



## WBO CHAMPIONSHIP COMMITTEE RESOLUTION

The present ruling stems from the official "*Award*" issued by the WBO Complaints and Grievances Committee on October 25<sup>th</sup> 2019, regarding the Appeal of Krzysztof Glowacki v. Mairis Bredis filed on July 32<sup>nd</sup> 2019, by Team Glowacki in light of this Committee' "Resolutions" dated July 4<sup>th</sup> and July 17<sup>th</sup>, 2019, respectively. Consequently, the WBO Complaints and Grievances Committee reviewed the preceding resolutions, the facts therein, the respective briefs from both parties, their supporting evidence, and arguments in conjunction with the applicable rules and regulations. Consequently, the WBO Complaints and Grievance Committee rendered a 2-1 decision ordering an immediate rematch within the next one-hundred twenty (120) days from the issuance of the "Award" between WBO Participant Glowacki and WBO Participant Bredis.

The WBO Complaints and Grievances Committee also recommended to the World Boxing Super Series (WBSS) Tournament to consider scheduling the finals of said tournament after the completion of the immediate rematch as ordered by the above-mentioned Committee between WBO Participants Bredis vs. WBO Participant Glowacki. However, if WBO Participant Bredis does not comply with the "*Award*" issued order, the WBO Jr. Heavyweight Championship Title shall be declared "Vacant." Lastly, the Complaints and Grievances Committee ruled that if the WBO Jr. Heavyweight Championship Title is declared "Vacant," WBO Participant Glowacki shall be given the opportunity of fighting for that title against the next ranked available boxer in the WBO Jr. Heavyweight Division Ratings.

On November 6<sup>th</sup> 2019, the WBO World Championship Committee issued an official negation letter to all relevant parties ordering the commencement of negotiations as per the "*Award*" rendered by the WBO Grievances Committee and granting the parties fifteen (15) days to reach an agreement. If no agreement was reached, the WBO World Championship Committee would order a Purse Bid as per the WBO Regulations of World Championship Contests.

Lastly, on October 19<sup>th</sup> 2019, the WBO offices confirmed receipt of email communication on behalf of Mr. Raimond Zeps representative of WBO Participant Bredis, acknowledging that said participant will pursue with the finals of the World Boxing Super Series (WBSS) Tournament finals against the reigning IBF Jr. Heavyweight Champion Mr. Yuniel Dorticos and consequently, is unable to comply as ordered by the WBO Complaints and Grievances Committee.

Wherefore, WBO World Championship Committee having considered all relevant facts, supported evidence, arguments on behalf of each party, having reviewed the applicable rules and regulations, and in accordance with the powers, authority and discretion to rule on the merits, determines as follows:

**WHEREAS**, on June 15<sup>th</sup> 2019, WBO Participant Bredis won the WBO Jr. Heavyweight Championship Title by defeating former champion Krzysztof Glowacki via Technical Knockout in round three (3); bout held at the Arena Riga, Riga, Latvia; and,

**WHEREAS**, the above-referenced championship bout was plagued with numerous errors, omissions, and wrongful enforcement of the applicable rules and regulation by the appointed referee; and,

**WHEREAS**, accordingly, an appeal was filed by Team Bredis requesting the following reliefs: (1) declaring the bout as a "No Contest, (2) ordering an immediate rematch, (3) or declaring the title "Vacant"; and,

**WHEREAS**, this Committee issued an initial "Resolution" on July 4<sup>th</sup> 2019, acknowledging that the bout was resolved substantially irregular. Therefore, we recommended that the winner of the finals



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between Yuniel Dorticos and Mairis Breidis shall fight Glowacki within 120 days after the bout. Shortly after that, this Committee issued another "*Resolution*" dated July 17<sup>th</sup> 2019, adopted by reference the ruling outlined in our initial "*Resolution*"; therefore, ratifying our decision; and,

**WHEREAS**, on July 31<sup>st</sup> 2019, Team Breidis filed an official appeal with the WBO Complaints and Grievances Committee requesting the reliefs as mentioned above; and,

**WHEREAS**, on August 9<sup>th</sup> 2019, an initial docketing conference and scheduling call was held with the parties' representatives. As ordered by the Committee, on August 26<sup>th</sup> 2019, Breidis filed his response to the Appeal, and on September 6<sup>th</sup> 2019, Glowacki filed a reply response accordingly; and,

**WHEREAS**, on September 20<sup>th</sup> 2019 a Status Conference Call was held during which the evidentiary hearing was scheduled October 2<sup>nd</sup> 2019 to take place in Puerto Rico. The parties were instructed to file pre-hearing disclosures by September 30<sup>th</sup> 2019; and,

**WHEREAS**, on September 29, 2019 Appellant filed his pre-hearing disclosures as requested by the Committee. Appellee did not file any pre-hearing disclosures, even though the Committee granted him until the start of the evidentiary hearing, consequently, at the very beginning of the hearing the Committee requested Appellee's Counsel to state which of the facts proposed by Appellant as uncontested were acceptable by Breidis and should be deemed as stipulated by the Committee. After conferring with his client, Appellee's Counsel accepted as uncontested some of the facts proposed by Appellant. Therefore, this Committee deems as uncontested the facts that were numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 17, 19, 24, 27, 30, 31, 32, 34, 35 and 36 in pages 2-4 of Appellant's pre-hearing disclosures; and,

**WHEREAS**, also, during the hearing, sixteen (16) documents were marked as Exhibits as requested by Appellant without any objection from Appellee. The Exhibits were marked A to P and consist of all the attachments Appellant included with his pre-hearing disclosures and an additional document provided during the hearing. Furthermore, Appellant presented the live testimony of Glowacki and Jacek Szelągowski. Finally, during the hearing, Appellant offered the video of the bout and a video of an interview Breidis participated in right after the bout concluded. Appellee decided to participate during the hearing through videoconference, cross-examined Appellant's witnesses and offered no evidence. The Committee members made several questions to Counsel regarding law matters and provided the parties until October 9<sup>th</sup> for post briefs; and,

**WHEREAS**, the WBO recognizes WBO Participant Breidis as a highly-skilled professional boxer with an outstanding record consisting of twenty-six (26) wins with only one (1) defeat and the first WBO Jr. Heavyweight Champion from Latvia; and,

**WHEREAS**, the WBO is honored to have recognized WBO Participant Breidis as a WBO Champion, who has fought the very best of the Jr. Heavyweight Division including, former Undisputed WBO, WBA, WBC & IBF Jr. Heavyweight Champion Oleksandr Usyk, Former WBO Jr. Heavyweight Champion Marco Huck, and former WBO Jr. Heavyweight Champion Krzysztof Glowacki; and

**WHEREAS**, the World Boxing Organization regrets that WBO Participant Breidis is unable to comply with the WBO Complaints and Grievances Committee "*Award*" as issued on October 25<sup>th</sup> 2019; and, unfortunately, this Committee must enforce its WBO Regulations of World Championship Contests



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and therefore, adhere to the "Award" issued by the Complaints and Grievance Committee ordering the immediate rematch between the referenced fighters; and,

**WHEREAS**, the World Boxing Organization wishes all the best to WBO Participant Breidis in his future endeavors in professional boxing, and the WBO doors will always be open for future championship contention; and,

**WHEREAS**, now, this Committee will proceed by enforcing our rules and regulations and complying with the Complaints and Grievances "Award", and Having evaluated all the evidence offered during the hearing, the stipulated facts and the parties' pre and post-hearing disclosures, the Committee hereby rules as follows:

### **Conclusions of Law**

#### **Applicable Legal Framework**

The bout was governed by the World Boxing Super Series' Rules of Boxing at WBSS Tournament bouts ("WBSS Rules"), and the WBO Regulations of World Championship Contest ("WBO Regulations") applied supplementary. Art. 1 of the WBSS Rules states the following:

*"The WBSS Rules apply to all bouts of the WBSS Tournament, which shall also be governed by the rules of the local commission where the contest is held (hereinafter called 'Bout' or 'Tournament bout'). All Bouts are promoted by Comosa or its designee. In the event of an inconsistency between a rule of the local commission and one contained herein, and Comosa has agreed to proceed with the out being a Comosa-sanctioned bout, the local commission shall be responsible for the enforcement of its own rules and regulations, and Comosa shall reserve its right to take appropriate actions or decisions to resolve any controversy as it may deem necessary and appropriate."* Furthermore, the WBSS Rules are clear in that *"The referee shall be the person who has complete authority and control over the bout, and it shall be his responsibility to enforce the rules and regulations governing the bout. The Referee shall be the only authorized person to determine if a foul has produced an injury, and if it was accidental or intentional."* See, Art. 9 of the WBSS Rules. According to Art. 27 of said Rules, *"The Referee shall determine whether a foul has been committed and whether the foul is accidental or intentional. The Referee is the only person authorized to stop the fight and to decide whether an injury was caused by an intentional foul. Intentional foul shall result in either a mandatory two (2) point deduction or a disqualification, subject to the Referee's discretion."* Furthermore, Art. 32(c) of the WBSS Rules establishes that "during or after a Tournament Bout or its related preliminary matters, the local boxing commission in agreement with Comosa and the Comosa representative, are empowered to resolve unforeseen issues or dispute that require an immediate decision."

According to §1(b) of the WBO Regulations, the WBO World Championship Committee is empowered to (i) recommend to the WBO President and the Executive Committee that a title should be vacated if a Champion fails to comply with the WBO Regulations, (ii) recommend to the Executive Committee whether a direct return fight should be authorized and (iii) make or recommend exceptions or variations from the Rules as it determines necessary, among other powers specifically delegated to the Committee. These powers "shall be interpreted to include any, or all powers necessary, helpful or convenient to accomplish the purposes, policies and intent of these rules. See, §1(c) of the WBO Regulations.



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A "Direct Return Fight" is defined in §18 of the WBO Regulations as "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." Said §18 adds that "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 circumstances, in that event a direct return fight shall only be authorized by the affirmative vote of not less than 75% of the Executive Committee."

Conversely, Section §19 of the WBO Regulations of World Championship Contests governs the failure by a WBO Participant to comply with the terms of said regulations. Section §19 of said rules in relevant, provide as follows:

*"The WBO World Championship Committee may recommend to the WBO President and the Executive Committee that the Champion be stripped of the title and that the title be declared "Vacant" and/or take any action to deem proper, equitable and per these regulations."*

The WBO World Championship Committee is also empowered to examine, evaluate and consider all allegations concerning a WBO Participant's conduct contrary to the organization's fundamental principles. See, §19(c) of the WBO Regulations. In those cases, in which the World Championship Committee concludes that a WBO Participant violated a prohibition included in the WBO Regulations, the "WBO Participant may be subject to the imposition of... (6) any of other rulings deemed necessary, helpful or convenient to accomplish the purposes, policies and intent of the World Boxing Organization." See, §19(e) of the WBO Regulations. Furthermore, it is clearly established in §35(b) of the WBO Regulations that "A" WBO World Champion or Regional Champion who violates these rules may lose the recognition of the Title, which shall then be declared vacant."

As per the WBSS Rules, under the WBO Regulations, "The Referee shall be the chief official in all Championship contests and shall be in charge of the control of the fight." See, §24(a) of the WBO Regulations. Moreover, "The Referee may impose discipline and enforce the WBO Rules and the Uniform Rules regarding the conduct and behavior of the Contestants and Seconds." See, §24(f) of the WBO Regulations. Regarding "Fouls," the WBO adopted and incorporated the Uniform Rules. See, §26 of the WBO Regulations. Art. 12(a)(2) of the Uniform Rules states that "If an intentional foul causes an injury and the bout is allowed to continue, the referee shall notify the authorities and deduct two (2) points from the boxer who caused the foul. Point deductions for intentional fouls will be mandatory."

### **Analysis**

Under the specific circumstances of this case, the WBO Complaints and Grievances Committee ruled that Głowacki should be given the opportunity of competing for the WBO Jr. Heavyweight Championship immediately. Further stated that making Głowacki wait 120 days after the competition of the WBSS Tournament is an inadequate remedy, even though in the right direction. Among the factors considered that moved said Committee to conclude that the remedy provided is inadequate (The WBO's



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Championship Committee ordering the rematch within 120 days after the completion of the finals) is that the Finals of the WBSS Tournament has not yet been scheduled. Consequently, Głowacki might end up waiting approximately a year for a WBO Jr. Heavyweight Championship match. On the other hand, the Committee (Complaints and Grievances Committee) determined that allowing Briedis to defend the WBO Jr. Heavyweight Championship Title in the Finals of the WBSS Tournament would constitute a reward for having won the WBO Title by violating the WBO Regulations, as stated in their Appeal "*Award*." Therefore, the relief granted by the WBO World Championship Committee was modified as follows:

1. A direct return fight was ordered between Głowacki and Briedis within one hundred twenty (120) days after the issuance of the "*Award*".
2. If Briedis does not comply with the direct return fight as ordered by the "*Award*" the WBO Jr. Heavyweight Championship Title be declared "Vacant."
3. If the WBO Jr. Heavyweight Championship Title is declared vacant, Glowacki shall be given the opportunity of fighting for that Title against the next ranked boxer in the WBO Jr. Heavyweight Division.

**NOW, THEREFORE, BE IT RESOLVED** by the WBO World Championship Committee pursuant with the authority granted to resolve any and all matters with the following being within our powers and discretion, and interpreted to include any or all powers necessary, helpful or convenient to accomplish the purpose, policies and the intent of these rules, and in accordance with the WBO Regulations of World Championship Contests, and per the "*Award*" rendered by the WBO Complaints and Grievances Committee, and in light of WBO Participant Briedis' unavailability to comply with the immediate rematch against Glowacki as ordered, and pursuing to compete in the WBSS Finals Tournament against IBF World, and the WBO World Championship Committee recommends to the WBO Executive Committee the following course of action:

1. The WBO Jr. Heavyweight Championship Title shall be declared "Vacant" in light of WBO Participant Briedis' failure to comply with the terms of the WBO Regulations of World Championship Contests as per the ruling outlined by the WBO Complaints and Grievances Committee.

The parties are advised that pursuant to the §34 of the WBO Regulations this award is the final decision on the merits of the Appeal. Furthermore, pursuant to §35(e) of the WBO Regulations this award is governed by the United States Arbitration Act, 9 U.S.C. §§1-16, and the Puerto Rico Commercial Arbitration Act, P.R. Law Ann. Tit. 32, §§ 3201-3229. Therefore, the parties are also advised that enforcement or review of this Award may be sought before the United States District Court for the District of Puerto Rico or the Puerto Rico Court of First Instance pursuant to these acts and applicable case law. See also Art. 8 of the WBO Appeals Regulations.

Dated in San Juan, Puerto Rico on this 25<sup>th</sup> day of November 2019

**WBO WORLD CHAMPIONSHIP COMMITTEE**

By: Luis Batista Salas, Esq./Chairman