

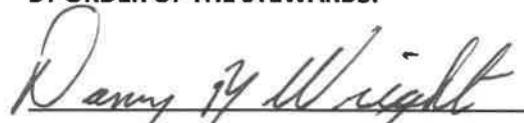
RULING NUMBER #51

Housekeeping licensee **Nathan Clark**, Permit #25816 DOB 1/19/1994, is hereby suspended pending the outcome of current legal issues.

All fines imposed by the Board of Stewards shall be paid to the Racing Commission within Seven (7) Days after the ruling is issued, unless otherwise ordered by the Stewards, per **West Virginia Rule of Racing #178-1-8.5.n**

You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.00

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #52

Jockey, **Arnaldo Bocachica** Permit; #20054, DOB 06/20/1988 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey **Arnaldo Bocachica** let his mount "**She Figures**" lug in down the stretch while not clear and caused interference to "**Northern Heat**" in the **Seventh Race, Friday August 16, 2019**

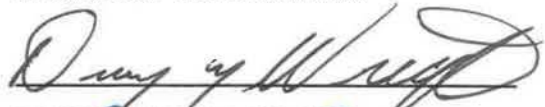
Jockey **Bocachica's** mount "**She Figures**" was **disqualified** from **First (1st)** and placed **Second (2nd)**.

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n**.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: August 20, 2019:

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT, Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING NUMBER #53

Owner, **Slyvester Carmouche III**, Permit: #27352; DOB: 1/24/1983, owners license has been rescinded without prejudice upon giving a license as a jockey

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

BY ORDER OF THE STEWARDS:
DANNY R. WRIGHT Chief Steward
DENVER K. BECKNER
L. Robert Lotts

RULING #54 (Revision of Ruling #44)**Owner/Trainer, Anthony Farrior****Permit #23295**

On July 23, 2019 the Board of Stewards offered a hearing to **Owner/Trainer, Anthony Farrior, Permit #23295, DOB 11/4/1981** to which he waived his right to a hearing regarding a medication violation pertaining to his horse **"Blushing Owen"** who finished fifth (5th) in the fourth (4th) race on Friday, June 28, 2019.

The Stewards hereby find the following:

The official blood sample #303635, taken on 6/28/19 was reported by Industrial Laboratories, the official testing laboratory, to contain **Gabapentin** which is a **Class 3** drug, with a **B Penalty**, designation. There is no permissible threshold for **Gabapentin**. Sample #303635 contained approximately **16.7 ng/ml in serum**. The sample was taken from the **Number 5** horse, **"Blushing Owen"**, which ran in the (4th) fourth Race on 6/28/19, finishing Fifth (5th).

Mr. Farrior elected not to have a split sample tested

Pursuant to **178 W. Va. C.S.R. 1, section 24.11.o**, The Stewards are authorized to take disciplinary action against a permit holder for violating any provision of the Thoroughbred Racing Rule.

Pursuant to section **51.1.1a, of the Thoroughbred Racing Rule, 178 W.Va.C.S.R.1**: "The trainer is the absolute insurer of and responsible for the condition of the horses he or she enters in an official workout or a race, regardless of the acts of third parties. If testing or analysis of urine, blood or other bodily substances or tissues prove positive showing the presence of any prohibited drug, medication or substance, the trainer of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined. In addition, the owner of the horse, the foreman in charge of the horse, the groom, and any other person shown to have had the care, attendance of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined."

Pursuant to **178 W. Va. C.S.R. 1, section 49.4.a.2.**, a finding by a Racing Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse, and in the case of a post-race test, was present in the horse's body while it was participating. Prohibited substances included controlled therapeutic medications in excess of established threshold concentrations as set forth in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule, Version 2.1., contained in Table 178-1 F of the Thoroughbred Racing Rule

The **Gabapentin** positive in **"Blushing Owen"** is **Mr. Farrior's First Offense** in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated **0 points** under the multiple medication violation point system as a result of the issuance of. **Mr. Farrior** is assessed **0 points** for this medication/substance violation pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1**.

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section **49.1 of the Thoroughbred Racing Rule**:

1. **(Mitigating) The Permit holder's past record:** The permit holder has no violations in the last 365 days
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d, **Class 3** drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests positive, as set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication; to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it races, and to ensure the integrity of racing so that horse aren't racing under the effect of a medication that could affect performance.]
3. **(Mitigating) The legal availability of the drug:** Gabapentin is legally available.
Whether there is reason to believe the permit holder knew of the administration of the drug or intentional administered the drug: Inasmuch as there was no hearing in this matter, but speaking to **Mr. Farrior** it was established

that the permit holder knew of no administration of the drug, or the circumstances under which the drug may have been given. Therefore this factor is considered in weighing the penalty in this case.

4. **The steps taken by the trainer to safeguard the horse:** Inasmuch as there was no hearing in this case it is unknown what efforts the trainer made to ensure that the treatment of the horse with **Gabapentin**.
5. **The probability of environmental contamination exposure due to human use:** This factor is applicable to this case. After a meeting with the Board of Stewards, **Mr. Farrior** revisited his employees and researched their prescriptions. His findings found that an employee was taking **Gabapentin** for shingles. The employee was in direct contact with "**Blushing Owen**" on a daily basis leading up to and including **June 28, 2019**. The Board of Stewards have in their possession a copy of the letter from the employee.
6. **The purse of the race:** The races in question was an Allowance race with a \$24,500 purse. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case.
7. **Whether the drug found was one for which the drug was receiving a treatment as documented by the treating veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** The horse was not being treated by a veterinarian with **Gabapentin**. Therefore, this factor is considered in weighing the penalty in this case.
8. **Whether there was any suspicious betting pattern in the race:** There is no evidence of a suspicious betting pattern in this case and therefore, this factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. Farrior's horse "Blushing Owen" will be disqualified from all purse money, Mr. Farrior will be fined One Thousand Dollars (\$1000) and will have 0 points on his record.**

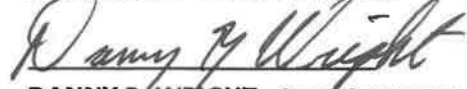
The horse "**Blushing Owen**" is disqualified from all purse money; Re-Distribution is as following.

1. #4 Hero's Man
2. #2 Gattosing
3. #7 Arya Peaceful
4. #6 Faster Than Chrome

You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.00.

Dated August 21, 2019

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT CHIEF STEWARD


DENVER K. BECKNER


L. ROBERT LOTTS

RULING #55

Jockey, **Denis Araujo** Permit; #23930, DOB 10/28/1986 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey **Denis Araujo** let his mount "**Little Maximova**" duck out down the stretch while not clear and caused interference to "**Dynacastle**" in the **Fifth Race, Saturday August 17, 2019**

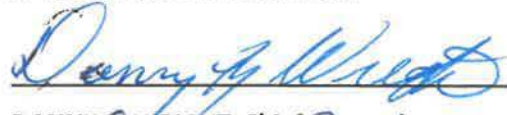
Jockey **Araujo's** mount "**Little Maximova**" was **disqualified from Second (2nd)** and placed **Fourth (4th)**.

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n**.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: August 23, 2019:

BY ORDER OF THE STEWARDS:

A blue ink signature of Danny R. Wright, written in a cursive style, positioned above a horizontal line.

DANNY R. WRIGHT Chief Steward

A blue ink signature of Denver K. Beckner, written in a cursive style, positioned above a horizontal line.

DENVER K. BECKNER

A blue ink signature of L. Robert Lotts, written in a cursive style, positioned above a horizontal line.

L. ROBERT LOTTS

RULING #56

Jockey, **Victor Rodriguez** Permit; #20014, DOB 07/12/1981 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey **Victor Rodriguez** let his mount "**The Message R V F**" drift in down the backside while not clear and caused interference to "**Compromiso**" in the **Second Race, Friday August 23, 2019**

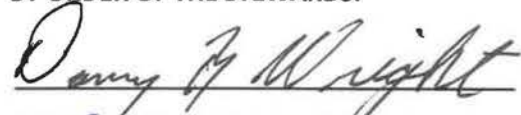
Jockey **Rodriguez's** mount "**The Message R V F**" was **disqualified** from **Second (2nd)** and placed **Seventh (7th)**.

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n.**

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: August 28, 2019:

BY ORDER OF THE STEWARDS:

A handwritten signature in blue ink, appearing to read "Danny R. Wright", written over a horizontal line.

DANNY R. WRIGHT Chief Steward

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #57

Trainer, **Donald C. Barber** Permit: #26468 DOB: 4/06/1940, the official sample #E303885 taken from the runner "**Quincy's Way**" who finished fifth (5th) in the fifth (5th) race on Saturday, August 17, 2019, was reported by Industrial Testing Laboratory to contain **Phenylbutazone** above the authorized levels. Specifically, the blood sample contained **3.9 ug/ml**.

The Stewards conclude that **Mr. Barber** has violated section(s) **178-1-49.6.a** and **178-1-49.4.a.2**, which reads: "Controlled therapeutic medications in excess of established threshold concentrations as set forth in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule, Version 3.2, contained in table **178-1F** at the end of this rule".

However, the Stewards determine the appropriate penalty on a case by case basis by considering the mitigating/aggravating factors.

Based on the above, the penalty on **Mr. Barber** will be a warning with no suspension, fine, or points.

You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.

Dated: August 29, 2019

BY ORDER OF THE STEWARDS:

A handwritten signature in blue ink, appearing to read "Danny R. Wright", written over a horizontal line.

DANNY R. WRIGHT Chief Steward

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #58

Apprentice Jockey, **Sunday Diaz Jr.** Permit; #29731, DOB 08/17/2000 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey **Sunday Diaz Jr.** let his mount "**Auts Revolution**" drift in down the stretch while not clear and caused interference to "**Limit Money (DOM)**" in the **Eighth Race, Friday September 6, 2019**

Jockey **Diaz's** mount "**Auts Revolution**" was **disqualified** from **Fourth (4th)** and placed **Sixth(6th)**.

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n.**

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: September 10, 2019:

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING NUMBER #59

Groom, **Larry Woodson**, Permit #23827; DOB 10/23/1981

Mr. Woodson's license has been summarily suspended as of September 14, 2019 pending the outcome of a Board of Stewards hearing.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five-Hundred (\$500.00) Dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


DENVER BECKNER


L. ROBERT LOTTS

RULING NUMBER #60

Unlicensed Applicant, **Joseph F. Rich III**, DOB 3/15/1982, having satisfied the **Ruling #151** dated **November 11, 2017**, Mr. Rich is hereby restored to good standings.

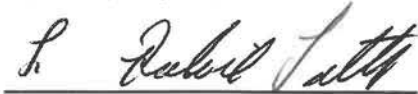
BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT Chief Steward



DENVER BECKNER



L. ROBERT LOTTS

RULING #61

Jockey **Jason Simpson** Permit #30311; DOB 7/16/1985 is **Suspended Three racing days**, including **Friday September 27, Saturday September 28, and Thursday October 3, 2019**. Jockey **Simpson** is in violation of **Rule of Racing #178-1-45.7.b.1**, which reads: "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horses in the race."

Jockey **Simpson** let his mount, **Pattys Boss** duck out nearing the five eighth pole causing the rider of **Sniff** to be unseated in the **Eighth Race on Friday September 20, 2019**. **Pattys Boss** was **disqualified from Fourth (4th) and placed Tenth(10th)**.

All fines imposed by the Stewards shall be paid to the Racing Commission within **Seven (7) days** after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia Rule of Racing Number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within **20 days** of your receipt of this ruling and must include a security fee in the amount of **Five Hundred (\$500.00) Dollars**.

Dated: September 24, 2019

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT
Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #62

Jockey, **Carlos A. Marrero** Permit; #29243, DOB 07/10/1984 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey **Carlos A. Marrero** let his mount "**Wisper Freedom**" duck out down the stretch while not clear and caused interference to "**Whirlaway R V F**" in the **Second Race, Friday September 20, 2019**

Jockey **Marrero's** mount "**Wisper Freedom**" was **disqualified** from **Second (2nd)** and placed **Fifth (5th)**.

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n**.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: September 24, 2019:

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #63

Groom, **Larry Woodson**, Permit #23827, DOB 10/23/1981, having been afforded a Board of Stewards hearing on **September 19, 2019** is hereby found guilty of being a repeat violator of **Rule of Racing 178-1-24.11.f** which reads, "has disturbed the peace on Association Grounds" and **Rule of Racing 178-1-28.11.g** which reads, "Has used profane, indecent or vulgar language to a racing official. "

Groom, **Larry Woodson**, has been denied privileges of the grounds under the jurisdiction of the **West Virginia Racing Commission** since the incident on **September 19, 2019**. Mr. Woodson is also fined **Four Hundred (\$400.00) Dollars** and is ineligible to seek reinstatement in racing until he enters a certified anger management program.

All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per Rule of **Racing Number 178-1-8.5.n**.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: September 27, 2019

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT

Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #64

Owner/Trainer, **Ernest M. Haynes**, Permit: **#24588** DOB: **01/30/1948**, the official sample **#E303963** taken from the runner **"Ultimate Justice"** who finished third (3rd) in the third (3rd) race on Thursday, **September 5, 2019**, was reported by Industrial Testing Laboratory to contain **Phenylbutazone** above the authorized levels. Specifically, the blood sample contained **2.92 ug/ml**.

The Stewards conclude that **Mr. Haynes** has violated section(s) **178-1-49.6.a** and **178-1-49.4.a.2**, which reads: "Controlled therapeutic medications in excess of established threshold concentrations as set forth in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule, Version 3.2, contained in table **178-1F** at the end of this rule".

However, the Stewards determine the appropriate penalty on a case by case basis by considering the mitigating/aggravating factors.

Based on the above, the penalty on **Mr. Haynes** will be a warning with no suspension, fine, or points.

You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.

Dated: October 2, 2019

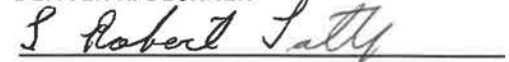
BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING NUMBER #65

Groom, **Larry Woodson**, Permit #23827 DOB 10/23/1981, having satisfied the **Ruling #63** dated **September 27, 2019**, Mr. Woodson is hereby restored to good standings.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT Chief Steward


DENVER BECKNER


L. ROBERT LOTTS

RULING #66

Apprentice Jockey, **Keimar Trotman** Permit: #21980, DOB: 09/26/1997 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Apprentice Jockey, **Keimar Trotman** let his mount "**Inexcess Again**" angle in leaving the chute while not clear and caused interference to "**Opportunity Calls**" and "**Last Plunge**" in the **Eighth Race, Friday October 4, 2019**.

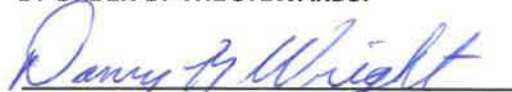
"**Inexcess Again**" finished behind both horses therefore there was no new order of finish.

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n**.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: October 8, 2019:

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #67

Unlicensed Trainer, **Jennivieve Burton** DOB: **01/28/1965** is hereby ineligible for **West Virginia Racing Commission** license pending payment of fines.

The Stewards conclude that **Ms. Burton** has violated section(s) **178-1-19.5.e.** which reads: Has had a license to hold or conduct a horse race meeting denied for just cause, suspended or revoked in any other state; **178-1-8.n** which reads: All fines imposed by the stewards shall be paid to the Racing Commission within seven (7) calendar days after the ruling is issued, unless otherwise ordered by the stewards; and **178-1-24.11.w**, which reads: has failed to pay a required fee, fine or cost.

You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.

Dated: October 9, 2019

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #68

Owner/Trainer, Javier Contreras

Permit #29924

On October 8, 2019, the Board of Stewards offered a hearing to Owner/Trainer, Javier Contreras Permit #29924, DOB 06/25/1956 to which he waived his right to a hearing regarding a medication violation pertaining to his horse "Privately" who finished first (1st) in the first (1st) race on Saturday, September 14, 2019.

The Stewards hereby find the following: The official blood sample #304015, taken on 09/14/19 was reported by Industrial Laboratories, the official testing laboratory, to contain Dexamethasone which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for Dexamethasone 5 pg/ml in plasma or serum. Sample #304015 contained 27.2pg/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the Seven (7) horse, "Privately", which ran in the 1st Race on 09/14/19, finishing first.

Mr. Contreras elected not to have a split sample tested.

Pursuant to 178 W. Va. C.S.R. 1, section 24.11.o, The Stewards are authorized to take disciplinary action against a permit holder for violating any provision of the Thoroughbred Racing Rule.

Pursuant to section 51.1.a, of the Thoroughbred Racing Rule, 178 W.Va.C.S.R.1: "The trainer is the absolute insurer of and responsible for the condition of the horses he or she enters in an official workout or a race, regardless of the acts of third parties. If testing or analysis of urine, blood or other bodily substances or tissues prove positive showing the presence of any prohibited drug, medication or substance, the trainer of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined. In addition, the owner of the horse, the foreman in charge of the horse, the groom, and any other person shown to have had the care, attendance of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined."

Pursuant to 178 W. Va. C.S.R. 1, section 49.4.a.2., a finding by a Racing Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse, and in the case of a post-race test, was present in the horse's body while it was participating. Prohibited substances included controlled therapeutic medications in excess of established threshold concentrations as set forth in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule, Version 3.2., contained in Table 178-1 F of the Thoroughbred Racing Rule

Pursuant to 178 W. Va. C.S.R. 1, Table 178-1 F, the post-race threshold for Dexamethasone is 5 pg/ml in plasma or serum. Because the amount of Dexamethasone in "Privately" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Contreras may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.4.a.2. and 51.1.a.

The Dexamethasone positive is Mr. Contreras' First Offense in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated ½ points under the multiple medication violation point system. Mr. Contreras is assessed ½ point for this Dexamethasone medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section 49.1 of the Thoroughbred Racing Rule:

1. **(Mitigating) The Permit holder's past record:** The permit holder has no violations in the last 365 days
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication, to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it

aces, and to ensure the integrity of racing so that horses aren't racing under the effect of a medication that could affect performance.

3. **(Mitigating) The legal availability of the drug:** Dexamethasone is legally available.
4. **Whether there is reason to believe the permit holder knew of the administration of the drug or intentional administered the drug:** Inasmuch as there was no hearing in this matter it was not established whether or not the permit holder knew of the administration of the drug, or the circumstances under which the drug may have been given. Therefore this factor is not considered in weighing the penalty in this case.
5. **The steps taken by the trainer to safeguard the horse:** Inasmuch as there was no hearing in this case it is unknown what efforts the trainer made to ensure that the treatment of the horse with Dexamethasone was done within the withdrawal guidelines and dosing specifications set forth in 178 W. Va. C.S.R. 1, Table 178-1 F, so as to avoid a positive. Therefore this factor is not considered in weighing the penalty in this case.
6. **The probability of environmental contamination exposure due to human use:** This factor is not applicable to this case.
7. **The purse of the race:** The race in question was a Maiden race with a \$27,000 purse. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case.
8. **Whether the drug found was one for which the horse was receiving as a treatment as documented by the treating veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated by a veterinarian with Dexamethasone. Therefore, this factor is not considered in weighing the penalty in this case.
9. **Whether there was any suspicious betting pattern in the race:** There is no evidence of a suspicious betting pattern in this case and therefore, this factor is not considered in weighing the penalty in this case.
10. **Whether the trainer was acting under the advice of a veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated with Dexamethasone by a veterinarian. Therefore, this factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense:

Mr. Contreras' horse "Privately" will be disqualified from all purse money and Mr. Contreras will have a total of 1 point on his record. With the Dexamethasone positive being the first medication violation in 365 days, Mr. Contreras will be fined \$1000.00 dollars.

The horse "Privately" is disqualified from all purse money. The distribution is as follows:

1. #5 Mo Cuishle
2. #6 Classy Castle
3. #2 Sterlings Morena
4. #3 Binn There
5. #1 Honey Child R V F
6. #4 Mighty Crossing

All fines imposed by the Stewards shall be paid to the Racing Commission within **Seven (7) days** after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia Rule of Racing Number 178-1-8.5.n.

You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.00.

Dated: October 9, 2019

BY ORDER OF THE STEWARD:


DANNY R. WRIGHT


DENVER K. BECKNER


L. ROBERT LOTTS

RULING NUMBER #69

Unlicensed Groom **Armstead W. McDonald III**, DOB 2/4/1961, having satisfied **Board of Stewards Ruling #65** dated **August 21, 2018** is hereby restored to good standing.

You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.00

Dated: October 10, 2019

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING NUMBER #70

Unlicensed Groom **Armstead W. McDonald III**, DOB 2/4/1961; **Board of Stewards Ruling #65** dated **August 21, 2018** is hereby rescinded.



You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.00

Dated: October 18, 2019

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT Chief Steward

DENVER K. BECKNER

L. ROBERT LOTTS

RULING #71

Jockey **Luis A. Batista** Permit #30335 DOB 5/07/1990 is **Suspended Three racing days**, including **Wednesday November 13, Thursday November 14, and Friday November 15, 2019**. Jockey **Batista** is in violation of **Rule of Racing #178-1-45.7.b.1**, which reads: "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horses in the race."

Jockey **Batista** let his mount, **Zep** bear in leaving the gate near the wire the first time and causing the rider of **Wonder How** to take up sharply in the **Sixth Race on Friday November 1, 2019**. **Zep** was **disqualified from Second (2nd) and placed seventh (7th)**.

All fines imposed by the Stewards shall be paid to the Racing Commission within **Seven (7) days** after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia Rule of Racing Number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within **20 days** of your receipt of this ruling and must include a security fee in the amount of **Five Hundred (\$500.00) Dollars**.

Dated: November 5, 2019

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT
Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #72

Apprentice Jockey **Keimar Trotman** Permit #21980 DOB 9/29/1997 is **Suspended Four racing days**, including **Wednesday November 13, Thursday November 14, Friday November 15, and Saturday 16, 2019**. Jockey Trotman is in violation of **Rule of Racing #178-1-45.7.b.1**, which reads: "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horses in the race."

Jockey **Trotman** let his mount, **Unkiss Me** bear in leaving the chute and continuing to bear in down the back stretch causing the rider of **One More Day** to take up in the **Second Race on Wednesday November 6, 2019**. **Unkiss Me** was **disqualified from First (1st) and placed Third (3rd)**.

All fines imposed by the Stewards shall be paid to the Racing Commission within **Seven (7) days** after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia Rule of Racing Number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within **20 days** of your receipt of this ruling and must include a security fee in the amount of **Five Hundred (\$500.00) Dollars**.

Dated: November 8, 2019

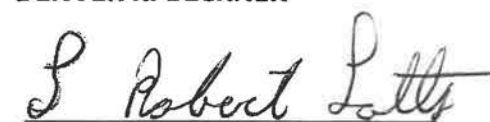
BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT
Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING NUMBER #73

Unlicensed Applicant, **Alexis Rios-Conde** DOB 8/18/1978, having satisfied the **Ruling #332 dated October 5, 2012**, Mr. Rios-Conde is hereby restored to good standings.

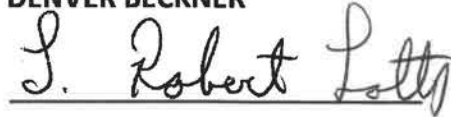
BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT Chief Steward



DENVER BECKNER



L. ROBERT LOTTS

RULING #74**Trainer, Kenneth W. Decker****Permit #31114**

On **November 16, 2019**, the Board of Stewards offered a hearing to **Trainer, Kenneth W. Decker Permit #31114, DOB 07/14/1958** to which he waived his right to a hearing regarding a medication violation pertaining to his horse **"Southern Barbeque"** who finished first (1st) in the ninth (9th) race on **Friday, November 1, 2019**.

The Stewards hereby find the following: The official blood sample **#339306** taken on **11/01/19** was reported by Industrial Laboratories, the official testing laboratory, to contain **Betamethasone** which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for **Betamethasone** is **10 pg/ml in plasma or serum**. Sample **#339306** contained **57.6 +/- 1.7 pg/ml** of the drug, which is above the permissible threshold for this drug. The sample was taken from the **Six (6) horse, "Southern Barbeque"**, which ran in the **9th Race on 11/01/19, finishing first**.

Mr. Decker elected not to have a split sample tested.

Pursuant to **178 W. Va. C.S.R. 1, section 24.11.o**, The Stewards are authorized to take disciplinary action against a permit holder for violating any provision of the Thoroughbred Racing Rule.

Pursuant to section **51.1.a, of the Thoroughbred Racing Rule, 178 W.Va.C.S.R.1**: "The trainer is the absolute insurer of and responsible for the condition of the horses he or she enters in an official workout or a race, regardless of the acts of third parties. If testing or analysis of urine, blood or other bodily substances or tissues prove positive showing the presence of any prohibited drug, medication or substance, the trainer of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined. In addition, the owner of the horse, the foreman in charge of the horse, the groom, and any other person shown to have had the care, attendance of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined."

Pursuant to **178 W. Va. C.S.R. 1, section 49.4.a.2.**, a finding by a Racing Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse, and in the case of a post-race test, was present in the horse's body while it was participating. Prohibited substances included controlled therapeutic medications in excess of established threshold concentrations as set forth in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule, Version 3.2., contained in Table 178-1 F of the Thoroughbred Racing Rule

Pursuant to **178 W. Va. C.S.R. 1, Table 178-1 F**, the post-race threshold for **Betamethasone** is **10 pg/ml in plasma or serum**. Because the amount of **Betamethasone** in **"Southern Barbeque"** exceeded the acceptable threshold set forth in **Table 178-1 F**, **Mr. Decker** may be held responsible and his occupational permit disciplined pursuant to **178 W. Va. C.S.R. 1, sections 49.4.a.2. and 51.1.a**.

Mr. Decker is assessed **½ point** for this **Betamethasone** medication/substance violation pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1**.

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section **49.1 of the Thoroughbred Racing Rule**:

1. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to **178 W. Va. C.S.R. 1, section 49.2.d**, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication, to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it races, and to ensure the integrity of racing so that horses aren't racing under the effect of a medication that could affect performance.
2. **(Mitigating) The legal availability of the drug:** **Betamethasone** is legally available.

3. **Whether there is reason to believe the permit holder knew of the administration of the drug or intentional administered the drug:** Inasmuch as there was no hearing in this matter it was not established whether or not the permit holder knew of the administration of the drug, or the circumstances under which the drug may have been given. Therefore this factor is not considered in weighing the penalty in this case.
4. **The steps taken by the trainer to safeguard the horse:** Inasmuch as there was no hearing in this case it is unknown what efforts the trainer made to ensure that the treatment of the horse with **Betamethasone** was done within the withdrawal guidelines and dosing specifications set forth in **178 W. Va. C.S.R. 1, Table 178-1 F**, so as to avoid a positive. Therefore this factor is not considered in weighing the penalty in this case.
5. **The probability of environmental contamination exposure due to human use:** This factor is not applicable to this case.
6. **The purse of the race:** The race in question was a **Claiming** race with a **\$13,000** purse. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case.
7. **Whether the drug found was one for which the horse was receiving as a treatment as documented by the treating veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated by a veterinarian with **Betamethasone**. Therefore, this factor is not considered in weighing the penalty in this case.
8. **Whether there was any suspicious betting pattern in the race:** There is no evidence of a suspicious betting pattern in this case and therefore, this factor is not considered in weighing the penalty in this case.
9. **Whether the trainer was acting under the advice of a veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated with **Betamethasone** by a veterinarian. Therefore, this factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense:

Mr. Decker's horse "Southern Barbeque" will be disqualified from all purse money and Mr. Decker will have a total of ½ points on his record. Mr. Decker is also fined \$1000 dollars.

The horse "Southern Barbeque" is disqualified from all purse money. The distribution is as follows:

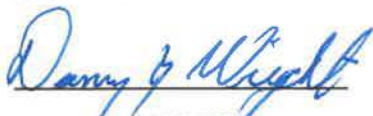
1. #4 Envision Success
2. #10 Morning Muse
3. #2 Do Yahwanna Salsa
4. #5 Ice Docket
5. #9 One Proud Wildcat
6. #7 Wilko's Goldeneye

All fines imposed by the Stewards shall be paid to the Racing Commission within **Seven (7) days** after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia Rule of Racing Number 178-1-8.5.n.

You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.00.

Dated November 16, 2019

BY ORDER OF THE STEWARD:



DANNY R. WRIGHT Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING NUMBER #75

Unlicensed Applicant, **Williams Naupac** DOB 03/24/1985, having satisfied the **Ruling #58** dated **March 21, 2014**, Mr. Naupac is hereby restored to good standings.

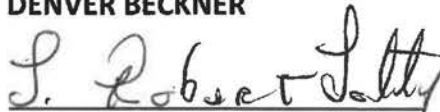
BY ORDER OF THE STEWARDS:

A handwritten signature in black ink, appearing to read "Danny R. Wright", written over a horizontal line.

DANNY R. WRIGHT Chief Steward

A handwritten signature in blue ink, appearing to read "Denver Beckner", written over a horizontal line.

DENVER BECKNER

A handwritten signature in black ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #76

Jockey, **Wladimir Rocha** Permit #30645 DOB 08/22/1979 is fined **Fifty dollars (\$50.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

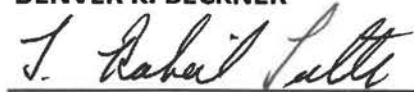
Jockey **Wladimir Rocha** failed to make his reported weight on **Friday November 29, 2019**.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT Chief Steward


DENVER K. BECKNER


L. ROBERT LOTTS

RULING #77

Jockey, **Sylvester Carmouche III** Permit #29346 DOB 01/24/1983 is fined **Fifty dollars (\$50.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

Jockey **Sylvester Carmouche III** failed to make his reported weight on **Friday November 29, 2019**.

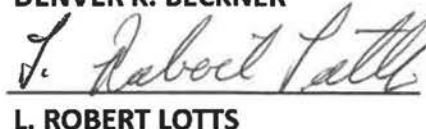
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #78**Trainer, William L. Wells****Permit #30016**

On **November 20, 2019**, the Board of Stewards conducted a hearing for **Trainer, William L. Wells** Permit: **#30016** DOB: **12/22/1985**, regarding a medication violation pertaining to official sample **#E304105** taken from the runner **"Cloud Control"** who finished fourth (4th) in the third (3rd) race on **Thursday September 26, 2019**, was reported by Industrial Testing Laboratory to contain **Ligandrol**. Specifically, the blood sample contained **29.6 ng/ml**.

The Stewards hereby find the following: The official blood sample **#E304105**, taken on **9/26/19** was reported by Industrial Laboratories, the official testing laboratory, to contain **Ligandrol** which is a Class 3 drug, with a A Penalty designation. There is no permissible threshold for **Ligandrol**. Sample **#E304105** contained **29.6 ng/ml** of the drug. The sample was taken from the **Eight (8) horse, "Cloud Control"**, which ran in the **3rd Race on 9/26/19, finishing fourth**

Mr. Wells elected to not have a split sample tested.

Pursuant to **178 W. Va. C.S.R. 1, section 24.11.o**, The Stewards are authorized to take disciplinary action against a permit holder for violating any provision of the Thoroughbred Racing Rule.

Pursuant to section **51.1.a, of the Thoroughbred Racing Rule, 178 W.Va.C.S.R.1**: "The trainer is the absolute insurer of and responsible for the condition of the horses he or she enters in an official workout or a race, regardless of the acts of third parties. If testing or analysis of urine, blood or other bodily substances or tissues prove positive showing the presence of any prohibited drug, medication or substance, the trainer of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined. In addition, the owner of the horse, the foreman in charge of the horse, the groom, and any other person shown to have had the care, attendance of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined."

Pursuant to **178 W. Va. C.S.R. 1, section 49.4.a.2.**, a finding by a Racing Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse, and in the case of a post-race test, was present in the horse's body while it was participating. Prohibited substances included controlled therapeutic medications in excess of established threshold concentrations as set forth in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule, Version 3.2., contained in Table 178-1 F of the Thoroughbred Racing Rule.

Pursuant to **178 W. Va. C.S.R. 1, Table 178-1 F**, there is no post-race threshold for **Ligandrol**. Because of the amount of **Ligandrol** in **"Cloud Control"** **Mr. Wells** may be held responsible and his occupational permit disciplined pursuant to **178 W. Va. C.S.R. 1, sections 49.4.a.2. and 51.1.a.**

The **Ligandrol** positive in **"Cloud Control"** is **Mr. Wells' First Offense** in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated **0 points** under the multiple medication violation point system as a result of this issuance. **Mr. Wells** is assessed **6 points** for this **Ligandrol** medication/substance violation pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1.**

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section **49.1 of the Thoroughbred Racing Rule**:

1. **(Mitigating) The Permit holder's past record:** The permit holder has no violations in this class category or any other in the last 365 days. **Mr. Wells** has no medication violations.
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to **178 W. Va. C.S.R. 1, section 49.2.d**, The amount of **Ligandrol** identified in this plasma sample is small, in the order of 1 part per billion, consistent with the amount of **Ligandrol** that this horse was exposed to be an incidental amount associated with exposure of the horse to a human supplement containing small-undeclared amount of **Ligandrol**.

3. **(Mitigating) The legal availability of the drug:** Ligandrol is legally available but lacks FDA approval; Ligandrol can be found in various products used in human sports powders for recovery after workouts and is advertised for building muscle mass.
4. **Whether there is reason to believe the permit holder knew of the administration of the drug or intentional administered the drug:** The trainer denied treating the horse "Cloud Control" and argued that the miniscule amount detected would have no bearing on the performance of the horse.
5. **The steps taken by the trainer to safeguard the horse:** This factor is not considered in weighing the penalty in this case.
6. **The probability of environmental contamination exposure due to human use:** This factor could be applicable to this case but was not successfully proven.
7. **The purse of the race:** The races in question was an \$5000 Claiming race with a \$13,000 purse. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case.
8. **Whether the drug found was one for which the horse was receiving as a treatment as documented by the treating veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** This factor is not considered in weighing the penalty in this case.
9. **Whether there was any suspicious betting pattern in the race:** There is no evidence of a suspicious betting pattern in this case and therefore, this factor is not considered in weighing the penalty in this case.
10. **Whether the trainer was acting under the advice of a veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** This factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense:

Mr. Wells' horse "Cloud Control" will be disqualified from all purse monies and Mr. Wells will have a total of 6 points on his record. With the Ligandrol positive being the first medication violation in 365 days, and due to the presence of mitigating circumstances the Board of Stewards imposes **180 days suspension** of Mr. Wells' license from **December 11, 2019 through and including June 7, 2020**; he also will be fined **(\$5000) Five thousand dollars**.

While under suspension Mr. Wells is denied the privilege of all grounds under the jurisdiction of the West Virginia Racing Commission.

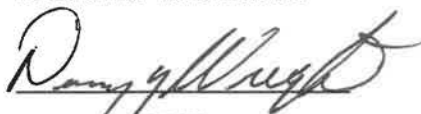
The horse "Cloud Control" is disqualified from all purse money; Re-Distribution is as follows.

1. #2 Cent Comm
2. #5 Southern Barbecue
3. #6 Envision Success
4. #3 One Proud Wildcat
5. #9 Cantakeitanytime
7. #7 Quality Time

All fines imposed by the Stewards shall be paid to the Racing Commission within **Seven (7) days** after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia Rule of Racing Number 178-1-8.5.n. You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.00.

Dated: December 11, 2019

BY ORDER OF THE STEWARD:



DANNY R. WRIGHT

Chief Steward



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #79

Assistant Trainer, **Michael I. Williams**, Permit #29989, DOB 05/07/1956, is hereby fined **Two Hundred and Fifty Dollars (\$250.00)** for being in violation of rule **#178-1-24.11.f** which reads, **"has disturbed the peace on Association Grounds"**, by being in an altercation in the barn area on Saturday, December 7, 2019.

All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per Rule of Racing Number **178-1-8.5.n**.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT Chief Steward


DENVER K. BECKNER


L. ROBERT LOTTS

RULING #80

Owner/Trainer, **Misael Ceciliano**, Permit #26105, DOB 02/23/1961, is hereby fined **Two Hundred and Fifty Dollars (\$250.00)** for being in violation of rule **#178-1-24.11.f** which reads, "**has disturbed the peace on Association Grounds**", by being in an altercation in the barn area on Saturday, December 7, 2019.

All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per Rule of Racing Number **178-1-8.5.n**.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT Chief Steward


DENVER K. BECKNER


L. ROBERT LOTTS

RULING #81

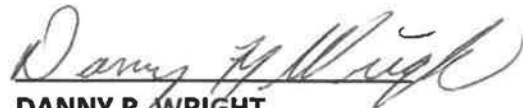
Jockey, **Antonio Lopez** Permit #25309; DOB 01/21/1987, is hereby fined **One Hundred (\$100) Dollars** for violation of West Virginia Rule of Racing Number **178-1-28.3.b**, which reads: "A jockey shall faithfully fulfill all engagements in respect to racing."

Mr. Lopez failed to fulfill his riding engagement on **Wednesday, December 11, 2019**.

All fines imposed by the stewards shall be paid to the Racing Commission within seven days (7) calendar days after the ruling is issued, unless otherwise ordered by the stewards.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

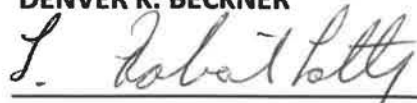
BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #82

Jockey **Fredy Peltroche** Permit #25869; DOB 2/7/1977 is **Suspended Four racing days**, including **Friday December 20, Saturday December 21, 2019, Wednesday January 8, and Thursday January 9, 2020**. Jockey **Peltroche** is in violation of **Rule of Racing #178-1-45.7.b.1**, which reads: "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horses in the race."

Jockey **Peltroche** let his mount, **Starlet Lady** drop in on the clubhouse turn causing the rider of **Personal Server** to take up sharply and unseat her rider in the **Sixth Race on Thursday December 12, 2019**. **Starlet Lady** was **disqualified from Fifth (5th) and placed Tenth (10th)**.

All fines imposed by the Stewards shall be paid to the Racing Commission within **Seven (7) days** after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia Rule of Racing Number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within **20 days** of your receipt of this ruling and must include a security fee in the amount of **Five Hundred (\$500.00) Dollars**.

Dated: December 12, 2019

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT
Chief Steward


DENVER K. BECKNER


L. ROBERT LOTTS

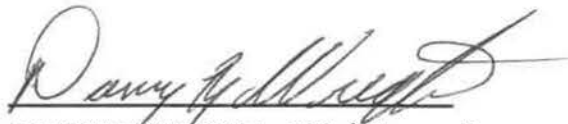
RULING #83

Owner/Trainer, **Anthony Farrior**, Permit #33013; DOB 11/4/1981 is hereby fined **Two Hundred and Fifty (\$250) Dollars** for not having his horse, "**Zitarrosa**" in the paddock at the appointed time for the running of the **Third (3rd) Race on Wednesday December 18, 2019**, necessitating an untimely scratch.

Per Rule of Racing #178-1-26.3.g, which states "Each Trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

All fines imposed by the stewards shall be paid to the Racing Commission within (7) calendar days after the ruling is issued, unless otherwise ordered by the stewards.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

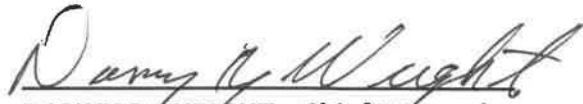
BY ORDER OF THE STEWARDS:**DANNY R. WRIGHT** Chief Steward**DENVER K. BECKNER****L. ROBERT LOTTS**

RULING #84

Jockey **Carlos Delgado**, Permit #30172, DOB 07/31/1995, is hereby fined **Five Hundred Dollars (\$500.00)** for being in violation of rule **#178-1-24.11.f** which reads, "**has disturbed the peace on Association Grounds**", by being in a verbal and physical altercation in **Jockey's Room on Saturday December 14, 2019**.

All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per Rule of Racing Number **178-1-8.5.n**.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

BY ORDER OF THE STEWARDS
DANNY R. WRIGHT Chief Steward
DENVER K. BECKNER
L. ROBERT LOTTS

RULING #85

Jockey **Victor Rodriguez**, Permit #28350, DOB 07/12/1981, is hereby fined **Five Hundred Dollars (\$500.00)** for being in violation of rule **#178-1-24.11.f** which reads, "has disturbed the peace on Association Grounds", by being in a verbal and physical altercation in **Jockey's Room on Saturday December 14, 2019.**

All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per Rule of Racing Number **178-1-8.5.n.**

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

BY ORDER OF THE STEWARDS


DANNY R. WRIGHT Chief Steward
DENVER K. BECKNER
L. ROBERT LOTTS

RULING #86**Owner/Trainer, Kevin S. Patterson****Permit #25875**

On **November 22, 2019**, the Board of Stewards offered a hearing to **Owner/Trainer, Kevin S. Patterson Permit #25875, DOB 01/13/1960** to which he waived his right to a hearing regarding a medication violation pertaining to his horse **"Flashy Dragon Girl"** who finished first (1st) in the second (2nd) race on **Saturday, November 9, 2019**.

The Stewards hereby find the following: The official blood sample **#339354**, taken on **11/09/19** was reported by **Industrial Laboratories**, the official testing laboratory, to contain **Dexamethasone** which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for **Dexamethasone 5 pg/ml in plasma or serum**. Sample **#339354** contained **35.3 pg/ml** of the drug, which is above the permissible threshold for this drug. The sample was taken from the **Seven (7) horse, "Flashy Dragon Girl"**, which ran in the **2nd Race on 11/09/19**, finishing first.

Mr. Patterson elected to have a split sample tested. The split **#339354** was sent to **Truesdale Laboratories** and was received on **12/11/2019** and reported on **12/30/2019**. Sample **#339354** contained **37.2 pg/ml** of the drug, which is above the permissible threshold for this drug, confirming the presences of the drug **Dexamethasone**.

Pursuant to **178 W. Va. C.S.R. 1, section 24.11.o**, The Stewards are authorized to take disciplinary action against a permit holder for violating any provision of the Thoroughbred Racing Rule.

Pursuant to section **51.1.a, of the Thoroughbred Racing Rule, 178 W.Va.C.S.R.1**: "The trainer is the absolute insurer of and responsible for the condition of the horses he or she enters in an official workout or a race, regardless of the acts of third parties. If testing or analysis of urine, blood or other bodily substances or tissues prove positive showing the presence of any prohibited drug, medication or substance, the trainer of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined. In addition, the owner of the horse, the foreman in charge of the horse, the groom, and any other person shown to have had the care, attendance of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined."

Pursuant to **178 W. Va. C.S.R. 1, section 49.4.a.2.**, a finding by a Racing Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse, and in the case of a post-race test, was present in the horse's body while it was participating. Prohibited substances included controlled therapeutic medications in excess of established threshold concentrations as set forth in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule, Version 3.2., contained in Table 178-1 F of the Thoroughbred Racing Rule

Pursuant to **178 W. Va. C.S.R. 1, Table 178-1 F**, the post-race threshold for **Dexamethasone** is **5 pg/ml in plasma or serum**. Because the amount of **Dexamethasone** in **"Flashy Dragon Girl"** exceeded the acceptable threshold set forth in **Table 178-1 F**, **Mr. Patterson** may be held responsible and his occupational permit disciplined pursuant to **178 W. Va. C.S.R. 1, sections 49.4.a.2. and 51.1.a.**

The **Dexamethasone** positive is **Mr. Patterson's First Offense** in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated **0 points** under the multiple medication violation point system. **Mr. Patterson** is assessed **½ point** for this **Dexamethasone** medication/substance violation pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1**.

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section **49.1 of the Thoroughbred Racing Rule**:

1. **(Mitigating) The Permit holder's past record:** The permit holder has no violations in the last 365 days
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to **178 W. Va. C.S.R. 1, section 49.2.d**, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the

effects of the medication, to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it races, and to ensure the integrity of racing so that horses aren't racing under the effect of a medication that could affect performance.

3. **(Mitigating) The legal availability of the drug:** Dexamethasone is legally available.
4. **Whether there is reason to believe the permit holder knew of the administration of the drug or intentional administered the drug:** Inasmuch as there was no hearing in this matter it was not established whether or not the permit holder knew of the administration of the drug, or the circumstances under which the drug may have been given. Therefore this factor is not considered in weighing the penalty in this case.
5. **The steps taken by the trainer to safeguard the horse:** Inasmuch as there was no hearing in this case it is unknown what efforts the trainer made to ensure that the treatment of the horse with **Dexamethasone** was done within the withdrawal guidelines and dosing specifications set forth in **178 W. Va. C.S.R. 1, Table 178-1 F**, so as to avoid a positive. Therefore this factor is not considered in weighing the penalty in this case.
6. **The probability of environmental contamination exposure due to human use:** This factor is not applicable to this case.
7. **The purse of the race:** The race in question was a **Claiming** race with a **\$13,000 purse**. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case.
8. **Whether the drug found was one for which the horse was receiving as a treatment as documented by the treating veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated by a veterinarian with **Dexamethasone**. Therefore, this factor is not considered in weighing the penalty in this case.
9. **Whether there was any suspicious betting pattern in the race:** There is no evidence of a suspicious betting pattern in this case and therefore, this factor is not considered in weighing the penalty in this case.
10. **Whether the trainer was acting under the advice of a veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated with **Dexamethasone** by a veterinarian. Therefore, this factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense:

Mr. Patterson's horse "Flashy Dragon Girl" will be disqualified from all purse money and **Mr. Patterson** will have a total of **½ points** on his record. With the **Dexamethasone** positive being the first medication violation in 365 days, **Mr. Patterson** will be is fined **\$1000.00 dollars**.

The horse **"Flashy Dragon Girl"** is disqualified from all purse money. The distribution is as follows:

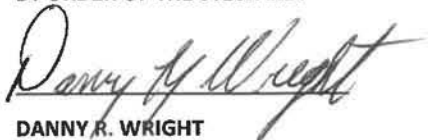
1. #3 Rapid Route
2. #1 Glotonasa
3. #4 Miss Casuarina
4. #2 Ms. Picadilly
5. #5 R. Paper Chaser

All fines imposed by the Stewards shall be paid to the Racing Commission within **Seven (7) days** after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia Rule of Racing Number 178-1-8.5.n.

You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.00.

Dated: December 31, 2019

BY ORDER OF THE STEWARD:


DANNY R. WRIGHT


DENVER K. BECKNER


L. ROBERT LOTTS