



**Delaware Thoroughbred Racing Commission
Minutes of Meeting Held On
February 11, 2020**

The Delaware Thoroughbred Racing Commission held a Public meeting on
Tuesday, February 11, 2020, at 10:05am at the Horsemen's Office, Delaware Park, 777 Delaware
Park Blvd., Wilmington, DE 19804

The following Commission members were present:

W. Duncan Patterson, Jr., Chairman
Edward Stegemeier, Secretary-Commissioner – Absent, excused
Richard A Levine, Esq, Commissioner
Henry J. Decker, Commissioner
Debra M. Killeen, Commissioner – called in via teleconference – non voting

The following individuals also were present:

John F. Wayne, DTRC, Executive Director
Maria White, Admin
John Damico, Owner, Witness
E. Tony Langford, DTRC, State Steward
Mike Gorham, Trainer
Gary Katz, Attorney
Oliver Cleary, Esq. Deputy Attorney General, DOJ
Scott Peck, DTHA President
Alan Pincus, Attorney for David Neilson
Fritz Burkhardt, DTRC, State Steward
Eric Coatrieux, DTRC, Safety Steward
Robert Colton, Director Delaware Jockey's Association
Kevin DeLucia Sr., Vice President & CFO, Racing-Administration, Delaware Park
Bessie Gruwell, DTHA, Executive Director
Sarah Crane, DTRC, Investigator
Chris Sobocinski, Delaware Park Media Coordinator
Susan J Botts, DTRC Chief Veterinarian
Diane Borger-Ness, Stewards Secretary, Delaware Park
Wallace Neilson, Trainer
Steven Bertrando, Owner
Anthony Pecoraro, Trainer, Appellant
Jeff Ganc, Delaware Park, Asst Director of Security
Andrew Mollica, Esq., Attorney representing Anthony Pecoraro
Allyson Swartzentruber, DTRC, Administrative Asst. (Recording Minutes)
Gloria M. D'Amore, Court Reporter, Wilcox and Fetzer (appeal hearing minutes)
David Neilson, Owner, Appellant
Lisa See, Asst. Trainer
Kadijah Smith, DTRC Administrative Asst (Recording Minutes)
Brian Nash, (Hot Walker)
Geri Wilson, DTHA Support Staff

Margie Stallings, Stall Superintendent, Delaware Park
Lance Parrott, Head Outrider, Delaware Park
MaryPage Bailey, DOJ, Commission Council

1. WELCOME & CALL TO ORDER

At approximately 10:09 A.M., Chairman Duncan Patterson called the meeting to order.

2. APPROVAL OF MINUTES (January 22, 2020 MEETING)

Upon a motion duly made by Commissioner Decker and seconded by Commissioner Levine, the minutes from the January 22, 2020 meeting were unanimously approved.

3. Report from DTRC Commission Veterinarian – Health Report and Information

As requested at the last meeting Dr. Botts confirmed that Dr. Gillam called New Bolton Center and they advised they NBC could detect bisphosphonates use in the horse. We would have to let them know when we send a postmortem in that we would like that done. Per Chairman Patterson this was discussed at the last meeting. Bisphosphonates could not be given to horses under 4 years of age.

4. OLD BUSINESS

Proposed rule changes in conjunction with ARCI Model Rules that were discussed at the January 22, 2019. Rule proposals still in process.

5. Report from DTRC Executive Director

Due to time constraints, the Commission motioned to table this item until the next meeting

6. Report From Thoroughbred Horsemen’s Association

Due to time constraints, the Commission motioned to table this item until the next meeting

7. NEW BUSINESS

A. Appeal of Anthony Pecoraro Regarding Steward’s Ruling 132-2019
Appeal Number: ASR 132-2019

B. Appeal of David Neilson Regarding Steward’s Ruling 131-2019
Appeal Number: ASR 131-2019

Mr. Pincus counsel for David Neilson suggested that there be one hearing for the two appeals. Chairman Patterson agreed to hear together and rule separately.

Verbatim testimony was taken by the Court Reporter.

Mr. Cleary waives opening remarks.

Mr. Pincus, council for David Neilson, begins opening remarks at approximately 10:14 a.m. He understood the seriousness of a horse breaking down and how the commission is proactive in preventing such issues. The horse was treated to make it sound, and his client did not violate anything as it pertains to racing.

Mr. Mollica, council for Anthony Pecoraro, began his opening remarks at approximately 10:17 a.m., stating that there is no evidence that Mr. Pecoraro was involved in any racing violation.

Mr. Cleary first called Tony Langford, steward for the State of Delaware at approximately 10:19 a.m. Mr. Pincus questioned why he was being called. Mr. Langford was sworn in by the court reporter at approximately 10:21 a.m. Motion to view video of hearing that was conducted on Monday November 18, 2019 in the Stewards office. Viewing of video begins at approximately 10:23 a.m.

Mr. Mollica objected to witnesses being present during review of video evidence exhibit one at approximately 10:30 a.m. Dr. Botts and Mr. Damico and were sequestered to another location as video evidence is reviewed.

Mr. Cleary requested that Mr. John Wayne, DTRC, Executive Director be exempt from sequestering, as he would not be providing testimony for the hearing, Council unanimously agreed. Mr. Cleary also requested that Mr. Langford be excused after providing testimony and cross examination to make his flight. No objections.

Mr. Cleary entered the following evidence from the Stewards as listed in the following exhibits:

- Exhibit 1 Lifetime past performance for Glencairn.
- Exhibit 2: ARCI Report for Dave Nielson.
- Exhibit 3: ARCI Comprehensive Report for Dave Nielson.
- Exhibit 4: ARCI Comprehensive Report for Anthony Pecoraro.
- Exhibit 5: ARCI Comprehensive Report for Anthony Pecoraro.
- Exhibit 6: Postmortem report filled out by Dr. Botts.
- Exhibit 7: Final Report from the Pennsylvania Animal Diagnostic Laboratory System.

Mr. Decker confirms if all parties have had the opportunity to review the exhibits. Which was unanimously confirmed by opposing council.

There were no objections to the exhibits entered. The remaining Steward exhibits will be entered as additional witnesses come forth to testify.

At approximately 10:40 Stewards video evidence presumes.

At approximately 11:24 Stewards video has ended; Mr. Cleary asks that the video be entered into evidence and is entered as Exhibit 8.

Mr. Cleary questioned Mr. Langford to determine if there were any disciplinary actions taken against Mr. Pecoraro and Mr. Neilson. The action was a 6-month suspension and a \$2500.00 fine. It was found that they violated Stewards rule. 15.14, 15.14.1, 15.14.1.2, 15.14.1.3, 15.14.2, 15.14.2.5.1.

Mr. Mollica objected due to no citation reference to trainer responsibility in original ruling, alleging the non-reporting of any shockwave treatment. Due to limited discovery council also objected to any amendments of the ruling.

Mr. Decker advised the fine amount was stated incorrectly and it was confirmed in the original ruling documents that the fine was mitigated down from the original \$2500.00 to \$1000.00 in both cases. Mr. Langford confirmed this correction.

Mr. Cleary questioned Mr. Langford if he typically cites the trainer rule when they issue a ruling. Mr. Langford advised that all rulings are not against a trainer, and that in this case it would be.

Mr. Mollica requested that based on Mr. Langford's answer any reference to trainer responsibility be omitted from the inquiry, as it was not charged in the charging document.

Mr. Cleary did not object to Mr. Mollica's suggested, in light of the rule that would normally be mentioned as it relates to trainer responsibility and withdrew the question.

Mr. Decker questioned Mr. Cleary as to whether trainer responsibility was a part of the order. Mr. Cleary responded that it was not in the original order contrary to general practice of the Stewards.

Mr. Patterson questioned what if Mr. Pecoraro had knowledge that the shockwave therapy had been given within the 10-day period.

Mr. Mollica objected stating it caused for conjecture, that you would need someone with personal knowledge to ask the question.

Mr. Cleary advised that Mr. Pecoraro could testify willingly, or someone with firsthand knowledge that shockwave therapy was taking place, in which case notwithstanding the lack of a primary responsibility rule for the trainer, the Stewards take the position he could separately be found liable for that.

Mr. Mollica clarified the question and it was confirmed that Mr. Pecoraro could be asked the question about his knowledge of the shockwave therapy.

Mr. Cleary continued questioning Mr. Langford and asked if he spoke to a Dr. Conner, and if he knew anything about shockwave therapy. Mr. Langford responded that Dr. Conner did not recall the incident and that he did not talk about shockwave therapy broadly. He did not have any records to support the claim in the hearing.

Mr. Pincus objected because there was a hearing and the ruling was based on that hearing. He questioned if whether a decision would be made based on something outside of the hearing.

Mr. Cleary clarified with Mr. Langford when he spoke to Dr. Conner. Mr. Langford advised it was after the hearing.

Mr. Pincus continued to state his objection, due to the passing of Dr. Conner who could not be cross examined.

Mr. Mollica interjected advising that he requested in discovery the record and books of Dr. Conner and confirmation that he passed away. Advised he received nothing.

Mr. Pincus questioned if the state of Delaware had the right to obtain additional evidence after the initial hearing and ruling was made.

Mr. Cleary responded that under rule 19.1.4 they were not bound technically by the procedure of evidence presented at the hearing. The stewards could go out and conduct a new investigation to bolster their underlying decision and present the new evidence.

Mr. Decker reasserted to Mr. Pincus that when Dr. Conner was contacted, he could not remember.

Mr. Patterson questioned Mr. Cleary regarding the steward's rights to contact people to corroborate defendant testimony from hearing.

Mr. Cleary advised it was their right to do so.

Mr. Decker asked when horse was shipped to Delaware Park.

Mr. Langford's response: Horse shipped to Delaware Park June 18, 2019; left on July 15, 2019 and went to Alpha Omega; returned to Delaware Park on July 31, 2019, entered August 1, 2019 and ran on August 5, 2019.

No further Questions from Mr. Cleary

At Approximately 11:39 a.m. Mr. Pincus cross examines Mr. Langford to verify Mr. Neilson's history of violations and how excellent it is.

No further questions from Mr. Pincus

At Approximately 11:45 Mr. Mollica cross examines Mr. Langford to verify the invoices in the evidence. One was corrected and the other changed, questioned if it has been entered into evidence.

Mr. Cleary responded that it had not.

Mr. Mollica continues to question Mr. Langford about the invoice and request that it be entered into evidence.

Mr. Cleary advised he was going to enter with the testimony of Mr. Damico and believed he had a better copy of the invoice.

Additional Stewards exhibits submitted

Exhibit 9: The original invoice from Alpha Omega Farm.

Exhibit 10: The corrected invoice from Alpha Omega Farm.

Exhibit 11: State Police Gold Alert dated October 11, 2019 missing persons report on Dr. Conner.

No objections to Steward Exhibits

Mr. Mollica continues to cross examine and asks Mr. Langford if it were true that Mr. Pecoraro did not admit to authorizing or knowing of any treatment of shockwave therapy. Mr. Langford answered it was true.

No further questions from Mr. Mollica.

Mr. Cleary asked to redirect and wanted Mr. Langford to finish statement.

Mr. Mollica objected did not ask for speculation only wanted a yes or no answer.

Mr. Cleary stated they were not bound by the strict rules of evidence and wanted Mr. Langford to finish and complete his response.

Mr. Mollica stated the tape speaks for itself.

Mr. Cleary asked if Mr. Langford had anything he cared to add.

Mr. Langford attempted to respond, and Mr. Mollica objected.

Mr. Patterson asked Mr. Langford his opinion on trainer responsibility when a horse is sent to a farm for any reason.

Mr. Langford stated it was his opinion that the trainer was still responsible.

Mr. Mollica crossed and asked if Mr. Langford could point him to a rule that would suggest trainer responsibility when shipped to another location.

Mr. Langford responded that once the horse is listed with the racing office. The horse is a part of the trainers file and it is his opinion that the horse remains in the care, custody and control of that trainer. There is no specific ruling when the horse leaves for treatment.

Mr. Decker re-confirmed that there was no trainer responsibility in the ruling, and it was off the table.

Mr. Cleary responded it is a part of the rules however it was not cited in the case.

Trainer Responsibility discussed further between Mr. Decker and Mr. Langford.

Mr. Pincus is still confused about the hearing date based on the testimony of when Mr. Langford had the discussion with Dr. Conner. Questions credibility.

Mr. Cleary objected as it had no bearing on case. Whoever answered, if it was Dr. Conner or someone claiming to be him, advised they had no recollection of the event. The hearing date was confirmed as August 14, 2019 and the state police issued a gold alert that he was missing on October 11, 2019. He was later determined to be found deceased after that.

Per Mr. Wayne, contact was made with the State Police. Dr. Conner's case has been classified as a homicide and they were unable to provide any additional information.

Mr. Mollica continued his cross, asked Mr. Langford to confirm that there was no testimony in the video that Mr. Pecoraro authorized the treatment of shockwave therapy, and that he was unaware that it took place on the dates questioned.

Mr. Langford confirmed it was true.

At approximately 12:06 p.m. Mr. Langford was excused. Stewards witness Dr. Botts was called in to testify.

At approximately 12:08 p.m. Dr Botts is un-sequestered and sworn in by the court reporter.

Mr. Cleary questions Dr. Botts about her employment and how long she has been in her profession. He asked her to provide testimony regarding Stewards Exhibit 8: Exhibit 7: Final Report from the Pennsylvania Animal Diagnostic Laboratory System.

Dr. Botts gave her explanation of the injuries and what why there is a 10-day wait after shockwave.

Mr. Cleary asked if any shockwave machines were registered with the Commission, and if Glencairn was on the Commission vet list by Mr. Nielson. Dr. Botts advises not to her knowledge.

No further question from Mr. Cleary.

At approximately 12:15 p.m. Mr. Pincus cross examines Dr. Botts to determine whose responsibility it was to report the shockwave therapy, and when it needed to be reported.

Mr. Decker addressed Mr. Pincus regarding shockwave therapy, unless the horse is stabled here, there is no way to determine if the therapy has been done off property unless it is reported. The commission does not have farm inspection rights. Commissions vets are not responsible for policing what happens at a farm.

Mr. Pincus addressed if Dr. Conner did not fill out the proper forms would he not be the one who violated the rule.

Mr. Decker's answered we are unable to determine who administered the treatment.

No further questions by Mr. Pincus.

At Approximately 12:23 p.m. Mr. Mollica cross examines Dr. Botts asked if she had any personal knowledge to the shockwave therapy or personal knowledge Mr. Pecoraro knew about it.

Dr. Botts responded correct.

No Further questions from Mr. Mollica.

Mr. Patterson questions Dr. Botts in regard to Stewards Exhibit 9 and in her personal opinion does she believe horse the horse have ran even if the shockwave therapy was given on the 24th and susceptible to catastrophic injury.

Dr. Botts stated hard to tell could be possible.

Mr. Patterson's his experience, it is his opinion the horse should have never run.

Mr. Decker also questioned Dr. Botts regarding treatment of polyglucan on July 31. 2019. Wanted to know what it was used for.

Dr. Botts stated it was a joint injection a newer product in place of hyaluronic acid.

Mr. Decker also questioned the injury to the sesamoids when there is stumbling or bumping out of the gate. How many catastrophic injuries has this occurred?

Mr. Patterson asked, if a majority of the catastrophic injuries seen are due to a pre-existing condition, and if the horse had a pre-existing condition. Dr. Botts replied yes.

Mr. Levine asked if there was a general period between shockwave treatment to the same joint.

Dr. Botts advised there are usually protocol of 1 to 2 weeks apart.

Mr. Levine went over the steward's exhibit. And questions if the same spot would be treated on the same day.

Dr. Botts said it was is highly unusual.

Mr. Patterson asked if a licensed vet would perform the therapy as noted in the exhibit. Dr. Botts advised most would not.

Mr. Mollica redirected.

Mr. Pincus redirected when is it best to tell the new trainer what is going on with horse.

At approximately 12:37p.m. motion to go off record to locate video of race.

At approximately 12:40 p.m. session is back on record to review the video.

Dr. Botts confirms horse was not bumped at the beginning of the race.

At approximately 12:43 p.m Mr. Clearly calls Mr. Damico who is sworn in by the court reporter.

Mr. Cleary questions Mr. Damico and his experience in racing horsing, and how he knows Mr. Pecoraro.

Mr. Damico confirmed he was a managing partner of Glencairn with East Coast partners.

Mr. Cleary continued question to determine the soundness of the horse. If he authorized Mr. Pecoraro to send horse to Mr. Neilson's care. Mr. Damico confirmed yes. Mr. Clear asked if he was aware of the shockwave treatment and if he would have authorized. Mr. Damico responded no.

Mr. Damico stated he never authorized any treatment for shockwave for any of his horses under the care of Mr. Neilson. He was only made aware after the fact. Found out after receiving the invoice.

Mr. Cleary questions the invoices received and Mr. Damico's understanding of shockwave therapy.

Mr. Cleary questions Mr. Damico regarding the horse's breakdown they day it raced.

Mr. Damico advised he questioned Mr. Pecoraro in a phone call regarding the incident.

Mr. Cleary moves to enter Stewards exhibits into evidence.

Exhibit 12: Invoice that was sent to Mr. Damico

Exhibit 13: Notes from phone call to Mr. Pecoraro.

Exhibit 14: Letter to Mr. Neilson from Mr. Damico

Exhibit 15: Email exchange with Mr. Neilson and Mr. Damico.

Exhibit 16: Email with Dr. Baker veterinarian at Belmont Park

Exhibit 17: Notes of Dr. Bakers statement in a more user-friendly language.

No objection to the above exhibits.

Mr. Cleary questions Mr. Damico on his thoughts towards the situation.

Mr. Damico responded it was tragic and unnecessary, and very devastating. He believed the horse was sound. Had no reason to believe anything was wrong with the horse base on assurance from the Vet and Mr. Pecoraro.

No Further questions from Mr. Cleary

At Approximately 12:58 p.m. Mr. Pincus cross examined Mr. Damico. Wanted to know his legal background.

Mr. Damico advised he was a forensic accountant.

Mr. Pincus questioned whose decision it was to send the horse to Delaware.

Mr. Damico said it was Gary Gullo from New York as he felt it would be easier on the horse to run in Delaware.

Mr. Pincus questioned the soundness of the horse due to the drop-in rank when it came to Delaware Park.

Mr. Damico felt that it was a good idea to run horse in Delaware and slowly bring him back up the ladder.

No further questions from Mr. Pincus

Mr. Mollica had no questions

Mr. Patterson questions the drop in the horses rank from \$25,000 to \$5000.00 did not make sense.

Mr. Decker questions exhibit 16 and 17.

Mr. Levine questions the original invoice and the corrected one.

Mr. Pincus re-crosses to ask if Mr. Damico knew that Noltrex was a non-FDA approved medication. Mr. Damico responded no

At approximately 1:16 p.m. No further questions Mr. Damico is excused to leave

At Approximately 1:17 p.m. Committee breaks from session

At Approximately 1:33 p.m. session resumes

Mr. Cleary called Dr. Hawk via telephone for his testimony. Dr Hawk is sworn in by the court reporter.

Mr. Cleary questions Dr. Hawks profession and his dealings with Mr. Pecoraro.

Dr Hawk responds that he is a private practitioner working for various trainers at Delaware Park. He used to work for Mr. Pecoraro and left his employment around July 2017 due to questionable business practices.

Mr. Mollica objected as there was no foundation or any proof surrounding Mr. Pecoraro's alleged questionable business practices.

Mr. Cleary advised he has a right to state his opinion and rephrased the question to if he believed Mr. Pecoraro was operating questionable business practices and how so.

Mr. Mollica continued to object there was no foundation.

Mr. Cleary asked Dr. Hawk what his knowledge of Shockwave therapy was outside of Delaware Park

Dr Hawk responded that he was specifically told by Mr. Pecoraro and his Assistant Lisa See.

No further questions from Mr. Cleary.

Mr. Mollica crosses Dr. Hawk about discrepancies in billing practices with trainers.

Dr. Hawk responded it happened quite often and the trainers are not effective bookkeepers

Mr. Pincus cross Dr. Hawk about how notorious horseman are making mistakes in billing.

Mr. Mollica re-crossed to determine if Dr. Hawk had any personal knowledge of any treatment of shockwave therapy by Mr. Pecoraro or Mr. Neilson. Dr. Hawk responded no.

No further questions.

At approximately 1:47 p.m. The Stewards rest against Mr. Pecoraro

Mr. Mollica motions that the state has not proven case against Mr. Pecoraro would like them to dismiss. Mr. Pincus echoed Mr. Mollica's motion.

Mr. Decker motioned to table after the hearing testimony from Mr. Neilson. Mr. Patterson second the motion.

At approximately 1:49 p.m. Mr. Pincus calls Mr. Neilson who is sworn in by the court reporter. Questions his experience and history in horse racing, as well as his responsibilities on his farm. He questioned his involvement with the horse and what shockwave therapy is. Also, his billing practices on the farm.

Mr. Cleary objects to Mr. Pincus's line of questioning. Leading the witness

Mr. Pincus continues to question Mr. Neilson in his responsibility during shock wave treatment.

Mr. Pincus has no further questions

At approximately 2:04 p.m. Mr. Cleary cross examined Mr. Neilson and questioned what vets come to his farm, who owns the shockwave equipment, how he obtained the equipment, how long the equipment is kept there. Mr. Cleary also questioned if he was a licensed Veterinarian or Pharmacist and if he is licensed to operate a pharmacy or Veterinary clinic.

At approximately 2:12 Mr. Mollica cross examined Mr. Neilson questioned to reconfirm that Mr. Pecoraro sent Glencairn to the farm July 15,2019 and the mandate to swim and jog based on the steward's video.

At approximately 2:13 Mr. Decker questioned Mr. Neilson regarding Dr. Amy Franklin's services on Mr. Neilson's farm and how she is paid. Mr. Neilson confirmed he did not perform the shockwave treatment.

At approximately 2:20 Mr. Patterson questioned Mr. Neilson how payment is distributed when owner is charged for services. Did not understand why Mr. Pecoraro was not notified regarding treatment of the horse.

At approximately 2:25 Mr. Levine questioned Mr. Neilson about the bill and treatment. Advised that Vets should get notice of rule.

Mr. Wayne confirmed that notices had already been sent out.

At approximately 2:36 p.m. Mr. Cleary re-crossed and wanted to know who held the pharmacy license

No further questions

At approximately 2:38 p.m. Mr. Pecoraro was called to testify by Mr. Mollica and sworn in by the court reporter. Questioned his experience in horse racing and the rules associated with racing. Also asked what his involvement was with Glencairn and the condition of the horse.

At approximately 2:42 p.m. Mr. Cleary cross examined Mr. Pecoraro asked if he had ever witnessed shockwave therapy performed by Mr. Neilson, did he have knowledge it was performed, and whether or not he agrees with the treatment.

At approximately 2:43 p.m. Mr. Patterson wanted to know when a horse is sent to Mr. Neilson's farm, whether he hears anything about any treatment going on. Mr. Pecoraro says he trust them to follow the rules and that everything is recorded correctly.

Mr. Pecoraro asserted he had no knowledge of the shockwave treatment.

Mr. Decker asked how many horses he has sent to Mr. Neilson.

Mr. Levine questioned pervious horses sent to Mr. Neilson and whether they received shockwave therapy.

At approximately 2:50 p.m. Mr. Cleary begins closing remarks for Commission members to deliberate on. Believes that the case is strongest against Mr. Neilson as he had majority control. He cited 15.14.1, 15.14.2,15.14.3 detailing the rules regarding shockwave treatment. Mr. Neilson violated all rules.

At approximately 2:56 Mr. Pincus begins closing arguments. Requests that the commissioner believe that Mr. Neilson did not perform the shockwave treatment out of the allowable time and that they do not rule in a way that would ruin Mr. Neilson's good reputation and racing history. Not to sacrifice.

At approximately 3:01 p.m. Mr. Mollica began closing arguments. The only charge against Mr. Pecoraro is that he knew and did not report shockwave therapy took place. There has been no evidence to prove that he knew what was going on. Request the Commissioner find Mr. Pecoraro not culpable.

Mr. Decker addresses Mr. Pincus about the treatment of shockwave therapy, and Mr. Cleary about the charges and rule violation being charged.

Mr. Levine questions rule 15.14.1.1 and its meaning as it pertains to Mr. Neilson and racing at Delaware Park.

Approximately at 3:13 p.m. Commission goes off the record to deliberate.

Approximately at 3:22 p.m. Commission goes back on the record.

Mr. Decker motioned to dismiss the charges against Mr. Pecoraro, Mr. Levine second. All unanimous.

Mr. Decker motioned that Mr. Neilson's ruling be reduced to a \$500.00 fine and 3 months suspension. Mr. Levine second.

Mr. Patterson questioned reduction in fine.

Mr. Decker believed he was guilty of being ignorant to the rules. That he did not willfully or maliciously bent the rules

Mr. Levine second it however he voted against Mr. Decker's motion. In his opinion and based on Dr. Botts testimony no one complies to the condition of the rule. Mr. Neilson should not be singled out. Rule needs to be looked at more closely and word needs to get out.

Mr. Decker requested that 2nd be withdrawn and new motion entered. Mr. Levine withdrew his second and Mr. Decker withdrew the motion.

Mr. Patterson said there was a lot of culpability. Should have raised a lot of flags, does not believe Mr. Neilson should be off the hook. Would 2nd Mr. Decker's motion if he would restate it.

Mr. Levine continue to argue Mr. Neilson should be dismissed.

Mr. Patterson disagreed.

Mr. Decker motioned a \$250.00 fine and 3-month suspension.

Mr. Pincus attempts to make a suggestion and is declined.

Mr. Patterson agrees to hear the suggestion.

Mr. Pincus proposes a \$1000.00 fine and 30-day suspension with a promise not to appeal.

Mr. Decker moves to accept Mr. Pincus' proposal and Mr. Levine seconds. Approved unanimously.

3:34pm Meeting closed by Chairman Patterson

8. PUBLIC COMMENT

There was no public comment at this time.

9. EXECUTIVE SESSION (there was no Executive Session due to time constraints)

10. ADJOURNMENT Meeting adjourned at approximately 3:40 p.m.

Bessie's DCTP Report February 1 , 2020
Yearly Stats and Amounts

2020	DCTP Applications	Weanlings	Yearlings	Total
	Jan - Mar	0	11	11
	Apr - Jun			
	July - Sept			
	Oct - Dec			
	Total Applications			11
2019	DCTP Applications	Weanlings	Yearlings	Total
	Jan - Mar	2	9	11
	Apr - Jun	4	37	41
	July - Sept	30	36	66
	Oct - Dec	33	119	152
	Total Applications			270
2018	DCTP Applications	Weanlings	Yearlings	Total
	Jan - Mar	1	15	16
	Apr - Jun	3	26	29
	July - Sept	21	39	60
	Oct - Dec	56	140	196
	Total Applications			301
2017	DCTP Applications	Weanlings	Yearlings	Total
	Jan - Mar	0	22	22
	Apr - Jun	1	30	31
	July - Sept	4	47	51
	Oct - Dec	41	95	136
	Total Applications	46	194	240

Bessie's DCTP Report February 1, 2020
Yearly Stats and Amounts

2020	Certifier Bonus	Owner Bonus	Total for Month
May			
June			
July			
Aug			
Sept			
Oct			

2019	Certifier Bonus	Owner Bonus	Total for Month
May	\$ 79,147.50	\$ 79,147.50	\$ 158,295.00
June	\$ 82,955.00	\$ 82,955.00	\$ 165,910.00
July	\$ 84,600.00	\$ 84,600.00	\$ 169,200.00
Aug	\$ 103,250.00	\$ 103,250.00	\$ 206,500.00
Sept	\$ 238,017.50	\$ 138,767.50	\$ 376,785.00
Oct	\$ 20,000.00	\$ 20,000.00	\$ 40,000.00
		Total	\$ 1,116,690.00

Special Acct - Monthly	Balance - 2020	
January		\$ 1,243,400.06
January Interest	\$ 922.95	\$ 1,244,323.01

Special Acct - Monthly	Balance - 2019	
January	\$ 1,000,000.00	\$ 1,400,662.13
January - 5%	\$ (50,000.00)	\$ 1,350,662.13
January interest	\$ 991.87	\$ 1,351,654.00
February Interest	\$ 1,032.13	\$ 1,352,686.13
March interest	\$ 1,143.64	\$ 1,353,829.77
April interest	\$ 1,107.66	\$ 1,354,937.43
May Interest	\$ 1,219.48	\$ 1,356,156.91
May Bonus	\$ 158,295.00	\$ 1,197,861.91
June Bonus	\$ 165,910.00	\$ 1,031,951.91
June Interest	\$ 1,035.56	\$ 1,032,987.47
July Bonus	\$ 169,200.00	\$ 863,787.47
July Interest	\$ 961.69	\$ 864,749.16
August Bonus	\$ 206,500.00	\$ 658,249.16
August Interest	\$ 870.47	\$ 659,119.63
September Bonus	\$ 376,785.00	\$ 282,334.63
September Interest	\$ 537.00	\$ 282,871.63
October Bonus	\$ 40,000.00	\$ 242,871.63
October Interest	\$ 426.95	\$ 243,298.58
November Interest	\$ 51.57	\$ 243,350.15
December interest	\$ 49.91	\$ 243,400.06

Bessie's DCTP Report February 1, 2020
 Yearly Stats and Amounts

Year	# of Starters	# of Starts	1st	2nd	3rd	4th	5th	25% Cert	25% Owner	Totals
2019	258	757	103	100	104	107	114	\$ 607,970.00	\$ 508,720.00	\$ 1,116,690.00
2018	292	694	104	100	119			\$ 591,342.50	\$ 491,342.50	\$ 1,082,685.00
2017	229	625	87	71	89			\$ 431,127.50	\$ 351,502.50	\$ 782,630.00
2016	204	631	73	86	93			\$ 376,033.12	\$ 322,783.12	\$ 698,816.24
2015	240	709	97	106	115			\$ 446,250.00	\$ 499,500.00	\$ 945,750.00
2014	271	779	105	105	112			\$ 478,120.75	\$ 531,371.57	\$ 1,009,492.32
2013	270	713	97	99	102			\$ 416,504.00	\$ 470,722.00	\$ 887,226.00
2012	318	943	138	140	146			\$ 437,340.00	\$ 409,503.00	\$ 846,843.00
2011	414	1331	166	189	181			\$ 715,099.86	\$ 773,251.86	\$ 1,488,351.72
2010	364	1150	142	180	146			\$ 705,631.25	\$ 778,203.75	\$ 1,483,835.00
2009	287	922	105	120	121			\$ 511,810.00	\$ 584,382.50	\$ 1,096,192.50
2008	210	690	94	82	109			\$ 367,963.60	\$ 433,265.20	\$ 801,228.80
2007	271	608	90	87	102			\$ 331,809.00	\$ 355,609.00	\$ 687,418.00
2006	139	476	68	61	72			\$ 201,286.80	\$ 214,936.80	\$ 416,223.60
2005	99	366	52	49	53			\$ 179,690.00	\$ 193,340.00	\$ 373,030.00
2004	56	134	20	19	19			\$ 44,947.00	\$ 44,947.00	\$ 89,894.00
2003	9	17	7	3	2			\$ 13,505.00	\$ 13,505.00	\$ 27,010.00
										\$ 13,833,316.18