

BEFORE THE GEORGIA ATHLETIC AND ENTERTAINMENT COMMISSION

IN THE MATTER OF:)
)
)
UNDISPUTED PRODUCTIONS, LLC,)
License No. MMAT00003, through)
David Oblas, Registered Agent)
)
APPLICANT.)

Docket No. 200803

CONSENT ORDER FOR LICENSURE

By agreement of the Georgia Athletic and Entertainment Commission (“Commission”) and Undisputed Productions, LLC (“Applicant”) through Registered Agent David Oblas, the following disposition for probationary licensure is entered into pursuant to the provisions of O.C.G.A. § 50-13-13 (a)(4), as amended.

FINDINGS OF FACT

1.

Applicant is licensed as a mixed martial arts matchmaker in the State of Georgia and was so licensed at all times relevant to the matters set forth herein.

2.

Applicant applied for a mixed martial arts promoter’s license in the State of Georgia, and was denied licensure by the Commission at the March 11, 2008 meeting.

3.

On or about September 4, 2007, Applicant entered into a Public Consent Order admitting to violations of GAEC Rule 85-1-.05(1)(h) and Rule 85-1-.05(4)(a) when the Applicant promoted “Kyle Maynard” on its website (www.undisputedpromotions.com) for a mixed martial

arts event at Wild Bill's on September 14, 2007 before Mr. Maynard was properly licensed by the GAEC.

4.

On or about July 19, 2007, it is alleged that Applicant signed five bout contracts as the promoter of an event to take place July, 20, 2007, even though the Applicant was not licensed by the GAEC as a promoter.

5.

On or about August 23, 2007, Applicant is alleged to have acted as a promoter when the Applicant signed a contract with Athens Arena to lease their building known as "Athens Arena" for a mixed martial arts event scheduled for October 19, 2007. In the agreement, the Applicant agreed to pay for and provide the following: chair/table rental; security and police; custodian cleanup; ticket sales and collection; newspaper, radio, and television advertisements; other publicity; ring setup; sound equipment and technician; ring announcer; ring card models; a physician and ambulance; and food and drink concessions.

6.

In an advertisement for an event called "Athens Fight Night" scheduled for October 19, 2007, Applicant is alleged to have acted as a promoter when it caused the following language to appear in said advertisement: "UNDISPUTEDPRODUCTIONS.COM AND GARDNER DOMINICK BRING TO YOU: PROFESSIONAL MIXED MARTIAL ARTS FIGHTING."

7.

Applicant is alleged to have advertised, promoted, and sold tickets through its website for a mixed martial arts event called "Wild Bill's Fight Night 13" scheduled for January 25, 2008

without first applying for and obtaining a promoter's license from the GAEC and prior approval and sanctioning from the GAEC.

8.

Though Applicant admits to the above ⁱⁿfinds of fact, a genuine issue exists as to the application of law to the above admitted facts. Specifically, Applicant believes that he, by and through Undisputed Productions, LLC, was authorized to act as an agent of the licensed promoter, Full Throttle Entertainment. All contracts signed, advertising posted, and tickets sold, were for the benefit of Full Throttle Entertainment, and Full Throttle Entertainment remained the entity which was legally responsible for the lawful conduct of the productions, pursuant to O.C.G.A. § 43-4B-16. Nevertheless, recognizing that reasonable minds could differ regarding the application of law to fact, and recognizing the importance of maintaining a positive working relationship with the representatives of the Commission, Applicant waives any further findings of fact with respect to the above-styled matter and voluntarily accepts the disciplinary action set forth herein.

CONCLUSIONS OF LAW

Applicant's conduct constitutes sufficient grounds for the denial of Applicant's application for licensure as a promoter of mixed martial arts in the State of Georgia pursuant to O.C.G.A. Ch. 4B, T. 43, as amended, and the Rules promulgated thereunder. Applicant hereby waives any further conclusions of law with respect to the above-styled matter.

ORDER

The Commission, having considered all the facts and circumstances of this case, hereby orders, and Applicant hereby agrees, that the following restrictions shall be imposed upon the

Applicant's license to operate as a promoter in a match, contest, or exhibition of mixed martial arts in the State of Georgia:

1.

Applicant's license shall be issued, but suspended for a period of five (5) months from the date of the initial application of licensure made on March 11, 2008. Therefore, the period of suspension will expire on August 11, 2008.

(a) During said period of suspension, Applicant shall not engage in the promotion of any mixed martial arts events. If the Applicant acts as a promoter of a mixed martial arts event in the State of Georgia without the prior express written permission of the Commission, the Applicant's license shall be subject to revocation, upon substantiation thereof.

(b) Applicant agrees to pay the Commission a fine of \$1,000. The payment is due no later than the last day of the period of suspension of Applicant's license. The payment must be made by cashier's check or money order payable to the Georgia Athletic and Entertainment Commission at Suite #814, West Tower #2 MLK Jr. Drive, Atlanta, GA 30334. Failure to pay the fine by the end of the suspension shall be grounds for additional disciplinary action including revocation of license.

(c) At the end of the five (5) month suspension on August 11, 2008, Applicant shall be licensed as a Mixed Martial Arts Promoter upon payment of all fines, fees, bonds, and conditions of the suspension as required by this Consent Order and Application for Licensure. At such time, Applicant shall enjoy all rights and privileges incident to the license of the Applicant, and shall be subject to the probationary period set forth in paragraph (2), below.

2.

Once the suspension is lifted, Applicant's license shall be placed on probation for twenty-four months.

(a) During said period of probation, the Applicant shall advise the Commission of any change in Applicant's residence and/or office address.

(b) The Applicant shall abide by all State and Federal laws relating to the regulation of the practice of mixed martial arts in the State of Georgia, the Rules and Regulations of the Commission, and the terms of this Consent Order. If the Applicant shall fail to abide by such laws, rules or terms, its license may be revoked, upon substantiation thereof.

(c) At the end of the twenty-four (24) month probationary period, the Applicant may petition the Commission for the lifting of the probationary period of the license by certifying under oath before a notary public that Applicant complied with all conditions of probation as set forth in this Consent Order. Applicant acknowledges that to ensure that the Board lifts the probationary status of Applicant's license; Applicant must petition the Board for such action. At such time, the Commission shall be authorized to restore all rights and privileges incident to the license of the Applicant, unless the Commission has received information that the Applicant has failed to comply with the law and rules regulating mixed martial arts in the state of Georgia. Should the Commission determine that reasonable cause exists for maintaining Applicant's license on probationary status, the Commission shall notify Applicant of its intent to extend the probationary period, and Applicant may respond to such notification in writing or request an appearance before the Commission or its representative as in a non-contested case. In any event, this Consent Order shall remain in effect pending a final determination by the Commission and notification that the probationary period has terminated.

3.

This Consent Order and the dissemination thereof will serve as a public reprimand to Applicant for its conduct.

4.

Approval of this Consent Order by the Commission shall in no way be construed as condoning the Applicant's conduct and shall not be construed as a waiver of any of the lawful rights possessed by the Commission. This Consent Order shall not become effective until approved by the Commission and docketed by the Commission Secretary.

5.

Applicant acknowledges that he has read this Consent Order and that he understands its contents. Applicant understands that he has the right to a hearing in this matter, and Applicant freely, knowingly and voluntarily waives such right by entering into this Consent Order. Applicant enters into this Consent Order as a negotiated resolution to a contested case, and by entering into this Consent Order, Applicant in no way waives any right he may have to a hearing on future allegations which may be brought against Applicant. Applicant understands that this Consent Order will not become effective until approved by the Commission and docketed by the Commission Secretary. Applicant further understands and agrees that the Commission shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Applicant further understands that this Consent Order, once approved, shall constitute a public record that may be disseminated as a disciplinary action of the Commission. If this Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the ability of the Commission to adjudicate this matter. Applicant consents to the terms and sanctions contained herein.

Approved, this 10th day of June, 2008.

GEORGIA ATHLETIC AND ENTERTAINMENT
COMMISSION

BY:

Kelly Farr for J.J. Bello
J.J. BIELLO
Commission Chairman

(COMMISSION SEAL)

ATTEST:

Kelly Farr
KELLY FARR
Commission Secretary

CONSENTED TO:

David Oblas
Undisputed Productions, LLC, by and
through David Oblas as Registered Agent,
Applicant

As to Undisputed Productions, LLC:
Sworn to and subscribed
before me this 10th day
of June, 2008.

Rhonda M. Brown
NOTARY PUBLIC
My commission expires:

