

# Corporate Regulations of the American Trakehner Association, Inc.

(as amended November 10, 2018)

## PART I – CORPORATE ORGANIZATION

### ARTICLE I – TITLE, PURPOSES, LOCATION AND CORPORATE SEAL

- §1. The name of this Corporation shall be the American Trakehner Association, Inc., which is a Unification of the North-American Trakehner Association, Inc. (NATA) and the American Trakehner Association, Inc. (ATA), hereinafter referred to as “the Association.” The Association shall be operated and conducted as a nonprofit association in accordance with the Ohio Nonprofit Corporation Law, Chapter 1702, Ohio Revised Code, and any applicable state regulations, or any successor provisions of the laws of the State of Ohio.
- §2. The purposes of the Association are: To promote and preserve the Trakehner Horse in North America and support the membership of the Association. In so doing, the Association will:
- (a) maintain a public registry of Trakehner horses;
  - (b) preserve and improve the integrity and quality of the Trakehner Horse in North America by inspecting potential breeding stock and granting breeding approval to qualified horses;
  - (c) brand eligible horses with the Association’s purebred or partbred brand, upon the owner’s request and compliance with these Regulations;
  - (d) provide information pertaining to the Trakehner horse to the Association’s members and the public;
  - (e) promote the performance of the Trakehner horse in dressage, three-day eventing, hunting, jumping, and driving;
  - (f) generally perform all the functions appropriate to encourage a public understanding of the Trakehner horse, its breeding and performance; and
  - (g) maintain an affiliation with the German Trakehner Verband as long as it is consistent with the Association’s other stated purposes.
- §3. The principal place of business shall be established by the Board of Trustees upon a two-thirds majority vote. Notwithstanding the foregoing, the ATA’s members, directors, officers or employees may be residents of any state, territory, or country, and business may be carried on at any place convenient to such members, directors, officers or employees who are conducting the business of the Association. The principal place of business may be moved by resolution of the Board of Trustees, supported by a two-thirds majority vote of the Board of Trustees.
- §4. The seal of the Association shall be in the following form:



- (a) The Secretary shall be the official custodian of the seal but it may be held by officers or administrative personnel as necessary for the conduct of the Association's business.
- (b) The form of the seal (“the Mark”) may be impressed or printed on all official forms, stationery, and documents of the Association. Members of the Association may use the Mark in marking equipment, stationery, or other items for personal use, and in the promotion of their Trakehner horses and related activities, provided the Mark is not used in a way that identifies the individual member as, or as acting on behalf of, the Association.
- (c) Any use of the Mark by any other person or entity, and any commercial use of the Mark by members not expressly permitted by these Regulations, is prohibited unless authorized by the Board of Trustees by the execution of a written license for its use.

## **ARTICLE II – MEMBERSHIP**

- §1. The membership of the Association shall consist of Active Members, Youth Members and Distinguished Members, as defined in §§2-4 of this Article.
- §2.
  - (a) Active Members of the Association may be natural persons or entities (including fiduciaries, proprietorships, partnerships, unincorporated associations, corporations, limited liability companies, limited liability partnerships, or other recognized forms of business entity).
  - (b) Active Members pay dues to the Association annually. Alternately, Active Members may elect to make a one-time payment of ten times the current annual dues, from which time the Active Member will be referred to as a “Lifetime Member” and further payment of dues shall be waived.
- §3.
  - (a) Youth Members of the Association are natural persons aged twenty-one or younger as of the start of their membership year;
  - (b) Youth Members pay dues to the Association annually.
- §4.
  - (a) Distinguished Members of the Association are natural persons who have made extraordinary contributions to the development of the Trakehner breed and who have been elected as distinguished members by not less than a two-thirds majority vote of the members present and voting.
  - (b) The payment of dues to the Association is waived for Distinguished Members as of the start of their membership year following the date of their election.

- §5. (a) All members of the Association who have been members for at least forty-five days prior to a membership meeting may participate in that meeting, provided that their dues are paid for the current year or waived under §§2 and 4 of this Article, and subject to the following:
- (1) An Active Member that is an entity must appoint a representative that is an owner, partner, shareholder, member, or principal of the entity to exercise its right to vote.
  - (2) A natural person may cast only one vote at any membership meeting, either in that person's capacity as an individual Member or as a designated representative of one entity Member.
  - (3) A Youth Member may vote only if he or she is at least eighteen years old as of the date of the meeting.
  - (4) Except for a Distinguished Member, who is entitled to vote on all matters, a Member may vote on issues pertaining to registration or branding only if:
    - (i) as of the day of the vote, the Member is a record owner, or is a shareholder, partner, member or owner of an entity that is a record owner, of a purebred Trakehner horse registered in either Division (A) or (E) of the Registry Book, in the NATA General Registry Book Division 1, or in the Official Stud Book or the NATA Official Stud Book; or
    - (ii) the Member has been a member of the Association continuously since prior to the Annual Meeting of the ATA on November 3-6, 1983.
- §6. Any person who is an individual Member or is an owner, partner, shareholder, member, or principal of an entity Member may serve on any of the committees of the Association as chairperson or member, provided the person is at least eighteen years of age as of the date of joining the committee and, if the person is not an individual Member, that the person is the designated voting representative for an entity Member under §5 (a)(1) above.
- §7. (a) Any person who is an individual Member or is an owner, partner, shareholder, member, or principal of an entity Member is eligible to serve as an officer or trustee on the Board of Trustees, provided that as of the date of the election:
- (1) the person is at least eighteen years of age; and
  - (2) the individual Member; an entity of which the individual Member is a shareholder, partner, member, or owner; or an entity Member for which the person is the voting representative is a record owner of a purebred Trakehner horse registered in either Division (A) or (E) of the Registry Book, in the NATA General Registry Book Division 1, or in the Official Stud Book or the NATA Official Stud Book; and
  - (3) if the person is not an individual Member, that the person is the designated voting representative for an entity Member under §5 (a)(1) above.

- §8. A person may become a Member of the Association by completing an application in a form approved by the Board of Trustees and paying dues as required by these Regulations and established by Association policy. Membership is non-transferable and dues are non-refundable.
- §9. The membership year will start on December 1 and end on November 30 for all members.
- §10. Members who have been dropped from membership for non-payment of dues may pay the dues for the current period at which time their membership shall be reinstated.

### **ARTICLE III – TERMINATION OF MEMBERSHIP**

- §1. Membership and membership privileges in the Association shall be terminated for failure to pay dues timely as prescribed in Part I, Article II of these Regulations, or for cause, on the grounds and in accordance with the procedures specified in Part IV of these Regulations.

### **ARTICLE IV – BOARD OF TRUSTEES**

- §1. The Association shall have a Board of Trustees, composed of: a President and Chairperson of the Board of Trustees; a Vice President; a Secretary; a Treasurer; the Immediate Past-President; and nine additional Trustees. It is recommended that at least one member of the Board of Trustees be a Canadian citizen. Except as described in Article VII, §8 of this Part I (under which a sitting Trustee acts in the place of an officer in the event of a vacancy), no person can simultaneously occupy two positions on the Board of Trustees.
- §2. The President and Chairperson of the Board of Trustees, the Vice President, the Secretary and the Treasurer shall be elected for a term of two years or until their successors are elected and the additional nine Trustees shall be elected for a term of three years or until their successors are elected, as provided in Part I, Article XI of these Regulations. All terms shall commence at the adjournment of the Trustees' fall meeting in the year of election. The Immediate Past President, unless removed from office for cause, shall serve as a Trustee until he or she is succeeded or formally resigns.
- §3. The President and Chairperson of the Board of Trustees and the Secretary shall begin their terms of office in an even-numbered year, and the Vice President and the Treasurer shall begin their terms of office in an odd-numbered year. Three of the nine additional Trustees shall begin their terms of office each year, so that each year three Trustees retire and three successor Trustees begin their terms.
- §4. Trustees may not succeed themselves in office, except as follows: the President, Vice President, and Secretary may succeed themselves in office for one additional term of two years; and the Treasurer may succeed himself or herself for an unlimited number of terms. Trustees elected for less than a full term (for reason of replacement, resignation of a prior Trustee, or any other reason creating a vacancy) may serve additional successive term(s) not to exceed five (5) continuous years in office.
- §5. Trustees, including officers, may be suspended by a majority vote of the Board of Trustees present and voting and removed from office upon cause by a majority of the membership present and voting at an annual meeting or at a special meeting called for that purpose.

## ARTICLE V – MEETINGS OF BOARD OF TRUSTEES

- §1. The Board of Trustees shall hold two regular meetings each year. The “fall meeting” shall be held at the location of and immediately preceding and immediately following the annual meeting of the membership. The “spring meeting” shall be held at such time and place as the Board determines at the preceding fall meeting.
- §2. Provided that a quorum exists, the affirmative vote of a majority of the Trustees present and voting shall be the minimum vote required for the adoption of any motion. Where a greater proportion is required by these Regulations or the current edition of Robert’s Rules of Order Newly Revised, such proportion shall be necessary for the adoption of such motion(s).
- §3 The minutes of all Board meetings shall be kept by the Secretary or a person appointed by the Chairperson to act in the Secretary’s absence. The minutes shall be promptly communicated to each Trustee whether or not they participated in the meeting. Any member may request a copy of any minutes upon ten (10) day’s written notice to the Secretary. Meetings, except for Executive Sessions or any communication governed by the attorney-client privilege or attorney work product doctrine, may be recorded so that accuracy of the minutes may be retained; such recordings (if any) shall be kept by the Secretary. By serving as an Officer or Trustee, or by attending any meeting, each attendee expressly consents to the electronic recording of the meeting. If any person objects to recording, they will not be permitted to attend that meeting.
- §4
- (a) The Board of Trustees shall hold special meetings as necessary to conduct the business of the Association. Special meetings of the Board of Trustees shall be called by the President and Chairperson of the Board upon the written request of three or more Trustees and may be called by the President and Chairperson of the Board of his or her own volition. The President and Chairperson of the Board shall call special meetings by providing at least two days’ notice of the time and place, if applicable, of the meeting directly to each Trustee by some appropriate means. Notice of special meetings to be held by electronic communication will be made by E-mail. If the President does not call a meeting following a request by the required number of Trustees, as set forth above, and such action is not taken within two (2) days of such request, any officer may call a meeting in the President’s stead and shall establish the time and date of the meeting.
- (b) Special meetings of the Board may be held by any means of electronic communication (including teleconference, E-mail, or electronic conference), provided that all members of the Board of Trustees have access to the appropriate electronic meeting media and the technology used must allow all Trustees full access

to and full participation in all meeting transactions either continuously or intermittently throughout the specified time of the meeting.

- (c) Special meetings conducted by E-mail or electronic conference shall conform with the following requirements:
- (1) The notice of the meeting will include a proposed agenda and designate a date on which the meeting is intended to begin [“starting date”], not less than two days after the date of the notice. The notice should also state a nominal end date of the meeting before which the meeting may not be adjourned.
  - (2) Trustees will reply to the notice provided establishing their intent to participate in the meeting as of the starting date. A quorum will be established upon the response of a majority of the Board of Trustees, including the President or Vice President, from the date of the notice until one day after the starting date and, once established, shall be assumed present until the meeting is adjourned. Upon establishment of a quorum, the Chairperson will send a notice to all Trustees of the existence of a quorum and announcing that the meeting has begun.
  - (3) Trustees may join the meeting after it has begun. Trustees are considered “present” if they have the ability, electronically, to follow the course of the meeting and participate fully, if intermittently, over an extended period of time.
  - (4) All communications shall be addressed to the Chairperson and should be copied to each Trustee.
  - (5) After the meeting has started, the procedure for each agenda item will be as follows: the Chair will offer to entertain a motion on the first agenda item. After a motion is made, discussion and debate may commence after a second on the motion. A period of time not less than one day may be set for the discussion. At the end of the discussion, the Chair will call for a vote on the motion. The time allotted to debate on a motion may be extended for good reason and if secondary motions are made in the course of the debate.

## **ARTICLE VI – DUTIES OF BOARD OF TRUSTEES**

§1. The Board of Trustees shall:

- (a) transact the general business of the Association in the interim between annual membership meetings;

- (b) establish major administrative policies governing the affairs of the Association and devise and develop policies for the Association's growth and development;
- (c) provide for the maintenance of an Association office that is the center of activities of the Association;
- (d) provide for proper care of materials, equipment and funds of the Association, for the composition of Association budgets and allocation of funds to committees, for the payment of legitimate expenses, and for the annual auditing of all books of account by a nonmember certified public accountant;
- (e) in its discretion, hire and/or appoint employees, consultants and/or such other personnel as may be necessary, and to define the duties, supervise, fix the compensation, and/or terminate the employment of such persons;
- (f) appoint the chairpersons of standing committees as provided in these Regulations;
- (g) appoint special committees as may be needed from time to time;
- (h) determine the exact date and place for holding the annual meetings and meetings of the Board of Trustees and provide for the payment for the place of such meetings when necessary; and
- (i) review and determine, as may be necessary, the membership dues and fees payable to the Association.

## **ARTICLE VII – OFFICERS**

- §1. The officers of this Association shall be a President and Chairperson of the Board of Trustees, a Vice President, a Secretary, and a Treasurer.
- §2. The officers of the Association shall perform the duties usually performed by such officers and other duties provided in this Article.
- §3. The President and Chairperson of the Board of Trustees shall preside at meetings of the Board and serve as an ex officio member of all committees except the Nominations Committee and the Inspection Committee.
- §4. The Vice President shall assume duties that are assigned to the Vice President by the Board of Trustees. In the absence of and/or the incapacity of the President and Chairperson of the Board of Trustees, the Vice President shall assume the duties of the President and Chairperson of the Board of Trustees in accordance with §8 of this Article.
- §5.
  - (a) The Secretary shall keep the minutes of all meetings of the Association and of the Board of Trustees and maintain the current Corporate Regulations. The Secretary shall be the official custodian of all papers, letters, and transactions of the Association, and of the corporate seal, all of which may be kept in the Association office or elsewhere as provided in these Regulations or at the direction of the Board of Trustees.

- (b) The retiring Secretary shall deliver within one month of retirement all Association property in his or her possession to the successor Secretary or, if none has been elected or appointed, to the President and Chairperson of the Board of Trustees.

§6.

- (a) The Treasurer shall report to the Board of Trustees the financial standing of the Association whenever requested to do so and publish a financial report to the membership after the adjournment of the Spring meeting of the Board of Trustees.
- (b) With the approval of the Board of Trustees, certain of these functions may be delegated to the Executive Director, subject to the supervision of the Treasurer.
- (c) The Association shall arrange, if available at a commercially reasonable price, for the purchase of crime insurance in an amount sufficient to cover the total exposure (as measured in assets) to loss of the Association. Such insurance shall provide coverage for (i) office employees; and (ii) officers while performing functions ordinarily performed by an employee.
- (d) The accounts of the Treasurer shall be audited annually by a non-member certified public accountant approved by the Board of Trustees.
- (e) The retiring Treasurer shall deliver within one month of retirement all money, vouchers, books, papers, and other property of the Association in his or her possession, and a supplemental report covering all transactions from the close of the last annual membership meeting to the making of the supplemental report, to the successor Treasurer or, if none has been elected or appointed, to the President and Chairperson of the Board of Trustees.

§7. The retiring President and Chairperson of the Board and the retiring Vice President shall, upon resignation or the expiration of their term of office, surrender all Association property in their possession to the person that has assumed the duties of President and Chairperson of the Board.

§8.

- (a) Should the President and Chairperson of the Board of Trustees vacate the office for any reason, the Vice President will serve as President and Chairperson of the Board as well as continuing as the Vice President until a successor President and Chairperson of the Board is elected by the membership. In the case of a Vice President, Treasurer, or Secretary vacancy, the majority of the Board of Trustees will choose a Trustee to serve in that office vacancy until a successor is elected by the membership to serve out the remainder of the term.
- (b) In the absence of all officers, a meeting to select replacement officers may be called by the Trustee who has been a member of the Association for the longest period of time, or by a majority of the remaining Trustees.

## **ARTICLE VIII – STANDING COMMITTEES**

§1. Committees shall be composed of members of the Association that are eighteen years old or older at the time of joining the committee, and their duties shall be as specified in these Regulations and as assigned by the Board of Trustees.

§2. Except in the case of the Finance and Risk Management, Inspection Committee Review and Nominations Committees, at each fall meeting the Board of Trustees shall select a member to serve as the chairperson of

each standing committee for the ensuing year. The committee Chairs for the Finance and Risk Management, Inspection Committee Review, and Nominations committees shall be selected as otherwise provided herein. The Board will select a chairperson for any special committee at the time that the committee is created and, if the special committee still exists, at the Board's fall meeting.

- (a) Except as otherwise provided herein, each standing committee chairperson may select other members to serve on the committee. No committee shall exceed seven (7) members.
- (b) Each committee shall have a Board Liaison. The primary purpose of the Board Liaison is to facilitate communications between the Board of Trustees and the Board Liaison's assigned committee. Board Liaisons should confer regularly with their assigned committee's chairperson, report to the chairperson any relevant Board directives, observe the actions of the committee, report on committee activity to the Board when appropriate, relay any concerns of the committee to the Board, and take other actions consistent with the foregoing. The Board will appoint each committee's Board Liaison in the following order of priority:
  - (1) If the committee chairperson is a Board member, the chairperson will serve as the applicable Board Liaison.
  - (2) If the committee's membership includes more than one Board Member, one of the Board members shall serve as the Board Liaison.
  - (3) If a committee's membership does not include a Board Member, the Board will select a Board Member to serve as the committee's Board Liaison. The Board Liaison does not become a committee member by virtue of that assignment, but may join the committee as a member at the discretion of its chairperson.

§3 The Board of Trustees may remove any committee member, including any committee Chairperson, upon a vote of two-thirds of Trustees present and voting.

§4. The duties of the chairpersons of the committees shall consist of convening the committees for meetings, presiding at meetings of the committees and making appropriate recommendations to the Board of Trustees for taking corporate action.

§5. Committee meetings shall be called by the chairperson upon giving at least two days' notice to the committee members or may be commenced by agreement of a majority of the members. Meetings may be held at a location agreeable to the committee members or by any means of electronic communication (including teleconference, E-mail, or electronic conference) by which all committee members are able to participate fully in the discussions and voting of the meeting. The minutes of these meetings shall be communicated to all committee members, including those who did not participate.

§6. The Association shall maintain the following standing committees: (a) Advertising (b) Annual Meetings (c) Awards (d) Branding (e) Corporate Regulations and Grievances (f) Education (g) Finance and Risk Management (h) Membership (i) Nominations (j) Publications (k) Public Relations (l) Registration (m) Inspections (n) Inspection Committee Review.

§7. The Committee on Advertising shall develop and implement programs approved by the Board of Trustees for communicating with the public at large concerning the Trakehner horse of East Prussian origin and the role of the Association in promoting the Trakehner horse. The Committee shall coordinate its activities with those of the Committee on Public Relations.

- §8. The Committee on Annual Meetings shall be responsible for planning the program for annual meetings under the general direction and subject to the approval of the Board of Trustees.
- §9. The Committee on Awards shall develop a policy for accepting nominations and making awards to members and horses registered with the Association and, subject to the approval of the Board of Trustees, determine the recipients of awards and publish the results.
- §10. The Committee on Branding shall govern the branding of horses pursuant to Part III of these Regulations, select current Association members to act as branding representatives, and develop policies to assist it in the performance of its responsibilities, subject to the approval of the Board of Trustees.
- §11. The Committee on Corporate Regulations and Grievances shall review the Articles of Incorporation and the Corporate Regulations of the Association and make recommendations for amendments thereto. The Committee shall investigate and formulate recommendations to the Board regarding all complaints referred by the Board of Trustees as provided in Part IV of these Regulations.
- §12. The Committee on Education shall coordinate all activities of the Association dealing with the development of educational materials, programs, clinics and events for the membership and develop policies to assist it in the performance of its responsibilities, subject to the approval of the Board of Trustees.
- §13.
- (a) The Committee on Finance and Risk Management, whose chair shall be selected by its members, shall be composed of five individuals: the Association President, the Treasurer, and three others to be appointed by the Board. When one of those members ceases to serve on the Committee, his or her replacement will be chosen by the Board.
  - (b) The Committee on Finance and Risk Management shall review and monitor the treasury function, assess financial and operational risk; develop and recommend to the Board policies governing investments and risk management, and implement such approved policies.
- §14. The Committee on Membership shall take all appropriate actions for the marketing, encouragement and conservation of membership in the Association and develop policies to assist it in the performance of its responsibilities, subject to the approval of the Board of Trustees.
- §15.
- (a) The Committee on Nominations, whose chair shall be selected by its members, shall have five members: three elected by the membership as provided in Part I, Article XI, of these Regulations, and two appointed by the Board of Trustees.
  - (b) The Committee on Nominations shall review the applications and qualifications of persons eligible under Part I, Article II, §7 to hold office in the Association as Trustees, and make appropriate recommendations to the membership for the filling of all vacancies on the Board of Trustees at each annual meeting of the Association. The Committee shall formalize its recommendations and, at least forty-five days prior to the annual meeting, publish the official slate to the membership of the Association by inclusion in the Association's newsletter or other official communication (whether transmitted electronically or sent by physical mail).

- §16. The Committee on Publications shall oversee the publication of The American Trakehner, the official journal of the Association, and such other print and electronic publications as the Board of Trustees may from time to time direct. The Committee shall constitute the Editorial Board of all Association publications.
- §17. The Committee on Public Relations shall act as a liaison between the Association, its officers, committees, administrative staff and equine publications for the promotion of the activities of the Association and the Trakehner breed, furnish news items and articles of interest to the news media for the purpose of promoting the Trakehner breed, and serve as a source of information concerning the Association's activities and the Trakehner breed. The Committee shall coordinate its activities with the Committee on Advertising.
- §18. The Committee on Registration shall consist of at least seven members of the Association, one of whom shall be a member of the Committee on Inspections, and shall supervise the registration of horses in accordance with Part II of these Regulations. The Committee shall compile, maintain and supervise the Official Stud Book, the Preliminary Stud Book, the Registry Book and the Appendix Book of the Association in accordance with the rules specified in Part II of these Regulations.
- §19. The Committee on Inspections shall consist of at least three members, each appointed by the Board of Trustees, each of whom shall serve a term of three years. If the ATA has retained a Breed Director, the Breed Director shall be the Chair of the Committee on Inspections. The Committee on Inspections shall select inspectors as required. Subject to the provision immediately above, the Chair of the Committee on Inspections shall be selected by the Board at the fall meeting or upon a vacancy of the Chair for any reason. The Committee on Inspections shall inspect stallions, mares, and young stock as provided for in Part II of these Regulations and develop policies to assist it in the performance of its responsibilities, subject to the approval of the Board of Trustees.
- §20. The Committee on Inspection Committee Review shall be composed of five members, including the past presidents of the Association who agree to participate, with the remainder being members of the Board of Trustees, selected by the Board of Trustees. The Committee shall be responsible for the review of members of the Committee on Inspections at the expiration of their three-year terms and give recommendations as to their retention to the Board of Trustees.
- §21. The committees of the Association shall report to the Board of Trustees at its semi-annual meetings and to the membership at the annual meeting of the Association. If the business of the committee requires, it may report to the Board of Trustees and membership more frequently at such times and in such form as the chairperson of the committee deems necessary.

## **ARTICLE IX – ADMINISTRATIVE STAFF**

- §1. The administrative staff of the Association may consist of such personnel as may be necessary to operate the association's day-to-day operations, who are appointed by the Board of Trustees.
- §2. Such persons appointed by the Board of Trustees shall perform, or supervise the performance of, the administrative operations of the Association.
- §3. The duties of the employees appointed by the Board of Trustees shall include such duties as may be necessary to implement these Corporate Regulations and the policy decisions made by the Board of Trustees, to perform and coordinate the administrative duties of the offices of Secretary and Treasurer of

the Association together with the respective officers, and to assist the standing and special committees of the Association in the performance of their activities. The duties of the employees appointed by the Board of Trustees shall (unless otherwise expressly designated by a majority of the Board of Trustees) be performed under the general supervision of the President and Chairperson of the Board of Trustees and coordinated with such other officers of the Association as may be necessary.

- §4. The specific responsibilities and duties assigned to the staff in accordance with this Article, together with any compensation to be paid for the performance of those duties, shall be determined by the Board of Trustees.

## **ARTICLE X – INDEMNIFICATION**

- §1. The Association shall indemnify each person who is or was a trustee, officer, employee or committee member of the Association (including heirs, legal representatives or the estate of any such persons), or is or was serving at the written request of the Association as a trustee, officer, employee or agent of another corporation or association, partnership, joint venture, trust, or other enterprise, as to any act or omission taken in his or her official capacity as trustee, officer, employee or agent of the Association or of such other organization as described above to the full extent permitted by the Ohio Revised Code, or any successor provisions of the laws of the State of Ohio. This indemnification shall include, without limitation, reasonable expenses, attorneys' fees, judgments, fines and settlements incurred as a result of civil, criminal, administrative, or investigative actions and proceedings, except actions brought by or in right of the Association itself, provided that the individual acted in good faith and in a manner which he/she believed was in, or not opposed to, the best interests of the Association.
- §2. The indemnification set forth in §1 of this Article shall apply to criminal proceedings only if the individual has no reason to believe that his/her conduct was unlawful. The adverse termination of an action or proceeding does not create the presumption that the individual lacked good faith or was behaving illegally. Such indemnification shall be made only in accordance with the laws of the State of Ohio and subject to the conditions prescribed herein. The amount of indemnification shall be determined in the manner prescribed by the Ohio Revised Code Annotated. This indemnification obligation of the Association set forth herein shall not be deemed exclusive of any other rights, in respect of indemnification or otherwise, to which any party may be entitled under any other bylaw provision or resolution approved by the members in accordance with the Ohio Revised Code Annotated.
- §3. Insurance: The Association may purchase and maintain insurance at its expense, to protect itself and any of its trustees, officers, employees, or agents against any such liability, cost, payment or expense as described in this Article X whether or not the Association would have the power to indemnify such person against such liability.

## **ARTICLE XI – ELECTIONS**

- §1. Elections shall be held at each annual meeting of the Association at which time trustees to succeed those whose terms then expire, or to fill any existing vacancies, shall be chosen by the members present and voting.
- §2. Nominations for trustees and officers shall be made by the Committee on Nominations, through its chairperson, at the annual meeting of the Association in accordance with the procedures specified in Article VIII, §14. Any person eligible to vote under Part I, Article II, §5 may also nominate other persons

who are eligible to serve as Trustees and Officers under Part I, Article II, §7 and in attendance at the meeting, to fill any existing vacancy. Only persons nominated as candidates and who have accepted the nomination are eligible for election.

- §3. Candidates for the three elected members of the Committee on Nominations shall be nominated by persons eligible to vote under Part I, Article II, §5 at the annual meeting.
- §4. The election of trustees, officers, and the three members of the Committee on Nominations shall take place immediately upon the closing of nominations. In each election, the candidates receiving the greatest number of votes shall be elected. Cumulative voting shall not be permitted.
- §5. Elections shall be conducted, at the discretion of the presiding officer, either by voice vote, show of hands, roll call or ballot, of the members present and voting. However, voting must be conducted by ballot when more than one person has been nominated for an office.

## **ARTICLE XII – MEMBERSHIP MEETINGS**

- §1. The annual meeting of the membership shall be held during the second half of each calendar year. The exact time and place of annual meetings shall be designated by the Board of Trustees and published.
- §2. The President and Chairperson of the Board, or the Vice President acting for the President and Chairperson of the Board, may call special meetings of the membership of his or her volition, and shall call special meetings of the membership if resolved by a majority of the trustees acting at a meeting of the Board of Trustees or if requested in writing by ten percent of the members entitled to vote, or if a quorum was not established at the annual meeting of the membership. An official notice of such meeting shall be published by an official communication (transmitted electronically or sent by physical mail) to all members entitled to vote not less than ten nor more than sixty days prior to the date of the meeting.
- §3. The order of business at each annual meeting of the membership shall be fixed by the Board of Trustees at its meeting immediately preceding the membership meeting and shall include, among other things: (a) Introductions and Announcements (b) Call for Quorum (c) Approval of the Agenda for the Current Meeting (d) Report of the Secretary (e) Report of the Treasurer (f) Reports of the Standing Committees (g) Reports of Special Committees (h) Old Business (i) New Business (j) Elections (k) Report of the President (discretionary).
- § 4. The order of business at any special meeting of the membership shall be determined by the purpose for which the meeting is called.

## **ARTICLE XIII – QUORUM**

- §1. A majority of the members of the Board of Trustees, including the President and Chairperson of the Board, or the Vice President, and at least twenty other members of the Association shall constitute a quorum for the transaction of business at any meeting of the membership of the Association.
- §2. A majority of the Board of Trustees, including the President and Chairperson of the Board, or the Vice President, shall constitute a quorum at any meeting of the Board of Trustees.
- §3. A majority of the members of any standing committee or any special committee shall constitute a quorum at any meeting of that committee.

## **ARTICLE XIV – FISCAL YEAR**

§1. The fiscal year shall be from January 1 to December 31.

## **ARTICLE XV – PARLIAMENTARY AUTHORITY**

§1. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern meetings of the Association in all cases to which they are applicable and in which they are not inconsistent with these Regulations.

## **ARTICLE XVI – AMENDMENTS**

- §1. These Regulations shall be amended at any annual meeting by vote of the members present, eligible to vote pursuant to Part I Article II §5, and voting, subject to the following:
- (a) Proposed regulations or amendments that do not govern membership, voting rights or procedures, registration, or branding and that have been published to the membership at large shall be adopted by a majority vote of members present and voting.
  - (b) Proposed regulations or amendments that do not govern membership, voting rights or procedures, registration, or branding and that have not been published to the membership at large shall be adopted by a two-thirds vote of members present and voting.
  - (c) Proposed regulations or amendments that govern membership, voting rights or procedures, registration, or branding must be published to the membership at large and shall be adopted by a two-thirds vote of members present and voting on such regulations or amendments.
  - (a) (d) For the purpose of this section, “published to the membership at large” means that the proposed language has been set forth in writing and either: included in the Association’s newsletter or other official communication by the Association (whether the same is delivered electronically or by physical mail) at least sixty days in advance of the annual membership meeting; or physically mailed to every member of the Association who is entitled to vote on the subject matter pursuant to Part I Article II §5 with mailing occurring at least sixty days in advance of the annual membership meeting.

## **PART II – REGISTRATION**

### **ARTICLE I – BREEDING AND REGISTRATION GOAL**

§1. The Association is committed to adhere to the highly selective breeding standards practiced in Trakehnen, East Prussia, and continued in Germany by the Trakehner Verband in the breeding of the horse of Trakehner origin. By practicing these standards the Association desires to encourage the development of a performing horse of beauty and harmony, great endurance, mental and physical balance, and possessing an excellent character.

### **ARTICLE II – GENERAL REGISTRATION STANDARDS**

- §1. Soundness, obedience, willingness to work, and elegant, flowing, elastic movements are the dominant characteristics of the Trakehner breed.
- §2. Small, noble heads are desirable as they show nerve and energy. The neck should be set properly and of significant length. Withers should be visible and clearly pronounced; the shoulder should be long and sloping; and the back should be of medium length. The croup should be long, muscular, and oval in shape. A deep and wide rib cage should be connected to a substantial frame, representing a horizontal rectangle (in contrast to the square frame of the Thoroughbred). The legs should have large joints.
- §3. The recommended minimum size for stallions as two-and-one-half-year olds is 15.3 hands (160 cm) in height with a heart girth of 72 inches (183 cm) and a cannon bone of 7.5 inches (19 cm).
- §4. The recommended minimum size for mares is 15.1 hands (155 cm) in height with a heart girth of 70 inches (178 cm) and a cannon bone close to 7.5 inches (19 cm).

### **ARTICLE III – REGISTRY BOOK**

- §1. The Registry Book of the Association consists of five divisions:
- (a) Division A: Purebred Trakehner, composed of horses [except those that are barred from registration under Part II Article V§2(b)(6)], by approved stallions and out of Trakehner mares registered in the Official Stud Book or the NATA Official Stud Book, with documented pedigrees having no unapproved Trakehner stallions in at least the first five generations and no more than one horse that is an unapproved Trakehner stallion or a horse that is other than a Trakehner, Thoroughbred, Arabian, Shagya-Arabian, or any combination of Thoroughbred, Arabian, and Shagya-Arabian, in the sixth generation.
  - (b) Division B: Anglo-Trakehner, composed of horses by approved Trakehner stallions and out of:
    - (i) Thoroughbred mares, whether or not recorded in the Preliminary Stud Book; or

- (ii) Anglo-Trakehner mares registered in the Registry Book Division B, third-generation Anglo-Trakehner mares registered in the Appendix Book Division B, or Anglo-Trakehner mares registered in NATA (Division 5).
- (c) Division C: Arabian-Trakehner, composed of horses by approved Trakehner stallions and out of:
  - (i) Arabian mares, whether or not recorded in the Preliminary Stud Book;
  - (ii) Shagya-Arabian mares, whether or not recorded in the Preliminary Stud Book;
  - (iii) Mares that are crosses of any combination of Arabian, Shagya-Arabian, and Thoroughbred horses, whether or not the mare is recorded in the Preliminary Stud Book;  
or
  - (iv) Arabian-Trakehner mares registered in the Registry Book Division C, third-generation Arabian-Trakehner mares registered in the Appendix Book Division C, or Arabian-Trakehner mares registered in NATA (Division 6).
- (d) Division D: Part-Trakehner, composed of horses by approved Trakehner stallions and out of part-Trakehner mares registered in the Registry Book Division D or NATA (Division 4 or 7), and Appendix Book Division D, and mares other than Trakehner, Thoroughbred, Arabian, Shagya-Arabian, or crosses of any combination of Arabian, Shagya-Arabian, and Thoroughbred horses.
- (e) Division E: Imported Trakehner, composed of horses by approved Trakehner stallions and out of approved Trakehner mares, imported into North America with papers establishing purity of breeding and an unbroken, properly authenticated pedigree of five generations of approved Trakehner horses. Required approvals must have been granted by the Trakehner Verband or an affiliated organization.

§2. Registration in the Registry Book does not require inspection for conformation or performance.

#### **ARTICLE IV – APPENDIX BOOK**

§1. The Appendix Book of the Association consists of five divisions:

- (a) Division A: Purebred Trakehner, composed of horses by approved stallions and out of purebred Trakehner mares registered in Division A or E of the Registry Book or in Division 1 of the NATA General Registry Book, as well as their offspring by approved Trakehner stallions. Fillies and mares registered in this Division are eligible for registration in the Official Stud Book upon compliance with Part II, Article V, §2.
- (b) Division B: Anglo-Trakehner, composed of horses by:
  - (i) Thoroughbred stallions and out of Trakehner mares registered in the Official Stud Book or the NATA Official Stud Book, and if fillies, their first- and second-generation offspring by approved Trakehner stallions;

- (ii) Anglo-Trakehner stallions registered in Division B of the Preliminary Stud Book and out of Thoroughbred and Anglo-Trakehner mares recorded or registered in Division B of the Preliminary Stud Book; and
  - (iii) Anglo-Trakehner stallions registered in Division B of the Preliminary Stud Book and out of Anglo-Trakehner mares registered in Division B of the Registry Book.
- (c) Division C: Arabian-Trakehner, composed of horses by:
- (i) Arabian stallions, Shagya-Arabian stallions, or stallions that are crosses of any combination of Arabian, Shagya-Arabian, and Thoroughbred horses, and out of Trakehner mares registered in the Official Stud Book or the NATA Official Stud Book; and if fillies, their first- and second-generation offspring by approved Trakehner stallions;
  - (ii) Arabian-Trakehner stallions registered in Division C of the Preliminary Stud Book and out of mares recorded or registered in Division C of the Preliminary Stud Book that are Arabian or Shagya-Arabian mares, crosses of any combination of Arabian, Shagya-Arabian, and Thoroughbred, and Arabian-Trakehner mares, and mares recorded or registered in Division B of the Preliminary Stud Book that are Thoroughbred and Anglo-Trakehner mares; and
  - (iii) Arabian-Trakehner stallions registered in Division C of the Preliminary Stud Book and out of Arabian-Trakehner mares registered in Division C of the Registry Book or Anglo-Trakehner mares registered in Division B of the Registry Book. These offspring are PSB eligible.
- (d) Division D: Horses ineligible for registration in any other division of the Official Stud Book, Preliminary Stud Book, Registry Book, or Appendix Book that are of at least fifty percent Trakehner blood.
- (e) Division E: Imported Trakehner, composed of horses registered in the Vorbuch or Hengstbuch II of the Trakehner Verband, or in a corresponding book of an affiliated organization, and branded with the single moose-antler brand with loop or its equivalent from the affiliated organization.

§2. Registration in the Appendix Book does not require inspection for conformation or performance.

## **ARTICLE V – OFFICIAL STUD BOOK**

§1. The Official Stud Book of the Association consists of two divisions:

- (a) Division A: Registered Trakehners that were foaled in North America and have been approved for breeding by the Association.
- (b) Division E: Registered Trakehners that were foaled outside of North America and have been approved for breeding by the Association or by the Trakehner Verband or an affiliated organization, registered stallions that are Thoroughbred, Arabian, Shagya-Arabian, and crosses of any combination of Thoroughbred, Arabian, and Shagya-Arabian, that were foaled outside of North America and have been approved or accepted for breeding by the Trakehner Verband or an affiliated organization.

§2. The following horses are eligible for registration in the Official Stud Book:

- (a) In the year in which they turn three, or later, the following fillies shall be granted approval as broodmares and registered in the Official Stud Book upon application to the Association, payment of required fees, the fulfillment of the requirements in Part II Article VIII and approval upon personal inspection by the Inspection Committee as provided in Part II Article IX:
  - (i) Purebred Trakehner fillies that are registered in Divisions A or E of the Registry Book, Division A of the Appendix Book, or in Division 1 of the NATA General Registry Book;
  - (ii) Third-generation (7/8-Trakehner) Anglo-Trakehner fillies that are registered in Division B(1) of the Registry Book, Division B of the Appendix Book, or Division 5 of the NATA General Registry Book;
  - (iii) Third-generation (7/8-Trakehner) Arabian -Trakehner fillies that are registered in Division C(1) of the Registry Book, Division C of the Appendix Book, or Division 6 of the NATA General Registry Book;
  - (iv) First-generation (regardless of the percentage of Trakehner blood) Anglo-Trakehner fillies, registered in Division B of the Registry Book, by approved Trakehner stallions and out of mares registered or recorded in the Preliminary Stud Book; and
  - (v) First-generation (regardless of the percentage of Trakehner blood) Arabian -Trakehner fillies, registered in Division C of the Registry Book, by approved Trakehner stallions and out of mares registered or recorded in the Preliminary Stud Book.
  
- (b) At the minimum age of two years, the following colts shall be granted approval as breeding stallions and registered [or recorded, in the case of stallions approved pursuant to subsection (b)(6) below] in the Official Stud Book upon application to the Association, payment of required fees, the fulfillment of requirements in Part II Article VIII, and approval upon personal inspection by the Inspection Committee as provided in Part II Article IX :
  - (i) Purebred Trakehner colts that are registered in Divisions A or E of the Registry Book or in Division 1 of the NATA General Registry Book;
  - (ii) Third-generation (7/8-Trakehner) Anglo-Trakehner colts that are registered in Division B(1) of the Registry Book or Division 5 of the NATA General Registry Book;
  - (iii) Third-generation (7/8-Trakehner) Arabian-Trakehner colts that are registered in Division C(1) of the Registry Book or Division 6 of the NATA General Registry Book;
  - (iv) First-generation (regardless of the percentage of Trakehner blood) Anglo-Trakehner colts, registered in Division B of the Registry Book or Division 5 of the NATA General Registry Book, by approved Trakehner stallions and out of mares registered or recorded in the Preliminary Stud Book;
  - (v) First-generation (regardless of the percentage of Trakehner blood) Arabian-Trakehner colts, registered in Division C of the Registry Book or Division 6 of the NATA General Registry

Book, by approved Trakehner stallions and out of mares registered or recorded in the Preliminary Stud Book.

- (c) Imported Trakehner mares or stallions previously approved for breeding by the Trakehner Verband or an affiliated organization are eligible for registration in the Official Stud Book if they are registered after importation in accordance with these Regulations and subject to the requirements of Part II Article VIII, and Part II Article IX with respect to performance requirements for stallions.
- (d) Trakehner stallions approved for breeding by the Trakehner Verband or an affiliated organization that stand outside of North America are eligible for registration in the Official Stud Book upon application and the payment of applicable registration fees and compliance with Part II Article VIII- IX.
- (e) A mare registered in the Registry Book, Appendix Book, or NATA General Registry Book that was eligible for the Official Stud Book according to Part II Article V §2(a) but died before she was inspected for the Official Stud Book may be registered in the Official Stud Book posthumously if her identity has been confirmed by DNA-testing. This breeding approval will apply only to facilitate registration of the mare's last-born foal.

## **ARTICLE VI – PRELIMINARY STUD BOOK**

§1. The Preliminary Stud Book of the Association consists of two divisions:

- (a) Division B: Approved, registered Anglo-Trakehner horses and approved, recorded Thoroughbred horses.
- (b) Division C: Approved, registered Arabian-Trakehner horses and approved, recorded purebred Arabian, or Shagya-Arabian horses.

§2. The following horses are eligible for registration or recording in the Preliminary Stud Book:

- (a) In the year in which they turn three, or later, the following mares shall be granted approval as broodmares and registered or recorded in the Preliminary Stud Book upon application to the Association, payment of required fees, the fulfillment of requirements in Part II Article VIII, and approval upon personal inspection by the Inspection Committee as provided in Part II Article IX:
  - (i) Anglo-Trakehner mares registered in Division B of the Registry Book, Division B of the Appendix Book, or Division 5 of the NATA General Registry Book, except Anglo-Trakehner mares that are eligible for the Official Stud Book, which are third-generation (7/8-Trakehner) mares and mares that are sired by approved Trakehner stallions and are out of mares registered in the Preliminary Stud Book;
  - (ii) Arabian -Trakehner mares registered in Division C of the Registry Book, Division C of the Appendix Book, or Division 6 of the NATA General Registry Book, except Arabian -Trakehner mares that are eligible for the Official Stud Book, which are third-generation (7/8-Trakehner) mares and mares that are sired by approved Trakehner stallions and are out of mares registered in the Preliminary Stud Book;;

- (iii) Thoroughbred mares;
  - (iv) Arabian mares;
  - (v) Shagya-Arabian mares;
  - (vi) Mares that are crosses of any combination of Arabian, Shagya-Arabian, and Thoroughbred horses; and
  - (vii) Mares having less than fifty percent Trakehner blood with the remainder from only Thoroughbred, Arabian, or Shagya-Arabian ancestors. The closest Trakehner ancestors must have been approved for breeding by the Association, or by the Trakehner Verband or an affiliated organization.
- (b) At the minimum age of two years, the following colts shall be granted approval as breeding stallions and registered or recorded in the Preliminary Stud Book upon application to the Association, payment of required fees, the fulfillment of requirements in Part II Article VIII, and approval upon personal inspection by the Inspection Committee as provided in Part II Article IX:
- (i) Anglo-Trakehner stallions that are registered in Division B of the Registry Book or Division B of the Appendix Book having one parent registered in the Official Stud Book and one parent that is not recorded in the Preliminary Stud Book and is Thoroughbred;
  - (ii) Arabian-Trakehner stallions that are registered in Division C of the Registry Book or Division C of the Appendix Book having one parent registered in the Official Stud Book and one parent that is not recorded in the Preliminary Stud Book and that is Arabian, Shagya-Arabian, or a cross of any combination of Arabian, Shagya-Arabian, and Thoroughbred;
  - (iii) The following non-Trakehner stallions will be approved:
    - [a] Thoroughbred stallions;
    - [b] Arabian stallions;
    - [c] Shagya-Arabian stallions; and
    - [d] Stallions that are crosses of any combination of Arabian, Shagya-Arabian, or Thoroughbred horses.

## **ARTICLE VII – EXCEPTIONS IN THE INTEREST OF THE BREED**

§1. Any exception to the foregoing rules governing registration and recording in the Registry Book, Appendix Book, Official Stud Book, and Preliminary Stud Book may be made only if it is in the interest of the Trakehner breed as decided by a two-thirds majority vote of the Board of Trustees.

## ARTICLE VIII – REGISTRATION AND RECORDING PROCEDURE

- §1. Before any horse may be registered or recorded in any book of the Association its DNA-type must be on file. Before a horse may be registered in the Registry Book or the Appendix Book, the DNA-type of the horse's sire and dam must be on file to verify parentage, except that the registration of horses in the Registry Book Division D and the Appendix Book Division D only requires verification of their Trakehner parentage. For the registration of horses produced by embryo transfer, the DNA-type of the recipient mare may be required in addition to that of the sire and donor mare, if the DNA-type of the dam is required for eligibility.
- §2. Effective January 1, 2013, prior to registration or recording in the Official Stud Book or Preliminary Stud Book, the following horses must be genetically tested and confirmed not to be carriers of Severe Combined Immunodeficiency (SCID), Cerebellar Abiotrophy (CA), or Lavender Foal Syndrome (LFS):
- (a) Arabians, Shagya-Arabians, and Anglo-Arabians;
  - (b) Horses with an Arabian, Shagya-Arabian, or Anglo-Arabian ancestor within the first three generations, unless the ancestor has already been excluded as a carrier of those disorders by genetic testing or by parentage; and
  - (c) Horses that are members of a subset of those eligible for entry in the Official Stud Book or Preliminary Stud Book that the Board of Trustees determines is necessary to test.
- §3. All genetic testing required by the Association to verify a horse's identity, parentage, or freedom from genetic disorders shall be conducted at the expense of the applicant for registration, recording, or inspection, and shall not be the responsibility of the Association.
- §4. The owner or lessee under Part II Article XI of a horse who applies for it to be registered in the Registry Book or the Appendix Book must be a member in good standing or pay increased fees as set by the Board of Trustees. The record owner or lessee under Part II Article XI of horses already registered with the Association, or the owner, record owner, or lessee under Part II Article XI of a horse who applies for it to be registered or recorded in the Official Stud Book or the Preliminary Stud Book, must be a member in good standing of the Association.
- §5. The owner or lessee under Part II Article XI of a horse to be registered in the Registry Book or the Appendix Book shall complete an "Application for Registration" form provided by the Association. The application shall be submitted with the applicable registration fee and documentation required under this Article, and shall include the name, sex, color, markings, and foaling date of the horse to be registered and the name, registration number, and color of the sire and dam. Upon verification of parentage through DNA-typing and approval of the application by the Registration Committee, the Association shall issue an original certificate of registration to the applicant documenting the registration of the horse and the applicant, or the person designated on the application, as the horse's record owner. The certificate shall contain a description of the horse, appropriately identify it as registered in the Appendix Book or the Registry Book, and specify the registration number with the prefix "OAB" or "ORB."
- §6. The record owner or lessee under Part II Article XI of a horse, other than an imported horse already approved for breeding by the Trakehner Verband or an affiliated organization, that is eligible for registration in the Official Stud Book or the Preliminary Stud Book of the Association pursuant to Part II Articles V or VI may apply for approval of the horse as a broodmare or breeding stallion by completing an "Application for Inspection" form provided by the Association. The application shall identify the

horse and shall be submitted with the required fee and documentation required under this Article. Upon the processing of the application by the Registration Committee and approval after personal inspection by the Inspection Committee, the Association shall transfer the horse's registration to the Official Stud Book or the Preliminary Stud Book. If breeding approval is denied, the original registration in the Registry Book or Appendix Book will be unchanged and the denial will be noted in the records of the Association.

- §7. The owner or lessee under Part II Article XI of a horse that is eligible for recording in the Official Stud Book or the Preliminary Stud Book of the Association pursuant to Part II Articles V or VI may apply for approval of the horse as a broodmare or breeding stallion by completing an "Application for Inspection" form provided by the Association. The application shall identify the horse and shall be submitted with the required fee and documentation required under this Article. Upon the processing of the application by the Registration Committee and approval after personal inspection by the Inspection Committee, the Association shall issue to the applicant a "Certificate of Approval for Breeding" in the Official Stud Book or the Preliminary Stud Book.
- §8. The owner or lessee under Part II Article XI of an imported horse that is already approved for breeding by the Trakehner Verband or an affiliated organization may apply for registration of the horse in the Official Stud Book by completing an "Application for Registration" form provided by the Association. The application shall identify the horse and shall be submitted with the required fee and documentation required under this Article. Upon compliance with the other requirements for registration of breeding stock listed in this Article and Part II Article IX and the processing of the application by the Registration Committee, the Association shall issue to the applicant a "Certificate of Registration" in the Official Stud Book.
- §9. The following documentation is required to be on file with the Association or to accompany an "Application for Registration" in the Registry Book, the Appendix Book, or the Official Stud Book, and an "Application for Inspection" in the Preliminary Stud Book or the Official Stud Book:
- (a) Proof of ownership of the horse to be registered, including documentation of the dates and parties to all changes of ownership. If the horse is already registered with the Association or is a horse eligible to be recorded under Part II Articles V or VI, documentation of changes of ownership occurring since the last record owner is required. The owner of a horse's dam is presumed to be the owner of the horse unless evidence of transfer or other ownership is presented.
  - (b) In the case of an imported horse eligible for registration under Part II Articles III, IV, or V, the original or a notarized or certified copy of the horse's registration certificate or a copy of its equine passport.
  - (c) In the case of a horse eligible for recording, the original or a notarized or certified copy of the registration certificate from the applicable breed registry or, for imported horses, a copy of the equine passport.
  - (d) In the case of horses bred and foaled in North America eligible for registration in the Registry Book or Appendix Book, all documentation required by Part II Article X (relating to stallion breeding reports and breeding certificates).
  - (e) In the case of horses imported in utero, the registration of the dam with the Association.
  - (f) DNA-typing in accordance with this Article §1.

- (g) In the case of an application for registration or recording in the Official Stud Book or the Preliminary Stud Book, genetic testing results and certification in accordance with this Article §2.
- (h) In the case of colts presented for breeding approval and registration in the Official Stud Book or registration or recording in the Preliminary Stud Book, a certification of veterinary exam and radiographs required by the Board of Trustees.
- (i) In the case of horses that are produced by embryo transfer and not previously registered by the Association, or by the Trakehner Verband or an affiliated organization, the registration of the donor mare in situations where the registration of the dam is required for eligibility.
- (j) A copy of any applicable lease agreement under Part II Article XI.

§10. If, after making diligent attempts, the Registration Committee determines that one or more of the documents listed in this Article §9(a)-(b) cannot be obtained, in its discretion and after providing at least ten days' notice to the Board of Trustees, the Registration Committee may proceed with registration or recording of the horse if the remainder of the documentation required by this section is provided and the Registration Committee receives proof of ownership that is satisfactory and, in its determination, not inconsistent with the standard in the industry for registration and recording. In the event that a registration or recording pursuant to this section is made in error or upon inaccurate information, the Association may in its discretion take such actions as it deems necessary to correct the error including, but not limited to, revoking the registration or any other appropriate or available means.

## **ARTICLE IX – STUD BOOK INSPECTION AND PERFORMANCE REQUIREMENTS**

- §1. Prior to registration or recording in the Official Stud Book or Preliminary Stud Book, with the exception of imported mares that have already been approved by the Trakehner Verband or affiliated organizations, all fillies and mares eligible for registration in one of those books must be presented and approved as broodmares upon personal inspection by at least one member of the Inspection Committee.
- §2. Prior to registration or recording in the Official Stud Book and Preliminary Stud Book, all colts and stallions eligible for registration pursuant to Article V, §2(b)(1)-(5) or registration or recording pursuant to Article VI, §2(b)(1)-(3) must be presented and approved as breeding stallions upon personal inspection by a team including at least three members of the Inspection Committee.
- §3. Inspections of mares and stallions will be conducted using a format developed by the Inspection Committee and approved by the Board of Trustees, at a central location designated by the Inspection Committee. In cases of extreme hardship, a stallion inspection may be conducted at a location convenient to the stallion owner, at the stallion owner's expense, with the approval of a majority of the Board of Trustees.
- §4. Horses presented to the Inspection Committee for registration or recording in the Official Stud Book or the Preliminary Stud Book and not approved may be re-inspected at a future inspection upon application and payment of the required fee.
- §5. Performance testing is required for stallions eligible for registration or recording in the Preliminary Stud Book pursuant to Article VII, §2(b)(1)-(3) or Official Stud Book pursuant to Article V, §2(b)(1)-(5) and

for stallions eligible for registration in the Official Stud Book pursuant to Article V, §2(c) that have not satisfied the performance requirements of the Trakehner Verband or affiliated organization that originally granted approval, as follows:

- (a) Within two years from the date of inspection and initial approval or by the end of the competition year in which he turns six years old, whichever is later, the stallion must complete a United States Eventing Association (USEA)- or Equine Canada-sanctioned three-phase combined training event. The minimum required level of competition is determined by the age of the stallion, as determined from his foaling date, at the time of the qualifying event. Stallions that have not yet turned six years old must compete at the Novice (USEA) or Pre-Training (Equine Canada) level. Stallions that are six years old or older must compete at Training (USEA or Equine Canada) level or above. Upon completion of this requirement, the stallion's approval as a breeding stallion is final subject to these Regulations.
- (b) The performance requirement may also be satisfied within the time frame specified in §5(a) above if a stallion reaches an advanced level of performance, as defined by the Board of Trustees, in show jumping, dressage, combined training, or hunters. The performance requirement may also be satisfied within the time frame specified in §5(a) above if a stallion that is a Thoroughbred, Arabian, Shagya-Arabian, or a cross of any combination of those breeds achieves an outstanding sport horse performance record, in the opinion of the Inspection Committee, in endurance competitions or in racing on the flat or over obstacles. Upon receipt by the Association of documentation of the fulfillment of the performance requirement, the stallion's approval as a breeding stallion will be final subject to these Regulations.
- (c) If a stallion fails to complete the performance requirement specified in §5(a)-(b) above, his breeding approval will be withdrawn. However, if the stallion later completes the performance requirement at the age-appropriate level specified in §5(a) above, or satisfies the alternative performance requirement specified in §5(b) above, and documentation of that fact is submitted to the Association, his approved status may be reinstated at the discretion of the Board of Trustees. Unless the stallion's approved status is reinstated, his foals conceived after the withdrawal of approval will not be eligible for registration in the Registry Book and will only be eligible for registration in the Appendix Book as the offspring of unapproved stallions.

## **ARTICLE X – STALLION BREEDING REQUIREMENTS**

§1. In order to maintain approved stallions registered or recorded in the Official Stud Book on "active" status, such that their offspring may be registered in the Registry Book or Division A of the Appendix Book, the following requirements must be met:

- (a) Membership in good standing in the Association must be maintained by:
  - (i) The record owner or lessee under Part II Article XI of stallions standing in North America; and
  - (ii) The record owner, lessee under Part II Article XI, or North American agent of stallions not standing in North America but registered in the Official Stud Book pursuant to Part II Article V, §2(d).

- (b) The record owner or lessee under Part II Article XI of each “active” approved stallion registered or recorded with the Association must submit an annual stallion breeding report, the date for receipt to be set by the Registration Committee.
  - (i) The stallion breeding report shall list every mare bred to the stallion or with the stallion’s semen during the preceding calendar year, regardless of whether the mare is determined to be in foal, and shall include: the mare's registration number, if applicable; the mare's registered name; the name and address of the owner, record owner, or lessee under Part II Article XI at the time of service; and all breeding dates, shipment dates, or dates of exposure, as well as the method of breeding employed.
  - (ii) Each stallion breeding report shall be completed in its entirety and signed by the record owner or the lessee under Part II Article XI of each stallion as of the time of service, or by the owner of the dispensed frozen semen. Failure to file a complete and timely stallion breeding report as specified in this Article shall subject the owner and/or lessee to a late fee and cause the registration of resulting foals to be denied or surcharged until the complete breeding report is filed and all fees are paid.
- (c) All fees, as established by the Board of Trustees, required to maintain “active” status, including late fees where appropriate, must be paid.

§2. Horses sired by approved stallions that are registered or recorded in the Official Stud Book or the Preliminary Stud Book but not on “active” status as of the year of conception may be registered, for an additional fee, in the book and Division they are eligible as offspring of an approved stallion when all other requirements for registration set forth in this Part II are met. These horses may be registered without the need for the owner or lessee of the stallion to comply with the requirements for “active” stallions in §1 above.

§3. Horses sired by unapproved stallions, or by stallions whose approval was revoked, may be registered in the book and division for which they are eligible without the need for the owner or lessee of the stallion to comply with the requirements for “active” stallions in §1 above.

§4. Horses produced using frozen semen from stallions approved by the Trakehner Verband and affiliated organizations not standing in North America and not registered in the Official Stud Book of the Association must pay the same registration fees required for imported horses. These horses may be registered without the need for the owner or lessee of the stallion to comply with the requirements for “active” stallions in §1 above.

## **ARTICLE XI – BREEDING LEASES OF STALLIONS AND MARES**

§1. If an approved stallion is leased, the Association must be notified of the leasing arrangement and advised as to which person is responsible to pay fees and authorized to submit breeding reports required to maintain the stallion in good standing with the Association. Otherwise, reports filed by persons other than the stallion’s record owner will not be recognized.

§2. If a mare registered or recorded in any book of the Association is leased, the Association must be notified of the leasing arrangement and advised as to which person is eligible to be listed as a “breeder” on the registration papers of the offspring of the mare and to be presumed to be the owner of offspring.

Absent such notification, the owner of the mare at the time of service will be listed as the breeder and presumed to be the owner of the mare's foals.

- §3. Notices required under this Article must be provided in writing and signed by the record owner of the stallion or mare and the lessee. The Association will accept a copy of a written lease, a memorandum of a lease, or a letter provided it is signed by both parties to the lease.
- §4. (a) The notice must state the date on which the lease becomes effective.
- (b) If the notice states a date on which the lease will expire, unless the Association is provided with a written notice of an extension signed by the record owner and the lessee, the Association will not:
- (i) in the case of a stallion lease, accept from the lessee breeding reports covering any period of time after the expiration date; or
  - (ii) in the case of a mare lease, issue registration certificates listing the lessee as the "breeder" for offspring of the mare foaled more than one calendar year after the expiration.
- (c) If the notice does not state a date on which the lease will expire, the Association will treat the lease agreement as being in effect until presented with either written notice of termination, signed by both the record owner and the lessee, or a court order.

## **ARTICLE XII – EFFECT OF REGISTRATION AND RECORDING**

- §1. When a horse that is the subject of an application has been accepted for registration or recording in either the Appendix Book, Registry Book, Preliminary Stud Book, or Official Stud Book and a "Certificate of Registration" or "Certificate of Approval for Breeding" has been issued, the registration or recording shall be binding upon the Association in accordance with these rules and the person designated on the certificate will be the record owner until the ownership is transferred in accordance with these regulations, except in the following cases:
- (a) If, in the sole discretion of the Board of Trustees, clear and convincing evidence is presented showing fraud or mistake in the application or issuance of the certificate. In the event of such fraud or mistake, the Association may in the discretion of the Board of Trustees take such actions as it deems necessary to correct the error including, but not limited to, revoking the registration or any other appropriate or available means; or
  - (b) If the Board of Trustees determines that a stallion or mare previously approved for breeding possesses one or more genes for a serious genetic disorder, the Board may, upon the recommendation of the Registration Committee and a two-thirds vote, revoke the approval. Foals conceived prior to the revocation of breeding approval will remain eligible for registration in the same book and division as if the approval was in place. Foals conceived after the revocation of approval may be eligible for registration in the Appendix Book but only as the offspring of an unapproved stallion or mare.

## **ARTICLE XIII – TRANSFERS OF REGISTERED AND RECORDED HORSES**

- §1. When an ATA-registered or recorded horse is transferred, the transferor shall endorse the Certificate of Registration or Certificate of Approval for Breeding in full and deliver it to the transferee. The transferee shall forward a copy of the certificate showing the endorsement establishing ownership and the required transfer fee to the Association. Upon receipt of those items, the Association shall record the transfer.
- §2. The Association may also transfer the registration or recording of an ATA-registered or recorded horse to a new record owner upon:
- (a) the order of a court of competent jurisdiction;
  - (b) satisfactory proof of transfer of ownership in the event of death or incapacity of the record owner; or
  - (c) the verification of the identity of the horse and receipt of satisfactory proof of ownership that is, in the discretion of the Registration Committee, not inconsistent with the standard in the industry, in cases, such as when transfers have not been made or recorded in accordance with Section 1 of this Article, when documentation of an unbroken chain of ownership cannot be obtained after diligent attempts. Transfers under this subsection may occur only at the discretion of the Registration Committee, after providing at least ten days' notice to the Board of Trustees. In the event that a registration transfer is made pursuant to this section in error or upon inaccurate information, the Association may in its discretion act to correct the error by canceling the registration transfer or any other appropriate or available means.

## **ARTICLE XIV – DILIGENCE IN REGISTRATION, RECORDING, AND TRANSFERS**

- §1. The Association and its representatives shall diligently attempt to obtain true information in connection with the registration, recording, and transfers of record ownership of registered and recorded horses, but shall not be liable for damages or any other relief for registering, recording, or documenting a transfer of record ownership of a horse, or issuing certificates relating to those acts, in reliance upon and consistent with an "Application for Registration," "Application for Inspection," request for ownership transfer, or supporting documents.

## **ARTICLE XV – LOST CERTIFICATES**

- §1. A duplicate Certificate of Registration or Certificate of Approval for Breeding will be issued to a horse's record owner upon submission of an application, the required fee, and an affidavit explaining the loss of the original.

## **ARTICLE XVI – AGE OF HORSE**

- §1. A horse's age is calculated from its actual foaling date.

## **ARTICLE XVII – NAME OF HORSE**

- §1. No horse will be registered or recorded by the Association by any name that is a duplicate of the name of a horse, living or dead, already registered with the Association, except that the name of a horse reported to be dead for fifteen or more years may be reused as long as the deceased horse was not a winner of the ATA Palmenblüte, the Trakehner Verband Stallion-of-the-Year, or Trakehner-of-the-Year award.
- §2. The name of the horse shall not exceed twenty-five (25) characters including blank spaces. Titles, designations, or numerals appended to the name pursuant to the following §§7-8 are not counted.
- §3. In the case of horses eligible for future transfer to the Official Stud Book, the first letter of the name shall be the same as the first letter of the dam's name if the dam is a Trakehner. Otherwise, the name may start with any letter.
- §4. Names consisting entirely of numbers, such as "One Six," or words such as "filly" or "colt" as part of a name are not permitted.
- §5. Punctuation marks other than apostrophes, umlauts, or other accents are not permitted.
- §6. The horse must be named prior to being used for breeding. Thereafter, the name of the horse cannot be changed except as provided in the following §§7-8.
- §7. Horses registered in the Stud Book of the Trakehner Verband or an affiliated organization will be registered in the appropriate registry book with the same name. If the horse's name is already in use in the Association's registry, the next consecutive Roman numeral will be appended to the horse's name.
- §8. Horses registered or recorded in any registry book may have titles and other designations of outstanding performance or breeding success appended to their names.
- §9. The Association may refuse to register or record a horse by any name that is, in the sole discretion of the Association, inappropriate, misleading, or obscene.

## **ARTICLE XVIII – GELDINGS**

- §1. When a registered or recorded male horse is castrated, the owner of the horse should notify the Association so that the information can be recorded in the Association's database.

## **ARTICLE XIX – DEATH OF A REGISTERED OR RECORDED HORSE**

- §1. Upon the death of a registered or recorded horse, the owner of the horse should notify the Association so that the information can be recorded in the Association's database.

## **ARTICLE XX – TERMINOLOGY**

- §1. When used in Part II of these Regulations, these terms are defined as follows:

- (a) **Arabian:** A horse that is registered as an Arabian with the Arabian Horse Association, the Canadian Arabian Horse Registry, or the World Arabian Organization (WAO), or their successors in interest.
- (b) **Arabian-Trakehner:** A horse that has one Trakehner parent and one parent that is either an Arabian, Shagya-Arabian, or any cross of a combination of Arabian, Shagya-Arabian, and Thoroughbred horses, or is an Arabian - Trakehner registered with the ATA or NATA (Division 6).
- (c) **Anglo-Trakehner:** A horse that has one Trakehner parent and one parent that is either a Thoroughbred or an ATA- or NATA (Division 5)-registered Anglo-Trakehner.
- (d) **Generation:**
  - (i) Any reference to generations of a horse's pedigree or ancestry are made with the horse's parents considered the first generation, the grandparents the second generation, and so on. Thus, a "pedigree showing at least five generations of approved Trakehner horses" means a pedigree that includes a horse's ancestors through its great-great-great grandparents (third great-grandparents).
  - (ii) Any reference to generations of a horse's offspring are made with the horse's own foals considered the first generation, foals of the first generation are the second generation, and so on.
- (e) **Appendix Book:** One of two books for the primary registration of horses eligible to receive a Certificate of Registration from the Association. With the exception of Division A and certain cases in Divisions B and C, horses registered in the Appendix Book need not be sired by approved stallions.
- (f) **Registry Book:** One of two books for the primary registration of horses eligible to receive a Certificate of Registration from the Association and that have not yet been approved for breeding. All horses registered in the Registry Book are sired by stallions that have been approved for breeding by the Association, the NATA, or the Trakehner Verband or affiliated organizations.
- (g) **Official Stud Book:** The main book for the registration of stallions and mares that have been approved for breeding. Approved Trakehner stallions and mares, and certain Anglo-Trakehner, Arabian -Trakehner stallions and mares, registered in the Official Stud Book are issued "Certificates of Registration" to replace their previously issued Certificates of Registration from the Registry Book or Appendix Book, or in the case of imported horses, in addition to their document of registration with the Trakehner Verband or affiliated organization.
- (h) **Preliminary Stud Book:** The second book for the registration of stallions and mares that have been approved for breeding. Certain Anglo-Trakehner and Arabian -Trakehner stallions and mares registered in the Registry Book or Appendix Book may be approved for breeding and then registered in the Preliminary Stud Book. They are then issued "Certificates of Registration" to replace their previously issued certificates. Recording in the Preliminary Stud Book is available to certain approved stallions and mares that are Thoroughbred, Arabian, Shagya-Arabian, and crosses of any combination of those three breeds, and they are issued "Certificates of Approval for Breeding."

- (i) Recording: A status offered to non-Trakehner stallions and mares that have been approved by the Association for breeding. Eligible, approved stallions and mares that are Thoroughbred, Arabian, Shagya-Arabian, and crosses of any combination of those three breeds are issued a number in the applicable Stud Book and a “Certificate of Approval for Breeding.” Recorded horses are not registered with the Association but rather remain registered with their original breed association.
- (j) Thoroughbred: A horse registered with the Jockey Club or an equivalent Thoroughbred breed registry.
- (k) Shagya-Arabian: A horse registered as a Shagya-Arabian in the stud book of an organization that is a member of the Internationale Shagya-Araber Gesellschaft e.V. (ISG = International Purebred Shagya-Arab Society) or its successor in interest.

## **PART III – BRANDING**

### **ARTICLE I – ELECTIVE BRANDING OF HORSES WITH DOUBLE MOOSE ANTLER BRAND**

- §1. Any eligible purebred horse registered with the Association, or its purebred offspring, may be branded, at the expense and peril of its owner, on the left hindquarter with the modified double moose antler brand as the recognized sign of the horse of purebred Trakehner origin registered with the Association in North America.
- §2. Horses of purebred Trakehner origin which are branded on the left hindquarter with the Trakehner Verband double moose antler brand are ineligible for branding as provided in §1 of this Article.

### **ARTICLE II – BRANDING PROCEDURE**

- §1. All horses registered in the Association's Official Stud Book, and their purebred offspring registered in Division A of the Registry Book or Division A of the Appendix Book, may be branded as provided In Part III, Article 1, of these Regulations upon application to the Registration Committee, payment of the required fees and verification by that Committee of the registry status of the horse to be branded.

### **ARTICLE III – BRANDING OF FOALS**

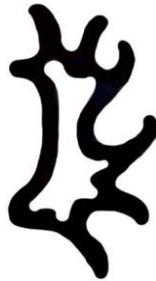
- §1. If branding is desired, all eligible purebred foals by an approved stallion out of an approved mare must be branded prior to weaning as provided in Part III, Article I, of these Regulations, upon the furnishing of proof satisfactory to the Registration Committee of the purebred status of the foal to be branded. Any foal not branded prior to weaning shall be ineligible to be branded except as provided in §2 of this Article.
- §2. A purebred foal may be branded after it has been weaned upon application to the Registration Committee under the following circumstances:
  - (a) the death, illness, or injury of the dam which requires premature weaning of the foal; or
  - (b) the inability of the Association's branding representative to brand the foal prior to weaning.
- §3. Foals by approved Trakehner stallions and out of mares registered in the Preliminary Stud Book are also eligible for the full Trakehner brand.
- §4. If a foal is not branded prior to weaning, it must first be duly registered with the Association to be eligible to be branded.
- §5. The Registration Committee shall issue a branding authorization to the Chair of the Committee on Branding for the application of the brand upon the receipt of the application for branding, together with the foal's breeding certificate and after the Committee is satisfied of compliance with all Association regulations governing the branding of Trakehner foals pursuant to this Part III of these Regulations.

#### **ARTICLE IV – BRANDING OF STALLIONS**

§1. If desired by, and at the expense and peril of, their owners, stallions approved for breeding by the Association may be branded on the left side of the neck with the brand specified in Part III, Article I, §1, of these regulations in a size smaller than used on the hindquarter. Application for such branding must be made together with the application for inspection.

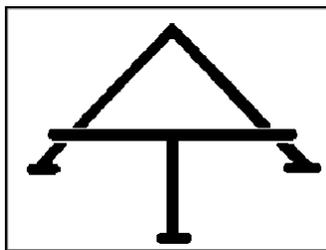
#### **ARTICLE V – ELECTIVE BRANDING OF ANGLO-TRAKEHNER AND ARAB-TRAKEHNER HORSES**

§1. Upon application by a member of the Association and payment of the appropriate fees, any Arab-Trakehner or Anglo-Trakehner horse owned by such member and registered in Division B or C of the Registry Book, the Appendix Book or the Preliminary Stud Book and not eligible for the double moose antler brand may be branded on the left hindquarter, at the expense and peril of its owner, with the Association's single moose antler brand as the recognized sign of a horse registered with the Association as follows:



#### **ARTICLE VI – ELECTIVE BRANDING OF PART-TRAKEHNER HORSES**

§1. Upon application by a member of the Association and the payment of the appropriate fees, any horse owned by such member and registered in the Registry Book or the Appendix Book of the Association and not eligible for either the double moose antler brand or the single moose antler brand may be branded on the left hindquarter, at the expense and peril of its owner, with the Association's Part-Trakehner brand as the recognized sign of a horse registered with the Association, as follows:



#### **ARTICLE VII – APPEALS OF BRANDING DECISIONS**

§1. A decision of the Registration Committee with respect to the branding of foals may be appealed to the Board of Trustees of the Association whose decision shall be final.

## **PART IV – DISCIPLINARY PROCEDURE**

### **ARTICLE I – PROHIBITED CONDUCT**

§1. If the Association finds that any member has failed to comply with any of these Regulations, or has been guilty of any misconduct or misrepresentation which in any manner involves the purpose or good name of the Association, that member may be expelled or suspended from membership in the Association and subjected to other action as may be within the Association's power.

### **ARTICLE II – PROCEDURE**

- §1. Any party in interest, or the Association upon a majority vote of the membership, may file a written complaint with the Secretary of the Association that plainly and concisely specifies the alleged acts of misconduct or misrepresentation by a member of the Association. The Secretary shall provide copies of the complaint and any other pertinent information to the Board of Trustees. If a majority of the Board concludes that the charges, if true, involve the purpose and integrity of the Association, the Board shall refer the complaint to the Corporate Regulations and Grievances Committee for investigation.
- §2. Any complaint referred to the Corporate Regulations and Grievances Committee for investigation shall be governed by the following procedures:
- a. The Corporate Regulations and Grievances Committee shall furnish the respondent with a copy of the complaint and a notice that, unless the respondent files a written answer to the complaint within twenty-one (21) days with the Board of Trustees and the Corporate Regulations and Grievances Committee, the Board of Trustees may take action without a hearing or further input from the respondent.
  - b. The respondent shall be given a period of twenty-one days, or such longer period as the Board of Trustees shall permit, to file a written response to the complaint. In his or her response, the respondent shall advise whether she or he desires a hearing on the complaint.
  - c. Unless the Corporate Regulations and Grievances Committee deems that the complaint is patently frivolous, within fourteen (14) days after the filing of the respondent's response, a panel shall be assembled to resolve the complaint. The panel shall consist of five (5) persons. No person on the panel shall be a witness to the dispute or have participated in its investigation. Two persons shall be selected by the claimant, and two persons shall be selected by the respondent. A fifth person (who shall not be a Board member) shall be selected by the Board and shall serve as the chairperson of the panel.
  - d. If the respondent has requested a hearing, a hearing shall be scheduled as soon as reasonably practicable. The hearing shall be held telephonically. If the panel determines that a telephonic hearing is inappropriate or not feasible, it may make a request to the Board that the hearing be held in person or by some other means.
  - e. No later than ten (10) days prior to the hearing, the Corporate Regulations and Grievances Committee shall furnish its recommendations to the panel, with any supporting documentation. A copy of such recommendation and documentation shall be provided to the complainant and the respondent. Both claimant and respondent shall similarly provide all documentary evidence upon which they intend to rely to the panel and to each other no more than ten (10) days prior to the

hearing. Any documentary evidence not exchanged prior to this deadline may not be relied upon or considered by the panel.

- f. At the hearing, the Corporate Regulations and Grievances Committee shall summarize its recommendation and the reasons therefor. The claimant shall then be permitted to introduce documentary evidence and the testimony of witnesses to support his or her claim. The respondent shall then be permitted to introduce documentary evidence and the testimony of witnesses in response. Both parties shall be entitled to cross-examine the others witnesses and to introduce rebutting testimony. Unless the panel determines otherwise, each side shall be limited to no more than two (2) hours to present his or her case.
- g. Following the submission of all written materials or the conclusion of a hearing, whichever is later, the panel shall resolve the complaint. The panel shall decide by majority vote. The panel may (a) dismiss the complaint, (b) direct the respondent and complainant to mediation, or (c) impose discipline upon the respondent if warranted by the evidence. The panel shall issue a written disposition of the complaint and shall send the disposition to the complainant, the respondent, the Corporate Regulations and Grievances Committee, and the Board of Trustees. The panel shall render its decision within thirty (30) days of the hearing.
- h. The respondent may appeal any adverse decision of the panel to the Board of Trustees, whose decision on appeal shall be final. Any appeal must be submitted to the Board of Trustees within thirty (30) days of the panel's decision.

§3. By joining and maintaining membership in the Association, every member waives any claim or cause of action against the Association, its members, Committee members, employees, and trustees arising out of any disciplinary action taken against that member pursuant to this Article.

### **ARTICLE III – RESTORATION OF ASSOCIATION PRIVILEGES**

- §1. A member may be restored to good standing upon the Board's determination that she or he has complied with the terms of any disciplinary action imposed pursuant to the procedures set forth above in Article II of this Part IV.
- §2. In addition to the foregoing, the Board of Trustees, by a two-thirds vote of those present and voting, may restore to good standing as a member any person previously deprived the privileges of the Association by reason of expulsion, suspension, or other disciplinary action, upon compliance by that person with any reasonable requirements imposed by the Board of Trustees assuring it that the conduct giving rise to the expulsion, suspension or other disciplinary action will not occur again.

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