

CONSENT AWARD

Dated 15 December 2023 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. Arthur SEVIN –in his capacity as the Additional Person Responsible (the “APR”) in the following case:

Case: C23-0055 SEVIN

FEI Case reference: 2023/FT56 GASPAN DE MONTEGUT- Mr. Arthur SEVIN -
Trainer (APR)

Person Responsible/ID/NF: Giulia GALANTINO/10079223/ITA

Trainer/ID/NF: Arthur SEVIN/10112046/FRA

Horse/Passport: GASPAN DE MONTEGUT/108EA49/FRA

Event/ID: CE11* 100 B - Jullianges (FRA), 04.08.2023, 2023_CI_0780_E_S_06

Date of sample collection: 04.08.2023

Prohibited Substance(s): 3-hydroxylidocaine (metabolite of lidocaine)

Bar Code Nos.: 5625854

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 and Para-Equestrian).
2. Mr. Arthur SEVIN (FEI ID 10112046) APR is a Trainer from France (the "FRN-NF") and was in charge of the Horse, GASPAN DE MONTEGUT (the "Horse") which competed at the CEI1* 100 B - Julliangés (FRA), 04.08.2023, 2023_CI_0780_E_S_06 (the "Event").

II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for 3-hydroxylicocaine (metabolite of lidocaine) which is a Controlled Medication Substance under the FEI's 2023 Equine Prohibited Substances List. 3-hydroxylicocaine is a metabolite of lidocaine, and is a local anaesthetic used for temporary and local relief of pain.
4. The FEI informed the APR of the positive result for this Controlled Medication Substance by way of a notification letter dated 28 September 2023 (the "Notification Letter"). The APR was not Provisionally Suspended by the FEI, since only one Controlled Medication Substance (including its metabolite) was detected in the Horse's Sample in accordance with Art. 7.4 of the Equine Controlled Medication Rules (the "ECMRs").
5. In the Notification Letter, the APR was provided with an option to admit the ECMRs violation and accept the proposed consequences of a three (3) month reduction of the otherwise applicable "Period of Ineligibility" of six (6) months, accompanied by a fine in accordance with Article 10.8.1 of the ECMRs.
6. The FEI also informed the APR in the Notification Letter that he may request the analysis of the B-Sample, at the latest within 10 days of the date of this notification letter, at his own cost. The APR did not request the B sample to be analysed.
7. On 28 November 2023, the FEI issued a formal Notice of Charge to the APR informing him that he was charged with an Equine Controlled Medication Rule Violation (an "ECMRV") in accordance with Article 2.1 of the ECMRs, the Presence of a Controlled Medication Substance and/or its Metabolites or Markers in a Horse's Sample.
8. On 30 November 2023, the APR, elected to admit the violation and receive the agreed 3 months reduction and submitted to the FEI a duly signed copy of the Acceptance of Consequences Form. Therefore, the APR elected to admit the violation

and receive a 3-month reduction and, hence, serve a total ineligibility period of 3 months. The APR also accepted to pay a fine of CHF 2,500. In addition, by means of this form, the APR waived his right of appeal and acknowledged that the Accepted Consequences would remain on his record for four (4) years pursuant to Article 10.9 of the ECMRs.

III. Summary of the proceedings before the FEI Tribunal

9. On 30 November 2023, the FEI submitted to the FEI Tribunal (the "Tribunal") the Notification Letter and the duly signed Acceptance of Consequences Form. In addition, the FEI requested the FEI Tribunal to issue a consent award confirming the Accepted Consequences that would be imposed on the APR.
10. On 6 December 2023, 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 11 December 2023.
11. On 6 December 2023, the FEI replied that it did not have any objections to the constitution of the hearing panel. The APR never replied therefore, his silence was inferred as agreement to the constitution of the hearing panel.
12. Neither party requested an oral hearing.

IV. Jurisdiction

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

Statutes 24th edition, effective 17 November 2021 ("Statutes"), Arts. 1.5, 38 and 39.

General Regulations, 24th edition, 1 January 2020, Arts. Updates effective 1 January 2023 ("GRs") Articles 118, 143.1, 159, 164, 165 and 167.

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

FEI's Equine Anti-Doping and Controlled Medication Rules, 3rd Edition, effective 1 January 2021, updates effective 1 January 2023 ("EADCMRs"). The EADCMRs are divided into the Equine Anti-Doping Rules (the "EADRs") and the ECMRs. As only the ECMRs apply in the present case, reference will be made hereinafter only to this second chapter of the EADCMRs.

V. Early Admission and Acceptance of Sanction

14. In accordance with Article 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

15. The APR has explicitly admitted the ECMRs violation and accepted the following consequences (the “Accepted Consequences”) in accordance with Article 10.8.1 of the ECMRs:

- A Period of Ineligibility of three (3) months commencing from the date of the Final Decision by the FEI Tribunal (the Provisional Suspension already served shall be credited against the imposed Ineligibility Period);
- Fine of CHF 2,500;

16. The sole panel member confirms that the Accepted Consequences comply with the ECMRs and finds no grounds to object to their terms.

ON THESE GROUNDS

1. The sole panel member hereby ratifies the Accepted Consequences in the Case 2023/FT56 GASPAN DE MONTEGUT - Mr. Arthur SEVIN (APR)- Trainer and incorporates its terms into this Consent Award.
2. Each Party is hereby ordered to perform the obligations and duties set out in the Acceptance of Consequences Form.
3. This Consent Award is pronounced without 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. Arthur SEVIN (APR)

b. Any other:

- The FRA-NF

FOR THE TRIBUNAL

A handwritten signature in black ink, appearing to read 'Phillip Cornegé', is written above a horizontal line.

Mr. Phillip Cornegé (NZL).