Amy Rideout
3142 Lookout Point Court
Triangle, VA 22172
10/23/08

North American Flyball Association, Inc.
1400 West Devon Avenue, #512
Chicago, IL 60660

Dear NAFA Board of Directors,

I am writing to you to protest the excusal of Gimli (040608) on October 12, 2008, and request that the attached C.12 be removed from his file.

I understand that NAFA intended to allow for judge's discretion by choosing the phrase "undue aggression". I feel that judge Geoff Brown did not understand or apply that discretion properly in this case, instructing me to "protest it as you feel necessary," and leaving the NAFA board of directors with the burden of a fair decision.

In the second to last heat of a 2-day tournament, my 19-pound terrier, Gimli, with over 16,000 points, was crossed on by a 60-pound lab, with just over 900 points. He ignored her as she crossed over and came at him at the box, and attempted to retrieve his ball out off the box. Gimli then avoided confrontation by going around the lab and headed back down the lane, over the jumps, eyes focused on me in the runback. Despite repeated commands from her handler to return to her, the lab remained focused on Gimli and proceeded to chase him down the lane. She ran alongside him over several jumps, banging him in to the uprights and tripping and blocking him – without him reacting. She then loomed her head over the top of his head and shoulders – a threatening and dominant body position that indicated to Gimli that she intended to take him down. At that point, Gimli decided that he needed to defend himself and bit her once - latching on to her ear. As terriers were bred to do, he held on as many people (the pack) ran in yelling, screaming and physically overwhelming him. I checked to see if the other dog was ok (I observed no blood or wound), and then went to retrieve a back up height dog. We were awarded the heat due to interference by the other team, and then we completed our last heat of the tournament. The dog that crossed on Gimli completed the final heat well and with no issues.

After tournament racing ended, the judge came out of the building with a C.12 and informed me that he was excusing Gimli for aggression. This excusal, after tournament racing ended, was a purely punitive action on a dog that did not instigate the altercation or physical contact.

Gimli should not have an excusal hanging over his head because he defended himself when he was crossed on. He did not instigate this incident and actively worked to avoid an altercation. I have put an enormous amount of training in to this 4.5 second, 9", dog,

to include proofing to crossovers, to make sure he can play the game correctly and safely. No dog should be expected to be run down, bullied and/or threatened and not react. I believe this is why the rule specifically states "undue aggression." Under a separate letter, I will request that NAFA protect competitors by augmenting this rule so that a dog, threatened by a dog crossing over, not be labeled as the aggressor for reacting to interference.

The C.12 clearly shows the circumstances of the incident, to include the judge changing his own write-up after hunting down substantiation beyond the racing ring and tournament racing itself. I have attached two other witness statements: our boxloader's and the tournament photographer's, with whom neither my club or myself have any affiliation. I can provide other witnesses if NAFA wishes.

In summary, I request that NAFA remove the attached C.12 from my dog's file based on the fact that he was crossed on and interfered with, did not instigate this incident, and worked to avoid confrontation with a vastly larger dog. In addition, I believe that the timing of the excusal, after the tournament ended, places the excusal outside of the judge's authority.

Thank you for your timely consideration of this matter, as we are racing Division 1 and have a non-regional tournament on 22 November, and a regional tournament on 6 December.

Very Respectfully,

Amy Rideout

PHOTOGRAPHER'S VIEW:

----- Forwarded Message ----
From: "geiser7777@comcast.net" <geiser7777@comcast.net>
To: Amy Rideout <virginiaflyball@yahoo.com>
Sent: Tuesday, October 14, 2008 11:35:28 AM
Subject: Re: Photos from yesterday

Hi Amy,

I was not taking pictures at the moment the lab came into his lane. I was sitting very close to the incident and it looked to me that the lab came over into your terrier's lane as your terrier came back from the box. Your terrier started to try to avoid him, moving slightly to your terriers right to pass the lab on your terriers left side, as the lab crossed in front of the terrier. As they passed, the lab looked over his left shoulder toward the terrier, not aggressive but I am sure your dog didn't see it that way. That moment is when your dog took exception with the lab. That is what it looked like to me.

I hope everything works out for everyone involved.

Jim

---------- Original message ----------
From: Amy Rideout <virginiaflyball@yahoo.com>
> Jim -
>
> Just wondering if you happened to get any photos of my black terrier and the lab
> that crossed over on him at the box?
>
> It would be interesting to see what the camera captured, as he did his best to
> avoid the lab at the box.
>
> THX
>
> Amy Rideout

==========

BOXLOADER'S VIEW

----- Forwarded Message ----
From: "gayew@comcast.net" <gayew@comcast.net>
To: virginiaflyball@yahoo.com
Sent: Tuesday, October 14, 2008 8:14:52 PM
Subject: Boxloader's view of incident

Hi Amy,

Here's what I saw, and I've gone over it and deleted any statement I can't be sure of. For example I can't remember exactly what my box judge did.

I had my eyes on Gim as I returned to a stand from loading his ball. Suddenly from my right a big yellow lab appeared in front of our box and reached for the Gim's ball. I bent right down to her face and yelled, NO, NO, YOU get BACK there! and pointed back to her lane with my right arm. She just looked up at me uncomprehendingly. Her boxloader was hollering and her handler or a team mate began running up and doing the same.

Gimli looked frightened as he approached the box to find her already there -- me leaning over her yelling. I can't even say for sure if he got his ball, but as she spun toward him he evaded her, hit the box and got himself turned around to run back. She got really excited by his movement and chased him down and overwhelmed him physically. She was completely oblivious to me and her boxloader, as well as her entire team.

Gim did his best to get away from the larger dog over two jumps as she crowded and jostled him and slammed him into the uprights of the first and second jumps from the box. I heard the sound of him hitting the uprights. Gimli's head was pointed directly at our runback, while her head was turned toward and loomed above his, mouth open and lolling tongue actually on him, her big paws and body striking him as she stayed right on him. The other dog was about three times Gim's size and was being heedless with her bulk, as Labs will. She was treating Gim like a motorized toy.

Both dogs suddenly veered toward the other lane and I saw you miss grabbing Gim by inches, sliding to your seat on the mat and catching the third jump's center-side upright hard under your right arm.

As they reached the other runback people leapt all over them -- hands, legs and arms everywhere, people yelling. I heard a terrible crash as I saw Howie on Hard Drive knock down one of the tables used as a backstop leaping in to join the crowd. I stayed out of that.

I got back there to see people comforting the Lab and cleaning the floor. I expected to see blood, but apparently she pooped a little. I saw a few bits of her fur on the ground and assumed Gim had only got hold of her fur, as at that time someone said there was no blood anywhere and she hadn't been bitten.

Gaye

Lee Heighton

From: geoff brown [geoffreysbrown@yahoo.com]
Sent: Sunday, November 16, 2008 11:54 AM
To: Lee Heighton
Cc: Geoff Brown
Subject: Re: Protest of excusal on Gimli 040608.pdf

Hello Lee,

I have read the attached documentation that you have provided. Here is a recap of what I saw and how I handled the situation.

Casey's team Scallywags was running in the left lane. Gimli's team Release the Hounds was running in the right lane. Casey got to his box as Gimli was being released. Casey bobbled his ball which rolled between the lanes. Casey followed the bobbled ball and ended up in front of Gimli's box at the same time that Gimli got there. Both dogs turned at the box and awkwardly ran down the jumps in the right lane at the same time.

Gimli's owner sprinted into the lanes to fetch her dog and missed catching Gimli.

Both dogs exited the right lane with Casey returning to her owner in the left lane run back area. Gimli chased down Casey and gripped her below her ear. This happened in the left lane runback area. Gimli would not release his grip on Casey. Casey was lying on her side screaming and defecating. Gimli had to be manually pried off Casey.

I had a veterinarian examine Casey. We found a trace of blood in her fur but at that time could not find any cuts or punctures.

Gimli was replaced by a backup. Casey's owner was satisfied that she could complete the last heat of the race.

Rather than make a hasty decision concerning excusing Gimli (as Gimli's owner had elected to substitute another dog), I ran the last heat of the race so that we could clear the lanes and allow racing to finish. We were racing race number 206 out of 212.

I turned my ring responsibilities over to the judge I was sharing with so I could consider what I should do. I decided that Gimli had acted with undue aggression towards the Lab. At no time did I see the Lab act in an aggressive manner, (clumsy: yes, aggressive:no). There is no denying that the Lab was in the wrong lane. However, it was the fact that Gimli pursued the Lab and gripped it as it was returning to it's owner, along with the level of intensity with which Gimli reacted that led me to excuse him for aggression.

I then proceeded to fill out the C.12 form that my decision required. I found witnesses and had them describe what they saw in their portions of the form. I went back into the crating area to make sure that Casey was ok. By that time they had shaved the area below her ear and there was a puncture wound. That is when I amended the C.12 to indicate that Casey had been injured.

During the time I spent getting the forms filled out racing ended. I sought out Amy to get her signature on the form. While I was talking with Amy, I indicated that she could protest my decision. I did not "instruct" her to do so. It was not my intention to place the burden of this decision on the board as I believe I acted within the scope of my responsibility as a Head Judge.

I would also like to address some of the points made in the appeal.

As I saw it, the situation was very fluid. I do not recall a stopped moment in time where Casey loomed over Gimli causing him to react the way he did. After Amy's failed attempt to catch Gimli, both dogs remained in motion, Casey running back to her owner with Gimli in pursuit.

Regarding the timing of my presentation of the C.12 to Gimli's owner: the fact that enough time had elapsed, while I considered and made my decision, that racing ended before I was able to present the C.12 to Gimli's owner for signature does not seem pertinent to me. An excusal is a serious matter and I wanted to take a moment to think things through without making a knee-jerk decision. In any case, what if the incident had happened in the last heat of the last race of the day? Would this give a free pass to a dog who acted in a manner that required excusal?

Amy uses the phrase "hunting down substantiation outside the racing ring." After having decided to excuse Gimli, I made one last check to see how Casey was doing. This is when I discovered that Casey had indeed been injured with a puncture wound. I felt that this was a significant fact and therefore added it to the description of the incident.

If you have any further questions, require clarification of my comments, or need anything else to complete the review process at the AGM, please do not hesitate to contact me.

Geoff Brown
(919) 219-9343

----- Original Message ----
From: Lee Heighton <springloaded@comcast.net>
To: Geoffreysbrown@yahoo.com
Sent: Saturday, November 15, 2008 10:47:11 PM
Subject: Protest of excusal on Gimli 040608.pdf

Hello Geoff,

The NAFA(r) Board of Directors has received the attached protest to an aggression write-up you recently completed. Could you please respond to me in writing, email is fine, regarding this protest by November 21st, 2008. We will be reviewing this protest at our meeting which will be held in Montreal on November 29th, 2008. Thank you very much for your response.

Lee Heighton

Lee Heighton

From: s.c.ford@worldnet.att.net
Sent: Monday, November 17, 2008 9:24 PM
To: wbumper@comcast.net; 'Amanda Brown'; 'Amy Rideout'; 'Lee Heighton'
Subject: CRN Number 040608 Gimli

The paperwork for the two write ups have been submitted to The Executive Director and this dog is suspended from flyball under the rules of this organization. An appeal to the Board of Directors has been sent to the Chairman of the Board but this appeal doesn't not carry with it the right of running in a tournament and therefore the suspension stands until it is rescinded by Board action.

By copy of this e mail, the owner of the dog is notified of the suspension and the Regional Directors of the regions where the dog has run are notified of this dog's status.

Sam Ford
Executive Director

3142 Lookout Point Ct
Triangle, VA 22172
November 18, 2008

North American Flyball Association, Inc.
1400 West Devon Avenue, #512
Chicago, IL 60660

Dear NAFA Board of Directors,

I am writing to you to protest the excusal of Gimli (040608) on July 22, 2006, and request that the attached C.12 (Attachment A) be removed from his file. I regret that this matter was not addressed back in 2006, but I was under the impression that this C.12 was not accepted by NAFA for inclusion in Gimli's file. The package I sent to Mr. Ford in 2006 is included as Attachment D, as well as the emails that gave me the above impression.

I am also requesting a postponement on Gimli's suspension pending the resolution of this protest, as I attempted to have this excusal resolved two years ago. Due to the actions of Mr. Ford, NAFA failed to provide a timely resolution on the 2006 excusal, which now jeopardizes our ability to compete for regional championships, due to the suspension of our #1 height dog, who posted several 4.5 second runs in a tournament last month. A postponement of the suspension will allow NAFA to take the appropriate care in reviewing this matter without making Release the Hounds pay the penalty for NAFA's failure to provide a timely resolution. Our next regional tournament closed on November 9th, and will be held on 6/7 December.

I understand that NAFA intended to allow for judge's discretion by choosing the phrase "undue aggression" in Section 8.4 of the Rules of Racing and Section 5.7 of NAFA's Corporate Policies and Procedures. I feel that judge Geoff Brown did not understand or apply that discretion properly in this case.

During the Philadelphia Barking Authority tournament on July 22, 2006, my Patterdale Terrier, Gimli of Duvet-Dum (Rescue), CRN# 040608, was excused for aggression by judge Geoff Brown after being crossed on and interfered with multiple times. I believe that this excusal for aggression was unwarranted and unfair and should be removed. This excusal should be removed for three primary reasons: it was not undue aggression, the judge demonstrated poor understanding of the situation and questionable judgment, and the documentation provided is inconsistent with factual and video evidence in several fundamental aspects.

1. The final altercation that occurred was clearly initiated by Treasure multiple times, and should not be considered undue aggression on Gimli's part.

The first instigation occurred when Treasure crossed into our lane during warm-ups. Gimli was about to do his recall, and she ran straight at Gimli at the box. I quickly

picked Gimli up to prevent him from any potential harmful intent from Treasure. Treasure was collected and Gimli did his recall without further interruption or incident.

Both dogs turned out to be running in the start position. Gimli false started, and Treasure immediately crossed to our lane after Gimli, entering the jumps in our lane at the 2nd jump. She ran over our jumps and straight after Gimli as he went to the box. As Treasure came over the 4th jump, Gimli was coming off the box with his ball, and she turned in the same direction as he did to cut him off. Treasure's hip then hit Gimli full on in the face, completely stopping him and blocking his return. The dogs tumbled, Gimli took a second to recover and then managed to continue over the 5th jump with his ball. Gimli was on his way to successfully completing his run when I called him to me from jump 7. I had run out toward our box between the lanes when I saw Treasure go after Gimli and then hit him at the box.

When Gimli heard my call, he stopped at the 8th jump and began to return directly to me. He then saw the Treasure barreling down the lane directly at him again. Gimli backed up to get out of the way and ducked to avoid a collision, but Treasure whacked him in the head with her front paws as she jumped over him.

This third provocation (1. recall, 2. box, 3. 8th jump) in the span of 2 minutes caused Gimli to react to defend himself from further antagonism, and he ran after Treasure. As he headed for Treasure, she was partially picked up by her owner. Gimli jumped up after the dog and bit at her rear right leg - I then grabbed him. He ended up with a little fur in his mouth and did not draw any blood.

2. The judge demonstrated poor understanding of the situation and a lack of judgment

Before I even stood up after catching Gimli, I heard the judge yell, "He's gone!" So before even checking on the condition of the dogs, the judge made this loud proclamation. I then went over to inquire about Treasure, and Fur Fun immediately apologized – placing all the blame on Treasure.

After we switched dogs, the judge changed the call for the false started heat to, "dead for safety reasons" – so we were able to re-run the heat, despite changing the lineup. Either he wanted to give us a break because he felt bad about the inappropriate aggression call, or he did not understand the rules. Neither of those options reflects well on the call.

About an hour later, when the judge came back to me to sign the excusal form, I pointed out that he had completely omitted the interaction at the 8th jump and he went away and added some wording to the C.12. I was not happy with the changes because Gimli was clearly hit, but I signed the form as required.

Later, after having some time to really look over the form, I noted that the judge actually wrote that Treasure had crossed to the wrong box. The video proves that she crossed directly into our lane and chased right after Gimli from jump 2, all the way through jump 7. This clearly shows that he did not discern even the most basic and visible facts of the situation. More importantly, he completely omitted that there was substantial contact at the box. This error is very significant in the sequence of events because it shows no recognition that Treasure made the initial, as well as the second, contact during the heat -

instigating a response from Gimli. Also of note is that Gimli did not "continue the chase," as his finding states – Gimli only went after Treasure after she hit him, for the second time, at the 8th jump.

In addition, I feel that the judge's choice of eyewitnesses was highly questionable and showed a lack professional judgment and confidence in his own call. The line and box judges, those formally responsible to assist him in the ring, were not included. Instead he chose for witnesses his wife and the acting captain of a club I split from a few years ago. Reasonable judgment would hardly consider these witnesses as impartial or objective, and based upon their write-ups they may have had little, if any, view of the situation.

3. The C.12 form is wrought with errors and inconsistencies.

As I described above, the judge demonstrated, in numerous places, a lack of understanding of what had occurred in the incident. In addition the witness accounts are in significant conflict with the evidence - including a video of the actual heat (Attachment B, snapshots are Attachment C).

Both witnesses claim Gimli "latched on." This inflammatory language is proven to be inaccurate by the evidence provided in the Injuries Sustained section of the C.12, "missing fur, no other injuries." There was no blood involved. Gimli gave the dog bullying him a correction, not an aggressive bite. Also, it's very important to this matter that neither witness chose to indicate <u>any</u> contact made by Treasure.

Of particular note, the judge's wife's account states, "I saw BC running back in wrong set of jumps, with Gimli chasing him." As the video shows, this statement is so far from the truth that you have to question the basic integrity of the witness.

Even the year is incorrect on the C.12 form, indicating an over all disassociation from the fundamental facts. I don't believe an excusal dated in the future can even be considered legitimate documentation for such a significant matter.

In a letter dated October 23, 2008, I have requested that the BOD review and reconsider Section 8.4 of the Rules of Racing and Section 5.7 of NAFA's Corporate Policies and Procedures with respect to dogs that are crossed on and interfered with. This 2006 excusal is further evidence of the problem with the rules as written, and should be considered in the same context.

In conclusion, my Division 1 height dog was crossed on and excused from the tournament for responding to the <u>repeated provocations</u> of a dog over twice his size. He clearly demonstrated remarkable self-control, strong training as well as sharp obedience with his earlier actions. Gimli's behavior does not represent <u>undue</u> aggression, but rather a response to significant and repeated physical abuse. I also believe this was a hasty, and unwarranted excusal. I therefore request that Gimli of Duvet-Dum (Rescue), CRN# 040608, have his record cleared of this excusal. I also request a postponement of Gimli's suspension if this protest is not resolved at the November 29, 2008 meeting of the NAFA Board of Directors.

I thank you for your consideration, and would appreciate your timely decision on this matter. Our next regional competition is 6/7 December, and there were only 6 tournaments that counted for regional championships last year in Region 15.

Respectfully,

Amy Rideout

Attachment #A: Copy of C.12 for 7/22/06 incident (dated 7/22/07)
Attachment #B: Video of heat in question on 7/22/06
Attachment #C: Snapshot photos from video
Attachment #D: Protest submitted in 2006 to NAFA Executive Director (8/15/06) with email chain

NAFA Rules and Policies

C.12 Notice of Excuse

Tournament: PBA CHRISTMAS IN JULY Date: 7/22/07

Judge: GEOFF BROWN Tournament Director: JEREMY TRAMS

Reason for Excuse: Lame _____ In Heat _____ Aggression X Other _____

Dog's Name: GIMLI CRN# 040608

Team Name: CIA

Aggression Details

Time of Violation: 1:30pm Race Number 62 vs. FUR FUN ANIMO. Cardido

Injuries Sustained: MISSING FUR, NO OTHER INJURIES

Evidence: GIMLI OF CIA FALSE STARTED. TREASURE OFF FOR FUN CROSSED TO THE WRONG BOX AND CHASED GIMLI BACK DOWN THE LANE. TREASURE RETURNED TO ITS → CONT'D

Did the dog require Veterinary attention? Yes _____ No X

Eyewitness Reports: Gimli went after the FF. start after that dog crossed & jumped over him twice. People tried to intervene but Gimli was able to get away & went after the border collie & latched on. Kim Shepherd - FBI (297)

Eyewitness Reports: I saw BC running back on wrong set of jumps with Gimli chasing him. Saw BC return to owner + Gimli continued to chase and latched on to the BC. AMANDA BROWN REGION 9 RD DOG CROSS (233)

Judge's Findings: CONT'D → OWNER AND GIMLI ON THE WAY BACK TREASURE ~~CROSSED TO ITS OWN SIDE~~ JUMPED OVER GIMLI AT THE 8TH JUMP AND GIMLI CONTINUED THE CHASE AND BIT DOWN ON TREASURE'S HIND LEG. GIMLI DID NOT RELEASE WHEN TREASURE WAS PICKED UP. WHEN FINALLY SEPERATED GIMLI HAD A MOUTH FULL OF FUR. GIMLI IS EXCUSED FOR AGGRESSION

Judges Signature: Geoffy S Brown GEOFF BROWN Date: 7/22/07

Owner's/Handler's Signature: Amanda Date: 7/22/07

NAFA Judge must mail the original to the Executive Director within 5 days. Original copy to Executive Director, other copies for: Judge, Regional Director, Owner/Handler.

NAFA Rules and Policies

C.12 Notice of Excuse

Tournament: CLEAN BREAK Date: OCT 12 2008

Judge: GEOFF BROWN Tournament Director: LINDA SMITH

Reason for Excuse: Lame _____ In Heat _____ Aggression ✓ Other _____

Dog's Name: GIMLI CRN# 040608

Team Name: RELEASE THE HOUNDS QUICK RELEASE

Aggression Details

Time of Violation: 2:10 Race Number 206 vs. SCALLYWAGS POWDER MONKEYS

Injuries Sustained: TRACES OF BLOOD ON EAR LOBE BUT A PUNCTURE WAS ~~NO CUTS OR BE~~ FOUND AFTER

Evidence: CASEY OF SCALLYWAGS BOBBLED AND CROSSED SHAVING EAR TO GIMLI'S BOX, THEY RAN DOWN THE LANE SIDE BY

Did the dog require Veterinary attention? Yes _____ No X

Eyewitness Reports: LAB BOBBLED BALL, WENT OVER IN OTHER TERRIER BIT LAB LANE, TOOK BALL FROM NEXT BOX, WENT DOWN LANE W/TERRIER

Eyewitness Reports: Casie (Lab) bobbled ball at box and chased ball to the other lane, return over jumps in wrong lane w/small dog (Gimly), lab went to owner, but Gimly followed lab and bit her on the ear and held on until jaws were pried open.

Judge's Findings: SIDE. CASEY RETURNED TO ITS OWNER Kent Morey Scallywags

GIMLI EVADED ITS OWNER AND CHASED DOWN CASEY AND LATCHED ONTO CASEY'S EAR/SCRUFF GIMLI'S JAWS HAD TO BE PRIED OPEN. TO RELEASE IT'S GRIP ON CASEY. GIMLI IS EXCUSED

Judges Signature: Geoffrey Brown Date: 10/12/2008

Owner's/Handler's Signature: [signature] Date: 10/12/08

NAFA Judge must mail the original to the Executive Director within 5 days. Original copy to Executive Director, other copies for: Judge, Regional Director, Owner/Handler.

Saw Schnorle Clean Break

FOR AGGRESSION

Lee Heighton

From: Lauralee McGuire [ballcraze@msn.com]
Sent: Thursday, November 20, 2008 3:55 PM
To: springloaded@comcast.net
Subject: FW: Re: Fw: Issues for NAFA BOD

Lee,

I forgot to cc'ed you on my reply to Amy Rideout's request for my support. I thought you might want hear another voice on the incident.

Thank you and the board for supporting the judge's decision.

Lauralee McGuire
Proud member of Scallywags and No Speed Limit

Amy,

I am sorry that I can not support you on your protest. I was in the other ring, line-judging at the time of the incident. So I did not see what happened.

I did talk to Geoff and my team-mates that were on the lane at the time. Their version is very different from yours.

In their version, Casey bobbled her ball. Causing her to go into Gimli's lane. Once she was there and had secured her ball, she turned and started over the jumps that were closest to her. She and Gimli body checked each other through the jumps. Once Casey cleared the jumps, she made a beeline to Charlene. At that point, Gimli latched onto Casey. And it took several people to get Gimli to let go.

It might have been understandable if Gimli had bit her while they were jumping or at the box. However, Gimli waited to Casey was back to Charlene before biting her. Clearly, Casey wasn't a threat anymore.

Gimli was determined to be the aggressor. Even after Casey completely submitted to her by pottying all over the place, Gimli still didn't let go. A non-aggressive dog would have backed down then. But Gimli did not. It still took several people to pull her off of Casey's neck.

And yes, there were several people on top of the dogs. But if people hadn't stepped in when they did, Casey's injury would have been much worse. Casey did get injured. It wasn't noticeable at first. Once she was taken to the crating area and cleaned up, they were able to find the bite wound. And, as you know, she did go to the vet's the next day and was treated for a bite wound.

I am offended that you try to lay the blame on Casey. Casey is one of the softest dog I know. She has one thing and one thing only on her mind, that is to bring the ball back to mom NOW. She has never once tried to bully or intimidate another dog. I know since I have seen her grovel up to my Chinese Crested after she has accidentally stepped on her.

In my opinion, Geoff made the right decision writing your dog up. Lifetime excusal is not something that anyone takes lightly. A lot of effort goes into that kind of decision. I know that Geoff really thought about what to do and how to best handle the situation.

If anyone on our team thought that Geoff was being unfair, we would have spoken up while he was writing up the report. But by all accounts (except

yours), Gimli was being aggressive and needed to be excused.

Lauralee McGuire
Proud member of Scallywags and No Speed Limit

----Original Message Follows----
From: Amy Rideout <virginiaflyball@yahoo.com>
To: Lauralee McGuire <ballcraze@msn.com>
Subject: Fw: Issues for NAFA BOD
Date: Wed, 19 Nov 2008 14:11:15 -0800 (PST)

Lauralee -

I was notified this week that Gimli is suspended. Apparently the protest I sent to NAFA via Sam Ford in 2006 put the excusal (for going after Treasure after she crossed on him and hit him in the head twice) into some kind of limbo, and when the excusal from last month hit, Sam pulled it out of limbo and put it in his file. Not exactly what I was trying to accomplish by putting in the protest!

I am writing to ask if you'll consider dropping NAFA a letter or an email in support of the proper and fair use of the "undue aggression" rule - particularly with respect to Gimli's excusal last month. A letter from the club's captain may be helpful. I asked Charlene if she'd consider it, but never heard back.

The protest I submitted to NAFA for the excusal last month is attached, along with the letter I sent requesting a review of the aggressive dog rule.

The BOD meets on 29 Nov (weekend after next), and they will be taking up this protest then.

Thanks for the consideration.

- Amy & Scott

----- Forwarded Message ----
From: Amy Rideout <virginiaflyball@yahoo.com>
To: s.c.ford@worldnet.att.net; springloaded@comcast.net
Cc: Amy <virginiaflyball@yahoo.com>
Sent: Thursday, October 23, 2008 7:42:36 PM
Subject: Issues for NAFA BOD

Dear Mr. Ford and Mr. Heighton,

Please find attached two items for NAFA's attention and consideration.

One is protest regarding the excusal of a dog that was crossed on and physically interfered with. The other is a request to review the aggressive dog rule for clarification of the situation where a dog is crossed on and reacts to the interference.

This package was sent via hard copy today as well.

Thank you for your timely consideration and attention to these items.

VR,

Amy Rideout

<< ProtestofexcusalonGimli040608.pdf >>

<< Excusalsondogsthatarecrossedon.pdf >>

November 21, 2008

North American Flyball Association, Inc.
1400 West Devon Avenue, #512
Chicago, IL 60660

Re: Protest on Gimli's Excusal at Clean Break 2008

To Whom It May Concern:

I'm writing to provide additional information to assist you in evaluating the protest of Gimli's (CRN #040608) excusal at Clean Break 2008. I am the owner of Casey, the dog Gimli bit.

In preparation for this weekend's tournament, I informed my teammates that Gimli may be able to compete and, as a result, I would be juggling the line-ups if Casey ended up in the ring at the same time as Gimli. My intent was merely to keep Casey from shutting down and to eliminate the potential for Gimli attacking should he recognize Casey. However, two teammates stated they would not run their small dogs (our height dogs) if Gimli was in the ring since they were concerned for their dogs' safety. I was researching alternatives to forfeiting these races when my Regional Director informed me a decision will not be made prior to this tournament.

Although I understand a handler's desire to keep his or her dog competing, I'm deeply troubled that the existence of a bite wound is being questioned and my dog, Casey, is being painted as somehow provoking Gimli's aggressive behavior. To that end, I'm providing a copy of my vet's examination notes as evidence of the bite wound and a copy of my notes on the incident.

Casey is a typical lab; her sole mission in life is to have fun and eat treats. She is a Canine Good Citizen (CGC) and has never shown signs of aggression. In fact, she is near the bottom of the pecking order within the team (her "pack"), ranking slightly higher than my other lab.

Since this excusal is Gimli's second act of aggression, I appreciate this may be a difficult decision. If you have any questions or need any additional information such as references for Casey's disposition, please don't hesitate to contact me.

Respectfully,

[redacted]

Charlene Schilling
[redacted]

Enclosures:
1 – Veterinarian Examination Notes (10/13/08)
2 – Notes on Gimli Incident (10/16/08)

Notes on Gimli Incident at Clean Break 2008

October 16, 2008

This document records my recollection of events related to the incident whereby Gimli (RTH) attacked my dog, Casey. At the Clean Break tournament in York, PA (11-12 Oct 2008), the last race of the tournament for Casey's team was against Gimli's team. Our team was in the left lane, and RTH was in the right lane. The first of three heats was without incident. The second heat is the subject of this document.

When Casey ran down to the box to get her ball, she bobbled it. Since the extra matting near the box was fairly slippery, Casey continued to slide onto the concrete before she got the ball. By the time she got the ball and stopped sliding, the other lane's jumps were directly in her line of site, causing her to head toward them on her return.

As Casey approached the first jump on her return, Gimli was approaching the box and was at or near the same jump, on the right-hand side of the lane. Casey was also sticking to the right-hand side of the lane. Thus, both dogs were staying on their respective right sides and out of each other's way.

When Gimli saw Casey, he completed the last jump and immediately turned to chase Casey. He made no attempt to go to the box to get his ball.

At about this time, I noticed Gimli's handler, Amy, running toward the dogs in the area between the two lanes. I recall wondering why she was reacting this way since dogs usually work things out on their own without human intervention, which can lead to an injury.

Returning over the jumps from the box to the runback area, Casey remained on the right side and Gimli ran down the center, bumping against Casey the entire way.

As the two dogs approached the third jump, Amy slipped on the concrete and fell, taking out the jump just after the dogs passed her.

When Casey crossed the start/finish line and noticed I was not in that lane, she saw me in the other lane and came directly to me to get her treat. Since I had turned my body to face the other lane, Casey was now sitting between me and the backstop, or end of the runback area. Gimli followed Casey, running around her to the point where he was located to the left of our lane (between our lane and the side of the ring rather than between our lane and his team's lane). With Casey stopped, Gimli latched onto Casey, biting her on the neck just below the left ear.

I held onto Casey to keep her from running and to prevent Gimli from tearing the skin. Almost immediately, someone else picked up Gimli so he couldn't pull and tear.

It was apparent Gimli had no intention of releasing his bite. In the moments that followed, Casey was crying and completely eliminated in the lane out of fear and pain. Aside from Casey's cries,

everyone attempting to get Gimli to release was amazingly calm. A long period of time seemed to pass and we made no progress in getting Gimli to release his bite.

A veterinarian who was racing in the other ring heard Casey's cries and rushed over. She finally got Gimli to release his bite by pinching his nostrils and effectively cutting off his air supply. Gimli was taken away.

The veterinarian performed a cursory exam on Casey. There was just a little blood, but no wound was evident at the time.

Geoff, the judge, allowed me to send Casey to the box to help her mentally recover from the incident. She successfully completed a box recall. Since this was the last race for her and we had one more heat to run, I decided to keep her in the lane to end the tournament on a positive note. We changed our line-up, making her the last dog, and I released her at the 5 foot line to ensure success. Fortunately, she completed the run.

It's important to note that we had to sub out our height dog for this last heat because she was literally trembling after seeing and hearing the incident. I was later told that a team racing in the other ring had to forfeit because at least one of their dogs was hyped up from hearing Casey's cries.

Once off the lane, a teammate shaved the area around Casey's ear so we could get a better look at the wound and treat it accordingly. At that time, we noticed she had a puncture wound and showed it to Geoff. Since Casey had a puncture wound, I took her to her veterinarian on Monday morning and Casey was placed on antibiotics.

In my opinion, Geoff was struggling a little with the write-up since he didn't want to make a rash decision. Knowing this was the second incident of aggression for Gimli, Geoff seemed to be looking for any reasonable evidence to avoid writing Gimli up.

Sunday night, Amy e-mailed my teammate, Lauralee, asking if she could have my number to check up on Casey. I provided the number and we talked on Tuesday night. At that time, Amy offered to pay the veterinarian bill, but I declined since the amount was only about $50 and I didn't want to appear petty knowing what she had to face with the second excusal.

During this conversation, Amy shared that her husband's first thought when he saw both dogs coming down the lane together was, "Good. We just practiced this." Amy explained that at the last practice before the tournament, they purposely sent Gimli down the lane with another dog to "proof" him.

[redacted]

Charlene Schilling

PROGRESS REPORT

ANIMAL'S NAME	OWNERS NAME	SEX	AGE	SPECIES	CAUTIONS/NOTES
Casey	Schilling	F/S	12/06	K9	

DATE	WARD	S.O.A.P.	PROGRESS NOTES
4/12/08			phone - TTO - licking skin ventrum, l foot between pads, inguinal, red area previously improved but not resolved, & just restarted chlorpheniramine, will try Gent. Spray - rec if no imp in ~1 wk disp. Gentocin Topical Spray - affected areas BID until healed distract for 5-10 min after application HH
8	13	08	51.1#
~~10~~	2	08	O called needs a refill on ~~Cymox E~~
10	2	08	O called needs a refill on Gentocin Spray dk HH
10	13	08	Bit by another dog yesterday, behind (L) ear (at flyball)
TO	101.4	S	clipped, flushed, & applied abx ointment French Bulldog
	50.5#		bit + held
		O	BARH BCS 5/9 →

Pets First Veterinary Center
10829 Birmingham Way
Woodstock, MD 21163 (410) 203-1500
Priscilla Batten, DVM

Schilling, Charlene (1466) 06-13-08
FOR: Casey/Canine Exp: 12/31/09

Spray to affected areas twice daily until healed.
Distract dog for 5-10 minutes after application
to prevent her from licking it off.

Gentocin Top Spray 60ml (1 ea)
For veterinary use only 410-203-1500

EB

Pets First Veterinary Center
10829 Birmingham Way
Woodstock, MD 21163 (410) 203-1500
Heather M. Hendler, VMD

Schilling, Charlene (1466) 10-02-08
FOR: Casey/Canine Exp: 6/30/2010

Spray to affected areas twice daily until healed.
Distract dog for 5-10 minutes after application
to prevent her from licking it off.

Gentocin Top Spray 120ml (1 ea)
For veterinary use only 410-203-1500

HH

PROGRESS REPORT

PG.NO

PROGRESS REPORT

ANIMAL'S NAME	OWNERS NAME	SEX	AGE	SPECIES	CAUTIONS/NOTES
Casey	Schilling	F/S	12/06	K9	

DATE	WARD	S.O.A.P.	PROGRESS NOTES
10/13/08	cont.		small sealed wound ~½ cm behind (L) ear no other wounds found, no d/c, minimal inflam.
		A	bite wound - known UTD vacc., minimal injury
		P	disp. Clindamycin 150 mg 1 BID x 7d #14

Pets First Veterinary Center
10829 Birmingham Way
Woodstock, MD 21163 (410) 203-1500
Heather M. Hendler, VMD

Schilling, Charlene (1466) 10-13-08
FOR: Casey/Canine Exp: 05/31/10

Give one capsule by mouth twice daily (every 12 hours) for seven days.

Clindamycin 150mg (14 cap)

For veterinary use only 410-203-1500

10	14	08	call back ✓ Lmom 9:35

O called, Casey doing fine. Tell Dr H. a Pattendale Terrier was the type of dog that bit Casey. mz

3142 Lookout Point Ct
Triangle, VA 22172
November 27, 2006

Mr. Sam Ford, NAFA Executive Director
North American Flyball Association, Inc.
1400 West Devon Avenue, #512
Chicago, IL 60660

Subject: Status of correspondence dated 8/12/06

Dear Mr. Ford,

I would like to inquire about the status of a request for consideration that I sent to NAFA in August, as I have not received any response to date.

The correspondence is attached for reference.

Thank you.

Respectfully,

Amy Rideout
CIA (#594)

3142 Lookout Point Ct
Triangle, VA 22172
August 12, 2006

Mr. Sam Ford, NAFA Executive Director
North American Flyball Association, Inc.
1400 West Devon Avenue, #512
Chicago, IL 60660

Subject: Notice of Excuse dated 7/22/07

Dear Mr. Ford,

During the Philadelphia Barking Authority tournament on 22/23 July 06, my height dog, Gimli of Duvet-Dum (Rescue), CRN# 040608, was excused for aggression by Judge Geoff Brown. I believe that this excusal for aggression was unwarranted and should be removed. The previous Executive Director, Mr. Steve MacAvoy, has set a precedent for taking this action in similar cases such as the excusal for aggression against Cruiser, CRN# 031159, of We Be Flyin (#444) in 2004 (please see attached email chain for reference).

This excusal should be removed for three primary reasons: it was not undue aggression, the judge demonstrated poor understanding of the situation and questionable judgment, and the documentation provided is inconsistent with the facts in several important aspects.

1. The final altercation which occurred was clearly initiated by the opponents dog multiple times, and should not be considered undue aggression.

The first instigation occurred when the other dog crossed into our lane during warm-ups. Gimli was about to do his recall, and she ran straight into Gimli's face at the box. I quickly picked Gimli up to prevent him from harm. The other dog was collected and Gimli did his recall without further interruption or incident.

Both dogs turned out to be running in the start position. I let Gimli go early and he false started well ahead of the other dog. The Fur Fun dog immediately crossed to our lane after Gimli, entering our jumps after the 1st jump. She ran right into Gimli's face again as he came off the box. As she came over the 4th jump, she turned sideways and hip checked Gimli in the face, blocking his return. Gimli took a second to recover and then managed to continue over the 5th jump with his ball. Gimli was on his way to successfully completing his run when I called him to me from jump 7, where I had run out to collect him after the Fur Fun dog hit him at the box.

When Gimli heard my call, he put on hard breaks, stopped at the 8th jump and began to return directly to me. He then saw the Fur Fun dog barreling down the lane directly at him again. Gimli backed up to get out of the way and ducked to avoid a collision, but the Fur Fun dog whacked him in the head with her front paws as she jumped over him.

Unfortunately, this third provocation (1. recall, 2. box, 3. 8th jump) in the span of 2 minutes was too much for Gimli to put up with and he ran after the Fur Fun dog. As he headed for the dog, it was partially picked up by it's owner. Gimli jumped after the dog and bit her rump - I then grabbed him. He ended up with a small amount of fur in his mouth and did not draw any blood.

2. The judge demonstrated poor understanding of the situation, a lack of judgment and unprofessional behavior

Before I even stood up after catching Gimli, I heard the judge yell, "He's gone!" So before even checking on the condition of the dogs, the judge made this loud proclamation. I can imagine how unprofessional this looked to numerous spectators - I felt like we'd just been thrown out of a major league baseball game. I then went over to inquire about the other dog, and Fur Fun immediately apologized – placing all the blame on their dog.

After we switched dogs, the judge changed the call for the false started heat to, "dead for safety reasons" – so we were able to re-run the heat, despite changing the lineup. Either he wanted to give us a break because he felt bad about the inappropriate aggression call, or he did not understand the rules. Neither of those options reflects well on the call.

About an hour later, when the judge came back to me to sign the excusal form, I pointed out that he had completely omitted the interaction at the 8th jump and he went away and added some wording to the C.12. I was not happy with the changes because Gimli was clearly hit, but I signed the form as required.

Later, after having some time to really look over the form, I noted that the judge actually wrote that the Fur Fun dog crossed to the wrong box. The video proves that she crossed directly into our lane and chased right after Gimli. This clearly shows that he did not discern even the most basic and visible facts - or that he made a knowingly false statement to support his call. More importantly, he completely omitted that there was substantial contact at the box. This error is very significant in the sequence of events because it shows no recognition that the Fur Fun dog made the initial, let alone the second, contact during the actual race - instigating a response from Gimli. Also of note is that Gimli did not "continue the chase," as his finding states – he only went after the other dog after it hit him, for the second time, in the head at the 8th jump.

In addition, I feel that the judges choice of eyewitnesses was highly questionable and showed a lack professional judgment and confidence in his own call. The line and box judges, those formally responsible to assist him in the ring, were not included. Instead he chose for witnesses his wife and the captain of a club I split from a few years ago. Reasonable judgment would hardly consider these witnesses as impartial or objective, and based upon their write-ups they may have had little, if any, view of the situation.

3. The C.12 form is wrought with errors and inconsistencies.

As I described above, the judge demonstrated, in numerous places, a lack of understanding of what had occurred in the incident. In addition the witness accounts

Attachment #1

From: Brian Fay [mailto:thefays@p...]
Sent: Saturday, November 20, 2004 3:52 PM
To: Jan Krehbiel
Subject: Fw: Wags for Wishes aggression incident

Brian,

I pulled the letter, read the charges and the witness reports and decided to tear up the agression letter.

Steve

Brian Fay <thefays@p...> wrote:

Steve

I told you about this at our July meeting in Toronto. You were going to take care of it you said. This is the tournament that Jeff and I were at and they came to me about it later and I told them at that time I couldn't do anything about it but to send something to the BOD. This defiantly sounds like a situation where the dog should not have been wrote up and when we discussed it in Toronto you agreed.

Steve can we get this straightened out ASAP please.

Brian

Attachment D

----- Forwarded Message ----
From: "s.c.ford@worldnet.att.net" <s.c.ford@worldnet.att.net>
To: Amy Rideout <virginiaflyball@yahoo.com>
Sent: Thursday, August 16, 2007 2:32:31 PM
Subject: RE: Request for review of excusal for aggression

You write up has not been approved and is on temporary hold. So far I see no reason to continue with it.

Sam

From: Amy Rideout [mailto:virginiaflyball@yahoo.com]
Sent: Thursday, August 16, 2007 11:34 AM
To: s.c.ford@worldnet.att.net
Cc: Amy
Subject: Fw: Request for review of excusal for aggression

Mr. Ford –

Last August, I sent a package for your review regarding the excusal of my dog Gimli (CRN 040608) at the Philadelphia Barking Authority tournament, July 22/23, 2006 (event # 06046100). We exchanged emails about the subject in March of this year. At that time, you indicated that you were considering the rejection of the C12.

Since that tournament, Gimli has accomplished the following:

- Raced in eight (8) tournaments on separate weekends
    1. 10/21/06 The Blast 90 Grumbacher Road Regular 730 4990
    2. 02/25/07 Y2K9s; 1000 Mermaid Lane E Regular 150 5140
    3. 03/10/07 Franklin County Fairgrounds Regular 601 5741
    4. 03/24/07 334 Carlisle Ave Regular 850 6591
    5. 04/21/07 Howard County Fairgrounds Regular 667 7258
    6. 05/05/07 Prince William County Fairgrou Regular 806 8064
    7. 06/23/07 York Fairgrounds; 334 Carlisle Multi 815 8879
    8. 07/21/07 Marple Sports Arena 611 S. Par Multi 1120 9999
- Earned 5739 title points (more than 250 heats)
- Earned his FM and is one point shy of his FMX
- Out of 62 teams (roughly 250 dogs), he was one of 6 dogs voted on to the "Dream Team" at the tournament in York , PA in June
- Ran his personal best of 4.692 last month

- Returned to the same site as the excusal and earned over 1100 points in one tournament

Given the merits of my earlier request and the accomplishments listed above, I request your decision on the rejection of the July 2006 excusal.

Our previous correspondence is attached for reference.

Thank you for your time and consideration.

VR,

Amy Rideout
3142 Lookout Point Court
Triangle , VA 22172
virginiaflyball@yahoo.com

----- Original Message ----
From: "s.c.ford@worldnet.att.net" <s.c.ford@worldnet.att.net>
To: Amy Rideout <virginiaflyball@yahoo.com>
Sent: Wednesday, March 7, 2007 8:39:52 PM
Subject: RE: Request for review of excusal for aggression

Amy,

Thanks for letting me know you are forwarding this on. At this time the write up continues to reside with me and has not been officially accepted. I haven't heard from anyone to push it forward and that is what I am hoping. As you race you set the stage for a rejection of this as long as I don't have a competing voice. Your forwarding this may bring it to a discussion and investigation. We will certainly hear from the nine member board and see whether they wish to push it forward.

I do apologize from not posting you back and that is a mistake on my part.

Sam

From: Amy Rideout [mailto:virginiaflyball@yahoo.com]
Sent: Wednesday, March 07, 2007 4:11 PM
To: s.c.ford@worldnet.att.net
Cc: Amy Rideout
Subject: Re: Request for review of excusal for aggression

Mr. Ford -

I wanted to let you know that as I have not recieved any responses to my formal written correspondance or electronic inquireys to you over the last six months, I will now forward my package to the Chairman of the Board.

R,

Amy

----- Original Message ----
From: Amy Rideout <virginiaflyball@yahoo.com>
To: s.c.ford@worldnet.att.net
Sent: Sunday, October 15, 2006 10:33:41 AM
Subject: Re: Request for review of excusal for aggression

Mr. Ford –

I haven't heard anything back on the message below, so I thought I would inquire about the status of the request.

Thank you.

R,

Amy

----- Forwarded Message ----
From: Amy Rideout <virginiaflyball@yahoo.com>
To: s.c.ford@worldnet.att.net
Cc: Amy <virginiaflyball@yahoo.com>
Sent: Tuesday, August 15, 2006 5:48:15 PM
Subject: Request for review of excusal for aggression

Mr. Ford,

I put this request in the mail to you today, but wanted to follow through via an email as well.

vr,

- Amy Rideout
703-441-1202
virginiaflyball@yahoo.com

==========

3142 Lookout Point Ct
Triangle , VA 22172
August 12, 2006

Mr. Sam Ford, NAFA Executive Director
North American Flyball Association, Inc.

1400 West Devon Avenue, #512
Chicago , IL 60660

Subject: Notice of Excuse dated 7/22/07

Dear Mr. Ford,

During the Philadelphia Barking Authority tournament on 22/23 July 06, my height dog, Gimli of Duvet-Dum (Rescue), CRN# 040608, was excused for aggression by Judge Geoff Brown. I believe that this excusal for aggression was unwarranted and should be removed. The previous Executive Director, Mr. Steve MacAvoy, has set a precedent for taking this action in similar cases such as the excusal for aggression against Cruiser, CRN# 031159, of We Be Flyin (#444) in 2004 (please see attached email chain for reference).

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Unfortunately, this third provocation (1. recall, 2. box, 3. 8th jump) in the span of 2 minutes was too much for Gimli to put up with and he ran after the Fur Fun dog. As he headed for the dog, it was partially picked up by it's owner. Gimli jumped after the dog and bit her rump - I then grabbed him. He ended up with a small amount of fur in his mouth and did not draw any blood.

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3. The C.12 form is wrought with errors and inconsistencies.

As I described above, the judge demonstrated, in numerous places, a lack of understanding of what had occurred in the incident. In addition the witness accounts conflict with the evidence of the video and the C.12 form. Both witnesses claim Gimli "latched on." This inflammatory language is proven to be inaccurate by the evidence provided in the Injuries Sustained section of the C.12, "missing fur, no other injuries." There was no blood involved. Gimli gave the dog bullying him a correction, not a vicious bite. Also, it's very important to this matter that neither witness chose to indicate any contact made prior to that point.

Of particular note, the wife's witness account states, "I saw BC running back in wrong set of jumps, with Gimli chasing him." As the video shows, this statement is so far from the truth that you have to question the basic integrity of the witness.

Even the year is incorrect on the C.12 form, indicating an over all disassociation from the fundamental facts. I don't believe an excusal dated in the future can even be considered legitimate documentation for such a significant matter.

In conclusion, my Division 1 height dog was thrown out of the competition during our 3rd race of the tournament for responding to the repeated provocations of a dog over twice his size. He clearly demonstrated remarkable self control, strong training as well as sharp obedience with his earlier actions. His behavior does not represent undue aggression, and I believe this was a hasty, unwarranted, and unprofessional excusal.

I therefore request that Gimli of Duvet-Dum (Rescue), CRN# 040608, have his record cleared of this unwarranted excusal.

I thank you for your consideration, and would appreciate your feedback on this matter.

Respectfully,

Amy Rideout
CIA (#594)

Attachment #1: Removal of excusal for Cruiser of We Be Flyin
Attachment #3: Video of heat in question on 22 July 06
Attachment #4: Copy of C.12 for 7/22/07 incident

Attachment #1

From: Brian Fay [mailto:thefays@p...]
Sent: Saturday, November 20, 2004 3:52 PM
To: Jan Krehbiel
Subject: Fw: Wags for Wishes aggression incident

Brian,

I pulled the letter, read the charges and the witness reports and decided to tear up the agression letter.

Steve

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Steve can we get this straightened out ASAP please.

Brian

Amy Rideout
3142 Lookout Point Court
Triangle, VA 22172
10/23/08

North American Flyball Association, Inc.
1400 West Devon Avenue, #512
Chicago, IL 60660

Dear NAFA Board of Directors,

I respectfully request your review and reconsideration of Section 8.4 of the Rules of Racing and Section 5.7 of NAFA's Corporate Policies and Procedures with respect to dogs that are crossed on.

I request that NAFA provide additional guidance to clarify that dogs being crossed on should not be considered the same way as the dog crossing over for potential aggression excusals. I understand that NAFA intended to allow for a judge's discretion by choosing the phrase "undue aggression", but I feel that further delineation needs to exist based on whether or not an interference precedes a potential act of aggression. I feel this is needed because Dog A, crossing over on Dog B that is playing the game by the rules, should not be permitted to end Dog B's flyball career because Dog B reacts to a threatening situation created by interfering Dog A.

Please find the attached C.12 as a recent example of this circumstance. My 19-pound terrier, with over 16,000 points, was crossed on by a 60-pound lab, with just over 900 points. He ignored her as she crossed over and came at him at the box, and attempted to retrieve his ball out off the box. Gimli then avoided confrontation by going around the lab and headed back down the lane, over the jumps, eyes focused on me in the runback. Despite repeated commands from her handler to return to her, the lab remained focused on Gimli and proceeded to chase him down the lane. She ran alongside him over several jumps, banging him in to the uprights and tripping and blocking him – without him reacting. She then loomed her head over the top of his head and shoulders – a threatening and dominant body position that indicated to Gimli that she intended to take him down. At that point, Gimli decided that he needed to defend himself and bit her once - latching on to her ear. As terriers were bred to do, he held on as many people (the pack) ran in yelling, screaming and physically overwhelming him. No wound was found and yet he was excused for undue aggression. This call by the judge is punitive to a dog that did not instigate the altercation.

This terrier is a 9" height dog that posted several 4.5 second runs in Division 1 at this tournament. Other dogs crossing over on him should not be able to cause him to have an excusal hanging over his head or be barred from future competition (after the second occurrence). If NAFA accepts this type of excusal, anyone's Division 1 dogs can become targets. I am in no way suggesting that this particular cross over was intentional, but I

have seen the ugly side of some flyball competitors and know the potential is there if this type of excusal is allowed to continue. I have put an enormous amount of training in to this dog, to include proofing to crossovers, to make sure he can play the game correctly and safely. Dogs should not be expected to be run down, bullied or threatened and not react.

I request that NAFA protect the sport of flyball and flyball competitors by augmenting the documents listed in the first paragraph of this letter to include consideration of whether the dog crossed over or not in making a call of undue aggression. In most cases, a dog that is threatened by a dog crossing over should not be considered for undue aggression for reacting to the threat and defending itself.

Thank you for your timely consideration of this matter.

Very Respectfully,

Amy Rideout