

## CONSENT AWARD

Dated 17 November 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 Carlos LETELIER in his capacity as the **Additional Person Responsible** in the following case:

Case: C22-0036 LETELIER

**FEI Case reference:** Case 2022/FT43 C.L. MISTERIOSA - Mr. Carlos Letelier (APR)

Person Responsible/ID/NF: Micaela PAROLDI/10117184/ARG(UAE)

**Trainer/ID/NF:** Carlos LETELIER/10035755/CHI

Horse/Passport: C.L. MISTERIOSA/106GH97/CHI

Event/ID: CE11\*100 - Peralillo (CHI), 20.08.2022, 2022\_CI\_1628\_E\_S\_01

Date of sample collection: 20.08.2022

Prohibited Substance(s): Diclofenac

Bar Code Nos.: 5613521

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## 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 of the FEI equestrian disciplines (Dressage, Jumping, Eventing, Driving, Endurance, Vaulting, Para-Equestrian).
2. Mr. Carlos LETELIER (FEI ID 10035755), the Additional Person Responsible (the "APR"), is a Trainer from Chile and was in charge of the Horse, C.L. MISTERIOSA (the "Horse") at the CEI1\*100 - Peralillo (CHI), 20.08.2022, 2022\_CI\_1628\_E\_S\_01 (the "Event").

## II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for Diclofenac which is a Controlled Medication Substance under the FEI's Equine Prohibited Substances List.
4. The FEI informed the APR of the positive result for this Controlled Medication Substance by means of the Notification Letter dated 16 September 2022 and charged him for an Equine Controlled Medication Rule Violation (the "ECMRV") on the basis of Article 2.1 (*The Presence of a Controlled Medication Substance and/or its Metabolites or Markers in a Horse's Sample*).
5. In the Notification Letter, the APR was provided with an option to admit the ECMRV, accept the proposed consequences and benefit from a three (3) months reduction of the otherwise applicable Period of Ineligibility of six (6) months asserted by the FEI in accordance with Article 10.8.1 of the Equine Controlled Medication Rules (the "ECMRs").
6. On 29 September 2022, the APR volunteered to be provisionally suspended.
7. On 26 October 2022, the APR submitted to the FEI a duly signed Acceptance of Consequences Form dated 22 October 2022 and accepted the following sanctions as outlined in the Notification Letter:
  - A Period of Ineligibility of three (3) months commencing from the date of the Final Decision issued by the FEI Tribunal (the Provisional Suspension if any, already served shall be credited against the imposed Ineligibility Period);
  - Fine of CHF 1,500.

## III. Summary of the proceedings before the FEI Tribunal

8. On 27 October 2022, the FEI submitted to the FEI Tribunal (the "Tribunal") the duly signed Acceptance of Consequences Form alongside with the Notification Letter requesting the FEI Tribunal to issue a Consent Award confirming the accepted consequences to be imposed on the APR.
9. On 11 November 2022, the Tribunal informed the Parties of the appointment of a one-person hearing panel to adjudicate and approve this case. The Parties were asked to provide any objections to the constitution of the hearing panel by 16 November 2022.
10. On 11 November 2022, both the FEI and the APR informed the Tribunal that they did not have any objection 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 ECMRs *"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 APR has explicitly admitted the ECMRV and accepted the following consequences (in accordance with the Article 10.8.1 of the ECMRs):

- A Period of Ineligibility of three (3) months commencing from the date of the Final Decision issued by the FEI Tribunal (the Provisional Suspension if any, already served shall be credited against the imposed Ineligibility Period);
- Fine of CHF 1,500.

15. The Tribunal confirms that the above Accepted Consequences are in compliance with the ECMRs and finds no grounds to object to the terms of the Accepted Consequences.

### ON THESE GROUNDS

1. The FEI Tribunal hereby ratifies the Accepted Consequences by the APR in the C22-0036 - Case 2022/FT43 C.L. MISTERIOSA - Mr. Carlos Letelier (APR) and incorporates its terms into this Consent Award.
2. Each Party is hereby ordered to perform the obligations and duties as per the Acceptance of Consequences Form.
3. This Consent Award is pronounced without legal costs.
4. This Consent Award is final and not subject to a right of appeal as the APR has waived this right.
5. This Consent Award shall be published in accordance with Article 13.3 of the ECMRs.

DECISION TO BE FORWARDED TO:

a. The Parties:

- FEI
- Mr Carlos Letelier (APR)

b. Any other:

- The CHI- NF
- The ARG-NF
- The UAE-NF

FOR THE TRIBUNAL



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Mr Phillip Cornegé (NZL)