



COMMISSION HEARING

TORONTO, ONTARIO – DECEMBER 15, 2015

NOTICE OF DECISION

**IN THE MATTER OF THE RACING COMMISSION ACT, S.O. 2000, c.20;
AND IN THE MATTER OF THE APPEAL AND HEARING OF ROGER MAYOTTE
AGAINST RULING SB 47904**

Date of Hearing: December 15, 2015
ORC Panel: John W. Macdonald, Commissioner
Representative for the Appellant: Self-represented
Agent for the Administration: David Stewart

Decision:

The Panel denied the appeal.

A transcript with the Panel's oral Reasons for Decision is attached to this Notice.

DATED at Toronto this 17th day of December 2015.

Jean Major
Executive Director

ONTARIO RACING COMMISSION

STANDARD BRED HEARING

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

AND IN THE MATTER OF AN APPEAL AND REQUEST FOR
HEARING OF **ROGER MAYOTTE**:

Held Before:

John Macdonald Commissioner

These are an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, Re: **ROGER MAYOTTE**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 15th day of December, 2015.

Appearances:

David Stewart Agent for the Ontario Racing Commission
Administration

Hearing continued ...

1 MR. CHAIRMAN: Thank you gentlemen. While I have some sympathy for what turned out
2 to be somewhat unique based on the whip being caught up in the sulky that is the
3 responsibility of the driver. The driver controls the whip. The fact that it got stuck in
4 someone else's equipment is unfortunate and slightly unusual. I haven't had any personal
5 experience of seeing that happen. I'm sure it could. The difficulty here is that there was
6 interference as a result of this circumstance pushing the horse driven by Jody Jamieson
7 DANIEL HALL out. We don't know what the outcome would have been in the race if that had
8 not occurred but we do know that when it came to the judges' decision as far as placing
9 because of the interference that ELOQUENT SERENTITY the horse driven by Mr. Mayotte
10 was placed back a notch and I realize that the significance here is the funds for a Breeders
11 Crown race finishing 5th or 6th as a result of which the appeal is going to be denied. The
12 interference was shown and it is worth noting from Mr. Mayotte that the judges did not
13 impose any fine or suspension or anything for you for the interference, understanding that the
14 circumstances were such that the loss of the placing was something of a penalty, something
15 that couldn't be determined ahead of time. You wouldn't expect something like this to
16 happen. In any event, the appeal will be denied. Thank you gentlemen.

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21 CERTIFIED CORRECT: _____
22 RAYMOND P. MACDONALD, B.A., CVR
23 Commissioner of Oaths
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