

FINES AND SUSPENSIONS BULLETIN

Fri, Jan 5 - Thu, Jan 11

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.

BONGIORNO, JENNIFER L

M on 1/20/2023

ALPINE, NJ

FINED: \$500

FULL - 15 DAYS, 2/2/2024 THRU 2/16/2024

HORSE DISQUALIFIED, PURSE

REDISTRIBUTION

YOB 1990

POSITIVE TEST- POST RACE

AMENDED Jennifer Bongiorno was the programmed trainer of the horse DONATO PATRIOT K when he raced in the 4th race at the Meadowlands Racetrack on January 20, 2023. Following this race, DONATO PATRIOT K was required to submit blood samples for analysis. A report from Industrial Laboratories identified the presence of Dexamethasone above the allowable limits. As a result, Ms. Bongiorno is issued a full suspension of her New Jersey Racing Commission license for a period of fifteen (15) days and fined the sum of five hundred (\$500.00) dollars. Said suspension shall begin on July 25, 2023 and run through August 8, 2023. inclusive. During the period of suspension, Ms. Bongiorno is denied all 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 DONATO PATRIOT K is hereby disqualified from sharing in the purse from the 4th race on January 20, 2023. The payment of the fine associated with this ruling must be received by the New Jersey Racing Commission on or before August 8, 2023. MMV points -1/2 point Violation of N.J.A.C 13:71-23.1(a)(b)(14) Violation of N.J.A.C.13:71-23.6(a)(b)(c)(d) Violation of N.J.A.C. 13:71-23.7(a)(b)(c)(d)

Status as of 1/9/2024 - Subsequent Ruling - Jennifer Bongiorno withdrew her appeal in Jennifer Bongiorno v. New Jersey Racing Commission, OAL Docket No. RAC 06968-2023N, which resulted in the OAL returning her case file to the New Jersey Racing Commission. At issue in the appeal was Ruling No. 23MDH87, dated June 27, 2023 in which the Board of Judges at Meadowlands Racetrack imposed a 15 day suspension, \$500.00 fine, disqualification of the horse "Donato Patriot K" and 1/2 MMV point for violation of N.J.A.C. 13:71-23.1(a)(b)(14), N.J.A.C. 13:71-23.6(a)(b)(c)(d) and N.J.A.C. 13:71-23.7(a)(b)(c)(d) in connection with a post-race positive test result revealing the presence of Dexamethasone in the horse "Donato Patriot K" after the 4th race on January 20, 2023. Ms. Bongiorno appealed the decision of the Board of

Judges and requested a stay of the penalties. By Ruling No. 23TRH26, dated July 20, 2023, a stay was granted and the matter was transmitted to the Office of Administrative Law as a contested case. Having withdrawn her appeal, the penalties issued in Ruling No. 23MDH87 by the Board of Judges at Meadowlands Racetrack are reinstated. Ms. Bongiorno is hereby issued a 15 day suspension, fined \$500.00 and 1/2 MMV points are imposed. Said suspension will be served from February 2, 2024 through and including February 16, 2024. Payment of the \$500.00 fine is due on or before February 16, 2024. The horse "Donato Patriot K" is hereby disqualified from sharing in the purse from the 4th race on January 20, 2023 at Meadowlands Racetrack. The Horsemen's Bookkeeper is hereby ordered to redistribute the purse monies from the 4th race on January 20, 2023 at Meadowlands Racetrack accordingly. This matter is hereby referred to the Board of Judges for a hearing to determine if further disciplinary action is warranted in the event Ms. Bongiorno fails to show good cause to the Board of Judges as to why the withdrawal of her appeal should not be deemed frivolous in accordance with N.J.A.C. 13:71-3.6. Related rulings:

BREWER, BOBBIE JO
DTN on 12/2/2023

XENIA, OH **YOB 1979**
FINED: \$1,000
FULL - 7 DAYS, 1/11/2024 THRU 1/17/2024
HORSE DISQUALIFIED - PLACED 9, PURSE
REDISTRIBUTION

POSITIVE TEST- POST RACE

OSRC 3769-18-01-A(1,10,13,15,16), 3769-18-02, 3769-17-43. Blood sample #919483 was tested by the Ohio Department of Agriculture ATL and was found to contain Isoflupredone, a Class 4 drug, at a concentration of 191 picograms per milliliter of plasma, which exceeds the Regulatory Threshold of 100 picograms per milliliter of plasma adopted by the OSRC. Blood sample #919483 was provided by #4 Uncle Leon, who finished 1st in race 14 on 12/2/23 at Dayton Raceway, and was trained by Ms. Brewer. #4 is disqualified and placed 9th and the purse earnings of \$3500 are ordered to be returned and redistributed. Ms. Brewer is fined \$1000 and given a 15 day full suspension (01/11/24-01/25/24), or a \$1000 fine and 7 day full suspension (01/11/24-01/17/24) if not appealed. The fine must be paid to the OSRC by January 21, 2024. The purse earnings must be returned to Dayton Raceway also by January 21, 2024. During her suspension, Ms. Brewer is denied the use and privileges of all the grounds sanctioned by the OSRC. All horses owned and/or trained by Ms. Brewer may only be transferred by the Judges at Miami Valley Raceway or by the OSRC. This is Ms. Brewer's 2nd medication violation in the last 365 days. Ms. Brewer has waived her rights to a hearing, a split sample and an appeal.

BURKE, RONALD J
PcD on 8/12/2023

CANONSBURG, PA **YOB 1969**
FINED: \$2,500
FULL - 30 DAYS, 1/19/2024 THRU 2/17/2024
HORSE DISQUALIFIED, PURSE
REDISTRIBUTION

POSITIVE TEST- POST RACE

PA Code 7-203.22, 401.3(a)(b) Sample # 405639 collected from the horse SAN DOMINO A after race #13 on 8/12/2023 at Pocono Downs was found to contain Glycopyrrolate. This is a violation of the PA medication rules. Ron Burke as the trainer of record is fined \$2500 and suspended (Full) 30 days starting on 1/19/2024 and continuing through 2/17/2024. SAN DOMINO A finished 1st and is disqualified. There is loss of the purse of \$7,250.00 which must be returned for redistribution. During this suspension all horses owned and trained by him are barred from all grounds under the jurisdiction of the SHRC. Any transfer of horses by Mr. Burke must be approved by the judges at Pocono Downs or the SHRC. This ruling may be appealed in writing within 10 days of this decision. The State Horse Racing Commission 2301 N. Cameron St. Room 301, Harrisburg, PA 17110. Attn: Anthony Salerno Phone: 717-787-5196

DEL CID, FRANCISCO

Nfld on 9/12/2023

BORDENTOWN, NJ

**FINED: \$500
HORSE DISQUALIFIED, PURSE
REDISTRIBUTION**

YOB 1960

POSITIVE TEST- POST RACE

Blood sample #906634 collected at Northfield Park on 9/12/23 from the horse Ignatius Hanover was found to contain dexamethasone (Class 4, Category C) at a concentration of 21+-3 picograms per milliliter of plasma. This exceeds the Regulatory Threshold of 5 picograms per milliliter adopted by the OSRC. A telephonic hearing was conducted with Mr. Del Cid on 1/3/24. He is hereby fined \$1000. Ignatius Hanover is disqualified and as a result of that disqualification all purse money must be returned (\$7,500.00). The penalty will be reduced to a fine of \$500 and loss of purse if not appealed. O.S.R.C.-3769-18-01(B)(10)&(13) 18-02 Mr. Del Cid has 48 hours to appeal this ruling. The fine and purse money must be paid by 1/13/24.

EISENHOWER, JOSEPH M SR.

Fhld on 10/5/2023

SEWELL, NJ

**FINED: \$500...*STAYED*
FULL - 15 DAYS, 1/5/2024 THRU
1/19/2024...*STAYED*
HORSE DISQUALIFIED, PURSE
REDISTRIBUTION...*STAYED***

YOB 1951

POSITIVE TEST- POST RACE

As a result of the administrative hearing conducted on November 30, 2023 the Board of Judges has determined that: New Jersey Racing Commission (N.J.R.C.) licensee, Joseph Eisenhower Sr. was the programmed trainer of the horse THSWAYORTHEHIGHWAY when it competed in the 1st race at Freehold Raceway on Thursday October 5,2023; The horse THISWAYORTHEHIGHWAY finished 1st in the 1st race on October 5, 2023: Following its performance in the 1st race at Freehold Raceway on October 5, 2023, the horse THISWAYORTHEHIGHWAY was selected to submit blood and urine samples for analysis; The blood sample collected from the horse THISWAYORTHEHIGHWAY on October 5, 2023 identified the presence of the substance 5-Hydroxydantrolene above the allowable

threshold; The presence of 5-Hydroxydantrolene in the horse THISWAYORTHEHIGHWAY on October 5, 2023 above the allowable threshold is in direct violation of NJRC rule N.J.A.C. 13:71-23.1; Mr. Eisenhower waived his right to a split sample; As a trainer licensed by the NJRC, Mr. Eisenhower: is the absolute insurer of and responsible for the condition of a horse within his care and custody; shall not enter or start a horse that has in its body any drug or substance foreign to the natural horse; Has the duty to be familiar with medication rules of the Commission and with any drug or substance foreign the natural horse administered to said horse at his direction or while in his custody and care. As a result of the positive post-race blood analysis, Mr. Eisenhower is in violation of N.J.A.C 13:71-23.6(a)(b)(c)(d) as such Mr. Eisenhower is suspended for a period of fifteen (15) days, Friday, January 5, 2024 through and including Friday, January 19, 2024. Mr. Eisenhower is also fined the sum of five hundred (\$500.00) dollars. Payment of the fine associated with this ruling must be received by the N.J.R.C. on or before January 19, 2024. Consistent with N.J.A.C. 13:71-23.7, the horse THISWAYORTHEHIGHWAY is hereby **Status as of 1/9/2024 - Stay - The New Jersey Racing Commission is in receipt of a notice of appeal and request for a stay from trainer Joseph Eisenhower, Sr. in connection with the 15 day suspension and \$500 fine issued by the Board of Judges at Freehold Raceway for the violation of N.J.A.C. 13:71-23.1, N.J.A.C. 13:71-23.6(a)(b)(c)(d) and N.J.A.C. 13:71-23.7 in connection with a positive post-race analysis for 5-Hydroxydantrolene in the horse "Thiswayorthehighway" in the 1st race on October 5, 2023 at Freehold Raceway. The Executive Director, having considered the request for a stay, hereby grants a stay of the penalties pending a final determination by the Racing Commission. This matter will be transmitted to the Office of Administrative Law for a denovo hearing. Related ruling: 23FRE107, dated December 7, 2023**

HAIMES, HEATHER E
Haw on 2/26/2022

STURGIS, MS **YOB 1973**
RESTORED TO GOOD STANDING(RES) AS OF
1/8/2024

FAILURE TO OBTAIN PROPER LICENSE

Having failed to complete 2022 IRB licensing requirements (submit permanent application), the owners license of Heather Haimes is hereby suspended in the state of Illinois.

Status as of 1/8/2024 - Subsequent Ruling - Having submitted fingerprints, owner Heather Haimes is restored to good standing an eligible for a license in Illinois.

LONGO, DAVID A
Haw on 11/29/2023

GRAYSLAKE, IL **YOB 1954**
RESTORED TO GOOD STANDING(RES) AS OF
1/2/2024

FAILURE TO OBTAIN PROPER LICENSE

IRB Rule 502.115 Fingerprints Having failed to comply with 2023 IRB licensing requirements (submit fingerprints), the owner`s license of David Longo is hereby suspended. All horses owned wholly or in part by Mr. Longo are ineligible to participate pending a stewards` approved ownership change.

Status as of 1/7/2024 - Subsequent Ruling - Having submitted fingerprints, owner David Longo is hereby restored to good standing in the State of Illinois and eligible for a license.

MADAIRE, DAVID

OTTAWA, ON

YOB 1967

Fhld on 10/20/2023

FINED: \$45

BAD CHECK

On October 20, 2023, you issued check number 018 in the amount of \$36.00 in Canadian dollars payable to the New Jersey Racing Commission. Upon deposit, it was determined that this check was not adjusted to the current foreign rate. As a result, you are hereby fined the sum of \$45.00 in United States dollars for violation of Racing Commission rule N.J.A.C. 13:71-1.21. You are hereby ordered to submit payment of \$55.76 in United States dollars, which consists of the difference in original payment and fine. This payment must be made by 2 separate certified checks or money orders and payment is due no later than February 2, 2024. One check in the amount of \$10.76 (difference in exchange rate) and one in the amount of \$45.00 (fine).

MONGIELLO, AUSTIN

BELLEVILLE, NJ

YOB 1989

NJRC on 1/9/2024

DENIAL OF LICENSE

On or about April 6, 2023, Austin Mongiello applied for a standardbred owners license. The New Jersey Racing Commission conducted an informal hearing with Austin Mongiello on December 11, 2023 and the Commission determined that Austin Mongiello had failed to meet his burden of establishing his qualification for licensure in accordance with N.J.A.C. 13:71-7.7 and 13:71-7.31. Therefore, for the reasons set forth in the Commission's letter dated January 2, 2024, the application of Austin Mongiello for licensure in New Jersey as an owner is hereby denied. Austin Mongiello is denied access to all grounds that are under the jurisdiction of the New Jersey Racing Commission for any and all purposes except for those areas of racetracks that are open to the public.

Status as of 1/9/2024 - Appeal - The New Jersey Racing Commission is in receipt of a notice of appeal from Austin Mongiello in connection with the denial of his application for an owners license. An informal hearing with Austin Mongiello was conducted on December 11, 2023 and the Commission determined that he failed to meet his burden of showing that he is qualified to receive a license as required by N.J.A.C. 13:7.7 and N.J.A.C. 13:71-7.31. As a result, his application for licensure was denied. The Executive Director has directed that the matter be transmitted to the Office of Administrative Law for a de novo hearing.

NEILL, DREW D

DELAWARE, OH

YOB 1999

MVR on 1/8/2024

FINED: \$100

LATE FOR THE BREATH ANALYZER TEST

OSRC 3769-17-29-A(1). Mr. Neill was late for the breathalyzer test at the time prescribed by the Judges. Mr. Neill is fined \$200, or \$100 if not appealed, which is due within 10 days of this ruling. Mr. Neill has 48 hours to appeal this decision to the OSRC.

ROUSCULP, CRAIG S
MVR on 1/9/2024

MECHNICSBURG, OH
FINED: \$100
INDEFINITE SUSPENSION(IND) AS OF 1/9/2024

YOB 1970

FAILURE TO PAY FINE(S)

OSRC 3769-17-36, 3769-17-99. Mr. Rousculp has failed to pay the fine levied against him in ruling 23-DAY-113. Mr. Rousculp is fined an additional \$100 and is indefinitely suspended until the fines are paid. During his suspension, Mr. Rousculp is denied the use and privileges of all the grounds sanctioned by the OSRC. All horses owned and/or trained by Mr. Rousculp may only be transferred by the judges at Miami Valley Raceway or the OSRC.

SCHILLACI, SAMUEL J
Nfld on 9/3/2023

MACEDONIA, OH
FINED: \$1,000

YOB 1962

FULL - 365 DAYS, 1/1/2024 THRU 12/30/2024
HORSE DISQUALIFIED, PURSE
REDISTRIBUTION
APPEALED - 1/6/2024

POSITIVE TEST- POST RACE

Blood sample #906551 collected at Northfield Park on 9/3/23 from the horse Gardys Legacy A was found to contain D-Methamphetamine. D-Methamphetamine is a Class 1 Category A offense. Mr. Schillaci had a hearing with the judges on 12/27/23. He is hereby fined \$1000 and suspended 365 days. Gardys Legacy A is disqualified and as a result of that disqualification all purse money must be returned for redistribution (\$4,500.00). First offense in the last 365 days. If this ruling is not appealed the suspension will be reduced to 60 days (with 305 days stayed pending no Class 1 or 2 positives in the next 365 days). O.S.R.C.-3769-18-01(B)(10)(13)&(16) 18-02 The fine and purse money must be paid by 1/6/24. During his suspension Mr. Schillaci is barred from all grounds governed by the OSRC. Any horse that he wants to transfer to another owner or trainer must be approved by the judges or OSRC. Mr. Schillaci has 48 hours to appeal.

Status as of 1/6/2024 - Appeal

SPYCHALA, ERIN
DTN on 12/29/2023

PINCKNEY, MI

YOB 1995

INDEFINITE SUSPENSION(IND) AS OF 1/12/2024

UNAUTHORIZED ADMISSION TO THE PADDOCK

OSRC 3769-17-29-A(1), 3769-14-23-D. Ms. Spsychala is indefinitely suspended in Ohio until she appears in front of the Judges at Miami Valley Raceway, Dayton Raceway or Scioto Downs for a hearing. Ms. Spsychala has been ordered by the Judges at ALL 4 harness tracks in Ohio not to be in the paddock unless she had a horse entered to race that she owned. On 12/29/23 at Dayton Raceway, Ms. Spsychala once again failed to obey the Judges instructions and entered the paddock without having a horse of her own entered to race. The Paddock Judge at Dayton Raceway attempted to deliver a notice of hearing and/or fine to Ms. Spsychala but she fled from the paddock prior to delivery of such notice.

Ms. Spychala is denied the use and privileges of all the grounds sanctioned by the OSRC while being indefinitely suspended.

Status as of 1/10/2024 - Subsequent Ruling - Ms. Spychala appeared before the Judges at Miami Valley Raceway on 1/10/24. Ms. Spychala admitted to the Judges that she did violate the Judges instructions and the conditions of her 2023 OSRC Probationary Owners license by coming into the paddock and barn areas of each harness racetrack in Ohio, without having one of her own horses into race. Ms. Spychala is indefinitely suspended, placed on the Stop List, and referred to the OSRC for any further action they may deem necessary. During her suspension, Ms. Spychala is denied the use and privileges of all the grounds sanctioned by the OSRC. Ms. Spychala has 48 hours to appeal this decision to the OSRC. OSRC 3769-12-26-A(2,3,4,10), 3769-17-29-A(1).

VER HAGE, RYAN M

Nor on 10/14/2023

WAYLAND, MI

RESTORED TO GOOD STANDING(RES) AS OF
1/5/2024

YOB 1991

FAILURE TO PAY FINE(S)

MGCB Ruling 7648 - Ryan Verhage is hereby suspended for failure to pay fine in the amount of \$50.00 as ordered by MGCB Stewards' Ruling #7626

Status as of 1/5/2024 - Subsequent Ruling - MGCB Ruling 7657 - Having met the financial requirements as set forth in MGCB Stewards' Ruling 7626, the suspension of the occupational license issued to Ryan Verhage is hereby lifted. Ryan Verhage is restored to good standing.

Haw on 10/27/2023

RESTORED TO GOOD STANDING(RES) AS OF
1/3/2024

FAILURE TO PAY FINE(S)

Driver/trainer Ryan Ver Hage is hereby suspended for failure to pay \$800 in fines associated with Ruling 2023-1334 within the 30 day period.

Status as of 1/7/2024 - Subsequent Ruling - Having paid the fine assessed in Illinois Racing Board Ruling #1334, trainer Ryan Ver Hage is hereby restored to good standing in the state of Illinois and eligible for a license.

PART THREE - WHIPPING VIOLATIONS

INDOF, JEREMY F

Mea on 1/3/2024

BELLE VERNON, PA

FINED: \$200

YOB 1996

INAPPROPRIATE USE OF THE WHIP

PA CODE 7-205.409(3)(c) While driving #1 HURRIKANE LORI ANN in Race 13 on 1/3/2024 at the Meadows, Jeremy Indof did use an exaggerated motion of the whipping arm. Whip motion shall be restricted to elbow and wrist action only and whipping arm shall not be raised above shoulder height. Mr. Indof has waived a hearing/appeal and is fined \$200 which must be paid within 10 days of the ruling.

MERTON, GREGORY **MONTICELLO, NY** **YOB 1973**
MR on 12/27/2023
FINED: \$250
DRIVING - 1 DAY, 12/29/2023 THRU 12/29/2023

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Rule 4117.8 (C) Driver Greg Merton is hereby assessed a penalty of \$250 and suspended 1 day (driving privileges only) for excessive use of the whip while driving #1 "Shoreview" in the 5th race on 12/27/2023 at Monticello Raceway. (2nd offense in this category in a 365-day period.)

SWIFT, KYLE **LANCASTER, NY** **YOB 2005**
Btva on 1/8/2024
FINED: \$100
INAPPROPRIATE USE OF THE WHIP

PART FOUR - MINOR PENALTIES

BEATTIE, JASON R **OREGONIA, OH** **YOB 1972**
MVR on 1/9/2024
FINED: \$200
JOSTLE, STRIKE OR HOOK WHEELS

HAIMES, TERRY M **STURGIS, MS** **YOB 1946**
MVR on 1/8/2024
FINED: \$300
FAILURE TO HONOR DECLARATION

HANNERS, AUSTIN B **FRANKFORT, OH** **YOB 1999**
MVR on 1/9/2024
FINED: \$200
HORSE PLACED 6
INSIDE THE EURO RAIL / PYLON VIOLATION

HANNERS, LUKE **CHILLICOTHE, OH** **YOB 2000**
MVR on 1/9/2024
FINED: \$100
INSIDE THE EURO RAIL / PYLON VIOLATION

HOUSEHOLDER, TOMMY L **DELAWARE, OH** **YOB 1957**
MVR on 1/9/2024
FINED: \$300
FAILURE TO HONOR DECLARATION

KILLEEN, JACK J **CANONSBURG, PA** **YOB 2000**
Mea on 1/3/2024
FINED: \$200
HORSE PLACED 5
IMPEDING THE PROGRESS OF ANOTHER HORSE

LACKEY, JAMES EMMETT **SACRAMENTO, CA** **YOB 1952**
CaIX on 12/29/2023
FINED: \$50

FAILURE TO OBEY THE INSTRUCTIONS OF A RACING OFFICIAL

LONGO, GERALD CaIX on 12/29/2023 FAILURE TO OBEY THE INSTRUCTIONS OF A RACING OFFICIAL	RIVERSIDE, CA FINED: \$50	YOB 1945
MEDEIROS, MATTHEW A MR on 1/5/2024 LATE DRIVER CHANGE	MONTAGUE, NJ FINED: \$100	YOB 1969
MILLER, BRETT A MVR on 1/4/2024 JOSTLE, STRIKE OR HOOK WHEELS MVR on 1/9/2024 INSIDE THE EURO RAIL / PYLON VIOLATION MVR on 1/9/2024 INSIDE THE EURO RAIL / PYLON VIOLATION	BLACKLICK, OH FINED: \$200 FINED: \$100 FINED: \$200 HORSE PLACED 2	YOB 1973
MORGAN, VIRGIL V JR MVR on 1/9/2024 FAILURE TO HONOR DECLARATION	GROVE CITY, OH FINED: \$300	YOB 1965
O'MARA, DANIEL J MVR on 1/8/2024 LATE DRIVER CHANGE	GREENVILLE, OH FINED: \$200	YOB 1955
PALONE, DAVID M Mea on 1/5/2024 INSIDE THE EURO RAIL / PYLON VIOLATION	WASHINGTON, PA FINED: \$200	YOB 1962
ROSS, JORDAN M MVR on 1/8/2024 INSIDE THE EURO RAIL / PYLON VIOLATION	COVINGTON, TN FINED: \$100 HORSE PLACED 8	YOB 1997
SMITH, JEREMY R MVR on 1/4/2024 IMPEDING THE PROGRESS OF ANOTHER HORSE	WASHINGTON CH, OH FINED: \$200 HORSE PLACED 7	YOB 1980
TAGGART, JIM R JR MR on 12/29/2023	WILKES BARRE, PA FINED: \$100 HORSE PLACED 4	YOB 1970

INSIDE THE EURO RAIL / PYLON VIOLATION