



COMMISSION HEARING

TORONTO, ONTARIO – JANUARY 12, 2011

**IN THE MATTER OF THE RACING COMMISSION ACT S.O. 2000, c.20;  
AND IN THE MATTER IN THE APPEAL AND REQUEST FOR HEARING OF  
STANDBRED LICENSEE GERRY BELANGER**

On August 28, 2010, the Judges issued Standardbred Official Ruling SB41493 wherein Gerry Belanger ("Belanger") was given the penalty of a 3-day driving suspension, (September 10, 11, 12, 2010), for bearing down in the first turn causing interference to other horses in race 4 on August 14, 2010, at Sudbury Downs, in violation of Rule 22.05.01(a) of the Rules of Standardbred Racing.

On September 4, 2010, Belanger filed a Notice of Appeal, pursuant to Rule 24.01(b) of the Rules of Standardbred Racing.

On December 3, 2010, a Panel of the Ontario Racing Commission ("ORC"), comprised of Commissioner Brenda Walker as Chair, convened for the purpose of hearing this matter.

Rick Rier appeared on behalf of the Administration of the ORC. Belanger participated via phone for the Hearing to request an adjournment due to weather, and the fact that a witness was unable to attend due to being out of the province.

The Panel granted the request for the hearing to be adjourned until January 12, 2011.

On January 12, 2011, a Panel of the Ontario Racing Commission ("ORC"), comprised of Commissioner Brenda Walker as Chair, convened for the purpose of hearing this matter.

Rick Rier appeared on behalf of the Administration of the ORC.

After hearing testimony from Judge Jeff Rouse and by phone from Justin Turcotte at Stephenson Training Centre and former starter Jason Guthrie who was also contacted via the phone the appeal has been denied. The film clearly shows that Belanger while driving the number 4 horse did bear down on the first turn causing number 2 horse to squeeze number 1 horse with Mike MacNeill over the pylons.

The three-day suspension applies.

The Transcript of the Panel's Reasons for Decision is attached to this Ruling.

DATED at Toronto this 12<sup>th</sup> day of January 2011.

BY ORDER OF THE COMMISSION

  
John L. Blakney  
Executive Director

ONTARIO RACING COMMISSION

**RE: STANDARDBRED HEARING**

IN THE MATTER OF AN APPEAL AND REQUEST FOR HEARING OF

**GERRY BELLANGER**

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Held Before:

Brenda Walker,                      Commissioner

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This is an excerpt of a Hearing of the Ontario Racing Commission re:  
**GERRY BELANGER**, taken before Toronto Court Reporters,  
Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10  
Carlson Court, Suite 400, Toronto, Ontario, on the 12th day of  
January, 2011.

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Appearances:

Rick Rier,

agent for the Ontario Racing  
Commission Administration

Hearing continued ...

MR. RIER: All rise please.

MADAME CHAIR: Please be seated. In the matter of Gerry Belanger SB 41493 driving suspension for three days for Rule 22.05.00(a) on August the 14th, 2010 at Sudbury Downs while driving STONE COLD BILLYO in the 4th race. After hearing testimony from Judge Jeff Rouse and by phone from Justin Turcotte at Stephenson Training Centre and former starter Jason Guthrie who was also contacted via the phone the appeal has been denied. The film clearly shows that Belanger while driving number 4 did bear down on the first turn causing number 2 to squeeze number 1 with Mike MacNeill over the pylons. The three days suspension applies.

The Commission will also be asked to contact Justin Turcotte and he is to appear at the next B appeals to deal with his failure to show. Mike MacNeill will also be required to appear before the Commission for failure to appear also and he has stated he will be back in April. Jason Guthrie whose license has lapsed as of October 2010, if he wishes to reply, he will also be required to contact the ORC and address his no show.

In the second hearing of Gerry Belanger which is ruling SB 43004 which was a three day suspension for Rule 22.05.00(a) while driving EASY LIVIN SMARTLY. A letter was received by Brent Stone on Monday, January the 10th, 2011

requesting to cancel the hearing on January the 12th. MacLean was told by the Commission not to come for a witness. The appeal has been denied and costs were assessed at \$500.00.

Are there any questions?

MR. RIER: No. Thank you.

MADAME CHAIR: Thank you.

MR. RIER: Madame Chair, if I may, in relation to the first one relating to Mr. Turcotte must appear at the next appeals, Mr. MacNeill must appear on his return in April and you indicated Mr. Guthrie, should he wish to reapply, must contact the ORC. Could we have that that he must appear before the ORC?

MADAME CHAIR: Well, I said to contact them to make an appearance to see when he has to appear, yes.

MR. RIER: Thank you.

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CERTIFIED CORRECT: \_\_\_\_\_  
RAYMOND P. MACDONALD, B.A., CVR  
Commissioner of Oaths