



## WBO WORLD CHAMPIONSHIP COMMITTEE RESOLUTION

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### In the Matter of the WBO Female Flyweight Division

**Parties:**

Mr. Kurt Emhoff, Esq.  
Emhoff Entertainment, LLC  
On behalf of Ms. Marlene Esparza  
WBO Female Flyweight Participant

### **ISSUES PRESENTED**

Whether an immediate rematch is warranted between Gabriela Alaniz/Marlen Esparza as result of the split decision (SD) rendered by the judges on April 27, 2024. at the Save Mart Arena in Fresno, California, United States of America. Considering the arguments raised by the petitioner; having examined the supported evidence; having carefully reviewed the official scores in question and having performed an independent analysis through an appointed judging panel, and under our governing provisions, the request is **HEREBY DENIED**. Accordingly, we explain our reasoning below.

### **STATEMENT OF FACTS**

On April 26, 2024, the official weigh-in ceremony for the Esparza/Alaniz rematch was conducted and governed by the California State Athletic Commission (CSAC) at the Save Mart Arena in Fresno, California. The prescribed weight limit in the Flyweight division was one hundred and twelve pounds (112 lbs.). The petitioner, Esparza came in at one hundred and fourteen pounds (114 lbs) and consequently, lost her WBO Flyweight Championship at the scales. Whereas Alaniz complied with the required weight limit hitting the scales at one hundred eleven point two pounds (111.2 lbs). Therefore, the bout proceeded as a WBO world-title contest exclusively for Alaniz. In other words, Esparza could not qualify for the title for failure to comply with the established weight limit.<sup>1</sup>

On April 27, 2024, Gabriela Alaniz defeated Marlen Esparza via a split decision (SD). The scores were as follows: Judge Fernando Villareal (97-93) in favor of Alaniz; Judge Steve Morrow (98-92) in favor of Esparza, and Judge Zachary Young (96-94) in favor of Alaniz. By the foregoing decision, Alaniz won the vacant WBO Female Flyweight Championship Title.

On May 3, 2024, the WBO acknowledged receipt of email correspondence from Mr. Kurt Emhoff, Esq., on behalf of Ms. Esparza petitioning an immediate rematch based on the following arguments: (i) that the bout in question resulted in a **“highly controversial”** decision in favor of Alaniz; (ii) **“all”** of ringside television commentators of DAZN scored the fight for Esparza as well as many fans had the fighter winning the bout, or at the very least a draw would have been a more just verdict; (iii) the consensus scoring on the official judges scorecards showed that the majority of the officials scored six (6) rounds in favor of Esparza (1, 2, 3, 5, 8, and 9) as opposed to only four (4) rounds for Alaniz (rounds 4, 6, 7, and 10).

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<sup>1</sup> Section 4 of the WBO Regulations of World Championship Contests governs weight proceedings and the consequences for failure to comply with the pertinent provisions.



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In other words, Team Esparza argues that Esparza should have won the fight based on consensus scoring and contends a comparison of this result to their first fight. Furthermore, Team Esparza argues that the ringside media and social media were closely watching the fight and scoring it for the fans watching at home. The petitioner references the DAZN commentary team having scored the fight in favor of Esparza 96-94 and a social media account, which we lack knowledge thereto scoring the bout 95-95.

Conversely, Team Esparza asserts that Alaniz incurred blatant fouling and hitting on the break in rounds 9<sup>th</sup> and 10<sup>th</sup>, respectively for which the referee did not deduct any points. Moreover, the petitioner contends that by way of repeated fouling on behalf of Alaniz, she won the 10<sup>th</sup> round.

Lastly, the petitioner contends (i) that on August 4, 2023, the WBO World Championship Committee issued a ruling ordering an immediate rematch between Esparza/Alaniz, and at present, Esparza comes with a much stronger case of the need for an immediate rematch; (ii) Esparza lost via split decision; (iii) Esparza like in the previous fight against Alaniz, had the ringside broadcast team score the fight in her favor, and (iii) Alaniz complained to the WBO in her petition for the rematch that the referee had allowed multiple fouls by Esparza to go unpunished. Well, in the rematch, according to Esparza, it was clearly Alaniz who got away with blatant fouls that another referee would have penalized, resulting in a completely different result for the fight, a draw.

Based on the above, Team Esparza requests the following reliefs (i) mandatory challenger designation and number one contender in the WBO Female Flyweight Division; (ii) an independent panel of judges to review and rescore the fight as was done in the first Esparza/Alaniz bout and (iii) an immediate rematch with Alaniz for the opportunity to regain her titles.

Therefore, having this Committee carefully reviewed the bout at issue; having examined the scores in question; having considered the arguments stated herein; and having reviewed the WBO Regulations of World Championship Contests their applicability, and enforcement in this matter, and having the authority conferred by our rules, it is hereby determined as follows:

### **APPLICABLE PROVISIONS**

All parties agree that they are bound by the WBO Regulations of World Championship Contests. Section 35(f)<sup>i</sup> provides in relevant: **“These Regulations apply to all WBO Participants. The term WBO Participant includes, but not limited to, WBO World Champions and WBO World Championship Contenders. All WBO Participants who participate in any WBO sanctioned activity do so on the express condition that such WBO Participant is bound by and subject to these WBO World Championship Rules and all WBO Rules and Regulations”.** [Emphasis Added]. As such, this Committee has jurisdiction and the authority conferred by its rules to resolve the matter at issue accordingly.

The WBO World Championship Committee’s authority to consider the issue at hand is governed under Section 1(b) (18), (22), and Section 18 respectively of the WBO Rules and Regulations of World Championship Contests, which provide, in relevant as follows:



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### SECTION 1. WORLD CHAMPIONSHIP COMMITTEE

*(b) The World Championship Committee shall have the following powers and discretion:*

*(18) To recommend to the Executive Committee whether a direct return fight should be authorized;*

*(22) To make or recommend exceptions or variations from the rules as the World Championship Committee determines are necessary; and*

### SECTION 18. RETURN FIGHTS

The WBO shall not allow direct return fights, unless recommended by the World Championship Committee and authorized by the Executive Committee. A direct return fight is a fight between the new Champion and the former Champion from whom the new Champion won the title (or between a new Champion and the losing Contestant in a Vacant Title Fight), before the new Champion defends his title against any of the other fighters classified in his category. If the World Championship Committee determines either that the resolution of a Championship Contest was substantially irregular, or that there was a clear misapplication of the rules of boxing resulting in a manifest unfairness, such that in either case the World Championship Committee determines that the Championship was substantially unresolved, the World Championship Committee may, in its discretion, recommend a direct return fight, which may be authorized only by the majority vote of the Executive Committee. The World Championship Committee may recommend a direct return fight for any other circumstance; in that event a direct return fight shall only be authorized by the affirmative vote of not less than 75% of the Executive Committee.

### ANALYSIS

We begin our *ratio decidendi* referencing an excerpt of the WBO preamble<sup>2</sup>, which states in relevant *“...The World Boxing Organization’s Regulations of World Championship Contests are intended to reconcile the interests of all necessary elements of World Championship Boxing in a manner that is in the best interests of the sport. The most important interests are those of the Championship contestants themselves and their worldwide fans...”*

Now, the issue before this Committee is simple; whether an immediate rematch is warranted based on the arguments submitted Team Esparza. From the outset we must stress that (i) the official scores rendered by the judges are presumed correct; and (ii) in the absence of compelling proof of fraud, deceit, corruption, gross negligence, or violation of law, the WBO lacks subject matter jurisdiction to terminate, reverse or modify official scores registered in the local commission having jurisdiction over the bout even more so when such are discretionary.

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<sup>2</sup> See, Preamble of the WBO Regulations of World Championship Contests



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Notwithstanding the foregoing, the WBO has the power, discretion, and authority conferred by its governing provisions to recommend to its Executive Committee ordering an immediate rematch, **if warranted**. For instance, when the consensus within the boxing community is that the scores rendered in a particular bout are highly questionable and/or controversial and the adverse participant files a complaint, this Committee resorts to an independent review, which seeks to provide a more thorough analysis in comparison with the results in question to determine the most probable and definitive scores.

In the instant case, the official scores rendered were as follows: Fernando Villareal 93-97 for Alaniz; Steve Morrow 92-92 for Esparza, and Zachary Young 96-94 for Alaniz. Official result: Split Decision (SD) in favor of Gabriela Alaniz. Now, this Committee has tabulated the official scorecards to ascertain the rounds each fighter won on the three scorecards (100%) or two of three (66%) scorecards, with Esparza winning round 2 in all scorecards (100%) and rounds 1, 3, 5, 8, and 9 respectively in two of the three scorecards (66%); whereas Alaniz won rounds 4 and 10 of the three (100%) scorecards, and having won rounds 6, and 7 in two of the three (66%) scorecards.

In the instant case, the official scorecards rendered in the Esparza/Alaniz rematch were not considered questionable nor controversial like in their first fight. The consensus within the boxing community was that the bout was very competitive. Nonetheless, for purposes of transparency and fairness, this Committee is granting the petitioner one of the reliefs sought (i) reviewal and rescoring of the bout through an independent judging panel.

Accordingly, this Committee appointed 5 anonymous independent and competent judges to review the bout in question without audible distractions. The results of these officials were tabulated to clearly ascertain the rounds each fighter won using an average scale based on 60%, 80 %, and 100% percent, respectively. This means that 3 of the 5 judges must agree to determine which fighter won the rounds.

After their respective review and rescoring of the bout in question, the findings of 5 judges stated that Esparza won round 2 in all scorecards 100%; won round 5 in 80% of the scorecards, and rounds 8, and 9 in 60% of the scorecards. Whereas with Alaniz, the Judges agreed in rounds 1, 4, and 10 in the 100% scorecards; Alaniz won rounds 3 and 6 in 80% of the scorecards, and round 7 in 60% of the scorecards. Therefore, it can be established from the independent judges' scorecards that on the date of bout, Alaniz won 6 rounds and Esparza won 4 rounds.

The next step in the analysis was to combine the scores of the independent judges with the scores rendered by the official bout judges to find the percentage agreement by round. Upon doing the analysis, the combined scores of the judges stated that Alaniz won rounds 4 and 10 on all 8 of the 8 scorecards (100%); no rounds in her favor in 7 of the 8 scorecards (87.5%); won rounds 1 and 6 in 6 of the 8 scorecards (75%); won rounds 3 and 7 of 5 of the 8 scorecards (62.5%) and no rounds in her favor of 4 of the 8 scorecards (50%).

Whereas Esparza won round 8 on all 8 of the 8 scorecards (100%); no rounds in her favor on 7 of the 8 scorecards (87.5%); won round 5 on 6 of the 8 scorecards (75%); won rounds 8 and 9 in 5 of the 8 scorecards (62.5%), and no rounds in her favor in 4 of the 8 scorecards (50%). Therefore, in total, Alaniz won 6 rounds while Esparza won 4 rounds in a scheduled 10-round championship bout.<sup>3</sup>

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<sup>3</sup> All 5 independent judges scored the bout in favor of Gabriela Alaniz.



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As to the ringside media and social media arguments asserted by the petitioner, this Committee is not moved by such as we rely exclusively to the official bout scores rendered by the judges in addition to the independent panel of judges appointed for the review and scoring of the fight as requested. Proceeding otherwise would be opening the door for review in every instance whereby fans, boxing media, or broadcast commentators are unsatisfied with official bout scores, which are subjective in nature.

Also, there is nothing in the record that demonstrates that the resolution of the Esparza/Alaniz bout was substantially irregular or that there was a clear misapplication of the rules of boxing resulting in a manifest unfairness. The petitioner argues that Alaniz incurred in blatant fouls, which warranted point deductions that if taken in rounds 9 and 10, the scorecards would have changed particularly that of judge Zachary Young, whose 96-94 scorecard in favor of Alaniz would have ended up 94-94 resulting in the fight being scored a draw. This Committee is not convinced by the “Foul” argument raised by Team Esparza. For starters, the argument is highly speculative. Further, we must highlight that per the Association of Boxing Commissions’ (ABC) Unified Rules of Boxing, the referee is the sole arbiter of the bout and is the only individual authorized to stop a contest. Simply put, Mr. Colantes within his discretion, determined that only an admonishment was warranted in the instances referenced by the petitioner.<sup>4</sup> Nonetheless, the aforementioned rule provides the affected party the review of a decision under the procedures of the applicable regulatory authority if a protest is filed claiming a clear rule violation. In other words, today’s ruling does not impair Team Esparza to resort directly to the California State Athletic Commission and request the reliefs sought herein.

Wherefore, having carefully examined the official bout scores in question; having appointed an independent panel of judges to review and rescore the bout in question; having considered the arguments raised by the petitioner and supported evidence, and having reviewed our governing rules and regulations, this Committee rules that the resolution of the Esparza/Alaniz rematch was not substantially irregular or that there was a clear misapplication of the rules of boxing that would warrant an immediate rematch.

### DECISION - WBO WORLD CHAMPIONSHIP COMMITTEE

1. The WBO Championship Committee hereby rules as follows:
  - a. The reliefs sought are **HEREBY DENIED**.
2. The Committee reserves its right to issue all further rulings and determinations necessary, helpful, and convenient to accomplish the purposes, policies, and intent of the WBO Rules and Regulations, including but not limited to serving the best interests of boxing, World Boxing Organization, and the female WBO Flyweight Division

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<sup>4</sup> The WBO lacks subject matter jurisdiction to override, terminate, reverse or modify a discretionary decision by an official appointed by the California State Athletic Commission.



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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 Article 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: June 27, 2024  
San Juan, Puerto Rico

**WBO CHAMPIONSHIP COMMITTEE**

By: Luis Batista Salas, Esq.

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Chairman/Championship Committee  
1056 Muñoz Rivera Avenue, Suite 711  
San Juan, Puerto Rico 00927  
Ph: (787) 765-4628 Fax: (787) 758-9053  
Email: [www.wboboxing.com](http://www.wboboxing.com)

Cc: Francisco Valcárcel, Esq./President  
Eric Gomez/Golden Boy Promotions  
Georgina Rivera/ Team Alaniz

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<sup>i</sup> See, WBO Regulation §35(f).