



WBO WORLD CHAMPIONSHIP COMMITTEE RESOLUTION

INTRODUCTION

The present ruling stems from an email communication dated Monday, October 15, 2020, filed by Mr. Tom Brown of TGB Promotions on behalf of WBO Jr. Middleweight Participant, and Mandatory Challenger Brian Castaño, in response to this Committee's "**Resolution**" dated October 15, 2020, denying TGB Promotions' request that WBO Jr. Middleweight Champion Patrick Teixeira be stripped of his WBO Championship Title in light of Golden Boy Promotion's failure to secure an official bout and T.V. date and due to the ongoing uncertainty regarding Teixeira's visa situation and entry into the United States of America to comply with his mandatory title defense obligation.

Furthermore, TGB Promotions argues that their concern lies in the continuous detriment to WBO Jr. Middleweight Participant Castaño as a result of Teixeira's visa problems and that Golden Boy Promotions delayed and failed to secure a date for the bout when there were no restrictions or barriers on his ability to enter the United States, raising a variety of baseless excuses and misleading both the WBO and Castaño, respectively. Moreover, Mr. Brown stated that even though Golden Boy Promotions failed to finalize a date and attributed such to DAZN, these problems were never a justifiable reason for delaying a purse bid and that Teixeira should have traveled to the USA while waiting for Golden Boy to resolve their broadcast issues. In light of the preceding circumstances, TGB Promotions asserts that Castaño is being punished.

Lastly, Mr. Brown asserts that Castaño is a victim, with his career on hold and no assurances he will be able to earn a living any time soon and having relied on Team Teixeira's prior misrepresentations to his professional and financial detriment; Castaño has been actively training for the Teixeira bout incurring in continuing expenses, albeit total uncertainty. Based on Teixeira's visa situation not being resolved any time in the foreseeable future, TGB Promotions requests that Teixeira be designated WBO Champion in "Recess" and order an immediate between Castaño and the next highest available rated contender for the Vacant WBO Jr. Middleweight Championship.

Wherefore, having this Committee reviewed the arguments presented by Mr. Tom Brown of TGB Promotions on behalf of WBO Jr. Middleweight Participant Castaño, having considered the present circumstances and having examined our WBO Rules and Regulations, their applicability, and enforcement in this matter, and having the power, authority, rights, and ample discretion conferred by our rules, it is hereby determined as follows:

STATEMENT OF FACTS

WHEREAS, the WBO World Championship Committee selected and determined WBO Jr. Middleweight Participant Brian Castaño as the official Mandatory Challenger in the Jr. Middleweight Division during the WBO Annual Convention held in Tokyo, Japan, in December 2020; and,



WBO WORLD CHAMPIONSHIP COMMITTEE RESOLUTION

WHEREAS, on Tuesday, December 10, 2020, this Committee ordered the commencement of negotiations between Teixeira/Castaño and granted the parties 20 days to negotiate and reach an agreement, or a purse bid would be called per WBO Rules and Regulations; and,

WHEREAS, having the negotiation period elapsed without any confirmation notice from the parties, this Committee issued a status letter regarding the negotiations between the camps dated on Wednesday, January 8, 2020, requesting to advise the status immediately; and,

WHEREAS, having the parties not reached an agreement as ordered by this Committee, on January 24, 2020, a Purse Bid notice¹ for Teixeira/Castaño was issued to all WBO bona fide promoters and duly notified to the representatives of both camps scheduled for Wednesday, January 29, 2020, at the Nautilus by Arlo Hotel in Miami, Florida, USA; and,

WHEREAS, on Tuesday, January 28, 2020, the parties (TGB/GBP) jointly confirmed the WBO having reached an agreement for the Teixeira/Castaño bout, and therefore, the purse bid hearing was terminated accordingly; and,

WHEREAS, this Committee was advised that Golden Boy Promotions would serve as the official promoter of the Teixeira/Castaño bout scheduled to take place on Saturday, April 25, 2020, at the Fantasy Springs Resort and Casino, in Indio, California, USA; and,

WHEREAS, conversely, on Wednesday, March 11, 2020, the World Health Organization (WHO) officially declared the novel Coronavirus (COVID-19) a pandemic^[1], and in light of such event, all professional sports were postponed and/or canceled until further notice; and,

WHEREAS, due to national security, health, and safety concerns, international travel restrictions were implemented by the United States Federal Government, which impaired foreign national (fighters) entry within the jurisdiction, as mentioned earlier. Consequently, many already scheduled bouts and/or prospective bouts were postponed, canceled, or rescheduled until further notice; and,

WHEREAS, in June 2020, professional boxing activity resumed in some jurisdictions within the United States of America (California, Connecticut, Florida, Nevada, etc.) under highly restrictive COVID-19 protocols and behind closed doors (No fans in attendance); and

WHEREAS, on Monday, August 31, 2020, this Committee requested that the parties advised the current status of each fighter (Teixeira/Castaño) and the scheduled bout date and corresponding venue; and,

¹ <https://www.wboboxing.com/news/boxing-news/purse-bid-jr-middleweight-championship-contest-teixeira-vs-castano/>



WBO WORLD CHAMPIONSHIP COMMITTEE RESOLUTION

WHEREAS, in compliance with our status inquiry, Mr. Eric Gomez of Golden Boy Promotions on behalf of Teixeira confirmed that there was no need for a purse bid procedure because the parties had reached a deal and merely waiting on a confirmed TV date; and,

WHEREAS, on Thursday, September 17, 2020, this Committee confirmed email confirmation filed by Mr. Tom Brown ("Mr. Brown") of TGB Promotions on behalf of WBO Jr. Middleweight Participant Mr. Brian Castaño, advising this Committee that despite good faith efforts by TGB Promotions and Golden Boy Promotions, the parties have not been able to secure a confirmed date for the WBO Jr. Middleweight Mandatory Championship Bout between Patrick Teixeira and Brian Castaño as ordered by this Committee, and therefore, TGB Promotions seeks a purse bid procedure to protect its fighter's interests; and

WHEREAS, on Friday, September 18, 2020, this Committee issued written communication and duly notified Golden Boy Promotions' President, Mr. Eric Gomez ("Mr. Gomez"), requesting to state his position within 24 hours upon notice regarding TGB Promotions' purse bid request. In compliance with our order, on the date mentioned above, Golden Boy Promotions argued their position through its Attorney, Mr. George A. Gallegos ("Mr. Gallegos"), indicating that the only reason the parties have not been able to secure a confirmed date is due to the travel restrictions caused by the COVID-19 pandemic. Furthermore, Golden Boy Promotions contended that their fighter WBO Jr. Middleweight Champion, Mr. Patrick Teixeira ("Teixeira"), is a Brazilian citizen currently unable to travel into the United States. In order to enter said jurisdiction, Teixeira needs a valid US visa, which he has not been able to obtain due to the closure of the US Embassy in Brazil; and,

WHEREAS, this Committee was advised that Teixeira was scheduled to attend the U.S. Embassy in Brazil on Monday, October 12, 2020. At this point, Golden Boy Promotions asserted that they would be able to secure a bout date for Teixeira/Castaño. Lastly, Golden Boy Promotions affirmed that the other material terms of the bout had been agreed upon by the parties, and therefore, they requested that TGB Promotions' purse bid request be denied; and,

WHEREAS, having this Committee considered Golden Boy Promotions' position, we requested TGB Promotions' stance, if any, regarding denial of purse bid procedures for the Teixeira/Castaño bout and granted Mr. Tom Brown 72-hours to respond accordingly. As ordered, on Monday, September 21, 2020, TGB Promotions argued that within the entirety of the COVID-19 pandemic, Golden Boy Promotions never raised the subject of supposed travel restrictions as a reason for their inability to finalize a date and that Golden Boy Promotions President Mr. Gomez, advised TGB Promotions that the sole problem was that Golden Boy Promotions was waiting on confirmation from the T.V. network ("DAZN") for the bout date; and,

WHEREAS, in conclusion, TGB stated that the parties had several conversations stipulating that the only pending matter was confirmation from "DAZN." Therefore, Mr. Brown stated that Golden Boy Promotions' position, as per Mr. Gallegos' letter, were misrepresentations



WBO WORLD CHAMPIONSHIP COMMITTEE RESOLUTION

to TGB Promotions and the World Boxing Organization, respectively. In conclusion, Mr. Brown reiterated its position for a purse bid and confirmed that WBO Jr. Middleweight Participant Brian Castaño is currently training in the United States of America, ready, willing, and able.

WHEREAS, on October 5, 2020, this Committee issued a "**Resolution**" ordering Golden Boy Promotions as the official bout promoter, compliance with the following specific conditions: (1) the official bout and T.V. date, place, and venue; (2) current immigration status of WBO Jr. Middleweight Champion Patrick Teixeira; (3) Teixeira's arrival date in the USA; (4) and stating that the Teixeira/Castaño bout shall take place no later than 2020; and,

WHEREAS, on Thursday, October 8, 2020, Mr. George Gallegos, Esq., attorney for Golden Boy Promotions on behalf of WBO Jr. Middleweight Champion Patrick Teixeira, advised the WBO that the U.S. Embassy in Brazil unilaterally canceled the visa appointment for the aforementioned fighter scheduled for Monday, October 12, 2020, and that such determination was outside the control of Teixeira and Golden Boy Promotions. In light thereof, Golden Boy Promotions requested that the WBO postponed the effects of the date outlined in this Committee's October 5, 2020, "**Resolution.**"

WHEREAS, on October 11, 2020, this Committee acknowledged email communication filed by Mr. Tom Brown of TGB Promotions on behalf of WBO Jr. Middleweight Participant Mr. Brian Castaño, objecting to Golden Promotions' request and arguing that the information provided by petitioner evidenced that the advisory notice by the US Embassy was provided over a week before this Committee being notified, and considering the present circumstances critical, TGB Promotions should have been alerted immediately to take the correspondent action. Furthermore, Mr. Brown refers to this Committee's holding in our October 5, 2020, "**Resolution**" as "final, definitive and enforceable," and requested that Golden Boy Promotions position be denied. Moreover, TGB Promotions refers per our position as outlined in the WBO Preamble and affirms that the ongoing situation cannot be allowed to remain uncertain as it would undermine the rights and interests of not only WBO Jr. Middleweight Participant Brian Castaño, but all professional boxers. Lastly, Mr. Brown requested that this Committee granted Golden Boy Promotions a final 30-day term to remedy the situation. If nothing has changed within the term provided, then Teixeira is stripped of his WBO Jr. Middleweight title, and Castaño is allowed to fight the next available contender; and,

WHEREAS, on October 15, 2020, this Committee issued a second "**Resolution**" on the matter denying TGB Promotions' request that Golden Boy Promotions be granted a final 30-day term to resolve the issue at hand as well as its petition to strip Teixeira of his WBO Jr. Middleweight Championship Title due to such remedy being disproportionate and extreme in light of the involuntary events transpired beyond Teixeira's control; and

WHEREAS, notwithstanding this Committee's rulings, we have reiterated that the matter at hand could not remain uncertain or without consequences as it would be prejudicial not only



WBO WORLD CHAMPIONSHIP COMMITTEE RESOLUTION

to the WBO Jr. Middleweight Participant and Mandatory Challenger Brian Castaño, but also the remaining contenders within the division; and,

WHEREAS, this Committee ruled that it would be evaluating the day-to-day events regarding this matter and reserving its right to issue any and all rulings deem necessary, helpful, and convenient to accomplish the purposes, policies, and best interests of the World Boxing Organization and its members. This included, but not limited to, issuing any determination seeking to keep active the WBO Jr. Middleweight Division, thus protecting the rights and interests of WBO Jr. Middleweight Participant Brian Castaño and the Jr. Middleweight Division contenders.

WHEREAS, having this Committee considered the aforementioned facts, reviewed the arguments presented by both parties, and having examined our WBO Rules and Regulations of World Championship Contests, their applicability, and enforcement in this matter, and having the power, authority, and discretion conferred by our rules, it is hereby determined as follows:

ANALYSIS

There is no doubt that WBO Participants Teixeira and Castaño are bound by the WBO Regulations of World Championship Contests ("WBO-Regulations") See, §35(f) of the WBO Regulations. It is an uncontested fact that Golden Boy Promotions, as the official bout promoter, must secure a bout and T.V. date, place, and venue; furthermore, as the promoter of WBO Jr. Middleweight Champion Teixeira, they are exclusively responsible for arranging, coordinating, and producing said fighter in the United States of America, the jurisdiction where the bout will be staged. To date, such assurances have not been met, and there is no certainty as to when will Teixeira's visa issues will be resolved and be allowed entry to comply as ordered with the WBO Jr. Middleweight Mandatory Championship Contest against Castaño.

Furthermore, this Committee agrees with TGB Promotion's argument to the extent that Castaño currently is immersed in an uncertain state due to Teixeira's pending visa issues, which to date, are still unsettled by the corresponding U.S. and national security government agencies. Nonetheless, we cannot acquiesce the petition that Teixeira be designated as WBO Champion in "Recess" because such designation is non-existent in our rules and is contrary to our institutional policies. However, this Committee is cognizant that the ongoing uncertainty cannot be indefinite and therefore, we must enforce our rules and regulations still within the current circumstances and always procuring to protect the rights and interests of all WBO Participants, including Teixeira, Castaño, and the WBO Jr. Middleweight Division.

As we stressed in our previous rulings, "A World Championship is not the property of any boxer. The Championship is a trust, subject to the conditions defined herein, for the use and benefit of all boxers and boxing fans, who, through their contribution of time, effort, risks and resources sustain the existence of the profession."² We are aware of the circumstances

² See, Preamble of the WBO Regulations



WBO WORLD CHAMPIONSHIP COMMITTEE RESOLUTION

concerning the Covid-19 pandemic and its implications. Likewise, there is no dispute as to the involuntary cancellation of Teixeira's visa appointment in the U.S. Embassy in Brazil as evidenced to this Committee. Nevertheless, the current state and circumstances are untenable. Wherefore, this Committee must take affirmative action and remedy the situation by issuing a fair and reasonable resolution whereby all relevant parties' rights and interests are protected as well as the remaining WBO contenders in the Jr. Middleweight Division.

Having evaluated the totality of the circumstances surrounding the present controversy, having examined our governing rules and regulations and their applicability, we are granting Golden Boy Promotions and Team Teixeira a final term to resolve the issues at hand, or a purse bid procedure will be called accordingly. This Committee reserves its right to issue any further determinations deemed deem necessary, helpful, and convenient to accomplish the purposes, policies, and best interests of the World Boxing Organization and its members, including but not limited to any ruling to keep active the WBO Jr. Middleweight Division.

CONCLUSION

NOW, THEREFORE, BE IT RESOLVED:

1. Golden Boy Promotions has 10 days upon issuance of this ruling to confirm: (a) the official bout date, place, and venue for the Teixeira/Castaño WBO Jr. Middleweight Championship Contest; (b) the current immigration status of Patrick Teixeira; and (c) Teixeira's arrival date in the USA.
2. Failure to comply with the term provided herein will trigger this Committee calling the Teixeira/Castaño bout to a purse bid procedure within the following 10 days thereafter.
3. The preceding information shall be confirmed, certified, and evidenced in writing to the WBO within the time frame outlined herein.
4. This "*Resolution*" is hereby final, definitive and enforceable.

This is a final decision of the WBO Championship Committee. The affected WBO participant may appeal such determination to the Complaint and Grievance Committee as per Rule 34, which as per rule 3(e) of the WBO Appeals Regulation, must be submitted in writing to the WBO President within fourteen (14) days of this decision as its sole and exclusive remedy.

Dated in San Juan, Puerto Rico on this 26 day of October 2020

WBO WORLD CHAMPIONSHIP COMMITTEE



WBO WORLD CHAMPIONSHIP COMMITTEE RESOLUTION

A handwritten signature in blue ink, appearing to read "Luis Batista Salas".

By: Luis Batista Salas, Esq.
Chairman/Championship Committee

Cc: Francisco Valcárcel, Esq./President
Tom Brown/TGB Promotions
Eric Gomez/Golden Boy Promotions
Robert Diaz/Golden Boy Promotions
George Gallegos, Esq./Golden Boy Promotions