

CONSENT AWARD

dated 9 February 2022 and issued by the

FEI TRIBUNAL

Sitting in the following composition:

Sole Panel Member: Dr Armand Leone (USA)

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

Ms Patricia FEKETE in her capacity as the **Person Responsible** in the following case:

Case: C22-0004 FEKETE

FEI Case reference: 2021/CM10, KALODY PARK RUBY LIGHT

Person Responsible/ID/NF: **Patricia FEKETE/10036444/HUN**

Trainer/ID/NF: Rashed Abdulla Mohammed SAEED BALRAFEA/10206145/UAE

Horse/Passport/NF: KALODY PARK RUBY LIGHT/106QY54/UAE

Event/ID: CEI1* 100 - Dubai (UAE), 07-14.11.21, 2021_CI_1997_E_S_03

Prohibited Substance(s): Dexamethasone, Phenylbutazone, Oxyphenbutazone

Bar Code Nos.: 5602339

I. Parties

1. The Fédération Equestre Internationale (the “FEI”) is the sole IOC recognised international federation for equestrian sport. The FEI is the governing body for the FEI equestrian disciplines of dressage, jumping, eventing, driving, endurance, vaulting, reining, and para-equestrian.
2. Ms Patricia FEKETE (FEI ID 10036444), the Person Responsible (the “PR”), is an Endurance rider from Hungary who competed with the horse, Kalody Park Ruby Light (the “Horse”) at the CEI1* 100 in Dubai (UAE), between 7 and 14 November 2021 (the “Event”).

II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for Dexamethasone, Phenylbutazone and Oxyphenbutazone. Dexamethasone is a corticosteroid with anti-inflammatory effect, while Phenylbutazone and Oxyphenbutazone are anti-inflammatories used as analgesic, the latter being a metabolite of the former. All three prohibited substances are listed as “Controlled Medication Substances” under the FEI's 2021 Equine Prohibited Substances list. The positive result gave rise to a Controlled Medication Rule Violation.
4. The FEI informed the PR of the positive result in a notification letter dated 6 December 2021 (the “Notification Letter”). As a result of the positive finding, the PR was Provisionally Suspended as of 6 December 2021, in accordance with Art. 7.4.1 of the FEI Equine Controlled Medication Rules (the “ECM Rules”).
5. The FEI subsequently charged the PR with a violation of Article 2.1 (*The Presence of a Controlled Medication Substance and/or its Metabolites or Markers in a Horse's Sample*) of the ECM Rules in a Notice of Charge dated 12 January 2022.
6. In the Notice of Charge Letter, the FEI provided the PR with an option to admit the rule violation, accept the proposed consequences and benefit from a three (3) month reduction of the otherwise applicable period of “Ineligibility” of six (6) months in accordance with Art. 10.8.1 of the ECM Rules.
7. On 25 January 2022, the PR submitted to the FEI a duly signed Acceptance of Consequences Form, dated 23 January 2022.

III. Summary of the proceeding before the FEI Tribunal

8. On 25 January 2022, the FEI submitted to the FEI Tribunal the duly signed Acceptance of Consequences Form together with the Notification Letter and requested that the FEI Tribunal issue a "Consent Award", confirming the accepted consequences to be imposed on the PR.
9. On 3 February 2022, the Tribunal Chair informed the Parties of the appointment of a sole panel member to adjudicate and approve this case. The Parties were asked to provide any objections to the constitution of the panel by 7 February 2022.
10. On 7 February 2022, the FEI informed the Tribunal that it did not have any objections to the constitution of the hearing panel.
11. Neither party requested an oral hearing.

IV. Jurisdiction

12. The jurisdiction of the FEI Tribunal, which is not disputed, derives from the:

Statutes 24th edition, effective 19 November 2019 ("Statutes"), Arts. 1.5, 38 and 39.

General Regulations, 24th edition, 1 January 2021, Arts. 118, 143.1, 159, 164, 165 and 167 ("GRs").

Internal Regulations of the FEI Tribunal, 3rd Edition, 2 March 2018 ("IRs").

FEI Equine Anti-Doping and Controlled Medication Regulations ("EADCMRs"), 3rd edition, changes effective 1 January 2021.

V. Early Admission and Acceptance of Sanction

13. In accordance with Art. 10.8.1 of the ECM Rules *"Where Person Responsible and/or member of the Support Personnel and/or other Person, after being notified by the FEI of a potential ECM Rule violation that carries an asserted period of Ineligibility of six (6) months or more (including any period of Ineligibility asserted under Article 10.4), admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after receiving notice of an ECM Rule violation charge, the Person Responsible and/or member of the Support Personnel and/or other Person may receive a three (3) month reduction in the period of Ineligibility asserted by the FEI. Where the Person Responsible and/or member of the Support Personnel and/or other Person receives the three (3) month reduction in the asserted period of*

Ineligibility under this Article 10.8.1, no further reduction in the asserted period of Ineligibility shall be allowed under any other Article.

VI. Ratification of the Accepted Consequences

14. The PR has explicitly admitted the rule violation and accepted the following consequences (in accordance with the Article 10.8.1 of the ECM Rules):

- A period of Ineligibility of three (3) months commencing from the date of the Consent Award issued by the FEI Tribunal (taking into account the already served period of Provisional Suspension); and
- Disqualification from the whole Event and forfeiture of all medals, points, prize money, etc. won at the Event with the Horse; and
- A Fine of CHF 2'500; and
- Costs of CHF 1'000.- (in case of B-sampling).

15. The sole panel member confirms that the above Accepted Consequences comply with the ECM Rules and finds no grounds to object to the terms of the Accepted Consequences.

ON THESE GROUNDS

1. The sole panel member hereby ratifies the Accepted Consequences by the PR in the case C22-0004 FEKETE [2021/CM10 – KALODY PARK RUBY LIGHT] and incorporates its terms into the Consent Award.
2. Each Party is hereby ordered to perform the obligations and duties pursuant to the Acceptance of Consequences Form.
3. The Consent Award is pronounced without costs.
4. This Consent Award is final and is not subject to an appeal as the PR has waived this right.
5. This Consent Award shall be published in accordance with Article 13.3 of the ECM Rules.

DECISION TO BE FORWARDED TO:

a. The Parties:

- FEI
- Ms Patricia FEKETE (PR)

b. Any other:

- The Hungarian Equestrian Federation (NF of Ms FEKETE)

FOR THE TRIBUNAL

A handwritten signature in blue ink, appearing to read 'Armand Leone', is centered on the page.

Dr Armand Leone (USA)