

Alcohol and Gaming
Commission of Ontario

Commission des alcools
et des jeux de l'Ontario

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Ruling Number SB ADMIN 07/2020

TORONTO, ONTARIO – February 7, 2020

**IN THE MATTER OF THE HORSE RACING LICENCE ACT, 2015;
S.O. 2015, c.38, Sched. 9;
AND IN THE MATTER OF JOSHUA MCKIBBIN, LICENCE NO. Y13741**

On December 1, 2019, the standardbred horse "XTATIC HANOVER" (freeze brand # 6H981) finished first (1st) in the first (1st) race at Flamboro Downs Raceway. "XTATIC HANOVER" is trained by JOSHUA MCKIBBIN "MCKIBBIN".

On December 3, 2019 Racing Forensics Inc. reported that the blood sample with Test Tag number 331933501, contained TC02 with a value measured of >40 mmol/L.

TAKE NOTICE that based on the above MCKIBBIN is found to have violated 22.38(b), 26.02.01, 26.02.02 and 26.02.03(d) of the Rules of Standardbred Racing.

AND TAKE NOTICE that MCKIBBIN's father had an elevated TC02 reading in June 2019. Although MCKIBBIN was not the trainer of record, he had significant involvement with the horse with the elevated reading.

Accordingly, pursuant to the authority under 6.04, 9.08.02 and 22.38.06 of the Rules of Standardbred Racing and Policy Directive 1-2018, MCKIBBIN is hereby fully suspended for 180 days (February 13, 2020 to August 10, 2020, inclusive) and issued a monetary penalty of five thousand dollars (\$5,000).

In accordance with Alcohol, Gaming and Racing Standardbred Rule 18.08.01, "XTATIC HANOVER" is hereby declared disqualified for all purposes, with the exception of Pari-Mutuel Wagering. Purse money to be returned for re-distribution. The revised order of finish for Race 1 at Flamboro Downs Raceway on December 1, 2019 is as follows:

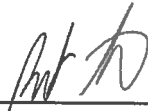
1 st	#7	Heineken Seelster
2 nd	#4	Legend Within
3 rd	#1	Great Magic
4 th	#3	Joyous Hall
5 th	#5	Tax Savings
6 th	#8	Severus Hanover

XTATIC HANOVER - disqualified

The following terms are added to MCKIBBIN's license: two years of probation commencing (August 11, 2020, to August 10, 2022, inclusive), pursuant to Rule 6.04 of the Rules of Standardbred Racing and Policy Directive No. 3-2008.

1. The Licensee shall keep the peace and be of good behaviour;
2. The Licensee shall allow Commission Inspectors access to his stabling area at any time to conduct unannounced random searches for illegal or non-therapeutic medications or drugs;
3. The Licensee shall allow commission inspectors to seize any illegal or non-therapeutic medications or drugs found at his stabling area;
4. The Licensee shall be subjected to the AGCO's Out of Competition Program; and
5. The Licensee may be subject to a Notice of Proposed Order in addition to any penalty imposed by the AGCO Racing Officials for any breach of the terms of their license.

BY ORDER OF



Brent Stone
(Acting) Deputy Registrar and
Deputy Chief Operating Officer