

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING # 201**

**NAME: Jose A. Lopez**

**DATE: October 17, 2017**

**DOB: January 20, 1948**

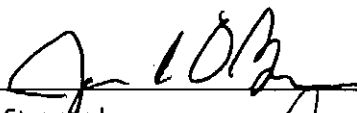
**PERMIT: #20450 Owner/Trainer**


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


**Owner/Trainer Jose A. Lopez 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 Jose A. Lopez failed to have his horse, "Cheri's Win", 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

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**DATE: October 18, 2017**

**RULING**

**RULING #203**

**NAME: Marco Ccamaque**

**DOB: October 16, 1973**

**PERMIT: #22749 Jockey**

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

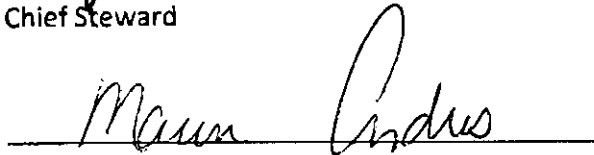
**Jockey Marco A. Ccamaque is hereby fined one hundred (\$100.00) dollars for violation of WV Rule of Racing 178-1-28.3.b., "A jockey shall faithfully fulfill all engagements in respect to racing." Marco Ccamaque failed to fulfill his riding engagement on Monday, October 16, 2017, resulting in a rider change in the third (3<sup>rd</sup>) race.**

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

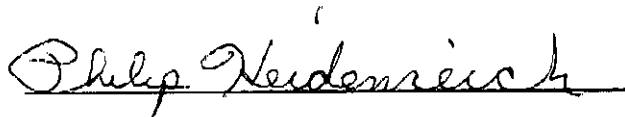
**You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.**



Chief Steward



Steward



Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING # 205**

**NAME: LUIS QUINONES**

**DATE: October 22, 2017**

**DOB: March 26, 1979**

**PERMIT: # 20091 Jockey**

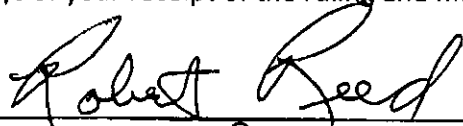
**The Stewards hereby impose the following penalty:**


**Jockey Luis Quinones is suspended seven (7) days effective Monday, October 23, 2017, through and including Sunday, October 29, 2017, for violation of WV Rule of Racing 178-1-45.7.c.1.**

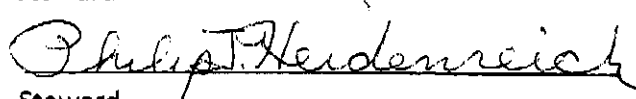
**After a hearing in the Stewards office on Wednesday, October 18, 2017, the Board of Stewards determined during the eighth (8<sup>th</sup>) race on Tuesday, October 17, 2017, Mr. Quinones' mount, the #5 "B Rod Maclean", caused interference to the #4, "Luckysdream", shortly after leaving the starting gate.**

**"B Rod Maclean" was disqualified from first (1<sup>st</sup>) position and placed last.**

**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**

271407

RULING #204

DATE: 10/18/2017

NAME: ERIC REED

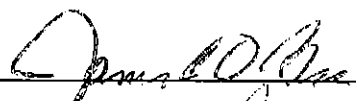
DOB: 9/12/1964

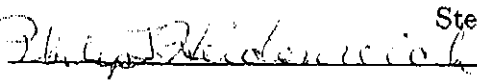
PERMIT: #22379 TRAINER

The Stewards hereby impose the following penalty:

Trainer Eric Reed is hereby fined \$100.00 (one hundred dollars) for violation of WV Rule of Racing 178-1-44.1. Failure to have registration papers for #5 "Go And Wander" for the running of the 4<sup>th</sup> race on Wednesday, October 18, 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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Chief Steward

  
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Steward

Steward

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

**RULING # 205**

**NAME: LUIS QUINONES**

**DATE: October 22, 2017**

**DOB: March 26, 1979**

**PERMIT: # 20091 Jockey**

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


**Jockey Luis Quinones is suspended seven (7) days effective Monday, October 23, 2017, through and including Sunday, October 29, 2017, for violation of WV Rule of Racing 178-1-45.7.c.1.**

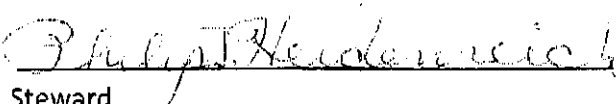
**After a hearing in the Stewards office on Wednesday, October 18, 2017, the Board of Stewards determined during the eighth (8<sup>th</sup>) race on Tuesday, October 17, 2017, Mr. Quinones' mount, the #5 "B Rod Maclean", caused interference to the #4, "Luckysdream", shortly after leaving the starting gate.**

**"B Rod Maclean" was disqualified from first (1<sup>st</sup>) position and placed last.**

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: #206

NAME: David Treharne

DATE: October 23, 2017

DOB: January 11, 1979

PERMIT: #20399 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer David Treharne 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." Mr. Treharne failed to have his horse "Code of Valor" present in the paddock for the fourth (4<sup>th</sup>) race on Monday, October 23, 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.

  
Chief Steward  
Steward  
Steward

**BEFORE THE BOARD OF STEWARDS**

**RULING**

**RULING: #206**

**NAME: David Treharne**

**DATE: October 23, 2017**

**DOB: January 11, 1979**

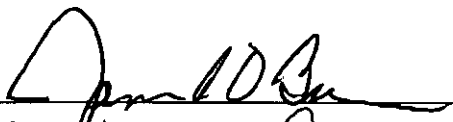
**PERMIT: #20399 Owner/Trainer**

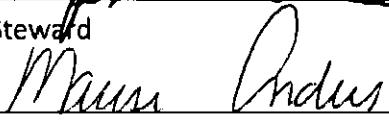
**The Stewards hereby impose the following penalty:**

**Owner/Trainer David Treharne 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." Mr. Treharne failed to have his horse "Code of Valor" present in the paddock for the fourth (4<sup>th</sup>) race on Monday, October 23, 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

**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING #208**

**RULING**

**DATE: October 25, 2017**

**NAME: Burton Sipp**

**DOB: May 15, 1944**

**PERMIT: #21334 Owner/Trainer**

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

**Having waived his right to a hearing, Trainer Burton Sipp is found to be in violation of WV Rule of Racing 178-1-49.4.a.2.**

**Industrial Laboratories reported the official sample #E233502 taken from the horse "Funny Slam", which finished first (1<sup>st</sup>) in the seventh (7<sup>th</sup>) race on Wednesday, September 27, 2017, did contain Dexamethasone above the accepted threshold. The sample was quantitated at a concentration level of 19.1 pg/ml. This is Mr. Sipp's first offense and he is assigned one (1) point for the multiple medication violation system.**

**Mr. Sipp is hereby fined one thousand (\$1,000.00) dollars.**

**The horse "Funny Slam" is disqualified from all purse monies and the purse is to be redistributed as follows:**

**1<sup>st</sup> "Lil Miss Take"**

**2<sup>nd</sup> "Kate N Abs Smoke"**

**3<sup>rd</sup> "Gambleonthederby"**


**4<sup>th</sup> "Star City"**

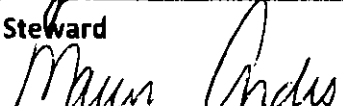
**The Horsemen's Bookkeeper is requested to make the necessary adjustments.**

**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

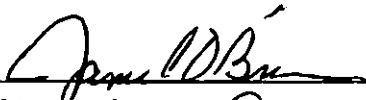
**BEFORE THE BOARD OF STEWARDS****MOUNTAINEER RACETRACK****RULING #209****RULING****DATE: October 25, 2017****NAME: Shawn Fairman****DOB: June 24, 1969****PERMIT: #21238 Trainer****The Stewards hereby impose the following penalty:**

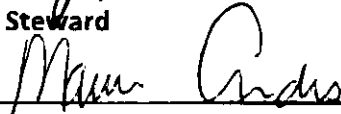
**A hearing was convened on Tuesday, October 17, 2017, for Trainer Shawn Fairman for alleged violation of WV Rule of Racing #178-1-49.4.a.2.**

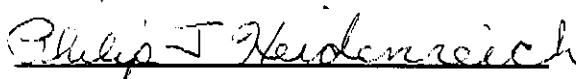
**Industrial Laboratories reported Sample #E219078 taken from the horse "Mashpee Pond", which finished first (1<sup>st</sup>) in the first (1<sup>st</sup>) race on Monday, September 4, 2017, did contain Phenylbutazone above the accepted threshold. The sample was quantitated at a concentration level of 2.47 ug/ml. A split sample was sent to The University of California, Davis, which confirmed the presence of Phenylbutazone at a concentration level of 2.87 mg/ml.**

**Mr. Fairman is found to be in violation of WV Rule of Racing #178-1-49.4.a.2 and is hereby fined five hundred (\$500.00) dollars. This is his second offense. He is assigned ½ point for this violation. Mr. Fairman has 2 ½ previous points from previous positives, giving him a total of three (3) points in 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 \$500.00.**

  
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Chief Steward

  
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Steward

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

RULING #210

DATE: 10/25/2017

NAME: Jack L. Allen

DOB: 10/3/1951

PERMIT: #22187 Jockey Agent

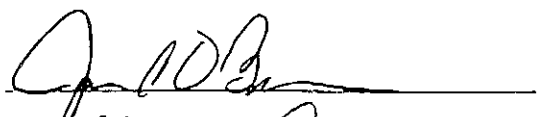
The Stewards hereby impose the following penalty:

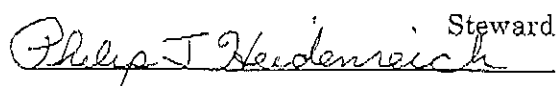
Jack L. Allen is hereby fined \$100.00 (one hundred dollars) for violation of WV Rule of Racing 178-24.11.d.

"The jockey failed to honor a commitment for his jockey to ride a horse, mutuel wagering."

Mr. Allen failed to honor a commitment for his jockey to ride a horse.

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 Adams Chief Steward

  
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Philip J. Henderson Steward  
Steward

BEFORE THE BOARD OF STEWARDS  
MOUNTAINEER RACETRACK  
MULTIPLE MEDICATION VIOLATION RULING

DATE: October 25, 2017

RULING #: 211

TO: Eddie Clouston

DOB: 7/2/1965

PERMIT #: 21296 Owner/Trainer

The Stewards hereby impose the following penalty:

Having waived his right to a hearing, owner/trainer Eddie Clouston is hereby fined \$750.00 (seven hundred fifty dollars) for violation of WV Rule of Racing #178-1-49.4.a.2.

Industrial laboratories reported sample # E233524 taken from the horse "Forest Ranger" which finished 1<sup>st</sup> in the 9<sup>th</sup> race on Wednesday, October 4, 2017 did contain Ketoprofen above the accepted threshold. The sample was quantitated at a concentration level of 4.1 ng/ml. Mr. Clouston did not request a split sample.

Mr. Clouston is assigned ½ points through the multiple medication violation system. He had 1 point prior to this ruling, giving him a total of 1 ½ points.

The horse "Forest Ranger" is disqualified from all purse monies and is to be redistributed as follows:

1<sup>st</sup>) The Love Monkey

2<sup>nd</sup>) Sniffer

3<sup>rd</sup>) Mike's Benchmark

4<sup>th</sup>) Scout's Vision

5<sup>th</sup>) Derbydayromance

6<sup>th</sup>) Joe Chase

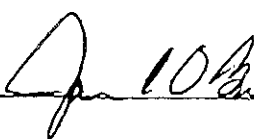
7<sup>th</sup>) Wynn The Roses

8<sup>th</sup>) Snip of Gold

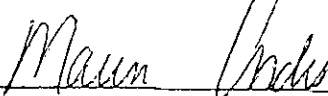
The Horseman's bookkeeper is requested to make the necessary adjustments

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

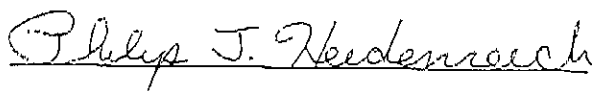
You have the right to appeal this ruling to the Racing Commission. Your appeal must be  
received in the Commission Office within 20 days of your receipt of the ruling and must include  
a security fee in the amount of \$500.00

  
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Chief Steward

  
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**BEFORE THE BOARD OF STEWARDS**

**MOUNTAINEER RACETRACK**

**RULING**

RULING #212

DATE: 10/24/2017

NAME: Odin Londono

DOB: 12/4/1981

PERMIT: #22727 Owner/Trainer

The Stewards hereby impose the following penalty:

A hearing was convened on Tuesday, October 24, 2017 for owner/trainer Odin Londono. He is found to be in violation of WV Rule of Racing 178-1-49.4.a.1, 178-1-49.4.a, 178-1-49.4.a.1 and 178-1-51.1.1.a.

Industrial Laboratories reported that the official sample #E233301 taken from horse "First Growth" which finished 1<sup>st</sup> in the 6<sup>th</sup> race on Saturday, August 5, 2017, did contain Formoterol. This is a class 3 drug, carrying a class B penalty. The sample was quantitated at a concentration level of 9.28 ng/ml. A split sample was sent to The University of California, Davis, which confirmed the presence of Formoterol at a concentration level of 5.6 ng/ml.

Mr. Londono also had two positive tests for the same drug in Ohio.

As Mr. Londono had not been notified of all three positives prior to getting official notice from the laboratory for this violation, this positive test result is being considered his second violation.

Mr. Londono has no prior points for the multiple medication violation system and is being

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

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

Mr. Londono had a Formoterol positive from a sample taken from "First Growth" from a race at Thistledown on July 15, 2017.

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

Drugs in this class may or may not have an accepted therapeutic 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 INTENTIONALLY ADMINISTERED THE DRUG.**

This is his 3<sup>rd</sup> positive for the same drug.

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

Not available

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

None

**G.) THE PURSE MONEY**

\$75,000.00

**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 available

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.

**Not available**

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS

**None**

The horse "First Growth" is disqualified from all purse monies and is to be redistributed as follows:

1<sup>st</sup>) Bucchero

2<sup>nd</sup>) Woodland Walk

3<sup>rd</sup>) Judge Carr

4<sup>th</sup>) Wyeth

5<sup>th</sup>) Struth

6<sup>th</sup>) Counterforce

The horseman's bookkeeper is requested to make all necessary adjustments.

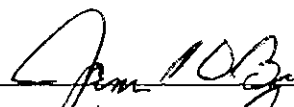
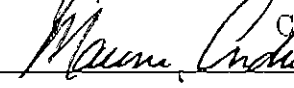
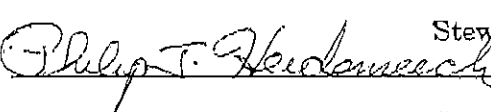
Mr. Londono is hereby fined \$2,500.00 (two thousand five hundred dollars) and is suspended 30 days effective Tuesday, October 31, 2017 through Thursday, November 29, 2017.

While suspended Mr. Londono is denied the grounds under the jurisdiction of the WV Racing Commission.



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

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 #213

DATE: October 29, 2017

NAME: Jeffery A. Radosevich

DOB: October 16, 1961

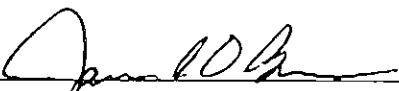
PERMIT: #22265 Owner/Trainer

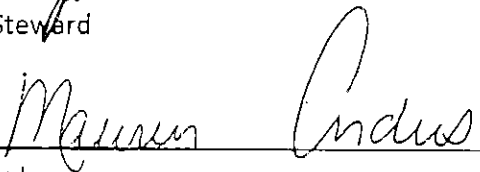
The Stewards hereby impose the following penalty:

Owner/Trainer Jeffery A. Radosevich 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." Trainer Jeffery A. Radosevich failed to have a current Coggins on file with the racing office for the horse "Sensational Ride" in the eighth (8<sup>th</sup>) race on Sunday, October 29, 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

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

MULTIPLE MEDICATION VIOLATION RULING

RULING #214

DATE: October 31, 2017

NAME: Osborne Smith

DOB: November 24, 1964

PERMIT: #21995 Owner/Trainer

The Stewards hereby impose the following penalty:

Having waived his right to a hearing, Trainer Osborne Smith is found to be in violation of WV Rules of Racing 178-1-49.11.b.2.D.1 and 178-1-49.4.a.3.

Industrial Laboratories reported sample #E219087 taken from the horse "Way Over The Hill", which finished fourth (4<sup>th</sup>) in the fourth (4<sup>th</sup>) race on Tuesday, September 5, 2017, did contain Testosterone, confirmed in serum, above the accepted threshold. The sample was quantitated at a concentration level of 199 pg/ml.

Mr. Smith elected to not send a split sample.

This is Mr. Smith's first (1<sup>st</sup>) offense and he is assigned four (4) points for the multiple medication violation system.

Mr. Smith is hereby suspended fifteen (15) days beginning Thursday, October 26, 2017, through and including Thursday, November 9, 2017 and is fined five hundred (\$500.00) dollars.

The horse, "Way Over The Hill" is disqualified from all purse monies and the purse is to be redistributed as follows:

1<sup>st</sup> Kodiak Moon

2<sup>nd</sup> Ambrosini

3<sup>rd</sup> Fusion

4<sup>th</sup> Storm's Fable

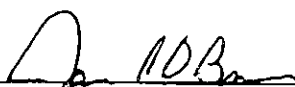
5<sup>th</sup> Kinda Kirky


The horsemen's bookkeeper is requested to make the necessary adjustments.

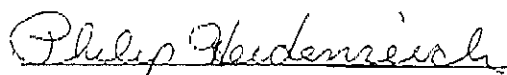
While suspended Mr. Smith is denied the grounds under the jurisdiction of the West Virginia Racing Commission.

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.

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

  
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Steward

  
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Steward

BEFORE THE BOARD OF STEWARDS  
MOUNTAINEER RACETRACK  
MULTIPLE MEDICATION VIOLATION RULING

DATE: October 31, 2017

RULING #215

NAME: Jamen Davidovich

DOB: November 14, 1990

PERMIT #22408 OWNER/TRAINER

The Stewards hereby impose the following penalty:

A hearing was convened on Monday, October 9, 2017, for Owner/Trainer Jamen Davidovich. Mr. Davidovich was found to be in violation of WV Rules of Racing #178-1-49.4.a.3. and #178-1-49.11.b.2.D.1.

The official sample #E218682 taken from the horse "Qeyaas", which finished second (2<sup>nd</sup>) in the third (3<sup>rd</sup>) race on Tuesday, June 27, 2017, did contain testosterone, confirmed in blood, at a concentration level of 105 +/- 17pg/ml above the accepted threshold. A split sample was sent to the University of Illinois which confirmed the presence of testosterone at a concentration level of 78 pg/ml.

Mr. Davidovich has two (2) points from a Class B positive in Pennsylvania in 2016 and is assigned four (4) points for this violation, giving him a total of six (6) points.

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

A.) THE PERMIT HOLDER'S PAST RECORD.

Mr. Davidovich had Clenbuterol positives in Pennsylvania.

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

They all have the potential of affecting the performance of a racehorse.

C.) THE LEGAL AVAILABILITY OF THE DRUG.

**Legal**

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

**Trainer denies knowledge of the administration of the drug.**

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

**Trainer ships horse in from farm to run.**

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

**None**

G.) THE PURSE MONEY

**\$13,300.00**

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

**He was not.**

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.

He was not.

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS

None

Based on the above, the Stewards hereby fine Mr. Davidovich five hundred (\$500.00) dollars and suspend him for fifteen (15) days plus an additional penalty of a forty-five (45) day suspension under the Multiple Medication Violation System. The permit suspension shall begin on Tuesday, October 24, 2017, and shall continue up to and including Friday, December 22, 2017.

"Qeyass" is disqualified from its second (2<sup>nd</sup>) place finish and redistribution of the purse is as follows:

1<sup>st</sup> Seeya When I Seeya

2<sup>nd</sup> Thornado

3<sup>rd</sup> Par

4<sup>th</sup> Romanic Channel

5<sup>th</sup> Where's Pepper

6<sup>th</sup> Pio's Passion

The Horsemen's Bookkeeper is requested to make the necessary adjustments.

While suspended Mr. Davidovich 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

Jim O'Brien

Chief Steward

Maun Indus

Steward

Philip J. Keckman

Steward



BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING # 216

NAME: Edgar Morales


DATE: October 31, 2017

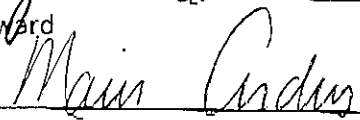
DOB: May 28, 1998

PERMIT: #21776 Apprentice Jockey

By order of the Board of Stewards:

The Exercise Rider permit #20942 issued to Edgar Morales is hereby cancelled without prejudice as he was issued a permit as an Apprentice Jockey.

  
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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 # 217

NAME: Danny Bird

DATE: October 31, 2017

DOB: August 31, 1956

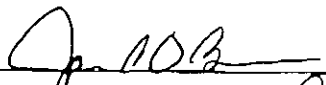
PERMIT: #21298 Owner/Trainer

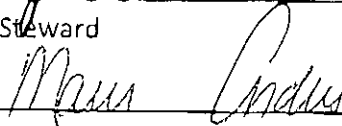
The Stewards hereby impose the following penalty:

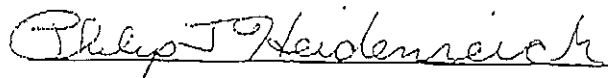
Owner/Trainer Danny Bird is hereby fined two hundred (\$200.00) dollars for violation of West Virginia Rule of Racing 178-1.26.3.g. "Each trainer is responsible for presenting his or her horse and being present at a time appointed before post time of the race in which the horse is entered". Mr. Bird failed to have the horse "Dazzling Deputy" present in the paddock for the seventh (7<sup>th</sup>) race on Tuesday, October 31, 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

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #218

NAME: Kody Boyd

DATE: October 31, 2017

DOB: December 1, 1993

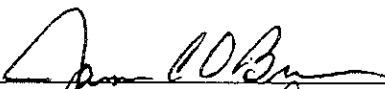
PERMIT: #22627 Trainer

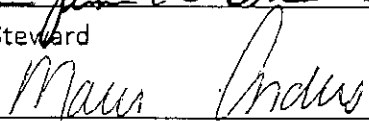
The Stewards hereby impose the following penalty:

Trainer Kody Boyd is hereby fined one hundred (\$100.00) dollars for violation of West Virginia 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." Mr. Boyd failed to have the horse "Ain't in No Hurry" present in the paddock for the first (1<sup>st</sup>) race on Tuesday, October 31, 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

BEFORE THE BOARD OF STEWARDS  
MOUNTAIN VIEW RACE TRACK

RULING

RULING #219

NAME: Everton P. Bennett

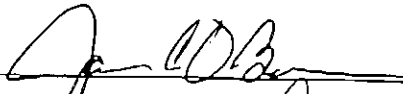
DATE: November 1, 2017

DOB: March 21, 1986

PERMIT: #21686 Jockey

By order of the Board of Stewards:

The Exercise Rider Permit #21570 issued to Everton P. Bennett 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

  
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Steward

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

RULING #220

DATE: 11/1/2017

NAME: Jose A Lopez

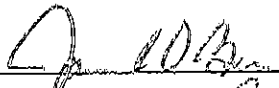
DOB: 1/20/1948

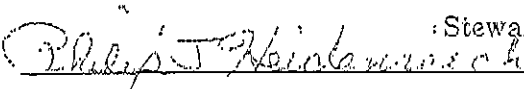
PERMIT: #20450 Owner/Trainer

The Stewards hereby impose the following penalty:

Trainer Jose A. Lopez 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 "Cheri's Win" present in the paddock for the 6<sup>th</sup> race on Wednesday, November 1, 2017 resulted 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

  
\_\_\_\_\_  
Mike Andros Chief Steward

  
\_\_\_\_\_  
Philip J. Heintz Steward

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

RULING #221

DATE: 11/1/2017

NAME: Danny R Bird

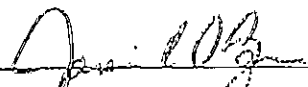
DOB: 8/31/1956

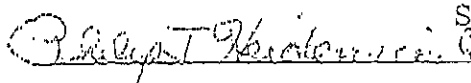
PERMIT: #21298 Owner/Trainer

The Stewards hereby impose the following penalty:

Trainer Danny R. Bird 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 "Blonde in the City" present in the paddock for the 8<sup>th</sup> race on Wednesday, November 1, 2017 resulted 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

  
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Chief Steward

  
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Steward

BEFORE THE BOARD OF STEWARDS  
MOUNTAINEER RACETRACK  
MULTIPLE MEDICATION VIOLATION RULING

DATE: November 1, 2017

RULING #: 222

TO: Aaron West

DOB: 1/25/1988

PERMIT #: 10167 Trainer

The Stewards hereby impose the following penalty:

Having waived his right to a hearing trainer Aaron West, is found to be in violation of WV Rule of Racing #178-1-49.4.a.2.

Industrial Laboratories reported sample #E219131 taken from the horse "One Better" which finished 1<sup>st</sup> in the 8<sup>th</sup> race on Monday, August 28, 2017 did contain Clenbuterol above the accepted threshold. The sample had a concentration level of 19.4 pg/ml. A split sample was sent to Texas A&M which confirmed the presence of Clenbuterol at a concentration level of 24 pg/ml. Clenbuterol is a class 3 drug carrying a class B penalty.

This is Mr. West's 1st offense. He is assigned 2 points for the multiple medication violation system.

Mr. West is hereby fined \$500.00 (five hundred dollars) and is suspended for 15 days effective Sunday, October 26, 2017 through and including Friday, November 10, 2017.

While suspended, Mr. West is denied the grounds under the jurisdiction of the West Virginia Racing Commission.

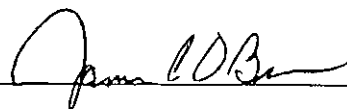
The horse "One Better" is disqualified from all purse monies and the purse is to be redistributed as follows:

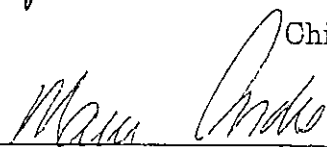
- 1<sup>st</sup>) Expensive Candy
- 2<sup>nd</sup>) Won Fast Bullet
- 3<sup>rd</sup>) Barrymore
- 4<sup>th</sup>) Sue Them All
- 5<sup>th</sup>) Peppermint Prince
- 6<sup>th</sup>) The Prez
- 7<sup>th</sup>) Havermeyer Street


The horsemen's bookkeeper is requested to make the necessary adjustments.

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 # 223

NAME: Brent Angelle

DATE: November 6, 2017

DOB: February 2, 1977

PERMIT: #20100 Trainer

The Stewards hereby impose the following penalty:

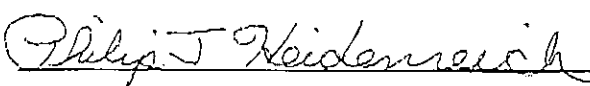
Trainer Brent Angelle is hereby fined one hundred (\$100.00) dollars for violation of West Virginia Rule of Racing 178-1.26.3.g. "Each trainer is responsible for presenting his or her horse and being present at a time appointed before post time of the race in which the horse is entered. Mr. Angelle failed to have the horse "Red Ale" present in the paddock for the fifth (5<sup>th</sup>) race on Monday, November 6, 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

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING # 224

NAME: Kevin Fletcher

DATE: November 6, 2017

DOB: April 22, 1972

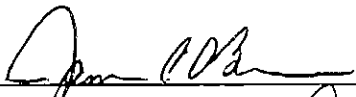
PERMIT: #20152 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Kevin Fletcher is hereby fined one hundred (\$100.00) dollars for violation of West Virginia 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." Mr. Fletcher failed to have the horse "Preacher's Gift" present in the paddock for the first (1<sup>st</sup>) race on Monday, November 06, 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.

  
Chief Steward

  
Steward

  
Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING # 225

NAME: MIGUEL A. JIMENEZ

DATE: November 6, 2017

DOB: October 7, 1959

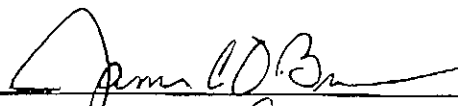
PERMIT: #22523 Owner/Trainer

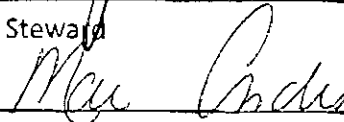
The Stewards hereby impose the following penalty:

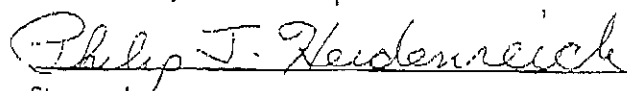
Owner/Trainer Miguel A. Jimenez is hereby fined one hundred (\$100.00) dollars for violation of West Virginia Rule of Racing 178-49.7.e.3. "A Trainer is responsible for ensuring that the horse is available at the appropriate time for its treatment". Mr. Jimenez failed to have his horse "Lady Soyadora" present and available at the appropriate time for its treatment of Lasix for the sixth (6<sup>th</sup>) race on Monday, November 6, 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

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #226

NAME: Ajhari Williams  
DATE: November 6, 2017

DOB: May 17, 1996

PERMIT: #21664 Jockey

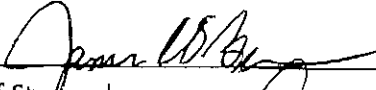
The Stewards hereby impose the following penalty:

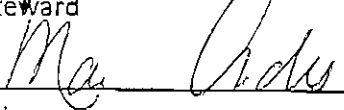
Jockey Ajhari Williams is hereby fined one hundred (\$100.00) dollars for violation of WV Rule of Racing 178-1.45.5.d. "Any overweight shall be declared by a jockey to the Clerk of Scales at the time appointed in advance of a race. The Clerk of Scales shall report to the Stewards any failure on the part of any jockey to comply with this subdivision." Mr. Williams failed to report his correct riding weight to the clerk of scales on Monday, November 6, 2017, resulting in a late rider change in the first (1<sup>st</sup>) race.

This is Mr. Williams second (2<sup>nd</sup>) 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 \$500.00.

  
Chief Steward

  
Steward

  
Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #227

NAME: Donald T. Blankenship

DATE: November 7, 2017

DOB: August 1, 1985


PERMIT: #21305 Owner/Trainer

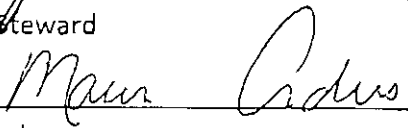
The Stewards hereby impose the following penalty:

Owner/Trainer Donald T. Blankenship 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." Mr. Blankenship failed to have the horse "Spring the Latch" present in the paddock for the second (2<sup>nd</sup>) race on Tuesday, November 07, 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.

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

  
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Steward

  
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Steward

BEFORE THE BOARD OF STEWARDS  
MOUNTAINEER RACETRACK  
MULTIPLE MEDICATION VIOLATION RULING

DATE: November 6, 2017

RULING #: 228

TO: Edward Clouston

DOB: 7/2/1965

PERMIT #: 21296 Owner/Trainer

The Stewards hereby impose the following penalty:

A hearing was convened on November 6, 2017 for trainer Edward Clouston regarding allegations he violated WV Rule of Racing 178-1-49.4.a.2.

Industrial Laboratories reported sample #E233597 taken from the horse "Just Economics" which finished 1<sup>st</sup> in the 9<sup>th</sup> race on Wednesday, October 11, 2017 did contain Ketoprofen above the accepted threshold. The sample quantitated at a concentration level of 12.9 +/- 0.3 ng/pl. Mr. Clouston elected not to send a split sample.

Mr. Clouston is found to be in violation of WV Rule of Racing 178-1-49.4.a.2. This is his 4<sup>th</sup> offense. He has 1½ points for previous violations and he is assigned ½ point for this violation. Giving him a total of 2 points for the Multiple Medication Violation System.

Mr. Clouston is hereby fined \$1000.00 (one thousand dollars) and is suspended for 15 days. The suspension is waived due to an agreement he has with the West Virginia Racing Commission regarding a previous appeal dated March 6, 2017. The agreement states that at any time within 2 years from the date of full execution of the agreement and release, the Racing Commission and the Mountaineer Board of Stewards shall, in determining any ruling or order thereon, consider that Mr. Clouston took the aforementioned fifteen day suspension as a substantially mitigating factor in imposing any penalty therefor.


The horse "Just Economics" is disqualified from all purse monies and the purse is to be redistributed as follows:

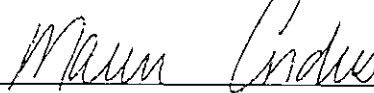
- 1<sup>st</sup>) Stunt Double
- 2<sup>nd</sup>) Gallery of Storms
- 3<sup>rd</sup>) My Friend David
- 4<sup>th</sup>) A July of Peers
- 5<sup>th</sup>) Christopher's Joy
- 6<sup>th</sup>) Indiana Charlie


The horsemen's bookkeeper is requested to make the necessary adjustments.

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

  
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Steward

BEFORE THE BOARD OF STEWARDS  
MOUNTAINEER RACETRACK  
MULTIPLE MEDICATION VIOLATION RULING

DATE: November 6, 2017

RULING #: 229

TO: C. Steve LaRue

DOB: 12/16/1956

PERMIT #: 22168 Owner/Trainer

The Stewards hereby impose the following penalty:

Trainer C. Steve LaRue is hereby fined \$1,000.00 (one thousand dollars) for the violation of WV Rule of Racing 178-1-49.4.a.2.

Industrial Laboratories reported sample #E233622 taken from the horse "Poised to a Tee" which finished 3<sup>rd</sup> in the 1<sup>st</sup> race on Wednesday, October 18, 2017 did contain Dexamethasone above the accepted threshold. The sample quantitated at a level of 13.9 pg/ml. Mr. LaRue elected not to send a split sample.

Mr. LaRue has 1 point for a previous violation and is assigned 1 point for this violation. Giving him a total of 2 points for the multiple medication violation system.

The horse "Poised to a Tee" is disqualified from all purse monies and the purse is to be redistributed as follows:

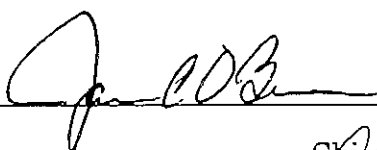
- 1<sup>st</sup>) Frisky at the Bar
- 2<sup>nd</sup>) Endless Escape
- 3<sup>rd</sup>) Mr. Fuzzybottom
- 4<sup>th</sup>) Honeyhasamunnings
- 5<sup>th</sup>) Happy Return
- 6<sup>th</sup>) Brilliantbydesign
- 7<sup>th</sup>) Destiny's Song

The horsemen's bookkeeper is requested to make the necessary adjustments.

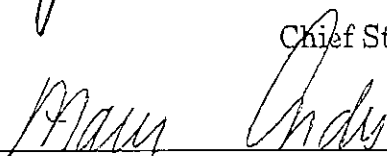


All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

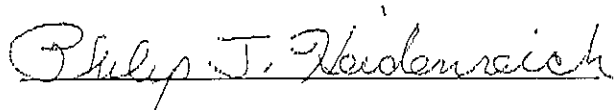
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00

  
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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 #230

NAME: Ronald Colver Newlun

DATE: November 14, 2017

DOB: 12/01/1944

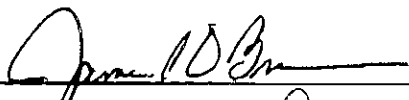
PERMIT: Owner/Trainer #22124

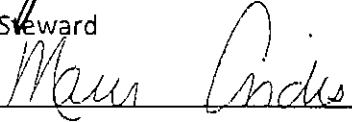
The Stewards hereby impose the following penalty:

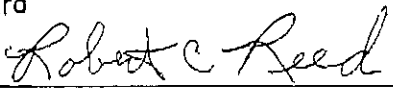
Owner/Trainer Ronald Colver Newlun is hereby fined one hundred (\$100.00) dollars for violation of West Virginia Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." Mr. Newlun failed to have his horse "Eildon Hall" present in the paddock for the running of the fifth (5<sup>th</sup>) race on Tuesday, November 14, 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 # 231

RULING

DATE: November 15, 2017

NAME: Ryan Gillespie

DOB: July 7, 1983

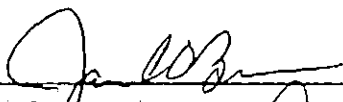
PERMIT: #21353 Owner/Trainer

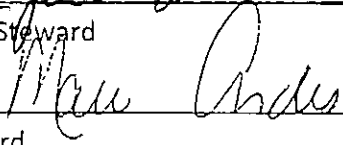
The Stewards hereby impose the following penalty:

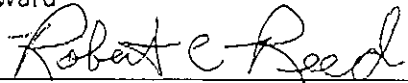
Trainer Ryan A. Gillespie is hereby fined one hundred (\$100.00) dollars for violation of WV Rule of Racing 178-1-44.1. "its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement 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." Mr. Gillespie failed to have registration papers on file for "Admiral Grace" for the running of the sixth (6<sup>th</sup>) race on Tuesday, November 14, 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  
MULTIPLE MEDICATION VIOLATION RULING

DATE: November 15, 2017

RULING #: 232

TO: Doug Shanyfelt

DOB: 5/16/1959

PERMIT #: 21314 Owner/Trainer

The Stewards hereby impose the following penalty:

Trainer Doug Shanyfelt waived his right to a hearing and is found to be in violation of WV Rule of Racing #178-1-49.6.c.3.A. *"any combination of two non-steroidal anti-inflammatory drugs found below the established thresholds but in excess of the noted restrictions,"* and #178-1-49.4.a.2 *"controlled therapeutic medications in excess of established thresholds."*

Industrial Laboratories reported sample #E233659 taken from the horse "Fabled Star" which finished 1<sup>st</sup> in the 3<sup>rd</sup> race on Wednesday, October 18, 2017 did contain Flunixin (9.05 ng/ml, Phenylbutazone (1.30 ug/ml) and Methocarbamol (27.4 ng/ml). All confirmed in serum.

Mr. Shanyfelt is hereby fined \$250.00 (two hundred fifty dollars) for violation of WV Rule of Racing 178-1-49.6.c.3.A. He is also fined \$1000.00 (one thousand dollars) for violation of WV Rule of Racing 178-1-49.4.a.2. This gives Mr. Shanyfelt a total fine of \$1250.00 (one thousand two hundred fifty dollars.)

Mr. Shanyfelt is assigned 1½ points under the multiple medication violations. Mr. Shanyfelt has no previous points

The horse "Fabled Star" is disqualified from all purse monies and the purse is to be redistributed as follows:

1<sup>st</sup>) Raise Your L Up

2<sup>nd</sup>) Yorona

3<sup>rd</sup>) Kelmack

4<sup>th</sup>) Amazing Light

5<sup>th</sup>) Holy Charm

6<sup>th</sup>) Rimfox

7<sup>th</sup>) Ima Given

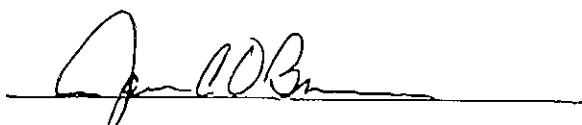
8<sup>th</sup>) Leota Add O Line

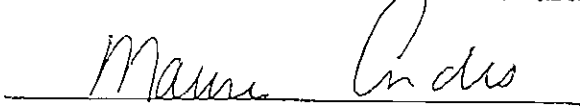
9<sup>th</sup>) Coco Cobana

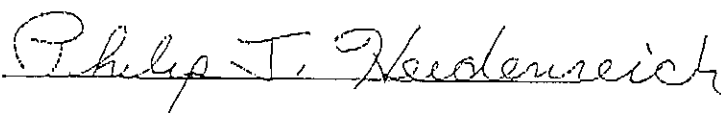
The horsemen's bookkeeper is requested to make the necessary adjustments.

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 #233

DATE: 11/17/2017

NAME: Fredy Peltroche

PERMIT: #10854 Jockey

The Stewards hereby impose the following penalty:

Jockey Fredy Peltroche, after reviewing the race in the jock's room, is hereby suspended for 7 (seven) days starting Sunday, November 19, 2017 through and including Saturday, November 25, 2017 for violation of WV Rule of Racing 178-1-45.7.b.1, 178-1-45.7.c.3 and 178-1-45.7.c.1. Mr. Peltroche elected not to be present for the reviewing of the race and was represented by a fellow jockey.


*"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."*

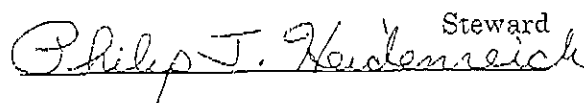
*"If the Stewards determine that a foul was intentional, due to careless riding, the jockey may be held responsible and his or her occupational permit may be disciplined."*

*"When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."*

The Board of Stewards determined that #5 "Gianna Bella" ridden by Fredy Peltroche did drift and was ridden in a reckless manner during the running of the 7<sup>th</sup> race on Tuesday, November 14, 2017, a 2 (two) furlong race.

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

RULING

RULING # 234

NAME: Patrick Beaver

DATE: November 19, 2017

DOB: 11/04/1966

PERMIT: Owner #22071, Exercise Rider #21453

The Stewards hereby impose the following penalty:

Owner/Exercise Rider Patrick Beaver is hereby summarily suspended pending a hearing for violation of WV Rule of Racing 178-1-24.3.b.6., being over the limit on the breathalyzer. This is Mr. Beaver's third (3<sup>rd</sup>) offense.

While suspended, Mr. Beaver 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.

Maura Cindus  
Chief Steward

Robert C. Reed  
Steward

Philip J. Henderson  
Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING # 235

NAME: Jose A. Lopez

DATE: November 19, 2017

DOB: 1/20/1948

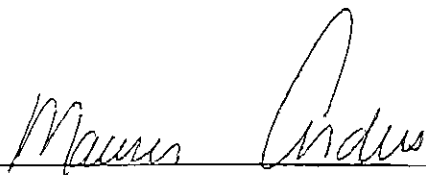
PERMIT: Owner/Trainer #20450

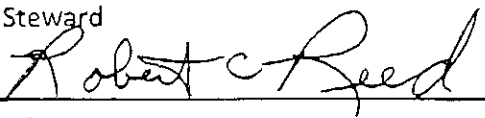
The Stewards hereby impose the following penalty:

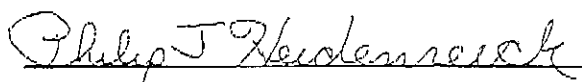
Owner/Trainer Jose A. Lopez is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g., "Each trainer is responsible for presenting his or her horse and being present at a time appointed before post time of the race in which the horse is entered." Mr. Lopez failed to have his horse, "The Wayne Factor", present in the paddock for the fifth (5<sup>th</sup>) race on Sunday, November 19, 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



BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING # 236

NAME: Jose A. Lopez

DATE: November 22, 2017

DOB: January 20, 1948

PERMIT: Owner/Trainer #20450

The Stewards hereby impose the following penalty:

Having waived his right to a hearing, Owner/Trainer Jose A. Lopez is hereby fined one thousand (\$1,000.00) dollars for violation of WV Rule of Racing #178-1-49.4.a.2.

Industrial Laboratories reported sample E233797 taken from the horse "Bourbon City", which finished fourth (4<sup>th</sup>) in the fourth (4<sup>th</sup>) race on Monday, November 6, 2017, did contain Dexamethasone above the legal threshold. The sample was quantitated at the level of 99.8pg/ml. Mr. Lopez declined to send a split sample.

The horse, "Bourbon City", is disqualified from all purse monies and the purse is to be redistributed as follows:

1<sup>st</sup>) Grin n' Bear

2<sup>nd</sup>) Gee Pea Ess

3<sup>rd</sup>) Couldnt Wait

4<sup>th</sup>) Late Act Here

The horsemen's bookkeeper is requested to make the necessary adjustments.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 1/8-1-8.5.b.

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 #237

DATE: 11/23/2017

NAME: John W. Baird



DOB: 6/21/1945


PERMIT: #21002 Owner/Trainer

The Stewards hereby impose the following penalty:

Trainer John Baird is hereby fined \$200.00 (two hundred dollars) for violation of WV Rule of Racing 178-1.26.3.6. *"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 "Madeye" present in the paddock for the 7<sup>th</sup> race on Wednesday, November 22, 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

  
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 Chief Steward

  
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Steward  
Steward

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

RULING #239

DATE: 12/1/2017

NAME: J. Michael Baird

DOB: 4/20/1971

PERMIT: #20305 Owner/Trainer

The Stewards hereby impose the following penalty:

Having waived his right to a hearing, owner/trainer J. Michael Baird is hereby fined \$1,000.00 (one thousand dollars) for violation of WV Rule of Racing 178-1-49.4.a.2.

Industrial Laboratories reported that sample # E233695 taken from the horse "North Latitude" which finished 2<sup>nd</sup> place in the 9<sup>th</sup> race on Sunday, October 29, 2017, did contain Naproxen above the legal threshold. The sample was quantitated at the level of 122 ng/ml. Mr. Baird did not avail himself to the right of the testing of the split sample.

The horse "North Latitude" is hereby disqualified from all purse monies and the purse is to be redistributed as follows:

1<sup>st</sup>) Hot

2<sup>nd</sup>) Philly's Gold

3<sup>rd</sup>) My Angel My Saint

4<sup>th</sup>) Surfin' Bird

5<sup>th</sup>) Believe Me Babe

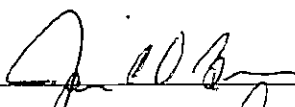
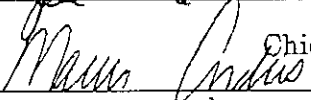
6<sup>th</sup>) Lilly's For Who

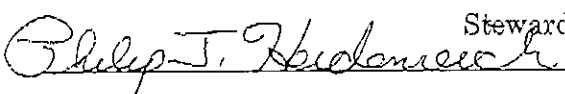
7<sup>th</sup>) Kate N Abs Smoke

8<sup>th</sup>) Enceladus

The horseman's bookkeeper is requested to make all necessary adjustments.

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**  
**RULING**

RULING #240

DATE: 12/1/2017

NAME: Kentrale Tate

DOB: 6/1/1983

PERMIT: #21568 Dealer/Gaming

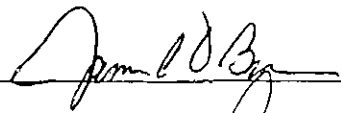
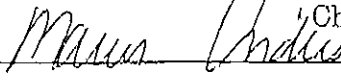
The Stewards hereby impose the following penalty:

Having waived his right to a hearing, employee Kentrale Tate is found to be in violation of WV Rule of Racing 178-1-24.3.b.5. Mr. Tate refused testing by the Board of Stewards.

As per WV Rule of Racing # 178-1-24.3.j, Mr. Tate must undergo a professional assessment and provide a negative test result from a certified drug/alcohol facility before being considered for reinstatement.

While suspended Mr. Tate is denied the grounds under the jurisdiction of the WV 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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Philip J. Heidemann, Chief Steward  
  
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Philip J. Heidemann, Steward  
Steward