



COMMISSION HEARING

TORONTO, ONTARIO – MAY 13, 2013

NOTICE OF DECISION

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

AND IN THE MATTER OF THE ROBERT SHEPHERD APPEAL

Robert Shepherd appealed against Ruling Number SB 45049.

Date of Hearing: May 13, 2013

ORC Panel Members: Chair Rod Seiling
Commissioner John Macdonald

Representative for Appellant: Self-represented

Counsel for the Administration: Angela Holland

The Panel denied the appeal.

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

DATED at Toronto this 23rd day of May 2013.

Steven Lehman
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 **ROBERT SHEPHERD**:

Held Before:

Rod Seiling	Chairman
John Macdonald	Commissioner

These are an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, Re: **ROBERT SHEPHERD**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 13th day of May, 2013.

Appearances:

Angela Holland,	
	for the Ontario Racing Commission Administration

1 Hearing continued ...

2 MR. CHAIRMAN: All rise. Please be seated. After
3 carefully listening to the testimony and reviewing the evidence the
4 panel denies the appeal but varies the fine. We are going to stay
5 \$1,000 of the fine. Mr. Shepherd will be put on probation for two
6 years with the normal conditions that he will keep the peace --

7 MR. BROWN: He is already on probation.

8 MR. CHAIRMAN: He is already on probation. Well, then
9 that will extend starting as of today. So those conditions remain.
10 If over that time period of two years Mr. Shepherd should get a
11 positive test for either a Class I, II or III, medication or drug I
12 should say, the stay is automatically lifted and \$1,000 becomes
13 automatically payable. Mitigating factors that helped us determine
14 this decision. There was no attempt to affect performance. The
15 overage was from an electrolyte administration to help the horse's
16 condition not through a TCO2 administration and Mr. Shepherd's
17 previous good record and his cooperation with the ORC. We are
18 concluded. Thank you. Mr. Shepherd, do you understand what
19 just transpired?

20 MR. SHEPHERD: Yes.

21 MR. CHAIRMAN: Okay.

22 MS. HOLLAND: Mr. Chair, about the probation. He is
23 already on two years probation.

24 MR. CHAIRMAN: It will be starting - we are starting
25 probation as of today.

1 MR. BROWN: I think it is already. It was to start after the
2 original 45 days.

3 MR. CHAIRMAN: Okay. I wasn't sure so I wanted to
4 make sure it is effective as of today.

5 MR. BROWN: So it is two years starting from the date of
6 the ruling.

7 MR. CHAIRMAN: Yes. Thank you.

8 MS. HOLLAND: Thank you.

9 MR. SHEPHERD: Thank you.

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

Commissioner of Oaths