

VIII. THE CODE

- ii) One incident of behavior that is flagrant and particularly injurious to the success of a tournament, or is singularly egregious, including the sale of credentials.
 - iii) A series of two (2) or more violations of this Code within a twelve (12) month period which singularly do not constitute aggravated behavior, but when viewed together establish a pattern of conduct that is collectively egregious and is detrimental or injurious to ATP Tour or ATP Challenger Tour tournaments.
- b) Violation of this section shall subject a player to a fine up to \$25,000 or the amount of prize money won at the tournament, whichever is greater, and/or suspension from play in ATP Tour and ATP Challenger Tour tournaments or events for a minimum period of twenty-one (21) days and a maximum period of one (1) year. The suspension shall commence on the Monday after the expiration of the time within which an appeal may be filed, or, in the case of appeal, commencing on the Monday after a final decision on appeal. Violation of this Section by a Related Person may result in a maximum penalty of permanent revocation of accreditation and denial of access to all ATP Tour and ATP Challenger Tour Tournaments.

2) Conduct Contrary to the Integrity of the Game

The favorable reputation of ATP, its tournaments and players is a valuable asset and creates tangible benefits for all ATP members. Accordingly, it is an obligation for ATP players and Related Persons, to refrain from engaging in conduct contrary to the integrity of the game of tennis.

- a) Conduct contrary to the integrity of the game shall include, but not be limited to, publicized comments that unreasonably attack or disparage any person or group of people, a tournament, sponsor, player, official or ATP. Responsible expressions of legitimate disagreement with ATP policies are not prohibited. However, public comments that one of the stated persons above knows, or should reasonably know, will harm the reputation or financial best interests of a tournament, player, sponsor, official or ATP are expressly covered by this section.
- b) A player, or related person, that has at any time behaved in a manner severely damaging to the reputation of the sport may be deemed by virtue of such behavior to have engaged in conduct contrary to the integrity of the Game of Tennis and be in violation of this Section.
- c) A player, or related person, convicted of a violation of a criminal or civil law of any jurisdiction may be deemed by virtue of such conviction to have engaged in conduct contrary to the integrity of the Game of Tennis.
- d) A player, or related person, charged with a violation of a criminal or civil law of any jurisdiction may be deemed by virtue of such charge to have engaged in conduct contrary to the integrity of the Game of Tennis and the ATP Senior Vice President - Rules & Competition may provisionally suspend such player, or related person, from further participation in ATP tournaments pending a final determination of the criminal or civil proceeding.
- e) Violation of this section shall subject the player to a fine of up to \$100,000 and/or suspension from play in ATP Tour or ATP Challenger Tour tournaments for a period of up to three (3) years. Violation of this Section by a Related Person may result in a maximum penalty of permanent revocation of accreditation and denial of access to all ATP Tour and ATP Challenger Tour Tournaments.

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3) Prohibited Promotional Fees

- a) ATP Tour 500 and 250 tournaments have the option to offer fees for promotional services. No other ATP Tour or ATP Challenger Tour tournament owner, operator, sponsor or agent is permitted to offer, give or pay money or anything of value, nor shall the tournament permit any other person or entity to offer, give or pay money or anything of value to a player, directly or indirectly, to influence or assure a player's competing in a tournament, other than prize money, unless authorized to do so by ATP.
- b) Violation of this section shall subject the player to a fine up to \$20,000 plus the amount of value of any such payment, and/or to suspensions from play in ATP Tour and ATP Challenger Tour tournaments for a period of up to three (3) years. The suspension shall begin on the Monday after the expiration of the time within which an appeal may be filed, or, in the case of appeal, commencing on the Monday after a final decision on appeal.
- c) If the Senior Vice President - Rules & Competition believes that a player may be violating this section, then upon demand, the player or his agent, must furnish or provide access to the Senior Vice President - Rules & Competition copies of all records relating to their participation in or, in the absence of such records, an affidavit setting forth the facts with respect to any transaction in question. In the event a player fails to provide the records or affidavit, the Senior Vice President - Rules & Competition may suspend him from participation in ATP Tour and ATP Challenger Tour tournaments pending compliance with such demand.

B. Procedures

1) Determination and Penalty

The Senior Vice President - Rules & Competition shall conduct such investigation of an alleged player major offense as he, in his sole discretion, determines is appropriate and necessary. Upon completion of his investigation, the Senior Vice President - Rules and Competition shall determine whether a player major offense has occurred and, if so, shall fix a penalty to be imposed. A copy of the decision setting forth such penalty shall be promptly delivered to the player.

2) Payment of Fines

The player shall pay all fines levied for player major offenses to ATP by delivery to the Senior Vice President - Rules & Competition within twenty-one (21) days after receiving written notice.

3) Appeal

Any player who has received a penalty for a player major offense may, after paying all monetary fines, appeal such determination by filing a written notice with the ATP CEO within five (5) days (excluding weekends) of such player's receipt of notice of such determination. Upon receiving such notice of appeal, the ATP CEO or his designee shall set a date and place for the hearing.

4) Hearing on Appeal

The ATP CEO or his designee shall conduct the hearing on appeal in accordance with the following:

- a) **Burden of Proof.** The Senior Vice President - Rules & Competition has the responsibility to prove the violation by a preponderance of the evidence.