




**TO:** U.S. Team Handball Federation; Mike Hurdle, President and Members of the Board of Directors

**FROM:** Jeffrey Benz 

**CC:** Hearing Panel

**DATE:** December 20, 2005

**RE:** United States Olympic Committee v. U.S. Team Handball Federation

1. All communications, briefs, documents and any other evidentiary material submitted by a party to the Hearing Panel shall be in writing and sent to the attention of the USOC Office of General Counsel, One Olympic Plaza, Colorado Springs, CO 80909. The telephone number for the General Counsel's Office is (719) 866-4563 and the fax number is (719) 866-4839. Email communications should be directed to Jeffrey Benz, General Counsel, Secretary, Managing Director of Legal Affairs at [jeffrey.benz@usoc.org](mailto:jeffrey.benz@usoc.org), Gary L. Johansen, Deputy General Counsel, Assistant Secretary at [gary.johansen@usoc.org](mailto:gary.johansen@usoc.org) and Jennifer Geisheker, Legal Assistant at [jennifer.geisheker@usoc.org](mailto:jennifer.geisheker@usoc.org). The Office of General Counsel shall distribute all communications to the members of the Hearing Panel.
2. There shall be no *ex parte* communication between the parties or their counsel and members of the Hearing Panel.
3. The members of the Hearing Panel are Mary McCagg, Chair, Robert Mitchell and Mike Peters.
4. The Complaint shall be prosecuted by Howard Jacobs, Esq., Forgey & Hurrell, LLP. Mr. Jacobs telephone number is 213-426-2000 and his fax number is 213-426-2020. Email communications can be directed to Mr. Jacobs at [hjacob@forgeyhurrell.com](mailto:hjacobs@forgeyhurrell.com)
5. The Respondent U.S. Team Handball Federation shall have until January 6, 2006 to respond to the Complaint.
6. The Hearing Panel may issue further procedural rules as it determines appropriate during the course of the proceeding.

**BEFORE THE  
UNITED STATES OLYMPIC COMMITTEE**

UNITED STATES OLYMPIC COMMITTEE	)	
	)	
Complainant	)	
	)	
	)	
v.	)	December 19, 2005
	)	
	)	
U.S. TEAM HANDBALL FEDERATION;	)	
Mike Hurdle, President; Janice O'Shea, Vice-President,	)	
Women's Team; James Thome, Vice-President, Men's Team;	)	
Tony Fontenot, Secretary; Annette Bergman, Treasurer; Eric	)	
Pfeifer, MSO Rep; Derek Brown, Robert Djokovich; Robert	)	
Dunn; Tomuke Ebuwei; Theresa Ekstrom; Tom Fitzgerald;	)	
Paulette Freeze; Kevin Hutchinson; Pat Joyner; Kim Kruse;	)	
Dawn Lewis; Oliver Luck; Bruce Mosberg; Peter Siskind; Joe	)	
Story; David Thompson; Mike Thornberry; Kristen Torpey;	)	
Matt Van Houten; and Italo Zanzi	)	
	)	
Respondents	)	
	)	
	)	

---

**COMPLAINT**

---

**I. PARTIES**

1. The United States Olympic Committee ("USOC") is a federally chartered corporation authorized by the Ted Stevens Olympic and Amateur Sports Act, 36 U.S.C. § 220501, et seq. (the "Act") and recognized by the International Olympic Committee under the *Olympic Charter* as the National Olympic Committee for the United States. The USOC has its corporate and principal office in Colorado Springs, Colorado.
  
2. The U.S. Team Handball Federation ("USTHF") is a non-profit corporation incorporated in the State of New Jersey. The USTHF has its corporate and principal office in Colorado Springs, Colorado.

3. USTHF is an Olympic Sport Organization member of the USOC and is recognized by the USOC as the NGB for the sport of Team Handball in the United States.
4. As the NGB for Team Handball in the United States, USTHF is a member of the Federation Internationale de Handball.

## II. JURISDICTION

5. The USOC brings this action pursuant to 36 U.S.C. § 220521(d) and Article X of the USOC Bylaws, effective June 14, 2004, which authorizes the USOC to take appropriate action to terminate membership in the USOC and to revoke the recognition of an amateur sports organization as a National Governing Body (“NGB”).
6. The USOC has the authority to approve and revoke membership in the USOC pursuant to 36 U.S.C. § 220505(b)(8), and Article X, Section 10.1 of the USOC Bylaws.
7. The USOC has the authority to recognize and revoke recognition of an amateur sports organization as the NGB for a sport pursuant to 36 U.S.C. §§ 220505 (c) (4), 220521(a) and (d), and Article X, Section 10.1 of the USOC Bylaws.

## III. BACKGROUND

### A. Bylaw Amendments

8. In April 2005, the USOC received various emails and telephonic communications voicing concerns that members of USTHF’s Board of Directors had been excluded from the governance reform process instituted by President Mike Hurdle.
9. On or about June 9, 2005, Jan O’Shea, Vice President of USTHF and a member of the Board of Directors filed a grievance with USTHF. A copy of the O’Shea Grievance is attached as Exhibit 1 and incorporated herein by reference. The grievance explained that at USTHF’s Annual Meeting held on April 29, 2005 a motion was presented to the Board concerning the reform process. The motion directed that certain proposed amendments to USTHF’s Bylaws be submitted to USTHF’s membership for vote. The motion was reported as having passed. Ms. Shea alleged that the motion was out of order and unconstitutional. Ms. O’Shea’s grievance was never heard by USTHF.

10. On June 30, 2005, Ms. O'Shea by letter to Jeffrey Benz, USOC General Counsel, requested that the USOC intervene in the dispute regarding submission of the proposed amendments for a vote to USTHF's membership. A copy of the O'Shea letter is attached as Exhibit 2 and incorporated herein by reference.
11. On July 29, 2005, by letter, Jim Scherr, USOC Chief Executive Officer, informed Mr. Hurdle and Ms. Shea, that after reviewing the submissions of both parties, the USOC determined that USTHF must develop and undertake a process of review and input that permits USTHF's Board and membership to be involved in and provide input on the governance reform proposal and bylaw amendments. A copy of the Scherr letter is attached as Exhibit 3 and incorporated herein by reference.
12. Subsequent to Mr. Scherr's letter, USATH's Board, with the endorsement of Mr. Hurdle, adopted a resolution setting up a Constitutional Oversight Committee and setting forth a timetable for the governance reform process. A copy of the resolution is attached as Exhibit 4 and incorporated herein by reference. The resolution provided that a final version of the bylaw amendments would be submitted to the Board for its endorsement.
13. Contrary to requests from USTHF Board members, Mr. Hurdle never called a Board meeting to discuss the bylaw amendments. Instead, the bylaw amendments were presented to Board members for their approval. When the vote took place, the Board voted not to endorse the amendments. A copy of an email from Tony Fontenot, USTHF Secretary recording the Board vote is attached as Exhibit 5 and incorporated herein by reference. Also attached as Exhibit 6 and incorporated herein by reference is a copy of an email from Ms. O'Shea dated October 24, 2005, regarding the Board vote.
14. On October 24, 2005, the USOC requested that Mr. Hurdle submit USTHF's bylaw amendments to the USOC and call a meeting of USTHF's Board to discuss the bylaw amendments. A copy of an email from Sheri Escher of the USOC to Mr. Hurdle is attached as Exhibit 7 and incorporated herein by reference. Mr. Hurdle declined to submit the bylaw amendments to the USOC and to call a meeting of the Board. A copy of an email from Mr. Hurdle is attached as Exhibit 8 and incorporated herein by reference.
15. Ignoring the Board's vote and the USOC's request, on or about October 28, 2005, President Hurdle mailed a ballot to USTHF's membership requesting passage of the bylaw amendments. A copy of the ballot is attached as Exhibit 9 and incorporated herein by reference. Further, in conjunction with the mailing, President Hurdle posted a notice on USTHF's website that indicated the Board had approved the bylaw amendments.

16. On December 5, 2005, President Hurdle announced that USTHF's membership had voted to approve the bylaw amendments. A copy of an email from Mr. Hurdle announcing passage of the Bylaw amendments is attached as Exhibit 10 and incorporated herein by reference.

17. Due to the challenges and counterchallenges concerning the governance reform process, particularly with regard to submission of the bylaws amendments to USTHF's membership, it is unclear whether the old bylaws are operative or whether the bylaws as amended are operative. Accordingly, USTHF's governance is clouded by a dispute over its bylaws, seriously affecting USTHF's ability to carry out its responsibilities and obligations as an NGB.

#### B. Board Dismissal/President Removal

18. On November 29, 2005, Matt Van Houten informed President Hurdle that if he did not resign by December 2, 2005, a formal Motion for removal would be taken to the Board of Directors. A copy of Mr. Van Houten's letter is attached as Exhibit 11 and incorporated herein by reference.

19. On December 5, 2005 President Hurdle notified the Board of Directors of USTHF that President Hurdle had dismissed the entire Board. A copy of Mr. Hurdle's letter is attached as Exhibit 12 and incorporated herein by reference.

20. On December 8, 2005 Matt Van Houten notified President Hurdle that the Board of Directors of USTHF had removed President Hurdle as President of USTHF. A copy of Mr. Van Houten's email is attached as Exhibit 13 and incorporated herein by reference.

21. Currently, it is unclear as to whether the members of the Board of Directors have authority to act or whether Mr. Hurdle has authority to preside over USTHF as President. Accordingly, USTHF is without a Board or a President to carry on the affairs of USTHF, seriously affecting USTHF's ability to carry out its responsibilities and obligations as an NGB.

#### C. Financial

22. On August 29, 2005 the USOC was notified by email from Kimberly Kedra, Program Director of USTHF that USTHF had \$8.47 in its checking account and \$12,000 left in its line of credit. Ms. Kedra also informed the USOC that USTHF would no longer be able to meet its payroll after August 31, 2005. A copy of Ms. Kedra's email is attached as Exhibit 14 and incorporated herein by reference.

23. On November 8, 2005 President Hurdle instructed Mike Cavanaugh by email to inform the five employees of USATH that their last paycheck will be

November 15, 2005 as USTHF is out of cash and will not be able to meet future payroll obligations. A copy of President Hurdle's email is attached as Exhibit 15 and incorporated herein by reference.

24. On November 14, 2005, Mike Cavanaugh, Executive Director of USTHF notified President Hurdle and members of the Board that he could not make both staff payroll and the federally required tax payment. Therefore, Mr. Cavanaugh determined to pay all staff, except for himself, so that he could meet the federal tax payment. A copy of Mr. Cavanaugh's email is attached as Exhibit 16 and incorporated herein by reference.

25. USTHF is effectively bankrupt, and has no funds to continue its operations. Accordingly, it does not have the financial capability to operate on an ongoing basis and to fund the sport and its athletes as required.

#### D. Staff Termination and Closing of USTHF Office

26. On November 7, 2005, Michael Cavanaugh notified USTHF staff that he had been directed to terminate the entire staff of USTHF, effective November 15, 2005, due to USTHF's lack of financial resources and increasing debt. A copy of Mr. Cavanaugh's memorandum is attached as Exhibit 17 and incorporated herein by reference.

27. As a result, USTHF has no staff to manage its office or to conduct the affairs of USTHF on a daily basis.

#### E. Audit

28. The USOC Audit Division performed an audit of USTHF's financial records, on September 19, 2005. A copy of the USOC Audit Division's audit report dated December 15, 2005 is attached as Exhibit 18 and incorporated herein by reference.

29. In addition to other accounting deficiencies, USTHF could not provide sufficient expenses to support the full amount of grant funding paid to USTHF by the USOC. Accordingly, USTHF is required to return a total of \$14,894 to the USOC.

30. USTHF's accounting deficiencies hinder its ability to financially manage its affairs and provide support and programs to its athletes.

#### F. Unauthorized Hiring of Employee

31. President Hurdle signed an employment contract with Rey Rene to serve as the USTHF Director of Organization and Competition without authority of USTHF Bylaws, without authorization from the USTHF Board or without

consultation with the USTHF Executive Director. Further, the salary for Mr. Rene was not contained in USTHF's budget at the time of hire. A copy of an email from James J. Thome, Sr., Vice President of USTHF to Mike Hurdle dated November 8, 2005 is attached as Exhibit 19 and incorporated herein by reference.

32. Mr. Rene was not obligated to locate to Colorado Springs, where USTHF's office was located. Also, Mr. Rene was provided with a severance payment of 50% of his annual salary if terminated. A copy of Mr. Rene's employment contract is attached as Exhibit 20 and incorporated herein by reference.
33. On November 28, 2005, Ray Rene, USTHF Director of Organization and Competition responded to his termination demanding \$20,000 pursuant to his employment contract. A copy of Mr. Rene's letter is attached as Exhibit 21 and incorporated herein by reference.

#### G. Milestone Performance

34. In the past three years USTHB had a total of 18 mutually agreed upon Milestones incorporated into the Performance Partnership Agreements. Of those 18 Milestones, 9 were task oriented and 9 were performance oriented. Collectively, USTHB accomplished 4 of 9 task milestones and 1 of 9 performance milestones for a total of 5 of 18 or a 28% achievement rate.
35. In 2005 the Women's National Team placed sixth out of six countries in the Pan Am Championships. The men did not compete in an international competition in 2005. In 2004 the Men's National Team placed sixth out of eight countries in the Pan Am Championships. The Women's National Team did not compete in a major international competition in 2004.
36. USTHF has not participated in the Olympic Games since 1996 when it received an automatic invitation as the host country. Additionally, they have not qualified for a World Championships in the past 6 years.

#### H. Actions Unbecoming a President

37. In an email directed to his Board, President Hurdle used language derogatory of women. A copy of Mr. Hurdle's email is attached as Exhibit 22 and incorporated herein by reference.
38. In the same email, President Hurdle used language that was insensitive to members of the Jewish faith.
39. This conduct is inappropriate and not in the spirit of the Olympic movement. Further, for the President of an NGB to make such comments puts the USOC

and other members of the Olympic family in an unfavorable and disparaging light.

### III. USOC PROCEEDINGS

40. The requirements for membership in the USOC as an Olympic Sport Organization and for recognition as an NGB are set out in 36 U.S.C. §§ 220522, 220523, 220524 and 220525 and in Article X, Sections 10.3 and 10.5, and Article XVII of the USOC Bylaws.
41. The USOC Membership Working Group is charged with the responsibility of reviewing and reporting on membership and NGB compliance.
42. On October 26, 2005 Jay Warwick, USOC Director of Sport Partnerships notified USTHF by letter of concerns that the USOC had with USTHF's financial performance and management decisions. A copy of Mr. Warwick's letter is attached as Exhibit 23 and incorporated herein by reference.
43. On November 4, 2005 Mr. Warwick notified USTHF by letter that the Membership Working Group had scheduled a membership compliance review of USTHF for November 10, 2005. Further, Mr. Warwick notified USTHF that an audit of USTHF's financial records would be conducted by the USOC Audit Department. A copy of Mr. Warwick's letter is attached is Exhibit 24 and incorporated herein by reference.
44. A Membership Compliance Review was conducted of USTHF on November 10, 2005. Mr. Hurdle, Executive Director Mike Cavanaugh and the USOC AAC representative Matt Van Houten participated on the call. In addition, four supporters of Mr. Hurdle joined the call and backed Mr. Hurdle's actions throughout the call.
45. Mr. Hurdle and other individuals on the call responded to questions from the Membership Working Group.
46. During the compliance review, members of the Membership Working Group outlined all of the issues in this complaint hoping to rectify USTHF's issues in an effort to avoid decertification. However, President Hurdle continued to defend his actions and place blame on other members of the Board. When specifically given the opportunity to withdraw the bylaws in question and work with the USOC to resolve the issues, Hurdle declined.
47. On November 10, 2005, after due consideration and discussion, the Membership Working Group found that USTHF was not in compliance with the requirements for membership as an Olympic Sport Organization or for recognition as an NGB, as set forth in the Act and the USOC Bylaws.

48. The Membership Working Group reported its finding to James Scherr, USOC Chief Executive Officer, on or about November 10, 2005.
49. On November 16, 2005 Mr. Scherr informed USTHF that the Membership Working Group had advised him that USTHF was unable to meet its managerial and financial obligations as required by the Act and the USOC Bylaws. A copy of Mr. Scherr's letter is attached as Exhibit 25 and incorporated herein by reference. Accordingly, Mr. Scherr notified USTHF that he intended to file a complaint to revoke USTHF's membership in the USOC and recognition as an NGB unless USTHF was willing to voluntarily take steps agreeable to the USOC to address its current noncompliance.
50. On December 15, 2005 the Membership Working Group considered whether or not USTHF had taken steps acceptable to the USOC to address its noncompliance. As USTHF had not taken any action to address its noncompliance acceptable to the USOC, the Membership Working Group determined to recommend to Mr. Scherr that he initiate action pursuant to Article X of the USOC Bylaws to revoke USTHF's membership in the USOC and recognition as an NGB.

#### IV. CHARGE

51. The USTHF has failed to meet its responsibilities as an Olympic Sports Organization and as an NGB relating to its managerial and financial capabilities, as is required by 36 U.S.C. § 220522(a).
52. The USTHF has failed to meet its obligations to its members and to U.S. athletes and has failed to conduct itself in a manner that demonstrates that it is capable of fulfilling the responsibilities of an Olympic Sports Organization and as an NGB, as is required by 36 U.S.C. §§ 220522, 220523, 220524 and 220525 and by Article X, Sections 10.3 and 10.5 and Article XVII of the USOC Bylaws.

#### V. REMEDY

53. The USTHF's membership in the USOC as an Olympic Sports Organization is terminated.
54. The USTFH's recognition as the NGB for the sport of Team Handball is revoked.
55. USTHF shall resign its membership in the Federation Internationale de Handball effectively immediately.
56. USTHF shall return all USOC property currently in its possession and repay monies owing the USOC, if any.

57. USTHF shall direct its foundation, the United States Team Handball Foundation, Inc., to provide funds to the USOC for use in benefiting team handball programs.

James E. Scherr  
USOC Chief Executive Officer

cc: Office of the General Counsel  
United States Olympic Committee  
1 Olympic Plaza  
Colorado Springs, CO 80909

Mike Hurdle  
President  
U.S. Team Handball Federation  
2900 Blarney Way  
Duluth, GA 30096

USTHF Board of Directors

## Exhibit 1

In accordance with Article XV, Section 3(a), I am submitting the following grievance under oath.

Nature of the Grievance:

- 1) Per the USATH Constitution, the President of USA Team Handball appointed a Constitutional Review Committee, and Eric Pfeifer as Chair.
- 2) At the Annual Meeting on the evening of April 29, 2005, President Hurdle recognized Mr. Pfeifer to give the USATH membership a report on Constitutional Review.
- 3) Mr. Pfeifer told the membership that the USOC was insisting on immediate amendment of the USATH Constitution and that he felt the process should be initiated that evening.
- 4) Mr. Pfeifer's statement was inaccurate; this had not been not communicated by the USOC to USATH at this time.
- 5) Mr. Pfeifer subsequently introduced Dr. Martha Hahn as a well-known Parliamentarian from the Houston area.
- 6) Dr. Hahn, who was present at the USATH Board meeting the night before, addressed the membership telling them that many organizations often "bend or break" their by-laws. She told membership that since there was an urgent need for USATH to amend its Constitution or "you won't get any money" she recommended bending the rules and not adjourning the present Annual Meeting in order to be able to expedite the Constitutional amendment process. Conversation with the USOC subsequent to the Annual meeting indicated that the expected timeline for initiating constitutional changes would be within the next year, and that funding in 2005 would not be impacted by a constitutional review.
- 7) Mr. Siskind then made a motion (paraphrased in the absence of access to minutes) as follows:

The Constitutional Review Committee will submit within 15 days a revised Constitution to the USATH membership for comments and after receipt of those comments submit a new Constitution for a vote to approve by the USATH membership. Voting would be restricted to those USATH members who have an active membership as of May 1, 2005.

The motion was seconded.
- 8) A vote of the membership present was then taken and Mr. Siskind's motion was judged to have passed by a 2/3 majority.
- 9) There was no prior notice of this motion or of a potential vote regarding the USATH Constitution given to USATH members or Board Members, despite a USATH Board meeting the evening before.
- 10) USATH Constitution Article IV. Section 4 reads:

"Changes to the Constitution of the USTHF require the approval by a two-thirds majority of the total votes cast by those voting at the USTHF annual meeting. Proposals for changes to the Constitution must be submitted to the Executive Director of the USTHF no later than forty-five (45) days prior to the date of the Annual Meeting and must be mailed by the

Secretary to all members no later than twenty-one (21) days prior to the date of the Annual Meeting.”

- 11) The motion passed at the Annual meeting violates with the USATH Constitution as set forth in number 10 above because the motion, if carried out, will not satisfy the requirement that the proposed changes to the Constitution be submitted to the Executive Director before the annual meeting, the requirement that those changes be mailed to all members 21 days prior to the meeting, and/or that the changes be voted on at the annual meeting.

- 12) USATH Constitution Article VII. A. 2 reads:

There shall be an annual general meeting of the members at a place and time during the National Championships, or during a major domestic competition, on a specific date, time and place to be fixed by the Board of Directors. If there is to be a vote at the Annual Meeting, a mail ballot shall be utilized with all provisions of this Constitution followed.

- 13) The vote at the USATH annual meeting was done by hand.

- 14) The vote taken at the USATH meeting violates the USATH Constitution as set forth in number 12 above because the vote taken was by hand and not by mail ballot as required by the USATH Constitution.

- 15) USATH Constitution Article IV. Section 2 reads:

All decisions of the USTHF have to be in accordance with the Constitution and By-Laws of the USTHF.

In consideration of the facts presented above, I request the following immediate relief:

- 1) Removal of all Constitutional amendment information currently on the USATH website, which was published as a result of Mr. Siskind's motion.
- 2) Publishing of an announcement on USATH the web site that after further analysis, the motion and the vote at the annual meeting violated the USATH Constitution, and that USATH is revisiting the process with guidance from the USOC.
- 3) Formation a committee (four to six people) from the Board to review the work done by the Constitutional Review Committee and where needed, modify the Constitution presented. This committee shall get conceptual approval from the USOC on the new Constitution and then present it to the Board for final approval.
- 4) Presentation of the new Constitution to the USATH membership for approval in full compliance with the current USATH Constitution.

Respectfully submitted

---

Signed Under Oath  
Janice O'Shea, Vice President USA Team Handball  
6/9/05

---

Notary

## Exhibit 2

Jeff Benz/USOC

07/11/2005 04:21 PM

To

[mikehurdle@usateamhandball.org](mailto:mikehurdle@usateamhandball.org), [jaoshea@aol.com](mailto:jaoshea@aol.com)

cc

[jim.scherr@usoc.org](mailto:jim.scherr@usoc.org), [jay.warwick@usoc.org](mailto:jay.warwick@usoc.org), [steve.rous](mailto:steve.rous),  
[rebecca.crawford@usoc.org](mailto:rebecca.crawford@usoc.org), [eric.parthen@usoc.org](mailto:eric.parthen@usoc.org)

Subject

Fw: Request for Action

I write to acknowledge receipt of Ms. O'Shea's below correspondence.

Though it was sent to us on July 1, I and others were on vacation and then in Singapore at the recent IOC meetings, and we have been unable to respond until today. I am sending this correspondence to Mr. Hurdle and request that he provide to us with a written response to your allegations by our close of business this upcoming Friday. I understand that Mr. Hurdle has submitted something to Jay Warwick in advance of his planned call with Jim Scherr for tomorrow, but I want to make sure that Mr. Hurdle has every opportunity to respond to the allegations in Ms. O'Shea's complaint.

I understand that Mr. Hurdle has requested a separate call with Jim Scherr tomorrow. Because of this pending dispute, and the division it has caused among USATH's Board, Mr. Scherr is not going to take Mr. Hurdle's call tomorrow, and Mr. Scherr has asked that by this email I advise Mr. Hurdle of this fact. It may be possible at a later date for Mr. Scherr to engage Mr. Hurdle or the USATH Board on this issue, but we will determine that at a later date.

I have also been asked to inform you that commencing immediately the USOC is suspending all payments of funding to USATH until this dispute is resolved.

After we receive Mr. Hurdle's response to the allegations in Ms. O'Shea's complaint, we will determine the next appropriate role for the USOC's involvement in the sport of Team Handball.

Please let me know if I can answer any questions.

Very truly yours,

Jeffrey G. Benz  
General Counsel, Secretary, and  
Managing Director of Legal and Government Affairs  
UNITED STATES OLYMPIC COMMITTEE  
One Olympic Plaza  
Colorado Springs, CO 80909  
(719)866-4563 (o)  
(719)866-4839 (f)  
[www.usoc.org](http://www.usoc.org)

----- Forwarded by Jeff Benz/USOC on 07/11/2005 04:05 PM -----

JANOSHEA@aol.com

07/01/2005 07:22 AM

To

jeffrey.benz@usoc.org

cc

jay.warwick@usoc.org

Subject

Request for Action

It is with a heavy heart that I write this email. Anyone who knows me is aware that I much prefer mediation and compromise to confrontational means of resolving all kind of difficulties that occur, whether they be in my personal life or my avocational life.

As a long time active member of USATH, a board of director since 1995 and the Vice President for Women at present, I am of the opinion that the time for mediation and compromise has passed and the only recourse that makes any sense is to ask the USOC to intervene and to whatever is necessary to restore some semblance of order and sanity to the governance of our NGB. My personal feeling is that Mr. Hurdle, for whatever reason, is unable to recognize the need to act professionally in his dealings with those who are working for the same thing he professes to be working for - the best interests of USATH. There is a complete lack of understanding that, because someone does not agree with you does not mean that he/she is against you. There is no sitting down and working out the issues - it is a "take it or leave it" attitude. I and others have tried to resolve many issues internally but it is now spiraling out of control.

In filing this request I have the support of such people as the VP - Men, the Treasurer, the past president, the AAC rep, the chair of Coaching and Methods, the chair of Referee and Rules, the past VP - Women, the chairs of the WNT and MNT committees, as well as other members of the board.

The attached documents, four in number, are: 1) my initial grievance to the board, 2) Request for USOC Intervention, 3) letter from Matt VanHouton, AAC Rep to the board and 4) some documentation re the initial grievance.

Thank you for your time and consideration of this important matter. Please contact me if you need any more information. I would appreciate confirmation of your receipt of this email and the attachments.

Thank you.

Jan O'Shea, Vice President - Women  
USA Team Handball  
1649 State Highway 235  
Greene, NY 13778  
607 656 9106  
janoshea@aol.com

In accordance with Article XV, Section 3(a), I am submitting the following grievance under oath.

Nature of the Grievance:

- 1) Per the USATH Constitution, the President of USA Team Handball appointed a Constitutional Review Committee, and Eric Pfeifer as Chair.
- 2) At the Annual Meeting on the evening of April 29, 2005, President Hurdle recognized Mr. Pfeifer to give the USATH membership a report on Constitutional Review.
- 3) Mr. Pfeifer told the membership that the USOC was insisting on immediate amendment of the USATH Constitution and that he felt the process should be initiated that evening.
- 4) Mr. Pfeifer's statement was inaccurate; this had not been not communicated by the USOC to USATH at this time.
- 5) Mr. Pfeifer subsequently introduced Dr. Martha Hahn as a well-known Parliamentarian from the Houston area.
- 6) Dr. Hahn, who was present at the USATH Board meeting the night before, addressed the membership telling them that many organizations often "bend or break" their by-laws. She told membership that since there was an urgent need for USATH to amend its Constitution or "you won't get any money" she recommended bending the rules and not adjourning the present Annual Meeting in order to be able to expedite the Constitutional amendment process. Conversation with the USOC subsequent to the Annual meeting indicated that the expected timeline for initiating constitutional changes would be within the next year, and that funding in 2005 would not be impacted by a constitutional review.
- 7) Mr. Siskind then made a motion (paraphrased in the absence of access to minutes) as follows:

The Constitutional Review Committee will submit within 15 days a revised Constitution to the USATH membership for comments and after receipt of those comments submit a new Constitution for a vote to approve by the USATH membership. Voting would be restricted to those USATH members who have an active membership as of May 1, 2005.

The motion was seconded.
- 8) A vote of the membership present was then taken and Mr. Siskind's motion was judged to have passed by a 2/3 majority.
- 9) There was no prior notice of this motion or of a potential vote regarding the USATH Constitution given to USATH members or Board Members, despite a USATH Board meeting the evening before.
- 10) USATH Constitution Article IV. Section 4 reads:

"Changes to the Constitution of the USTHF require the approval by a two-thirds majority of the total votes cast by those voting at the USTHF annual meeting. Proposals for changes to the Constitution must be submitted to the Executive Director of the USTHF no later than forty-five (45) days prior to the date of the Annual Meeting and must be mailed by the

Secretary to all members no later than twenty-one (21) days prior to the date of the Annual Meeting.”

- 11) The motion passed at the Annual meeting violates with the USATH Constitution as set forth in number 10 above because the motion, if carried out, will not satisfy the requirement that the proposed changes to the Constitution be submitted to the Executive Director before the annual meeting, the requirement that those changes be mailed to all members 21 days prior to the meeting, and/or that the changes be voted on at the annual meeting.

- 12) USATH Constitution Article VII. A. 2 reads:

There shall be an annual general meeting of the members at a place and time during the National Championships, or during a major domestic competition, on a specific date, time and place to be fixed by the Board of Directors. If there is to be a vote at the Annual Meeting, a mail ballot shall be utilized with all provisions of this Constitution followed.

- 13) The vote at the USATH annual meeting was done by hand.

- 14) The vote taken at the USATH meeting violates the USATH Constitution as set forth in number 12 above because the vote taken was by hand and not by mail ballot as required by the USATH Constitution.

- 15) USATH Constitution Article IV. Section 2 reads:

All decisions of the USTHF have to be in accordance with the Constitution and By-Laws of the USTHF.

In consideration of the facts presented above, I request the following immediate relief:

- 1) Removal of all Constitutional amendment information currently on the USATH website, which was published as a result of Mr. Siskind's motion.
- 2) Publishing of an announcement on USATH the web site that after further analysis, the motion and the vote at the annual meeting violated the USATH Constitution, and that USATH is revisiting the process with guidance from the USOC.
- 3) Formation a committee (four to six people) from the Board to review the work done by the Constitutional Review Committee and where needed, modify the Constitution presented. This committee shall get conceptual approval from the USOC on the new Constitution and then present it to the Board for final approval.
- 4) Presentation of the new Constitution to the USATH membership for approval in full compliance with the current USATH Constitution.

Respectfully submitted

---

Signed Under Oath  
Janice O'Shea, Vice President USA Team Handball  
6/9/05

---

Notary

Jan O'Shea  
Vice President – Women  
USA Team Handball

June 30, 2005

Jeffrey Benz, General Counsel  
United State Olympic Committee  
One Olympic Plaza  
Colorado Springs, CO 80909

Dear Mr. Benz,

As you are probably aware, there has been an ongoing debate within USA Team Handball (USATH) regarding the Constitutional correctness of a vote that was taken at the Annual General Membership meeting in Houston on April 29, 2005. After several attempts by various parties to resolve the issue informally, it became apparent that a solution that was amenable to both parties was not going to be reached. At that time, June 9, 2005, per the Constitution I submitted a grievance to the Board of Directors asking them to consider the facts as I presented them and to grant immediate relief if they felt my grievance was valid. Per our constitutional procedures, a board vote was taken with the result being nineteen (19) to accept the grievance and relief, zero (0) no and zero (0) abstentions. At the present time there are 26 votes on the Board and a 2/3's vote was required. On June 23 I emailed our President, Michael Hurdle, with a copy to the board asking him to accept the vote and implement the relief requested. On June 23 he replied, only to me, that the board vote was illegal. He also referred to the board as a mob and asked what I was going to do next – remove him from the Board? I replied with a copy to the entire board the next day explaining why I felt the vote should be considered as valid. He has not responded to this last email. In an attachment I have copied and pasted the pertinent emails.

In this past week, there have been several pronouncements from President Hurdle that have disturbed me (and others) greatly and have led me to the conclusion that if we do not immediately seek assistance and intervention from the USOC our organization will be severely threatened in its attempt to service the athletes in a manner that is befitting an NGB in the Olympic family. The Women's resident program in Cortland has been put in jeopardy by his refusal to sign a contract with the coach that was negotiated and approved by all parties involved, including himself. He has basically ignored the Executive Committee and refuses to even put one of the members on any emails. He is now bypassing even the duly elected and appointed Board of Directors. He and his Public Relations Chair have locked the staff out of access to the Web site. He has begun to make unilateral changes to the budget without board knowledge or approval. These are some of the more grievous actions that have been taken in the very recent past. Many of these actions are unconstitutional; others are just unprofessional with no respect for those who work hard to do their job. I fear that if the USOC does not look into these and other actions very soon it will lead to more dangerous actions that will further challenge the

integrity and threaten the livelihoods of our staff and the very fiber of USATH – our athletes.

I respectfully ask that you consider my request to examine the actions that have been and are being taken by President Hurdle since April 29, 2005. I have copied and pasted pertinent emails referencing the initial grievance on a separate attachment. Other documentation on other issues as well as the above can be provided if necessary.

Thank you for your attention to this matter.

Jan O'Shea, VP Women  
USA Team Handball  
1649 State Highway 235  
Greene, New York 13778  
607 656 9106  
janoshea@aol.com

Matthew Van Houten  
Athlete's Advisory Council Representative, Team Handball  
200 East Buffalo Street, Suite 502  
Ithaca, New York 14850  
(607)273-5475  
mvh@hgvmlaw.com

Jeffrey Benz, Esq.  
United States Olympic Committee  
One Olympic Plaza  
Colorado Springs, CO 80909

Re: USA Team Handball

Dear Mr. Benz,

I am writing this letter in my capacity as the Athlete's Advisory Council representative from the sport of Team Handball. Our constitution provides that the AAC representative is a member of the board of directors. On behalf of the athletes, I am deeply concerned regarding the state of our organization and the direction it is heading.

In the past two months, the president of USATH, Michael Hurdle, has conducted himself in a manner that has detrimentally affected the rights of the athletes in our sport. Most recently, Mr. Hurdle actively attempted to obstruct my efforts to hold an election among the active athletes on the board so that our Executive Committee would be comprised of the requisite 20% athlete composition. Our Executive Committee, until recently, was composed of five members, one of whom is an active athlete (Mr. Hurdle by virtue of his participation in the 1995 Pan Am Games). Earlier this year Mr. Hurdle arranged for a sixth individual to join the Executive Committee, necessitating the addition of another active athlete. Mr. Hurdle very clearly attempted to prevent another active athlete from being added to the Executive Committee. At this point, it is my judgment that any action taken by the Executive Committee is voidable based upon the lack of 20% athlete participation. It appears that Mr. Hurdle has unilaterally taken control of the ongoing operations of USATH, excluding the other members of the Executive Committee and the board of directors.

Mr. Hurdle has engaged in a pattern of activity that has jeopardized the future of the Women's National Team. Specifically, Mr. Hurdle has refused to sign the employment contract of the current Women's National Team Head Coach, Christian Latulippe. Coach Latulippe has been universally acknowledged as an incredibly important asset to our program. I believe that Mr. Hurdle's obstructionist behavior may cause the Women's National Team to lose an outstanding resource in the State University of New York at Cortland. Our Women's team is presently training at Cortland State and Coach Latulippe is largely responsible for obtaining and maintaining our great relationship with the college as our training center. I understand that Mr. Hurdle had verbally agreed to sign the employment contract, and arbitrarily has changed his mind without consulting any of the necessary parties.

I would be happy to provide additional details or to discuss this matter with you. Please feel free to contact me with any questions or concerns.

Thank you very much for your time and attention to this matter.

Very truly yours,

Matthew Van Houten

Pursuant to Article XV, Section 3 (a) of the USATH Constitution I am filing the attached Complaint with the Secretary with a copy to the Executive Director. As required in Art. XV Section 3 (b) I am faxing tomorrow, June 10, 2005 a signed and notarized copy to both the Secretary and the Executive Director. As also required by Art. XV Section 3 (b) I have made every attempt to reference each alleged violation in separate, numbered paragraphs to the specific Article and Section of the Constitution violated. I have also stated the specific action that I would like the Board of Directors to consider.

I have taken the liberty to send this to the entire board at this time. The reason is so there can be no controversy about the time in which the Board needs to take action. By my calculations, a decision should be made by the board no later than 7:30pm, Sunday, June 19, 2005.

As you all must know by now, I feel very strongly about the need to make sure that the Process by which we change our constitution is not tainted in any way. If we follow what I have proposed, we can still have a constitution within a time frame that the USOC approves and with total membership support. Unless a question is directed to me personally in the next few days, I will not be saying anything further. After June 13 I will be out of the country on a family vacation and unavailable.

Thank you for your time.

Jan

Emailed to entire Board of Directors on June 9, 2005

Emails of June 23 and 24 between Mike Hurdle and myself  
Mike

Since I filed the grievance and asked for a vote to be taken by June 19, I am now asking for you, as the President, to accept the vote of the Board of Directors and indicate to the rest of the Board and myself when you will begin the action necessary to implement the four items of relief that I presented with the grievance. By accepting the Board vote we can continue with the Constitutional revision in a manner that is consistent with the parameters laid down by the current Constitution.

The Board vote was 19 to accept the grievance, 0 to not accept and 0 abstentions.

I would appreciate an answer by this Saturday, at the latest.

Thank you,  
Jan

So, everything that I have said about the illegality of this board vote and the process with which this mob called a board has progressed makes absolutely no difference to you? And then you have the audacity to question my decision on a WNT coach as playing politics? Perhaps you should take a few days and truly decide what's important to you - I know what is important to me.

And if I don't accept it as President, then what? You and the mob actively move to vote me off the board?

Mike

I see that you sent this only to me - since I copied the Board on my request to you, do you mind if I forward your answer to the board?

Jan

Mike

Since you have not responded to my question asked in this forwarded email, I am not yet sharing it with the board but I am going to answer it with a copy to the board since we are discussing their action on my grievance.

The grievance was filed per Constitutional requirements and the Board by its action overwhelmingly supported it. By its support, the Board seems to have sent an unequivocal message that says the grievance is valid and that the USATH should accept it and implement the relief requested. If you cannot or will not accept the Board's vote as legal, then you push us that much closer to the ultimate conclusion - USOC intervention or as you suggest in your email, move to vote you out of office, which by the way has never seriously been brought up, as far as I am aware.

I do find your continuing reference to the Board as a mob rather insulting to a group of intelligent and dedicated people who are just trying to resolve some issues so the business of the USATH can move forward.

Jan

This following is an email received on June 27 to the WNT committee in reference to repeated requests from myself and Linda Severo (WNT Chair) to please sign Christian's approved contract. I have copied the entire text only so nothing can be taken "out of context" - the disturbing part is his caveat to signing even the modified contract that he attached to the email.

I failed to receive a soft copy like I requested, so I did the best I could with the hard copy. I attempted to copy everyone from the WNT Committee, but I am sure I have missed some - and my apologies for that. Attached is a revised contract.

Contrary to popular belief, I have always supported the Women's program and specifically, Mr. Latulippe. I gave the Women's Committee full reign and freedom from interference to achieve success - and you did not. However you want to spin it is irrelevant; a sixth place finish behind the Dominican Republic and failing to meet the USOC submitted milestone is devastating. I firmly believe that the WNT could and should have finished in the top 3. I certainly did not want to meddle and impede any success or momentum. We have become so accustomed to failure and incompetence that the term "accountability" means nothing to anyone anymore. It appears a change is needed.

I think what Mr. Latulippe has accomplished in the realm of developmental activities has been fantastic. The revised contract acknowledges that and structures his employment responsibilities to capitalize on his strengths - not his weaknesses. Perhaps someday he will become a solid NT level coach; he is not there today. However, it has been

mentioned that a top level international coach is not what is needed at this time - and I agree, hence, the contract that is attached.

This contract comes with a caveat - I will only sign the document if the board elects me as Chair of the Org & Comp Committee. If I have your support, I will inform the board and we can begin the process to move forward. Otherwise, you can begin to develop a new plan to rebuild your program. I believe Mrs. Torpey asked, "what do you care about?" You have my answer. Now the question is what do all of you care about? You can't have your cake and eat it too - so let's prioritize. The WNT will secure the coach they desperately desire and I will finally be able to fix the Org & Comp in this country - qualifications, player eligibility, club standards, elite leagues, etc.

I would like to get this finalized by July 1st, so your immediate attention is appreciated.

Mike Hurdle  
President, USATH  
404.664.3342

## Exhibit 3



James E. Scherr  
Chief Executive Officer

July 29, 2005

VIA EMAIL

Mike Hurdle  
President  
USA Team Handball

Jan O'Shea  
Director  
USA Team Handball

RE: USA Team Handball Dispute on Bylaws Amendments

Dear Ms. O'Shea and Mr. Hurdle:

The United States Olympic Committee's ("USOC") management (specifically, me, General Counsel Jeff Benz, Director of NGB Development Eric Parthen, Chief of Sport Performance Steve Roush, and Sport Partnerships Director Jay Warwick) has received and reviewed the written submissions of both of you on the subject of your disagreement over the process that was used for implementing amendments to the USA Team Handball Bylaws in May 2005. By this letter, the USOC is only addressing this narrow issue and is not addressing, and at this time is not going to address, the myriad other issues raised by one or both of you in your submissions. USOC management has determined that your written submissions provide sufficient basis upon which to render a decision, and that additional discussion of this matter, whether orally or in writing, would not advance the cause of making a decision thereon.

It is unfortunate that the USA Team Handball Board and the USA Team Handball President could not resolve this dispute internally and between themselves without the need for outside intervention. It is also unfortunate that some in this process have chosen to misrepresent the USOC's position with respect to NGB governance reform and specifically with respect to USA Team Handball. We do not expect, and we will not tolerate, our NGBs' leadership conducting their affairs in this manner.

The USOC's management has determined that USA Team Handball is to be commended for undertaking an ambitious, thoughtful, and substantial governance reform process. Many, if not most, of the governance reforms proposed are consistent with the governance guidelines that have been promulgated by the USOC for NGBs. We hope that USA Team Handball will continue with this governance reform process irrespective of anything contained in this letter.

The USOC's management has determined that the process by which the governance reforms were presented, or not presented, to the board and the membership for their review or approval left a great deal to be desired. Managing change of this magnitude requires careful

United States Olympic Committee  
1 Olympic Plaza  
Colorado Springs, Colorado 80909-5760  
Tel: 719-866-4701 Fax: 719-866-4141

email: jim.scherr@usoc.org web site: www.usolympicteam.com

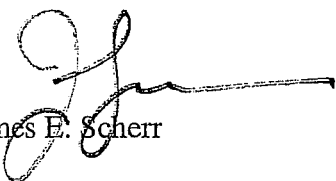
Jan O'Shea  
Mike Hurdle  
USA Team Handball  
July 29, 2005  
Page 2

handling of the process for implementing the changes. Doing the right thing requires using the right process. USOC's management has determined that USA Team Handball's leadership failed to present and implement the proposed Bylaw amendments properly under the USA Team Handball Bylaws and basic principles of fairness and common sense. As a result, the entire governance reform process has been subject to challenge and dispute.

The USOC's management has determined that USA Team Handball must develop and undertake a process of review and input that permits the USA Team Handball Board and membership to be involved in and provide input on the governance reform proposals for the Bylaws. This process must permit communication and give and take by all involved. The USOC looks forward to receiving a proposal from USA Team Handball's Board for this process to occur and deadlines for it to follow no later than August 30, 2005. The USOC will review this proposal and offer any suggested changes. The USOC expects USA Team Handball's Board to implement immediately the proposal approved by the USOC.

We look forward to being advised that USA Team Handball will take whatever actions are necessary to cause the amendment process for its Bylaws to move forward in a manner consistent with this letter. When the USOC receives either sufficient confirmation that this process has been accomplished, or sufficient assurances that the decision in this letter is being followed and will be followed successfully, the USOC will release the suspension of its payments to USA Team Handball. We hope that USA Team Handball and its President and Board will take this opportunity to reaffirm their commitment to the sport, endeavor to work cooperatively and collectively on appropriate Bylaw amendments and an appropriate Bylaw amendment process, and put aside their personal differences that we fear have caused unnecessary harm to the administration of the sport in the US during the past few months.

Very truly yours,



James E. Scherr

cc: Jeff Benz, Esq.  
Rebecca Crawford  
Chris Duplanty  
Eric Parthen  
Steve Roush  
Jay Warwick  
Mike Cavanaugh

## Exhibit 4



We, the USATH Executive Committee and Board of Directors of USA Team Handball (or USATH), acknowledge the following:

- There is a current constitutional crisis resulting from the USA Team Handball Annual General Meeting of April 29, 2005.
- The Board of Directors has not been involved in the constitutional review process, although members of said Board held two chairs on the Constitutional Review Committee;
- The general membership has indicated their desire to have a vote on a new constitution done without delay.
- A resolution for this process needs to be drafted, with new provisions that include input from both the Membership and the Board of Directors of USA Team Handball.

In lieu of the acknowledgements above, and pursuant to the current USA Team Handball Constitution Articles IV (Constitutional and By-Law Changes) and Article XX (The Saving Clause), we have resolved the following:

1. A Constitutional Oversight Committee will be named by USA Team Handball President Mike Hurdle to review the new constitution draft. The following Board Members will comprise the Constitutional Oversight Committee:

Derek Brown, '96 Olympian

Theresa Ekstrom

Tony Fontenot, Secretary

Kevin Hutchinson

David Thompson, '03 Pan American Games

2. From September 1, 2005 until October 15, 2005, the Constitutional Oversight Committee will name its own chair, and in conjunction with the Constitutional Review Committee make additions, deletions, modifications and clarifications, as they deem necessary. In case of disagreement between the two aforementioned Committees, the Constitutional Oversight Committee will be the final ruling body.

3. From September 1, 2005, until September 30, 2005, all members of the USA Team Handball Board of Directors may submit input to the Constitutional Oversight Committee and the Constitutional Review Committee.

4. From September 1, 2005, until September 30, 2005, all members of the USA Team Handball (the general membership) may submit input and discuss matters through the USA Team Handball Website. A separate section will be built for that purpose, and one link to that section will be placed on the USA Team Handball website index page at [www.usateamhandball.org](http://www.usateamhandball.org). Members may also send their input to the chair of either or both committees. USATH will provide their email addresses on the web site.



5. On or about October 15, 2005, the Constitutional Oversight Committee will release the final revised version of the new constitution draft to the USA Team Handball Board of Directors.
6. The Board of Directors will review the final revised version of the new constitution draft, and vote on its endorsement on or about October 22, 2005 via email to the Secretary and the Executive Director of USA Team Handball.
7. The ballots for the vote will be sent out to the general membership on or about October 24, 2005. A copy of the final revised version of the new constitution draft will be included along with an explanatory letter from the Board.
8. All ballots must be postmarked no later than Tuesday, November 22, 2005 and will be tallied by independent USOC auditors.
9. The results of the Constitutional vote will be announced no later than Tuesday, December 6, 2005.

This resolution outlines the process to arrive at a conclusion for this crisis, and no provision, or grievance relating to the matter of the constitution will be discussed or resolved outside of this decree.

Endorsees of this USATH Resolution:

**USATH Executive Committee**

Mike Hurdle, President  
Jan O'Shea, Vice-President, Women  
Jim Thome, Vice-President, Men  
Tony Fontenot, Secretary  
Annette Bergman, Treasurer  
Dawn Lewis, Women's Athlete Rep  
Derek Brown, Men's Athlete Rep  
Eric Pfeifer, MSO Rep

**USATH Board of Directors**

Robert Djokovich  
Robert Dunn  
Tomuke Ebuwei  
Theresa Ekstrom  
Tom Fitzgerald  
Paulette Freeze  
Kevin Hutchinson  
Pat Joyner  
Kim Kruse  
Oliver Luck  
Bruce Mosberg  
Peter Siskind  
Joe Story  
David Thompson  
Mike Thornberry  
Kristen Torpey  
Matt Van Houten  
Italo Zanzi

## Exhibit 5

**From:** Mike Hurdle [mailto:mikehurdle@mindspring.com]

**Sent:** Monday, October 24, 2005 3:23 PM

**To:** Jay Warwick; Eric Parthen

**Cc:** Mike Cavanaugh; tonyf@handballamerica.com

**Subject:** Fw: RE: Board Endorsement

This is merely an fyi. I left a voice mail earlier and this is a follow up to that message with the actual tabulation of the vote.

-----Forwarded Message-----

**From:** Tony Fontenot

**Sent:** Oct 24, 2005 5:05 PM

**To:** JANOSHEA@aol.com, mikehurdle@mindspring.com, epfeifer@kennesaw.edu, dawn.lewis@hlf sports.com, ldbrown6@hotmail.com, coachannette@rockteamhandball.org, jthomesr68@earthlink.net

**Cc:** mikecava2000@netscape.net

**Subject:** RE: Board Endorsement

have a count of 10 against endorsement and 9 for endorsement.

Tony Fontenot

Mike Hurdle  
President, USATH  
04.664.3342

12/19/2005

## Exhibit 6

**From:** mikecava2000@netscape.net [mailto:mikecava2000@netscape.net]  
**Sent:** Monday, October 24, 2005 12:32 PM  
**To:** Jay Warwick; Eric Parthen  
**Subject:** Fwd: Board Endorsement

For your review - this is my understanding of the tally as well as Jan lists it. I have hard copies as back ups. As conveyed to Jay this morning I am under the gun to prepare for a mailing of the document to the membership along with a ballot per Mike Hurdle. This morning he said that he wants this out in 48 hours. mc

Michael D. Cavanaugh  
Executive Director - USA Team Handball  
One Olympic Plaza  
Colorado Springs, CO 80909  
Phone: 719 866 4036 Fax: 719 866 4055  
mikecava2000@netscape.net

-----Original Message-----

From: JANOSHEA@aol.com  
To: mikhurdle@mindspring.com; epfeifer@kennesaw.edu; dawn.lewis@hlfsports.com; ddbrown6@hotmail.com; coachannette@rockteamhandball.org; tonyf@handballamerica.com; jthomesr68@earthlink.net; JANOSHEA@aol.com  
Cc: mikecava2000@netscape.net  
Sent: Mon, 24 Oct 2005 14:26:23 EDT  
Subject: Board Endorsement

Mike

I have just finished a tally of the board votes cast last week and over the weekend on the endorsement of the draft by-laws. I have 9 Yes votes, 12 No votes and 3 non votes (reason given was they favor a USOC review

before voting on endorsement). Almost all of the No votes wanted a review by the USOC before taking any final action. According to these results it would seem to be good business to send it to the USOC for their previously offered review. After that review, it can be given back to the board for further discussion and revote.

How do you wish to go about this? Do you want to send the by-laws to the USOC and ask that they conduct their review in as timely a manner as possible, or if you wish, I will do it.

Waiting to hear from you.

Jan

Jan O'Shea  
649 State Highway 235  
Greene, NY 13778  
janoshea@aol.com

---

**Look What The New Netscape.com Can Do!**

Now you can preview dozens of stories and have the ones you select delivered to you without ever leaving the Top Home Page. And the new Tool Box gives you one click access to local Movie times, Maps, White Pages and more. [Click to test drive.](#)

## Exhibit 7

From: Sheri Escher  
Sent: Oct 24, 2005 7:38 PM  
To: Mike Hurdle  
Cc: Gary Johansen , Eric Parthen , Jay Warwick , Rachel Nakamura  
Subject: Message from Jay Warwick

Mike,

Thank you for keeping us informed of the activity concerning adopting your new constitution. Ever since the USOC became involved in this matter, our primary objective has been to facilitate a fair and effective process. We do not have a position in regard to supporting any USTHF officials over any others. We do feel that critical factors for a successful outcome would include high levels of communication and transparency. Where the USTHF achieved almost 100% unanimity in agreeing on the process, the current tally of votes indicates that there remains necessary discussion prior to finalizing a document to forward to the general membership.

I have discussed the matter at length with Eric Parthen and Gary Johansen, and at this point we would recommend the following:

1. Allow for the USOC legal department to review the document.
2. Set a meeting of your board to provide for everyone to have an opportunity to discuss the document after the final revisions have been made.

As we discussed on the phone last week, great efforts and cooperation have been extended on your part, we well as many others, and it is important that this process is completed with same.

Best regards,  
Jay

Sheri Escher  
US Olympic Committee  
Sport Partnerships  
1 Olympic Plaza  
Colorado Springs, CO 80909  
719.866.4937 - phone  
719.866.4957 - fax  
sheri.escher@usoc.org

## Exhibit 8

**From:** Mike Hurdle [mailto:mikehurdle@mindspring.com]  
**Sent:** Monday, October 24, 2005 6:25 PM  
**To:** Sheri Escher; Mike Hurdle  
**Cc:** Gary Johansen; Eric Parthen; Jay Warwick; Rachel Nakamura  
**Subject:** Re: Message from Jay Warwick

The resolution has been adhered to 100%. There was no requirement in the resolution that mandated a unanimous board endorsement before it was sent to the general membership. The USATH membership is fed up with the board members that have run this sport into the ground over the past ten years. They want a change. And once those ballots go to the membership, I am confident that you will see that.

Your recommendation amounts to preventing a membership vote at the last minute for the second consecutive time without any just cause except that a few self-serving board members don't like the outcome of two independent committees and do not want to abide by a binding USATH resolution.

I must respectfully decline your recommendations at this time. I am more than willing to be on an additional conference call with everyone on this email, but I will also now be accompanied by legal counsel going forward. As also mentioned on the last conference call, we are a separate corporation and have every right to change our by-laws as we see fit and according to the due process established by our corporation. We have done that. We have complied with the resolution. If the ballots do not go out and the election is not completed with votes tallied and announced, there is a large faction of the USATH general membership that will file a class action lawsuit against those USATH board of directors that have been deliberately ignoring the stated will of the membership and even their own resolutions. If the USOC continues to be a party to this transgression, I would highly suspect that they would also be named in the class action suit. However, I will leave that determination to the lawyers.

I need to know if the USOC will honor their commitment to count the ballots in our upcoming election. Otherwise, I need to secure an outside agency to tabulate our votes.

## Exhibit 9

Dear USA Team Handball Member:

This postcard serves as your official ballot in the voting for USA Team Handball Bylaws (Proposed Bylaws can be found at [www.usateamhandball.org](http://www.usateamhandball.org)). You can accept the proposed Bylaws by voting 'yes' or you can reject the proposed Bylaws by voting 'no'. Your ballot must be postmarked by November 22, 2005 to be included in the voting process. Thank you for your participation.

Please clearly mark your choice in ONE of the boxes below:

☐

**YES**

☐

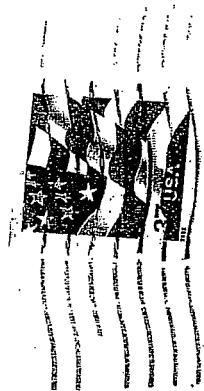
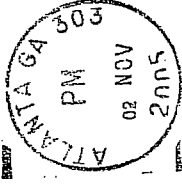
**NO**

0100

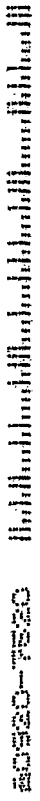
**Voter Signature:**

Baron & Company  
310 Declaire Way NE  
Marietta GA 30067-4075  
c/o USA Team Handball

Baron & Company  
310 Declaire Way NE  
Marietta GA 30067-4075  
c/o USA Team Handball



0100 - Michael Cavanaugh  
3915 Zurich Drive  
Colorado Springs, CO 80920





October 28, 2005

Dear USA Team Handball Member:

You have the opportunity to review and vote on the acceptance of the proposed revised Constitution, which will now be called Bylaws for USA Team Handball.

If you go to our website at [www.usateamhandball.org](http://www.usateamhandball.org) and navigate to "New Bylaws" or [http://www.usateamhandball.org/usath/documents/USTHF Bylaws.PDF](http://www.usateamhandball.org/usath/documents/USTHF_Bylaws.PDF) you will find the entire document. It is there for you to review and/or download and print.

If you prefer, you can contact the National Office at [info@usateamhandball.org](mailto:info@usateamhandball.org) or 719-866-4038 to request a hard copy of the Bylaws to be sent to the address of your choice.

Enclosed you will find a post card ballot to be used in this voting process. Please vote according to your assessment, place it in the enclosed envelope and return it with the appropriate postage to the Independent Auditor's Office via U.S. Post. Please note that the post card must be postmarked no later than November 22, 2005.

Thank you in advance for your participation in this process.

Best Regards,  
USA TEAM HANDBALL

## Exhibit 10

From: USATH Office of the President <officeofthepresident@hurdleonhandball.com>  
To: officeofthepresident@usateamhandball.org; dawn.lewis@hlfsports.com; mikhurdle@mindspring.com;  
bob.djokovich@aei.com; silva@unc.edu; okluck@hchsa.org; bobby\_dunn@hotmail.com;  
handballref@yahoo.com; Bobfisher2@aol.com; denberk@msn.com; ddbrown6@hotmail.com;  
epfeifer@kennesaw.edu; italo.zanzi@mlb.com; Jthomesr68@earthlink.net; joe.story@comcast.net;  
kevin.hutchison@bliss.army.mil; jockanddoc@earthlink.net; Kevin.Hutchison@blisapdoimsmtp1.bliss.army.mil;  
knkedra@mindspring.com; kim@usateamhandball.org; Kimssc@aol.com; Kim.Kruse@cendant.com;  
mikecava2000@netscape.net; mthornberry@ptc.com; pjoyner11@earthlink.net; paulette.freese@cfsc.army.mil;  
NeedhamR@aol.com; fitzgerald\_thomas@hotmail.com; tebuwei@yahoo.com; tonyf@handballamerica.com;  
coachannette@rockteamhandball.org; TMCEK@aol.com; mvh@hgvmlaw.com; mktorpey@yahoo.com;  
LSevero02@aol.com; JANOSHEA@aol.com; psisk0318@aol.com  
Sent: Mon, 5 Dec 2005 17:01:57 -0500  
Subject: Official Announcement of the Results for the By-Laws Amendment

Good Afternoon Distinguished Members of the Board,

The results from the proposed By-Law changes have been announced. Please see attached official letter from the auditing firm Baron & Company, P.C.

The results are summarized as follows:

"YES" votes: 211

"NO" votes: 23

The new By-Laws have been passed by the membership with a 90.17% approval. President Hurdle has been notified via phone, and he will address the Board of Directors in a letter shortly.

The Office of the President  
USA Team Handball

---

**Try the New Netscape Mail Today!**

Virtually Spam-Free | More Storage | Import Your Contact List

<http://mail.netscape.com>

## Exhibit 11

November 29, 2005

Michael A. Hurdle  
2900 Blarney Way  
Duluth, GA 30096

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

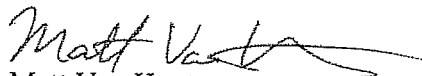
Mr. Hurdle:

I hereby demand that you resign as president of USA Team Handball. You have failed to appropriately handle the present financial crisis, engaged in unethical and unprofessional behavior, and have wholly derogated your duties as a fiduciary for this organization.

In the event that you do not formally resign by noon (EST) on Friday, December 2, 2005, I will make a formal motion to the Board of Directors that you be removed for cause pursuant to Article VIII, Section 4 of the existing Constitution.

I look forward to hearing from you.

Very truly yours,



Matt Van Houten  
AAC Representative

Cc: USATH Board of Directors (via electronic transmission)

## Exhibit 12



December 5, 2005

USA Team Handball  
Board of Directors

Members of the Board:

The results of the elections for the newly proposed By-Laws have been voted on and passed by a margin of over 90%. This marks the end of a very, very difficult impasse for our Federation. There is much work to do, as I will have to work diligently to restore our partnership with the USOC while at the same time installing a new Board, without delay. I understand that there was some doubt as to my intentions; I will reiterate here that it is my firm intention to move ahead with the composition of a new Board, and remove myself from the process.

Finally, pursuant to Section 23.1 of our new By-Laws, all members from the Board of Directors from the previous By-Laws are automatically relieved of their duty. This is a great day for USA Team Handball, as I'm looking forward to working with you and any newcomers in getting our sport back to Olympic Glory, where it belongs. I thank you all for your valuable service over the past year.

A handwritten signature in dark ink, appearing to read "Mike Hurdle", is positioned above the typed name.

Mike Hurdle  
President & CEO  
USA Team Handball

## Exhibit 13

-----Original Message-----

From: Matthew Van Houten <[mvh@hgvmlaw.com](mailto:mvh@hgvmlaw.com)>

To: USATH Office of the President <[officeofthepresident@hurdleonhandball.com](mailto:officeofthepresident@hurdleonhandball.com)>;  
[officeofthepresident@usateamhandball.org](mailto:officeofthepresident@usateamhandball.org); [dawn.lewis@hlfsports.com](mailto:dawn.lewis@hlfsports.com);  
[mikehurdle@mindspring.com](mailto:mikehurdle@mindspring.com); [JANOSHEA@aol.com](mailto:JANOSHEA@aol.com); [silva@unc.edu](mailto:silva@unc.edu); [okluck@hchsa.org](mailto:okluck@hchsa.org);  
[bobby\\_dunn@hotmail.com](mailto:bobby_dunn@hotmail.com); [handballref@yahoo.com](mailto:handballref@yahoo.com); [Bobfisher2@aol.com](mailto:Bobfisher2@aol.com); [denberk@msn.com](mailto:denberk@msn.com);  
[ddbrown6@hotmail.com](mailto:ddbrown6@hotmail.com); [epfeifer@kennesaw.edu](mailto:epfeifer@kennesaw.edu); [italo.zanzi@mlb.com](mailto:italo.zanzi@mlb.com); [joe.story@comcast.net](mailto:joe.story@comcast.net);  
[kevin.hutchison@bliss.army.mil](mailto:kevin.hutchison@bliss.army.mil); [jockanddoc@earthlink.net](mailto:jockanddoc@earthlink.net);  
[Kevin.Hutchison@blisapdoimsmtp1.bliss.army.mil](mailto:Kevin.Hutchison@blisapdoimsmtp1.bliss.army.mil); [knkedra@mindspring.com](mailto:knkedra@mindspring.com);  
[kim@usateamhandball.org](mailto:kim@usateamhandball.org); [Kimssc@aol.com](mailto:Kimssc@aol.com); [Kim.Kruse@cendant.com](mailto:Kim.Kruse@cendant.com);  
[mikecava2000@netscape.net](mailto:mikecava2000@netscape.net); [mthornberry@ptc.com](mailto:mthornberry@ptc.com); [pjoyner11@earthlink.net](mailto:pjoyner11@earthlink.net);  
[paulette.freese@cfsc.army.mil](mailto:paulette.freese@cfsc.army.mil); [NeedhamR@aol.com](mailto:NeedhamR@aol.com); [fitzgerald\\_thomas@hotmail.com](mailto:fitzgerald_thomas@hotmail.com);  
[tebuwei@yahoo.com](mailto:tebuwei@yahoo.com); [coachannette@rockteamhandball.org](mailto:coachannette@rockteamhandball.org); [TMCEK@aol.com](mailto:TMCEK@aol.com);  
[mktorpey@yahoo.com](mailto:mktorpey@yahoo.com); [LSevero02@aol.com](mailto:LSevero02@aol.com); [BOB.DJOKOVICH@aei.com](mailto:BOB.DJOKOVICH@aei.com);  
[jthomesr68@earthlink.net](mailto:jthomesr68@earthlink.net); [psisk0318@aol.com](mailto:psisk0318@aol.com)  
Cc: Jay.Warwick@usoc.org; Eric.Parthen@usoc.org; Jeff.Benz@usoc.org  
Sent: Thu, 8 Dec 2005 12:57:22 -0500  
Subject: Re: Legal Notification

Mr. Hurdle:

Please be advised that, pursuant to the email vote of the Board of Directors held pursuant to the emergency board meeting called by a majority of the Executive Committee on Friday, December 2, 2005, you have been officially removed as president of USATH. 19 board members voted "yes" in support of the motion; 2 members voted "no" and 2 more members voted "no" but did not cast their votes until after the 5:00 p.m. EST deadline on Tuesday, December 6, 2005. Such an action requires 75% of the board to vote in favor of the motion. Of 25 board members (you do not have a vote because you are the subject of the motion), 19 yes votes constitutes 76% of the votes.

Please conduct yourself accordingly. Do not conduct any business or management activities on behalf of the NGB. Pursuant to the constitution, the two Vice Presidents are now charged with the responsibility of governing the NGB. Please be further advised that the membership vote in support of the new bylaws is not recognized as valid by this Board of Directors. You are fully aware of the procedural and substantive reasons why the bylaw vote is invalid. The fact that you chose to ignore the strong advice of the USOC staff, as given to you during the conference call we both participated in, is clear evidence of your consciousness regarding the impropriety of your actions with regard to the bylaw vote.

Good luck with your future endeavors and thank you for your service this past year.

## Exhibit 14



"Kim Kedra"  
<kim@usateamhandball.org>

08/29/2005 05:36 PM

Please respond to  
<kim@usateamhandball.org>

To <jay.warwick@usoc.org>

cc

bcc

Subject Financial Status of USA Team Handball

Jay: I would like to keep Mike Cavanaugh out of this as he is very concerned about protocol and he wants to get the governance issues taken care of prior to talking about funding.

Today we have \$8.47 in our checking account and \$12,000 left in our line of credit. We will be able to get through our payroll on 8/31, however after that USATH will be officially out of money. I just wanted to keep you all in the loop as to what was happening over here.

Thanks

Kim

Kimberly N. Kedra

Program Director

USA Team Handball

(p) 719-866-4038

(f) 719-866-4055

(e) kim@usateamhandball.org

www.usateamhandball.org

## Exhibit 15

**From:** mikecava2000@netscape.net [mailto:mikecava2000@netscape.net]  
**Sent:** Tuesday, November 08, 2005 10:42 AM  
**To:** Jay Warwick; Eric Parthen  
**Subject:** Fwd: Critical Status

yi - I'll be getting notice out today to existing staff. mc

Michael D. Cavanaugh  
Executive Director - USA Team Handball  
One Olympic Plaza  
Colorado Springs, CO 80909  
Phone: 719 866 4036 Fax: 719 866 4055  
mikecava2000@netscape.net

-----Original Message-----

From: Mike Hurdle <mikehurdle@mindspring.com>  
To: Mike Hurdle <mikehurdle@mindspring.com>; JANOSHEA@aol.com; epfeifer@kennesaw.edu; mikecava2000@netscape.net  
Cc: mvh@hgvmlaw.com; mikehurdle@mindspring.com; jthomesr68@earthlink.net; tonyf@handballamerica.com; dbrown6@hotmail.com; dawn.lewis@hlfsports.com  
Sent: Tue, 8 Nov 2005 09:35:47 -0500 (GMT-05:00)  
Subject: Re: Critical Status

Regardless, Mike Cavanaugh - please inform the five employees of USATH that their last paycheck will be November 15, 2005. USATH is out of cash and will not be able to meet future payroll obligations. We apologize for the short notice, but we just received notification on Friday from the USOC that the funding was suspended.

I hope everyone who has involved the USOC is proud of themselves. In your zeal to show the world what an awful President I am, you have destroyed the livelihood of five hard working employees.

11/15/2005

## Exhibit 16

## Jay Warwick

---

**From:** mikecava2000@netscape.net  
**Sent:** Monday, November 14, 2005 9:55 AM  
**To:** Jay Warwick; Eric Parthen  
**Subject:** Fwd: November 15 Staff Payroll

Had to make a decision here - this is being sent to you as an fyi and is not meant to draw attention to myself. I'm doing what I have to do. Regards. mc

Michael D. Cavanaugh  
Executive Director - USA Team Handball  
One Olympic Plaza  
Colorado Springs, CO 80909  
Phone: 719 866 4036 Fax: 719 866 4055  
mikecava2000@netscape.net

-----Original Message-----

**From:** mikecava2000  
**To:** mikehurdle@mindspring.com; janoshea@aol.com; jthomesr68@earthlink.net;  
tonyf@handballamerica.com; coachannette@rockteamhandball.org; epfeifer@kennesaw.edu;  
dawn.lewis@hlfsports.com; ddbrown6@hotmail.com  
**Sent:** Mon, 14 Nov 2005 11:52:57 -0500  
**Subject:** November 15 Staff Payroll

All:

I was authorized to inform staff that they would be paid through November 15. Payroll is due to be issued today through our accountant. We have approximately \$9K in our Line of Credit. Payroll for all five (5) staff members is \$6.8K but there is a federally required tax payment of \$5.4K that is also due on the 15th. We can not pay both. I think I am ethically wrong to authorize payroll knowing that we can not meet the federal tax requirement. Therefore, I am going to authorize payment for all staff except myself to be assured that we can do both payroll and meet our tax obligation. This is simply an fyi for the EC and no response is needed. mc

Michael D. Cavanaugh  
Executive Director - USA Team Handball  
One Olympic Plaza  
Colorado Springs, CO 80909  
Phone: 719 866 4036 Fax: 719 866 4055  
mikecava2000@netscape.net

---

### Try the New Netscape Mail Today!

Virtually Spam-Free | More Storage | Import Your Contact List  
<http://mail.netscape.com>

---

### Try the New Netscape Mail Today!

Virtually Spam-Free | More Storage | Import Your Contact List  
<http://mail.netscape.com>

11/14/2005

## Exhibit 17



11/7/05

TO: Michael D. Cavanaugh  
Darrick Heath  
Kim Kedra  
Christian Latulippe  
Ray Rene

FROM: Michael D. Cavanaugh

SUBJECT: Notice of Employment Status

It is with a profound sense of personal and professional disappointment that I must convey to you that we are all being given notice of a lay-off status for the entire USA Team Handball staff.

I have been authorized to inform each of you that you will be paid up to the November 15th pay period. This is therefore a lay-off notice that is effective November 15<sup>th</sup>.

There are no remaining funds within USATH's accounts to meet future payroll obligations and there has been a suspension of USOC funding. Definitive notice on this suspension of USOC funding was recently received and thus the relative short notice of this lay off notice.

I do not have definitive answers as to the status of health and dental benefit coverage beyond November 15<sup>th</sup> but I will endeavor to seek out answers on this matter just as soon as possible.

I have copied the Executive Committee of USATH with this notice and you are free to call me directly with your questions, or anyone that serves on the Executive Committee.

C: USATH Executive Committee  
Matt Van Houten

## Exhibit 18



*United States Olympic Committee*  
*Audit Division*  
**Audit of USA Team Handball**  
**December 16, 2005**

***EXECUTIVE SUMMARY***

The Audit Division of the United States Olympic Committee (USOC) has completed an audit of Base, Performance Pool, International Relations and Contingency Grant Funding totaling \$304,060 awarded to USA Team Handball (USATH) for the 2004 grant year. This review also included an evaluation of recommendations made in the prior audit report as well as an analysis of the organization's current internal control and management structure.

USATH has been audited on an annual basis, rather than the regular biannual schedule, since 2000 due to financial concerns and an abundance of recommendations made in previous audits. All staff was terminated subsequent to audit fieldwork and the organization is currently being run by the President of the Board.

Records were not sufficient to identify grant expenses reported to the USOC. Unsubstantiated travel advances and expenses unrelated to the projects in the current grant year were disallowed, resulting in unsupported grant funding totaling \$14,894. This amount must be returned to the USOC. Four of the seven recommendations made in the previous audit report were fully implemented, but three are repeated in this report.

The review resulted in the following recommendations:

1. USA Team Handball must ensure complete and accurate records of all receipts and expenditures relating to grant funding are maintained and available for review.
2. USA Team Handball must ensure that expenses are supported by original, detailed documentation.
3. USA Team Handball must enforce their established travel advance policy and ensure that unsubstantiated advances are treated in accordance with IRS guidelines.
4. USA Team Handball must adopt the consistent use of an advance clearing account in order to easily identify outstanding advances and to ensure that only actual amounts incurred are reflected in the expense accounts.
5. USA Team Handball must ensure that grant funds are expended on activities related to the grant year.
6. USA Team Handball must return a total of \$14,894 to the USOC, consisting of unutilized Base Funding of \$11,105 and Performance Pool Funding of \$3,789.

A handwritten signature in dark ink, appearing to read 'Salena DiMatteo', is written over a horizontal line.

Salena DiMatteo, CPA  
Associate Director, Audit

Cc: Mike Hurdle  
Jim Scherr  
Chip Gregson  
Chris Vadala  
Jay Warwick

## *SCOPE AND OBJECTIVES*

The USOC Audit Division reviewed the following grant funding totaling \$304,060 awarded for the 2004 grant year:

2004 Base Funding	\$ 250,000
2004 Performance Pool Funding	50,000
2004 International Relations Grant Funding	3,360
2004 Contingency Grant Funding	700

The objectives of this inquiry were to determine if:

1. Previous audit recommendations have been implemented.
2. USATH complied with the requirements agreed to in the Performance Partnership Agreement for the period noted.
3. Final grant reports were timely, accurate, complete, and supported by documentation on file.
4. An adequate internal control process is in place to ensure that USOC funds are reasonably protected.
5. USATH managerial and financial capabilities are adequate to plan and execute its obligations.

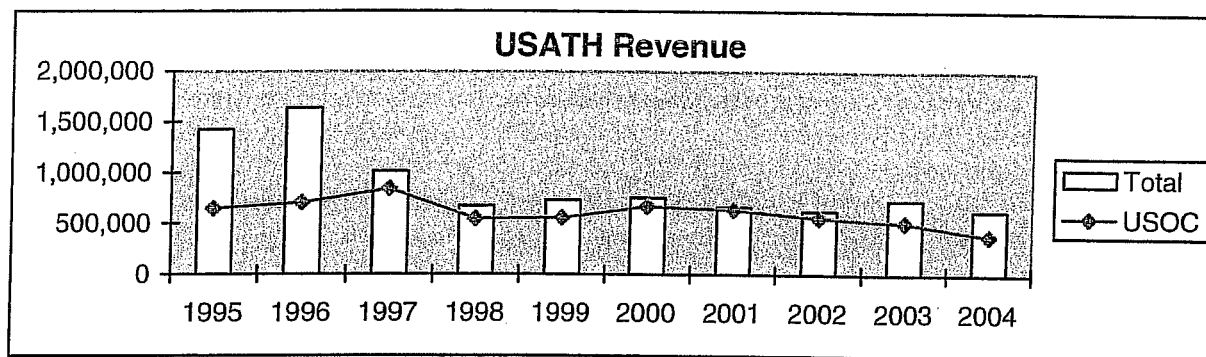
Audit activities included a study of accounting and administrative controls considered relevant in assessing the control risk and control environment as established by management. The review was based on USOC directives concerning grants, provisions of USOC grant contracts, USATH internal operating procedures, Generally Accepted Accounting Principles (GAAP), Generally Accepted Auditing Standards (GAAS), and other audit practices suggested by the Institute of Internal Auditors' "Standards for the Professional Practice of Internal Auditing."

## *BACKGROUND*

USA Team Handball has been audited on an annual basis, rather than the regular biannual schedule, since 2000. Three of the previous five audits resulted in the organization returning unsubstantiated funds to the USOC. Although the organization has made improvements, recommendations have typically been repeated multiple times before being fully implemented.

The National Office has been headquartered in Colorado Springs and managed by a staff of two, with one additional staff member providing support from a remote location. Subsequent to audit fieldwork, all staff was terminated and the organization is currently being managed by the Board President.

The organization showed net gains in 2003 and 2004 after three consecutive years of net losses. USOC funding as a percentage of total revenue ranged between 43% and 96% over the last ten years and represented 61% of total revenue in 2004 as shown in the following graph.



## ***FINDINGS AND RECOMMENDATIONS***

### **1. Recommendations from Prior Report**

The previous audit report was dated October 6, 2004, and contained seven recommendations related to the 2003 grant funding. The current status of those recommendations is as follows:

1. USA Team Handball must utilize the general ledger to track and report grant expenses.  
*Status => They did use reports generated directly from their internal accounting system to prepare the 2004 final grant reports. This recommendation was made in some form in every audit since 2000 so this is a significant improvement. This recommendation is fully implemented.*
2. USA Team Handball must ensure that records are maintained that clearly identify which expenses are included on the final grant reports.  
*Status => While utilizing the accounting system to prepare the final grant reports was a significant improvement (See #1 above), there were still difficulties explaining differences between the GL and the grant reports. See Section 2 for additional information.*
3. USA Team Handball must ensure that expenses are supported by original, detailed documentation.  
*Status => Documentation was excellent with the exception of expenses related to the men's team where original documentation was noticeably lacking. See Section 3 for additional information.*
4. USA Team Handball must return \$5,037.10 of unsupported Contingency Grant Funding to the USOC.  
*Status => These funds were returned to the USOC. This recommendation is fully implemented.*
5. USA Team Handball must adopt the consistent use of an advance clearing account in order to easily identify outstanding advances and to ensure that only actual amounts incurred are reflected in the expense accounts.  
*Status => During the period under review advances were still posted directly to expense accounts in the general ledger rather than to a clearing account. See Section 3 for additional information.*

6. USA Team Handball should evaluate the cost/benefit of using an external bookkeeper and consider preparing financial records internally.

*Status => The organization continues to use the services of an external bookkeeper. However, they simultaneously maintain financial records internally that provide more detail and better align expenses with their reporting and evaluation needs. Therefore, there is a duplication of effort. Since the Board considered this issue and decided to continue the services of the external bookkeeper, **this recommendation will not be repeated.** However they should continue to evaluate the cost/benefit on a periodic basis.*

7. USA Team Handball must ensure that donations are made in a manner that preserves their tax deductible nature.

*Status => This recommendation related to contributions designated for specific athletes. No such donations were noted during the course of the current audit. **This recommendation is fully implemented.***

## **2. Grant Reporting**

The USOC requires that summer NGBs file final grant reports by March 1 for the prior year's funding. These reports must contain a narrative explaining the project, the participants, and the problems encountered and detail the amount spent and other sources of revenue available for the project.

USATH utilized reports generated directly from the general ledger to prepare their final grant reports. However, there were differences between the general ledger and the amounts on the final grant reports that could not be reconciled. USATH staff indicated that they had records showing what those differences were but those records could not be located at the time of the audit. Therefore, they had to recreate the information reported on the grant reports, adding to the length of the audit and amount of staff involvement in the audit process.

Ultimately staff was not able to identify all of the expenses reported on the final grant reports, resulting in a reduction of \$1,676 in Base Funding and \$4,034 in Performance Pool Funding expenses originally reported.

### **Recommendation:**

- 1) USA Team Handball must ensure complete and accurate records of all receipts and expenditures relating to grant funding are maintained and available for review.

## **3. Internal Control**

The accounting profession defines internal control as "a process, effected by the entity's Board of Directors, management and other personnel, designed to provide reasonable assurance regarding the achievement of objectives in effectiveness and efficiency of operations, reliability of financial reporting, and compliance with applicable laws and regulations." In order for USOC funds to be properly safeguarded, adequate procedures must be in place and practiced on a daily basis.

As a standard part of every audit, the control environment and implementation of control procedures are evaluated for adequacy. While it is often difficult to achieve this in an office with limited staff like USATH, compensating controls may be developed to address issues inherent in a small office.

Audit Guidelines require that grant expenditures be supported by original, detailed documentation. This ensures that the organization's limited resources are not expended on unauthorized or unnecessary items. The documentation must be detailed enough to indicate the nature of the expenditure as well as the date, location, and amount paid. For the most part, USATH maintained adequate supporting documentation for expenses. However, there was a noticeable decline in the quality and existence of documentation related to the Men's Program, and especially travel advances within that program.

There were four travel advances reviewed that had been outstanding for over a year without supporting documentation being submitted. USATH's Financial Control Policies state that advances must be accounted for within 60 days of the advance. Unsubstantiated advances should be considered income to the recipient and reported to the Internal Revenue Service as such. Since there was no means to verify how or if these funds were spent, the total of \$6,560 was disallowed as grant support.

To better track outstanding advances, USATH should use an advance clearing account rather than posting advances directly to expense accounts in the general ledger. This recommendation was also made in three of the last five audit reports. An advance should be posted to the clearing account when issued. Then when the supporting documentation is submitted, the actual expenses incurred would be moved out of the clearing account and posted to the appropriate expense accounts while also adjusting for any funds returned or due to the individual. Any balance in the clearing account would indicate that there are outstanding advances that have not yet been reconciled.

This method also ensures that only actual expenses incurred are reflected in the expense accounts. There were three advances reviewed where the advance was posted directly to expenses and included in the amount reported on the final grant reports. However, unused funds totaling \$1,300 were returned but posted to a different general ledger account so not considered when calculating the expenses reported on the grant reports. Therefore, the expenses on the grant reports were over-stated by this amount, which has been disallowed as grant support.

**Recommendations:**

- 2) USA Team Handball must ensure that expenses are supported by original, detailed documentation.
- 3) USA Team Handball must enforce their established travel advance policy and ensure that unsubstantiated advances are treated in accordance with IRS guidelines.
- 4) USA Team Handball must adopt the consistent use of an advance clearing account in order to easily identify outstanding advances and to ensure that only actual amounts incurred are reflected in the expense accounts.

Grant funding is required to be utilized for approved projects within the grant year. Grant expenses reported included \$3,233 paid in 2004 for activities to be conducted in 2005 and \$1,653 paid in 2004 for activities conducted in 2003. These two amounts have been disallowed as grant support.

**Recommendation:**

- 5) USA Team Handball must ensure that grant funds are expended on activities related to the grant year.

After correcting the reported expenses as discussed in Section 2 of this report and disallowing unsubstantiated and unrelated expenses as described in the previous paragraphs, there were not sufficient expenses to support the full amount of grant funding paid to the organization. Therefore, the organization must return unutilized Base Funding of \$11,105 and Performance Pool Funding of \$3,789, for a total of \$14,894 due back to the USOC.

**Recommendation:**

- 6) USA Team Handball must return a total of \$14,894 to the USOC, consisting of unutilized Base Funding of \$11,105 and Performance Pool Funding of \$3,789.

#### **4. Financial and Managerial Capability**

In accordance with the USOC Constitution, National Governing Bodies are required to demonstrate that they possess the financial and managerial capability to plan and execute their obligations.

As discussed in the Background section of this report USATH sustained net losses in three of the previous five years. There have also been cash flow concerns during 2005. Additionally, the organization is currently in the process of revising its ByLaws, which would reorganize its Board of Directors, and it has no staff.

These conditions cause serious concerns about the organization's ability to plan and execute obligations.

## Exhibit 19

**From:** James J Thome Sr [jthomesr68@earthlink.net]  
**Sent:** Tuesday, November 08, 2005 9:49 AM  
**To:** Mike Hurdle; Jan O'Shea; Eric Pfeifer; Dawn Lewis; Derek Brown  
**Cc:** Matt Van Houten; Tony Fontenot; Mike Cavanaugh  
**Subject:** Re: Critical Status

Mike,

Unfortunately I cannot support you on this and other actions you have unilaterally taken without EC and/or Board support or approval.

- You and you alone [not the EC or Board] placed Darrick Heath on the payroll knowing the DITC MOU had not been consummated and therefore there were no funds to pay his salary. Although the Coaching and Methods Comm. nominated and the EC endorsed the nomination --no one but you knew that the DITC MOU was not in place. We had an emergency Conf Call in Feb, 2005 in which you were confident that all our concerns & suggestions would be accepted and we would have a MOU in place.
- And you and you alone [not the EC or Board] hired Ray Rene to an unfunded and unapproved position.
- In addition to these salaries, you and you alone [not the EC or Board] required that USATH had to absorb the benefits for these hires.
- You continually blame others for our crisis but fail to acknowledge that 15 USATH Board members voted NO on endorsing and/or requesting the USOC review prior to a membership vote. Again, you ignore the USATH Board.
- You and you alone [not the EC or Board] have placed our staff's livelihood in jeopardy.

To support you on, in my opinion, this coercion style email would be totally unethical from my perspective. I cannot accept responsibility for your actions.

Maybe, you should just flat out ask the USOC what it would take for USATH to be back in their good graces. A simple question surely worth asking.

Jim



James J. Thome, Sr. PhD  
Vice-President (Men), USA Team Handball  
10805 Vineyard Court  
Clermont, FL 34711  
jthomesr68@earthlink.net

On 11/8/05 9:25 AM, "Mike Hurdle" <mikehurdle@mindspring.com> wrote:

This is not simple to solve, like a certain board member suggests. However, it can be done. I have been faced with two financial crises since being President and I have resolved them both - only to be continually undermined by certain board members.

The funding was suspended - I negotiated to get in unsuspended (with Jan's help). Cash burn rate at critical - I negotiated a \$50k bridge loan from the foundation (with Mike's help).

The foundation has already granted us conditional money based on my ability to provide a balanced budget for 2005 and 2006. Without the funding being restored, I cannot do that. At the current moment, future estimated revenue is about \$60k. They won't give us anymore because they have a fiduciary duty to their corporation.

Without diving into the financials (like Jan said earlier), we have increased our credit line by \$80k. According to Jan's own analysis, Ray and Darrick amount to only \$52k. So, there must be other financial issues that are causing the current crisis.

To be quite frank, Jan's email is beyond my comprehension (sorry Jan). We are just going to "hope" that the USOC restores funding? Based on what? That isn't a solution.

Jan, et al, can you please explain to me how we pay the insurance premium with no cash? It doesn't matter if the WNT is using it or not - how do we PAY the premium with NO cash?

Due to the severe bleeding in my back from the stab wounds, here is what I require:

1) Unanimous support from this committee supporting me. A statement to present to the USOC that the EC unanimously supports the President in this crisis - 100%.

2) The EC approaches the board and obtains the same commitment from the board - unanimous support of the President. In addition, the statement will state that "any internal grievance conflicts will be resolved internally through the methodology in the USATH bylaws with the ultimate arbitrator being the general membership or a court of law - whichever is appropriate. No longer will the USOC be burdened with these trivial conflicts." We had a clause in the last resolution for this purpose and it was ignored.

3) An apology from those board members continually involving the USOC in our internal governance matters, an admittal that it was the wrong course of action and will not happen again, and a specific statement that they will provide by the agreement in item #2.

Once I have this level support, I can resolve this conflict as well.

I have taken every effort over the past few months to ensure that our staff's livelihood was not in jeopardy. Certain board members, with their continual involvement of the USOC, have placed their agenda over the security of our employees.

Again, once I have this level support, I can resolve this conflict as well. Please let me know your decision soon.

## Exhibit 20



July 1, 2005

Ray Rene  
Atlanta, GA

Mr. Ray Rene,

It is with great pleasure that I offer you employment with USA Team Handball (USATH) as Director of Organization and Competition at an annual salary of \$40,000. The term of your employment will begin on July 1, 2005. You will report directly to the Chief Executive Officer of USATH throughout your tenure. Your job responsibilities and duties are flexible and demanding and will be documented in other documents. You are entitled to participate in the standard USATH benefit package. You are eligible for a 25% commission on all funding raised for USATH and its committees. Due to the chaotic climate of our sport within the framework of the USOC, I am authorizing a severance package equivalent to 50% of your yearly salary for any termination other than deficient cause. You will be eligible for standard merit and bonus increases for the USATH Staff that are approved by the USATH Board of Directors. You are authorized to work from home until an appropriate office space can be secured for your daily operations. I am very excited about the possibilities and future of USATH.

Your signature below confirms your understanding and acceptance of the previously outlined contract for employment.

**Agreed and Accepted on July 1, 2005:**

A handwritten signature in dark ink, appearing to read "M. Hurdle", written over a horizontal line.

**Mr. Michael Hurdle**

*President*

USA Team Handball (USATH)

A handwritten signature in dark ink, appearing to read "Ray Rene", written over a horizontal line.

**Mr. Ray Rene**

## Exhibit 21

November 28, 2005

Mike Hurdle  
President  
USA Team Handball  
One Olympic Plaza  
Colorado Springs, CO 80909

Dear Mr. Hurdle:

Reference is hereby made to my contract for employment dated July 1, 2005, and attached hereto as Annex A (the "Contract"). Pursuant to the terms of the Contract, upon termination of my employment for any reason other than "deficient cause", I am entitled to receive a severance payment in an amount equal to 50% of my annual salary. Reference is also made to your memorandum dated November 9, 2005, and attached hereto as Annex B, notifying me that my employment with USA Team Handball would be effectively terminated as of November 15, 2005, due to funding issues.

Because my employment has been terminated without "deficient cause", I am sending this letter as my formal request for my severance payment in accordance with the terms of the Contract, which mandates a payment equal to 50% of my annual salary (*i.e.* 50% of US\$40,000 or US\$20,000). Please remit a payment for this amount in the form of a cashier's or bank check by no later than December 31, 2005, at the following address:

Claude-Raymond Rene  
541 Tenth St NW, Suite 309  
Atlanta, GA 30318

If you wish to discuss any of the matters set forth in this letter or have any questions, please call me at (404) 849-3941.

Thank you and regards,

A handwritten signature in dark ink, appearing to read "Claude-Raymond Rene", written in a cursive style.

Ray Rene

Cc: Mike Cavanaugh  
Jan O'Shea  
Jim Thome  
Tony Fontenot  
Annette Bergman  
Eric Pfeifer  
Dawn Lewis  
Derek Brown  
Nicole M. Sykes, Esq.  
Wanda F. Rene, Esq.

## Exhibit 22

**From:** Mike Hurdle [mailto:mikehurdle@mindspring.com]

**Sent:** Wednesday, November 02, 2005 4:45 PM

**To:** Matthew Van Houten; Mike Hurdle

**Cc:** LSevero02@aol.com; TMCEK@aol.com; PSisk0318@aol.com; Jan O'Shea; Bergman,Annette (Home);

Fontenot,Tony; tebuwei@yahoo.com; Thomas Fitzgerald (h); NeedhamR@aol.com;

paulette.freese@cfsc.army.mil; pjoyner11@earthlink.net; Mike Thornberry; Mike Cavanaugh; Kristen Torpey;

kruserk@hotmail.com; kim.kruse@cedant.com; Kimssc@aol.com; Kim Miller; knkedra@mindspring.com;

Kevin.Hutchison@blisapdoimsmtp1.bliss.army.mil; jockanddoc@earthlink.net; kevin.hutchison@bliss.army.mil;

Joe Story; Jim Thome; Italo Zanzi; Eric Pfeifer; Derek Brown; Dennis Berkholtz; dawn.lewis@hlfsports.com; David

Thompson; Bruce Mosberg; Bobby Dunn; Oliver Luck; okluck@yahoo.com; Dr. John M. Silva; DJOKOVICH, BOB

**Subject:** Re: USOC Funding

I have said this repeatedly over the past few weeks - I am not going to continue these discussions in this communication medium. However, since Matt has requested an update, I will try to give a brief one.

1) Going forward, proper communication to me consists of a phone call (404-664-3342), registered mail, or board meeting. There really is no value to communicate through email over controversial matters. Going forward, this email account will be monitored by my secretary (I think everyone remembers me mentioning her in a previous email - blonde with a nice fake rack) and she will respond to your concerns on the behalf of the Office of the President.

2) Mike Cavanaugh and I requested to receive our 2005 4th quarter payment early from the USOC. They granted the request to advance the funds on October 28. We also requested funds from the USATH Foundation. I am assuming I do not have to update everyone on that since Annette and Linda Lisa most eloquently did earlier.

3) The USOC was again approached by some USATH board of directors complaining about the constitutional review. They recommended a course of action - which I believe to be in violation of two resolutions that have passed - one by the USATH general membership and one by the USATH board.

4) Due to all of the bickering displayed by the USATH board of directors, the USOC has decided not to honor the advancement of funds. Even though they did not specifically state - Mike Cavanaugh and I discussed the communication and it is our assessment that the 4th quarter funds will be paid on the original date of November 15.

5) The USOC also mentioned that they did not like my decision to not cater to their bullying tactics of forcing an NGB (a separate corporation) to abide by their political shenanigans. And even though the USATH board of directors did pass a binding resolution, and it requires a 2/3 majority to overturn that resolution, they agreed that certain board members were inherently dishonest and don't keep their word - but they have become so accustomed of having their way and bending the rules - that what is the harm to

do it once more? The USOC agreed with a majority of the USATH board that the process is so important, that when you don't get your way through a democratic process, then due process must have been violated - because everyone knows Hurdle is wrong - so any democratic outcome that remotely favors Hurdle must be fraught with corruption.

6) #3, 4, and 5 have a little bit of sarcasm in them. #1 is just damn funny even though it is also true. Go figure. And no Mr. Thome - you will not get an apology, no matter how many bold and colorful letters you use. And that goes for you too Hutch. Hitler didn't apologize, so I guess I shouldn't either.

7) In addition, due to the USOC lacking either integrity or cojones (not sure which), they decided not to keep their word and abide by the resolution which they signed off on. For those with reading comprehension, that means they have refused to tabulate the ballots for the upcoming constitutional election. Reading comprehension comment is from the fact that tabulating the votes was the only involvement the USOC was authorized to have prior to the new constitution per the resolution that a majority of the board wanted to violate. Sorry everyone, I had to insert that explanation for Mr. Thome, since I know the comprehension was over his head.

8) #7 has some additional sarcasm and is also quite funny.

9) The USOC also wanted to show they had some muscles and informed me that they will be performing many audits, of which I didn't pay much attention because it is quite irrelevant. We have the greatest staff in the world (once we made a change in December), and I am sure they are up to the challenge. Oh, and the audits are also incorporating the previous administration's use of funds and performance metric attainments. We hit all the metrics that we told the USOC we were going to meet over the past 4 years, right? Shouldn't be any issue there.

10) The above amounts to.....what was the word used previously.....graft! I have tried not to give an update because I know this board would be outraged at the USOC for their actions of unscrupulously using their power to force us to do what they want. I think I agree with Jan that this is extortion! I hope all of you won't be too hard on them. Please take it easy in the letters you write and emails that you send. Wait - who will you send them to? I don't know. Perhaps the U.S. Congress? I think they have a little more pressing issues, but damn it! - this is a matter of principle, right Hutch. We can't let them push us around and use "graft". We must do things the "right" way and damn it! - they are not doing things the right way. The ends don't justify the means. I take poor pity on the USOC with Jan, Thome, Hutch, Djok, Italo, Fitzy, and Annette after them. Look out boys - it is going to be a great showdown.

11) #10 is beyond funny. Why did I name those individuals you ask? Because Mr. Thome, in his zeal to prove something (I am still not sure what), accidentally forwarded me an email that exposed the core group that has been plotting against me since the first day of my presidency and also confirms the collusion involved with the original grievance that Djok claimed was merely "perceived". Whatever. Who cares. It is almost all over and I wish them the best in the future. The NTHA is thriving even though they don't have an executive director anymore. Good for them.....well, good for everyone except Annette..... since she was cast out of the Promised Land by her beloved handball idols. I have personally never been fired, but I do hear that it is a devastating experience - so we should all keep Annette in our prayers. She is a fantastic person and I know she will land on her feet; she is quite resilient.

Resolution:

12) Audits. There really is not much to do with the audits. The office needs to provide the documentation for the audits. Cross our fingers and hope everything goes well.

13) Election. The ballots went out yesterday. Did I actually hear your a--holes pucker shut again?!? I have decided to bear all of the costs of this election personally which is estimated at about \$1.5k (count it towards my \$3k) so I don't have to hear some of you whine, which I am sure is going to happen anyway. I have hired an independent accounting firm in Atlanta to tabulate the ballots. The membership list was verified by all three USATH staff members. The letter in the ballot was written by the non-partisan person, the USATH Executive Director. The board was given the opportunity to write an explanatory letter and have it included; I made the offer to the above group of 7 and Jan indicated that she would write one. None arrived by the mailing. As the top ranking elected official and top director of this organization, I am abiding by my duty to serve the membership by adhering to the resolutions that were passed. Any continued attempt to prevent the membership vote.....well.....other than being pathetically funny....will be seen as board members abusing their office as an elected official to represent the membership.

The membership will finally have a chance to vote. Odd that those that demanded during the constitutional review that democracy is necessary are the same ones attempting to prevent a democratic vote by our membership. I find that amusing. Not "haha" funny - not like a clown funny, just amusing.

14) MNT Residency program. I am traveling to NC in 10 days to meet with Dr. Silva and Dr. Walker about a full-time, all-expense paid residency program for the MNT in NC. According to the MNT committee, "it just doesn't make sense to have a residency program right now". Regardless of the fact that any US team that has ever had even a shred of success trained in a full-time residency program, it is just plain hogwash and everyone knows it. This program will provide for everything we need for the athletes to finally become successful.

15) Birmingham still remains a viable alternative to NC if the deal falters for some reason. David Thompson has been gracious enough to be the point person on those negotiations. He has secured the venue for completely FREE for the MNT training camp in December. Completely FREE! The MNT committee is still deciding how to raise money to pay for the camp. I will suggest using dictionary.com and I think they will find the solution to their dilemma.

16) DITC refused to sign the contract when they had the opportunity. I feel sorry for them, but this is solely business. I have two cities approaching us offering much better deals. DITC intends to charge us for everything and hopefully be able to raise funds to cover the costs. Remember, they don't have a gym. It was envisioned that this would be a good partnership to start building the MNT program until a more through partner arrived. #14 & #15 are the better partners.

17) It will all be over soon. If the new constitution does not pass via the membership, I will keep my word (unlike most of this board) and resign from the Presidency. If the vast majority of the USATH membership does not want the new constitution, that is perfectly fine with me and I am willing to allow the membership to get what it deserves. If the new constitution passes, your service will be considered complete. Either way, we will not have to deal with each other after December 7, 2005.

Hmmmm.....I guess that wasn't very brief. Any other questions can be addressed to me via the communication medium listed above. Otherwise, the gorgeous blonde with the fake rack will be addressing your email communicated concerns going forward.

-----Original Message-----

From: Matthew Van Houten

Sent: Nov 1, 2005 1:37 PM

To: Mike Hurdle , Mike Hurdle

Cc: LSevero02@aol.com, TMCEK@aol.com, PSisk0318@aol.com, Jan O'Shea , "Bergman, Annette (Home)" , "Fontenot, Tony" , tebuwei@yahoo.com, "Thomas Fitzgerald (h)" , NeedhamR@aol.com, paulette.freese@cfsc.army.mil, pjoyner11@earthlink.net, Mike Thornberry , Mike Cavanaugh , Kristen Torpey , kruserk@hotmail.com, kim.kruse@cedant.com, Kimssc@aol.com, Kim Miller , knkedra@mindspring.com, Kevin.Hutchison@blisapdoimsmtp1.bliss.army.mil, jockanddoc@earthlink.net, kevin.hutchison@bliss.army.mil, Joe Story , Jim Thome , Italo Zanzi , Eric Pfeifer , Derek Brown , Dennis Berkholtz , dawn.lewis@hlf sports.com, David Thompson , Bruce Mosberg , Bobby Dunn , Oliver Luck , okluck@yahoo.com, "Dr. John M. Silva" , Bob Djokovich

Subject: USOC Funding

Mike,

It has come to my attention that we have not received the USOC funding that was supposed to be received by 10/28/05. My understanding is that the funding is on hold for some reason and that there was some communication between the USOC and you regarding this matter.

Will you please apprise the board as to what is going on? I understood that we had requested an advance on the November payment to meet some immediate financial demands, so obviously this is a cause for concern.

I look forward to your response.

Matt Van Houten  
AAC Representative

Matthew Van Houten, Esq.  
HOLMBERG, GALBRAITH, VAN HOUTEN & MILLER  
200 East Buffalo Street, Suite 502  
Ithaca, New York 14850  
(607) 273-5475  
(607) 272-4140 fax

Confidentiality Notice: The information contained in this e-mail message may be legally privileged and contain confidential information, and is intended only for the use of the individual or entity to whom it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message is strictly prohibited. If you have received this e-mail in error, please immediately notify us by telephone (607-273-5475), by fax (607-272-4140), or by return e-mail and delete this message.

Mike Hurdle  
President, USATH  
404.664.3342

## Exhibit 23



October 26, 2005

VIA FACSIMILE

719/866-4055

Mr. Mike Hurdle  
2900 Blarney Way  
Duluth, GA 30096

Re: Response to October 24, 2005 Letter

Dear Mr. Hurdle:

I write in response to your email to me dated October 24, 2005.

First, the USOC has reconsidered USA Team Handball's ("USATH") request that the USOC advance payment of \$39,063 by making this payment on this upcoming Friday. The USOC will not be making this payment in advance of the time set forth in the Performance Partnership Agreement ("PPA") between the USOC and USATH.

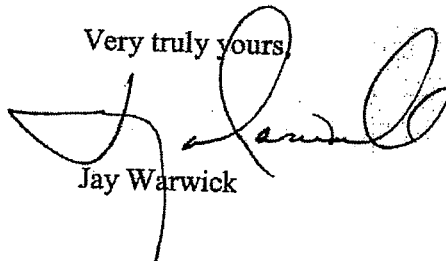
Second, the USOC will be conducting an audit of USATH's performance under the PPA now in effect and under prior PPAs. In addition, the USOC will be auditing USATH's financial performance.

Third, the USOC will be conducting a member compliance review of USATH commencing as soon as possible. We will be in touch with Mike Cavanaugh on the details of that process. We will be reviewing both the former USATH Bylaws and the proposed amendments.

Fourth, in light of our concerns about the appropriateness of your decision to move forward with submission of the Bylaw amendments to your membership in seeming contravention of a position of a majority of your Board, and our concerns about other aspects of this process as executed by you, the USOC will not participate in tabulating any ballots.

Mike Hurdle  
October 26, 2005  
Page 2

As a result of the above reviews, the USOC will determine the extent of the relationship between the USOC and USATH going forward. It is regrettable that you have forced the USOC to undertake these decisions, but your actions and decisions have left the USOC with little choice.

Very truly yours,  
  
Jay Warwick

RJW/klj

cc: Mike Cavanaugh  
James E. Scherr  
Steve Roush  
Jeffrey G. Benz

## Exhibit 24

VIA FACSIMILE 719.866.4055

November 4, 2005

Mr. Michael D. Cavanaugh  
Executive Director  
USA Team Handball  
One Olympic Plaza  
Colorado Springs, CO 80909-5760

Dear Mike:

The purpose of this letter is to follow-up my letter to Mike Hurdle dated October 26, 2005.

The letter is to inform you that, in light of the failure of USA Team Handball ("USATH") to meet its performance milestones under the Performance Partnership Agreement and the current circumstances regarding USATH's governance, we will not be distributing your organization's fourth quarter grant payment that was scheduled to go out next week.

It is unfortunate that this is the second time this year that we have had to suspend a regularly scheduled grant payment to your organization due to serious internal conflict revolving around governance. It is even more disturbing that we have had to suspend a payment based on your organization's failure to meet its contractually agreed to performance milestones. We will make a decision on whether to release Team Handball's grant payment based upon the results of our audits.

As we have already advised USATH, we will be conducting a full member compliance review of USATH. That review is already underway by the USOC Membership Working Group and has been placed on the agenda for our next meeting which is Thursday, November 10, 2005 at 9:00am MST. We ask that you, Mike Hurdle (President) and Matt Van Houten (USOC AAC Representative) be available either in person or on conference call in order to address any questions or concerns that we may have as a result of our review.

This review will cover both USATH's current bylaws and the new proposed amendments so please be prepared to address both. In addition, please keep in mind the importance of this review as any adverse findings could put USATH's membership as the USOC-recognized National Governing Body at risk.

Concurrently, we will be conducting a financial audit of USATH. We will be contacting you in short order to coordinate the logistics of this audit.

Thank you for your attention to this matter and please do not hesitate to contact me if you have any questions. I will contact you early next week with additional information regarding the meeting details.

Sincerely,

Jay Warwick  
Director, Sport Partnerships

cc: Mike Hurdle  
Matthew Van Houten  
James E. Scherr  
Steve Roush  
Jeff Benz  
Eric Parthen

## Exhibit 25



James E. Scherr  
Chief Executive Officer

November 16, 2005

Via Facsimile (404) 264-5394,  
Email, and Overnight Delivery

Mr. Mike Hurdle, President  
Team Handball  
2900 Blarney Way  
Duluth, GA 30096

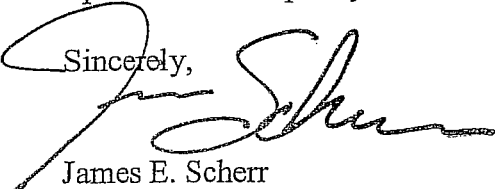
Dear Mr. Hurdle:

As you are aware, pursuant to the Ted Stevens Olympic and Amateur Sports Act (the "Act") and the United States Olympic Committee ("USOC") Bylaws, an organization must meet certain requirements in order to continue to be recognized as a National Governing Body ("NGB") by the USOC. Foremost among those requirements is that the organization must have the managerial and financial capability to plan and execute its obligations as an NGB. I have been advised by the USOC Membership Working Group that the US Team Handball Federation (USTHF) is unable to meet its financial obligations, and, as a result, its staff was dismissed as of Tuesday, November 16, 2005, leaving USTHF without a staff to carry out its affairs. I have also been advised of the recent governance problems in the NGB.

Accordingly, by this letter I am notifying you that I intend to file a complaint pursuant to the Act and the USOC Bylaws to revoke USTHF's recognition as an NGB and its membership in the USOC, and I will be advising the USOC Board of my decision at its December 8, 2006 meeting.

If USTHF's Board of Directors wishes to offer a solution to the problems that have been identified, please have a representative of the entire USTHF Board contact USOC Director of Sports Partnerships Jay Warwick.

Sincerely,



James E. Scherr

cc: Eric Parthen, USOC Director, NGB Development  
Jay Warwick, USOC Director, Sport Partnerships  
Jeffrey G. Benz, USOC General Counsel, Secretary  
Managing Director of Legal & Government Affairs  
Mike Cavanaugh, USTHF Executive Director

United States Olympic Committee  
1 Olympic Plaza  
Colorado Springs, Colorado 80909-5760  
Tel: 719-866-4701 Fax: 719-866-4141