



COMMISSION HEARING

TORONTO, ONTARIO – FEBRUARY 22, 2012

IN THE MATTER OF THE RACING COMMISSION ACT S.O. 2000, c.20;

**AND IN THE MATTER OF THE APPEAL AND REQUEST FOR HEARING BY
STANDARD BRED LICENSEE BILL DAVIS JR.**

On January 14, 2012, standardbred driver Bill Davis Jr., ("DAVIS JR.") (ORC Licence #Y6698), appealed Judges' Ruling SB43769, dated January 13, 2012, wherein he was suspended for 3 days (January 17 to 19 inclusive) for causing interference in the stretch drive of the 4th race, on January 11, 2012, at Flamboro Downs, in violation of Rule 22.05.01(a) of the Rules of Standardbred Racing.

On February 22, 2012, a Panel of the Ontario Racing Commission ("ORC") consisting of Chair Rod Seiling, was convened to hear the appeal.

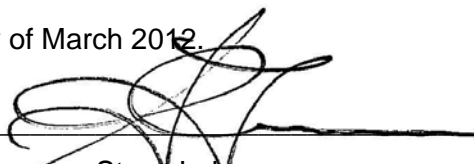
Rick Rier appeared as agent for the Administration. DAVIS JR. attended the hearing in person and was self represented.

Upon hearing the testimony of Judge Pat Webb, and DAVIS JR., upon reviewing the exhibits filed and upon hearing the submissions of Rier and DAVIS JR., the Panel dismissed the appeal, but varied the penalty to two (2) days, which will be served on February 28 and 29, 2012.

A transcript of the Panel's Oral Decision is attached to this Ruling.

Dated at Toronto, Ontario this 1st day of March 2012.

BY ORDER OF THE COMMISSION



Steve Lehman
Acting Executive Director

ONTARIO RACING COMMISSION

STANDARD BRED B HEARING

IN THE MATTER OF THE RACING COMMISSION ACT, 2000,
S.O. C.20 AND THE RULES OF STANDARD BRED RACING:

IN THE MATTER OF THE APPEAL AND REQUEST FOR
HEARING OF **BILLY DAVIS JR.**:

Held Before:

Rod Seiling, Chairman

These are an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, Re: **BILLY DAVIS JR.**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 22nd day of February, 2012.

Appearances:

Rick Rier,

agent for the Ontario Racing
Commission Administration

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Hearing continued ...

MR. CHAIRMAN: All rise. Please be seated. The issue today is did the appellant Billy Davis Jr. violate Rule 22.05.01(a). After carefully listening to the testimony and reviewing the evidence and documents filed the panel denies the appeal. The standard of proof is on the balance of probabilities with the onus of the proof on the Administration of the ORC. Based on the evidence it is reasonable to conclude that the appellant Billy Davis Jr. violated Rule 22.05.01(a). The testimony of Judge Webb and driver MacDonald, on the balance of probabilities, supports the fact that Mr. Davis' horse moved in during the stretch run and caused interference. The penalty assessed by the Judges is varied to two days. The panel took into consideration mitigating and aggravating factors. They were the history of the horse and difficulty driving it but considered the fact that Mr. Davis did not do all he could or should have to keep his horse straight during the stretch run as he continued to urge the horse throughout the lane. Thank you. Any questions?

MR. RIER: No, sir.

CERTIFIED CORRECT

RAYMOND P. MACDONALD, B.A., CVR
Commissioner of Oaths