

PUBLIC

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

**In the Matter of Chris Allen Hartman, Docket No. D-\_\_\_\_\_**

**APPLICATION FOR REVIEW OF FINAL CIVIL SANCTIONS**

Pursuant to 15 U.S.C. § 3051 *et seq.*, 5 U.S.C. § 556 *et seq.*, and 16 CFR § 1.145 *et seq.*, Appellant Chris Allen Hartman appeals the Internal Adjudication Panel (“IAP”) member’s June 3, 2024, decision in ECM2023-45, as amended (“Decision”), finding that Appellant violated Horseracing Integrity and Safety Authority (“HISA”) Rule 3312(b) and imposing final civil sanctions (“Consequences”). The Consequences “are effective immediately,” including a 15-day ineligibility period that started June 6, 2024. Under 16 CFR § 1.146(b)(2)-(3), Appellant requests reversal of the Decision because (1) the Horseracing Integrity & Welfare Unit (“HIWU”) did not carry its burden of establishing that Appellant’s alleged acts, practices, or omissions constituted a violation; and (2) the Decision was arbitrary, capricious, an abuse of discretion, prejudicial, the result of a conflict of interest, or otherwise not in accordance with law.

**A. The IAP member erred by not dismissing HIWU’s charge letter.**

The IAP member erred by not dismissing HIWU’s charge letter. The letter violated HISA Rule 3348 by not identifying the specific HISA Rule which Appellant is charged with violating, not referring to the HISA Rules’ classification of Acepromazine as a controlled medication or the applicable screening limit, and not identifying the HEPS detected in the Covered Horse’s sample.

**B. HIWU did not carry its burden.**

First, the Decision does not address HISA Rule 3122(c)’s burden-shifting. Although the IAP member correctly concluded that HIWU violated HISA Rule 6315(b), he ignored HIWU’s departure from HISA Rules 1020, 5510(b), 6308(b), and 6309(e)(1). Under HISA Rule 3122(c),

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the departures required HIWU to “establish[] that such departure[s] did not cause the Adverse Analytical Finding,” which HIWU did not prove. In fact, UC Davis’s laboratory director testified he could not say “that HEHP was not present [in the sample].” Decision, 2.

Second, under HISA Rule 7260, the IAP member erred by not determining the admissibility or weight of the testimony of Dr. Scott Stanley, the A sample laboratory’s former director. The testimony should have been deemed inadmissible or accorded no weight because Dr. Stanley did not submit a signed statement, testified beyond the matters in HIWU’s pre-hearing designation, was not designated or qualified as an expert witness, and lacked credibility due to being under investigation for personnel and performance issues at the A sample laboratory.

Third, the IAP member erred by not drawing adverse inferences against HIWU—contrary to HISA Rules 7250(a) and 7260(d) and the Federal Rules of Evidence. Adverse inferences should have been drawn because HIWU failed to produce responsive witnesses and sought to exclude additional testimony from Dr. Stanley.

Fourth, the IAP member erred in failing to make findings regarding other evidence established by Appellant, including that Dr. Stanley testified he was familiar with the Wieder study as one of its peer reviewers, that the availability of a reference standard has no bearing on whether HEHP is present in a sample, and that a synthesized reference standard can be used to identify HEHP. The IAP member further erred in concluding that the record supported Dr. Stanley’s testimony over Appellant’s expert’s testimony, particularly when Dr. Stanley’s testimony should have been given no weight and adverse inferences should have been drawn against HIWU.

Fifth, the IAP member erred by considering the HEPS concentration “estimated” by UC Davis. UC Davis’s director testified his laboratory was directed by HIWU only to conduct qualitative, confirmatory analysis, the estimate was not intended to corroborate the A sample

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laboratory's quantitative finding, and the estimate was not included in UC Davis's certificate of analysis.

**C. The IAP committed multiple errors during the various hearings.**

First, the IAP erred in denying Appellant's motion for DNA testing, which could have definitively resolved Appellant's sample identity and integrity disputes and, as Appellant suspects, proved that the samples tested were not collected from the Covered Horse. HIWU acknowledged that the HISA Rules do not preclude DNA testing. Laboratory testing failures and documentation issues, as well as persuasive case law from the Court of Arbitration for Sport, supported ordering DNA testing.

Second, the IAP member erred in declining to issue Appellant's requested subpoenas for the reopened hearing. In lieu of subpoenas, the IAP member opted for HIWU's presentation of two witnesses who, unsurprisingly, admitted they had limited personal knowledge and could not (or refused to) testify regarding the issues for which Appellant sought the subpoenas.

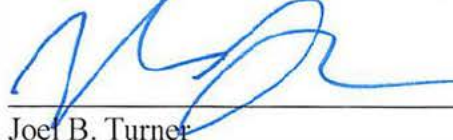
For all the above reasons, the Decision should be reversed. Even if the Decision as to whether Appellant committed the charged violation is not reversed, the Consequences should be reversed as arbitrary, capricious, an abuse of discretion, prejudicial, or otherwise not in accordance with law.<sup>1</sup> Pursuant to 16 CFR 1.147, Appellant requests to supplement the record to include factual findings that the IAP member did not make but that were established by Appellant's evidence. Finally, pursuant to 16 CFR 1.148, Appellant requests that the Consequences be stayed during these proceedings.

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<sup>1</sup> Appellant also asserts that the Decision resulted from denials of due process guaranteed by the Fifth Amendment and Fourteenth Amendment, including because the Fifth Circuit Court of Appeals ruled that the HISA Rules' enabling statute "is facially unconstitutional," *Nat'l Horsemen's Benevolent & Protective Ass'n v. Black*, 53 F.4th 869, 872 (5th Cir. 2022), and the amended statute is subject to a pending constitutional challenge.

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Respectfully submitted,



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*Counsel for Appellant Chris Allen Hartman*

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**CERTIFICATE OF SERVICE**

Pursuant to 16 CFR 1.146(a) and 16 CFR 4.4(b), a copy of the forgoing is being served this 7th day of June 2024, via first-class mail and/or electronic mail upon the following:

Office of the Secretary  
Federal Trade Commission  
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**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

**In the Matter of Chris Allen Hartman, Docket No. D-\_\_\_\_\_**

**APPLICATION FOR STAY OF FINAL CIVIL SANCTION**

Pursuant to 15 U.S.C. § 3051 *et seq.* and 16 CFR 1.148, Appellant Chris Allen Hartman applies for a stay of the final civil sanction (“Consequences”) imposed by Internal Adjudication Panel (“IAP”) member as part of the June 3, 2024, decision in ECM2023-45, as amended (“Decision”), finding that Appellant violated Horseracing Integrity and Safety Authority (“HISA”) Rule 3312(b). The Consequences “are effective immediately,” including a 15-day ineligibility period (**Exhibit A**).

**A. Likelihood of Appellant’s success on *de novo* review**

Appellant is likely to succeed on *de novo* review. Among the many grounds asserted on appeal, first, Appellant will succeed in showing that HIWU did not carry its burden under HISA Rule 3122(c). Because of the HISA Rules it violated, HIWU must “establish[] that such departure[s] did not cause the Adverse Analytical Finding.” But as Dr. Scott Stanley testified, the A sample laboratory did not use a validated method for separating HEPS (Acepromazine’s controlled metabolite) and HEHP. Appellant’s expert testified that “the presence of HEHP . . . could not be entirely ruled out or discounted.” Decision, 2. The Further Analysis laboratory director agreed, testifying he could not say “that HEHP was not present [in the sample].” *Id.* Appellant proved that the failure to use such validated method “could reasonably have caused” the detection of HEPS above the applicable screening limit. Yet, the IAP member did not shift HISA Rule 3122(c)’s burden to HIWU.

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Second, the IAP member did not make findings that should have been made, including that Dr. Stanley testified he was familiar with the Wieder study as a peer reviewer, that the availability of a reference standard has no bearing on whether HEHP is present in a sample, and that a synthesized reference standard can be used to identify HEHP. Such findings contradicted the IAP member's findings that HEHP is "merely a theoretical or proposed metabolite" and "that there is no commercially available reference standard [for HEHP]." *Id.* Based on all facts established by Appellant, the record did not support the conclusion that HIWU carried its burden.

Third, HIWU's failure to carry its burden would have been especially evident had the IAP member made required determinations about the admissibility or weight of Dr. Stanley's testimony, considered all HISA Rule violations committed by HIWU (beyond Rule 6315(b)), and drawn appropriate adverse inferences against HIWU—none of which the IAP member did. *See* HISA Rules 7250(a), 7260(d).

**B. Whether Appellant will suffer irreparable harm**

Appellant has already suffered irreparable harm in that he has lost two horse training opportunities because of the Consequences. He will suffer further irreparable harm unless the Consequences are stayed. The 15-day suspension runs through June 20, 2024. It is highly probable that Appellant will serve the entire suspension before his appeal is adjudicated, therefore rendering a key piece of Appellant's challenge moot. As in federal appeals, "where the denial of a stay pending appeal risks mooting *any* appeal of *significant* claims of error, the irreparable harm requirement is satisfied." *See In re Adelpia Commc'ns Corp.*, 361 B.R. 337, 348 (S.D.N.Y. 2007) (citing cases). Appellant has asserted significant claims of error by the IAP member on which Appellant, on *de novo* review, is likely to prevail. Appellant obviously cannot recover suspended days he has already served.

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The HISA Rules were already enjoined for irreparable injury reasons. *Nat'l Horsemen's Benevolent & Protective Ass'n v. Black*, No. 5:21-CV-071-H, 2023 WL 2753978, at \*6 (N.D. Tex. Mar. 31, 2023), as were the predecessor HISA Rules promulgated under HISA's original enabling statute. *Louisiana v. Horseracing Integrity & Safety Auth. Inc.*, 617 F. Supp. 3d 478, 500 (W.D. La. 2022). *Black* and *Louisiana* support a finding of irreparable harm, particularly considering the continued constitutional challenge against HISA (in *Black*).

**C. Degree of injury to other parties or third parties**

There is no risk of injury to HIWU or third parties if a stay is granted. HIWU has no interest in continued enforcement of Consequences that are the result of error and cannot withstand *de novo* review. Even if harm could result, the risk of harm is low and outweighed by Appellant's likely success on the merits and irreparable injury. In the event HIWU does not oppose a stay, *In the Matter of: Derrick Parram Appellant*, Dkt. No. D-9424, WL 168054 (Jan. 2, 2024), is precedent for granting a stay.

**D. Whether a stay is in the public interest**

A stay is in the public interest. "The public interest is served by ensuring that governmental bodies comply with the law . . ." *Am. Signature, Inc. v. United States*, 598 F.3d 816, 830 (Fed. Cir. 2010) (applying the injunctive relief factors in the context of an agency's application of administrative rules); see *California v. Azar*, 911 F.3d 558, 581 (9th Cir. 2018) (affirming injunctive relief) ("The public interest is served by compliance with [administrative rules and procedures]."). Allowing the Consequences to remain in effect when they arise from the improper application of agency rules compromises the public interest. Further, like the low risk of harm to HIWU or third parties, any interest the public has in the Consequences remaining in effect is substantially outweighed by Appellant's likely success on the merits and irreparable injury.



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For the forgoing reasons, a stay of the Consequences is warranted by the factors in 16 CFR

1.148(d).

Respectfully submitted,



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*Counsel for Appellant Chris Allen Hartman*

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**CERTIFICATE OF SERVICE**

Pursuant to 16 CFR 1.146(a) and 16 CFR 4.4(b), a copy of the forgoing is being served this 7th day of June 2024, via first-class mail and/or electronic mail upon the following:

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*IAP Member*



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Nolan M. Jackson  
*Counsel for Appellant Chris Allen Hartman*

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# **EXHIBIT A**



**NOTICE OF FINAL CIVIL SANCTIONS UNDER THE ADMC PROGRAM**

June 5, 2024

**SENT VIA EMAIL** [REDACTED]

Chris Allen Hartman  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Re: ECM2023-45/ECM Charge of Controlled Medication Rule Violations – Rule 3312  
Covered Horse: Necker Island**

This serves as notice to you, Chris Allen Hartman, that the Horseracing Integrity & Welfare Unit (HIWU) is imposing the following Consequences against you under the Anti-Doping and Medication Control (ADMC) Program in accordance with the enclosed final decision of the Internal Adjudication Panel and pursuant to 15 U.S.C. 3057(d):

1. A period of Ineligibility for you of fifteen (15) days, beginning on June 6, 2024, and continuing through June 20, 2024;
1. Disqualification of the results of Necker Island obtained in Race 7 at Ellis Park in Henderson, Kentucky on June 18, 2023, and forfeiture of all purses and other compensation, prizes, trophies, points, and rankings and repayment or surrender (as applicable) to the Race Organizer, pursuant to ADMC Program Rule 3321;
2. A fine of \$1,000 in accordance with ADMC Program Rule 3323;
3. Assignment of 2 Penalty Points (ADMC Program Rule 3328); and
4. Public reporting in accordance with ADMC Program Rule 3610(b) and Public Disclosure in accordance with ADMC Program Rule 3620.

This matter involved the presence of a Controlled Medication Substance and/or its Metabolites or Markers (ADMC Program Rule 3312) in a Post-Race/Vet's List Sample – Acepromazine (Class B). The Controlled Medication Substance was found to be present in a urine Sample collected after Race 7 at Ellis Park in Henderson, Kentucky on June 18, 2023.

Review of a Final Decision and its accompanying Consequences by a federal Administrative Law Judge is available under 15 U.S.C. 3058. You will also receive a copy of the notice to the Federal Trade Commission ("FTC") of these civil sanctions. **Pursuant to 15 U.S.C. 3058(b)(1), review of the decision must be requested within thirty (30) days of HISA's notice to the FTC.** A stay



of the Consequences set forth above will only be imposed if such a stay is requested from, and approved by, the applicable Administrative Law Judge.

The Consequences set forth above are effective immediately, and any fines imposed must be paid through the HISA Portal by **July 5, 2024**. The instructions for payment through the HISA Portal are enclosed.

Please also be advised that a copy of this Notice or a summary thereof will be published on HIWU's website.

Horseracing Integrity & Welfare Unit

A handwritten signature in black ink, appearing to read "M. Pujals", is positioned above a horizontal line.

Michelle Pujals, HIWU General Counsel

Encls.: Final Decision of Internal Adjudication Panel  
Instructions for HISA Portal

cc (w/ encls.): Joel Turner, Counsel for Mr. Hartman  
Wayne Scheer, Owner  
Kentucky Horse Racing Commission  
John Roach, HISA  
Samuel Reinhardt, HISA  
Lisa Lazarus, HISA

**BEFORE THE INTERNAL ADJUDICATION PANEL**

**HIWU**

**Case Number:** ECM2023-45  
**IAP Member** Edward J. Weiss

v.

Chris Allen Hartman

*[Insert Name of Covered Person]*

**AMENDED FINAL RULING OF INTERNAL ADJUDICATION PANEL**

**Section One – Parties**

Date of Hearing: 2/15/24 (hearing waived, check here)

Date of Decision: 6/3/24

HIWU Counsel: Paul J. Greene, Esq., Global Sports Advocates

Covered Person: Chris Hartman

Counsel/Representative of Covered Person: Nolan M. Jackson, Esq., Frost Brown Todd

Any Third Parties: \_\_\_\_\_

**Section Two - Charges**

The Covered Person is charged with violating the following Series 3000 Equine Anti-Doping and Medication Control (ADMC) Program Rules (“Protocol”):

Rule 3312(b), Presence of a Controlled Medication Substance and/or its Metabolites or Markers (Acepromazine)

**Section Three – Burdens of Proof and Evidence**

A. Pursuant to ADMC Program Rule 3121 (Protocol), HIWU has established the following evidence, set forth in detail below, to the comfortable satisfaction of the hearing panel:

Three independent equine racing laboratories -- the University of Kentucky Equine Analytical Lab (UK Lab), the University of Illinois Chicago Analytical Forensic Testing Laboratory (UIC Lab) and the University of California, Davis Maddy Laboratory (UC Davis Lab) -- all detected HEPS, a known metabolite of Acepromazine, in the June 18, 2023 post race sample taken from the Covered Horse Necker Island following the 8th race that day at Ellis Park in Kentucky. Analysis of Sample A, Sample B and the further analysis of Sample B all found the presence of HEPS after the UK Lab found HEPS in a quantity above the screening limit (which was set at 10 Ng/ML) and estimated a concentration of HEPS in Necker Island at 18.954 ng/ML. Witnesses called by HIWU, directors from the aforementioned three labs -- Dr. Scott Stanley of the UK Lab, Dr. Brendan Heffron, director of operations at the UIC Lab and Dr. Benjamin Moeller, Assistant Professor of Veterinary Medicine at the UC Davis Lab, all testified to and/or confirmed the presence of HEPS in the samples from Necker Island that their respective laboratories analyzed. The UC Davis Lab found an estimated concentration of HEPS at 17-18 ng./ML. Only the UK Lab was required to quantify HEPS, while the other laboratories needed to confirm the mere presence of the metabolite. HIWU carried its burden of proving the Controlled Medication Rule Violation charged.

B. Pursuant to ADMC Program Rule 3121 (Protocol), the Covered Person has established the following evidence, set forth in detail below, by a balance of probability:

Chain of Custody: ADMC Rule 6315 (b) requires that a minimum of "2 Certifying Scientists shall conduct an independent review of all Adverse Analytical Findings and Atypical Findings before a test result is reported." ADMC Rule 6315(b). There was only one signature on the data packet, according to Dr. Stanley.

Dr. Stanley does not know when the Necker Island sample was shipped, and testified that it was received on June 20, 2023 as indicated by the notation "Sample Available" (which the designation that the software provides and is synonymous with received). Dr. Stanley testified that any discrepancies would have been noted had there been any. Nothing on the data packet indicated whether the sample was intact or sealed. The data packet does not indicate if the storage was secure.

The peaks in the graphs of the testing samples closely resembled those found in the Wieder Study cited by the Covered Person's expert, Dr. Steven Barker. That study suggested that the presence of HEHP, in addition to HEPS, could not be entirely ruled out or discounted. However, HEHP is merely a theoretical or proposed metabolite that has not been determined to exist as a matter of science, and all three laboratory directors who testified in this matter -- Drs. Stanley, Heffron and Moeller -- all testified that there is no commercially available reference standard that could be used to validate Dr. Barker's theory. When Dr. Barker, the Covered Person's expert, was director of the Louisiana State University (LSU) laboratory beginning in 1985, he did not pursue the type of methodology he urged should have been utilized here to differentiate between HEPS and HEHP. Dr. Stanley testified that even if the theoretical HEHP metabolite would have reduced the presence of HEPS in the Necker Island sample beneath the screening limit, and even if the theory endorsed by Dr. Barker were accepted as true, the total concentration of HEPS would still have been closer to 15 Ng/ML (which is still above the screening limit of 10 Ng/ML) rather than the 9 Ng./ML (which would have been below the screening limit) estimated by Dr. Barker. Dr. Barker did not dispute the presence of HEPS. There was not credible evidence presented, let alone of a sufficient nature, to overturn the laboratory protocols used by the laboratories who analyzed the samples at issue in this matter. While Dr. Barker opined that the presence of HEHP in the Necker Island samples could not be ruled out, the science and methodologies Dr. Barker urged should have been used were not proven to have progressed beyond the theoretical and are preliminary and thus the Panelist was not persuaded it would be appropriate to substitute that science for what was used by the laboratories that handled, analyzed and reported the results of the Necker Island samples. The Covered Person was not able to establish that two peaks on the Necker Island samples represented two different compounds. In addition, Dr. Stanley testified that Dr. Barker misunderstood the chromatography data and there was separation by molecular mass that Dr. Barker did not credit in his analysis and in formulating his opinions.

Dr. Moeller testified that HEPS and HEHP may be similar and he cannot say that HEHP was not present, but there is a lack of a reference standard available for HEHP. Dr. Moeller also testified that the UC Davis Laboratory followed its Standard Operating Procedures.

Administration of Acepromazine to Necker Island Post Race: The Covered Person proved through the testimony of veterinarian Dr. Ethan Wilborn, a partner in Kentucky Equine Medical Associates, that Acepromazine was administered (2 cc's) to Necker Island after the race in question at Ellis Park on June 18, 2024 to "cool him out". Dr. Wilborn testified that the administration of Acepromazine was initially not entered in the HISA portal (as required) as that was "lost in the shuffle." However, the evidence did not show that that administration of Acepromazine took place prior to Necker Island having been tested by track personnel post race with a urine sample taken at 4:23 PM (after the running of the 8th race -- Necker Island ran in the 7th race at approximately 3:44 PM; See Exhibit 10 showing Post Time for the 7th race scheduled for 3:43 PM); evidence showed that the post race administration by injection of Acepromazine by Dr. Wilborn occurred at approximately 4:45 PM and thus did not affect the analysis of the samples at issue in this case. The administration of Acepromazine by Dr. Wilborn does not account for or explain the presence of HEPS in Necker Island's sample.



**Section Four – Violations Determined**

Based on the applicable ADMC Program Rules (Protocol) listed above in Section Two, and based upon the established evidence as set forth in Section Three above, the hearing panel has determined that the Covered Person has violated the following ADMC Program Rules (Protocol):

3312(b) (Acepromazine)

**Section Five – Finding of No Fault/Negligence or No Significant Fault/Negligence**

Pursuant to ADMC Program Rules 3324 and 3325 (Protocol), a Covered Person is entitled to elimination or reduction of any period of Ineligibility if the hearing panel determines that the Covered Person has established that he or she bears No Fault or Negligence, or No Significant Fault or Negligence for the Violation(s). Based on the foregoing evidence, the IAP Member finds that the Covered Person  has  has not (check one) established that he or she bears **No Fault or Negligence**; or the Covered Person  has  has not (check one) established that he or she bears **No Significant Fault or Negligence** for the Violation(s). Where the Covered Person has established that he or she bears No Fault or Negligence or No Significant Fault or Negligence for the Violation(s), the following evidence supports this conclusion:



N/A

**Section Six – Elimination, reduction, or suspension of period of Ineligibility and/or other Consequences for reasons unrelated to degree of Fault**

Pursuant to ADMC Program Rule 3326(b) – (d) (Protocol), the Covered Person is entitled to elimination, reduction, or suspension of a period of Ineligibility and/or other Consequences if he or she has satisfied any of the following (*check all that apply*):

- Rule 3326(b): Voluntary Admission of a Controlled Medication Rule Violation in the absence of other evidence.
- Rule 3326(c): Application of multiple grounds for reduction of a sanction; where the Covered Person has established entitlement to a reduction or suspension of period of Ineligibility under two or more of Rules 3324, 3325, or 3326.
- Rule 3326(d): Reductions for certain Controlled Medication Rule Violations based on early admission and acceptance of sanction; where the Covered Person admits Violation(s) and accepts Consequence(s) within seven (7) days of receiving Charge Letter.

Based on the application of these Rules, the Covered Person is entitled to the following elimination, reduction, or suspension of a period of Ineligibility and/or other Consequences:

N/A

**Section Seven – Aggravating Circumstances**

HIWU has established the following aggravating circumstances to the comfortable satisfaction of the hearing panel (*write N/A if none*):

N/A

Based upon the Aggravating Circumstances, the Covered Person’s period of Ineligibility is increased by \_\_\_\_ months (up to 6 months), and an additional fine in the amount of \$\_\_\_\_\_ is imposed (up to \$5,000.00 USD or 5% of the purse, whichever is greater).

**Section Eight - Consequences**

The following Consequences are imposed upon the Covered Person for each violation that has been established in this case:

- (1) An Ineligibility period of 15 days for Trainer Hartman;
- (2) a fine of \$1,000;
- (3) assignment of 2 penalty points;
- (4) Public Disclosure pursuant to ADMC Rule 3620;
- (5) Disqualification of Necker Island's results obtained at Ellis Park in Henderson, Kentucky on June 18, 2023 and forfeiture of all purses, prizes, trophies, points, ranking, and repayment or surrender (as applicable) to the Race Organizer.

**Section Nine – Penalty Points**

The total penalty points issued against Covered Person as a result of this final decision are: 2.

The Covered Person has 0 prior penalty points, bringing his or her current total penalty points to 2.

Subject to ADMC Program Rule 3364 (Protocol), this decision is final and binding pursuant to ADMC Program Rule 3363 (Protocol).

/s/ Edward J. Weiss

\_\_\_\_\_

Signature of IAP Member



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**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

**In the Matter of Chris Allen Hartman, Docket No. D-\_\_\_\_\_**

**STATEMENT OF GOOD STANDING**

Pursuant to 16 CFR § 4.1(d), I state that I am eligible to practice before the Federal Trade Commission as counsel for Appellant Chris Allen Hartman because I am a U.S.-admitted attorney under 16 CFR § 4.1(a)(1)(i). I am admitted to practice before the United States Supreme Court, the United States Court of Appeals for Fifth Circuit, the United States District Courts for the Northern District of Indiana and the Eastern and Western Districts of Kentucky, and the highest court of Kentucky (Ky. Bar No. 72093). I am in good standing within the legal profession.

Respectfully submitted,

/s/ Joel B. Turner

Joel B. Turner

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*Counsel for Appellant Chris Allen Hartman*

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**UNITED STATES OF AMERICA  
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**In the Matter of Chris Allen Hartman, Docket No. D-\_\_\_\_\_**

**STATEMENT OF GOOD STANDING**

Pursuant to 16 CFR § 4.1(d), I state that I am eligible to practice before the Federal Trade Commission as counsel for Appellant Chris Allen Hartman because I am a U.S.-admitted attorney under 16 CFR § 4.1(a)(1)(i). I am admitted to practice before the United States Court of Appeals for the Sixth Circuit, the United States District Courts for the Eastern and Western Districts of Kentucky and the District of Columbia, and the highest courts of Kentucky (Ky. Bar No. 97263) and the District of Columbia (DC Bar No. 1766757). I am in good standing within the legal profession.

Respectfully submitted,

/s/ Nolan M. Jackson

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**CERTIFICATE OF SERVICE**

Pursuant to 16 CFR § 1.146(a) and 16 CFR § 4.2(c)(1)(i), a copy of the forgoing is being filed electronically using the Federal Trade Commission’s encrypted file transfer protocol (AEFS) this 7th day of June 2024, with courtesy copies being sent via electronic mail to:

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