



COMMISSION HEARING

TORONTO, ONTARIO – FEBRUARY 23, 2011

**IN THE MATTER OF THE RACING COMMISSION ACT S.O. 2000, c.20;
AND IN THE MATTER IN THE APPEAL AND REQUEST FOR HEARING OF
STANDARDBRED LICENSEE WILLIAM JAMES**

On November 19, 2010, the Judges issued Standardbred Official Ruling SB42461 in regard to the “non-placing” of the horse MYSTICIAN driven by Jody Jamieson in race 6 at Woodbine Racetrack on November 13, 2010.

On November 16, 2010, William James (“JAMES”) filed a Notice of Appeal, pursuant to Rule 24.01(b) of the Rules of Standardbred Racing.

On February 23, 2011, a Panel of the Ontario Racing Commission (“ORC”), comprised of Commissioner Brenda Walker convened for the purpose of hearing this matter.

Rick Rier appeared on behalf of the Administration of the ORC. JAMES appeared at the Hearing and was self-represented.

The Panel, having heard the testimony of Judge William Maertens, driver Scott Zeron, and driver Jody Jamieson, and upon viewing the video evidence, and upon hearing closing submissions, denied the appeal.

A transcript with the Panel’s Reasons for Decision is attached to this Ruling.

DATED at Toronto this 25th day of February 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

WILLIAM JAMES,

Held Before:

Brenda Walker, Commissioner

These are an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, Re: **WILLIAM JAMES**, 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 February 2011.

Appearances:

Rick Rier: agent for the Ontario Racing Commission
Administration

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Hearing continued ...

MR. RIER: All rise please.

MADAME CHAIR: Please be seated. This is an appeal of SB42461 for the non-placing of Number 1 MYSTICIAN driven by Jody Jamieson that finished 4th at Woodbine Racetrack on November the 13th of 2010 in the 6th race of the OSS Super Finals. The Judges have to rely on evidence before them on making their decision. In this case we have the sworn testimony of Jody Jamieson, Scott Zeron and also the film of the race at different angles. The Judges put as much weight on the drivers' testimony as warranted but they also have to use the video replays to support their decision. So after hearing the testimony of Judge Maertens, drivers Jody Jamieson and Scott Zeron and the owner/trainer William James of the number 4 CAM B ZIPPER that finished 5th behind Jody Jamieson on number 1 MYSTICIAN who finished 4th. I believe that the testimony before us supports the Judges' decision and therefore the appeal is disallowed.

MR. RIER: Thank you.

MR. JAMES: Thank you.

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