

CONSENT AWARD

Dated 1 May 2024 and issued by the

FEI TRIBUNAL

Sitting in the following composition:

Sole Panel Member: Mr. Armand Leone (USA)

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

Mr. Faisal ALBADY -in his capacity as the Additional Person Responsible in the following case:

Case: C24-0016 ALBADY

FEI Case reference: C24-0016 (FEI Case: 2024/CM03 MAVER KAIROS) – Mr. Faisal ALBADY (APR)

Horse/Passport: MAVER KAIROS /105EN68/KSA

Person Responsible/ID/NF: Ebrahim ALOTHMAN /10220482/KSA

Trainer/ID/NF: Faisal ALBADY /10147673/KSA

Event/Place/Date: CEI2\* 120 - Al Ula (KSA) (09-11/02/2024) 2024\_CI\_0278\_E\_S\_02

Date of sample collection: 10.02.2024

Prohibited Substance(s): Meloxicam, Phenylbutazone, Oxyphenbutazone

Bar Code Nos.: 5637318

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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 and Para-Equestrian).
2. Mr. Faisal ALBADY (FEI ID 10147673) the Additional Person Responsible (the "APR"), is a Trainer from Saudi Arabia (the "KSA-NF") and trained the Horse, MAVER KAIROS (the "Horse") at the CEI2\* 120 - Al Ula (KSA) (09-11/02/2024) 2024\_CI\_0278\_E\_S\_02 (the "Event").

## II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for Meloxicam, Phenylbutazone, Oxyphenbutazone which are Controlled Medication Substances under the FEI's 2023 Equine Prohibited Substances List. Meloxicam, Phenylbutazone and Oxyphenbutazone, (which is a metabolite of Phenylbutazone) are non-steroidal anti-inflammatory substances with used to relieve pain, inflammation and control fever. The abovementioned substance is classified as a Controlled Medication Substance under the FEI Equine Prohibited Substances List.
4. The FEI informed the APR of the positive result for these Controlled Medication Substances by way of a notification letter dated 18 March 2024 (the "Notification Letter"). The FEI provisionally suspended the APR at this stage of the proceedings since three Controlled Medication Substances were detected in the Horse's Sample in accordance with Article 7.4 of the Equine Controlled Medication Rules (the "ECM Rules").
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 25 March 2024, the APR in the present case, elected to admit the violation and receive the agreed three (3) months reduction. Accordingly, the APR submitted to the FEI a duly signed copy the Acceptance of Consequences Form. According to this document, the FEI deemed that a six-month Period of Ineligibility was considered

appropriate in accordance with Article 10.8.1 ECMRs. Therefore, the APR elected to admit the violation and receive a three (3) month reduction and, hence, serve a total ineligibility period of three (3) months. The APR also accepted 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

8. On 11 April 2024, 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.
9. On 23 April 2024, 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 26 April 2024.
10. On 23 April 2024, the FEI replied that it did not have any objections to the constitution of the hearing panel. The APR never replied; therefore, her silence was taken as agreement 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 24<sup>th</sup> edition, effective 17 November 2021 ("Statutes"), Arts. 1.5, 38 and 39.

General Regulations, 24<sup>th</sup> edition, 1 January 2020, Arts. Updates effective 1 January 2022 ("GRs") Articles 118, 143.1, 159, 164, 165 and 167.

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

FEI's Equine Anti-Doping and Controlled Medication Rules, 3<sup>rd</sup> 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

13. 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

14. The APR has explicitly admitted the ECM Rule violation and accepted the following consequences (the “Accepted Consequences”) in accordance with 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 (the Provisional Suspension already served shall be credited against the imposed Ineligibility Period);
- Fine of 2,500 CHF.

15. The sole panel member confirms that the Accepted Consequences comply with the ECM Rules 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 C24-0016 [2024/CM03 MAVER KAIROS) – Mr. Faisal ALBADY (APR)] 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 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 ECM Rules.

DECISION TO BE FORWARDED TO:

a. The Parties:

- FEI
- Mr Faisal ALBADY (APR)

b. Any other:

- The KSA-NF

FOR THE TRIBUNAL

A handwritten signature in blue ink, appearing to read 'Armand Leone', is positioned above a horizontal line.

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Mr. Armand Leone (USA).