



STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
DELAWARE THOROUGHBRED RACING COMMISSION
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October 11, 2012

*Delaware Park
Stewards Ruling*

(81-2012)

Following a hearing on Tuesday, July 31, 2012; the Board of Stewards issued ruling number (44-2012), finding trainer Mr. Jamie Ness to have violated 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.; after a blood sample taken from the horse "Sorry No Refunds" tested positive for "Phenylbutazone" who finished first in the sixth race on Wednesday, July 11, 2012. Based on the Violation, the Stewards imposed a fine of \$500.00 Dollars and seven calendar-day suspension of Mr. Ness' Trainer's license. Also the horse "Sorry No Refunds" was disqualified from all purse monies.

On August 2, 2012, the Stewards granted a stay (Ruling 45-2012) of his suspension pending the outcome, after Mr. Ness filed an appeal for ruling 44-2012 to the Delaware Thoroughbred Racing Commission.

Having appeared for a hearing on October 10, 2012, before the Delaware Thoroughbred Racing Commission and after hearing the evidence, by unanimous vote the Commission affirmed Stewards ruling 44-2012 imposing the seven calendar day suspension. The Commission instructed the Stewards to advise Mr. Ness of the effective dates of his suspension.

Accordingly, the Stewards hereby advise Mr. Ness that his Trainer's License shall be suspended for seven calendar days, from Sunday, October 28, 2012, through and including Saturday, November 3, 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.

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


Fritz Burkhardt, Steward


Dennis Lima, Steward