



AN ALLIANCE OF THE WORLD'S LEADING EQUINE LAW FIRMS

WITH OFFICES IN:

AMSTERDAM & OISTERWIJK (HEAD OFFICE)

BRUSSELS

MALMÖ - LUND - STOCKHOLM

LIVORNO

LONDON

MUMBAI

PARIS

PORTO

QUEBEC

VERDEN

WARSAW



WWW.EUROPEANEQUINELAWYERS.COM
INFO@EUROPEANEQUINELAWYERS.COM

INTRO

**I am honoured and pleased that so many outstanding Law Offices showed their interest in our Alliance:
EUROPEAN-US-ASIAN EQUINE LAWYERS.**

In the last decade the Equine Industry has been growing ever since. Also the International horse deals keep increasing annually.

My firm, Schelstraete Equine Lawyers, focuses her practice on the International clients as a result of which we have been working with cross border Equine Law Specialized Lawyers to whom we have introduced many clients and files.

The time has come that these International developments are to be formalized by means of creating an Alliance Group which has been set up in the beginning of 2017.

Through this Alliance Group of independent partners we provide the Equine Industry knowledge, understanding and experience.

Thanks to this Alliance we will be able to provide our clients with a thorough advice. This is not only the case when it comes to the sale and purchase of horses, but also in the event that a dispute arises after the sale and purchase and a civil litigation procedure, often taking place abroad, seems inevitable. As an Alliance Group we will also be able to provide support to our Partners with specific knowledge related to other areas of expertise such as International collaborations, FEI disciplinary cases, liability claims and veterinary legal matters and so on.

Luc Schelstraete



BELGIUM
BRUSSELS

Law Office Beelen was founded in 1978 by Mr. Bert Beelen. Meanwhile the office has become a midsized office in Belgium at which 18 lawyers and 6 administrative co-workers are active.

Each lawyer has a strong specialism for a certain field of expertise in which a high level of professionalism is aimed for. The law office is known for its tradition leading to a juridical creativity and a global solution for all juridical problems at top level.

The Equine Law is one of the niches in which Law Office Beelen, and more specifically Mr. Katrien Beelen, is specialised as one of the only lawyers in Belgium. No effort is too much and the work is done fast and efficient, while keeping a perfect communication with the client.

www.beelenadvocaten.be



BEELEN ADVOCATEN

AVOCATS • LAWYERS • RECHTSANWÄLTE

Katrien Beelen



CANADA QUEBEC

KSA offers legal and transactional services tailored to the needs and nature of the client.

KSA's main areas of practice are business law, commercial and civil litigation, insolvency and bankruptcy law, construction law, environmental and land planning law, labor and administrative law, real estate law, non-contentious proceedings, estates, security interests and equine law. Equine matters at KSA are handled by Me Julien-Pierre Côté, himself a breeder of high quality showjumpers and a longtime horse enthusiast, supported by a very competent team of professionals in each relevant field of expertise. We have represented clients in matters relating to horse sales and purchases, lease agreements, horse co-ownership, boarding agreements and vendor's liability.

We have also represented other professionals such as veterinarians with regards to disciplinary and professional issues. We can also support our clients' needs in connection with sports law matters.

KSA's clients are mainly business people, including individuals from Quebec. However, our professionals regularly intervene in Ontario and, occasionally, in Canada, in United States, and in the territory of the European Union. KSA provides services in French and English.

www.ksalex.ca



AVOCATS

présence et expertise

Julien-Pierre Côté



The d'ORNANO QUERNER DHUIN firm has a network of trusted associates and partners (lawyers, solicitors, barristers, bailiffs) in France, Europe, and in the United States, which enables it to handle the following types of cases in the best conditions:

Cases involving specific issues that do not fall within our partners' specialities (e.g. intellectual property law, inheritance law, property law, banking law).

Cases that require filing emergency proceedings either in France or abroad.

Cases related to the Equine sport.

d'Ornano Querner Dhuin

AVOCATS À LA COUR

Jean Phillippe Querner



GERMANY
VERDEN

Our law firm is composed by a team of professional lawyers, tax advisors and notaries looking back on more than 100 years of tradition.

We advise our clients in all matters of civil law, contract law and business law. In this regard, we focus on counseling mid-sized companies, municipalities and consumers.

As a particular specialty and with long tradition we also provide advice and litigation for breeding associations, sellers and purchaser in the fields of equine law.

We gained great experience in designing individual purchase contracts or conditions of sale for the auctions of breeding associations and sales events. We represent our clients in litigation concerning after-sale disputes like withdrawals, reductions of the purchase price or claims for damages.

Moreover, we have extensive experience concerning claims against veterinarians. As conflicts arise often in the context of pre-purchase examinations or with regard to an improper treatment of the horse we are glad to provide our clients with professional advice and assistance in the corresponding legal disputes.

www.bf-p.net

**BERNER • FISCHER &
PARTNER**

RECHTSANWÄLTE STEUERBERATER NOTARE

Sascha Muench



INDIA
MUMBAY

Kevic Setalvad is a 4th Generation lawyer practising in the Bombay High Court, the Supreme Court of India and the various other High Courts across India.

He commenced practice in the year 1990 and was designated as a Senior Advocate (the equivalent of a Queens Counsel in the United Kingdom) in the year 2011. He was appointed as the Additional Solicitor General of India during the period 2012 to 2014, during which period he represented the Government of India in the most important matters concerning the Union of India. Kevic Setalvad's practice is wide ranging and covers litigation in Civil Law, Commercial Law, Constitutional Law and International & Indian Arbitration.

Kevic Setalvad's association in the equestrian world is as one of the prominent owners of sport horses in India. He owns a string of European sport horses which are stabled and trained on the outskirts of the city of Bangalore in India. Both his sons, Kaevaan Setalvad and Zahan Setalvad, are the premier showjumping riders of India.

Setalvad

Kevic Setalvad



ITALY **LIVORNO**

Vincenzo Giardino is an active rider in show jumping for 40 years, he transformed his passion into work specializing in anti-doping legislation and founding an Italian network of equestrian lawyers. The firm specializes in judicial and extrajudicial assistance both before the Italian Federal Courts and before the FEI Court.

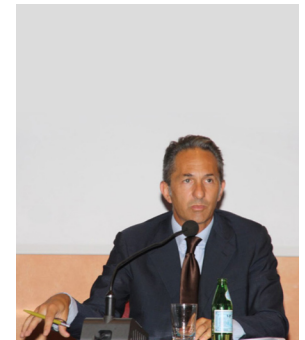
Vincenzo Giardino is a contract professor at the University of Florence in the field of anti-doping where he holds a post-graduate master's degree. The Firm has offices in major Italian cities and each of the referents is first and foremost a horse man as well as being a talented lawyer.

The Firm is able to provide assistance in all respects in the field of equestrian law.

www.equestrianlawyer.it



Vincenzo Giardino



NETHERLANDS
AMSTERDAM - OISTERWIJK
(HEAD OFFICE)

Our work for foreign clients is carried out primarily within the fields of Company Law and Equine Law. When it comes to these legal fields, Schelstraete Lawyers prides itself on its extensive experience and insight into the effects of cross-border transactions.

In order to be able to best promote the interests of Dutch companies and private individuals abroad, we avail ourselves of the know-how of law firms and/or tax specialists in most EU countries and the United States; we maintain close ties with these professionals who apply the same practically oriented approach we do.

In the legal field, equine law is considered a niche. For Schelstraete Lawyers, however, this is not the case. With over 30 years of experience, we are a trendsetting firm in this field.

Mr L.M. (Luc) Schelstraete, LL.M., active at the time as a rider in dressage and combined competition sports, was asked with increasing frequency to answer legal questions related to the equine sport.

Eventually, this led to several employees at the firm becoming active, on a daily basis, with many topics directly related to the equine sport.

www.schelstraete.nl



S C H E L S T R A E T E

Vincent Zitman



Luc Schelstraete



Piotr Wawrzyniak



POLAND
WARSAW



LEXHIPPICA
LEGAL OFFICE

The LexHippica was founded by two lawyers: Anita Garnuszek and Agnieszka Cwajna.

"Lex Hippica Legal Office provides legal services in particular regarding legal representation in arbitration and litigation, including cases concerning recovery of claims due to horse defects and compensation recovery, legal representation in proceedings before the Polish Equestrian Federation (PZJ) and the International Equestrian Federation (FEI), legal consultancy on sports law, civil law, commercial law, labour law, private international law and corporate services.

Lex Hippica lawyers are also authors of numerous publications on legal issues associated with the equestrian industry. They also give lectures to the representatives of the equestrian environment in collaboration with the Polish Horse Breeders Association and during international horse competitions which take place in Poland such as CAVALIADA."

www.lexhippica.pl

Agnieszka Kalinowska



PORTUGAL
PORTO

Paulo de Sousa

My name is Paulo Norberto Meireles de Sousa and i was born in Matosinhos, Portugal, on February 21, 1962. I graduated in Law at the University of Coimbra. The University of Coimbra is one of the oldest in Europe, it was founded on March 1, 1290.

The Law School in the University of Coimbra is the most prestigious one in Portugal. At the time, it was also the most demanding and difficult. After my internship in a law firm, I am enrolled in the Portuguese Bar Association since December 14, 1992.

Since then I work exclusively as a lawyer. I also collaborate with the Bar Association Internship Center and I was part of the deontological council of the Bar Association.

Paulo de Sousa

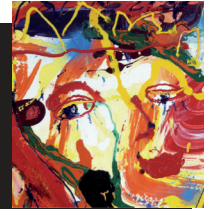


SWEDEN
MALMÖ - LUND - STOCKHOLM

Gulliksson (founded 1975) is one of the leading law firms in Sweden within our specialized areas offering qualified advice and service within commercial law and associated areas with a special focus on intellectual property, dispute resolution, company law, insolvency law and environmental law.

Gulliksson also represents individual athletes, entrepreneurs, clubs and associations at various authorities, courts and committees. We can also assist in negotiations and sponsoring contracts due to our knowledge in Sports and Media law. Our clients range from professional riders, breeders, agents, veterinarians, equine authorities and investors that each and together form the backbone and drive development in today's modern and successful equestrian sports and business.

Gulliksson handles all kinds of business disputes – in general courts, administrative courts, authorities and arbitration tribunals. We represent clients in negotiations, court procedures, arbitration procedures, mediation, international dispute resolution and alternative dispute settlement. Our experience of processing also extends outside Sweden's borders and our understanding and experience of equine law is extensive. Gulliksson has many employees who are active in sports in different ways, and within equine especially. Some as participants and others as board members or as representatives in reputable associations.



GULLIKSSON

Cecilia Tholse Rogmark



UNITED KINGDOM **LONDON**

Morgan Sports Law offers a wide range of services for its equestrian sports clients, led by Lisa Lazarus, former General Counsel of the Fédération Equestre Internationale (FEI). We represent equestrian athletes, trainers and horse owners in disputes arising under the Equine Anti-Doping and Controlled Medication regulations from the FEI Tribunal through to the Court of Arbitration for Sport. The firm also advises equestrian sports clients on best practices in stable management to avoid anti-doping and other potential rule violations.

MORGAN

Further, the firm provides guidance to equestrian events and businesses that are seeking counsel from lawyers with a deep knowledge of the industry and its related rules and regulations.

SPORTS LAW

Lisa Lazarus



Emma Waters



Mike Morgan



REFERENCES

Several references of Schelstraete in 2019

Litigation

Dutch client of Schelstraete wins short lawsuit procedure in Assen. Client sold an expensive showjumper. Buyer, also a professional, claims the annulment of the contract because of alleged character defects. The District Court Assen ruled that these defects have not been proven. Also a short lawsuit is not a proper procedure in cases like these.

American Court decision (Tennessee) ruling on compensatory damages and punitive damages not accepted by the Dutch Court. Dutch client of Schelstraete wins short lawsuit procedure in Amsterdam and his motion to have the civil arrests on his assets lifted was granted. Source: ECLI:NL:RBAMS:2018:9144.

Saudi client of Schelstraete wins procedure in Los Angeles, the plaintiff (residing in the US but born in Saudi Arabia) withdrawn his claims.

Dutch client settles a long-term litigation in The Netherlands and received back the sold horse from the purchaser and agreed to look for another suitable horse. In the meantime, the ex-husband of the purchaser seized the horse, claiming he is the owner instead of his former wife. The Dutch client is now claiming back the full training and stabling costs of the horse from the purchaser as well as the ex-husband for the duration the horse is stabled at her stable.

Israeli client of Schelstraete (professional showjumper) settles dispute on the sale of an expensive showjumper which he had in co-ownership with Dutch dealer after Schelstraete has successfully arrested the horse (and its original FEI passport) and started a lawsuit against the co-owner.

UK client of Schelstraete wins litigation at the District Court Den Bosch and in appeal at the Dutch Court of Appeal Den Bosch where she claimed successfully complete damages from a Dutch professional seller. Seller did not provide a to be swapped horse. Source: ECLI:NL:GHSHE:2018:5183.

Dutch client of Schelstraete (seller of horse) wins short lawsuit where the plaintiff claimed back from seller the paid purchase price. The horse allegedly suffered from headshaking which defect could not be established during a short lawsuit.

Bermuda client of Schelstraete and Beelen Advocaten wins litigations in both instances in Belgium (District Court in Ghent and Court of appeal in Ghent) where she successfully claimed back from her contracting party a prepaid lease for a high level showjumper.

Dutch client of Schelstraete wins a litigation in Poland (Warsaw) regarding the agreement for provision of services between a group of Dutch pilots and a Polish Airliner.

Dutch client of Schelstraete wins litigation on a painting (Jacob Jordaens) in appeal. Client is seller of a painting of which buyer claimed this was not an original. Buyer's claim for compensation of 650.000 euro was rejected by court of first instance. Buyer lodged an appeal but did not submit grounds of appeal. Court of appeal declared appeal inadmissible.

Dutch client of Schelstraete who sold a carriage horse to a professional buyer wins appeal procedure at the Court of Appeal Arnhem. Buyer claimed defects at the sold horse (tendon issues) and litigated at the Supreme Court in The Netherlands. Also, this instance rejected buyers claims against seller. No consumer sale was established. Buyer had the burden of proof regarding the presence of the defect prior to the sale which burden was not met. Source: ECLI:NL:HR:2019:224.

Client of SEL (a professional horse stable) wins procedure before the District Court in Breda against a horse owner regarding livery- and trainings costs over a period of more than two years and succeeded to collect the full amount from the horse owner which at first instance seemed to be insolvent. Source: ECLI:NL:RBOBR:2017:5125

Advising and contracting

Schelstraete successfully assisted Swedish, Dutch, German, Belgian and other clients from for instance the US, Bermuda, Turkey, Czech and so on at the sale or purchase of equine estates in Europe, horses and ponies.

Schelstraete successfully assisted non-EU citizens in obtaining residence permits in the European Union for a longer period of time in order to train and compete in equine sports.

Conclusion of a long-term contract between highly ranked FEI showjumper and American horse owner.

Client advised several non-European Olympic riders and their companies on tax issues and their European domicile.

Several references of Schelstraete in 2018

Litigation

Israeli client of Schelstraete wins Court of Appeal procedure in The Hague (The Netherlands): Client's claim for compensation of 50.000 euro based on the annulled purchase of a dressage horse granted: source: ECLI:GHDHA:2017:3097 dated 25 January 2018.

Swedish client of Schelstraete and Burkart Fischer wins Court of Appeal procedure in Celle (Germany): purchase agreement on expensive dressage horse successfully annulled based on mall representations and fraud, claim of 2 million euro towards seller, commissioners and trainer granted.

Dutch client of Schelstraete wins Court of Appeal procedure in 's-Hertogenbosch (The Netherlands): civil arrest on horses of client Schelstraete lifted; source: ECLI:NL:GH-SHE:2018:1172 dated 20 March 2018

Saudi client of Schelstraete wins Court of Appeal procedure in Arnhem (The Netherlands): Horse trainer does not have a right of retention. Court lifts arrest on several horses. Source: ECLI:NL:GHARL:2018:3893 dated 24 April 2018

Dutch client of Schelstraete wins civil procedure in 's-Hertogenbosch (The Netherlands): client was seller of grand prix show jumper to Canadian buyer with purchase price of 650.000 euro. Court rejects Buyer's claim for annulment of purchase agreement. Buyer should have tried the horse herself and is no consumer. Source: ECLI:RBO-BR:2018:5905 dated 28 November 2018

Japanese client of Schelstraete wins a civil law suit up to the Supreme Court in Bulgaria against a Swedish counterparty: ruling no. 587/14 of the District Court of Varna, commercial department, dated 14 February 2018.

Swedish client of Schelstraete wins enforcement dispute from counterparty who tried to stop the execution of a German Court decision on two million euro claim. Source: The Court of Appeal (Hovrätten över Skåne och Blekinge) ruling no. nr ÖÅ 2994-18 dated 26 October 2018.

Dutch client of Schelstraete wins litigation on painting (Jacob Jordaens). Client is seller of a painting of which buyer claimed this was not an original. Buyers claim for compensation of 650.000 euro rejected. Source: Court 's-Hertogenbosch, dated 5 September 2018

Dutch client of Schelstraete wins short lawsuit from American Counterparty in Amsterdam (The Netherlands): Court limited civil arrest on property client from 2,5 million to 285.000. Source: ECLI:NL:RBAMS:2018:9144 dated 12 December 2018

Dutch client of Schelstraete wins a by the English counterparty alleged neurectomy case: the judge rejected the claims of the English buyer because buyer failed to prove that the intention with the purchase of the horse from client was to partake in FEI dressage competitions. Source: Court 's-Hertogenbosch, dated 19 April 2019

Dutch client of Schelstraete, an Equine Business Owner and organizer of Equine Events, wins case from a Dutch Caterer about the catering for an event in Italy. Caterer needs to pay the client of SEL 200.000 euro. Source: ECLI:NL:GHSHE:2018:4029 dated 3 October 2018

Advising and contracting

Conclusion of a long term contract between highly ranked FEI show jumper and American horse owner

Contractual agreements (joint ventures) regarding several 4* and 5* equestrian competitions nationally and internationally

Negotiations on behalf of client of Schelstraete to participate in Global Champions League (GCL) Team

Schelstraete advised several non-European Olympic riders and their company's on tax issues in Europe and their European domicile

Japanese client establishes his equine business successfully in The Netherlands with the assistance of Schelstraete

Schelstraete claimed successfully 750.000 euro and 250.000 euro for a Dutch client at its English Insurance Company

Negotiated successfully with a Dutch bank about waiving the debt of Schelstraete's client of 700.000 euro

Disciplinary cases

Positive outcome at the FEI Tribunal for Saudi client.

Successful settlement in FEI disciplinary cases for a Dutch and a Saudi client of Schelstraete

Several references of Morgan Sports Law in 2017 & 2018

Waad Nadim Moghlbay and Daiana Chopita

(12 October 2018)

On 9 December 2017, Endurance rider, Daiana Chopita competed in the CE11* 100 on horse JC Cahuel. On 23 December 2017, endurance rider, Waad Nadim Bou Moghlbay, participated in the CE12* 120 on horse JLB Noche. Ms Chopita also competed on another horse, HLP Gadafi. Samples taken from the three UAE registered horses, namely JC Cahuel, JLB Noche and HLP Gadafi following their respective events revealed the presence of Trometamol, a Banned Substance listed on the 2017 FEI Equine Prohibited Substances List. Both riders were provisionally suspended on 9 and 10 January 2018 respectively as the Person Responsible. Following an investigation, it was established that the source of the Trometamol found in the horses' samples was a supplement that contained Trometamol as an unlisted and inactive ingredient (alkalizing agent)– which Ms Chopita and Ms Bou Moghlbay could not have known about.

Morgan Sports Law subsequently submitted a request to the FEI List Group that the classification of Trometamol be revised to a Controlled Medication (rather than a Banned Substance). This request was accepted by the FEI List Group and was later approved by the FEI Bureau, meaning that as of 1 January 2019 Trometamol will be reclassified as a Controlled Medication (subject to acceptance by the National Federations).

In light of the reclassification, Morgan Sports Law reached a settlement agreement with the FEI that meant Ms Chopita and Ms Bou Moghlbay would serve a backdated six-month period of ineligibility (instead of a possible 2 years). This agreement has been ratified by the FEI Tribunal and incorporated into a Final Decision, meaning that both riders are immediately free to return to competition.

Paige Johnson free to resume her career with immediate effect

(13 October 2017)

Morgan Sports Law acts for equestrian rider, Ms Paige Johnson, in her successful appeal to the Court of Arbitration for Sport ("CAS") against a one-year ban imposed on her by the Fédération Équestre Internationale ("FEI").

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