

PENNSYLVANIA STATE HORSE RACING COMMISSION

SPECIAL MEETING

March 5, 2014

A meeting of the Pennsylvania State Horse Racing Commission was held at the Department of Agriculture on Wednesday, March 5, 2014, at 2:30 P.M. In attendance representing the Commission was Alan Novak, Chairman, and by phone Corinne Sweeney, Commissioner and Jonathan Newman, Commissioner. Also present was Jorge Augusto, Legal Counsel and Walter Remmert, Acting Executive Secretary of Horse Racing. Representing the PA Department of Agriculture as an Ex-Officio Member of the Commission was Mathew Meals, Deputy Secretary.

Chairman Novak noted that the meeting had been advertised in accordance with the Sunshine Law.

Chairman Novak then brought the Juan Carlos Guerrero adjudication to order.

The Commission will grant Ms. Dougherty, Legal Counsel for Parx and Mr. Pincus, Legal Counsel for Mr. Guerrero both five minutes of oral argument, after the arguments the Commissioners will adjourn to an Executive Session and make their decision.

Ms. Dougherty and Mr. Pincus each had six minutes to give their oral arguments. The Commissioners and Mr. Augusto then broke to have Executive Session where they engaged in quasi-judicial deliberations. The Commissioners reconvened the Special Meeting and brought the matter to a final vote. The Commissioners voted two Yay's and one Nay to the following Order (dissenting opinion).

Adjudication of Juan Carlos Guerrero

"AND NOW, this 5th day of March, 2014, upon reconsideration of the 10-year ejection term originally imposed by the *Notice of Ejection* dated December 10, 2011, and upon consideration of the testimony and exhibits of record and the credibility determinations on remand, the ejection term of 10 years is hereby **MODIFIED** accordingly. Juan Carlos Guerrero having been ejected since December 20, 2011 and having been denied admission to any part of the grounds, facilities, enclosures and/or properties under the management of PARX racetrack for that period of time, the Commission hereby determines that this matter warrants an additional ninety (90) day ejection period for a total ejection term of 30 months.

Adjournment

Chairman Novak adjourned the meeting.

Respectfully submitted,
/S/ Walter Remmert
Acting Executive Secretary of Horse Racing