

The 63rd Round

(NOTE: The "Q & A" passages in these reports, as well as the direct quotes, are a product of a deposition taken from Nancy Black, dated October 14, 2002)

One of the reasons I have chosen this format for the Kentucky series is that I don't want anyone to think I am fashioning my own interpretation of what has been said by officials of that state's athletic commission in their sworn depositions.

We quote directly from those depositions at every opportunity, because I think it offers a unique into what those people were thinking at a moment where, ostensibly, they are being compelled to be as honest as possible.

And it's certainly appropriate to draw conclusions based on these statements and thoughts.

For example, you're going to find that it almost goes without saying that Nancy Black's ignorance of, for lack of a better word, PROCESS, in the appointment of her ringside physicians, as well as the follow-up investigation of the Greg Page matter, was offensive to any kind of moral sensibility.

As Doug Morris, Page's attorney, continued to explore with Black at her deposition:

"Q: And I'm not asking you as an attorney. I'm asking you as a person who is in charge of enforcing the regulations relating to boxing, and that is part of your charge as the Kentucky Athletic Commission, correct?

A: Yes.

Q: And as a member of the Kentucky Athletic Commission, you're expected to enforce Kentucky's laws and regulations, correct?

A: Yes.

Q: And as a member of that commission, do you have an opinion, ma'am, as to whether or not having a physician present at such a fight complies with Kentucky law; that is, a physician who has not practiced -- who is not licensed to practice within the state of Kentucky?

A: No, I don't have an opinion.

Q: Have you become aware of the fact that Dr. Mediodia had had his license suspended in the

state of Ohio on occasions prior to March of 2001?

A: Yes.

Q: And how did you become aware of that fact?

A: I believe it was a reporter with ESPN that told me.

Q: And have you taken any steps to investigate that fact?

A: NO

Q: have you taken any steps as a member of the Kentucky Athletic Commission to investigate whether or not Dr. Mediodia should have been licensed by the state of Kentucky before being allowed to serve as the doctor for that fight?

A: NO."

Black testified that, rather than a true internal look at the commission's actions on the night of March 9, 2001, her "investigation" of Page's injury had actually become an investigation of promoter Terry O'Brien.

Through this particular process, she found that O'Brien was in violation of two sections of the Kentucky Athletic Regulations - "failing to provide a one-inch padding or cushion under the ring floor"; and "failing to provide a first aid oxygen apparatus or equipment at ringside." Morris continued his questioning:

"Q: All right. And what steps were taken as a result of your findings?

A: The commission reprimanded him for his actions.

Q: All right. And what does that mean?

A: A copy of this letter was placed in his permanent licensure file.

Q: Is that all that's done?

A: Yes.

Q: And the promoter is Terry O'Brien?

A: Yes.

Q: Now, what is the significance of having a copy of that finding placed in his licensure file?

KENTUCKY: FRIED Part 10 -- FADE TO BLACK

Written by Charles Jay
Saturday, 14 June 2003 18:00

A: It will show a record of -- for future use in determining what we should look for when he is planning to promote another boxing event.

Q: Is there any standard that says if you get so many reprimands, your license will be revoked or suspended or anything like that?

A: No, not to my knowledge."

It became readily apparent that if there were indeed any real investigation, it revealed very little in terms of the incompetence of the Kentucky operatives, and certainly resulted in no action being taken.

Despite all of the blame being placed on O'Brien, Black admitted that she had no evidence, as a product of her "investigation", that commissioners conducted any inspection of the ring padding, or checked for the presence of oxygen. And she knew neither heads nor tails about insurance provisions for the fighters.

"Q: Another section of section 6034 of the Professional Boxing Act requires that health insurance for each boxer be provided that would provide medical coverage for any injuries sustained in the match. Are you familiar with that regulation?

A: Yes.

Q: To your knowledge, is there a similar state regulation?

A: No.

Q: Based upon the investigation that was done by the state athletic commission, did they make any determination about whether insurance had been made available for boxers?

A: No

Q: They did not look at that?

A: No.

Q: Do you have any information about whether health insurance was provided to Greg Page during this fight, the Dale Crowe/Greg Page fight?

A: No.

Q: You have no information one way or another?

A: No."

Black was forced to admit that the commissioners have the authority to stop a fight if things like

KENTUCKY: FRIED Part 10 -- FADE TO BLACK

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Saturday, 14 June 2003 18:00

the padding or the oxygen were not in compliance with the state's regulations, and furthermore, that they were required to carry a copy of the KAC regulations with them at a boxing event.

Of course, Morris might have wanted to ask her if, in her opinion, the commissioners had not the RIGHT, but indeed the OBLIGATION, to stop a fight from happening if what was required was not in place. That would have been both appropriate and revealing.

Another thing Black's so-called "investigation" didn't uncover - or care to uncover - was how Dr. Manuel Mediodia got to be a ringside physician in her state in the first place, and how he was allowed to remain a ringside physician even after Page's tragic fight. This, in the opinion of any reasonable person, would be information any commission's executive director should be EXPECTED to know. She didn't, and it's very telling.

"Q: Do you know how Dr. Mediodia was chosen to be the doctor present at the fight?"

A: No, I do not.

Q: Who would make that decision to choose Dr. Mediodia?

A: Commissioner Kerns.

Q: Does the state maintain a list - let me change it. Does the athletic commission maintain a list of physicians that are approved for this purpose?

A: No.

Q: Do you have any information at all about how Jack Kerns selected Dr. Mediodia to be the ring doctor?

A: No, I don't.

Q: Do you know if Dr. Mediodia had served as a ring doctor in the state of Kentucky before -

A: No, I do not.

Q: Do you know if he had served as a ring doctor in the state of Ohio?

A: No, I do not.

Q: Does the athletic commission have any kind of data on Dr. Mediodia in terms of his qualifications as a physician?

A: Not to my knowledge, no."

Then.....

KENTUCKY: FRIED Part 10 -- FADE TO BLACK

Written by Charles Jay
Saturday, 14 June 2003 18:00

"Q: All right. I saw in the file, investigative file, a statement from Dr. Mediodia that was obtained by the state. To your knowledge, has the state of Kentucky done anything to investigate Dr. Mediodia's actions during this fight other than obtaining that statement from him?

A: No.

Q: To your knowledge, has the state medical licensure board taken any steps against Dr. Mediodia for practicing medicine without a license in the state of Kentucky?

A: Not to my knowledge.

Q: Has the Kentucky Athletic Commission taken any steps to report Dr. Mediodia's practicing medicine in the state of Kentucky without a license to either the medical licensure board of the state of Kentucky or the medical licensure board of the state of Ohio?

A: Not to my knowledge."

How does someone who is so important to the supervision of a professional boxing event slip through the cracks? How does it get to the point where the screening and selection of the one person whose expertise is going to be the most crucial, at potentially the most crucial time, handled with such indifference?

How in the world would someone without so much as a license to practice medicine, much less a license from the state commission, be permitted to preside over a fight? And at some point in time, doesn't someone have to shoulder the responsibility for having such an unqualified person in place when it could have - indeed, should have - been so easily prevented?

Isn't this the essence of what a boxing commission is there to do? And shouldn't someone who is supposed to perform a duty, but doesn't, be subject to repercussions of the cruelest kind?

Isn't there a thing called "accountability"?

Does the buck stop anywhere?

Apparently not in the perverse world of Nancy Black.

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