



COMMISSION HEARING

TORONTO, ONTARIO – DECEMBER 15, 2015

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**NOTICE OF DECISION**

**IN THE MATTER OF THE RACING COMMISSION ACT, S.O. 2000, c.20;  
AND IN THE MATTER OF THE APPEAL AND HEARING OF MIKE SAFTIC  
AGAINST RULING SB 47905**

Date of Hearing: December 15, 2015  
ORC Panel: John W. Macdonald, Commissioner  
Representative for the Appellant: Self-represented  
Agent for the Administration: David Stewart

Decision:

The Panel denied the appeal and upheld the 1-day driving suspension.

A transcript with the Panel's oral Reasons for Decision is attached to this Notice.

DATED at Toronto this 17<sup>th</sup> day of December 2015.

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Jean Major  
Executive Director

ONTARIO RACING COMMISSION

**STANDARD BRED HEARING**

IN THE MATTER OF THE RACING COMMISSION ACT, 2000,  
S.O. C.20 AND THE RULES OF STANDARD BRED RACING:

AND IN THE MATTER OF AN APPEAL AND REQUEST FOR  
HEARING OF **MIKE SAFTIC**:

Held Before:

John Macdonald                      Commissioner

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These are an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, Re: **MIKE SAFTIC**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 15th day of December, 2015.

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Appearances:

David Stewart,                      Agent for the Ontario Racing Commission  
Administration

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Hearing continued ...

1 MR. CHAIRMAN: Gentlemen the overriding factor here is the public and I'm talking  
2 about the betting public. Your jobs are subject to what the public wants to see and it is pretty  
3 simple. I'm out there and I'm betting on the horse that has a difficult post position. That's  
4 part of my handicapping. I know that but not to be on the gate you don't even give the horse  
5 a chance and while there is some difficulty I gather in that, it wasn't inclement weather as in  
6 some cases here and Mr. Jamieson is aware of that where the weather is inclement that  
7 sometimes it is tough to get to the gate from the 10 hole when you are in sloppy conditions  
8 but you have to make the effort and the responsibility here is for the driver to make the effort  
9 to get to the gate. The overriding situation, notwithstanding all the difficulties that drivers  
10 have whatever their post position is, there is no interference with the horse. I couldn't see  
11 any noticeable effort by Mr. Saftic to urge the horse on to get to the gate so I'm going to  
12 certainly deny the appeal as far as that goes. As an aside of course is the track conditions  
13 are much better and that eliminates the same thing from happening again but this particular  
14 instance was a case where the public lost. I am also a little concerned about this case as  
15 being almost a frivolous appeal because it is admitted by Mr. Saftic that the horse was off the  
16 gate and knowing that is a violation of the rule. I think that the starter was reasonable. The  
17 judges didn't do anything more than that. The question is whether they should have or not.  
18 That's the judges' decision. The effort was not there unfortunately. Thank you gentlemen.  
19 The appeal is denied.

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