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### **CONCLUSION**

The Final Decision appropriately considered and applied the facts of Appellant’s case to ultimately impose \$20,000 in financial penalties. No evidence presented speaks to a lessening of Appellant’s degree of Fault. Instead, the Arbitrator exercised his discretion in Appellant’s favor by finding that the facts and circumstances warranted reduced financial penalties, which are in keeping with the statutory framework, are rationally connected to the evidence, and were made with adequate consideration of the circumstances. These financial penalties should be maintained.

ALL OF WHICH IS RESPECTFULLY SUBMITTED THIS 7th DAY OF AUGUST 2024

/s/Bryan H. Beauman

BRYAN BEAUMAN  
REBECCA PRICE  
333 W. Vine Street, Suite 1500  
Lexington, Kentucky 40507  
Telephone: (859) 255-8581  
[bbeauman@sturgillturner.com](mailto:bbeauman@sturgillturner.com)  
[rprice@sturgillturner.com](mailto:rprice@sturgillturner.com)  
**HISA ENFORCEMENT COUNSEL**

MICHELLE C. PUJALS  
ALLISON J. FARRELL  
4801 Main Street, Suite 350  
Kansas City, MO 64112  
Telephone: (816) 291-1864  
[mpujals@hiwu.org](mailto:mpujals@hiwu.org)  
[afarrell@hiwu.org](mailto:afarrell@hiwu.org)  
**HORSERACING INTEGRITY &  
WELFARE UNIT, A DIVISION OF DRUG  
FREE SPORT LLC**

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<sup>51</sup> Final Decision, at Award para. 4, HAB Tab 22, p. 958.