



COMMISSION HEARING

TORONTO, ONTARIO – NOVEMBER 9, 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
STANDARD BRED LICENSEE JOHN BRANDON CAMPBELL**

On August 30, 2011, the Judges issued Official Ruling SB 43730 wherein John Brandon Campbell ("CAMPBELL") was given a three-day driving suspension for bearing out while driving "Oceanview Sue" and causing interference by hooking the wheel of "Zegerid Lady" in the stretch of the twelfth race at Grand River Raceway on August 29, 2011.

On August 31, 2011, CAMPBELL filed a Notice of Appeal, pursuant to Rule 24.01 (b) of the Rules of Standardbred Racing.

On November 9, 2011, a Panel of the Ontario Racing Commission ("ORC"), comprised of Commissioner John Macdonald, convened for the purpose of hearing this matter.

Brian Newton appeared on behalf of the Administration for the ORC. CAMPBELL attended the hearing in person and was self-represented.

Upon reviewing the evidence, and hearing the testimony of Senior Judge Mike Brown and Driver CAMPBELL, reviewing the exhibits filed and considering the closing submissions, the Panel denied the appeal. CAMPBELL will now serve his three-day driving suspension November 18 through 20, 2011, inclusive.

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

Dated at Toronto, Ontario this 16th day of November 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

JOHN BRANDON CAMPBELL

Held Before:

John Macdonald, Commissioner

These are an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, Re: **JOHN BRANDON CAMPBELL**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 9th day of November, 2011.

Appearances:

Brian Newton,

agent for the Ontario Racing
Commission Administration

1 Hearing commenced ...

2 MR. CHAIRMAN: Thank you. I understand the difficulty
3 you had, Mr. Campbell, of you arriving not quite at the same time
4 where you would have just bumped wheels. Under the
5 circumstances your horse, from what I can see from the video,
6 was bearing out and you indicated that you were moving out into
7 the second lane but you continued a little bit more than that so
8 that, notwithstanding your comments, it would appear that you
9 initiated the contact. Now, whether or not Mr. Stewart was
10 accomplished enough; you indicated that maybe he didn't have
11 the experience that you did to move on so you would have been
12 unhooked. Unfortunately that's not what we are here for. We are
13 here on your appeal that you didn't deserve the suspension
14 because maybe someone else was partly at fault, yes, I
15 understand that but the Judges' decision was that you initiated the
16 contact and that caused the problem and I have to look at the
17 broader picture because there are fans that were there and bet on
18 the races and they see the interference, they don't understand it.
19 They do understand where you finished because you finished out
20 of the money. Now that may not have been the situation if the
21 hooking had not occurred but unfortunately in my view from what I
22 saw your moving out and hooking initiated the problem. The
23 solution may have been for Mr. Stewart to move on. He did not
24 but the initial problems were you moving out and your horse
25 bearing out and you hooked. Therefore, I am going to deny the

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appeal and the suspension will stay as is. The only question, counsel, is the days.

MR. NEWTON: I think we can work that out, the days for Mr. Campbell. Mr. Campbell, are you going to be at Flamboro, by any chance, tomorrow?

MR. CAMPBELL: Yes.

MR. NEWTON: Okay, we'll speak to Mr. Campbell at Flamboro tomorrow.

MR. CHAIRMAN: Thank you. That concludes this matter.

CERTIFIED CORRECT

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