

Alcohol and Gaming
Commission of Ontario

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Thoroughbred Official Ruling

Ruling Number 1732934

Licence No.: HP111248

Date: May 30, 2022

Woodbine Racetrack

**IN THE MATTER OF THE *HORSE RACING LICENCE ACT, 2015*,
S.O. 2015, c.38, Sched. 9;
AND IN THE MATTER OF Robert Gerl**

On October 20, 2021, the Alcohol and Gaming Commission of Ontario "AGCO" was advised of a positive reading for the non-therapeutic substance Ostarine, for the blood sample, test tag 73 21280 002. The sample was obtained from the Thoroughbred horse, "ARAFAT", (tattoo #V23542), which finished second (2nd), in the eighth (8th) race on October 7, 2021 at Woodbine Racetrack. ARAFAT was trained by Robert Gerl, "GERL".

On October 27, 2021 the Alcohol and Gaming Commission of Ontario AGCO was advised of a positive reading for the non-therapeutic substance Ostarine, for the blood sample, test tag 73 21288 358. The sample was obtained from the Thoroughbred horse, "KOMUNIST", (chip #981020023560661), which finished fourth (4th), in the eighth (8th) race on October 15, 2021 at Woodbine Racetrack. KOMUNIST was trained by GERL.

On October 22, 2021 AGCO Inspectors attended GERL's barn to take Out of Competition samples of GERL'S racehorses.

On November 3, 2021 confirmation was received from the laboratory that ARAFAT's Out of Competition sample tested positive for Ostarine.

TAKE NOTICE that based on the above GERL is in violation of Rules 15.06.01 (a)(b) 15.06.03 (a)(b)(c) and 15.31(a)(b)(c)(e) of the Rules of Thoroughbred Racing. Accordingly, pursuant to 24.01(c) and (d) and 24.04 of the Rules of Thoroughbred Racing and Policy Directive No. 1-2018, GERL is hereby fully suspended for TWENTY YEARS, (May 30, 2022 to May 29, 2042 inclusive) and issued a monetary penalty of ONE HUNDRED THOUSAND dollars (\$100,000.00).

AND TAKE NOTICE that all purse monies shall be returned for redistribution, any horses owned or controlled in whole or in part by GERL shall not be eligible to be entered to, or start in any race, and if GERL transfers his interest in a horse during such period of ineligibility, he must

seek the approval of the AGCO Racing Officials, in accordance with Rules 6.11.01.1 and 6.11.01.2 and Policy Directive No. 2- 2008;

In accordance with Rule 15.04.03, ARAFAT is hereby declared unplaced for every purpose except pari-mutuel wagering. The revised order of finish for race 8 at Woodbine Racetrack on October 7, 2021 is as follows:

- | | | |
|-----------------|-----|--------------------------|
| 1 st | #1 | Newport Agent |
| 2 nd | #3 | Funiculi |
| 3 rd | #7 | Benlion |
| 4 th | #4 | Racing in the Rain |
| 5 th | #6 | Blue Max |
| 6 th | #2 | Red Mavrik |
| 7 th | #5 | Chancel |
| 8 th | #9 | Hiatus |
| 9 th | #10 | Breach of Trust |
| | #8 | Loaded Arafat – unplaced |

In accordance with Rule 15.04.03, KOMUNIST is hereby declared unplaced for every purpose except pari-mutuel wagering. The revised order of finish for race 8 at Woodbine Racetrack on October 15, 2021 is as follows:

- | | | |
|-----------------|-----|---------------------|
| 1 st | #1 | Dawson Silver |
| 2 nd | #2 | Northern Conquest |
| 3 rd | #9 | Suigu Star |
| 4 th | #10 | Son of My Father |
| 5 th | #3 | Dr. Jewel |
| 6 th | #8 | Grand Gizmo |
| 7 th | #7 | Doc Fishman |
| 8 th | #6 | Afleet Eddie |
| 9 th | #5 | L'Etat |
| | #4 | Komunist - unplaced |

BY ORDER OF



Jeremy Locke
Director, Regulatory Compliance Branch