



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 December 18, 2010, the Judges issued Standardbred Official Ruling SB43004 wherein Gerry Belanger (Belanger) was suspended from driving for three days for violation of Rule 22.05.01 (a) of the Rules of Standardbred Racing for causing interference to the horse, ANOTHER COWGIRL, while driving EASY LIVIN SMARTY during the stretch drive, in race 3 at Sudbury Downs, on December 11, 2010. EASY LIVIN SMARTY finishing second and was placed third.

On December 21, 2010, Belanger filed a Notice of Appeal, pursuant to Rule 24.01(b) of the Rules of Standardbred Racing.

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

Rick Rier appeared on behalf of the Administration of the ORC. Belanger attended the Hearing and was unrepresented.

Belanger indicated that he now wished to drop this appeal and accept his penalty as imposed. Belanger will serve his three-day driving suspension on January 20, 21 and 22, 2011. Under the new Rules of Procedure released in June of 2010, Belanger was allowed to drop the appeal but was assessed costs in the amount of \$500.

A transcript with the Panel's oral Reasons for Decision is attached to this Ruling.

DATED at Toronto this 13th 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 BELANGER

Held Before:

Brenda Walker, Chairman

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.

Appearances:

Rick Rier,

agent for the Ontario Racing
Commission Administration

1 Hearing continued ...

2 MR. RIER: All rise please.

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

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

16 In the second hearing of Gerry Belanger which is ruling SB 43004 which was
17 a three day suspension for Rule 22.05.00(a) while driving EASY LIVIN SMARTLY. A letter
18 was received by Brent Stone on Monday, January the 10th, 2011 requesting to cancel the
19 hearing on January the 12th. MacLean was told by the Commission not to come for a
20 witness. The appeal has been denied and costs were assessed at \$500.00. Are there any
21 questions?

22 MR. RIER: No. Thank you.

23 MADAME CHAIR: Thank you.

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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