

## CONSENT AWARD

Dated 6 September 2024 and issued by the

FEI TRIBUNAL

Sitting in the following composition:

**Ms. Diane Pitts one-member panel (USA).**

in the matter between:

**FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)**

and

**Mr. Khalil Taisir ALSHEIKH**-in his capacity as the **Additional Person Responsible** (the "APR") in the following case:

**Case: C24-0039 ALSHEIKH**

**FEI Case reference: 2024/FT35 - Mr. Khalil Taisir ALSHEIKH (APR)**

Case: 2024/FT35

Horse/ID/NF: BAROOD/106QM11/JOR

Person Responsible/ID/NF: Juma'ah SALEH ABU SHABAB/10032425/JOR

**Trainer/ID/NF: Khalil Taisir ALSHEIKH/10203249/JOR**

Event/Place: CEI2\* 120 CIM - Amman (JOR), 28-29.06.2024, 2024\_CI\_1616\_E\_S\_02

Date of sample collection: 29.06.2024

Prohibited Substance(s): Phenylbutazone, Oxyphenbutazone

Bar Code Nos.: 1306516

## 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. Khalil Taisir ALSHEIKH (FEI ID 10203249), the Additional Person Responsible (the “APR”), is a Trainer registered with the National Federation of Jordan (the “JOR-NF”) in the discipline of endurance and trained the Horse, BAROOD (the “Horse”) that participated in the CEI2\* 120 CIM - Amman (JOR), 28-29.06.2024, 2024\_CI\_1616\_E\_S\_02 (the “Event”).
3. As a member of the JOR-NF, which is a member of the FEI, the APR was bound by the Equine Anti-Doping & Controlled Medication Rules (“EADCMRs”).

## II. Factual background and initial proceedings

4. The Horse was tested during the Event and returned a positive result for Phenylbutazone and Oxyphenbutazone, which are Controlled Medication Substance under the FEI's 2023 Equine Prohibited Substances List. Phenylbutazone is a non-steroidal anti-inflammatory medication used to relieve pain, inflammation and to control fever. Oxyphenbutazone is a metabolite of Phenylbutazone.
5. The FEI informed the APR of the positive result for these Controlled Medication Substances by way of a notification letter dated 30 July 2024 (the “Notification Letter”). The FEI noted that the APR has no prior Rule Violations. The FEI did not provisionally suspend the APR under Article 7.4 of the Equine Controlled Medication Rules (the “ECMRs”) at this stage of the proceedings since only one Controlled Medication Substance (including its metabolite) was detected in the Horse's Sample.
6. 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”, accompanied by a fine in accordance with Article 10.8.1 of the ECMRs.
7. 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 the Notification Letter, at his own cost. The APR did not request the B-Sample analysis.
8. On 12 August 2024, the APR elected to admit the violation and receive the agreed three (3) month reduction. Accordingly, the APR submitted to the FEI a duly executed

copy the Acceptance of Consequences Form pursuant to which the APR elected to admit the violation and receive a three (3) month reduction in the Period of Ineligibility and, hence, serve a total ineligibility period of three (3) months. The APR also accepted a fine of CHF 2,500 and waived his right of appeal the final decision of the FEI Tribunal (the “**Tribunal**”). The APR further acknowledged that the case 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 19 August 2024, the FEI submitted to the Tribunal the Notification Letter and the duly signed Acceptance of Consequences Form. In addition, the FEI requested that the FEI Tribunal issue a consent award confirming the accepted consequences set forth in the Acceptance of Consequences Form (the “**Accepted Consequences**”) that would be imposed on the APR.
10. On 30 August 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 4 September 2024.
11. On 30 August 2024, 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 taken as agreement to the constitution of the hearing panel.
12. Neither party requested an oral hearing.

### IV. Jurisdiction

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

Statutes 25<sup>th</sup> edition, effective 21 November 2023 (“**Statutes**”), Arts. 1.5, 38 and 39.

General Regulations, 24<sup>th</sup> edition, 1 January 2020, Arts. Updates effective 4 April 2023 (“**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. 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 ECMR violation and agreed to the following 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 (any Provisional Suspension already served shall be credited against the imposed Ineligibility Period);
- Fine of 2,500 CHF.

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

17. The sole panel member hereby ratifies the Accepted Consequences in the case C24-0039 [Case 2024/FT35 BAROOD - Mr. Khalil Taisir ALSHEIKH (APR)] and incorporates its terms into this Consent Award.

18. Each Party is hereby ordered to perform the obligations and duties set forth in the Acceptance of Consequences Form.

1. This Consent Award is pronounced without legal costs.
2. This Consent Award is final and not subject to a right of appeal as the APR has waived this right.

3. This Consent Award shall be published in accordance with Article 13.3 of the ECMRs.

DECISION TO BE FORWARDED TO:

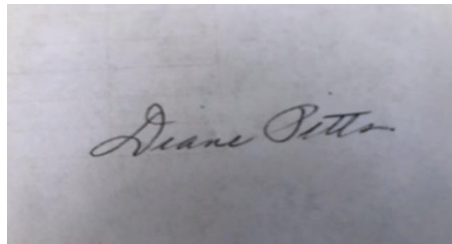
a. The Parties:

- FEI
- Mr. Khalil Taisir ALSHEIKH (APR)

b. Any other:

- The JOR-NF

FOR THE TRIBUNAL

A rectangular image showing a handwritten signature in cursive script. The signature appears to read "Diane Pitts". The background is a light, slightly textured surface.

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Ms. Diane Pitts (USA)