

LOCAL JUNE 22, 2016 2:52 PM

# International boxing fight playing out in Pierce County court

## HIGHLIGHTS

Lucas Browne sued after positive drug test following fight in Russia

He says he did not intentionally take weight-loss drug

Attorney says fighter lost millions as a result



1 of 2



BY ALEXIS KRELL

*akrell@thenewstribune.com*

The boxing match for one of the world's heavyweight champion titles was fought in Russia.

The newly crowned champ lives in Australia.

The boxing association that later stripped Lucas "Big Daddy" Browne of the title after a positive drug test has an office in Panama.

The lawsuit to settle the legal bout is being heard in Pierce County.

Our Pierce County.

And there are a couple of more ingredients in this geographic stew: the drug testing was done in Los Angeles, and the losing boxer was from Uzbekistan.

Browne tested clean for drugs days before the March 5 fight in which he knocked out World Boxing Association defending champion Ruslan Chagaev.

But a post-fight test showed his system contained clenbuterol, a substance the association has banned, and that led to Browne losing his title.

According to the boxer's lawsuit, filed last month in Superior Court, athletes use the drug to simultaneously lose weight and maintain strength. Others use it to treat livestock in Russia and other countries.

In his suit, Browne denies he intentionally ingested the drug.

The matter is being heard in Pierce County, because the WBA's rules state that's where all its litigation must be filed.

Michael E. McAleenan, a lawyer with Tacoma's Smith Alling law firm, represents the WBA. He said doing its legal business in Pierce County has to do with logistics.

"(The WBA is) a private organization that is a nonprofit," he said. "You simply will not survive if every time someone has a dispute with you, they can turn around and sue you anywhere all over the world.

"We had some issues associated with that in the past, and said: 'OK, fine. We're going to change our rules. We're going to pick one location where, if there's going to be litigation and suit is filed, it's going to be in Pierce County.'"

Brooke Coleman, a law professor at Seattle University with no relation to the case, said it's not unusual for an organization to require that its litigation be handled in a specific place.

"That's incredibly common," she said. "The Supreme Court approved that, because among other reasons, it just makes it easier to conduct business."

In the WBA's case, Smith Alling did work for the association as a government affairs lobbying group. That relationship turned into doing the association's legal work, as well, McAleenan said, after which it made sense to make Pierce County the home base for litigation.

When it comes to Browne's suit, McAleenan said: "The prior champion, Chagaev, lost a bout to a guy that had participated with a prohibited substance in his system. How is it fair to that boxer to not take action? ... If you want to fight for our title, you have to follow our rules."

In addition, the WBA's rules state that Browne needed to go through internal procedures for handling disputes before filing a lawsuit, McAleenan said.

Browne's attorney, Tyler Firkins, said the boxer would have needed to pay thousands to appeal the WBA's decision, which would have been considered by a panel of WBA members.

"The WBA rarely reconsiders its disciplinary resolutions and an appeal through this channel would be futile," the lawsuit said.

As for the positive drug test, a steak containing clenbuterol might have caused it, Browne contends. Most of the food at a dinner celebration the night before the fight was shared, but a large cut of meat was specifically for him.

"The whole thing stinks to high heaven," Firkins said.

The suit talks about possible poisoning, but Firkins acknowledged it's not clear whether someone intentionally gave Browne the drug in the steak or otherwise, or if it was accidental.

An expert Browne hired said the amount of clenbuterol in the boxer's system was very small, such as what would be found in a single dose, and would not have benefited Browne during the fight.

“To get its positive effects, you’d have to take it for a minimum of 30 days,” Firkins said. “It’s pretty clear that Lucas Browne didn’t take clenbuterol voluntarily, and that he should not have his heavyweight title stripped for this reason.”

And even had he taken the weight-loss drug over a longer period of time, it wouldn’t have made sense, the suit states.

“Mr. Browne is a heavyweight fighter,” it notes. “It is wholly unnecessary and counterproductive to try to lose weight before a heavyweight match.”

Also, Browne argues he was the one who demanded testing in the first place, and therefore wouldn’t have knowingly done anything to jeopardize getting a negative result.

Plus other organizations, such as the World Boxing Council, have cleared athletes who tested positive for clenbuterol after eating animals treated with it, the suit said.

ESPN.com reported the WBA wrote in its ruling: “Browne participated in the bout with a prohibited substance in his system, and regardless of any arguments to the contrary, athletes do not always act rationally or logically when it comes to striving for that competitive edge in competition, whether real or merely perceived. ... The boxer and his representatives are ultimately responsible for what the boxer ingests.”

Browne, who would have been Australia’s first heavyweight champion, suffered financially when he was stripped of the title.

“It’s millions of dollars,” Firkins said. “Not only would Lucas have been up to having a fight against (challenger) Fres Oquendo, probably in Sydney, Australia, his end of it would have been seven figures.

“Now, since he’s stripped of both his title and his ranking, that means he goes back to fighting for \$30,000 a fight, or something along those lines.”

And he said Browne has lost potentially seven figures in endorsements, as well.

“No corporations are really going to be big on having a fighter who has been suspended for using supposed performance-enhancing drugs as their spokesperson,” he said.

*Alexis Krell: 253-597-8268, @amkrell*



## MORE LOCAL

---

### YOU MAY LIKE

Sponsored Links by Taboola

#### 29 Shocking and Unexpected Google Street View Photos

Semesterz

#### Former Miss Turkey sentenced to 14 months in prison for Instagram...

OddChatter

#### Rob Gronkowski spent a relaxing Memorial Day weekend with Camille ...

SportsChatter

#### Restaurant owner sentenced to six years in prison after curry di...

OddChatter

### COMMENTS