

## DECISION UNDER THE TENNIS ANTI-CORRUPTION PROGRAM (“TACP”)

International Tennis Integrity Agency

-and-

Mauricio Antonio Astorga Perez Pineda

Before Anti-Corruption Hearing Officer:

Janie Soublière

Representing the International Tennis Integrity Agency:

John R. Thomas

Stephen D. Busey

Mauricio Antonio Astorga Perez Pineda:

Self-represented

### INTRODUCTION

1. Further to investigating potential breaches of the Tennis Anti Corruption Program (‘the TACP’) by Covered Persons<sup>1</sup>, based on evidence obtained from Belgian law enforcement authorities following their investigations into a suspected organised criminal network involved in an international tennis match-fixing operation, the International Tennis Integrity Agency (‘ITIA’) filed an Application for a Provisional Suspension against Mauricio Antonio Astorga Perez Pineda (‘the Player’), a former International Tennis Federation (‘ITF’) tennis player on 30 September 2021.
2. Later in the same day, in a Notice of Major Offence under the 2021 Tennis Anti-Corruption Program and referral to Anti-Corruption Hearing Officer (‘the Notice of Charge’), the ITIA Charged the Player with Major TACP Corruption Offences including breaching Section D.1.d (*“contriving aspects of an Event”*), Section D.1.f (*“accepting money with the intention of*

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<sup>1</sup> As defined in Section B.7 of the TACP

*negatively influencing best efforts”), Section D.2.a.i (“failing to report corrupt approaches”) and Section F.2 (“failing to cooperate”).*

3. Janie Soublière is an Anti-Corruption Hearing Officer (‘AHO’) per section F.1 of the TACP. As set out in the 2021 TACP, she was appointed without objection by either party as the independent and impartial adjudicator to rule on all matters ancillary to the Charge.
4. On 8 October 2021, the AHO issued a Ruling provisionally suspending Mr. Astorga pending the resolution of the matter.
5. Submissions related to both the Player’s liability for the Charges and applicable sanctions were then received sequentially and adjudicated concurrently.
6. Pursuant to Section G.4 of the TACP, the AHO issues this decision on both the Player’s liability in relation to the Charges outlined in the Notice of Charge and the applicable sanctions that arise therefrom.

## APPLICABLE LAW

7. Section K.5 of the TACP states that it *“is applicable prospectively to Corruption Offenses occurring on or after the date that this Program becomes effective. Corruption Offenses occurring before the effective date of this Program are governed by any applicable earlier version of this Program or any former rules of the Governing Bodies which were applicable on the date that such Corruption Offense occurred.”*
8. Pursuant to Section K.6, *“the procedural aspects of the proceedings will be governed by the Program applicable at the time the Notice is sent to the Covered Person.”*
9. As the Notice of Charge was sent to the Player in 2021, the 2021 TACP applies to the procedure. The 2015, 2016 and 2021 TACP versions apply to the substantive consideration of the Corruption Offense(s) that allegedly occurred in the applicable year.
10. The 2021 TACP defines the following terms as follows:

A Major Offense<sup>2</sup>:

*“any Corruption Offense that the ITIA determines to be an offense that, based on the facts underlying the offense, should be subject to a sanction of more than a six-month suspension and/or a fine of more than \$10,000.”*

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<sup>2</sup> As defined in Section B.18. of the TACP

A Corruption Offense<sup>3</sup>:

*“any violation of any provision of the Program by a Covered Person, including any offense described in Section D, E or F of this Program.”*

A Player<sup>4</sup>:

*“ A person shall continue to be a Player for the purposes of this Program until two years after the last Event at which they enter or participate in unless the Player notifies the appropriate Governing Body in writing that they have retired from professional tennis in which case they will cease to be a player on the date of that Notice.”*

A Covered Person<sup>5</sup>:

*“ Refers to any Player, Related Person or Tournament Support Personnel”*

## THE PARTIES

11. The Applicant, the ITIA, is an independent body established by the international Governing Bodies<sup>6</sup> of tennis to promote, encourage and safeguard the integrity of professional tennis worldwide by way of the TACP. The purposes of the TACP are to (i) maintain the integrity of tennis (ii) protect against any efforts to impact improperly the results of any match and (iii) establish a uniform rule and consistent scheme of enforcement and sanctions applicable to all professional tennis Events and to all Governing Bodies.
12. The Player, Mr. Astorga, is a 30-year-old professional tennis player from Mexico who has not competed since December 2019 but has not given formal notice of retirement to the ITF. His career high singles ranking was 687 in 2013. He is currently coaching tennis in Cancun Mexico, including coaching other tennis professionals registered with the ITF and Women’s Tennis Association.

## JURISDICTION

13. Section C.1. of the TACP provides that *“All Players...shall be bound by and shall comply with all of the provisions of the Program...They shall remain bound until such time as they are no longer a Covered Person.”* The Player is bound by the provisions of the TACP.

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<sup>3</sup> As defined in Section B.6. of the TACP

<sup>4</sup> As defined in Section B.23. of the TACP

<sup>5</sup> As defined in Section B.7. of the TACP

<sup>6</sup> As defined in Section B.11. of the TACP

14. Pursuant to Section K.2, the TACP is “governed in all respects (including, but not limited to, matters concerning the arbitrability of disputes) by the laws of the State of Florida, without reference to conflict of laws principles”.
15. At all material times, the Player was and still is a “Covered Person” as defined in Section B.7 of the TACP. This fact is not an issue.
16. The AHO has jurisdiction to render this decision against a Covered Person, such as the Player, pursuant to Sections F.1.a, F.4 and G of the TACP.

## PROCEDURAL HISTORY

17. On 30 September 2021, the Player is served with an Application for Provisional Suspension (‘the Application’) by the ITIA, and later in the day of a Notice of Major Offence under the 2021 Tennis Anti-Corruption Program and referral to Anti-Corruption Hearing Officer (‘the Notice of Charge’).
18. On 1 October 2021, the AHO contacts the Player setting out his options and a requirement to provide a response to the Application no later than 7 October 2021. The Player fails to respond by 7 October 2021, and the AHO issues her Ruling on Provisional Suspension, provisionally suspending the Player pending resolution of the matter.
19. On 14 October 2021, the AHO once again contacts the Player setting out the need to provide a response to the Notice of Charge within the deadline provided. The AHO also offers a brief summary of the contents of this letter in Spanish to facilitate the Player’s understanding of its contents. The 14 October 2021 letter reiterates the previous warning that if the Player fails to submit a written request for a hearing by the established deadline he is deemed, in accordance with Section G.1.d. i-iii. of the TACP, to have waived his entitlement to a hearing and admitted the Corruption Offences set out in the Notice. The letter provides two options (inter alia):

***Option 1:** there will be no Hearing. The AHO would then receive recommendations from the ITIA on the applicable sanctions, invite you to make submissions on the same, and then issue a decision confirming the commission of the Corruption Offences. This written and reasoned decision would determine the sanctions to be imposed by the AHO.*

***Option 2:** you must expressly request a Hearing to determine the applicable sanction. Your election under Section G.1.d iii of the TACP must be submitted no later than today. A Hearing will then be convened to receive evidence and testimony related to your sanction. Additional details on the hearing will be expanded on in due time.*

20. In the absence of a response from the Player, on 8 October 2021, the Case Manager for ITIA contacts the Player's Member Federation in Mexico to enlist its assistance and confirm that the Player has received all Notices and taken heed of their contents.
21. Still in the absence of any response from the Player by 26 October 2021, the AHO requests that the Player be contacted by text or WhatsApp message and be given a brief deadline to respond, failing which the matter would proceed.
22. On 28 October 2021, before the deadline provided to him, the Player responds to the WhatsApp message in Spanish. A translation follows:

*"Hello good afternoon.*

*Here is my response to the past emails and this message.*

*I am not interested in taking this issue to court, I am a player already retired from the competition, I do not have players competing on the tour as mentioned in one of the previous emails. I want to take this by the friendliest medium possible. I do not agree with the charges mentioned against me, however if the ITIA is in need of making my temporary suspension an official suspension, I only need to know how long it is to end this matter."*

23. The AHO is thus satisfied that the Player has selected Option 1 and by waiving his entitlement to a hearing pursuant to Section G.1.d. i-iii. of the TACP he has tacitly admitted the Charges brought against him, even if he does not agree with them.
24. On 28 October 2021, the AHO issues a Procedural Order informing the Parties of the Player's decision not to request or to have the matter be determined at a hearing. Accordingly, before a Decision may promptly be issued by the AHO in accordance with Section G 1.e.iv. of the TACP, both the ITIA and the Player are given an opportunity to make brief submissions on applicable sanctions as provided for in Section G 1.e of the TACP.
25. The ITIA's submissions on sanctions are received in a timely manner on 5 November 2021. After being granted a one-week extension to do so, the Player's submission on sanction is received on 19 November 2021.
26. In receipt of all Submissions, the AHO hereby renders her decision on Liability and Sanction.

## THE ISSUES

27. The AHO must first determine whether the Player is liable for Corruption Offences and if so, which ones.
28. The second determination, should the Player be found liable for Corruption Offences, is what sanctions are applicable.

## THE CHARGES

29. The Corruption Offense Charges brought against the Player are summarized as follows with additional details where appropriate.

30. The first Offence is alleged to have taken place on [REDACTED] April 2015 in the Player's match against [REDACTED] [REDACTED] at the Mexico [REDACTED] [REDACTED] tournament:

### Offence 1. 2015 TACP Section D.1.d

- *"No Covered Person shall directly or indirectly, contrive or attempt to contrive the outcome or any other aspect of any Event."*

31. The second Offence is alleged to have occurred in September 2016 when the Player received money from [REDACTED] [REDACTED] for match-fixing activities:

### Offence 2. 2016 TACP Section D.1.f

- *"No Covered Person shall, directly or indirectly, solicit or accept any money, benefit or Consideration with the intention of negatively influencing a Player's best efforts in any Event."*

32. The third Offence is the Player's alleged failure to report the approaches from [REDACTED] [REDACTED] (in 2015) and [REDACTED] [REDACTED] (in 2016) to influence the outcome or any other aspect of his matches:

### Offence 3. 2015 TACP Section D.2.a.i

- *"In the event any Player is approached by any person who offers or provides any type of money, benefit or Consideration to a Player to (i) influence the outcome or any other aspect of any Event.. it shall be the Player's obligation to report such incident to the ITU as soon as possible"*

33. The fourth Offence is the Player's failure to provide an ITIA investigator with information as requested on three occasions:

#### Offence 4. 2021 TACP Section F.b

- *“All Covered Persons must cooperate fully with investigations conducted by the ITIA including giving evidence at hearings, if requests... A Covered Person’s failure to comply with any Demand, preserve evidence related to any Corruption Offense or otherwise cooperate fully with investigations conducted by the ITIA may result in an adverse factual inference against the Covered Person in any matter referred to an AHO.”*

#### **THE PARTIES SUBMISSIONS**

34. The AHO summarizes the parties’ submissions as follows. The AHO notes that while she has carefully considered the entirety of the parties’ written submissions, witness statements and arguments, additional facts, submissions, and witness testimony may be set out, where relevant, in connection with the legal discussion that follows.

#### **THE ITIA**

35. The ITIA first provides background information as to how the Charges against the Player arose:

- Between 2014-2018 Law enforcement in Belgium conducted significant criminal investigations in relation to match-fixing activities in tennis within their jurisdiction.
- As a result of the evidence obtained in the investigation, a number of persons were criminally charged and are the subject of criminal proceedings in the Belgian courts. These persons include seven Belgian players and members of a criminal organisation allegedly led by ██████████ who is alleged to have financed and organised match-fixing in professional tennis by various players.
- The ITIA asserts that the Player was one of the players who was alleged to have fixed matches with ██████████ and the evidence in the case file, as obtained from the Belgian investigation, includes:
  - (a) A hand-written note, found at ██████████ house, with the names and numbers of tennis players including "Astorga" and the number "+████████████████████", which the Player has confirmed in his phone number;
  - (b) The forensic download of ██████████ mobile phone also found a screenshot of a MoneyGram MTCN: ██████████ sent by ██████████ ██████████ from Armenia to Mauricio Antonio Astorga Perez Pineda in Mexico for the sum of \$500.00. The specific date of the transfer is slightly obscured, but it is clear that the transfer took place in September 2016 at 10.39.

36. The ITIA explains that on 16 June 2021, during an interview with ITIA investigator Michael Mahon-Daly, the Player stated that ██████████ contacted him on ██████ April 2015 shortly before his match against ██████████ ██████████ at the Mexico ██████████ ██████████ event, and that ██████████ asked the Player to lose a set – which he agreed to do. The relevant extract of the Player’s interview reads:

*“So, he told me that he, I could earn money by losing a Set, but still go on to win the Match and, and that was it. I mean, I was, I got very nervous when he ‘phoned me but, sorry, when he texted me, but I was in financial need and I, I did it.”*

37. The ITIA submits that the Player did, in fact, lose a set in the match in question.

38. The ITIA also tenders evidence that in September 2016, the Player received \$500.00 from Mr. ██████████ directly via MoneyGram payment and that during an interview with the ITIA in June 2021, when the Player was shown a screenshot of a MoneyGram transfer receipt, he admitted that it was his name shown as the recipient of the money in September 2016.

39. The ITIA further explains that on 16 June 2021, during the same interview with ITIA investigator Michael Mahon-Daly, the Player was asked to provide a list of (other) matches he had allegedly corrupted. On 16 June 2021, following the interview, the ITIA sent the Player an email asking him to provide the following information:

- i. his Skrill account information;
- ii. his electronic banking account information;
- iii. his Facebook identification number; and
- iv. the name and address of the club at which he coached tennis.

40. The Player failed or refused to provide the ITIA with the requested information.

41. The ITIA thus charges the Player with the four Corruption Offences outlined above based on the aforementioned and summarised factual evidence.

42. The ITIA additionally believes that the Player has committed more Corruption Offences under the TACP. The ITIA explains the Player remains under investigation in respect of certain other matches, and reserves the right to charge the Player with further TACP breaches in due course.

43. The ITIA seeks the imposition of a period of ineligibility of between three years and six months to four years, and a fine of \$20,000.



44. In making this recommendation, the ITIA relies on the 2021 Sanctioning Guidelines (the 'Guidelines') which provide a four-step process by which to determine the appropriate sanction in a particular case:

*Step 1 - Determining the offense category*

*Step 2 - Starting point and category range*

*Step 3 - Consider any other factors which may merit a reduction, such as substantial assistance to the ITIA*

*Step 4 - Reduction for early admissions.*

45. Step 1: in determining the offence category, the ITIA submits that the Player's case falls into the medium category of "*Culpability*" (Category B of the Guidelines) because he was not the mastermind behind his admitted corruption offences but nonetheless planned and premeditated the contriving of his match against [REDACTED] and received money for the same. The ITIA underlines that the Player's conduct involved Major Corruption Offences, was carried out during a professional tournament and resulted in the Player making a material gain of \$500. The ITIA thus submits that the "*Impact*" of the offences falls into Category 2 of the Guidelines.

46. Step 2: having determined that the Player's conduct falls within the B2 Offence Category, the ITIA submits that the starting point for B2 Category Offences is a three-year suspension with a range of six months to five years. The ITIA argues that the fact the Player initially denied wrongdoing, then made admissions, and then failed to cooperate should be considered aggravating factors and that no relevant mitigating factors exist.

47. Step 3: the ITIA submits that no other factors warrant a reduction in the sanction, unless the Player applies to the AHO in the future to seek a reduction for Substantial Assistance pursuant to TACP Section H.6.

48. Step 4: the ITIA submits that although the Player admitted to certain Offenses during his first interview, he has since failed to engage with the Hearing process, stating in his eventual reply to the Notice of Charge that he does not agree with the charges brought against him. Given that the Player's unclear position in respect of admissions, the ITIA submits that no discount for early admission is appropriate in the circumstances.

49. Thus the ITIA submits that any period of ineligibility or ban imposed on the Player should be between three years and six months to four years.

50. With regards to the fine, the ITIA notes that the Guidelines grant the AHO broad discretion with regards to fines. The ITIA submits again that the starting point for this case is Category

B.2 (under the Sanctioning Guidelines). Relying on past AHO decisions, the ITIA submits that a \$20,000 fine is appropriate.

## THE PLAYER

51. After being contacted by the AHO and the ITIA Case Manager on numerous occasions to make submissions on his behalf, the Player eventually responds and waives his right to a hearing. He indicates that while he does not agree with the Charges, he wishes for the matter to proceed amicably and quickly so that the ITIA can make his suspension official.
52. In his second response, in an attempt to mitigate the sanction proposed by the ITIA with regard to sanction, he also makes brief submissions, which are translated as follows:

*"Hello good afternoon, In response to your last email, I am retired player yet I do not agree with the suspension of 3.5 to 4 years. I am bankrupt to be able to cover that financial fine. I want to end this stage as soon as possible and move on. I await your reply, thank you.'"*

## REASONS

53. The AHO's first determination is whether or not the Player has committed and is liable for the Corruption Offences for which he is charged by the ITIA.
54. The ITIA submits ample corroborating evidence supporting the Charges, and these have neither been rebutted nor challenged by the Player.
55. The Player merely states in his brief response that he does not agree with the Charges yet provides no evidence in support of this blanket statement. He also seeks an amicable resolution to the matter and indicates that since he is already provisional suspended, the *"ITIA should make it official."*
56. That the Player now disagrees with the Charges, or perhaps that the Player is not happy that he has been charged with an additional Corruption Offence for failing to cooperate and provide an ITIA with information, which entails additional consequences, is a moot point. On the compelling evidence in the case record, during the course of his interviews with the ITIA, the Player has effectually admitted to committing all the Major Corruption Offences for which he has been charged.

57. To dispel any doubt in this regard, the AHO notes that pursuant to Section G.1.e of the TACP, by virtue of failing to make a written request for a Hearing by the extended deadline set out by the AHO, pursuant to Section G.1.e.ii., the Player is deemed to have admitted the Corruption Offences specified in the Notice of Major Offence and as a result, the AHO is to issue a Decision confirming the commission of the Corruption Offences.
58. While the Player's express waiver of his right to a hearing effectively results in the alleged Corruption Offences being confirmed, the AHO nonetheless judges it appropriate to outline the compelling evidence on which she bases her findings on liability.
59. In his 16 June 2021 interview with the ITIA, the Player admitted to contriving a set in his first-round match at the Mexico [REDACTED] [REDACTED] tournament on [REDACTED] April 2015 against [REDACTED] [REDACTED]. In his interview, the Player stated that he had committed the Offence because "he was desperate for money." Thus, on his admission and the evidence relied upon by the ITIA, the Player committed a Major Offence under the TACP in breach of Section D.1.d. of the 2015 TACP (applicable at the time his offence was committed) by *directly or indirectly, contriving or attempting to contrive the outcome or any other aspect of any Event.*
60. By virtue of his admission during his interview with the ITIA investigator during which he admitted to receiving money from [REDACTED] [REDACTED] and on the basis of the other conclusive documentary evidence relied upon by the ITIA, the Player has also committed a Major Offence under the TACP in breach of Section D.1.f. of the 2015 TACP by *directly or indirectly, soliciting or accepting any money, benefit or Consideration with the intention of negatively influencing a Player's best efforts in any Event.*
61. On the evidence, and by his admission, the Player has also breached Section D.2.a.i. of the 2015 TACP by failing to report the approaches from [REDACTED] in 2015 and Section D.2.a.i. of the 2016 TACP by failing to report the approaches from [REDACTED] [REDACTED] in 2016 - all intended to influence the outcome or any other aspect of his match(es).
62. Finally, the Player breached Section F.b. of the 2021 TACP by failing to provide an ITIA investigator with information, as requested, on three occasions.
63. Therefore, the AHO is satisfied to the required standard of proof, here the balance of probabilities, that the Player has committed all the Corruption Offences for which he has been charged and finds that he is liable for the same.

#### APPLICABLE SANCTIONS

64. Having determined that the Player is liable for four Corruption Offences, namely a breach of Section D.1.d. and D.1.f. of the 2015 TACP, a breach of Section D.2.a.i. of the 2015 and

2016 TACP and a breach of Section F.b. of the 2021 TACP, the AHO now determines the appropriate sanctions.

65. The TACP provides that the penalty for any Section D.1 Corruption Offences shall be determined by the AHO and may include:

*"... a fine of up to \$250,000 plus an amount equal to the value of any winnings or other amounts received by such Covered Person in connection with any Corruption Offense [and] ineligibility from Participation in any Sanctioned Events for a maximum period of permanent ineligibility ..."*

66. Therefore, the Player's potential sanction under Section H.1.a. is life/permanent ineligibility, a \$250,000 fine and repayment of the corrupt payments.

67. The Tennis Integrity Supervisory Board published Sanctioning Guidelines ('Guidelines') on a trial basis during 2021. The ITIA submits, and the AHO agrees, that according to these Guidelines the Player's Offences should be categorised as a B2 category with a suspension period range between six months to five years.

68. Based on the Guidelines and relying on recent case law, the ITIA seeks a three and a half year to four-year suspension and a \$20,000 fine.

69. Although the Player fails to provide any mitigating elements to reduce the ITIA's proposed sanctions other than stating that he does not agree with them and would be bankrupt if imposed, the AHO is not bound by the ITIA's proposal. The AHO must determine what sanctions are appropriate, by assessing the evidence and the gravity of the violations vis-a-vis the well-established principle of proportionality.

70. The AHO notes that the Player's four Corruption Offences are linked to the same match fixing incident. Thus, on the evidence currently before the AHO, he is not a recidivist. He did, however, fail to cooperate with the ITIA in the course of the investigation. The effect of this refusal to cooperate is such that the Offences he committed have been spread over time. This is considered to be an aggravating factor for the fine and the suspension.

71. Significant mitigating factors are the Player's admissions in the course of his interviews and tacit admission, thus waiving the necessity for a hearing.

72. As stated above, the AHO concurs with the ITIA's assessment that the Player's Offences fall within the B2 range in the Guidelines with regard to the applicable suspension. Keeping in mind the ITIA's submissions and her assessment of the evidence, the AHO finds that the appropriate sanction to be imposed on the Player is of three years.

73. The Guidelines confer AHOs vast discretion with regard to the application fine and state:

*Section H.1.a(i) of the TACP allows for fines of up to \$250,000 to be imposed alongside bans and suspensions. Ordinarily the amount of any fine may reflect the categorization of the offense(s) such that, for example, offending categorized as A.1 in the table above may attract a fine at the higher end of the scale and, conversely, offending categorized as C.3 might attract a fine at the lower end of the scale (or no fine at all). **Cumulative fines may be imposed for multiple Corruption Offenses.** In accordance with Section H.1.a(i) of the TACP, **any fine is separate from a requirement imposed on a Covered Person to pay an amount equal to the value of any winnings or other amounts received** by such Covered Person in connection with the Corruption Offense.”*

74. In seeking the imposition of a \$20,000 fine, the ITIA suggests the applicable fine should fall somewhere between the fines imposed in the Hirs, Taweel and Sultanbekov cases recently issued by AHOs.

75. In assessing the fine to impose, keeping in mind the importance of deterrence and the fact that his Offences have been categorised as B2, the AHO firstly focuses on the total monies the Player received in connection with the Offences he has committed and which are the object of this adjudication, which are \$500. This amount is considered to be “*little material gain*” under the Guidelines and stands in contrast to the monies received by players in the other cases relied upon by the ITIA where higher fines were rightly and proportionately imposed e.g. - \$35,000 in the Hirs case, \$15,000 in the Taweel case and \$8,000 in the Sultanbekov case.

76. The Player waived his right to a hearing, thereby saving the ITIA time and expenditures. This is a significant mitigating factor in the quantifying of the applicable fine.

77. The AHO has considered the little material gain the Player received – a mere \$500, the entirety of the circumstances surrounding his corrupt activities - which are far less egregious than in for example the Sultanbekov case, and the fines imposed on other players in the past - noting here the effect of the suspension of fines like for example in the Taweel case where the Player was fined \$15,000, earned \$3,500 from his corrupt activities but was effectually only fined \$2,000. Thus, the AHO imposes a \$1,500.00 fine on the Player.

78. Given the Player’s alleged dire financial situation, a repayment plan is to be put in place, as offered by the ITIA.

79. The Player has admitted that he committed his Corruption Offences because he “*needed money*”, waived his right to a hearing and submitted that he wanted this adjudication to be resolved “*as amicably as possible*”. He is nonetheless liable for the commission of four Corruption Offences, which although not the most egregious breaches of TACP Section D.2.a.i. et al, have tarnished the sport of tennis. The AHO thus imposes sanctions that are proportionate to the Player’s Offences, commensurate with past AHO decisions, and significant enough to protect the interests and the integrity of tennis.

## ORDER

80. The Player, Mauricio Antonio Astorga Perez Pineda, a Covered Person as defined in Section B.7 of the TACP, has committed the following TACP Offences:

- i. He directly or indirectly, contrived or attempted to contrive the outcome or any other aspect of a match during the 2015 ██████ Event in Mexico in breach of Section D.1.d. of the 2015 TACP.
- ii. He directly or indirectly, solicited or accepted any money, benefit or Consideration with the intention of negatively influencing his best efforts in a 2015 ██████ Event in Mexico in breach of Section D 1.f. of the 2016 TACP.
- iii. He failed to report corrupt approaches in breach of Section D.2.a.i. of the 2015 TACP, and,
- iv. He failed to cooperate fully with the ITIA Investigations in breach of Section F.b. of the 2021 TACP.

81. Pursuant to TACP Section H.1.a TACP and the ITIA Sanctioning Guidelines, the sanctions imposed upon Mauricio Antonio Astorga Perez Pineda as a result of these Corruption Offences are:

- i. A three-year ban from Participation, as defined in Section B.22 of the TACP, in any Sanctioned Event as defined in Section B.29 of the TACP.
- ii. This three-year ban is effective to the start of the Player’s Provisional Suspension, which was 8 October 2021. His reinstatement date is thus 8 October 2024.
- iii. A \$1,500 fine which, pursuant to Section J.2. of the TACP, is to be paid off by an agreed upon payment plan prior to the Player applying for reinstatement.

82. Pursuant to TACP Section H.6., further to applicable appeal rights lapsing, the Player may apply to the AHO in the future to seek a reduction of his penalty based on Substantial Assistance. The AHO thus retains rights to deal with matters ancillary to this decision.

83. Pursuant to TACP Section G.4.e., the AHO’s reasoned decision on liability and decision on sanction is to be publicly reported.

84. Pursuant to TACP Section G.4.d. this award is a full, final, and complete disposition of this matter and is binding on all parties.

85. Pursuant to TACP Section I., this Decision can be appealed to Court of Arbitration for Sport in Lausanne, Switzerland within twenty business days from the date of receipt of the decision by the appealing party.

Dated at Montréal, Québec this 25th day of November 2021

A handwritten signature in black ink, appearing to be 'Janie Soublière', written in a cursive style. The signature is positioned above a horizontal line.

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Janie Soublière C. Arb.  
Anti-Corruption Hearing Officer