

PUBLIC

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES
FTC DOCKET NO. 9426**

CHIEF ADMINISTRATIVE LAW JUDGE: D. MICHAEL CHAPPELL

IN THE MATTER OF:

JONATHAN WONG

APPELLANT

SUPPLEMENTAL APPEAL BOOK OF HISA

March 15, 2024

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**HORSERACING INTEGRITY &
WELFARE UNIT, A DIVISION OF DRUG
FREE SPORT LLC**

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CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2024, pursuant to Federal Trade Commission Rules of Practice 4.2(c) and 4.4(b), I caused the foregoing Supplemental Appeal Book of HISA to be filed and served as follows:

<p>Hon. D. Michael Chappell Chief Administrative Law Judge Office of Administrative Law Judges Federal Trade Commission 600 Pennsylvania Ave. NW Washington DC 20580 via e-mail to OALJ@ftc.gov</p>	<p>April Tabor Office of the Secretary Federal Trade Commission 600 Pennsylvania Ave. NW Washington, DC 20580 Via email: electronicfilings@ftc.gov</p>
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/s/ Bryan H. Beauman
Counsel for Horseracing Integrity and Safety
Authority

I N D E X

TAB	DOCUMENT DESCRIPTION	PG. #
1.	Order re Wong's Motion in Limine to Exclude Portions of Dr. Patricia Dowlings Expert Report and Related Testimony dated January 4, 2024	03 - 04

TAB 1

BEFORE THE HORSERACING INTEGRITY AND SAFETY AUTHORITY'S ANTI-DOPING AND MEDICATION CONTROL PROGRAM ARBITRATION PANEL

ADMINISTERED BY JAMS, CASE NO. 1501000584

In the Matter of the Arbitration Between:

HORSE RACING INTEGRITY WELFARE UNIT (“**HIWU**” or “**Claimant**”),
Claimant

v.

JONATHAN WONG (“**Wong**” or “**Respondent**”),
Respondent.

ORDER: WONG’S MOTION *IN LIMINE* TO EXCLUDE PORTIONS OF DR. PATRICIA DOWLING’S EXPERT REPORT AND RELATED TESTIMONY

On January 4, 2024, Wong moved, *in limine*, for the exclusion of portions of Dr. Patricia Dowling’s Expert Report and Related Testimony.¹

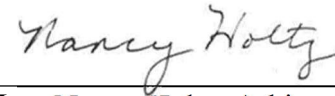
Wong argues that Dr. Dowling is wrongfully attempting to delve into the province of this Arbitrator by rendering legal opinions. Her testimony, if relevant, material and credible, will be considered by me. If, *arguendo*, her opinions touch on any legal conclusions, they will not be considered, relied upon or used as a substitute for my own conclusions.

Wong also argues that Dr. Dowling lacks the requisite expertise and qualifications to opine in the areas for which HIWU advances her as a witness. Wong has failed to establish that Dr. Dowling’s expertise and qualifications would render her testimony inadmissible. Wong is free to make this argument vis-à-vis the weight of her testimony should he choose. But a review of her credentials does not support this argument and resulting exclusion of her as a witness. Her report and related testimony will not be excluded. Motion denied.

¹ In the interest of expedience, I will not await a response from HIWU but rule now.

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Dated January 4, 2024



Hon. Nancy Holtz, Arbitrator
