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**UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
MATTER NO.**

IN THE MATTER OF:  
DERRICK PARRAM APPELLANT

HISA ACTION NO.: 2023-00124

DOCKET 9424

**APPELLANT'S SUPPLEMENTAL FILING**

Now comes the Appellant, Derrick Parram, pursuant to the Order for Supplemental Filing dated January 9, 2024 and says:

The Appellant, Derrick Parram was prejudiced by multiple delays. There were delays in the reporting of alleged positive drug result and delays in the raising of the void claim issue with the Maryland Stewards. This matter was briefed in the Appellant's hearing brief. The dates were also set forth in the Stipulation of the parties.

The Appellant needs to testify as the prejudice of the delays. First the delay in the reporting of the alleged positive drug result resulted in the running of the horse in a subsequent race, the horse's injury, the horses veterinary care and the horse's death, all having taken place while the horse is in the care of the new owners. After the horse's death, the new owners's trainer contacted the Stewards seeking the voiding of the claim and the return of the purchase price.

Moreover, the Appellant needs to testify as to the prejudice of having multiple hearings before the Stewards. At the first hearing the Appellant was asked if he would waive his right to have a split sample of the test result. He agreed. Weeks later he was notified that the Stewards were seeking additional consequences as a result of the alleged drug positive, i.e., the voiding of the claim and the return of the purchase price for a horse that was no longer alive.

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The Appellant will testify that he may not have waived his right to a split sample had he known weeks after the first hearing that a third hearing would take place involving even greater consequences and charges than he was advised at the first hearing.

In short the Appellant contests the decision below that he was not prejudiced by the delays. The delays and the prejudice incurred as a result of the delays supports Appellant's arguments that the doctrines of res judicata, laches, claim preclusion, collateral estoppel, election of remedies and equitable estoppel bar the re-litigation of the alleged positive test result yet again at a third hearing. The Appellant needs to testify as to the delays and the effect of the delays.

/s/ Richard J. Hackerman

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**CERTIFICATE OF SERVICE**

Pursuant to 16 CFR 1.146(a) and 16 CFR 4.4(b), a copy of the forgoing is being served this 23<sup>rd</sup> day of January 2024, via First Class mail and/or email upon the following:

Office of the Secretary  
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