

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

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In the Matter of)	
Jeffrey Poole,)	Docket No. 9417
Appellant.)	
_____)	

ORDER FOR SUPPLEMENTAL RESPONSE

Appellant Jeffrey Poole (“Appellant”) challenges the final civil sanction (“Final Civil Sanction”) imposed by the Horseracing Integrity and Welfare Unit (“HIWU”) and filed with the Federal Trade Commission on August 12, 2023, pursuant to an August 8, 2023 final decision of an arbitrator (“Final Decision”) that determined Appellant had violated Enforcement Rule 3214 of the Horseracing Integrity and Safety Authority (“HISA”). In accordance with the Final Decision, the Final Civil Sanction included, *inter alia*, a requirement that Appellant pay \$8,000 as a contribution to the costs of arbitration. Final Decision (attached to Notice of Appeal) section 7.29; Notice of Final Civil Sanction, para. 3. *See* HISA Enforcement Rule 3223(a)(3) (providing that financial penalties for violation of anti-doping rules under Rule 3214 can include “[p]ayment of some or all of the adjudication costs”).

In Appellant’s Response to HISA’s Proposed Conclusions of Law and Supporting Brief, Appellant challenges the \$8,000 contribution in part because the actual total cost of the arbitration was unknown at the time of the Final Decision. According to Appellant, “HISA may now know, but the record does not establish any basis for the Arbitrator to have known the total amount of the arbitration costs at the time he imposed the civil sanctions.” Appellant’s Response to HISA’s Proposed Conclusions of Law and Supporting Brief at ¶ 6.

HISA is hereby ORDERED to submit, by October 27, 2023, a supplemental brief responding to Appellant’s argument with respect to the arbitration award, including without limitation, information as to the actual total cost of the arbitration.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: October 23, 2023