

**THE COMPLAINT BY MARCO HUCK OF THE WBO WORLD CHAMPIONSHIP COMMITTEE DETERMINATION TO DENY THE PETITION FOR A DIRECT RETURN MATCH WITH KRZYSZTOF GLOWACKI FOR THE WBO JR. HEAVYWEIGHT TITLE**

**THIS CAUSE** coming to be heard by the WBO Complaint and Grievance Committee<sup>1</sup> per Section 34 of the WBO Regulations of World Championship Contests and Article 3 of the WBO Appeals Rules upon the complaint of Jörg von Appen, on behalf of Marco Huck from the October 20, 2015 determination of the WBO World Championship Committee, the WBO Complaint and Grievance Committee having received the Ruling of the WBO World Championship Committee, submittals of the Interested WBO Participants, the Association of Boxing Commissions (ABC) Unified Rules of Boxing, and the WBO Rules, and being fully advised in the Premises,

**IT IS ORDERED: the Appeal is Denied.**

THE FOLLOWING is established as the Record of Proceedings in this Cause:

1	8/18/ 2015, email from Huck Sports Promotion through Mr. Karsten Mahlmann regarding the WBO Jr. Heavyweight bout between Marco Huck and Krzysztof Glowacki held on August 14, 2015, requesting a bout review and the order of an immediate rematch.	10
2	9/23/2015, letter to WBO Interested Participants requesting that both parties submit any statements, affidavits, reports, summaries, compilations, press reports, or other evidence and documents for the WBO World Championship Committee to consider.	11

<sup>1</sup> Luis Batista-Salas, Esq., recused himself from any participation in this deliberation due to his position as Chairman of the WBO Championship Committee whose decision is appealed from.



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3	9/28/2015, Jörg von Appen statement, on behalf of Marco Huck, in support of petition for a direct return match against Glowacki— specifically their view of the circumstances of Round 6.	12-14
4	9/28/2015, letter from Leon R. Margules, on behalf of Glowacki, in response to Huck’s immediate rematch request.	15-17
5	10/20/2015, Resolution of the WBO World Championship Committee denying request for a direct return fight.	18-20
6	10/30/2015 (Received 11/2/2015) Marco Huck appeal of the October 20, 2015 Resolution of the WBO World Championship Committee.	21-22

**DISCUSSION**

Mr. Jörg von Appen, attorney to former WBO Jr. Heavyweight Champion of the World Marco Huck, petitioned this WBO Complaint and Grievance Committee on October 30, 2015<sup>2</sup> to (1) reverse the October 20, 2015 determination by the WBO World Championship Committee denying the petition for an immediate or return rematch, per the WBO Regulations of World Championship Contests; and (2) that we order a direct return match as “the only suitable remedy to deal with the breach of WBO Rules.”

**INTRODUCTORY COMMENTS**

The WBO Complaint and Grievance Committee has sought to afford both parties due process for their position at all stages of this appeal and to ensure a prompt, fair and equitable resolution of this dispute. In preparation for this Resolution, this Committee has independently viewed film of the fight, reviewed the WBO Supervisor in Attendance Report, and closely

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<sup>2</sup> Note that Appeal was submitted on October 30, 2015. However, it is not until November 2, 2015 that it is received by the WBO, as all office staff was in Orlando, Florida for the WBO Convention.



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considered evidence previously presented to the WBO Championship Committee on behalf of both Messers. Huck and Glowacki. In the present case, there are no factual disputes. That is to say, that this Committee must only determine whether there was a misapplication of the rules and pass judgment on the WBO Championship Committee interpretation of such rules.

While the WBO Complaint and Grievance Committee understands the implications for all involved— boxers, managers, promoters and others— of fights such as the WBO Jr. Heavyweight Championship Contest between Marco Huck and Krzysztof Glowacki, we are not swayed by the Petitioner’s allegations nor have we found the evidence presented sufficient to rebut the ruling of the WBO World Championship Committee. In fact, the issues raised in support of their Appeal cannot be reasonably considered to constitute a clear misapplication of the rules of boxing resulting in manifest unfairness such that the August 14, 2015 WBO Jr. Heavyweight Championship Contest was substantially irregular and the outcome unresolved.

**Marco Huck Petition to Reverse the October 20, 2015  
Determination of the WBO World Championship Committee to  
Deny a Direct Return Match with Krzysztof Glowacki for the WBO  
Jr. Heavyweight Championship of the World**

The WBO World Championship Committee can, in the exercise of its power and discretion per Section 1 (b) (17) of the WBO Regulations of World Championship Contests, “recommend to the Executive Committee whether a direct return fight should be authorized.” Section 18 of the WBO Regulations, in turn, further elucidates that:

**The WBO shall not allow direct return fights,  
unless recommended by the World  
Championship Committee and authorized by**



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the Executive Committee. A direct return fight is a fight between the new Champion and the former Champion from whom the new Champion won the title (or between a new Champion and the losing Contestant in a Vacant Title Fight), before the new Champion defends his title against any of the other fighters classified in his category. If the World Championship Committee determines either that the resolution of a Championship Contest was substantially irregular, or that there was a clear misapplication of the rules of boxing resulting in a manifest unfairness, such that in either case the World Championship Committee determines that the Championship was substantially unresolved, the World Championship Committee may, in its discretion, recommend a direct return fight, which may be authorized only by the majority vote of the Executive Committee. The World Championship Committee may recommend a direct return fight for any other circumstance; in that event a direct return fight shall only be authorized by the affirmative vote of not less than 75% of the Executive Committee.

In the Appeal, Mr. von Appen, on behalf of Marco Huck, contends that we should reverse the October 20, 2015 determination of the WBO World Championship Committee, but does not submit new evidence or otherwise add to the August 18, 2015 Petition, opting instead to reiterate the following:

1. That Section 25 (b) of the WBO Regulations state that “[...] the fallen fighter shall take the compulsory eight (8) count,” and that the eight



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count is the “fundamental and only time frame for the determination of a knockout.” Finally, that only when a fighter is then still down, a count of ten will be allowed under WBO Regulations.

2. That it is undisputed, that the referee Mr. Fields counted on Glowacki until 9 seconds when he was knocked down in Round 6, and thus beyond the mandatory eight count stipulated by WBO Regulations.
3. That it is further undisputed that Mr. Fields as the Referee has authority to decide at his discretion whether or not a fighter is fight to continue fighting after the eight count.
4. The count until 9, instead of eight, is a “clear misapplication of the rules of boxing resulting in a manifest unfairness,” because more time was given for a fighter to recover.

The overriding argument of the Appeal it seems is that Referee David Field’s determination to allow the fight to continue not only substantially altered the course of the fight, but also “led to Marco Huck losing the fight in the eleventh round of the bout due to a technical knockout.”<sup>3</sup> This Complaint and Grievance Committee cannot deem this to be a reasonable conclusion, much less the main argument to overrule 1) the Referee, as the sole arbiter of the fight, and 2) a WBO Championship Committee that saw no “clear misapplication of the rules of boxing resulting in a manifest unfairness.” As such, we must affirm the October 20, 2015 determination of the WBO World Championship Committee and agree with all of the reasons outlined in support of it, finding nothing to overturn it.

Specifically, we reiterate the indisputable rule, per Section 24 of the WBO Regulations of World Championship Contests that the referee is the “chief official in all Championship contests and shall be in charge and control of the fight.” Mr. Fields had full authority to exercise his discretion in determining that Glowacki was fit to continue following the knockdown

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<sup>3</sup> See initial statement on behalf of Marco Huck, specifically, the first argument describing the circumstances of Round 6.



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he suffered in round 6 of the Championship Contest. Furthermore, we concur with the WBO World Championship Committee in that “stopwatch precision” cannot be reasonably expected of a referee and that some, inevitably, count quicker than others.

Finally, we also cannot determine that the resolution of the August 14, 2015 Championship Contest was substantially irregular, or that there was a clear misapplication of the rules of boxing resulting in a manifest unfairness, rendering the bout substantially unresolved.

### **CONCLUSION**

The Appeal is denied. The October 20, 2015 determination of the World Championship Committee is sustained. This Decision is the Final Action of the WBO Complaint and Grievance Committee. It constitutes the Final Arbitration of the issue per 32 LPRC Section 3201 et. seq. and the US Arbitration Act, Title 9 of the United States Code, and the Inter-American Convention on International Commercial Arbitration of July 30, 1975 and the Convention on the Recognition and Enforcement of Foreign Arbitration Awards of June 10, 1958 under WBO Rule 35, which in relevant part provides:

**d) These Regulations are to be interpreted in conformity with the Laws of the Commonwealth of Puerto Rico. All WBO Participants agree and consent that any or all action in which the WBO is made a party, whether it is to enforce, interpret or declare the application of these Regulations or to appeal from any determination of the WBO, including, but not limited to a determination of the Complaint and Grievance Committee, may be maintained only in the Superior Court of the**



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Commonwealth of Puerto Rico, or, if applicable, in the U.S. District Court for the Commonwealth of Puerto Rico.

e) All WBO participants acknowledge and agree that the mandatory resort to the WBO Appeals Regulation is the sole and exclusive remedy for any claim, appeal or contest that arises from any right or status that is subject to these Regulations or which results from or relates to the interpretation or application of these Regulations. These WBO Appeals and Grievance Committee determinations are Arbitrations within the contemplation of 32 LPRA Section 3201 et. Seq. and the US Arbitration Act, Title 9 of the United States Code, and the Inter-American Convention on International Commercial Arbitration of July 30, 1975 and the Convention on the Recognition and Enforcement of Foreign Arbitration Awards of June 10, 1958. All WBO participants stipulate and agree that the nature of the sport requires a prompt, final and uniform resolution of all disputes concerning application of these Regulations by a tribunal experienced with the application of these Regulations and with special knowledge and experience in world championship professional boxing.

f) These Regulations apply to all WBO Participants. The term WBO Participant includes any and all person or company who participates in any WBO activity, including, but not limited to any and all current or former WBO World Champions, WBO Regional Champions, World Championship or WBO Regional Championship contenders, all WBO



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**World or Regional ranked or rated boxers, Manager and/or Promoters of any of the foregoing, all WBO Members, and all WBO Officials. The WBO is a voluntary not-for profit organization.**

**All WBO Participants who participate in any WBO sanctioned activity do so on the express condition that such WBO Participant is bound by and subject to these WBO World Championship Rules and all WBO Rules and Regulations.**

All WBO Participants are reminded that the sole remaining WBO appeal of this determination is to the WBO Executive Board, which may be initiated only by written application to the WBO President per Article 7 of the WBO Appeals Regulations:

**The decision of the Complaint and Grievance Committee is final unless an appeal is granted pursuant to this Article. In the sole discretion of the President, a decision of the Complaint and Grievance Committee may be reviewed by the Executive Committee of the WBO.**

**This extraordinary review may be ordered by the President upon the independent decision of the President after receipt and consideration of a written Appeal by a WBO Participant affected by the decision within five (5) days following the date of the decision.**





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CHAMPIONSHIP COMMITTEE DETERMINATION TO DENY THE  
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The effect of a decision of the Complaint and  
Grievance Committee will not be affected by an  
Appeal unless the President determines to stay  
the decision pending Appeal.

On November 13, 2015

Respectfully Submitted,  
World Boxing Organization  
Complaint and Grievance Committee

By:

Alberto Rodriguez-Perez, Esq.

From: karsten.mahlmann@ufasports.com  
Subject: Jr. Heavweight WC Marco Huck vs. Glowacki / 14 August 2015  
Date: August 18, 2015 at 12:37 PM  
To: infonews@wboboxing.com  
Cc: jri@wboboxing.com, koko@koko.hu, t.puetz@puetz-security.de



Dear President Valcarcel,

in the name of Marco Huck and Huck Sports Promotion we would kindly ask the WBO to review the situation and counting of the knockdown of Glowacki by Marco Huck in round six.

The time from the moment Glowacki hit the floor until the referee restarted the fight were in total about 20 sec. That period we consider as too long.

Furthermore, referee Fields counted to nine before he was checking if Glowacki was able to continue and

according to WBO regulation he should have counted to eight only. Time from knockdown to nine count were 12,5 sec.

Due to the longer count Glowacki had been given the chance of a longer recovery period before the referee stopped the count to check whether he would be able to continue.

From the nine count it took about 7,5 sec until the referee allowed the fight to continue.

We consider the possibility that the referee would have waved off the fight in case he would have stopped the count at eight

as very likable since Glowacki was still very dizzy at the eight count.

Given the situation described above, the results on the scorecards and the extraordinary attractive fight which both fighters

delivered that night we would kindly ask WBO to order an immediate rematch. Such fight will now not only be in Germany and Poland

a very attractive and lucrative event but also in the USA, where the media has nominated the fight already as a candidate for the fight of the year

which is in line with your comments via Twitter after the fight.

We are hoping for an amicable solution and looking forward to hearing from you soon.

With kind regards,

Karsten Mahlmann  
for  
Huck Sports Promotion



## WORLD BOXING ORGANIZATION

**Luis Batista Salas, Esq.**  
**Chairman**  
**WBO Championship Committee**

September 23, 2015

**Karsten Mahlmann**

E-mail: [karsten.mahlmann@ufasports.com](mailto:karsten.mahlmann@ufasports.com)

**Piotr Werner**

E-mail: [wernerpiotr77@gmail.com](mailto:wernerpiotr77@gmail.com)

Re: Immediate Rematch Request

Gentlemen:

On August 18, 2015, the WBO received an email from Huck Sports Promotion through Mr. Mahlmann regarding the WBO Jr. Heavyweight bout between Marco Huck and Krzysztof Glowacki held on August 14, 2015, requesting a bout review and the order of an immediate rematch.

We request that both parties submit to the Championship Committee as soon as possible any statements, affidavits, reports, summaries, compilations, press reports, or other evidence or documents which the affected WBO participant wants the Committee to consider. The submittal shall include a clear and specific summary of response to it, reasons and arguments upon which it is based, with a clear statement of the relief the complainant is seeking and shall have attached clear and legible copies of all documents, reports, precedents or other materials relevant to the request.

Please send your submittal no later than Monday, September 28, 2015, no later than 4 P. M. EST. Please copy all parties into your submittal. Thank you.

Yours truly,

Luis Batista Salas, Esq.

C/c: Leon Margules – Warrior's Boxing

Enclosures

Condominium First Federal | Suite 711-714 | 1056 Muñoz Rivera Avenue | San Juan, PR 00927

Office: 787-765-4628 | Facsimile: 787-758-9053



E-mail: [lbs@wboboxing.com](mailto:lbs@wboboxing.com) |



Skype: WBO Boxing |



Website: [www.wboboxing.com](http://www.wboboxing.com)

**Luis Batista Salas,**  
Esq. Chairman WBO Championship Committee  
Condominium First Federal  
Suite 711 – 714  
1056 Munoz Rivera Avenue  
San Juan, PR 00927

**Via Fax: +1 787 – 758-9053**  
**Email: lbs@wboboxing.com**

28.09.2015

von appen | jens legal  
Partnerschaft von  
Rechtsanwälten

Jörg von Appen  
Dr. Andreas Jens  
Partner

**Re: Bout between Marco Huck and Krzysztof Glowacki  
on 14 August 2015**

Poststraße 36  
20354 Hamburg  
Tel.: +49 (0)40/41 91 200-0  
Fax: +49 (0)40/41 91 200-29  
info@vonappen-jens.de  
www.vonappen-jens.de

Dear Mr. Batista Salas,

Please be advised, that von appen | jens legal has been instructed to represent the interests of Marco Huck in connection with the bout between Marco Huck and Krzysztof Glowacki on 14 August 2015 to defend his WBO Jr. Heavyweight Champion Title for the fourteenth time in Newark, New Jersey ("Bout"). The WBO has on 23 September 2015 requested Marco Huck to submit a statement.

On behalf of Marco Huck our view of the circumstances in question in round 6 of the Bout is as follows:

1. In round 6 of the Bout, Marco Huck knocked down Krzysztof Glowacki who hit the floor with his full body. This caused the referee Mr. Fields to commence the count on Krzysztof Glowacki which was continued until he reached nine. Subsequently, the referee examined Krzysztof Glowacki to determine whether he would be fit to continue. After in total 20 seconds after Krzysztof Glowacki hit the floor, the referee ordered the fight to resume. This led to Marco Huck losing the fight in the eleventh round of the bout due to a technical knock-out.
2. However, **Section 25** of the WBO Regulations determine:

**(a) When a contestant is down, the Referee shall order the opponent to retire to the farthest neutral corner and shall immediately begin the count on the**

*fallen contestant. The Referee shall audibly announce the count while he moves his arm downward indicating the end of each second of the count.*

- (b) [...] The fallen fighter shall take the compulsory **eight (8) count**.*
- (c) If, when reaching the count of eight (8), the fighter is up, the Referee, if he deems it necessary, may examine said contestant taking all the time needed to evaluate whether the contestant is fit to continue.*
- (d) If the contestant taking the count is still down when the Referee calls the count of ten (10), the Referee shall wave both arms indicating that the contestant has been knocked out.*

...

- (f) A contestant shall be considered down when any part of his body, other than his feet, is on the floor, or if he is hanging helplessly over the ropes, and only is held up by the ropes, as the result of a legal blow. Only the Referee may determine whether there has been a knockdown.*

...

Section 25 stipulates the eight count to be the fundamental and only time frame for the determination of a knock out. Only when the fighter is then still down, a count of ten will be allowed under the WBO regulations.

3. In the present case, when Krzysztof Glowacki hit the floor, the Referee took about five seconds to order Huck into a corner, before he commenced the count on Krzysztof Glowacki with the number four. In total, approximately twelve seconds passed between Krzysztof Glowacki's knock-down and the beginning of Krzysztof Glowacki's examination after the count. Even though, the eight count is not a direct equivalent to a time frame of eight seconds, the elapsed twelve seconds demonstrate that this relevant time frame is no longer in line with WBO regulations.

Additionally, at the time the Referee Mr. Fields had reached the mandatory count of eight, Krzysztof Glowacki was no longer down in accordance with Section 25 (f). At this point, no part of Krzysztof Glowacki's body other than his feet were touching the floor. Krzysztof Glowacki was in fact standing up. This should according to Section 25 (c) of the WBO regulations have stopped the Referee's count at eight. Nonetheless, after a second of hesitation the Referee

counted to nine and thereby granted Krzysztof Glowacki two more seconds and the opportunity to recover longer than the WBO regulations provide for.

After the eight count however, Krzysztof Glowacki was still notably dizzy and not able to fight. It is therefore very likely that the Referee would have made a different decision regarding the continuation of the bout, if he had examined Krzysztof Glowacki immediately after the rule-conforming mandatory eight count. This consequently amounts to a clear misapplication of the rules of boxing resulting in a manifest unfairness to Marco Huck, namely the Referee's order to continue a fight in spite of a rule-conforming knock-out. It may even be the case, that the referee intended to count until ten, since Krzysztof Glowacki was under his impression at the count of eight still disabled to continue fighting. So the referee continued to count to nine giving Krzysztof Glowacki additional time to recover.

4. On behalf of Marco Huck, we hereby request a direct return fight in accordance with the applicable WBO Regulations where it is stated:

**Section 18**

*[...]If the World Championship Committee determines either that the resolution of a Championship Contest was substantially irregular, or that there was a clear misapplication of the rules of boxing resulting in a manifest unfairness, such that in either case the World Championship Committee determines that the Championship was substantially unresolved, the World Championship Committee may, in its discretion, recommend a direct return fight [...].*

The merits of the case as demonstrated above clearly prove the misapplication of the WBO rules of boxing. In line with the applicable rules the request for a return fight is justified.

If our submission leaves any further questions, we will be pleased to provide them to the WBO Championship Committee after a short notice.

Yours sincerely,  
**von appen | jens legal**

P.P.   
Jörg von Appen  
Rechtsanwalt (Attorney)



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September 28, 2015

Luis Batista Salas, Esquire  
World Boxing Organization  
Condominium First Federal  
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San Juan, PR 00927  
Email: [pacoval@wboboxing.com](mailto:pacoval@wboboxing.com)

RE: Response to Immediate Rematch Request  
Glowacki v. Huck

Dear Mr. Salas,

I write on behalf of the newly crowned WBO Cruiserweight Champion Krzysztof Glowacki in response to Marco Huck's request for an immediate rematch. As you know Mr. Glowacki knocked out Mr. Huck in round 11 of their bout on August 14, 2015 in Newark, New Jersey.

There was no controversy or argument concerning the outcome as Marco Huck was knocked down twice in Round 11, and the second time was knocked out brutally through the ropes and out of the ring.

The sole reasons for this request by Marco Huck was his allegations that the Referee's count took too long, and that "Glowacki was still very dizzy at the eight count."

These arguments fail for 2 reasons:

1. The referee (the sole arbitrator of the bout) does not have a stop watch and some referees count quicker and some slower, then others. In fact, the

Commission scoring table usually establishes the beginning of the count for the referee when he signals a knock down.

In this particular case, the referee has no reason to check the fighter's condition at count 8 as suggested by Mr. Mahlmann on behalf of Mr. Huck. This is because Mr. Glowacki was not fully upright at 8, but in the referee's judgment was upright and fit to continue at 10. The decision to stop a bout at that point is solely in the discretion of the referee. In this case the referee was David Fields.

2. Whether Krzysztof Glowacki was too dizzy as claimed by Mr. Huck, or not fit to continue was up to the sole discretion of Referee David Fields, who obviously made the correct decision based by Mr. Glowacki's ability to fight back, defend himself and compete after the knockdown in Round 6.

Referee David Fields did a great job in a highly intense competitive bout and was consistent throughout the contest. I am sure his count in Round 11 when Marco Huck was knocked down the first time was similar and at that time Mr. Huck appeared a lot more "dizzy" than Glowacki was in Round 6.

This Bout was very well officiated and Referee David Fields should not be questioned, but instead congratulated for a job well done in what many are calling the fight of the year. Had Referee Fields not allowed the Bout to continue and prematurely stopped it, boxing fans would have been denied the opportunity to see this thrilling Bout finish, and a new deserving champion crowned.

While not set forth or their request, Huck's Immediate Rematch Request would fall under "Section 18. Return Fights" of the WBO Rules. Under said Rule: "The WBO shall not allow direct return fights, unless recommended by the World Championship Committee and the Executive Committee ..." This Rule goes on to state "...If the World Championship Committee determines either that the resolution of a Championship Contest was substantially unresolved, or that there was a clear misapplication of rules resulting in a manifest unfairness, such that in either case the World Championship was substantially unresolved... the World Championship Committee may in its discretion recommend and direct return fight...".

In this particular case, there were no "misapplication of the Rules" and the "resolution of a Championships (by knockout) was not substantially unresolved". Referee David Fields did a commendable job in a great fight and the result was not questioned by anyone.

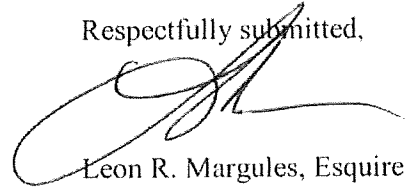


Page 3 of 3  
Response Immediate Rematch Request

Marco Huck is a great champion, and he will get another opportunity in the near future, but in this case his Immediate Rematch Request should be denied.

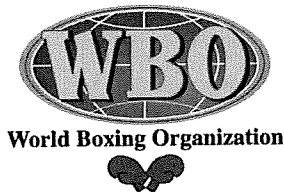
Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'LM', with a long horizontal flourish extending to the right.

Leon R. Margules, Esquire

cc. Piotr Werner  
Andrew Wasilewski  
Krzysztof Glowacki  
Francisco Valcarcel, Esquire



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## RESOLUTION OF THE WORLD CHAMPIONSHIP COMMITTEE

**WHEREAS**, on August 14, 2015 Marco Huck faced WBO #1 contender Krzysztof Glowacki of Poland for Huck's WBO Junior Heavyweight Championship of the World in a bout held at the Prudential Center in Newark, New Jersey, USA; and,

**WHEREAS**, the fight of the year candidate ended in round 11, with Glowacki earning a KO victory and being awarded the WBO Junior Heavyweight Champion of the World; and,

**WHEREAS**, on August 18, 2014, Mr. Karsten Mahlmann, on behalf of Marco Huck and Huck Sports Promotion, wrote to WBO President Francisco Valcarcel, asking that the WBO "review the situation and counting of the knockdown of Glowacki by Marco Huck in round 6" and specifically requesting that the "WBO order an immediate rematch;" and,

**WHEREAS**, upon receipt of Mr. Mahlmann's communication it was immediately forwarded for review to this WBO World Championship Committee, in accordance with WBO Regulations for World Championship Contests; and,

**WHEREAS**, all interested WBO Participants were given notice of this Petition on September 23, 2015 and allowed reasonable opportunity to express their views and submit any document or otherwise present any argument they believed would help the Committee resolve this Petition; and,

**WHEREAS**, Mr. Jörg Von Appen, attorney for Mr. Huck, summarizes Team Glowacki's view of the circumstances of round 6 as follows: "In round 6 of the Bout, Marco Huck knocked down Krzysztof Glowacki who hit the floor with his full body. This caused the referee Mr. Fields to commence the count on Krzysztof Glowacki, which was continued until he reached nine. Subsequently, the referee examined Krzysztof Glowacki to determine whether he would be fit to continue. After in total 20 seconds after Krzysztof Glowacki hit the floor, the referee ordered the fight to resume. This led to Marco Huck losing the fight in the eleventh round of the bout due to a technical knockout;" and,

**WHEREAS**, Huck's attorney further alleges in their petition for a direct return fight stating that, "After the eight count however, Krzysztof Glowacki was still notably dizzy and not able to fight. It is therefore very likely that the Referee would have made a different decision regarding the continuation of the bout, if he had examined Krzysztof Glowacki immediately after the rule-conforming mandatory eight count. This consequently amounts to a clear misapplication of the rules of boxing resulting in manifest unfairness to Marco Huck [...]"; and,

**WHEREAS**, on the other hand, Mr. Leon R. Margules, on behalf of WBO Junior Heavyweight Champion Glowacki retorts that Team Huck's arguments fail for two reasons; namely that: "1. The referee (the sole arbitrator of the bout) does not have a stopwatch and some referees count quicker and some slower, than others [...] In this particular case, the referee has no reason to check the fighter's condition at count 8 as suggested by Mr. Mahlmann on behalf of Mr. Huck. This is because Mr. Glowacki was not fully upright at 8, but in the referee's judgment was upright and fit to continue at 10; 2. Whether Krzysztof Glowacki was too dizzy as claimed by Mr. Huck, or not fit to continue was up to the sole discretion of Referee David Fields, who obviously made the correct decision based on Mr. Glowacki's ability to fight back, defend himself and compete after the knockdown in Round 6;" and,

**WHEREAS**, the WBO World Championship Committee conducted an in-depth analysis of the fight, reviewed the WBO Supervisor report, and analyzed evidence presented by the interested WBO Participants; and,

**WHEREAS**, Section 18 of the WBO Regulations of World Championship Contests states that:

**The WBO shall not allow direct return fights, unless recommended by the World Championship Committee and authorized by the Executive Committee. A direct return fight is a fight between the new Champion and the former Champion from whom the new Champion won the title (or between a new Champion and the losing Contestant in a Vacant Title Fight), before the new Champion defends his title against any of the other fighters classified in his category. If the World Championship Committee determines either that the resolution of a Championship Contest was substantially irregular, or that there was a clear misapplication of the rules of boxing resulting in a manifest unfairness, such that in either case the World Championship Committee determines that the Championship was substantially unresolved, the World Championship Committee may, in its discretion, recommend a direct return fight, which may be authorized only by the majority vote of the Executive Committee. The World Championship Committee may recommend a direct return fight for any other circumstance; in that event a direct return fight shall only be authorized by the affirmative vote of not less than 75% of the Executive Committee.**

**WHEREAS**, the WBO World Championship Committee must reaffirm the undeniable fact, per Section 24 of the WBO Regulations of World Championship Contests that the referee is "the chief official in all Championship contests and shall be in charge and control of the fight;" and,

**WHEREAS**, we further understand that Referee David Fields— as the "sole arbitrator" of the fight— had full authority to exercise his discretion in determining that Glowacki was fit to

continue after going down in round 6, and that 'stopwatch precision' cannot be reasonably expected of him or any other official in a similar situation; and,

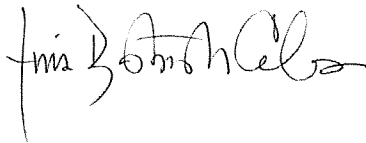
**WHEREAS**, we cannot determine that the resolution of the August 14, 2015 Championship Contest was substantially irregular, or that there was a clear misapplication of the rules of boxing resulting in a manifest unfairness, rendering the bout substantially unresolved; and,

**NOW, THEREFORE, BE IT RESOLVED** by the WBO World Championship Committee that given all of the above we do not find the resolution of the August 14, 2015 WBO Junior Heavyweight Championship Contest substantially irregular or that there was a clear misapplication of the rules of boxing resulting in a manifest unfairness, and that it hereby denies this petition for an immediate or return rematch, per the WBO World Championship Rules.

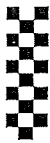
This is a final decision of the WBO World Championship Committee. The affected WBO Participant may appeal to the Complaint and Grievance Committee, pursuant to WBO World Championship Section 34, which as per Rule 3(e) of the WBO Appeals Regulation, must be submitted in writing to the WBO President within fourteen (14) days of the date of this decision as its sole and exclusive remedy.

Dated in San Juan, Puerto Rico on this 20th day of October 2015

WBO CHAMPIONSHIP COMMITTEE



By  
Luis Batista-Salas, Chairman



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legal

**Complaint and Grievance Committee WBO**  
Submitted via Esq. Chairman WBO Championship Committee  
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Partnerschaft von  
Rechtsanwälten

Jörg von Appen  
Dr. Andreas Jens  
Partner

30.10.2015

**Re: Appeal against Resolution of WBO Championship Committee dated 20 October 2015**

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Dear Mr. Batista-Salas,

Please be advised, that von appen | jens legal has been instructed to represent the interests of Marco Huck and Huck Sports Promotion in connection with the Resolution of the WBO Championship Committee dated 20 October 2015 („**Resolution**“) concerning the bout between Marco Huck and Krzysztof Glowacki on 14 August 2015 to defend his WBO Jr. Heavyweight Champion Title for the fourteenth time in Newark, New Jersey (“**Bout**“).

1. On behalf of Marco Huck and Huck Sports Promotion we hereby appeal against the Resolution to the Complaint and Grievance Committee (“**Appeal**“). Pursuant to WBO World Championship Section 34, which as per Rule 3(e) of the WBO Appeals Regulation, the Appeal must be submitted in writing to the WBO President within fourteen (14) days of the date of this decision as its sole and exclusive remedy.
2. As already submitted in our Petition dated 18 August 2015 **Section 25** of the WBO Regulations determines under **(b) that “[...] The fallen fighter shall take the compulsory eight (8) count.**“ **Section 25** stipulates the eight count to be the fundamental and only time frame for the determination of a knock out. Only when the fighter is then still down, a count of ten will be allowed under the WBO Regulations.

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3. It is undisputed, that the referee Mr. Fields counted on Krzystof Glowacki after he was knocked down in Round 6 of the Bout until he reached nine and therefore beyond the mandatory eight count according to Section 25 (b) of the WBO Regulations.
4. It is further undisputed that Mr. Fields as the Referee of the Bout has the authority to decide at his discretion whether or not a fighter is fit o continue fighting after the eight count according to the WBO Regulations (i.e. if WBO Regulations have not been breached).
5. The count until nine instead of eight is notwithstanding the afore said a clear breach of the WBO Regulations and therefore in accordance with Section 18 „*a clear misapplication of the rules of boxing resulting in a manifest unfairness*“. The rules have already been breached by the nine count. Independent of how fast or slow the Referee Mr. Fields has counted, the count until nine has given Krzystof Glowacki 12,5% more time to recover from his knock down in round 6. This itself constitutes the manifest unfairness by the WBO rules. The Resolution has with no word touched the fact the the additional count automatically results in more time for a fighter to recover.
6. In such case *in accordance with Section 18 "the World Championship Committee may, in its discretion, recommend a direct return fight [...]"*. We firmly take the vlew, that a direct return fight is the only suitable remedy to deal with the breach of WBO rules.

If our submission leaves any further questions, we will be pleased to provide them to the WBO Championship Committee after a short notice.

Yours sincerely,  
von appen | jens legal

  
Jörg von Appen  
Rechtsanwalt (Attorney)