

***Drug & medication ruling indicates new level of consequences in pursuit of clean sport.***

Along with rebranding itself as US Equestrian and unveiling a new overall look, “Joy of Horse Sports” ad campaign and website to go with it, the United States Equestrian Federation got the New Year off to a stern start regarding consequences for violations of its drugs and medications rules. Maintaining “clean sport” is considered critical to growing the sport’s fan base and stiffer penalties are seen as part of the path to achieving that.

One of the 29 breeds/disciplines the Federation governs, hunter/jumper sport is responsible for an estimated 60 percent of all USEF violations. During its annual meeting in Lexington, KY, Jan. 11-14, the Federation released news of \$24,000 and \$12,000 fines, plus suspensions, against two prominent East Coast trainers.

Here is the USEF’s statement regarding decisions against Larry Glefke and Kelley Farmer, along with the trainer and rider’s response to those decisions, posted on their Facebook page immediately after the news was issued on Jan. 11.

**USEF upholds horse welfare & fairplay with stiff penalties for doping**

The United States Equestrian Federation (USEF) Hearing Committee has issued its first decision imposing penalties pursuant to the Equine Drugs & Medications Penalty Guidelines that went into effect Jan. 1, 2016. The Penalty Guidelines recommend ranges of penalties for violations of the Drugs & Medications rules with regard to particular categories of forbidden substances. Substances in Category IV, which include GABA, contain the most serious penalties. The Penalty Guidelines also take into account whether it is the respondent’s first, second, or third offense.

Larry Glefke received a 24-month suspension and a \$24,000 fine after Kelley Farmer’s horse, Unexpected, tested positive for GABA at the Kentucky Summer Horse Show in a Pre-Green Hunter 3’3” class on July 28, 2016. Glefke was identified on Unexpected’s entry blank as the trainer. Farmer was identified as Unexpected’s owner and rider.

The Hearing Committee also found sufficient evidence to support imposing a 12-month suspension and a \$12,000 fine against Farmer in her capacity as a “Person Responsible,” and

thus accountable for the condition of the horse under General Rule 404 of the Drugs & Medications rules.

In support of the penalty against Glefke, the Hearing Committee referenced his prior reserpine violation, also a Category IV substance, a recent violation involving the sedative acepromazine, and a violation for filing false Medication Report Forms. These are factors considered under the Penalty Guidelines for enhancement of penalties. Likewise, the Hearing Committee noted Farmer's prior reserpine violation as a factor that attributed to the penalty awarded against her.

The Hearing Committee expressed concern that despite their awareness of the charges against them and of the scheduled hearing, neither Glefke nor Farmer attended the hearing or submitted any witnesses or evidence to rebut the charges against them.

Bill Moroney, USEF Chief Executive Officer, said, "We applaud the Hearing Committee's decision in this matter. We are focused on ensuring safety and fairness in equestrian sport. The use of GABA in horses competing in USEF competitions compromises these priorities. Our Equine Drugs & Medications program is designed to protect our horses, as well as the participants who compete clean horses. It's clear from the penalties issued in this decision that the Hearing Committee takes the purposes of the program very seriously."

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***Statement from Larry Glefke & Kelley Farmer: USEF vs David (Larry) Glefke and Kelley Farmer***

"Imagine our surprise to receive calls from our peers and colleagues relating to an alleged suspension by the United States Equestrian Federation ("USEF") regarding the equine, Unexpected, when we had absolutely no knowledge about an alleged violation; a charge; a hearing date; let alone a hearing on this matter," say Larry Glefke and Kelley Farmer. "It is unfathomable how the USEF would proceed against Glefke and Farmer uncontested at a hearing Nov. 29, 2016, when in fact Glefke submitted evidence and had counsel present for another matter, says Bonnie Navin, Mr. Glefke's counsel of many years.

At a minimum the USEF should have, as they have in many instances with Navin in the past, contacted Ms. Navin to advise that there was a pending inquiry and charge against one of her clients. Lawyers know full well when they do not receive contact from a charged party and that party has legal representation, to contact that lawyer and advise them of the charges. That is the very ethical foundation of the legal process.

Ms. Navin noted that she had been working with Ms. Keating, USEF's in-house counsel, on other matters not pertaining to Glefke and she never mentioned the issue with Glefke/Farmer.

To that end, Mr. Forman, outside counsel for USEF, certainly made no effort to contact Ms. Navin, whom he knows represented Mr. Glefke for years, to determine if she was aware of any such charge.

Lastly, Ms. Navin attended a hearing on another matter Sept. 27, 2016 and not once in a full day of hearing before the Hearing Panel counsel, Dan Danford, and Hearing secretary, Emily Pratt, was there any mention of such alleged charge or the absence of a response by Glefke/Farmer.

"There is no way Mr. Glefke or Ms. Farmer wouldn't have retained proper representation, secured a B sample of the blood, submitted evidence in writing and had experts on the medicine at a hearing, if they were aware of the charge," says Navin.

Navin says perhaps most disturbing is the fact she stood in the hall of the USEF's headquarters in September in the presence of President-elect Murray Kessler and USEF outside counsel Forman, and neither mentioned to Navin that her clients hadn't responded to a charge against them for GABA, which is a significant allegation. "I was right there in front of the entire USEF legal department, the President, outside counsel, the Hearing Committee and its staff, members of the drug and medications staff and not one person said a word that Glefke/Farmer had a GABA charge that had not been responded to," says Navin.

The USEF sadly issued the final order and press release on the heels of the USEF Annual Meeting in a effort to "pat itself on the back" for issuing hefty fines, but they did so at the

violation of Due Process which is punishable for the United States Olympic Committee if it is determined the USEF, as the National Governing Body, violated its own By-Laws, and that of USOC, for due process. USEF claims in its final order that secretary Emily Pratt called Farmer about the charges, a matter vehemently denied by Ms. Farmer. "If anyone had contacted me about any charge, no matter how small or large, I would have contacted our counsel immediately to secure our due process rights and rights under the drug and medication rules, such as having a B sample tested," says Farmer.

Navin has immediately requested the USEF provide all evidence of all documentation sent to Glefke/Farmer including phone records of the purported call to Farmer about this alleged charge to get to the bottom of the matter and further investigate what occurred. At this time, Navin is looking into filing an emergency USOC charge and/or seeking the USEF vacate the prior order pertaining to Unexpected and issue a proper charge and allow Glefke/Farmer their due process rights afforded to them under their USEF membership to defend the allegation.