



COMMISSION HEARING

TORONTO, ONTARIO – JULY 5, 2011

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

**AND IN THE MATTER OF THE APPEAL AND REQUEST FOR HEARING BY  
STANDARDBRED LICENSEE MIKE SAFTIC**

On June 07, 2011, the Judges issued Standardbred Official Ruling SB 42621 wherein Mike Saftic ("Saftic") was given the penalty of a \$200 fine for failure to come up and remain on the starting gate in Race 1 on June 7, 2011 at Mohawk Raceway, in violation of Standardbred Rule 22.03 j (vii).

On June 13, 2011, Saftic filed a Notice of Appeal, pursuant to Rule 24.01(b) of the Rules of Standardbred Racing.

On July 05, 2011, a Panel of the Ontario Racing Commission ("ORC") comprised of Commission Chair Rod Seiling, convened for the purpose of hearing this matter.

Neil McCoag appeared on behalf of the Administration of the ORC. Saftic attended the Hearing and was unrepresented.

After reviewing the evidence, hearing the testimony of Judge Tom Miller, Saftic and Starter James Roselle, and upon considering the closing submissions, the Panel denied the appeal.

A transcript with the Panel's Oral Decision is attached to this Ruling.

DATED at Toronto this 7<sup>th</sup> day of July 2011.

BY ORDER OF THE COMMISSION

  
John L. Blakney  
Executive Director

ONTARIO RACING COMMISSION  
STANDARD BRED HEARING  
IN THE MATTER OF THE APPEAL AND REQUEST FOR HEARING OF  
MICHAEL SAFTIC

Held Before:

Rod Seiling, Chairman

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These are an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, Re: **MICHAEL SAFTIC**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 5th day of July, 2011.

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Appearances:

Neil McCoag,

agent for the Ontario Racing Commission Administration

Hearing continued ...

1 MR. CHAIRMAN: Okay. After carefully listening to the testimony and the  
2 evidence and reviewing the tapes the appeal is denied. There is no question Mr.Saftic  
3 was off the gate and at the time would not have known that his horse had lost a shoe.  
4 So if there was a broken equipment issue, even though it is not officially designated as  
5 such, he wouldn't have known that at the time. That's after the fact but on the other  
6 hand I do recognize the frustration that he and allegedly other drivers are having and  
7 given, Mr. Miller, you are senior at Mohawk right now I'm going to ask you to have; in  
8 your meeting with the drivers tonight I'd ask you to include getting some comments back  
9 from them and reporting back to the Director of Racing to put any recommendations that  
10 may come out of that as to whether there is anything this Commission should or should  
11 not be doing and to be determined but obviously I'm not against progress and I'm not  
12 against using technology when and where it is applicable. Maybe this is still a work in  
13 progress, maybe it is what it needs to be, I'm not going to make that decision. Obviously  
14 one of the partners in this are the drivers and if in fact it is not working and I'm also  
15 aware that we can get ten drivers in a room and get varying opinions on what time of day  
16 it is and what the track may be like or not like so I'm not coming out one way or the other  
17 but just asking if you would - to gain some information and report back to the  
18 Administration for them to take a new look at it based on what you may or may not  
19 conclude. So thank you. Any questions? If not, thank you.

20 MR. MCCOAG: Thank you.

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RAYMOND P. MACDONALD, B.A., CVR  
Commissioner of Oaths