

IN THE MATTER OF AN FA RULE K ARBITRATION

AWARD FRIDAY 7 FEBRUARY 2014 - NICHOLAS STEWART QC SITTING AS INTERIM TRIBUNAL

BETWEEN:

WEST HAM UNITED FOOTBALL CLUB LIMITED

The Claimant

- And -

THE FOOTBALL ASSOCIATION LIMITED

The Respondent

This AWARD is made on an interim application under FA Rule K8 by the Claimant's Notice of Arbitration dated 6 February 2014. It is made by me as the Interim Tribunal appointed by Sport Resolutions (UK), following an oral hearing on Friday 7 February 2014 at which both parties were represented by counsel and solicitors.

My full written reasons for this decision will follow in due course and, as agreed with the parties at the conclusion of today's oral hearing, will then form part of this Award.

My decision is to dismiss the application, which included an application for a stay of the 3 match suspension imposed under the FA Rules on the West Ham United FC player Mr Andrew Carroll and due to start with the match against Aston Villa FC on Saturday 8 February 2014.

The ground for dismissal of the application is that there is no serious issue on the validity of the FA Regulatory Commission decision made on 4 February 2014 upholding the 3 match suspension following Mr Carroll's dismissal from the field of play at the Premier League match West Ham United FC v Swansea City FC, i.e. there is no serious prospect that the full Tribunal appointed under FA Rule K will decide in the Claimant's favour and set aside that decision. The 3 match suspension therefore stands with immediate effect.

I also order the Claimant to pay the following costs:

- (i) The fees and expenses of the Interim Tribunal and the hearing on Friday 7 February 2014.
- (ii) £13,092 (inc VAT) costs of The Football Association Limited incurred in this interim application

A handwritten signature in black ink, appearing to read 'Nicholas Stewart', with a stylized flourish at the end.

Nicholas Stewart QC

Ely Place Chambers

London EC1N 6TD

7 February 2014