 2023."

AGENDA

Christy Halbert motioned to adopt the agenda, which was seconded by Dan McGrew. The motion passed unanimously.

SEPTEMBER MINUTES

Ben Grove motioned to adopt the June minutes with one amendment, which was seconded by Dan McGrew. The motion passed unanimously.

DIRECTORS REPORT

Budget Report

Director Gumucio presented the final FY23 financial information. The commission ended the year with a deficit of 25,603. This leaves the reserve balance at a deficit of 65,476. July through September the program had two large events with funds for media coverage. Fiscal Year 23-24 has a year-to-date surplus of \$176,290. This leaves a final surplus of 110,814.

LEGAL

Legal Report (presented by Jesse Gentry)

1. 2023057801

First Licensed: 02/06/2023

Expiration: 05/14/2023

Type: Event Permit

History: None.

Summary: This complaint was opened administratively in November 2023 after the Respondent failed to file its gross receipts tax form and pay the due tax. The Respondent's event occurred in May 2023. The complaint and a blank gross receipts tax form were forwarded to the Respondent after this complaint was opened, however, the Respondent has not responded to the complaint, nor has it completed its form and paid its due tax.

Recommendation: Authorize formal charges with an offer to settle by Consent Order. Authorize a penalty for the Consent Order in the amount of \$500 to be reduced to \$250 if the Respondent submits his receipts form and tax within 30 days.

Dan McGrew motioned to accept legal counsels' recommendation, which was seconded by Christy Halbert. The motion passed unanimously.

Commission Decision: Close with a letter of warning.

2. 2023058021

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type: Event Permit

History: None.

Summary: This complaint alleged the Respondent conducts professional wrestling matches. Professional wrestling is not licensed by the Commission and the Commission therefore does not have jurisdiction over this matter.

Recommendation: Close.

Christy Halbert motioned to accept legal counsels' recommendation, which was seconded by Ben Grove. The motion passed unanimously.

Commission Decision: Concur.

RE-PRESENTATION

3. 2021064741

First Licensed:03/12/2015

Expiration: 03/11/2017

Type: Participant

History: None.

Summary: This complaint was opened administratively after this Respondent provided an email to the Legal Division, attempting to accept responsibility for the fraudulent activity of the promoter in the above

complaints. This Respondent is listed as the trainer for five of the combatants and further listed as the manager for two of the combatants all of which are subject to fraudulent blood work submissions.

Recommendation: Discuss

Commission Decision: Issue a consent order for a \$750.00 civil penalty and authorize a formal hearing if Respondent does not agree to the settlement agreement.

New Information: The promoter who was responsible for the event agreed to the suspension of her promoter's license and her case was eventually dismissed with the complaint being closed and flagged following expiration of her license. There was no evidence this Respondent actually performed work in the State as a manager or trainer as the permit for the event was denied. Additionally, the Respondent's license expired in March 2017 and has not been renewed.

It is recommended to close and flag this case at this time. Although the Respondent attempted to take responsibility for the fraudulent bloodwork, it was ultimately the licensed promoter's responsibility to ensure bloodwork was properly submitted and she was disciplined through an agreed license suspension. If this Respondent attempts to renew his license, the flag will need to be addressed prior to his ability to renew his license. Additionally, if he engages in work as a trainer or manager in the State without renewing his license, he could be disciplined for unlicensed activity.

New Recommendation: Close and flag.

Dan McGrew motioned to accept legal counsels' recommendation, which was seconded by Ben Grove The motion passed unanimously.

New Commission Decision: Concur.

4. 2023012491

First Licensed: 10/12/2020

Expiration: 09/21/2025

Type: Promoter

History: None.

Board opened complaint after respondent failed to communicate and send proper forms for event held in June 2022. The Respondent initially sent in his payment without forms and then after the form was completed, there was a difference of \$168 due.

The Respondent failed to submit his gross receipt form within 10 days of the event, although that was initially extended due to medical issues. After that extension passed, the Respondent did not communicate further with the Board. The outstanding \$168 has still not paid.

Recommendation: Authorize formal charges with an offer to settle by Consent Order with a \$500 penalty.

Commission Decision: Concur.

New Information: The Respondent submitted his gross receipts tax form, dated February 6, 2023, and paid his outstanding fee in July 2023. Respondent did not timely complete his form and pay his due tax, however, all forms and payments have now been received.

New Recommendation: Close with a letter of warning.

Ben Grove motioned to accept legal counsels' recommendation, which was seconded by Matt Reddish. The motion passed unanimously.

New Commission Decision: Concur

Jesse Gentry updated the commission on the status of the proposed rules for bare knuckle fighting.

NEW BUSINESS

Director Gumucio asked if anyone in the public, participating in person or remotely using Teams, had comments as they relate to the agenda. There were no comments provided.

Chair Dan McGrew shared his experience from an event he went to on December 5 where one of the combatants was 59 years of age and fought someone at least 30 years younger. He explained the lack of experience and age for the one fighter made the bout dangerous. Director Gumucio explained how the bout gets reviewed and that this was a debut against someone with no wins on his record and limited experience. The Commission members discussed updating the rules to address additional safeguards for fighters, such as requiring amateur experience and considerations regarding significant gaps between the ages of fighters. Attorney Gentry agreed to research their request and bring recommendation to their next meeting.

The members requested a complaint be opened against the promoter as well as the referee to review the concerns from this contest.

ADJOURNMENT

There being no other business, a motion was made by Matt Reddish to adjourn, which was seconded by Ben Grove. The motion passed unanimously, and the meeting adjourned at 2:55 p.m.