



COMMISSION HEARING

TORONTO, ONTARIO – SEPTEMBER 24 2012

**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
STANDARDBRED LICENSEE SYLVAIN FILLION**

On August 12, 2012, the Judges issued Official Ruling SB 44882 wherein Sylvain Fillion ("FILLION") was issued a \$300 fine and a five-day driving suspension for violation of Rule 36.08 (b) (i) of the Rules of Standardbred Racing on August 12, 2012 at Flamboro Downs.

On August 14, 2012, FILLION filled a Notice of Appeal, pursuant to Rule 24.01 (b) of the Rules of Standardbred Racing.

On September 24, 2012, 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 for the ORC. Robert Burgess attended as counsel for FILLION.

Counsel Burgess indicated that he wished to withdraw the appeal on behalf of FILLION. The request was granted. FILLION will pay the \$300 fine and is assessed additional costs of \$250 which are due upon completion of his suspension. FILLION will serve the five-day driving suspension, September 30, 2012 through October 4, 2012, inclusive.

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

Dated at Toronto, Ontario, this 1st day of October 2012.

BY ORDER OF THE COMMISSION

Steve Lehman
Acting Executive Director

ONTARIO RACING COMMISSION
STANDARD BRED HEARING
IN THE MATTER OF AN APPEAL AND REQUEST FOR
HEARING OF **SYLVAIN FILION**

Held Before:

Rod Seiling, Chairman

These are an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, Re: **SYLVAIN FILION**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 24th day of September, 2012.

Appearances:

Brian Newton,

Agent for the Ontario Racing
Commission Administration

Robert Burgess, for the licensee Sylvain Filion

1 Hearing continued ...

2 MR. CHAIRMAN: Well, I am prepared to accept the request to withdraw the appeal and
3 will so order it with the penalties to remain as they were and based on the Policy Directive
4 3/2010 the appellant is fined the sum of \$250.00 for dropping an appeal after such time as the
5 ORC has expended time and resources preparing for the hearing.

6 MR. BURGESS: Thank you.

7 MR. CHAIRMAN: Thank you.

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21 CERTIFIED CORRECT _____
22 RAYMOND P. MACDONALD, B.A., CVR
23 Commissioner of Oaths