



June 10, 2020

## **PROPOSED AMENDMENTS TO BYLAWS OF THE UNITED STATES EQUESTRIAN FEDERATION**

The USEF dispute and grievance processes and procedures have been under review this year. We continually strive to listen to our members and improve our processes to ensure that we deliver the best and most fair process to our members. Having heard from our athletes, owners, volunteers, and the USOPC, as well as others, we have drafted amendments responsive to the comments and suggestions received.

The proposed amendments to the USEF Bylaws will be considered by the USEF Board of Directors at a meeting following a 30-day consultation period during which time we will receive, review, and consider feedback. The proposed amendments would alter the Bylaws in order to enact structural reforms to the dispute and grievance processes. The attached draft would replace Part VII in the current Bylaws, and eliminate the need for Chapter 6 of the rulebook. That chapter would be removed. Additionally, clarifications would be made as a result the United States Olympic Committee name change to the United States Olympic & Paralympic Committee. The effective date would be the 1<sup>st</sup> day of the month following the Board's approval of the Bylaw Amendments. The draft can be found at [www.usef.org](http://www.usef.org) on the "About Us" page.

If you are a Life, Senior Active, or Junior Active member and would like to comment on these proposed amendments, you may do so by submitting comments by email or mail. All comments must be received by USEF on or before July 9, 2020. Please include your membership number along with your comments. All comments will be reviewed and taken into consideration.

Addresses for submission:

Email: [generalcounseloffice@usef.org](mailto:generalcounseloffice@usef.org)

Post: General Counsel  
United States Equestrian Federation  
4001 Wing Commander Way  
Lexington, KY 40511

For additional information concerning the proposed amendments, please contact USEF General Counsel Sonja Keating at 859-225-2045 or [skeating@usef.org](mailto:skeating@usef.org)

Athletes currently wishing to file a grievance challenging a denial or threatened denial to participate in competition, please see the [Athlete's Guide to Filing a Grievance Regarding Opportunity to Participate](#) and [Grievance Form](#). For procedural guidance for filing a grievance, please contact **Emily Pratt** at [epratt@usef.org](mailto:epratt@usef.org). Please contact the USOPC Athlete Ombudsman Office at (719) 866-5000, or [ombudsman@usathlete.org](mailto:ombudsman@usathlete.org), or visit [www.athleteombudsman.org](http://www.athleteombudsman.org) for guidance as to the USOPC grievance processes.



United States Equestrian Federation  
Proposed Bylaw Amendments

PART VII – COMPLAINTS AND DISPUTES

Bylaw 701 – Administration of Complaints

1. Types of Complaints

The Federation has the authority to hear and render decisions on the following types of complaints:

- a. Administrative Grievances. A complaint against the Federation involving any alleged violation of or grievance against the Federation concerning (i) any Federation Bylaw, rule, or regulation, (ii) any Federation program or service, (iii) any provision of the Sports Act relating to the Federation’s recognition as a National Governing Body;
- b. Opportunity to Participate Complaints. A complaint against the Federation involving any alleged denial, or alleged threat of denial, of an athlete, coach, trainer, manager, administrator, or official’s opportunity to participate in protected competition as defined in the USOPC Bylaws (“Protected Competition”) or other competition or activity authorized or organized by the Federation;
- c. Disciplinary Actions. A complaint against any Federation member or other person over whom the Federation has jurisdiction involving any alleged violation of Federation rules or regulations relating to conduct, other than matters within the exclusive jurisdiction of WADA, the FEI, USADA, the U.S. Center for SafeSport or accepted by the U.S. Center for SafeSport under discretionary jurisdiction.

Complaints must be filed pursuant to these Complaint Procedures and on the form(s) provided by the Federation.

2. Applicable Law

The construction and application of Federation’s rules are governed by the laws of the State of New York.

3. Federation Regulation Department

The Federation Regulation Department (“FRD”) will generally administer and oversee all complaints. The FRD will be responsible to ensure that all complaints are heard in a timely, fair, and impartial manner. Parties to the proceedings will be afforded basic rights as described below. The FRD may promulgate procedures in addition to those set forth in these Bylaws for the effective administration of reports or complaints filed with or referred to the Federation.

The FRD will be responsible for determining if a complaint filed with the FRD:

- a. was properly filed;
- b. satisfies the minimum requirements for that type of complaint;
- c. should be re-designated as a different type of complaint; and
- d. if the applicable filing fee has been submitted. If the FRD determines that a complaint was not filed properly or failed to satisfy the minimum requirements for such complaints, then the FRD will provide the parties the opportunity to remedy the deficiencies and re-file.

When making this initial determination of the propriety of filing and the adequacy of the complaint, the FRD may not make any decisions or judgments based on the merits of the complaint, nor may the FRD make any determination that the complaint was frivolous. If the FRD determines that a complaint was filed using the improper designation (e.g., an opportunity to participate complaint was filed as an administrative grievance), then the FRD will notify the parties of the mis-designation and treat it according to the proper designation. If any deficiencies in the filing are identified as a result of the re-designation, then the FRD will provide the parties the opportunity to remedy the deficiencies and re-file.

## Bylaw 702 - General Hearing Procedures

### 1. Hearing Panel Appointment

Upon the filing of a complaint, the FRD will appoint a Hearing Panel consisting of at least three (3) disinterested individuals to hear the complaint. The FRD will also appoint a chair of the Hearing Panel from the individuals selected. The composition of the Hearing Panel must meet the requirements under the USOPC Bylaws regarding athlete representation.

The complaining party or responding party may object to the appointment of any member of the Hearing Panel on the grounds of bias, conflict of interest, or such other grounds on which the party believes the panel member should be disqualified. The objection, along with relevant information, will be provided to the FRD to review any potential grounds for disqualification. The FRD will timely render a determination of whether the appointed panel member should be disqualified, and, if the panel member is disqualified, a replacement panel member will be appointed promptly.

### 2. Notice of the Complaint

Upon the filing of a complaint, the Director of the FRD will provide acknowledgement of receipt of the complaint to the claimant.

Upon determining that the complaint was properly filed and satisfied the minimum requirements of a complaint of the type asserted, the FRD will promptly provide written notice to the respondent that a complaint against him or her has been received, along with a copy of

the complaint. The notice will include an explanation of the allegations made against the respondent, the respondent's opportunity to provide a response, any potential consequences if applicable, and the right to have a representative present and provide assistance throughout the proceedings. For cases involving the opportunity to participate, written notice will be provided to all known affected parties.

### 3. Right to a Representative

Any party to a proceeding under these General Hearing Procedures has the right to have a representative present during such proceedings at their own expense.

### 4. Conduct of the Proceedings

The Hearing Panel will rule on all motions and other matters raised in the proceeding. A respondent may file a motion to dismiss a complaint against them if:

- a. the complaint was filed after the applicable statute of limitations for such complaints has expired; or
- b. the complaint fails to allege any conduct that could be construed as constituting a violation of any applicable rule, policy, or procedure of the Federation; or
- c. the Federation does not have jurisdiction over the allegations in the complaint.

If the complaint is not dismissed, the Hearing Panel will hold a hearing on the complaint. The Hearing Panel will provide to all parties a schedule for the proceeding. The Hearing Panel also will set such other rules regarding the proceeding and the conduct of the hearing as it deems necessary.

In advance of the hearing, the parties may exchange a list of anticipated witnesses, with a brief description of their expected testimony, and any exhibits that the parties anticipate using at the hearing, in accordance with deadlines set by the Hearing Panel.

The hearing will be informal, except that testimony will be taken under oath. The hearing may be conducted by teleconference or videoconference, if necessary or convenient to the parties and if approved by the Hearing Panel. Each party will have the right to appear personally or through a representative.

The Hearing Panel will be required to determine whether, based on the evidence presented, the party seeking relief has proven its entitlement to relief by a preponderance of the evidence.

Any party may have a record made of the hearing. A court reporter may be present at the hearing at the request of a party. The court reporter will be paid for by the party requesting the court reporter, or if mutually agreed, the cost may be equally divided. Any transcript will be paid for by the party requesting the transcript.

## 5. Written Decisions

A decision will be determined by a majority of the Hearing Panel. The Hearing Panel's decision will be in writing and distributed to the parties promptly following the close of the hearing. In the event that the circumstances of the hearing require a speedy decision, the Hearing Panel may issue a brief written interim decision followed by a longer written decision.

## 6. Statute of Limitations

All complaints must be filed within one hundred and eighty (180) days of the occurrence of the alleged incident giving rise to the complaint, except for Disciplinary Action Complaints brought by the Federation.

## 7. Informal Resolution/Mediation

For all reports and complaints, the Federation may attempt to informally resolve the dispute at any time. An informal resolution will be in writing and will be considered a final disposition of the matter. An attempt to informally resolve a dispute shall not toll or extend the statute of limitations unless all parties to the dispute have signed a written agreement to toll or extend the statute of limitations.

For any report involving allegations of violations of the Federation rules involving misconduct that is resolved informally, the Federation will notify the reporting party that the matter has been resolved. The Federation may, but is not required to, provide the reporting party with the details of the resolution. If an informal resolution is reached and the matter is final, the reporting party cannot pursue the complaint further.

## 8. Fair Process

The parties will be afforded certain fair process rights, including, but not limited to, the following:

- a. each party will have the right to appear personally or through a representative
- b. respondents will receive written notice of any alleged violation or complaint against them, along with an explanation of the potential consequences
- c. respondents will be given a reasonable time before a hearing in which to prepare a defense
- d. the Hearing Panel will hold the hearing in a prompt and timely manner. The Hearing Panel will use best efforts to hold the hearing within ninety (90) days of receipt of the complaint, and to issue its written decision within thirty (30) days thereafter
- e. parties will be given a reasonable opportunity to present and examine evidence, cross-examine witnesses and to present argument
- f. members of the Hearing Panel will have the right to question witnesses or the parties to the proceeding at any time

- g. all parties will receive a written decision from the Hearing Panel, which will include notice of the applicable appeal procedures
- h. subject to applicable provisions below related to Temporary Measures, individuals will be provided with fair notice and opportunity for a hearing before being declared ineligible to participate
- i. in cases where a temporary measure is implemented, the opportunity for a hearing will be provided immediately thereafter and on an expedited basis

## 9. Expedited Procedures

Upon the request of a party, and provided that it is necessary to expedite the proceeding in order to resolve a matter relating to a competition that is so scheduled that compliance with regular procedures would not be likely to produce a sufficiently early decision to do justice to the affected parties, the FRD is authorized to order that the complaint be heard and decided within forty-eight (48) hours of the filing of the complaint. In such a case, the Hearing Panel is authorized to hear and decide the complaint pursuant to such procedures as are necessary, but fair to the parties involved.

## 10. Temporary Measures

In the case of Disciplinary Actions, prior to the matter being heard on the merits, it may be necessary to implement temporary measures against the respondent in the following circumstances: (i) to ensure the safety or well-being of others, or horses; or (ii) where an allegation is sufficiently serious. Where either such circumstance exists, the Federation may immediately implement temporary measures to protect others or horses, provided the respondent is afforded an opportunity for a provisional hearing within a reasonable amount of time, including being allowed to request expedited procedures if it affects an individual's opportunity to participate. The provisional hearing is not a full hearing on the merits. The sole issue before the Hearing Panel is whether there is reasonable cause to impose a temporary measure. Temporary measures may include, but are not limited to, altering training schedules, providing chaperones, limiting contact, removal from the venue, and suspensions. The respondent will still be afforded with a hearing on the merits in a timely manner thereafter.

The Federation shall enforce temporary measures, including temporary suspensions, issued by WADA, FEI, USADA, and the U.S. Center for SafeSport in accordance with their procedures, without further proceedings.

## Bylaw 703 - Administrative Grievances

### 1. Jurisdiction

Any Life, Senior Active, or Junior Active member may file an administrative grievance against the Federation and agrees to be subject to these Complaint Procedures and to be bound by any decision rendered pursuant to these Complaint Procedures. The Federation, members, and any

individual who participates in or attends a Federation sanctioned event or activity agrees to be subject to these Complaint Procedures and to be bound by any decision rendered pursuant to these Complaint Procedures.

## 2. Filing Requirements

- a. Manner of Filing. A claimant will file an Administrative Grievance Complaint with the FRD at [disputes@usef.org](mailto:disputes@usef.org) using the form provided by the Federation.
- b. Requirements For Complaint. The complaint must set forth in clear and concise language, preferably in numbered paragraphs: (i) the alleged violation or grievance; (ii) the identity of the rule, regulation, policy, or other Federation requirement alleged to have been violated; (iii) the identity of any parties claimed to have been aggrieved by the violation; (iv) the identity of any parties claimed to have been involved in or to have caused the alleged violation or grievance; and (v) the remedy requested. The claimant shall sign the complaint and provide their current contact information on the form, including their preferred email address.
- c. Filing Fee. A filing fee must be submitted with any administrative grievance filed with the FRD. The amount of the fee can be found on the Federation fee schedule at [www.usef.org](http://www.usef.org). The filing fee may be waived by the FRD for individual claimants upon a showing of hardship or other good cause.

## 3. Hearing

The hearing will be conducted in accordance with these Complaint Procedures.

## 4. Appeal

Upon receiving the Hearing Panel's final decision, the claimant can initiate a complaint against the Federation under Section 10 of the USOPC Bylaws for non-compliance with the Federation Bylaws, the USOPC Bylaws, or the Sports Act.

## Bylaw 704 - Opportunity to Participate Complaints

### 1. Jurisdiction

Any athlete, coach, trainer, manager, administrator, or other official participating in, or who believes he should be allowed to participate in, any competition licensed by the Federation may file an opportunity to participate complaint (provided that they allege a denial or threatened denial of an opportunity to participate as set forth in Bylaw 701(1)(a)) and agrees to be subject to these Complaint Procedures and to be bound by any decision rendered pursuant to these Complaint Procedures.

## 2. Filing Requirements

- a. Manner of Filing. A claimant shall file an Opportunity to Participate Complaint with the FRD at [disputes@usef.org](mailto:disputes@usef.org) on the form provided by the Federation.
- b. Requirements For Complaint. The complaint must set forth in clear and concise language, preferably in numbered paragraphs: (i) the grievance, violation, or conduct that impacts or could impact the individual's opportunity to participate; (ii) the identity of the respondent and any affected parties, including other potentially affected athletes; (iii) the particular competition, event, or activity in which the individual's or affected parties' participation could be impacted; (iv) the remedy requested, and (v) a list of any individuals who may be affected by the outcome of the matter. The claimant must sign the complaint and provide their current contact information in the signature block, including their preferred email address.
- c. Filing Fee. A filing fee must be submitted with any grievance filed with the FRD. The amount of the fee can be found on the Federation fee schedule at [www.usef.org](http://www.usef.org). The filing fee may be waived by the FRD for individual claimants upon a showing of hardship or other good cause.

## 3. Hearing

The hearing will be conducted in accordance with these Complaint Procedures. In addition, all affected athletes, as determined by the Hearing Panel, will be treated as parties to the case, and will be provided an opportunity to participate in the hearing.

## 4. No Exhaustion Requirement for Complaints Involving a Protected Competition

If the competition in question is a Protected Competition, an individual is not required to exhaust internal remedies and first go through the Federation Complaint Procedures and may proceed directly through the process set forth in Section 9 of the USOPC Bylaws.

## 5. Appeal

If a party to the hearing other than the Federation is not satisfied with a decision rendered under these Complaint Procedures, and the competition involves a Protected Competition, the individual may file a complaint with the USOPC under Section 9 of the USOPC Bylaws. After the filing of a Section 9 complaint with the USOPC, or simultaneously thereto, the individual may file a demand for arbitration with the arbitral organization designated by the USOPC in accordance with any procedures and deadlines established in the USOPC Bylaws. The arbitration decision will be a final and binding decision.

If the competition does not involve a Protected Competition, a claimant may appeal the Hearing Panel's decision to the arbitral organization designated by the Federation for a final and binding decision. An appeal shall be based on the record considered by the Hearing Panel, with the standard for review being limited to whether (i) the Hearing Panel's determination was



arbitrary, capricious or in bad faith, or (ii) the hearing process lacked the minimal fair process required for hearings by private voluntary associations. A party may not present for the first time on appeal an issue or evidence that was not raised during the original hearing. The appeal tribunal cannot order a new arbitration hearing or send the case back to the Federation Hearing Panel for corrections or further review. The hearing on appeal, if any, shall not exceed one day (and will typically last less than a full day) unless exceptional circumstances justify a longer hearing.

## Bylaw 705 - Disciplinary Actions

### 1. Jurisdiction

Any individual may file a report against any other participant in Federation activities, for alleged violations of the Federation rules or regulations relating to conduct.

### 2. Reporting

a. Reporting to the Federation. Any individual may report alleged misconduct to the Federation, either verbally or in writing. In a report, the individual is encouraged, but not required, to provide the following information: (i) the identity of the individual or individuals alleged to have violated the Federation rules or regulations related to conduct; (ii) details regarding the complained of misconduct, including, to the extent possible, the identity of any alleged victims or witnesses; and (iii) the reporting or complaining party's contact information, including a preferred email address, unless the report or complaint was made anonymously.

b. The Federation may also pursue a possible violation of Federation rules or regulations based on information received other than by a report described here, including but not limited to:

i. Receipt of notice that disciplinary action has been taken by an administrative agency, arbitration or other tribunal body, humane society, other National Governing Body, or a court of law;

ii. Receipt of notice that a court of law has entered a judgment or final order for monies owing to a Federation Senior Active or Life Member related to equestrian activities (e.g. training fees, coaching fees, stabling fees, horse board, horse transport, veterinary fees) and in connection with a Licensed Competition, which order or judgment is final and not subject to further appeal;

iii. Receipt of an indictment, information, or charge asserting, or a civil, criminal, or administrative proceeding or arbitration or other tribunal finding, where the respondent has committed or participated in any plan or conspiracy to commit any act of cruelty or abuse to a horse, whether or not any such alleged or actual act, plan, or conspiracy occurred on the grounds of a Licensed Competition, or was in conjunction with, or was an element of some other offense, actual or alleged. For purposes of this subsection, cruelty and abuse shall

include, but shall not be limited to, any of the acts enumerated in GR839.4, and, in addition, killing, crippling, abandoning, mistreating, neglecting, or any other form of abuse of a horse.

### 3. Anonymous Reporting

All reports can be made anonymously. If the Federation determines that a proper investigation cannot be conducted while maintaining the reporting party's anonymity, the Federation shall so inform the reporting party and attempt to obtain the reporting party's consent to continue the investigation without a promise of anonymity.

### 4. Temporary Measures

The Federation may impose temporary measures at any time subject to any applicable provisions of the USOPC Bylaws or Sports Act relating to the opportunity to participate in competition.

### 5. Preliminary Inquiry/Investigation

Upon receipt of a report of an alleged violation of the Federation rules or regulations related to conduct, the Federation will promptly undertake a preliminary inquiry into the matter and gather any relevant information it can regarding the alleged misconduct.

If the Federation determines that a formal investigation is required before proceeding with the case, then the Federation will conduct, or direct to be conducted, an unbiased and impartial investigation of the report.

### 6. Informal Resolution

At any time prior to a final decision, the Federation has the authority to reach an informal resolution of any matter. An informal resolution is a final decision and will not be appealable. The Federation will notify the reporting party, if any, that an informal resolution has been reached. The Federation may, but is not required to, provide the reporting party with the details of the resolution. If an informal resolution is reached and the matter is final, the reporting party cannot pursue the complaint further.

### 7. Party Responsible for Pursuit of Case

a. The Federation Pursues Case. Upon its own initiative or after review of the initial report, any preliminary information gathered, or investigation results, the Federation may initiate a complaint by issuing a Disciplinary Action Complaint through the FRD and requesting that a hearing on the complaint be conducted. The Federation maintains full discretion whether to issue a Disciplinary Action Complaint or otherwise pursue the complaint.

#### b. The Federation Declines the Case.

- i. If the Federation declines to file a Disciplinary Action Complaint on behalf of the Federation based on the preliminary inquiry and/or investigation or any other reason, then the Federation must advise the reporting party (if the report was not made anonymously) that, while the Federation will not file a Disciplinary Action Complaint in its own name, the reporting party may still file their complaint directly with the FRD, if the reporting party is either: a Life Member, Senior Active Member, or parent of a Junior Active member.
- ii. If the reporting party elects to file a complaint with the FRD, then the reporting party is responsible for all aspects of pursuing the case that otherwise would have been the responsibility of the Federation.
- iii. The reporting party who elects to file a complaint will be provided with any relevant information collected by the Federation.

#### 8. Filing Requirements

- a. Manner of Filing. The reporting party wishing to pursue a complaint, if the Federation declines to pursue the case, will file a Disciplinary Action Complaint with the FRD at [disputes@usef.org](mailto:disputes@usef.org)
- b. Requirements for Complaints. The Disciplinary Action Complaint will set forth in clear and concise language, preferably in numbered paragraphs: (i) the identity of the individual or individuals alleged to have violated the Federation rule or regulation related to conduct; (ii) details regarding the misconduct, including, to the extent possible, the identity of any alleged victims or witnesses; and (iii) the initial report of the alleged misconduct.
- c. Filing Fee. A filing fee must be submitted with any complaint filed with the FRD, except for athlete abuse complaints. The amount of the fee can be found on the Federation fee schedule at [www.usef.org](http://www.usef.org) . The filing fee may be waived by the FRD for individual claimants upon a showing of hardship or other good cause.

#### 9. Hearing

The hearing will be conducted in accordance with these Complaint Procedures. However, minors will not be required to submit to cross-examination by the respondent or the respondent's representative, and may instead be examined by the members of the Hearing Panel, including based on written questions submitted by the respondent and/or respondent's representative.

#### 10. No Exhaustion Requirement for Complaints Involving a Protected Competition

If the complaint involves the possibility for a denial, or threatened denial, of an opportunity to participate in a competition, and the competition in question is a Protected Competition, an individual is not required to exhaust internal remedies and first go through the Federation

Complaint Procedures and may proceed directly through the process set forth in Section 9 of the USOPC Bylaws.

## 11. Appeal

If an individual or individuals accused of violating Federation rules is not satisfied with a decision rendered under these Complaint Procedures, the decision of the Hearing Panel involves a denial, or threatened denial, of an opportunity to participate in a competition. and the competition is a Protected Competition, the individual may file a complaint with the USOPC under Section 9 of the USOPC Bylaws. After the filing of a Section 9 complaint with the USOPC, or simultaneously thereto, the individual may file a demand for arbitration with the arbitral organization designated by the USOPC in accordance with any procedures and deadlines established in the USOPC Bylaws. The arbitration decision will be a final and binding decision.

If the individual or individuals accused of violating Federation rules is not satisfied with a decision rendered under these Complaint Procedures, and the Hearing Panel's decision does not involve a denial, or threatened denial, of an opportunity to participate in a Protected Competition, the accused individual or individuals may appeal the Hearing Panel's decision to the arbitral organization designated by the Federation for a final and binding decision. An appeal shall be based on the record considered by the Hearing Panel, with the standard for review being whether (i) the Hearing Panel's determination was arbitrary, capricious or in bad faith, or (ii) the hearing process lacked the minimal fair process required for hearings by private voluntary associations. A party may not present for the first time on appeal an issue or evidence that was not raised during the original hearing. The appeal tribunal cannot order a new arbitration hearing or send the case back to the Federation Hearing Panel for corrections or further review. The hearing on appeal, if any, shall not exceed one day (and will typically last less than a full day) unless exceptional circumstances justify a longer hearing.

## Bylaw 706 - Excluded Proceedings

### 1. Scope of Jurisdiction

The jurisdiction of these proceedings is limited as follows:

- a. Anti-Doping Violations. A decision concerning a doping violation adjudicated by the USADA, WADA, or the FEI is not be reviewable through, or the subject of, these complaint procedures. The Federation shall enforce any sanctions issued by these entities without further proceedings.
- b. SafeSport Decisions. A report or decision concerning a SafeSport Code violation under the jurisdiction of or adjudicated by the U.S. Center for SafeSport shall not be reviewable through, or the subject of, these complaint procedures. The Federation shall enforce any sanctions issued by the Center without further proceedings.
- c. USOPC Athlete Safety Policy Reports/Complaints. A report and/or complaint submitted pursuant to the USOPC Athlete Safety Policy regarding allegations of the SafeSport Code to which the Center declines jurisdiction over, will not be reviewable through, or the

subject of, these complaint procedures, and will be conducted in accordance with the USOPC Athlete Safety Policy. The Federation shall enforce any sanctions issued by the USOPC without further proceedings.

- d. Federation Background Check Review. Any review of a self-disclosure or red-light finding of a criminal or driving record that was completed pursuant to the Federation Background Check Policy, will not be reviewable through, or the subject of, these complaint procedures, and will be conducted in accordance with the Federation Background Check Policy.
- e. Field of Play Decisions. The final decision of a person designated to have discretion to make field of play decisions, i.e. judge, Technical Delegate, or Ground Jury, during a competition regarding a field of play decision (a matter set forth in the rules of the competition to be within the discretion of that official) shall not be reviewable through, or the subject of, these complaint procedures unless the decision is: (i) outside the authority of the person to make, or (ii) the product of fraud, corruption, partiality or other misconduct of the person making the decision.

#### Bylaw 707 - No Retaliation

Neither the Federation nor any Federation member, participant, employee, coach, or Board member shall retaliate against an individual for the filing of a complaint or report under these Complaint Procedures. It shall constitute a violation of the Federation rules and grounds for discipline to retaliate against any individual for the filing of a report or complaint.

#### Bylaw 708 – Litigation

No member, affiliate, or participant in the Federation and its programs may invoke the aid of the courts of the United States or a State without first exhausting all available remedies within the appropriate organization, and as provided within the Federation, including any rights to bring claims to the USOPC. This Bylaw does not preclude the commencement of an arbitration proceeding in accordance with these Complaint Procedures or the USOPC Bylaws. Arbitration decisions are final and binding and cannot be challenged in a court of law.