



DECISION of the FEI TRIBUNAL

dated 26 October 2012

Protest/Appeal.: Elimination

Person Responsible: Ms. Kathryn Robinson (USA)

Event: CCI4*-HSBC Pau (FRA); 24-28 October 2012

COMPOSITION OF PANEL

Prof. Dr. Jens Adolphsen (one member panel)

I. SUMMARY OF THE FACTS

1. Memorandum of case: By Legal Department.

- 2. Summary information provided by Person Responsible (PR):**
The FEI Tribunal duly took into consideration all evidence, submissions and documents presented prior to and during the hearing, as also made available by and to Ms. Robinson.

3. Oral hearing: On 26 October 2012 – by telephone

Present: Prof. Dr. Jens Adolphsen, FEI Tribunal chair
Ms. Erika Riedl, FEI Tribunal Clerk

For the PR: Ms. Kathryn Robinson, PR
Mr. Andrew Nicolson, Riders Representative for the Event

For the FEI: Mr. Christian Landolt, President of the Ground Jury
Mr. Michel Asseray, Member of the Ground Jury
Ms. Christina Klingspor, Member of the Ground Jury
Mr. Ataide Pereira, Technical Delegate
Mr. Thierry Castelle, Chief Steward
Ms. Catrin Norinder, FEI Director Eventing & Olympic
Ms. Lisa Lazarus, FEI General Legal Counsel
Ms. Carolin Fischer, FEI Legal Counsel

Pursuant to the Hearing held on Friday 26 October 2012 at 1.20 pm CET, before the FEI Tribunal Panel, Prof. Dr. Jens Adolphsen, Germany, with the participation of the persons mentioned above and having considered the explanations provided by the PR, the President of the Ground Jury and the FEI during the Hearing, Ms Robinson is hereby notified that the Panel has decided to uphold the decision of the Ground Jury and not to reverse the Elimination of the PR from the CCI4*-HSBC in Pau, France, held from 24 to 28 October 2012 (hereinafter the "Event") effective as of 26 October 2012.

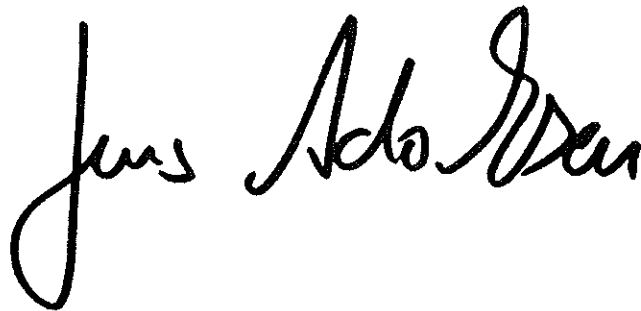
Whereas

- On 25 October 2012, following the competition, the Ground Jury had decided to eliminate Ms. Robinson from the Event, due to the use of inappropriate bits. In particular, the bit was found with a ball of hay of the size of a big plum attached around the middle joint of the bit, seen as intricate device which clearly was man-made showing various knots to hold it all in place.
- Therefore the Ground Jury found that:
 - The equipment was incorrect and had clearly been intentionally modified for a purpose.
 - The bit was not made solely of metal, leather, rubber or plastic as required in the rules.
 - The bit as used did not comply with any of the drawings shown in the rule books.
 - The rider clearly gained some advantage by using this device, and admitted to it.
 - The level of playing field had therefore not been maintained.
- On 25 October 2012, Ms. Robinson filed an Appeal to the FEI Tribunal against the Elimination decision of the Ground Jury. She stated that the hay was purely food and not part of her snaffle bit and that she did not find any provisions in the Eventing Rules which constituted grounds for her elimination.
- - During the Hearing the FEI argued that the decision regarding the elimination had been made by the Ground Jury, which was composed of experienced and knowledgeable members. That the decision was a Field of Play decision, and was therefore only subject to very restricted review. Regarding the merits of the case, the FEI contended that the use of the bit by the rider had clearly contravened the applicable Dressage- and Eventing Rules insofar as it was made of hay which is not a permitted material for bits. That by using the bit the rider had gained an unfair advantage, which required elimination, in order to maintain a level playing field for all Athletes. Further, that the artificially constructed ball of hay in the horse's mouth operated as a prohibited tongue guard.
- The Tribunal can leave the question open whether the decision of the

Ground Jury - as a field of play decision - is appealable or not. The decision of the Ground Jury is correct. The Panel has taken note of the explanations by the Ground Jury and Ms. Robinson, in particular that the hay was attached around the middle joint of the bit, which was clearly man-made. In this regard, the Panel finds that the hay was fixed on the bit in a way that it became part of the bit, and therefore violated the specific rules of the bit, as provided for in Article 522.2 of the Rules for Eventing.

In view of the above, the Elimination from the Event is maintained.

Made by the Panel on Friday, 26 October 2012

A handwritten signature in black ink, reading "Jens Adolphsen". The signature is written in a cursive style with a large, looping initial 'J'.

THE CHAIRMAN, Prof. Dr. Jens Adolphsen