

CONSENT AWARD

dated 27 September 2022 and issued by the

FEI TRIBUNAL

Sitting in the following composition:

Sole Panel Member: Mr Phillip Cornegé (NZL)

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

Mr Mohammad AL FAYEZ in his capacity as the **Additional Person Responsible** in the following case:

Case: C22-0032 AL FAYEZ

FEI Case reference: 2022/FT38, [REDACTED]

Person Responsible/ID/NF: [REDACTED]

Trainer/ID/NF: Mohammad AL FAYEZ/10139917/JOR

Horse/Passport/NF: [REDACTED]

Event/ID: CEIYJ1*100 - Amman (JOR), 01-02.07.2022, 2022_CI_1921_E_YJ_01

Prohibited Substance(s): Dexamethasone

Bar Code Nos.: 5607557

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. Mr Mohammad AL FAYEZ (FEI ID 10139917), the Additional Person Responsible (the “APR”), is a Trainer from Jordan and was the Trainer for the horse, [REDACTED] (the “Horse”) at the CEIY1* 100 in Amman (JOR), on 2 July 2022 (the “Event”).

II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for Dexamethasone, which is a corticosteroid with anti-inflammatory effect. Dexamethasone is listed as a “Controlled Medication Substance” under the FEI's 2022 Equine Prohibited Substances list. The positive result gave rise to a Controlled Medication Rule Violation.
4. The FEI informed the APR of the positive result in a notification letter dated 8 August 2022 (the “Notification Letter”). The FEI decided not to provisionally suspend the APR since only one Controlled Medication Substance was detected in the Horse's sample, but the APR was informed of his right to request to be voluntarily suspended, pursuant to Art. 7.4.9 of the FEI Equine Controlled Medication Rules (the “ECM Rules”).
5. In the Notification Letter, the FEI had provided the APR 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.
6. On 23 August 2022, the APR submitted to the FEI a duly signed Acceptance of Consequences Form.

III. Summary of the proceeding before the FEI Tribunal

7. On 2 September 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 APR.

8. On 23 September 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 26 September 2022.
9. On 23 September 2022, the FEI informed the Tribunal that it did not have any objections to the constitution of the hearing panel.
10. Neither party requested an oral hearing.

IV. Jurisdiction

11. 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 202, updates effective 1 January 2022, 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

12. 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

13. The APR 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 Final Decision by the FEI Tribunal (in case of Voluntary Provisional Suspension, the already served suspension shall be credited against the imposed Ineligibility Period); and
- A Fine of CHF 2'500; and
- Costs of CHF 1'000.- (only in case of B-sampling).

14. 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 APR in the case C22-0032 AL FAYEZ [2022/FT38 - ██████████] 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 APR 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:

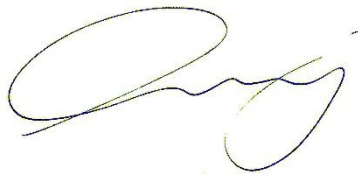
a. The Parties:

- FEI
- Mr Mohammad AL FAYEZ (APR)

b. Any other:

- The Royal Jordanian Equestrian Federation (NF of Mr AL FAYEZ)

FOR THE TRIBUNAL

A handwritten signature in black ink, appearing to be 'P. Cornegé', written in a cursive style.

Mr Phillip Cornegé (NZL)