



COMMISSION HEARING

TORONTO, ONTARIO – OCTOBER 20, 2010

**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
STANDARDBRED LICENSEE ANTHONY MACDONALD**

On July 19, 2010, the Judges issued Standardbred Official Ruling SB 42366 wherein Anthony MacDonald ("MacDonald") was given the penalty of a five-day driving suspension for violation of Standardbred Rule 22.05.01 (a) by changing course or position and thereby causing interference.

On July 20, 2010, MacDonald filed a Notice of Appeal, pursuant to Rule 24.01(b) of the Rules of Standardbred Racing.

On October 20, 2010, a Panel of the Ontario Racing Commission (ORC), comprised of Chair Rod Seiling, convened for the purpose of hearing this matter.

Neil McCoag appeared on behalf of the Administration of the ORC. MacDonald attended the Hearing and was unrepresented.

After reviewing the evidence and considering the closing submissions, the Panel denied the appeal but modified the penalty.

The penalty has been reduced to a three-day driving suspension with the days to be established in consultation with the Judges at Flamboro Downs and a ruling will issue to that effect.

A transcript of the Panel's oral decision is attached to this Ruling.

DATED at Toronto this 22nd day of October 2010.

BY ORDER OF THE COMMISSION


John L. Blakney
Executive Director

1 Hearing continued ...

2 MR. CHAIRMAN: Mr. McCoag, I have got here in front of me two disclosure
3 books. The one on the failure to attend a previous hearing let's call it Exhibit 1 and then I've
4 got an agreed statement of facts. Let's call it Exhibit 2.

5 MR. MCCOAG: Correct.

6 MR. CHAIRMAN: And in that regard I am prepared to accept the agreed
7 statement of facts and the recommended penalty.

8 MR. MCCOAG: Okay.

9 MR. CHAIRMAN: So that takes care of that. Then I have another disclosure
10 book which why don't we call it 1A relating to a rule violation from I think race 6, July 17,
11 2010 at Flamboro?

12 MR. MCCOAG: No, it was at Mohawk.

13 MR. CHAIRMAN: At Mohawk and I understand that you and the appellant
14 have reached an agreement on that as well?

15 MR. MCCOAG: Yes. Normally, sir, for interference with contact we look at a
16 five day suspension. However, this matter has been before the Commission before and held
17 over. That day it was cancelled or held over Mr. MacDonald missed a day of driving that way
18 so we are prepared to accept an adjustment to a three day driving suspension.

19 MR. CHAIRMAN: I'll accept that, your recommendation and I think that
20 concludes the matters for both issues.

21 MR. MCCOAG: Okay.

22 MR. CHAIRMAN: So I think we are done and we will reconvene then for the
23 next hearing at 12:45.

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25 CERTIFIED CORRECT: _____
26 RAYMOND P. MACDONALD, B.A., CVR
27 Commissioner of Oaths