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LOCAL NEWS

Disqualified Olympian sues maker of supplement over failed drug test

By THOMAS J. PROHLASKA NEWS NIAGARA REPORTER

LOCKPORT — A lawsuit filed here last week pits a Hungarian discus thrower, who was barred from last summer's Olympic Games in London because of a failed drug test, against a Canadian company that he claims created the presence of steroids in a protein supplement he was taking.

Robert Fazekas and his coach, Adrian Annis, filed the lawsuit in State Supreme Court in Niagara County because the supplement maker, MVP Biotech, has its U.S. distribution address in Niagara Falls, according to attorney Kalman Magyar.

The company actually is based in Kirkland, Quebec. Fazekas and Annis are no strangers to doping controversies. Both men were stripped of gold medals at the 2004 Summer Olympics in Athens for doping-related violations. Fazekas had won the discus competition, and Annis had won the hammer throw.

They are represented in their damage suit by Minry Kim of Buffalo Phillips Lytle law firm and by Magyar, a Toronto attorney.

Fazekas, 37, probably missed his last chance at Olympic glory because of the disqualification following a pre-Olympic drug test, Magyar said.

"We believe he would have won in the Olympics," Magyar said. "During training right before the Olympics, which he was not allowed to go to in the end, he threw a longer throw than the eventual gold medalist in London. We surely believe he was greatly harmed here."

He's never tested positive for steroids until he came across MVP's products.

Fazekas was barred from competitions after the test. He served a two-year ban after the 2004 Athens disqualification.



Gerry Maguire

Robert Fazekas took a supplement made by MVP Biotech, whose U.S. distribution site is in the Falls.

which came after he was unable to produce enough urine to be tested following the event. That was regarded as a violation of the rules.

The Hungarian Olympic Committee asserted that Fazekas is a deeply religious person who, after his Athens win, tried for hours but was unable to produce a urine sample with people watching him.

An International Olympic Committee disciplinary board wasn't impressed by that argument and disqualified him.

After his suspension, Fazekas made a comeback, finishing eighth in the discus at the 2008 Beijing Olympics. The next year, he underwent spinal surgery. That didn't stop him from finishing third at the 2010 European Championships in Barcelona.

That's the same year that Annis, the former hammer thrower who was accused of submitting someone else's urine to be tested in his place at Athens in 2004, became Fazekas' coach.

In 2012, Fazekas qualified for the London Olympics in an April competition in California, Magyar said. He passed a drug test.

He then began taking "Pro Whey," a protein supplement sold by MVP Biotech. In June or

July, a doping test conducted by a Vienna laboratory certified by the World Anti-Doping Agency picked up anabolic steroids in Fazekas' urine.

It was "the minimum per milliliter, the tiniest amount possible," according to Magyar. Fazekas sent the lab samples of the supplements he was taking, including opened and unopened containers of Pro Whey. Both containers tested positive for steroids, according to Magyar.

The lawsuit accuses MVP Biotech of failing to list the steroid in question, called Stanozolol, among Pro Whey's ingredients.

"That is a prohibited substance," Magyar said. "The lawyer would have taken it if it were listed." Calls by The Buffalo News to MVP Biotech's 800 number and headquarters in Quebec were not returned.

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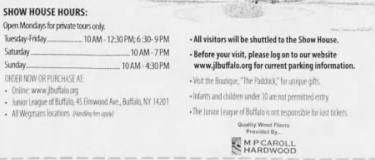
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