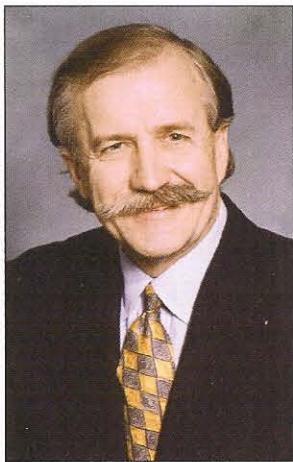


## I've been robbed



By Mati Jarve  
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**H**OW MANY TIMES HAVE WE ALL HEARD SUCH A REMARK FROM AN UNHAPPY, or even irate, exhibitor after a disappointing placement in a class? Most of the time it is nothing more than the exhibitor blowing off steam immediately following the stress and emotion of competition. Before the end of the show the disappointment is usually forgotten and the experience is chalked up to another %@&\$ (expletive deleted) judge that wouldn't know a good (halter, pleasure, reining, etc.) horse if it kicked him in the head. Whether they admit it or not, most exhibitors realize that a horse show is nothing more than one person's opinion of a horse and its performance in that class on that day. Also, since most judging is subjective by its very nature, horse show exhibitors soon learn to accept the occasional bizarre placements in a class. Since most horse shows have only points and fairly modest awards at stake, the placements are infrequently disputed beyond the griping stage.

But, what happens if there are large amounts of money at stake? It is no longer uncommon for horse shows to have prize money in the thousands, and even tens of thousands of dollars. Some of the elite shows even have hundreds of thousands of dollars in prize money. That is serious money that can trigger disputes and even lawsuits. So, if an exhibitor feels that he "was robbed," what options does he have?

First, you must exhaust all your administrative remedies. This means that you must go through the established appeals process set up by the association that has jurisdiction of your show. Typically you will need to file a complaint with the show management, who will then report it to the association for resolution. Depending on the rules established by the association, your complaint may be heard by a committee; which may then be ultimately appealed to the board of directors of the association. After you have jumped through all the hoops set by the rules of the governing body and you're still dissatisfied with the result, you can challenge the outcome in court.

As a condition of membership, most associations require the members to be bound by the rules and bylaws of the association. As a result, most courts will likely hold the member subject to those rules. Typically, an association's determination will be upheld unless it can be shown that you were denied basic "due process." In essence, the association must provide you with a fair opportunity to be heard. Of course, the association must follow its own rules and regulations in hearing the grievance. Failure to do so can result in a court order requiring the association to conduct a new hearing with the appropriate safeguards in place.

Although private associations have wide latitude in setting up its bylaws, as well as their rules and regulations, they must nevertheless act in "good faith" in applying the rules and not act in an "arbitrary and capricious manner." If it is demonstrated to a court that the association acted unfairly, the court can order the association to remedy the situation. While courts generally give great deference to the internal decisions of a private association, if the court finds egregious conduct by the association, it will often find a way to remedy the situation.

Griping about judges at a horse show is a time honored tradition. As long as the disagreements are about judgment calls, leave the difference of opinion at the show grounds. On the other hand, don't feel intimidated or afraid to confront an obvious injustice.

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