

# **AGENDA ITEM NO. 9:**

Approval of the renewal of Hoosier Park's satellite facility licenses in New Haven and Indianapolis for 2017 in accordance with 71 IAC 12-1-23 and 71 IAC 12-1-10.

# —Centaur Gaming®

2016 OCT 27 A 11:04

October 26, 2016

VIA FEDERAL EXPRESS

INDIANA  
HORSE RACING COMMISSION

The Honorable Mike Smith, Executive Director  
Indiana Horse Racing Commission  
1302 North Meridian Street, Suite 175  
Indianapolis, IN 46202

RE: Hoosier Park, LLC – New Haven Satellite Facility  
Request for Renewal of License and 2017 Approval of 2017 Simulcast Dates

Dear Mike:

Pursuant to 71 IAC 12-1-23 and 71 IAC 12-1-10, Hoosier Park, LLC (Hoosier Park) operating as Winner's Circle Brew Pub and Off Track Betting at 1304 Minnich Road, New Haven, Indiana (New Haven) hereby submits its proposed simulcasting dates at New Haven in 2017, as follows:

- Simulcast of races up to seven (7) days and seven (7) nights a week during calendar year 2017, and
- Calendars outlining the simulcast schedule to be submitted to the Commission on a monthly basis during calendar year 2017.

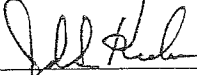
It is Hoosier Park's understanding that this submission of proposed simulcast dates for 2017, the request for conditional approval of the simulcast dates pursuant to 71 IAC 12-1-9 and the representation that there have been no material changes in the information previously submitted to the Commission for New Haven's license application, shall constitute the annual license renewal, in accordance with 71 IAC-12-1-3(b) and 71 IAC 12-1-23. We believe that the requested dates will have a positive impact upon Hoosier Park's purses and will provide a wide variety of products to the patrons, which, in turn, should maximize the revenue to the State of Indiana.

Enclosed please find Hoosier Park's check in the amount of \$1,000.00 in payment of the renewal fee and ten (10) copies of this letter. Please return a file stamped copy of this letter in the self-addressed, post paid envelope that is enclosed.

If you need any additional information, please do not hesitate to contact me.

Sincerely,

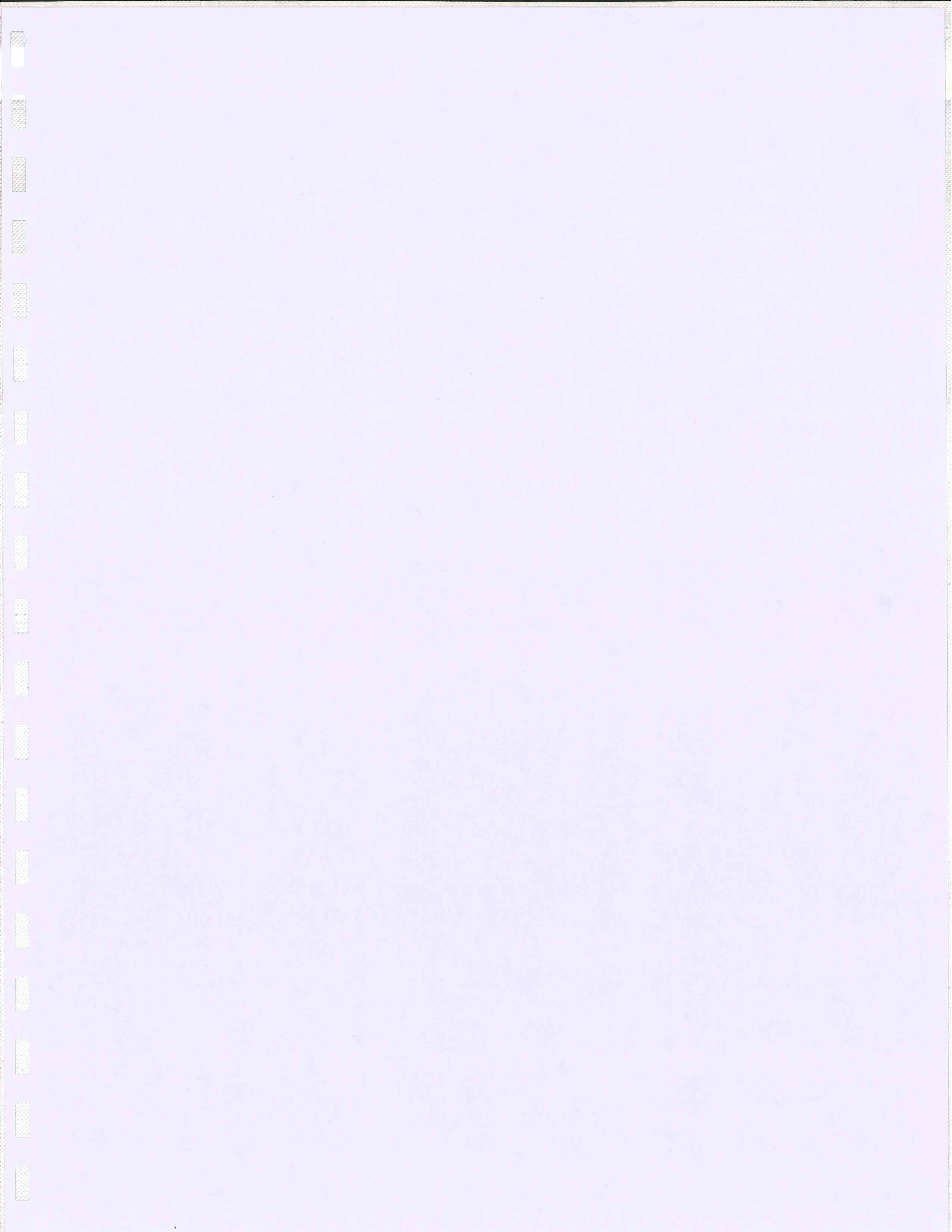
Hoosier Park, LLC

By  \_\_\_\_\_

John S. Keeler

Vice President & General Counsel of  
New Centaur, LLC, its Manager

cc: Jim Brown  
Lea Ellingwood, Esq.  
Rick Moore



# Centaur Gaming®

2016 OCT 27 A 11:04

October 26, 2016

INDIANA  
HORSE RACING COMMISSION

VIA FEDERAL EXPRESS

The Honorable Mike Smith, Executive Director  
Indiana Horse Racing Commission  
1302 North Meridian Street, Suite 175  
Indianapolis, IN 46202

RE: Hoosier Park, LLC – Indianapolis Satellite Facility  
Request for Renewal of License and for Approval of 2017 Simulcast Dates

Dear Mike:

Pursuant to 71 IAC 12-1-23 and 71 IAC 12-1-10, Hoosier Park, LLC (Hoosier Park) operating as Winner's Circle Pub-Grille-OTB at 20 North Pennsylvania Street, Indianapolis, Indiana (Indianapolis) hereby submits its proposed simulcasting dates at Indianapolis in 2017, as follows:

- Simulcast of races up to seven (7) days and seven (7) nights a week during calendar year 2017, and
- Calendars outlining the simulcast schedule to be submitted to the Commission on a monthly basis during calendar year 2017.

It is Hoosier Park's understanding that this submission of proposed simulcast dates for 2015, the request for conditional approval of the simulcast dates pursuant to 71 IAC 12-1-9 and the representation that there have been no material changes in the information previously submitted to the Commission for Indianapolis' license application, shall constitute the annual license renewal, in accordance with 71 IAC-12-1-3(b) and 71 IAC 12-1-23. We believe that the requested dates will have a positive impact upon Hoosier Park's purses and will provide a wide variety of products to the patrons, which, in turn, should maximize the revenue to the State of Indiana.

Enclosed please find Hoosier Park's check in the amount of \$1,000.00 in payment of the renewal fee and ten (10) copies of this letter. Please return a file stamped copy of this letter in the self-addressed, post paid envelope that is enclosed.

If you need any additional information, please do not hesitate to contact me.

Sincerely,

Hoosier Park, LLC

By 

John S. Keeler

Vice President & General Counsel of  
New Centaur, LLC, its Manager

cc: Jim Brown  
Lea Ellingwood, Esq.  
Rick Moore

# **AGENDA ITEM NO. 10:**

Review of Indiana Grand's permit renewal application and consideration of pari-mutuel permit for 2017 in accordance with 71 IAC 11-1-21 and consideration of Indiana Grand's request for live racing dates for 2016 pursuant to IC4-31-5-9, IC 4-31-5-10 and 71 IAC 11-1-7.

# —Centaur Gaming®

2016 OCT 27 A 11:01

October 26, 2016

The Honorable Michael Smith, Executive Director  
Indiana Horse Racing Commission  
1302 N. Meridian Street, Ste. 175  
Indianapolis, IN 46202

INDIANA  
HORSE RACING COMMISSION

Re: Centaur Acquisition, LLC, Verified Application for Annual Permit Renewal  
and for Approval of 2017 Race Dates

Dear Mike,

Please consider this letter as Centaur Acquisition, LLC's (Grand) Application for Annual Permit Renewal  
and for approval of 2017 Race Dates.

This application is made pursuant to IC 4.31-5-2(a) and IC 4-31-5-9 as well as the following  
administrative rules: (1) 71 IAC 11-1-3(b); (2) 71 IAC 11-1-7; (3) 71 IAC 11-1-21 and (4) 71 IAC 2-9-1.  
In support thereof Grand states that:

- 1) Grand is an Indiana limited liability company;
- 2) Grand is the holder of a recognized meeting permit to conduct pari-mutuel horse racing at  
Grand, 4200 N. Michigan Road, Shelbyville, Indiana 46176 and that the Indiana Horse  
Racing Commission (Commission) has previously approved Grand for the exclusive racing of  
Quarter Horse and Thoroughbred horses;
- 3) Grand is the owner of its racing plant with a physically connected clubhouse that displays for  
public inspection trophies, memorabilia and instructional materials depicting the history of  
horse racing and is available as a repository for the collections of the Indiana Harness Horse  
Hall of Fame; and
- 4) Grand proposes to conduct a total of 120 days of Thoroughbred and Quarter Horse racing,  
commencing on Tuesday, April 18, 2017, and concluding on Saturday, October 28, 2017. Of



Hon. Mike Smith  
October 26, 2016  
Page 2

the 120 race days, which are required by IC 4-31-7-7 if Grand is to enjoy unlimited simulcasting, 114 days will be devoted to Thoroughbred racing with occasional Quarter Horse racing and 6 days will be devoted exclusively to Quarter Horse contests. Racing will Tuesday, Wednesday, Friday and Saturday except during the period of July 1 through August 30, when racing will also take place on Thursdays. A calendar of race dates is attached hereto as Exhibit A and by reference made a part hereof.

Enclosed Please find Grand's check in the amount of \$5,000.00 made payable to the Commission in payment of the annual non-refundable renewal fee and ten (10) copies of this letter. Please return a file stamped copy of this letter in the self-addressed, post paid envelope enclosed.

The undersigned verifies under the penalties of perjury that the foregoing representations are true and that Grand has satisfied all requirements for the renewal of its permit.

Respectfully submitted,

Centaur Acquisition, LLC

By 

John S. Keeler

Vice President and General Counsel

New Centaur, LLC, its Manager

cc: Jim Brown (w/enclosure)  
Lea Ellingwood (w/enclosure)  
Jon Schuster (w/enclosure)

Enclosure

Exhibit A, page 2



2017 LIVE RACING CALENDAR

120 Days

(Thursday Racing July 1 - August 30) OCT 27 A 11:01

APRIL						
SUN	MON	TUE	WED	THUR	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

MAY						
SUN	MON	TUE	WED	THUR	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JUNE						
SUN	MON	TUE	WED	THUR	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

JULY						
SUN	MON	TUE	WED	THUR	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUGUST						
SUN	MON	TUE	WED	THUR	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SEPTEMBER						
SUN	MON	TUE	WED	THUR	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

OCTOBER						
SUN	MON	TUE	WED	THUR	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Exhibit A

**2017 Race Dates**

**April 18 through October 28 - 120 Days**  
Quarter Horse and Thoroughbred

2016 OCT 27 A 11:02

Post Time: 2:05 p.m. Weekdays and 6:05 p.m. Saturdays

10/27/16 11:02 AM

April - 18, 19, 21, 22, 25, 26, 28, 29 - 8 days

May - 2, 3, 5, 6, 9, 10, 12, 13, 16, 17, 19, 20, 23, 24, 26, 27, 30, 31 - 18 days

June - 2, 3, 6, 7, 9, 10, 13, 14, 16, 17, 20, 21, 23, 24, 27, 28, 30 - 17 days

July - 1, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29 - 21 days

August - 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30 - 22 days

September - 1, 2, 5, 6, 8, 9, 12, 13, 15, 16, 19, 20, 22, 23, 26, 27, 29, 30 - 18 days

October - 3, 4, 6, 7, 10, 11, 13, 14, 17, 18, 20, 21, 24, 25, 27, 28 - 16 days

**TOTAL DAYS            120 days**

# **AGENDA ITEM NO. 11:**

Approval of the renewal of Indiana Grand's satellite facility license in Clarksville for 2017 in accordance with 71 IAC 12-1-23 and 71 IAC 12-1-10.

# —Centaur Gaming®

2016 OCT 27 A 11: 05

October 26, 2016

INDIANA  
HORSE RACING  
COMMISSION

## VIA FEDERAL EXPRESS

The Honorable Mike Smith, Executive Director  
Indiana Horse Racing Commission  
1302 North Meridian Street, Suite 175  
Indianapolis, IN 46202

RE: Centaur Acquisition, LLC – Clarksville Satellite Facility  
Request for Renewal of License and 2017 Approval of 2017 Simulcast Dates

Dear Mike:

Pursuant to 71 IAC 12-1-23 and 71 IAC 12-1-10, Centaur Acquisition, LLC (Centaur Acquisition) operating as Clarksville OTB at 650 Eastern Avenue, Clarksville, Indiana (Clarksville) hereby submits its proposed simulcasting dates at New Haven in 2017, as follows:

- Simulcast of races up to seven (7) days and seven (7) nights a week during calendar year 2017, and
- Calendars outlining the simulcast schedule to be submitted to the Commission on a monthly basis during calendar year 2017.

It is Centaur Acquisition's understanding that this submission of proposed simulcast dates for 2017, the request for conditional approval of the simulcast dates pursuant to 71 IAC 12-1-9 and the representation that there have been no material changes in the information previously submitted to the Commission for Clarksville's license application, shall constitute the annual license renewal, in accordance with 71 IAC-12-1-3(b) and 71 IAC 12-1-23. We believe that the requested dates will have a positive impact upon Indiana Grand's purses and will provide a wide variety of products to the patrons, which, in turn, should maximize the revenue to the State of Indiana.

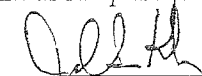
Enclosed please find Centaur Acquisition's check in the amount of \$1,000.00 in payment of the renewal fee and ten (10) copies of this letter. Please return a file stamped copy of this letter in the self-addressed, post paid envelope that is also enclosed.

If you need any additional information, please do not hesitate to contact me.

Sincerely,

Centaur Acquisition, LLC

By



John S. Keeler  
Vice President & General Counsel of  
New Centaur, LLC, its Manager

cc: Jim Brown  
Lea Ellingwood, Esq.  
Jon Schuster

# **AGENDA ITEM NO. 12:**

Review of commission rulings – August 1, 2016 – November 30, 2016.

# Ruling Log

Ruling Number	Ruling Date	Name	Breed	Violation Date	Violation	Fines	Suspended From	Suspended To	Days Suspended
16112	8/4/2016	HAWKEY, JOY	SB	7/30/2016	Failure to honor dec.	200			
16113	8/4/2016	ADAM, ALEX	SB	2/8/2016	Late driver change	50			
16114	8/4/2016	BARBEE, JOSHUA	SB	7/30/2016	License Terminated				
16115	8/5/2016	CULLIPHER, TERRY	SB	2/8/2016	Whip-indiscriminate		7/8/2016	08/12/2016	
16116	8/5/2016	FRYE, GARY	SB	4/8/2016	Fail Drive W/I Program	50			
16563	8/5/2016	WHITAKER, CHARLENE	TB	11/3/2016	Restored-Miscellaneous				
16564	8/5/2016	WHITAKER, LARRY	TB	11/3/2016	Restored-Miscellaneous				
16565	8/5/2016	JIMENEZ, ALBIN	TB	3/8/2016	Whip-excessive	500			
16108	8/9/2016	STOHLER, TRENT	SB	6/14/2016	Flunixin	750			
16568	8/9/2016	JONES, CHRISTOPHER	TB	8/16/2012	Restored - FP Rec'd				
16567	8/9/2016	OXENDINE, SMITTY	QH	7/23/2016	Methamphetamine (Human)		7/23/2016	09/21/2016	61
16109	8/9/2016	STOHLER, TRENT	SB	6/28/2016	Flunixin				
16566	8/9/2016	SMITH, RANDY	QH	3/21/2016	Trainer Responsibility	2500	8/17/2016	10/29/2016	74
16569	8/13/2016	GREENWELL, JERRY	TB	11/5/2016	Restored-Miscellaneous				
16121	8/16/2016	LLOYD, JUSTIN	SB	8/13/2016	Late driver change	50			
16120	8/16/2016	YODER, JAMES	SB	8/13/2016	Whip-indiscriminate	300			
16119	8/16/2016	TETRICK, TRACE	SB	12/8/2016	Whip-indiscriminate	300			
16117	8/16/2016	DILLANDER, CHARLES	SB	12/8/2016	Driving Infraction	200			
16122	8/16/2016	DELONG, JOHN	SB	2/8/2016	Whip-indiscriminate	500			



Ruling Number	Ruling Date	Name	Breed	Violation Date	Violation	Fines	Suspended From	Suspended To	Days Suspended
16118	8/16/2016	MILLER, DAVID	SB	12/8/2016	Whip-indiscriminate	500			
16571	8/18/2016	BOERJAN, EDWARD	TB	8/18/2016	License Terminated				
16570	8/18/2016	SANCHEZ, RIGOBERTO	QH	8/17/2016	Exp/Misg Health	100			
16123	8/18/2016	ANDERSON, JON	SB	8/16/2015	Driving Infraction	100			
16573	8/19/2016	FLORES, JUAN	TB	8/13/2016	Alcohol on backside	200			
16574	8/19/2016	GARCIA, DONISIO	TB	8/13/2016	Alcohol on backside	200			
16572	8/19/2016	ARIAS, JAIME	TB	8/13/2016	Alcohol on backside	200			
16124	8/23/2016	WRENN, MELANIE	SB	6/29/2016	Methylprednisolone	1000		Purse Redist.	
16125	8/25/2016	HARMON, DONALD	SB	8/20/2016	Fail Drive W/I Program	50			
16578	8/26/2016	MARTINEZ, RICARDO	QH	7/15/2016	Clenbuterol	500	8/28/2016	Purse Redist.	
16575	8/26/2016	ALVAREZ, MAELY	TB	8/23/2016	Alcohol on backside	300			
16576	8/26/2016	HERNANDEZ, NORBERTO	TB	8/23/2016	Alcohol on backside	200			
16577	8/26/2016	JIMENEZ, ALBIN	TB	8/24/2016	Riding Infraction		2/9/2016	Appeal	3
16579	8/31/2016	GEER, JACK	TB	8/30/2016	License Terminated				
16126	8/31/2016	WIDGER, SAMUEL	SB	8/26/2016	Whip-indiscriminate	300			
16128	9/2/2016	FINN, JARED	SB	8/31/2016	Driving Infraction	100			
16581	9/3/2016	CARMONA, EUSEBIO	TB	8/30/2016	Failure to obtain license	100			
16580	9/3/2016	GARCIA, GENARO	TB	7/15/2016	Clenbuterol	1500			
16582	9/7/2016	HUFFMAN, LARRY	TB	7/9/2016	License Terminated				
16132	9/7/2016	DEL CID, FRANCISCO	SB	4/22/2002	Restored - Fine Paid			Restored	
16131	9/7/2016	LINSCOTT, JAMIE	SB	8/27/2016	Employed Unlic. Help	100			
16130	9/7/2016	HITEMAN, DALE	SB	6/9/2016	Fail Drive W/I Program	50			
16127	9/7/2016	PAGE, CHRIS	SB	1/9/2016	Fail Drive W/I Program	50			
16584	9/8/2016	BRACHO, RICHARD	TB	3/9/2016	Riding Infraction	500			

Ruling Number	Ruling Date	Name	Breed	Violation Date	Violation	Fines	Suspended From	Suspended To	Days Suspended
16133	9/8/2016	SMITH, JOEL	SB	7/9/2016	Late driver change	50			
16129	9/8/2016	MURPHY, MIKE	SB	8/30/2016	Miscellaneous	25			
16583	9/8/2016	GALVAN-RUVALCABA,	QH	3/9/2016	Riding Infraction		9/13/2016	09/16/2016	3
16585	9/9/2016	JIMENEZ, ALBIN	TB	8/24/2016	Riding Infraction		9/16/2016	Withdraw	3
16586	9/9/2016	COA, DANIEL	TB	5/19/2015	Restored-Miscellaneous				
16134	9/10/2016	SHETLER, ANDY	SB	9/9/2016	Interference	200			
16588	9/13/2016	GROGAN, ANTHONY	TB	9/13/2016	License Terminated				
16135	9/13/2016	CARPENTER, BRIAN	SB	7/14/2016	Whip-indiscriminate		7/16/2016	07/20/2016	5
16587	9/13/2016	CUNNINGHAM, ANTHONY	TB	9/9/2016	Exp/Misg Health	1000			
16136	9/15/2016	BASEN, ABRAHAM	SB	12/8/1995	Restored-Miscellaneous				
16138	9/17/2016	HARMON, DONALD	SB	9/24/2016	Fail Drive W/I Program	50			
16589	9/20/2016	RUIZ, JOSE	QH	9/17/2016	Failure to Honor Ride	200			
16591	9/21/2016	MENA, JOSE	TB	9/21/2016	Failure to Honor Ride	200			
16590	9/21/2016	MARTIN, DAWN	TB	9/21/2016	Trainer Responsibility	100			
16137	9/21/2016	HARMON, DONALD	SB	9/22/2016	Fail Drive W/I Program	50			
16592	9/23/2016	ROBERTS, MERRILL	TB	9/21/2016	Trainer Responsibility	100			
16139	9/24/2016	PLANO, RICHARD	SB	9/22/2016	Pylon violation	50			
16140	9/24/2016	CALLAHAN, COREY	SB	9/23/2016	Driving Infraction	200			
16594	9/24/2016	WILCOX, DUANE	TB	10/9/2016	Vet-Lasix administration	1250			
16593	9/24/2016	ESQUEDA-GARCIA,	QH	9/23/2016	Whip-indiscriminate	200			
16142	9/27/2016	VORHEES, ALLAN	SB	8/31/2016	Methylprednisolone	1000		Purse Redist.	
16141	9/27/2016	MILLER, HARRY	SB	6/9/2016	Methocarbamol	1000		Purse Redist.	
16144	9/28/2016	CROSS, ODELL	SB	9/27/2016	Fail Drive W/I Program	50			
16145	9/28/2016	TAYLOR, ROBERT	SB	9/27/2016	Fail Drive W/I Program	50			

Ruling Number	Ruling Date	Name	Breed	Violation Date	Violation	Fines	Suspended From	Suspended To	Days Suspended
16143	9/28/2016	JOHNSON, BRENDAN	SB	9/20/2016	Careless/Reckless		9/27/2016	10/01/2016	5
16596	9/30/2016	BRACHO, RICHARD	TB	9/27/2016	Riding Infraction		5/10/2016	10/08/2016	4
16147	10/1/2016	SHETLER, ANDY	SB	9/29/2016	Driving Infraction	200			
16146	10/1/2016	BALIGA, JOSEPH	SB	9/30/2016	Summarily suspended		1/10/2016	Pend. Hearing	
16148	10/1/2016	ROBERTS, RONNIE	SB	9/30/2016	Late driver change	50			
16598	10/4/2016	METZ, BRYAN	TB	9/30/2016	Trainer Responsibility	100			
16597	10/4/2016	COLEBROOK, BEN	TB	9/27/2016	Trainer Responsibility	100			
16599	10/4/2016	DE LA CRUZ, VICTOR	TB	4/10/2016	Summarily suspended		4/10/2016	Pending	
16595	10/4/2016	MOGGE, WAYNE	TB	7/29/2016	Carisoprodo & Meprobamte	2500	10/15/2016	Pending	
16605	10/4/2016	DE LA CRUZ, VICTOR	TB	6/10/2016	Summarily suspended		6/10/2016	Appeal	
16600	10/5/2016	GARCIA, GILBERTO	TB	9/30/2016	Summarily suspended		5/10/2016	Pend. Hearing	
16603	10/6/2016	ALVIDREZ, ARMANDO	QH	9/24/2016	Cocaine (Human)		6/10/2016	Pend. Hearing	
16151	10/6/2016	CONRAD, CHARLES	SB	4/10/2016	Pylon violation	50			
16149	10/6/2016	COLLEY, AARON	SB	9/9/2016	Dexamethasone	1000			
16602	10/6/2016	GONZALES, FRANCISCO	TB	9/23/2016	Alcohol on backside	200			
16150	10/6/2016	DELONG, JOHN	SB	9/30/2016	Whip-indiscriminate	500			
16604	10/6/2016	GODINEZ-DIAZ, EDGAR	TB	8/26/2016	Summarily suspended		6/10/2016	Pend. Hearing	
16152	10/6/2016	PLANO, RICHARD	SB	4/10/2016	Pylon violation	50			
16601	10/6/2016	JENNINGS, EDDIE	TB	1/10/2016	Failed Breathalyzer	100			
16154	10/8/2016	LONEY, ROCKY	SB	6/10/2016	Whip-indiscriminate	300			
16157	10/8/2016	WARREN, TODD	SB	7/10/2016	Whip-indiscriminate	500			
16156	10/8/2016	BATES, BRANDON	SB	7/10/2016	Driving Infraction	100			
16155	10/8/2016	HITEMAN, DALE	SB	7/10/2016	Late for Breathalyzer	50			
16158	10/11/2016	MERRIMAN, AARON	SB	8/10/2016	Driving Infraction	100			

Ruling Number	Ruling Date	Name	Breed	Violation Date	Violation	Fines	Suspended From	Suspended To	Days Suspended
16606	10/13/2016	GALLARDO, EDUARDO	TB	7/10/2016	Riding Infraction		10/18/2016	10/21/2016	3
16159	10/13/2016	EDWARDS, JEFFREY	SB	12/10/2016	Whip-indiscriminate	300			
16607	10/14/2016	JIMENEZ, ALBIN	TB	8/24/2016	Riding Infraction		10/14/2016	10/18/2016	5
16160	10/14/2016	LONEY, ROCKY	SB	10/13/2016	Fail Drive W/I Program	100			
16161	10/15/2016	HARMON, KRISTA	SB	10/15/2016	Summarily suspended		10/15/2016	Pend. Hearing	
16609	10/18/2016	GULICK, JAMES	TB	10/18/2016	License Terminated				
16608	10/19/2016	REID, DAVID	TB	12/7/2016	Dexamethasone	1000		Purse Redist.	
16611	10/20/2016	GODINEZ-DIAZ, EDGAR	TB	8/26/2016	Summarily suspended		10/20/2016	Pending	
16162	10/20/2016	HITEMAN, DALE	SB	10/15/2016	Driving Infraction	200			
16612	10/20/2016	ALVIDREZ, ARMANDO	QH	9/24/2016	Summarily suspended		10/20/2016	Pend. Hearing	
16163	10/20/2016	WIDGER, SAMUEL	SB	10/15/2016	Driving Infraction	100			
16165	10/20/2016	MILLER, ALVIN	SB	10/18/2016	Interference		10/19/2016	10/23/2016	5
16166	10/20/2016	MELLOY, PATRICK	SB	10/19/2016	Driving Infraction	100			
16167	10/20/2016	BIRCH, DARRY	SB	10/20/2016	Failure to honor dec.	200			
16610	10/20/2016	GARCIA, GILBERTO	TB	9/30/2016	Summarily suspended		10/20/2016	Pending	
16614	10/21/2016	MARTIN, PAUL	QH	8/27/2016	Trainer Responsibility	500			
16168	10/21/2016	PLANO, RICHARD	SB	10/19/2016	Pylon violation	50			
16613	10/21/2016	GARCIA, NATIVIDAD	TB	10/18/2016	Poss. Contrl. Sub. (Human)	250			
16616	10/22/2016	DAVIS, JOSEPH	QH	8/26/2016	Conduct/Behavior	500			
16615	10/22/2016	DOBBS, ROBERT	TB	10/21/2016	Trainer Responsibility	100			
16169	10/26/2016	SMITH, TYLER	SB	10/15/2016	Driving Infraction	200			
16170	10/26/2016	DELONG, JOHN	SB	10/19/2016	Driving Infraction	200			
16171	10/26/2016	WARREN, TODD	SB	10/21/2016	Driving Infraction	100			
16625	10/29/2016	ARES, PAUL	TB	9/17/2016	F-Print Requirements		10/29/2016	Pend. FP Req.	

Ruling Number	Ruling Date	Name	Breed	Violation Date	Violation	Fines	Suspended From	Suspended To	Days Suspended
16624	10/29/2016	KAISER, JASON	TB	6/8/2016	F-Print Requirements		10/29/2016	Pend. FP Req.	
16617	10/29/2016	RANGEL, GUILLERMO	TB	12/8/2016	Dexamethasone	1000		Purse Redist.	
16175	10/29/2016	HORNER, CLAY	SB	9/22/2016	F-Print Requirements		10/29/2016	Pend. FP Req.	
16172	10/29/2016	COTTONGIM, CHARLOTTE	SB	9/23/2016	F-Print Requirements		10/29/2016	Pend. FP Req.	
16619	10/29/2016	HEMMINGER, WILLIAM	TB	11/7/2016	F-Print Requirements		10/29/2016	Pend. FP Req.	
16174	10/29/2016	POILLUCCI, RICHARD	SB	9/24/2016	F-Print Requirements		10/29/2016	Restored	
16173	10/29/2016	COTTONGIM, DANNIE	SB	9/23/2016	F-Print Requirements		10/29/2016	Pend. FP Req.	
16618	10/29/2016	GILFORTE, JARRET	TB	9/5/2016	F-Print Requirements		10/29/2016	Pend. FP Req.	
16621	10/29/2016	RABADAN, EFRAIN	TB	7/24/2016	F-Print Requirements		10/29/2016	Pend. FP Req.	
16623	10/29/2016	TILLER, MICHAEL	TB	7/29/2016	F-Print Requirements		10/29/2016	Pend. FP Req.	
16622	10/29/2016	BIBB, DAVID	TB	7/29/2016	F-Print Requirements		10/29/2016	Pend. FP Req.	
16176	10/31/2016	HARMON, KRISTA	SB	10/31/2016	Summarily suspended		10/15/2016	Pend. Hearing	
16177	10/31/2016	BALIGA, JOSEPH	SB	9/30/2016	Summarily suspended		1/10/2016	Pend. Hearing	
16179	11/1/2016	HITEMAN, DALE	SB	10/28/2016	Fail Drive W/I Program	100			
16178	11/1/2016	WIDGER, SAMUEL	SB	10/27/2016	Driving Infraction	200			
16181	11/1/2016	SLUPKA, CHRIS	SB	10/29/2016	Illegal Parking	25			
16180	11/1/2016	WIDGER, SAMUEL	SB	10/25/2016	Driving Infraction	200			
16183	11/2/2016	KRUEGER, MATTHEW	SB	1/11/2016	Driving Infraction	200			
16182	11/2/2016	WIDGER, SAMUEL	SB	10/28/2016	Fail to obey Judges	250	8/11/2016	11/09/2016	2
16187	11/4/2016	BATES, BRANDON	SB	2/11/2016	Pylon violation	50			
16186	11/4/2016	EASH, DONALD	SB	2/11/2016	Driving Infraction	200			
16185	11/4/2016	WIDGER, SAMUEL	SB	1/11/2016	Driving Infraction	400			
16184	11/4/2016	SIMMONS, THOMAS	SB	9/21/2016	Dexamethasone	1000			
16188	11/5/2016	HARRIS, ANDREW	SB	4/11/2016	Late driver change	50			

Ruling Number	Ruling Date	Name	Breed	Violation Date	Violation	Fines	Suspended From	Suspended To	Days Suspended
16189	11/9/2016	SHETLER, ANDY	SB	5/11/2016	Driving Infraction	200			
16191	11/10/2016	GEORGE, SCOTT	SB	9/11/2016	Failure to Honor Ride	200			
16190	11/10/2016	SHETLER, ANDY	SB	8/11/2016	Whip-bleeding/welts	500			
16192	11/15/2016	POILLUCCI, RICHARD	SB	10/29/2016	Restored - FP Rec'd			Restored	
16194	11/22/2016	CLEVENGER, TIMOTHY	SB	10/29/2016	Clenbuterol				
16193	11/22/2016	CLEVENGER, TIMOTHY	SB	10/27/2016	Clenbuterol	500			
16627	11/28/2016	HOEWELER, ROBERT	TB	10/31/2015	Restored - FP Rec'd			Restored	

# **AGENDA ITEM NO. 13:**

Commission Consideration of Proposed Emergency Rule Changes

TITLE 71 INDIANA HORSE RACING COMMISSION

Emergency Rule

LSA Document #16 - \_\_\_\_ (E)

DIGEST

Amends 71 IAC 1-1-100 and 71 IAC 1.5-1-94 regarding "Simulcast" defined. Adds 1-101.1 and 71 IAC 1.5-1-101.1 regarding the definition of television. Amends 71 IAC 2-10-1 regarding the exclusion of patrons. Amends 71 IAC 6-3-2 regarding conditions of the race and 71 IAC 14.5-2-3 regarding stallion registration. Repeals 71 IAC 4-2-2. Effective upon filing with the Publisher.

SECTION 1. 71 IAC 1-1-100 IS AMENDED TO READ AS FOLLOWS:

71 IAC 1-1-100 "Simulcast" defined

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 100. "Simulcast" means ~~live audio and visual electronic signals emanating from a licensed horse racing meeting and transmitted simultaneously with the running of the races at the meeting.~~ **the communication by electronic device of a race at a recognized meeting and information related to the race, including:**

- (1) a personal computer or other device which enables communication over the Internet;**
- (2) a private network;**
- (3) an interactive video display or television;**
- (4) a wireless communication technology; or**
- (5) an interactive computer service, as defined in IC 35-45-5-1(g).**

This term includes the transmission of pari-mutuel wagering odds, amounts wagered, and payoffs on such events.

*(Indiana Horse Racing Commission; 71 IAC 1-1-100; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1122; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA)*

SECTION 2. 71 IAC 1-1-101.1 IS ADDED TO READ AS FOLLOWS:

Authority: IC 4-31-3-9

Affected: IC-31

Sec. 101.1 "Televisé" means to transmit by an electronic system simultaneous or past images of fixed or moving objects together with or without sound over a wire or through space by an apparatus that converts light and sound into electronic waves or signals and reconverts them into visible light rays and audible sounds that may be received and or displayed:



- (1) Over a personal computer or other device which enables communication over the internet;
- (2) A private network;
- (3) An interactive video display or television;
- (4) A wireless communication technology; or
- (5) An interactive computer service (as defined in IC 35-45-5-1 (g)).

SECTION 3. 71 IAC 1.5-1-94 IS AMENDED TO READ AS FOLLOWS:

71 IAC 1.5-1-94 "Simulcast" defined

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 94. "Simulcast" means ~~live audio and visual electronic signals emanating from a licensed horse racing meeting and transmitted simultaneously with the running of the races at the meeting.~~ **the communication by electronic device of a race at a recognized meeting and information related to the race, including:**

- (1) a personal computer or other device which enables communication over the Internet;
- (2) a private network;
- (3) an interactive video display or television;
- (4) a wireless communication technology; or
- (5) an interactive computer service, as defined in IC 35-45-5-1(g).

This term includes the transmission of pari-mutuel wagering odds, amounts wagered, and payoffs on such events. *(Indiana Horse Racing Commission; 71 IAC 1.5-1-94; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2823, eff Jul 1, 1995; readopted filed Oct 20, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA)*

SECTION 4. 71 IAC 1.5-1-101.1 IS ADDED TO READ AS FOLLOWS:

71 IAC 1.5-1-101.1 "Televis"e

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 101.1 "Televis"e means to transmit by an electronic system simultaneous or past images of fixed or moving objects together with or without sound over a wire or through space by an apparatus that converts light and sound into electronic waves or signals and reconverts them into visible light rays and audible sounds that may be received and or displayed:

- (1) Over a personal computer or other device which enables communication over the internet;
- (2) A private network;
- (3) An interactive video display or television;
- (4) A wireless communication technology; or
- (5) An interactive computer service (as defined in IC 35-45-5-1 (g)).

SECTION 5. 71 IAC 2-10-1 IS AMENDED TO READ AS FOLLOWS:

71 IAC 2-10-1 Exclusion of patrons and licensed and unlicensed persons

Authority: IC 4-31-3-9

Affected: IC 4-31-13-1

Sec. 1. (a) The judges, executive director, or commission may order an individual ejected or excluded from all or part of any premises under the regulatory jurisdiction of the commission if the judges, executive director, or commission determines that:

(1) the individual may be ejected or excluded under ~~IC 4-31-13-1(a)(3)~~ **IC 4-31-13-1(b)**; and

(2) the individual's presence on association grounds is inconsistent with maintaining the honesty and integrity of racing.

(b) An exclusion may be ordered separately or in conjunction with other disciplinary action taken by the judges or commission. If an exclusion is ordered separately, the excluded individual is entitled to a hearing before the judges or commission. A hearing on an exclusion shall be conducted in the same manner as other hearings conducted by the judges or commission.

(c) Unless otherwise provided, exclusions under this section shall be for all of the premises under the regulatory jurisdiction of the commission, including satellite facilities. (*Indiana Horse Racing Commission; 71 IAC 2-10-1; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1125; emergency rule filed Mar 25, 1996, 10:15 a.m.: 19 IR 2070; emergency rule filed Mar 25, 1997, 10:00 a.m.: 20 IR 2151; emergency rule filed Feb 20, 2001, 10:08 a.m.: 24 IR 2097; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA*)

SECTION 6. 71 IAC 6-3-2 IS AMENDED TO READ AS FOLLOWS:

71 IAC 6-3-2 Conditions

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 2. (a) Conditions may be based only on any one (1) or more combinations of the following qualifications:

(1) A horse's money winnings in a specified number of previous races or during a specified previous time.

(2) A horse's finishing position in a specified number of previous races or during a specified period of time.

(3) Age.

(4) Sex.

(5) The number of starts during a specified period of time.

(6) Special qualifications for foreign horses that do not have a representative number of starts in the United States or Canada.

(7) The exclusion of schooling races.

(b) With the exception of Indiana Sired, **Indiana Sired and Bred**, and ~~of~~ Indiana Sired

preferred, conditions shall not be written in such a way that any horse is deprived of an opportunity to race in a normal preference cycle. Where the word preference is used in a condition, it shall not supersede date preference as provided in these rules. Not more than three (3) also eligible conditions shall be used in writing the conditions for overnight events.

(c) The commission may, upon application from the racing secretary, approve conditions other than those listed in this section for special events.

(d) In the event there are conflicting published conditions and neither one nor the other is withdrawn by the association, the one more favorable to the declarer shall govern.

(e) For the purpose of eligibility, a racing season or racing year shall be the calendar year. All races based on winnings will be programmed non-winners of a specified dollar amount or winners over a specified dollar amount. Additional conditions may be added. When recording winnings, gross winnings shall be used and cents shall be disregarded.

(f) Records and time bars shall not be used as a condition of eligibility.

(g) Horses must be eligible when declarations close subject to the following provisions:

(1) Wins and winnings on or after the closing date of declarations shall not be considered.

(2) Age allowances shall be given according to the age of the horse on the date the race is contested.

(3) In mixed races, trotting, and pacing, a horse must be eligible under the conditions for the gait at which it is stated in the declaration the horse will perform.

(h) When conditions refer to previous performances, those performances shall only include those in a purse race. Each dash or heat shall be considered as a separate performance for the purpose of condition races.

(i) No more than four (4) trailers shall be permitted, regardless of the size of the track, except with the approval of the commission. At least eight (8) feet per horse must be provided the starters in the front tier.

(j) The racing secretary may reject the declaration to an overnight event of any horse whose past performance indicates that it would be below the competitive level of other horses declared to that particular event. (*Indiana Horse Racing Commission; 71 IAC 6-3-2; emergency rule filed Aug 10, 1994, 3:30 p.m.: 17 IR 2909; emergency rule filed Feb 24, 2000, 2:32 p.m.: 23 IR 1669, eff Feb 24, 2000; errata filed Mar 2, 2000, 4:06 p.m.: 23 IR 1656; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Mar 23, 2010, 1:27 p.m.: 20100331-IR-071100170ERA*)

SECTION 7. 71 IAC 4-2-2 AND 71 IAC 4.5-2-2 ARE REPEALED.

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71 IAC 4-2-2 Bond requirements (TO BE REPEALED)

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 2. (a) An association shall file with the commission a bond payable to the commission in an amount determined by the commission for pari-mutuel racing and in either case not more than the financial liability of the association license throughout the race meeting for which the association license is requested.

(b) The bond shall be:

(1) executed by the applicant and a surety company or companies authorized to do

business in this jurisdiction; and

(2) conditioned upon the payment by the association of all taxes and all other monies due and payable:

(A) pursuant to statutory provisions;

(B) from horsemen's accounts; and

(C) from the presentation of winning tickets. The association will distribute all sums due to the patrons of pari-mutuel pools.

(c) The financial liabilities incurred by the association in the form of real estate mortgages shall not be included in the determination of the bond amount. (Indiana Horse Racing Commission; 71 IAC 4-2-2; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1134; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR- 071070030RFA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA)

71 IAC 4.5-2-2 Bond requirements (TO BE REPEALED)

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 2. (a) An association shall file with the commission a bond payable to the commission in an amount determined by the commission for pari-mutuel racing and in either case not more than the financial liability of the association license throughout the race meeting for which the association license is requested.

(b) The bond shall be:

(1) executed by the applicant and a surety company or companies authorized to do business in this jurisdiction; and

(2) conditioned upon the payment by the association of all taxes and all other monies due and payable:

(A) pursuant to statutory provisions;

(B) from horsemen's accounts; and

(C) from the presentation of winning tickets. The association will distribute all sums due to the patrons of pari-mutuel pools.

(c) The financial liabilities incurred by the association in the form of real estate mortgages shall not be included in the determination of the bond amount. (Indiana Horse Racing Commission; 71 IAC 4.5-2-2; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2840, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA)