



THE COMPLAINT BY GUILLERMO RIGONDEAUX ON THE WBO WORLD CHAMPIONSHIP COMMITTEE DETERMINATION TO VACATE GUILLERMO RIGONDEAUX'S WBO JUNIOR FEATHERWEIGHT CHAMPIONSHIP TITLE

THIS CAUSE coming to be heard by the WBO Complaint and Grievance Committee¹ upon the complaint of Mr. Patrick C. English of Dines and English. L.L.C., on behalf of Guillermo Rigondeaux from the October 26, 2015 determination of the WBO World Championship Committee, the WBO Complaint and Grievance Committee having received the Ruling of the WBO World Championship Committee, having afforded the Interested WBO Participants ample opportunity for submittals— both written and oral — having considered the WBO Regulations of World Championship Contests, and being fully advised in the Premises,

IT IS ORDERED: the Appeal is Dismissed

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

1	10/7/2015, Letter from WBO World Championship Committee to Rigondeaux and his promoter, Caribe Promotions, ordering them to show cause as to why Rigondeaux has not defended the WBO Junior Featherweight Championship under the terms of the WBO Regulations of World Championship Contests.	
2	10/16/2015, Letter from Jared Lopez on behalf of Mr. Rigondeaux and his promoter in response to the show cause order issued by the WBO World Championship Committee.	
3	10/26/2015, Resolution of the WBO World Championship Committee to vacate the WBO Junior Featherweight Title of Guillermo Rigondeaux.	
4	11/9/2015, Guillermo Rigondeaux's appeal letter of the WBO World Championship Committee Resolution of October 26, 2015.	
5	11/10/2015, Letter from WBO President Francisco Valcarcel forwarding and referring appeal received on November 9, 2015 to Alberto Rodriguez, the Chairman of the WBO Complaint and Grievance Committee.	
6	11/10/2015, Letter of Notification from WBO President Francisco Valcarcel to Attorney Patrick English stating that the appeal had been forwarded to the WBO Complaint and Grievance Committee.	
7	11/12/2015, Notice and Order Setting Docketing Conference from the WBO Complaint and Grievance Committee.	
8	11/17/2015, Second request from Mr. Patrick C. English for additional time to respond or until Friday, December 4, 2015.	
9	12/4/2015, Letter from Mr. Patrick C. English on behalf of Mr. Rigondeaux to withdraw the appeal.	

¹ 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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INTRODUCTORY COMMENTS

In preparation for this Resolution, this Committee has evaluated Mr. Rigondeaux's record as WBO Junior Featherweight Champion, examined news reports and commentaries to gain insights as to the reasons behind his inactivity. Taken as a whole, this Committee confirms that the WBO World Championship Committee was more than lenient with Mr. Rigondeaux, choosing not to exercise their discretion to order a Mandatory Defense and instead affording him great latitude and the opportunity to face any of the top 15 classified contenders, but that he was clearly inactive, defending his title only three times during the (31) months prior to the October 26, 2015 Resolution.

DISCUSSION

Mr. Patrick C. English of Dines and English, L.L.C., on behalf of Guillermo Rigondeaux, petitioned this WBO Complaint and Grievance Committee on November 9, 2015 to (1) Reverse the October 26, 2015 determination of the WBO World Championship Committee to vacate Rigondeaux's WBO Junior Featherweight Championship, arguing that the fighter's inactivity was "in major part caused by the WBA's failure to enforce its rules and what, sadly, appears to have been a conspiracy to do so in order that a unification between Messrs. Frampton and Quigg could be held," further adding that "[t]his chronology was not known at the time Mr. Rigondeaux's response was due to the WBO's Championship Committee," and that "[i]t became known only after the WBA's recent action and upon discussion with IBF officials." Finally, on December 4, 2015 this WBO Complaint and Grievance Committee received communication from Mr. English unequivocally stating that upon consultation with their client it was their intention to withdraw their appeal.

It is important to note, that this Committee is not swayed by arguments pertaining to the WBA, their rules and activities- they have no bearing whatsoever on the decision of the WBO World Championship Committee or this WBO Complaint and Grievance Committee. Ours is a simple application of our WBO Regulations of



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World Championship Contests. Also, because this Committee believes so strongly in the importance of Due Process, the Interested WBO Participant was given the opportunity to address us via telephone conference on Tuesday, November 17, 2015, provide additional information for our consideration and to testify under oath and confirm any prior written statements. At that time, Mr. English requested an additional period to reply in light of Mr. Rigondeaux's bout scheduled for November 21st. On November 21st. English then wrote to this Committee asking for a final extension until Friday, December 4, 2015. On that date, Mr. English sent us communication via email stating that after **"consulting Guillermo, we intend to withdraw our appeal."** The letter further added:

It was never our contention that the WBO violated any of its rules. Rather, we were requesting that the WBO exercise its discretion not to adopt the Championship Committee recommendation in light of the circumstances which were discovered and which are set forth in my letter of November 9, 2015. Those circumstances primarily involved the WBA and not the WBO.

Rigondeaux's letter withdrawing their appeal, finally asked that:

While we still request that the President, in his discretion, not adopt the Recommendation of the Championship Committee, we do not believe that the exercise of discretion is an appealable issue and thus, this withdrawal.

An Interested WBO Participant may no doubt withdraw an appeal at any time during the established process. On the other hand, the WBO Complaint and Grievance Committee considers it necessary to discuss the request that the President not adopt the Recommendation of the WBO World Championship Committee to declare Mr.



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Rigondeaux's WBO Junior Featherweight Title vacant. Section 34 of the WBO Regulations of World Championship Contests establishes that:

Any WBO Participant, including, but not limited to a Boxer, Manager, or Promoter who is or could be affected by a determination of the World Championship Committee who wishes to contest such a determination must, as his or her sole and exclusive remedy, file a Complaint pursuant to the WBO Appeal Regulations. In all cases the complaint shall be referred to the WBO President, who may attempt for a reasonable period to resolve the complaint amicably. The WBO President may reject a complaint or he may refer it to the Complaints and Grievance Committee which shall determine the complaint or grievance in accordance with the WBO Appeals Regulations.

In this case, WBO President Francisco Valcarcel opted not to participate of the complaint process, instead choosing to refer the matter immediately to this WBO Complaint and Grievance Committee. That is to say, the November 10, 2015 letter from President Valcarcel to the Chairman of this Committee, and that same date's letter of notification to Mr. English, proves that the Rigondeaux matter no longer fell within his purview and no longer had jurisdiction in the matter. In light of this rule, this Complaint and Grievance Committee is forced to conclude that Mr. Valcarcel is no longer in a position revise his determination to adopt the recommendation of the WBO World Championship Committee, per their October 26, 2015 Regulation.

CONCLUSION

The Appeal is dismissed upon request of the petitioning party. The October 26, 2015 determination of the World Championship



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Committee is sustained. This Committee also concludes WBO President Valcarcel may no longer revise his determination to adopt the recommendation of the October 26, 2015 WBO World Championship Committee Resolution. This Decision is the Final Action of the WBO Complaint and Grievance Committee. It constitutes the Final Arbitration of the issue per 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 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 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



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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 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.



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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. 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 December 8, 2015

**Respectfully Submitted,
World Boxing Organization
Complaint and Grievance Committee**

By: