

RULING NUMBER COM SB 017/2013

## COMMISSION HEARING

TORONTO, ONTARIO – MAY 9, 2013

## NOTICE OF DECISION

# IN THE MATTER OF THE RACING COMMISSION ACT, S.O. 2000, c.20;

# AND IN THE MATTER OF THE JODY JAMIESON APPEAL

Jody Jamieson appealed against Ruling Number SB 45806.

Date of Hearing:

May 9, 2013

Commissioner John W. Macdonald

ORC Panel Members:

Representative for Appellant: Self-represented

Representative for the Administration: David Stewart

The Panel denied the appeal.

A transcript with the Panel's oral Reasons for Decision is attached to this Notice.

DATED at Toronto this 16<sup>th</sup> day of May 2013.

Steven Lehman

Executive Director

#### ONTARIO RACING COMMISSION

### IN THE MATTER OF THE APPEAL AND REQUEST

FOR HEARING OF JODY JAMIESON

Held Before:

John Macdonald, Commissioner

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Reasons in the above-mentioned matter held Before the Ontario Racing Commission, Re: JODY JAMIESON, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the  $9^{th}$  day of May, 2013.

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Appearances:

David Stewart, For the Ontario Racing Commission Administration

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TORONTO COURT REPORTERS - TORONTO, ONTARIO

THE COMMISSIONER: The difficulty I

2	have here is while there are extenuating
3	circumstances, obviously for a horse that was
4	ill in a prior race, Mr. Jamieson you still had
5	enough time when you came in and your mind may
6	be somewhere else thinking what you should do
7	as far as reporting, but you did have an
8	obligation under the rules to notify judges
9	that needed more time, explain why, so that
10	they could at least delay the post parade.
11	The difficulty here is,
12	unfortunately for you, because there were two
13	other drivers that were also late for the post
14	parade. So properly said, even though there
15	were extenuating circumstances and everything
16	else, the difficulty, the onus is on you to
17	notify the judges.
18	So, it's not a serious offence but
19	I think you said it in your testimony earlier
20	that the paying patrons are the ones who are
21	trying to get to the track, not that many but
22	obviously some like to see the post parade and
23	see what horse is like, and if I find them the
24	better and I see my number one horse that I'm
25	picking is having trouble getting to the post

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vrong. I don't mean in equipment, break or something elsewhere where me might have to go back. So the onus is, unfortunately, definitely on you, notwithstanding what happened in the prior race. So I'm going to deny your view and thank you for your participation. MR. JAMIESON: Thank you for your time, sir Whereupon at 11:25 a.m. the proceedings were concluded. This is to hereby certify that the forgoing is a true and accurate transcript of the proceedings to the best of my skill and ability Sandra Brereton Certified Court Reporter Registered Professional Reporter	1	parade at the time, then is there something
<ul> <li>back. So the onus is, unfortunately, definitely</li> <li>on you, notwithstanding what happened in the</li> <li>prior race. So I'm going to deny your view and</li> <li>thank you for your participation.</li> <li>MR. JAMIESON: Thank you for your</li> <li>time, sir.</li> <li> Whereupon at 11:25 a.m. the proceedings</li> <li>were concluded.</li> <li>********</li> <li>This is to hereby certify that the forgoing is a true and accurate transcript of the proceedings to the best of my skill and ability.</li> <li>Sandra Brereton</li> <li>Certified Court Reporter Registered Professional Reporter</li> </ul>	2	wrong. I don't mean in equipment, break or
5       on you, notwithstanding what happened in the         6       prior race. So I'm going to deny your view and         7       thank you for your participation.         8       MR. JAMIESON: Thank you for your         9       time, sir.         10       Whereupon at 11:25 a.m. the proceedings         12       were concluded.         13       ********         15       This is to hereby certify that the forgoing is a true and accurate transcript of the proceedings to the best of my skill and ability.         18       of my skill and ability.         19	3	something elsewhere where me might have to go
6 prior race. So I'm going to deny your view and 7 thank you for your participation. 8 MR. JAMIESON: Thank you for your 9 time, sir. 10 Whereupon at 11:25 a.m. the proceedings 12 were concluded. 13 ********* 15 15 17 This is to hereby certify that the forgoing is a true and accurate transcript of the proceedings to the best 18 of my skill and ability. 19 20 21 Sandra Brereton 22 Certified Court Reporter Registered Professional Reporter 23 24	4	back. So the onus is, unfortunately, definitely
7 thank you for your participation.          8       MR. JAMIESON: Thank you for your         9       time, sir.         10       Whereupon at 11:25 a.m. the proceedings         12       were concluded.         13       ********         15       This is to hereby certify that the forgoing is a true and accurate transcript of the proceedings to the best of my skill and ability.         19	5	on you, notwithstanding what happened in the
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