



STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
DELAWARE THOROUGHBRED RACING COMMISSION
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August 2, 2012

Delaware Park
Stewards Ruling

(44-2012)

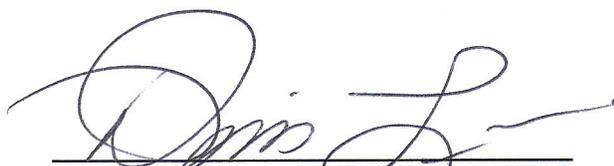
*A report from Dalare Associates, Inc., the official Chemists of the Delaware Thoroughbred Racing Commission, showed that the blood sample D-08046, taken from the horse "Sorry No Refunds", who finished first in the sixth race on Wednesday, July 11, 2012, tested positive for "Phenylbutazone" in the amount of 13.8 micrograms per milliliter of plasma. The trainer of this horse, Mr. Jamie Ness, SS#***-**-4144, DOB 10/29/1974, waived his right to a split sample.*

As a result of the positive, Mr. Ness was noticed for a hearing. Having appeared for a hearing on Tuesday, July 31, 2012; Mr. Ness voluntarily waived his right to be represented by legal counsel. Under the authority of the Stewards, refer to D.T.R.C. 3.3.1, 3.3.3, 3.3.10, 3.4.1, 3.4.1.7, and based on evidence and testimony presented at the hearing, Mr. Ness was found to be in violation of D.T.R.C. Rules 7.3.1, 7.3.6, 7.3.9, 10.8.1, 10.8.1.3, 15.1, 15.1.1.1, 15.1.1.2, 15.1.2.2, 15.1.2.6, 15.1.2.7, 15.1.3.1, 15.1.3.1.1, 15.1.3.1.2, 15.1.3.1.3, 15.1.3.1.4, 15.1.3.1.5, 15.3.1. Mr. Ness for a first offence is fined the sum of five hundred (\$500.00) dollars and suspended for seven (7) calendar days from Thursday, August 2, 2012 through and including Wednesday, August 8, 2012. During the period of his suspension, he shall be denied the privileges of all grounds under the jurisdiction of the Delaware Racing Commission. Refer to D.T.R.C. Rules 3.3, 3.4, 3.4.1.3 and 3.4.1.15. Fine must be paid within 48 hours.

The horse "Sorry No Refunds" is disqualified from all purse monies in the sixth race on Wednesday, July 11, 2012. The purse is ordered redistributed as follows: 1st – Hurricane Creek; 2nd – Yes Papi Yes; 3rd – Birds On Venus; 4th – Brand New Moves; 5th – Saint Abe; 6th – Iscandar; 7th – Davids Little Boy; 8th – Sorry No Refunds. This ruling in no way affects the pari-mutuel wagering in this race. Refer to D.R.C. Rules 17.6.1 and 17.7.



Jack Houghton, Jr., Steward



Dennis Lima, Steward



Fritz Burkhardt, Steward