Association of Tennis Professional Investigation

ATP

ATPtennis.com

Report into suspicious betting
The Orange Prokom Open Tournament
Sopot, Poland
2\textsuperscript{nd} August 2007

Nikolay Davydenko
V
Martin Vassallo Arguello
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INTRODUCTION

1. This report relates to an investigation into suspicious betting activity, surrounding an Association of Tennis Professionals (ATP) tour match in the above tournament. The match took place on Thursday 2\textsuperscript{nd} August 2007 and was between the Russian player, Nikolay Davydenko, and the Argentinean player, Martin Vassallo Arguello. The ATP was notified of the suspicious betting activity by betting company Betfair in line with the memorandum of understanding that exists between the two organisations.

2. At the start of this tournament, Davydenko was ranked 4\textsuperscript{th} in world tennis and Vassallo Arguello ranked 87. Having won the first set 6–2 Davydenko then lost the second set 3–6. In the third set, Davydenko retired whilst trailing 1–2, blaming an injury that had required treatment during the course of the second and third set.

3. As the defending champion from the 2006 Sopot tournament and the number one seed Davydenko was at the start of the tournament clear favourite to win the tournament. Betfair, reported ten times the volume of money on what is a relatively 'low grade' tournament with very limited television coverage. Betfair's administrators became so concerned about the betting patterns that they took the unprecedented step of voiding all the bets on the match.

4. After seeking the advice from the British Horseracing Authority (BHA), (who has previous experience of dealing with betting related corruption), the ATP immediately launched a full investigation into the match.

BACKGROUND TO THE EVENTS ON THE DAY OF THE MATCH

5. At 14.09 hrs on 2\textsuperscript{nd} August 2007, the Betfair Integrity Team telephoned Gayle Bradshaw, the Executive Vice-President, (Rules and Competition) of the ATP at his office in Ponte Vedra Beach, Florida USA.

6. The purpose of the call was to express their concern about the betting patterns that were emerging on an ongoing ATP tennis match between Nikolay Davydenko and Martin Vassallo Arguello in the Prokom Open Tournament taking place in Sopot, Poland. Betfair were making the call under the terms of the Memorandum of Understanding that they had in place with the ATP.

7. As the match was still in the first set, (having started at 14.03 hrs), Gayle Bradshaw immediately contacted [redacted] the ATP Player Services Manager and [redacted] the ATP Tournament Supervisor both of whom were at Tournament. Having taken account of what Gayle
Bradshaw had to say about the call from Betfair, both officials went directly
to the Court to observe the remainder of the match. By the time they took up
their positions Davydenko had won the first set 6-2 (see paragraph later for
their observations on the match).

8. The course of the match changed in the second set when Davydenko
appeared to be suffering from an injury for which he required treatment and
was won 6-3 by Vassallo Arguello. The players were only 3 games into
the third set (and final set) when Davydenko retired through injury, at this
stage he was 1-2 down.

9. At 15.57 immediately after the match had finished, the Betfair Senior
Management Team made the unilateral decision (the ATP were not
consulted) to suspend the market settlement on all bets pending an internal
investigation. The following morning an internal meeting took place between
the senior management of Betfair and after consulting their integrity team,
who had been monitoring all betting activities on the match they decided to
void the Betfair market in its entirety.

10. In a subsequent press release that day Betfair managing director Mark
Davies said.

"We think the market quite clearly wasn't fair; the prices seemed very odd.
As a result, in the interest of fairness and integrity and in consultation with
the ATP, we have decided to void the market and return all stakes to
(bettors). It's the first time the company has taken such a step in any sport.
Davies said Betfair would turn over its betting records for the ATP to
investigate".

11. Betfair has subsequently informed the investigation team that the rationale
behind the decision to void the entire market was taken because, in their
words:

‘The betting movements (especially that in-play) were perverse compared
with what was actually happening in the match and those moving the market
(the large Russian accounts) were heavily connected, mainly through
computer sharing’ (see later for more detail).

TOURNAMENT OFFICIALS OBSERVATIONS ON THE MATCH

12. [Name redacted]— ATP Match Umpire: His first statement was made by
e-mail on the 5th August 2007 at the request of Gayle Bradshaw. [Name redacted]
was also interviewed at The ATP Masters in Madrid by [Name redacted]
and Paul Beeby in October 2007. [Name redacted] e-mail together with
the notes of the interview in October can be found at Tab.....

13. [Name redacted] is a very experienced and very well respected umpire on the
ATP Tour. He has been a full time Umpire for 10 years and prior to that he
was a part time Umpire and linesman. Stated that he noticed during the first set Davydenko was playing well and had not made any unforced errors. He further commented that Davydenko played some unbelievably good shots and he could have seen him going on to win 6-2 6-2.

14. Recalled the game well and how at 1-0 down in the second set Davydenko asked to see the trainer at that changeover. asked him why he needed the trainer; Davydenko stated he was suffering with an ankle problem. Up until this point had seen no sign of injury. At 2-1 down in the 2nd set Davydenko received a 'medical time out' for a period of 3 minutes. The ATP trainer taped his ankle. During the next two changeovers, at 3-2 and 5-2 down he received changeover treatment from for 1 minute for each session. noted that having received treatment Mr Davydenko was not moving as freely as he was in the first set. However, he was still making some good shots although he was now missing some easy shots.

15. thought that after losing the second set Mr Davydenko would continue to play on. He had made no further contact with until he was about to call 'time'. Davydenko again asked for the trainer, informed him that as he had already received treatment for his foot, plus two changeover treatments and as such was not entitled to further treatment. At this point, Davydenko told him his problem was now with his toe. told Davydenko he would have to wait until the next changeover as the set break was over and Arguello was ready to serve.

16. Advised the tournament supervisor by radio that Davydenko wanted further treatment. He also stated that it would have to be the trainers' decision as to whether it would be a Medical Time Out (MTO) as had not seen any further incident which would lead to injury. At 1-0 down in the final set the trainer decided to give an MTO for injury to Mr Davydenko's toe.

17. At 1-2 down the trainer again came on court to talk with Davydenko. After the regulatory 1 minute time, the trainer left the court but Davydenko remained on his chair. Vassallo Arguello was ready to serve. was asked by if he had heard time being called. It was at this point Mr Davydenko told the umpire that he could not continue. The match was called 'Game Set and Match' to Vassallo Arguello. Having made the call noted there was adverse reaction from the crowd.

18. Stated that in his opinion he did not show any sign of tanking during the whole match and the crowd did not react. If he did think the match he did it in a professional way and with style.

19. - ATP Tour Supervisor. He is a very experienced supervisor and has also previously been a tour umpire. He was requested to
give his views on the match by Gayle Bradshaw and did so by e-mail the following day. He was also seen by Paul Beeby in Szczecin, Poland.

20. His general responsibility is the day to day running of the tournament including daily player scheduling. He also makes the final decision in relation to any occurring problems during tournaments. During the tournament he was informed by the Tour Player Services Manager that there was an unusual amount of money being bet on the Davydenko vs Vassallo Arguello match. As the match was still in progress so they both went to watch to see if the match was being played in a professional way.

21. sat with opposite the Umpire at the start of the second set. At 1-2 down in the second set Davydenko asked for a medical time out for an injury and went on to receive treatment at the next changeover for the same reason, an ankle problem.

22. At the start of the 3rd set Mr Davydenko wanted to see the physio again. He apparently needed treatment for the same leg but in a different place. The chair told him that he could not receive treatment again for the same injury. At the end of the first game which Mr Davydenko lost and during the break the physio came back on to court and gave Mr Davydenko an MTO for the injury to his toe. At the next changeover, with Mr Davydenko losing 1-2 the physio again spoke with him. Shortly after this he decided to retire.

23. was of the view that Davydenko played some good points but there were others where he didn’t force himself 100% and in normal circumstances he could have played better. He also did not see any negative reaction from the crowd which he feels was an indication that they believed he was playing normally.

24. – ATP Player Services Manager He has been employed by the ATP for 11 years and as the Player Services Manager he deals with all issues affecting the tournament players. He made a short e-mail statement for Gayle Bradshaw on the 18th August 2007. He was also interviewed at the ATP Masters Tournament in by and Paul Beeby. e-mail statement together with the notes of his interview in Madrid can be found at Tab....

25. stated that he often surfs betting internet sites including Betfair to see what betting patterns there are affecting tournament players. In relation to this match however he received a phone call from Gayle Bradshaw to alert him that there was suspicious betting on this match.
26. watched the match from the beginning of the 2nd set. In his view it was strange to see Mr Davydenko playing all return games in a very relaxed way and never getting close to break point. Mr Davydenko’s effort in the Vassallo Arguello service games were not his best tennis. The shots were not as powerful or deep as you would expect. Mr Vassallo Arguello was playing very safe and making no errors which is his usual style of play. He states that from the stands it was not possible to see the nature or the level of Mr Davydenko’s injury. He states that sometimes it seemed like he had no major issue.

27. felt that Mr Davydenko was not concentrating on the match; he also noted that he never has good results after Wimbledon. He also conceded that if you viewed the match in the context of betting there would be a temptation to say ‘yes it probably was fixed’

28. – ATP Match Referee; He was subsequently asked for his observations on the match by Gayle Bradshaw and his short statement can be found at Tab…. The investigation team did not have an opportunity to interview him.

29. He stated that although he did not see the entire match in his opinion from what he did see everything appeared to be normal. During the second set, says that Davydenko was not running properly after asking for and receiving treatment.

30. – ATP Communications Manager; He was approached by Gayle Bradshaw at the request of the investigation team regarding the events surrounding the match. sales did not watch the match, but did bring Davydenko to the press conference room and recorded an audio clip from him. He also recorded an audio clip from Vassallo Arguello in the locker room. Both tapes are available for further examination if required although stated that he did not see or hear anything out of the ordinary before or after the match (including what was said by the players) that could be of assistance in the progression of this investigation.

OTHER INTERVIEWS AND STATEMENTS RELEVANT TO THE MATCH

31. - Sopot Tournament Director; He is the founder of this tournament (in 2001) and has been the Director of the Tournament since that date. In 2006 he claims the tournament achieved the status of ‘an event of excellence’, which coincided with the year Nikolay Davydenko first won the event.

32. was interviewed by and Paul Beeby at the ATP Masters in Madrid in October 2007.

33. was totally unaware of the concerns regarding the betting pattern as he watched the game from the stands. He spoke of how well
Davydenko played in the first set. However, as the second set progressed, Davydenko became slower and slower and was not finishing his shots. He appeared to have trouble running and was not forcing points. After witnessing him withdraw in the third set, only thought was that it was due to the injury to his foot that had been attended to by the match trainer.

When Davydenko became aware of the concerns around the betting, he did not believe Davydenko would be involved in corrupt practices. As a young player, he believes Davydenko had a lot to lose professionally and would not have deliberately forgone the agreed bonuses due to him for reaching the latter rounds of the competition. He states that Davydenko is contracted to play at the Sopot tournament for two years following his victory in 2005. He had no knowledge of Davydenko's brother Eduard, or any other members of his players support team.

stated that he knew of nothing untoward about Mr Davydenko's travel arrangements after he was eliminated from the competition. Specifically there is no indication that these arrangements were made prior to his retirement from the tournament. He also stated that the tournament matches were broadcast live on Polish TV and on the internet.

He was also able to confirm that Mr Davydenko was receiving incentive bonuses for playing in the tournament but was not prepared to discuss what these were because of player confidentiality clauses. He was also said that some other players were also receiving incentives although he confirmed that Mr Vassallo Arguello was not one of them.

-AFP physiotherapist Evidence regarding Davydenko's treatment during the Sopot tournament comes from an interview with who is a fully qualified physiotherapist and for the past two years has attended ATP tournaments throughout the world. Davydenko has treated Davydenko at a number of tournaments and regards him as Individual who has a tendency to regard his injuries in a light hearted manner. He believes that due to Davydenko's lightly built body frame, he appears to pick up a lot of injuries, all of which in his experience are genuine.

recalls Davydenko coming to see him some 20 minutes prior to his 1st round match on 31st July 2007 and told him that he had been having some trouble prior to the tournament with his left big toe and could he tape it for him. He cannot recall the details of what was said about this injury, or the treatment he had been receiving. applied 'a'dick', so named due to its shape, that gave the toe some protection. could see no visible signs of an injury, but when he pressed the underside of the toe,
Davydenko told him it was sore. This was the only time he treated Davydenko in the first round.

40. Shortly before the start of the second round match on 2nd August 2007, Davydenko again saw [redacted] in the treatment room and asked for the ‘kick’ support for his left foot and for treatment for his left ankle. [redacted] was disappointed that Davydenko had again left it late to seek his assistance, but was able to pad the toe and tape the ankle prior to his 2nd round match against Martin Vassallo Arguello.

41. [redacted] speaks of being asked to attend Davydenko on court when he was 2 – 1 down in the second set, having won the first set. Davydenko told [redacted] that the back of his left ankle was painful and the toe on the same foot. He was able to loosen his ‘blocked’ ankle and noted the toe was more ‘irritated’ than it had been prior to the match commencing.

42. Two games later when Davydenko was losing 2 – 3, he again requested further treatment for the ‘blocked’ ankle and that the toe was still causing him pain. [redacted] treated Davydenko three times during the second set and on the third occasion, Davydenko told him the pain was increasing and he was ‘considering to retire’. Davydenko asked [redacted]:

‘What’s the point of staying on, the hard court season is coming up’.

43. At the start of the third set, Davydenko again requested attention and told [redacted] that his toe was painful and he was ‘really considering retiring’. [redacted] attempted to pursed Davydenko to continue as he was the defending champion and that to continue to play would not cause him long term problems, but the final decision remains with (him) the player. Based on his knowledge of professional tennis players, [redacted] recalls Davydenko saying something that he considered to be strange, when he said, ‘is this a medical reason to retire?’ He told him he thought it was a medical reason and after playing 3 games of the final set he retired.

44. After retiring from the game, Davydenko immediately attended a press conference and then saw [redacted] in the treatment room. Again, [redacted] was able to mobilise the left ankle and used ultra sound around the painful area of his left toe. The attending tournament Doctor, [redacted] suggested to Davydenko that he should have an x-ray. He declined this and it appeared he just wanted to leave the tournament area.

45. [redacted] recalls a conversation with Davydenko during the Sopot tournament that he had bought a Nokia mobile phone in China that enabled him to use two SIM cards at the same time. Technically the possibility of using two SIM cards at the same time is unlikely, but could indicate Davydenko was using separate SIM cards in one phone.
46. **Sopot tournament Doctor** In line with ATP rules, following his retirement from the match, Davydenko was seen by the tournament Doctor, [Redacted] records on the ATP form that date of the onset of Davydenko’s injury was 30.07.2007 and had started during practice, was ok to play, aggravated during match play, [Redacted] records his diagnosis as being 'tendinitis of the flexor hallucis' and advised that he should – receive ultra sound treatment – the taking of medication – manual therapy. The ATP certificate is signed by [Redacted] and Davydenko.

47. After having retired from the Sopot tournament on Thursday 2\textsuperscript{nd}, August 2007, Davydenko states that he went to seek advice from his own doctor in Cologne. Report at Tab .... The report of Doctor med. [Redacted] dated 3\textsuperscript{rd}, August 2007 states that Davydenko had been suffering from inflammation of the flexor tendon D1, left foot. It outlines the method of therapy as an infiltration of the flexor tendon D1 left foot using the local anaesthetic Procain 1% and 2.5ml Dexamethason.

OTHER MEDICAL AND PHYSIO/TRAINER EVIDENCE/HISTORY

48. Following Davydenko’s withdrawal from Sopot on 2\textsuperscript{nd}, August 2007, his next tournament appearance was in Montreal on commencing on 6\textsuperscript{th}, August 2007. ATP medical report dated 5\textsuperscript{th}, August 2007, indicate Davydenko was seen by Dr. Piere Messier. In his report, the Doctor outlines that Davydenko had 'tried a cortisone injection 2 days ago with improvement (date of his visit to [Redacted] in Cologne) but he still had some pain. [Redacted] recommended further treatment 'non weightbearing over sesamoid bone' and for a follow up examination in 2 days with X-ray.

49. Davydenko was seen by the Montreal tournament physician, [Redacted] on 8\textsuperscript{th}, August 2007. Having retired from the previous tournament in Sopot there was a requirement to show that Davydenko was fit to return to competition. The Doctor records that Davydenko had ‘residual pain while jumping and landing on the left foot – tenderness over medial part of 1\textsuperscript{st} MTP joint left foot (that) did not show any sign of pain during practice this morning’. Following discussion with Davydenko, [Redacted] endorsed his fitness to return to competition.

50. On the 7\textsuperscript{th}, 9\textsuperscript{th}, and 10\textsuperscript{th}, August 2007 prior to competition Davydenko received treatment by the ATP Trainer/Physio [Redacted] who taped his left foot and knee.

51. All documents relating to Montreal can be found at Tab.....

52. Nikolay Davydenko like many other players including Martin Vassallo Arguello make use of the appointed ATP tournament Trainer/Physio’s prior
to, during and after competition matches whilst at the tournament venue. Any treatment they receive is recorded by the Trainer/Physio on a Sports Medicine Trainer (SMT report) If treatment is received during a match the SMT completes a Medical Court Call Record (MCCR)

53. A number of observations can be made in relation to relevant injuries/treatment to Nikolay Davydenko. He retired from the Medibank International Tournament in Sydney. This was a warm up tournament for the Australian Open. He retired after the 1st set against [REDACTED] which he lost 6-4. The injury was diagnosed as 'possible right fibular stress fracture, plus muscular strain'.

54. The medical documentation regarding this retirement can be found at Tab...[significantly Mr Davydenko not only went on to play in the Australian Open but reached the quarter final]. Between the Australian Open in January and up to and including an ATP tournament in Halle, Germany in early June 2007 [te June Davydenko played in 11 ATP Tour tournaments. This included 5 Masters series. He also played in The French Open at Roland Garros.

55. Having examined documents from all of these tournaments it is clear that there were no reported injury problems. He had no retirements and on only one other occasion, Rotterdam in February 2007, did a trainer have to venture on to the court in order for him to receive any treatment whatsoever. He had no Medical Consultations at tournaments during this period. He was in receipt of regular Trainer/Physio treatment at tournaments however this was no different to hundreds of other players including Martín Vassallo Arguello. [REDACTED]

56. At the ATP Halle Tournament he did consult with the tournament Doctor on 2 separate occasions for reported injury to his left knee and achilles tendon. This did not force his retirement; however he went out in the 2nd round. It is worthy of note that this was the tournament prior to Wimbledon. [REDACTED]

57. At Wimbledon he received SMT treatment only. He reported and received no treatment for injury. He reached the quarter final. [REDACTED]

58. Between Wimbledon and Sopot he played in 3 minor tournaments. He went out in the first round of each tournament.

59. On one occasion at Amersfoort, Holland he sought a medical consultation. This was for a stomach complaint. He went on to play in the next tournament in Umag. There were no suggestions from documents from these tournaments that Nikolay Davydenko was injured or may be carrying an injury. [REDACTED]

60. [REDACTED] - Post Match Analysis: A request was made by Gayle Bradshaw for [REDACTED], a highly regarded ex professional tennis player
to view the Davydenko vs Vassallo Arguello match and to give his written observations on how the match progressed. In summary saw nothing untoward about the match and his overall conclusions were in his words;

"This was a match like most others where a player is injured. There were two moments that led the viewer to believe there was any possibility of something untoward. Both players put forth high levels of effort and they seemed committed to winning. When Davydenko injured himself (appearance was that he re-injured his foot) the match turned and he appeared not to be able to put up too much of a fight".

EXPERT EVIDENCE ON THE BETTING PATTERNS AND ACCOUNT HOLDERS

62. Mark Phillips, BHA Betting Investigator: He has more than twenty years experience of working in the betting industry, the last three of which have been assisting in the investigation of corrupt betting in the Horseracing Industry. Mr Phillips was asked analyse the suspect betting and to give a written account of his findings on the Davydenko and Vassallo Arguello match.

63. In summary the betting on this match (by the suspicious Russian accounts) started the day before the match although at this stage it was not considered suspicious. At 08:00 on the morning of the match the odds on each player was still as you would have expected. By the start of the match the situation had changed dramatically in that Davydenko was no longer the odds on favourite and was now in fact was odds against (from 1.20 to 2.44 as the match starts) to win the match. The cause of this dramatic drift was the sheer volume of money form the suspect accounts that were both backing Vassallo Arguello and laying Davydenko. The table below encapsulates how the market developed:

<table>
<thead>
<tr>
<th>Time (02/08/07)</th>
<th>ND's Odds/Price</th>
<th>Approx. True Odds/Price</th>
<th>Volume Traded</th>
</tr>
</thead>
<tbody>
<tr>
<td>08:00 (morning of match)</td>
<td>1.20</td>
<td>1.20</td>
<td>£49,368</td>
</tr>
<tr>
<td>13:00</td>
<td>1.27</td>
<td>1.20</td>
<td>£323,151</td>
</tr>
<tr>
<td>14:03 Match Starts</td>
<td>2.44</td>
<td>1.20</td>
<td>£607,715</td>
</tr>
<tr>
<td>14:09 Betfair Integrity Team Notify ATP of Suspicious Betting Patterns</td>
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<tr>
<td>14:48 ND wins the first set 6-2</td>
<td>2.28</td>
<td>1.08</td>
<td>£1,626,782</td>
</tr>
<tr>
<td>14:54 VA breaks serve to lead second set 6-2 0-1</td>
<td>3.75</td>
<td>1.12</td>
<td>£1,609,996</td>
</tr>
<tr>
<td>15:36 VA wins second set 6-2 3-6</td>
<td>6.00</td>
<td>1.20</td>
<td>£3,138,353</td>
</tr>
<tr>
<td>15:57 Market suspended</td>
<td></td>
<td></td>
<td>£3,600,271</td>
</tr>
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ND= Nikolay Davydenko
VA= Martin Vassallo Arguello
In summary the observations of Mr Phillips are the betting by the Russian accounts in both backing Vassallo Arguello and laying Davydenko, was all done at odds completely disproportionate to each player's actual chance of winning. The betting before the match was highly suspicious and the betting during the match was even more so.

In almost 20 years of working in the betting industry, as an on course bookmaker, an odds compiler/trader and as a Betting Investigator I have never seen a match or race where so much of the money wagered was done at such unrealistic odds and by linked accounts. My only conclusion could be that the suspect Russian account new that Davydenko was going to lose the match.

TRAVEL ARRANGEMENTS FOR THE PLAYERS AND SUPPORT TEAM

Records (Where are they? Who did the checking) held at the Hotel Haffner, 31-715 Sopot, show that Davydenko and his players support had originally booked 3 double rooms for Eduard Davydenko (brother). His agent also stayed at the hotel from Saturday 28th July 2007 until Wednesday 1st August 2007.

However, in interview both his wife and himself state that it was only they who stayed at the hotel and that they left on the day after his elimination, Friday 3rd August 2007 and went to Germany to see a Doctor and received cortisone. He then states that he flew to Montreal on Saturday 4th August 2007, where he saw an ATP German doctor and was able to continue playing in Montreal, Cincinnati and New Haven. There is no information with the Sopot sport reception of anyone making flight arrangements for Davydenko before the match. Transport to the airport was made by Davydenko after the match, who made his own flight arrangements.

INTERVIEWS OF THE PLAYERS AND CONNECTIONS

Nikolay Davydenko: He was born on the in Russia and is a professional tennis player on the ATP tour currently ranked 4 in the world. He was interviewed at the Sheraton Hotel at Frankfurt airport on Tuesday 25th September 2007. Also present was his legal representatives Professor Dr. Frank Immenga and . An interpreter was present as there was a request by Davydenko that the interview should be carried out in German. The interview was tape recorded and a more in depth summary of the interview is attached at tab.

Davydenko said he arrived at the Sopot tournament on the Saturday evening and stayed at the ATP with his wife. He explained that he trained on the Sunday and Monday as his first round match was not until Tuesday.
When asked about the injury problem he has at the Sopot tournament he said he first noticed minor pain prior to first round match and so got the physiotherapist to tape him before the match started. He stated the injury then got a little worse during 2nd set of his first round match although the injury did not prevent him winning this match.

70. After the first round match Davydenko admitted telling other players he had a slight injury but did not know how much it would affect his second round match. He also stated many people saw his injury being taped before the second round match. He said that (despite the injury) he wanted to win second round match as he was the defending champion and wanted to return next year.

71. It was after the first set of the second round match (against Vassallo Arguello) that pain was getting worse so called for the physiotherapist for treatment to his left foot. At 1-2 down in the second set asked for physiotherapist again but told by the umpire that he could not be treated for the same injury. He then told Umpire it was a different problem although he admitted in the interview he wanted treatment for same injury.

72. He continued the match and at 2-3 down he indicated to (who was in the crowd) that he was injured. At 3-5 down he said he could not move well and it was obvious for all to see (he was injured). Davydenko said he also indicated to wife in the crowd that he intended to retire. He then lost the second set and at 1-2 down in the third he retired because of the injury. He went straight to the physiotherapist and the Doctor and they prepared a report for the ATP.

73. Davydenko admitted telling his wife and phoning his brother about his injury on Sunday 29th July 2007 after training. He claimed (who left Sopot on the day prior to his withdrawal did not know about his injury problems.

74. Stated he left Sopot on 3rd August and went straight to Germany to consult a Doctor about his injury as he was concerned the injury might affect his as next tournament in Montreal. His doctor gave him Corilicone injections to alleviate pain. Following the treatment he flew to Montreal on Saturday 4th August for his next tournament.

75. Davydenko stated that as tournament did not start until Tuesday and had more time to get treatment for his foot. He suffered no pain during tournament because of treatment and shoe in-lay he had fitted. He was knocked out in quarter final of the Montreal tournament.

76. Davydenko denied that anyone had made any approaches to him (or his family or players support) regarding the outcome of the Sopot match or any other match. He also denied knowing the Russian Account Holders and did not recognise their names when they were shown to him. He denied that he
was involved in any kind of betting activity including casinos and said he did not know how it worked.

77. Davydenko was asked if he knew anyone who is involved in betting in Russia he replied other than the Russian player he did not know anyone involved in betting.

78. When asked about the term “tanking” he said that it was normal, during a small tournament that players might not try so hard during a match if they had an injury or, if there was a big tournament (such as a Grand Slam) coming up. He said players would prefer to have more time to prepare. He stated this was nothing to do with the Sopot tournament.

79. When it was suggested to him that Players may try and exploit knowledge about “tanking” he said that, apart from certain people, such as the physio, the coach, or the family when they are together for a week at a tournament, players do not have time to get involved with other people.

80. When asked ‘how well do you know Vassallo Arguello before the game in Sopot his response was. “I don’t really know him that well. I knew him very very poorly actually.” Asked if they had had any conversation before the match he replied, no, because of language barriers

81. Martin Vassallo Arguello He was born on the in Argentina and is a professional tennis player on the ATP tour currently ranked at 87.

82. This interview was conducted on Monday 17th September 2007 by and at the Radisson Hotel, Szczecin, Poland between 9.10am and 11.05am. A Spanish interpreter assisted. The interview was tape recorded. A full transcript was made and a summary prepared from that which can be found at Tab....

83. He stated that was his coach and that only he and sometimes his Chilean girlfriend of 2 ½ years travel with him to tournaments. They were both with him in Sopot. He did however state that he also has a physical trainer and uses a psychologist.

84. He lives in Buenos Aires, Argentina with his parents; however he bases himself in Italy as it is central for the ATP European tour. He is of dual nationality and holds both Argentinean and Italian passports. The Italian passport makes travel in Europe and the USA easier without the need for visas.

85. Vassallo Arguello denied knowing anyone in Italy or Russia who was involved in betting on tennis matches. He stated he and as far as he knew his family and friends and never been approached by anyone in relation to influencing the result of a tennis match. He stated that players sometimes
used laptops to look at betting exchanges to see who was favourite to win games, this was always a joke and never serious. He did bet on football and on a couple of occasion on the outcome of women's tennis matches.

86. He stated that he arrived in Sopot on the Friday before the tournament started. He booked his accommodation and that of his girlfriend and coach. He practised and exercised in preparation for the tournament. He stated he did not know what Davydenko’s form was coming into the tournament, his priority was to get through his first round match and was focused on that. When he knew he was playing Davydenko in the 2nd round he took it as a ‘gift’ that he was playing the world number 4 seed.

87. Vassallo Arguello did not speak to Davydenko before the match. He had no knowledge that he may have a foot injury. The first he knew is when the physiotherapist came on to court to treat him.

88. Vassallo Arguello had also suffered injuries previously and as recently as a week ago in his last tournament he had a back injury. He said that injuries were occasionally discussed between players but not in detail and usually only with friends like other Argentinian players. He denied that anyone had told him that Davydenko might be injured before the game.

89. Vassallo Arguello did recall a conversation he had with other Argentinian players and coaches the evening before the match. It was along the lines of that Davydenko had won the Sopot tournament last year and tired himself out with the effort. This was just before some important hard court tournaments where there were more ranking points at stake and he was not happy. It was suggested he was only at the tournament for the appearance money and that if Vassallo Arguello played a great match and was aggressive he could have a chance of winning. It was known that the Sopot tournament would not affect Davydenko’s ranking and players often thought ahead to future tournaments. He also stated that if Davydenko was having trouble with his foot he thought it was correct for him not to risk injury with bigger tournaments ahead.

90. Vassallo Arguello saw that after losing the first set Davydenko was not running for every ball and he heard the word blister used by Davydenko to the physio when he received treatment. He knew that would cause discomfort and affect his game.

91. Vassallo Arguello was aware of the phrase ‘tanking’ he admitted tanking on one or two occasions in doubles matches when he did not really want to be at the tournament. He said in this case he wouldn’t be bothered if he lost those games.

92. [Redacted] - Coach He was born on the [Redacted] in Argentina and is the current coach to Martin Vassallo Arguello. This interview was conducted on Tuesday 18th September 2007 by [Redacted] and [Redacted]
at the Radisson Hotel, Szczecin, Poland between 8.05am and 9.04am. A Spanish interpreter assisted. The interview was tape recorded. A full transcript was made and a summary prepared from that which can be found at Tab...

93. After brief introductions was asked about his background. He stated that he was an ex professional player who reached a ranking of 160. He stopped playing professionally in 2003. In June of that year he was offered a job coaching Martin Vassallo Arguello who was in training at the Amelia Hotel, Olivia, Italy. He has been coaching him since then.

94. In relation to the match with Nikolay Davydenko he was asked if he knew he was carrying an injury to his foot he stated he did not. He had watched Davydenko during the warm up period and did not notice anything unusual. After the first set he thought it would be like a mountain to climb and would be very difficult (for Vassallo Arguello) to win. Davydenko was far superior.

95. He was asked if he was surprised when Davydenko started to get treatment in the second set. He stated he thought that gave him (Vassallo Arguello) a good chance. He thought that Davydenko would look after his foot and keep himself for the Masters Series which was his next match and was far better for him to win. He stated that everybody could see that he was not alert. He was late and was not responding.

96. He was asked if he had heard the expression ‘tankering’. He said he had not however when this was explored he stated he thought every player should give their best. However in the case of Davydenko he could understand if he was hurt that he would want to look after himself.

97. He was unaware of betting on the match and did not realise the problem until the following day when he saw it on a web page. He has never bet on tennis. He does not know anyone in Russia involved with betting. He states that no one has ever approached him for information with regard to possible results at anytime.

98. He was asked about his (Vassallo Arguello) first round match at Sopot. He states they knew that his opponent was complaining of his leg and touching his leg quite often. The idea was that Vassallo Arguello made him run around a lot to beat him.

99. Stated that Vassallo Arguello went out in the 3rd round to and went home to Argentina the next day. As far as he was aware Vassallo Arguello had never spoken to Davydenko or his coach previously.

100. - Nikolay Davydenko's wife; She was interviewed in a room at the Sheraton Hotel at Frankfurt airport on Monday 5th November 2007. Also present were Professor Dr. Frank Immenga and
The interview was conducted through a Russian interpreter. The interview was tape recorded and a more in-depth summary of the interview is attached at appendix.

101. [Redacted] stated that she had first met Davydenko at the Davis Cup in the Czech Republic in 2003 and they later married in Moscow at a highly publicised wedding. She now accompanies him to all tournaments.

102. She admitted being aware of Davydenko’s foot injury at Sopot prior to his retirement, but had not passed this information onto anyone else. Further she confirms their movements following his withdrawal and receiving medical attention. She denied knowing Vassallo Arguello, or of having any threats made to her or her husband.

103. She was shown a list of the Russian account holders and denied any knowledge of them. She stated she had no interest in betting or having any dealing with Betfair. [Redacted] raised no objection to her telephone being examined (although to date we have not received them).

104. Background research reveals that from the age of 15 years, [Redacted] became a model and was hired by a St. Petersburg agency and was always a ‘runner up’ in competitions. From the age of 18, she was employed by the Modus Vivendi modelling agency.

105. It is believed that she was a regular ‘companion’ of the Russian player, Marat Safin, prior to meeting Davydenko. She lived in Moscow for eight years and gained a degree in psychology. As previously outlined, she met Davydenko at a Davis cup event and later married in Moscow. It is reported that they were given a vineyard located in Germany as a present.

106. The relevance of this type of information is that she would have been well known socially following their high profile wedding and according to her husband they still own an apartment in the city. Despite her denial of knowing any of the Moscow based account holders, as she had lived a long way from the city, in Chelabinsk, Southern Urals, they would undoubtedly at least have known of her.

107. Eduard Davydenko – Brother of Nikolay Davydenko He was interviewed in a room at the Sheraton Hotel, Frankfurt Airport on Monday 5th, November 2007. [Redacted] the German interpreter was also present [Redacted]. The interview was tape recorded and a more in-depth summary of the interview is attached at appendix.

108. He has been the constant coach and companion for his brother since he started to play tennis at the age of 5 years. He explained his absence from the Sopot that he had been away from home for three/four months and his wife wanted him home as he was due to be away for a further two months due to American tournaments.
109. Eduard Davydenko spoke of his brother regularly having injury problems and how he receives regular phone calls from journalist's enquiring about his brother's form, his problems and whether he could win. He said that he could not verify the details of each journalist who called and as he was not in Sopot, none of the calls he received caused him any concerns.

110. He denied any contact or involvement with his brother's opponent, Martin Vassallo Arguello and denied any involvement in betting or knowledge of the Russian account holders.

111. Eduard spoke of how his brother was contracted to play in Sopot for 2 years and was highly critical of the ATP not making direct contact with him regarding the suspect betting as opposed to going to the press.

112. He also talked of his brother's loss of form prior to Sopot and how this was being reported in the Russian press and how he does not keep his injuries quiet when speaking with Russian supporters.

113. Eduard confirmed his brother's treatment for his injured foot following Sopot and fully supported his integrity in always trying to give of his best at tournaments.

114. — Agent to Nikolay Davydenko He was interviewed in Frankfurt by Paul Beeby. Notes of this interview can be found at Tab... was the coach to He is also an ex Austrian Davis Cup captain and was the director of his own tournament in Poertschach, Austria. As of July 2007 he became the agent for Davydenko.

115. stated that after Wimbledon, Davydenko played 3 tournaments on clay in which he went out in the 1st round. He states that this was not unusual for anyone and he was not entirely surprised. The change in surface after grass is not easy to adjust to and trouble with footing becomes a problem. Davydenko had told him he had lost his confidence on the surface. As a direct result of this travelled to Sopot and met up with Davydenko.

116. He gave him 2 very hard training sessions. Mr Davydenko did mention some pain in one of his feet. was slightly concerned and felt he may have broken him because of the ferocity of the sessions. Davydenko went on to win his first round match comfortably, believing he had done his job and that Davydenko had his confidence back left Sopot.

117. states he understands the concept of 'tanking' and why it may happen. He gives examples of, in order to protect an injury or saving the player for a major tournament. He was also very vociferous to the fact that this kind of information was readily available in tournament hotels. He stated
he would take me to the breakfast room of a tournament hotel and show me. He said there may be a tendency for some to play the first round pick up first round prize money then move on.

118. He also stated that Davydenko liked the Sopot tournament. He was contracted to play in it for 3 years. He conceded that Davydenko was an example of a player that played too many tournaments, many unnecessarily.

119. He states that Davydenko has been very poorly managed and promoted. He cites the fact that Davydenko arranges all his own travel and hotel accommodation. He was astounded to find he even books his own practice courts. He has no one to protect him from outside forces.

ANALYSIS OF TELEPHONE RECORDS

120. The investigation was also able to carry out a forensic examination of the mobile telephones used Vassallo Arguello and his coach, [redacted]. The outcome of these examinations disclosed both intelligence and evidence that will now form the basis of future investigations concerning this player and his coach.

121. One mobile phone in the possession of Vassallo Arguello – [redacted] and registered in the name of Vassallo Arguello's father Vassallo Luciano and attributed by the ATP as being Vassallo Arguello's 'work and mobile' number – shows a phone book entry – [redacted] Davydenko'. It is not possible to date when this entry was made in the phone book. Further, we have not to date been able to clarify if and when calls were exchanged.

122. From enquiries with the German Police authorities, we can show that from the service provider records – [redacted] – is registered to – Innosystems GMBH 86936, [redacted]. This is a company specializing in the supply of telecommunications equipment. To date we have not been able to clarify any possible connection with this phone, attributed to Nikolay from the ATP records and the previously mentioned German business.

123. 

124. During the interview with Davydenko on 25th September 2007, he was asked to verify his personnel details recorded by the ATP on a document that included three telephone contact details. He described them as old numbers.
125. From enquiries with the German Police authorities we established that one of the other examined mobile phones - [redacted] - is registered to [redacted], who was Davydenko's agent, another - [redacted] - has no subscriber details recorded.

THE SUSPECT BETFAIR ACCOUNT HOLDERS

126. **Background to the suspect accounts:** The investigation team was, with the assistance of Betfair, able to identify nine suspect accounts that were involved in the betting on the Davydenko vs. Vassallo Arguello. These accounts are primarily linked by their betting patterns and computer sharing. This is indicative of the fact that they are all connected in some way or another or, in fact, one person is behind the betting on all of the accounts. Due to the fact that all of these accounts are operated from Russia, it has not been possible to positively identify how these accounts are linked.

127. We have been able to establish very little about the account holders other than to say that we suspect all of them, apart from one, live in a specific area of Moscow. It is believed that they live in an area associated with wealthy individuals which is supported by their style of betting.

128. During an investigation of this kind, it would be standard practice to make contact with the suspect account holders and request an interview with them. In this case, a policy decision was made not to travel to Russia to try to see these individuals due to concerns about safety. Initially, all communication with the account holders was carried out through Betfair via the employee that acted as the account manager for all of these individuals. It was agreed with the senior management team at Betfair that we would try to persuade the account holders to travel to another country and avail themselves for interview. After a number of weeks, of trying to persuade the account holders to do this, it was realised that it was a futile exercise.

129. The only two options left open to us were either to give up on the idea of speaking them altogether or make contact with them by telephone. It was decided that the latter course of action was the more preferable as there was a possibility, albeit an unlikely one, that they would assist us with this investigation. It was also decided that, by calling them and speaking to them, they would know that we suspected them of being involved in corrupt activity. This in itself, would hopefully act as a deterrent from their continued involvement in similar practices in future.

130. It was decided that the contact would be carried out under controlled circumstances using a professional Russian interpreter, who would work strictly to a script. The calls were made from [redacted] Shaftesbury Avenue on Friday 24th January 2008 and all conversations were digitally recorded. Fully transcripts can be found at tab.
131. **Julia Tsoy - Betfair Account Holder**

When first contacted by telephone she was initially reluctant to speak and asked the interpreter to call back again in two hours time.

132. During the second call she stated that she was not in Sopot for the Davydenko and Vassallo Arguello match and does not know them personally or through third parties. She was hesitant answering questions as to who controlled her account, or if any one else used it. She stated she accessed her account by her laptop computer from wherever she was. After some noticeable hesitation, she claimed to have prepared for each tournament and that she researched everything about the player(s) form, from information in the public domain and that there had been articles in the newspapers about Davydenko’s health.

133. She expressed strong feelings about her opinions of Betfair and why they would not pay her and was apparently very comfortable in speaking about how Betfair and the stock exchange operates. She outlined how she would sometimes seek advice on betting on tennis from friends who know the sport.

134. As asked her detailed questions about her betting style, she became hesitant in answering, only that she was not a methodical player and bets on impulse. However, she went on to outline how she studied bookmaker’s indexes to see how something has happened, or that someone may have information.

135. At the end of the interview, she gave the Moscow contact number for 'Rustam' (Ersainov) and indicated that he was the person we needed to speak to if we wanted to know any more. When the names of the other account holders were read to her When Julia Tsoy was read the details of the account holders, she admitted to knowing.

136. **Rustem Ersainov - Betfair Account Holder - DOB**

Address -

Once it was clarified we had been given his phone number by Julia Tsoy he told her how they were due to be married and would soon be living together.

137. Rustem had been contacted by Betfair the previous day and had told them that he did not want to speak about Davydenko or Betfair. He was obviously upset with his dealings with Betfair and would have nothing to do with them in the future.

138. Although he would give no information about his background, accounts or any other information that would assist the investigation, we have been able to establish the connection with him and Julia Tsoy and how his betting started at 3.21 pm – 3.31 pm on 2nd August 2007, one minute after Julia Tsoy had finished betting.
believed to be [REDACTED] was first called she denied being her and to ring back as she was driving. She was contacted at 9.15 am the following morning, Friday 25th January 2008, stated her name was [REDACTED] and would not give any assistance in enabling us to speak with [REDACTED]. The receiver sound like a mature person and from the records, we know [REDACTED] was born in [REDACTED]. We suspect that [REDACTED] is in fact [REDACTED] which is why she did not want to speak with us.

He stated that he had been contacted by Betfair the previous day, Thursday, to see if she would agree to a telephone conversation and said 'yes'. He stated he had his own business and lives on deposits, investments and 'other things'. He stated that losing money on betting did not cause him any concern as it was only money. He looks upon betting as being a source of entertainment.

He appreciated there was some difficulties regarding the betting patterns in the Davydenko vs Vassallo Agruello match and had been in contact with Betfair as he could see no reason why they would not pay out. The account was in his name and he was the only person to use it. He claims not to belong to a betting group and denied knowing the other Russian account holders, whose details were read to him.

He claimed to have 'watched the line' [REDACTED] and when it abruptly fell, he started to bet as she thought Davydenko may be injured and would lose.

He stated he does not travel outside Russia as he does not have the necessary travel documents and has never been to a tennis match. He denied knowing any tennis players, including Davydenko and Vassallo Arguello, or any of their relatives or support team. He stated if he had received any information about the outcome of the match, he would have bet at the beginning and not in the second set.

The interpreter spoke with her only for a very short time when she stated that she was not willing to answer any questions although she did denied knowing Julia Tsoy.

When the interpreter first made contact he sounded like he had been drinking. It was difficult to communicate with him, but eventually, he fully understood the reason for the telephone call. He agreed he was the sole user of the account in his name with Betfair. It was clear that he was very annoyed that
Bettfair had voided the market and would not pay him any money. He stated he would only assist the investigators if they would influence Bettfair and get them to reverse their decision. Later, he said he would even travel to London at his own expense, if Bettfair agreed to pay him.

146. Denied knowing any of the other Russian account holders, whose names were read to him. He also denied knowing Davydenko or Vassallo Arguello or anyone involved in tennis. He stated has never been to a tennis match, other than a Grand Slam event in Moscow many years ago.

147. He spoke of betting being a hobby and not a sole means of income as he was in business. He explained how he enjoyed taking the risk by betting against the favourite as the returns would be considerably higher and how he would check a players rating on the internet.

CONCLUSIONS

148. There is no doubt that, based on the betting evidence alone that a combination of, or all of the individuals (from Russia) operating the suspect Bettfair accounts, knew what the outcome of the match in question before its conclusion. It was this knowledge that allowed them to bet with such confidence prior to and during the match and would have allowed them to make a profit of £354,799 had Bettfair not voided all of bets on the match.

149. At this stage we do not know how the suspect account holders knew that Davydenko would lose and Martin Vassallo Arguello win this match. Davydenko was clearly expected to win. The initial odds and his ranking combined with his performance in the first set should have been enough to convince anyone. In fact the opposite happened.

150. So what of his injury; Davydenko is a professional sportsman. At the level he performs he will be susceptible to injury. There is no evidence prior to the match to suggest he would have to retire injured. During training with he had complained of a sore foot but this clearly had little effect during his 1st round match. Any injury could have been be sustained during play. This may not be the issue. The betting tells us he would have lost the match anyway.

151. Davydenko does have a history of injuries. However there is no evidence to suggest he came into the match injured. Poor form coming into this tournament was likely to have been more of a factor. He had lost his previous three tournaments; in Gstaad on the 9th July 2007, in Amersfoort on the 16th July 2007 and in Umag on the 23rd July 2007. He lost in the first round on each occasion to much lower ranked opposition.

152. On form alone one may have thought he again should have been a first round casualty. That being the case if the betting was based on the opinion
of the Betfair account holders one may have expected them to lay Davydenko to large liabilities in his first round match at Sopot. They did not. That suggests that this case is not about Betfair account holder opinions but is betting with the knowledge of the known result. This is betting with inside information.

153. There was no indication that he had been injured or even received treatment coming out of the last 3 tournaments.

154. It is quite clear from the betting that a number of the Russian Betfair account holders knew prior to the match that Davydenko would not win. This is based on fact from their accounts. The amounts staked and risked is totally unrealistic in relation to the match and what was actually going on during the match. It is inconceivable that this was account holder opinion.

155. One or all of the account holders knew what the outcome would be. It is of course possible that a number of the Betfair accounts were controlled by or on behalf of one individual. One could conclude from the evidence that Rustem Ersainov may control some of the accounts he certainly was in control of the Tsay account which had the biggest liabilities. Computer sharing evidence may also lead us to this conclusion.

156. There is no evidence to show who passed the information to the Russian Betfair account holders that Davydenko would lose and Vassallo Arguello would win this match. It could have been communicated by the players themselves, player support and/or anyone else who had that specific information. There is however no doubt that the information must have either originate from one of the players or their support to someone else who has passed it on with or without their knowledge to the Russian Betfair account holders.

157. This term is commonly used for a players action in not trying his best in a particular match. A player will honour his commitment to a match but will not try as hard. This may be done to save the player for a better future tournament or in order not to aggravate an injury and thus save himself for future tournaments.

158. In this case Davydenko was committed to the Sopot tournament as Champion and under a form of contract, albeit the detail of this has not been disclosed. Was the fact that during the training session with became an issue? It is a fact that Davydenko's next match was the ATP Masters in Montreal a week later. To put it in to perspective the winner of the Sopot tournament could collect 175 ranking points and 59,200 Euros against 500 ranking points and $400,000 in Montreal. It is also worthy of note that the next tournament after that was a Masters Series in Cincinnati with the US Open at the end of August. These were 3 massive tournaments.
159. It is of some interest that a similar set of circumstances occurred at the Medibank International, Sydney in January 2007. This was a warm up tournament for the Australian Open. Davydenko retired injured in the 2nd round. He made comments to the press for which he was fined $10,000. These related to the tournament being small and nobody cared about it. He went on to play in The Australian Open where he reached the quarter final.

160. It is unfortunate that the Betfair account holders could never properly be interviewed due to concern about safety. Some limited information was obtained over the phone but they were not willing participants. It is a simple fact that had they subjected themselves to interview and agreed to participate in the investigation then we may well have found the answer to how they knew Davydenko would lose and Vassallo Arguello, against the initial odds win this match.

161. The Betfair account holders were managed by an account manager who provided them with account support. This was a Bulgarian woman named [REDACTED]. She appeared to be over protective towards the account holders and was keen not to allow us access even by telephone without imposing conditions. Of course she had a vested interest in commission that was paid to her based on the business they generated. It was clear on speaking to her that she had only met with some of the account holders and on their conditions, she had not even met their homes and always met in cafés and restaurants. We were never given the full picture in relation to the relationships between the account holders and found out ourselves that Rustem Ersainov was in fact engaged to be married to Julia Tsyo.

162. In interviews with both players and their support staff there is no evidence to connect them the Russian Betfair account holders. However the situation with obtaining Davydenko's complete telephone billings and/or an explanation for other phones he was suspected of using has not satisfactorily been resolved. The same applies to his coach and brother Eduard Davydenko and his wife [REDACTED]. In their case we have received no itemised telephone billings. Of course we will never know if this would have revealed links to the Russian Betfair account holders.

163. There have been a number of factors which have hindered the investigation and from which we must all learn. The fact that tennis is played worldwide and has international players by its very nature causes and in this case caused logistical problems. Trying to meet with players and witnesses who had busy schedules was difficult to co ordinate. There were issues in relation to language, interpreters and translation. The anti corruption code rules were in places unclear and restrictive and difficult to work with, clarity and further definition is required. This will be the subject of additional recommendations.
164. The investigations has been unable to find any evidence to support the possibility of Nikolay Davydenko or Martin Vassallo Arguello being involved in any corrupt practices surrounding their second round match in Sopot on 2nd August 2007. It is felt that had we have had the full support of Betfair account holders and all requested itemised telephone billings then this investigation may well have had a different conclusion.