



COMMISSION HEARING

TORONTO, ONTARIO – AUGUST 16, 2010

**IN THE MATTER OF THE RACING COMMISSION ACT S.O. 2000, c.20;**

**AND IN THE MATTER OF THE APPEAL AND REQUEST FOR HEARING BY  
STANDBRED LICENSEE NICHOLAS STEWARD**

On June 9, 2010, the Judges issued Standardbred Ruling SB 42418 wherein Nicholas Steward ("Steward") was given a three-day driving suspension for violation of Rule 22.05.01 (a) of the Rules of Standardbred Racing while driving NORTHERN ALBERTA and causing interference on MISS RIGHT during the running of the 1<sup>st</sup> race on May 29, 2010 at Woodstock Raceway.

On June 9, 2010, Steward filed a Notice of Appeal, pursuant to Rule 24.01 (b) of the Rules of Standardbred Racing.

On August 16, 2010, a Panel of the Ontario Racing Commission ("ORC"), comprised of Chair Rod Seiling, convened for the purpose of hearing this matter.

Brian Newton appeared on behalf of the Administration of the ORC. Steward attended the Hearing and was represented by Brian Tropea, Industry Liaison and Policy Manager for Ontario Harness Horse Association.

After reviewing the evidence, hearing the testimony of Senior Judge William Maertens and Driver Dave Edwards, and upon considering the closing submissions, the Panel denied the appeal.

STEWARD will therefore be suspended from driving on August 23, 24 and 25, 2010, inclusive.

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

DATED at Toronto this 19<sup>th</sup> day of August 2010.

BY ORDER OF THE COMMISSION

A handwritten signature in black ink, appearing to read "Rob McKinney", written over a horizontal line.

Rob McKinney  
Acting Executive Director



1 Hearing continued ...

2 MR. CHAIRMAN: All rise. Please be seated. After carefully  
3 listening to the testimony, reviewing the evidence and the documents filed the panel  
4 denies the appeal. The appellant did not present any material evidence nor was  
5 there any proof that the Judges applied the Rules of Racing incorrectly. The penalty  
6 is appropriate given the circumstances and Mr. Steward can work out with the Judges  
7 when his penalty will take effect.

8 MR. TROPEA: Very good. Thank you, sir. Just for clarification, he  
9 can work that out with the Judges at one of the tracks that he races at?

10 MR. NEWTON: Yes, that's fine.

11 MR. CHAIRMAN: That's fine. There is no intent to - if he is listed to  
12 drive now let him drive and then they will work that out.

13 MR. NEWTON: Where are you racing next, Sarnia?

14 MR. STEWARD: Sarnia. I'll be at Woodstock tomorrow.

15 MR. NEWTON: Okay. I'll touch base with them and they can  
16 sit down with you and figure out what works best.

17 MR. TROPEA: Very good. Thank you, guys.

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