

PUBLIC

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES
FTC DOCKET NO. D-9432

ADMINISTRATIVE LAW JUDGE: DANIA L. AYOUBI

IN THE MATTER OF:

CHRIS ALLEN HARTMAN
APPELLANT

JOINT MOTION FOR WITHDRAWAL FROM REVIEW OF THE
ADMINISTRATIVE LAW JUDGE WITH PREJUDICE

Appellant Chris Allen Hartman (“**Mr. Hartman**”), the Horseracing Integrity and Safety Authority, Inc. (the “**Authority**”), and the Horseracing Integrity & Welfare Unit (the “**Agency**”) (collectively, the “**Parties**”) jointly move for withdrawal of this matter from review of the Administrative Law Judge with prejudice.

In advance of the filing of this Motion, the Parties agreed that: the Notice of Sanctions imposed against Mr. Hartman on June 5, 2024 for the violation of Authority’s Anti-Doping and Medication Control (“ADMC”) Program Rule 3312 shall be withdrawn and the Charge for that violation shall be dismissed with prejudice.

Upon issuance of the Order For Withdrawal from Review by the Administrative Law Judge With Prejudice, the following shall occur:

- Mr. Hartman will be reimbursed \$1,000.00 (the amount of the fine imposed) and any costs related to Sample testing;
- The 2 penalty points assigned to Mr. Hartman will be revoked;
- The Kentucky Horse Racing and Gaming Corporation and Ellis Park will be informed that the Charge against Mr. Hartman has been dismissed and all purses can be

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distributed according to the original results of the race at issue that took place on June 18, 2023.

- The withdrawal of the Notice of Sanction and dismissal of the Charge will be publicly announced on the Agency's website.

BACKGROUND

On June 3, 2024, IAP Member Edward J. Weiss issued a decision finding that Mr. Hartman had violated Rule 3312 of the ADMC Program and imposed Consequences. On June 5, 2024, the Agency served a Notice of Sanctions upon Mr. Hartman.

On June 7, 2024, Mr. Hartman appealed the decision to the Federal Trade Commission by filing an application for *de novo* review by an Administrative Law Judge. The application for review was granted by this Court.

After full briefing, but before this Court reached a decision, the Parties agreed that the Notice of Sanctions imposed against Mr. Hartman for the violation of ADMC Program Rule 3312 shall be withdrawn and the Charge for that violation shall be dismissed with prejudice.

As a result, the Parties are filing this Joint Motion for Withdrawal of the Matter from Review by the Administrative Law Judge with Prejudice.

Accordingly, the Parties respectfully request, as set forth in the Proposed Order attached as Exhibit A hereto, that the Court order the withdrawal of this matter from review by the Administrative Law Judge With Prejudice and acknowledge that this Court, upon the granting of the Order, will no longer have jurisdiction over this matter.

Dated: September 17, 2024.

Respectfully submitted,

/s/ Nolan M. Jackson

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ADMINISTRATIVE LAW JUDGE: DANIA L. AYOUBI

IN THE MATTER OF:

CHRIS ALLEN HARTMAN
APPELLANT

[PROPOSED] ORDER OF WITHDRAWAL FROM REVIEW BY THE
ADMINISTRATIVE LAW JUDGE

On June 3, 2024, IAP Member Edward J. Weiss issued a decision finding that Chris Allen Hartman (“**Mr. Hartman**”) had violated Rule 3312 of the Authority’s Anti-Doping and Medication Control Program (“**ADMC Program**”) and imposed Consequences pursuant to the Rules of the ADMC Program. On June 5, 2024, the Horseracing Integrity & Welfare Unit (the “Agency”) served a Notice of Sanctions upon Mr. Hartman.

On June 7, 2024, Mr. Hartman appealed the decision to the Federal Trade Commission by filing an application for *de novo* review by an Administrative Law Judge. The application for review was granted by this Court.

After full briefing, but before this Court reached a decision, the Horseracing Integrity and Safety Authority, the Agency and Mr. Hartman (collectively, the “Parties”) agreed that the Notice of Sanctions imposed against Mr. Hartman for the violation of ADMC Program Rule 3312 would be withdrawn and the Charge for that violation would be dismissed with prejudice.

As a result, the Parties filed a Joint Motion for Withdrawal of the Matter from Review by the Administrative Law Judge with Prejudice. The Joint Motion stated that, upon issuance of an Order, the following would occur:

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- Mr. Hartman will be reimbursed \$1,000.00 (the amount of the fine imposed) and any costs related to Sample testing;
- The 2 penalty points assigned to Mr. Hartman will be revoked;
- The Kentucky Horse Racing and Gaming Corporation and Ellis Park will be informed that the Charge against Mr. Hartman has been dismissed and all purses can be distributed according to the original results of the race at issue that took place on June 18, 2023; and
- The withdrawal of the Notice of Sanction and dismissal of the Charge will be publicly announced on the Agency's website.

IT IS HEREBY ORDERED THAT the Joint Motion for Withdrawal of the Matter from Review by the Administrative Law Judge With Prejudice, dated September 17, 2024, is **GRANTED**, and this matter will no longer be under the jurisdiction of this Court.

ORDERED:

DANIA L. AYOUBI
Administrative Law Judge

Dated: September __, 2024.