

United Schutzhund Clubs of America

Board of Inquiry

Re: Findings of charges against Abhai Kaul

Date: October 5, 2018

Charges and Investigation

Charges were filed by Michele Clubb, USCA Secretary, on behalf of the United Schutzhund Clubs of America (USCA) at the request of the accused, Abhai Kaul. He is accused of knowingly “presenting and causing a fake entry in the scorebook for Osiris von Nummer Eins” at the German Shepherd Schutzhund Club of Canada (GSSCC) 2017 Canadian Championships Sieger Show. He also failed to return the trophy that was initially awarded to him. As a result of the incident, GSSCC instituted a lifetime ban on Mr. Kaul that prevents him from entering any GSSCC event. USCA has an unwritten reciprocity agreement with GSSCC that is based on past practice.

Included in the initial complaint were written statements from Julia Stemp, Irene Klotz, Isis Fluegge, Frank Caputo, Jim Chrisp, Shannon O’Donovan, Tracy Bullinger, Linda Smith, and John Sheehan. The Board of Inquiry also obtained written statements by Nathaniel Roque and Andrea Duggan-Jantzen. Photocopies of the scorebook in question were also included.

The dog in question, Osiris von Nummer Eins, was initially registered in the GSSCC Canadian Championships Sieger Show as an IPO 1, however, at some point an entry for an IPO 2 title was entered into the dog’s scorebook. Many witnesses claim that when the scorebook was initially checked and during early conversations with Mr. Kaul that the dog only an IPO 1 and the entry for the IPO 2 was added at a later time.

Mr. Kaul responded to the charges stating his version of events as well as with character references. Mr. Kaul admits that the entry for the IPO 2 is “fraudulent,” however, his claim is that he was unaware that the dog was not actually titled to an IPO 2 at the time he presented Osiris von Nummer Eins as an IPO 2 at the GSSCC Canadian Championships Sieger Show. Also included in Mr. Kaul’s response were numerous character witness statements and a statement from Rebecca Buchman who was present at the Sieger Show. However, he did not provide any documentation to the Secretary to support that the dog had been in Germany being titled.

USCA judge Nathaniel Roque stated that he had also tried to obtain information regarding the trip to Germany that Osiris von Nummer Eins had supposedly been on to no avail.

The Board of Inquiry sent a certified letter to Mr. Kaul requesting the following within 10 days of receipt:

1. Copies of the flight documentation of Osiris von Nummer Eins being shipped back and forth from Europe.
2. The name of the individual that was responsible for putting the IPO2 title on Osiris von Nummer Eins.
3. Proof of payment to this individual.

Mr. Kaul did not respond the request for this information.

Conclusions

Mr. Kaul did not respond to repeated requests for information to substantiate his claims that his dog, Osiris von Nummer Eins, was shipped to Germany for training and titling. However, it is undisputed by Mr. Kaul that the IPO 2 entry in the dog's scorebook was fraudulent. Mr. Kaul did not cooperate in the investigation by providing names, dates, or paperwork related to the dog being shipped to Germany. Unfortunately, there is not a way to conclusively determine at what time the fraudulent IPO 2 entry was added to the scorebook and by whom. However, without any cooperation from Mr. Kaul to collect and review evidence that supports the claim that he was hoodwinked by an unnamed third party, the Board of Inquiry must proceed with the known facts, which is that a fraudulent IPO 2 entry was entered into Osiris von Nummer Eins' scorebook.

The Board of Inquiry unanimously feels that Mr. Kaul remains culpable in this matter and that presenting a dog with a fraudulent scorebook entry ultimately results in unsportsmanlike conduct, especially in light of the lack of cooperation in providing the Board of Inquiry with evidence to support his claims.

The majority of the Board of Inquiry feels that Mr. Kaul keeping the trophy that was initially awarded to him during the GSSCC 2017 Canadian Championships Sieger Show does not rise to the level of theft. With that said, his refusal to return a trophy which was awarded due to what he admits is a fraudulent IPO 2 entry into his scorebook is unsportsmanlike conduct.

Recommendations

1. Due to a verbal reciprocity agreement with GSSCC, the Board of Inquiry recommends that the Executive Board uphold the lifetime ban imposed on Mr. Kaul by the GSSCC. However, the Board of Inquiry finds it imperative that USCA have a written reciprocity agreement in place with every organization in which it is expected to be honored. The BOI is not sure a reciprocity agreement really exists between the two organizations since there is no written document that exists and explains the terms and expectations.
2. If the Executive Board does not feel an appropriate reciprocity agreement exists between GSSCC and would like to consider an alternate set of sanctions the BOI recommends the following:
 - Five (5) year suspension from USCA
 - Five (5) year probationary period upon rejoining
 - A lifetime ban on holding office, other elected positions, or other positions within the USCA (e.g. becoming a judge, a teaching helper, etc.).

Respectfully submitted,



Justine Kreso
Chair, USCA Board of Inquiry