

LOUISIANA STATE RACING COMMISSION MINUTES

September 27, 2012 through September 28, 2012 Meeting

As transcribed by Mary E. Lee DiLeo, Certified Court Reporter

COMMISSIONERS IN ATTENDANCE

Jerry F. Meaux, *Chairman*
Bob F. Wright, *Second Vice Chairman*
Keith W. Babb
Kevin S. Delahoussaye
Thomas H. Grimstad, M.D.
Benjamin J. Guilbeau, Jr.
Richard M. "Dick" Hollier, Jr.
Kenneth "Kenu" Romero
Judy W. Wagner
Dion Young

ABSENT

William A. Robinson

APPROVED

At the Commission Meeting of

11-27-12

(Date)



Executive Director
Louisiana State Racing Commission

Thursday, September 27, 2012

The meeting of the Louisiana State Racing Commission was called to order by the Chairman on Thursday, September 27, 2012 at 9:00 AM in the Queen Anne Ballroom of the Monteleone Hotel, 214 Royal Street, New Orleans, Louisiana. Roll call was taken; a quorum was present.

Mr. Wright motions to approve the meeting minutes from the previous meeting; Mr. Babb seconds; motion carries.

I. ASSOCIATION REQUESTS

A. BOYD RACING, LLC d/b/a DELTA DOWNS RACETRACK, CASINO & HOTEL

2012-2013 THOROUGHBRED MEET

1. RACES

a. **Approval** of first condition book for 2012-2013 thoroughbred race meet.

Mr. Delahoussaye motions to approve; Mr. Hollier seconds; motion carries.

b. **Approval** of designated races for the 2012-2013 thoroughbred race meet.

10/19/12	My Trusty Cat
10/20/12	Jean Lafitte
10/26/12	Magnolia
10/27/12	Gold Cup
11/17/12	Treasure Chest
11/17/12	Boyd Gaming's Delta Jackpot (G3)
11/17/12	Boyd Gaming's Delta Princess (G3)

11/17/12	Delta Mile
11/17/12	Louisiana Legacy
11/17/12	Louisiana Jewel
1/4/13	By The Light
1/5/13	Big Drama
2/2/13	Premier Night Starlet, La. Bred
2/2/13	Premier Night Prince, La. Bred
2/2/13	Premier Night Matron, La. Bred
2/2/13	Premier Night Sprint, La. Bred
2/2/13	Premier Night Distaff, La. Bred
2/2/13	Premier Night Championship, La. Bred
3/7/13	Azalea
3/9/13	Pelican

Mr. Wright motions to approve; Dr. Grimstad seconds; motion carries.

2. STEWARDS, OFFICIALS & MANAGEMENT

a. Approval of the following racing officials:

Chris Warren - Director of Racing
 John Simon - Racing Secretary
 Michael Smith - Asst. Racing Secretary/Stakes Coordinator
 Steve Ruff and Dr. Jennifer Durenberger - Association Stewards
 Duane Domingue - Paddock Judge/Alternate Steward
 Hayward Stewart and *Cindy Richards - Outriders
 *Bryan Schultz - Track Superintendent
 Dennis Schmidt - Starter
 Phillip Walker - Clerk of Scales
 Jason Grudzien - Head Clocker
 Cynthia Smith - Horse Identifier
 Leonard (Gene) Wasson - Stall Superintendent
 Michael Bennett - Jocks Room Custodian/Assistant Clerk of Scales
 Steve Nick, Mohamed Alikhan, Charles Sonnier and Rose Caster -
 Placing Judges/Racing office staff
**new official*

Mr. Hollier motions to approve; Mr. Delahoussaye seconds; motion carries.

b. Approval of Sam Lato to serve as state steward for 2012-2013 thoroughbred race meet.

Mr. Hollier motions to approve; Mr. Delahoussaye seconds; motion carries.

2013 QUARTER HORSE MEET

3. LICENSE APPROVALS

a. Approval for 2013 quarter horse race meet:

1. 10 year license to own and operate a race track, per R.S. 4:158.
2. 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
3. Serve as concessionaire.

Mr. Hollier motions to approve; Mr. Delahoussaye seconds; motion carries.

4. RACING DATES (R.S. 4:158A), RACES AND POST TIMES

a. Approve 46 live race dates on the flat for the 2013 quarter horse race meet:

~~April 19,20,24,25,26,27~~

~~May 1,2,3,4,8,9,10,11,15,16,17,18,22,23,24,25,29,30,31~~

~~June 1,5,6,7,8,12,13,14,15,19,20,21,22,26,27,28,29~~

~~July 3,4,5,6~~

AMENDED AS FOLLOWS:

April 26,27

May 1,2,3,4,8,9,10,11,15,16,17,18,22,23,24,25,29,30,31

June 1,5,6,7,8,12,13,14,15,19,20,21,22,26,27,28,29

July 3,4,5,6,10,11,12,13

Mr. Guilbeau motions to approve; Mr. Wright seconds; motion carries.

- b. Approve** minimum of 9 daily live quarter horse races – 6:45PM post time on Wednesdays, Thursdays, Fridays and Saturdays. Post Time for Triple Crown dates May 4, 2013, May 18, 2013 & June 8, 2013 will be at 6:15PM

Mr. Romero motions to approve; Mr. Guilbeau seconds; motion carries.

5. WAGERING (LAC 35:XIII.Ch 103-127)

- a. Approve** 2013 quarter horse meet wagering:

1. \$1 WPS, quinella & exacta on all races
2. .50¢ Trifecta on all races with 6 or more entries
3. .10¢ Superfecta on selected races with 8 or more entries
4. \$1 Pick 3 on 1st thru 10th races
5. .50¢ Pick 4 on first 4 & last 4 races
6. \$1 Daily double on first 2 & last 2 live races

Mr. Guilbeau motions to approve; Mr. Young seconds; motion carries.

B. EVANGELINE DOWNS RACETRACK & CASINO

2012 QUARTER HORSE MEET

1. RACES

- a. Approval** of first condition book for 2012 quarter horse meet.

Mr. Hollier motions to approve; Mr. Young seconds; motion carries.

- b. Approval** of designated races for the 2012 quarter horse meet.

10/06/12	Don Cravins Stakes, La. Bred
10/20/12	Billy Montgomery, La. Bred (RG3)
11/10/12	EVD Dash
11/17/12	LQHBA Breeders' Futurity, La. Bred (RG1)
11/17/12	Invitational Breeders Stake
11/17/12	EVD Derby
12/15/12	EVD Futurity

Mr. Hollier motions to approve; Mr. Wright seconds; motion carries.

2. STEWARDS, OFFICIALS & MANAGEMENT

- a. Approval** of officials for 2012 quarter horse meet:

Coleman Lloyd – Racing Secretary
Corey Veazey – Assistant Racing Secretary/Stakes Coordinator
Ricky Sackett – Association Steward
Charles Magee – Association Steward
Gerald Thomas – Assistant Racing Secretary/Placing Judge/Teletimer
Julie Gipson – Entry Clerk/Paddock Judge
Ashley Simon – Entry Clerk/Placing Judge
Norman Zwak - Clerk of Scales
Frank Rudis – Identifier
Brett Poole – Clocker

A.J. Paretto – Clocker
Russell Comeaux – Starter
Kyle Clinton – Outrider
Kenneth Gipson – Outrider
Sandra Calais – Claims Clerk
JoAnn Comeaux – Program Coordinator
Jacque Bohannon – Colors Coordinator
Robert Bard – Stall Superintendent
Garry Gallow – Track Superintendent

Mr. Hollier motions to approve; Mr. Young seconds; motion carries.

b. Approval of Brook Hawkins to serve as state steward for 2012 quarter horse meet.
Mr. Romero motions to approve; Mr. Guilbeau seconds; motion carries.

2013 THOROUGHBRED MEET

3. LICENSE APPROVALS

a. Approval for 2013 Thoroughbred race meet:

1. 10 year license to own and operate a race track, per R.S. 4:158.
2. 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
3. Serve as concessionaire.
4. Operate as training facility for 2013 during off-season.

Mr. Hollier motions to approve; Mr. Romero seconds; motion carries.

4. RACING DATES (R.S. 4:158A), RACES AND POST TIMES

a. Approve 84 live race dates on the flat for the 2013 thoroughbred race meet:

April ~~3,4,5,6,10,11,12,13,17,18,19,20,24,25,26,27~~

May ~~1,2,3,4,8,9,10,11,15,16,17,18,22,23,24,25,29,30,31~~

June ~~1,5,6,7,8,12,13,14,15,19,20,21,22,26,27,28,29~~

July ~~3,4,5,6,10,11,12,13,17,18,19,20,24,25,26,27,31~~

Aug ~~1,2,3,7,8,9,10,14,15,16,17,21,22,23,24~~

AMENDED AS FOLLOWS:

April 17,18,19,20,24,25,26,27

May 1,2,3,4,8,9,10,11,15,16,17,18,22,23,24,25,29,30,31

June 1,5,6,7,8,12,13,14,15,19,20,21,22,26,27,28,29

July 3,4,5,6,10,11,12,13,17,18,19,20,24,25,26,27,31

Aug 1,2,3,7,8,9,10,14,15,16,17,21,22,23,24,28,29,30,31

Sept 4,5,6,7

Mr. Hollier motions to approve; Mr. Romero seconds; motion carries.

b. Approve minimum of 9 daily live thoroughbred races – 5:40PM post time, Wednesdays, Thursdays, Fridays and Saturdays.

Mr. Hollier motions to approve; Ms. Wagner seconds; motion carries.

5. WAGERING (LAC 35:XIII.Ch 103-127)

a. Approve 2013 thoroughbred meet wagering:

1. WPS, quinella & exacta on all races
2. Daily Double on first 2 and last 2 live races

- 3. Trifecta on all races complying with the *Rules of Racing*
 - 4. Rolling pick 3 beginning with 1st race
 - 5. Pick 4 on 2nd thru 5th races and on last 4 races
 - 6. Superfecta on all races complying with the *Rules of Racing*
- Mr. Babb motions to approve; Mr. Hollier seconds; motion carries.

**C. CHURCHILL DOWNS LOUISIANA HORSERACING COMPANY, LLC
d/b/a FAIR GROUNDS RACE COURSE & SLOTS**

**1. TRANSFER OF RACES AND PURSE MONIES/APPROVAL OF AMENDED
2013 RACE DATES**

a. **Discussion** of undistributed purse funds and cancelled races due to Hurricane Isaac at Fairgrounds Quarter Horse Meet (August 29, 2012 – September 1, 2012; 4 racing days).

Mr. Eric Halstrom informs Hurricane Isaac caused significant damage and setbacks to the Fair Grounds which caused the last 4 days of the Quarter Horse meet to be cancelled. He states the horsemen did a great job by evacuating safely and quickly. He informs he has been working with the HBPA regarding the non-paid out purse money (\$600,000 which is \$750,000 minus \$150,000 which was used for the Breeder's Futurity ran at Evangeline Downs). He informs the best resolution is to amend the 2013 Fair Grounds quarter horse dates and add a couple of days to the meet. He informs Mr. Stanley Seelig is amenable to that format. Mr. Seelig states that under the circumstances it is an excellent compromise. Mr. Halstrom requests to have a 14-day (originally 12-day) quarter horse meet in 2013. He requests to amend the 2013 quarter horse meet dates as follows:

~~12 Quarter Horse dates (8/14/13 through 8/31/13)~~

~~August 14,15,16,17,21,22,23,24,28,29,30,31~~

14 Quarter Horse dates (8/16/13 through 9/7/13)

August 16,17,21,22,23,24,28,29,30,31

September 4,5,6,7

Mr. Guilbeau motions to approve; Mr. Romero seconds; motion carries.

2013 QUARTER HORSE MEET

2. RACING DATES (R.S. 4:158A) AND POST TIMES

a. **Approval** for 2013 Quarter Horse race meet:

*1. Quarter Horse racing on the flat

~~*2. 12 Quarter Horse dates (8/14/13 through 8/31/13)~~

~~August 14,15,16,17,21,22,23,24,28,29,30,31~~

*Amended racing dates approved – see above.

3. Hold up to 12 live Quarter Horse races daily.

4. Daily post time 12:40 PM

Mr. Babb motions to approve; Mr. Delahoussaye seconds; motion carries.

3. WAGERING (LAC 35:XIII.Ch 103-127)

a. **Approval** for wagering format for 2013 Quarter Horse race meet:

1. WPS and Exactas on all races
2. Trifectas and Superfectas on all races that qualify
3. Rolling Pick 3 beginning on Race 1
4. Daily Double – on first 2 and last 2 races
5. Up to 2 Pick 4's
6. "Black Gold 5" on last 5 races

Mr. Delahoussaye motions to approve; Mr. Romero seconds; motion carries.

2012 QUARTER HORSE MEET

4. STEWARDS, OFFICIALS & MANAGEMENT

- a. Ratification of racing official for the 2012 quarter horse meet:

*Michael June – Jocks Room Custodian

**new official*

Mr. Wright motions to approve; Ms. Wagner seconds; motion carries.

2012-2013 THOROUGHBRED MEET

5. RACES

- a. Approval of first condition book for 2012-2013 thoroughbred race meet.

Mr. Delahoussaye motions to approve; Mr. Wright seconds; motion carries.

6. STEWARDS, OFFICIALS & MANAGEMENT

- a. Approval of Roy Wood to serve as state steward for 2012-2013 thoroughbred race meet.

Mr. Hollier motions to approve; Mr. Young seconds; motion carries.

2013 QUARTER HORSE MEET

7. LICENSE APPROVALS

- a. Approval for 2013 Quarter Horse race meet:

1. 10 year license to own and operate a racetrack, per R.S. 4:158
2. 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
3. To serve as concessionaire

Mr. Babb motions to approve; Mr. Delahoussaye seconds; motion carries.

**D. HARRAH'S BOSSIER CITY INVESTMENT COMPANY, LLC
d/b/a HARRAH'S LOUISIANA DOWNS**

2012 THOROUGHBRED MEET

1. STEWARDS, OFFICIALS & MANAGEMENT

- a. Ratification of *Sasha Cardona to serve as Placing Judge for 2012 thoroughbred meet. **new official*

Mr. Romero motions to approve; Mr. Babb seconds; motion carries.

2013 QUARTER HORSE MEET

2. LICENSE APPROVALS

- a. Approval for 2013 Quarter Horse race meet:

1. 10 year license to own and operate a race track, per R.S. 4:158.
2. 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
3. Serve as concessionaire.

Mr. Babb motions to approve; Ms. Wagner seconds; motion carries.

3. **RACING DATES (R.S. 4:158A), RACES AND POST TIMES**
- a. **Approve** 46 live race dates on the flat for the 2013 quarter horse race meet:
- | | |
|----------|--|
| January | 12,13,14,15,19,20,21,22,26,27,28,29 |
| February | 2,3,4,5,9,10,11,12,16,17,18,19,23,24,25,26 |
| March | 2,3,4,5,9,10,11,12,16,17,18,19,20,23,24,25,26,27 |
- Mr. Hollier motions to approve; Mr. Babb seconds; motion carries.
- b. **Approve** minimum of 9 daily live quarter horse races-post time 12:30 PM.
Mr. Babb motions to approve; Mr. Hollier seconds; motion carries.
4. **WAGERING (LAC 35:XIII.Ch 103-127)**
- a. **Approval** for 2013 quarter horse meet wagering:
1. WPS, quinella & exacta on all races
 2. Daily Double on first 2 and last 2 live races
 3. Trifecta on all races complying with the *Rules of Racing*
 4. Superfecta on all races complying with the *Rules of Racing*
 5. Rolling Pick 3 on 1st race through balance of card
- Mr. Delahoussaye motions to approve; Mr. Wright seconds; motion carries.

2013 THOROUGHBRED MEET

5. **LICENSE APPROVALS**
- a. **Approval** for 2013 Thoroughbred race meet:
1. 10 year license to own and operate a race track, per R.S. 4:158.
 2. 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
 3. Serve as concessionaire.
- Mr. Wright motions to approve; Mr. Guilbeau seconds; motion carries.
6. **RACING DATES (R.S. 4:158A), RACES AND POST TIMES**
- a. **Approve** 84 live race dates on the flat for the 2013 thoroughbred race meet:
- | | |
|-----------|--|
| May | 3,4,5,9,10,11,12,16,17,18,19,24,25,26,27,30,31 |
| June | 1,2,6,7,8,9,13,14,15,16,20,21,22,23,27,28,29,30 |
| July | 4,5,6,7,11,12,13,14,18,19,20,21,25,26,27,28 |
| August | 1,2,3,4,8,9,10,11,15,16,17,18,22,23,24,25,29,30,31 |
| September | 1,2,5,6,7,8,12,13,14,15,19,20,21,22 |
- Mr. Babb motions to approve; Dr. Grimstad seconds; motion carries.
- b. **Approve** minimum of 9 daily live thoroughbred races-post time 1:00 PM.
Mr. Hollier motions to approve; Mr. Babb seconds; motion carries.
7. **WAGERING (LAC 35:XIII.Ch 103-127)**
- a. **Approval** for 2013 thoroughbred meet wagering:
1. WPS, quinella & exacta on all races
 2. Daily Double on first 2 and last 2 live races
 3. Trifecta on all races complying with the *Rules of Racing*
 4. Superfecta on all races complying with the *Rules of Racing*
 5. Rolling Pick 3 on 1st race thru balance of card
- Mr. Hollier motions to approve; Mr. Guilbeau seconds; motion carries.

II. COMMITTEE REPORTS

A. MEDICATION COMMITTEE

Mr. Meaux welcomes Dr. Thomas Grimstad to the Louisiana State Racing Commission.

Mr. Meaux informs Dr. Grimstad has agreed to serve as chairman of the Medication Committee.

B. RULES COMMITTEE, by *Committee Chairman Keith W. Babb*

No report.

C. SECURITY COMMITTEE, by *Committee Chairman Kenneth "Kenu" Romero*

No report.

D. RACETRACK/HBPA LIAISON COMMITTEE, by *Committee Chairman Kevin Delahoussaye*

Mr. Delahoussaye reports he had several meetings with the HBPA. He informs the HBPA, Mr. Seelig and Mr. Halstrom have worked out the Fair Grounds quarter horse purse and racing schedule changes due to Hurricane Isaac. The number of QH race days for 2013 was amended from 12 to 14 days to make-up for cancelled 2012 QH race days.

E. COMPLIANCE COMMITTEE

Mr. Gardiner reports the compliance committee is not currently active. He states that it could be active by next meeting. Mr. Meaux concurs.

F. LEGAL COMMITTEE, by *Committee Chairman Bob F. Wright*

Mr. Wright requests to have an executive session to discuss legal issues.

Ms. Wagner motions to go into executive session; Mr. Delahoussaye seconds; motion carries.

A recess was taken while the Commission went into executive session.

III. RULES

A. Formal Adoption:

The following rules will become effective upon publication in the *Louisiana Register* on October 20, 2012:

1. LAC 35: XIII. Chapter 117 - Superfecta

§ 11701. Superfecta (*number of betting interests required reduced from eight to six*)

Mr. Hollier motions to approve; Mr. Guilbeau seconds; motion carries.

2. LAC 35: XIII. Chapter 111 - Trifecta

§ 11115. Field Less Than Six (*number of betting interests required reduced from six to five*)

Mr. Hollier motions to approve; Mr. Babb seconds; motion carries.

IV. LICENSE

License Review

1. **Joseph W. Patin, Jr., Exercise Rider.** Seeking Reinstatement of Jockey License. Mr. Delahoussaye motions to reinstate Mr. Patin's jockey license. Must submit a negative urine test bi-weekly at jockey's own expense through July 1, 2013 and must provide a negative hair test after 6 months at his own expense. Mr. Hollier seconds; motion carries.

V. ADJUDICATIONS

(In order presented)

Appeals/Referred (La. R. S. 4:154, 4:172)

1. **Steve Garrison, Trainer.** Ruling#DD19525 of 7/7/12 – *Dermorphin (ARCI Category I)*. Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend. Not present for hearing. Ms. Loney informs that attorneys for Steve Garrison and herself have stipulated that all expert testimony heard at the 9-27-12 Louisiana State Racing Commission meeting will be preserved for the record for Mr. Garrison's case when presented. Mr. Wright motions to approve the stipulations; Mr. Guilbeau seconds; motion carries.

A recess is taken.

2. **Michael Heath Taylor, Trainer.** Ruling#DD19515 of 7/7/12 – *Dermorphin (ARCI Category I)* Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend. Ms. Loney informs the attorneys for Michael Heath Taylor have entered a stipulation to present expert testimony in consolidation today even though the case is set for September 28, 2012. Remaining testimony to be presented September 28, 2012. Mr. Wright motions to approve the stipulations; Mr. Guilbeau seconds; motion carries (This motion was made as the same motion as referenced above with Steve Garrison's case).
3. ***Alvin Smith, Jr. Trainer.** Ruling#DD19461 of 6/16/12 – *Dermorphin (ARCI Category I)*. Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend.
4. ***John Darrel Soileau, Trainer.**
 - a. Ruling#DD19516 of 7/7/12 – *Dermorphin (ARCI Category I)*
 - b. Ruling#DD19517 of 7/7/12 – *Dermorphin (ARCI Category I)*Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend.
5. ***Alonzo Loya, Trainer.** Ruling#DD19464 of 6/20/12 – *Dermorphin (ARCI Category I)* Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend.

*Attorneys for above licensees and Ms. Loney stipulate to consolidate cases for purpose of expert testimony.

Mr. Wright motions to recess until 9:00AM Friday, September 28, 2012. Mr. Hollier seconds; motion carries.

At the time of recess, State presented its case in chief, cross examination of Dr. Barker to begin September 28, 2012.

Friday, September 28, 2012

COMMISSIONERS IN ATTENDANCE

Jerry F. Meaux, *Chairman*

Bob F. Wright, *Second Vice Chairman*

Keith W. Babb

Kevin S. Delahoussaye

Thomas H. Grimstad, M.D.

Benjamin J. Guilbeau, Jr.

Richard M. "Dick" Hollier, Jr.

Kenneth "Kenu" Romero

Judy W. Wagner

Dion Young

ABSENT

William A. Robinson

I. OTHER

A. Acquisition of Evangeline Downs by Boyd Gaming Corporation:

1. **Approval** of Joint Petition for Merger Agreement between Boyd Gaming Corporation and Peninsula Gaming, LLC.

Mr. Paul West and Mr. Brian Larson, legal counsel for Boyd Gaming Corporation, informs they met with the Racing Commission's Legal Committee to discuss the acquisition of Evangeline Downs by Boyd Gaming. He informs the Iowa Racing Commission approved the transaction on September 27, 2012 and the matter will be on the Louisiana Gaming Control Board's agenda on October 18, 2012. Mr. West introduces Mr. Keith Smith, CEO of Boyd Gaming. Mr. Smith provides a brief history of Boyd Gaming's presence in Louisiana. Ms. Loney informs Boyd Gaming has agreed to conditions set by commission and the matter is ready for a formal vote.

Mr. Wright motions to approve Boyd's application provided it's approved by the Louisiana Gaming Control Board; Mr. Hollier seconds; motion carries.

A recess is taken.

The following cases were continued from September 27, 2012:

1. ***Alvin Smith, Jr. Trainer.** Ruling#DD19461 of 6/16/12 – *Dermorphin (ARCI Category I)*. Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend.
2. ***John Darrel Soileau, Trainer.**
 - a. Ruling#DD19516 of 7/7/12 – *Dermorphin (ARCI Category I)*
 - b. Ruling#DD19517 of 7/7/12 – *Dermorphin (ARCI Category I)*Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend.
3. ***Alonzo Loya, Trainer.** Ruling#DD19464 of 6/20/12 – *Dermorphin (ARCI Category I)*. Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend.

*Attorneys for Licensees present remainder of cases.

Mr. Romero motions to go into executive session; Ms. Wagner and Mr. Babb second; motion carries.

A recess is taken while the commission goes into executive session.

Mr. Babb motions to resume the commission meeting; Ms. Wagner seconds; motion carries.

The commission makes individual motions on the following Dermorphin cases:

II. ADJUDICATIONS

Appeals/Referred (La. R. S. 4:154, 4:172)

1. **Alvin Smith, Jr. Trainer.** Ruling#DD19461 of 6/16/12 – *Dermorphin (ARCI Category I)*. Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend. (Expert testimony presented Thursday, September 27, 2012). Dr. Grimstad motions to suspend for 10 years (suspension amended from 6 months to 10 years) and fine \$20,000; Mr. Young seconds; motion carries. Dr. Grimstad restates his motion to include upholding stewards' ruling# DD19461; and redistribute the purse; Mr. Babb seconds; motion carries. Dr. Grimstad motions for suspension to begin 30 days from ruling; effective 10-29-2012 through 10-28-2022. Denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Mr. Young seconds; motion carries.
2. **John Darrel Soileau, Trainer.**
 - a. Ruling#DD19516 of 7/7/12 – *Dermorphin (ARCI Category I)*
 - b. Ruling#DD19517 of 7/7/12 – *Dermorphin (ARCI Category I)*Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend. (Expert testimony presented Thursday, September 27, 2012). Mr. Young motions to uphold stewards' rulings #DD19516 and #DD19517; suspension amended from 6 months to a 5 year suspension applicable to each individual ruling to run consecutively (10 years total); suspension to begin 30 days from ruling; effective from 10-29-12 through 10-28-17 and 10-29-17 through 10-28-22; fine \$10,000 applicable to each

ruling (\$20,000 total); purse redistributed. Denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Dr. Grimstad seconds. Poll vote: 7-yes; 1-no; motion carries.

3. **Alonzo Loya, Trainer.** Ruling#DD19464 of 6/20/12 – *Dermorphin (ARCI Category I)* Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend. (Expert testimony presented Thursday, September 27, 2012). Mr. Wright motions to uphold the stewards' ruling; suspension amended from 6 months to 5 years; suspension to begin 30 days from ruling; effective 10-29-12 through 10-28-17; fine \$10,000; purse redistributed. Denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Mr. Young seconds; motion carries.
4. **Michael Heath Taylor, Trainer.** Ruling#DD19515 of 7/7/12 – *Dermorphin (ARCI Category I)* Represented by Attorneys, Donald G. Kelly, C. Michael Hayes and Taylor Townsend. (Expert testimony presented Thursday, September 27, 2012). Mr. Young motions to uphold the stewards' ruling; suspension amended from 6 months to 5 years; suspension to begin 30 days from ruling; effective 10-29-2012 through 10-28-17; fine \$10,000; purse redistributed. Denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Dr. Grimstad seconds; motion carries. *Note: Mr. Babb recuses himself from the case.*

Adjudication Referred (La. R. S. 4:172)

1. **Kyi W. Lormand, Owner/Trainer.** Ruling#ED19500 of 7/4/12 – *Dermorphin (ARCI Category I)* Ms. Wagner motions to uphold the stewards' ruling; suspension amended from 6 months to 3 years; Ms. Wagner motions to give credit for time served, beginning 7-4-12; effective 7-4-12 through 7-3-15; fine \$2,500; purse redistributed. Denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Dr. Grimstad seconds; motion carries.

Mr. Guilbeau states there's an ongoing investigation of several veterinarians regarding the abuse of *Dermorphin*. Mr. Guilbeau discusses that the commission reserves the right to revisit and adjust the penalties of all the *Dermorphin* cases heard on 9-27-12 through 9-28-12; commissioners are in favor.

Appeals/Referred (La. R. S. 4:154, 4:172)

5. **Anthony C. Agilar, Trainer.**
 - a. Ruling#ED19496 of 6/30/12 – *Dermorphin (ARCI Category I)*
 - b. Ruling#ED19501 of 7/4/12 – *Dermorphin (ARCI Category I)*Mr. Young motions to uphold the stewards' rulings #ED19496 and #ED19501; suspension amended from 6 months to 3 years applicable to each ruling to run concurrently (3 years total); suspension to begin 30 days from ruling; effective from 10-29-12 through 10-28-15; fine \$2,500 total; purse redistributed. Denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; all commissioners in favor; motion carries.

6. **Lamont Keith Charles, Owner/Trainer.** Ruling#LD19473 of 6/22/12 – *Dermorphin (ARCI Category I)* Mr. Guilbeau motions to uphold the stewards' ruling; suspension amended from 6 months to 3 years; suspension to begin 30 days from ruling; effective 10-29-12 through 10-28-15; fine \$2,500; purse redistributed. Denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; all commissioners in favor; motion carries.
7. **Gonzalo Gonzales, Trainer.** Ruling#DD19465 of 6/20/12 – *Dermorphin (ARCI Category I)* Mr. Wright motions to uphold the stewards' ruling; suspension amended from 6 months to 3 years; suspension to begin 30 days from ruling; effective 10-29-12 through 10-28-15; fine \$2,500; purse redistributed. Denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; all commissioners in favor; motion carries.

Mr. Young motions to add a salary discussion of racing commission personnel to the agenda; Mr. Guilbeau seconds; motion carries. Mr. Young motions to increase Mr. Larry Munster's salary when funds become available and allow the amount of the increase to be at Mr. Gardiner's discretion; Ms. Wagner seconds; motion carries.

III. ADJOURNMENT

Mr. Young motions to adjourn; Mr. Babb seconds; Mr. Meaux adjourns the meeting.



Charles A. Gardiner III
Executive Director