

BARDACKE

APPEAL TO THE NEW YORK STATE ATHLETIC COMMISSION

February 15, 2017

Sent via e-mail and U.S. Mail to:

Anthony Giardina, Interim Executive Director
New York State Athletic Commission
123 William Street, 2nd Floor
New York, NY 10038
athletic@dos.ny.gov

*Appeal of Referee's Decision – UFC 208
Holm v. de Randamie February 11, 2017*

Dear Mr. Giardina:

This firm represents Holly Holm. This letter serves as notice of Ms. Holm's appeal of the outcome of the UFC 208 Featherweight Title fight on February 11, 2017.

Ms. Holm seeks review of Referee Todd Anderson's failure to deduct one or more points from Germaine de Randamie following her repeated strikes thrown after the horn sounded to end Rounds 2 and 3. Section 212.10(b)(27) of the New York State Athletic Commission (NYSAC) Regulations provides that attacking an opponent after the bell has sounded the end of the period of competition constitutes a foul in a professional mixed martial arts contest. Regulations also make clear that when a foul is committed, the referee "shall then assess the foul to the offending contestant and deduct points . . . if the referee deems it appropriate, and notify the commission, the corners, the official scorekeeper of his decision on whether the foul was accidental or intentional and whether any point deduction . . . is imposed." NYSAC Reg. 212.10(a). Points may be deducted whether or not a foul is intentional. NYSAC Reg. 212.11. While a referee had discretion whether or not to impose a point deduction, he has no discretion under NYSAC Regulations to disregard a foul where an opponent commits a foul clearly delineated in Section 212.10(b), including by attacking after the bell has sounded at the end of a round.

Referee Anderson only warned de Randamie following de Randamie's foul at the end of Round 3, rather than following the end of Round 2. At a minimum, Referee Anderson was required to assess a foul against de Randamie and determine whether one or more points should be deducted following the end of Round 2 as required by NYSAC Regulations. Because Referee Anderson did not issue even a warning—much less assess a foul—at the end of Round 2, de Randamie

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committed the same foul at the end of Round 3, lobbing two punches at Ms. Holm after the horn sounded to end Round 3.

Had Referee Anderson complied with NYSAC Regulations and deducted points from de Randamie in accordance with Section 212.10 through 212.11, the UFC 208 Featherweight Title fight would have resulted in a draw, if not a win, for Ms. Holm.

We respectfully request the Commission review Referee Anderson's failure to assess a foul and render a decision regarding a point deduction following Round 2, and failure to assess a foul and a point deduction following Round 3, and determine an appropriate result.

Thank you in advance for your time and consideration.

Sincerely,

BARDACKE ALLISON LLP



Paul Bardacke
Breanna Houghton

*General Counsel for Fresquez Productions,
Agent for Holly Holm*

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