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7  
8 **BEFORE THE NEVADA STATE ATHLETIC COMMISSION**

9 \* \* \*

10 **IN THE MATTER OF:** ) **COMPLAINT FOR**  
 ) **DISCIPLINARY ACTION**  
11 **SAUL "CANELO" ALVAREZ** )

12  
13 Robert Bennett, Executive Director for the Athletic Commission of the Department of  
14 Business and Industry, State of Nevada, complains for disciplinary action against Saul  
15 "Canelo" Alvarez (Alvarez) as follows:

16 **JURISDICTION**

- 17 1. At all times relevant to the Complaint, Alvarez was an unarmed combatant and  
18 professional boxing contestant.
- 19 2. As an unarmed combatant and professional contestant, Alvarez was subject to the  
20 provisions of Chapter 467 of the Nevada Revised Statutes (NRS), and of Chapter 467  
21 of the Nevada Administrative Code (NAC).
- 22 3. Pursuant to NRS Chapter 467, the Nevada State Athletic Commission (Commission) is  
23 vested with the sole discretion, management, control and jurisdiction over contests,  
24 exhibitions and contestants of unarmed combat, which includes boxing.
- 25 4. Pursuant to NAC 467.922, the Executive Director or a Commissioner may institute  
26 disciplinary proceedings against any person associated with unarmed combat in  
27 Nevada by filing a complaint with the Commission.

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**FACTUAL ALLEGATIONS**

- 1
- 2 5. On February 6, 2018, Golden Boy Promotions, LLC, (GBP) submitted a program permit
- 3 request to the Commission to promote a professional boxing event on May 5, 2018,
- 4 featuring a main event contest between Alvarez and Gennady Gennadyevich Golovkin
- 5 (GGG) at T-Mobile Arena in Las Vegas, Nevada.
- 6 6. On February 14, 2018, at a public meeting, the Commission granted the requested
- 7 program permit to GBP for the May 5, 2018, boxing event.
- 8 7. On February 17, 2018, Alvarez voluntarily submitted to an out-of-competition urinalysis
- 9 (February 17th Urinalysis) by the Voluntary Anti-Doping Association (VADA) and
- 10 provided a specimen sample for testing to a Doping Control Officer (DCO) from VADA's
- 11 authorized collection authority, Clearidium.
- 12 8. On February 20, 2018, Alvarez voluntarily submitted to an out-of-competition urinalysis
- 13 (February 20th Urinalysis) by VADA and provided a specimen sample for testing to a
- 14 DCO from Clearidium.
- 15 9. The Sports Medicine Research and Testing Laboratory (SMRTL) conducted the testing
- 16 on the February 17th Urinalysis and the February 20th Urinalysis (together, the
- 17 Urinalyses). SMRTL is a laboratory that is approved and accredited by the World Anti-
- 18 Doping Agency (WADA).
- 19 10. The Urinalyses both reflected the presence of Clenbuterol.
- 20 11. Clenbuterol is a prohibited anabolic agent, both in-competition and out-of-competition,
- 21 pursuant to the 2018 WADA *Prohibited List*.
- 22 12. The presence of Clenbuterol in Alvarez's Urinalyses specimen samples constitute
- 23 anti-doping violations.
- 24 13. Alvarez's utilization, ingestion, and/or consumption of Clenbuterol, whether intentional
- 25 or not, constitutes an anti-doping violation.
- 26 14. By his administration or use of Clenbuterol, and/or by allowing Clenbuterol to enter his
- 27 system, Alvarez engaged in conduct that reflected discredit to unarmed combat and he
- 28 is guilty of foul or unsportsmanlike conduct that was detrimental to a contest.

## VIOLATIONS AND AUTHORIZED DISCIPLINE

15. Section 26 of LCB File No. R062-16 governs disciplinary actions by the Commission for the presence of prohibited substances in a contestant's sample and it provides:

1. Except as otherwise provided in this section and section 40 of this regulation, if a test of a sample or specimen of an unarmed combatant by a laboratory approved by the Commission pursuant to subsection 3 of section 25 of this regulation or a laboratory approved and accredited by the World Anti-Doping Agency identifies the presence of a prohibited substance or its metabolites or markers in the sample or specimen, the unarmed combatant has committed an anti-doping violation and is subject to disciplinary action by the Commission. A violation of this subsection is established by any of the following:

(a) The presence of any quantity of a prohibited substance or its metabolites or markers in the A sample of an unarmed combatant if the unarmed combatant waives analysis of his or her B sample and the B sample is not analyzed.

(b) If the B sample of an unarmed combatant is analyzed, the analysis of the B sample confirms the presence of any quantity of the prohibited substance or its metabolites or markers as found in the A sample of the unarmed combatant.

(c) If the B sample of an unarmed combatant is split into two bottles, the analysis of the second bottle confirms the presence of any quantity of the prohibited substance or its metabolites or markers as found in the first bottle.

2. It is the duty of each unarmed combatant to ensure that no prohibited substance enters his or her body, and an unarmed combatant is responsible for the presence of any prohibited substance or its metabolites or markers found to be present in his or her sample or specimen. To establish a violation of this section, it is not necessary to establish that the unarmed combatant intentionally, knowingly or negligently used a prohibited substance or that the unarmed combatant is otherwise at fault for the presence of the prohibited substance or its metabolites or markers found to be present in his or her sample or specimen.

3. An unarmed combatant does not violate the provisions of this section if:

(a) The quantity of the prohibited substance or its metabolites or markers found to be present in his or her sample or specimen does not exceed the threshold established in the Prohibited List for the prohibited substance or its metabolites or markers.

(b) The special criteria in the Prohibited List for the evaluation of a prohibited substance that can be produced endogenously indicate that the presence of the prohibited substance or its metabolites or markers found to be present in the sample or specimen of the unarmed

1 combatant is not the result of his or her use of a prohibited substance.

2 4. Except as otherwise provided in sections 33 to 36, inclusive, of this  
3 regulation, an unarmed combatant who violates any provision of this section:

4 (a) Is ineligible to engage in unarmed combat in this State for a period of  
5 at least 9 months but not more than 24 months, as determined by the  
6 Commission.

7 (b) Will be fined by the Commission in an amount equal to at least 15  
8 percent but not more than 30 percent of his or her purse.

9 5. As used in this section:

10 (a) "A sample" means the primary sample or specimen used to test for the  
11 presence of a prohibited substance.

12 (b) "B sample" means the sample or specimen used to confirm or  
13 invalidate the presence of a prohibited substance in the A sample.

14 16. Section 27 of LCB File No. R062-16 governs disciplinary actions by the Commission  
15 for the utilization, application, ingestion, injection, or consumption of a prohibited  
16 substance or method and it provides:

17 1. Except as otherwise provided in section 40 of this regulation, an unarmed  
18 combatant who utilizes, applies, ingests, injects or consumes by any means, or  
19 attempts to utilize, apply, ingest, inject or consume by any means, a prohibited  
20 substance or prohibited method, whether successful or not, commits an anti-  
21 doping violation and is subject to disciplinary action by the Commission.

22 2. It is the duty of each unarmed combatant to ensure that no prohibited  
23 substance enters his or her body, and that no prohibited method is used. To  
24 establish a violation of this section, it is not necessary to establish that the  
25 unarmed combatant intentionally, knowingly or negligently used a prohibited  
26 substance or prohibited method or that the unarmed combatant is otherwise at  
27 fault for the use or attempted use presence of the prohibited substance or a  
28 prohibited method.

3. Except as otherwise provided in sections 33 to 36, inclusive, of this  
regulation, an unarmed combatant who violates any provision of this section:

(a) Is ineligible to engage in unarmed combat in this State for a period of  
at least 9 months but not more than 24 months, as determined by the  
Commission.

(b) Will be fined by the Commission in an amount equal to at least 15  
percent but not more than 30 percent of his or her purse.

1 17. Pursuant to Section 18 of LCB File No. R062-16, the Commission adopts by reference  
2 the most recent version of the WADA *Prohibited List*.

3 18. Nevada Administrative Code 467.885, as amended by Section 121 of LCB File No.  
4 R062-16, governs grounds for disciplinary action and it provides, in pertinent part:

5 The Commission may suspend or revoke the license, approval, registration or  
6 sanctioning of, impose a ban on participation in unarmed combat in this State for  
7 a certain period against, otherwise discipline, or take any combination of such  
8 actions against a person licensed, approved, registered or sanctioned by the  
9 Commission or otherwise associated with unarmed combat in this State who has,  
10 in the judgment of the Commission:

11 1. Violated the laws of Nevada or the United States, except for minor traffic  
12 violations. The Commission may determine that a person licensed, approved,  
13 registered or sanctioned by the Commission or otherwise associated with  
14 unarmed combat in this State has violated the laws of Nevada or the United  
15 States, whether or not the person has been convicted of, or entered a plea of  
16 guilty, guilty but mentally ill or nolo contendere to such a violation.

17 2. Violated any provision of this chapter.

18 3. Provided false or misleading information to the Commission or a  
19 representative of the Commission.

20 4. Failed or refused to comply with a valid request of a representative of the  
21 Commission.

22 5. Engaged in conduct at any time or place which is deemed by the Commission  
23 to reflect discredit to unarmed combat.

24 19. Nevada Revised Statute (NRS) 467.158 governs penalties in lieu of, or in addition to,  
25 other disciplinary action and it provides, in pertinent part:

26 2. If disciplinary action is taken against a person pursuant to this  
27 chapter, including, but not limited to, a hearing for the revocation of  
28 a license, and the disciplinary action relates to:

(a) The preparation for a contest or an exhibition of  
unarmed combat; or

(b) The occurrence of a contest or an exhibition of  
unarmed combat; or

(c) Any other action taken in conjunction with a contest  
or an exhibition of unarmed combat, the Commission  
may prescribe a penalty pursuant to subsection 3.

3. A penalty prescribed by the Commission pursuant to subsection

2:

(a) Must not exceed \$250,000 or 100 percent of the share of the purse to which the holder of the license is entitled for the contest or exhibition, whichever amount is greater; and

(b) May be imposed in addition to or in lieu of any other disciplinary action that is taken against the person by the Commission.

4. In addition to any other disciplinary action that is taken against a person by the commission pursuant to this chapter, the Commission may impose a ban from participation in unarmed combat in this State for a certain period, including a lifetime ban from participation in unarmed combat in this State.

5. The authority of the Commission to take disciplinary action against a person pursuant to this chapter must not be construed to be limited to those persons who are licensed by the Commission. Such authority extends to any person involved in or associated with unarmed combat in this State who violates any provision of this chapter.

6. If disciplinary action is taken against a person pursuant to this chapter, the commission may require the person against whom such action is taken to pay the costs of the proceeding, including investigative costs and attorney's fees.

20. NRS 467.110 governs suspensions, revocations and other disciplining of contestants and it provides, in pertinent part:

The Commission may suspend or revoke the license of, otherwise discipline, or take any combination of such actions against any contestant, promoter, ring official or other participant who, in the judgment of the Commission:

...

(e) Is guilty of an act or conduct that is detrimental to a contest or exhibition of unarmed combat, including, but not limited to, any foul or unsportsmanlike conduct in connection with a contest or exhibition of unarmed combat.

### RELIEF SOUGHT

21. Based upon the allegations contained herein, the Executive Director prays for relief as follows:

A. That the Commission impose a period of ineligibility against Alvarez pursuant to NRS 467.110, NRS 467.158, NAC 467.885, and/or Sections 26 and/or 27 of LCB File No. R062-16;

- 1 B. That Alvarez pay the applicable costs of the disciplinary proceeding, including  
2 investigative costs, attorney's fees, and/or drug testing fees;  
3 C. That Alvarez provide the Commission with his negative urine tests for prohibited  
4 drugs, through a drugs of abuse panel and a steroid and diuretics panel, upon  
5 filing his next application for an unarmed combatant's license; and  
6 D. For such other and further relief as the Commission may deem just and proper.

7 DATED this 27th day of March, 2018.

8  
9 FOR THE NEVADA STATE ATHLETIC COMMISSION,  
10 DEPARTMENT OF BUSINESS AND INDUSTRY,  
11 STATE OF NEVADA

12 By: 

13 ROBERT BENNETT  
14 Executive Director

15 SUBMITTED BY:

16 ADAM PAUL LAXALT  
17 Attorney General

18 By: /s/ Caroline Bateman  
19 CAROLINE BATEMAN  
20 Chief Deputy Attorney General  
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CERTIFICATE OF SERVICE

I hereby certify that on the 27<sup>th</sup> day of March, 2018, I served the **COMPLAINT FOR DISCIPLINARY ACTION** by depositing a copy of the same in the United States mail, properly addressed, postage prepaid, CERTIFIED and REGULAR MAIL addressed as follows:

Saul "Canelo" Alvarez  
16531 Zumaque St.  
Rancho Santa Fe, CA 92607

**Certified Mail No.** 7014 2870 0001 8494 5996

and

Ricardo P. Cestero, Esq.  
Greenberg Glusker Fields Claman & Machtinger LLP  
1900 Avenue of the Stars, 21st Floor  
Los Angeles, CA 90067

**Certified Mail No.** 7014 2870 0001 8494 5989

*Frances Mason*  
An Employee of the Nevada State Athletic Commission's Office