

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES
FTC DOCKET NO. D-9445**

**ADMINISTRATIVE LAW JUDGE:) JUDGE JAY L. HIMES
IN THE MATTER OF:)
DR. MICHAEL J. GALVIN, APPELLANT) DOCKET No. D-9445**

**AUTHORITY’S REPLY BRIEF AND
REPLY FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Horseracing Integrity and Safety Authority (the “Authority” or “HISA”), by counsel, pursuant to the briefing schedule provided by the Administrative Law Judge, submits the following Reply Brief and Reply Proposed Findings of Fact and Conclusions of Law to the original filing by Dr. Michael Galvin (“Galvin”).

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REPLY BRIEF

Most of the issues raised in Galvin's brief were addressed in the Authority's initial Brief. In Reply, three points merit attention.

First, Galvin's procedural complaints about this matter would have been resolved if he had participated in his case. He argues the summary excel exhibit was difficult to use – but he never sought any clarification before the hearing and never offered any rebuttal to its contents. More to the point, in addition to the summary, Galvin was provided the underlying records from which the summary was drawn. His complaints then too about the Notice of Violation (even if accurate, which is disputed) were cured four months before the hearing when he was provided the *entirety* of the underlying records and the summary exhibit pinpointing the location and detail of each missing horse health record.¹ Galvin even requested records from HISA that he had submitted to the Portal because he claimed he was unable to find himself.² That too was provided in an Excel searchable format.³

Instead of participating in his defense, Galvin's strategy was to seek delay, request dates to file procedural motions instead of actually filing them, and then skip the hearing. That was his strategy call but there may have been good reason for him to do so, since the majority of the missing records came from information or documents created and provided by Galvin himself⁴ and he likely has no good answer to the questions he would have been asked had he attended the hearing.⁵ After all, even in this appeal, he still offers no explanation as to why he did not submit his treatment and examination that were in his own notebook and the records he provided to HISA representing them as “work done” on horses under his case. Galvin's focus on the

¹ Authority FOF-16.

² AB-44.

³ Authority FOF-16.

⁴ Authority FOF-1; Authority FOF-4.

⁵ Authority FOF 30.

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summary exhibit misses the point—he was provided with the total volume of underlying records which showed examinations and treatment not submitted to the portal, and he himself had provided most of the underlying records.

Second, Galvin seeks a pass because he was the first case to proceed to a hearing for a Rule 2251 violation. Yet, he was aware of numerous efforts by HISA to educate veterinarians on the importance and the particulars of reporting documents in the Portal.⁶ He received several communications,⁷ was warned on multiple occasions that the failure to report could result in sanctions,⁸ and even carried around in his notebook contact information for a HISA employee to assist him should he have any questions.⁹ He simply elected to ignore Rule 2251 – that is until April 2024 when he learned HIWU had requested treatment records from the trainers and owners of horses he cared. Galvin then panicked and began providing records to the Portal in bulk, and well after the fact.¹⁰

Third, Galvin has neither provided any reason in this appeal why he left out over 3,000 records nor provided those records with a level of detail compliant with Rule 2251. This intentional thwarting of compliance with Rule 2251(b) puts horses and riders at risk. The Veterinarians' List is a critical tool.¹¹ It allows regulatory and attending veterinarians, track officials, trainers, owners, and HISA the ability to discern a horse's health history. For some procedures, there is a mandatory stand-down period as noted by the Veterinarians' List. For other treatments or injuries, veterinarians can use the List to assess a horse's health history and make real-time decisions. Secreting away veterinarian records masks the ability of these professionals

⁶ AB-27_Stormer_150:9-20.

⁷ AB-46_Royse_971:9-22, 973:22-974; AB-46_Gilman_996:4-17.

⁸ Authority FOF 11-12.

⁹ Authority FOF 10.

¹⁰ Authority FOF 31.

¹¹ Authority FOF-41.

PUBLIC

to make necessary decisions for future care of horses and jeopardizes the safety of horses and riders.¹² It also prevents HISA from fulfilling one part of what Congress has charged it do – research horse health and injuries.¹³ Would Galvin’s missing veterinarian records assist in the further study and lead to new understanding? Would it have led to intervention that could have prevented a negative outcome for a horse or rider? Those questions can never be answered if he does not submit his records.

Ultimately, Galvin violated Rule 2251. The ruling below, with the attendant sanctions, should be affirmed.

REPLY FINDINGS OF FACT

1. *On August 23, 2024, the Horseracing Integrity and Safety Authority (“HISA”) issued a Notice of Violation alleging Dr. Galvin “failed to report to ... approximately 3,951 treatments administered to 497 Covered Horses between January 1, 2023 and March 7, 2024” – all in supposed violation of HISA Rule 2251(b). [Appeal Book (“AB”), Tab 3 at pp. 7-12].*

Agree.

2. *Dr. Galvin objected to the Notice on grounds it violated HISA Rule 8200(d)(1)(ii), as it failed to “[s]pecify with reasonable particularity the factual basis of [HISA’s] belief that the provision has been violated.” Dr. Galvin further objected that HISA’s publication of the Notice failed to “disclose ... the identity of any applicable horse[,]” as required by HISA Rule 8380. [AB, Tab 4 at 14-15].*

Agree.

3. *On October 29, 2024, enforcement counsel served a searchable Excel spreadsheet captioned “Preliminary Summary Exhibit” that spelled out a different number of treatments than alleged in the Notice of Violation. [Compare AB, Tab 43 (“approximately” 3,865 treatments), with AB, Tab 3 (“approximately” 3,951 treatments); see also AB, Tab 27, at pp. 215-219 (enforcement counsel identified additional treatments mistakenly included in the “Preliminary Summary Exhibit” (Exhibit 16); AB, Tab 58 (IAP Member finding “more than 3,000” unentered treatments)].*

Agree.

4. *Pre-hearing conferences were held on October 30 and November 19, 2024. On*

¹² Authority FOF-41-42.

¹³ Authority FOF-39-40.

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December 3, 2024, the IAP Member set expedited dates for discovery and pre-hearing memos, and scheduled hearings for March 10 & 11, 2025. [AB, Tab 11].

Agree in part. The IAP Member's December 3, 2024 Scheduling Order established a procedural schedule and set the hearing to occur more than three months later on March 10-11, 2025.¹⁴

5. *The December 3rd Scheduling Order spelled out no protocols for the conduct of the online hearings - making no provision for pre-marking or introducing exhibits, providing paper copies of same to the IAP Member in advance of the hearing, or setting parameters for screensharing of exhibits or online records. The December 3rd Scheduling Order also made no provision for dispositive or other motions.*

Agree in part. The December 3, 2024 Scheduling Order outlined the procedural schedule for the matter.¹⁵ On January 3, 2025, the IAP Member emailed counsel regarding Galvin's request for an additional status conference writing, "I have no objection to this request and ask that Mr. Bonstrom provides several dates that can be considered by the other parties."¹⁶ Counsel for Galvin never responded to that email and a subsequent status conference was never set to discuss dispositive or other procedural facets of the proceeding.

6. *On December 16, 2024, Dr. Galvin requested leave to depose HIWU Investigations Counsel Zachary Ceriani; HISA field support agent Tracy Gilman; and HIWU Director of Intelligence Naushaun Richards. Dr. Galvin also requested another status conference to schedule dispositive motions. [AB, Tab 12].*

Agree.

7. *Enforcement counsel opposed the request for depositions, arguing they were prohibited under HISA Rule 7260. [AB, Tab 14 at 1] Rule 7260 prohibits a "subpoena for a deposition," not depositions themselves. As Dr. Galvin sought to depose HISA/HIWU employees, subpoenas were not required. On January 3, 2025, the IAP Member denied Dr. Galvin's request for depositions on the grounds advocated by enforcement counsel. [AB, Tab 16].*

Agree in part. The Authority's position on depositions is set out in full in its Position

¹⁴ AB-11 at 31.

¹⁵ AB-11 at 31.

¹⁶ AB-15 at 53.

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Statement on Depositions.¹⁷ Galvin's analysis of Rule 7260 is not a finding of fact but is a conclusion of law. Galvin's assertion that deposition subpoenas for HISA/HIWU employees is irrelevant because Rule 7260 prohibits depositions in IAP proceedings.¹⁸

8. *On January 16, 2025, Dr. Galvin served a Request for Production of Documents. Enforcement counsel filed its objections and produced documents on February 14, 2025. [AB, Tab 25 at 121-124 & 125-135].*

Agree. Galvin served a Request for Production of Documents on enforcement counsel after the January 15, 2025 deadline set by the IAP Member.¹⁹ Despite the untimely request, enforcement counsel responded and produced documents on February 14, 2025.

9. *On February 19 and 24, 2025, Dr. Galvin renewed his request for a status conference, seeking a briefing schedule for dispositive motions, and for motions to compel discovery and for in limine rulings. [AB, Tabs 17 & 19] The IAP Member did not grant the requests because no dates had been proposed for the requested conferences. [AB, Tab 20].*

Agree in part. The IAP Member did not schedule a third status conference in this matter because Galvin never provided dates to the IAP Member.²⁰ The IAP Member denied Galvin's other procedural motions and requests at the outset of the hearing and called for post-hearing briefing on the Motion to Dismiss.²¹

10. *On February 24, 2025, enforcement counsel filed a pre-hearing statement. [AB, Tab 18 at 58-68] The same day, Dr. Galvin renewed his request for a status conference and advised that, absent opportunity to file motions in limine, to compel compliance with discovery, and for dismissal, the matter was not ripe for hearing. Dr. Galvin consequently advised he was unable to file a pre-hearing statement. [AB Tab 19].*

Agree. Galvin advised that four months after he received the Authority's Preliminary

¹⁷ AB-14 at 39-51.

¹⁸ AB-14 at 39.

¹⁹ AB-11 at 31.

²⁰ AB-20 at 72.

²¹ AB-26 at VR 0:01-39:42; see specifically AB-26 at VR 37:00-39:42.

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Summary Exhibit²² and source records²³ he would not file a pre-hearing statement as required by the IAP Member.²⁴

11. *On March 7, 2025, Dr. Galvin filed a motion to dismiss [AB, Tab 23 at 78-99 & Tab 25 at 103-135] on grounds (i) the Notice of Violation failed to charge a cognizable violation of HISA Rule 2251(b); (ii) the charged Violation was impermissibly duplicitous; (iii) HISA engaged in improper and prejudicial pre-accusation delay before issuing the Notice of Violation; (iv) the proceeding was the product of selective and/or vindictive prosecution; and (v) HISA impermissibly denied Dr. Galvin's narrowly tailored discovery requests and withheld exculpatory evidence. [AB, Tab 23 at 79-99].*

Agree. Counsel for Galvin emailed a Motion to Dismiss to the IAP Member and enforcement counsel late on Friday, March 7, 2025 preceding the hearing set to begin on Monday, March 10, 2025.²⁵ On Sunday, March 9, 2025 at 3:28 p.m., counsel for Galvin reserved the Motion to Dismiss with an originally omitted exhibit.²⁶

12. *The fact of Dr. Galvin's motion to dismiss was discussed at the outset of the March 10, 2025 hearing. The hearing transcript contains no record of that discussion. [AB, Tab 27 at 137, et seq.] The discussion instead is preserved in the first 46 minutes and 25 seconds of the video of the proceeding. [AB, Tab 26] Therein, the IAP Member acknowledged the complexity and seriousness of the issues raised, proposed adjourning the hearing pending full briefing and decision on the motion, but ultimately adopted enforcement counsel's suggestion to proceed without rulings on the motion. [See also AB, Tab 27 at 55-56].*

Agree in part. A thorough discussion of Galvin's last-minute Motion to Dismiss filed two days prior to the hearing was held on the video record.²⁷ The IAP Member required post-hearing briefing from the Authority on the motion²⁸ and addressed each point of the Motion to Dismiss in her final order.²⁹

13. *HISA's Rule 2251(b) case was predicated upon supposed owner or trainer "business records" produced during an abandoned HIWU investigation. [AB, Tabs 30-42*

²² AB-43.

²³ AB-28-42 at 380-879.

²⁴ AB-19 at 70.

²⁵ AB-22 at 77; AB-23 at 79-99.

²⁶ AB-24 at 101; AB-25 at 103-135.

²⁷ AB-26 at VR 0:01-39:42; see specifically AB-26 at VR 37:00-39:42.

²⁸ AB-53 at 1258-1263.

²⁹ AB-58 at 1309-1312.

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(Exhibits 3-15)] HISA aggregated those records in a “Preliminary Summary Exhibit.” [AB, Tab 43 (Exhibit 16) (searchable Excel spreadsheet)] The owner/trainer records and “Preliminary Summary Exhibit” were introduced through the testimony of HIWU analyst Melissa Stormer.

Agree in part. The Authority’s allegations of this Rule 2251(b) violation was based on (i) records Galvin kept in a treatment notebook that detailed trainers, horses, and treatments he administered;³⁰ (ii) records Galvin produced to HIWU³¹ that included his own “work done” records for various trainers and horses³² and records from trainer Ray Handal;³³ and (iii) records provided by trainers to HIWU upon request.³⁴ Among the more than 3,000 veterinary records that Galvin did not submit to the Portal, most were provided by Galvin himself. Approximately 108 were records from Galvin’s notebook; approximately 557 were from the Galvin “work done” records he provided, and approximately 1,318 were provided by Galvin that he represented were records from trainer Ray Handal.³⁵

14. *HISA listed 14 trainers as potential witnesses in the proceeding [AB, Tab 18 at 64-65], but none of them testified. HISA produced no other witness to authenticate or otherwise lay a foundation for its exhibits. Dr. Galvin preserved his foundation objections to each of the individual exhibits [AB, Tab 27 at 181, et seq.] - including the “Preliminary Summary Exhibit” [Exhibit 16] that purported to aggregate the individual records. [AB, Tab 27 at pp. 214, et seq.] The “Preliminary Summary Exhibit” suffered from additional infirmities: enforcement counsel acknowledged multiple errors in the exhibit, and was unwilling to identify who crafted the exhibit (including the multiple errors therein). [AB, Tab 27 at 215-219].*

Agree in limited part. Trainers were not called to testify. However, the source documents identifying the missing veterinary records came in significant part from Galvin’s *own* records or materials *he produced* in response to a demand for records. All the veterinary records are reliable sources of information. Rule 2252 requires all responsible persons such as a trainer to *keep* a

³⁰ AB-28 at 381-481.

³¹ AB-29 at 483-616.

³² AB-29 at 590-616.

³³ AB-29 at 527-582.

³⁴ AB-30-42 at 618-879.

³⁵ AB-43(Excel).

PUBLIC

copy of treatment and procedures (as opposed to veterinarians who are required to *submit* the records to the Portal within 24 hours) and are subject to sanction for failing to do so. Trainers are also required to provide the records to HISA or HIWU upon request, and under penalty or sanction for failing to do so. When HISA requests records under these Rules, if a trainer fails to respond appropriately they are also subject to penalty or sanction. Therefore, the records the trainers provided to HIWU are reliable. This case has a thread that independently proves that.

HIWU issued a demand for records to Galvin and part of Galvin's response was to provide records from trainer Ray Handal. HIWU separately demanded records from Handal as it did many other trainers. The Handal records Galvin provided match the set Handal provided.³⁶ Galvin was provided these records more than four months prior to the hearing. He never submitted any evidence challenging any entry from the trainer records. He also failed to appear at the hearing to offer testimony about any inaccuracy about the records he produced or in the trainer records or deny the accuracy of the trainer records.

Galvin was told the summary exhibit was prepared by counsel (as frequently happens in trials).³⁷ In final preparation for the hearing, a few lines in the Excel sheet were noted to be in error such as either in duplication, dates transposed (inadvertently switching day and years), etc. These were proactively identified and disclosed.³⁸

15. *HIWU analyst Stormer also testified regarding entries contained in a notebook reportedly seized from Dr. Galvin's vehicle. [AB, Tab 28; Tab 27 at pp. 146, et seq.] Stormer was not present when the notebook was seized, and did not identify the individual who seized the notebook. [AB, Tab 27 at 146] Dr. Galvin preserved hearsay and chain-of-custody objections to the exhibit. [AB, Tab 27 at 147-148].*

Agree in part. Ceriani testified HIWU received a tip that Galvin had been administering substances and intraarticular injections that may have violated the Authority's Rules and that

³⁶ Compare AB-29 to AB-30 at 627-681.

³⁷ AB-27_Beauman_259:15-260:4.

³⁸ AB-27_Beauman_214:23-219:9.

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during the course of this investigation, HIWU investigators searched Galvin's vehicle in early September 2023.³⁹ Stormer testified that the seized notebook was photocopied and was not retained by HIWU.⁴⁰

16. *Stormer further testified that HIWU veterinarian Dr. Patricia Marquis assisted her in interpreting "some technical and vet medical abbreviations and terms and names of drugs." [AB, Tab 27 at 149] Stormer did not identify which "terms" or "names of drugs" she was unable to decipher. Stormer provided no testimony regarding any drug, and she provided no testimony regarding any treatment reflected in any of the exhibits – including the "Preliminary Summary Exhibit." In particular, Stormer gave no testimony regarding "AIA's," "intra-articular injections," or "intraarticular injections." Nor did any other fact witness in the proceeding.*

Agree in part. Stormer testified that Dr. Marquis assisted the investigation by reviewing the assumptions Stormer made regarding "technical and veterinarian medical abbreviations and terms and names of drugs" for accuracy.⁴¹ Stormer was never asked to identify the terms or names of drugs she was unable to decipher. Stormer conducted live searches to demonstrate how she performed her comparative analysis. Reviewing the records of Galvin's veterinary treatments and examinations from the above-mentioned source material, Stormer searched the Portal to see if any of those entries had been input in the Portal. She performed these searches for AWESOME GLO, BARRAGE, AWESOME FORCE, BOWL OF CHERRIES, LA AGUILLA, and LAWFUL, which are detailed in the Authority's Proposed Finding of Fact 29.⁴² Stormer did not provide testimony regarding intraarticular injections. However, Dr. Mary Scollay provided significant testimony regarding the importance of reporting intraarticular injections to regulators;⁴³ enforcement counsel's proffer touched on pertinence of reporting intraarticular injections in horses with other recent veterinary treatments;⁴⁴ and Ceriani provided testimony

³⁹ AB-46_Ceriani_1016:4-1020:14.

⁴⁰ AB-27_Stormer_145:20-146:22.

⁴¹ AB-27_Stormer_148:18-22.

⁴² AB-27_Stormer_233:1-255:20.

⁴³ AB-27_Scollay_897:13-901:22.

⁴⁴ AB-46_Royse_956:22-957:2.

regarding HIWU's review of Galvin's intraarticular injection practices.⁴⁵

17. *Stormer also testified concerning 3,121 treatments that Dr. Galvin did enter in the HISA portal between July 2022 and February 2025. [AB, Tab 27 at pp. 224, et seq.; Exhibit 17] Those treatment entries were not charged as violations of HISA Rule 2251(b) in the proceeding. The Exhibit was offered to establish supposed non-compliance with Rule 2251(b)'s 24-hour reporting requirement. Stormer did not know if HISA had ever charged a violation of the "24-hour" component of Rule 2251(b). [AB, Tab 27 at 292]*

Admit. The vast majority of the records Galvin has reported to the Portal were not timely entered⁴⁶ but were not charged as part of this proceeding. That fact is also relevant to show Galvin knew how to enter records in the portal before this matter arose, and only after HIWU sent demands for records to the trainers did he begin entering records in bulk, which shortly ceased thereafter. Stormer performed a search of the Portal at the request of counsel for Galvin and revealed that three Rule 2251 violations have been charged by HISA.⁴⁷

18. *Stormer performed an online search for violations of Rule 2251(b). [AB, Tab 27 at pp. 127, et seq.] Stormer found only one other charged violation of the Rule - one that post-dated the present case and included an additional ADMC violation. [AB, Tab 27 at p. 127-128]*

Disagree. Ms. Stormer's search indicated two other Rule 2251(b) violations had been charged by the Authority.⁴⁸

19. *Stormer opined that every time a veterinarian "eyeballs" or simply looks at a horse that occurrence needs to be entered in HISA's portal. [AB, Tab 27 at 299] Stormer could not tell from the records she examined whether Dr. Galvin had simply "eyeballed" a horse or performed some other treatment. [AB, Tab 27 at 298-301; 323] Despite the questionability of Stormer's interpretation of the Rule and her inability to identify treatments, she nevertheless entered the events in her spreadsheet. [AB, Tab 27 at 298-301, 323].*

Agree in part. Stormer testified that she did not "interpret procedure[s]" Galvin performed.⁴⁹ She offered no testimony surrounding the nature of the specific treatment and

⁴⁵ AB-46_Ceriani_1013:23-1016:18.

⁴⁶ AB-44.

⁴⁷ AB-27_Stormer_264:22-265:3.

⁴⁸ AB-27_Stormer_264:22-265:3; AB-26 at VR 3:21:29-3:29:00.

⁴⁹ AB-27_Stormer_299:2-300:18.

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examination records and only testified she compared Galvin's own documents and records of other to the records Galvin entered in the Portal.⁵⁰

20. *Stormer acknowledged that the Equibase records she reviewed during her direct testimony provided no particulars regarding injuries or fatalities, and that she didn't interpret anything in the exhibits produced in the hearing as reflecting dangerous treatments by Dr. Galvin that could result in the death of a horse. [AB, Tab 27 at 303-305].*

Agree. Dr. Scollay provided additional testimony regarding the importance of timely reporting of veterinary treatment records to protect the safety of both equine and human athletes and preserve the integrity of horseracing.⁵¹

21. *HIWU Investigations Counsel Ceriani testified on the defense case. He explained that HIWU spent months investigating whether Dr. Galvin performed improper intra-articular injections ("IAI's"); that HIWU had access to all the records introduced in this proceeding; and that the records revealed no impermissible IAI treatments. HIWU therefore did not charge Dr. Galvin with any ADMC Rule violations. [AB, Tab 46 at pp. 1016-1017, 1040-1041].*

Agree.

22. *On July 11, 2025, the IAP Member found that Dr. Galvin violated Rule 2251(b) by failing to submit "over three thousand" treatment records to HISA between January 1, 2023 and March 7, 2024. [AB, Tab 58 at p. 1314] Although no ADMC charge was lodged or otherwise at issue in the proceeding, the IAP Member made extensive findings regarding supposed impermissible IAI treatments. [AB, Tab 58 at p. 1308] Without providing any explanation or reasoning, the IAP Member suspended Dr. Galvin's HISA registration for two years and imposed a \$25,000 fine. [AB, Tab 58 at p. 1308].*

Agree in part. The IAP Member did not make extensive findings regarding intraarticular injections in her Final Order, she merely recounted Dr. Scollay's testimony regarding the "risk to horses and racing participants" that used intra-articular injections as merely one example⁵² and enforcement counsel's proffer of cross-examination that would have been conducted had Galvin appeared at the hearing.⁵³ As for intra-articular injections, Galvin's records make numerous references to unidentified treatments for "fetlock," "knee," and "ankle."

⁵⁰ AB-27_Stormer_212:21-213:10.

⁵¹ AB-46_Scollay_890:24-895:5.

⁵² AB-58 at 1306.

⁵³ AB-58 at 1308.

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The IAP Member issued sanctions “as determined by the evidence in this case”⁵⁴ based on Galvin’s failure “to submit over three thousand veterinary treatment records to HISA within 24 hours after examination or treatment of Covered Horses during the period from January 1, 2023 through March 7, 2024.”⁵⁵ Under Rule 8200(b), this sanction is proportional to the nature, chronicity, and severity of Dr. Galvin’s violation.

REPLY CONCLUSIONS OF LAW

1. *The August 23, 2024 Notice of Violation was impermissibly duplicitous as it prejudiced Dr. Galvin in matters of notice, sentencing, appellate review, and confusion on the part of the IAP Member.*

Disagree.

2. *No other covered person was ever charged for failing to enter 2023 treatments in the HISA portal – even though HISA’s public reports acknowledged nationwide non-compliance that year. In the circumstances, this first ever prosecution of alleged Rule 2251(b) violations represents a dramatic departure from HISA practice and precedent and therefore was arbitrary and capricious.*

Disagree. At least three other veterinarians have been charged with violating Rule 2251, although Galvin’s was the first to proceed to a hearing. The scarcity of the number of violations for such an abject failure to provide records attests to the widespread *compliance* by veterinarians. Galvin is an outlier and has never offered any explanation for his chronic failure to report. Galvin was charged with failure to report over 3,000 veterinary treatment records to the Portal.⁵⁶

3. *The IAP Member provided no explanation or reason for imposing a two-year suspension and \$25,000 fine. In the absence of explanation and any Rule 2251(b) precedent, the sanction imposed constitutes an abuse of discretion.*

Disagree. The ruling detailed the findings against Galvin and this sanction imposed under Rule 8200(b) is proportional to the nature, chronicity, and severity of Galvin’s violation. Failing

⁵⁴ AB-58 at 1314.

⁵⁵ AB-58 at 1314.

⁵⁶ AB-3 at 8.

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to wholesale enter horse health records into the Portal provides significant risk to horses and riders. Subsequent veterinarians (attending and regulatory), Responsible Persons (trainers), owners, or HISA may lack critical information regarding diagnoses, treatments, medications administered, surgical history, vaccination status, or known medical risks. This gap in information can result in inappropriate treatment, duplication of procedures, contraindicated medications, or delayed intervention in emergent situations.

4. *The July 10 Decision was not supported by substantial evidence, because HISA provided no evidentiary foundation for the vast majority of records introduced in the proceeding.*

Disagree. A majority of the Portal's missing veterinary records were provided by Galvin himself. The trainer records had substantial support, and are required under HISA Rules to be kept and produced on demand. Even then, Galvin offered no contrary evidence either before the hearing or during it to any of the trainer records and refused to appear and testify to rebut any of the evidence presented.

Respectfully submitted,

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WORD COUNT CERTIFICATE

This document complies with the word limit of 16 C.F.R. § 1.146(c)(4), this document contains 2,453 words as counted by Microsoft Word.

/s/Bryan Beauman
HISA Enforcement Counsel

CERTIFICATE OF SERVICE

I hereby certify that on February 27, 2026, pursuant to Federal Trade Commission Rules of Practice 4.2(c) and 4.4(b), I caused the foregoing Reply Brief and Reply Findings of Fact and Conclusions of Law to be electronically filed via Administrative E-File System and served as provided below. I further certify that no portion of the filing was drafted by generative artificial intelligence (“AI”).

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