

TO: Gustavo Dipolito, President, Trident Rugby Football Club  
Fernando Bretos, Vice-President, 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: February 10, 2009

RE: Disciplinary Sanction Against Trident Rugby Football Club Player, Martin Dunaiewsky (CIPP # 428047)

---

Offender: Martin Dunaiewsky (CIPP # 428047)

Date of Offense: February 7, 2009

Match: Trident Rugby Football Club @ Naples Rugby Football Club

Referee: Simon Page (with Roy Monk acting as a touch judge)

Facts: As reported by the referee and Roy Monk, who was serving as a touch judge during the match, it was a closely-competed match. At about the 73<sup>rd</sup> minute mark of the second half, at a Naples lineout the Offender pulled a Naples player to the ground while he was jumping for the ball. While both players were on the ground the Naples player stretched out his leg and struck the Offender on the top of the head with the back of his heel. The Offender got to his feet and retaliated against the Naples player by striking the Naples player repeatedly about the head with clenched fists. The Offender was red-carded for punching.

Decision: The Offender was red-carded for punching 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. Additionally, under the Regulations, should the strike be directed at the head the mandatory suspension is increased to 3-12 weeks or 3-12 regularly scheduled matches, whichever is longer, barring any mitigating circumstances. It is clear that the Offender struck the opposing player in the head several times. The fact that it is the Offender's first offense warrants the imposition of the minimum suspension period of three (3) weeks from the date of the offense or three (3) regularly scheduled matches, whichever is longer. **In total, the Offender shall be suspended from play for the period of three (3) weeks from the date of the offense or three (3) regularly scheduled matches, whichever is longer.**

\*\*\*The Offender should be reminded that retaliation is no better than the original offense which sparks the retaliation. It is far better practice to leave such matters in the hands of the referee.

\*\*\*Be advised that a second offense within one (1) year carries a minimum mandatory suspension of 6-12 months.

Sanction: Offender is suspended from play for the period of three (3) weeks from the date of the offense or three (3) 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.**