



COMMISSION HEARING

TORONTO, ONTARIO – AUGUST 19, 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 BY
STANDBRED LICENSEE PHIL HUDON**

Standardbred Licensee Phil Hudon (“Hudon”), is licensed by the Ontario Racing Commission (“ORC”) as a driver/trainer, licence number R10216.

On August 10, 2010, Hudon provided a breath sample in accordance with his post-violation agreement, which resulted in an initial reading of .029 BAC and a second reading of .021 BAC, in violation of Rule 36.08(a) (i) of the Rules of Standardbred Racing (“the Rules”). As a result, the Judges issued Ruling SB 42382 wherein Hudon was fined \$100 and suspended for one day.

On August 17, 2010, the Executive Director issued Ruling SB 143/2010, wherein Hudon was suspended from performing the duties for which he is licensed and referred to the Commission, pursuant to Rule 36.08(g) of the Rules.

On August 19, 2010, a Panel of the ORC consisting of Chair Rod Seiling was convened to hear the Hudon matter.

Angela Holland appeared as counsel for the Administration. Hudon appeared and was self-represented.

Upon reviewing the exhibits filed, and upon hearing the submissions of counsel for the Administration and the submissions of Hudon, the Panel ordered as follows:

- i. The suspension is lifted;
- ii. Hudon is fined \$1,000;
- iii. Hudon is required to perform 40 hours community service with the Standardbred Adoptions Society, at Mohawk Raceway;
- iv. Hudon will enter into a new post-violation agreement for a period of 2 years; and
- v. Hudon is to enroll in an after-care program suitable to the Substance Abuse Professional (SAP).

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

DATED at Toronto this 20th day of August 2010.

BY ORDER OF THE COMMISSION



Rob McKinney
Acting Executive Director

1 Hearing continued ...

2 MR. CHAIRMAN: I am going to vary the recommendation because
3 I have spent some time thinking about this. I am going to fine you a \$1,000.00 but it
4 is coming to this organization because of the costs involved. I am not going to
5 suspend you but I am going to require 40 hours of community service from you. That
6 40 hours is going to be with the Standardbred Adoptions Society and I will leave it for
7 you to work out with Ms. Holland and she can direct you but specifically, as you know,
8 every day at Mohawk they have a horse there so you can work off your time helping
9 them, in your colours, with that horse helping to support and explain why it is such a
10 great cause. You are going to enter into a new post violation agreement. I want you
11 enrolled in an after care program that is acceptable to the SAP people and I am going
12 to put you on probation for two years. You have a talent but unfortunately that talent
13 seems to have stopped when it comes to your other part of your life between your
14 ears and somehow you had better get it fixed in a hurry, sir because you are reaching
15 the end of your line. Driving under any influence is not only taking your own safety in
16 the hands of whatever but you are putting at risk other horses and your fellow drivers
17 and we can't accept that. So you have to get your life in order, sir and I hope I never
18 see you back here again.

19 MR. HUDON: You won't.

20 MR. CHAIRMAN: Thank you.

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