

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

**RULING # 151**

**NAME: YAMIL ROSARIO**

**DATE: AUGUST 20, 2017**

**DOB: 12/10/1982**

**PERMIT: #13974 CT JOCKEY**

**The Stewards hereby impose the following penalty:**

JOCKEY YAMIL ROSARIO IS HEREBY FINED ONE HUNDERD (\$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." MR. ROSARIO FAILED TO FULFILL HIS RIDING ENGAGEMENT ON SUNDAY, AUGUST 20, 2017, FOR THE SIXTH RACE RESULTING IN A RIDER CHANGE.

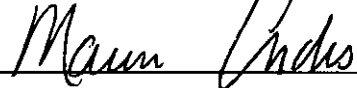
**All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.**

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 \$500.00.



Chief Steward



Steward



Steward

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

DATE: August 21, 2017

RULING #: 152

TO: Glenn Kopp

DOB: 06/16/1957

PERMIT #: 20182 OWNER/TRAINER

The Stewards hereby impose the following penalty:

**A HEARING WAS AFFORDED TO GLENN KOPP ON 8/15/17 FOR ALLEGED VIOLATION OF WV RULES OF RACING #178-1-49.4.a.2, 178-1-51.1.a, 178-1-49.3.a, 178-1-49.3m.8.A, 178-1-49.3.m.8.B AND 178-1-49.3m OF THE THOROUGHBRED RACING RULES 178 C.S.R.I.. MR. KOPP ELECTED NOT TO ATTEND THE HEARING BUT WAS REPRESENTED BY H.B.P.A. PRESIDENT JAMI POOLE.**

**INDUSTRIAL LABORATORIES REPORTED SAMPLE #5248827 TAKEN FROM THE HORSE "Spot a Kiss" WHICH FINISHED 1st IN THE 6TH RACE ON MONDAY, JUNE 19, 2017, DID CONTAIN CLENBUTEROL, A CLASS 3 DRUG CARRYING A CLASS B PENALTY, ABOVE THE ACCEPTED THRESHOLD AT A CONCENTRATION LEVEL OF APPROXIMATELY 19.9pg/ml. A SPLIT SAMPLE WAS SENT TO THE UNIVERSITY OF CALIFORNIA, DAVIS, WHICH CONFIRMED THE PRESENCE OF CLENBUTEROL AT A CONCENTRATION LEVEL OF 14 pc/ml.**

**THE STEWARDS CONCLUDE MR. KOPP HAS VIOLATED SECTIONS 178-1-49.4.a.2, 178-1-51.1.a, 178-1-49.3.a, 178-1-49.3.m.8.A., 178-1-49.3.m.8.B, AND 178-1-49.3.m OF THE THOROUGHBRED RACING RULE 178 C.S.R.I.. THIS MEDICATION/SUBSTANCE VIOLATION, CARRYING A B PENALTY, IS THE PERMIT HOLDERS SECOND OFFENSE. THE PERMIT HOLDER HAS ACCUMULATED 2 POINTS UNDER THE MULTIPLE MEDICATION VIOLATION POINT SYSTEM PRIOR TO THIS RULING. THE POINTS ASSESSED FOR THIS MEDICATION/SUBSTANCE VIOLATION ARE 2, FOR A TOTAL OF 4, PURSUANT TO SECTION 49.3.m OF 178 OF WEST VIRGINIA C.S.R.I..**

**THE PENALTY GUIDELINES SET FORTH IN TABLE 178-1 E OF THE THOROUGHBRED RACING RULES PROVIDE A MINIMUM PENALTY OF A 30 DAY SUSPENSION, A \$1,000.00 FINE AND DISQUALIFICATION AND LOSS OF PURSE**

**AND A MAXIMUM PENALTY OF A 180 DAY SUSPENSION, A \$2,500.00 FINE AND DISQUALIFICATION AND LOSS OF PURSE.**

**HOWEVER, 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 THE STEWARDS ANALYSIS OF THE MITIGATING/AGGRAVATING FACTORS IN THE MATTER:**

**A.) THE PERMIT HOLDER'S PAST RECORD.**

**MR. KOPP HAD A CLENBUTEROL POSITIVE FOR A RACE ON 8/15/16.**

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

**CLASS 3 DRUGS MAY OR MAY NOT HAVE AN ACCEPTED TERAPEUTIC USE IN THE HORSE. MANY ARE DRUGS THAT AFFECT THE CARDIOVASCULAR, PULMONARY, AND AUTONOMIC NERVOUS SYSTEMS. THEY ALL HAVE THE POTENTIAL OF AFFECTING 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 THE DRUG OR INTENTIONALLY ADMINISTERED THE DRUG.**

**MR. POOLE STATED THAT MR. KOPP SAID THE HORSE WAS ADMINISTERED CLENBUTEROL 15 DAYS PRIOR TO THE RACE.**

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

**INFORMATION UNAVAILABLE**

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

**NONE**

**G.) THE PURSE OF THE RACE**

**\$6,600.00**

**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 VETERINARIAN 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**

**BASED ON THE ABOVE, THE STEWARDS HEREBY IMPOSE THE FOLLOWING PENALTY FOR THE UNDERLYING OFFENSE:**

**MR. KOPP IS HEREBY SUSPENDED THIRTY (30) DAYS EFFECTIVE TUESDAY, AUGUST 22, 2017, THROUGH AND INCLUDING WEDNESDAY, SEPTEMBER 20, 2017, AND IS FINED ONE THOUSAND (\$1,000.00) DOLLARS.**

**THE HORSE "Spot a Kiss" IS DISQUALIFIED FROM ALL PURSE MONIES AND IS TO BE REDISTRIBUTED AS FOLLOWS:**

**1<sup>ST</sup> KEEN SMEE**

**2<sup>ND</sup> SCIPION'S GOLD**

**3<sup>RD</sup> MS BLOOMFIELD HIGH**

**4<sup>TH</sup> EILDON HALL**

**5<sup>TH</sup> WILL'S MONEY**

**6<sup>TH</sup> MADELYN'S MYSTIQUE**

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

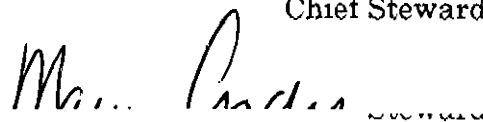
**WHILE SUSPENDED MR. KOPP IS DENIED THE GROUNDS UNDER THE JURISDICTION OF THE WEST VIRGINIA RACING COMMISSION.**

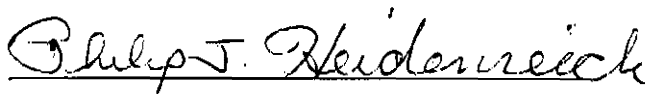
All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

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 \$500.00

  
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Chief Steward



  
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Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #153

DATE: 8/22/2017

NAME: TOMMY C. SHORT

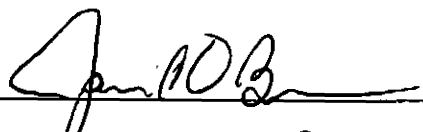
DOB: 09/17/1962

PERMIT: #22341 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER TOMMY C. SHORT IS HEREBY FINED ONE HUNDRED (\$100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 179-1-44.1 "No blood registration is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the stewards' satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race." FAILURE TO HAVE REGISTRATION PAPERS FOR "KAYLA'S KITTEN" RESULTING IN A LATE SCRATCH FROM THE 8<sup>TH</sup> RACE ON MONDAY, AUGUST 21, 2017.

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

  
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Maureen Andrews Chief Steward  
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Philip J. Heidemann Steward  
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Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

**DATE: August 23, 2017**

**RULING # 154**

**NAME: Eddie Clouston**

**DOB: 07/02/1965**

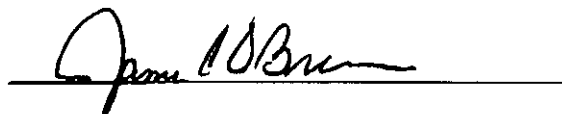
**PERMIT: #21581 Owner/Trainer**

**The Stewards hereby impose the following penalty:**

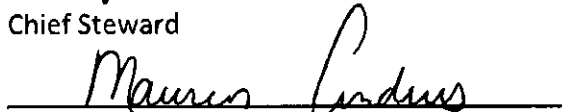
Owner/Trainer Eddie Clouston is hereby fined two hundred (\$200.00) dollars for violation of West Virginia Rule of Racing 178-1-26.3.g., failure to have his horse "Za Woodman" present in the paddock, necessitating a late scratch from the 8<sup>th</sup> race on Tuesday, August 22, 2017.

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

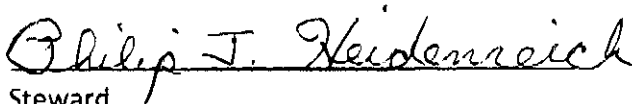
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.



Chief Steward



Steward



Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #155 (corrected ruling #)

DATE: August 28, 2017

NAME: Christopher Gish

DOB: 11/28/1974

PERMIT: # 22544 Groom

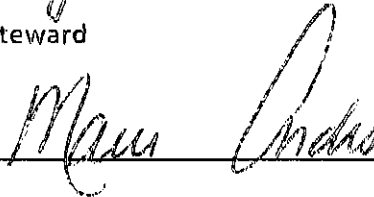
The Stewards hereby impose the following penalty:

The 2017 Occupational Permit #22544 issued to Groom Christopher Gish is hereby revoked for having been convicted of a felony. Mr. Gish must apply for a future permit with the West Virginia Racing Commission, 900 Pennsylvania Avenue, Suite 533, Charleston, West Virginia 25302.

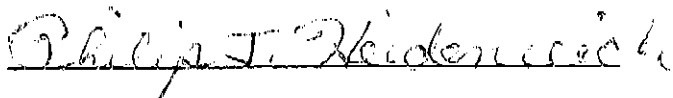
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.



Chief Steward



Steward



Steward



**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING # 156**

**DATE: AUGUST 29, 2017**

**NAME: AJHARI WILLIAMS**

**DOB: 5/17/1996**

**PERMIT: # APPRENTICE JOCKEY #21005**

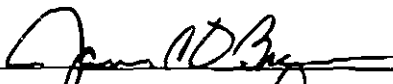
**The Stewards hereby impose the following penalty:**


After a formal hearing in the Stewards Office on 8/29/2017, Apprentice Jockey Ajhari Williams is found to be in violation of WV Rules of Racing 178-24.11.gg, 178-1-24.11.dd, 178-1-24.11.d, 178-1-45.5.b and 178-1-45.5.c. While weighing out for the fifth race on 8/22/17, Mr. Williams attempted to alter his weight by using altered and unauthorized boots.

Mr. Williams is suspended fifteen (15) calendar days effective Tuesday, August 29, 2017 through and including Tuesday, September 12, 2017, and fined five hundred(\$500.00) dollars.

While suspended Mr. Williams is denied the grounds 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 the ruling and must include a security fee in the amount of \$500.00.

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #157

DATE: 8/30/2017

NAME: GEOFFREY A. DIXON

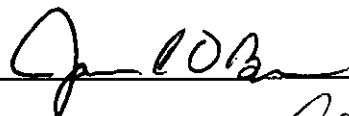
DOB: 2/24/1960

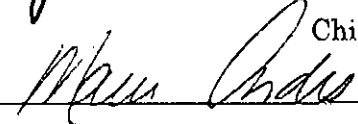
PERMIT: #20494 OWNER/TRAINER

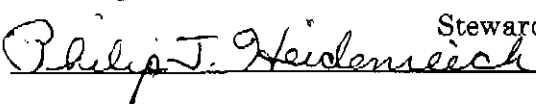
The Stewards hereby impose the following penalty:

TRAINER GEOFFREY A. DIXON IS HEREBY FINED \$100.00 (ONE HUNDRED DOLLARS) FOR VIOLATION OF WV RULE OF RACING 178-1-44.17, FAILURE TO HAVE A CURRENT COGGINS ON FILE WITH THE RACING OFFICE FOR THE HORSE "HOPE LOPES" IN THE 6<sup>TH</sup> RACE ON WEDNESDAY, AUGUST 30, 2017, NECESSITATING A LATE SCRATCH.

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

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #158

DATE: 8/30/2017

NAME: JEFF ENGLER

DOB: 9/7/1970

PERMIT: # TRAINER

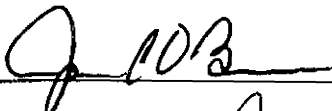
The Stewards hereby impose the following penalty:

TRAINER JEFF ENGLER IS HEREBY FINED \$100.00 (ONE HUNDRED 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 at a time appointed before post time of the race in which the horse is entered."*

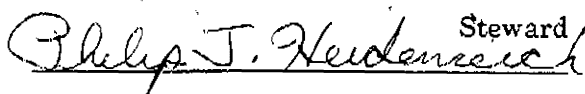
FAILURE TO HAVE "JUST ANOTHER JOHN" PRESENT IN THE PADDOCK FOR THE 3<sup>RD</sup> RACE ON WEDNESDAY, AUGUST 30, 2017 NECESSITATING A LATE SCRATCH.

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

  
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Chief Steward

  
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Steward

Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**NOTICE OF HEARING**

DATE: AUGUST 22, 2017

TO: AJHARI WILLIAMS

DOB: 5/17/1996

PERMIT # 21005 APPRENTICE JOCKEY

You are hereby notified, that the Board of Stewards will convene a hearing on the date and time listed below regarding allegations that you have violated section (s) 178-1-24.11.gg, 178-1-24.11.dd, 178-1-24.11.gg, 178-1-24.11.d, 178-1-45.5.b and 178-1-45.5.c of the Thoroughbred Racing Rules, 178 C. S. R. 1.

**FRAUDULENTLY ATTEMPTING TO ALTER YOUR WEIGHT BY WEIGHING-OUT WITH INCORRECT AND ALTERED RIDING BOOTS FOR THE 5<sup>TH</sup> RACE ON 8/22/2017. FAILURE TO REPORT THE CORRECT WEIGHT FOR THE 7<sup>TH</sup> RACE ON 8/22/2017**

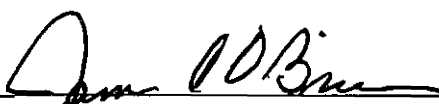
**JAMES COLVIN WAS WITNESS TO AJHARI WILLIAMS' ATTEMPT TO ALTER HIS WEIGHT ON 8/22/2017.**

**HEARING WILL BE HELD ON WEDNESDAY, AUGUST 29, 2017 AT 10:00 AM IN THE STEWARDS OFFICE AT MOUNTAINEER RACETRACK.**

Pursuant to 178 C. S. R. 1-10, the Board of Stewards may fine, suspend and/or exclude from the association grounds any permit holder who violated the Rules of Racing. You are entitled to confront and examine all evidence presented against you, present a defense, and call and cross-examine witnesses. In addition, you may represent yourself or be represented by a lay representative of any trade organization of which you are a member or by legal counsel licensed to practice law in the State of West Virginia.

You are required to appear at the hearing and answer for the above-cited allegations. However, you may waive your right to a hearing or if you fail to appear for the hearing, you will be deemed to admit to the allegations and the Board of Stewards will issue a ruling in your absence.

Upon request, the Board of Stewards may grant a continuance of this hearing for good cause shown.

  
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Chief Steward

I hereby acknowledge receipt: \_\_\_\_\_

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

**RULING #: 159**

**DATE:** September 4, 2017

**NAME:** Renzo Diaz

**DOB:** 02/19/1981

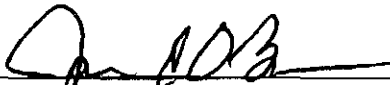
**PERMIT:** # 20249 Jockey

**The Stewards hereby impose the following penalty:**

Jockey Renzo Diaz is hereby fined one hundred (100.00) dollars for violation of WV Rule of Racing 178-1-28.3b., failure to fulfill his riding engagements on Sunday, September 3, 2017, resulting in a late rider change in Race #2.

**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 \$500.00.

  
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Chief Steward

  
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Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

**RULING: #160**

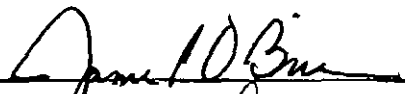
**DATE: September 4, 2017**


**NAME: Brett Santangelo**

**DOB: 03/11/1993**

**PERMIT: # 21324 OWNER/TRAINER**

**Owner/Trainer Brett Santangelo is hereby restored to good standing having fulfilled his financial obligation.**

  
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Chief Steward

  
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Steward

  
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Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

**RULING # 161**

**NAME: Eddie Clouston**

**DATE: September 5, 2017**

**DOB: 7/2/1965**

**PERMIT: #21296 Owner/Trainer**

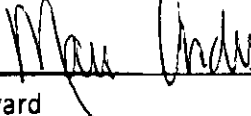
**The Stewards hereby impose the following penalty:**

OWNER/TRAINER EDDIE CLOUSTON IS HEREBY FINED TWO HUNDRED (\$200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING #178-1-26.3.g. FAILURE TO HAVE HIS HORSE "BLUEMOONOF SARATOGA" PRESENT IN THE PADDOCK, RESULTING IN A LATE SCRATCH FROM THE FIFTH RACE ON MONDAY, SEPTEMBER 4, 2017.

**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 \$500.00.

  
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Chief Steward

  
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Steward

  
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Steward

## BEFORE THE BOARD OF STEWARDS

## MOUNTAINEER RACETRACK

RULING**RULING # 163****NAME: Gerald Almodovar****DATE: September 6, 2017****DOB: 9/25/85****PERMIT: CT#13568 JOCKEY****The Stewards hereby impose the following penalty:**

Jockey Gerald Almodovar, after a film review in the jock's room, being represented by fellow jockey Erik Barbaran, is hereby fined one hundred (\$100.00) dollars for violation of WV Rule of Racing section(s) 178-1-15.7.a. "All horses shall be ridden out past the finish line in every race. A jockey shall not ease up or coast to the finish, without reasonable cause, even if the horse has no apparent chance to win prize money. A jockey shall give a best effort during a race, and each horse shall be ridden to win." 178.-1-24.11.gg. "Has engaged in conduct unbecoming or detrimental to the best interest of racing.

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 \$500.00.

  
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Chief Steward  
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Steward  
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Steward



BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

**RULING # 164**

**NAME: Kevin Gonzalez**

**DATE: September 6, 2017**

**DOB: 04/27/1993**

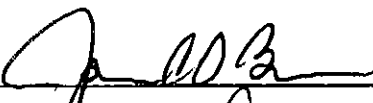
**PERMIT: #20407 JOCKEY**

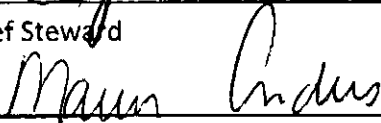
**The Stewards hereby impose the following penalty:**

**Jockey Kevin Gonzalez, after film review in the jocks room, is hereby fined one hundred (\$100.00) dollars for violation of WV Rule of Racing section(s) #178.1-45.7.f.5.a. "Showing the horse the riding crop and giving it time to respond before hitting it." 178-1-45.7.f.5.b. "Having used the riding crop, giving the horse a chance to respond before using it again." 178-1-45.7.f.6.d. "When the horse is clearly out of the race or has obtained its maximum placing."**

**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 \$500.00.**

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #165

DATE: 9/6/2017

NAME: WALTER BISH

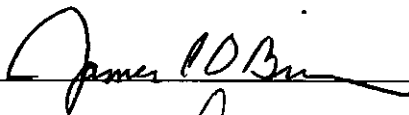
DOB: 10/12/1946

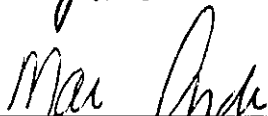
PERMIT: #22122 OWNER/TRAINER

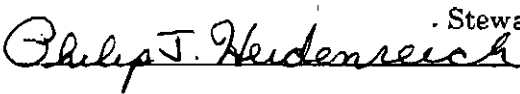
The Stewards hereby impose the following penalty:

TRAINER WALTER F. BISH IS HEREBY FINED \$200.00 (TWO HUNDRED 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 AT A TIME APPOINTED BEFORE POST TIME OF THE RACE IN WHICH THE HORSE IS ENTERED. FAILURE TO HAVE "HONOR RONOH" PRESENT IN THE PADDOCK FOR THE FIRST RACE ON WEDNESDAY, SEPTEMBER 6, 2017 NECESSITATING A LATE SCRATCH.

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

  
\_\_\_\_\_  
Chief Steward

  
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Steward

  
\_\_\_\_\_  
Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

**RULING # 166**

**NAME: MARK A. SHANLEY**

**DATE: SEPTEMBER 11, 2017**

**DOB: 09/10/1983**

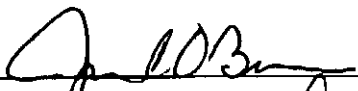
**PERMIT: CT TRAINER #11995**

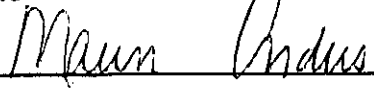
**The Stewards hereby impose the following penalty:**


**Trainer Mark A. Shanley 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 at a time appointed before post time of the race in which the horse is entered". Failure to have "Yes It's Betts" present in the paddock for the fifth (5<sup>th</sup>) race on Monday, September 11, 2017, 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 \$500.00.

  
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Chief Steward

  
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Steward

  
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Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

**RULING # 167**

**NAME: EDDIE CLOUSTON**

**DATE: September 12, 2017**

**DOB: 07/02/1965**


**PERMIT: #21296 OWNER/TRAINER**

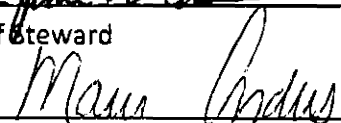
**The Stewards hereby impose the following penalty:**

**Owner/Trainer Eddie Clouston 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 at a time appointed before post time of the race in which the horse is entered." Failure to have the horse "James Jingle" present in the paddock for the seventh (7<sup>th</sup>) race on Monday, September 11, 2017, 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 \$500.00.

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING # 168**

**NAME: CLAUDIE MARSHALL GODSEY, JR.**

**DATE: SEPTEMBER 13, 2017**

**DOB: 07/05/1972**


**PERMIT: #21387 TRAINER**


**The Stewards hereby impose the following penalty:**

**Trainer Claudie Marshall Godsey, Jr., 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 at a time appointed before post time of the race in which the horse is entered." Failure to have "Dream Park" present in the paddock for the first (1<sup>st</sup>) race on Wednesday, September 13, 2017, 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 \$500.00.**

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #169

DATE: 9/13/2017

NAME: AMBER COBB

DOB:

PERMIT: UNLICENSED

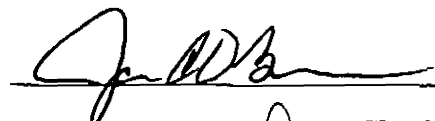
The Stewards hereby impose the following penalty:

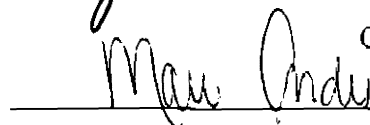
TRAINER AMBER COBB IS HEREBY FINED \$100.00 (ONE HUNDRED DOLLARS) FOR VIOLATION OF WV RULE OF RACING 178-1-49.7.e.5.


*"A trainer or his or her designee shall be responsible for the guarding, condition, care and handling of the horse at all times and the trainer or his or her designee shall be present to handle the horse and serve as a witness to the furosemide (Lasix®) administration."*

FAILURE TO HAVE A REPRESENTATIVE PRESENT AT THE SCHEDULED LASIX® ADMINISTRATION TIME FOR THE 5<sup>TH</sup> RACE ON WEDNESDAY, SEPTEMBER 13, 2017 RESULTING IN THE SCRATCH OF "BIG BAND BENNY."

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

  
\_\_\_\_\_  
Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #170

DATE: 9/13/2017

NAME: WILLIAM N. MARTIN

DOB: 2/26/1964

PERMIT: #20802 OWNER/TRAINER


The Stewards hereby impose the following penalty:


TRAINER WILLIAM N. MARTIN IS HEREBY FINED \$200.00 (TWO HUNDRED 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 "SCATIN AROUND" PROPERLY SHOD FOR THE TURF COURSE, RESULTING IN A LATE SCRATCH FROM THE 3<sup>RD</sup> RACE ON WEDNESDAY, SEPTEMBER 13, 2017.

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

  
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Mark Andis Chief Steward

  
\_\_\_\_\_  
Philip J. Henderson Steward  
Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #171

DATE: 9/13/2017

NAME: JAY P. BERNARDINI

DOB: 9/12/1966

PERMIT: #22202 OWNER/TRAINER

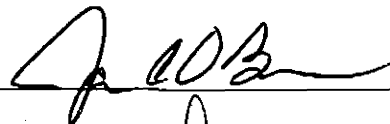
The Stewards hereby impose the following penalty:

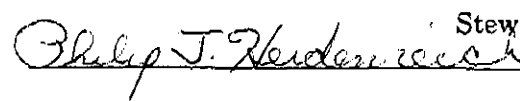
TRAINER JAY P. BERNARDINI IS HEREBY FINED \$200.00 (TWO HUNDRED DOLLARS) FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g.

*"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."*

HIS FAILURE TO BE PRESENT NECESSITATED THE LATE SCRATCH OF "HIGH HEELED" FROM THE 3<sup>RD</sup> RACE ON WEDNESDAY, SEPTEMBER 13, 2017.

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

  
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Maun Andis Chief Steward

  
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Philip J. Henderson Steward  
Steward



**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING # 172**

**NAME: CARLOS L. CASTRO**

**DATE: SEPTEMBER 19, 2017**

**DOB: NOVEMBER 4, 1981**

**PERMIT: CT #14478 JOCKEY**

**The Stewards hereby impose the following penalty:**

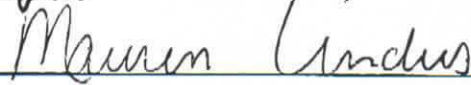
**Jockey Carlos L. Castro is hereby fined four hundred (\$400.00) dollars for violation of WV Rule of Racing #178-1-28.3.b. "A jockey shall faithfully fulfill all engagements in respect to racing".**


**Failure to fulfill his riding engagements on Monday, September 18, 2017. This is Mr. Castro's fourth (4<sup>th</sup>) offense in 2017.**

**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 \$500.00.**

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING # 173**

**NAME: Eddie Clouston**

**DATE: September 19, 2017**

**DOB: July 2, 1965**

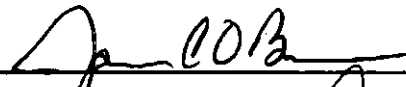
**PERMIT: Owner/Trainer #21296**

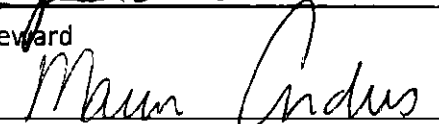
**The Stewards hereby impose the following penalty:**


**Owner/Trainer Eddie Clouston is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g., failure to have his horse "Sky Fortune" present in the paddock, necessitating a late scratch from the ninth (9<sup>th</sup>) race on Monday, September, 18, 2017.**

**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 \$500.00.**

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING # 174**

**NAME: Eddie Clouston**

**DATE: September 19, 2017**

**DOB: July 2, 1965**

**PERMIT: Owner/Trainer #21296**

**The Stewards hereby impose the following penalty:**


**Trainer Eddie Clouston is hereby fined five hundred (\$500.00) dollars for violation of WV Rule of Racing 178-1-49.4.a.2.**

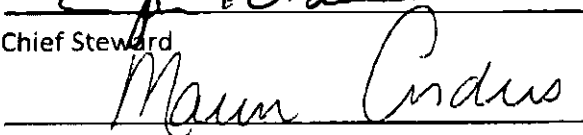
**Industrial Laboratories reported sample E219061 taken from the horse "Simplyirresistible", which finished first in the second race on August 29, 2017, did contain Ketoprofen above the accepted threshold at a concentration level of 2.65 ng/ml.**


**This is Mr. Clouston's 2<sup>nd</sup> offense in a 365 day period and he is assigned one half (1/2) point for the multiple medication violation system. Mr. Clouston has 3 ½ points for the prior positives, giving him a total of four (4) 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 \$500.00.**

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**DATE: September 20, 2017**

**RULING #175**

**NAME: Jay Bernardini**

**DOB: December 12, 1966**

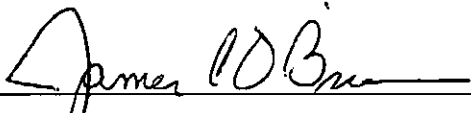
**PERMIT: #22202 Owner/Trainer**

**The Stewards hereby impose the following penalty:**

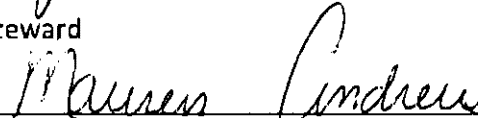
Owner/Trainer Jay Bernardini is hereby fined two hundred (\$200.00) dollars for violation of West Virginia Rule of Racing 178-1-26.3.g. Mr. Bernardini failed to have his horse "Wild Aspen Flower" in the paddock for the second (2<sup>nd</sup>) race on Tuesday, September 19, 2017, necessitating a late 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 \$500.00.

  
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Chief Steward

  
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Steward

  
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Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

**RULING #176**

**DATE: September 25, 2017**

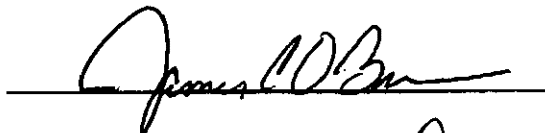
**NAME: CARLOS CASTRO**

**DOB: November 4, 1981**

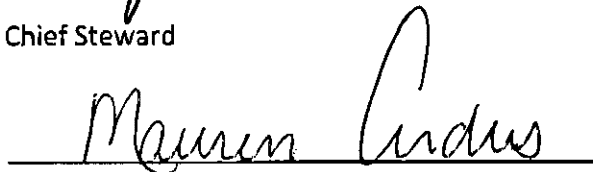
**PERMIT: #14478 CT JOCKEY**

**BY ORDER OF THE BOARD OF STEWARDS:**

**RULING #172, DATED SEPTEMBER 19, 2017, ISSUED TO JOCKEY CARLOS CASTRO, IS HEREBY  
RESCINDED AS IT WAS ISSUED IN ERROR.**

A handwritten signature in black ink, appearing to read "James O'Brien", written over a horizontal line.

Chief Steward

A handwritten signature in black ink, appearing to read "Maureen Cordus", written over a horizontal line.

Steward

A handwritten signature in black ink, appearing to read "Philip J. Heidenreich", written over a horizontal line.

Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING # 177**

**RULING**

**DATE: SEPTEMBER 26, 2017**

**NAME: JENNIFER A. JOHNSON**

**DOB: JANUARY 24, 1960**

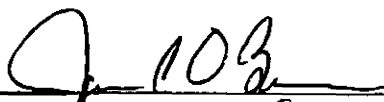
**PERMIT: # 20314 OWNER/TRAINER**

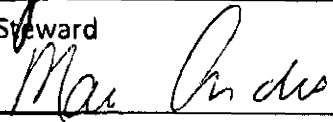
**The Stewards hereby impose the following penalty:**

**Trainer Jennifer A. Johnson 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 at a time appointed before post time of the race in which the horse is entered." Failure to have her horse "Amazing Light" present in the paddock for the third (3<sup>rd</sup>) race on Sunday, September 24, 2017, 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 \$500.00.**

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING # 178**

**RULING**

**DATE: SEPTEMBER 26, 2017**

**NAME: ERIC R. REED**

**DOB: SEPTEMBER 12, 1964**


**PERMIT: # 22379 TRAINER**

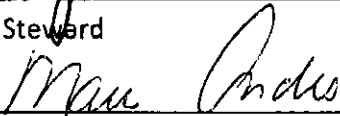
**The Stewards hereby impose the following penalty:**

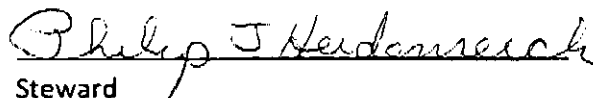
**Trainer Eric R. Reed is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present at a time appointed before post time of the race in which the horse is entered." Failure to have his horse "Wind N Waves" present in the paddock for the first (1st) race on Monday, September 25, 2017, 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 \$500.00.**

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING # 179**

**RULING**

**DATE: SEPTEMBER 26, 2017**

**NAME: JAY P. BERNARDINI**

**DOB: SEPTEMBER 12, 1966**

**PERMIT: # 22202 OWNER/TRAINER**

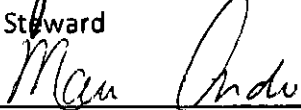
**The Stewards hereby impose the following penalty:**

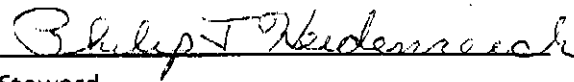
**Trainer Jay P. Bernardini is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present at a time appointed before post time of the race in which the horse is entered." Failure to have his horse "Glenstal Abbey" present in the paddock for the second (2nd) race on Monday, September 25, 2017, necessitating a late scratch.**

**All fines are to be paid within seven (7) days of imposition or 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 \$500.00.**

  
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Chief Steward

  
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Steward

  
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Steward



**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING # 180**

**RULING**

**DATE: SEPTEMBER 26, 2017**

**NAME: EDDIE CLOUSTON**

**DOB: JULY 2, 1965**


**PERMIT: # 21296 OWNER/TRAINER**


**The Stewards hereby impose the following penalty:**

**Trainer Eddie Clouston 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 at a time appointed before post time of the race in which the horse is entered."  
Failure to have his horse "Tree Fire" present in the paddock for the first (1st) race on Sunday, September 24, 2017, 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 \$500.00.**

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

RULING #181

DATE: 9/26/2017

NAME: Daryl G. Ezra


DOB: 4/14/1965


PERMIT: # No License on File

The Stewards hereby impose the following penalty:

TRAINER DARYL G. EZRA IS HEREBY FINED \$100.00 (ONE HUNDRED DOLLARS) FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. EACH TRAINER IS RESPONSIBLE PRESENTING HIS OR HER HORSE AND BEING IN THE PADDOCK AT A TIME APPOINTED BEFORE POST TIME OF THE RACE IN WHICH THE HORSE IS ENTERED. FAILURE TO HAVE "WASTED" PRESENT IN THE PADDOCK FOR THE 8<sup>TH</sup> RACE ON TUESDAY, SEPTEMBER 26, 2017, RESULTING IN A LATE SCRATCH.

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

  
\_\_\_\_\_  
Max Andrus Chief Steward

  
\_\_\_\_\_  
Philip J. Heidenreich Steward  
Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #182

DATE: 9/27/2017

NAME: FRANK BRINKLEY

DOB: 8/25/1963


PERMIT: #21077 OWNER/TRAINER

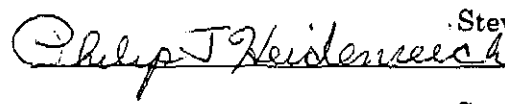
The Stewards hereby impose the following penalty:

TRAINER FRANK BRINKLEY IS HEREBY FINED \$250.00 (TWO HUNDRED FIFTY DOLLARS) FOR VIOLATION OF WV RULE OF RACING 179-1-10.1.2. INDUSTRIAL LABS REPORTED SAMPLE #E219154 TAKEN FROM THE HORSE "RAGTIME BAND" WHICH FINISHED 1<sup>ST</sup> IN THE 8<sup>TH</sup> RACE ON 9/10/2017, DID CONTAIN KETOPROFEN ABOVE THE ACCEPTED THRESHOLD AT A CONCENTRATION LEVEL OF 3.7 NH/ML.

THIS IS MR. BRINKLEY'S 1<sup>ST</sup> OFFENSE. HE IS ASSIGNED ½ POINT FOR THE MULTIPLE MEDICATION VIOLATION SYSTEM.

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

  
\_\_\_\_\_  
John A. O'Brien, Chief Steward

  
\_\_\_\_\_  
Philip J. Heidemann, Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING # 183**

**RULING**

**DATE: October 1, 2017**

**NAME: Luis Jurado**

**DOB: March 14, 1974**

**PERMIT: # 20560 Owner/Trainer**

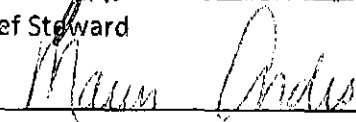
**The Stewards hereby impose the following penalty:**


**Trainer Luis Jurado 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." Mr. Jurado failed to have his horse "Gliding Alone" present, necessitating a scratch from the first (1<sup>st</sup>) race on Sunday, October 1, 2017.**

**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 \$500.00.**

  
\_\_\_\_\_  
Chief Steward

  
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Steward

  
\_\_\_\_\_  
Steward

## BEFORE THE BOARD OF STEWARDS

## MOUNTAINEER RACETRACK

RULING # 184

RULING

DATE: October 2, 2017

NAME: Douglas Shanyfelt

DOB: May 16, 1959

PERMIT: # 21314 Owner/Trainer

The Stewards hereby impose the following penalty:

Trainer Douglas Shanyfelt 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." Mr. Shanyfelt failed to have his horse, "Alisa's Engineer", present in the paddock for the sixth (6<sup>th</sup>) race on Sunday, October 1, 2017, 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 \$500.00.

  
Chief Steward  
Steward  
Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #187

DATE: 10/4/2017

NAME: ROBERT L. INMAN

DOB: 7/19/1952

PERMIT: #20737 OWNER/TRAINER


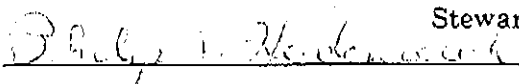
The Stewards hereby impose the following penalty:

TRAINER ROBERT L. INMAN IS HEREBY FINED \$100.00 (ONE HUNDRED 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 NEGATIVE COGGINS FOR "MAIN STAR," RESULTING IN A LATE SCRATCH FROM THE 7<sup>TH</sup> RACE ON WEDNESDAY, OCTOBER 4, 2017.

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

  
\_\_\_\_\_  
Maureen Andrie Chief Steward  
  
\_\_\_\_\_  
Philip J. Henderson Steward  
Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING #207**

**NAME: Megan Ludlow**

**DATE: October 24, 2017**

**DOB: November 8, 1975**

**PERMIT: #22865 Exercise Rider and #22866 Pony Rider**

**The Stewards hereby impose the following penalty:**


**A hearing was held Tuesday, October 24, 2017, regarding allegations that Exercise Rider/Pony Rider Megan Ludlow violated sections 178-2-24.11.f, 178-1-24.11.gg, and 178-1-24.3.b.5 of the Thoroughbred Racing Rules, 178 C. S. R. 1, she is hereby suspended thirty (30) days effective Tuesday, October 24, 2017, thru and including Wednesday, November 22, 2017, and must complete a certified drug/alcohol program before being reinstated.**


**Megan Ludlow is also fined three hundred (\$300.00) dollars and is subject to further testing as ordered by the Stewards.**

**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 \$500.00.**

  
\_\_\_\_\_  
Chief Steward

  
\_\_\_\_\_  
Steward

  
\_\_\_\_\_  
Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING # 185**

**NAME: Ivan Calderon**

**DATE: October 4, 2017**

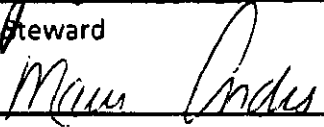
**DOB: May 1, 1985**

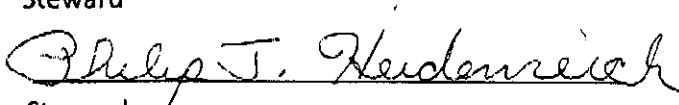
**PERMIT: #21513 Owner/Trainer**

**By order of the Board of Stewards:**

**Assistant Trainer permit #21092 issued to Ivan Calderon is hereby cancelled without prejudice as he was issued a permit as Owner/Trainer.**

  
\_\_\_\_\_  
Chief Steward

  
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Steward

  
\_\_\_\_\_  
Steward



**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING # 186**

**NAME: Jay P. Bernardini**

**DATE: October 4, 2017**

**DOB: September 12, 1966**

**PERMIT: #22202 Owner/Trainer**

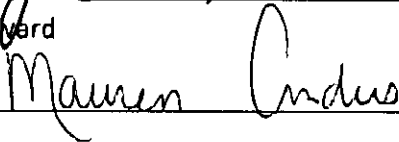
**The Stewards hereby impose the following penalty:**

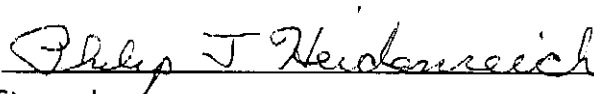
**Trainer Jay P. Bernardini is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present at a time appointed before post time for the race in which the horse is entered." Mr. Bernardini failed to have his horse, "Viski Jones", present in the paddock resulting in a late scratch from the second (2<sup>nd</sup>) race on Tuesday, September 26, 2017.**

**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 \$500.00.**

  
\_\_\_\_\_  
Chief Steward

  
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Steward

  
\_\_\_\_\_  
Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #188

DATE: 10/4/2017

NAME: DANIEL THOMPSON

DOB: 9/18/1959

PERMIT: #22824 TRAINER

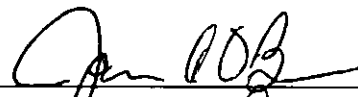
The Stewards hereby impose the following penalty:

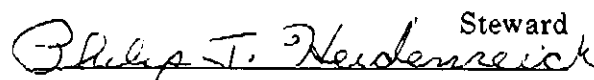
TRAINER DANIEL THOMPSON IS HEREBY FINED \$100.00 (ONE HUNDRED DOLLARS)  
FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g.

*"Each trainer is responsible for presenting his or her horse and being present at a time appointed  
before post time of the race in which they horse is entered."*

FAILURE TO HAVE "EMIRATES WONDER" PRESENT IN THE PADDOCK FOR THE 9<sup>TH</sup>  
RACE ON WEDNESDAY, OCTOBER 4, 2017, RESULTING IN A LATE SCRATCH.

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

  
\_\_\_\_\_  
Philip T. Henderson Chief Steward

  
\_\_\_\_\_  
Philip T. Henderson Steward  
Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #189

DATE: 10/4/2017

NAME: DANIEL THOMPSON

DOB: 9/18/1959

PERMIT: #22824 TRAINER


The Stewards hereby impose the following penalty:

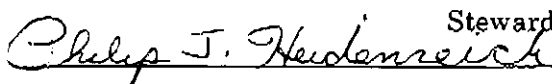
TRAINER DANIEL THOMPSON IS HEREBY FINED \$100.00 (ONE HUNDRED DOLLARS)  
FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g.

*"Each trainer is responsible for presenting his or her horse and being present at a time appointed  
before post time of the race in which they horse is entered."*

FAILURE TO HAVE "MERRYMAKING" PRESENT IN THE PADDOCK FOR THE 6<sup>TH</sup> RACE  
ON WEDNESDAY, OCTOBER 4, 2017, RESULTING IN A LATE SCRATCH.

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

  
\_\_\_\_\_  
Max Andrews Chief Steward

  
\_\_\_\_\_  
Philip J. Heidenreich Steward  
Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING # 190**

**RULING**

**DATE: October 11, 2017**

**NAME: Emily Szczepanski**

**DOB: April 10, 1989**

**PERMIT: # 20231 Owner/Trainer**

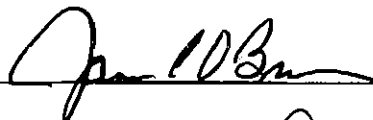
**The Stewards hereby impose the following penalty:**

A hearing was scheduled on 10/9/2017 at 12:00 pm for trainer Emily Szczepanski, regarding allegations of her violating WV Rule of Racing #178-1-24.11.gg., in regards to the horse "Quick Reward," which finished 1<sup>st</sup> in the 8<sup>th</sup> race at Mountaineer Racetrack on Sunday, May 7, 2017.

Prior to the hearing, Ms. Szczepanski admitted guilt that she was not the true trainer of the horse "Quick Reward." With her admittance of guilt to this violation, all parties agreed that the following ruling will be imposed and will not be appealable.

Ms. Szczepanski, is hereby fined \$1,500.00 (one thousand five hundred dollars) and is suspended 30 (thirty) days effective Thursday, October 26, 2017, through and including Friday, November 24, 2017.

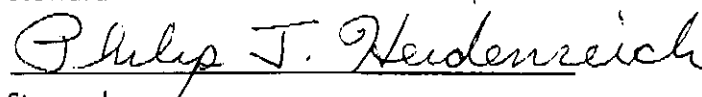
During the time of her suspension, Ms. Szczepanski is denied the grounds under the jurisdiction of the West Virginia Racing Commission.



Chief Steward



Steward



Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING # 191**

**RULING**

**DATE: October 11, 2017**

**NAME: Kevin Gonzalez**

**DOB: April 27, 1993**

**PERMIT: # 20407 Jockey**

**The Stewards hereby impose the following penalty:**

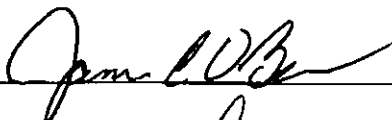
Jockey Kevin Gonzalez is hereby suspended fifteen (15) days effective Thursday, October 12, 2017 through and including Thursday, October 26, 2017, for violation of WV Rules of Racing 178-1-45.7.c.1 and 178-1-45.7.b.1.

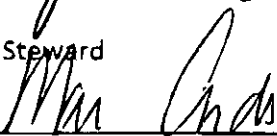
During the running of the ninth (9<sup>th</sup>) race on Tuesday, October 3, 2107, his mount "Act the Part" swerved sharply out, causing interference, near the  $\frac{1}{4}$  pole, to multiple horses resulting in the #5 "Charlies Watchin" and #10 "Sneaky One" to go down and unseat the jockeys. His mount "Act the Part" was disqualified from third (3<sup>rd</sup>) and placed last.

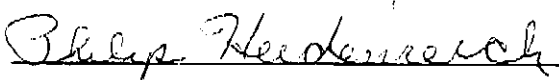
As per WV Rule of Racing #178-1-28.1.f Mr. Gonzalez is permitted to gallop horses during training hours.

**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 \$500.00.

  
\_\_\_\_\_  
Chief Steward

  
\_\_\_\_\_  
Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

RULING #192

DATE: 10/11/2017

NAME: Megan Ludlow

DOB: 11/8/1975

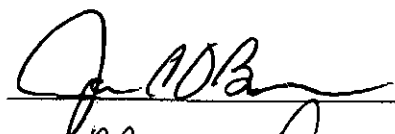
PERMIT: #22865 Exercise Rider and #22866 Pony Rider


The Stewards hereby impose the following penalty:

Megan Ludlow is hereby summarily suspended pending a hearing on Tuesday, October 24, 2017 at 10:00 am for alleged violation of WV Rule of Racing 178-1-24.11.f, 178-1-24.11.gg and 178-1-24.3.b.5.

On Wednesday, October 11, 2017, Ms. Ludlow refused testing ordered by the Board of Stewards, disturbed the peace and struck a security officer while on the grounds of the association.

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

  
\_\_\_\_\_  
Philip J. Heidenreich Chief Steward

  
\_\_\_\_\_  
Philip J. Heidenreich Steward

Steward

**BEFORE THE BOARD OF STEWARDS**  
**MOUNTAINEER RACETRACK**  
**RULING**

RULING #193

DATE: 10/10/2017

NAME: Charles H. Kieser

DOB: 2/16/1954

PERMIT: #20400 Trainer

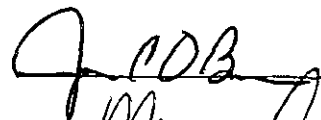
The Stewards hereby impose the following penalty:


Trainer Charles H. Kieser is hereby fined \$100.00 (one hundred 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 negative Coggins (EIA) on file with the racing office for the horse "Madelyn's Mystique," in the 8<sup>th</sup> race on Tuesday, October 10, 2017, resulting in a late scratch.

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

  
\_\_\_\_\_  
Chief Steward

  
\_\_\_\_\_  
Steward

Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING #194**

**DATE: 10/11/2017**

**NAME: Walter F. Bish**

**DOB: 10/12/1946**

**PERMIT: #22122 Owner/Trainer**

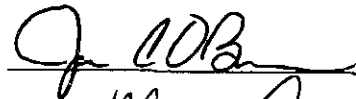
The Stewards hereby impose the following penalty:

Trainer Walter F. Bish is hereby fined \$100.00 (one hundred dollars) for violation of WV Rule of Racing 178-49-7.e.3.

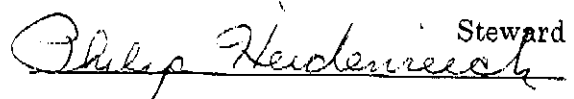
*"A trainer is responsible for ensuring that the horse is available at the appropriate time for its treatment."*

Mr. Bish failed to have the horse, "It's All Reality" present and available at the appropriate time for its treatment of Lasix® in the 2<sup>nd</sup> race on Sunday, October 8, 2017, resulting in a late scratch.

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



 Chief Steward

 Steward

Steward



**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

RULING #195

DATE: 10/10/2017

NAME: Guillermo Rodriguez

DOB: 9/28/1992

PERMIT: #13892 Jockey

The Stewards hereby impose the following penalty:


Guillermo Rodriguez is hereby fined \$500.00 (five hundred dollars) for violation of WV Rules of Racing 178-1-45.7.e and 178-1-24.11.gg.


*"All horses shall be ridden out past the finish line in every race. A jockey shall not ease up or coast to the finish, without reasonable cause, even if the horse has no apparent chance to win prize money. A jockey shall give a best effort during the race, and each horse shall be ridden to win."*

*"...has engaged in conduct unbecoming or detrimental to the best interests of racing."*

During the running of the 3<sup>rd</sup> race on Monday, September 18, 2017, Mr. Rodriguez failed to ride his mount "Awesome Faith" past the finish line causing the horse to ease up and coast to the finish.

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

  
Philip P. Byers Chief Steward

  
Philip Henderson Steward  
Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

**RULING #: 196**

**DATE:** October 15, 2017

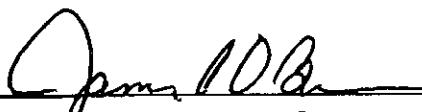
**NAME:** Kyle Gilbert

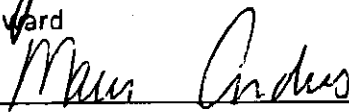
**DOB:** March 1, 1996

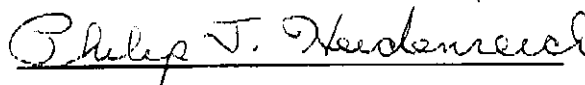
**PERMIT:** # 21642 Jockey

**By order of the Board of Stewards:**

**Exercise Rider Permit #20151, and Pony Rider Permit #20190, issued to Kyle Gilbert, is hereby cancelled without prejudice as he was issued a permit as a Jockey.**

  
\_\_\_\_\_  
Chief Steward

  
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Steward

  
\_\_\_\_\_  
Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING # 197**

**NAME: Ajhari Williams**

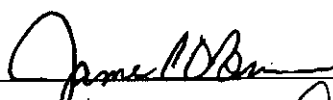
**DATE: October 16, 2017**


**DOB: May 17, 1996**


**PERMIT: #21664 Jockey**

**BY ORDER OF THE BOARD OF STEWARDS:**

**Apprentice Jockey permit #21497 issued to Ajhari Williams is hereby cancelled without prejudice as he was issued a permit as a Jockey.**

  
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Chief Steward

  
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Steward

  
\_\_\_\_\_  
Steward

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

**DATE: October 16, 2017**

**RULING #: 198**

**TO: GLENN KOPP**

**DOB: JUNE 16, 1957**

**PERMIT #: 20182 OWNER/TRAINER**

The Stewards hereby impose the following penalty:

**A HEARING WAS SCHEDULED FOR TRAINER GLENN KOPP ON 10/09/2017, AT 1:00 PM REGARDING ALLEGATIONS HE VIOLATED RULES OF RACING 178-1-49, 178-1-49.11.b.2.d.3., 178-1-49.11.a, 178-1-49.11.b., 178-1-49.4.a.1, 178-1-49.4.a, 178-1-49.2.a, 178-1-24.11.gg, 178-1-48.2.a, 178-1-51.1, AND 178-1-51.1.a OF THE THOROUGHBRED RACING RULES 178 C.S.R. 1.**

**PRIOR TO THE HEARING A RESOLUTION WAS AGREED TO BY ALL PARTIES SET FORTH IN THIS RULING. IT IS ALSO AGREED TO THAT THIS RULING IS UNAPPEALABLE.**

**INDUSTRIAL LABORATORIES REPORTED SAMPLE #E218236 TAKEN FROM THE HORSE "ZEN'S SUNRISE" WHICH FINISHED FIRST IN THE FOURTH RACE ON SUNDAY, APRIL 30, 2017, DID CONTAIN N-ETHYLNICOTINAMIDE (METABOLITE OF NIKETHAMIDE) APPROXIMATELY 1.7 ug/ml AND NIKETHAMIDE, APPROXIMATELY 42.2ng/ml CONFIRMED IN SERUM. A SPLIT SAMPLE WAS SENT TO THE UNIVERSITY OF CALIFORNIA, DAVIS WHICH CONFIRMED THE PRESENCE OF NIKETHAMINE IN BOTH URINE AND PLASMA SAMPLES.**

**THE STEWARDS CONCLUDE THAT MR. KOPP VIOLATED THE ABOVE MENTIONED RULES OF THE THOROUGHBRED RULE, 178 WV C.S.R.1. THIS MEDICATION/PROHIBITED SUBSTANCE VIOLATION IS THE PERMIT HOLDERS FIRST OFFENSE FOR MEDICATION/SUBSTANCE VIOLATION CARRYING A CATEGORY A PENALTY. THE PERMIT HOLDER HAS ACCUMULATED FOUR (4) POINTS UNDER THE MULTIPLE MEDICATION VIOLATION POINT SYSTEM PRIOR TO THIS RULING. THE POINTS ASSESSED FOR THIS MEDICATION/SUBSTANCE**

**VIOLATION ARE SIX (6) GIVING HIM A TOTAL OF TEN (10) POINTS PURSUANT TO SECTION 49.3.m. OF 178 OF WEST VIRGINIA C.S.R. 1.**

**STEWARDS DETERMINE THE APPROPRIATE PENALTY FOR THE UNDERLYING ON A CASE BY CASE BASIS BY CONSIDERING MITIGATING AND AGGRAVATING FACTORS.**

**THE FOLLOWING IS THE STEWARD'S ANALYSIS OF THE MITIGATING/AGGRAVATING FACTORS IN THIS MATTER:**

**A.) THE PERMIT HOLDER'S PAST RECORD.**

**MR. KOPP HAD A CLENBUTEROL OVERAGE ON 6/19/2017 AND A CLENBUTEROL OVERAGE ON 3/19/2018.**

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

**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.**

**C.) THE LEGAL AVAILABILITY OF THE DRUG.**

**NOT LEGAL**

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

**MR. KOPP ADMITTED KNOWLEDGE OF THE ADMINISTRATION OF THE DRUG.**

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

**NOT KNOWN**

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

**NONE**

**G.) THE PURSE OF THE RACE**

**\$12,700.00**

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

**NOT KNOWN**

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

**NONE**

**J.) 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.**

**NOT KNOWN**

**K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS.**

**MR. KOPP COOPERATED WITH THE RACING COMMISSION AND INVESTIGATOR THROUGHOUT THE INVESTIGATION.**

**BASED ON THE ABOVE, THE STEWARDS HEREBY IMPOSE THE FOLLOWING PENALTY FOR THE UNDERLYING OFFENSE:**

**MR. KOPP IS FINED FIVE THOUSAND (\$5,000.00) DOLLARS AND IS SUSPENDED FOR 90 DAYS AND THE ADDITIONAL PENALTY OF 90 DAYS SUSPENSION UNDER THE MULTIPLE MEDICATION VIOLATION POINT SYSTEM FOR A TOTAL OF 180 DAY SUSPENSION EFFECTIVE MONDAY, NOVEMBER 27, 2017, THROUGH AND INCLUDING FRIDAY, MAY 25, 2018.**

**THE HORSE "ZEN'S SUNRISE" IS DISQUALIFIED FROM ALL PURSE MONIES AND THE PURSE IS TO BE REDISTRIBUTED AS FOLLOWS:**

**1<sup>ST</sup> "MIKE'S BENCHMARK"**

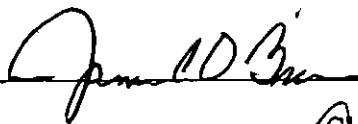
**2<sup>ND</sup> "NORM"**

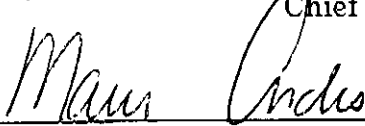
**3<sup>RD</sup> "DERBYDAYROMANCE"**


4<sup>TH</sup> "I CAME FROM BARRY"

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

WHILE SUSPENDED MR. KOPP IS DENIED THE GROUNDS UNDER THE  
JURISDICTION OF THE WEST VIRGINIA RACING COMMISSION.

  
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Chief Steward

  
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Steward

  
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Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**DATE: October 17, 2017**

**RULING**

**RULING # 199**

**NAME: Karl S. Waters**

**DOB: February 18, 1975**


**PERMIT: #21459 Trainer**

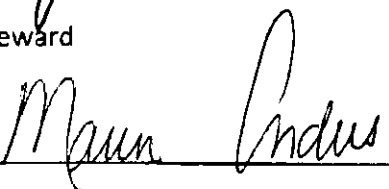
**The Stewards hereby impose the following penalty:**


**Trainer Karl S. Waters is hereby fined one hundred (\$100.00) dollars for failure to have his horse, "Art I Awesome", present and available at the appropriate time for its treatment of Lasix for the fifth (5<sup>th</sup>) race on Monday, October 16, 2017, resulting in a late scratch. This is a violation of WV Rule of Racing 178-49.7.e.3., "A trainer is responsible for ensuring that the horse is available at the appropriate time for its treatment".**

**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 \$500.00.**

  
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Chief Steward

  
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Steward

  
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Steward



**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING #200**

**NAME: Virginia Demczyk**

**DATE: October 17, 2017**

**DOB: April 17, 1971**

**PERMIT:# 20071 Owner/Trainer**

**The Stewards hereby impose the following penalty:**

**Owner/Trainer Virginia Demczyk 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 at a time appointed before post time of the race in which the horse is entered." Trainer Virginia Demczyk failed to have her horse, "Tiz Da Biz", present in the paddock for the seventh (7<sup>th</sup>) race on Tuesday, October 17, 2017, resulting in 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 \$500.00.**

  
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Chief Steward

  
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Steward

  
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Steward