

**Horse Racing Appeal Panel**

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**HORSE RACING APPEAL PANEL**

**TORONTO, ONTARIO – NOVEMBER 9, 2020**  
**TB HRAP 06028 2020**

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**NOTICE OF DECISION**

**IN THE MATTER OF THE HORSE RACING LICENCE ACT, S.O. 2015 C. 38 Sched. 9;  
AND IN THE MATTER OF A REQUEST FOR A STAY BY SUZANNE DRAKE  
OF THOROUGHBRED RULING NUMBER 1094193**

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Date of Issue:	November 9, 2020
Horse Racing Appeal Panel (Panel):	Stanley Sadinsky, Q.C., Chair
Representative for the Appellant:	Frank Roth
Decision:	The Panel grants the stay, on consent.

WHEREAS Suzanne Drake (“DRAKE”) is licensed with the Alcohol and Gaming Commission of Ontario (“Commission”) as a Trainer;

AND WHEREAS on June 11, 2020, DRAKE was the trainer of record for the horse “Passthepuddingleaz”, tattoo number T22690;

AND WHEREAS on October 22, 2020, Commission Racing Officials issued Thoroughbred Ruling Number 1094193, wherein “Passthepuddingleaz”, which finished 2<sup>nd</sup>, was disqualified as a result of a Certificate of Positive Analysis for the Class II drug Capsaicin from a test following the 6<sup>th</sup> race at Woodbine Racetrack on June 12, 2020, in accordance with Rules 15.06.01(a), 15.06.01(b) and 15.06.03(c) of the Rules of Thoroughbred Racing (“Rules”);

AND WHEREAS Thoroughbred Ruling Number 1094193 also directs that DRAKE will not be issued a suspension or monetary penalty pursuant to Rules 15.04.02.2, 15.05.01, 16.13(c), 16.13(d) and 24.01 of the Rules, and Policy Directive No. 1-2018;

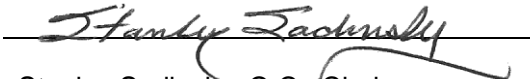
AND WHEREAS Thoroughbred Ruling Number 1094193 further directs that “Passthepuddingleaz” be declared unplaced for all purposes, with the exception of Pari-Mutuel Wagering, and all purse money and driver/trainer fees be returned and redistributed, in accordance with Rule 15.04.03 of the Rules and Policy Directive No. 1-2018;

AND WHEREAS on November 2, 2020, DRAKE filed a Notice of Appeal and a Notice of Motion requesting a stay with the Panel;

AND WHEREAS on November 6, 2020, the Registrar consented to the stay being granted;

TAKE NOTICE that the Panel grants the stay, on consent.

DATED on this 9<sup>th</sup> day of November, 2020.

  
Stanley Sadinsky, Q.C., Chair  
Horse Racing Appeal Panel