

**SPORT DISPUTE RESOLUTION CENTRE OF CANADA (SDRCC)
CENTRE DE RÈGLEMENT DES DIFFÉRENDS SPORTIFS DU CANADA (CRDSC)**

NO: SDRCC 23-0663/6

**JAMES PICCOLI
CARSON MILES
(CLAIMANTS)**

AND

**CYCLING CANADA CYCLISME
(RESPONDENT)**

AND

**EVAN RUSSELL
PIER-ANDRÉ COTÉ
(AFFECTED PARTIES)**

REPRESENTATIVES:

FOR THE CLAIMANT JAMES PICCOLI: GENE PICCOLI

FOR THE CLAIMANT CARSON MILES: TRACEY EISENBERG

**FOR THE RESPONDENT:
KRIS WESTWOOD
DAN PROULX
NIGEL ELLSAY
RICHARD WOOLLES**

MED/ARB NEUTRAL: DAVID BENNETT

CONSENT ORDER

Whereas James Piccoli and Carson Miles both appealed the team selection decision of Cycling Canada Cyclisme (CCC) for the Grands Prix Cyclistes de Québec et Montréal (GPCQM).

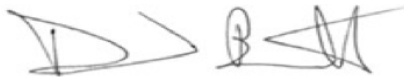
The parties agree to a consent order on the following basis:

1. The selection decision for GPCQM is annulled and will be reassessed by a newly constituted selection panel that does not include any members who were part of the previous selection decision. Once this Consent Order has been ratified, all previously selected athletes will be informed of such.
2. The new selection decision will be created by a selection panel convened by the members of CCC's High Performance Committee (HPC). The HPC is asked to select the GPCQM team from among eligible athletes by applying the selection policy as published.

The HPC will have freedom to determine which of its members should form the selection panel, but must comply with the following instructions:

- a. In exercising Coach Discretion (Priority 2 of the selection policy, referring to Section D, Clause 3), the selection panel should not consider age as a factor
 - b. In exercising Coach Discretion (Priority 2 of the selection policy, referring to Section D, Clause 3), the selection panel should only consider those factors that can be measured or assessed for all athletes in consideration for selection.
 - c. Any HPC member with a coaching or financial relationship with any athlete being considered for this selection decision must declare this relationship and will not be involved in any selection discussions and decision.
 - d. The HPC will provide its selection decision with reasons to Dan Proulx and Kris Westwood no later than August 25, 2023. Once this decision with reasons has been reviewed it will be provided to all athletes no later than August 28, 2023.
3. CCC will draft a recusal policy to be applied to all 2024 selection policies. This policy will require coaches to recuse themselves from selection decisions involving athletes they personally coach. However, this policy must also consider the high degree of coach expertise required for certain selection decisions (e.g. team pursuit, team sprint, and para-cycling selection decisions) that may make it unfeasible to entirely remove a personal coach from certain decisions.
 4. CCC will define terms such as "development" as precisely as possible in all 2024 selection policies.
 5. The parties will sign a separate confidential Settlement Agreement.
 6. This Consent Order will be published on the jurisprudence database of the SDRCC website.
 7. CCC will waive any filing costs at CCC (\$250).
 8. Any dispute between the parties to this case with respect to the implementation or interpretation of this Consent Order will come back to David Bennett for resolution as Med/Arb Neutral.
 9. Subject to the provisions outlined herein, the SDRCC shall declare this case closed by virtue of this Consent Order.

Signature:



August 23, 2023

David Bennett

Date signed

Med/Arb Neutral