

# FINES AND SUSPENSIONS BULLETIN

Fri, Apr 6 - Thu, Apr 12

## PART ONE

*The following action has been taken by the United States Trotting Association. This information is in an abbreviated form.*

\*\*\* **NO RECORDS FOUND** \*\*\*

## PART TWO - MAJOR PENALTIES

*The following actions published herein and imposed pursuant to the rules and regulations of the Racing Commissions of the various states and provinces are given full faith and credit and strictly enforced by the United States Trotting Association consistent with the provisions of USTA Rule 22, Section 13 and 14 relative to RECIPROCITY OF PENALTIES. The fact that there is no separate action taken by the USTA in the form of a "ruling of reciprocity" shall not be construed as a failure to recognize and/or reciprocate with those published penalties.*

*Please note that the following action is in an abbreviated form. Further information may be available by contacting the Racing Commissions or their representatives.*

### **ANGUS, RYAN M**

**Nfld** on 3/10/2018

### **NORTHFIELD, OH**

**WARNING ISSUED**

**YOB 1975**

#### **POSITIVE TEST- POST RACE**

Blood sample #868113 collected at Northfield Park on 3/10/18 from the horse Spilling The Beans was found to contain cobalt at a concentration of 29.3+-0.6 parts per billion (ppb) of plasma. This exceeds the Regulatory Threshold of 25 parts per billion (ppb) adopted by the OSRC. Spilling The Beans is on the Veterinarians List until she tests below 25 parts per billion (ppb) concentration of cobalt in plasma or serum. O.S.R.C.-3769-18-01(A)(2) 18-01(B)(1),(10),(13),(16)&(17) 18-02 18-99

### **APOSTOLATOS, SPIRIDON**

**PcD** on 12/4/2017

### **OYSTER BAY COVE, NY**

**FINED: \$50**

**YOB 1978**

**INDEFINITE SUSPENSION(IND) AS OF**

**4/9/2108**

#### **FAILURE TO OBTAIN PROPER LICENSE**

PA Code 58-183.256 Mr. Apostolatos has failed to submit a fingerprint card. He is fined \$50.00 and is suspended indefinitely and will continue to be suspended until he submits his fingerprint card and pays his fine.

### **CARTER, WILLIAM D**

**PcD** on 3/6/2018

### **PHILADELPHIA, PA**

**FINED: \$8,000**

**YOB 1971**

**FULL - 36 DAYS, 9/12/2018 THRU**

**10/17/2018**

**NO VACCINATION / COGGINS / HEALTH CERTIFICATE**

PA Code 58-183.37 183.336 183.268 Mr. Carter submitted a coggins test, a health certificate and a flu and rabies form for the horse Terror`s Halo, all of which were altered. This action is not in the best interest of racing. He is fined \$8000.00 and suspended (full) for 36 days starting on 9/12/18 and continuing through 10/17/18. During this suspension he and all horses owned and trained by him are barred from all grounds under the jurisdiction of The State Horse Racing Commission. He cannot transfer any horses during this suspension without approval of the judges at Pocono Downs or The State Horse Racing Commission. He can appeal this decision in writing within 10 days of notice of this decision as set forth in PA Code 58-183.404(a). The mailing address for an appeal is: The State Horse Racing Commission-2301 N. Cameron St.-Room 301-Harrisburg,PA 17110 Phone 717-77-5196 ATTN: Brett Revington

**PcD** on 3/6/2018

FINED: \$8,000

FULL - 36 DAYS, 7/2/2018 THRU  
8/6/2018

**NO VACCINATION / COGGINS / HEALTH CERTIFICATE**

PA Code 58-183.37 183.336 183.268 Mr. Carter submitted a coggins test, a health certificate and a flu and rabies form for the horse LL Jackpot, All of which have been altered. This action is not in the best interest of racing. He is fined \$8000.00 and suspended 36 days (full) starting on 7/2/18 and continuing through 8/6/18. During this suspension he and all horses owned and trained by him are barred from all grounds under the jurisdiction of The State Horse Racing Commission. He cannot transfer any horses during this suspension without approval of the judges at Pocono Downs or The State Horse Racing Commission. He can appeal this decision in writing to The State Horse Racing Commission within 10 days of notice of this decision as set forth in PA Code 58-183-404(a). The mailing address for an appeal is: The State Horse Racing Commission-2301 N. Cameron St.-Room 301-Harrisburg, PA 17110 Phone: 717-787-5196 ATTN: Brett Revington

**PcD** on 3/6/2018

FINED: \$8,000

FULL - 36 DAYS, 5/27/2018 THRU  
7/1/2018

**NO VACCINATION / COGGINS / HEALTH CERTIFICATE**

PA Code 58-183.37 183.336 183.268 Mr. Carter submitted a coggins test, health certificate and a flu and rabies form for the horse Gamblers Anonymous, all of which have been altered. This action is not in the best interest of racing. He is fined \$8000.00 and suspended (full) for 36 days starting on 5/27/18 and continuing through 7/1/18. During this suspension

he and all horses owned and trained by him are barred from all grounds under the jurisdiction of The State Horse Racing Commission. He cannot transfer any horses during this suspension without approval of the judges at Pocono Downs or The State Horse Racing Commission. He can appeal this decision in writing within 10 days of notice of this decision as set forth in PA Code 58-183.404(a). The mailing address for an appeal is: The State Horse Racing Commission-2301 N. Cameron St.-Room 301-Harrisburg, PA 17110 Phone:717-787-5196 ATTN: Brett Revington

**PcD** on 3/6/2018

FINED: \$8,000

FULL - 36 DAYS, 4/21/2018 THRU  
5/26/2018

**NO VACCINATION / COGGINS / HEALTH CERTIFICATE**

PA Code 58-183.37 183.336 183.268 Mr. Carter submitted a coggins test, Health certificate and a flu and rabies form for the horse Sealark Hanover, all of which have been altered. This is not in the best interest of racing. He is fined \$8000.00 and suspended (full)for 36 days starting on 4/21/18 can continuing through 5/26/18. During this suspension he and all horses owned and trained by him are barred from all grounds under the jurisdiction of The State Horse Racing Commission. He cannot transfer any horses during this suspension without approval of the judges at Pocono Downs or The State Horse Racing Commission. He can appeal this decision in writing within 10 days of notice of this decision as set forth in PA Code 58-183.404(a). The mailing address for an appeal is: The State Horse Racing-2301 N Cameron St.-Room 301-Harrisburg, PA 17110 Phone:717-787-5196 ATTN:Brett Revington

**COTTONGIM, BILL W**

**SOUTH LYON, MI**

**YOB 1958**

**MVR** on 3/12/2018

**POSITIVE TEST- POST RACE**

Miami Valley Raceway O.S.R.C. 3769-18-01.(B)(1)(b) Trainer BILL COTTINGIM is hereby issued a warning for violation of Ohio State Racing Commission Rule 3769-18-01.(B)(1)(b). Blood Sample #880958 for horse BEACHBOY DESIRE tested by the Analytical Toxicology Laboratory at the Ohio Department of Agriculture on MARCH 19, 2018 showed a concentration of Flunixin at 24.1+/- .04 ng/mL, which exceeds the O.S.R.C. regulatory threshold of 20 ng/mL.

**DAVIS, HOWARD E JR**

**HARTLY, DE**

**YOB 1966**

**Fhld** on 2/10/2018

FINED: \$1,000

## OTHER

As a result of the administrative hearing conducted on March 24, 2018 at Freehold Raceway, the Board of Judges has determined that Howard (Eddie) Davis, as the trainer of the horse "LIFE IS GOOD AS" which raced in the 11th race on February 10, 2018 at Freehold Raceway, is the responsible party for the care and condition of the horse which was under his custody. The horse "LIFE IS GOOD AS" finished first in the 11th race on February 10, 2018 and as a result was required to submit blood and urine samples for analysis. The urine sample collected from "LIFE IS GOOD AS" following his performance in the 11th race on February 10, 2018, identified the presence of the prohibited substance Benzoylecgonine. The presence of Benzoylecgonine in the horse "LIFE IS GOOD AS" on February 10, 2018 is in violation of N.J.A.C. 13:71-23.1. Consistent with N.J.A.C. 13:71-23.7(b), the horse "LIFE IS GOOD AS" is hereby disqualified from sharing in the purse. The amount of the purse earned by "LIFE IS G

**FANNING, THOMAS W**

Fhld on 4/12/2014

**JACKSON, NJ**

FINED: \$500...**STAYED**

FULL - 15 DAYS, 4/13/2018 THRU

4/27/2018...**STAYED**

HORSE DISQUALIFIED, PURSE

REDISTRIBUTION...**STAYED**

**YOB 1958**

## POSITIVE TEST- POST RACE

The Board of Judges hereby order you a full suspension, including all horses owned or trained, wholly or in part by you, for violation of the Trainer's Responsibility insofar as your horse JUMP THE SHARK had a positive post-race test disclosing the presence of DEXTRORPHAN from the 3rd race on Saturday, April 12, 2014. The period of suspension will be fifteen (15) days, July 10, 2014 thru July 24, 2014 inclusive. Mr. Fanning is also fined the sum of five hundred (\$500.00) dollars. During the period of suspension Mr. Fanning is denied the privileges of all grounds under the jurisdiction of the New Jersey Racing Commission. The horse finished 2nd and is hereby disqualified from sharing in the purse. The purse is ordered to be redistributed among the eligible horses.

***Status as of 4/9/2018 - Stay - Thomas Fanning, having represented by letter dated April 5, 2018 of his intention to appeal the fifteen (15) day suspension, \$500 fine and loss of purse ordered by the Racing Commission in ruling 18TRH3, the Executive Director hereby grants a stay of the penalty pending the outcome of the appeal before the***

**Superior Court, Appellate Division.**

**FINN, JOHN D**

**Haw** on 6/18/2017

**NEWTON, IL**

FULL - 121 DAYS, 12/1/2017 THRU  
3/31/2018

**YOB 1957**

HORSE DISQUALIFIED, PURSE  
REDISTRIBUTION

**OTHER**

An analysis of the test sample obtained from CRUZEN CASSI following its first place finish in the fifth race at Hawthorne Race Course on June 18, 2017, revealed the presence of methamphetamine. Pursuant to IRB rule 603.30 and 603.50, trainer John (JD) Finn is hereby suspended 365 calendar days (August 17, 2017 through August 18, 2018). Furthermore, Per IRB Rule 603.140 C & D, the purse money won by CRUZEN CASSI is hereby ordered forfeited and redistributed among the horses according to their order of finish.

***Status as of 12/20/2017 - Subsequent Ruling - After trainer John D. Finn filed an appeal, evidence was presented to the board that mitigates the original penalty imposed; therefore, trainer Finn is now suspended for four calendar months (December 1, 2017 through March 31, 2018) for violation of the trainer responsibility rule (failure to guard) and the foreign substance ban.***

**FINN, LARRY W**

**MVR** on 4/6/2018

**XENIA, OH**

**YOB 1972**

**POSITIVE TEST- POST RACE**

Miami Valley Raceway O.S.R.C. 3769-18-01.(B)(1)(b) Trainer LARRY FINN is hereby issued a warning for violation of Ohio State Racing Commission Rule 3769-18-01.(B)(1)(b). Blood Sample #880899 for horse ART DEGREE tested by the Analytical Toxicology Laboratory at the Ohio Department of Agriculture on MARCH 19, 2018 showed a concentration of Flunixin at 25.6 +/- .04 ng/mL, which exceeds the O.S.R.C. regulatory threshold of 20 ng/mL.

**HAYES, SENAN**

**PcD** on 12/4/2017

**WALLKILL, NY**

FINED: \$50

**YOB 1981**

INDEFINITE SUSPENSION(IND) AS OF  
4/9/2018

**FAILURE TO OBTAIN PROPER LICENSE**

PA Code 58-183.256 Mr. Hayes has failed to submit a fingerprint card. He is

fined \$50.00 and suspended indefinitely starting on 4/9/18 and continuing until he meets all licensing requirements.

**KAY, BRUCE B**

**PcD** on 12/4/2017

**FREEHOLD, NJ**

FINED: \$50

INDEFINITE SUSPENSION(IND) AS OF  
4/9/2018

**YOB 1956**

**FAILURE TO OBTAIN PROPER LICENSE**

PA Code 58-183.256 Mr. Kay has failed to submit a fingerprint card. He is fined \$50.00 and suspended indefinitely starting on 4/9/18 and will continue to be suspended until he pays his fine and submits a fingerprint card.

**KINA, JOHN G**

**Nfld** on 3/14/2018

**ONSTED, MI**

FINED: \$500

FULL - 15 DAYS, 4/11/2018 THRU  
4/25/2018

HORSE DISQUALIFIED, PURSE  
REDISTRIBUTION

*APPEALED - 4/10/2018*

**YOB 1969**

**POSITIVE TEST- POST RACE**

Urine sample #868165 collected at Northfield Park on 3/14/18 from the horse Red Pine was found to contain hydroxytriplennamine. All purse money must be returned for redistribution (\$1,750.00). O.S.R.C.-3769-18-01(A)(2) 18-01(B)(1),(10),(13),(16)&(17) 18-02 18-99 17-30(B) 17-33(A)&(B) 17-43 Subject is barred from all grounds governed by the OSRC during his suspension. Any horses under subjects care that he wants to transfer must be approved by the judges or the OSRC.

***Status as of 4/10/2018 - Appeal***

**MALONE, WENDELL W**

**MVR** on 2/20/2018

**CLARKSVILLE, OH**

**POSITIVE TEST- POST RACE**

Miami Valley Raceway O.S.R.C. 3769-18-01.(B)(1)(b) Trainer WENDELL MALONE is hereby issued a warning for violation of Ohio State Racing Commission Rule 3769-18-01.(B)(1)(b). Blood Sample #880773 for horse LIGHTNING DESIRE tested by the Analytical Toxicology Laboratory at the Ohio Department of Agriculture on February 20, 2018 showed a concentration of Phenylbutazone at 3.0 +/- .01 mg/mL, which exceeds the O.S.R.C. regulatory threshold of 2 mg/ml

**YOB 1946**

## PART THREE - WHIPPING VIOLATIONS

**BONGIORNO, JOSEPH R**

**MANALAPAN, NJ**

**YOB  
1993**

**Fhld** on 3/30/2018

**FINED: \$300**

### **EXCESSIVE OR INDISCRIMINATE USE OF WHIP**

Joe Bongiorno is hereby fined the sum of three-hundred (\$300.00) dollars. While driving #4 "Miss Ali Mach N" in the 10th race on March 30, 2018, Mr. Bongiorno did use the whip in an excessive, unnecessary and indiscriminate manner. Violation of N.J.A.C. rule 13:71-20.15.

**CONRAD, CHARLES M**

**MCCORDSVILLE, IN**

**YOB 1975**

**MVR** on 4/9/2018

**FINED: \$300**

### **INAPPROPRIATE USE OF THE WHIP**

Miami Valley Gaming Driver CHARLES CONRAD is hereby fined the sum of three hundred dollars (\$300.00) for a violation of Ohio State Racing Commission Rule 3769-17-17.(c). While driving No. 5 SHOESHEZKEY in the twelfth race on April 9, 2018 at Miami Valley Gaming, Mr. Conrad did move his arm in an exaggerated manner and used more than his wrist and elbow during the final quarter. All fines due 48 hours upon receiving this ruling.

**EVERS, MARK E**

**LEBANON, OH**

**YOB 1957**

**MVR** on 4/9/2018

**FINED: \$300**

### **INAPPROPRIATE USE OF THE WHIP**

Miami Valley Gaming Driver MARK EVERS is hereby fined the sum of three hundred dollars (\$300.00) for a violation of Ohio State Racing Commission Rule 3769-17-17.(c). While driving No. 6 BADLILVELOCITY in the eleventh race April 9, 2018 at Miami Valley Gaming, Mr. Evers failed to keep a line in each hand and whipped his horse one handed during the final quarter. All fines due 48 hours upon receiving this ruling.

**GINSBURG, VINCENT A**

**BETHLEHEM, PA**

**YOB 1988**

**Fhld** on 3/30/2018

**FINED: \$300**

### **EXCESSIVE OR INDISCRIMINATE USE OF WHIP**

Vincent Ginsburg is hereby fined the sum of three-hundred (\$300.00) dollars. While driving #1 "Burden of Proof" in the 6th race at Freehold Raceway on March 30, 2018, Mr. Ginsburg did use his whip in an excessive, unnecessary and indiscriminate manner by causing visible welts with his whip. Violation N.J.A.C. rule 13:71-20.15.

**KASH, KEITH J JR** **MEDINA, OH** **YOB 1979**  
**Nfld** on 4/3/2018 **FINED: \$300**  
**EXCESSIVE OR INDISCRIMINATE USE OF WHIP**  
 While driving #3 Velocity U Bet in race 14 on 4/3/18 he did whip in an exaggerated manner by raising his whipping arm above shoulder height and using more than elbow and wrist action. O.S.R.C.-3769-17-17(B)&(C) 17-99

**SHEHAN, TYLER G** **HOPKINSVILLE, KY** **YOB 1982**  
**PPk** on 4/2/2018 **FINED: \$150**  
**INAPPROPRIATE USE OF THE WHIP**  
 Driver TYLER SHEHAN is hereby fined the sum of ONE HUNDRED FIFTY DOLLARS (\$150.00) for violation of the whipping rule while driving ASHLEYS DESIRE in Race 9 on 4/2/2018. (Second Offence). ALL FINES ARE DUE WITHIN TEN DAYS OF RULING.

**PPk** on 4/3/2018 **FINED: \$250**  
**INAPPROPRIATE USE OF THE WHIP**  
 Driver TYLER SHEHAN is hereby fined the sum of TWO HUNDRED FIFTY DOLLARS (\$250.00) for violation of the whipping rule while driving INTERMIX in Race 6 on 4/3/2018.(Third Offence). Mr. Shehan is also placed on probation for the remainder of the meet, and should there be any further violations he will be remanded to PPI management for further consideration.

**VINCENT, JUSTIN OWEN** **FELTON, DE** **YOB 1987**  
**RcR** on 4/8/2018 **FINED: \$100**  
**EXCESSIVE OR INDISCRIMINATE USE OF WHIP**  
 Driver Justin Vincent is fined \$100 for excessive use of the whip while driving BWT TAJ in the 9th race on 4/8/18 at Rosecroft Raceway. COMAR: 09.10.02.33 H (9)

#### PART FOUR - MINOR PENALTIES

**BRITTINGHAM, BRET E** **CAMDEN, DE** **YOB 1971**  
**RcR** on 4/8/2018 **FINED: \$100**  
**FAILURE TO KEEP BOTH FEET IN THE STIRRUPS**

**CABLE, LEON R** **POMPANO BEACH, FL** **YOB 1950**  
**PPk** on 4/1/2018 **FINED: \$50**  
**OTHER**



<b>EVERS, MARK E</b> MVR on 4/3/2018 <b>FAILURE TO DRIVE WHEN PROGRAMMED</b>	<b>LEBANON, OH</b> FINED: \$50	<b>YOB 1957</b>
<b>GALLIERS, BRADY E</b> MVR on 4/10/2018 <b>JOSTLE, STRIKE OR HOOK WHEELS</b>	<b>DEFIANCE, OH</b> FINED: \$100	<b>YOB 1995</b>
<b>MERRIMAN, AARON EDWARD</b> Nfld on 4/2/2018 <b>JOSTLE, STRIKE OR HOOK WHEELS</b> MVR on 4/6/2018 <b>CHANGING COURSE/CAUSING INTERFERENCE</b>	<b>NORTHFIELD, OH</b> FINED: \$100 FINED: \$100	<b>YOB 1978</b>
<b>PAGE, CHRIS L</b> MVR on 3/31/2018 <b>CHANGING COURSE/CAUSING INTERFERENCE</b> MVR on 4/8/2018 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>MT VERNON, OH</b> FINED: \$100 FINED: \$50	<b>YOB 1983</b>
<b>PORFILIO, ANGELA G</b> Mea on 4/9/2018 <b>LATE DRIVER CHANGE</b>	<b>WASHINGTON, PA</b> FINED: \$200	<b>YOB 1973</b>
<b>SIMPSON, DIRK</b> Mea on 4/7/2018 <b>LATE TO THE LASIX/ DETENTION BARN</b>	<b>MEADOWLANDS, PA</b> FINED: \$250	<b>YOB 1957</b>
<b>SMITH, TYLER ALAN</b> MVR on 4/7/2018 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>WASHINGTON COURT HOU, OH</b> FINED: \$50	<b>YOB 1993</b>
<b>SODANO, JUSTIN M</b> MR on 4/12/2018 <b>LATE DRIVER CHANGE</b>	<b>MIDDLETOWN, NY</b> FINED: \$50	<b>YOB 1996</b>
<b>WRENN, PETER M</b> HoP on 4/6/2018 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>CARMEL, IN</b> FINED: \$50	<b>YOB 1962</b>

**WRENN, RONNIE H JR.**

**Nfld** on 4/3/2018

**CROSSING OVER BEFORE THE START**

**Nfld** on 4/9/2018

**CHANGING COURSE/CAUSING INTERFERENCE**

**STOW, OH**

FINED: \$50

FINED: \$100

HORSE PLACED 9

**YOB 1986**