



**THE FOODMAN FIRM**  
MEET YOUR EXPECTATIONS

**FEBRUARY 2022**



## WHO WE ARE

WITH NEARLY **TWENTY YEARS** OF EXPERIENCE HANDLING **COMPLEX, HIGH-STAKES** MATTERS FOR A VARIETY OF CLIENTS - BOTH **INDIVIDUALS** AND **CORPORATIONS**, **DOMESTIC** AND **INTERNATIONAL** - **THE FOODMAN FIRM** **CONSISTENTLY PRODUCES** VALUE-DRIVEN **RESULTS** FOR OUR CLIENTS, WITH AN EMPHASIS ON **QUALITY OVER QUANTITY**.

OUR PRIMARY FOCUS AT **THE FOODMAN FIRM** IS TO PROVIDE OUR CLIENTS WITH THE MOST EFFECTIVE COUNSEL, AND TO **FOSTER LONG-TERM RELATIONSHIPS** THAT OUR CLIENTS CAN DEPEND ON.

**THE FOODMAN FIRM** TAILORS ITS INNOVATIVE FEE STRATEGIES TO MEET THE INDIVIDUAL NEEDS OF EACH CLIENT.

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# ARBITRATION AT THE CENTER OF THE OLYMPICS FIGURE SKATING

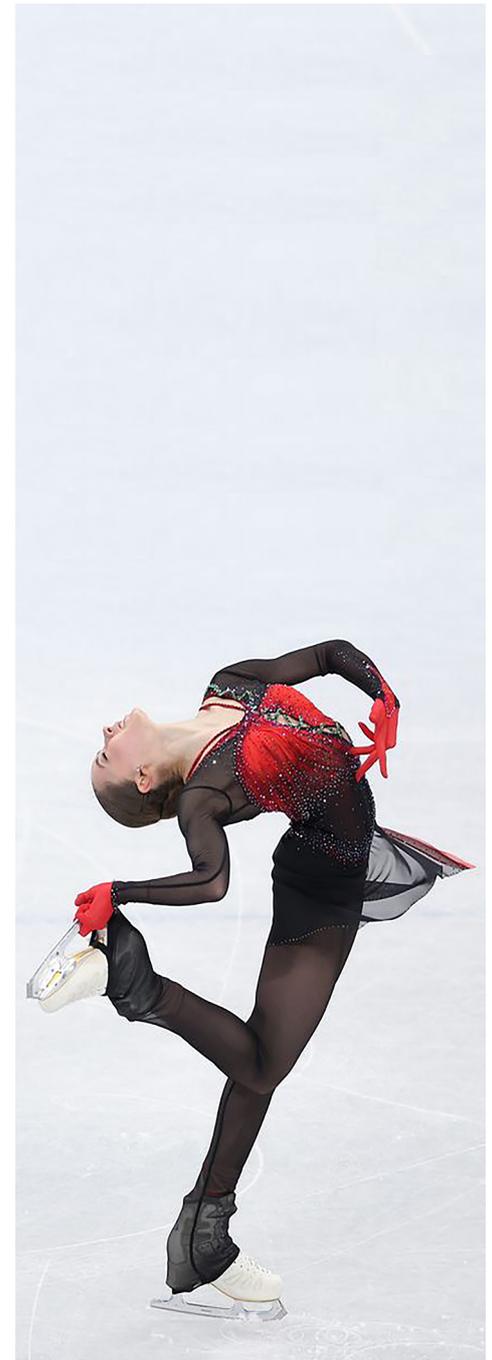
The Court of Arbitration for Sport (“CAS”) issued a decision on February 14, 2022, allowing 15-year-old, Russian figure skater, Kamila Valieva (“Valieva”) to compete in the 2022 Winter Olympics. Valieva tested positive for a banned substance used in heart medication in a sample taken on December 25, 2021. The Russian Anti-Doping Agency provisionally suspended Valieva after the positive test, and promptly reversed the suspension on February 9, following Valieva’s challenge on the basis that Valieva is a “protected person” because of her status as a minor. The removal of the suspension was challenged by the International Olympic Committee, the International Skating Union, and the World Anti-Doping Agency before the CAS.

In its decision allowing Valieva to compete, the CAS agreed that Valieva’s age and status as a “protected person” under the World Anti-Doping Code provides for lesser sanctions. The CAS also decided that preventing Valieva from competing in the Olympics would cause irreparable harm to the

athlete. Furthermore, the CAS provided that the only issue being addressed was whether the provisional suspension should have been imposed on Valieva, rather than address the merits of the case as a whole. The CAS panel decision appears to infer that they likely would not rule the same way on the merits of the case, but given the limited scope of the issue, it had no other choice.

Because the merits of the case were not decided, Valieva competed in the Olympics, and she achieved a medal qualifying performance in a team event. In response, the IOC will not hold medal ceremonies for any event that Valieva is involved in until it is determined whether Valieva violated anti-doping rules.

In that regard, aside from the outcome of any ruling on Valieva, those involved with Valieva’s training and preparation may also be prosecuted under a recently enacted United States’ law, the Rodchenkov Anti-Doping Act, which is designed to target coaches and doctors who are involved in doping in



events that include athletes from the United States. The Act provides for fines of up to \$1 million and up to 10 years in prison. Given the controversial decision by the CAS and the impact on the Olympics, it may lead to an amendment of rules governing competition in cases involving banned substances.

## FLORIDA LEGISLATIVE UPDATE

Florida Governor Ron DeSantis veto power is the last obstacle for a bill extending Covid-19 protections on limitations of liability for healthcare providers.

Senate Bill 7014, which was recently passed by the Florida Legislature in its 2022 session, extends liability protections for providers such as nursing homes and assisted living facilities.

The protections, which were designed in cooperation with the Florida Senior Living Association and Florida Assisted Living Association, require plaintiffs to provide sufficient detail that the providers in question were grossly negligent or engaged in intentional misconduct that caused death or harm. These protections were originally put in place in anticipation of an increase in claims against healthcare providers for treatment involving the Covid-19 virus, or for claims of inadequate healthcare service during the pandemic. One of the most important aspects of the

bill is that it provides immunity for claims of inadequate supplies or personnel during the pandemic when those supplies or personnel were not available for a reasonable price.

The bill was undoubtedly designed to protect those healthcare providers who acted in good faith, but that were still negatively impacted by the pandemic. However, others argue that this bill provides protection for those who treated their patients and residents negligently during the pandemic. While that may be true, it is unquestioned that supplies and manpower were strained during the most intense periods of the pandemic, and the legislature of Florida has decided, right or wrong, that it would be unfair to punish healthcare providers for those deficiencies during those times. It is now in the Governor's hands.



## THE FOODMAN FIRM

As we move into 2021, we encourage all of you to take the necessary steps to ensure that you and your company are safe, compliant and ready to take on new business! Call us today at **(305) 201-3663** or visit our [WEBSITE](#) to schedule a consultation to discuss your business's needs and how The Foodman Firm can assist you! If you want to sign up for our newsletter, please [CLICK HERE](#), and follow us on [LinkedIn](#)