

LOUISIANA STATE RACING COMMISSION
MINUTES – October 26, 2015 Meeting
As transcribed by Mary E. Lee DiLeo, Certified Court Reporter

COMMISSIONERS IN ATTENDANCE

Bob F. Wright, *Chairman*
Judy W. Wagner, *First Vice Chairperson*
R. Hamilton "Hammy" Davis
Thomas H. Grimstad, M.D.
Benjamin J. Guilbeau, Jr.
Richard M. "Dick" Hollier, Jr.
Mike R. McHalfey
Kenneth "Kenu" Romero
Delia A. Taylor

ABSENT

Dion Young, *Second Vice Chairman*
Keith W. Babb
Kevin S. Delahoussaye
Luke Turner

The meeting of the Louisiana State Racing Commission (LSRC) was called to order by the Chairman on Monday, October 26, 2015 at 9:05 AM in the Queen Anne Ballroom of the Monteleone Hotel, 214 Royal Street, New Orleans, Louisiana. Roll call was taken; a quorum was present.

Commissioner Davis motions to approve the meeting minutes from the August 24, 2015 meeting; Commissioner Guilbeau seconds; motion carries.

I. ASSOCIATION REQUESTS

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

1. **PROGRESS REPORT**, by *Mr. Chris Warren*. Mr. Warren informs that the Delta Downs 2015-2016 Thoroughbred Meet started October 16, 2015. He says that the opening week went well but Delta Downs is flat on handle following bad weather this past Saturday night. He states that Jackpot Day is November 21, 2015 and nominations closed this past week with a lot of trainers from the east and west coasts applying. He informs that everyone seems happy with the racetrack and the barn area has been positive. He says that Delta Downs had at least five or six inches of rain this past weekend due to Hurricane Patricia.

Mr. Warren requests to put on the record that the Jocks Room Custodian position is being filled by Mayo Newhouse for which he is submitting the documentation to the Commission today.

AMENDED

2015-2016 THOROUGHBRED MEET

2. STEWARDS, OFFICIALS & MANAGEMENT

- a. **Ratification** of officials for 2015-2016 thoroughbred race meet.
Chris Warren - Director of Racing

Matthew Crawford - Racing Secretary
Mohamed Alikhan - Asst. Racing Secretary/Stakes Coordinator
Steve Ruff and Galen Boutte - Association Stewards
Duane Domingue - Paddock Judge/Alternate Steward
Mark Gilbert, Jeff Jerman, & *Michael Phillips - Outriders
*Aaron Pelt - Trackman Supervisor
Dennis Schmidt - Starter
Michael Bennett - Clerk of Scales
Oscar Lopez - Head Clocker
Susan Berard - Horse Identifier
Tami Meyers - Stall Superintendent
*Mayo Newhouse - Jocks Room Custodian/Assistant Clerk of Scales
Steve Nick, Phillip Walker, Charles Sonnier & Rose Caster – Placing
Judges/Racing Office Staff
**new official*

Commissioners motion to approve; commissioners second; motion carries.

**B. THE OLD EVANGELINE DOWNS, LLC
d/b/a EVANGELINE DOWNS RACETRACK & CASINO**

1. **PROGRESS REPORT**, by Mr. Chris Warren. Mr. Warren informs that the Evangeline Downs 2015 Quarter Horse Meet started on September 30, 2015. He says that their track man left due to a family emergency and they have been searching for a replacement for the last few weeks. He states that the track is still well-received and they are working with the horsemen on any complaints. He informs that the handle has been up by a few percent and getting some new east coast sites to carry their simulcast signal helps that handle. He says the meet has been going well.

2. **REQUEST BY LAHBPA**

a. **Discussion/Update** of adding stalls at Evangeline Downs. Mr. Warren informs that Mr. Ted Bogich, Senior Vice President of Operations for Boyd Gaming, and Mr. Steve Kuypers, Vice President of Boyd Gaming, joined him and Mr. Charles Gardiner III, Executive Director of the LSRC, to speak with LaHBPA members and their President, Mr. Benard Chatters. Mr. Warren informs that he will discuss the meeting with the horsemen after he reports to Boyd Gaming's corporate office.

Mr. John Duvieilh, attorney for LaHBPA, informs that the horsemen's biggest concern is the training center raising its price to \$10, which impacts all of the horses being stabled. He says that Evangeline Downs has 400 fewer stalls than Delta Downs, despite having two racing surfaces between a turf course and a dirt course. He states that Fair Grounds has 1,800 stalls and Delta Downs has 1,300 stalls for its dirt track. He informs that the Evangeline Downs representatives listened to them and promised to get back to them in a couple of weeks. He says that the LaHBPA will follow up with a letter to confirm the details of the meeting and will keep the Commission directly involved through contact with Mr. Gardiner.

2015 QUARTER HORSE MEET

3. **RACES**

a. **Ratification** of first condition book for 2015 quarter horse meet.

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

b. Ratification of designated races for the 2015 quarter horse meet.

11/6/15	Trials/LQHBA Breeders' Futurity
11/7/15	Trials/LQHBA Breeders' Derby
11/14/15	OPELOUSAS
11/27/15	Trials for the EVD Futurity
11/28/15	LQHBA Breeders' Derby
11/28/15	Trials for the EVD Derby
11/28/15	LQHBA Breeders' Futurity, La. Bred (RG1)
11/28/15	LQHBA Invitational Breeders' Stakes
12/19/15	EVD Derby
12/19/15	EVD Futurity

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

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

1. **PROGRESS REPORT**, *by Mr. Tim Bryant.* Mr. Bryant informs that the 2015 Fair Grounds Quarter Horse Meet ended on September 5, 2015 with two less race days than last year. He says that Fair Grounds was down 21% in all-source handle and 6% down on the daily all-source handle. He states that the quarter horse field sizes were relatively flat and the purses per day were up about 11%. He informs that the backside was opened to the horsemen on October 1, 2015 for the upcoming Fair Grounds 2015-2016 Thoroughbred Meet starting on November 19, 2015. He says that there are about 725 horses on-site now and there are over 3,100 stall applications for the Fair Grounds' 1,828 stalls, which has been a challenge to allocate. He states that the Fair Grounds will try to get about 20 new trainers in and keep the trainers who consistently come to the track. He informs that some asphalt work and barn maintenance work were done over the summer and the backside looks good. He states that the turf track is looking good and the drainage is working. He informs that 13 horses that ran at the Fair Grounds' last thoroughbred meet were entered into the upcoming Breeder's Cup. He says that moving the Louisiana Derby back up to \$1 million for Louisiana Derby Day on March 26, 2015 was the right decision.

Commissioner Romero asks if the Fair Grounds would build more stalls in the future to accommodate the increased number of applications in order to bring in more horses. Mr. Bryant answers that they haven't discussed adding more stalls due to the lack of space on the backside but their 1,828 stalls and ship-in barn with 100 stalls makes it sizeable already. Mr. Romero says that it would be good to be able to accept more horses so that the races could have field sizes of 12.

Dr. Grimstad asks if it is taken into consideration for awarding stalls when there are horses that train but don't run in races at the Fair Grounds. Mr. Bryant answers that the executive team considers that at the end of the meet when they review the average starts per stall. He informs that when trainers fall below a certain level, the Fair Grounds either doesn't ask them to return or reduces their stalls in order to make room for new trainers.

2015-2016 THOROUGHBRED MEET**2. RACES****a. Approval of first condition book for 2015-2016 thoroughbred meet.**

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

b. Approval of designated races for the 2015-2016 thoroughbred meet:

12/12/15	Louisiana Champions Day Handicap Stakes
12/12/15	Louisiana Champions Day QH Juvenile
12/12/15	Louisiana Champions Day QH Derby
12/12/15	Louisiana Champions Day QH Classic
12/12/15	Louisiana Champions Day Ladies
12/12/15	Louisiana Champions Day Juvenile
12/12/15	Louisiana Champions Day Sprint
12/12/15	Louisiana Champions Day Ladies Sprint
12/12/15	Louisiana Champions Day Lassie
12/12/15	Louisiana Champions Day Classic
12/12/15	Louisiana Champions Day Turf
12/26/15	Pan Zareta Stakes
12/26/15	Woodchopper Stakes
12/26/15	Pago Hop Stakes
12/31/15	Louisiana Futurity – Colts & Gelding Division
12/31/15	Louisiana Futurity – Filly Division
1/16/16	Lecomte Stakes (Gr. III)
1/16/16	Silverbulletday Stakes
1/16/16	Louisiana Stakes
1/16/16	Col. E.R. Bradley Handicap (Gr. III)
1/16/16	Marie G. Krantz Memorial Stakes
2/20/16	Mineshaft Handicap (Gr. III)
2/20/16	Risen Star Stakes (Gr. II)
2/20/16	Rachel Alexandra Stakes (Gr. III)
2/20/16	Duncan F. Kenner Stakes
2/20/16	Fair Grounds Handicap (Gr. III)
2/20/16	Daisy Devine Stakes
3/26/16	New Orleans Handicap (Gr. II)
3/26/16	Fair Grounds Oaks (Gr. II)
3/26/16	Louisiana Derby (Gr. II)
3/26/16	Crescent City Oaks
3/26/16	Crescent City Derby
3/26/16	Star Guitar Stakes
3/26/16	Muniz Memorial Handicap (Gr. II)
3/26/16	Costa Rising Stakes

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

3. STEWARDS, OFFICIALS & MANAGEMENT**a. Approval of officials for 2015-2016 thoroughbred race meet.**

Jason M. Boulet - Racing Secretary
 David Wedlake - Association Steward
 Hal Wiggins - Association Steward
 Scott Jones – Assistant Racing Secretary
 Amber Fontenot – Stakes Coordinator
 Glen Miller - Starter

Meagan Davis – Program Director
Gary Palmisano, Sr. – Paddock Judge
Stephanie Cooley, Joe Peluso, Cynthia Smith, Baley Hare, & TBA – Placing Judge/Entry Clerk
Kerry Dubuc, Mike Diliberto, Billy Pettingill & TBA - Clockers
Nelson Menard - Clerk of Scales
Larry Fontenot, Jr. - Horse Identifier
Mario Torres - Stall Superintendent
Craig Daligian - Jockey Room Custodian
***Jordan Gatlin** – Claims Clerk/Entry Clerk
Darrin Cain, Casey Lovell, Alan Love, Jr., & Scott Cole (Alternate) – Outriders
Jacquelyn Herbstreit – Silks Coordinator
**new official*

Commissioner Romero motions to approve; Commissioner Wagner seconds; motion carries.

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

1. **PROGRESS REPORT**, by *Mr. Trent McIntosh*. Mr. McIntosh informs that the Louisiana Downs 2015 Thoroughbred Meet ended on September 19, 2015, and the decrease to seven races a day worked out well. He says that they ran 14% fewer races than last year, which suited their barn area and the number of horses, and as a result, their average purse sizes were flat with last year. He states that the starters per race went up to 7.8, the handle per race was up 20%, and the total handle for the meet was up 5%. He says that it was overall a successful meet.

Chairman Wright asks if the owners and trainers also felt positively about the meet. Mr. McIntosh answers that the LaHBPA supports the idea now even though they were hesitant at first. He informs that, after Evangeline Downs closed on September 1, 2015, Louisiana Downs was able to increase to 8 races a day due to the increase of available horse population. He says that they were able to increase the purses from the increased handle throughout the season. He states that Louisiana Downs has a nice event planned for the Breeder's Cup this weekend for which they invited their racing VIPs to free hotel rooms for the weekend and a party hosted on the fourth floor with food on the suite level. He adds that the first and second floors will be open on Friday and Saturday for the simulcast event.

II. COMMITTEE REPORTS

A. MEDICATION COMMITTEE, by *Committee Chairman Thomas H. Grimstad, M.D.*

Dr. Grimstad has no report. LSRC Executive Director Charles Gardiner III recalls that the Commission formally adopted the ARCI Uniform Controlled Therapeutic Medication Schedule at its last meeting on August 24, 2015, with the proviso that no positive tests would be called until November 15, 2015 as a grace period for the industry to get adjusted. He informs that, as a courtesy, the Commission office mailed out test results that would be positive after the grace period to all owners and trainers in the state. Mr. Gardiner says that he, along with Dr. Barker and Dr. Cooley, met with trainers, owners, and back-stretch employees at Evangeline Downs and Delta Downs to explain the new uniform schedule and grace period. He states that the majority of the tests that would be positives in the grace

period so far involved Clenbuterol and cortical steroids but the number of would-be positives in Dr. Barker's testing has dramatically dropped recently. Dr. Barker confirms Mr. Gardiner's claim.

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

Commissioner Babb is absent. No Report.

C. LEGAL COMMITTEE, by Committee Chairman Benjamin J. Guilbeau, Jr.

Commissioner Guilbeau informs that the Legal Committee had a conference call on Friday, October 23, 2015 and what the Legal Committee addressed will come up during the cases later in the agenda.

D. SECURITY COMMITTEE, by Committee Chairman Kenneth "Kenu" Romero

No Report.

E. RACETRACK/HBPA LIAISON COMMITTEE, by Committee Chairman Kevin S.

Delahoussaye

Commissioner Delahoussaye is absent. No Report.

III. OTHER

A. Discussion of Mandatory Necropsy – Request by Mr. Robert Meche to speak to the LSRC.

Mr. Gardiner introduces Mr. Meche, whose son was killed on a horse before a meet began when no employed official was at the track. Mr. Meche explains that his son lost his life two years ago and was autopsied. He says that the horse was not necropsied and proposes that a bill or rule be made to make necropsy mandatory.

Mr. Gardiner asks if Mr. Meche had reason to believe that something was wrong with the horse. Mr. Meche responds that he did not and his son was a knowledgeable horseman who didn't see problems with the horse when he worked with it two weeks prior to his accidental death. He says that he heard that the horse popped its knees but was not given definitive reasoning for the accident that killed his son. He states that he would have hauled the horse to LSU if he was in his right frame of mind.

Mr. Gardiner informs that mandatory necropsy was discussed by the Commission under Chairman Meaux. He says that the cost would have been passed onto the owners but the Medication Committee decided against burdening the owners with the cost. Mr. Meche says that it is important for the racing industry and for the safety of the jockeys and the horses.

Mr. Gardiner informs that the Fair Grounds pays for all of its horses to be necropsied as a part of its NTRA Safety Alliance membership. Mr. Meche suggests that the tracks pay for necropsy and, if something illegal is found in the horse's system, the owner or trainer would pay for the necropsy.

Chairman Wright asks if the race tracks have considered assuming the cost of mandatory necropsy. Mr. Chris Warren says that he has never been asked for mandatory necropsy either at Delta Downs or Evangeline Downs but the horse's blood has been pulled for testing if it didn't make it to the spit box to be examined. Mr. McIntosh informs that he

hasn't been asked for mandatory necropsy at Louisiana Downs either. Chairman Wright asks Mr. Gardiner to get the Racing Commission office to explore mandatory necropsy for discussion and report it to the Medication Committee.

Commissioner Taylor asks if the Commission will explore mandatory necropsy for anytime a horse is lost. Chairman Wright answers yes, specifically if the race tracks would be willing to assume the cost of mandatory necropsy. Commissioner Taylor asks the Commission to also look into mandatory necropsy whenever human life is lost. Commissioner Romero suggests that the trainer should share the cost of necropsy with the owner to deter trainers from running horses that may have physical problems until they are well.

Dr. Grimstad asks if toxicology is already mandatory. Mr. Gardiner responds that toxicology is mandatory and, across the country, necropsy is seen as a research tool to give the industry a better idea of what causes catastrophic breakdowns.

Ms. Loney, Assistant Attorney General representing the LSRC, clarifies that toxicology is only mandatory for a race, not for a horse that breaks down at a training center or exercising in the mornings. Dr. Grimstad says that the Commission should make toxicology mandatory for any catastrophic breakdown. Chairman Wright asks Dr. Grimstad to study the issue and report back to the Commission at the next meeting.

B. Ratification of Approval of Extension of Apprentice Allowance for Ms. Erica Murray.

Dr. Grimstad motions to approve the ratification of a 56-day extension to Erica Murray's Jockey Apprenticeship license. Commissioner Guilbeau seconds; motion carries.

IV. RULES

A. DISCUSSION/NOTICES OF INTENT:

1. Associations' Duties and Obligations

LAC 35: III Chapter 57 – Associations' Duties and Obligations

§5704. *Public Address System* [**new**]

§5706. *Barns on Backside of Racetrack* [**new**]

§5707. *Fire Prevention Security* [*amend*]

§5709. *Housing of Stable Employees* [*amend*]

§5713. *Ambulance* [*amend*]

§5714. *Equine Ambulance* [**new**]

§5723. *Lighting* [*amend*]

§5724. *Rails* [**new**]

§5747. *Cleanliness and Inspection* [*amend*]

§5764. *Surface of Race Course* [**new**]

Mr. Gardiner informs that the Louisiana Legislative Auditor's Office recommended rule changes and additions based on discussions with the Racing Commission office and comparing the National Model Rules to Louisiana's Rules of Racing. He recommends getting input from the racing associations. Ms. Loney says that the Rules Committee drafted these rules to meet the auditor's recommendations. Chairman Wright requests the racing associations to comment on this draft of the rules.

Mr. Paul West, Attorney for Boyd Gaming, informs that Delta Downs and Evangeline Downs are still discussing the rules with their staff and feel that one set of rules may not

effectively work for all race tracks. Mr. West requests 30 to 45 days to submit written comments to the Rules Committee. Mr. David Waguespack, Attorney for the Fair Grounds, agrees with Mr. West's request. Mr. John Duvieilh, Attorney for the LaHBPA, requests a copy of the racing associations' written comments and informs that the LaHBPA is having a board meeting to discuss these rules tomorrow.

Mr. Trent McIntosh says that he submitted a letter on behalf of Louisiana Downs about these rules within the past week and one set of rules for all race tracks would be a challenge. He states that Louisiana Downs built 220 dorm rooms in the last five years that would be out of compliance with the proposed rules after these were agreed to by the LSRC and LaHBPA. He expresses concern about spending a lot of money to meet the requirements of the new rules in ways that would not necessarily be valuable to the horsemen. Chairman Wright responds that there should be suggestions for grandfathering provisions for existing cases. Chairman Wright agrees to taking responses within the next 30 days.

Commissioner Guilbeau requests that any interested parties provide comments about adopting the California claiming rule before the next meeting. He explains that the Louisiana claiming rule requires that if a person makes a claim on a horse, that person will own the horse regardless of how the horse finished the claiming race. He says that, in other racing jurisdictions, veterinary judgment can void a claim if the horse comes out of the claiming race injured. He states that this buyer protection would improve and increase claiming activity in Louisiana like it has in California.

V. LICENSE APPROVALS

A. REQUEST FOR LICENSE APPROVAL (LA. REV. STAT. 4:150)

1. **Joey D. Fusilier, Groom.** Convicted felon.

Commissioner Guilbeau motions to withhold License Approval pending submission of a negative hair drug test from an LSRC approved drug testing facility. Commissioner Hollier seconds; motion carries.

B. REINSTATEMENT REQUEST

1. **Dustin B. Romero, Groom.** Seeking reduction of suspension.

Commissioner Davis motions to reduce the sentence so that Mr. Romero is restored to good standing as of October 26, 2015. Commissioner Guilbeau seconds; motion carries.

VI. ADJUDICATIONS

A. APPEAL (LA. REV. STAT. 4:154)

1. **John E. Hamilton, Jockey.** Ruling#ED21355 of 10/9/15 – *Careless Riding*.

Attorney –
Kyle Sherman, Esq.

Case continued to next Commission Meeting.

B. VIOLATIONS OF LAC 35:I.1797 (Equine Positives)

1. **Paul H. Johnson, Trainer.** (*Adjudication Referred*)
Ruling#ED21342 of 9/22/15 – *Phenylbutazone & Flunixin (ARCI Category IV, Severity Level I)*
(3rd offense within a 12-month period)

Commissioner Wagner motions to uphold the Stewards' ruling, suspend Mr. Johnson for 60 days effective October 29, 2015 through December 27, 2015, fine him an additional \$500 (total fine \$1,500) with the purse redistributed, and deny him access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission. Commissioner Guilbeau seconds; motion carries.

2. **Justin A. Dehart, Owner/Trainer** (*Adjudication Referred*)
Ruling#ED21356 of 10/9/15 – *Triamcinolone Acetonide (ARCI Category IV, Severity Level I)*
(3rd offense within a 12-month period)

Commissioner Guilbeau motions to uphold the Stewards' ruling, suspend Mr. Dehart for 60 days effective November 29, 2015 through January 27, 2016, fine him \$1,000 with the purse redistributed, and deny him access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission. Commissioner Hollier seconds; motion carries.

Commissioner Taylor asks if veterinarians give reports to the Commission about when and how drugs are administered to horses that yield positive test results. Mr. Gardiner responds that veterinarian records are not currently requested for routine positives when the tests show what is considered minor medication errors as opposed to any attempt to alter the outcome of a race. Dr. Grimstad asks about getting the veterinarian reports after multiple offenses. Mr. Gardiner answers there is no requirement in place to get vet records after multiple offenses. Commissioner Taylor requests to consider after how many positive violations the Commission should start demanding veterinarian records from repeat offenders. Chairman Wright asks Commissioner Guilbeau to consider this issue with the Legal Committee. Commissioner Guilbeau agrees to get some recommendations for the next meeting.

3. **Justin J. Haug, Owner/Trainer.** (*Adjudication Referred*)
Ruling#FG21314 of 9/4/15 – *Phenylbutazone & Flunixin (ARCI Category IV, Severity Level III)*

Testimony taken and evidence introduced. Commissioner Taylor motions to defer the remainder of the case to the next scheduled Commission Meeting to require the presence of the treating veterinarian and introduction of veterinarian records. Commissioner Romero seconds; motion carries.

4. **Alan J. Klanfer, Trainer.** (*Adjudication Referred*)
Ruling#ED21353 of 10/7/15 – *Mitragynine & 7-Hydroxymitragynine (ARCI Category I)*

Testimony taken and evidence introduced. Commissioner Hollier motions to defer the remainder of the case to the next scheduled Commission Meeting. Commissioner Taylor seconds; motion carries.

A ten minute recess is taken.

VII. REMANDS

A. REMANDS FROM DISTRICT COURT:

1. **Soileau et al. v. LSRC; Docket No. 2012-4442 c/w 2012-4443; c/w 2012-4444; c/w 2012-4445; Div. "E"**

Attorneys –

Donald G. Kelly, Esq
C. Michael Hayes, Esq.
Taylor Townsend, Esq.

(The following motion occurs chronologically on page 11.)

Ms. Loney informs that, in regard to the four Soileau case remands, the Legal Committee recommends that the Commission gives a maximum fine under the rules of \$5,000 for each violation. Commissioner Guilbeau motions to accept the Legal Committee's recommendation. Commissioner Davis seconds; motion carries.

Recommendations as follows:

Violations of LAC 35.I.1797 (Equine Positives)

a. Michael Heath Taylor, Trainer.

Ruling#DD19515 of 7/7/12 – *Dermorphin (ARCI Category I)*

Remand to Address Fine Only

Commission ruling amended to reduce fine from \$10,000 to \$5,000.

b. Alonzo Loya, Trainer.

Ruling#DD19464 of 6/20/12 – *Dermorphin (ARCI Category I)*

Remand to Address Fine Only

Commission ruling amended to reduce fine from \$10,000 to \$5,000.

c. John Darrel Soileau, Trainer.

1. Ruling#DD19516 of 7/7/12 – *Dermorphin (ARCI Category I)*

2. Ruling#DD19517 of 7/7/12 – *Dermorphin (ARCI Category I)*

Remand to Address Fines Only

Commission ruling amended to reduce fine from \$20,000 to \$10,000 (\$5,000 per occurrence).

d. Alvin Smith, Jr., Trainer.

Ruling#DD19461 of 6/16/12 – *Dermorphin (ARCI Category I)*

Remand to Address Fine Only

Commission ruling amended to reduce fine from \$20,000 to \$5,000.

2. Kenneth L. Ramsey & Sarah K. Ramsey v. LSRC; 26th JDC; Docket No. C-145973

Appeal of Stewards' decision to disqualify *Coalport*, from 1st place to 2nd place in the Unbridled Stakes, the 10th race on September 6, 2014 at Louisiana Downs.

In accordance with: The Judgment signed on March 27, 2015 by Judge Cox; Granting the Application for Leave to Present Additional Evidence at the Trial of this Matter, the matter is remanded to the Louisiana State Racing Commission for further proceeding consisting of: 1) taking the testimony of Mr. David Hooper; and 2) consideration of deposition testimony of Ms. Napravnik.

Attorneys -

Kenneth L. and Sarah K. Ramsey, owner of horse, *Coalport*, official 2nd place finisher.
-Represented by William S. Marshall, Jr., Esq.

OakLeaf T.C. L.P. (Royce Roberts) - owner of horse, *Benwill*, official 1st place finisher.
-Represented by Daniel G. Guidry, Esq.

The Commissioners go into Executive Session for the purpose of discussing Pending Litigation.

Commissioner Taylor motions to uphold the Stewards' disqualification. Dr. Grimstad seconds; motion carries.

Discussion and motion to accept the Legal Committee's recommendation for the Soileau et al. v. LSRC remand occurred here.

VII. ADJOURNMENT

Commissioner Guilbeau motions to adjourn; Commissioner Hollier seconds; Chairman Wright adjourns the meeting.



Charles A. Gardiner III
Executive Director