

Raffi A. Nahabedian, Esq.
The Law Office of Raffi A. Nahabedian
2975 Montessouri Street
Las Vegas, NV 89117
(702) 379-9995 or (702) 222-1496(Fax)

Member State Bar of California

Member State Bar of Nevada

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Sent VIA Registered Mail and Facsimile (702) 486 2577

Keith Kizer, Executive Director
Nevada State Athletic Commission
555 E. Washington Ave., Suite 3200
Las Vegas, NV 89101

Re: UFC 94, Circumstances Involving Georges St. Pierre, et al.

Dear Mr. Kizer:

This letter is prepared on behalf of Mr. Jay Dee "BJ" Penn who participated in the UFC welterweight division "Championship Bout" on January 31, 2009, against Georges St. Pierre (hereinafter "Bout"). While this letter is not a formal Complaint to the Nevada Athletic Commission, it shall serve as a formal request to the Commission that it engage in a comprehensive investigation and review of the activities involving and relating to Georges St. Pierre ("GSP") prior to and during the Bout.

As you and the Commission very well know and understand, mixed martial arts ("MMA") is a sport that involves the many disciplines of unarmed combat. MMA events test and challenge the very essence of one martial arts discipline against that of another form of unarmed combat. In the case of Mr. Penn, his fundamental background is Brazilian Jiu-Jitsu and he is regarded as one of the most talented and able Brazilian Jiu-Jitsu athletes throughout the world. And, while Mr. Penn is well versed in multiple unarmed combat styles, his core discipline of Brazilian Jiu-Jitsu is predicated on techniques using his arms and legs in such a manner as to immobilize his opponents and cause them to submit due to the immobilization or a potential injury caused thereby. In this regard, it is not about the size or strength of the opponent, it is about Mr. Penn's ability to apply the techniques and strategies of the art of Brazilian Jiu-Jitsu.

In order for Mr. Penn (or any other licensed fighter of the Nevada Athletic Commission) to properly execute Brazilian Jiu-Jitsu or the many other grappling techniques which are an essential part of MMA, it is necessary that an environment exists without any illegally applied lubricants, oils or other substances that cause or result in slippery surfaces on the combatants. First, such products are illegal and violate Nevada Athletic Commission Rules and Regulations. Second, such activities bring disrepute to the sport of MMA. Third, such activities jeopardize the health and safety of participants in the sport of MMA. And fourth, such an activity is detrimental to the best interests of unarmed combat.

In addition to this non-exhaustive list of Rule violations, it is aptly clear why GSP and his corner should not engage in illegal and improper activities when "they" collectively are competing against one of the most reputed Brazilian Jiu-Jitsu practitioners in the world. Simply put, by lubricating GSP's body a highly slippery surface was created that completely neutralized an innocent participant's abilities and strategy to the advantage of GSP. Mr. Penn's most critical offensive and defensive strategies, his Brazilian Jiu-Jitsu, were rendered useless as he was unable to effectively control GSP and engage his submission techniques due to Mr. Penn's legs and arms slipping out of the attempted holds/locks and GSP's ability to readily slip out of the holds/locks due to the highly slippery surfaces on GSP's body. A circumstance and environment solely caused by the application of an illegal substance improperly applied on GSP's body.

This illegal situation made it impossible for Mr. Penn to defend himself and unfairly exposed Mr. Penn to GSP's "ground and pound" strategy which Mr. Penn extensively trained for and was fully prepared to perform against. More importantly, by neutralizing Mr. Penn's Brazilian Jiu-Jitsu abilities through the use of illegal and improper means, Mr. Penn was subjected to a life threatening and career ending environment; an environment that the Commission was formed to protect against.

Because of Mr. Penn's prior experience and information provided to him before his participation in the Bout, a member of Mr. Penn's team informed Commission members prior to the Bout of the possibility of GSP being "greased up" during the Bout or engaging in activities that may cause him to be/become slippery during the Bout. While this discussion occurred, Mr. Penn and his team believed that the Commission would be on heightened alert to guard against such illegal activities and would take every precaution to ensure Mr. Penn's safety and a proper and fair contest. Additionally, during the Bout, statements were made that GSP was "too slippery" and that Mr. Penn could not grab or hold GSP because of "how slippery" he was during the Bout.


Notwithstanding these comments, it is clear that the Commission's obligations to ensure and guard against such corruption and unfair advantage were severely compromised as people openly witnessed the improper application of an illegal substance over the neck, shoulders and back of GSP - the critical areas of Mr. Penn's strategy to impose his Brazilian Jiu-Jitsu submission skills and techniques during the Bout.

While Mr. Penn has ten days to file a formal Complaint with the Commission, it is his request that the Commission will perform its duties to ensure that the activities of GSP and his agents are properly dealt with by the Commission. In this regard, we are available to meet with you and the Commission and will fully cooperate in the investigation.

In closing, all Mr. Penn wanted to have on January 31 is a fair and just bout and he continues to seek a fair and just encounter against Georges St. Pierre.

Your prompt and immediate attention in this regard is requested.

Respectfully,



Raffi A. Nahabedian, Esq.

cc: Jay Dee Penn
Gary Levitt, Esq.
Lawrence I. Epstein, Esq.