

**Julie Bernier**

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**From:** kcnelson@kcnelsonlaw.com  
**Sent:** Wednesday, December 10, 2014 3:46 PM  
**To:** Julie Bernier  
**Subject:** Inclusive - Federation File No. 2014-271

Dear Julie,

I have been advised by Sam Silver that he is no longer representing Mr. Rivetts. I have not heard from his successor counsel, so I don't know for sure who it is or will be. I had discussed the case with Sam, and in reliance on his representations had not intended to file a response. I hereby request the opportunity to respond to any submission by Mr. Rivett's successor counsel, in the event a response is filed.

In the interim, I submit on my client's behalf that she has no explanation for the alleged violation. Although she was listed as the "trainer" on the sample identification ticket, she was not named as the trainer on the entry blank and thus she is not presumptively responsible for the condition of the horse. She has reviewed the entry blank and does not know who prepared it, nor who signed for any of the three relevant parties (including her daughter). Her minor daughter was the rider of the horse, and Ms. Colvin's involvement was limited to schooling her daughter in the schooling ring immediately prior to the competition, and watching her daughter actually compete. Because the tester identified Inclusive for testing while her daughter was still mounted on the horse, Ms. Colvin accompanied them with the tester. She provided information based on her previous knowledge of the horse, as she had at one time been employed by the horse's previous trainer.

Just as every horse must have at least one trainer, every minor must have at least one trainer and Ms. Colvin was serving in that capacity for her daughter Victoria on the day the sample was taken from Inclusive.

We do not anticipate that this information will result in Ms. Colvin's dismissal from the violation, as I am well aware that matters of trainer identity are generally reserved for determination by the Hearing Committee.

As always, I thank you for your assistance.

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