



COMMISSION HEARING

TORONTO, ONTARIO – AUGUST 25, 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 LICENSEE TRAVIS UMPHREY**

The entry for "Spago Hall" was properly declared for the 10th race at Georgian Downs on August 27, 2011, but missed in error by the Georgian Downs Race Office. As the field was full and the race was an overnight event, pursuant to Rule 17.15(a)(i) of the Rules of Standardbred Racing the Judges declared the horse ineligible to race and issued Ruling SB 43726.

Standardbred Licensee Travis Umphrey ("UMPHREY"), the trainer of Spago Hall, appealed Ruling SB 43726.

The appeal was heard on August 25, 2011, by a Panel of the Ontario Racing Commission consisting of Chair Rod Seiling.

Angela Holland appeared as counsel for the Administration. Randy Bennett appeared as counsel for UMPHREY and UMPHREY appeared in person.

Upon reviewing the exhibits filed, and upon hearing the testimony of Judge Mike Brown, upon hearing the submissions of counsel for the Administration, and of counsel for UMPHREY, the Panel denied the appeal and ordered as follows:

- i. The mistake regarding the error by the Race Office is referred back to the Judges at Georgian Downs to take any appropriate action they deem worthy;
- ii. UMPHREY is to receive \$300, to be paid from the Georgian Down's purse account, which is equivalent to the \$300 hitching fee for the August 27, 2011 races at Georgian Downs; and
- iii. The gap in the rules for special events, which are not added money events, is to be sent back to the ORC for policy direction.

The Transcript of the Panel's Reasons for Decision is attached to this Ruling.

Dated this 6th day of September, 2011.

BY ORDER OF THE COMMISSION


John L. Blakney
Executive Director

ONTARIO RACING COMMISSION
STANDARD BRED HEARING
IN THE MATTER OF THE APPEAL AND REQUEST FOR HEARING OF
TRAVIS UMPHREY:

Held Before:

Rod Seiling, Chairman

These are the oral reasons and ruling in the above mentioned matter held before The Ontario Racing Commission, Re: **TRAVIS UMPHREY**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 25th day of August, 2011.

Appearances:

Angela Holland

for the
Ontario Racing Commission
Administration

Randy Bennett

for Travis Umphrey

1 Hearing continued ...

2 MR. CHAIRMAN: ... so I think I am going to have
3 to deny the appeal but I am also; it is not comfort to Mr. Umphrey
4 but I'm also going to refer the mistake at the race office to the
5 Judges at Georgian Downs to take any appropriate action they
6 deem worthy. I am also going to at least, given that the mistake; I
7 think I have the power to do it but I am also going to - there is a
8 starter's bonus for all the horses declared and Mr. Umphrey
9 should at least have the benefit of the starter's bonus. It is small
10 consolation. I am also going to recommend that the gap in the
11 rules be referred back to the ORC for policy direction. Thank you.

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