

**IN THE MATTER OF CHARGES BROUGHT BY
THE INTERNATIONAL TENNIS INTEGRITY AGENCY
AGAINST PAVEL ATANASOV**

PURSUANT TO THE TENNIS ANTI-CORRUPTION PROGRAM

BEFORE ANTI-CORRUPTION HEARING OFFICER RICHARD YOUNG (the “AHO”)

SECOND AMENDED ORDER AND REASONED DECISION

I. THE PARTIES

1. The ITIA has brought this matter as the agency responsible for administering the Tennis Anti-Corruption Program (TACP).
2. The Respondent is Pavel Atanasov. Mr. Atanasov is a Bulgarian chair umpire and, at all relevant times, was subject to the requirements of the TACP.
3. The ITIA was represented in this matter by attorney Alistair McHenry. Mr. Atanasov was represented by attorney Rumens Vasilev. Mr. Vasilev withdrew from the Case on 22 February 2024.

II. JURISDICTION

4. Mr. Atanasov acknowledged that he was subject to the requirements of the TACP at all times relevant to his alleged violations of the TACP (2019 through 2023). Both the ITIA and Mr. Atanasov accepted the jurisdiction of the AHO to hear and decide this matter under the provisions of the TACP.

III. INTRODUCTION

5. On 26 October 2023, the ITIA sent a Notice of Major Offense to Mr. Atanasov, informing him that he had been charged with various breaches of the TACP (the “Notice of Major Offense”).

6. Mr. Atanasov filed a timely appeal, following the process set forth in the TACP, challenging that decision.
7. On 16 November 2023, the parties and their counsel participated in a Pre-Hearing Status Conference via Teams with the AHO, where procedural matters were discussed. A discovery, briefing and hearing schedule was established by mutual agreement which was then reflected in a First Pre-Hearing Order. These schedules were extended at the request of Mr. Atanasov with the agreement of ITIA at two subsequent Pre-Hearing Status Conferences. Those dates were reflected in Pre-Hearing Order #2.
8. The ITIA met all of the deadlines and other requirements set forth in the Pre-Hearing Orders. The lengthy and detailed Notice of Major Offense was supplemented with a voluminous, brief and exhibits, including, in particular: Mr. Atanasov's voice audio calling the matches in question and the corresponding results entered by Mr. Atanasov on the hand-held scoring device which showed that certain points as called by Mr. Atanasov as chair umpire, were different than the point-by-point scoring results which he entered on his hand-held scoring device. Expert statements and reports which linked the points where the discrepancies in the results entered by Mr. Atanasov in the hand-held scoring device resulted in a number of highly unusual bets placed through several different Bulgarian linked betting accounts being successful when they otherwise would not have been; a transcript of an ITIA interview with Mr. Atanasov where he acknowledged receiving a corrupt approach from a third-party and failed to report it to ITIA as required by the TACP. (Mr. Atanasov requested a copy of the audio of this interview to confirm the accuracy of the transcript.) Records were also produced establishing that Mr. Atanasov bet on tennis matches which was prohibited under the TACP.
9. Mr. Atanasov complied with the Pre-Hearing Orders in that he confirmed that the point-by-point match audio recordings produced as exhibits by ITIA were accurate, and that the transcription of his interview was also accurate, with one

exception, not relevant to his liability. However, Mr. Atanasov failed to comply with the Pre-Hearing Orders in all other respects, including, inter alia, failing to provide a nonbinding preliminary statement identifying his theories of defense as well as identifying his potential witnesses and exhibits, and failing to ever file a brief with witness statements and exhibits by the extended deadlines as agreed to by him and his counsel.

10. Mr. Atanasov's deadline to file his Answer Brief with witness statements and exhibits was 16 February 2024. On 20 February 2024, the AHO reached out by email to Mr. Atanasov and Mr. Vasilev, inquiring whether Mr. Atanasov still wished to continue pursuing his case or whether he was withdrawing his appeal. In response, the AHO received a 22 February 2024 email from Mr. Vasilev stating:

I was informed by Mr. Pavel Atanasov that I no longer represent him as legal counsel. He has consulted with another attorney and I hope he will get in touch with you soon.

11. On 29 February 2024, the AHO sent Mr. Atanasov a lengthy email reciting the scheduling accommodations which had been made for him and his lawyer and that they subsequently missed the crucial briefing deadline without any explanation. That email concluded:

Unless I hear back from you with an explanation for your failure to follow the requirements of Pre-Hearing Order #2, together with a reasonable request related to how you propose to go forward with this case, the hearing scheduled for 7 March 2024 will go forward as agreed upon by the parties as set forth in Pre-Hearing Order #2. At that hearing you will be permitted to make your own statement and question the ITIA's witnesses. However, you will not be permitted to produce exhibits or call witnesses of your own. I look forward to hearing your response.

12. On 3 March 2024, the AHO received a reply email from Mr. Atanasov stating in relevant part:

As Mr. Vasilev must have notified you, I consulted an attorney, and she strongly advised me to withdraw my defense. Considering the reputation of this attorney and [REDACTED], I decided to abandon my appeal.

IV. SUBMISSIONS OF THE PARTIES

A. Submissions by ITIA:

13. The ITIA's Notice of Major Offense alleges that Mr. Atanasov violated the TACP by contriving the outcome of a match by putting false information into the umpires' hand-held electronic scoring device for the benefit of third-party betters in violation of TACP D.1; attempting to contrive the outcome of a match by being willing to input false scores into the umpires' hand-held electronic scoring device that would have benefitted third-party betters in violation of TACP D.1; wagering on the outcome or any other aspect of any Event or any other tennis competition in breach of TACP D.1.a; and failure to report to the ITIA a corrupt approach in breach of TACP D.2.b.i. These allegations were supported by documentary and audio evidence and witness statements and reports described in paragraph 8 above.

B. Submission by Mr. Atanasov:

14. Mr. Atansov did not submit the non-binding theory of defenses or identify witnesses and exhibits as required in the first Pre-Hearing Order. Nor did he file an Answer Brief, setting for his case and attaching Witness Statements and Exhibits. However, he did make statements during the Pre-Hearing Status Conferences indicating that his defenses to the charged TACP violations would be as follows:

- As to the false entries made by him on the hand-held scoring device, which led to successful point by point wagers by [REDACTED] linked betting accounts, he claimed that all of the false entries were mistakes and, that in the heat of a contentious match, it was not unusual for the chair umpire to occasionally hit the wrong button on the hand-held scoring device recording a point as having been won by the wrong person. He denied ever intentionally entering the wrong information on his hand-held scoring device. He also claimed no knowledge of the [REDACTED] linked betting accounts, or the specific points on which those accounts had placed wagers.

- As to the charge that he failed to report a corrupt approach by a third-party to the ITIA as required by the TACP, his answer was that he didn't report it right away because he had reported other incidents in the past and the ITIA had done nothing about them. He also stated that he was going to get around to reporting it when he learned that he was being interviewed and decided to report then.
- As to the allegation that he bet on tennis matches in violation of TACP, his position was not particularly clear, but generally was along the lines that he didn't think this had happened while he was subject to the TACP.

V. FINDINGS AND DECISION

15. Given Mr. Atanasov's email stating that he is "abandoning his appeal" it is not necessary for the AHO to enter any further decision in this case. However, given the seriousness of Mr. Atanasov's violations of the TACP, and the seriousness of the sanctions imposed, the AHO considers that further discussion is appropriate.
16. The allegation that Mr. Atanasov entered false information into his hand-held scoring device in a corrupt scheme to aid a Bulgarian linked betting account is an extremely serious charge. The ITIA established that this happened in connection with 8 different points in 8 different games which took place in five different matches, 1 in 2019 and 4 in 2021. By way of explanation, in tennis gamblers may place bets on the results of individual points during a match. For example: "I bet \$100 that in the third game of the second set the receiver will win the first point." The gamblers return, if successful, is based on the odds previously established by bookmakers on the results of that point. The success of a wager on a particular point is based on the information entered by the umpire in the hand-held scoring device. Thus, if the umpire calls the match correctly, but enters false information in the hand-held scoring device, and then continues to manipulate the point by point scores so that it ends up correctly identifying the player who actually won the game, it is likely that no one will ever know without going to the enormous effort of comparing the match audio of how the match was called by the umpire with the information reported in the hand-held scoring device, and then comparing that to unusual betting patterns. Beyond establishing that the false

entries in the hand-held scoring device benefitted Bulgarian linked gamblers who would otherwise have lost their bets, a second part of the ITIA's evidence was that the particular point by point wagers, which were benefitted by these false entries were highly unusual. When the AHO considers the number of false entries made by Mr. Atanasov into the hand-held scoring device which coincidentally benefitted highly unusual point by point wagers linked to Bulgarian betting accounts, the likelihood that this occurred as a result of innocent mistakes is negligible. The ITIA has met his burden on this serious charge way beyond the balance of probabilities necessary to establish its case.

17. ITIA also raises the argument that the same ██████████ linked betting accounts also placed unusual wagers on a dozen other points in these matches where the player they bet on actually won the point so that Mr. Atanasov did not need to enter false information in the hand-held scoring device. The argument is that Mr. Atanasov would have cheated had he needed to in order to make these bets successful. The AHO is inclined, by a balance of probability, to view this as an additional violation of the TACP, it is also additional evidence to support the already overwhelming evidence described in paragraph 16.
18. Based on the AHO's finding in relation to paragraph 16 alone, the AHO is comfortable imposing the lifetime ban on Mr. Atanasov for this violation standing alone. Thus, the consequences resulting from the other TACP violations identified by ITIA are simply cumulative. They will, nonetheless, be addressed briefly.
19. The ITIA produced uncontroverted documentary evidence that Mr. Atanasov wagered on tennis matches while he was subject to the TACP. Even considering Mr. Atanasov's statements during the Pre-Hearing Conferences as evidence, he provided no specific evidence to the contrary which would undermine the credibility of the ITIA documentation.
20. As to the charge that Mr. Atansov violated the TACP by failing to report a corrupt approach, the AHO has considered the explanation offered by Mr. Atanasov in discussions during the Status Conferences but, on the balance of probability, finds a violation as alleged by ITIA.

VI. SANCTIONS

21. Section 4 of the TACP permits the imposition of a fine up to \$250,000. In its brief, ITIA requested that a lifetime ban and a fine of \$80,000 be imposed on Mr. Atansov.
22. The AHO has given very careful consideration to this issue. The actions of Mr. Atanasov were so corrupt, so detrimental to the system of legalized wagering on tennis and so potentially detrimental to the integrity of the sport, that the AHO has little difficulty concluding that a lifetime ban is appropriate. Tennis, indeed any sport, has no use for an umpire who cheats.
23. The AHO finds the issue of imposing an appropriate fine more difficult. In principle, the AHO believes that the sanction range set forth in the Tennis Integrity Supervisory Board Sanctioning Guidelines would be appropriate in many cases. For example, in the case of a highly ranked Player with very substantial tournament and sponsorship income who is allowed to return to the sport after a period of suspension, a fine of \$250,000 could be appropriate. The Player would have to repay that fine before being allowed to return to competition. The AHO is also very mindful, given the complexities of this case, that the investigation and prosecution of this case by the ITIA has been both necessary and very expensive. The briefing and witness statements alone comprise hundreds of pages. If Mr. Atanasov had admitted his violations in his interview with the ITIA, or if he had not appealed the ITIA decision, or had he withdrawn his defense before the ITIA was required to file an extensive brief, witness statements and exhibits, it would have saved the ITIA a great deal of time and money. On the other hand, during the Status Conferences, Mr. Atanasov explained that his only income came from acting as a tennis umpire where he was paid less than \$100 per day; that he lived with his parents and didn't own a car. While it is unlikely that ITIA will ever try to collect the fine imposed in this case, if it did, any amount in excess of \$10,000 would pose an extreme hardship on Mr. Atanasov. While it would be reasonable to speculate that Mr. Atanasov received some benefit for his corrupt actions, the ITIA was not able to produce any evidence of how much money or other consideration he might have received. Given the level of total winnings on the corrupt bets facilitated by Mr. Atanasov, it is likely that any money received by Mr. Atanasov would have been less than

\$10,000. The AHO is also mindful that the imposition of stiff fines when corrupt actions are caught is another way to deter others from engaging in corrupt activities. Although the case ended before the AHO could question Mr. Atansov on his financial position, it is likely, based on Mr. Atanasov's statements related to trying to find and pay for a lawyer, [REDACTED]. That prospect should service as a significant deterrent to anyone considering corrupt actions.

VII. CONCLUSION

24. The AHO finds by a preponderance of the evidence that each of the corruption offenses set forth by the ITIA in its Notice of Major Offenses has been committed by Mr. Atansov: contriving the outcome of a match by putting false information into the umpire's hand-held electronic scoring device for the benefit of third-party betters in violation of TACP D.1; attempting to contrive the outcome of a match by being willing to input false scores into the umpire's hand-held electronic scoring device that would have benefitted third-party betters in violation of TACP D.1; wagering on the outcome or any other aspect of any Event or any other tennis competition in breach of TACP D.1a; and failure to report to the ITIA a corrupt approach to the ITIA in breach of TACP D.2.b.i.

It is therefore **ORDERED** that Mr. Atanasov be banned for life from "Participation" in any "Sanctioned Event" as those terms are defined in the TACP. In addition, Mr. Atanasov is fined the amount of \$10,000.

20 March 2024



Richard Young, AHO