

FINES AND SUSPENSIONS BULLETIN

Fri, Sep 28 - Thu, Oct 4

PART ONE

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

MILLER, RAYMOND F USTA on 10/1/2018 USTA MEMBERSHIP ACTION Membership denied pursuant to the provisions of Article 1, Section 4(a) of the Association bylaws.	MIDDLEFIELD, OH DENIAL(DEN) AS OF 10/1/2018	YOB 1995
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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.

ASHKAR, SUHEIL K PcD on 10/16/2017 FAILURE TO OBTAIN PROPER LICENSE Mr. Ashkar has failed to complete his licensing in Pennsylvania for 2017. He is fined \$50.00 and is suspended indefinitely starting on 11/22/17. He will remain suspended until he completes his licensing requirements and pays his fine. Status as of 10/3/2018 - Subsequent Ruling - PA Code 58-183.256 Mr. Ashkar has completed his licensing requirements in Pennsylvania for 2017 and has paid his fine. As of 10/2/18 he is restored to good standing.	LIVERPOOL, NY RESTORED TO GOOD STANDING(RES) AS OF 10/3/2018	YOB 1952
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DE FRANCESCO, ANTHONY III PHL on 11/11/2016	PHILADELPHIA, PA FINED: \$20,000 FULL - 731 DAYS, 4/25/2017 THRU 4/25/2019 HORSE DISQUALIFIED - PLACED 8, PURSE REDISTRIBUTION	YOB 1969
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POSITIVE TEST- POST RACE

CODE 58-183.352 183.354 183.355 183.357 183.336 Sample # 309251 collected on 11/11/2016 from the horse ER Room tested positive for JWH-250 (Synthetic Cannabis). Mr. DeFrancesco as trainer is in violation of PHRC medication rules and the trainer responsibility rule. All purse money earned on 11/11/2016 must be returned within 10 days of ruling and redistributed. All transfers of horses must be approved by the judges or the PHRC. All fines must be paid within 10 days of ruling. Please note further that you have the right to appeal this decision to the state horse racing commission within 10 days after notice of this decision. The mailing address for an appeal is: The State Horse Racing Commission 2301 North Cameron St Room 301 Harrisburg PA, 17110 Attn: Brett Revington

Status as of 10/3/2018 - Subsequent Ruling - RULING# 18051C ORDER AND NOW, this 26th day of September, 2018, upon consideration that the underlying matters upon which Mr. DeFrancesco requests a new hearing were previously and fully adjudicated on June 28, 2017 and became final on July 30, 2017 and upon consideration of two previous requests for rehearing/reconsideration in these matters and finally, upon review of the Answer in Opposition to New Hearing and the factual averments contained therein, Mr. DeFrancesco's request for a new hearing based on purported "new facts" is hereby DENIED.

DELELLES, GESTIN T

Nfld on 9/22/2018

FALSIFICATION OF LICENSE APPLICATION

Mr. DeLelles was issued a 2018 OSRC grooms license and that license is hereby rescinded. O.S.R.C.-3769-12-21(A) 12-99

POWELL, OH

INELIGIBLE(INE) AS OF 10/2/2018

YOB 2003

DOWSE, GARETH W

PHL on 7/27/2018

MONTGOMERY, NY

FINED: \$2,500

FULL - 30 DAYS, 10/31/2018 THRU 11/29/2018

HORSE DISQUALIFIED - PLACED 8, PURSE REDISTRIBUTION

YOB 1982

POSITIVE TEST- POST RACE

PA Code 58- 183.352 183.355 183.357 183.361 Mr. Dowse was the trainer of the horse UNCLE COZ for the 1st race on 7/27/2018 at Harrah`s Philadelphia. Blood samples taken from UNCLE COZ (post race) were tested and found to contain DMSO. As the trainer, Mr. Dowse is responsible

for the positive test (his 3rd within the last 365 days). UNCLE COZ is disqualified and all purse money earned from this race must be returned within ten days of ruling. Mr. Dowse is fined \$2,500 and issued a 30 day full suspension (October 31, 2018 up to and including 11/29/2018). Mr. Dowse was given an opportunity for a hearing but did not appear. A hearing notice was sent to Mr. Dowse via certified mail. Appeals are due within ten days of ruling and must be submitted in writing to: The PA Horse Racing Commission, 2301 N. Cameron St., Room 301, Harrisburg, PA 17110
ATTN: Brett Revington

FINN, LARRY W

XENIA, OH

YOB 1972

HoP on 9/29/2018

FINED: \$500

POSITIVE TEST- PRE RACE

71 IAC 8-2-2(2)(A),(B) on 9/29/2018 horse SENORITA SANTANNA pre-race tested with excess levels of TCO2 and PH in violation of IHRC medication rules. Horse was scratched and trainer was fined.

FOULK, TRISH M

SPRINGFIELD, OH

YOB 1977

PcD on 7/21/2018

RESTORED TO GOOD STANDING(RES)
AS OF 10/1/2018

FAILURE TO OBTAIN PROPER LICENSE

PA Code 58-183.256 Ms. Foulk has failed to complete her licensing requirements in Pennsylvania. She is fined \$50.00 and suspended indefinitely starting on 9/22/18 and will continue to be suspended until she pays her fine and completes her licensing requirements.

Status as of 10/1/2018 - Subsequent Ruling - PA Code 58-183.256 Ms. Foulk has completed her licensing requirements in Pennsylvania and has paid her fine and is restored to good standing as of 10/1/18.

LEYES, RUSTY

LEBANON, OH

YOB 1952

Nfld on 8/22/2018

FINED: \$1,000
HORSE DISQUALIFIED, PURSE
REDISTRIBUTION

POSITIVE TEST- POST RACE

Blood sample #869897 collected at the Darke County Fair on 8/22/18 from the horse Super Train was found to contain flunixin at a concentration of 1185+-162 nanograms per milliliter of plasma. This exceeds the Regulatory Threshold of 20 nanograms per milliliter adopted by the OSRC. All purse money must be returned for redistribution (\$400.00). O.S.R.C.-3769-18-01(B)(1)(a) 18-02 18-99 3769-17-43

LONEY, DALE A **VANLEAR, KY** **YOB 1979**
Lex on 9/28/2018
FAILURE TO PAY FINE(S)
811 KAR 1:095 Sec. 2 Hereby suspended for failure to pay \$100.00 fine in violation of commission rules.

MALLONEE, PAUL G **CLARKS SUMMIT, PA** **YOB 1955**
PcD on 4/7/2007
RESTORED TO GOOD STANDING(RES)
AS OF 8/29/2018

OTHER

PA Code 58-183.256 The fine and suspension associated with ruling #07041PD at Pocono Downs are voided. He is restored to good standing on 8/29/2018.

Status as of 10/1/2018 - Subsequent Ruling - Ruling # 18044C Upon review, The State Horse Racing Commission hereby voids the fine and suspension associated with Judges' ruling 07041PD against Paul G. Mallonee.

MARIACHER, LISA M **HAMBURG, NY** **YOB 1980**
Nfld on 8/22/2018 **FINED: \$250**

POSITIVE TEST- POST RACE

Blood sample #825471 collected at Northfield Park on 8/22/18 from the horse Well Well Well was found to contain flunixin at a concentration of 34+-6 nanograms per milliliter of plasma. This exceeds the Regulatory Threshold of 20 nanograms per milliliter adopted by the OSRC. O.S.R.C.-3769-18-01(B)(1)(a) 18-02 18-99

OWEN, JEREMY R **HINSDALE, IL** **YOB 1959**
HoP on 9/1/2018 **FINED: \$200**

OTHER

71 IAC 8-5-3 While administering Lasix on 9/1/18, Dr. Owen failed to properly control and dispose of veterinary supplies.

RAMSBURG, LEWIS S **ROCKY RIDGE, MD** **YOB 1952**
PcD on 8/1/2018 **RESTORED TO GOOD STANDING(RES)**
AS OF 10/5/2018

OTHER

PA Code 58-183.256 Mr. Ramsburg has completed his licensing requirements and has paid his fine. As of 10/5/18 he is restored to good

standing.

**TEMMING, CHRISTOPHER B HUNTINGTON VALLEY, PA YOB
1990**

PcD on 9/22/2018

FINED: \$5,000

FULL - 180 DAYS, 1/29/2019 THRU
7/27/2019

POSITIVE TEST- PRE RACE

PA Code 58-183.336 .352 .355 .357 Mr. Temming,s horse Our Dragon King failed the pre-race blood gas test on 9/22/18. Mr. Temming made a previous agreement with The State Horse Racing Commission and he is fined \$5000.00 and is suspended for 180 days starting on 1/29/19 and will continue to be suspended through 7/27/19. During this suspension he and all horses owned and trained by him are barred from all tracks under the jurisdiction of The State Horse Racing Commission. Any transfer of horses during this suspension must be approved by the judges at Pocono Downs or The State Horse Racing Commission.

ZUBKOFF, EDWARD J JR WINTERSVILLE, OH YOB 1962
Mea on 6/2/2018

FINED: \$10,000

FULL - 365 DAYS, 10/12/2018 THRU
10/11/2019

HORSE DISQUALIFIED - PLACED 7,
PURSE REDISTRIBUTION

POSITIVE TEST- POST RACE

PA Code Title 58-183.336,183.352,183.355,183.357. Mr. Zubkoff was the trainer of record for the horse DREAMSTEELER in the 1st Race at The Meadows on June 2, 2018. Post race analysis of sample 322843 showed the presence of FENTANYL. Mr. Zubkoff waived his right to a split sample. Mr. Zubkoff is hereby fined \$10,000 and issued a full suspension of his occupational license for 365 days, October 12, 2018 through and including October 11, 2019. During the term of his suspension, Mr. Zubkoff is ruled off all grounds under the jurisdiction of the PSHRC. Any trainer transfers of horses in his care must be approved by the Judges at The Meadows or the PSHRC. DREAMSTEELER is hereby disqualified, and all purse monies earned by DREAMSTEELER in the above race must be returned. DREAMSTEELER has been placed on the Judges` List until December 13, 2018. Mr. Zubkoff has 10 days to appeal this decision to the PSHRC, Bureau of Standardbred Racing.

PART THREE - WHIPPING VIOLATIONS

BONGIORNO, JOSEPH R **MANALAPAN, NJ** **YOB**
1993

PHL on 9/30/2018

FINED: \$200

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

PA Code 58- 183.264(b) 183.81(14) Mr. Bongiorno drove #8, FEARLESS LEADER N, in the 5th race on September 30, 2018 at Harrah`s Philadelphia. In the stretch, Mr. Bongiorno used his whip in an indiscriminate manner by raising his whipping arm repeatedly above shoulder level while demonstrating exaggerated movement of the whipping arm and failing to keep the lines reasonably taut. Mr. Bongiorno is fined \$200 (fines are due within ten days of ruling). Appeals are due within ten days of ruling and must be submitted in writing to: The PA Horse Racing Commission, 2301 N. Cameron St., Room 301, Harrisburg, PA 17110
ATTN: Brett Revington

BUTTERFIELD, KARL F **RAYMOND, ME** **YOB 1967**
Cum on 9/26/2018 **FINED: \$250**

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

MR. BUTTERFIELD DID EXCESSIVELY WHIP HERZON AFTER SHE FAILED TO RESPOND.

GINSBURG, VINCENT A **BETHLEHEM, PA** **YOB 1988**
Fhld on 9/15/2018 **FINED: \$300**

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Driver Vincent Ginsburg is hereby fined the sum of three-hundred (\$300.00) dollars. While driving #6 "TWO HIP DIP" in the 4th race at Freehold Raceway on September 15, 2018, Mr. Ginsburg did use his whip in an excessive, unnecessary, and indiscriminate manner. Violation N.J.A.C. 13:71-20.15

HAUSER, ADAM C **HARDY, IA** **YOB 1974**
Oskls on 7/23/2018 **FINED: \$100**

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Mr. Hauser, while driving #4 ALWAYS B HANNY, did one-hand whip five times in the homestretch.

LEONARD, ROSS J **ANDERSON, IN** **YOB 1979**
HoP on 9/7/2018 **FINED: \$300**

INAPPROPRIATE USE OF THE WHIP

71 IAC 7-3-13(b) While driving NEAT in the 5th race on 9/7/2018, driver Ross Leonard did use other than wrist action while whipping

MACDONALD, LLOYD ALEX **SOUTH PARIS, ME** **YOB 1984**
Cum on 9/24/2018 **FINED: \$250**
EXCESSIVE OR INDISCRIMINATE USE OF WHIP
MR. MacDONALD DID LEAVE VISIBLE WELTS ON KINGSLEY B AFTER RACE 5.

MILLER, ANDY RAY **MILLSTONE TOWNSHIP, NJ** **YOB 1968**
Lex on 9/29/2018 **FINED: \$200**
INAPPROPRIATE USE OF THE WHIP
811 KAR 1:075 Sec.9(3)(a) Whipping the horse "Captain Victorious" in an inappropriate manner by using other than wrist and elbow movement.

NISONGER, JEFFREY S **LEBANON, OH** **YOB 1981**
DTN on 9/27/2018 **FINED: \$300**
DRIVING - 3 DAYS, 10/12/2018 THRU
10/14/2018

INAPPROPRIATE USE OF THE WHIP

Hollywood Gaming Dayton Raceway Driver JEFF NISONGER is hereby fined the sum of three hundred dollars (\$300.00) and issued a three day driving suspension on Friday October 12, 2018, Saturday October 13, 2018 and Monday October 15, 2018 for violation of Ohio State Racing Commission Rule 3769-17-17.(b). While driving No. 7 IT WAS AN HONOR in the tenth race on September 27, 2018 at Dayton Raceway, Mr. Nisonger did move his arm in an exaggerated manner and used more than his wrist and elbow during the final quarter. This is Mr. Nisonger`s second such violation of the whipping rule within the last 365 days in the state of Ohio. All fines are due within forty-eight hours of the date of this ruling.

SEARS, JOHN G **ATTLEBORO, MA** **YOB 1957**
PRc on 9/25/2018 **FINED: \$100**
FAILURE TO KEEP A LINE IN EACH HAND
While driving No. 7 - PANHELLENIC in Race # 1 at PRC on 9/25/18 , Driver John Sears did "one hand " whip in the stretch and is hereby fined \$100.00 for the infraction. All fines are due within 48 hours and all appeals must be made in writing to the racing division of the MGC within 10 days.

PART FOUR - MINOR PENALTIES

ABBATIELLO, ERIC L Fhld on 9/15/2018 OTHER	EAST WINDSOR, NJ FINED: \$150	YOB 1968
ADAMS, BREWER PHL on 9/30/2018 LATE DRIVER CHANGE	LEHIGHTON, PA FINED: \$200	YOB 1975
BASILONE, DOLORES D MR on 9/7/2018 FAILURE TO OBEY THE INSTRUCTIONS OF A RACING OFFICIAL	WURTSBORO, NY FINED: \$250	YOB 1985
BONGIORNO, JOSEPH R PHL on 9/19/2018 CHANGING COURSE/CAUSING INTERFERENCE	MANALAPAN, NJ FINED: \$200 HORSE PLACED 6	YOB 1993
DUBE, DANIEL Fhld on 9/15/2018 FAILURE TO DRIVE WHEN PROGRAMMED	MILLSTONE, NJ FINED: \$50	YOB 1969
FITZGERALD, KEVIN R RcR on 9/26/2018 HORSE LATE TO THE PADDOCK	BISHOPVILLE, MD FINED: \$50	YOB 1983
GEORGE, SCOTT TYLER HoP on 9/26/2018 LATE DRIVER CHANGE	SUNBURY, OH FINED: \$50	YOB 1985
GINSBURG, VINCENT A PHL on 9/28/2018 LEAVING HORSE UNATTENDED	BETHLEHEM, PA FINED: \$200	YOB 1988
HARP, RONALD G VD on 9/29/2018 CARRY A HORSE OUT	ONEIDA, NY DRIVING - 3 DAYS, 10/3/2018 THRU 10/5/2018 HORSE PLACED 5	YOB 1956

IRVINE, DONALD JR Nfld on 9/25/2018 FAILURE TO DRIVE WHEN PROGRAMMED	MOUNTAIN TOP, PA FINED: \$100	YOB 1951
MALONE, BRIAN S PHL on 9/23/2018 FAILURE TO HONOR DECLARATION	DELMAR, DE FINED: \$500	YOB 1981
MASSEY, KODY RAY Nfld on 9/29/2018 LATE DRIVER CHANGE	MONTROSE, MI FINED: \$50	YOB 1983
MERRIMAN, AARON EDWARD Nfld on 9/24/2018 LATE TO THE PADDOCK	NORTHFIELD, OH FINED: \$300	YOB 1978
MERRIMAN, JASON RUSSELL Nfld on 9/26/2018 INSIDE THE EURO RAIL / PYLON VIOLATION	REPUBLIC, OH FINED: \$50	YOB 1986
OAKES, HUNTER WILLIAM PHL on 9/30/2018 LEAVING HORSE UNATTENDED	WILKES-BARRE, PA FINED: \$200	YOB 1998
PAQUET, FERNAND A JR PHL on 9/2/2018 JOSTLE, STRIKE OR HOOK WHEELS	DALLAS, PA FINED: \$200 HORSE PLACED 8	YOB 1968
PLUTA, KIM S Nfld on 9/26/2018 FAILURE TO DRIVE WHEN PROGRAMMED	JACKSON, MI FINED: \$50	YOB 1970
RAWLINGS, DAN J. Mea on 9/25/2018	CANONSBURG, PA FINED: \$200 HORSE PLACED 9	YOB 1981
STAFFORD, ARTHUR C JR	FELTON, DE	YOB 1966

PHL on 9/23/2018 **FINED: \$200**
INSIDE THE EURO RAIL / PYLON VIOLATION

VINCENT, KIMOTHY B **GREENWOOD, DE** **YOB 1960**
Har on 9/26/2018 **FINED: \$100**
INSIDE THE EURO RAIL / PYLON VIOLATION