



DECISION of the FEI TRIBUNAL

dated 29 July 2015

Positive Anti-Doping Case No.: 2014/BS08

Horse: ROYAL DES FONTAINES

FEI Passport No: 103QE53/UAE

Person Responsible/NF/ID: Moh'd Shafi H. Al Rumaithi/ UAE/10059620

Member of Support Personnel/NF: Jumaa Mohamed Khamees Alromaithi/UAE

Event/ID: CSI2* - Ghantoot (UAE), 2014_CI_1774_S_S_01_06

Date: 30 October – 1 November 2014

Prohibited Substances: Propoxyphene, Norpropoxyphene

I. COMPOSITION OF PANEL

Ms. Jane Mulcahy QC, Chair
Mr. Henrik Arle, Panel Member
Ms. Randi Haukebó, Panel Member

II. SUMMARY OF THE FACTS

- 1. Memorandum of case:** By Legal Department.
- 2. Summary information provided by Person Responsible (PR):**
The FEI Tribunal duly took into consideration all evidence, submissions and documents presented in the case file, as also made available by and to the PR and Support Personnel.
- 3. Oral hearing:** none

III. DESCRIPTION OF THE CASE FROM THE LEGAL VIEWPOINT

- 1. Articles of the Statutes/Regulations which are applicable or have been infringed:**

Statutes 23rd edition, effective 29 April 2014 ("Statutes"), Arts. 1.4, 38 and 39.

General Regulations, 23rd edition, 1 January 2009, updates effective 16 January 2014, Arts. 118, 143.1, 161, 168 and 169 ("GRs").

Internal Regulations of the FEI Tribunal, 2nd edition, 1 January 2012 ("IRs").

FEI Equine Anti-Doping and Controlled Medication Regulations ("EADCMRs"), 1st edition, effective 5 April 2010, updates effective 1 January 2014.

FEI Equine Anti-Doping Rules ("EAD Rules"), 1st edition, effective 5 April 2010, updates effective 1 January 2014.

Veterinary Regulations ("VRs"), 13th edition, effective 1 January 2014, Art. 1055 and seq.

FEI Code of Conduct for the Welfare of the Horse.

1. Person Responsible: Moh'd Shafi H. Al Rumaithi

2. Member of Support Personnel: Jumaa Mohamed Khamees Alromaithi

3. Justification for sanction:

GRs Art. 143.1: "Medication Control and Anti-Doping provisions are stated in the Anti-Doping Rules for Human Athletes (ADRHA), in conjunction with The World Anti-Doping Code, and in the Equine Anti-Doping and Controlled Medication Regulations (EADCM Regulations)."

EAD Rules Art. 2.1.1: "It is each *Person Responsible's* personal duty to ensure that no *Banned Substance* is present in the *Horse's* body. *Persons Responsible* are responsible for any *Banned Substance* found to be present in their *Horse's Samples*, even though their *Support Personnel* will be considered additionally responsible under Articles 2.2 – 2.8 below where the circumstances so warrant. It is not necessary that intent, fault, negligence or knowing *Use* be demonstrated in order to establish an *EAD Rule* violation under Article 2.1."

EAD Rules Art. 2.2.1: "It is each *Person Responsible's* personal duty, along with members of their *Support Personnel*, to ensure that no *Banned Substance* enters into the *Horse's* body. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the part of the *Person Responsible*, or member of his or her *Support Personnel* (where applicable), be demonstrated in order to establish an *EAD Rule* violation for *Use* of a *Banned Substance* or a *Banned Method*. (...)"

Annex 1 – DEFINITIONS of the EADCMRs: "*Support Personnel*. Any coach, trainer, athlete, *Horse Owner*, groom, steward, chef d'équipe, team staff, official, veterinarian, medical, or paramedical personnel assisting in any fashion a *Person Responsible* participating in or

preparing for equine sports Competition. Veterinarians are included in the definition of *Support Personnel* with the understanding that they are professionals subject to professional standards and licenses. An allegation that a veterinarian violated an *EADCM Regulation* will only be made where the factual circumstances surrounding the case indicate a likelihood that the veterinarian was involved in the violation."

IV. DECISION

Below is a summary of the relevant facts and allegations based on the Parties' written submissions, pleadings and evidence adduced. Additional facts and allegations found in the Parties' written submissions, pleadings and evidence may be set out, where relevant, in connection with the legal discussion that follows. Although the Tribunal has considered all the facts, allegations, legal arguments and evidence in the present proceedings, in its decision it only refers to the submissions and evidence it considers necessary to explain its reasoning.

1. Factual Background

- 1.1 ROYAL DES FONTAINES (the "Horse") participated at the CSI2* in Ghantoot, United Arab Emirates, from 30 October to 1 November 2014 (the "Event"), in the discipline of Jumping. The Horse was ridden by Moh'd Shafi H. Al Rumaithi who is the Person Responsible in accordance with Article 118.3 of the GRs (the "PR").
- 1.2 The Horse was selected for sampling on 1 November 2014.
- 1.3 Analysis of blood sample no. 5536622 taken from the Horse at the Event was performed at the FEI approved laboratory, the Hong Kong Jockey Club Racing Laboratory ("HKJC") by April Sum Yee Wong, Chemist under the supervision of Gary Ngai Wa Leung, Racing Chemist. The analysis of the sample revealed the presence of Propoxyphene and Norpropoxyphene in the blood, and Norpropoxyphene in the urine.
- 1.4 The Prohibited Substances detected are Propoxyphene and Norpropoxyphene. Propoxyphene and Norpropoxyphene are opiate analgesics. Norpropoxyphene is a metabolite of Propoxyphene. Propoxyphene and Norpropoxyphene are classified as Banned Substances under the FEI Equine Prohibited Substances List. Therefore, the positive finding for Propoxyphene and Norpropoxyphene in the Horse's sample gives rise to an Anti-Doping Rule violation under the EAD Rules.

2. The Further Proceedings

- 2.1 On 9 December 2014, the FEI Legal Department officially notified the

PR, through the United Arab Emirates Equestrian & Racing Federation ("UAE-NF"), of the presence of the Prohibited Substances following the laboratory analysis, the possible rule violation and the possible consequences. The Notification Letter included notice that the PR was provisionally suspended and granted him the opportunity to be heard at a Preliminary Hearing before the FEI Tribunal.

- 2.2 The Notification Letter further included notice to the owner of the Horse that, in accordance with Article 7.4 of the EAD Rules, the Horse was provisionally suspended for a period of two (2) months, from the date of Notification, i.e. 9 December 2014, until 8 February 2015. The above Provisional Suspension of the Horse has not been challenged, and the Horse has served the entire period of Provisional Suspension.
- 2.3 Upon request by the PR, a Preliminary Hearing took place on 18 December 2014. During the Preliminary Hearing, the PR explained that the ownership of the Horse had changed – although not yet officially registered with the FEI – and that he had agreed to continue riding the Horse for the "new owner", since he had already known the Horse over the course of the season. The PR further explained that following investigation into the matter he had learned that a groom – on order of the new owner – had injected a product called "Fustex" into the Horse, in order to strengthen it for the season. Moreover, he had only ridden the Horse at the Event and had not had anything to do with the preparation of the Horse prior to the Event. Further, he had asked the new owner whether the Horse had been given any medication and the new owner said he had not. Finally, he had competed at national and international level since 1997, and his reputation with regards to EAD Rule violations had been impeccable. Following the Preliminary Hearing, the Preliminary Panel decided to maintain the Provisional Suspension, since the presence of the Prohibited Substances in the Horse's sample had not been disputed.

3. The B-Sample analysis

- 3.1 Together with the Notification Letter of 9 December 2014, the PR and the owner of the Horse were also informed that they were entitled (i) to the performance of a B-Sample confirmatory analysis on the positive sample; (ii) to attend or be represented at the B-Sample analysis; and/or (iii) to request that the B-Sample be analysed in a different laboratory than the A-Sample.
- 3.2 Neither the PR nor the owner of the Horse asked for the B-Sample to be analysed. Rather they accepted the results of the A-Sample analysis.

4. Written submissions by the PR

- 4.1 On 5 January 2015, Dr. Hallvard Sommerseth, Head of the Veterinary Department of the UAE-NF, explained that an agreement between the

owner of the Horse and the rider had been in place, which foresaw that the rider would earn a certain percentage of the prize money received in competitions with the Horse. Further, the owner had been aiming to sell the Horse after the Event provided it performed well. He concluded that he hoped that the PR was not punished as he had not injected the Horse but simply aimed to achieve placement and prize money.

- 4.2 Dr. Sommerseth also provided email correspondence dated 31 December 2012 between himself and Dr. Terence See Ming Wan, Head of HKJC. In that email exchange Dr. Sommerseth had asked Dr. Wan whether the substance Paradifenbutirate – listed as an ingredient of Fustex - was chemically close to Norpropoxyphene and Propoxyphene. Dr. Wan explained that Paradifenbutirate was not a chemical known to him or other qualified and experienced chemists. On a previous occasion, when the HKJC had analysed a bottle of Fustex sent to it from the UAE and had labelled as containing the Paradifenbutirate at 50 mg/mL, the Fustex was found to contain Stanozolol at 52 mg/mL. Dr. Wan further stated that it seemed apparent that different drugs, including Stanozolol, could be smuggled into the UAE as Fustex. Further, whenever a positive finding was reported, it could conveniently be said that it was sourced from Fustex which – on its face - appeared to contain no prohibited substances.
- 4.3 In addition, Dr. Sommerseth provided results from a test on Fustex performed by the HKJC in February 2013. According to the results Propoxyphene had been detected in samples provided for analysis by the UAE-NF on 29 January 2013.
- 4.4 On 6 January 2015, Mr. Alromaithi confirmed that he was the owner of the Horse since the beginning of February 2014. He explained that, since he had felt that the Horse had been tired, almost a year ago he had bought a product called Fustex from Dr. Mahmoud, who had worked (but no longer worked) in the Fares Al-Khaleej Shop. He had asked Dr. Mahoud to provide him with a product that provided the Horse with “power”. Dr. Mahmoud had not informed him that the product was “illegal”. Furthermore, at the time of the Event he had ordered the breeder of the Horse to administer some Fustex to the Horse. He had not informed the PR about the administration of Fustex when the PR had asked if the Horse had been given any medication. Finally, he had been very surprised to learn about the positive finding.
- 4.5 On 3 and 5 February 2015, the PR explained that - upon his request - Mr. Alromaithi had further specified that he had ordered the groom to inject the Horse with Fustex at 2 pm on the day of sampling, and to inject 1 ml of Fustex into the muscle of the Horse around 4 pm. Together with his statement the PR also submitted a product leaflet for Fustex. According to the leaflet each 5 ml of Fustex – a product distributed by the company Chinfield, SA from Argentina - contained 250 mg of Paradifenbutirate and 5 ml of formulation agents. Finally, the PR stated that he had nothing more to add, and that he requested that the case at hand be finalised as soon as possible.

5. Additional proceedings against a member of the Support Personnel

- 5.1 On 16 March 2015, the FEI Legal Department officially notified Mr. Alromaithi, as Support Personnel for the Horse, through the UAE-NF, of an alleged violation of Article 2.2 of the EAD Rules (Use or Attempted Use of a Banned Substance or a Banned Method) and the possible consequences. The Notification Letter included notice that Mr. Alromaithi was provisionally suspended and granted him the opportunity to be heard at a Preliminary Hearing before the FEI Tribunal.
- 5.2 On 17 and 29 March 2015, Mr. Alromaithi explained that the case at hand was entirely his fault, and that he was very sorry for the PR, who – due to his provisional suspension – faced financial problems for himself and his family. He explained that Dr. Mahmoud had said that the Horse would be more powerful after taking Fustex but that he had not informed him that the product contained Prohibited Substances. Further, he had read the ingredients of the product following notification of the case at hand, and no such Prohibited Substances were listed. Finally, the PR always asked him whether the Horse had been given any medication: the PR had been riding the Horse for a long time, and that this was the first time that the Horse had tested positive.

6. Written submission by the FEI

- 6.1 On 21 April 2015, the FEI provided its Answer to the explanations of the PR and the member of Support Personnel.
- 6.2 With regards to the PR the FEI submitted in essence that:
 - a) As the PR had not disputed that the two Banned Substances Propoxyphene and Norpropoxyphene were present in the sample collected from the Horse at the Event, the FEI had discharged the burden of establishing that the PR had violated Article 2.1 of the EAD Rules.
 - b) It accepted that the PR had proven by a balance of probability, as required under Article 3.1 of the EAD Rules, how the Propoxyphene and Norpropoxyphene had entered the Horse's system. The FEI took the position that the PR, by means of Mr. Alromaithi's statement (supplemented by his – uncontested – narrative of his conversation with Mr. Alromaithi) had submitted a plausible explanation for the positive finding. Further, a previous positive Propoxyphene case (Case 2012 – BS01 – GLENMORGAN) revealed that Fustex may contain Propoxyphene or Stanazolol notwithstanding no such substances being listed on the product leaflet as ingredients. Finally, given the short period of time between the Fustex administration and the Event (approximately 2 hours) it was plausible, from a timing point of view, that the Fustex administration had caused the positive finding.

- c) A period of Ineligibility of two years had to be imposed in accordance with Article 10.2 of the EAD Rules, unless the conditions for eliminating, reducing or increasing that period, as set out in Articles 10.4 and 10.5 of the EAD Rules, were met.
- d) No elimination or reduction under Article 10.4 of the EAD Rules was applicable, as the PR had not established that he bore No (No Significant) Fault or Negligence for the rule violation. The FEI argued in this context that the PR – according to his own explanations – had not undertaken any specific action in order to comply with his duty resulting from Article 2.1.1 of the EAD Rules to ensure that no Banned Substance was present in the Horse's body. The PR had only inquired with Mr. Alromaithi whether the Horse had been given any Prohibited Substances. A simple check with the Horse's owner was not sufficient for the PR to comply with his obligation to ensure that the Horse had not taken any Prohibited Substances. The FEI further argued that the PR should, for example, have asked for a clear Veterinary Record of the Horse, and a review of the FEI Medication Logbook. As a result the PR had therefore at least been negligent.

6.3 With regards to the member of the Support Personnel the FEI submitted in essence that:

- a) As owner of the Horse, Mr. Alromaithi qualified as member of the Support Personnel, as defined in Annex 1 – Definitions of the EADCMRs.
- b) The statement by Mr. Alromaithi, supplemented by the statements of the PR regarding the administration to the Horse of Fustex - a product containing Propoxyphene - only a few hours prior to the competition, was sufficient evidence for an Article 2.2 EAD Rule violation by Mr. Alromaithi. The FEI therefore claimed that it had discharged its burden of establishing that Mr. Alromaithi had violated Article 2.2 of the EAD Rules.
- c) For an Article 2.2 EAD Rule violation a period of Ineligibility of two years had to be imposed in accordance with Article 10.2 of the EAD Rules, unless the conditions for eliminating, reducing or increasing that period, as set out in Articles 10.4 and 10.5 of the EAD Rules, were met.
- d) No elimination or reduction under Article 10.4 of the EAD Rules was applicable, as Mr. Alromaithi had not established that he bore No (No Significant) Fault or Negligence for the rule violation. Specifically Mr. Alromaithi, prior to using the Fustex on the Horse had – according to his own statement – simply relied on the information about the product provided to him by the person from whom he had purchased the product. Only after the case at hand had he made further investigations into the product. Further it seemed that – even then - he had simply read the list of ingredients on the product, which was not sufficient. In the

opinion of the FEI Mr. Alromaithi should at least have double-checked the product with a qualified veterinarian, and should further have researched it on the internet. Moreover – according to his own statement – he had clearly intended to enhance the Horse’s performance. Hence he had used a product on the Horse which he did not know, apparently without having read the list of ingredients, and simply relying on the fact that the person from whom he had bought it had not mentioned that it contained Prohibited Substances. As a result the FEI considered that the owner bore a high level of fault for the rule violation, which excluded any potential reduction of the otherwise applicable sanction.

7. Jurisdiction

- 7.1 The Tribunal has jurisdiction over this matter pursuant to the Statutes, GRs and EAD Rules.

8. The Person Responsible

- 8.1 The PR is the Person Responsible for the Horse, in accordance with Article 118.3 of the GRs, as he was the rider of the Horse at the Event.

9. The member of the Support Personnel

- 9.1 Mr. Alromaithi, as owner of the Horse at the time of the Event, qualifies as a member of the Support Personnel for the Horse, in accordance with the EADCMRs (Annex 1 – DEFINITIONS “Support Personnel”).

10. The Decision

- 10.1 As stated in Article 2.1.2 of the EAD Rules, sufficient proof of an EAD Rule violation is established by the presence of a Banned Substance in the Horse’s A-Sample where the PR waives analysis of the B-Sample and the B-Sample is not analysed. The Tribunal is satisfied that the laboratory reports relating to the A-Sample reflect that the analytical tests were performed in an acceptable manner and that the findings of the HKJC are accurate. The Tribunal is satisfied that the test results evidence the presence of Propoxyphene and Norpropoxyphene in the sample taken from the Horse at the Event. The PR did not contest the accuracy of the test results or the positive findings. Propoxyphene is classified as a Banned Substance under the FEI Equine Prohibited Substances List. Norpropoxyphene is a metabolite of Propoxyphene.
- 10.2 With regards to the PR, the FEI has therefore established an Adverse Analytical Finding, and has sufficiently proven the objective elements of an offence in accordance with Articles 2.1 of the EAD Rules.

- 10.3 Regarding the member of the Support Personnel, the Tribunal holds that the FEI has discharged its burden of establishing that Mr. Alromaithi had violated Article 2.2 of the EAD Rules. The Tribunal finds that the statements by Mr. Alromaithi regarding the administration of Fustex – a product most likely to be containing Propoxyphene - to the Horse, only a few hours prior to Competition, evidences a violation by Mr. Alromaithi of Article 2.2 of the EAD Rules. The Tribunal further takes note that Mr. Alromaithi did not contest the Rule violation.
- 10.4 In cases brought under Article 2.1 of the EADCMRs, or under Article 2.2 of the EADCMRs for use of a Banned Substance, the so-called strict liability principle, as described in Articles 2.1.1 and 2.1.1 of the EAD Rules, applies. This means that once a positive finding (Article 2.1 of the EADCMRs), or the use of a Prohibited Substance has been established, an EAD Rule violation has been established by the FEI, and it is not necessary that intent, fault, negligence or knowing Use on the part of the PR or member of the Support Personnel be demonstrated in order to establish an EAD Rules violation. Rather the PR, or member of Support Personnel, has the burden of proving that he bears “No Fault or Negligence” for the positive finding as set forth in Article 10.4.1 of the EAD Rules, or “No Significant Fault or Negligence,” as set forth in Article 10.4.2 of the EAD Rules. However, in order to benefit from any elimination or reduction of the applicable sanction under Article 10.4 of the EAD Rules, the person alleged to have committed the Article 2.1 EAD Rules violation, must first establish how the Prohibited Substance entered the Horse’s system. This element is a “pre-requisite” to the application – in cases of Article 2.1 EAD Rules - of Article 10.4 of the EAD Rules. The standard of proof is that the PR, or member of the Support Personnel, must establish “specified facts or circumstances” “by a balance of probability”.
- 10.5 The Tribunal, having taken into account of the PR’s and Mr. Alromaithi’s explanations and evidence produced regarding the source of the Banned Substance, finds that it is more likely than not that the Fustex administered to the Horse contained Propoxyphene. The Tribunal comes to this conclusion in the context of a past positive Propoxyphene case (Case 2012–BS01 GLENMORGAN, Final Tribunal Decision dated 7 April 2014; CAS 2014/A/3591 Sheikh Hazza Bin Sultan Bin Zayed Al Nahyan v. Fédération Equestre Internationale (FEI), Arbitral Award issued 8 June 2015) in which it was revealed that Fustex may contain Propoxyphene (or Stanazolol), without such substances being listed on the product leaflet as ingredients. The Tribunal understands that the manufacturer of Fustex, i.e. Chinfield S.A. in Argentina, had informed the FEI that Dextropropoxyphene (Propoxyphene) had been an ingredient in the original formula of the drug Fustex since 1981, and that “for commercial reasons” the company had chosen to use the term “Paradifenbutirate”. Moreover, the Tribunal understands that, starting from 2012, various FUSTEX samples analysed contained the Prohibited Substance Propoxyphene. The Tribunal further finds that - as the Fustex had been administered shortly prior to the Event - it was more likely than not that the Fustex administration caused the positive finding. The Tribunal therefore finds, that the PR has established, on a balance of

probability, that the Fustex administered to the Horse prior to the Event has caused the positive finding of Propoxyphene.

- 10.6 As a result, the Tribunal holds that the cumulative effect of all evidence in the case at hand is sufficient for the PR to establish on a balance of probability the first prerequisite of Article 10.4 of the EAD Rules, i.e. how the Prohibited Substance entered the Horse's system.
- 10.7 Regarding the degree of Fault or Negligence of the PR, the Tribunal takes note that the PR inquired with Mr. Alromaithi whether the Horse had been given any Prohibited Substances and was told it had not. Further, Mr. Alromaithi confirmed that the PR had – not only in the case at hand - “always” asked him whether a horse had been given any medication. Nevertheless, the Tribunal finds that the PR has not established that he bears “No (Significant) Fault or Negligence” for the Rule violation. The reasons for this are as follows. Under Article 2.1.1 of the EAD Rules, it is the PR's personal duty to ensure that no Banned Substance is present in the Horse's body at any time. The Tribunal finds that the PR has not complied with this duty. The PR should have – but failed – to request the medical and nutritional records of the Horse. A mere verbal inquiry of Mr. Alromaithi is insufficient. The Tribunal further holds that the PR should have taken personal responsibility for ensuring that the Horse was free of Banned Substances, for example requesting the groom whether he was aware of any medication(s) administered to the Horse. The Tribunal therefore holds that the PR cannot benefit from any elimination or reduction of the otherwise applicable sanction.
- 10.8 With regards to Mr. Alromaithi, the Tribunal holds that he was at fault in performing his duties as owner, and hence a member of Support Personnel, for several reasons. Firstly, the Tribunal notes that Mr. Alromaithi simply relied on the information about Fustex provided to him when purchasing the product, without checking the ingredients of the product prior to using it on the Horse. Further, he should also have inquired with a qualified veterinarian regarding the ingredients, and whether the product might contain any Prohibited Substances. The Tribunal is of the opinion that in the case at hand Mr. Alromaithi should have been aware of the potential dangers of the product by simply inquiring with his National Federation, the UAE-NF, since it had been known to them that the product might potentially contain Propoxyphene. Further, even searching for Fustex on the internet would have revealed the previous positive Propoxyphene case where a horse had been administered the same product. In line with its previous decisions, the Tribunal further expects PRs, as well as owners of horses, to contact manufacturers of products prior to using them since it is ultimately their responsibility to choose trustworthy nutritional supplements and medications for their horses.
- 10.9 Furthermore, the Tribunal finds that Mr. Alromaithi had a clear intention to enhance the Horse's performance, as according to his own statement, he had asked for a product that provided the Horse with “power”. The Tribunal therefore finds that Mr. Alromaithi acted with a high degree of fault. As a result the Tribunal concludes that no reduction or

elimination of the otherwise applicable period of Ineligibility under Article 10.4 of the ECM Rules is warranted in the case of Mr. Alromaithi.

11. Disqualification

- 11.1 For the reasons set forth above, the Tribunal disqualifies the Horse and the PR combination from the Competition and all medals, points and prize money won must be forfeited, in accordance with Article 9 of the EAD Rules.

12. Sanctions

- 12.1 Under the current EAD Rules, the sanction for an Adverse Analytical Finding for a Banned Substance is a two-year period of Ineligibility, for first time offenders. Article 10.2 of the EAD Rules foresees a sanction of two years period of Ineligibility for an Article 2.2 EAD Rule violation.
- 12.2 As set forth in Article 10.2 of the EAD Rules, and unless fairness dictates otherwise, a fine of CHF 15,000 is foreseen for an Article 2.1 or an Article 2.2 EAD Rule violation. When deciding the fine the Tribunal takes into consideration the Prohibited Substance detected and the degree of Fault or Negligence by the PR and the member of the Support Personnel.
- 12.3 The Tribunal therefore imposes the following sanctions on the PR and on the member of the Support Personnel, in accordance with Article 169 of the GRs and Article 10 of the EAD Rules:
- 1) The PR shall be suspended for a period of **two (2) years** for the present rule violation. The period of Provisional Suspension, effective from 9 December 2014, shall be credited against the Period of Ineligibility imposed in this decision. Therefore, the PR will be ineligible **through 8 December 2016**.
 - 2) The member of the Support Personnel shall be suspended for a period of **two (2) years** for the present rule violation. The period of Provisional Suspension, effective from 16 March 2015, shall be credited against the Period of Ineligibility imposed in this decision. Therefore, the member of the Support Personnel will be ineligible **through 15 March 2017**.
 - 3) The PR is fined **one thousand Swiss Francs (CHF 1'000,-)**.
 - 4) The member of the Support Personnel is fined **two thousand Swiss Francs (CHF 2'000,-)**.
 - 5) The PR shall contribute **one thousand Swiss Francs (CHF**

1'000,-) towards the legal costs of the judicial procedure.

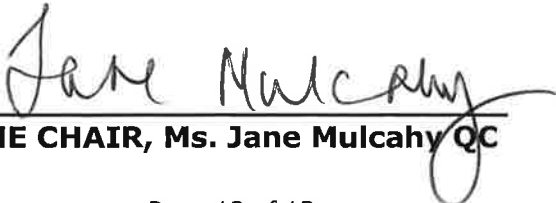
6) The member of the Support Personnel shall contribute **one thousand Swiss Francs (CHF 1'000,-)** towards the legal costs of the judicial procedure.

- 12.4 No Person Responsible, or member of the Support Personnel, who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity at an Event, or in a Competition or activity that is authorized or organized by the FEI or any National Federation or be present at an Event (other than as a spectator) that is authorized or organized by the FEI or any National Federation, or participate in any capacity at an Event or in a Competition authorized or organized by any international or national-level Event organization (Article 10.9.1 of the EAD Rules). Under Article 10.9.2 of the EAD Rules, specific consequences are foreseen for a violation of the period of Ineligibility.
- 12.5 According to Article 168 of the GRs, the present Decision is effective from the date of written notification to the persons and bodies concerned.
- 12.6 In accordance with Article 12 of the EAD Rules, the Parties may appeal against this decision by lodging an appeal with the Court of Arbitration for Sport ("CAS") within 30 days of receipt hereof.

V. DECISION TO BE FORWARDED TO:

- a. **The persons sanctioned: Yes**
- b. **The President of the NF of the persons sanctioned: Yes**
- c. **The President of the Organising Committee of the Event through his NF: Yes**
- d. **Any other: No**

FOR THE PANEL


THE CHAIR, Ms. Jane Mulcahy QC