



COMMISSION HEARING

TORONTO, ONTARIO – JUNE 2, 2010

**IN THE MATTER OF THE RACING COMMISSION ACT S.O. 2000, c.20;
AND IN THE MATTER OF THE APPEAL AND REQUEST FOR HEARING OF
STANDARDBRED LICENSEE JACK MOISEYEV**

On May 1, 2010, the Judges issued Standardbred Official Ruling SB 41092 wherein Jack Moiseyev ("Moiseyev") was given the penalty of a three-day driving suspension and, the horse AMARILLO SKY was placed from 1st to 6th for violation of the Rules of Standardbred Racing at Woodbine Racetrack on April 30, 2010:

ORC Rule 22.05.01(a) – did bear in during the stretch drive and cause interference to the horse BEAUTY DELIGHT. Also, ORC Rule 22.09, the placing behind the horse with which he interfered.

On May 1, 2010, Moiseyev filed a Notice of Appeal, pursuant to Rule 24.01(b) of the Rules of Standardbred Racing.

On June 2, 2010, a Panel of the Ontario Racing Commission ("ORC"), comprised of Chair Rod Seiling, convened for the purpose of hearing this matter.

Tom Miller appeared on behalf of the Administration of the ORC. Jack Moiseyev attended the Hearing and was represented by William O'Donnell.

After reviewing the evidence, hearing the testimony of Judge Rick Rier, and driver Luc Ouellette, and upon considering the closing submissions, the Panel allowed the appeal thus rescinding the fine and restoring the original order of finish as follows:

1. AMARILLO SKY
2. RACINO STAR
3. QUALITY GOODS
4. JETTA BARAN
5. MEET ME OUT WEST
6. BEAUTY DELIGHT
7. MARLA HANOVER
8. EXPRESSLY HANOVER

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

DATED at Toronto this 3rd day of June 2010.

BY ORDER OF THE COMMISSION


John L. Blakney
Executive Director

ONTARIO RACING COMMISSION

RE: STANDARDBRED HEARING

IN THE MATTER OF AN APPEAL AND REQUEST FOR HEARING OF
JACK MOISEYEV

Held Before:

Rod Seiling Chairman

This is an excerpt of a Hearing of the Ontario Racing Commission re: **JACK MOISEYEV**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 2nd day of June, 2010.

Appearances:

Rick Rier & Tom Miller for the Ontario Racing Commission
Administration

1 Hearing continued ...

2 MR. CHAIRMAN: Based on the testimony and the evidence I am going to
3 allow the appeal. I believe that the video clearly demonstrates that Mr. Moiseyev had his
4 wheel in front of Mr. Oullette and he couldn't get through and so the appeal stands and the
5 original placing, the original order of finish, will stand and so the days are rescinded as well.

6 MR. MOISEYEV: Thank you, sir.

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16 CERTIFIED CORRECT: _____
17 RAYMOND P. MACDONALD, B.A., CVR

18 Commissioner of Oaths
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