

September 18, 2016

**BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK**

RULING

RULING #202

NAME: EDUARDO CARAMORI

DOB: 12/8/1958

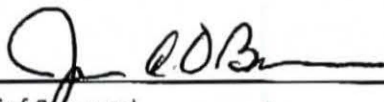
PERMIT: #22928 OWNER/TRAINER

The Stewards hereby impose the following penalty:

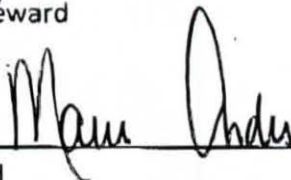
**TRAINER EDUARDO CARAMORI IS HEREBY RESTORED TO GOOD STANDING FOR HAVING PAID
HIS FINE DATED AUGUST 9, 2016.**

**All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing
178-1-8.5.N.**


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



Chief Steward



Steward



Steward

September 20, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #203

NAME: SHANE WRIGHT

DOB: 4/13/1985

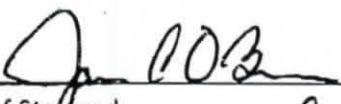
PERMIT: #21639 PARKING

The Stewards hereby impose the following penalty:

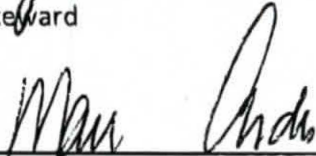
SHANE WRIGHT'S PERMIT FOR PARKING EMPLOYEE IS HEREBY DENIED FOR FALSIFYING
APPLICATION CONCERNING ARREST RECORD AND PREVIOUSLY HAVING PERMIT DENIED.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing
178-1-8.5.N.

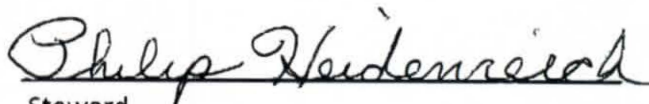
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the
Commission Office within 20 days of your receipt of the ruling and must include a security fee in the
amount of \$100.00



Chief Steward



Steward



Steward

September 20, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #204

NAME: JOHN FORD

DOB: 6/29/1958

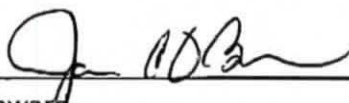
PERMIT: #21604 OWNER/TRAINER

The Stewards hereby impose the following penalty:


TRAINER JOHN FORD IS HEREBY FINED TWO HUNDRED (\$200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "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." FAILURE TO HAVE "SELDOM SEEN SLIM" PRESENT IN THE PADDOCK FOR THE 7TH RACE ON MONDAY, SEPTEMBER 19, 2016. NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

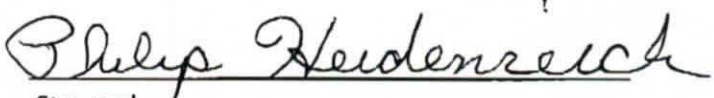
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

September 20, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #205

NAME: WILSON C. LANGLEY

DOB: 5/18/1939

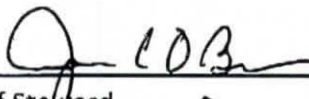
PERMIT: #21492 OWNER/TRAINER

The Stewards hereby impose the following penalty:

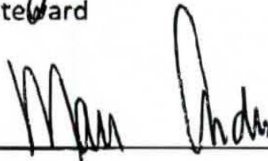
TRAINER WILSON C. LANGLEY IS HEREBY FINED TWO HUNDRED (\$200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-51.1.b.16. FAILURE TO HAVE "K'S GOT A NOTION" PROPERLY SHOD RESULTING IN A LATE SCRATCH FROM THE 2ND RACE ON MONDAY, SEPTEMBER 19, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

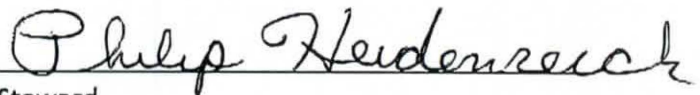
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

September 20, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #206

NAME: WALTER BISH

DOB: 10/12/1946

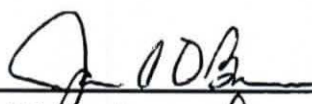
PERMIT: #22770 OWNER/TRAINER

The Stewards hereby impose the following penalty:

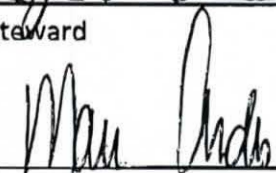
TRAINER WALTER BISH IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "SILENT HONOR" PRESENT IN THE PADDOCK FOR THE 4TH RACE ON SUNDAY, SEPTEMBER 18, 2016 NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

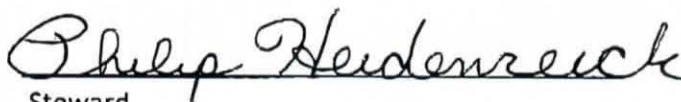
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

September 20, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #207

NAME: ERIC REED

DOB: 9/12/1964

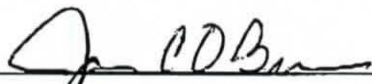
PERMIT: #22891 TRAINER

The Stewards hereby impose the following penalty:

TRAINER ERIC REED IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "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." FAILURE TO HAVE "PROPOSITION JOE" PRESENT IN THE PADDOCK FOR THE 2ND RACE ON MONDAY, SEPTEMBER 19, 2016 NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

September 21, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #208

NAME: BRANDON ATEs

DOB: 5/27/1978

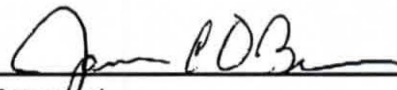
PERMIT: #20931 TRAINER


The Stewards hereby impose the following penalty:

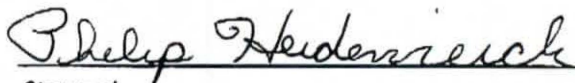
TRAINER BRANDON ATEs IS HEREBY FINED TWO HUNDRED FIFTY (\$250.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-49.4.a.2. INDUSTRIAL LABORATORIES REPORTED SAMPLE #E203414 TAKEN FROM THE HORSE "LATE LOVER" WHICH FINISHED 1ST IN THE 9TH RACE ON SATURDAY, SEPTEMBER 3, 2016 DID CONTAIN THE DRUG "KETOPROFEN" AT A CONCENTRATION LEVEL OF 4.62 ng/ml. THIS IS MR. ATEs' 1ST OFFENSE AND HE IS ASSESSED ONE POINT FOR THE MULTIPLE MEDICATION VIOLATION SYSTEM.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

September 21, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #209

NAME: J. EDWIN SHILLING

DOB: 7/18/1946


PERMIT: #21096 OWNER/TRAINER


The Stewards hereby impose the following penalty:

TRAINER J. EDWIN SHILLING IS HEREBY FINED TWO HUNDRED FIFTY (\$250.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-49.4.a.2. INDUSTRIAL LABORATORIES REPORTED SAMPLE #E203407 TAKEN FROM THE HORSE "LEGEND FOREVER" WHICH FINISHED 1ST IN THE 1ST RACE DID CONTAIN "KETOPROFEN" AT A CONCENTRATION LEVEL OF 3.53 ng/ml. THIS IS MR. SHILLING'S 1ST OFFENSE AND HE IS ASSESSED 1 POINT FOR THE MULTIPLE MEDICATION VIOLATION SYSTEM.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

September 21, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #210

NAME: WILSON LANGLEY

DOB: 5/18/1939

PERMIT: #21492 OWNER/TRAINER


The Stewards hereby impose the following penalty:

TRAINER WILSON LANGLEY IS HEREBY FINED TWO HUNDRED FIFTY (\$250.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-49.4.a.2. INDUSTRIAL LABORATORIES REPORTED SAMPLE #E203382 TAKEN FROM THE HORSE "K'S GOTA NOTION" WHICH FINISHED 1ST IN THE 3RD RACE ON MONDAY, AUGUST 29, 2016 DID CONTAIN THE DRUG "FLUNIXIN" AT A CONCENTRATION LEVEL OF 31.0 ng/ml. MR. LANGLEY IS ASSESSED ONE POINT FOR THE MULTIPLE MEDICATION VIOLATION SYSTEM.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

September 21, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #211

NAME: WALTER BISH

DOB: 10/12/1946

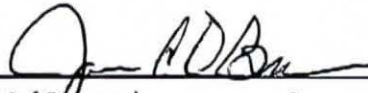
PERMIT: #22770 OWNER/TRAINER


The Stewards hereby impose the following penalty:

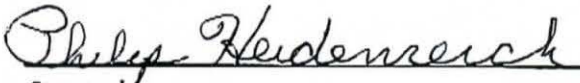
TRAINER WALTER BISH IS HEREBY FINED TWO HUNDRED FIFTY (\$250.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-49.4.a.2. INDUSTRIAL LABORATORIES REPORTED SAMPLE #E203418 TAKEN FROM THE HORSE "YENOM NEVE " WHICH FINISHED 1ST IN THE 3RD RACE ON SUNDAY, SEPTEMBER 4, 2016 DID CONTAIN THE DRUG "FLUNIXIN" AT A CONCENTRATION LEVEL OF 27.8 ng/ml. THIS IS MR. BISH'S FIRST OFFENSE AND HE IS ASSESSED ONE POINT FOR THE MULTIPLE MEDICATION SYSTEM.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

September 21, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #212

NAME: SHAWN FAIRMAN

DOB: 6/24/1969

PERMIT: #21370 OWNER/TRAINER

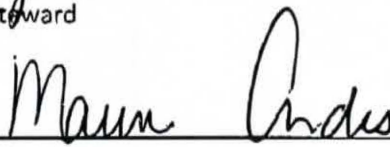
The Stewards hereby impose the following penalty:

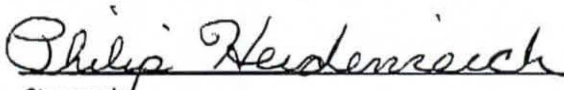
TRAINER SHAWN FAIRMAN IS HEREBY FINED SEVEN HUNDRED FIFTY (\$750.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-49.4.a.2. INDUSTRIAL LABORATORIES REPORTED SAMPLE #E203392 TAKEN FROM THE HORSE "MASHPEE POND" WHICH FINISHED 1ST IN THE 9TH RACE ON TUESDAY, AUGUST 30, 2016 DID CONTAIN THE DRUG "PHENYLBUTAZONE" AT A CONCENTRATION LEVEL OF 3.4 ng/ml. AND "KETOPROFEN" AT A CONCENTRATION LEVEL OF 3.48 ng/ml. HAVING FOUND TWO MEDICATIONS IN ONE SAMPLE, THE OVERAGE FOR "PHENYLBUTAZONE" WILL BE CONSIDERED HIS FIRST OFFENSE. HE WILL BE ASSESSED ONE POINT AND THE OVERAGE FOR "KETOPROFEN" WILL BE CONSIDERED HIS SECOND OFFENSE AND HE WILL BE ASSESSED ONE POINT GIVING HIM A TOTAL OF TWO POINTS FOR THE MULTIPLE MEDICATION VIOLATION SYSTEM.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

September 21, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #213

NAME: RANDY BAYLEY

DOB: 7/29/1959


PERMIT: #21530 TRAINER

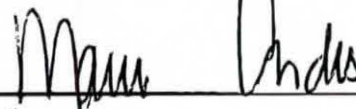
The Stewards hereby impose the following penalty:

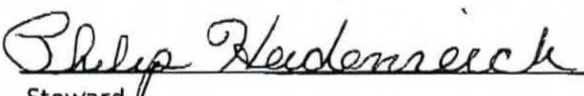
TRAINER RANDY BAYLEY IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE HIS HORSE "CHRISTOPHER'S JOY" PRESENT IN THE PADDOCK. RESULTING IN A LATE SCRATCH FROM THE 3RD RACE ON TUESDAY, SEPTEMBER 20, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

September 21, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #214

NAME: NOEL SANCHEZ

DOB: 7/5/1981

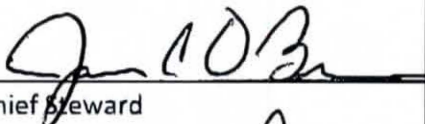
PERMIT: #21283 OWNER/TRAINER


The Stewards hereby impose the following penalty:

TRAINER NOEL SANCHEZ IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR FAILURE TO HAVE HIS HORSE PRESENT AND AVAILABLE AT THE APPROPRIATE TIME FOR ITS TREATMENT OF LASIX ON WEDNESDAY, SEPTEMBER 21, 2016. RACE #5, THE HORSE, "EUROSTORY." A VIOLATION OF WV RULE OF RACING 178-1-49.7.e.3. NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

September 24, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #215

NAME: FERNANDO LOPEZ

DOB: 8/12/1986

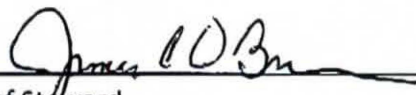
PERMIT: #20976 GROOM

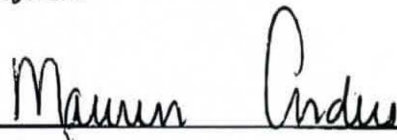
The Stewards hereby impose the following penalty:


GROOM FERNANDO LOPEZ IS HEREBY RESTORED TO GOOD STANDING HAVING PROVIDED AN EVALUATION FROM A CERTIFIED ALCOHOL/DRUG COUNSELING CENTER. MR. LOPEZ MUST MEET THE STIPULATIONS SET FORTH IN HIS EVALUATION TO REMAIN IN GOOD STANDING.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

September 24, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #216

NAME: EDDIE CLOUSTON

DOB: 7/2/1965

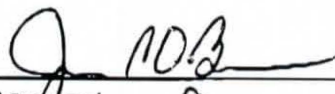
PERMIT: #21581 OWNER/TRAINER

The Stewards hereby impose the following penalty:

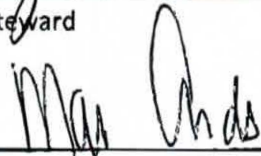
TRAINER EDDIE CLOUSTON IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-44.17. "There is no current negative test certificate for Equine Infectious Anemia (EIA) attached to its breed registration certificate or proof of a negative test certificate is not otherwise available." FAILURE TO HAVE A CURRENT COGGINS ON FILE FOR "CHAPLAIN RICH" RESULTING IN A LATE SCRATCH FROM THE 9TH RACE ON WEDNESDAY, SEPTEMBER 21, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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



Chief Steward



Steward



Steward

September 25, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
MULTIPLE MEDICATION VIOLATION RULING

RULING #217

NAME: ALEJANDRO GOMEZ

DOB: 1/21/1958

PERMIT: # 20259 TRAINER

The Stewards hereby impose the following penalty:

HAVING WAIVED HIS RIGHT TO A HEARING THE BOARD OF STEWARDS FIND MR. ALEJANDRO GOMEZ IN VIOLATION OF WV RULE OF RACING 178-1-49.3.m, 178-1-49.3.m.1, 178-1-49.4.a.2, and 178-1-51.1.a.

THE OFFICIAL BLOOD SAMPLE #E203511 TAKEN FROM THE HORSE "PENELOPES BEST" WHICH FINISHED 1ST IN THE 5TH RACE ON SUNDAY, SEPTEMBER 11, 2016 DID CONTAIN "METHYLPREDNISOLONE." A CONTROLLED THERAPEUTIC MEDICATION WHICH IS A CLASS 4 DRUG CARRYING A C PENALTY AT A CONCENTRATION LEVEL OF 151 +/- pg/ml WHICH WAS CONFIRMED IN THE BLOOD. MR. GOMEZ ELECTED NOT TO SEND A SPLIT SAMPLE.

THE FOLLOWING IS THE STEWARDS' ANALYSIS OF THE MITIGATING/AGGRAVATING FACTORS IN THE MATTER:

A.) THE PERMIT HOLDER'S PAST RECORD.

NO POSITIVES

B.) THE POTENTIAL OF THE DRUG TO INFLUENCE THE HORSE'S PERFORMANCE.

CLASS 4 DRUGS GENERALLY HAVE A MORE LIMITED ABILITY TO INFLUENCE THE PERFORMANCE OF A RACEHORSE.

C.) THE LEGAL AVAILABILITY OF THE DRUG.

LEGALLY AVAILABLE.

D.) WHETHER THERE IS REASON TO BELIEVE THE PERMIT HOLDER KNEW OF THE ADMINISTRATION OF INTENTIONALLY ADMINISTERED THE DRUG.

MR. GOMEZ WAIVED HIS RIGHT TO A HEARING.

E.) THE STEPS TAKEN BY THE TRAINER TO SAFEGUARD THE HORSE.

MR. GOMEZ WAIVED HIS RIGHT TO A HEARING.

F.) THE PROBABILITY OF ENVIROMENTAL CONTAMINATION OR INADVERTENT EXPOSURE DUE TO HUMAN DRUG USE.

NO PROBABILITY

G.) THE PURSE MONEY

\$14,100.00

H.) WHETHER THE DRUG FOUND WAS ONE FOR WHICH THE HORSE WAS RECEIVING A TREATMENT AS DOCUMENTED BY THE TREATING VETERINARIAN'S TREATMENT RECORD.

MR. GOMEZ WAVIED HIS RIGHT TO A HEARING.

I.) WHETHER THERE WAS ANY SUSPICIOUS BETTING PATTERN IN THE RACE.

NO

J.) WHETHER THE TRAINER WAS ACTING UNDER THE ADVICE OF A VETERIANARIAN LICENSED TO PRACTICE IN WEST VIRGINIA AND HOLDING AN OCCUPATIONAL PERMIT BY THE RACING COMMISSION.

MR. GOMEZ WAIVED HIS RIGHT TO A HEARING .

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS

NONE

MR. GOMEZ IS FINED ONE THOUSAND (\$1,000.00) DOLLARS AND THE HORSE "PENELOPES BEST" IS DISQUALIFIED FROM ANY PURSE MONIES. THE PURSE WILL BE REDISTRIBUTED AS FOLLOWS:

SUNDAY, SEPTEMBER 11, 2016

- 1.) DREAM PARK
- 2.) BEST OF BAKU
- 3.) CASPIAN GIRL
- 4.) BAYTOWN DOLLAR
- 5.) THIS DREAM OF MINE
- 6.) LITTLE LINDA LOU

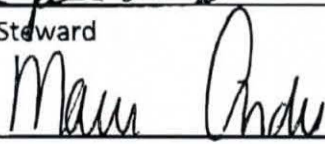
THE HORSEMEN'S BOOKKEEPER IS REQUESTED TO MAKE THE NECESSARY ADJUSTMENTS. THIS IS MR. GOMEZ'S FIRST OFFENSE AND HE WILL BE ASSESSED ONE POINT.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.


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



Chief Steward



Steward



Steward

September 27, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #218

NAME: DESIREE MCDIFFITT

DOB: 3/11/1994

PERMIT: #20311 HOUSEKEEPING

The Stewards hereby impose the following penalty:

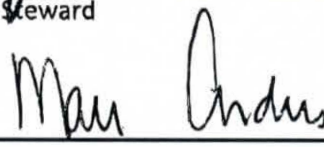
A HEARING WAS SCHEDULED FOR 10:00 AM ON MONDAY, SEPTEMBER 19, 2016 FOR MS. MCDIFFITT FOR VIOLATION OF WV RULE OF RACING 178-1-24.3.b.6 and 178-1-24.11.t TESTING POSITIVE FOR THC ON THURSDAY, SEPTEMBER 8, 2016. A NOTICE OF HEARING WAS SENT TO MS. MCDIFFITT VIA CERTIFIED MAIL WHICH WAS SIGNED FOR ACKNOWLEDGEING RECEIPT. MS. MCDIFFITT DID NOT APPEAR AT THE HEARING WHICH WAS CONVENED IN HER ABSENCE. MS. MCDIFFITT WAS FOUND GUILTY OF VIOLATION SAID RULES AND IS SUSPENDED PENDING A PROFESSIONAL EVALUATION BY A CERTIFIED DRUG COUNSELOR AND SHE MUST PRODUCE A NEGATIVE TEST BEFORE BEING REINSTATED.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

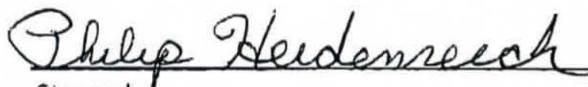
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

September 27, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #219

NAME: EDDIE CLOUSTON

DOB: 7/2/1965

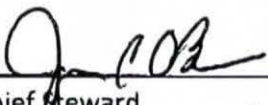
PERMIT: # 21581 OWNER/TRAINER

The Stewards hereby impose the following penalty:

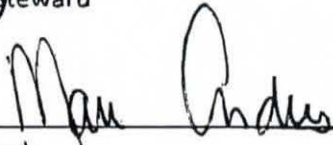
TRAINER EDWARD CLOUSTON IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR FAILURE TO HAVE A CURRENT COGGINS FOR THE HORSE "CHAPLAIN RICK." NECESSITATING A LATE SCRATCH FROM THE 9TH RACE ON WEDNESDAY, SEPTEMBER 21, 2016. A VIOLATION OF WV RULE OF RACING 178-1-44.17. "There is no current negative test certificate for Equine Infectious Anemia (EIA) attached to its breed registration certificate or proof of a negative test certificate is not otherwise available."

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

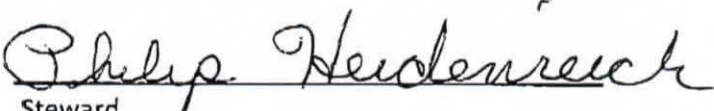
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

September 27, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #220

NAME: SARA STANOSZEK

DOB: 9/6/1981

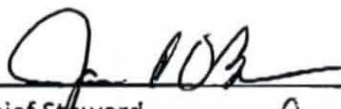
PERMIT: # 22773 OWNER/TRAINER

The Stewards hereby impose the following penalty:

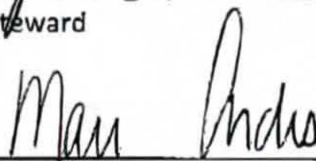
TRAINER SARA STANOSZEK IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-44.17. FAILURE TO HAVE A CURRENT NEGATIVE TEST CERTIFICATE FOR EQUINE INFECTIOUS ANEMIA FOR THE HORSE "FIERY DREAM" IN THE 9TH RACE ON MONDAY, SEPTEMBER 19, 2016. NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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



Chief Steward



Steward



Steward

September 28, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #222

NAME: HERNAN PARRA

DOB: 8/28/1982

PERMIT: #21631 TRAINER

The Stewards hereby impose the following penalty:

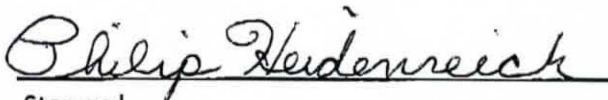
TRAINER HERNAN PARRA IS HEREBY FINED TWO HUNDRED (\$200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-51.1.b.16. FAILURE TO HAVE "FAR FROM NORMAL" PROPERLY SHOD RESULTING IN A LATE SCRATCH FROM THE 2ND RACE ON TUESDAY, SEPTEMBER 27, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

September 28, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #223

NAME: JAMI POOLE

DOB: 5/28/1971

PERMIT: CT #10346 TRAINER

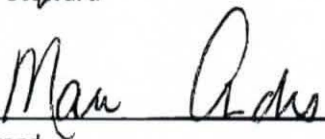
The Stewards hereby impose the following penalty:

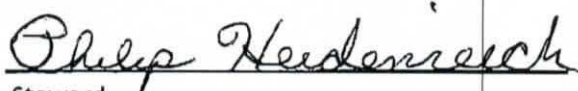
TRAINER JAMI POOLE IS HEREBY FINED TWO HUNDRED (\$200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "LEXI ON THE COVER" PRESENT IN THE PADDOCK FOR THE 1ST RACE ON WEDNESDAY, SEPTEMBER 28, 2016. NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 1, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #224

NAME: JOHN T. BROWN

DOB: 6/18/1957


PERMIT: #20065 TRAINER

The Stewards hereby impose the following penalty:

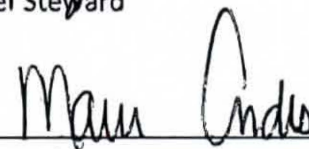
TRAINER JOHN T. BROWN IS HEREBY FINED TWO HUNDRED (\$200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-51.1.b.16. "Ensuring that his or her horses are properly shod, bandaged and equipped." FAILURE TO HAVE HIS HORSE "THIRTYSILVERPIECES" PROPERLY SHOD RESULTING IN A LATE SCRATCH PRIOR TO THE 2ND RACE ON WEDNESDAY, SEPTEMBER 28, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

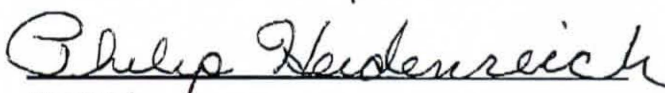
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

October 1, 2016

**BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
MULTIPLE MEDICATION VIOLATION RULING**

RULING #225

NAME: JAMES BARKER

DOB: 7/25/1948

PERMIT: # 21093 OWNER/TRAINER

The Stewards hereby impose the following penalty:

HAVING WAIVED HIS RIGHT TO A HEARING THE BOARD OF STEWARDS FIND MR. BARKER IN VIOLATION OF WV RULE OF RACING 178-1-4.49.3.m, 178-1-49.3.m.7.A, 178-1-4.3.m.7.B, 178-1-49.4.a.2, and 178-1-51.1.a. THE OFFICIAL BLOOD AND URINE SAMPLE #E203576 TAKEN FROM THE HORSE "ZANDALE" WHICH FINISHED 1ST IN THE 6TH RACE ON SATURDAY, SEPTEMBER 17, 2016 DID CONTAIN "BETAMETHASONE" A CONTROLLED THERAPUTIC MEDICATION WHICH IS A CLASS 4 DRUG CARRYING A C PENALTY AT A CONCENTRATION LEVEL OF 18 pg/ml. MR. BARKER ELECTED NOT TO SEND A SPLIT SAMPLE.

THE FOLLOWING IS THE STEWARDS' ANALYSIS OF THE MITIGATING/AGGRAVATING FACTORS IN THE MATTER:

A.) THE PERMIT HOLDER'S PAST RECORD.

MR. BARKER HAD A PHENYLBUTAZONE OVERAGE IN MAY 2016.

B.) THE POTENTIAL OF THE DRUG TO INFLUENCE THE HORSE'S PERFORMANCE.

CLASS 4 DRUGS GENERALLY HAVE A MORE LIMITED ABILITY TO INFLUENCE THE PERFORMANCE OF A RACEHORSE.

C.) THE LEGAL AVAILABILITY OF THE DRUG.

LEGALLY AVAILABLE

D.) WHETHER THERE IS REASON TO BELIEVE THE PERMIT HOLDER KNEW OF THE ADMINISTRATION OF INTENTIONALLY ADMINISTERED THE DRUG.

MR. BARKER KNEW THE DRUG WAS ADMINISTERED.

E.) THE STEPS TAKEN BY THE TRAINER TO SAFEGUARD THE HORSE.
INFORMATION UNAVAILABLE

F.) THE PROBABILITY OF ENVIROMENTAL CONTAMINATION OR INADVERTENT EXPOSURE DUE TO HUMAN DRUG USE.
NO PROBABILITY

G.) THE PURSE MONEY
\$6,200.00

H.) WHETHER THE DRUG FOUND WAS ONE FOR WHICH THE HORSE WAS RECEIVING A TREATMENT AS DOCUMENTED BY THE TREATING VETERINARIAN'S TREATMENT RECORD.
INFORMATION UNAVAILABLE

I.) WHETHER THERE WAS ANY SUSPICIOUS BETTING PATTERN IN THE RACE.
NONE

J.) WHETHER THE TRAINER WAS ACTING UNDER THE ADVICE OF A VETERIANARIAN LICENSED TO PRACTICE IN WEST VIRGINIA AND HOLDING AN OCCUPATIONAL PERMIT BY THE RACING COMMISSION.
INFORMATION UNAVAILABLE.

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS
NONE

THIS IS MR. BARKER'S 2ND CLASS 4 VIOLATION CARRYING A C PENALTY WITHIN A 365 DAY PERIOD. MR. BARKER IS HEREBY SUSPENDED 15 DAYS BEGINNING FRIDAY SEPTEMBER 30, 2016 THROUGH AND INCLUDING FRIDAY, OCTOBER 14, 2016 AND IS FINED \$1,500.00. THE HORSE "ZANDALE" IS DISQUALIFIED FROM ALL PURSE MONIES AND IS TO BE REDISTRIBUTED AS FOLLOWS:

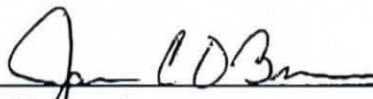
- 1) VISCIOUS LIES
- 2) PHONE DANCE
- 3) CAT TUNE
- 4) ALTER AND STANDING
- 5) STERLING THUNDER
- 6) SPACE TRIP

THE HORSEMEN'S BOOKKEEPER IS REQUESTED TO MAKE THE NECESSARY ADJUSTMENTS. MR. BARKER HAD 1 POINT PRIOR TO THIS RULING AND IS ASSESSED 1 POINT UNDER THE MULTIPLE MEDICATION VIOLATION SYSTEM, GIVING HIM A TOTAL OF 2 POINTS IN A 365 DAY PERIOD.

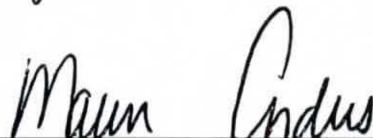
WHILE SUSPENDED MR. BARKER IS DENIED THE GROUNDS UNDER THE JURISDICTION OF THE RACING COMMISSION.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.


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



Chief Steward



Steward



Steward

October 1, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #226

NAME: BART BAIRD

DOB: 7/16/1964

PERMIT: #21467 OWNER/TRAINER

The Stewards hereby impose the following penalty:

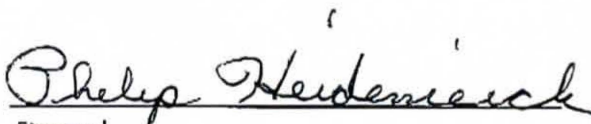
OWNER/TRAINER BART BAIRD IS HEREBY FINED FIVE HUNDRED (\$500.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-49.4.a.2. INDUSTRIAL LABORATORIES REPORTED SAMPLE #E203563 TAKEN FROM THE HORSE "BOSSES NOTION" WHICH FINISHED 4TH IN THE 8TH RACE ON SUNDAY, SEPTEMBER 18, 2016 DID CONTAIN "PHENYLBUTAZONE" ABOVE THE ALLOWABLE LEVEL. THE SAMPLE QUANTITATED WITH A CONCENTRATION LEVEL OF 2.7 +/- 4 ug/ml. MR. BAIRD WILL BE ASSESSED 1 POINT UNDER THE MULTIPLE MEDICATION VIOLATION SYSTEM 178-1-49.3.m.1. MR. BAIRD HAS A PREVIOUS MEDICATION VIOLATION FROM MAY 2016 WHERE HE WAS ASSESSED 1 POINT WITH THIS BEING HIS SECOND VIOLATION IN A 365 DAY PERIOD HE ACCUMULATES 1 POINT GIVING HIM A TOTAL OF TWO (2) POINTS.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 3, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #227

NAME: JOHN W. BAIRD

DOB: 6/21/1945

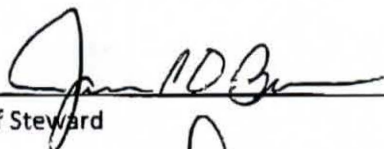
PERMIT: #21097 OWNER/TRAINER

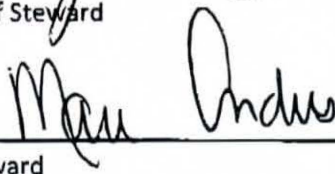
The Stewards hereby impose the following penalty:

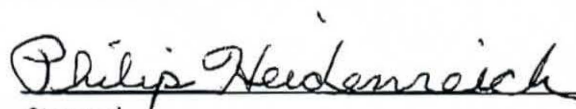
TRAINER JOHN W. BAIRD IS HEREBY FINED TWO HUNDRED (\$200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "PRACTICAL JOKER" PRESENT IN THE PADDOCK. RESULTING IN A LATE SCRATCH FROM THE 8TH RACE ON SUNDAY, OCTOBER 2, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 3, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
RULING

RULING #228

NAME: CHARLES H. KIESER

DOB: 2/16/1954

PERMIT: #20528 OWNER/TRAINER

The Stewards hereby impose the following penalty:

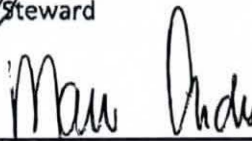
TRAINER CHARLES H. KIESER IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR FAILURE TO HAVE A CURRENT COGGINS FOR THE HORSE "MADELYN'S MYSTIQUE" NECESSITATING A LATE SCRATCH FROM THE 4TH RACE ON MONDAY, OCTOBER 3, 2016. A VIOLATION OF WV RULE OF RACING 178-1-44.17. THERE WAS NO NEGATIVE TEST CERTIFICATE FOR EQUINE INFECTIOUS ANEMIA (EIA).

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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



Chief Steward



Steward



Steward

**BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK**

RULING

RULING NUMBER 229

TO: JERRY JAMGOTCHIAN

Permit # 20595 Owner

ERIC REED

Permit # 22891 Trainer

c/o Andrew G. Jenkins

Frost Brown Todd

One PPG Place

Suite 2800

Pittsburgh, Pennsylvania 15222

On September 28, 2016, the Board of Stewards conducted a hearing regarding the racing of the horse "Majestic Angel" at Mountaineer Racetrack in Race 3 on Sunday, July 17, 2016, when the horse had been previously claimed in the State of Indiana and was subject to Indiana's claiming rule which prohibited it from racing outside of the State of Indiana for a period of sixty (60) days after claiming. Pursuant to 178-1-37.7. of the West Virginia Thoroughbred Racing Rule, all horses claimed in other states and racing in the State of West Virginia are subject to the conditions of the claiming rule in the state in which the claim was made. Majestic Angel is owned by Jerry Jamgotchian and trained by Eric Reed.

In accordance with the standard procedure in Mountaineer's Racing Office, Assistant Racing Secretary, Bill Bell, checked on the eligibility of Majestic Angel by calling a racetrack racing official in Indiana to ascertain if the horse was subject to any restrictions as a result of it being claimed in Indiana. Mr. Bell was informed that it was not subject to any claiming restrictions which would preclude it from being eligible to race in West Virginia. Mr. Bell believed that the racetrack racing official knew the racing rules in Indiana and he did not contact the racing stewards in Indiana to verify this information.

The Mountaineer Board of Stewards did not receive a written protest with regard to Majestic Angel's eligibility to run in the race, but did receive a verbal complaint from Trainer Tommy Short, who had a horse entered in Race 3. Mr. Short called the Stewards and alleged that Majestic Angel was ineligible to run under the above-referenced Indiana sixty (60) day claiming rule. The Stewards inquired of Mountaineer's Racing Office regarding this allegation and were told that the horse's eligibility had been checked with Indiana racing officials and that the horse was not barred from racing in West Virginia. The Mountaineer Stewards were unable to reach the Indiana Stewards by telephone in advance of the race to inquire about the matter.

After Majestic Angel ran in Race 3 on Sunday, July 17, 2016, it was learned that the information given to Mr. Bell by the assistant racing secretary in Indiana was incorrect and that Majestic Angel was indeed barred by Indiana's sixty (60) day claiming rule from racing outside of the State of Indiana.

Trainer Eric Reed reviewed a condition book in Indiana and saw nothing contained therein that advised him of the sixty (60) claiming rule. Reed conceded that he did not reviewed the State of Indiana's racing rules in which the sixty (60) claiming rule is contained and informed the Stewards that he didn't know where to obtain a copy of Indiana's racing rules.

Considering the extenuating circumstances in this matter which include that incorrect information was provided to and relied upon Mountaineer's Racing Office about Majestic Angel and that no formal written protest was lodged with the Mountaineer Board of Stewards, the Stewards hereby conclude that the eligibility issue associated with Majestic Angel should be waived.

It is therefore **ORDERED** that Majestic Angel's eligibility issue is waived and that the order of finish in Race 3 on July 17, 2016 shall remain undisturbed. It is further **ORDERED** that the purse of the race shall be released and paid out accordingly.

Dated: 10/4/2016

Steward

Steward

Steward

October 4, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #230

NAME: ASHLEY HAWKEY

DOB: 3/6/1985

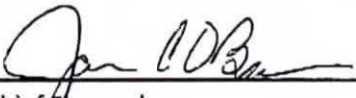
PERMIT: #20623 FOOD/BEVERAGE

The Stewards hereby impose the following penalty:

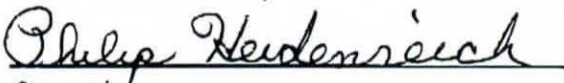
ASHLEY HAWKEY IS HEREBY SUSPENDED PENDING A PROFESSIONAL EVALUATION BY A CERTIFIED DRUG/ALCOHOL COUNSELOR BEFORE THE BOARD OF STEWARDS DETERMINE WHETHER OR NOT HER CONDITION IS SUCH THAT SHE MAY HOLD A PERMIT AND PARTICIPATE IN RACING. FOR VIOLATING WV RULE OF RACING 178-1-24.3.b.6, MS. HAWKEY MUST PRODUCE A NEGATIVE TEST PRIOR TO BEING REINSTATED. ALL COSTS FOR THE TEST RESULTS ARE ASSESSED TO MS. HAWKEY.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 10, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #231

NAME: FRANK BRINKLEY

DOB: 8/25/1963

PERMIT: #21458 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER FRANK BRINKLEY IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-23.2.b.1. SMOKING ON ASSOCIATION GROUNDS. THIS IS HIS FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

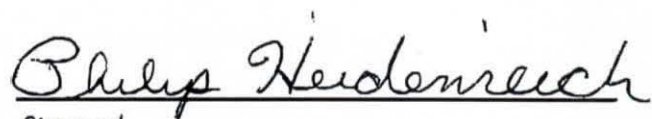
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

October 10, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #232

NAME: KEVIN RICE

DOB: 11/26/1989


PERMIT: #21536 OWNER/TRAINER

The Stewards hereby impose the following penalty:

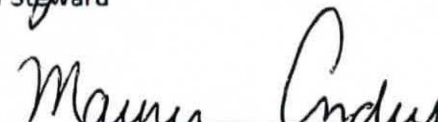
TRAINER KEVIN RICE IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "CAGEY BABY" PRESENT IN THE PADDOCK FOR THE 5TH RACE ON SUNDAY, OCTOBER 9, 2016. NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

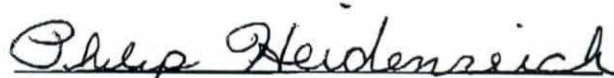
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

October 11, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
MULTIPLE MEDICATION VIOLATION RULING

RULING # 233

NAME: SCOTT SWEAZEY

DOB: 1/18/1969

PERMIT: # 20873 TRAINER

The Stewards hereby impose the following penalty:

HAVING WAIVED HIS RIGHT TO A HEARING THE BOARD OF STEWARDS FIND SCOTT SWEAZEY IN VIOLATION OF WV RULE OF RACING 178-1-49.3.m, 178-1-49.3.m.1, 178-1-49.3.m.7.A, 178-1-3.m.7.B, 178-1-49.4.a.2 AND 178-1-51.1.a.

THE OFFICIAL BLOOD AND URINE SAMPLE #E203637 TAKEN FROM THE HORSE "UTTER DRAMA" WHICH FINISHED 1ST IN THE 2ND RACE ON SUNDAY, SEPTEMBER 25, 2016 DID CONTAIN DEXAMETHAXONE A CONTROLLED THERAPEUTIC MEDICATION WHICH IS A CLASS 4 DRUG CARRYING A C PENALTY AT A CONCENTRATION LEVEL OF 76.4 pg/ml. MR. SWEAZEY ELECTED NOT TO SEND A SPILT SAMPLE:

THE FOLLOWING IS THE STEWARDS' ANALYSIS OF THE MITIGATING/AGGRAVATING FACTORS IN THE MATTER:

A.) THE PERMIT HOLDER'S PAST RECORD.

THIS IS HIS FIRST MEDICATION VIOLATION WITHIN A YEAR

B.) THE POTENTIAL OF THE DRUG TO INFLUENCE THE HORSE'S PERFORMANCE.

CLASS 4 DRUGS GENERALLY HAVE A MORE LIMITED ABILITY TO INFLUENCE THE PERFORMANCE OF A RACEHORSE.

C.) THE LEGAL AVAILABILITY OF THE DRUG.

LEGALLY AVAILABLE

D.) WHETHER THERE IS REASON TO BELIEVE THE PERMIT HOLDER KNEW OF THE ADMINISTRATION OF INTENTIONALLY ADMINISTERED THE DRUG.

MR. SWEAZEY ADMITTED TO KNOWING OF THE ADMINISTRATION OF THE DRUG.

E.) THE STEPS TAKEN BY THE TRAINER TO SAFEGUARD THE HORSE.

INFORMATION UNAVAILABLE

F.) THE PROBABILITY OF ENVIROMENTAL CONTAMINATION OR INADVERTENT EXPOSURE DUE TO HUMAN DRUG USE.

NO PROBABILITY

G.) THE PURSE MONEY

\$9,100.00

H.) WHETHER THE DRUG FOUND WAS ONE FOR WHICH THE HORSE WAS RECEIVING A TREATMENT AS DOCUMENTED BY THE TREATING VETERINARIAN'S TREATMENT RECORD.

INFORMATION UNAVAILABLE.

I.) WHETHER THERE WAS ANY SUSPICIOUS BETTING PATTERN IN THE RACE.

NONE

J.) WHETHER THE TRAINER WAS ACTING UNDER THE ADVICE OF A VETERIANARIAN LICENSED TO PRACTICE IN WEST VIRGINIA AND HOLDING AN OCCUPATIONAL PERMIT BY THE RACING COMMISSION.

INFORMATION UNAVAILABLE.

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS

NONE

MR. SWEAZEY IS HEREBY FINED ONE THOUSAND (\$1,000.00) DOLLARS. THE HORSE "UTTER DRAMA" IS DISQUALIFIED FROM ALL PURSE MONIES AND IS TO BE REDISTRIBUTED AS FOLLOWS"

1) CHESAPEAKE DANCER

2) THIS CATS ON FIRED

3) MISS DOLAN'S ROSE

4) SHE'S LIT UP

5) SEATTLE SUMMER


6) SMOOTH ARRIVAL

THE HORSEMEN'S BOOKKEEPER IS REQUESTED TO MAKE THE NECESSARY ADJUSTMENTS.

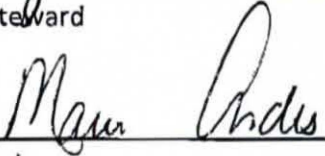
THIS IS MR. SWEAZEY'S 1ST OFFENSE AND HE IS ASSESSED ONE POINT UNDER THE MULTIPLE MEDCIATION VIOLATION SYSTEM.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

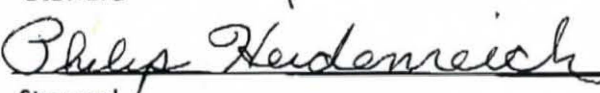
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

October 15, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #234

NAME: MELISSA GIAMBRONE

DOB: 2/22/1981

PERMIT: # 20232 OWNER

The Stewards hereby impose the following penalty:

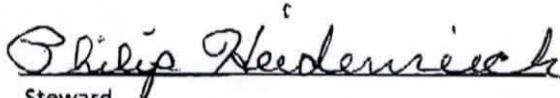
A HEARING WAS CONVENED ON WEDNESDAY, OCTOBER 5, 2016 FOR OWNER AND EXERCISE RIDER MELISSA GIAMBRONE FOR FALSIFYING HER APPLICATIONS FOR HER OCCUPATIONAL PERMITS, A VIOLATION OF WV RULE OF RACING 178-1-24.11.k AND 178-1-24.11.q MS GIAMBRONE FAILED TO DISCLOSE HER ARREST, CONVICTION, AND PROBATION SHE RECEIVED FOR CHARGES OF ANIMAL CRUELTY. MS. GIAMBRONE STATED ALL CHARGES HAD BEEN DROPPED AGAINST HER AND SHE WOULD PROVIDE INFORMATION TO THE BOARD OF STEWARDS OF THE DROPPED CHARGES. MS. GIAMBRONE FAILED TO PROVIDE ANY INFORMATION TO THE BOARD OF STEWARDS. THE BOARD OF STEWARDS FIND MS. GIAMBRONE GUILTY OF WV RULE OF RACING 178-1-24.11.k AND 178-1-24.11.q ALSO AND HER OCCUPATIONAL OWNER PERMIT #20232 AND OCCUPATIONAL PERMIT #20231 ARE REVOKED AND MS. GIAMBRONE IS DENIED THE GROUNDS UNDER THE JURISDICTION OF THE WV RACING COMMISSION. THE BOARD OF STEWARDS WILL NOT CONSIDER ISSUING ANY TYPE OF OCCUPATIONAL PERMIT TO MS. GIAMBRONE FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF THIS RULING.

All fines are to be paid within seven (7) days of Imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 12, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
MULTIPLE MEDICATION VIOLATION RULING

RULING #235

NAME: JAY BERNARDINI

DOB: 9/12/1966

PERMIT: CT#12970 OWNER/TRAINER

The Stewards hereby impose the following penalty:

HAVING WAIVED HIS RIGHT TO A HEARING THE BOARD OF STEWARDS FIND MR. BERNARDINI IN VIOLATION OF WV RULE OF RACING 178-1-49.3.m, 178-1-49.3.m.7.A, 178-1-49.3.m.B, 178-1-49.4.a.2, AND 178-1-51.1.a. THE OFFICIAL BLOOD AND URINE SAMPLE #E203636 TAKEN FROM THE HORSE "KOBUK VALLEY" WHICH FINISHED 1ST IN THE 1ST RACE ON SUNDAY, SEPTEMBER 25, 2016 DID CONTAIN BETAMETHASONE A CONTROLLED THERAPEUTIC MEDICATION WHICH IS A CLASS 4 DRUG CARRYING A C PENALTY AT A CONCENTRATION LEVEL OF 408 pg/ml WHICH WAS CONFIRMED IN THE BLOOD. MR. BERNARDINI ELECTED NOT TO SEND A SPLIT SAMPLE.

THE FOLLOWING IS THE STEWARDS' ANALYSIS OF THE MITIGATING/AGGRAVATING FACTORS IN THE MATTER:

A.) THE PERMIT HOLDER'S PAST RECORD.

NO PREVIOUS POSITIVES

B.) THE POTENTIAL OF THE DRUG TO INFLUENCE THE HORSE'S PERFORMANCE.

CLASS 4 DRUGS GENERALLY HAVE A MORE LIMITED ABILITY TO INFLUENCE THE HORSES PERFORMANCE.

C.) THE LEGAL AVAILABILITY OF THE DRUG.

LEGALLY AVAILABLE

D.) WHETHER THERE IS REASON TO BELIEVE THE PERMIT HOLDER KNEW OF THE ADMINISTRATION OF INTENTIONALLY ADMINISTERED THE DRUG.

MR. BERNARDINI DENIED ANY KNOWLEDGE OF THE ADMINISTRATION OF THE DRUG.

E.) THE STEPS TAKEN BY THE TRAINER TO SAFEGUARD THE HORSE.

INFORMATION AVAILABLE.

F.) THE PROBABILITY OF ENVIRONMENTAL CONTAMINATION OR INADVERTENT EXPOSURE

Oct. 12, 2016 6:44PM
No. 7080 P. 3/5

HUMAN DRUG USE.

NO PROBABILITY

G.) THE PURSE MONEY

\$9,100.00

H.) WHETHER THE DRUG FOUND WAS ONE FOR WHICH THE HORSE WAS RECEIVING A TREATMENT AS DOCUMENTED BY THE TREATING VETERINARIAN'S TREATMENT RECORD.

MR. BERNARDINI DENIED KNOWLEDGE OF THE ADMINISTRATION OF THE DRUG.

I.) WHETHER THERE WAS ANY SUSPICIOUS BETTING PATTERN IN THE RACE.

NO

J.) WHETHER THE TRAINER WAS ACTING UNDER THE ADVICE OF A VETERINARIAN LICENSED TO PRACTICE IN WEST VIRGINIA AND HOLDING AN OCCUPATIONAL PERMIT BY THE RACING COMMISSION.

MR. BERNARDINI DENIED KNOWLEDGE OF THE ADMINISTRATION OF THE DRUG

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS

NONE

MR. BERNARDINI IS FINED ONE THOUSAND (\$1,000.00) DOLLARS AND THE HORSE "KOBUK VALLEY" IS DISQUALIFIED FROM ANY PURSE MONIES. THE PURSE IS TO BE REDISTRIBUTED AS FOLLOWS:

- 1) IMA GIVEN**
- 2) SALTY GAL**
- 3) MILITARY MARY**
- 4) STARDUST SKIES**
- 5) STARSHIP STREAKER**
- 6) ROSEBUD'S TIGER**
- 7) MADELYN'S MYSTIQUE**

THE HORSEMEN'S BOOKKEEPER IS REQUESTED TO MAKE THE NECESSARY ADJUSTMENTS. THIS IS MR. BERNARDINI'S 1ST OFFENSE AND HE IS ISSUED ONE (1) POINT FOR THE MULTIPLE MEDICATION VIOLATION SYSTEM.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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

Jan BOB
Chief Steward

Maurice Andrus
Steward

Philip Heidenreich
Steward

October 12, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #236

NAME: BEN D. OLAIVAR

DOB: 7/7/1948

PERMIT: #21699 TRAINER

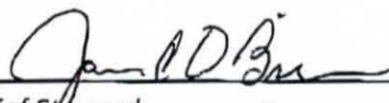
The Stewards hereby impose the following penalty:

TRAINER BEN D. OLAIVAR IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR FAILURE TO HAVE A CURRENT COGGINS FOR THE HORSE "WARRIOR KING" NECESSITATING A LATE SCRATCH FROM THE 6TH RACE ON TUESDAY, OCTOBER 11, 2016. A VIOLATION OF WV RULE OF RACING 178-1-44.17.

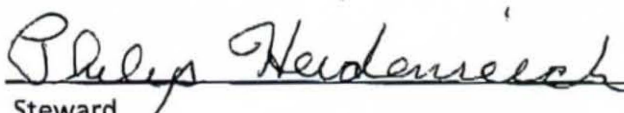
"There was no current negative test certificate for Equine Infectious Anemia (EIA)."

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 12, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #237

NAME: JAMES R. PRICE, JR.

DOB: 10/20/1957

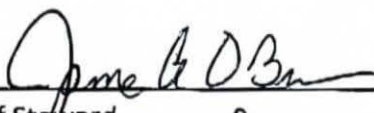
PERMIT: CT#13052 OWNER/TRAINER

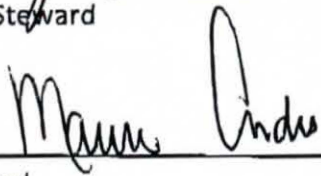
The Stewards hereby impose the following penalty:

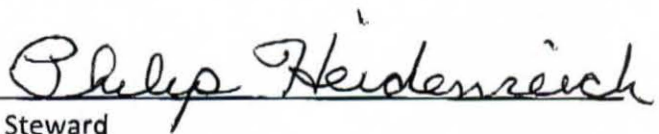
TRAINER JAMES R. PRICE, JR IS HEREBY FINED TWO HUNDRED (\$200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-51.1.b.16. "Ensuring that his or her horses are properly shod." FAILURE TO HAVE "LIGHTLY DANCING" PROPERLY SHOD RESULTING IN A LATE SCRATCH FROM THE 3RD RACE ON TUESDAY, OCTOBER 11, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 16, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #238

NAME: LUIS RAUL RIVERA

DOB: 11/9/1978

PERMIT: #22812 JOCKEY

The Stewards hereby impose the following penalty:

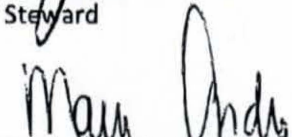
JOCKEY LUIS R. RIVERA IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-28.3.b. "A jockey shall faithfully fulfill all engagements in respect to racing." FAILURE TO FULFILL HIS RIDING ENGAGEMENTS RESULTING IN A RIDER CHANGE IN RACE 8 ON SATURDAY, OCTOBER 15, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

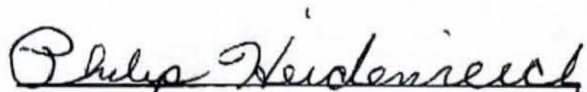
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

October 17, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #239

NAME: JAMI POOLE

DOB: 5/28/1971

PERMIT: CT #10346 TRAINER

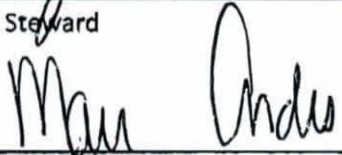
The Stewards hereby impose the following penalty:

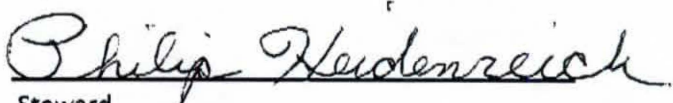
TRAINER JAMI C. POOLE IS HEREBY FINED TWO HUNDRED (\$200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "PENDING ASSET" PRESENT IN THE PADDOCK FOR THE 9TH RACE ON SUNDAY, OCTOBER 16, 2016 NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 18, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #240

NAME: JOHN FORD

DOB: 6/29/1958

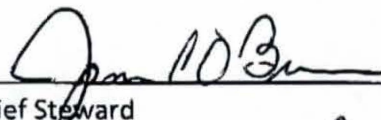
PERMIT: #21604 OWNER/TRAINER

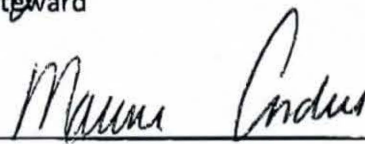
The Stewards hereby impose the following penalty:

HAVING WAIVED HIS RIGHT TO A HEARING TRAINER JOHN FORD IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-23.2.b.1. SMOKING IN A RESTRICTED NO SMOKING AREA.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 18, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #241

NAME: HERBERT CHOINA

DOB: 2/21/1950

PERMIT: #20405 JOCKEY AGENT

The Stewards hereby impose the following penalty:


HAVING WAIVED HIS RIGHT TO A HEARING JOCKEY AGENT HERBERT CHOINA IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-23.2.b.1. SMOKING IN A RESTRICTED NO SMOKING AREA.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 18, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
MULTIPLE MEDICATION VIOLATION RULING

RULING # 242

NAME: JAY BERNARDINI

DOB: 9/12/1966

PERMIT: # 23559 OWNER/TRAINER

The Stewards hereby impose the following penalty:

HAVING WAIVED HIS RIGHT TO A HEARING THE BOARD OF STEWARDS FIND MR. BERNARDINI IN VIOLATION OF WV RULE OF RACING 178-1-49.3.m, 178-1-49.3.m.7.A, 178-1-49.3.m.7.B, 178-1-49.4.a.2, AND 178-1-51.1.a. THE OFFICIAL BLOOD AND URINE SAMPLE #E203658 TAKEN FROM THE HORSE "CUT TO THE CHASE" WHICH FINISHED 2ND IN THE 4TH RACE ON MONDAY, SEPTEMBER 26, 2016 DID CONTAIN BETAMETHASONE. A CONTROLLED THERAPEUTIC MEDICATION WHICH IS A CLASS 4 DRUG CARRYING A C PENALTY AT A CONCENTRATION LEVEL OF 324 pg/ml WHICH WAS CONFIRMED IN THE BLOOD. MR. BERNARDINI ELECTED NOT TO SEND A SPLIT SAMPLE.

THE FOLLOWING IS THE STEWARDS' ANALYSIS OF THE MITIGATING/AGGRAVATING FACTORS IN THE MATTER:

A.) THE PERMIT HOLDER'S PAST RECORD.

MR. BERNARDINI HAD A BETAMETHASONE POSITIVE ON SUNDAY, SEPTEMBER 25, 2016

B.) THE POTENTIAL OF THE DRUG TO INFLUENCE THE HORSE'S PERFORMANCE.

CLASS 4 DRUGS GENERALLY HAVE A MORE LIMITED ABILITY TO INFLUENCE THE HORSES PERFORMANCE

C.) THE LEGAL AVAILABILITY OF THE DRUG.

LEGALLY AVAILABLE

D.) WHETHER THERE IS REASON TO BELIEVE THE PERMIT HOLDER KNEW OF THE ADMINISTRATION OF INTENTIONALLY ADMINISTERED THE DRUG.

MR. BERNARDINI WAIVED HIS RIGHT TO A HEARING

E.) THE STEPS TAKEN BY THE TRAINER TO SAFEGUARD THE HORSE.

INFORMATION UNAVAILABLE

F.) THE PROBABILITY OF ENVIROMENTAL CONTAMINATION OR INADVERTENT EXPOSURE DUE TO HUMAN DRUG USE.

NO PROBABILITY

G.) THE PURSE MONEY

\$8,300.00

H.) WHETHER THE DRUG FOUND WAS ONE FOR WHICH THE HORSE WAS RECEIVING A TREATMENT AS DOCUMENTED BY THE TREATING VETERINARIAN'S TREATMENT RECORD.

INFORMATION UNAVAILABLE

I.) WHETHER THERE WAS ANY SUSPICIOUS BETTING PATTERN IN THE RACE.

NONE

J.) WHETHER THE TRAINER WAS ACTING UNDER THE ADVICE OF A VETERIANARIAN LICENSED TO PRACTICE IN WEST VIRGINIA AND HOLDING AN OCCUPATIONAL PERMIT BY THE RACING COMMISSION.

INFORMATION UNAVAILABLE

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS

NONE

MR. BERNARDINI IS FINED ONE THOUSAND (\$1,000.00) DOLLARS AND THE HORSE "CUT TO THE CHASE" IS DISQUALIFIED FROM ANY PURSE MONIES. THE PURSE IS TO BE REDISTRIBUTED AS FOLLOWS:

1) WHITE GLADIATOR

2) COLBYVILLE

3) TRAPNALL HALL

4) HE'S THE DUDE

THE HORSEMEN'S BOOKKEEPER IS REQUESTED TO MAKE THE NECESSARY ADJUSTMENTS.

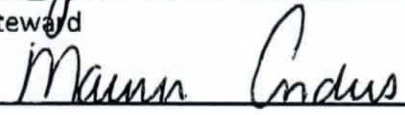
THIS POSITIVE TEST AND PREVIOUS POSITIVE TEST ON SEPTEMBER 25, 2016 FOR THE SAME MEDICATION INCURRED BY MR. BERNARDINI WERE PRIOR TO DELIVERY OF OFFICIAL NOTICE BY INDUSTRIAL LABORATORIES. THIS WILL BE CONSIDERED HIS 1ST OFFENSE. HE RECEIVED ONE POINT PRIOR TO THIS RULING AND HE WILL NOT BE ASSESSED ANOTHER POINT FOR THE MULTIPLE MEDICATION VIOLATION SYSTEM.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

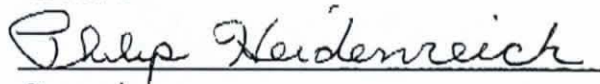
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

October 19, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING # 243

NAME: SANDRA COVERT

DOB: 5/8/1959

PERMIT: #21350 GROOM

The Stewards hereby impose the following penalty:


SANDRA COVERT IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV
RULE OF RACING 178-1-23.2.b.1. FOR SMOKING IN A RESTRICTED AREA ON ASSOCIATION
GROUNDS. THIS IS HER FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing
178-1-8.5.N.

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



Chief Steward



Steward



Steward

October 19, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING # 244

NAME: BRENT ANGELLE

DOB: 2/2/1977


PERMIT: #20541 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER BRENT ANGELLE IS HEREBY FINED TWO HUNDRED (\$200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "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." FAILURE TO HAVE "BETTER SHINE" PRESENT IN THE PADDOCK. NECESSITATING A LATE SCRATCH FROM THE 8TH RACE ON WEDNESDAY, OCTOBER 19, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

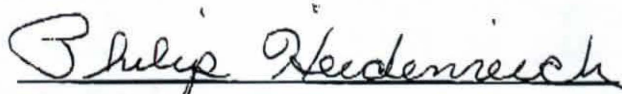
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

October 19, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #245

NAME: LOUIS DEPASQUALE

DOB: 3/4/1947

PERMIT: #20052 OWNER/TRAINER

The Stewards hereby impose the following penalty:

HAVING WAIVED HIS RIGHT TO A HEARING MR. DEPASQUALE IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-23.2.b.1. SMOKING IN A RESTRICTED AREA ON ASSOCIATION GROUNDS. THIS IS HIS FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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

Philip Heidenreich

Maura Indus
Steward

Bob Reed
Steward

October 22, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
RULING

RULING #246

NAME: WILLIAM N. MARTIN

DOB: 2/26/1964


PERMIT: #21226 OWNER/TRAINER

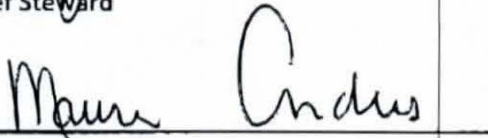
The Stewards hereby impose the following penalty:

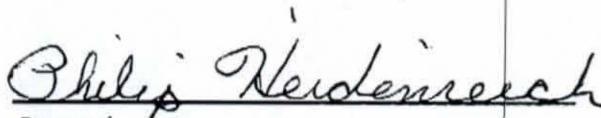
TRAINER WILLIAM N. MARTIN IS HEREBY FINED TWO HUNDRED FIFTY (\$250.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-49.4.a.2. INDUSTRIAL LABORATORIES REPORTED SAMPLE #E204192 TAKEN FROM THE HORSE "DANCER'S KISS" WHICH FINISHED 1ST IN THE 5TH RACE ON MONDAY, OCTOBER 3, 2016 DID CONTAIN "PHENYLBUTAZONE" ABOVE THE ALLOWABLE LEVEL. THE SAMPLE WAS QUANTITATED WITH A CONCENTRATION LEVEL OF 2.6 +/- ug/ml. MR. MARTIN WILL BE ASSESSED ONE (1) POINT UNDER THE MULTIPLE MEDICATION VIOLATION SYSTEM. MR. MARTIN HAS ONE (1) POINT FROM A VIOLATION IN SEPTEMBER 2015 GIVING HIM A TOTAL OF 2 POINTS.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 22, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #246

NAME: WILLIAM N. MARTIN

DOB: 2/26/1964

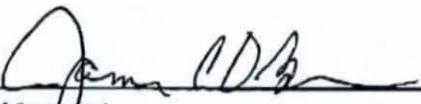
PERMIT: #21226 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER WILLIAM N. MARTIN IS HEREBY FINED TWO HUNDRED FIFTY (\$250.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-49.4.a.2. INDUSTRIAL LABORATORIES REPORTED SAMPLE #E204192 TAKEN FROM THE HORSE "DANCER'S KISS" WHICH FINISHED 1ST IN THE 5TH RACE ON MONDAY, OCTOBER 3, 2016 DID CONTAIN "PHENYLBUTAZONE" ABOVE THE ALLOWABLE LEVEL. THE SAMPLE WAS QUANTITATED WITH A CONCENTRATION LEVEL OF 2.6 +/- ug/ml. MR. MARTIN WILL BE ASSESSED ONE (1) POINT UNDER THE MULTIPLE MEDICATION VIOLATION SYSTEM. MR. MARTIN HAS ONE (1) POINT FROM A VIOLATION IN SEPTEMBER 2015 GIVING HIM A TOTAL OF 2 POINTS.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward

October 25, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #247

NAME: GABRIEL LAGUNES

DOB: 9/26/1976

PERMIT: #22703 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY GABRIEL LAGUNES IS HEREBY SUSPENDED SEVEN (7) DAYS STARTING THURSDAY, OCTOBER 27, 2016 THROUGH AND INCLUDING WEDNESDAY, NOVEMBER 2, 2016 FOR VIOLATION OF WV RULE OF RACING 178-1-45.7.b.1 AND 178-1-45.7.c.3. "A jockey shall not ride carelessly or willfully so as to permit his or her

mount to interfere with, impede, or intimidate any other horse in a race. If the Stewards determine that a foul was intentional, due to carelessness, or willfulness, the jockey and his or her occupational permit may be disciplined."

WE KNOW" RIDDEN BY GABRIEL LAGUNES

"PERFECT PRINCE" AND #1 "THE DEVIL"

OCTOBER 22, 2016. HIS MOUNT WAS RIDDEN BY

FOR INTERFERENCE. WHILE SLEIGH RACED

CLOSES IN THE MORNING. WV RULE OF RACING

All fines are to be paid within six (6) months.

178-1-8.5.N.

You have the right to appeal this ruling.

Commission Office within 20 days of the date of the ruling.

amount of \$100.00.

MP
247-259

Stewards determine that a
and his or her occupational
MINED THAT #3 "THE DEVIL"
INITIATED CONTACT TO #9
TH RACE ON SATURDAY,
M 2ND AND PLACED 4TH
HORSES UNTIL THE TRACK

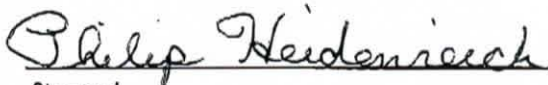
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ing and must include a security fee in the


Chief Steward


Steward


Steward

October 25, 2016

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING

RULING #248

NAME: WILKIN ORTIZ

DOB: 12/15/1980


PERMIT: #22710 JOCKEY

The Stewards hereby impose the following penalty:

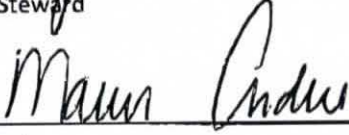
JOCKEY WILKIN ORTIZ IS HEREBY SUSPENDED SEVEN (7) DAYS STARTING MONDAY, OCTOBER 24, 2016 THROUGH AND INCLUDING SUNDAY, OCTOBER 30, 2016 FOR VIOLATION OF WV RULE OF RACING 178-1-45.7.b.1 AND 178-1-45.7.c.3. "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede, or intimidate any other horse in the race, if the Stewards determine that a foul was intentional, due to careless riding, the jockey may be held responsible and his or her occupational permit may be disciplined." AFTER A HEARING THE BOARD OF STEWARDS DETERMINED THAT #7 "THOMAS HILL" RIDDEN BY WILKIN ORTIZ DRIFTED OUT, CAUSING INTERFERENCE AND INITIATED CONTACT TO #1 "TROUBLE X TWO" AND #9 "PERFECT PRINCE" DURING THE STRETCH RUN OF THE 9TH RACE ON SATURDAY, OCTOBER 22, 2016. HIS MOUNT #7 "THOMAS HILL" WAS DISQUALIFIED FROM 1ST AND PLACED 3RD FOR INTERFERENCE. WHILE SUSPENDED MR. ORTIZ MAY GALLOP OR EXERCISE HORSES UNTIL THE TRACK CLOSES IN THE MORNING WV RULE OF RACING 178-1-28.1.f

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

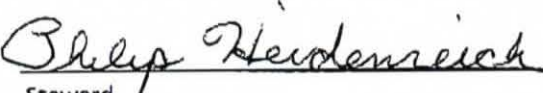
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$100.00



Chief Steward



Steward



Steward

October 25, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #250

NAME: M. ANTHONY FERRARO

DOB: 10/31/1961


PERMIT: # TRAINER

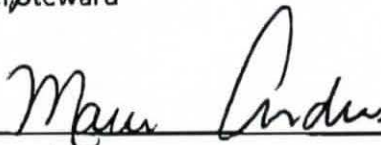
The Stewards hereby impose the following penalty:

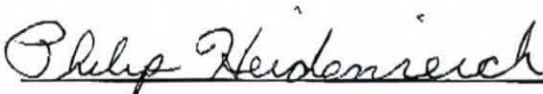
TRAINER M. ANTHONY FERRARO IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "ALL GOLD" PRESENT IN THE PADDOCK FOR THE 1ST RACE ON SUNDAY, OCTOBER 23, 2016 NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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


Chief Steward


Steward


Steward