
**BOB BAFFERT ATTORNEY CLARK BREWSTER SLAMS MEDINA SPIRIT
DISQUALIFICATION RULING AND VOWS TO APPEAL**

“We are disappointed by the Commission’s ruling, but not surprised. This ruling represents an egregious departure from both the facts and the law, but the numerous public statements by KHRC officials over the last several months have made perfectly clear that Bob Baffert’s fate was decided before we ever sat down for a hearing before the three stewards, one of whom is directly employed by Churchill Downs as the racing director at Turfway Park. We will appeal, and we will prevail when the facts and rules are presented to detached, neutral decisionmakers.

- The Kentucky Rules of Racing, KHRC Rule 8:020-2, regulates only “betamethasone acetate” “via IA [intra-articular joint] administration” and prohibits its use only if that injection occurred within 14 days of the race.
- The Kentucky Rules of Racing, Rule 8:010, Section 4, expressly permits trainers to administer ointments containing betamethasone under a rule captioned “Certain Permitted Substances,” which states that “ointments . . . and other products commonly used in the daily care of horses may be administered by a person, other than a licensed veterinarian if”: (1) The treatment does not include any drug, medication, or substance otherwise prohibited by this administrative regulation; (2) The treatment is not injected; and (3) The person is acting under the direction of a licensed trainer or veterinarian licensed to practice veterinary medicine in Kentucky and licensed by the commission.

The outcome should have been clear. Betamethasone valerate is a permitted substance that can be administered to a horse. It was not injected. And it was administered at the direction of a veterinarian, who contemporaneously reported that treatment to a national database accessible to the KHRC prior to the Kentucky Derby. There was no rule violation.

The unrefuted and undisputed facts established at the hearing were: (1) Medina Spirit was treated with an ointment, not an injection; (2) the trace amount of betamethasone detected could not have affected the horse in any way; and (3) the trace amount of betamethasone detected could not possibly have affected the outcome of the race.

In other words, Medina Spirit would have won *with* or *without* the ointment because it was irrelevant in every way. The stewards’ decision to rob Medina Spirit of a victory he earned was not in accordance with the law but instead represents biased, purposeful, and wrongful action.

Unless regulators draft and apply Rules of Racing that reflect the practical realities of caring for horses and the irrelevance of trace levels of permitted therapeutic medications, this sport will continue to suffer. Until then, Bob will continue doing the one thing that sets him apart from the KHRC, Churchill Downs, and NYRA: fighting for an honest, fair and transparent application of the rules for all the incredibly hardworking horsemen and horsewomen dedicated to our sport.”

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