



WHRC Special Commission Meeting

- Location:** Emerald Downs, 2300 Ron Crockett Drive, Auburn WA 98001, 5th Floor Tribal Council Room and Zoom Video Conference
- Date:** May 10, 2023
- Call to Order:** 9:33 am (PT)
- Adjourned:** 9:58 am (PT)
- Attendees:** Robert Lopez – Chair, Douglas Moore – Commissioner, Dr. Claude Ragle – Commissioner, Amanda Benton – Executive Secretary, Representative Joe Schmick

Agenda items

1. Hearing before the commission:

a) Scott A. Bergsrud – WHRC 2023-005

This was a hearing before the Washington Horse Racing Commission on the matter of Scott A. Bergsrud. The hearing was held on May 10, 2023, at approximately 9:34 AM at Emerald Downs racetrack in Auburn, Washington. Present were Commissioners Dr. Claude Ragle, Commissioner Doug Moore and Commissioner Robert Lopez. As a chair, Commissioner Lopez presided over the hearing. Also present were Executive Secretary Amanda Benton and Suzanne Becker, the Assistant Attorney General representing the commission. The board of stewards was represented by Amanda Benton. Mr. Bergsrud was represented by himself.

Exhibits that were being presented by Amanda Benton and were relevant to the case were the following:

- Exhibit 1: Notice of hearing and certification of service, dated May 8, 2023, for a hearing for Scott Bergsrud, scheduled for May 10, 2023.
- Exhibit 2: WHRC license application for Scott Bergsrud, dated April 21, 2023, for an assistant starter license.

- Exhibit 3: WHRC Stewards ruling EMD 2702023018, dated May 4, 2023. Issued to Scott Bergsrud, denying his license application due to WHRC order 94-007, dated August 9, 2019.
- Exhibit 4: Request for a hearing, submitted by Scott Bergsrud, dated May 5, 2023.
- Exhibit 5: WHRC order 94-007, lifting the revocation dated August 9, 2019.
- Exhibit 6: Original WHRC order 94-007, dated April 10, 1995.
- Exhibit 7: WHRC stipulation 94-007, dated April 10, 1995.
- Exhibit 8: The Association of Racing Commissioners International's comprehensive ruling and licensee report for Scott Bergsrud.
- Exhibit 9: Letter from Trainer Vince Gibson, dated April 21, 2023.
- Exhibit 10: Letter from Emerald Downs' starter Mark Gibson.

Scott Bergsrud did not have any exhibits to present in front of the Washington Horse Racing Commission.

None of the parties presented an opening statement.

Amanda Benton did not have any witnesses to call.

Commissioner Lopez swore Scott Bergsrud in. He stated his name, and he solemnly swore that he would speak the truth. He stated his intentions and desire to work at Emerald Downs racetrack.

Starter Mark Gibson testified in favor of Scott Bergsrud. Mr. Bergsrud did not have any questions for Mr. Gibson. Amanda Benton was asking Mark Gibson if he intended to hire Scott Bergsrud, if he is granted a license by the Washington Horse Racing Commission. Mark Gibson affirmed that. Commissioner Lopez inquired about, if Mark Gibson understood the original reasons, why Mr. Bergsrud got denied the license. He affirmed that.

Emerald Downs' Vice President of Racing Operations Jack Hodge testified in favor of Mr. Bergsrud. WHRC Executive Secretary Amanda Benton asked Jack Hodge, if he was willing to hire him as an Assistant Starter, based on Mr. Bergsrud's history and the length of time since he was ruled of. Jack Hodge is aware of the history and the fact, that Mr. Bergsrud has been granted a license in other jurisdictions. Mr. Hodge stated that he would be more than happy to hire him as an assistant starter at Emerald Downs.

None of the parties made a closing statement.

The commission retired to an executive session.

Finding:

The commission determined that the commission is going to amend the August 9, 2019, order, with the prohibition that Mr. Bergsrud is not allowed to be licensed in the state of Washington. The commission is going to lift that ban and giving this matter back to the board of stewards for further consideration. A written order will be prepared and send to all parties.

The hearing was adjourned.

The next meeting of the Washington Horse Racing Commission will be held on June 9, 2023, at 9:30 am at Emerald Downs and via Zoom.



Amanda Benton, Executive Secretary