July 16, 2016

MOUNTAINEER RACETRACK

RULING

RULING #101

NAME: RON HISBY

DOB: 10/18/1989

PERMIT: #22952 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY RON HISBY IS HEREBY SUSPENDED FOR FAILURE TO PAY HIS FINE DATED JULY 3,2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 17. 2016 3:39PM No. 6001 P. 1/1

July 16, 2016

MOUNTAINEER RACETRACK

MULTIPLE MEDICATION VIOLATION RULING

RULING # 102

NAME: EDDIE CLOUSTON

DOB: 7/2/1965

PERMIT: # 21628 OWNER/TRAINER

FOLLOWING A STEWARDS HEARING WHICH WAS HELD ON WEDNESDAY, JULY 13, 2016 AT 11:00 am IN THE STEWARDS OFFICE FOR TRAINER EDDIE CLOUSTON. THE BOARD OF STEWARDS FIND MR. CLOUSTON IN VIOLATION OF WV RULE OF RACING: 178-4-49.3.m, 178-1-49.3.m.1, 178-1-49.3.m.7.A, 178-1-49.3.m.7.B, 178-1-49.4.a.2 AND 178-1-51.1.a.

THE OFFICIAL BLOOD SAMPLE #E204349 TAKEN FROM THE HORSE "SO FRANK" WHICH FINISHED SECOND(2) IN THE 5TH RACE ON SUNDAY, JUNE 12, 2016 DID CONTAIN "BETAMETHASONE" A CONTROLLED THERAPEUTIC MEDICATION WHICH IS A CLASS 4 DRUG CARRYING A C PENATLY AT A CONCENTRATION LEVEL OF 120 +/- pg/ml WHICH WAS CONFIRMED IN THE BLOOD. MR. CLOUSTON ELECTED NOT TO SEND A SPLIT SAMPLE.

A.) THE PERMIT HOLDER'S PAST RECORD.

MR. CLOUSTON HAD TWO (2) MEDICATION POSITIVES IN 2008 AND MULTIPLE "PHENYLBUTAZONE" OVERAGES PRIOR TO THE IMPLEMENTATION OF THE MULTIPLE MEDICATION VIOLATION SYSTEM. MR. CLOUSTON ALSO HAD A CLASS 4 POSITIVE "CARBAZOCHROME" IN 2015 GIVING HIM TWO POINTS (2) UNDER THE POINT SYSTEM. THIS IS MR. CLOUSTON'S FIRST (1) VIOLATION IN 2016 AND HIS SECOND (2) VIOLATION IN A 365 DAY PERIOD.

B.) THE POTENTIAL OF THE DRUG TO INFLUENCE THE HORSE'S PERFORMANCE.

CLASS 4 DRUGS GENERALLY HAVE A MORE LIMITED ABILITY TO INFLUENCE THE PERFORMANCE OF A RACEHORES.

Jul. 17. 2016 6:23PM No. 6003 P. 1/4

C.) THE LEGAL AVAILABILITY OF THE DRUG.

BETAMETHASONE A CLASS 4 THERAPEUTIC MEDICATION IS LEGALLY AVAILABLE

D.) WHETHER THERE IS REASON TO BELIEVE THE PERMIT HOLDER KNEW OF THE ADMINISTRATION OF INTENTIONALLY ADMINISTERED THE DRUG.

MR. CLOUSTON ADMITTED TO KNOWING OF THE ADMINISTRATION OF THE DRUG.

E.) THE STEPS TAKEN BY THE TRAINER TO SAFEGUARD THE HORSE.

MR. CLOUSTON ROTATES HIS HORSES FROM HIS FARM TO THE TRACK. THE SAID HORSE WAS TREATED AT THE TRACK.

F.) THE PROBABILITY OF ENVIROMENTAL CONTAMINATION OR INADVERTENT EXPOSURE DUE TO HUMAN DRUG USE.

NO PROBABILITY.

G.) THE PURSE MONEY

$6,600.00 RACE #5 ON SUNDAY, JUNE 12, 2016

H.) WHETHER THE DRUG FOUND WAS ONE FOR WHICH THE HORSE WAS RECEIVING A TREATMENT AS DOCUMENTED BY THE TREATING VETERINARIAN'S TREATMENT RECORD.

MR. CLOUSTON SAID THE HORSE WAS TREATED BY A PRIVATE VETERINARIAN.

I.) WHETHER THERE WAS ANY SUSPICIOUS BETTING PATTERN IN THE RACE.

NONE

J.) WHETHER THE TRAINER WAS ACTING UNDER THE ADVICE OF A VETERIANARIAN LICENSED TO PRACTICE IN WEST VIRGINIA AND HOLDING AN OCCUPATIONAL PERMIT BY THE RACING COMMISSION.

YES, VETERINARIAN IS LICENSED TO PRACTICE IN WEST VIRGINIA.

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS

NONE.

THE SAID HORSE "SO FRANK" WILL BE DISQUALIFIED FROM ANY PURSE MONIES.

THE HORSEMEN'S BOOKKEEPER WILL MAKE THE NECESSARY ADJUSTMENTS.

SUNDAY, JUNE 12, 2016

1) REPOSSE

2) DON'T SHUSH ME

3) GROSSO

4) FURIOUS LIL MISS

5) MISS GOLD BUCKLE

BASED ON THE ABOVE THE STEWARDS CONCLUDE THAT MR. CLOUSTON HAS VIOLATED SECTIONS 178-1-49.4.a and 178-1-49.4.a.1.

MR. CLOUSTON IS HEREBY FINED ONE THOUSAND FIVE HUNDRED ($1,500.00) DOLLARS. MR. CLOUSTON IS SUSPENDED FIFTEEN (15) DAYS AND WILL BE SUSPENDED AN ADDITIONAL THIRTY (30) DAYS UNDER THE MULTIPLE MEDICATION VIOLATION SYSTEM. MR. CLOUSTON'S SUSPENSION BEGINS THURSDAY, JULY 21, 2016 THROUGH AND INCLUDING SATURDAY, SEPTEMBER 3, 2016. GIVING HIM A TOTAL OF 45 DAYS SUSPENDED. 178-1-49.3.m.7.a MR. CLOUSTON WILL BE ASSESSED ONE (1) POINT UNDER THE MULTIPLE MEDICATION VIOLATION SYSTEM. GIVING HIM A TOTAL OF 3 POINTS. THIS IS MR. CLOUSTON'S SECOND (2) OFFENSE IN A 365 DAY PERIOD. "SO FRANK" WILL BE PLACED ON A RACING COMMISSION VETERINARIAN LIST FOR FORTY FIVE (45) DAYS BEGINNING THURSDAY, JULY 21, 2016 THROUGH AND INCLUDING SATURDAY, SEPTEMBER 3, 2016 AT WHICH TIME THE SAID HORSE "SO FRANK" MUST PASS A RACING COMMISSION APPROVED EXAMINATION BEFORE BEING ABLE TO RUN. WHILE SUSPENDED MR. CLOUSTON IS DENIED THE GROUNDS.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

July 16, 2016

MOUNTAINEER RACETRACK

RULING

RULING #103

NAME: ODHAIR MAYTA

DOB: 5/3/1992

PERMIT: #20254 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY ODHAIR MAYTA IS HEREBY SUSPENDED FOR FAILURE TO PAY HIS FINE DATED JUNE 27,2016

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 17. 2016 6:14PM No. 6002 P. 2/5

July 17, 2016

MOUNTAINEER RACETRACK

RULING

RULING # 104

NAME: CRYSTAL CAIN

DOB: 11/10/1978

PERMIT: #22682 TRAINER

The Stewards hereby impose the following penalty:

TRAINER CRYSTAL CAIN IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-44.17 "There is no current negative test certificate for Equine Infectious Anemia (EIA) attached to its breed registration certificate of proof of a negative test certificate is not otherwise available" FAILURE TO HAVE A CURRENT COGGINS ON FILE IN THE RACING OFFICE FOR "LEXI TAP" RESULTING IN A LATE SCRATCH FROM THE 3RD RACE ON SATURDAY, JULY 16, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 17. 2016 6:15PM No. 6002 P. 5/5

July 17, 2016

MOUNTAINEER RACETRACK

RULING

RULING #105

NAME: EDGAR PAUCAR

DOB: 2/14/1975

PERMIT: #20456 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY EDGAR PAUCAR IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-28.3.b "A jockey shall faithfully fulfill all engagements in respect to racing." FAILURE TO FULFILL HIS RIDING ENGAGEMENTS ON SATURDAY, JULY 16, 2016 RESULTING IN A RIDER CHANGES IN RACES 7 AND 8. THIS IS HIS FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 17. 2016 6:15PM No. 6002 P. 4/5

July 17, 2016

MOUNTAINEER RACETRACK

RULING

RULING #106

NAME: RYAN GUIDOS

DOB: 11/8/1981

PERMIT: #22801 MISCELLANEOUS

The Stewards hereby impose the following penalty:

RYAN GUIDOS IS HEREBY SUMMARILY SUSPENDED PENDING A HEARING ON MONDAY, AUGUST 1, 2016 AT 10:00 am FOR VIOLATION OF WV RULE OF RACING 178-1-24.3.b.6 BEING OVER THE LIMIT ON THE BREATHALYZER.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 17. 2016 6:14PM No. 6002 P. 3/5

July 17, 2016

MOUNTAINEER RACETRACK

RULING

RULING #107

NAME: GARY WELSH

DOB: 8/28/1957

PERMIT: #21716 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER GARY WELSH IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-44.17 "There is no current negative test certificate for Equine Infectious Anemia (EIA) attached to its breed registration certificate or proof of a negative test certificate is not otherwise available." FAILURE TO HAVE BREED REGISTRATION CERTIFICATE ON FILE WITH THE RACING OFFICE FOR THE HORSE "MYPENNYFROMHEAVEN" NECESSITATING A LATE SCRATCH FROM THE 9TH RACE ON SATURDAY, JULY 16, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 17. 2016 6:14PM No. 6002 P. 1/5

July 17, 2016

MOUNTAINEER RACETRACK

RULING

RULING #108

NAME: L. CRAIG COX

DOB: 10/15/1958

PERMIT: #22688 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER L. CRAIG COX IS HEREBY FINED TWO HUNDRED ($200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "VALOREM" PRESENT IN THE PADDOCK FOR THE RUNNING OF THE 3RD RACE ON SUNDAY, JULY 17, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

July 18, 2016

MOUNTAINEER RACETRACK

RULING

RULING #109

NAME: RICHARD ZIELINSKI

DOB: 8/28/1964

PERMIT: #20131 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER RICHARD ZIELINSKE IS HEREBY FINED TWO HUNDRED ($200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "FORCE MULTIPLIER" PRESENT IN THE PADDOCK. RESULTING IN A LATE SCRATCH FROM THE 8TH RACE ON MONDAY, JULY 18, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 18. 2016 6:23PM No. 6019 P. 1/1

July 19, 2016

MOUNTAINEER RACETRACK

RULING

RULING #110

NAME: SHANNON GLENN-FADELEY

DOB: 9/12/1970

PERMIT:

The Stewards hereby impose the following penalty:

SHANNON GLENN-FADELEY IS HEREBY RESTORED TO GOOD STANDING HAVING PROVIDED THE WVRC BOARD OF STEWARDS 178-1-24.3.j. AN EVALUATION FROM A CERTIFIED DRUG AND ALCOHOL COUNSELOR. MS. FADELEY ALSO PROVIDED A NEGATIVE TEST RESULT. MS. FADELEY WILL BE SUBJECT TO RANDOM TESTING 178-24-3.e AT THE DISCRETION OF THE BOARD OF STEWARDS.
THIS IS MS. FADELEY FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 19. 2016 6:32PM No. 6033 P. 1/2

July 19, 2016

MOUNTAINEER RACETRACK

RULING

RULING #111

NAME: ALEX M. CRUZ

DOB: 5/31/1993

PERMIT: #22844 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY ALEX M. CRUZ IS HEREBY SUSPENDED SEVEN (7) DAYS EFFECTIVE THURSDAY, JULY 21, 2016 THROUGH AND INCLUDING WEDNESDAY, JULY 27, 2016 FOR VIOLATION OF WV RULE OF RACING 178-1-45.7.b.1 "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfer with, impede or intimidate any other horse in the race." AND 178-1-45.7.c.3 " If the stewards determine the foul was intentional, or due to careless riding the jockey may be held responsible and his or her occupational permit may be disciplined." HIS MOUNT #8 "COURT ADJOURNED" CAME IN REPEATEDLY UNDER A RIGHT HAND WHIP CAUSING INTERFERENCE TO #4 "FAIRLY LOVELY" DURING THE STRETCH RUN OF THE 3RD RACE SATURDAY, JULY 16, 2016. "COURT ADJOURNED" WAS DISQUALIFIED FROM SIXTH (6) AND PLACED SEVENTH (7). WHILE SUSPENDED MR. CRUZ MAY GALLOP. 178-1-28.1.f

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 19. 2016 6:32PM No. 6033 P. 2/2

July 19, 2016

MOUNTAINEER RACETRACK

RULING

RULING #112

NAME: ALEX M. CRUZ

DOB: 5/31/1993

PERMIT: #22844 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY ALEX M. CRUZ IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-46.3.h "No person shall make a frivolous protest." JOCKEY ALEX CRUZ WAS ABOARD #9 "NOCHE AZUL" CLAIMED A FOUL AGAINST #1 "AWESOME GROUP" RIDDEN BY LUIS R. RIVERA NEARING THE 1/4 POLE DURING THE STRETCH RUN OF THE 1ST RACE ON SUNDAY, JULY 17, 2016. THE BOARD OF STEWARDS FOUND NO EVIDENCE TO UPHOLD HIS FRIVOLOUS CLAIM OF FOUL.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 19. 2016 6:26PM No. 6032 P. 2/2

July 19, 2016

MOUNTAINEER RACETRACK

RULING

RULING #113

NAME: NICOLLE DISDIER

DOB: 5/9/1993

PERMIT: #23202 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY NICOLLE DISDIER IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-46.3.h "No person shall make a frivolous protest." JOCKEY NICOLLE DISDIER ABOARD #2 "LIKE A BOSS" CLAIMED A FOUL AGAINST #6 "TUFFY COTTRELL" RIDDEN BY LUIS R. RIVERA DURING THE STRETCH RUN OF THE 6TH RACE ON SUNDAY, JULY 17, 2016. THE BOARD OF STEWARDS FOUND NO EVIDENCE TO UPHOLD HER FRIVOLOUS CLAIM OF FOUL.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 19. 2016 6:26PM No. 6032 P. 1/2

July 20, 2016

MOUNTAINEER RACETRACK

RULING

RULING #114

NAME: JOHN T. BROWN

DOB: 6/18/1957

PERMIT: #20065 TRAINER

The Stewards hereby impose the following penalty:

TRAINER JOHN T. BROWN IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "MAID OF DISHONOR" PRESENT IN THE PADDOCK RESULTING IN A LATE SCRATCH FROM THE 7TH RACE ON TUESDAY, JULY, 19, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 20. 2016 5:59PM No. 6045 P. 2/2

July 20, 2016

MOUNTAINEER RACETRACK

RULING

RULING #115

NAME: ANTONIO PIZZURRO

DOB: 11/18/1953

PERMIT: #22977 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER ANTONIO PIZZURRO IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-46.3.g "Each trainer is responsible for presenting his or her horse and being in the paddock at a time appointed before post time of the race in which the horse is entered." NECESSATATING THE LATE SCRATCH OF "STERLINGS MAGIC" FROM THE 2ND RACE ON MONDAY, JULY 18, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 20. 2016 5:59PM No. 6045 P. 1/2

JULY 20, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #116

NAME: JUAN RUVALCABA

DOB: 10/20/1963

PERMIT: # 23129 OWNER/TRAINER

The Stewards hereby impose the following penalty:

RULING # 97 DATED TUESDAY, JULY 12, 2016, ISSUED TO JUAN RUVALCABA, IS HEREBY RESCINDED.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00.

Chief Steward

Steward

Steward

Jul. 23. 2016 6:31PM No. 6064 P. 1/1

PD

July 24, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #117

NAME: JULIE PAPPADA

DOB: 3/16/1973

PERMIT: #22697 TRAINER

The Stewards hereby impose the following penalty:

TRAINER JULIE PAPPADA IS HEREBY FINED TWO HUNDRED FIFTY ($250.00) DOLLARS AFTER HAVING BEEN NOTIFIED THAT SAMPLE #E204577 TAKEN FROM THE HORSE "GLOBAL ALLIANCE" WHICH FINISHED 1ST IN THE 2ND RACE ON TUESDAY, JULY 5, 2016, DID EXCEED THE PERMITTED LEVEL OF "PHENYLBUTAZONE." THIS SAMPLE HAD A LEVEL OF 3.4 ug/ml. THIS IS IN VIOLATION OF WV RULE OF RACING 178-1-49.4.a.2. THIS IS HER FIRST OFFENSE AND JULIE PAPPADA IS ASSESSED (1) POINT UNDER THE MULTIPLE MEDICATION VIOLATION SYSTEM, AS PER 178-49.3.m

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 25. 2016 6:32PM No. 6080 P. 3/6

July 24, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #118

NAME: BRYAN PORTER

DOB: 2/13/1967

PERMIT: #20483 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER BRYAN PORTER IS HEREBY FINED TWO HUNDRED ($200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "DYTANA" PRESENT IN THE PADDOCK FOR THE 6TH RACE ON SATURDAY, JULY 23, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 25. 2016 6:32PM No. 6080 P. 2/6

July 24, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #119

NAME: NICK J. CARUSO

DOB: 9/17/1989

PERMIT: CT #12874 TRAINER

The Stewards hereby impose the following penalty:

TRAINER NICK J. CARUSO IS HEREBY FINED TWO HUNDRED ($200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "BASES LOADED" PRESENT IN THE PADDOCK FOR THE 8TH RACE ON SATURDAY, JULY 23, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 25. 2016 6:31PM No. 6080 P. 1/6

July 25, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #120

NAME: BERT CRAWFORD

DOB: 6/30/1964

PERMIT: #21746 JOCKEY AGENT

The Stewards hereby impose the following penalty:

BERT CRAWFORD IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-24.11.gg "Has engaged in conduct unbecoming or detrimental to the best interest of racing." NAMIN A RIDER ON THE HORSE "BIT GROWTH" IN THE 4TH RACE ON TUESDAY, JULY 26, 2016 WITHOUT HAVING A CALL FROM THE TRAINER OR OWNER.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

James O Bu

Chief Steward

Philip Heidenreich

Steward

Robert C Reed

Steward

July 25, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #121

NAME: NICOLLE DISDIER

DOB: 5/9/1993

PERMIT: #23202 APPRENTICE JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY NICOLLE DISDIER IS HEREBY FINED THREE HUNDRED ($300.00) DOLLARS AND IS HEREBY SUSPENDED SEVEN (7) DAYS STARTING THURSDAY, JULY 28, 2016 THROUGH AND INCLUDING WEDNESDAY, AUGUST 3, 2016 FOR VIOLATION OF WV RULE OF RACING 178-1-45.7.e AND 178-1-24.11.gg.

AFTER REVIEWING THE RACE DURING A HEARING IN THE JOCKS ROOM THE BOARD OF STEWARDS HAVE DETERMINED THAT NICOLLE DISDIER FAILED TO USE GOOD JUNDGEMENT IN DETERMINING THE FINISH LINE IN THE 1 3/4 MILE TURF RACE ON SATURDAY, JULY 23, 2016 RACE #3

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 25. 2016 6:32PM No. 6080 P. 5/6

July 25, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #122

NAME: LUIS RAMON RODRIGUEZ

DOB: 8/1/1983

PERMIT: #23376 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY LUIS RAMON RODRIGUEZ IS HEREBY SUSPENDED SEVEN (7) DAYS STARTING THURSDAY, JULY 28, 2016 THROUGH AND INCLUDING WEDNESDAY, AUGUST 3, 2016 FOR VIOLATION OF WV RULE OF RACING 178-1-45.b.1 AND 178-1-45.7.c.1

AFTER REVIEWING THE RACE DURING A HEARING IN THE JOCKS ROOM THE BOARD OF STEWARDS HAVE DETERMINED THAT LUIS RAMON RODRIGUEZ FAILED TO CORRECT HIS MOUNT SHORTLY AFTER THE START OF THE 7TH RACE ON SATURDAY, JULY 23, 2016. HIS MOUNT #1 "BALADA" CAME OUT CAUSING INTERFERENCE AND JOSTLING #2 "SPECTACULAR LADY" AND #3 "GO CATRINA GO". HIS MOUNT WAS DISQUALIFIED FROM 2ND AND PLACED 6TH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

July 26, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #123

NAME: BRANDON ATES

DOB: 5/27/1978

PERMIT: #20931 TRAINER

The Stewards hereby impose the following penalty:

TRAINER BRANDON ATES IS HEREBY FINED TWO HUNDRED ($200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered." FAILURE TO HAVE "LOUD AND LOVELY" PRESENT IN THE PADDOCK FOR THE 3RD RACE ON TUESDAY, JULY 26, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 27. 2016 5:49PM No. 6103 P. 2/2

July 26, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #124

NAME: JUAN VELEZ

DOB: 5/15/1985

PERMIT: #22920 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY JUAN VELEZ IS HEREBY RESTORED TO GOOD STANDING FOR HAVING PAID HIS FINE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 27. 2016 5:49PM No. 6103 P. 1/2

July 27, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

MULTIPLE MEDICATION VIOLATION RULING

RULING # 125

NAME: GARY WELSH

DOB: 8/28/1957

PERMIT: # 21716 OWNER/TRAINER

The Stewards hereby impose the following penalty:

HAVING WAIVED HIS RIGHT TO A HEARING THE BOARD OF STEWARDS FIND MR. WELSH IN VIOLATION OF WV RULE OF RACING: 178-4-49.3.m, 178-1-49.3.m.1, 178-1-49.3.m.7.A, 178-1-4-.3.m.7.B, 178-1-49.4.a.2 AND 178-1-51.1.a

THE OFFICIAL BLOOD SAMPLE #E204588 TAKEN FROM THE HORSE "MYPENNYFROMHEAVEN" WHICH FINISHED 3RD IN THE 9TH RACE ON TUESDAY, JULY 5, 2016 DID CONTAIN "BETAMETHASONE" A CONTROLLED THERAPEUTIC MEDICATION WHICH IS A CLASS 4 DRUG. CARRY A C PENALTY AT A CONCENTRATION LEVEL OF 17.2 +/- 2.2 pg/ml WHICH WAS CONFIRMED IN THE BLOOD. MR. WELSH ELECTED NOT TO SEND A SPLIT SAMPLE.

THE FOLLOWING IS THE STEWARDS' ANALYSIS OF THE MITIGATING/AGGRAVATING FACTORS IN THE MATTER:

A.) THE PERMIT HOLDER'S PAST RECORD.

NO PREVIOUS POSITIVES

B.) THE POTENTIAL OF THE DRUG TO INFLUENCE THE HORSE'S PERFORMANCE.

CLASS 4 DRUGS GENERALLY HAVE A MORE LIMITED ABILITY TO INFLUENCE THE PERFORMANCE OF RACEHORSES.

C.) THE LEGAL AVAILABILITY OF THE DRUG.

LEGALLY AVAILABLE

Jul. 27. 2016 6:52PM No. 6107 P. 1/3

D.) WHETHER THERE IS REASON TO BELIEVE THE PERMIT HOLDER KNEW OF THE ADMINISTRATION OF INTENTIONALLY ADMINISTERED THE DRUG.

MR. WELSH ADMITTED TO KNOWING OF THE ADMINISTRATION OF THE DRUG.

E.) THE STEPS TAKEN BY THE TRAINER TO SAFEGUARD THE HORSE.

STATED HORSE WAS TREATED ON FARM.

F.) THE PROBABILITY OF ENVIROMENTAL CONTAMINATION OR INADVERTENT EXPOSURE DUE TO HUMAN DRUG USE.

NO PROBABILITY

G.) THE PURSE MONEY

$6200.00 RACE

H.) WHETHER THE DRUG FOUND WAS ONE FOR WHICH THE HORSE WAS RECEIVING A TREATMENT AS DOCUMENTED BY THE TREATING VETERINARIAN'S TREATMENT RECORD.

MR. WELSH STATED THE HORSE WAS TREATED BY PRIVATE VETERINARIAN

I.) WHETHER THERE WAS ANY SUSPICIOUS BETTING PATTERN IN THE RACE.

NO

J.) WHETHER THE TRAINER WAS ACTING UNDER THE ADVICE OF A VETERIANARIAN LICENSED TO PRACTICE IN WEST VIRGINIA AND HOLDING AN OCCUPATIONAL PERMIT BY THE RACING COMMISSION.

YES, VETERINARIAN HAS WEST VIRGINIA LICENSED PERMIT.

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS

NONE.

MR. WELSH IS FINED ONE THOUSAND ($1,000.00) DOLLARS AND THE "HORSEMYPENNYFROMHEAVEN" IS DISQUALIFIED FROM ANY PURSE MONIES. THE PURSE WILL BE REDISTRIBUTED AS FOLLOWS:

TUESDAY, JULY 5, 2016

1) INTIMIDATING LADY

2) HAPPY TOWN

3) PRECIOUS DEPUTATNE

4) SPECIAL SHAMROCK
5) ELITE EYES
6) LOVE'S HALO
7) SUZY'S STORM
8) TRAD JAZZ

THE HORSEMEN'S BOOKKEEPER IS REQUESTED TO MAKE THE NECESSARY ADJUSTMENTS. THIS IS MR. WELSH'S 1ST OFFENSE AND HE WILL BE ASSESSED ONE (1) POINT.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 27. 2016 6:53PM No. 6107 P. 3/3

July 27, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #126

NAME: BURTON SIPP

DOB: 5/15/1944

PERMIT: #21640 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER BURTON SIPP IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR FAILURE TO HAVE BREED REGISTRATION PAPERS ON FILE FOR THE HORSE, "ICAMEFROMBARRY" IN THE 2ND RACE ON TUESDAY, JULY 26, 2016. A VIOLATION OF WV RULE OF RACING 178-1-44.1

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 27. 2016 6:26PM No. 6106 P. 1/4

July 27, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #127

NAME: NOEL SANCHEZ

DOB: 7/5/1981

PERMIT: #21627 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER NOEL SANCHEZ IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR FAILURE TO HAVE BREED REGISTRATION PAPERS ON FILE WITH THE RACING OFFICE FOR THE HORSE "COEANDTHEDOC" IN THE 3RD RACE ON TUESDAY, JULY 26, 2016. A VIOLATION OF WV RULE OF RACING 178-1-44.1

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Jul. 30. 2016 5:23PM No. 6125 P. 1/1

Aug. 1, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #128

NAME: TOMMY C. SHORT

DOB: 9/17/1962

PERMIT: #22956 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER TOMMY C. SHORT IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR FAILURE TO HAVE BREED REGISTRATION PAPERS ON FILE WITH THE RACING OFFICE FOR THE HORSE "OLDFASHION JUSTICE" IN THE 8TH RACE ON SATURDAY, JULY 30, 2016. A VIOLATION OF WV RULE OF RACING 178-1-44.1

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 1, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #129

NAME: JOHN T. BROWN

DOB: 6/18/1957

PERMIT: #20065 TRAINER

The Stewards hereby impose the following penalty:

TRAINER JOHN T. BROWN IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR FAILURE TO HAVE HIS HORSE PRESENT AND AVAILABLE AT THE APPROPRIATE TIME FOR ITS TREATMENT OF LASIX ON SATURDAY JULY 30, 2016 FOR RACE #5. HORSE "MAID OF HONOR" A VIOLATION OF WV RULE OF RACING 178-1-49.7.e.3 NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

August 1, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #130

NAME: ABDUL WILLIAMS

DOB: 6/2/1974

PERMIT: #22898 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER ABDUL WILLIAMS IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-44.17 FAILURE TO HAVE CURRENT NEGATIVE COGGINS FOR THE HORSE "PANZER ATTACK" NECESSITATING A LATE SCRATCH FROM THE 7TH RACE ON MONDAY, AUGUST 1, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

No. 6199 P. 1/1

Aug. 2. 2016 6:32PM

August 3, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #131

NAME: MELISSA GIAMBRONE

DOB: 2/22/1981

PERMIT: #20232 OWNER

The Stewards hereby impose the following penalty:

OWNER MELISSA GIAMBRONE IS HEREBY SUSPENDED THIRTY (30) DAYS EFFECTIVE SUNDAY, AUGUST 7, 2016 THROUGH AND INCLUDING MONDAY, SEPTEMBER 5, 2016 FOR VIOLATION OF WV RULE OF RACING 178-1-48.2.c NEEDLES, SYRINGES AND INJECTIBLES WERE FOUND IN THE VEHICLE SHE WAS DRIVING IN THE BARN AREA DURING A SEARCH AT MOUNTAINEER RACETRACK ON WEDNESDAY, JUNE 28, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 3. 2016 6:09PM No. 6218 P. 1/3

August 3, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #132

NAME: ANTONIO PIZZURRO

DOB: 11/18/1953

PERMIT: #22977 OWNER/TRAINER

The Stewards hereby impose the following penalty:

OWNER/TRAINER ANTONIO PIZZURRO IS HEREBY SUSPENDED THIRTY (30) DAYS EFFECTIVE SUNDAY, AUGUST 7, 2016 THROUGH AND INCLUDING MONDAY, SEPTEMBER 5, 2016 FOR VIOLATION OF WV RULE OF RACING 178-1-48.2.c. A NEEDLE WAS FOUND IN THE TACK ROOM ASSIGNED TO HIM DURING A SEARCH AT MOUNTAINEER RACETRACK ON WEDNESDAY, JUNE 28, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 3. 2016 6:09PM No. 6218 P. 2/3

August 3, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #133

NAME: JAY P. BERNARDINI

DOB: 9/12/1966

PERMIT: #CT #12970 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER JAY P. BERNARDINI IS HEREBY FINED TWO HUNDRED ($200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g. FAILURE TO HAVE #4 "HOW ABOUT PEACE" PRESENT IN THE PADDOCK RESULTING IN A LATE SCRATCH FROM THE 9TH RACE ON TUESDAY, AUGUST 2, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 3. 2016 6:10PM No. 6218 P. 3/3

August 7, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #136

NAME: J. MICHAEL BAIRD

DOB: 4/20/1971

PERMIT: #20026 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER J. MICHAEL BAIRD IS HEREBY FINED TWO HUNDRED ($200.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-26.3.g FAILURE TO HAVE #7 "ACADEMIC AFFAIR" PRESENT IN THE PADDOCK RESULTING IN A LATE SCRATCH FROM THE 6TH RACE ON SUNDAY, AUGUST 7, 2016.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

August 7, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #137

NAME: GREGORY D. FOLEY

DOB: 12/27/1957

PERMIT: #23464 TRAINER

The Stewards hereby impose the following penalty:

TRAINER GREGORY D. FOLEY IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-44.1. FAILURE TO HAVE REGISTRATION PAPERS FOR "LATENT REVENGE" FOR THE RUNNING OF THE 2ND RACE ON SATURDAY, AUGUST 6, 2016. THIS IS HIS FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

August 8, 2016

MOUNTAINEER RACETRACK

MULTIPLE MEDICATION VIOLATION RULING

RULING # 140

NAME: JUAN RUVALCABA

DOB: 10/20/1963

PERMIT: # 23129 OWNER/TRAINER

THE BOARD OF STEWARDS SCHEDULED A HEARING FOR TRAINER JUAN RUVALCABA FOR MONDAY, JULY 18, 2016 AT 11:00 AM. LEGAL COUNSEL FOR MR. RUVALCABA REQUESTED A CONTINUENCE UNTIL MONDAY, AUGUST 8, 2016 11:00 AM WHICH WAS GRANTED. THE BOARD OF STEWARDS CONVENED A HEARING ON MONDAY, AUGUST 8, 2016 WHICH MR. RUVALCABA NOR HIS LEGAL COUNSEL ATTENDED. THE BOARD OF STEWARDS PROCEEDED WITH A HEARING IN THEIR ABSENCE.

The Stewards hereby impose the following penalty:

A POSTIVE SAMPLE REPORTED BY INDUSTRIAL LABORATORIES. THE BOARD OF STEWARDS FIND THE FOLLOWING: THE OFFICIAL BLOOD SAMPLE "E204417" TAKEN FROM THE HORSE "HOME ON SATURDAY" WHICH FINISHED FIRST (1) IN THE FIRST RACE ON SATURDAY, JUNE 21,2016 DID CONTAIN "DEXAMETHASONE" WHICH IS A CONTROLLED THERAPEUTIC MEDICATION 178-1-4.a.2 IT IS A CLASS 4 DRUG CARRYING A C PENALTY. THE SAID SAMPLE #E204417 WAS REPORTED AT A CONCENTRATION LEVEL OF 47.0+/-3.8 pg/ml.
MR. RUVALCABA ELECTED NOT TO SEND A SPLIT SAMPLE. THE BOARD OF STEWARDS CONCLUDE THAT Mr. RUVALCABA VIOLATED SECTIONS 178-1-49.4.a AND 178-1-49.4.1 OF THE W.V.R.C CODE

A.) THE PERMIT HOLDER'S PAST RECORD.
MR. RUVALCABA HAD A "PHENYLBUTAZONE" OVERAGE IN 2014. HE HAS ALSO HAD ONE CLASS 4 VIOLATION IN 2016, IN WHICH HE WAS ASSESSED ONE (1) POINT UNDER THE MULTIPLE MEDICATION VIOLATION SYSTEM.

B.) THE POTENTIAL OF THE DRUG TO INFLUENCE THE HORSE'S PERFORMANCE.

CLASS 4 DRUGS GENERALLY HAVE A MORE LIMITED ABILITY TO INFLUENCE THE PERFORMANCE OF A RACEHORSE.

C.) THE LEGAL AVAILABILITY OF THE DRUG.

LEGALLY AVAILABLE

D.) WHETHER THERE IS REASON TO BELIEVE THE PERMIT HOLDER KNEW OF THE ADMINISTRATION OF INTENTIONALLY ADMINISTERED THE DRUG.

THE TRAINER DENIES ANY KNOWLEDGE OF THE ADMINISTRATION OF THE DRUG.

E.) THE STEPS TAKEN BY THE TRAINER TO SAFEGUARD THE HORSE.

MR. RUVALCABA SHIPS IN TO MULTIPLE TRACKS.

F.) THE PROBABILITY OF ENVIROMENTAL CONTAMINATION OR INADVERTENT EXPOSURE DUE TO HUMAN DRUG USE.

NONE

G.) THE PURSE MONEY

TUESDAY, JUNE 21, 2016 RACE 1 PURSE $6,200.00

H.) WHETHER THE DRUG FOUND WAS ONE FOR WHICH THE HORSE WAS RECEIVING A TREATMENT AS DOCUMENTED BY THE TREATING VETERINARIAN'S TREATMENT RECORD.

NOT AVAILABLE

I.) WHETHER THERE WAS ANY SUSPICIOUS BETTING PATTERN IN THE RACE.

NONE

J.) WHETHER THE TRAINER WAS ACTING UNDER THE ADVICE OF A VETERIANARIAN LICENSED TO PRACTICE IN WEST VIRGINIA AND HOLDING AN OCCUPATIONAL PERMIT BY THE RACING COMMISSION.

MR. RUVALCABA SAID HE WAS NOT AWARE OF THE ADMINISTRATION OF THE DRUG.

K.) OTHER FACTORS DEEMED RELEVANT BY THE STEWARDS
NONE.

THE REDISTRIBUTION OF THE SAID RACE IS AS FOLLOWS:

TUESDAY, JUNE 21, 2016

1) BROADWAY KATE

2) ELEVENSEXTYSEVEN

3) DONNA GOLD

4) SUITA MUSIC

5) IMPERIAL ROSE

BASED ON THE ABOVE THE BOARD OF STEWARDS IMPOSE THE FOLLOWING PENALTY FOR UNDERLYING OFFENSE. MR. RUVALCABA IS HEREBY SUSPENDED FIFTEEN (15) DAYS EFFECTIVE TUESDAY, AUGUST 9, 2016 THROUGH AND INCLUDING TUESDAY, AUGUST 23, 2016. MR. RUVALCABA IS FINED FIFTEEN HUNDRED ($1,500.00) DOLLARS. THE SAID HORSE "HOME ON SATURDAY" IS DISQUALIFIED FROM ALL PURSE MONIES. MR. RUVALCABA WILL BE ASSESED ONE POINT UNDER THE MULTIPLE MEDICATION VIOLATION SYSTEM 178-1-49.3.m.3. GIVING HIM A TOTAL OF TWO POINTS IN WHICH HE RECEIVED ONE POINT FROM A PRIOR MEDICATION VIOLATION IN 2016. THIS IS MR. RUVALCABA'S SECOND OFFENSE IN A 365 DAY PERIOD.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

August 9, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #141

NAME: MARIO RAFAEL RODRIGUEZ

DOB:

PERMIT: CT #10682 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER MARIO R. RODRIGUEZ IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR FAILURE TO HAVE HIS HORSE PRESENT AND AVAILABLE AT THE APPROPRIATE TIME FOR ITS TREATMENT OF LASIX ON MONDAY, AUGUST 8, 2016 RACE #2, THE HORSE "YOU TARZEN". A VIOLATION OF WV RULE OF RACING 178-1-49.7.e.3. NECESSITATING A LATE SCRATCH.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 9. 2016 6:10PM No. 6317 P. 1/1

August 9, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #142

NAME: EDGAR PAUCAR

DOB: 2/14/1975

PERMIT: #20456 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY EDGAR PAUCAR IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-45.5.b. FAILURE TO REPORT AND WEIGH OUT AT THE APPOINTED TIME ON MONDAY, AUGUST 8, 2016 RESULTING IN A LATE RIDER CHANGE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 9. 2016 6:15PM No. 6318 P. 1/4

August 9, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #143

NAME: DESHAWN PARKER

DOB: 1/8/1971

PERMIT: #20106 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY DESHAWN PARKER IS HEREBY SUSPENDED SEVEN (7) DAYS STARTING WEDNESDAY, AUGUST 10, 2016 THROUGH AND INCLUDING TUESDAY, AUGUST 16, 2016 FOR VIOLATION OF WV RULE OF RACING 178-1-45.7.b.1 and 178-1-45.7.c.3: "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfer with, impede or intimidate any other horse in the race." ALSO, "If the stewards determine the foul was intentional, due to careless riding, the jockey may be held responsible and his or her occupational permit may be disciplined." AFTER MOVIE REVIEW THE BOARD OF STEWARDS DETERMINED THAT #1 "PLUMBAGO" RIDDEN BY DESHAWN PARKER DRIFTED OUT UNDER LEFT HANDED URGING, AND INITIATED CONTACT TO #4 "QUIET CANADIAN" DURING THE STRETCH RUN OF THE 6TH RACE ON SUNDAY, AUGUST 7, 2016. HIS MOUNT #1 "PLUMBAGO" WAS DISQUALIFIED FROM 1ST AND PLACED 2ND FOR INTERFERENCE. WHILE SUSPENDED MR. PARKER MAY GALLOP 178-1-28.1.f.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

August 9, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #144

NAME: EDUARDO CARAMORI

DOB: 12/8/1958

PERMIT: #22928 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER EDUARDO CARAMORI IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-44.1. FAILURE TO HAVE BREED REGISTRATION PAPERS ON FILE WITH THE RACING SECRETARY FOR THE HORSE "ACTIUM" WHICH RAN IN THE 1ST RACE ON TUESDAY, AUGUST 9, 2016. THIS IS MR. CARAMORI'S FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 10. 2016 6:19PM No. 6325 P. 1/1

August 13, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #145

NAME: DONALD T. BLANKENSHIP

DOB: 8/1/1984

PERMIT: #21743 TRAINER

The Stewards hereby impose the following penalty:

TRAINER DONALD T. BLANKENSHIP IS HEREBY FINED TWO HUNDRED AND FIFTY ($250.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-49.4.a.2. INDUSTRIAL LABORATORIES REPORTED SAMPLE #E203766 TAKEN FROM THE HORSE "ISLAND SUNSET" WHICH FINISHED 1ST IN THE 1ST RACE SUNDAY, JULY 31, 2016 DID CONTAIN "FLUNIXIN" AT A CONCENTRATION LEVEL OF 47.8 ng/ml. THIS IS MR. BLANKENSHIP'S FIRST OFFENSE AND HE IS ASSESSED ONE POINT FOR THE MULTIPLE MEDICATION VIOLATION SYSTEM.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 13. 2016 6:14PM No. 6357 P. 1/1

August 14, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #146

NAME: JOSEPH SCHNEIDER

DOB: 1/8/1980

PERMIT: CT #10955 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY JOSEPH SCHNEIDER IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-28.3.b. "A jockey shall faithfully fulfill all engagements in respect to racing." FAILURE TO FULFILL HIS RIDING ENGAGEMENTS ON SUNDAY, AUGUST 14, 2016 RESULTING IN RIDER CHANGES IN RACES 3 AND 4. THIS IS MR. SCHNEIDER'S FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 15. 2016 6:51PM No. 6378 P. 1/3

August 15, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #147

NAME: HECTOR ROSARIO, JR

DOB: 9/2/1981

PERMIT: #22883 JOCKEY

The Stewards hereby impose the following penalty:

JOCKEY HECTOR ROSARIO, JR. IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-45.5.b. "Every jockey who is to ride shall report and weigh out at the appointed time." RESULTING IN RIDER CHANGES FOR RACE 1 AND RACE 2 ON SUNDAY, AUGUST 14, 2016. THIS IS MR. ROSARIO'S FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 15. 2016 6:51PM No. 6378 P. 2/3

August 15, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #148

NAME: JOSE M. DAVILA

DOB: 8/16/1983

PERMIT: #21759

The Stewards hereby impose the following penalty:

JOCKEY JOSE M. DAVILA IS HEREBY FINED FIFTY ($50.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-45.5.d. "Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race." MR. DAVILA FAILED TO REPORT HIS OVERWEIGHT AT THE APPOINTED TIME TO THE CLERK OF SCALES ON SUNDAY, AUGUST 14, 2016. THIS IS HIS FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 15. 2016 6:52PM No. 6378 P. 3/3

August 15, 2016

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #149

NAME: ALEJANDRO GONZALEZ

DOB: 2/20/1976

PERMIT: #20772 OWNER/TRAINER

The Stewards hereby impose the following penalty:

TRAINER ALEJANDRO GONZALEZ IS HEREBY FINED ONE HUNDRED ($100.00) DOLLARS FOR VIOLATION OF WV RULE OF RACING 178-1-44.1. FAILURE TO HAVE IT'S BREED REGISTRATION CERTIFICATE ON FILE IN THE RACING OFFICE FOR "EL COMANDER" FOR THE RUNNING OF THE 1ST RACE ON MONDAY, AUGUST 15, 2016. THIS IS MR. GONZALEZ FIRST OFFENSE.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of $100.00

Chief Steward

Steward

Steward

Aug. 16. 2016 5:57PM No. 6391 P. 1/1