

Svenska MMA Förbundet	<i>Created by:</i> Bobby Rehman	<i>Last updated</i> 2011-11-29	<i>Page:</i> 1 (7)
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Meeting Information

Purpose:	Assessment Committee (concerning protest)
Dates:	2011-12-11
Participants:	Bobby Rehman, Chairman Ulf Silverbern, Vice-chairman Mikael Forsgren, Member Jesper Gunnarson, Member

Ruling Protocol

Concerning the protest in the match between Marius Zaromskis and Bruno Carvalho.

Protest argumentation sent to SMMAF by Mr. Tim Leidecker:

(Received: November 27th 2011 at 20:49)

Dear Mr. Sallfeldt,

as discussed with you yesterday directly after the event, Control Master Management is filing an official protest against the outcome of the SMMAF sanctioned fight between Marius Zaromskis and our client Bruno Carvalho.

There are three reasons for our protest:

1. Marius Zaromskis had several body parts covered in Vaseline, oil, lotion or another slippery substance. It is no secret that Bruno Carvalho, a black belt in judo and Brazilian jiu-jitsu feels most comfortable fighting on the ground. He has also been very successful in moving the fight to the mat in the past, even against established grapplers, due to his prowess in wrestling and judo. Zaromskis' team knew of this ahead of the fight and applied Vaseline at least to two different body parts including the lower back and the back of his knees.

Knowing the possibility of a despicable and unsportsmanlike behavior like this before the fight, we kindly requested Zaromskis to be thoroughly checked before the fight by the assigned referee, Mr. Robert Sundin. We even outlined the body parts in question, e.g. shoulders, neck, lower back, back of the knees, etc. to him. During the fight, Zaromskis and Bruno Carvalho quickly ended up in a clinch position. This is one of Bruno Carvalho's favorite positions to throw his opponents and take them down to the mat.

Bruno Carvalho immediately complained to the referee Mr. Sundin that he could feel a slippery substance on Marius Zaromskis' lower back. Mr. Sundin however just told him to continue fighting. At the next break of action, Mr. Sundin superficially checked the neck and chest of Marius Zaromskis for an illegal substance. However, he did not check the lower back and the back of his knees. Additionally, he did not use a towel to dry off Marius Zaromskis, despite several inquiries from Bruno Carvalho's cornermen.

Applying excessive Vaseline, especially on any bodypart of the competitor except for the face is considered a foul as outlined in §21.2 and §21.3 of the SMMAF rules.

Even if he did not feel any illegal substance during his superficial examination, he must use a towel to rub down any possible substance only if it is just to remove the shadow of a doubt that something could have been applied. Mr. Sundin did not fulfill his duty of care as a professional impartial arbitrator in this situation.

Failure to clean Marius Zaromskis clearly altered the outcome of this bout. Knowing he would not be able to take his slippery opponent down, Bruno Carvalho refrained from applying any grappling and clinching techniques from that point forward. When Marius

Svenska MMA Förbundet	<i>Created by:</i> Bobby Rehman	<i>Last updated</i> 2011-11-29	<i>Page:</i> 2 (7)
----------------------------------	------------------------------------	-----------------------------------	-----------------------

Zaromskis landed the wheel kick on him that knocked him down, however, he immediately shot in for a single-leg takedown, a wrestling technique. Once again it was not possible for Bruno Carvalho, an accomplished wrestler and grappler, to properly grab hold of his slippery opponent.

2. The wheel kick that eventually led to the stoppage of the fight was an illegal blow as it landed on the back of the head. Under both the SMMAF rules as well as the Unified Rules of Mixed Martial Arts, striking the back of the head is considered a prohibited technique. The right decision would have been to stop the fight and give Bruno Carvalho time to recover.

3. We feel that fight was stopped prematurely. Even after being hit by the knee to the body and a flurry of punches, Bruno Carvalho was signaling to the referee Mr. Sundin that he was alright and ready to continue fighting. Even when Zaromskis was landing more punches, he verbally told him not to stop the fight, well knowing there were only seconds left to fight in the first round. Mr. Sundin also did not communicate clearly to Bruno Carvalho that he needed to fight back or was in danger of the fight being stopped.

Despite verbal and non-verbal feedback on multiple occasions, Mr. Sundin stopped the fight with 1-2 seconds left on the clock (there are conflicting reports about the official fight time).

Due to the multitude of refereeing mistakes being made in this bout, especially the failure to properly dry off the accused fighter of an illegal substance – even if it is just to remove the shadow of a doubt – that permanently altered the nature and the outcome of the bout, we are making a case for this fight to be ruled a “No Contest”.

It is just not fair that after all the hard training, diet and sacrifice Bruno Carvalho went through in the past couple of months in preparation for this fight, that he is cheated out of his deserved success. We are seeing the professional career of a commendable young sportsman like Carvalho being destroyed by criminal practices that have no place in our sport. We are sincerely hoping for the Swedish Mixed Martial Arts Federation to make a statement that you are not going to tolerate any unsportsmanlike behavior like this as shown by Marius Zaromskis in this fight.

It is important to make a statement against gaining an advantage through the usage of illegal substances now. Even though it may be an unpopular decision, it has been made in the past, even on the biggest of stages. The result of the Dec. 31, 2006 bout between Yoshihiro Akiyama and Kazushi Sakuraba was also overturned and ruled a no contest after it was determined that Akiyama had used Vaseline to defend Sakuraba’s takedowns. If you do not take action against unsporting behavior now, it will be a signal to every mixed martial artist in Sweden that cheating is perfectly acceptable.

Yours sincerely,

Control Master Management

Answer from George Sallfeldt; SMMAF President:
(Sent: November 28th 2011 at 09:11)

Dear Mr. Leidecker.

I hereby confirm that the Swedish MMA Federation (SMMAF) has received your protest concerning the match between Bruno Carvalho and Marius Zaromskis that was held at the Hovet Arena in Stockholm, Sweden, during the event Rumble of the Kings on the 26th of November 2011.

Svenska MMA Förbundet	<i>Created by:</i> Bobby Rehman	<i>Last updated</i> 2011-11-29	<i>Page:</i> 3 (7)
----------------------------------	------------------------------------	-----------------------------------	-----------------------

Your protest has promptly, this day, been sent to the chairman of the SMMAF Assessment Committee. The SMMAF Assessment Committee has a processing period of two weeks from the day of receipt of the protest.

This is the SMMAF's formal procedure concerning the handling of protests:

§ 32 Protest

32.1 If a contestant or his/her seconds finds the result of a match to be incorrect then a protest can be handed in to the event coordinator within 48 hours upon conclusion of the match.

32.2 A protest must be submitted from the contestant's association (Swedish athletes) or from the contestant's club/team or manager (foreign athletes), not from the contestant personally.

32.3 The protest shall contain information regarding which match it concerns, what the protest is in regards to, reasons for protesting, how one finds that the match should be judged as well as complete contact information.

32.4 The results of a match shall only be changed if an obvious mistake has been uncovered, one that had an effect on the outcome of the match and was made by the referee, judges or another official.

The protest fee is 2 000 SEK and should without delay be paid to: Svenska Budo & Kampsportsförbundets plusgiro 612120-6. Mark the payment: "Protest".

The decision of the SMMAF Assessment Committee shall be provided to you via e-mail no later than the 11th of December 2011.

Please feel free to contact me if you have any questions.

Best regards,

George Sallfeldt

Email sent to SMMAF by Mr. Tim Leidecker:

(Received: November 28th 2011 at 21:55)

Dear George,

can you please send me the international data of the SMMAF bank account, i.e. IBAN and BIC?

Thanks,

Tim

Answer from George Sallfeldt; SMMAF President:

(Sent: November 29th 2011 at 14:31)

Dear Mr. Leidecker,

Here is the requested payment information:

IBAN: SE77 8000 0890 1198 3834 0199
BIC: SWEDSESS
Swedbank AB

105 34 Stockholm
Sweden

Best regards,

George Sallfeldt

Email sent from George Sallfeldt, SMMAF President, to Mr. Tim Leidecker:

(Sent: December 6th 2011 at 13:22)

Dear Mr. Leidecker,

We have not yet received the payment of the fee for the Carvalho-Zaromskis protest that you sent to the Swedish MMA Federation on the 27th of November.

Could you please provide me with a digital receipt or any other proof of payment?

Best regards,

George Sallfeldt

Answer from Mr. Tim Leidecker:

(Sent: December 6th 2011 at 14:56)

I'll see what's the reason for the delay and get back to you ASAP.

--Tim

Email sent to SMMAF by Mr. Tim Leidecker:

(Sent: December 7th 2011 at 14:30)

Dear George,

here's the situation. One of our sponsors has provided Bruno with the money for the protest as he hasn't gotten paid for his fight yet. Bruno should have the money on Friday at the latest and will immediately forward it to your account. I apologize for the inconvenience!

Best regards,

Tim

Answer from George Sallfeldt; SMMAF President:

(Sent: December 7th 2011 at 14:56)

Dear Mr. Leidecker,

Thank you for the information.

If you'll provide us with proof of payment (it can be a digital receipt or a screen shot) by Saturday the Federation can publish the protest ruling on Sunday. This would then be within the two week limit that the Assessment Committee has to produce a ruling.

If we do not receive a proof of payment by Saturday we will have to publish a statement that the ruling from the Assessment Committee is pending due to the fact that the Federation has not received the protest fee.

Svenska MMA Förbundet	<i>Created by:</i> Bobby Rehman	<i>Last updated</i> 2011-11-29	<i>Page:</i> 5 (7)
----------------------------------	------------------------------------	-----------------------------------	-----------------------

Best regards,

George Sallfeldt

Email sent to SMMAF by Mr. Tim Leidecker:

(Sent: December 9th 2011 at 11:51)

George,

please note that me and my group are no longer representing Mr. Bruno Carvalho. For any matters regarding the protest, please contact him directly at brunocarvalhojj@gmail.com.

Have a nice weekend,

Tim Leidecker

Email sent from George Sallfeldt, SMMAF President, to Mr. Bruno Carvalho :

(Sent: December 9th 2011 at 12:45)

Dear Mr. Carvalho,

The Swedish MMA Federation today received the email below from Mr. Tim Leidecker.

Mr. Leidecker has up until now been handling the communication with the Swedish MMA Federation concerning the protest filed in the match between yourself and Mr. Zaromskis.

Would you like to appoint another contact person in this matter?

Best regards

George Sallfeldt

Assessment Committee protest handling:

Validity of the protest

The protest was correctly sent to SMMAF within the stated 48 hour limit. In order to make an official ruling a protest fee of 2 000 SEK must be paid to SMMAF. The rules (§32.3) states that the protest should contain information about how the match should be judged. No such specific information was submitted in the protest although there is an exemplification of a Japanese match which was ruled a no contest in a similar matter. However the Japanese match, in the example, was not held under the sanctioned Swedish rules. The Assessment Committee (Below: AC) still finds the protest valid.

General

The protest is divided into three different matters. The AC deals with these matters separately as they are not connected to each other. The AC notes that both the referee's and opponent's names are misspelled in the protest text. The text in this document will use the correctly spelled names:

Referee: Mr. Robert Sundel (Below: Mr. Sundel)

Opponent: Mr. Marius Zaromskis (Below: Mr. Zaromskis)

1. Vaseline

Investigations made after the event consisted of reviewing the video footage, interviewing the referee, interviewing the supervisor, interviewing judges, interviewing event personnel. This was the conclusion:

1. Every athlete at the event was informed by the referee, Mr. Sundel, about the rules including the part concerning Vaseline (§21.2 and §21.3)
2. It is the task of the referee to check such things as equipment (mouth piece, groin protection, gloves, wrapping* etc.) and any use of Vaseline, liniment or similar substances before the match starts.
 - a. This was done by the referee and he did not find anything to report. The referee checked for Vaseline on the head, shoulders, back, hands as well as inside of the shorts and around the body of Mr. Zaromskis.
3. During the match Mr. Carvalho verbally asked the referee to check for Vaseline after some time had passed in the first round.
 - a. The referee stopped the match and re-checked Mr. Zaromskis once more. This time on the head, shoulders, back and hands.
 - b. The referee did not find anything to report at this time either.

This concludes that Mr. Zaromskis was checked twice and informed once about the use of Vaseline; no foul was found.

The protest says "Marius Zaromskis had several body parts covered in Vaseline, oil, lotion or another slippery substance". However there has been found no proof for this being true.

The protest also says that Mr. Zaromskis should have been dried off by referee Mr. Sundel. The AC disagrees with this statement. Since Mr. Sundel did not find any Vaseline he should not have dried of Mr. Zaromskis, it is perfectly alright to be sweaty in an MMA-match.

With reference to the argumentation above this part of the protest is overruled.

Side note*= The referee can visually check all things stated in the rules besides the wrapping of the hands. A specific person checks the wrapping and signs the tape on the gloves. The referee checks for the correct signature on the tape on the gloves.

2. The Wheel Kick

In regards to the "wheel kick" the AC finds it perfectly clear that both athletes were facing each other when the kick was executed. While Mr. Zaromskis was somersaulting Mr. Carvalho turned his head away slightly causing the kick to hit Mr. Carvalho on the side or back of the head. From this the AC concludes two things:

1. The kick was not intended to hit the back of the head.
2. It is unclear from the video footage whether the kick landed on the side or the back of the head.

This part of the protest is therefore overruled because no foul technique was proven to have been performed.

3. Pre-mature stoppage

By reviewing the video footage it is clear that Mr. Carvalho did not defend himself properly for quite some time before the stoppage. The AC finds that, if anything, the stoppage could almost be viewed as too late rather than too early.

Svenska MMA Förbundet	<i>Created by:</i> Bobby Rehman	<i>Last updated</i> 2011-11-29	<i>Page:</i> 7 (7)
----------------------------------	------------------------------------	-----------------------------------	-----------------------

The referee gave Mr. Carvalho plenty of time to recover and defend himself but Mr. Carvalho did not do so and after two hard "hammer fists" the referee stopped the match. It should also be noted that Mr. Carvalho needed assistance to stand up after the match.

Therefore, also in this part, the protest is overruled.

Conclusion

The AC has found no obvious errors in the match between Mr. Bruno Carvalho and Mr. Marius Zaromskis and therefore the original result shall stand.

Stockholm 2011-12-11

Bobby Rehman
Ulf Silverbern
Mikael Forsgren
Jesper Gunnarson