

**NEW JERSEY RACING COMMISSION
WEDNESDAY, JULY 22, 2026
MEADOWLANDS RACETRACK
SKYBOX SUITES – GRANDSTAND BUILDING – 3RD LEVEL
1 RACETRACK DRIVE, EAST RUTHERFORD, NEW JERSEY**

A public meeting of the New Jersey Racing Commission (“NJRC” or “Commission”) was held on Wednesday, July 22, 2026 at Meadowlands Racetrack in the Skybox Suites, Grandstand Building, 3rd level located at 1 Racetrack Drive in East Rutherford, New Jersey.

The following were present:

Jennifer Beck Commissioner (virtually)
Lawrence DeMarzo, Commissioner
Charles E. Tomaro, Commissioner (virtually)
Michael Venuto, Commissioner (virtually)
Glen Vetrano, Commissioner
Sara Ben-David, Acting Executive Director
Levi Klinger-Christiansen, Deputy Attorney General (“DAG”) (virtually)
Blair Gerold, Governor’s Authorities Unit (virtually)
Sam Dolinger, Sr, Counsel to the Attorney General (virtually)

Acting Executive Director Ben-David read the following resolution:

This meeting today conforms with the Open Public Meetings Act and as per the requirements of the statute, notification of this meeting has been filed with the Secretary of State and with the following newspapers: Daily Racing Form, Bergen Record, Asbury Park Press, Courier-Post, and the Star Ledger.

WHEREAS, in order to protect the personal privacy and to avoid situations wherein the public interest might be disserved, the Open Public Meetings Act permits bodies to exclude the public from that portion of a meeting at which certain matters are discussed.

NOW, THEREFORE, BE IT RESOLVED that consistent with *N.J.S.A. 10:4-12(b)*, the Commission will now adjourn to Executive session to obtain legal advice protected from disclosure by the attorney-client privilege on the following matters:

1. Legal advice concerning a settlement agreement in *Gregory B. Peck v. New Jersey Racing Commission*, OAL Docket No. RAC 07721-2024S.
2. Legal advice concerning a settlement agreement in *Ted Suleski v. New Jersey Racing Commission*, OAL Docket No. RAC 00110-2024S.
3. Other legal advice.

Discussion of the above matters falls within the exceptions under the law; specifically, matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the Commission’s attorney to exercise his ethical duties as a lawyer, and/or matters involving pending or anticipated litigation.

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Commissioner DeMarzo motioned to adjourn into Executive Session. Commissioner Venuto seconded the motion. All of the Commissioners voted to adjourn.

The Commission then adjourned to Executive Session at 12:35 p.m.

Commissioner DeMarzo motioned to move back to the public session. Commissioner Vetrano seconded the motion. All of the Commissioners agreed.

Acting Executive Director Ben-David opened the public session of the meeting by welcoming everyone. She advised that in addition to being in person, the meeting was being live streamed. She explained that through its website, the New Jersey Racing Commission ("NJRC" or "Commission") has made a link and phone number available that members of the general public may use to attend the meeting virtually through Microsoft Teams. She also pointed out, for everyone's awareness, that Microsoft Teams was being used to record the meeting. Minutes will be available on the Commission's website following the Governor's review period, as required by *N.J.S.A. 5:5-22.1*.

Acting Executive Director Ben-David stated that the NJRC will continue to conduct in-person meetings, with virtual attendance available as an option for members of the public to utilize as well as for any Commissioner who is unable to attend in person. She then thanked Regulatory Officer Connor Martin for serving as the NJRC moderator and Julius Snell from IT for assisting with the setup.

CONSIDER APPROVAL OF THE PUBLIC AND EXECUTIVE SESSION MINUTES OF THE MAY 27, 2026 MEETING

Commissioner DeMarzo made the motion to approve the public and executive minutes of the May 27, 2026 Commission meeting. Commissioner Vetrano seconded the motion, and all Commissioners voted yes.

CONSIDER APPROVAL OF THE OFFICIALS, POOLS, POST-TIME, PRICES, AND WAGERING FORMAT FOR THE 2026 THOROUGHBRED MEET AT THE MEADOWLANDS RACETRACK

Assistant Director Jordan Hollander stated that the thoroughbred meet consisted of 9 days of live racing to be conducted on September 18, 19, 25 and 26 as well as October 2, 3, 9, 10 and 16, 2026. The request seeks approval to offer up to six live turf races daily with a post-time of 7:00 p.m.

Assistant Director Hollander advised that the operating officials contained several changes from the request submitted last year. He indicated that John Heims, who serves as

General Manager of Monmouth Park, will serve as the Racing Secretary. Walter Cicero will now serve as Assistant Racing Secretary. Rudolfo Rodriguez will serve as Claims Clerk and Kevin Velez will serve as Paddock Judge. Marland Suckie will serve as Clerk of Scales. The Assistant Clerk of Scales role has been eliminated. Assistant Director Hollander noted that there will be one new placing and patrol judge, Michael Wishengrad. The officials list includes a total of three placing and patrol judges, which is permissible as NJRC regulations require a minimum of three placing and patrol judges. The timer will be Teletimer.

Assistant Director Hollander stated that all wager types and minimum wagering amounts will remain the same as 2025. He noted that at the May 27, 2026 meeting, the Commission approved a ratification of Monmouth Park's request to reduce the takeout rate for all Daily Double and Pick 3 wagers to 15% for the thoroughbred meet at Monmouth Park. Consistent with this change, all Daily Double and Pick 3 wagers at the 2026 thoroughbred meet at Meadowlands Racetrack will be 15%, reduced from 19% and 25% respectively. All other takeout rates for other wagers will remain the same as in 2025.

Commissioner DeMarzo made the motion to approve the racing and wagering format for the 2026 thoroughbred meet at Meadowlands Racetrack. Commissioner Vetrano seconded the motion, and all Commissioners voted yes.

CONSIDER THE RATIFICATION OF AN EXECUTED VETERINARY SERVICES AGREEMENT BETWEEN THE NEW JERSEY RACING COMMISSION AND KMP VETERINARY SERVICES

Assistant Director Tom Salerno advised that on May 22, 2026, Acting Executive Director Ben-David executed an agreement with KMP Veterinary Services ("KMP") subject to ratification by the Commission. He explained that Dr. Kathleen Picciano is the former Chief State Veterinarian for the NJRC and the sole owner and veterinarian of KMP.

Assistant Director Salerno stated that the agreement is one of several steps being taken by the Commission to address the current shortage of equine veterinarians. Assistant Director Salerno advised that Dr. Picciano is licensed by the NJ Board of Veterinary Medical Examiners, licensed by the NJRC, and certified under HISA and HIWU requirements. He advised that Dr. Picciano brings extensive experience as a regulatory veterinarian and longstanding involvement in New Jersey's thoroughbred and standardbred industries. He continued that Dr. Picciano has no affiliations with racing stables ensuring full compliance with conflict of interest standards.

Assistant Director Salerno noted that this agreement will boost the NJRC's Veterinary Unit and benefit the safety of both the equine and human athletes as well as allow New Jersey horseracing to maintain the reputation as a leader in the regulation of horse racing.

Commissioner DeMarzo questioned how the agreement works on a daily basis since there are now two agreements. Assistant Director Salerno explained that veterinarians are scheduled in advance based on availability, and they are used mainly on race days. The day-to-day training is handled with the current veterinary staff.

Commissioner Vetrano made the motion to ratify the execution of a Veterinary Services Agreement between the New Jersey Racing Commission and KMP Veterinary Services. Commissioner Venuto seconded the motion, and all Commissioners voted yes.

CONSIDER RATIFICATION OF THE CANCELLATION OF RACING AT MEADOWLANDS RACETRACK ON JULY 2, 2026 AND JULY 3, 2026 DUE TO EXCESSIVE HEAT, A CHANGE IN POST-TIME ON JULY 4, 2026, AND THE ADDITION OF LIVE RACING ON JULY 9, 2026

Assistant Director Salerno stated that on July 2, General Manager and Chief Operating Officer Jason Settlemoir submitted a request to cancel that night's live racing card and reschedule an additional live racing card for July 9th. He stated the reason for the request was due to the extreme heat. An additional request was submitted to adjust post time on July 3rd to 7:00 p.m. to allow more time for the heat index to cool down.

Assistant Director Salerno advised that an additional request was submitted by Mr. Settlemoir on July 3 to cancel that night's live racing card altogether due to the extreme heat as the heat index was predicted to reach dangerously high levels, possibly reaching 110°F to 115°F, which would result in safety concerns for both equine athletes and human participation.

Assistant Director Salerno advised that a third e-mail request was submitted by Mr. Settlemoir on July 3 requesting an adjustment in post-time for the live racing card on July 4 due to the extreme heat. The Meadowlands had originally requested to adjust the post time to 6:00 p.m. on July 4 to accommodate an anticipated large crowd to view the fireworks after the races. That request was approved at the April 21st Commission meeting. Assistant Director Salerno advised that Racing Commission staff did continue to monitor the heat as the first race post-time was approaching, and the decision was made to push post-time back from back to 7:20 p.m. By 7:00 p.m., the heat index dropped significantly, and the races were able to continue safely uninterrupted with no incidents.

Assistant Director Salerno advised that the Standardbred Breeders and Owners' Association ("SBOA") of New Jersey was also in contact with the Meadowlands and did support all of these requests. The requests were approved by Acting Executive Director Sara Ben David, subject to ratification by the Commission. Assistant Director Salerno noted that Meadowlands Racetrack has added an additional race to numerous live racing cards to afford additional racing opportunities for New Jersey horsemen. He continued that the Meadowlands has added the additional race on 10 live racing cards and will continue to do so as long as the horse population will support it. The SBOA of New Jersey is also supportive of this.

Commissioner Vetrano thanked Jason Settlemoir and Jeff Gural for their willingness to do what they can based on the horse population to add that extra race to each card. He continued that we are all here for the same purpose and that is to give the horsemen an opportunity to race. Commissioner Vetrano stated that he realizes it's tough to do based on horse population, but he wanted to say thank you.

Commissioner Venuto stated that he agreed with Commissioner Vetrano and also wanted to thank the staff, Executive Director Ben David, and Tom Salerno for the work that was put in over the holiday weekend. He continued that based on the emails in the packet, it was clear staff was working, and he wanted to recognize them for that. He also thanked the veterinarians who, on a consistent basis, look after the horses. Commissioner Venuto commented that as indicated in the report, there were no safety incidents, and that can only happen because of the cooperation and dedication of the Racing Commission staff, veterinarians, and the cooperation and collaboration the Commissioner has with the Meadowlands. He commended and thanked everyone for that.

Commissioner Vetrano made a motion to ratify the cancellation of racing at Meadowlands Racetrack on July 2 and 3, 2026 due to excessive heat, a change in post-time on July 4, 2026 and the addition of live racing on July 9, 2026. Commissioner DeMarzo seconded the motion, and all Commissioners voted yes.

CONSIDER RATIFICATION OF THE CANCELLATION OF LIVE RACING AT MONMOUTH PARK ON JULY 3 AND JULY 4, 2026 DUE TO EXCESSIVE HEAT

Assistant Director Salerno stated that on July 1, General Manager and In-House Counsel John Heims submitted a request for approval to cancel racing on July 3 due to the extreme heat. An additional request was submitted by Mr. Heims on July 4 to cancel that day's live racing card as well due to the extreme heat levels.

Assistant Director Salerno advised that *N.J.A.C. 13:70-1.43* grants the Executive Director the authority to order the postponement or cancellation of racing for any reason determined to pose a serious risk to the health, safety, and welfare of the equine and human race participants, including but not limited to, extreme weather conditions such as high heat and humidity. The protocol advises a dangerous weather conditions exists when the heat index reaches 105°F. When extreme heat has been forecasted, the Executive Director contacts the permit holder to discuss the possible options of delaying or canceling the races. The heat index on both days reached between 105°F and 110°F.

Assistant Director Salerno stated that Acting Executive Director Sara Ben-David approved the cancellation of live racing on July 3rd and July 4th, subject to ratification by the Commission at this public meeting.

Commissioner Venuto reiterated his thanks for the cooperation of the Monmouth staff as well.

Commissioner Venuto made a motion to ratify the cancellation of live racing at Monmouth Park on July 3 and 4, 2026 due to excessive heat. Commissioner DeMarzo seconded the motion, and all Commissioners voted yes.

CONSIDER THE APPROVAL OF A REQUEST BY MEADOWLANDS RACETRACK TO CANCEL LIVE RACING ON AUGUST 14, 2026 AND AUGUST 28, 2026 AND TO CHANGE THE POST-TIME ON AUGUST 15, 2026.

Assistant Director Salerno advised that on June 9, Meadowlands Racetrack. Chief Operating Officer and General Manager Jason Settlemoir requested approval from the Commission to cancel live racing on August 14 and August 28, 2026. A follow up e-mail from Mr. Settlemoir on June 16 requested a post-time change to 7:00 p.m. for live racing on August 15, 2026. New Meadowlands Racetrack is requesting approval to cancel live racing on the above dates and adjust the post-time on August 15 due to NFL pre-season games that are scheduled to take place at MetLife Stadium, which is located in close proximity to New Meadowlands Racetrack.

Assistant Director Salerno stated that the Commission has approved similar requests in the past. Specifically, the Commission approved requests on July 16, 2025 and October 2, 2024 to cancel live racing on August 16, 2025, August 22, 2025, and October 14, 2024 respectively due to the scheduling of NFL pre-season games at MetLife Stadium.

Commissioner DeMarzo made a motion to grant the request by Meadowlands Racetrack to cancel live racing on August 14 and 28, 2026 and to change the post-times on August 15, 2026. Commissioner Vetrano seconded the motion, and all Commissioners voted yes.

CONSIDER RATIFICATION OF A REQUEST BY MONMOUTH PARK TO DISTRIBUTE A PICK 6 CARRY-OVER ON JULY 19, 2026

Assistant Director Hollander advised that the Jersey Shore 6 is a Pick 6 pool wherein bettors are asked to pick the horse that will finish first in each of the six races included in the contest. Commission regulations allow a Pick (N) pool to be distributed in accordance with one of three methods.

Assistant Director Hollander stated that regarding the Jersey Shore 6, Monmouth Park uses Method 1. In the event no bettor gets all six picks correct, Method 1 allows 25% of the pool to be paid as a single price pool to the bettors with the greatest number of correct picks, with the remaining 75% being added to the carry-over.

Assistant Director Hollander mentioned that the regulation permits a carry-over to be paid on a specified date and performance provided the permitholder makes a written request and the request is approved by the Commission. The rule requires the request to be for a date that is no greater than one year from the date the request is submitted. It also requires the request to contain "a justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution."

Assistant Director Hollander stated that the request submitted by Monmouth Park sought approval to pay out the carry-over on July 19, 2026, which is a date less than one year from the date the request was submitted on July 13, 2026.

Assistant Director Hollander advised that regarding the justification, the benefit to be derived is drawing more bettors to the overall card, which will increase handle to the benefit of all stakeholders. The request specified the intended date and performance as the last six races in the program on July 19, 2026. The request was approved on July 13, 2026 by Acting Executive Director Sara Ben-David subject to ratification by the Commission.

Commissioner DeMarzo asked if the Commission knew what the handle was on the Pick 6 and stated it was a good idea. General Manager John Heims advised that the handle was about \$350,000. He mentioned that there was \$90,000+ in the carry-over, and the total pool came in at \$437,000. Mr. Heims mentioned that it was slightly disappointing. The horses had to come off the turf on Sunday and, due to the heavy rain on Saturday, they were left with pretty short fields in some of the races. Mr. Heims stated that \$350,000 is decent, but Monmouth Park probably would have averaged \$25,000 a day for the next 15-20 days. He commented that a better field size and better weather conditions would have been far better for the track.

Commissioner Venuto made a motion to ratify the request by Monmouth Park to distribute the Pick 6 carry-over on July 19th, 2026. Commissioner Vetrano seconded the motion, and all Commissioners voted yes.

CONSIDER PROPOSED AMENDMENTS TO *N.J.A.C. 13:70-1.2*, *N.J.A.C. 13:70-4.13*, *N.J.A.C. 13:70-5.17*, *N.J.A.C. 13:70-6.27*, *N.J.A.C. 13:70-21.2*, *N.J.A.C. 13:70-21.3*, AND *N.J.A.C. 13:71-7.31* TO IMPART GENDER NEUTRALITY TO THE RULES

Regulatory Officer Connor Martin advised that the Commission is being asked to advertise, for public notice and comment, proposed amendments to six rules in the thoroughbred chapter and one rule in the harness chapter. He stated that certain of the Commission's rules contain language that does not adequately incorporate principles of gender neutrality. These seven proposed amendments will modernize that language and ensure consistency in the rules governing horseracing in New Jersey.

Regulatory Officer Connor Martin stated that *N.J.A.C. 13:70-1.2* is proposed for amendment so that the pronouns "he" and "his," wherever used in Chapter 70, are construed to include persons of any gender. *N.J.A.C. 13:70-4.13* is proposed for amendment so that the disqualification of a married owner applies to any spouse of the disqualified owner, irrespective of gender. *N.J.A.C. 13:70-5.17* is proposed for amendment to delete a parenthetical example within the text of the rule that refers specifically to a married woman racing under her maiden name. *N.J.A.C. 13:70-6.27* is proposed for amendment to apply the prohibition on entries to any spouse of a disqualified person, irrespective of gender. *N.J.A.C. 13:70-21.2* is proposed for amendment to apply the potential obligation to furnish information about a spouse to any married owner, irrespective of gender. *N.J.A.C. 13:70-21.3*, which is a recodification of *N.J.A.C. 13:70-4.13*, is proposed for amendment in the same manner. It is further proposed for amendment to change the word "or" to "and," which would eliminate an inconsistency between the two rules and clarify that proof of both independence and lack of control is required to support an exception of a spouse from disqualification. Finally, *N.J.A.C.*

13:71-7.31, the harness racing rule governing owners' licenses, is proposed for amendment to add a spousal information-sharing provision that mirrors *N.J.A.C. 13:70-21.2*, ensuring consistency between the thoroughbred and harness rules.

Regulatory Officer Connor Martin concluded that the Commissioners have been provided with draft Notices of Proposal, and staff recommends that the Commission approve the proposed amendments for publication in the New Jersey Register. Upon publication, there will be a 60-day period in which the public will have an opportunity to comment on the proposals.

Commissioner DeMarzo made a motion to approve the draft proposals amending *N.J.A.C. 13:70-1.2*, *N.J.A.C. 13:70-4.13*, *N.J.A.C. 13:70-5.17*, *N.J.A.C. 13:70-6.27*, *N.J.A.C. 13:70-21.2*, *N.J.A.C. 13:70-21.3*, and *N.J.A.C. 13:71-7.31*. Commissioner Vetrano seconded the motion, and all Commissioners voted yes.

CONSIDER A SETTLEMENT AGREEMENT IN *GREGORY B. PECK v. NEW JERSEY RACING COMMISSION*, OAL DOCKET NO. RAC 07721-2024S

Regulatory Officer Beth Laurenzano advised that on January 22, 2023, Gregory Peck submitted a NJRC application for licensure in the categories of driver/trainer for standardbred racing. Mr. Peck checked "no" to the question which inquired whether or not he had ever been arrested. Commission investigators conducted an inquiry which revealed that Peck had been arrested on June 19, 2020.

Regulatory Officer Laurenzano stated that on April 25, 2024, a hearing was held before the Commission's Board of Judges, and they determined that Mr. Peck failed to provide truthful and accurate information regarding his prior arrest record in violation of *N.J.A.C. 13:71-7.2*, *N.J.A.C. 13:71-7.3*, and *N.J.A.C. 13:71-7.7*. At the hearing, Commission investigators provided evidence of Mr. Peck's arrest record which he failed to disclose on his application. On May 15, 2024, the Judges issued a ruling which imposed a suspension of one-year and a \$2,000 fine.

Regulatory Officer Laurenzano advised that Mr. Peck appealed the decision, and the matter was transmitted to the Office of Administrative Law for a de novo hearing. Mr. Peck proposed a settlement prior to the hearing, and the parties agreed that he would pay a \$2,000 fine, withdraw his appeal, and waive his right to a hearing. The one-year suspension would not be enforced. Mr. Peck has not possessed a Commission license since 2023, and he is not permitted to drive or train racehorses, irrespective of any suspension. Mr. Peck would have a record of violating the previously mentioned regulations.

Commissioner Vetrano made a motion to approve the settlement agreement in *Gregory B. Peck v. New Jersey Racing Commission*, OAL Docket No. RAC 07721-2024S. Commissioner DeMarzo seconded the motion, and all Commissioners voted yes.

CONSIDER A SETTLEMENT AGREEMENT IN *TED SULESKI v. NEW JERSEY RACING COMMISSION*, OAL DOCKET NO. RAC 00110-2024S

Regulatory Officer Beth Laurenzano stated that on May 20, 2022, the horse “Nine Ways,” trained by Ted Suleski, finished seventh in the fifth race at Freehold Raceway. Post-race testing discovered the presence of Oxymorphone in the horse. Mr. Suleski did not request a split sample. A hearing was held before the Commission’s Board of Judges, and they determined that Oxymorphone was present in the urine of the horse in violation of *N.J.A.C. 13:71-23.1* and *N.J.A.C. 13:71-23.6(a), (b), (c), and (d)*. On November 20, 2023, the Judges issued a ruling and imposed a seven-day license suspension and a \$1,000 fine.

Regulatory Officer Laurenzano advised that Mr. Suleski appealed the decision, and the matter was transferred to the Office of Administrative Law for a *de novo* hearing. Mr. Suleski proposed a settlement prior to the hearing, and the parties agreed that he would serve a seven-day license suspension, pay a \$1,000 fine, withdraw his appeal, and waive his right to a hearing. He would have a record of violating the aforementioned regulations.

Commissioner Vetrano made a motion to approve the settlement agreement in *Ted Suleski v. New Jersey Racing Commission OAL Docket No. RAC 00110-2024S*. Commissioner Venuto seconded the motion, and all Commissioners voted yes.

ITEMS FOR DISCUSSION AND INFORMATION

Acting Executive Director stated that this concluded part A of the agenda. Part B contains items for discussion or information. These items include a breakdown of New Jersey wagering on the day of Belmont Stakes and on the day of the Meadowlands Pace.

Finally, the Executive Director asked if anyone would like to comment or bring new business to the Commission’s attention.

Jason Settlemoir, General Manager/Chief Operating Officer of Meadowlands Racetrack, stated that the Meadowlands was down over one starter per race on Meadowlands Pace night this year compared to last year. Therefore, the handle is off over a million dollars. Also, directly correlated with that as well is not only the number of starters that are on gate, but from past practice of last year, the CAWs going on post-time. He explained Meadowlands Racetrack has never gained any traction back since then. He said the Meadowlands appreciates staff working with them, and they will continue to add the 15th race when the horse population is available. He also thanked staff for working alongside the Meadowlands through the holiday weekend. He reiterated that the handle decline on Meadowlands Pace night was because of the starters. Last year, they got lucky with the number of starters; this year not so much. He stated that Monmouth Park probably had the same problem with the Haskell, and he would be interested to see the numbers.

Acting Executive Director Ben-David stated that those numbers would be available at the next meeting.

Alice Allen stated that she made the long trip to address the Commission. She noted that she has come to the Commission for the last couple years to address the issue of drug doping in horse racing and to address some very serious allegations which are no longer just allegation. She stated that she had exhibits from the United States government, from the FBI and copies of canceled checks signed by owners and trainers that are licensed and racing down the state of New Jersey. She stated these owners and trainers have taken millions. Ms. Allen stated that one person sits on the Breeders' and Owners' Board and advises the Commission.

Ms. Allen advised that she has pages and pages of canceled checks totaling \$47,000 for illegal drugs. She stated the checks were from multiple people from the SBOA. She stated that she has called and written the Commission and receives no response. She claimed she spends thousands of dollars to have people drive her to acknowledge why there is one less horse in every field every year.

Ms. Allen stated the working class is run out, and the middle class can't compete. Ms. Allen stated that the Commission could've gotten these records; They are all federal exhibits. She advised that one person encourages others, including his family members, to race doped horses, directing that he inject Epogen in a blood shot to particular horses. She stated that the Commissioners' actions are creating generational career criminals Because their parents got away with it, and their kids are getting away with it.

Ms. Allen stated that Mr. Taylor paid \$43,000 in illegal drug purchases. She stated that he is the lawyer who represents the perpetrators, and he doesn't have a license in this state. She stated that the Commission leaves the track owner and people like herself to defend themselves against people like him. She stated that Mr. Taylor made \$26 million in purses during those years of drug purchases. She stated that there were tape recordings from the Indiana Racing Commission, Kentucky Racing Commission, and the Delaware Racing Commission. He didn't know Seth Fishman but, in Kentucky, he testified that he had. They used to have dinner, go to lunch in Philadelphia. Ms. Allen stated that everyone has had seven years to accumulate the documents that she has along with the exhibits.

Ms. Allen stated an Assistant Attorney General presented in a courtroom that there was a hearing, and the Commission unanimously voted and denied that man's right to a stay. She continued that she has a signed letter from the late Mr. Dancer and from Judith Nason that there never was a hearing. Ms. Allen stated that John Tomasello lied to the Commission. She stated that in the transcripts of the hearing regarding Don Tiger and Charlie May, Mr. Tomasello was escorted out and not permitted to testify. Ms. Allen stated that Nick Surrick referred to Mr. Tomasello as his go-to guy, and it was all over the wiretaps. She continued that the Commission is allowing criminals to create fictitious corporations and set up people in hearings, stating the Commission voted and denied rights. She asked how the Commission could deny those rights to the working-class people, watch them start at that gate, and go to those Breeders' Crowns when the proof is in the checks.

Ms. Allen stated that these criminals are making the Commission and its staff vulnerable. She stated that Paul Simpson is banned in three countries for doping horses and killing them. Ms. Allen stated that people are afraid to come forward. She asked the

Commission to open up an investigation and look at the checks and the thumb drive. She stated that there won't be horse racing because too many horses have died and too many people were physically assaulted beyond recognition.

Ms. Allen stated that there is no excuse not to respond to a person like herself who has spent the last eight years reading every transcript, gathering every exhibit, and raising her right hand since 1993 that racing would plummet if someone didn't control the drugs. She stated that people are taking the drugs that are given to AIDS patients to survive and using it to kill horses. She asked the Commission to do something about it.

Ms. Allen stated that the Commission goes out and does out-of-competition blood testing through the blood. She said synthetic EPO goes right through the urine and will last a whole lot longer. She stated that the next time threats come to her or to her phone, there will be a lot of prosecution, and everyone will be exposed. She continued that one man appealed a decision and knew he was a criminal. She said the Commission and the Assistant Attorney General had those records. She stated the Commission denied Adrienne Hall a license for five purchases and for cooperating with the government because someone like John Tomasello was trying to cover his own cloth.

Ms. Allen explained that Dr. Kates makes that Epogen, and New Jersey Equine was selling it for years. She stated Nick Surrick was a liar, and he lied about Adrienne Hall. She asked if the Commission thought it was easy for her to go ahead and testify for the government and to be charged. She stated that yes, she sold what was on the truck, but it belonged to Dr. Kates. Ms. Allen said the Commission and the Attorney General's Office became a liar in a courtroom when a man had a hearing and then put it in writing and sent it to the Appellate Division when they knew it was a lie. Ms. Allen stated that Miss. Ben-David worked for the Attorney General's Office at that time and didn't know how big of a liar John Tomasello was but, if she did, then she should step down now. Ms. Allen also suggested that someone go down to the federal district and read the wiretaps and read Judge Barron's statement. Ms. Allen stated that this is an embarrassment for the Commission.

Ms. Allen thanked the Commission for at least trying for the horses and the people. She said they need to do a better job because, if not, there is going to be another Alice Allen, and there's going to be a be another 60 Minutes. To sacrifice racing, Freehold, and everyone in the room to protect the cloth is wrong. The United States government wasn't wrong. They shut down eight compound companies, 33 people, plus in Kentucky and Florida. They did their job and left the rest for the Commission to do. The U.S. Attorney's closing paragraph will send a clear signal that the people that come forward will no longer be bullied. Ms. Allen stated that she has been made fun of, run out of this business, and beat up. She stated that her friend was killed and buried in a field, and she will still come in and ask the Commission to do the right thing before she has to force them to.

Ms. Allen stated that Gural is getting old and so are some of the others. She asked if the Commission thinks it's right to walk out of life saying you did something wrong when you cleaned out some of the biggest drug dealers in the business. She stated the Commission owed it to everyone, the USTA, Salerno, Jason, and to yourselves and to a little horse named Charlie May that a man bought his mom from a kill pen and came up and sat in the same

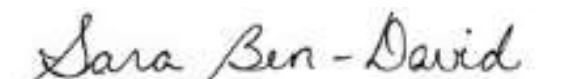
room with the same guy that was escorted out by the State Police. Ms. Allen questioned why the Commission would believe that man's worth over a guy that just happened to tell the truth. She suggested that someone go over these canceled checks because that statute isn't enough. In the records she sent to Ms. Ben David is a statement from the FBI, and it stated that BB3 was sent to the laboratory and it is synthetic Epogen. That letter says that 105EQ frozen pain shot is synthetic morphine.

Ms. Allen asked what the hell we are doing allowing a Howard Taylor and a Dylan Davis to be putting synthetic morphine in horses that's untestable and taking \$26 million from the rest of us and then writing a Commission letter to deny Charlie May the Meadowlands Pace 10 days before making the decision. She said a liar, a drug purchaser, Mark Ford's attorney, are two of the biggest drug purchases. Ms. Allen concluded that it's kind of like the mob, but at least the mob protected the middle class. She stated these are not her words but rather the words of the United States government, the words of our country.

Ms. Allen thanked everyone for listening and stated that, when they want, she will provide the thumb drives and exhibits. She asked the Commission to do something about it because, before long, there'll only be one in that Winners' Circle, and it will be her.

There were no further comments. Commissioner DeMarzo made a motion to adjourn. Commissioner Vetrano seconded the motion, and all Commissioners voted yes.

ATTEST:


Sara Ben-David, Acting Executive Director