

**BEFORE THE BOARD OF CHARLES TOWN BOARD OF STEWARDS
RULING - MEDICATION VIOLATION**

RULING NUMBER 151-

TO: ELEX D. BOWMAN

On 10/26-16, the Board of Stewards Afforded a hearing regarding allegations set forth a Notice of Hearing issued on 10-25-16. Mr. BOWMAN waived his right to a hearing. After considering the evidence, the Stewards hereby find the following:

The official blood and/or urine sample # 196095 taken on 10/7/16, was reported by Industrial Laboratories, official testing laboratory, to contain PHENYLBUTAZONE, which is a Class 4 drug, with a C Penalty designation. The permissible threshold for PHENYLBUTAZONE IS 2 UG/ML, Sample # 196095 contained 3.8 UG/ML of the drug, which is above the permissible threshold for the drug. The sample was taken from, the number 3 horse, (PRICELESS DANCER) that ran in the 8 race on OCTOBER 7, 2016, finishing 5TH.

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

The Stewards conclude that Mr. BOWMAN has violated section (s) 178-1-51.1.a of the Thoroughbred Racing Rule, 178 W. Va. C.S.R. 1. This medication/prohibited substance violation is the permit holder's 1ST offense for a medication/substance violation carrying a Category C penalty. The permit holder has accumulated 0 points under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation are 1 POINT pursuant to section 49.3. m. of 178 of W. Va. C.S.R. 1.

The Penalty Guidelines set forth in Table 178-1 E of the Thoroughbred Racing Rules provide a minimum penalty of A WRITTEN WARNING TO A MAXIMUM 500 DOLLAR FINE. The Stewards determine the appropriate penalty for the underlying offense on case by case basis by considering mitigating and aggravating factors.

The following is the Stewards' analysis of the mitigating/aggravating factors in this matter:

- A.) *(Mitigating)* The permit holder's past record. – NO VIOLATIONS
- B.) *(Aggravating)* The potential of the drug to influence the horse's racing performance.- YES, AT THIS LEVEL
- C.) *(Aggravating)* The legal availability of the drug. ALLOWED
- D.) *(Mitigating)* Whether there is reason to believe the permit holder the knew of the administration of the drug or intentionally administered the drug.- KNEW OF TREATMENT
- E.) *(Mitigating)* The steps taken by the trainer to safeguard the horse.
The probability of environmental contamination or inadvertent exposure due to human drug use.
- N/A
- G.) *(Mitigating)* The purse of the race.- N/A

H.) (*Aggravating*) Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment records.- HORSE WAS BEING TREATED

I.) (*Mitigating*) Whether there was any suspicious betting pattern in the race.- N/A

J.) (*Mitigating*) 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.- ACTING UNDER ADVICE OF VET.

K.) Other factors deemed relevant by the Stewards.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: Mr. BOWMAN is fined 250.00 dollars, and the additional penalty of 1 point under the multiple medication violation point system, for a total penalty of 1 points.

The fine shall be paid within 7 calendar days after this ruling is issued.

THERE WAS NO PURSE REDISTRIBUTION.

Purse is as follows:

1st GRIP AND RUDE

2nd ONE MOVE

3rd RISK IT

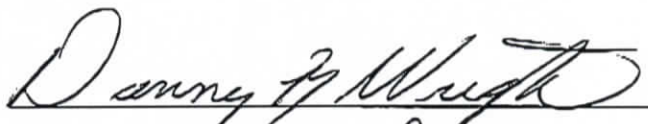
4th ANGELIC FLIGHT

5th PRICELESS DANCER

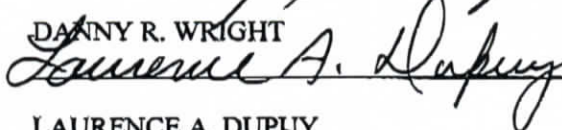
6TH CAPTAIN COLE

You have the right to appeal this Ruling to the West Virginia 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 \$100.00.

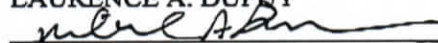
Dated: 10-27-16



DANNY R. WRIGHT



LAURENCE A. DUPLY



MIKE PEARSON

**BEFORE THE BOARD OF CHARLES TOWN BOARD OF STEWARDS
RULING - MEDICATION VIOLATION**

RULING NUMBER 152-

TO: RICARDO RANGEL

On 10/26-16, the Board of Stewards Afforded a hearing regarding allegations set forth a Notice of Hearing issued on 10-25-16. Mr. RANGEL waived his right to a hearing. After considering the evidence, the Stewards hereby find the following:

The official blood and/or urine sample # 197088 taken on 10/7/16, was reported by Industrial Laboratories, official testing laboratory, to contain PHENYLBUTAZONE, which is a Class 4 drug, with a C Penalty designation. The permissible threshold for PHENYLBUTAZONE IS 2 UG/ML, Sample # 197088 contained 2.6 UG/ML of the drug, which is above the permissible threshold for the drug. The sample was taken from, the number 5 horse, (SUGARFREE LOLLIPOP) that ran in the 3 race on OCTOBER 7, 2016, finishing 3RD.

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

The Stewards conclude that Mr. RANGEL has violated section (s) 178-1-51.1.a of the Thoroughbred Racing Rule, 178 W. Va. C.S.R. 1. This medication/prohibited substance violation is the permit holder's 1ST offense for a medication/substance violation carrying a Category C penalty. The permit holder has accumulated 0 points under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation are 1 POINT pursuant to section 49.3. m. of 178 of W. Va. C.S.R. 1.

The Penalty Guidelines set forth in Table 178-1 E of the Thoroughbred Racing Rules provide a minimum Penalty of A WRITTEN WARNING TO A MAXIMUM 500 DOLLAR FINE. The Stewards determine the appropriate penalty for the underlying offense on case by case basis by considering mitigating and aggravating factors.

The following is the Stewards' analysis of the mitigating/aggravating factors in this matter:

- A.) (*Mitigating*) The permit holder's past record. – NO VIOLATIONS
- B.) (*Aggravating*) The potential of the drug to influence the horse's racing performance.- YES, AT THIS LEVEL
- C.) (*Aggravating*) The legal availability of the drug. ALLOWED
- D.) (*Mitigating*) Whether there is reason to believe the permit holder the knew of the administration of the drug or intentionally administered the drug.- KNEW OF TREATMENT
- E.) (*Mitigating*) The steps taken by the trainer to safeguard the horse.
The probability of environmental contamination or inadvertent exposure due to human drug use.
- N/A
- G.) (*Mitigating*) The purse of the race.- N/A

H.) (*Aggravating*) Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment records.- HORSE WAS BEING TREATED

L.) (*Mitigating*) Whether there was any suspicious betting pattern in the race.- N/A

J.) (*Mitigating*) 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.- ACTING UNDER ADVICE OF VET.

K.) Other factors deemed relevant by the Stewards.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: Mr. RANGEL is fined 250.00 dollars, and the additional penalty of 1 point under the multiple medication violation point system, for a total penalty of 1 points.

The fine shall be paid within 7 calendar days after this ruling is issued.

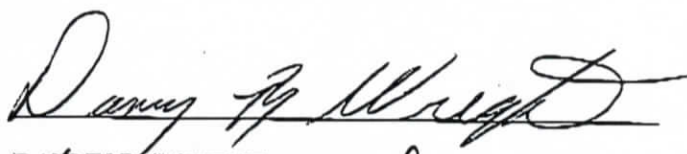
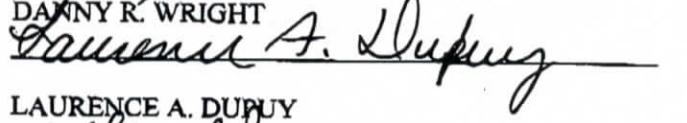

THERE WAS NO PURSE REDISTRIBUTION.

Purse is as follows:

- 1st JUST A LIL RUNAWAY
- 2nd STAR STELLA
- 3rd SUGARFREE LOLLIPOP
- 4th MISS FEDS UP
- 5th DON'T CROSS SARAH
- 6th CASTALONGSHADOW

You have the right to appeal this Ruling to the West Virginia 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 \$100.00.

Dated: 10-27-16


DANNY R. WRIGHT

LAURENCE A. DUPUY


MIKE PEARSON

CHARLES TOWN RACES

STEWARDS RULING

OCTOBER 27, 2016

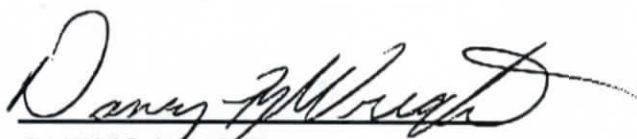
RULING NUMBER 153

Apprentice Jockey, **Darius Thorpe**, Permit #1262; SS# xxx-xx-2423, is hereby fined **One-Hundred (\$100.00) Dollars** for failure to do his reported weight, on **Wednesday, October 26, 2016**. This is in violation of West Virginia Rule of Racing Number **178-1-45.5.d** which states, "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."

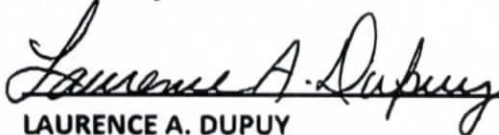
All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per Rule of Racing Number 178-1-8.5.n.

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 One-Hundred (\$100.00) Dollars.

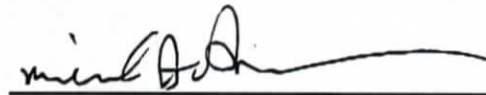
BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL PEARSON

CHARLES TOWN RACES

STEWARDS RULINGS

OCTOBER 27, 2016

RULING NUMBER 154

Jockey, **Guillermo Rodriguez**, Permit #12623; SS# xxx-xx-2971 is hereby **suspended 14 days, beginning Friday, October 28, 2016 through and including Thursday, November 10, 2016**, 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."

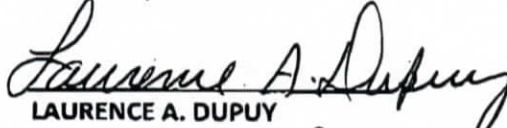
Shortly after leaving the starting gate in the **First Race, on Friday, October 21, 2016**, Jockey Rodriguez came over when the way was not clear and caused interference to **"Ormond Moon" (3)**. With pressure, coming from **"Open Pit" (5)**, Rodriguez's mount, this move subsequently forced **"Ormond Moon"** in, and caused **"Bullet Thief" (2)** to clip heels and fall.

Rodriguez's mount **"Open Pit" (5)**, was **disqualified from First position and placed last**.

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 One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT
LAURENCE A. DUPUY
MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULING

OCTOBER 26, 2016

RULING NUMBER ~~151~~

155

Please Change

10979

Owner/Trainer, Lofflin Downie, Permit # 110979, SS#: xxx-xx-5906 is hereby restored to good standing having fulfilled his financial responsibilities on **October 26, 2016**.

RE: Ruling #98/132 on September 07, 2016

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT
LAURENCE A. DUPUY
MICHAEL PEARSON

CHARLES TOWN RACES

STEWARDS RULING

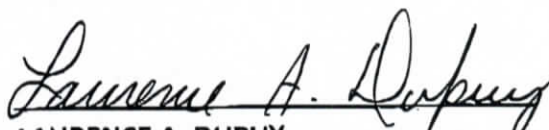
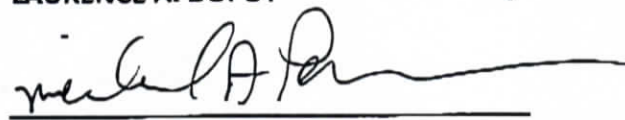
OCTOBER 26, 2016

RULING NUMBER 151

Owner/Trainer, Lofflin Downie, Permit # 110979, SS#: xxx-xx-5906 is hereby restored to good standing having fulfilled his financial responsibilities on **October 26, 2016**.

RE: Ruling #98/132 on September 07, 2016

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT
LAURENCE A. DUPUY
MICHAEL PEARSON

**BEFORE THE BOARD OF STEWARDS
CHARLES TOWN RACE TRACK**

STEWARDS PROOF OF HEARING

RULING #156

To: Jockey, Jerry Villegas, Permit #12178; SS#xxx-xx-4546

On **October 19, 2016**, Mr. Villegas was afforded a hearing before the Board of Stewards, regarding allegations of Rule of Racing violations, **178-1-24.11.gg**, which reads "has engaged in conduct unbecoming or detrimental to the best interests of racing".

Mr. Villegas was witnessed using a cell phone in a restricted area (**Jocks Room**).

After hearing the testimony, at which time Mr. Villagas admitted to the charges, the Board of Stewards find Mr. Villegas guilty, and he was issued a fine of **Five Hundred Dollars (\$500.00)**.

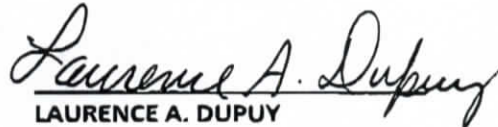
DATED: 10/29/2016

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 \$100.00.

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL PEARSON

**BEFORE THE BOARD OF CHARLES TOWN BOARD OF STEWARDS
RULING - MEDICATION VIOLATION**

RULING NUMBER 157

TO: JAMES L CORNWELL JR.

On 10-28-16, the Board of Stewards Afforded a hearing regarding allegations set forth a Notice of Hearing issued on 10-26-16. Mr. CORNWELL waived his right to a hearing. After considering the evidence, the Stewards hereby find the following:

The official blood and/or urine sample # 197121 taken on 10/12/16, was reported by Industrial Laboratories, 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, Sample # 197121 contained 53.4 PG/ML of the drug, which is above the permissible threshold for the drug. The sample was taken from, the number 3 horse, (LUCKY EIGHT) that ran in the 3 race on AUGUST 12, 2016, finishing 2ND.

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

The Stewards conclude that Mr. CORNWELL has violated section(s) 178-1-51.1.a of the Thoroughbred Racing Rule, 178 W. Va. C.S.R. 1. This medication/prohibited substance violation is the permit holder's 1ST offense for a medication/substance violation carrying a Category C penalty. The permit holder has accumulated 0 points under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation are 1 POINT pursuant to section 49.3. m. of 178 of W. Va. C.S.R. 1.

The Penalty Guidelines set forth in Table 178-1 E of the Thoroughbred Racing Rules provide a minimum penalty of 1,000 DOLLAR FINE and a LOSS OF PURSE. The Stewards determine the appropriate penalty for the underlying offense on case by case basis by considering mitigating and aggravating factors.

The following is the Stewards' analysis of the mitigating/aggravating factors in this matter:

A.) (*Mitigating*) The permit holder's past record. - NO VIOLATIONS

B.) (*Aggravating*) The potential of the drug to influence the horse's racing performance.- YES, AT THIS LEVEL

C.) (*Aggravating*) The legal availability of the drug. ALLOWED

D.) (*Mitigating*) Whether there is reason to believe the permit holder the knew of the administration of the drug or intentionally administered the drug.- KNEW OF TREATMENT

E.) (*Mitigating*) The steps taken by the trainer to safeguard the horse.

The probability of environmental contamination or inadvertent exposure due to human drug use.

N/A

G.) (*Mitigating*) The purse of the race.- N/A

H.) (*Aggravating*) Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment records.- HORSE WAS BEING TREATED

I.) (*Mitigating*) Whether there was any suspicious betting pattern in the race.- N/A

J.) (*Mitigating*) 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.- ACTING UNDER ADVICE OF VET.

K.) Other factors deemed relevant by the Stewards.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: Mr. CORNWELL is fined 1000 dollars, and the additional penalty of 1 point under the multiple medication violation point system, for a total penalty of 1 points.

The fine shall be paid within 7 calendar days after this ruling is issued.

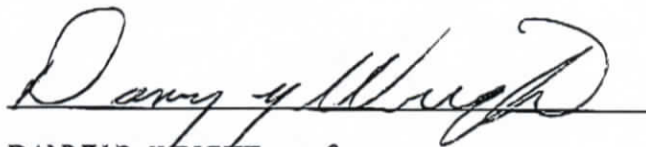
LUCKEY EIGHT is disqualified from ALL PURSE MONEY.

Redistribution of purse is as follows:

- 1st GREAT NORTHERN
- 2nd PARHAM ROAD
- 3rd MAGIC SPUR
- 4th WILD GERANIUMS
- 5th SHESALITTLEKEEPER
- 6TH

You have the right to appeal this Ruling to the West Virginia 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 \$100.00.

Dated: 10/28/16



DANNY R. WRIGHT



LAURENCE A. DUPUY



MIKE PEARSON

**BEFORE THE BOARD OF CHARLES TOWN BOARD OF STEWARDS
RULING - MEDICATION VIOLATION**

RULING NUMBER 157

TO: JAMES L CORNWELL JR.

On 10-28-16, the Board of Stewards Afforded a hearing regarding allegations set forth a Notice of Hearing issued on 10-26-16. Mr. CORNWELL waived his right to a hearing. After considering the evidence, the Stewards hereby find the following:

The official blood and/or urine sample # 197121 taken on 10/12/16, was reported by Industrial Laboratories, 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, Sample # 197121 contained 53.4 PG/ML of the drug, which is above the permissible threshold for the drug. The sample was taken from, the number 3 horse, (LUCKY EIGHT) that ran in the 3 race on AUGUST 12, 2016, finishing 2ND. / 0

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

The Stewards conclude that Mr. CORNWELL has violated section(s) 178-1-51.1.a of the Thoroughbred Racing Rule, 178 W. Va. C.S.R. 1. This medication/prohibited substance violation is the permit holder's 1ST offense for a medication/substance violation carrying a Category C penalty. The permit holder has accumulated 0 points under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation are 1 POINT pursuant to section 49.3. m. of 178 of W. Va. C.S.R. 1.

The Penalty Guidelines set forth in Table 178-1 E of the Thoroughbred Racing Rules provide a minimum penalty of 1,000 DOLLAR FINE and a LOSS OF PURSE. The Stewards determine the appropriate penalty for the underlying offense on case by case basis by considering mitigating and aggravating factors.

The following is the Stewards' analysis of the mitigating/aggravating factors in this matter:

- A.) *(Mitigating)* The permit holder's past record. - NO VIOLATIONS
- B.) *(Aggravating)* The potential of the drug to influence the horse's racing performance.- YES, AT THIS LEVEL
- C.) *(Aggravating)* The legal availability of the drug. ALLOWED
- D.) *(Mitigating)* Whether there is reason to believe the permit holder the knew of the administration of the drug or intentionally administered the drug.- KNEW OF TREATMENT
- E.) *(Mitigating)* The steps taken by the trainer to safeguard the horse.
The probability of environmental contamination or inadvertent exposure due to human drug use.
- N/A
- G.) *(Mitigating)* The purse of the race.- N/A

**BEFORE THE BOARD OF CHARLES TOWN BOARD OF STEWARDS
RULING - MEDICATION VIOLATION**

RULING NUMBER 157

TO: JAMES L CORNWELL JR.

On 10-28-16, the Board of Stewards Afforded a hearing regarding allegations set forth a Notice of Hearing issued on 10-26-16. Mr. CORNWELL waived his right to a hearing. After considering the evidence, the Stewards hereby find the following:

The official blood and/or urine sample # 197121 taken on 10/12/16, was reported by Industrial Laboratories, 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, Sample # 197121 contained 53.4 PG/ML of the drug, which is above the permissible threshold for the drug. The sample was taken from, the number 3 horse, (LUCKY EIGHT) that ran in the 3 race on 10/12, 2016, finishing 2ND.

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

The Stewards conclude that Mr. CORNWELL has violated section(s) 178-1-51.1.a of the Thoroughbred Racing Rule, 178 W. Va. C.S.R. 1. This medication/prohibited substance violation is the permit holder's 1ST offense for a medication/substance violation carrying a Category C penalty. The permit holder has accumulated 0 points under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation are 1 POINT pursuant to section 49.3. m. of 178 of W. Va. C.S.R. 1.

The Penalty Guidelines set forth in Table 178-1 E of the Thoroughbred Racing Rules provide a minimum penalty of 1,000 DOLLAR FINE and a LOSS OF PURSE. The Stewards determine the appropriate penalty for the underlying offense on case by case basis by considering mitigating and aggravating factors.

The following is the Stewards' analysis of the mitigating/aggravating factors in this matter:

- A.) **(Mitigating)** The permit holder's past record. – NO VIOLATIONS
- B.) **(Aggravating)** The potential of the drug to influence the horse's racing performance.- YES, AT THIS LEVEL
- C.) **(Aggravating)** The legal availability of the drug. ALLOWED
- D.) **(Mitigating)** Whether there is reason to believe the permit holder the knew of the administration of the drug or intentionally administered the drug.- KNEW OF TREATMENT
- E.) **(Mitigating)** The steps taken by the trainer to safeguard the horse.
The probability of environmental contamination or inadvertent exposure due to human drug use.
- N/A
- G.) **(Mitigating)** The purse of the race.- N/A

**BEFORE THE BOARD OF STEWARDS
CHARLES TOWN RACETRACK**

RULING - MEDICATION VIOLATIONS

RULING NUMBER # 158

TO: **Ricardo Murillo**
624 E. Burline Road
York Springs, Pennsylvania 17372

Owner/Trainer Permit # 11651
Authorized Agent # 11684
Blacksmith # 11652
Pony Rider # 11383

On November 2, 2016, the Board of Stewards conducted hearings regarding allegations set forth in two notices of hearing issued on October 26, 2016 to Ricardo Murillo. Mr. Murillo was present in person and testified before the Board of Stewards. After considering the evidence, the Board of Stewards hereby finds the following:

The official blood and urine samples # **E197020** taken on **September 28, 2016** were reported by Industrial Laboratories to contain N-ethylnicotinamide, the metabolite of Nikethamide. Pursuant to Table 178-1 D of the Thoroughbred Racing Rule, 178 C.S.R. 1, Nikethamide is a Class 1 Drug, carrying a Category A penalty. The samples were taken from "**Naku Ka Ni Way Ra**", which ran in the **RACE NUMBER 3** on **September 28, 2016**, finishing 1st. The horse is trained by **Ricardo Murillo** and owned by **Lesly Ivy Kinhead**.

After notification to Mr. Murillo, he declined to conduct split sample testing on the samples taken from "**Naku Ka Ni Way Ra**."

The official blood and urine samples # **E197047** taken on **September 30, 2016** were reported by Industrial Laboratories to contain Dextromorphan, a metabolite of Dextromethorphan. Pursuant to Table 178-1 D of the Thoroughbred Racing Rule, 178 C.S.R. 1, Dextromethorphan is a Class 4 Drug, carrying a Category B penalty. The samples were taken from "**Denise of Cork**", which ran in the **RACE NUMBER 6** on **September 30, 2016**, finishing 5th. The horse is trained by **Ricardo Murillo** and owned by **Nelsi Roman Salon and Saturnino Naupac**.

After notification to Mr. Murillo, he declined to conduct split sample testing on the samples taken from "**Denise of Cork**."

The Board of Stewards conclude that **Ricardo Murillo** has violated sections **49.4.a.1.** and **51.1.a.** of the Thoroughbred Racing Rule, 178 C.S.R. 1. Specifically, N-ethylnicotinamide, the metabolite of Nikethamide, confirmed to be present in "**Naku Ka Ni Way Ra**'s" body while it was participating in a race, is a drug or medication for which no acceptable threshold concentration has been established by the West Virginia Racing Commission. Therefore, the presence of N-ethylnicotinamide, the metabolite of Nikethamide, in "**Naku Ka Ni Way Ra**" is a violation of 178 C.S.R. 1, § 49.4.a.1.

The Board of Stewards concludes that **Ricardo Murillo** has violated sections **49.4.a.1.** and **51.1.a.** of the Thoroughbred Racing Rule, 178 C.S.R. 1. Specifically, Dextrorphan, a metabolite of Dextromethorphan, confirmed to be present in "Denise of Cork's" body while it was participating in a race, is a drug or medication for which no acceptable threshold concentration has been established by the West Virginia Racing Commission. Therefore, the presence of Dextrorphan, a metabolite of Dextromethorphan in "Denise of Cork" is a violation of 178 C.S.R. 1, § 49.4.a.1.

In addition, pursuant to section 51.1.a. of the Thoroughbred Racing Rule, 178 C.S.R. 1, as the trainer of "**Naku Ka Ni Way Ra**" and "**Denise of Cork**," Ricardo Murillo is the absolute insurer of and responsible for the condition of these horses, regardless of the acts of third parties. Inasmuch as the testing of urine and blood from "Naku Ka Ni Way Ra" and "Denise of Cork" proved positive showing the presence of prohibited drugs, medications, or substances, Ricardo Murillo, as the trainer of the horses, may be fined, suspended, have his occupational permits revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined.

The medication/prohibited substance violation associated with the positive in "**Naku Ka Ni Way Ra**" is Ricardo Murillo's **FIRST** offense for a drug carrying a Category A penalty. The Penalty Guidelines set forth in Table 178-1 E of the Thoroughbred Racing Rule provide a minimum penalty of a one (1) year suspension and a \$10,000.00 fine.

The medication/prohibited substance violation associated with the positive in "**Denise of Cork**" is Ricardo Murillo's **FIRST** offense for a drug carrying a Category B penalty. The Penalty Guidelines set forth in Table 178-1 E of the Thoroughbred Racing Rule provide a minimum penalty of a fifteen (15) day suspension and a \$500.00 fine.

An analysis of the mitigating/aggravating factors is as follows:

Mr. Murillo's past record as a permit holder is relatively good in that Mr. Murillo has had only one previous medication violation: a Phenylbutazone positive in Maryland on or about April 7, 2001 for which he was fined \$500.00.

However, Nikethamide and its metabolite, found in "Naku Ka Ni Way Ra" is a Class 1 Drug. Pursuant to 178 C.S.R. 1, § 49.2.a., Class 1 drugs have no generally accepted medical use in the racehorse and their pharmacological potential for altering the performance of a race is very high. This is an aggravating factor.

It is also an aggravating factor that Nikethamide is not available on the legal, commercial market in the United States for human or veterinary use. Nikethamide is not FDA approved for use in the United States.

During the hearing, Mr. Murillo failed to offer anything other than speculation as to how Nikethamide, a very serious drug, got into "Naku Ka Ni Way Ra."

With regard to the Dextrorphan, a metabolite of Dextromethorphan, found in "Denise of Cork," Mr. Murillo admitted giving the drug to the horse to treat a cough. Mr. Murillo testified that he went to Walmart and purchased an over-the-counter cough medicine sold for human use and put the drug in the horse's feed. At no time did Mr. Murillo consult a veterinarian or give the drug to the horse on the advice of or on the basis of a prescription from a veterinarian. While Class 4 drugs generally have a

more limited ability to affect the performance of the horse – which presents a mitigating factor – the administration of this drug was not done on the advice of or the treatment of a licensed veterinarian. The lack of veterinary involvement in the treatment of the horse and the trainer's choice to resort to self-help to medicate the horse with a drug sold for human use is an aggravating factor.

Weighing and balancing the aggravating and mitigating factors, the Board of Stewards finds that the minimum penalty for each offense is appropriate in this case. Therefore, the Stewards hereby impose the following penalties:

Mr. Murillo is hereby **SUSPENDED** for **ONE (1) year** and **FINED \$10,000.00** for the first offense Class 1, Category A, drug positive in "Naku Ka Ni Way Ra." Pursuant to 178 C.S.R. 1, § 49.3.m., Mr. Murillo is assessed **SIX (6) POINTS** under the Multiple Medication Violation rule for this violation. In addition, "Naku Ka Ni Way Ra" is hereby placed on the Veterinarian's List for **NINETY (90) days** from October 14, 2016 and must pass an examination before becoming eligible to be entered in a race. The purse of the race is ordered to be **FORFEITED** and "Naku Ka Ni Way Ra" is **DISQUALIFIED** from its first place finish in **RACE NUMBER 3** on **September 28, 2016**. The order of finish is hereby re-ordered as follows:

1. **Crossing Borders**
2. **Portuguese Prince**
3. **Mamaslittlesecret**
4. **Prince of Darkness**
5. **Perimont**

Mr. Murillo is hereby **SUSPENDED** for **FIFTEEN (15) DAYS** and **FINED \$500.00** for the first offense Class 4, Category B, drug positive in "Denise of Cork." Pursuant to 178 C.S.R. 1, § 49.3.m., Mr. Murillo is assessed **FOUR (4) POINTS** under the Multiple Medication Violation rule for this violation. "Denise of Cork" is **DISQUALIFIED** from its fifth place finish in **RACE NUMBER 6** on **September 30, 2016**. The order of finish is hereby ordered as follows:

1. **Thumb Run**
2. **Sienna's Estate**
3. **Polly Jean**
4. **Miss Be Good**

As a result of the accumulation of a total of **TEN (10) POINTS** under the Multiple Medication Violation rule for the above-listed violations, Mr. Murillo's permits are hereby **SUSPENDED** an additional **ONE HUNDRED EIGHTY (180) days** pursuant to 178 C.S.R. 1, § 49.3.m.6.

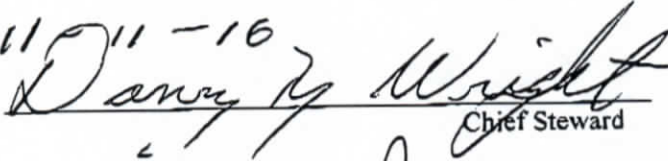
Accordingly, it is hereby **ORDERED** that Ricardo Murillo's permits are **SUSPENDED** for a total of **ONE (1) YEAR** and **ONE HUNDRED NINETY FIVE (195) days** effective on the date of this ruling. It is further **ORDERED** that Ricardo Murillo is **FINED** a total of **\$10,500.00**. Pursuant to 178 C.S.R. 1, § 8.5.n., such fine shall be paid within seven (7) calendar days after this ruling is issued.

During the period of Mr. Murillo's suspension and until such time as the aforementioned fine is paid, he shall be denied access to the grounds of any licensed association under the jurisdiction of the West Virginia Racing Commission.

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 \$100.00.

Dated:

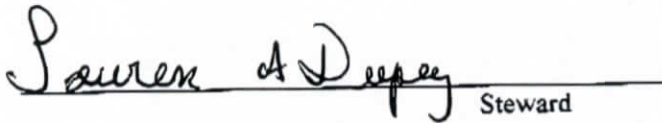
11-11-16

A handwritten signature in cursive script, reading "Danny R. Wright", written over a horizontal line.

Chief Steward

A handwritten signature in cursive script, reading "Michael A. Smith", written over a horizontal line.

Steward

A handwritten signature in cursive script, reading "Lauren A. Depey", written over a horizontal line.

Steward

CHARLES TOWN RACES

STEWARDS RULING

NOVEMBER 11, 2016

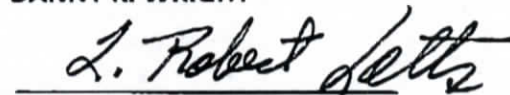
RULING NUMBER 159

Groom, **John Soto**, Permit #12525; SS#: xxx-xx-5693, has been **rescinded**.

Mr. Soto falsified his application, by failing to report a felony conviction. This is in violation of **West Virginia Rule of Racing Number 178-1-24.11.k**, which states, "has failed to disclose or has falsely stated any information required in the application for a permit."

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 One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT
L. ROBERT LOTTS
MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULING

NOVEMBER 15, 2016

RULING NUMBER 160

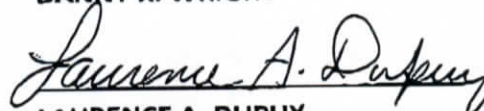
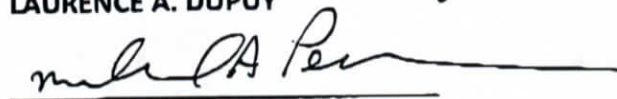
Jockey, **Joseph Schneider**, Permit # 10955; SS# xxx-xx-8273, is hereby fined **One Hundred (\$100.00)** Dollars for violation of **Rule of Racing Number 178-45.7.e**, which states: **"All horses shall be ridden out past the finish line in every race."**

Mr. Schneider stood up before the wire in the **Fourth (4) Race, November 12, 2016.**

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.

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 One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT
LAURENCE A. DUPUY
MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULING

NOVEMBER 15, 2016

RULING NUMBER 161

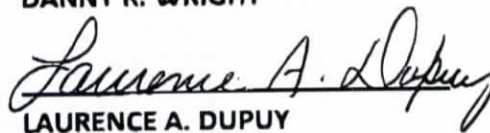
Jockey, **Antonio Lopez**, Permit # 10721; SS# xxx-xx-1310, is hereby fined **One Hundred (\$100.00)** Dollars for violation of **Rule of Racing Number 178-45.7.e**, which states: "**All horses shall be ridden out past the finish line in every race.**"

Mr. Lopez stood up before the wire in the **Fourth (4) Race, November 12, 2016.**

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.

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 One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT
LAURENCE A. DUPUY
MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULING

NOVEMBER 15, 2016

RULING NUMBER 162

Jockey, **Christian Hiraldo**, Permit # 12179; SS# xxx-xx-4368, is hereby fined **One Hundred (\$100.00)** Dollars for violation of **Rule of Racing Number 178-45.7.e**, which states: **"All horses shall be ridden out past the finish line in every race."**

Mr. Hiraldo stood up before the wire in the **Fourth (4) Race, November 12, 2016.**

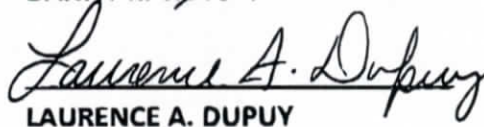
All fines imposed by the Stewards, shall be paid to the Racing Commission within seven (7) calendar days after the ruling is issued, unless otherwise ordered by the Stewards.

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 One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULINGS

NOVEMBER 15, 2016

RULING NUMBER 163

Jockey, **Jerry Villegas**, Permit #12178; SS xxx-xx-4546, is hereby fined **(\$500) Five Hundred Dollars**, for violation of **Rule of Racing, Number 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 Villegas allowed his mount "**Windsor Flight**", which ran in the **5th Race, Thursday, November 10, 2016, finishing 2nd** to drift in and cause interference to "**Cou Rouge**" (5) horse.

Villegas's mount, "**Windsor Flight**", was **disqualified from 2nd and placed 5th**.

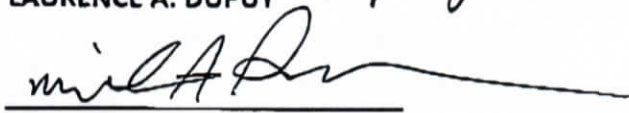
All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia Rule of Racing Number 178-1-8.5.n.

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 One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


LAURENCE A. DUPUY


MICHAEL A. PEARSON

**BEFORE THE BOARD OF STEWARDS
CHARLES TOWN RACE TRACK
RULING-MEDICATION VIOLATION**

RULING #164

TO: **Owner/Trainer Ricardo Murillo**; Permit #11651; SS# xxx-xx-1396

On **November 17, 2016**, the Board of Stewards offered a hearing to **Owner/Trainer, Ricardo Murillo** to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued November 17, 2016.

The Stewards hereby find the following:

The official blood sample **#255250**, taken on **10/28/2016** was reported by Industrial Laboratories, the official testing laboratory, to contain **Ketoprofen**, which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for **Ketoprofen** is **2ng/ml**. Sample **#255250** contained **4.6ng/ml** of the drug, which is above the permissible threshold for this drug. The sample was taken from the Nine (9) horse, "**Respected**", which ran in the **Third Race on 10/28/2016, finishing Sixth**.

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

Pursuant to **178 W. Va. C.S.R. 1, section 24.11.a.**, 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.

Pursuant to **178 W. Va. C.S.R. 1, Table 178-1 F**, the post-race threshold for Ketoprofen is 2 ng/ml of plasma or serum. Because the amount of Ketoprofen found in "**Respected**" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Murillo may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Ketoprofen positive in "**Respected**" is Mr. Murillo's **First Offense** for a medication/substance violation carrying a Category C penalty in a 365 day period. Mr. Murillo had a Phenylbutazone positive, a drug carrying Category C penalty, in Maryland in 2001. However, because of the age of that positive, it is not considered as a first offense for purposes of the penalty guidelines set forth in 178 W. Va. C.S.R. 1, Table 178-1 E.

The permit holder has accumulated **10 points** under the multiple medication violation point system as a result of the issuance of Ruling #158 on November 11, 2016. Mr. Murillo is assessed **1 point** for this Ketoprofen medication/substance violation pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1**.

The penalty guidelines set forth in **Table 178 1 E** of the Thoroughbred Racing Rule provide a minimum penalty of a written warning to a maximum Five-Hundred Dollar (\$500.00) fine for a First Offense Category C Ketoprofen positive at the level found in "**Respected**." 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. **(Aggravating) The Permit holder's past record:** The permit holder's past record includes a Class 1, Category A, drug positive, Nikethamide that was the subject of Ruling #158 issued by the Stewards. The permit holder's past record also includes a Dextromethorphan, Class 4, Category B, drug positive also addressed in Ruling #158. In 2001, the permit holder had a Phenylbutazone positive in Maryland. Therefore, the permit holder's past record is an aggravating factor.
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 horse aren't racing under the effect of a medication that could affect performance.]
3. **(Mitigating) The legal availability of the drug:** Ketoprofen 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, nor 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 Ketoprofen 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 Special Weight race with a \$23,000.00 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 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:** 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 Ketoprofen. 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 Ketoprofen 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. Murillo will be fined \$500.00.** The substantially aggravating factor of Mr. Murillo's recent medication violations, including a Class 1 Nikethamide positive, warrant the imposition of the maximum penalty for this Ketoprofen positive.

Because Mr. Murillo has accumulated an additional **1 point** on his record for this Ketoprofen positive, he now has a total of **11 points** on his record. Therefore, pursuant to 178 W. Va. C.S.R. 1, section 49.3.m.6., Mr. Murillo is given a mandatory enhanced penalty of a suspension of **360 days**.

Pursuant to Ruling #158, Mr. Murillo is currently serving a suspension of, **1 year and 195 days**, running through and including **Friday, May 25, 2018**. The 360 day suspension imposed in this ruling shall commence at the conclusion of the suspension imposed in Ruling #158 and will begin **May 26, 2018 and continue through and including May 21, 2019**.

Because "Respectd" placed 6th in the race, there will be no Re-Distribution of purse:

1. Lady Baroness
2. Sweet Lady Sue
3. My Sweet Charity
4. Catliketendencies
5. Value Cat
6. Respected

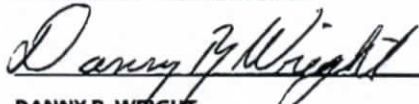
While under suspension Mr. Murillo is denied the privilege of the grounds under the jurisdiction of the West Virginia Racing Commission and such ejection shall extend after the dates of suspension imposed If the fines imposed in this ruling and in Ruling #158 are not paid.

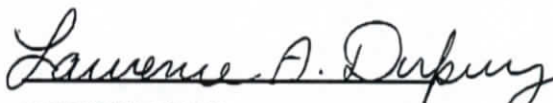
The fine imposed in this ruling shall be paid to the Racing Commission within **seven (7) days** after the ruling is issued


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 \$100.00

Dated: November 23, 2016

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


LAURENCE A. DUPUY


MICHAEL A. PEARSON

VRC1

CHARLES TOWN RACES

STEWARDS RULINGS

NOVEMBER 30, 2016

RULING 165

Trainer, **Eberd Estrada**; Permit # 13878; SS# xxx-xx-1153

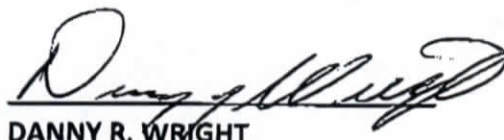
Mr. Estrada is hereby fined **Five Hundred (\$500) Dollars** for not having his horse, "**Ice Blue Vision**", in the paddock at the appointed time for the running of the **Fourth (4th) Race on Friday, November 18, 2016**, necessitating an untimely scratch.

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."

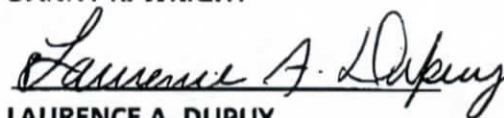
All fines imposed by the stewards shall be paid to the Racing Commission within (7) calendar days after the ruling is issued, unless otherwise ordered by the stewards.

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 \$100.00.

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULING

NOVEMBER 30, 2016

RULING NUMBER 166

Apprentice Jockey, **Darius Thorpe**, Permit #12262; SS# xxx-xx-2423, is hereby fined **One-Hundred (\$100.00) Dollars** for failure to do his reported weight, on **Wednesday, November 23, 2016**. This is in violation of West Virginia Rule of Racing Number **178-1-45.5.d** which states, "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."

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 One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


LAURENCE A. DUPUY


MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULING

NOVEMBER 30, 2016

RULING NUMBER 167

Jockey, **JD Acosta**; Permit # 12715, SS# xxx-xx- 0435

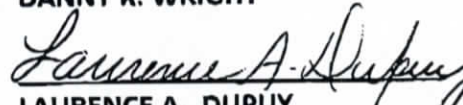
JD Acosta is hereby fined **Two Hundred (\$200) Dollars** for violation of **West Virginia Rules of Racing Number #178-1-28.3.b**, which states "A jockey shall faithfully fulfill all engagements in respect to racing."

Mr. Acosta failed to fulfill his riding engagements on **Saturday, November 26, 2016**.

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 \$100.00.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT
LAURENCE A. DUPUY
MICHAEL A. PEARSON

**BEFORE THE BOARD OF STEWARDS
CHARLES TOWN RACE TRACK
RULING-MEDICATION VIOLATION**

RULING #168

TO: Owner/Trainer William M Sienkewicz; Permit #13831; SS# xxx-xx-0586

On November 29, 2016, the Board of Stewards offered a hearing to Owner/Trainer, Bill Seinkewcz to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued November 26, 2016.

The Stewards hereby find the following:

The official blood sample #255297, taken on 11/4/16 was reported by Industrial Laboratories, the official testing laboratory, to contain Naproxen, which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for Naproxen is 0. Sample #255297 contained 18 ng/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the Nine (9) horse, "Foxy First", which ran in the fifth Race on 11/04/2016, finishing First.

Mr. Sienkewicz 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.

Pursuant to 178 W. Va. C.S.R. 1, Table 178-1 F, the post-race threshold for Naproxen is 0 ng/ml of plasma or serum. Because the amount of Naproxen found in "Foxy First" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Sienkewicz may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Naproxen positive in "Foxy First" is Mr. Sienkewicz's second **Offense** for a medication/substance violation carrying a Category C penalty in a 365 day period. Mr. Sienkewicz had a Triamcinolone positive, a drug carrying Category C penalty, in Florida in 2016.

The permit holder has accumulated 0 points under the multiple medication violation point system as a result of the issuance of Ruling # 2016007304 on March 11, 2016. Mr. Sienkewicz is assessed 2 points for this Naproxen medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The penalty guidelines set forth in Table 178 1 E of the Thoroughbred Racing Rule provide a minimum penalty of a Fifteen -Hundred Dollar (\$1500.00) fine for a Second Offense Category C Naproxen positive at the level found in "Foxy First." 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:

Pursuant to Ruling #168, Mr. Sienkewicz is suspended 15 days December 4, 2016 and continue through and including December 18, 2016.

The horse Foxy First is disqualified from all purse money, Re-Distribution is as following.

1. Postino's Secret
2. Rumors are true
3. Charismatic Miss
4. South Carolina
5. Girizilla
6. Cavalier Princess

While under suspension Mr. Sienkewicz is denied the privilege of the grounds under the jurisdiction of the West Virginia Racing Commission and such ejection shall extend after the dates of suspension imposed if the fines imposed in this ruling are not paid.

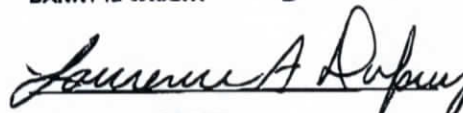
The fine imposed in this ruling shall be paid to the Racing Commission within seven (7) days after the ruling is issued

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 \$100.00

Dated: November 30, 2016

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


LAURENCE A. DUPUY


MICHAEL A. PEARSON

1. **(Aggravating) The Permit holder's past record:** The permit holder's past record includes a Class 4, Category c, drug positive, Triamcinolone that was the subject of Ruling #2016007304 issued by the Stewards in Florida. Therefore, the permit holder's past record is an aggravating factor.
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 horse aren't racing under the effect of a medication that could affect performance.]
3. **(Mitigating) The legal availability of the drug:** Naproxen 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, nor 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 Naproxen 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 claiming race with a \$14,500.00 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 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:** 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 Naproxen. 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 Naproxen 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.**

Sienkewicz will be fined \$1500.00. The aggravating factor of Mr. Sienkewicz's recent medication violations, including a Class 4 Triamcinolone positive, warrant the imposition of the maximum penalty for this Naproxen positive.

Because Mr. Sienkewicz has accumulated an additional 2 points on his record for this Naproxen positive, he now has a total of 2 points on his record. Therefore, pursuant to 178 W. Va. C.S.R. 1, section 49.3.m.6., Mr. Sienkewicz is given no mandatory enhanced penalty of a suspension.

CHARLES TOWN RACES

STEWARDS RULINGS

December 1, 2016,

RULING NUMBER 169

Jockey, **Grant Whitacre**, Permit #12261; SS xxx-xx-6764, is hereby fined **(\$500) Five Hundred Dollars**, for violation of **Rule of Racing, Number 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 **Whitacre** carelessly allowed his mount "**Miss Simon**" to drift in through the stretch run and cause interference to "**Justlikekristylyn**" in the **Eighth (8th) Race on Friday, November 25, 2016**.

Whitacre's mount, was **disqualified from 4th and placed 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 One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


LAURENCE A. DUPUY


MICHAEL A. PEARSON

**BEFORE THE BOARD OF STEWARDS
CHARLES TOWN RACE TRACK
RULING-MEDICATION VIOLATION**

RULING #170

TO: Owner/Trainer Gary L William Jr.; Permit #11951; SS# xxx-xx-8452

On December 9, 2016, the Board of Stewards offered a hearing to Owner/Trainer, Gary L Williams to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued November 30, 2016.

The Stewards hereby find the following:

The official blood sample #255397, taken on 11/18/16 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 is 5 pg/ml. Sample #255397 contained 36.2 pg/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the Nine (6) horse, "Follow the Notion", which ran in the 7th Race on 11/18/2016, finishing First. The official blood sample # 255435, taken on 11/26/16 was reported by industrial laboratories, the official testing laboratory, to contain Naproxen, which is a class 4 drug with a C penalty, designation. The permissible threshold for Naproxen is 0. Sample # 255435 contained 34.1 ng/ml. of the drug. The sample was taken the three (3) horse, "Dr. Tucker", which ran in the 3rd race on November 26, 2016 finishing first..

Mr. Williams 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.

Pursuant to 178 W. Va. C.S.R. 1, Table 178-1 F, the post-race threshold for Naproxen is 0 ng/ml of plasma or serum. And threshold for dexamethasone is 5 ng/ml. Because the amount of Naproxen found in "Dr. Tucker" and dexamethasone in "Follow the Notion" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Williams may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Dexamethasone positive in "Follow the notion" is Mr. Williams's second Offense for a medication/substance violation carrying a Category C penalty in a 365 day period. Mr. Williams had a Naproxen positive, a drug carrying Category C penalty, in West Virginia in 2016.

The permit holder has accumulated 2 points under the multiple medication violation point system as a result of the issuance of Ruling # 8 on January 12, 2016. Mr. Williams is assessed 3 points for this Naproxen and Dexamethasone medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The penalty guidelines set forth in Table 178 1 E of the Thoroughbred Racing Rule provide a minimum penalty of a Fifteen -Hundred Dollar (\$1500.00) fine for a Second Offense Category C Dexamethasone positive at the level found in "Follow the Notion." 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. **(Aggravating) The Permit holder's past record:** The permit holder's past record includes a Class 4, Category c, drug positive, Naproxen that was the subject of Ruling #8 issued by the Stewards in West Virginia. Therefore, the permit holder's past record is an aggravating factor.
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 horse aren't racing under the effect of a medication that could affect performance.)
3. **(Mitigating) The legal availability of the drug:** Naproxen 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, nor 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 Naproxen 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 races in question was a Maiden special weight with a \$23,000 purse and an allowance race with a purse of 24,000 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 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:** 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 Naproxen. 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 Naproxen 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. Williams will be fined \$1500.00.** The aggravating factor of Mr. William's recent medication violations, including a Class 4 Naproxen positive, warrant the imposition of the maximum penalty for this Naproxen positive.

Because Mr. Williams has accumulated an additional 3 points on his record for this Dexamethasone & Naproxen positive, he now has a total of 5 points on his record. Therefore, pursuant to 178 W. Va. C.S.R. 1, section 49.3.m.6. Mr. Williams is given a mandatory enhanced penalty of a 30 day suspension.

Pursuant to Ruling #170, Mr. Williams is suspended 45 days December 9, 2016 and continue through and including January 22, 2017.

The horse Follow the Notion is disqualified from all purse money, Re-Distribution is as following.

1. Ellies Lil Man
2. Nye
3. Ready to Serve
4. Green Time
5. Whiskey Time

The horse Dr. Tucker is disqualified from all purse money. Re-Distribution is as following

1. Letcher
2. Jeffery Scott
3. Pozzuoli
4. Better During
5. Tajumuco
6. Rock's Dream


While under suspension Mr. Williams is denied the privilege of the grounds under the jurisdiction of the West Virginia Racing Commission and such ejection shall extend after the dates of suspension imposed if the fines imposed in this ruling are not paid.

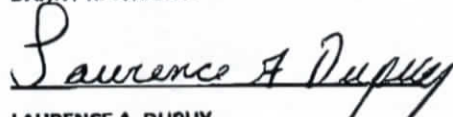
The fine imposed in this ruling shall be paid to the Racing Commission within seven (7) days after the ruling is issued

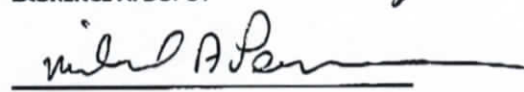
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$100.00

Dated: November 30, 2016

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


LAURENCE A. DUPUY


MICHAEL A. PEARSON

**BEFORE THE BOARD OF STEWARDS
CHARLES TOWN RACE TRACK
RULING-MEDICATION VIOLATION**

RULING #172

TO: Trainer Benjamin Feliciano; Permit #12975 SS# xxx-xx-0016

On December 6, 2016, the Board of Stewards offered a hearing to Owner/Trainer, Ben Feliciano to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued December 6, 2016.

The Stewards hereby find the following:

The official blood sample #255398, taken on 11/18/16 was reported by Industrial Laboratories, the official testing laboratory, to contain Naproxen, which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for Naproxen is 0. Sample #255398 contained 6.3 ng/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the six (6) horse, "Deer Dog", which ran in the eight Race on 11/18/2016, finishing First.

Mr. Feliciano 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.

Pursuant to 178 W. Va. C.S.R. 1, Table 178-1 F, the post-race threshold for Naproxen is 0 ng/ml of plasma or serum. Because the amount of Naproxen found in "Deer Dog" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Feliciano may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Naproxen positive in "Deer Dog" is Mr. Feliciano's first Offense for a medication/substance violation carrying a Category C penalty in a 365 day period.

The permit holder has accumulated 0 points under the multiple medication violation point system. Mr. Feliciano is assessed 2 points for this Naproxen medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The penalty guidelines set forth in Table 178 1 E of the Thoroughbred Racing Rule provide a minimum penalty of a One Thousand Dollar (\$1000.00) fine for a first Offense Category C Naproxen positive at the level found in "Deer Dog." 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's past record includes no Class 4, Category c, drug positives. Therefore, the permit holder's past record is an Mitigating factor.

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 horse aren't racing under the effect of a medication that could affect performance.]
3. **(Mitigating)** The legal availability of the drug: Naproxen 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, nor 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 Naproxen 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 three year old and up claiming race with a \$10,000.00 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 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:** 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 Naproxen. 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 Naproxen 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. Feliciano will be fined One thousand Dollars (\$1000.00).**

Because Mr. Feliciano has accumulated an additional 2 points on his record for this Naproxen positive, he now has a total of 2 points on his record. Therefore, pursuant to 178 W. Va. C.S.R. 1, section 49.3.m.6., Mr. Feliciano is given no mandatory enhanced penalty of a suspension.

The horse Deer Dog is disqualified from all purse money. Re-Distribution is as following.

1. **Delayed Engagement**
2. **Regal Revenge**
3. **Felonious Fred**

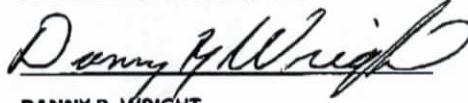
4. **Right on Course**
5. **Gabbi's Amor**
6. **Gudenan**

The fine imposed in this ruling shall be paid to the Racing Commission within **seven (7) days** after the ruling is issued

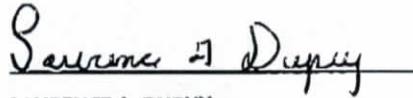
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$100.00

Dated: December 13, 2016

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON

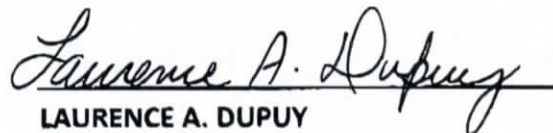
CHARLES TOWN RACES**STEWARDS RULING****DECEMBER 17, 2016****RULING NUMBER 173**

Groom, Joseph Rich III, Permit # 13523, SS#: xxx-xx-8280 is hereby restored to good standing having satisfied requirements from the BOS.

RE: Ruling #149 on June 12, 2015

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


LAURENCE A. DUPUY


MICHAEL PEARSON

CHARLES TOWN RACES

STEWARDS RULING

DECEMBER 22, 2016

RULING NUMBER 174

To: Dr. Sarah K. Scheper, DVM

After three (3) attempts to serve a hearing notice, (two certified mailings and one hand delivered) to Dr. Scheper, and granting her two (2) continuances, and she still failed to appear for her scheduled hearing dated **December 21, 2016 at 11:00am** in the Stewards Office at Charles Town, she is deemed to admit to the allegations of violating **Rules of Racing 178-1-24.1.h**, which reads, "An occupational permit is neither transferable nor assignable to any other person" and **178-1-48.2.a**, which reads, "Except as otherwise provided in this subsection, no person other than a veterinarian licensed to practice veterinary medicine in the state of West Virginia and holding an occupational permit issued by the Racing Commission shall possess or administer to a horse a prescription or controlled medication, drug, chemical or other substance (including any medication, drug, chemical or other substance by injection) at any location under the jurisdiction of the Racing Commission.

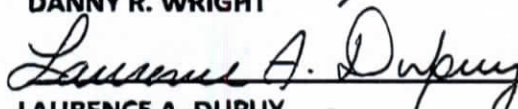
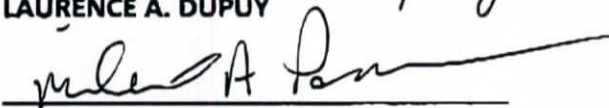
There for the Stewards issue the following ruling:

On **November 17, 2016, Dr. Sarah M. Scheper, DVM** is guilty of coming onto the grounds of the Association to practice veterinary medicine without a proper license to practice veterinarian medicine in the State of West Virginia, and not holding an occupational permit issued by the West Virginia Racing Commission. Dr. Scheper gained entry to the grounds by using someone's badge other than her own.

Therefore the Board of Stewards eject Dr. Sarah K. Scheper, DVM from any and all grounds under the jurisdiction of the **West Virginia Racing Commission** and deems her ineligible for an occupational permit in racing in West Virginia.

You have the right to appeal this ruling to the WVRC. 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 one-hundred (\$100.00) dollars.

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT
LAURENCE A. DUPUY
MICHAEL A. PEARSON

**BEFORE THE BOARD OF STEWARDS
CHARLES TOWN RACE TRACK
RULING-MEDICATION VIOLATION**

RULING #175

TO: Trainer Alfred R. Smithwick; Permit #13373 SS# xxx-xx-0138

On December 21, 2016, the Board of Stewards offered a hearing to Trainer, A. Roger Smithwick to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued December 20, 2016.

The Stewards hereby find the following:

The official blood sample 255493, taken on 12-7-16 was reported by Industrial Laboratories, the official testing laboratory, to contain Naproxen, which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for Naproxen is 0. Sample #255493 contained 43.7 ng/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the six (6) horse, "Patroit Lady", which ran in the third Race on 12-7-16, finishing First.

Mr. Smithwick 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.

Pursuant to 178 W. Va. C.S.R. 1, Table 178-1 F, the post-race threshold for Naproxen is 0 ng/ml of plasma or serum. Because the amount of Naproxen found in "Patroit Lady" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Smithwick may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Naproxen positive in "Patroit Lady" is Mr. Smithwick's first Offense for a medication/substance violation carrying a Category C penalty in a 365 day period.

The permit holder has accumulated 0 points under the multiple medication violation point system. Mr. Smithwick is assessed 2 points for this Naproxen medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The penalty guidelines set forth in Table 178 1 E of the Thoroughbred Racing Rule provide a minimum penalty of a One Thousand Dollar (\$1000.00) fine for a first Offense Category C Naproxen positive at the level found in "Patroit Lady." 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's past record includes no Class 4, Category c, drug positives. Therefore, the permit holder's past record is a Mitigating factor.
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 horse aren't racing under the effect of a medication that could affect performance.]
3. **(Mitigating) The legal availability of the drug:** Naproxen 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, nor 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 Naproxen 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 claiming 5000 race with a 10,000 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 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:** 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 Naproxen. 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 Naproxen 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. Smithwick will be fined One thousand Dollars (\$1000.00).**

Because Mr. Smithwick has accumulated an additional 2 points on his record for this Naproxen positive, he now has a total of 2 points on his record. Therefore, pursuant to 178 W. Va. C.S.R. 1, section 49.3.m.6., Mr. Smithwick is given no mandatory enhanced penalty of a suspension. .

The horse Patriot Lady is disqualified from all purse money, Re-Distribution is as following.

1. **Multiflora**
2. **Mamaslittlesecret**

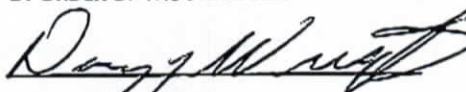
3. **Sweetheart of Gold**
4. **Flight Benefits**
5. **Izabella's Train**
6. **Stacey's Pumpkin**

The fine imposed in this ruling shall be paid to the Racing Commission within seven (7) days after the ruling is issued

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 \$100.00

Dated: December 22, 2016

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON

**BEFORE THE BOARD OF STEWARDS
CHARLES TOWN RACE TRACK
RULING-MEDICATION VIOLATION**

RULING #176

TO: Owner/Trainer Lenworth Kirlew Permit #10747; SS# xxx-xx-4577

On December 22, 2016, the Board of Stewards offered a hearing to Owner/Trainer, Lenworth Kirlew to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued December 21, 2016.

The Stewards hereby find the following:

The official blood sample #255479, taken on 12-3-16 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 is 5 pg/ml. Sample #255479 contained 16.6 pg/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the Three (4) horse, "One Mover", which ran in the 2nd Race on 12/3/16, finishing First.

Mr. Kirlew 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.

Pursuant to 178 W. Va. C.S.R. 1, Table 178-1 F, the post-race threshold for Dexamethasone is 5 pg/ml. Because the amount of Dexamethasone in "One Move" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Kirlew may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Dexamethasone positive in "One Move" is Mr. Kirlew's first Offense for a medication/substance violation carrying a Category C penalty in a 365 day period.

The permit holder has accumulated 0 points under the multiple medication violation point system. Mr. Kirlew is assessed 1 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's past record includes no Class 4, Category c, drug positive, Therefore, the permit holder's past record is an mitigating factor.

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 horse 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, nor 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 Naproxen 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 races in question was a 3 year old and up 5000 claiming with a \$10,000 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 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:** 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. Krlaw is fined 1000.00 Dollars the horse One Move will be Disqualified from all purse money and will have a total of 1 point on his record.

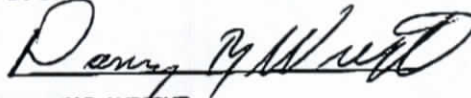
The horse One Move is disqualified from all purse money, Re-Distribution is as following.

1. Big Distinction
2. Mr. Awesome
3. My Cat Georgei
4. Jonah
5. Breadman's Big Guy
6. Pinch this Too

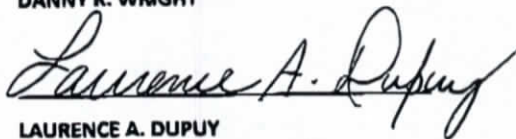
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$100.00

Dated: December 22, 2016

BY ORDER OF THE STEWARDS:

A cursive signature of Danny R. Wright in black ink.

DANNY R. WRIGHT

A cursive signature of Laurence A. Dupuy in black ink.

LAURENCE A. DUPUY

A cursive signature of Michael A. Pearson in black ink.

MICHAEL A. PEARSON

**BEFORE THE BOARD OF STEWARDS
CHARLES TOWN RACE TRACK
RULING-MEDICATION VIOLATION**

RULING #179

TO: **Owner/Trainer John A Casey** Permit #12335; SS# xxx-xx-8866

On **December 30, 2016**, the Board of Stewards offered a hearing to **Owner/Trainer, John A Casey** to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued December 29, 2016.

The Stewards hereby find the following:

The official blood sample #255546, taken on 12-14-16 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 is 5 pg/ml Sample #255546 contained 20.1 pg/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the fiver (5) horse, "Hear the Chatter", which ran in the 7th Race on 12/14/16, finishing First.

Mr. Casey 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.

Pursuant to 178 W. Va. C.S.R. 1, Table 178-1 F, the post-race threshold for Dexamethasone is 5 pg/ml. Because the amount of Dexamethasone in "Hear the Chatter" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Casey may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Dexamethasone positive in "Hear the Chatter" is Mr. Casey's second **Offense** for a medication/substance violation carrying a Category C penalty in a 365 day period.

The permit holder has accumulated 1 points under the multiple medication violation point system. Mr. Casey is assessed 1 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. **(aggravating)** The Permit holder's past record: The permit holder's past record includes 1 Class 4, Category c, drug positive, Therefore, the permit holder's past record is an aggravating factor.

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 horse 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, nor 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 Naproxen 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 races in question was an Allowance race Accredited West Virginia -Bred 3 year old and up 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 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:** 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. Casey is fined 1500.00 Dollars suspended 15 days starting Saturday December 31, 2016 running through and including Saturday January 14, 2017. The horse Hear the Chatter will be Disqualified from all purse money and will have a total of 2 points on his record.

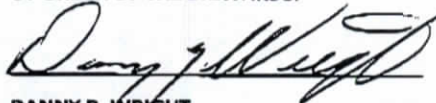
The horse Hear the Chatter is disqualified from all purse money, Re-Distribution is as following.

1. In the Fairway
2. Help a Brother
3. Little Big Sime
4. Lucy's Bob Boy
5. Emblem's Estate

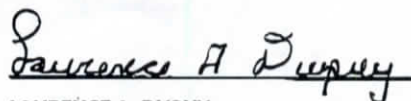
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$100.00

Dated: December 30, 2016

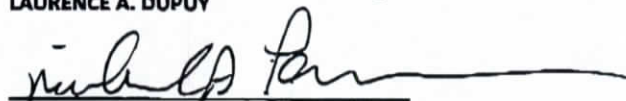
BY ORDER OF THE STEWARDS:

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

DANNY R. WRIGHT

A handwritten signature in cursive script, appearing to read "Laurence A. Dupuy", written over a horizontal line.

LAURENCE A. DUPUY

A handwritten signature in cursive script, appearing to read "Michael A. Pearson", written over a horizontal line.

MICHAEL A. PEARSON