

FINES AND SUSPENSIONS BULLETIN

Fri, Jan 29 - Thu, Feb 4

PART ONE

The following action has been taken by the United States Trotting Association. This information is in an abbreviated form.

*** NO RECORDS FOUND ***

PART TWO - MAJOR PENALTIES

The following actions published herein and imposed pursuant to the rules and regulations of the racing commissions of the various states and provinces are given full faith and credit and strictly enforced by the United States Trotting Association consistent with the provisions of USTA Rule 22, Sections 7 and 8 relative to RECIPROCITY OF PENALTIES. The fact that there is no separate action taken by the USTA in the form of a "ruling of reciprocity" shall not be construed as a failure to recognize and/or reciprocate with these published penalties. Please note that the following action is in an abbreviated form and that the USTA is not responsible for the accuracy or timeliness of reported penalties. Further information may be available by contacting the racing commission where the ruling was issued to determine the accuracy of the information.

FEIBISCHOFF, HARRIS S

NEW YORK, NY

YOB 1987

Mea on 1/29/2021

FINED: \$50

INDEFINITE SUSPENSION(IND) AS OF 1/29/2021

FAILURE TO OBTAIN PROPER LICENSE

PA Code Title 7-203.11(e), 203.23(b). Harris Feibischoff failed to complete their licensing requirements in a timely manner in Pennsylvania, and is hereby fined \$50 and issued an indefinite suspension in Pennsylvania as of January 29, 2021 until such time their fine is paid and licensing requirements are completed. During the term of suspension, Harris Feibischoff is banned from all racing activities otherwise permitted if properly licensed by the Commission.

FITZGERALD, KEVIN R

BISHOPVILLE, MD

YOB 1983

RcR on 9/23/2020

FINED: \$1,500

TRAINING - 30 DAYS, 1/21/2021 THRU 2/19/2021

HORSE DISQUALIFIED - PLACED 8, PURSE

REDISTRIBUTION

POSITIVE TEST- POST RACE

Kevin Fitzgerald, for being trainer of record on sample #36755 taken from "ALWAYS PERSEVERE" on September 23, 2020 at Rosecroft Raceway was found to contain Total Carbon Dioxide (TCO₂) concentration of 40.15 +/- 0.89 mmol/L. Mr. Fitzgerald is fined \$1,000 and suspended from training for 30 days (10/8/20 - 11/6/20). Horse " ALWAYS PERSEVERE" is disqualified and suspended from racing privileges for 30 days (10/8/20 - 11/6/20) After the suspension is complete, horse must requalify. All purse monies to be returned within 72 hours of this issuance. Purse to be redistributed. COMAR: .09.10.02 Addendum A-11

Status as of 1/20/2021 - Subsequent Ruling - Per Maryland Racing Commission de novo Committee Hearing Case No: 20-MRCH-02 regarding "ALWAYS PERSEVERE" and trainer Kevin Fitzgerald; the penalty of \$1,000.00 fine, 30-day suspension from racing for trainer Kevin Fitzgerald and mare "Always Persevere" (1/21/2021 - 2/19/2021) and 4 Multiple Medication Violation ("MMV") points assessed is upheld. It is further ordered that trainer Kevin Fitzgerald is fined an additional \$500.00 for a

frivolous appeal pursuant to COMAR 09.10.04.04D. All fines due at end of suspension and made payable to M.S.H.A.F (Maryland Standardbred Horsemen's Assistance Fund).

HEIGHT, WILLIAM S

Fhld on 10/9/2020

HOWELL, NJ

FINED: \$500

FULL - 15 DAYS, 2/14/2021 THRU 2/28/2021

HORSE DISQUALIFIED, PURSE

REDISTRIBUTION

YOB 1934

POSITIVE TEST- POST RACE

William Height was the programmed trainer of the horse "Sweet Moves" when she raced in the fourth race at Freehold Raceway on October 9, 2020. Following this race, "Sweet Moves" was required to submit blood for analysis. A report from Truesdail laboratories identified the presence of the prohibited substance Diclofenac. As a result, Mr. Height is hereby issued a full suspension of his New Jersey Racing Commission license for a period of fifteen (15) days and is fined the sum of five-hundred (\$500.00) dollars. Said suspension shall begin on February 14, 2021 and run through February 28, 2021 inclusive. During the period of suspension, Mr. Height is denied access to all grounds that are under the jurisdiction of the New Jersey Racing Commission for any and all purposes. Consistent with N.J.A.C. 13:71-23.7 the horse "Sweet Moves" is disqualified from sharing in all purse monies earned on October 9, 2020. MMV Points incurred 1/2 point Violation of N.J.A.C. 13:71-23.1 (a) (b) (e) V

JONES, DANIEL T

DTN on 12/30/2020

HILLIARD, OH

FINED: \$500

YOB 1963

LOW OR EXCESS LEVEL OF AUTHORIZED MEDICATION

Dayton Raceway O.S.R.C. 3769-18-01.(B)(1)(b) Trainer Daniel Jones is hereby fined five hundred dollars (\$500.00) for violation of Ohio State Racing Commission Rule 3769-18-01.(B)(1)(b). Blood Sample #883976 taken from the horse P C Foreign Affair and tested by the Analytical Toxicology Laboratory at the Ohio Department of Agriculture on January 20, 2021 showed a concentration of phenylbutazone at 4.6 +/- 0.2 mg/mL, which exceeds the O.S.R.C. regulatory threshold of 2.0 mg/ml. If the fine is not paid to the judges by 2/2/2021 you may be suspended and or license revoked by the O.S.R.C

JONES, JEREMY D

Nfld on 12/26/2020

MANCENO, IL

INDEFINITE SUSPENSION(IND) AS OF 1/30/2021

YOB 1989

UNPAID OBLIGATION

Mr. Jones is hereby suspended until he pays the fine per ruling NFLD-2020-227 at Northfield Park. O.S.R.C.-12-26(A)(6) 12-99

MANSFIELD, LLOYD K

Nfld on 12/22/2020

NORTHFIELD, OH

WARNING ISSUED

YOB 1951

POSITIVE TEST- POST RACE

Blood sample #883241 collected at Northfield Park on 12/22/20 from #5 Wake N Bake in race 9 was found to contain Omeprazole Sulfide at a concentration of 36+-5 nanograms per milliliter of plasma. This exceeds the Regulatory Threshold of 10 nanograms per milliliter adopted by the OSRC. O.S.R.C.-3769-18-01 (B)(10)&(13) 18-02 18-99

MCCLEMENTS, GEORGE

CLAYTON, DE

YOB UNKN

DD on 6/5/2017

FULL - 1827 DAYS, 6/15/2017 THRU 6/15/2022

POSITIVE TEST - ILLEGAL SUBSTANCE TEST

DHRC Licensee George McClements, having had a Judges hearing on 2/3/2021, is now under a 5 year FULL suspension for his 3rd violation within 2 years of his previous violation (see DHRC rule: 5.1.8.5.4). The suspension to be effective as of the positive test on 6/15/2017. Suspension is from 6/15/2017 to 6/15/2022. Prior to applying for licensing Mr. McClements must complete a minimum 3 month "approved" Rehabilitation Program, at his expense, and is responsible to pay the cost of the failed tests (\$98.50).

MOORE, KYLE W

LAUREL, DE

YOB 1987

DD on 1/28/2021

FULL - 30 DAYS, 1/28/2021 THRU 2/26/2021

POSITIVE TEST - ILLEGAL SUBSTANCE TEST

DHRC Licensee Kyle Moore, having had a Judges hearing on 2/1/21, is now under a 30 day FULL suspension (1/28/21 - 2/26/21) for failing a human drug test. Mr. Moore tested positive for Amphetamines (see DHRC ruling: 5.1.8.5.2). Mr. Moore is responsible for the cost of the failed test (\$30.00). All fines and fees are due within 10 days of receipt of ruling.

POLHAMUS, MIKE J

TROY, OH

YOB 1959

MVR on 1/9/2021

FINED: \$250

LOW OR EXCESS LEVEL OF AUTHORIZED MEDICATION

Miami Valley Raceway O.S.R.C. 3769-18-01.(B)(1)(b) Trainer Mike Polhamus is hereby fined two-hundred fifty-dollars (\$250.00) for violation of Ohio State Racing Commission Rule 3769-18-01.(B)(1)(b). Blood Sample #899819 taken from the horse Rose Run Vindicate and tested by the Analytical Toxicology Laboratory at the Ohio Department of Agriculture on January 22, 2021 showed a concentration of Flunixin at 53 +/- 7 ng/mL, which exceeds the O.S.R.C. regulatory threshold of 20 ng/ml. If the fine is not paid to the judges by 2/9/2021 you may be suspended and or license revoked by the O.S.R.C

STAFFORD, PAUL R

EAST WINDSOR, NJ

YOB 1980

Fhld on 10/3/2020

FINED: \$500

POSITIVE TEST- POST RACE

Paul Stafford was the programmed trainer of the horse "Caching Hanover" when he raced in the fourth race at Freehold Raceway on October 3, 2020. Following this race, "Caching Hanover" was required to submit blood samples for analysis. A report from Truesdail laboratories identified the presence of Dimethyl Sulfoxide (DMSO). This is in direct violation of N.J.A.C. 13:71-23.1 (a) (b). As a result, Mr. Stafford is hereby fined the sum of five-hundred (\$500.00) dollars. Violation of N.J.A.C. 13:71-23.1 (a) (b) Violation of N.J.A.C. 13:71-23.6 (a) (b) (c) (d)

SWARTZ, DEBORAH S

SPRING VALLEY, OH

YOB 1961

Nfld on 9/23/2020

OTHER

Delaware County Fair ruling 20DelCo2 is hereby rescinded. O.S.R.C.-3769-12-05 12-99

PART THREE - WHIPPING VIOLATIONS

ABBATIELLO, ERIC L

EAST WINDSOR, NJ

YOB 1968

Fhld on 1/14/2021

FINED: \$500

DRIVING - 5 DAYS, 2/12/2021 THRU 2/16/2021

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Driver Eric Abbatiello is hereby issued a driving suspension for a period of five (5) days, beginning on February 12, 2021 through February 16, 2021 inclusive and is also fined the sum of five-hundred (\$500.00) dollars. While driving #3 "Sheer Talent" in the eighth race at Freehold Raceway on January 14, 2021, Mr. Abbatiello did violate the New Jersey Racing Commission rule regarding the restrictive use of the whip. Violation of N.J.A.C. 13:71-20.15 (d) 3

BEELER, PATRICK L

NORTHFIELD, OH

YOB 1968

Nfld on 1/20/2021

FINED: \$300

INAPPROPRIATE USE OF THE WHIP

While driving #5 Cool Your Heels in race 15 on 1/20/21 he whipped the horse in an exaggerated manner by raising his whipping arm above shoulder height and using more than elbow and wrist action. O.S.R.C.-3769-17-17(B)&(C) 17-99 If the fine is not paid to the judges by 2/3/21 you may be suspended and or license revoked by the commission.

CHAPPELL, DOUG W

LEDUC, AB

YOB 1989

CaIX on 1/30/2021

FINED: \$100

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Driver Doug Chappell, who drove #6 MARYS PRETTY GIRL in the 5th race on Saturday, January 30,2021 is hereby fined the sum of one hundred dollars (\$100) for violation of CHRB Whipping Rule #1734(b) (whipping shall be restricted to elbow and wrist action only). Second offense in 60 days.

SLENDORN, JAMES B

HOWELL, NJ

YOB 1964

Fhld on 1/14/2021

FINED: \$500

DRIVING - 5 DAYS, 1/15/2021 THRU 1/19/2021

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Driver James Slendorn is hereby issued a driving suspension for a period of five (5) days, beginning on January 15, 2021 through January 19, 2021 inclusive and is fined the sum of five-hundred (\$500.00) dollars. While driving #3 "Vergeofgreatness N" in the third race at Freehold Raceway on January 14, 2021, Mr. Slendorn did violate the New Jersey Racing

Commission rule regarding the restrictive use of the whip. Violation of N.J.A.C. 13:71-20.15 (c) 1,3,4.

WHITTEMORE, D JIMMY MVR on 1/26/2021 INAPPROPRIATE USE OF THE WHIP Miami Valley Raceway Driver Jimmy Whittemore is hereby fined the sum of three hundred dollars (\$300.00) for a violation of Ohio State Racing Commission Rule 3769-17-17.(c). While driving No. 4 Major Leaguer in the twelfth race on January 26, 2021 at Miami Valley Raceway, Mr. Whittemore did move his arm in an exaggerated manner by using more than his wrist and elbow action during the final quarter of the mile. Fine is due by 2/6/2021 or your license may be suspended or revoked.	VERNON, NY FINED: \$300	YOB 1983
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PART FOUR - MINOR PENALTIES

ABBATIELLO, ERIC L Fhld on 12/31/2020 OTHER	EAST WINDSOR, NJ FINED: \$200	YOB 1968
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ALLARD, SIMON Fhld on 1/23/2021 FAILURE TO OBEY THE INSTRUCTIONS OF A RACING OFFICIAL Fhld on 1/23/2021 LATE DRIVER CHANGE	PITTSTON, PA FINED: \$250 FAILURE TO OBEY THE INSTRUCTIONS OF A RACING OFFICIAL FINED: \$100	YOB 1982
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BATES, BRANDON L MVR on 1/30/2021 FAILURE TO DRIVE WHEN PROGRAMMED	MONROE, IN FINED: \$100	YOB 1975
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BAYNES, RAY Fhld on 1/9/2021 INSIDE THE EURO RAIL / PYLON VIOLATION	FREEHOLD, NJ FINED: \$100	YOB 1956
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BEELER, PATRICK L Nfld on 1/27/2021 INSIDE THE EURO RAIL / PYLON VIOLATION	NORTHFIELD, OH FINED: \$100	YOB 1968
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BONGIORNO, JOSEPH R Fhld on 1/8/2021 INSIDE THE EURO RAIL / PYLON VIOLATION	MILLSTONE, NJ FINED: \$50	YOB 1993
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BOYD, BRAXTEN B PPk on 1/31/2021 CHANGING COURSE/CAUSING INTERFERENCE	JONESVILLE, MI FINED: \$100	YOB 2000
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PPk on 2/1/2021	FINED: \$50	
FAILURE TO COME UP/STAY IN POSITION		
CRAWFORD, KEITH H	CIRCLEVILLE, OH	YOB 1946
MVR on 2/2/2021	FINED: \$50	
OTHER		
DAVIS, BRENT M	ZANESVILLE, OH	YOB 1962
PPk on 2/1/2021	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		
DUBE, DANIEL	MILLSTONE, NJ	YOB 1969
Fhld on 1/23/2021	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		
GRUBB, TIMOTHY J	CARDINGTON, OH	YOB 1977
MVR on 1/26/2021	FINED: \$50	
OTHER		
LONGO, GERALD	CRETE, IL	YOB 1945
CaIX on 1/30/2021	FINED: \$100	
CROSS IN FRONT OF A FIELD OR HORSES IN A RECKLESS MANNER		
MACDONALD, BRETT A	FREELTON, ON	YOB 1996
Nfld on 1/20/2021	FINED: \$100	
FAILURE TO DRIVE WHEN PROGRAMMED		
MAPES, SEAN M	TWINSBURG, OH	YOB 1996
Nfld on 1/23/2021	FINED: \$100	
LATE DRIVER CHANGE		
MAROHN, JAMES JR	PARK RIDGE, NJ	YOB 1982
Fhld on 1/9/2021	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		
MARRA, JAMIE	DELRAY BEACH, FL	YOB 1967
PPk on 1/31/2021	FINED: \$100	
FAILURE TO KEEP BOTH FEET IN THE STIRRUPS		
MC NEIGHT, EDWARD G JR	SEWICKLEY, PA	YOB 1956
Mea on 1/27/2021	FINED: \$250	
KICKING A HORSE		
MILLER, TYLER J	MILLSTONE TWP, NJ	YOB 1998
Fhld on 1/23/2021	FINED: \$50	

