



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
STANDARD BRED LICENSEE ARCHIBALD PETERS**

On April 24, 2010, the Judges issued Standardbred Official Ruling SB 41115 wherein Archibald Peters ("Peters") was given the penalty of a \$100 fine at Georgian Downs on April 24, 2010, for violation of Rule 26.02.01 of the Rules of Standardbred Racing as follows:

Did medicate in error the horse "ARDOR LOCKE" causing him to be scratched.

On May 4, 2010, Peters 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.

Rick Rier appeared on behalf of the Administration of the ORC. Archibald Peters attended the Hearing and was unrepresented.

After reviewing the evidence, hearing the testimony of Judge Tom Miller and upon considering the closing submissions, the Panel denied the appeal, upheld the \$100 fine and as well, assessed costs of \$25 for a frivolous appeal to Peters.

The 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
ARCHIBALD PETERS

Held Before:

Rod Seiling Chairman

This is an excerpt of a Hearing of the Ontario Racing Commission
re: **ARCHIBALD PETERS**, 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

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1 Hearing continued ...

2 MR. CHAIRMAN: All rise. Please be seated. After carefully reviewing the
3 testimony and evidence the appeal is denied. Unfortunate for Mr. Peters is his horse
4 ARDOR LUCK did take a reaction from the vaccine administered by Dr. Hennessey. Horses
5 can take a reaction and Mr. Peters admitted another horse vaccinated at the same time did.
6 At the end of the day it is the trainer who has the ultimate responsibility under the Rules.
7 Dr. Hennessey's letter is irrelevant as it relates to the Judge's decision. He could have opted
8 for a sickness scratch and did not want to lose his preferred date and accepted the
9 medicated in error penalty instead. The Judges were doing him a favour. To now appeal the
10 decision after it being his preferred option is dubious, to say the least. The panel levies a
11 frivolous appeal fine of \$25.00. It does not come anywhere close to covering the costs of this
12 dubious appeal but does convey the panel's views on such action. Thank you. Any
13 questions?

14 MR. RIER: No, sir.

15 MR. CHAIRMAN: We can move on to the next one then.

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

26 Commissioner of Oaths