

TO: Gustavo Dipolito, President, Trident Rugby Football Club
Fernando Bretos, Vice-President, Trident Rugby Football Club
Stavros Bulgarides, Match Secretary, Trident Rugby Football Club

CC: John Devonport, President, Florida Rugby Union
Karl Mesloh, Disciplinary Chairman, USA Rugby South

FROM: James Gladen, Disciplinary Chairman, Florida Rugby Union

DATE: December 11, 2009

RE: Disciplinary Sanction Against Trident Rugby Football Club Player Andres Acuna (CIPP # 306267)

Offender: Andres Acuna (CIPP # 306267)

Date of Offense: On or about December 5, 2009

Match: Ft. Lauderdale Rugby Football Club @ Trident Rugby Football Club

Referee: Terry Day

Facts: As reported by the referee, in the second half of the match, the Offender was yellow-carded for punching an opposing player and sent to the sin bin. Within 10 minutes of re-entering the match, the Offender came from an offside position at a ruck and used a swinging underarm motion to make initial tackle contact with an opposing player in a manner than in the opinion of the referee was meant to hurt or do damage to the opposing player. Subsequently, the Offender was red-carded and he left the pitch without further incident.

***It should be noted that this is not the first time the Offender has been suspended by the FRU for striking/punching. On October 13, 2006, the Offender was suspended for four (4) matches for punching an opposing player in the head.

Decision: The Offender was red-carded for striking in violation of the Florida Rugby Union Disciplinary Regulations and Procedures (the "Regulations"). This "Major Physical Offense" carries a mandatory suspension of 2-6 weeks or 2-6 regularly scheduled matches, whichever is longer, barring any mitigating circumstances. The fact that this is not the Offender's first offense warrants the imposition of a suspension period of four (4) weeks from the date of the offense or four (4) regularly scheduled matches, whichever is longer. However, in addition to the sanction mentioned above, under the Regulations, if this type of offense "is directed at a player who is in a defenseless position, or situation, and/or in the referee's opinion were delivered with the intent to injure, the suspensions shall be increased" by an additional six (6) to eight (8) weeks. As the referee reported, the actions of the Offender were meant to hurt or do damage to the opposing player. As such, the Offender's suspension shall be increased by an additional period of six (6) weeks or six (6) regularly scheduled matches, whichever is longer. **In**

total, the Offender shall be suspended from play for the period of ten (10) weeks from the date of the offense or ten (10) regularly scheduled matches, whichever is longer.

***Be advised that a second offense within one (1) year carries a minimum mandatory suspension of 4-10 weeks or 4-10 regularly scheduled matches, whichever is longer. Be further advised that if a second offense is directed to hurt or injure another player it could result in a violation that carries a mandatory suspension of 6-12 months.

Sanction: The Offender is suspended from play for the period of ten (10) weeks from the date of the offense or ten (10) regularly scheduled matches, whichever is longer.

Be advised, if entitled to an appeal under the Florida Rugby Union Disciplinary Regulations and Procedures, such appeal must be made within ten (10) days of receipt of this notice of suspension, and must be made to Mr. James Gladen, Disciplinary Chairman, Florida Rugby Union, with a copy of the appeal sent to Mr. John Devonport, President, Florida Rugby Union.