



26 August 2013

Pat McQuaid, President
Christophe Hubschmid, Director General
International Cycling Union (UCI)
Ch. de la M  lee 12
1860 Aigle
Switzerland

Re: UCI Constitution Article 51.1

Dear Messrs. McQuaid and Hubschmid

The cycling world has been watching the UCI Presidential race carefully and its reaction has varied from amusement to outrage, from bewilderment to astonishment. The loudest voices are frustrated by the uncertainty that will accompany this year's Congress in light of shifting nominations, retroactive laws, and midstream changes to the election process. We understand that Congress has the power to address the propriety of amending the election process, and it will speak when these matters are addressed in Florence.

What is not before Congress -- and what remains a substantial question -- is the meaning of UCI's Constitutional mandate concerning the nomination of candidates. Article 51.1 requires that any Presidential candidate be supported by a nomination from "*the federation of the candidate.*" Some read that provision as allowing an individual to be nominated by *any* federation of which the candidate is a member, regardless of the length of the candidate's membership, his participation in the affairs of the federation, or his residence in the country in which the federation operates. Others believe that Article 51.1 unambiguously allows a nomination from only one federation, *the* federation, of the candidate.

This uncertainty does not serve anyone's interests, especially those of the delegates who rely on this year's proceedings to allow UCI to prove to the cycling world that governance of their International Federation is ultimately grounded in the Constitution, and that the meaning of the Constitution is predictable and reliable.

As a group, we believe strongly enough about the legal principles involved to ask a court to resolve this Constitutional dispute in due course. But we also care enough about our International Federation to try everything in our power to avoid a protracted battle that might cast the results of the election into doubt for many months to come.

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We therefore are willing to forego the spectre of any post-election litigation over Article 51.1 for the certainty of a pre-election, binding decision by the Court of Arbitration for Sport. We ask that you demonstrate your allegiance to the UCI Constitution and the welfare of all our constituents by agreeing to the same. Specifically, we ask that you agree to submit the following question to the Court of Arbitration for Sport for expedited resolution before Congress convenes:

Under Article 51.1 of the UCI Constitution, which federation(s) may submit a valid nomination for a prospective candidate for office of President of UCI?

Submission of this question to CAS for pre-election determination would follow the recent example of USOC v. IOC, CAS No. 2011/O/2422. In its Award, CAS took care to note:

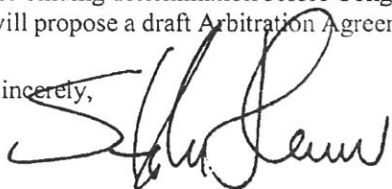
2.7. Both parties to this proceeding recognized that there was considerable uncertainty facing the world' aspiring Olympic athletes and their National Olympic Committees because of the IOC Regulation. In recognition of these concerns and to their credit, in April 2011 the parties voluntarily entered into an Arbitration Agreement.

ARBITRAL AWARD, USOC v. IOC, CAS No. 2011/O/2422 (4 Oct. 2011).

As in USOC v. IOC, we believe that both sides understand the benefits that the certainty and finality of a CAS decision provide, and that submission of this question will confirm to the world that UCI is a federation of laws and not of politics.

For all these reasons, we request that UCI agree to submission of the question stated above to CAS for binding determination before Congress convenes. Immediately upon acceptance of this offer, we will propose a draft Arbitration Agreement for your consideration.

Sincerely,



Steve Johnson
CEO & President