



COMMISSION HEARING

TORONTO, ONTARIO – May 14, 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 OF
JEFF BARKLEY**

On November 4, 2011, the Deputy Director of the ORC issued Ruling Number SB 154/2011 wherein Jeff Barkley (“BARKLEY”) was reinstated with a conditional licence as a groom.

On April 13, 2012, the Judges at Rideau Carleton Raceway issued Standardbred Official Ruling SB 44713 wherein BARKLEY was subject to an indefinite full suspension and required to appear before the Deputy Director of the Ontario Racing Commission (“ORC”).

On April 19, 2012, the Deputy Director of the ORC issued Ruling Number SB 42/2011 wherein BARKLEY was immediately suspended and referred to a Panel of the ORC.

On April 24, 2012, BARKLEY provided a negative sample.

On April 26, 2012, BARKLEY submitted an Application for Reinstatement.

On May 1, 2012, a Notice of Hearing was issued to notify the parties that a Panel of the ORC will be convening for this matter on May 14, 2012.

On May 14, 2012, a Panel of the ORC, comprised of Chair Rod Seiling, was convened to hear this matter.

Barkley attended in person, and was unrepresented. Jennifer Friedman appeared as counsel for the Administration.

Upon hearing the testimony of ORC Investigator Pamela Bray, reading the exhibits filed, and considering the submissions of counsel for the Administration and the submissions of Barkley including agreeing to the recommendations of the Administration, the Panel ordered as follows:

- a) BARKLEY shall enter into a new Post Violation Agreement with the ORC for a period of two years;
- b) BARKLEY shall keep the peace and be of good behaviour;
- c) BARKLEY shall present himself for testing when ORC investigators are in the paddock of an ORC licensed raceway;
- d) BARKLEY may be subject to a Notice of Proposed Order in addition to any penalty imposed by the ORC Judges for any breach of the terms of his licence;
- e) Should BARKLEY fail to maintain a clean licence record as a groom, he shall be subject to a \$750 fine prior to being eligible for reinstatement as a groom;



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- f) Should BARKLEY have a clean license record as a groom for a period of twelve consecutive months, he may apply for an apprentice trainer's license, if in place, subject to the Judges approving his employer; and
- g) Should BARKLEY have a clean license record as an apprentice trainer for a minimum of six months and a maximum of twelve consecutive months at the discretion of the Deputy Director, he may apply for a trainer's license.

The transcript with the Panel's Oral Decision is attached to this Ruling.

DATED at Toronto this 18th day of May, 2012.

BY ORDER OF THE COMMISSION


Rob McKinney
Acting Executive Director/
Deputy Director

ONTARIO RACING COMMISSION
STANDARD BRED HEARING
IN THE MATTER THE APPEAL AND REQUEST FOR HEARING OF
JEFF BARKLEY

Held Before:

Rod Seiling, Chairman

These are an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, Re: **JEFF BARKLEY**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 14th day of May, 2012.

Appearances:

Jennifer Friedman,

for the Ontario Racing
Commission Administration

1 Hearing continued ...

2 MR. CHAIRMAN: Based on the fact that you have a set of recommendations,
3 amended as they are, and the appellant is in agreement with those I don't think I need
4 to have a closing statement. So that I am prepared to accept the recommendations
5 and I will so order. The only thing; that I want to put Mr. Barkley on notice, is that if he
6 appears back here again with a violation of his post violation agreement he may not
7 get off as lucky as he is but he has been granted his privileges back, he should value
8 those privileges and take stock that this is a new opportunity, new chance and he
9 should not foul up again. He may not be so lucky the next time. Thank you very
10 much.

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16 CERTIFIED CORRECT _____
17 RAYMOND P. MACDONALD, B.A., CAR
18 *Commissioner of Oaths*
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