

PUBLIC

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES
FTC DOCKET NO. D-9446

ADMINISTRATIVE LAW JUDGE:

HON. JAY L. HIMES

IN THE MATTER OF ZVI KRIPLE

APPELLANT

AUTHORITY'S RESPONSE TO REQUEST FOR STAY

The Horseracing Integrity and Safety Authority (the “Authority”) files this Response to Appellant’s Application to Stay sanctions imposed by the Final Decision of the Board of the Authority (the “Board”).

ROYAL HONEY, a Covered Horse, died of a rupture of her digestive tract in her stall at Belterra Park on August 25, 2025. Her trainer, Appellant, observed her symptoms of colic two days prior to her death. Dr. Renn, her attending veterinarian, informed Appellant that he was out of town and would not be able to treat the horse. Dr. Renn instructed Appellant, “I told him in light of what all he had told me that the horse needed to be seen or it was probably going to die. I told him to call Park Equine or to find a vet locally.”¹ Another trainer located another veterinarian who could treat ROYAL HONEY. Trainers at Belterra Park offered to ship her to the veterinarian free of charge.²

¹ Attachment 1.

² *Id.*

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Despite Dr. Renn's advice and the offer of assistance from his colleagues, Appellant chose not to seek available veterinary care for ROYAL HONEY. She suffered for two days and died in her stall as a result of this deprivation of care. This is a violation of Rule 2215(a)(4).

The Internal Adjudication Panel ("IAP") conducted a hearing and found that Appellant violated Rule 2215(a)(4).³ On review, the Board of the Authority affirmed the IAP and issued a decision (the "Decision"), finding, "Mr. Kriple violated Rule 2215(a)(4) by depriving Royal Honey of necessary veterinary care that resulted in Royal Honey suffering a painful death."⁴

Appellant now requests a stay of his suspension pending review of his appeal. Appellant's request should be denied as he has failed to satisfy the requirements articulated in 16 CFR §1.148(d).

First, Appellant's likelihood of success on review is low. Appellant raises four "errors" on appeal, each of which are legally unsound and not supported by the evidence in the record.

The Decision in no way violates his rights under the doctrine of collateral estoppel. The Authority has never adjudicated any Rule 2215(a)(4) violation with Appellant outside of the present matter. Appellant claims that a separate decision the Ohio State Racing Commission ("Ohio") rendered against him precludes the

³ Attachment 2.

⁴ Attachment 3 at 4.

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Authority from pursuing enforcement of Rule 2215 at present.⁵ This is not the case. Ohio, an entity wholly distinct from the Authority, rescinded Appellant's state racing license pursuant to its own rules. Ohio's revocation of Appellant's license does not invoke collateral estoppel in this matter.

Next, the Authority never directed Appellant to violate federal law or "bio-security" by providing ROYAL HONEY care. Appellant's claim appears to refer to regulatory schemes prohibiting the transportation of animals with "communicable diseases" across state lines. Colic is not a communicable disease. It is an intestinal condition in horses. Further, Rule 2215(a)(4) requires Appellant to provide the horses he trained with necessary veterinary care. His claim that he was directed to violate federal law or create a "bio-security" risk is unfounded.

Appellant also asserts the Decision relied on fabricated testimony. Appellant has presented no proof or request to supplement the record with evidence contradicting the sworn testimony provided at the hearing. At present, no basis exists to support this claim.

Finally, Appellant preposterously asserts that Authority, not he, medically abandoned ROYAL HONEY. Yet, Appellant was the Responsible Person for Royal HONEY and was the individual obligated to provide necessary veterinary care to the horses he trains. Appellant failed to provide ROYAL HONEY with care despite others

⁵ Authority Rule 2215(a)(4) preempts any overlapping Ohio regulation. *See* 15 U.S.C. 3054(b) ("The rules of the Authority promulgated in accordance with this chapter shall preempt any provision of State law or regulation with respect to matters within the jurisdiction of the Authority under this chapter, as limited by subsection (j).")

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offering to assist him. Neither the Authority nor its regulations systematically failed to provide ROYAL HONEY veterinary care – Appellant failed to provide her necessary veterinary care.

Second, Appellant has not and will not suffer irreparable harm. Appellant claims the suspension is harming his business prospects but has failed to provide facts in support of these conclusory assertions.⁶ Also, harm can only be considered irreparable “where there is no adequate remedy at law, such as monetary damages.”⁷

Third, contrary to Appellant’s assertion, the welfare of other horses and racing participants would be jeopardized by a stay. Appellant observed his horse in medical distress and failed to provide his horse with veterinary care – resulting in ROYAL HONEY’s painful death. Appellant’s conduct created a fatal environment for ROYAL HONEY, and a stay would only allow him to exercise similar judgment with other horses in his care. The Authority strongly disputes that the Decision imposes sanctions that are the result of any error.

Last, the public interest would not be served by a stay. The Authority’s enforcement of Rule 2215(a)(4) against Appellant coincides with the Authority’s congressional mandate in the Horseracing Integrity and Safety Act of 2020 (the “Act”) to protect the integrity of horseracing and the welfare of all athletes – equine and human. Granting a stay would not only jeopardize the welfare of any horses trained by Appellant but also the Authority’s efforts to protect the integrity horseracing.

⁶⁶ Moreover, according to publicly available records on Equibase, Appellant had 4 starts in 2025 with total earnings of \$510, 5 starts in 2024 with total earnings of \$6,715, 0 starts in 2023, and 1 start in 2022 with total earnings of \$243. Notably, the 4 starts in 2025 were all at Mountaineer Racetrack located in West Virginia. Due to a federal court injunction, HISA’s rules are not in effect in West Virginia.

⁷ *Janvey v. Alguire*, 647 F.3d 585, 600 (5th Cir. 2011).

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The Authority requests that Appellant's Application for a stay be denied.

/s/ Rebecca Price

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CERTIFICATE OF SERVICE

Pursuant to 16 CFR §1.146(a) and 16 CFR §4.4(b), a copy of this Authority's Response to Appellant's Application for a Stay is being served on January 7, 2026, via Administrative E-File System and by emailing a copy to:

Office of Administrative Law
Judges
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, DC 20580
via e-mail to Oalj@ftc.gov
and electronicfilings@ftc.gov

Zvi Kriple
4109 Haley Road
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Appellant

/s/ Rebecca Price

Enforcement Counsel

ATTACHMENT 1

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STATEMENT OF DR. TIMOTHY RENN

In the matter of:

HORSERACING INTEGRITY AND SAFETY AUTHORITY v. ZVI KRIPLE
HISA Case No. 2025-21507

On Sunday August 24, 2025, Kriple called me about 12:30 in the afternoon because he had a colic. He said the horse had been colicking since late afternoon Saturday, and had not had any medicine and was getting bad. He said he could not get in contact with Dr. Ramos. I told him Dr. Ramos was out of town and was unavailable, and that I lived 100 miles away and could not see the horse. I told him in light of what all he had told me that the horse definitely needed to be seen, or it was probably going to die. I told him to call Park Equine or other trainers to find a vet locally. I also told him that it needed at least to get Banamine and tubed to relieve pressure on its stomach before it ruptured, which if that occurred the horse would not make it. He said he would walk it and maybe try to find another vet.

At about 8:30 that night he called again and said the horse was getting really bad and that the horse had not been seen. Another trainer, Pearl Chain, was also on the phone and agreed it was really bad and that it probably wouldn't make it. Pearl had helped Zvi find some Banamine and Acepromazine and was given to the horse.

I didn't hear anymore from Zvi Kripl until the next day, after the horse died by falling out of its stall while unattended at 3:30 am. No veterinary care was given despite me and several other trainers and grooms telling Zvi that the horse was going to die if it wasn't seen. Pearl found a vet, Dr Tony Wolfe, who agreed to see the horse that evening but he had to haul it to his clinic. Free transportation was volunteered by Pearl Chain, Steve Sandy, and Christy Estvanko, yet Zvi declined to have the horse seen. Zvi solely gave Acepromazine, Banamine, and walked it until sometime later in the evening at which time put it back in the stall and gave it hay.

From Zvi's own account the horse had colicked from Saturday afternoon (August 23) until dying on Monday (August 25) at 3:30 am with only 1 dose of Banamine and some Acepromazine of unknown amount.

UK necropsy findings showed a ruptured volvulus" which almost certainly was surgical only to be curative, or after a simple rectal palpation it would have been recommended to have surgery or euthanasia due to extremely poor prognosis without surgery which would have prevented a long drawn-out painful death of Royal Honey.

I hereby swear that this is a true and accurate statement of events, and affix my name to this document in assurance of its veracity.

Signed: _____
Dated: October 15, 2025

ATTACHMENT 2

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BEFORE THE INTERNAL ADJUDICATION PANEL

HISA

v.

Case Number: 2025-21507
IAP Member: Richard Abbott

ZVI KRIPLE

AMENDED WRITTEN RULING OF INTERNAL ADJUDICATION PANEL

Section One – Parties

Date of Hearing: October 20, 2025

Date of Decision: October 27, 2025

Date of Amended Decision: November 7, 2025

HISA Counsel: Samuel Reinhardt

Covered Person: Zvi Kriple HISA Registration #P-000-021-507

Section Two – Charges

Covered Person Ziv Kriple is charged with violation of the following Series 2000 Racetrack Safety Program Rules, specifically Rule 2215 which states:

- (a) No Covered Person acting alone or in concert with another person shall compromise the welfare of a Covered Horse for competitive or commercial reasons or subject or permit any Covered Horse under their control, custody, or supervision to be subjected to or incur the following:
 - (1) Any form of cruelty, mistreatment, neglect, or abuse;
 - (2) Abandonment, injury, maiming, or killing (except for euthanasia for humane reasons and in a manner consistent with the current version of the American Veterinary Medical Association Guidelines for the Euthanasia of Animals);
 - (3) Administration of any noxious substance; or
 - (4) Deprivation of necessary care, sustenance, shelter, or veterinary care.

If true, this finding would be violations of Racetrack Safety Rule 2215 (a).

Section Three – Burdens of Proof and Evidence

- A. HISA has established by a preponderance of the evidence, the following:

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Covered Person Zvi Kriple (P000-021-507) was the responsible person for the Covered Horse Royal Honey (H000-062-142) which was stabled at Belterra Park on August 23, 2025. On the afternoon of August 23, 2025, which was a racing day at Belterra Park, the Covered Horse began to show symptoms of colic, a painful intestinal condition in horses. Without having sought veterinary aid on the 23rd, at 12:30PM on Sunday August 24, 2025 the Covered Person made contact with Dr. Timothy Renn to seek veterinary aid. Dr Renn informed the Covered Person that he was 100 miles away and was unable to return to the track to attend to the horse. He suggested several alternative veterinarians which might be able to attend to the horse in a timely manner. He further stressed the importance of having the horse seen to and that the condition, left untreated, could lead to a very painful death of the Covered Horse.

Dr. Renn further testified that his next contact with the Covered Person was at 8:30PM on the 24th when he was told by the Covered Person that the horse still had not been treated by a veterinarian. In his testimony, Dr. Renn quoted another trainer who was on the call as saying that several trainers had volunteered to ship the horse to a nearby vet clinic free of charge but that the Covered Person refused to take advantage of those offers. The Covered Person testified that he left the horse unattended at 1:30 AM on the 25th and that the Covered Horse fell out of its stall at 3:30AM and died what Dr. Renn described would have been a very painful death.

Autopsy results showed that the cause of death was a rupture of the Covered Horses' digestive tract.

B. The Covered Person has offered the following evidence, set forth in detail below, without any other testimony to corroborate his evidence:

It is the Covered Person's testimony that, despite his best and repeated efforts over the periods of August 23rd and 24th, 2025 he was unable to find any veterinarian that would either come to the racetrack to treat the horse or receive the horse at a clinic where it could be seen and treated.

Section Four – Violations Determined

Based on the applicable Racetrack Safety Rules listed above in Section Two, and based upon the established evidence as set forth in Section Three above, the Hearing Panel has determined that the Covered Person has violated the following Racetrack Safety Rule: 2215 (a)(4), which prohibits "the deprivation of necessary care, sustenance, shelter, or veterinary care" to a Covered Horse.

Section Five - Sanctions

The following Sanctions are imposed upon the Covered Person for each violation or failure to comply with the regulations of the Authority that has been established in this case:

- (1) The Covered Person's registration with HISA shall be suspended for a period of two (2) years, commencing on October 28th, 2025, and continuing through October 27th, 2027; and

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(2) Public disclosure of the Consequences.

Appeal Rights

Subject to Rule 8350(d), a party to this decision may appeal to the Board by filing, with the Board, a written request for an appeal within 10 days of receiving this written order.

Richard Abbott

Richard D. Abbott
IAP Panel Member

ATTACHMENT 3

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BEFORE THE HORSERACING INTEGRITY AND SAFETY AUTHORITY
HISA CASE # 2025-21507IN THE MATTER OF:)
ZVI KRIPLE)
)**FINAL DECISION**

This appeal is before the Board (the “Board”) of the Horseracing Integrity and Safety Authority, Inc. (the “Authority”) pursuant to HISA Rule 8350.

BACKGROUND

On November 3, 2025, Mr. Zvi Kriple (“Mr. Kriple”), filed a Notice of Appeal, appealing the decision and sanctions imposed in the Ruling of the Internal Adjudication Panel (the “Panel”) dated October 27, 2025, as amended on November 7, 2025 (the “IAP Decision”). The appeal included a Motion for Stay Pending Appeal (the “Motion for Stay”). On November 6, 2025, Enforcement Counsel filed a Response to the Motion for Stay. Mr. Kriple then filed two supplemental emails dated November 7, 2025 and November 9, 2025. In the November 11, 2025 Board Order denying the Motion for Stay, the Board determined to hear this appeal by written submissions and allowed the parties to file additional written submissions. Both Mr. Kriple and Enforcement Counsel have filed additional written submissions. The record in this matter consists of the following: (i) Sutherland Summary (09.08.2025); (ii) Kriple Notice of Violation (09.10.2025); (iii) HISA Witness and Exhibit List (09.29.2025); (iv) Statement of Dr. Renn (10.15.2025); (v) 5. HISA v. Zvi Kriple - Final Hearing (10.20.2025) [VIDEO]; (vi) HISA Hearing Exhibit 1 - Dr. Bart Sutherland's Welfare Assessment (10.20.2025); (vii) HISA Hearing Exhibit 2 - Dr. Laura Kennedy's Pathology Report (10.20.2025); (viii) HISA Hearing Exhibit 3 - Dr. Timothy Renn's Veterinary Report (10.20.2025); (ix) HISA Hearing Exhibit 4 - David Pate

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Statement (10.20.2025); (x) HISA Hearing Exhibit 5 - HISA's Notice of Violation issued to Mr. Kriple (10.20.2025); (xi) HISA Hearing Exhibit 6 - August 29, 2025, Ohio Stewards' Ruling (10.20.2025); (xii) IAP Decision (10.27.2025); (xiii) Amended IAP Decision (10.27.2025); (xiv) Kriple Appeal to HISA Board (11.03.2025); and (xv) HISA Memo Regarding Stay on Appeal (11.06.2025). This appeal is fully submitted.

FINAL DECISION

Mr. Kriple was charged with a violation of Rule 2215, which states:

2215. Welfare and Deprivation of Care

(a) No Covered Person acting alone or in concert with another person shall compromise the welfare of a Covered Horse for competitive or commercial reasons or subject or permit any Covered Horse under their control, custody or supervision to be subjected to or to incur the following:

- (1) any form of cruelty, mistreatment, neglect, or abuse;
- (2) abandonment, injury, maiming, or killing (except for euthanasia for humane reasons and in a manner consistent with the current version of the American Veterinary Medical Association Guidelines for the Euthanasia of Animals);
- (3) administration of any noxious substance; or
- (4) deprivation of necessary care, sustenance, shelter, or veterinary care.

The Panel found that the following facts were established by the Authority:

Covered Person Zvi Kriple (P000-021-507) was the responsible person for the Covered Horse Royal Honey (H000-062-142) which was stabled at Belterra Park on August 23, 2025. On the afternoon of August 23, 2025, which was a racing day at Belterra Park, the Covered Horse began to show symptoms of colic, a painful intestinal condition in horses. Without having sought veterinary aid on the 23rd, at 12:30PM on Sunday August 24, 2025 the Covered Person made contact with Dr. Timothy Renn to seek veterinary aid. Dr Renn informed the Covered Person that he was 100 miles away and was unable to return to the track to attend to the horse. He suggested several alternative veterinarians which might be able to attend to the horse in a timely manner. He further stressed the importance of having the horse seen to and that the condition, left untreated, could lead to a very painful death of the Covered Horse.

Dr. Renn further testified that his next contact with the Covered Person was at 8:30PM on the 24th when he was told by the Covered Person that the horse still had

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not been treated by a veterinarian. In his testimony, Dr. Renn quoted another trainer who was on the call as saying that several trainers had volunteered to ship the horse to a nearby vet clinic free of charge but that the Covered Person refused to take advantage of those offers. The Covered Person testified that he left the horse unattended at 1:30 AM on the 25th and that the Covered Horse fell out of its stall at 3:30AM and died what Dr. Renn described would have been a very painful death.

Autopsy results showed that the cause of death was a rupture of the Covered Horses'[sic] digestive tract.

IAP Decision at 2.

The Panel therefore found that Mr. Kriple violated Rule 2215(a)(4). Mr. Kriple's registration for HISA was suspended for two (2) years.

Mr. Kriple argues that the IAP Decision imposing "the maximum penalty is clearly erroneous and not supported by the full context of the evidence, which establishes" that he made "proactive and diligent attempts to secure veterinary care for" Royal Honey. Kriple Supplemental Brief at 1. Mr. Kriple supports his argument by pointing out that he called veterinarians several times and when no veterinarians were available, he personally cared for Royal Honey. Mr. Kriple also maintains that he was denied a fair hearing because he had less than one month to prepare for the hearing, and further maintains that defense witnesses were intimidated.¹

Enforcement Counsel points out that although Dr. Renn, Royal Honey's treating veterinarian, was unable to treat Royal Honey, he provided Mr. Kriple the name of an equine hospital to call for treatment services. In addition, Dr. Renn told Mr. Kriple that Royal Honey would likely die if she did not receive immediate treatment. Despite this warning, Mr. Kriple refused multiple offers from other trainers to transport Royal Honey to another veterinarian who had agreed to treat Royal Honey free of charge. As for the hearing process, Enforcement Counsel notes that Mr. Kriple never objected to the hearing date or disclosure deadlines.

¹ No evidence was offered in support of this claim.

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The standard of review is set forth in Rule 8350(f): “Upon review of the decision which is the subject of the appeal, the Board shall uphold the decision unless it is clearly erroneous or not supported by the evidence or applicable law.” After reviewing the record, the Board finds that the Panel’s ruling in this case is not clearly erroneous and is supported by the evidence and applicable law. The Board concurs with the factual findings and reasoning articulated by the Panel in the IAP Decision, and pursuant to Rule 8350, the Board accepts, adopts, and affirms the IAP Decision in full. Clearly, Mr. Kriple violated Rule 2215(a)(4) by depriving Royal Honey of necessary veterinary care that resulted in Royal Honey suffering a painful death. In light of these determinations, the Board orders as follows:

1. Mr. Kriple has violated Rule 2215(a)(4) as set out in the IAP Decision.
2. The registration of Mr. Kriple shall be suspended for two years. During the period of suspension, Mr. Kriple shall be prohibited from participating in any capacity in any activity involving Covered Horses, or in any other activity taking place at a Racetrack or Training Facility and shall also be prohibited from permitting anyone to participate in any capacity on his behalf in any such activities during the suspension period. Pursuant to the IAP Decision, the suspension shall run from October 28, 2025 and shall continue through October 27th, 2027.
3. The resolution of this matter shall be publicly disclosed by HISA pursuant to Rule 8380.

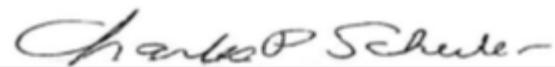
This decision is the final decision of the Authority pursuant to 15 U.S.C. § 3058.

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APPEAL RIGHTS

Pursuant to 15 U.S.C. § 3058(b), Mr. Kriple may appeal the civil sanction imposed by this decision to the Federal Trade Commission within 30 days of the Authority's submission to the Federal Trade Commission of notice of the civil sanction. The Authority will provide notice of this decision to the Federal Trade Commission on the date that this decision is issued to the Covered Person.

IT IS SO ORDERED, this 9th day of December, 2025.



Charles P. Scheeler
Chair, Board of Directors

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CERTIFICATE OF ISSUANCE

Undersigned counsel certifies that on December 9, 2025, this Decision on Appeal was issued via email to: Bryan Beauman, Mr. Kriple and Rebecca Price.

:

