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CHAPTER 6 PROTESTS, CHARGES, ATHLETE GRIEVANCES, HEARINGS, ADMINISTRATIVE PENALTIES AND PLEA AGREEMENTS

GR601 General

1. Fair notice and an opportunity for a hearing shall be accorded to any amateur athlete, coach, trainer, manager, administrator, or official before the Federation may declare such individual ineligible to participate in any amateur athletic competition. Exception: When a determination of violation has been made by WADA or USADA and the Federation is required to implement and enforce any FEI penalties imposed by WADA or USADA, further Federation proceedings are not required. (See GR615.2) Any hearing conducted hereunder shall be conducted in accordance with the provisions of Chapter 6.
2. Neither the Federation nor any member of the Federation may deny or threaten to deny any member athlete, coach, trainer, manager, administrator or other official the opportunity to compete in the Olympic or Pan American Games, World Championship competitions or such other “protected competition” as defined in the USOC BYLAWS; nor may the Federation, or any member of the Federation, subsequent to such competition, censure or otherwise penalize any such athlete who participates in any such competition.
3. Any individual identified in Section 1 above who alleges that he or she has been denied by the Federation or a member of the Federation a right established by Section 2 of this Rule shall immediately inform the president of the Federation and the USOC’s AAC representative for equestrian who shall cause an investigation to be made and steps to be taken to settle the controversy. Notwithstanding any efforts taken by the Federation to settle the controversy informally or through the Federation’s grievance procedures set forth in Bylaws 701-704 and GR605 of Chapter 6, the individual may refer the matter to the USOC for action, as appropriate, under Section 9 of the USOC Bylaws, which can be found at the USOC web site: www.teamusa.org, under the section entitled “Legal”.
4. The construction and application of Federation rules are governed by the laws of the State of New York. It shall be the duty of the Federation Hearing Committee to hear protests and charges in connection with alleged violations of the rules, to hear appeals from the Licensed Officials Committee’s non-renewal or revocation of a licensed official’s license, and to hear athlete and other grievances pursuant to GR602.8 and GR605.
5. For the rules and procedures which govern hearings of grievances by athletes and others, see Bylaws 701-704, and Chapter 6, GR601-602 and GR605-615.

SUBCHAPTER 6-A FILING AND CONTENTS OF PROTESTS, CHARGES AND ATHLETE GRIEVANCES

GR602 Contents, etc

1. A protest, charge or grievance must state the full name and address (if known) of the accused, must list each Rule number alleged to have been violated and must contain a complete statement of the acts which constitute the alleged violation. The maker of the protest, charge or grievance must be prepared to substantiate the protest, charge or grievance by his or her own personal testimony at a hearing or by the testimony of at least one other witness with personal knowledge who is subject to cross-examination, and by additional evidence including but not limited to sworn statements, other witnesses. The Hearing Committee, at the request of a party or on its own motion may excuse the requirement of personal testimony in the hearing of a protest, charge or grievance as it deems appropriate, if the parties to the protest, charge or grievance stipulate to the relevant facts (with the exception of any charge, protest, or grievance which may possibly affect the opportunity of any individual identified in GR601 to participate in or attempt to qualify for selection to participate in “protected competition.”) unless the respondent advises the Hearing Committee at least ten (10) days prior to the hearing that he or she will be present, in person or by representative, and that he or she wants the requirement of the maker’s personal testimony not to

be excused. In that case, the Hearing Committee may not excuse the requirement of personal testimony by either the maker as eyewitness or one (1) other eyewitness. The notice of hearing of any such charge or protest shall advise the respondent of this provision.

2. A protest or charge against a Licensed Competition must be referred to the Federation by the steward, technical delegate, Show Committee, competition manager or competition secretary.
3. Protests or charges that a steward or technical delegate has failed to attend the competition, perform his duties, or has otherwise violated the Rules; or that a judge has failed to conduct a class in accordance with the specifications or has otherwise violated the Rules are made in accordance with GR603-605. Such protests or charges must be referred to the Federation. In the event the accused is found guilty, he or she may be subject to any of the penalties under GR703 and notification of any penalty imposed will be published on the Federation's web site.
4. The Federation may investigate any protest, charge or alleged violation, may intervene in any protest, charge or grievance and present evidence at a hearing concerning any protest, charge or alleged violation at its discretion. The Federation may also attempt to arrange a plea agreement or dismissal of a protest or charge in lieu of a hearing by reviewing all evidence and/or conducting interviews with the maker(s) and the respondent(s) to the protest or charge (see GR617).
5. The Chair(s) of the Hearing Committee, or if unavailable the Vice Chair(s), may designate one or more members of the Hearing Committee or any other individual to investigate any protest, charge or alleged violation, to conduct any necessary fact finding, to hear evidence, to review memoranda submitted by interested parties, and to make proposed factual findings to the Hearing Committee, provided, however, that this provision shall not apply to any matters heard pursuant to Chapter 6, Subchapter 6-C, GR611.2(i) or (ii).
6. Non-protestable Decisions.
 - a. The soundness of a horse, when determined by an official veterinarian of the competition or by a judge, is not protestable.
 - b. A judge's decision, representing his/her individual preference or opinion, is not protestable unless it is alleged to be in violation of Federation rules.
 - c. A protest questioning the height of a horse or the length of a horse's foot may only be made to the Show Committee or Competition Management. See GR512-514 and HU144.
7. Withdrawal of a Protest or Charge. If, prior to a hearing being held, the maker of a protest or charge wishes to withdraw it, he or she must make written application to the Hearing Committee, setting forth the reasons for the request. Following review of said application, the Hearing Committee will determine whether to allow the protest or charge to be withdrawn or whether to schedule the matter for hearing at a later date.
8. Any member of the Federation may file a protest or charge or grievance with the Hearing Committee pertaining to any matter within the cognizance of the Federation and alleging a violation of any provision of the Federation's Bylaws or Rules, the Amateur Sports Act of 1978, or the USOC's Constitution or By-Laws.

GR603 Protests

1. Any rider, driver, handler, vaulter, longeur, exhibitor, owner, agent, trainer or the parent of a junior exhibitor, or any Life, Senior, or Junior member present at the competition may file a protest with the Show Committee or Competition Management of a Licensed Competition or The Federation Hearing Committee alleging violation of any Federation rule(s). The protest must contain all information as specified in GR602.1 and must be:
 - a. in writing,
 - b. signed by the protester,
 - c. addressed to the Show Committee or Competition Management of the competition at which the alleged violation occurred, or to the Hearing Committee,
 - d. accompanied by a deposit of \$200 if made by a Federation member or the parent of a junior exhibitor member

or \$300 if made by a non-member (if check, payable to the competition or to the Federation); said deposit will be refunded in the event the protest is upheld, and

- e. received by the steward, technical delegate, a member of the Show Committee or Competition Management, the competition manager or the competition secretary within 48 hours of the alleged violation. If made directly to the Hearing Committee, the protest must be received at the Federation office by the tenth business day following the last recognized day of the competition, or by the tenth business day following the date on which the alleged violation occurred if it occurred other than at a Licensed Competition.

GR604 Charges

1. Any official of a USEF Licensed Competition, any Steward or Technical Delegate assigned to a USEF licensed competition, any National Officer of the Federation or the CEO of the Federation or his designee may file a charge with the Show Committee, Competition Management, or the USEF Hearing Committee alleging a violation of any Federation rule(s).
2. A charge must be:
 - a. in writing,
 - b. signed by the person making the charge,
 - c. addressed to the secretary of the competition at which the alleged violation occurred, or to the Hearing Committee and
 - d. if made to a Show Committee or Competition Management it must be received by the steward, technical delegate or a member of the Show Committee within 48 hours of the alleged violation. If made to the Hearing Committee it must be received by the Federation within a reasonable time.

GR605 Grievances

1. A grievance may be filed by any amateur athlete, or other eligible athlete, coach, trainer, manager, administrator or official regarding his/her opportunity to participate in, or to attempt to qualify for selection to participate in any equestrian event of the Pan American Games, Paralympic Games, the Olympic Games, World Championship competitions or any other protected competitions as that term is defined in Section 1.3 (w) of the USOC Bylaws, including any domestic amateur athletic competition or event organized and conducted as part of the selection procedure directly qualifying each successful competitor therein as an athlete representing the U.S. in such equestrian international competitions. Any grievance must be made in writing over the signatures of the person or persons presenting the same, and must state the full name(s) and address(es) of the athlete, coach, trainer, manager, administrator, official, the Federation, another organization which is an Affiliate Member of the Federation, a committee of the Federation or a committee of an Affiliate Member of the Federation against whom the grievance is made, and must include with specificity a complete statement of the acts which constitute such grievance, including the requested relief sought. The maker(s) must be prepared to substantiate the grievance at a hearing by a preponderance of the evidence by personal testimony of a witness or witnesses with personal knowledge subject to cross-examination and by sworn statements, other witnesses and by other competent evidence. The requirement of personal testimony may be excused by the Hearing Committee if the parties to the protest, charge or grievance stipulate to the relevant facts. The accused shall have the right to be assisted in the presentation of his/her case at the hearing, including the assistance of legal counsel, if desired; the right to call witnesses and present oral and written evidence and argument; the right to confront and cross-examine adverse witnesses; and the right to have a record made of the hearing if desired.
2. The grievance should be addressed to the Hearing Committee and should be transmitted to the attention of the Federation CEO or his designee at the Federation office by hand delivery or by certified mail or by facsimile as

soon as practicable following the events which are the subject of the grievance.

As soon as practicable after the receipt of such grievance, the CEO or his designee shall promptly communicate informally with the parties and the president of the Federation and the USOC's AAC representative for equestrian, or, in the event there is a conflict of interest, the AAC alternate representative and they shall make every effort to resolve the grievance to their and the parties' mutual satisfaction, and if unsuccessful, the CEO or his designee shall, without prejudice to the right of the complainant to pursue remedies available pursuant to the Amateur Sports Act of 1978 and the USOC Constitution, arrange for a prompt hearing of the grievance by the Hearing Committee.

3. Any person, committee, association or organization, including the Federation or any affiliate, member or member organization, against whom a grievance has been filed pursuant to either GR602 or GR605 of the Rules is entitled to a hearing. Such hearing shall be after advance written notice of the specific charges or alleged violations, and of the time, place and opportunity to participate in person and/or by counsel or other representative given to the person(s) presenting the grievance, the accused and all other possibly affected parties. Notices of hearing must be accompanied by a copy of the written grievance and shall set forth the possible consequences if the charges are found to be true.
4. The Hearing Committee shall review the record of any grievance hearing and promptly issue its written findings and determination based on the evidence in record in accordance with Chapter 6, which shall be final and binding upon the parties, except where otherwise provided in the Bylaws of the USOC.
5. The hearing shall take place no earlier than 20 days after receipt of notice by the person charged and not later than 60 days from such receipt so as to ensure that the person charged has sufficient time to prepare a defense.
6. The pre- and post-hearing procedures set forth in Subchapter 6-B and Subchapter 6-D and the hearing procedures set forth in Subchapter 6-C, GR611, shall apply with the exception that hearings pursuant to GR602, GR605.1 and GR611.2 may not be heard by a Hearing Officer and that temporary suspensions pursuant to GR609 may not be imposed prior to a hearing by the Hearing Committee.

SUBCHAPTER 6-B PRE-HEARING PROCEDURES

GR606 Notice

1. Any person, group of persons or competition against whom a protest or charge is filed are entitled to a hearing. Such hearing shall be after at least twenty (20) days' written notice to the accused except that a Show Committee or Competition Management may hold a hearing during or within 48 hours of a competition after 24 hours' written notice to the accused unless this notice requirement is waived in writing by the accused. Notice of hearing must contain a brief statement of the facts constituting the alleged violation, the Federation rules allegedly violated and must specify the time and place at which the hearing is to be held.
2. Initial written notice of a protest or charge must be sent to the accused within sixty (60) days from the date the protest or charge is received in the Federation office or from the date a charge is issued by the CEO, his designee or National Officer of the Federation. This initial notice may either specify a time and place at which the hearing is to be held or state that the hearing will be held at a date to be determined. If the initial notice does not specify a date and place, a subsequent notice of hearing specifying the date and place of the hearing will be sent at least twenty (20) days prior to the hearing date.
3. Any notice sent to the last known address on file with the Federation shall be deemed sufficient notice.

GR607 Continuances & Emergency Postponements

1. A respondent, protester or charging party may request a continuance of a scheduled hearing. A motion for continuance must be made in writing prior to the hearing and received by the Federation at the address designated in the Notice of Hearing as soon as the need for a continuance is known, but in any event at least 21 days prior to the time set for the hearing. A first continuance motion must be accompanied by a \$750 fee which will be refunded if

the continuance is not granted. Any second or subsequent application for continuance will only be considered upon receipt of a written continuance motion and \$1500 fee which will be refunded if the continuance is not granted.

Motions for continuance will only be granted at the discretion of the Hearing Committee upon good cause shown. Prior engagements of counsel may or may not be considered good cause. A second request or repeated requests by defense counsel for continuances due to counsel's unavailability on a scheduled hearing date or dates may in the discretion of the committee's co-chairs be grounds for the denial of a continuance request. In that event, the respondent must promptly arrange to proceed with or without substitute counsel. (Note: When the Federation, as charging party or its representative(s) requests a continuance, there will be no fee.)

2. An emergency postponement of a scheduled hearing will be granted to a respondent, protester or charging party in case of severe illness, natural catastrophe or other emergency circumstances that would prevent the individual's attendance at the hearing. Such a motion must be in writing, setting forth the reasons and providing proof, if available, and must be received by the Federation at the address designated in the Notice of Hearing as soon as the need for continuance is known. A first motion for an emergency postponement must be accompanied by a fee of \$250 and any second or subsequent motion for an emergency postponement must be accompanied by a fee of \$1,000. These fees may be waived or refunded at the discretion of the Hearing Committee
3. Motions for a continuance or emergency postponement received prior to a scheduled hearing will be ruled upon by the Co-Chairs, or at least a quorum, of the Hearing Committee.

GR608 Evidence

1. Accused persons may attend their hearing at their option, with or without counsel, and may bring witnesses, submit sworn statements or other evidence on their behalf.
2. The proponent of a protest, charge or grievance has the burden of proof by a preponderance of the evidence.
3. Upon the written request of an accused or accuser or of a representative of the Federation when it is a party to the proceeding, there shall be furnished to the requesting party reasonably in advance of the hearing copies of any evidence proposed to be introduced into evidence at the hearing, the names of witnesses and the substance of their testimony and the notice of hearing shall so advise. When the Federation is not a party to the matter, such exchange must take place between the parties to the matter.
4. The parties are required to copy one another on all documents and evidence sent to the Federation.
5. In connection with charges brought by a steward, TD or competition official when they are not themselves eyewitnesses to the matters addressed in the charge, they may participate at the hearing by teleconference call unless the Hearing Committee determines otherwise in its discretion.

GR609 Temporary Suspension

In connection with any protest, charge, or any other matter which may properly fall within the jurisdiction of the Hearing Committee, and upon a finding that considerations involving the health, safety or welfare of Federation members and/or their horses, or the best interests of horse showing generally, warrant prompt action pending consideration of the matter by the Hearing Committee, the CEO or his designee may, by giving written notice of such action, temporarily suspend any person from participating in any manner in the affairs of the Federation or participating in or attending all Licensed Competitions until the Hearing Committee can hear the protest, charge or other matter and take such further temporary or other disciplinary action as it deems appropriate under these Rules, including temporarily suspending any person from participating in any manner in the affairs of the Federation or participating in or attending all Licensed Competitions, until the Hearing Committee can hear or determine the protest, charge or other matter, provided, however, that in instances involving GR605 and GR611.2(i) or (ii) where the USOC Bylaws apply, a hearing by the Hearing Committee shall be held on notice before any suspension is imposed.

SUBCHAPTER 6-C HEARINGS

GR610 Proceedings Before a Show Committee

1. Receipt of Protest (GR603) or Charge (GR604):
 - a. The Show Committee or Competition Management shall receive the protest or charge within 48 hours of the alleged violation;
 - b. Protests shall comply with the requirements of GR 603;
 - c. Charges shall comply with the requirements of GR 604;
 - d. Unless the protest or charge involves a time sensitive issue that must be resolved at the competition the protest or charge must be forwarded to the USEF Hearing Committee;
 - e. If the Show Committee or Competition Management holds a hearing, it shall give the accused and person bringing the protest or charge 24 hours written notice of the hearing pursuant to GR 606 unless the accused waives the 24 hour requirement in writing;
 - f. The hearing must be held prior to the end of the competition.
2. Procedure:
 - a. The pre-hearing procedures of Subchapter 6-B, GR 602, 603, 604 and 606 shall apply;
 - b. Before the hearing, based on the content of the protest or charge as required by GR 602.1, the Show Committee or Competition Management shall obtain all relevant evidence and information from the documents (such as entry blanks) and witnesses (such as Competition Officials) under its control.
 - c. The proponent of the protest or charge has the burden of proof by a preponderance of the evidence.
 - d. If the accused attends the hearing, the accused may bring counsel, witnesses, and submit sworn statements and other evidence on the accused's behalf.
 - e. The Show Committee or Competition Management shall then decide the issues impartially.
3. Determination:
 - a. If a protest is sustained, the deposit shall be returned to the protester; if not sustained, the deposit shall be forfeited to the competition.
 - b. A Show Committee or Competition Management may disqualify a person and/or his or her entries at that competition after holding a hearing and finding proof of the protest or charge by a preponderance of the evidence.
 - c. If a Show Committee or Competition Management cannot reach a decision in regard to a protest or charge, it shall be referred to the Hearing Committee. If it is a protest, it shall be accompanied by the protest deposit. If the protest is sustained by the Hearing Committee, the deposit shall be returned to the protester; if it is not sustained by the Hearing Committee, the deposit will accrue to the Federation.
 - d. At the close of the hearing the Show Committee or Competition Management shall report its findings of fact and conclusions setting out whether a rule(s) violation occurred, the specific rule(s) involved and any penalty imposed.
 - e. The Show Committee or Competition Management shall make a written report of its findings and conclusions within 24 hours of the close of the hearing.
 - f. A party to a protest or charge desiring to appeal a decision of the Show Committee or Competition Management to the Hearing Committee shall file an appeal in writing with the Hearing Committee at the Federation's office within thirty (30) days of the initial decision. The Hearing Committee will not review findings of fact; but will determine whether the rules were properly interpreted and applied.

GR611 Proceedings Before Hearing Committee

1. The Hearing Committee will hear grievances as provided in Bylaws 701-704, and will hear protests and charges in

- connection with alleged violations of Federation rules, in accordance with the powers and duties referred to below.
2. The Hearing Committee shall provide fair notice and an opportunity to expeditiously hear grievances regarding the opportunity of any amateur athlete, rider, driver, handler, vaulter, longeur, owner, lessee, agent or trainer, riding coach or driving coach, coach, trainer, manager, administrator or official to participate in, or to attempt to qualify for selection to participate in, the Pan American Games, Paralympic Games, the Olympic Games, World Championship competitions or any other “protected competitions” as that term is defined in Section 1.3 (w) of the USOC Bylaws whether such grievances be against a competition, athlete, coach, trainer, manager, administrator or official of The Federation, another organization which is an affiliate member of The Federation, a committee of The Federation, or a committee of an affiliate association or a committee of The Federation. In (i) hearing grievances and (ii) hearing any protest or charge within the jurisdiction of the Hearing Committee arising out of a “protected competition,” affecting the opportunity or ability of any amateur athlete, rider, driver, handler, vaulter, longeur, owner, lessee, agent or trainer, riding coach or driving coach, coach, trainer, manager, administrator or official to compete or participate, five members of the Hearing Committee shall be appointed by the co-chairs of the Hearing Committee, after consultation with the President, to constitute the hearing panel, of whom at least two shall be Athlete members of the Committee, who are not competing in the discipline which is involved in the dispute. The Hearing Committee shall promptly issue its findings in accordance with the Federation’s Bylaws and Chapter 6, which findings shall be final, except where otherwise provided in the Constitution and Bylaws of the USOC.
 3. The functions of any member of the Hearing Committee or any other presiding person participating in any decision shall be conducted in an impartial manner, subject to the published Rules of the Federation and within its powers. The Hearing Committee and other persons presiding on pre-hearing motions and at hearings shall give all parties a fair hearing and act as authorized by Federation rules. All members of a hearing panel must be present during the entire hearing to hear and consider all the evidence, as well as to deliberate and decide the outcome of the matter, except as may be otherwise agreed by all parties to the proceedings.
 4. Any member of the Hearing Committee or any presiding or participating person may at any time disqualify himself or herself. Upon request of a party or in matters heard pursuant to GR611.2(i) or (ii) the identity of the persons who will preside and participate at a hearing shall be disclosed reasonably in advance of the hearing. On the submission in good faith, of a timely and sufficient affidavit of personal bias or other grounds for disqualification of a presiding or participating person, the presiding person, persons or Hearing Committee will consider and decide the matters raised as a part of the record and decision in the case.
 5. The Hearing Committee or any person or persons presiding at any pre-hearing proceedings, the reception of evidence and any review or appeal of a decision shall prepare a written record of the proceedings which shall include the evidence considered in the proceeding, each finding of fact based on the evidence, the conclusions and decisions regarding alleged rule violations and a statement of penalties, if any, imposed and of other relief granted or denied. This written record constitutes the official record and decision of the Hearing Committee, or any presiding person or persons, and all decisions, including initial recommended and final decisions are a part of the official record. In order to expedite the issuance of a written ruling or rulings the written record may be issued in abbreviated form in the discretion of the presiding person(s), but in such event the presiding person(s) shall retain the option of replacing the abbreviated ruling with a complete written record at any time, and shall do so if requested in writing by a party to the matter or by the Federation Board of Directors. The written record shall be issued within 10 business days of the hearing of a grievance or other matter heard pursuant to GR611.2(i) or (ii) and may be issued in abbreviated form.
 6. Opening and closing statements may be made by the parties to the protest, charge or grievance or their representative, but the Hearing Committee reserves the right to limit the length of such statements.
 7. The Federation will not require a verbatim stenographic transcript of the hearing to be made, but parties to the hearing may arrange for one through the Federation in advance of the hearing and one will be ordered for them and the

Federation at the expense of the party or parties requesting the transcript. If a transcript is ordered, it becomes part of the official record of the proceeding, cannot be canceled after the hearing is held, and must be paid for by the requesting party or parties. If the Federation itself requests and arranges for the transcript, copies will be provided to the respondent(s) by the Federation only upon payment by the respondent(s) to the Federation of one-half (1/2) the cost to the Federation of the transcript. If another party requests the transcript, a copy will be provided to Federation upon payment by Federation of one-half (1/2) the cost to the party of the transcript.

8. Upon the consent of the parties to a protest, charge or grievance, the co-Chairs of the Hearing Committee may direct that the matter be summarily heard and decided on an expedited basis upon such notice acceptable to the parties as time and circumstances allow for justice to be done. Even absent the consent of the parties, the co-Chairs of the Hearing Committee may in their discretion direct that a hearing of any grievance heard pursuant to either GR602.8 or GR605 of the Rules shall be expedited whenever in their opinion by majority vote it is necessary to expedite the matter in order to resolve it and produce a sufficiently early decision to do justice to the affected parties. Upon the request of an athlete or other party that it is necessary to expedite such hearing in order to resolve a matter relating to a competition which 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 hearing shall be so expedited to be concluded prior to the competition. The hearing may be conducted at the site of athletic competition or by telephone conference if necessary. The notice of hearing may be oral, or in writing, and shall in every instance contain the following: the party filing the charge, protest or grievance; any other party involved; identification of the person or persons subject to the charge, protest or grievance; the Federation bylaw or rule allegedly violated or about to be violated; a concise statement of facts surrounding the alleged violation; and the action that the party filing the charge, protest or grievance wants taken. The decision of the hearing panel may be rendered orally, shall be final and may be made effective immediately, but shall be reduced to writing at the earliest possible time, shall include findings of fact and conclusions based upon such findings, and shall be promptly provided to all of the parties involved.
9. Whether or not the same are specifically provided for elsewhere in the Rules, in all hearings conducted pursuant to GR611.2(i) or (ii), above, the parties shall be accorded:
 - a. Notice of the specific charges or alleged violations in writing, and possible consequences if the charges are found to be true;
 - b. Reasonable time between receipt of the notice of charges and the hearing within which to prepare a defense;
 - c. The right to have the hearing conducted at such a time so as to make it practicable for the person charged to attend;
 - d. A hearing before a disinterested and impartial body of fact finders wherein the proponent of the charge must substantiate the charge by a preponderance of the evidence;
 - e. The right to be assisted in the presentation of one's case at the hearing, including the assistance of legal counsel, if desired;
 - f. The right to call witnesses and present oral and written evidence and argument; The right to confront and cross-examine adverse witnesses, including the right to be provided the identity of witnesses in advance of the hearing;
 - g. The right to have a record made of the hearing if desired;
 - h. A written decision, with reasons therefor, based solely on the evidence of record, handed down in a timely fashion;
 - i. Written notice of appeal or review pursuant to GR612 procedures, where applicable, if the decision is adverse to the person charged, and prompt and fair adjudication of the appeal or review.

SUBCHAPTER 6-D POST HEARING PROCEDURES

GR612 Review of Decisions

1. By the Hearing Committee
 - a. A respondent, protester or charging party who wishes to request a review of the Hearing Committee's original decision must make such request in writing, setting forth the reasons why a review is sought. Said request must be accompanied by a fee of \$500, which fee is not refundable except in the discretion of the Hearing Committee. Said request and fee must be received within 30 days from the issuance of the ruling being reviewed.
2. Appeal of decisions made by other than the Hearing Committee
 - a. When the presiding person, persons, Show Committee or Competition Management other than the Hearing Committee makes an initial decision, that decision then becomes the decision of the Federation without further proceedings, unless there is a written appeal to the Hearing Committee for review by a party to the proceeding or by the Federation, which must be received within thirty (30) days from the issuance of the ruling being reviewed. On appeal from the initial decision, the Hearing Committee will not review findings of fact; but will determine whether the rules were properly interpreted and applied.

GR613 Rehearing

Upon the discovery of new facts not discoverable by due diligence prior to a hearing, a party may request a hearing before the Hearing Committee. Such request must be in writing and must contain a statement of the new facts upon which it is based and must be accompanied by a fee of \$250, which fee is not refundable except in the discretion of the Hearing Committee. Said request and fee must be received by the Federation within 30 days from the issuance of the ruling which is being contested. Rehearings will not be granted as a matter of right but are at the discretion of the Hearing Committee.

GR614 Notification

1. When a decision has been reached regarding a charge or protest heard by the Hearing Committee the Federation shall send out the findings within 60 days of the decision, including references to GR704, as applicable. Where findings cannot be issued within 60 days of the decision, the Federation shall send written notification to all concerned parties that the findings are not yet available and when the findings are expected to be released.
2. The Federation will publish on the Federation's web site a notice of every penalty assessed against any person, horse or Licensed Competition and the period of any suspension. Any Licensed Competition which allows a suspended or expelled person or horse to participate is itself liable to penalty, including suspension or expulsion.
3. The Federation may report disciplinary action taken by the Federation to another association if in its opinion reporting is advisable for the protection of mutual interests.

GR615 Reciprocity

1. On receipt of notice that disciplinary action has been taken by an administrative agency, arbitration or other tribunal body, humane society or court of law, whether civil, criminal, arbitral or administrative, against a person, a National Officer of the Federation or the CEO of the Federation or his designee may make a charge against the person under the provisions of Chapter 6 and following a hearing, the Hearing Committee may impose any penalty provided for in Chapter 7.
2. On receipt of notice that USADA or WADA has taken disciplinary action and has applied penalties in accordance with FEI General Regulations against a person subject to Federation rules, with notice to the affected parties but without further proceedings, the Federation shall impose any sanction resulting from the adjudication process in accordance with USADA or WADA protocols, as applicable.
3. Upon receipt of notice that a court of law has entered a judgment or final order against a person, corporation,

partnership or other entity 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 Licensed Competition, which order or judgment is final and not subject to further appeal, a National Officer or the CEO of the Federation or his designee may make a charge against such person or entity under the provisions of Chapter 6, and following a hearing, the Hearing Committee may suspend such person or entity pursuant to Chapter 7, GR703.1.b and .c and/or Chapter 7, GR707.1b but any such suspension shall not extend beyond the time that such judgment or order is satisfied of record in said court of law and may be for shorter period of time in the discretion of the Hearing Committee.

4. On receipt of notice that the Federation Equestrian Internationale (FEI) has imposed penalties in accordance with FEI General Regulations against a person subject to Federation rules, with notice to the affected parties but without further proceedings, the Federation shall recognize and enforce the sanction.
5. Following a hearing, The Federation's Hearing Committee may deny or suspend the privilege to participate in or go upon the grounds of Licensed Competitions, and/or deny, expel or suspend the privileges or membership in the Federation to any person, whether or not a member of the Federation, whom an indictment, information or charge has asserted, or whom any civil, criminal or administrative court or arbitration or other tribunal has found, to have 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.

SUBCHAPTER 6-E ADMINISTRATIVE PENALTIES AND PLEA AGREEMENTS

GR616 Administrative Penalties

1. Administrative Penalties for violations of Chapter 4 (Drugs and Medications) will be handled pursuant to Chapter 4, GR412. For violations of any other rules, the procedures outlined below will be utilized.
2. In the event of an apparent rule violation, other than one involving Chapter 4, which is brought to the attention of the Federation and where no protest or charge has been filed, the Federation may hold in abeyance the issuance of charges of rule violation pending further determination by the Federation CEO or his designee.
3. After investigating the situation, the CEO or his designee shall make a determination in his or her discretion whether to issue charges of rule violation, impose administrative penalties, issue a warning or take no further action in the matter.
4. In the event the CEO or his designee determines to impose administrative penalties in lieu of the issuance of charges of rule violation, he or she shall be authorized to impose any or all of the penalties enumerated in Chapter 7, GR703 and/or Chapter 7, GR707, setting forth the terms and conditions for compliance. The parties offered the administrative penalty shall, after written notice, be subject to any and all administrative penalties imposed by the CEO or his designee, unless a timely written request for a hearing is made pursuant to the provisions of GR616.6.
5. The Federation shall give written notification to the accused of administrative penalties determined pursuant to GR616.4, the terms and conditions of which shall not be subject to negotiation. An administrative penalty must be approved by the Hearing Committee Co-Chairs before it is offered to the Respondent(s). Once accepted by all parties and by the Hearing Committee, an administrative penalty shall have the same force and effect as would a finding of rule violation by the Hearing Committee following a hearing and will be published on the Federation's web site. In the event that the Hearing Committee does not approve an accepted administrative penalty, written notification of same will be sent to the accused and shall constitute a timely written request for a hearing pursuant to GR616.6.

6. Any accused person who receives notice of an administrative penalty under GR616.5 may request a hearing before the Hearing Committee. A written request for a hearing must be actually received in the Federation office within 30 days of the date of receipt by the accused of the notice of administrative penalty(ies), after which time the right to a hearing shall be deemed to have been permanently waived. Once accepted by the accused and approved by the Hearing Committee, administrative penalties shall be effective immediately, shall be final, and shall not be subject to further review under any circumstance(s).
7. In the event a timely written request for a hearing is received in accordance with GR616.6, the Federation shall issue written charges pursuant to GR602 and GR604 and the Hearing Committee shall conduct a hearing upon said charge(s). In the event of a finding of a violation, the Hearing Committee shall not be limited in choice of penalties to those that might have been imposed in accordance with GR616.4, nor in any such instance shall the Hearing Committee be limited in any other way in exercising all of its prerogatives as set forth in the Bylaws and Rules.
8. An offer of an administrative penalty will not preclude the filing of charges by a party other than the CEO or his designee pursuant to GR602 and GR604. Such a charge, however, must be received by the Federation before the administrative penalty is approved by the Hearing Committee. In the event such a charge is filed and in the event the CEO or his designee is subsequently unable to adjust the matter pursuant to GR617 to the satisfaction of the charging party and the accused, then the offer of administrative penalty shall be nullified and the matter shall proceed to hearing.

GR617 Plea Agreements

1. The provisions of this Rule will apply to violations of Chapter 4 (Drugs and Medications) as well as violations of any other rules.
2. The Federation CEO or his designee may investigate any pending protest or charge and attempt to settle the matter in lieu of having it proceed to hearing.
3. After investigating the situation, the CEO or his designee shall make a determination in his or her discretion whether to offer a plea agreement, direct that the matter proceed to hearing, or recommend dismissal of the protest or charge.
4. In the event the CEO or his designee determines to offer a plea agreement, he or she shall be authorized to offer any or all of the penalties enumerated in Chapter 7, GR703, setting forth the terms and conditions for compliance. The parties offered the plea agreement shall, after written notice, be subject to any and all penalties imposed by the CEO or his designee, unless a timely written request for a hearing is made pursuant to the provisions of GR617.6 or unless the maker of the protest or charge challenges the plea agreement pursuant to GR617.8.
5. The Federation shall give written notification to the accused and to the maker of the protest or charge of an offer of a plea agreement determined pursuant to GR617.4, the terms and conditions of which shall not be subject to negotiation. Plea agreements accepted by both the accused and the maker of the protest or charge in accordance with this Rule are subject to approval by the Hearing Committee and in the case of an allegation of a violation of Chapter 4, to approval by the Chairman of the Federation Equine Drugs and Medications Committee. Once accepted by all parties and by the Hearing Committee, a plea agreement shall have the same force and effect as would a finding of rule violation by the Hearing Committee following a hearing and will be published on the Federation's web site. In the event that the Hearing Committee does not approve an accepted plea agreement, written notification of same will be sent to the accused and to the maker of the protest or charge and shall constitute a timely written request for a hearing pursuant to GR617.6.
6. Any accused person or maker of a protest or charge who receives notice of a proposed plea agreement under GR616.5 may request a hearing before the Hearing Committee. A written request for a hearing must be actually received in the Federation office within 30 days of the date of receipt by the parties of the notice of the offer of a plea agreement, after which time the right to a hearing shall be deemed to have been permanently waived. Once

accepted by the parties and approved by the Hearing Committee, plea agreements shall be effective immediately, shall be final, and shall not be subject to further review under any circumstance(s).

7. In the event a timely written request for a hearing is received from the accused in accordance with GR617.6, the Federation shall schedule the matter for hearing and the Hearing Committee shall conduct a hearing upon said protest or charge. In the event of a finding of a violation, the Hearing Committee shall not be limited in choice of penalties to those that might have been imposed in accordance with GR617.4, nor in any such instance shall the Hearing Committee be limited in any other way in exercising all of its prerogatives as set forth in the Bylaws and Rules.
8. If the accused accepts the offer of the plea agreement and the maker of the protest or charge does not, said person(s) can request a hearing before the Hearing Committee upon submission of a written request, and in the case of a protest, upon payment of a \$250 fee (which is not refundable), and the matter shall proceed to hearing.
9. If after investigation of a protest or charge, it is the recommendation of the CEO or his designee that the matter should be dismissed, he or she will notify the maker of the protest or charge and the accused. If the maker of the protest or charge does not agree, said person(s) can request a hearing before the Hearing Committee upon submission of a written request and in the case of a protest, upon payment of a \$500 fee (which will be refunded in the event the protest or charge is upheld) and the matter shall proceed to hearing.