

RESPONDENT'S SUPPLEMENTAL STATEMENT REGARDING NECROPSY FINDINGS

Docket No.: 9446

Respondent respectfully submits this Supplemental Statement to clarify a material medical issue that directly bears on the Authority's allegations and the substantial-evidence analysis.

1. Post-mortem findings cannot establish clinical notice or duration of suffering.

The necropsy confirmed an acute large colon volvulus at death. As a matter of veterinary science, a post-mortem examination cannot determine when symptoms became clinically apparent, how long pain existed prior to death, or what was observable in real time. Conclusions regarding "two days of excruciating pain" therefore cannot be medically substantiated by necropsy findings alone.

2. The necropsy and the sworn record contradict "deprivation of medical care."

Respondent testified under oath that he administered conservative at-hand medications, including anti-inflammatory, calming, and gastric-protective agents, consistent with veterinary guidance. The necropsy submission history corroborates that medication was administered. Nothing in the record contradicts that testimony.

3. Conservative stabilization was provided consistent with veterinary standards.

When a veterinarian is not immediately available, standard equine practice is to initiate conservative stabilization to relieve pain, reduce stress, and preserve circulation until evaluation can occur. This commonly includes non-steroidal anti-inflammatory medications for visceral pain, adjunct agents to reduce anxiety and improve circulation (including acepromazine), and gastric protectants to mitigate stress- and medication-induced ulceration. The presence of such medications is consistent with good-faith compliance with veterinary guidance and first-line colic management.

4. Additional supportive care was continuously provided.

As confirmed by testimony from the President of the Trainers' Association, Respondent also walked the horse for extended periods throughout Saturday evening to promote intestinal motility and relieve discomfort—an accepted non-pharmacologic supportive measure in conservative colic care.

5. Reliance on hindsight inference creates an unacceptable risk of error.

Reconstructing clinical notice, duration of suffering, or neglect from post-mortem findings—particularly where treatment is documented and corroborated—creates a substantial risk of erroneous deprivation. Sanctions must rest on contemporaneous clinical evidence, not retrospective inference.

CLARIFICATION REGARDING "MEDICAL CARE"

MEDICAL CARE IS DEFINED BY THE NATURE OF THE ACT, NOT BY THE TITLE OF THE PERSON PROVIDING IT. In clinical and regulatory contexts, medical care means reasonable, timely, good-faith intervention based on observable symptoms and available resources. It includes stabilization, monitoring, administration of appropriate medication, and escalation when warranted.

The actions taken by Respondent—consulting a veterinarian, following veterinary guidance, administering appropriate medication, monitoring, and providing supportive care—satisfy the professional standard of medical care, regardless of whether a licensed veterinarian was physically present at the moment of treatment.

Conclusion.

The necropsy confirms an acute catastrophic event and corroborates treatment. It does not support allegations of prolonged suffering or deprivation of care. The medical record therefore undermines the factual premise of the Authority's case and reinforces Respondent's due-process and substantial-evidence challenges.

Respectfully submitted,

Zvi Kriple
Respondent, pro se
Date: 02/07/2026

RESPONDENT'S MOTION FOR LEAVE TO FILE

SUPPLEMENTAL STATEMENT REGARDING NECROPSY FINDINGS

(Nunc Pro Tunc)

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

In the Matter of:
Horseracing Integrity and Safety Authority, Inc.

Respondent: Zvi Kriple (pro se)
Docket No.: 9446
Administrative Law Judge: Hon. Jay L. Himes

RESPONDENT'S MOTION FOR LEAVE TO FILE

SUPPLEMENTAL STATEMENT REGARDING NECROPSY FINDINGS

(Nunc Pro Tunc)

Respondent respectfully moves for leave to file his Supplemental Statement Regarding Necropsy Findings, previously submitted to the docket, and requests that such leave be granted nunc pro tunc.

Grounds

1. Respondent is proceeding pro se and submitted the Supplemental Statement to clarify material medical facts directly bearing on the Authority's allegation of deprivation of medical care.
2. The Supplemental Statement was intended to be accompanied by a Motion for Leave; however, due to Respondent's pro se status and the onset of a government shutdown and resulting stay of proceedings, the Supplemental Statement was filed without a separate motion.
3. The Supplemental Statement is narrow, clarifying, and non-prejudicial. It does not raise new claims but addresses the medical significance of necropsy findings already referenced in the record and directly relevant to the substantial-evidence and due-process analysis.
4. No ruling has issued on the merits of the Supplemental Statement, and no party is prejudiced by granting leave.
5. Granting leave nunc pro tunc will promote a complete and accurate record for review by the Administrative Law Judge and the Commission.

WHEREFORE, Respondent respectfully requests that the Court grant leave to file the Supplemental Statement Regarding Necropsy Findings nunc pro tunc and deem it accepted as part of the record.

Respectfully submitted,

Zvi Kriple
Respondent, pro se
Date: 02/07/2026

VI. CERTIFICATE OF SERVICE

I certify that on this 31 day of January 2026,
I served this filing electronically upon counsel
for HISA and filed it
with the Federal Trade Commission Office of
Administrative Law Judges.

Respectfully submitted,
Zvi Kriple 
Respondent, pro se

02/07/2026