

INTERNATIONAL COURT OF APPEAL (I.C.A.)

of the

**FEDERATION INTERNATIONALE DE L'AUTOMOBILE
(FIA)**

CASE

**Appeal by the Deutscher Motor Sport Bund (DMSB)
On behalf of its licence-holder
Reiter Engineering, against decision N° 2 taken
by the Stewards of the Meeting on 31 August 2000
concerning the event in the 2000 FIA GT Championship
run on the Eurospeedway circuit
Lausitzring (Germany) from 31 August to 2 September 2000**

Hearing of Monday, 18 December 2000 in Paris

The FIA INTERNATIONAL COURT OF APPEAL, composed of Mr Vassilis KOUSSIS (Greece), elected President, Mr Erich SEDELMAIER (Austria), Mr Javier CONESA (Spain), and Mr José MACEDO e CUNHA (Portugal),

Meeting in Paris on Monday, 18 December 2000 at the headquarters of the Fédération Internationale de l'Automobile (FIA-France), 8 place de la Concorde, 75008 Paris,

Ruling on the appeal brought by the Deutscher Motor Sport Bund (DMSB) on behalf of its licence-holder, Reiter Engineering, against decision N°2 of the Stewards of the Meeting taken on 31 August 2000 for the event counting in the 2000 FIA GT Championship,

After hearing the competitor Reiter,

After recognising the state of the proceedings and receiving confirmation by the appellant of the withdrawal of his appeal, with the aid of simultaneous interpretation which was deemed satisfactory,

WHEREAS the intention to lodge an appeal was manifested by the competitor Reiter immediately following decision N°2 and regularized by him, and whereas this appeal was the object of a second decision N°4 taken by the Stewards of the Meeting which suspended their first decision N°2, thereby enabling the competitor Reiter to participate in the event, drivers Müller-Trunk;

WHEREAS the regularization of the appeal was registered on 2 September, then confirmed by the DMSB;

WHEREAS this appeal was subsequently withdrawn by the DMSB, after consultation with its licence-holder, on 27 September 2000;

WHEREAS it is up to the International Court of Appeal to make a ruling to determine if it must simply note this withdrawal or not;

WHEREAS there was no opposition to the withdrawal of the appeal, the International Court of Appeal has no other alternative but to record it, pure and simply, without examining the merits of the case or judging whether or not the case is of a dilatory nature;

WHEREAS under these circumstances, due to the withdrawal of the appeal, Article 182, §3 of the International Sporting Code becomes applicable: *“If the appeal is withdrawn after being brought, no part of the protest fee shall be returned »;*

WHEREAS the appeal was lodged by the appellant in his own interests, and was subsequently withdrawn by the appellant; therefore, all the costs must be borne by the appellant;

ON THESE GROUNDS,

NOTES the withdrawal by the appellant of his appeal,

DECIDES that, in the absence of any opposition, the International Court of Appeal can only record the withdrawal,

ORDERS the entire appeal fee paid by the appellant to be kept, in accordance with Article 182, §3 of the International Sporting Code,

ORDERS the appellant to pay all costs.

Paris, 18 December 2000

(signature of V. Koussis)

THE PRESIDENT