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VIA EMAIL



RE: Expert opinions in support of Peter Bol's innocence

Dear 

Sport Integrity Australia was completely wrong about Peter Bol. Its mishandling of his case and the way he has been mistreated needs to be rectified. It was wrong to conclude that Mr. Bol's urine sample provided on 11 October 2022 contained Erythropoietin Receptor Agonists (ERA): rEPO. It was wrong to conclude that "the testing of both A and B samples complied with relevant International Standards, as published by WADA". It was wrong to keep an investigation open when there is no evidence whatsoever that Mr. Bol ever used synthetic EPO.

In reality, Mr. Bol's 11 October 2022 urine sample NEVER showed the presence of any synthetic EPO. As this submission confirms, inexperience and incompetence at the Australian Sports Drug Testing Laboratory (ASDTL) led to an incorrect determination regarding his urine sample. Mr. Bol is innocent and always has been. Sport Integrity Australia must publicly end the "investigation" that remains "ongoing" and acknowledge that Mr. Bol has done nothing wrong

since there is NO evidence or information showing that Mr. Bol has ever in his life purchased, researched, possessed, administered, or used synthetic EPO or any other Prohibited Substance.

INTRODUCTION

Mr. Bol's submission is based on two expert reports:

- A. The Expert Opinion of Dr. David D. Y. Chen,¹ a Professor in the Department of Chemistry at the University of British Columbia, Canada with nearly three decades of experience as an Analytical Chemist who is a recognized authority in gel electrophoresis including all elements SAR-PAGE and SDS-PAGE. Dr. Chen's Expert Opinion is attached as **Exhibit A** (inclusive of his *curriculum vitae* and **References A-1 to A-4**); and
- B. The Expert Opinion of Dr. Jon Nissen-Meyer, Dr. Tore Skotland, Dr. Bjarne Østerud and Dr. Erik Boye,² Professors Emeritus in Biochemistry in Norway, with a special expertise in SAR-PAGE analysis. Dr. Nissen-Meyer's, Dr. Skotland's, Dr. Østerud's and Dr. Boye's Expert Opinion is attached as **Exhibit B** (inclusive of their *curriculum vitae*s).

SUMMARY

As the expert opinions of Dr. Chen, Dr. Nissen-Meyer, Dr. Skotland, Dr. Østerud and Dr. Boye make unequivocally clear, there is no evidence to show the presence of synthetic EPO in Mr. Bol's urine. Instead, as Dr. Chen states in the starkest of terms, the analysis of Mr. Bol's A-Sample and B-Sample "showed absolutely no evidence for the presence of any rEPO in the two samples tested".

In Dr. Chen's words:

I found that all the data as presented in the two reports showed negative results for recombinant erythropoietin (rEPO). The gel images are distorted, making some of the protein spots appear to have larger molecular weights than the identical protein standards run on a separate lane. Even with the improperly drawn apex lines for Epoetin- δ , I estimated the diffusion overlap between the A sample and B Sample with Epoetin- δ , and

¹ Dr. Chen was hired as an independent expert by Elite Medical Experts, a company retained by Global Sports Advocates for the express purpose of conducting an independent expert review. Dr. Chen did not even know who Mr. Bol was when conducting his analysis.

² Dr. Jon Nissen-Meyer, Dr. Tore Skotland, Dr. Bjarne Østerud and Dr. Erik Boye were retained by Global Sports Advocates for the express purpose of conducting an independent expert review and accepted no remuneration for their analysis.

the negative controls with Epoetin- δ . The numbers showed absolutely no evidence for the presence of any rEPO in the two samples tested.³

Both expert opinions independently conclude that the naturally occurring EPO present in Mr. Bol's 11 October 2022 sample was mistaken for synthetic EPO because of fatal errors in the testing process:

1. Mr. Bol's sample was overloaded, which led to an incorrect interpretation of the gel patterns.
2. The lab failed to understand that Mr. Bol's symmetric band indicated the presence of uEPO (natural EPO) **only** and not a mixed band that contained both natural EPO and synthetic EPO.
3. The lab incorrectly overlooked the very strong uEPO (natural EPO) intensity in Mr. Bol's sample which indicated there was no rEPO (synthetic EPO) use.
4. The lab used poor quality reference material which contributed to the false positive reading for rEPO.⁴
5. The lab wrongly concluded that the band apex line ERA in the sample coincided with the corresponding apex line in the Epoetin- δ reference preparation.
6. The re-run of the sample with SINGLE BLOT was wrongly interpreted since the data from this analysis indicated strongly that there was no rEPO (synthetic EPO) in the sample.
7. The lab's failure to use IEF-PAGE (a different electrophoretic separation technique) was a lost chance to confirm the absence of rEPO in the Sample.⁵

As Dr. Chen explained, this was not even a close call. Instead, this was a blunder of epic proportions:

The results as presented for both the A Sample and B Sample showed negative results for rEPO.

³ Expert Opinion of Dr. David D. Y. Chen at 2-3.

⁴ Mr. Bol wonders whether the ASDTL used valid reference material in keeping with Article 5.2.7 of WADA's International Standard for Laboratories.

⁵ Mr. Bol requested that the ASDTL apply IEF-PAGE as a second confirmation PAGE analytical method for his B Sample analysis, but the IEF-PAGE analysis was never done.

The faint diffusions above the uEPO bands for these samples are the results of overloading. The WADA TD stipulates that the maximum amount of urine sample used in a test is 15 ml. All tests performed for this individual used 15 ml of urine sample, which was the maximum allowed. An experienced lab person should have understood that this was the upper limit for affinity purification of urine samples. For many athletes, this amount is too high, causing diffusion of bands from sample overloading.

With the understanding of human physiology, a high intensity of uEPO band in these samples showed that there was no suppression of endogenous EPO. The side effect of rEPO usage was **NOT** present. Further, since repeated SDS-PAGE or SAR-PAGE could not determine the presence of rEPO in the sample, an orthogonal analytical procedure such as IEF-PAGE should have been used to provide additional scientific. No such confirmatory tests were performed.

In summary, neither of this person's urine tests (A Sample or B Sample) showed the presence of recombinant erythropoietin. Only naturally occurring endogenous erythropoietin was observed.⁶

As Dr. Nissen-Meyer, Dr. Skotland, Dr. Østerud and Dr. Boye explained, there is NO evidence or information showing that Mr. Bol used synthetic EPO. Instead, this was a tragic mistake by scientists at the WADA labs who mistook a large natural amount of EPO in Mr. Bol's samples for synthetic EPO:

The fact that Bol's profiles are broader (and may thus tend to traverse the demarcation line to a greater extent) than the negative control profiles may wrongly have been considered by the laboratory to be an atypical and suspicious finding but is very likely the result of the large amount of natural EPO in his sample which in turn result in large and dark natural EPO bands.⁷

CONCLUSION

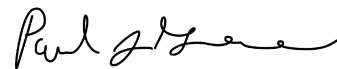
Sport Integrity Australia has an affirmative duty to publicly acknowledge the catastrophic blunders that have been made in Mr. Bol's case and immediately exonerate him since the rules mandate that anti-doping authorities like Sport Integrity Australia be held to the same strict standards as athletes. As the *Quigley* case famously held more than 25 years ago, "[t]he fight

⁶ Expert Opinion of David D.Y. Chen at 12.

⁷ Expert Opinion of Dr. Jon Nissen-Meyer, Dr. Tore Skotland, Dr. Bjarne Østerud and Dr. Erik Boye at 26.

against doping is arduous, and it may require strict rules. But the rule-makers and the rule-appliers must begin by being strict with themselves." Here, being strict with itself requires that Sport Integrity Australia undo the damage that it has done to Peter Bol by publicly ending its "ongoing investigation" and admitting it has no evidence he has ever in his life purchased, researched, possessed, administered, or used synthetic EPO or any other Prohibited Substance.

Very truly yours,

A handwritten signature in cursive script that reads "Paul J. Greene". The signature is written in black ink and is positioned below the typed name.

Paul J. Greene