

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

In the Matter of)
Joseph Peacock and Oscar Ceballos,) Docket No. 9415
Appellants.)

APPELLANTS' EXHIBIT LIST

Pursuant to 16 CFR 1.146(c)(4)(i)(C) and the Chief Administrative Law Judge's Order on Stay Application and Application for Review entered July 3, 2023, Appellants hereby submit the following cover sheet listing the documentary evidence they intend to introduce at the evidentiary hearing on July 13, 2023:

1. 3.27.2023 – Appeal Hearing Oscar Ceballos & Joey Peacock.mp4 (video of the March 31, 2023, hearing held before the Horseracing Integrity and Safety Authority (“HISA”) (“HISA hearing”))
2. Oscar Ceballos Stewards' Ruling¹
3. Joseph Peacock Jr. Stewards' Ruling²
4. HISA May 17, 2023, Decision on Appeal
5. 2022 9-24 Race 6 head-on view.mp4 (video of race at issue, head-on view)³
6. 9-24-22 - Head on.mp4 (video of race at issue, head-on view)
7. 9-24-22 - Pan.mp4 (video of race at issue, pan view)

¹ Part of the record as Exhibit 1 at the HISA hearing.

² Part of the record as Exhibit 2 at the HISA hearing.

³ The video does not appear to be part of the record as an exhibit at the HISA hearing but was played by HISA's counsel at the HISA hearing at timestamp 00:07:13.

8. 9-03-22 - Head on.mp4 (video of prior race, head-on view)
9. 9-03-22 - Pan.mp4 (video of prior race, pan view)
10. Joseph Peacock Jr. analysis and summary of race videos⁴

The PDF exhibits are labeled with exhibit numbers and are being filed through AEFS. Due to their nature as MP4 files, the video exhibits cannot readily be labeled with exhibit numbers, and due to their file size, they cannot readily be filed through AEFS. However, both the PDF and video exhibits are being submitted to the Chief Administrative Law Judge and to opposing counsel with a sharefile link from which they can be downloaded.

Further, Appellants reserve the right, if the need arises (including for impeachment purposes), to introduce as evidence any of the following documents or other exhibits:

1. Any document which has been produced or offered as evidence by Appellants or HISA;
2. Any exhibit introduced at the HISA hearing not otherwise included herein;
3. Any document or exhibit identified in HISA's exhibit list; and
4. Any document or exhibit necessary to impeach or discredit any testimony or other evidence presented by HISA.

Respectfully submitted,

/s/Nolan M. Jackson

Joel B. Turner
Frost Brown Todd LLP
400 West Market Street, Suite 3200
Louisville, KY 40202-3363
Washington, DC 20001
Phone: (502) 568-0392
Fax: (502) 581-1087
jturner@fbtlaw.com

and

⁴ Part of the record as Exhibit 12 at the HISA hearing.

Nolan M. Jackson
Frost Brown Todd LLP
20 F Street NW, Suite 850
Washington, DC 20001
Phone: (202) 292-4165
Fax: (202) 292-4151
njackson@fbtlaw.com
Counsel for Appellants

CERTIFICATE OF SERVICE

Pursuant to 16 CFR 4.2(c)(1)(i), a copy of the forgoing is being filed electronic through the Federal Trade Commission's electronic filing system (AEFS) this 10th day of July, 2023, with courtesy copies being served via email upon the following:

Office of the Secretary
electronicfilings@ftc.gov

Office of Administrative Law Judges
oalj@ftc.gov

Bryan Beauman
bbeauman@sturgillturner.com

John L. Forgy
johnforgy1@gmail.com