

TENNIS ANTI-CORRUPTION PROGRAM

INTERNATIONAL TENNIS)
INTEGRITY AGENCY,)
and)
WELLINGTON LOPEZ,)
Covered Person.)

DECISION OF THE ANTI-CORRUPTION HEARING OFFICER

I. THE PARTIES

1. *The ITIA:* The International Tennis Integrity Agency is the operationally independent entity responsible for enforcing the Tennis Anti-Corruption Program. The ITIA was represented in the matter by John Thomas and Maggie McQuiddy of Smith Hulsey & Busey and Ben Rutherford and Katy Stirling, ITIA counsel.
2. *Antonio Lopez:* Mr. Lopez is a resident of the Dominican Republic. He is a certified National Chair Umpire for tennis matches covered by the Tennis Anti-Corruption Program. At all times relevant to this case, Mr. Lopez was a “Covered Person” bound by that Program. At numerous points in this case, Mr. Lopez was asked if he had legal representation and he made it clear that he could not afford a lawyer.

II. THE NOTICE OF MAJOR OFFENSE

On 18 July 2024, ITIA sent Mr. Lopez a Notice of Major Offenses in which it alleged that he had engaged in corrupt activity in games in each of two separate matches for which he had served as the chair umpire. Specially:

Match 1: [REDACTED] at
the ITF M15 tournament in [REDACTED] ([REDACTED]
November [REDACTED])

It is alleged that Mr. Lopez corruptly entered false data into the hand-held scoring device to facilitate bets that the [REDACTED] game of the [REDACTED] set would go to deuce to win when those bets should have lost.

Match 2: [REDACTED] at the ITF M15 tournament in [REDACTED] (December [REDACTED])

It is alleged that Mr. Lopez corruptly entered false data into the hand-held scoring device to facilitate bets that the [REDACTED] game of the [REDACTED] set would go to deuce to win when those bets should have been lost.

The ITIA's position is that each of these acts of corruption violated two separate provisions of the [REDACTED] and [REDACTED] Tennis Anti-Corruption Program: Section D.1.b (facilitation of another person's wager); and Section D.1.d (contriving an aspect of a game).

III. PRE-HEARING PROCEEDINGS

The general purposes of the Pre-Hearing Proceedings in this case were: to make sure that Mr. Lopez understood the charges against him and that he understood how the proceeding would take place; to establish a schedule for Pre-Hearing Briefing, the submission of Exhibits and Witness Statements; to narrow the issues to be presented at the Hearing including by requiring Mr. Lopez to raise any objection which he had to the ITIA's evidence; and to establish the date and time for the Hearing itself. A Pre-Hearing Conference took place on 13 September 2024. Both Mr. Lopez and representatives of the ITIA were present. Based on the Pre-Hearing Conference, a Pre-Hearing Order (in English and Spanish) was sent to the parties on 20 September 2024. All other instructions from the AHO with respect to the proceedings were communicated by email in English and translated into Spanish by the ITIA case management office. [REDACTED]

As provided in the Pre-Hearing Order, ITIA submitted an Opening Brief, written Witness Statements of its three witnesses and Exhibits to serve as its case in chief. Mr. Lopez stated at the Pre-Hearing Conference and in subsequent correspondence that he had no witnesses or Exhibits. Mr. Lopez filed no Brief, Witness Statements, or Exhibits as provided in the Pre-Hearing Order, nor did he submit any summary of his own testimony or any disagreement with the ITIA's position that there was a discrepancy between the number of points reflected in the match audio and what Mr. Lopez entered into the hand-held scoring device as was required in the Pre-Hearing Order, reemphasized in various procedural calls which the AHO had with the Parties and finally in the AHO's email to Mr. Lopez of 31 January 2025.

Prior to the commencement of the Hearing, the AHO carefully reviewed and considered the ITIA's initial Brief, Witness Statements and Exhibits, as well as any comments made by Mr. Lopez in the Pre-Hearing Conference and correspondence in connection with the case.

IV. THE HEARING

The Hearing took place by Zoom on 11 February 2025. It commenced at 11:00 a.m. Mountain Time and lasted approximately two hours.

1. The ITIA was represented at the Hearing by John Thomas and Maggie McQuiddy of Smith Hulsey & Busey as well as Ben Rutherford and Katy Stirling, ITIA Counsel. The ITIA's three witnesses John Nolan, [REDACTED] and Mark Swarbrick were available for the entire Hearing. Mr. Lopez appeared pro se. English/Spanish simultaneous translation was provided by two very capable translators.
2. Because Mr. Lopez was obviously not familiar with the adjudication process and was appearing pro se, the AHO bent over backwards to make sure that the process was fair to him. For example: he was permitted to make an opening statement, provide testimony, and provide a closing statement, all of which were a mixture of testimony and argument; he was permitted to cross-examine each of the ITIA's witnesses and every time the ITIA or the AHO asked a question of a witness, Mr. Lopez was reinvented to ask his own questions. At the initiation of the AHO both Mr. Swarbrick and [REDACTED] provided live testimony at the Hearing.
3. Before going into the merits of the case, it is useful to understand how betting on tennis works. A bet can be placed on virtually anything that happens in a tennis match. In this case, the bets were that a specific game in a specific match would go to deuce (that means that the score in the game would reach 40-40.) Bets are won or lost based on the data entered into the chair umpire's hand-held scoring device which produces an electronic scorecard. The scorecard data is then automatically transferred to the betting agencies for pay out. The hand-held scoring device also contains a microphone which not only records the scores called out by the chair umpire, but also picks up the sounds of points being played, including, for example, the thud of the ball being hit during a rally and line calls of "out" by a linesman.

V. THE MERITS OF THE ITIA'S CASE AGAINST MR. LOPEZ

At the beginning of the Hearing, the ITIA's Witness Statements and Exhibits were admitted without objection. The AHO has considered all of the evidence presented by the parties before and during the Hearing. For the sake of economy, this Decision will only discuss those points which the AHO found to be most important.

The ITIA put forth several arguments in support of its position that Mr. Lopez entered false scores into the hand-held scoring device reflecting that both games in question went to deuce in order to benefit bettors who wagered on those results.

1. The bets placed on the games in question both going to deuce were suspicious. The ITIA's expert witness on betting in tennis was Mr. Mark Swarbrick. Mr. Swarbrick has extensive experience in the sport betting industry. Before joining ITIA as its betting liaison officer in August 2021, he worked for sports betting operator William Hill for

more than 30 years, much of that time focused on betting in tennis. Mr. Swarbrick's oral and written evidence was supplemented by the written evidence of Mr. John Nolan. Mr. Nolan has been an investigator with the ITIA since January 2021. Prior to that, he spent 31 years with the police as a Detective Investigator where he specialized in investigations targeting serious organized criminal networks.

As Mr. Swarbrick explained, referring to the ITIA's Exhibits, the ITIA received notice from the International Betting Integrity Association (IBIA) of suspicious bets placed on the [REDACTED] game of the [REDACTED] set in match 1 and the [REDACTED] game of the [REDACTED] set in match 2 both going to deuce. The ITIA's Exhibits and Mr. Swarbrick's testimony show that:

Match 1:

- (1) The bet that a specific game would go to deuce is a relatively rare wager. Mr. Swarbrick testified that the odds of such a bet being placed on a specific game was roughly 1 in 400.
- (2) Seven suspicious bets that the [REDACTED] game of the [REDACTED] set would go to deuce were reported. Six bets from two Spanish accounts were reported from [REDACTED]. The total profits from those bets were approximately €800. The timing of when those bets were made during the game was also suspicious. The individuals making those bets were former tennis players who either had already been sanctioned by tennis or were considered suspicious by the IBIA. The 7th bet was reported by [REDACTED].

Match 2:

- (1) Again, the bet that a specific game will go to deuce is a relatively rare wager.
- (2) [REDACTED] reported three bets were placed on this outcome by two Italian customers (one existing customer and one new customer) as well as one customer from Ecuador. The total amount wagered was approximately £225 with a winning value of approximately £700 – although these bets were never cashed out.

Considering the above evidence, the AHO's persuaded that these bets were indeed suspicious and, as testified by Mr. Swarbrick they "show extreme confidence (by the bettors) in the outcome of the games in question."

2. Beyond the highly suspicious betting patterns in these games, the heart of the ITIA's corruption case against Mr. Lopez was its assertion that the audio recordings of the games in question showed fewer points were actually played than the points entered by Mr. Lopez into the hand-held scoring device which resulted in the scorecard showing that the games went to deuce. Both Mr. Nolan and [REDACTED] submitted written evidence on this issue. The AHO also directed a number of questions to [REDACTED] during the Hearing. [REDACTED] is an internationally certified [REDACTED] Chair Umpire; [REDACTED] has officiated [REDACTED] Grand Slam tournaments as well as being the

chair umpire at multiple Davis Cups, Federation Cups and [REDACTED] Olympic Games; [REDACTED] has been an instructor at multiple chair umpire training schools worldwide; [REDACTED] is also an expert on the workings of the hand-held scoring device used by Mr. Lopez to officiate the matches in question. The AHO found [REDACTED]. [REDACTED] to be a very qualified and credible witness. In reaching his conclusion that Mr. Lopez entered false points into the hand-held scoring device in order to cause the bets that the games in question would reach deuce to be successful, [REDACTED] noted the following based on what he heard on the match audio.

- [REDACTED] evidence was that when [REDACTED] listened to the match audio recordings, Mr. Lopez called the game scores correctly, announcing the score after each point finished in the games which he listened to except in the games where suspicious bets had been placed. In those games, he stopped regularly calling out the score after each point in order to disguise his efforts to add fictitious points in the hand-held scoring device so that the games would appear to go to deuce. In [REDACTED] view, this was evidence supporting corruption, not mere coincidence.
- After listening to the match audio, it was apparent to [REDACTED] that fewer points were actually played in each of the two games in question (six) than the number of points that would have been required for either of those games to go to deuce. (In Match 1, a [REDACTED] match with no add scoring, at least seven points would be required for the game to go to deuce. In Match 2, a [REDACTED] match with regular scoring, at least eight points would be required for the match to go to deuce.) [REDACTED]. [REDACTED] further noted that the match audio also reflected when Mr. Lopez entered points into the hand-held scoring device. [REDACTED] observed that the rapid entry of points into the device at the end of the games in question was improbable in relation to the time necessary for those points to have actually been played.

During the Pre-Hearing process, Mr. Lopez was specifically told that if he chose to question the ITIA's description of what could be heard on the match audios, he needed to do that and explain his disagreement before the Hearing. Those instructions were included in the Pre-Hearing Order, directions given during subsequent status conferences and in an email to Mr. Lopez in advance of the Pre-Hearing conference dated 31 January 2025 in which the AHO stated:

“In our 19 December 2024 Pre-Hearing call, you committed to listen to the audio recordings of the matches/games in question and advise me and the ITIA whether you disagree with the ITIA's position that the match audio is not the same as what is reflected on the electronic scorecard. You said that you could do that in a couple of days, it has now been more than a month. It may be that you have no disagreement with the ITIA's evidence on this point. However, if you do disagree with those discrepancies between the match audio and electronic scorecard as described in the Notice of Major Offense, you need to send me a written explanation of that disagreement on or before 6 February 2025. Otherwise, I will assume that you have no disagreement with the

ITIA's evidence on this point and will consider the issue closed with no further evidence on this point being admissible at the Hearing."

To his credit, Mr. Lopez never challenged the ITIA's description of what could be heard on the match audio. He questioned why match audio was being used instead of a video of the match but said nothing further when the ITIA provided a written explanation that no video of those matches was taken.

VI. MR. LOPEZ'S EVIDENCE

Mr. Lopez's evidence consisted entirely of his own testimony and argument. He called no witnesses and provided no Exhibits. In his defense, Mr. Lopez stated that:

1. Given the passage of time he understandably has no specific recollection of the games and points in question during these two matches. However, Match 1 was either the first or one of the first times that he had used the hand-held scoring device. He had only used the device 10-12 more times leading up to Match 2. While he believed that he knew how to use the device and to correct errors, his inexperience with the device could have caused problems. He also said he had no way of knowing whether the device could somehow malfunction and enter points on its own.
2. He repeatedly stated that he was not guilty and never intentionally manipulated these matches or any match for the benefit of bettors.
3. He is not a gambler himself and does not do illicit things either inside or outside his work with tennis.
4. He has never spoken with anyone about bets on tennis matches he has officiated.
5. He has never received any benefit for officiating tennis matches other than his pay as chair umpire. He observed that if he had been corrupt, he would have a lot more money and since his work in tennis was so important to his life and livelihood, he would have never risked that to aid gamblers.
6. Mr. Lopez went to some length in describing the disastrous effect that these charges have had on his life, financial stability and his family. His testimony was that since he was provisionally suspended by the International Tennis Federation on 27 October 2021 and accordingly lost his income as a chair umpire, he has had to provide for his family working as a ride-sharing service driver. He has little money left after car expenses and rent to provide for his wife and two children. In addition, since his provisional suspension, his credibility in the tennis community has collapsed and he has been ostracized from the [REDACTED] Tennis Club to the point that he does not feel welcome to go into the club to watch his young son play.

VII. CLOSING OF THE HEARING

Before the closing of the Hearing, the AHO again asked both parties whether they had any objection to the AHO deciding the case. The answer from both parties was negative. The AHO also asked whether either party had any objection to how the case had been handled or to the conduct of the Hearing. Both parties said they had no objection. The evidence was then closed except for one issue. The ITIA agreed to confirm the start date of Mr. Lopez's provisional suspension and to respond whether they had any objection to Mr. Lopez receiving full credit for time served under that provisional suspension against any period of ineligibility imposed by the AHO.

VIII. THE AHO'S FINDING OF CORRUPTION

The AHO must determine whether the ITIA has proved its corruption case by a balance of probability. Looking at the two matches in question, the AHO finds that:

1. It is very likely these suspicious bets would never have been made in the first place without some advanced knowledge that points would be manipulated by the chair umpire as necessary to make the bets successful;
2. Mr. Lopez's failure to call out the score after each point in the two games where corruption is alleged was not a coincidence or the result of a lack of experience, and
3. The match audios of the games in question in fact show fewer points played than were entered by Mr. Lopez into the hand-held scoring device. That did not occur because of a malfunction of the device.
4. Based on the above, the AHO finds to a level of confidence beyond a balance of probability that Mr. Lopez has committed a corruption offense in one game in each of Match 1 and Match 2 as set forth in the ITIA's Notice of Major Corruption Offenses.

IX. SANCTIONS

Under the Tennis Anti-Corruption Program, sanctions for corruption offenses are largely left to the discretion of the AHO. There are, however, ITIA published Sanctioning Guidelines which the AHO may follow. Based on those Guidelines, the ITIA recommended a period of ineligibility for Mr. Lopez of five years and a fine of \$3,000 to be paid on a payment plan as a condition of reinstatement at the end of the period of ineligibility. In recent correspondence, the ITIA accepted that Mr. Lopez should get a credit for the period of provisional suspension already served which started on 27 October 2021.

In deciding on the sanction to be imposed on Mr. Lopez in this case, the AHO notes that chair umpires hold an important position of trust within the sport. The fact that a chair umpire would corruptly manipulate scores to facilitate the fortunes of individuals who gamble on tennis seriously undermines the reputation and integrity of the sport. A good argument can be made that chair umpires who cheat to benefit gamblers, no matter how small their transgression, should

have no place in the sport. On the other hand, there is value to AHO's who hear different cases following Guidelines which ensure consistency of decisions. There is also some merit to the argument that even people that make serious mistakes should be given a second chance. In balancing the factors to be considered in this case, the AHO has also given consideration to the following factors in Mr. Lopez's favor: he was cooperative throughout the process and did not waste the time of the ITIA or AHO by spuriously challenging what could be heard on the match audios; the number of corrupt bettors involved was relatively small as was the amount bet; the corrupt activity only involved two matches which took place more than four years ago; and finally, Mr. Lopez has already suffered significantly for his mistake, both financially in terms of being able to provide for his family and personally in terms of his reputation and being ostracized by the [REDACTED] tennis community. As a father who took great joy in playing tennis with his children and watching them compete, the AHO was touched by Mr. Lopez's testimony about not being able to even watch his young son play. The AHO hopes that the hardship suffered by Mr. Lopez has taught him the lesson that the consequences of corruption are harsh and that given a second chance, Mr. Lopez will go forward with the benefit of that lesson. It is regrettable that Mr. Lopez did not come forward and identify the person or persons who coordinated the corrupt betting on the matches. He would have received a substantial reduction in this sanction if he would have done so. However, the AHO is mindful of the personal risks to Mr. Lopez and his family that might have resulted.

The sanction which the AHO imposes in this case is as follows:

1. A period of ineligibility of 4 years and 6 months with a credit from 27 October 2021 when Mr. Lopez was Provisionally Suspended by the International Tennis Federation. That means Mr. Lopez will be ineligible to serve as a chair umpire or in any other capacity in tournaments sanctioned by international tennis organizations or their national federations through 26 April 2026.
2. In addition to the imposition of ineligibility, the Guidelines also provide for the assessment of a fine. Given his limited means, the AHO finds that a fine in the amount of \$1,000 is appropriate to be paid by Mr. Lopez if and when he decides to return as a tennis official at the end of his period of ineligibility. The sum may be paid in installments as determined by the ITIA.

Dated: March 26, 2025



Richard R. Young, AHO