

FEDERATION  
INTERNATIONALE  
DE NATATION



FOUNDED IN 1908

DALE NEUBURGER  
VICE PRESIDENT

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To: Mustapha Larfaoui  
FINA President

Cornel Marculescu  
FINA Executive Director

From: Dale Neuburger  
FINA Vice President

Date: September 8, 2006

Re: TSE Consulting

BUREAU 2005 - 2009

PRESIDENT

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Algeria

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Nigeria

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China

HONORARY LIFE PRESIDENT

LIC JAVIER OSTOS MORA  
Mexico

Dear President Larfaoui and Mr. Marculescu,

In April 2006, I began employment as Director, TSE Consulting – Indianapolis, joining a network of professional consultants with offices in Lausanne, London, Beijing, Bahrain, and Johannesburg. In my role with TSE Consulting, I provide services to cities in the United States seeking to stage important international and domestic events in a wide range of Olympic sports. The American office of TSE Consulting – Indianapolis has provided services to the cities of Denver and Memphis.

As you know, TSE Consulting, through its Lausanne office directed by Lars Haue-Pedersen, has performed various consulting services for FINA, including assistance with the conference on marketing and broadcast in Barcelona in 2001, the FINA strategic plan, and the FINA World Conference in Madrid later this month.

Each of the TSE Consulting offices operates within separate geographic territories, and I have had no involvement with any of the FINA projects that have been engaged through the Lausanne office, nor will I do so in the future. Further, I will not provide professional services to American cities seeking FINA events. It should be clearly noted that any decisions made by FINA regarding engagement of services with TSE Consulting – Lausanne are not made with any solicitation or representation on my part.

The purpose of this correspondence is to provide clarity regarding my professional employment and to pledge my continued independence in decision-making regarding FINA initiatives, programs, and decisions.

If I can provide any further information, please do not hesitate to contact me directly.

Sincerely yours,

Dale Neuburger  
Vice President

FINA Office, Avenue de l'Avant-Poste 4, 1005 Lausanne, Switzerland  
Phone: (41-21) 310-4710 • Fax: (41-21) 312-6610 • <http://www.fina.org>



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de Natation

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Algeria

IMMEDIATE PAST HONORARY  
SECRETARY  
BARTOLO CONSOLO  
Switzerland

EXECUTIVE DIRECTOR  
CORNEL MARCULESCU

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To: Dr. Julio Cesar Maglione  
FINA President

From: Dale Neuburger  
FINA Vice President

Re: FINA Code of Ethics/Employment with TSE Consulting

Date: April 21, 2013

Dear President Maglione,

As you know, the FINA Bureau approved a Code of Ethics at its most recent meeting in Barcelona on 22-23 February, 2013.

To begin, I ask that you review correspondence (page 3) which was sent to (then) FINA President Mustapha Larfaoui and FINA Executive Director Cornel Marculescu in September 2006. At that time, well before the FINA Code of Ethics was established, I wanted to clarify my professional employment to avoid any possible appearance of conflict of interest in my role with FINA.

Please allow me to state this unequivocally: I support the new FINA Code of Ethics and will comply completely with its requirements.

To that end, I bring to your attention my current and continued employment with TSE Consulting – North America which began in April 2006. In this role, I provide consulting services to cities in North America which seek to stage important domestic and international events in a wide range of sports. From time to time, I provide consulting services to cities or sports organizations outside of North America if my expertise is deemed to be helpful.

TSE Consulting SA is a registered Swiss company, and it has performed various services for FINA which pre-date my employment, as well as services more recently. As an example, TSE Consulting SA assisted FINA with the 2<sup>nd</sup> FINA World Aquatics Convention in Moscow (RUS), and TSE assisted FINA with previous conferences in Barcelona (2001), Madrid (2006), and Punta del Este (2010).

Each of the TSE Consulting offices worldwide – currently there are six – operates within separate geographic territories. I, nor any employees of TSE Consulting – North America, have involvement with projects initiated through the Lausanne office of TSE Consulting SA. Therefore, any decisions made by FINA regarding engagement of services with TSE Consulting SA have not been, nor will be, influenced in any way through a solicitation or representation by me or through TSE Consulting – North America.





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Each TSE Consulting office operates independently. I have no personal involvement with projects undertaken by TSE Consulting SA, nor do I have any financial interest in their outcome. My compensation is based solely on work initiated and completed by me.

In 2009, TSE Consulting SA provided services to the UAE Swimming Federation and the Dubai Sports Council for the Dubai bid to host the 2013 FINA World Championships. At the time of voting, I recused myself to avoid any appearance of conflict of interest, although I had no involvement in the engagement.

In 2013, TSE Consulting SA is providing services to the City of Gwangju (KOR) for its bid to host the 2019 FINA World Championships. I will recuse myself from the voting/selection process in Barcelona, and consistent with the FINA Code of Ethics, I will take no role in promoting the Gwangju bid with my FINA Bureau colleagues at any time. Additionally, if you wish that I not be in attendance during the presentation of the candidatures of the respective bid cities to the FINA Bureau in Barcelona, I will willingly comply with your wishes.

The purpose of this correspondence is to provide clarity regarding my professional employment. If requested, and to promote transparency, I will supply the agency agreement between the Swiss parent company and TSE Consulting – North America.

At the same time, I pledge my continued independence in decision-making regarding FINA initiatives, programs, and decisions, and I pledge strict compliance with the FINA Code of Ethics.

Mr. President, you and I have been acquainted for thirty years. During my involvement in sports over the years, I have conducted myself in an ethical manner. I will continue to do so. As situations arise which might create a perceived or potential conflict of interest, I will inform you immediately.

As always, I thank you for your leadership and commitment to our sport, and I hope that this correspondence clarifies matters in a satisfactory way.

All best wishes,

Dale Neuburger

July 15, 2016

Mr. Dale Neuburger  
201 South Capitol Avenue, Suite 555  
Indianapolis, IN 46225

Dear Dale,

It is my understanding that there have been some questions within FINA concerning your relationship to TSE Consulting SA, specifically in reference to work performed earlier this year on behalf of the Dutch Olympic Committee and the Dutch Swimming Federation.

You are authorized to share this document within the FINA Executive Committee, as you may deem necessary, but the distribution must be limited, as this is an official document to be filed with the management team of our sister company Burson-Marsteller as well as the WPP Group, the parent company of Burson-Marsteller.

As the Managing Director of TSE Consulting SA I can offer the following information in an authoritative and knowledgeable way:

- You are the President of Sports Strategy, Inc., an American-based company formed in 2006 and located in Indianapolis, which has an agency agreement with TSE Consulting SA. Therefore, you are not an employee of TSE Consulting SA and you act independently and not under my direct authority.
- The geographic territory in which you are authorized to conduct sport-related business is North America, specifically Canada, the United States, and Mexico. In one special circumstance, you were asked to assist with a TSE Consulting contract in Turkey, given your close relationship with Coach Bob Bowman, who was the principal contractor on the project, which was concluded by end March this year.
- TSE Consulting SA has had various contracts with FINA beginning in 2001, which preceded your role with Sports Strategy, Inc. by five years. The CEO of FINA, acting on behalf of FINA, and myself, acting on behalf of TSE, have exclusively negotiated all such contracts. You and your company played no role in the formation of project proposals, the negotiation of fees, or the provision of services related to these contracts. The annual fees for our relationship with FINA have generally not exceeded 30'000 CHF.
- TSE Consulting SA has represented various clients representing cities in Europe and Asia that have sought to host future FINA events. These cities have included Doha (QTR); Dubai (UAE); Gwangju (KOR); Istanbul (TUR). You and your company played no role in any of these bids, either in the negotiation of contracts or in the provision of strategic advice.

- TSE Consulting SA has had multiple contracts with the Dutch Olympic Committee over the past ten years, including strategic communications and event bidding advice for several Dutch cities, including Amsterdam and Rotterdam.
- TSE Consulting SA entered into a contract with the Royal Dutch Swimming Federation to provide strategic communications advice and counsel to Erik van Heijningen in the period leading up to the LEN elections in May 2016. There was no political activity undertaken at any time by TSE Consulting SA – no contacting, lobbying, or influencing – as we are very clear in stating to prospective clients that our expertise is in communications, not politics.
- Further, at no time was there any involvement by your company or you in providing strategic communications services to Mr. van Heijningen, nor were you involved in political activity of any kind related to the provision of services to the Royal Dutch Swimming Federation.

If there is additional information that I can provide to FINA leaders, I am at their disposal.

Kind regards,



**LARS HAUE-PEDERSEN**  
**Managing Director**

**Date** 5 April 2017  
**Contact** Directie  
**T** +31 307513227  
**E** directie@knzb.nl



To whom it may concern

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The Royal Dutch Swimming Federation has no involvement in a CAS-case against Dale Neuburger nor got detailed information about it, but we learned about a grief against Dale Neuburger as FINA Vice-President in relation to his professional position in TSE Consulting and a campaign by Erik van Heijningen as candidate for the LEN-Presidency in 2016.

The Dutch Federation has made this statement "to whom it may concern" to describe facts and its position in case someone would ask questions in relation to the campaign as mentioned.

The Board of Royal Dutch Swimming Federation has after long deliberation decided in the meeting of December 2015 to candidate Van Heijningen for the presidency of LEN.

The Board has decided as such because of a fundamental grief against lack of good governance in LEN for many years, taking the political risk of such a campaign (many people told us to be afraid of expressing their opinion publicly because of the risk of losing position).

The Board has decided to hire TSE Consulting as professional advisor to the campaign, because of a lack of capacity and experience in international relations in the federation itself, as well as the well known habit of Dutch to be (too) direct in communication.

The Dutch Federation has selected TSE Consulting through European director Lars Pedersen, who is an acquaintance of Dutch sport organisations for years and recently was advisor to the City of Amsterdam regarding the bid for EC Athletics. The federation and TSE Consulting have closed a contract, the federation paying a serious amount of money for the consulting of TSE, thus settling a professional relation as contract partners.

Content and direction of the campaign have all been decided on by the federation, with no involvement by anyone outside the federation.

At the side of TSE Consulting Lars Pedersen and two other European employees have been our advisors; from the very beginning Dale Neuburger has made a clear statement that he, working for TSE Consulting in USA, could not have any involvement being a FINA Bureau member; just like Erik van Heijningen mentioned to Dale Neuburger that he did not want to see any involvement from his side either; in other words, a mutual and logical statement from all three persons involved (Pedersen, Neuburger and Van Heijningen). The campaign has been organized exactly in this way - it might sound a bit posh, but do people really think the Dutch federation would need any support from USA Dale Neuburger (or anyone else) to express our opinion on lack of good governance in LEN as we have done publicly? It is even an insult to the

Dutch federation to suggest that TSE has had any interference in our decision making.

Looking back on the campaign and its result the Dutch federation has concluded among others that we have been very very polite ("diplomatic") in our statements during the campaign whereas our initial feeling was to be much more direct with our critics - as we Dutch in principal are used to. It is the contribution of TSE that we have been very diplomatic in our communication.

On behalf of the Royal Dutch Swimming Federation

A handwritten signature in black ink, appearing to be 'Erik van Heijningen'.

Erik van Heijningen, President

A handwritten signature in blue ink, appearing to be 'Jan Kossen', enclosed within a blue oval.

Jan Kossen, General Director



*Erik van Heijningen*  
*LEN Presidential Candidate*



## Dear Friends

Since the beginning of my term as President of the Royal Dutch Swimming Federation (KNZB) in 2001, I have been immensely privileged to chair the federation and to work with a dedicated team in ensuring its continued success forward.

If elected LEN President, it would be my greatest honour to take this same trust and move our federation forward to ensure that all Member Federations experience a positive impact in their day to day work.

Having talked with so many of you over the months, I understand the challenges you face and your day-to-day needs. This is why I am so happy to share with you my ambitious "First 100 Days" plan. This plan has been carefully prepared over the past months and is ready to be rolled out right after the election should I have the honour of being your President.

If elected, I plan to accomplish 6 important tasks. I believe that each of these areas are important for our sport as a whole.

It is my aim to start discussing these ideas in the various committees and working groups from day one, I want to be accountable to our sport and all members in laying the foundations for a long-term development strategy for LEN. This is why I plan to conduct a real European Tour and personally visit all LEN Member federations in my first term as President. Being with each of you and seeing your challenges will help me better serve you.

I believe that LEN can do more for its Members and I hope that you join me in achieving this goal.



Eric van Heijningen

LEN Presidential Candidate, April 2016



## The first 100 days

The first 100 days of a presidency very often define the direction and style of a new President. Here's what Erik Van Heijningen proposes for his crucial first days in the LEN office.

### 1. Develop a long-term strategic plan for LEN with the involvement of all members

*Every federation and every stakeholder has an important voice and plays a vital role in the progress of European Aquatics. There are many valued Members around Europe with great ideas, and it is important to ensure that everyone is heard so that together we can make the right decisions to move our sport forward.*

Developing a long-term strategic plan with the involvement of all Member Federations and a wide range of both internal and external experts, allows us to take steps to improve our federation. I want to have an open and honest discussion with all our partners – the Member Federations, athletes, officials, fans, sponsors, media and additional experts in our sport and outside our sport.

By re-evaluating European Aquatic events, distribution of events across the continent, learning from other sports, fixing a balanced calendar, creating a marketing policy with attention for marketing and hosting rights, development, and costs, new opportunities can be identified that can take European Aquatics to a new level.

#### Checklist for the first 100 days:

- ✓ Perform a review of European Aquatic events: Assess all LEN events, the distribution of events across the continent and across federations, and re-evaluate the events calendar.
- ✓ Increase the involvement of stakeholders: Implement a series of round tables discussions with MFs, athletes, officials, fans, sponsors, media, field experts and cooperation with other sports.
- ✓ Implementation of development initiatives: Looking into activating grassroots and youth programmes.
- ✓ Highlight clean sport: Revision of LEN-policy on anti-doping and opportunities for launching of clean sport education programmes.

## 2. Create new sponsorship and marketing opportunities

*Only by creating a structural and long-term increase in our revenues can we do more for our Members and further develop our sport. We need to work together with existing and new partners to strengthen LEN's financial position.*

By focusing on creating new sponsorship and marketing opportunities with existing and new partners LEN can finally realise the great potential of European Aquatics. With the assistance and inputs of successful Member Federations and external experts my aim is to perform a sponsorship and marketing strategy review on which we can base our future.

I believe that by strengthening ties with current and new partners we can access a stream of new revenues and further their involvement in the development of our sport and events. Already I have had discussions with a number of leading companies within Europe to discuss opportunities for their involvement that could lead to a significant increase of revenues for LEN.

### Checklist for the first 100 days:

- ✓ Develop marketing strategy: Initiate a marketing policy with the assistance and inputs of successful Member Federations and external experts with attention focused on new marketing activities and hosting rights to secure structural income.
- ✓ Drive sponsorship initiatives: Initiate discussions with major companies with the goal of signing LEN's first official sponsor.
- ✓ Rights management: Prioritise the decision process regarding the involvement of a rights management agency.
- ✓ Brand ambassadors: Initiate discussions with athletes, referees and officials to become brand ambassadors for LEN.



### 3. Initiate a programme for direct financial assistance

*Finance is a major key to empowering LEN members. I believe that by initiating development programmes with direct financial assistance for targeted Member Federations we will be able to create long-term development solutions.*

With financial support which is planned and guaranteed for a pre-defined period, we can support the long-term development and growth of our sport and each of our disciplines. I believe that we need to structurally allocate our means and resources so that we can work with our Members to ensure they have the support and a tailored financial plan that works for them.

Together with the Bureau my aim is for LEN to allocate part of the budget for this purpose. Just think of the development possibilities if we invest more in the quality of coaches, use regional cooperation to exchange managing methods and knowledge, create marketing tools and set up more professional competitions.

#### Checklist for the first 100 days:

- ✓ Identify the priorities of Members: Launch a member survey in order to discover needs of the Member Federations.
- ✓ Develop projects for all disciplines: Design a plan to offer tested and proven development projects to our Members that are ready to implement.
- ✓ Initiate the development of new LEN clinics: Develop and organise regular clinics for all disciplines under supervision of the Committees, supported by new knowledge sharing platform and database.
- ✓ Financial allocation: With the support of the Bureau, work on allocating part of the LEN budget to direct financial assistance (target: € 250'000 to 500'000).
- ✓ Reporting for impact: Implement reporting and measurement processes to evaluate the programmes' impact.



#### 4. Support development through innovation and effective knowledge sharing

*Development does not just happen. For all our Aquatic disciplines to develop and strive, development efforts of the Member Federations need to be supported through innovation and effective knowledge sharing.*

This starts with creating an effective knowledge transfer system within LEN. I believe that a platform that is easy to use and that can provide education tools and be a source of resources for all federations will make a real difference in the day-to-day activities of our Members.

Aside from development and event organisation, it is crucial to support our Members in the field of anti-doping. It is my aim to increase LEN's efforts in raising awareness among our Member by addressing the topic in meetings and offering educational programmes for athletes, coaches and officials.

##### Checklist for the first 100 days:

- ✓ Innovate competitions: Initiate the development of new and innovative competition formats targeted to the development of smaller nations.
- ✓ Event knowledge transfer: Initiate an effective knowledge transfer system in regards to organising LEN events, including evaluation and information sessions for future hosts.
- ✓ Increase knowledge sharing opportunities: Reformat LEN's annual meeting and Championships to increase and optimise networking and knowledge sharing opportunities between the Members.
- ✓ Raise awareness on anti-doping: Facilitate the process of developing education programmes on anti-doping for athletes and coaches that can be offered both online and at clinics during events.



## 5. Connect with partners to promote development of European Aquatics

*Cooperation is key. For quite some time, European Aquatics has been watching as others have leveraged resources, funding, expertise and competencies. Now is the time to engage and to take advantage of opportunities to connect LEN to new partners that can support our federation in developing Aquatics in Europe on both the elite and grassroots level.*

Working well together with FINA is crucial. Not only to better assist our Members with topics such as anti-doping testing and education, but also to create new opportunities for LEN members.

There are also many opportunities to initiate new partnerships with the IOC, EOC and others to benefit the development of Aquatics. I plan to set up a new working group dedicated to support these efforts.

### Checklist for the first 100 days:

- ✓ Identify key partners: Set up a new task force to develop ideas for new partnership opportunities with the IOC, EOC, UN and others.
- ✓ Re-connect with FINA: work together with FINA to increase access of LEN Members to the FINA development programme and to support on anti-doping efforts.
- ✓ Stimulate new activities: Initiate the development of new programmes and cooperation with partners on Paralympic swimming, mass participation events, Learn to Swim, swimming & health, etc.
- ✓ Support standardisation: Initiate and support the development of a European Standard for Swimming Lessons through participation in projects and clinics.



## 6. Perform a governance review of LEN and professionalise the organisation

*As the head of European Aquatics, LEN needs to set the best example. This begins with a positive internal culture and transparent administrative processes that will focus on governance and further professionalising the LEN headquarters.*

Establishing a review of good governance practices that can be adopted throughout the LEN administration and within the roles and responsibilities of the Bureau and all our Committees will allow our federation to drive the growth of our sport from the centre. We need to set a good example of governance, and that begins by setting priorities at the top and activating at the grassroots – to move our sport we need strong leaders who, through listening and using existing knowledge and experience from around Europe, can activate all Members.

Up-to-date information, knowledge sharing and good governance are such important parts of our sport. My aim with these ideas is to deliver an improved and more tailored approach for running LEN. I want to ensure that LEN continues to lead the way forward – this means looking at details like having accessible information on our website and also addressing broader issues from balanced representation across all European nations to gender equality.

### Checklist for the first 100 days:

- ✓ Review roles and responsibilities: Revision of the responsibilities of LEN Bureau Members, Committees and LEN Office.
- ✓ Reaching equality: Re-evaluation of policies to reach gender equality.
- ✓ Inclusion of internal and external expertise: Use the existing expertise in LEN to populate current as well as eventual new LEN Committees and working groups with participation of external experts (in advisory roles).
- ✓ European representation: Revise opportunities for inclusion of individuals from across all European regions in the current and new LEN Committees and working groups.
- ✓ Modernise the LEN website: Modernise the LEN website to become a communication and knowledge platform for all Members.



## *Beyond the first 100 days: my pledge for the future*

My vision for the future does not just stop with these 6 tasks in the first 100 days, this is just the beginning. I am proud of my track-record and believe it has given me the experience, the values and the vision to deliver a programme which can help guide LEN in the years ahead.

Now is the time to move our sport forward and build on the foundation of European Aquatics, but we need to continue moving forward as the international sport landscape continues to change.

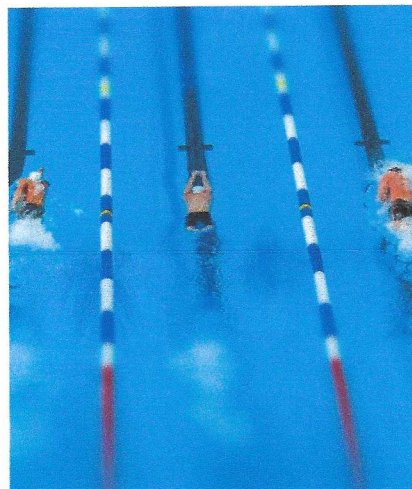
This is why I have also given many thoughts to the technical areas within our sport. My First 100 Days plan will lay the foundation for the next era of our sport, but my long-term vision will ensure that we are successful together for many years to come. Additional ideas for the future can be seen in the following.

These ideas are not just my own, but are inspired by discussions I have had with many of you. I hope you join me so that we can bring to life the ideas set out in this document. This is something that I truly believe in. I believe that LEN can do more and should do more for its Members and I look forward to working together to ensure a bright future for European Aquatics.



### Swimming:

- Set up a task force to exchange best practices on increasing participation in swimming – through Learn to swim and EU- and FINA-projects – between countries and support projects in developing countries.
- Promote the exchange of athletes and coaches so that smaller countries combine strengths, by focusing on strong disciplines and send high potentials in other events to other countries.
- Cooperate in setting a well-balanced attractive calendar by supporting selected European top elite events, such as the existing Swim Cups, eventually leading to a European Grand Prix circuit.



### Diving:



- Focus on age group development through mixed events and training camps as well as making the sport attractive to youth.
- Include High Diving in development efforts within LEN and the Technical Diving Committee through the appointment of a new experienced coordinator.
- Support development of diving across Europe by coaches' programmes, training camps and study of facilities.

### Water Polo:

- Initiate the creation of a European view on the future of international Water Polo, given the urgency to modernise.
- Initiate the development of innovative competition formats for smaller federations ("runner-up competition") and for "summertime" (beach water polo).
- Support efforts to increase the number of women teams in the Olympics to 12.
- Focus on the development, training and professionalisation of referees by usage modern tools in games, evaluation of interpretation of rules, training facilities and compensation.

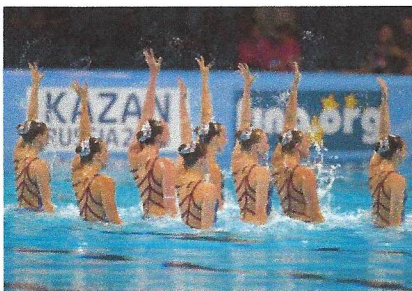


### Open Water Swimming:

- Stimulate innovations that increase spectator involvement and make the athletes more visible such as GPS & modern technology.
- Connect open water swimming with fundraising events to profile the sport in a positive way and stimulate the practice of swimming.
- Combine LEN open water events (EC, European Cups) with mass participation events, eventually creating a high level amateur event series (European League Mass Participation).



### Synchronised Swimming:



- Focus on improving the presentation of the discipline, including rules and scoring to make synchronized swimming easily understandable.
- Develop and highlight the new options for mixed synchronised swimming, to attract athletes and public.
- Focus on age group development through mixed duet and training camps as well as making the sport attractive to youth.

### Master Swimming:

- Ensure the duration of the event and capacity of the venue suffice to meet the number of entries allowed.
- Do a test with coaches' accreditation in Diving and Synchronised Swimming.
- Continuously improve EC Masters events by using evaluations and the expertise of the Master athletes.

### Athletes & Coaches:

- Develop coaches through training, clinics, knowledge and experience sharing programmes and creation of a network of European coaches associations.
- Connect with coaches and athletes from other sports for cross-sector knowledge sharing.
- Create awareness and stimulate conscience on health, anti-doping and match fixing.



## About Erik van Heijningen



*Born on 28 August 1961, Voorschoten (NED)*

*Married, three children*

### Did you know that Erik...

- has been involved in Aquatics since he was eight years old, eventually moving on to coaching and refereeing. To this day he continues to actively play water polo in competition and practice open water swimming.
- is the youngest ever chairman of the Royal Dutch Swimming Federation. Elected in April 2001, he has been at the helm of the KNZB for 15 years.
- is responsible for organising major Aquatics events in the Netherlands, including:
  - 2015 European Championships Synchronised Swimming
  - 2014 IPC Swimming European Championships
  - 2013 FINA World Cup Swimming
  - 2013 European Championships Masters Swimming
  - 2012 European Championships Water Polo
  - 2012 European Championships Synchronized Swimming
  - 2012 European Championships Diving
  - 2010 European Championships Swimming Short Course
  - 2008 European Championships Swimming
- as Chairman of a charitable foundation has organised the City Swim Dordrecht event to raise money for cancer research and treatment

### A lawyer and public servant

- State Councillor at the Dutch Council of State, Administrative Law division (2014 – present)
- Interim mayor in different cities (2011 – 2014)
- Executive board member of the Province of South-Holland (2003 – 2011)
- Vice-mayor of the City of Dordrecht (1998 – 2003)
- Public prosecutor, Rotterdam (1993 – 1998)
- Spijkenisse City councillor (1986 – 1994)
- Staff lawyer at the Dutch Council of State, Administrative Law division (1984 – 1988)

### An experienced sports administrator

- Member of the FINA Bureau (2013 – present)
- Vice-President of LEN (2008 – present)
- President of the Royal Dutch Swimming Federation (2001 – present)



## Sports Strategy, Inc.

To: FINA Executive

From: Dale Neuburger

Re: Professional Client Base

Date: July 24, 2016

Regarding Mr. Barelli's inaccurate and baseless statements in his June 17 letter to President Julio Maglione, I offer the following information for your review and consideration.

- My clients are exclusively in North America, except for one contract with the Turkish Swimming Federation, where I provided administrative support for the work of Coach Bowman. The Turkish Swimming Federation is the only National Federation for which I have supplied professional services over the last ten years.
- I had no involvement with TSE SA (the Lausanne-based regional entity) in delivering services to the Royal Dutch Swimming Federation in support of Mr. van Heijningen. I took no role in the LEN election campaign.
- I have given very clear explanations to FINA — in 2006 and in 2013 — about my role with FINA and my role with TSE. These documents demonstrate the following:
  - Beginning with my first months of engagement with TSE Consulting, to the present, I have devoted considerable attention to ensuring that there was no conflict of interest between my professional duties and my duties to FINA.
  - My 2006 communication with President Larfaoui regarding perceived conflict of interest pre-dated the FINA Code of Ethics by seven years.
  - My 2009 communication with Marcela Saxlund showed that I went to great lengths to notify my FINA Bureau colleagues about the potential appearance of conflict of interest, as well as my recusal from voting in the 2013 FINA World Championships decision, eventually won by Dubai (UAE).
- The initial retention of TSE Consulting by FINA pre-dated my employment with TSE Consulting by five years. Subsequently, I have never taken part in either discussion/negotiation related to proposed FINA contracts, nor in the provision of work associated with those FINA contracts — ever.

### **TSE — North America client list (last five years)**

#### **Mexico**

- Mexican Olympic Committee — Guadalajara Youth Olympic Games bid
- INDE — State Institute for Sports and Physical Culture — Nuevo Leon (City of Monterrey)

#### **Canada**

- City of Edmonton and Edmonton Events
- City of Ottawa and Ottawa Tourism

#### **USA**

- United States Olympic Committee
- USA Taekwondo
- US Rowing
- USA Curling
- US Bowling Congress
- USA Judo
- USA Rugby
- US Tennis Association
- USA Wrestling
- USA Luge
- USA Speedskating
- Visit Pittsburgh
- Buffalo Sports Commission
- Greater Cleveland Sports Commission
- Greater Kansas City Sports Commission
- Greater Cincinnati Sports Commission
- Greater Columbus Sports Commission
- Arizona Stadium and Tourism Authority
- Metro Atlantic Athletic Conference
- Philadelphia Sports Congress

#### **Outside North America**

- Turkish Swimming Federation



Mr. Neuburger &lt;dale.neuburger@gmail.com&gt;

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2 messages

LinkedIn &lt;news-noreply@linkedin.com&gt;

Mon, Feb 1, 2016 at 5:09 AM

To: Dale Neuburger &lt;dneuburger@tseconsulting.com&gt;



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**Exclusive: Van Heijningen to stand against Barelli for European Swimming Federation Presidency**

His manifesto is to be officially launched next Monday (February 8), with TSE Consulting, the Lausanne-based body whose listed directors included FINA vice-president **Dale Neuburger**, having been appointed to orchestrate his campaign. This shows how seriously he is taking the challenge...

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This email was intended for Dale Neuburger (Dale Neuburger, Director and Partner, TSE Consulting). [Learn why we included this](#).

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**Gregory Eggert** <gregory.eggert@gmail.com>  
To: Dale Neuburger <dneuburger@tseconsulting.com>

Mon, Feb 1, 2016 at 4:23 PM

His assistant made no secret of her  
TSE employment when I met her last night

Sent from my iPhone

On Feb 1, 2016, at 8:40 AM, Dale Neuburger <dneuburger@tseconsulting.com> wrote:

UGH!

DN

**DALE NEUBURGER**  
**Director and Partner**

TSE Consulting -- North America  
201 South Capitol Avenue, Suite 555  
Indianapolis, Indiana 46225  
T : +1 317 714 3667  
E : [dneuburger@tseconsulting.com](mailto:dneuburger@tseconsulting.com)  
W: [www.tseconsulting.com](http://www.tseconsulting.com)

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-<96DF7B92-69DF-45D9-BEDA-D5D055E3CC46[7].png>

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**From:** LinkedIn <[news-noreply@linkedin.com](mailto:news-noreply@linkedin.com)>  
**Date:** Monday, February 1, 2016 at 11:09 AM  
**To:** Microsoft Office User <[dneuburger@tseconsulting.com](mailto:dneuburger@tseconsulting.com)>  
**Subject:** You appeared in [insidethegames.biz](http://insidethegames.biz)

[Quoted text hidden]

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## Exclusive: Van Heijningen to stand against Barelli for European Swimming Federation Presidency

By Nick Butler (<http://www.insidethegames.biz/writers/24053/nick-butler>) at the Intercontinental Hotel in Budapest

Monday, 1 February 2016 0 Add comment



**Royal Dutch Swimming Federation (KNZB) President Erik van Heijningen is to stand against Italian incumbent Paolo Barelli for the Presidency of the European Swimming Federation (LEN) at May's Congress in London, *insidethegames* has learned.**

Van Heijningen, a former water polo player, has served on the LEN Bureau since 2006 and was first elected as one of the continental body's five vice-president in 2008.

He has also served as a member of the International Swimming Federation's (FINA) ruling Bureau since 2013 after heading the FINA Doping Panel from 2009 to 2013.

One of the highest ranking lawyers in The Netherlands, van Heijningen works as a State Councillor at the Dutch Council of State Administrative Law division.

He has also served as temporary Mayor of three different Dutch cities, as well as an Executive Board member and public prosecutor of the Province of South Holland.

The 54-year-old has been credited with playing a major role in the KNZB's success both in and out of the water since assuming the Presidency in 2001, by "keeping membership to all time high levels, doubling revenues and professionalising staff as well as implementing modern governance initiatives".

He will attempt to unseat Barelli at a Congress due to be held on the eve of the European Championships in London on May 8.



Paolo Barelli has led the LEN since 2012 and is seeking a second term in office ©Getty Images

Barelli, a former Olympic swimmer who competed at Munich 1972 and Montreal 1976 and won a 4x100 metres freestyle relay bronze medal at the 1975 World Championships in Cali, was elected President in 2012 after Luxembourg's Nory Kruchten relinquished the role.

The 61-year-old Senator from Rome has also headed the Italian Swimming Federation since 2000 and served as honorary secretary of FINA since 2009.

Speaking to *insidethetimes* here, confirming his intention to stand, van Heijningen claimed the time is right for change and that he is confident of success.

After years of trying to bring about changes at LEN "from within", he claims to have realised that vying for the top job is the only way to truly make a difference.

His manifesto is to be officially launched next Monday (February 8), with TSE Consulting having been appointed to orchestrate his campaign.

This shows how seriously he is taking the challenge, added the Dutchman, who has started to lobby the 52 European Federations here this week.

FINA vice-president Dale Neuburger is among TSE's directors, although *insidethetimes* has been told he is playing no role in the campaign.

No other candidates have emerged so far.



**Subject:** Inside the Games Article -- TSE Consulting

**Date:** Wednesday, February 3, 2016 at 7:09:05 AM Eastern Standard Time

**From:** Dale Neuburger

**To:** Paolo Barelli

**CC:** david.sparkes@swimming.org

**BCC:** Gregory Eggert

Dear Paolo,

I am sending this message to you, with a copy to our friend, David Sparkes, as he has already engaged in some email communication with me on the topic discussed below.

An article in "Inside the Games" indicates that TSE Consulting is assisting the LEN candidacy of Erik van Heijningen and also states that, although I am a Director of TSE, I am not involved in this effort.

Let me give you some background information:

— As I remember discussing with you and David during dinner in Indianapolis, each of the TSE offices operates within specific geographic regions. My "territory" is North America, and I have clients in Canada, Mexico, and the United States. In one or two occasions over the last ten years, I have been asked to participate in a project outside of North America. It is, however, very rare and only when there are extraordinary circumstances.

— The TSE office in Lausanne had done some previous work in the Netherlands related to sports event strategy development and bidding for international events (specifically, Eindhoven and Rotterdam), as well as some work for the Dutch Olympic Committee (Amsterdam as a potential Olympic bid city). I did not participate in any of these projects.

— After my arrival in Budapest, I saw a young woman who works in the Lausanne office in the lobby of the Intercontinental Hotel. After talking with her last Friday, I knew for the first time about the relationship between Erik and TSE.

I emphasize to you that I was unaware of this engagement previously, and I have not previously had any involvement, nor will I have involvement in the future in helping his candidacy.

Further, it would be inappropriate for me as a President of a Continental Association (UANA) to be involved politically in the affairs of another Continent. The last time I attended a LEN Congress was at the invitation of one of your predecessors more than twelve years ago!

I am in the process of writing letters to President Maglione, Executive Director Marculescu, and FINA Ethics Panel Chairman Werner to clarify this matter. I have always been very conscientious about potential, perceived, or actual conflicts of interest, and I will continue to do so. I fully understand my role as a FINA Vice President and as a regional director of TSE Consulting, and I know that the two cannot mix. I have drawn a very clear line between the two, and I will continue to do so.

I consider you to be a friend (as well as David), and I am very apologetic to you for any possible misunderstanding created by this situation.

My best wishes to you, and I hope that we can continue to have friendly relations for many years to come.

Regards,

Dale

**DALE NEUBURGER**  
**UANA President**

201 South Capitol Avenue, Suite 555  
Indianapolis, Indiana 46225  
T : +1 317 714 3667  
E : [dneuburger@tseconsulting.com](mailto:dneuburger@tseconsulting.com)



Mr. Neuburger &lt;dale.neuburger@gmail.com&gt;

**Paolo Barelli**

2 messages

**Chuck Wielgus** <cwielgus@usaswimming.org>

Tue, Jun 28, 2016 at 6:22 PM

To: "Dale Neuburger (dneuburger@tseconsulting.com)" &lt;dneuburger@tseconsulting.com&gt;

Cc: Mike Unger &lt;munger@usaswimming.org&gt;

Dale,

STRICTLY CONFIDENTIAL

This afternoon, I had lunch with Paolo. I had Harold Cliff come along, thinking that might mitigate Paolo's political comments.

I was wrong.

He droned on and on about the FINA political landscape and walked through each of the continents commenting on the internal politics and how FINA was impacted. He kept saying how this wasn't about him, but that he was the only one with a "clean agenda" that was 100% focused on the best interest of aquatic sports. Any time Harold or I tried to get a word in, he would put his hand on us to stop us, saying he wanted to finish what he had to say. This went on for a full hour.

When it came to you, all he kept saying was that you had a conflict of interest with TSE and this should be eliminate you from any consideration. I was able to slip in that USA Swimming knew of your association with TSE and we were completely comfortable with your disclosures and the relationship. He kept pointing to a page that he had printed out from your LinkedIn account in which it mentioned your association with TSE. Honestly, he must have said the same thing over 25 times.

I simply told him that you had USA Swimming's full support and that we saw no conflict of interest with the TSE relationship.

In sum, I found him arrogant, ego-centric and completely lacking in self-awareness; all things I had previously seen from afar and now witnessed first-hand.

He is going to dinner tonight with Jim Sheehan and Ron Van Pool. I alerted Jim to expect more of the same. We can see what Jim has to say following the dinner and see if it aligns with my comments.

Please excuse the straight-forward candor of my comments, but I think it best to let you know exactly what I heard. The USOC Board is arriving as I write and I'm about to go meet Scott Blackmun, so I do not anticipate having any more time for Mr. Barelli. Thank goodness Greg is here, along with Jim and RVP, troopers all.

I'm only copying Mike so that he is in our loop on this.

Now ... back to the Trials!

Chuck

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---

**Chuck Wielgus** <cwielgus@usaswimming.org>  
To: Dale Neuburger <dneuburger@tseconsulting.com>  
Cc: Mike Unger <munger@usaswimming.org>

Wed, Jun 29, 2016 at 1:34 PM

I had my suspicions about Barelli from the start, but experiencing it up close was about as miserable a lunch experience as I've ever had. The nerve he had to come here and speak the way he did was about as disrespectful as one could be.

I think Jim Sheehan got a dose this morning.

There will be a VVIP line for you into heaven.

Sent from my iPhone

On Jun 29, 2016, at 12:23 PM, Dale Neuburger <[dneuburger@tseconsulting.com](mailto:dneuburger@tseconsulting.com)> wrote:

Thanks, Chuck. Now you know what its like at a FINA Bureau meeting...monologues with twisted logic and non-stop hyperbole.

You can also see why he has no friends, outside of 30 Federations in Europe that are beholden to him... out of 208. Its lonely out there.

DN

## DALE NEUBURGER

Director and Partner

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TSE Consulting — North America

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**From:** "cwielgus@usaswimming.org" <[cwielgus@usaswimming.org](mailto:cwielgus@usaswimming.org)>

**Date:** Tuesday, June 28, 2016 at 6:22 PM

**To:** Microsoft Office User <[dneuburger@tseconsulting.com](mailto:dneuburger@tseconsulting.com)>

**Cc:** Mike Unger <[munger@usaswimming.org](mailto:munger@usaswimming.org)>

**Subject:** Paolo Barelli

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20K

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Uruguay

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**Executive Director**  
CORNEL MARCULESCU

**Mr Jean-Pierre Morand**  
**Legal Counsel**  
Kellerhals Carrard Lausanne  
By email:  
jean-pierre.morand@kellerhals-  
carrard.ch

Lausanne, 18 January 2017

**RE: CAS 2017/A/4943 Barelli v FINA**

Dear Mr Morand,

This is to confirm how the decision concerning the non referral of the complaint of Mr Barelli against Mr Neuburger to the Ethics Panel was issued. The decision was made by circulation:

The following members responded by e-mail not to forward the case to the Ethics Panel: Mr Husain Al Musallam, Mr Sam Ramsamy, Mr Dennis Miller.

The following members gave their answer not to forward the case to the Ethics Panel by phone: Dr Julio C. Maglione, Mr Pipat Paniangvait.

Mr Barelli did not take part in the decision and Mr Neuburger formally recused himself.

It must be noted that the underlying matter had already been addressed at the Executive meeting held in Rio de Janeiro, Brazil, on 3rd August 2016. During this meeting, Mr Barelli and Mr Neuburger presented their respective positions. Based thereon, the matter was not referred to the Ethics Panel. However, this was not expressly minuted at that time since effectively no minutes of the Rio meeting were issued at all.

Yours sincerely,



**Cornel Marculescu**  
FINA Executive Director



Dale Neuburger <dneuburger@gmail.com>

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## Marcela -- Thank You For Your Help

1 message

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Dale Neuburger <dneuburger@tseconsulting.com>

Fri, Jul 17, 2009 at 11:43 AM

To: SPORTS <sportsdep@fina.org>

Marcela, I ask that you put the following short statement on FINA letterhead to be put at the places of each Bureau member:

**Dear Colleagues,**

**As you may know, I am the Director of TSE Consulting -- United States based in Indianapolis. The company provides services to the United States Olympic Committee, various domestic National Federations in Olympic sports, and several American cities.**

**TSE Consulting -- Lausanne, a separate company based in Switzerland, has provided services to the Dubai bid for the 2013 FINA World Championships. Although I have had no role in the Dubai bid, I choose to recuse myself from the voting process to avoid any appearance of conflict of interest.**

**I thank you for your understanding.**

**Dale Neuburger  
FINA Vice President**

DALE NEUBURGER

---

----- Forwarded message -----

From: **Young, Richard** <[Richard.Young@bryancave.com](mailto:Richard.Young@bryancave.com)>  
Date: Mon, Apr 22, 2013 at 11:09 PM  
Subject: Re: Letter Regarding Dale Neuburger and the FINA Code of Ethics  
To: Dale Neuburger <[dale.neuburger@gmail.com](mailto:dale.neuburger@gmail.com)>

Thanks Dale

Sent from my iPhone

On Apr 22, 2013, at 6:12 AM, "Dale Neuburger" <[dale.neuburger@gmail.com](mailto:dale.neuburger@gmail.com)> wrote:

Gentlemen, please note the response received today from Cornel Marculescu regarding my recent correspondence related to the FINA Code of Ethics.

Kind regards,

Dale

----- Forwarded message -----

From: **FINA SportsDep** <[sportsdep@fina.org](mailto:sportsdep@fina.org)>  
Date: Mon, Apr 22, 2013 at 7:20 AM  
Subject: Re: Letter Regarding Dale Neuburger and the FINA Code of Ethics  
To: Dale Neuburger <[dale.neuburger@gmail.com](mailto:dale.neuburger@gmail.com)>  
Cc: Bureau Executive - Dr Julio Maglione <[jmaglione.fina@adinet.com.uy](mailto:jmaglione.fina@adinet.com.uy)>, Bureau Executive - Pipat Paniangvait <[pipat.p@mama.co.th](mailto:pipat.p@mama.co.th)>, Bureau Executive - Paolo Barelli <[presidenza@federnuoto.it](mailto:presidenza@federnuoto.it)>

Dear Dale,

Thank you for your correspondence related to the FINA Ethics Code.

We have an excellent business relationship with TSC Consulting and there is not in my view any conflict of interest with you being an employee of TSC Consulting US. I think it is an advantage having you there to provide correct and professional information to cities interesting in organising events.

Sincerely,

---

Cornel Marculescu  
Executive Director

CM/ck

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On 21.04.2013 15:52, Dale Neuburger wrote:

Dear Julio, Dear Cornel,

I have attached a letter to this mail message which relates to my employment with TSE Consulting and my role with FINA in order to ensure compliance with the new FINA Code of Ethics, specifically the provisions of Section IV (F), points 12-17: Conflicts of Interest.

I have also included a letter previously sent to FINA in September 2006, relating to this same situation, and prior to the adoption of a FINA Code of Ethics.

I have always performed my duties with FINA in an ethical manner, and will continue to do so. However, because the Code of Ethics stipulates that "the Official shall disclose to the Ethics Panel any personal interests that could be linked to prospective FINA activities," I am doing so at this time, although the Ethics Panel has not yet officially been named.

I value very much my role with FINA, and I hope that this correspondence (including my intention to recuse myself from the voting for the 2019 FINA World Championships candidature) will clarify for you, and for my FINA colleagues, situations related to my employment and my service to FINA.

In order to provide clarity within the United States, I am also sending copies of this email and the attached correspondence to the Presidents of US Aquatic Sports (Jim Wood) and USA Swimming (Bruce Stratton); USA Swimming Executive Director (Chuck Wielgus); and, USA Swimming General Counsel (Richard Young).

If I can provide any additional information, please do not hesitate to contact me.

All best wishes,

Dale

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