



COMMISSION HEARING

TORONTO, ONTARIO – NOVEMBER 23, 2011

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 LICENSEES ANTHONY MACDONALD, JAMES MACDONALD &
BILLY DAVIS JR.**

On October 7, 2011, the Judges issued Official Ruling SB 43265 wherein Anthony MacDonald ("ANTHONY MACDONALD") was given a \$200 fine for failing to drive when programmed at Grand River Raceway on October 7, 2011.

On October 10, 2011, **ANTHONY MACDONALD** filed a Notice of Appeal, pursuant to Rule 24.01 (b) of the Rules of Standardbred Racing.

On October 7, 2011, the Judges issued Official Ruling SB 43266 wherein James MacDonald ("JAMES MACDONALD") was given a \$50 fine for failing to drive when programmed at Grand River Raceway on October 7, 2011.

On October 12, 2011 **JAMES MACDONALD** filed a Notice of Appeal, pursuant to Rule 24.01 (b) of the Rules of Standardbred Racing.

On October 7, 2011, the Judges issued Official Ruling SB 43267 wherein Billy Davis Jr. ("BILLY DAVIS") was given a \$150 fine for failing to drive when programmed at Grand River Raceway on October 7, 2011.

On October 11, 2011, **BILLY DAVIS** filed a Notice of Appeal, pursuant to Rule 24.01 (b) of the Rules of Standardbred Racing.

On November 23, 2011, a Panel of the Ontario Racing Commission ("ORC"), comprised of Commissioner Brenda Walker, convened for the purpose of hearing these matters.

Brian Newton appeared on behalf of the Administration for the ORC. ANTHONY MACDONALD attended the hearing in person and was self-represented. JAMES MACDONALD attended the hearing in person and was represented by Anthony MacDonald. BILLY DAVIS attended the hearing in person and was represented by Anthony MacDonald.

Upon reviewing the evidence, and hearing the testimony of Senior Judge Rick Rier and Driver ANTHONY MACDONALD, reviewing the exhibits filed and considering the closing submissions, the Panel denied the appeals.

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

Dated at Toronto, Ontario this 1st day of December 2011.

BY ORDER OF THE COMMISSION


John L. Blakney
Executive Director

ONTARIO RACING COMMISSION

STANDARD BRED HEARING

IN THE MATTER OF AN APPEAL AND REQUEST FOR HEARING OF
ANTHONY MACDONALD, JAMES MACDONALD and BILLY DAVIS JR.

Held Before:

Brenda Walker, Commissioner

These are an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, Re: **ANTHONY MACDONALD, JAMES MACDONALD and BILLY DAVIS JR.**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 23rd day of November, 2011.

Appearances:

Brian Newton,

agent for the Ontario Racing
Commission Administration

1 Hearing continued ...

2 MR. CHAIRMAN: Okay, this was an appeal of standardbred 144-2011 and it was the
3 appeal of Anthony MacDonald for the Judges' ruling issued on October the 7th where he was
4 fined \$200.00 for Rule 6.02(a) for missing drives at Grand River Raceway on October the
5 7th. After hearing the evidence the appeal has been denied but there has been direction to
6 the Commission to contact the race offices to insure that the driver changes are scheduled at
7 more coordinated times and there is also an appeal of SB 148-2011 for James MacDonald
8 who was fined \$50.00 for Rule 6.02(a) for missing drives on October 7th, 2011. He missed
9 one drive and was fined \$50.00 and the appeal for SB 147-2011 for Billy Davis Jr. who was
10 fined \$150.00 for missing three drives on October the 7th at Grand River Raceway for Rule
11 6.02(a). The appeals have all been denied but there will be a policy drawn up and they will
12 be working with the race offices to ensure that there is a more coordinated effort for driver
13 changes.

14 MR. MACDONALD: Thank you very much.

15 MS. WALKER: Thank you. You may be excused.

16 MR. NEWTON: Thank you.
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21 CERTIFIED CORRECT

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23 RAYMOND P. MACDONALD, B.A., CVR
24 Commissioner of Oaths