



COMMISSION HEARING

TORONTO, ONTARIO – MAY 5, 2010

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

On March 13, 2010, the Judges issued Standardbred Official Ruling SB 41938 wherein Alan Wallace, ("Wallace") was given the penalty of a 3-day driving suspension and the horse, Baskin Babe, was placed from 3rd to 9th for the violation of Standardbred Rule 22.05.01(a) in the 8th race at Flamboro Downs on March 4, 2010.

On March 15, 2010, Wallace filed a Notice of Appeal, pursuant to Rule 24.01(b) of the Rules of Standardbred Racing.

On May 5, 2010, a Panel of the ORC, comprised of Commissioner John Macdonald, convened for the purpose of hearing this matter.

Tom Miller appeared on behalf of the Administration of the ORC. Wallace attended the Hearing and was represented by Brian Tropea.

After reviewing the evidence, and upon hearing the testimony of Judge Larry Hughes, and upon considering the closing submissions, the Panel disallowed the appeal and upheld the decision of the Judges. Wallace will serve the 3-day driving suspension on May 8, 9 and 10, 2010 inclusive.

A Transcript of the Panel's Reasons for Decision is attached to this Ruling.

DATED at Toronto this 7th day of May 2010.

BY ORDER OF THE COMMISSION


John L. Blakney
Executive Director

ONTARIO RACING COMMISSION
IN THE MATTER OF THE APPEAL AND REQUEST FOR HEARING OF
ALAN WALLACE

Held Before

John Macdonald, Chairman

This is an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, taken before Toronto Court Reporters, Suite 1400, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Mississauga, Ontario, on the 5th day of May, 2010.

Appearances:

Tom Miller,

for the Ontario Racing Commission
Administration

Brian Tropea,

for Alan Wallace

1 Hearing Continued:

2 THE CHAIRMAN: Rule 22.05.01(a) is quite clear: changing course or position or swerve in or out or
3 bear in or out during any part of the race in such manner as to compel a horse to
4 shorten its stride or cause another driver to change course, take his or her horse
5 back, or pull his or her horse out of its stride. I understand the position and I've
6 seen the videos, both versions of it, and I deny your appeal and find that
7 notwithstanding there might have been some question as to whether Mr. Jamieson
8 strayed the line, I think he was close enough it looked like it was fairly normal to
9 me according to what I could see as to, you know, what his line was and it's
10 unfortunate, Mr. Wallace, you were in too close quarters that resulted in the
11 bumping and that made it difficult for the other drivers to avoid your horse, in which
12 case your appeal is denied. The suspension will stay the same. We'll talk about
13 the dates there and the placing will stay the same.

14 MR. MILLER: The three-day driver suspension and we'll need to establish days right now, if we
15 can, one day having to be at the track, so one day at Flamboro. So Saturday,
16 Sunday, Monday, we'll write that up later. Thank you.

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I hereby certify the foregoing to be a true
and accurate transcript as taken by me
to the best of my skill and ability.

Maureen D. Hopkinson, CVR-CM,
Commissioner of Oaths.

My certificate expires:
June 4, 2013.