

**CANADIAN LACROSSE ASSOCIATION APPEALS COMMITTEE**

**IN THE MATTER OF AN APPEAL ON FINES LEVIED ON FCQ COMPLAINTS  
ABOUT ILA PLAYERS PLAYING WITHOUT COMPLETED TRANSFERS**

**Present:**

Sohen Gill – Chair of Appeals Committee  
Tom Engel – AC Member  
Jim Burke – AC Member  
Kariwate Mitchell – in charge of ILA Sr. B.  
Mike Mitchell – ILA  
Pierre Filion – FCQ

**INTRODUCTION**

1. Four players played on ILA Sr. B teams who had last played on FCQ Sr. B. Teams. They played before their transfers were complete, in breach of CLA 18.4.5 resulting in the CLA imposing automatic \$5,000.00 fines. The ILA appealed.
2. Mike Mitchell and Kariwate Mitchell represented the ILA and Pierre Filion represented the FCQ.

**EVIDENCE AND SUBMISSIONS**

**Mike Mitchell**

3. The Akwasasne situation (politically) is well known nationally. They have been preoccupied with this since the fall. Both Mike Mitchell and Laura Morris are considered leaders in the community.
4. The people running the teams do the best they can. They had to play games in other venues and eventually one side of the bridge was opened up for games only.
5. Lacrosse is the centrepiece of their culture. They are trying to keep the game going.
6. The FCQ \$30.00 transfer fee does not have any relevance to this appeal.
7. They have few volunteers and the game is at “death’s doorstep.”
8. Laura Morris and Mike Mitchell both ran for political positions during the material times.

**Kariwate Mitchell**

9. A group of young people created a developmental league to get Senior Lacrosse going. This year they went to interlocking games.
10. The League is run by team representatives, with no commissioner.
11. He is a police officer. He feels they are honest mistakes and there has to be intent shown to break the rules.
12. After the issue with the border guards started and there was no administrative help from Mike Mitchell or Laura Morris.
13. Herby Kirby told his team that he was a free agent and that he last played in the ILA.
14. Castor and Grant: the team thought once they paid what their former teams wanted, they were clear to play.
15. He plays out of Messina, N.Y. and there has never been a team there.
16. The teams are hurting for funds to run their programs.
17. Any large fine will finish the teams.
18. There were transfers filled out for all four players. Then the original teams wanted compensation. Agreements were made.
19. All were originally ILA players who transferred to FCQ.

**Blu Grant**

20. He's from Cornwall, Ontario. He played for ILA previously. \$500.00 compensation was paid to the original team.

**Johnson**

21. Only transfer fees were paid

**Castor**

22. Originally requested \$1,000.00 compensation and settled on \$500.00 to original team which was paid.

**Kirby**

23. Only transfer fees were paid.

**Pierre Fillion**

Johnson

24. He agrees that this could be an honest mistake. Had he been in his office he would have signed the transfer form. He suggests this issue be dropped

Grant

25. He requested a transfer, the team denied it because of outstanding monies, he paid them and then he may have thought he was cleared to play.

Castor

26. He is the same as Grant. He's been transferred.

27. They all have been transferred and are now playing.

**Mike Mitchell and Pierre Fillion**

28. All the players are playing now under transfers.

**DECISION**

29. The players were all ILA players who went to the FCQ because there was no place to play. Now they have returned to play in the ILA.

30. In view of the submissions and the extenuating circumstances, outlined above, which were not disputed, the Committee reduces the fines to nil for Johnson and \$100.00 each for Grant, Kirby and Castor.

31. As part of the sanction, prior to February 15, 2010, the ILA shall call a meeting with two representatives from each of its Sr. B teams with a CLA Representative to go over the workings of the Transfer Policy. The ILA shall pay the travel expenses for the CLA representative.

32. The Appeal fee shall be returned because of the extenuating circumstances. Given that the fee is \$500.00, \$200 shall be returned and the balance held to pay the fines

33. The AC warns the ILA that future infractions will probably not be treated so leniently, recognizing that it cannot bind another AC.

34. The AC wishes to note that it appreciates the FCQ raising the issue with the CLA. It was proper to do so and important for the governance of the CLA.

DATED at the City of Burnaby, in the Province of British Columbia, this \_\_\_\_\_ day of July, 2009.



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Canadian Lacrosse Association Appeals Committee  
Per: Sohen Gill, Chair