



COMMISSION HEARING

TORONTO, ONTARIO – AUGUST 25, 2010

**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  
STANDARD BRED LICENSEE JAY POLIFRONI**

Standardbred Licensee Jay Polifroni ("Polifroni") appealed Ruling SB 41967, dated May 11, 2010, wherein he was suspended for 45 days (July 15, 2010 – August 28, 2010), plus 2 years probation (August 29, 2010 – August 29, 2012) and fined Polifroni \$1,000.00, for maltreatment of the horse TRICKY PROSPECT, in violation of Rule 6.20(b), 6.20(c), 22.23.03(e), 22.23.05, and 26.02.01 of the Rules of Standardbred Racing.

A stay of the suspension was granted by the Director on July 15, 2010, pursuant to Ruling SB 131/2010, pending the hearing of the appeal.

The appeal was scheduled to proceed on August 19, 2010, but was adjourned at Mr. Polifroni's request.

On August 25, 2010, a Panel of the ORC consisting of Chair Rod Seiling, was convened for the purpose of determining if the stay should be extended or terminated.

Angela Holland appeared as counsel for the Administration. Polifroni was in attendance and James Evans appeared as counsel for Polifroni.

Upon hearing the submissions of counsel for the Administration and counsel for Polifroni, it was agreed that the appeal would proceed on September 16, 2010, at 9:00 a.m., and the Panel ordered that the stay remain in place, with the condition that if there are any rule infractions by Polifroni in the interim, the stay will be automatically lifted.

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

DATED at Toronto this 27<sup>th</sup> day of August 2010.

BY ORDER OF THE COMMISSION

  
John L. Blakney  
Executive Director



1 Hearing continued ...

2 MR. CHAIRMAN: Okay. 9:00 on September  
3 16th and the stay can stay in place. If there are any rule  
4 infractions by Mr. Polifroni in the interim the stay will automatically  
5 be lifted.

6 MR. EVANS: Thank you, Mr. Chair.

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CERTIFIED CORRECT: \_\_\_\_\_  
RAYMOND P. MACDONALD, B.A., CVR  
Commissioner of Oaths