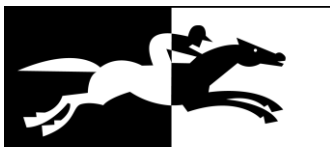


RACING VICTORIA LIMITED
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RACING APPEALS AND
DISCIPLINARY BOARD



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APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 17 August 2010

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: DANNY NIKOLIC**

Panel Judge Russell Lewis (Chair), Mr Stephen Curtain, Mr Chris Enright

Appearances Mr Des O’Keeffe appeared on behalf of Mr Nikolic.
Mr Terry Bailey appeared on behalf of the Stewards.

At Caulfield on Saturday, 14 August 2010 jockey Danny Nikolic was found guilty of a charge of careless riding on his mount *Schilling* in Race 8 the *Corps of Commissionaires Handicap* (1600m).

The careless riding being that in the early part of the home straight, he permitted his mount to shift out, taking *Tan Tat Baby* out on to *Macedonian* and as a result *Macedonian* was forced out across the heels of *Gorky Park*, resulting in *Macedonian* having to be checked severely, blundering and almost falling. In laying the charge Stewards took into account that *Gorky Park* had shifted in slightly.

Mr Nikolic had his licence to ride in races suspended for a period to commence at midnight on Saturday, 14 August 2010 and to expire at midnight on Friday, 27 August 2010 a total of 13 race meetings (3 metropolitan, 10 country). In arriving at penalty Stewards took into account Danny Nikolic’s good record.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday, 16 August 2010.

A stay of proceedings was not requested.

DECISION: **Appeal against decision dismissed.**

Penalty varied – period of suspension to now expire at midnight on Friday, 20 August 2010 (6 race meetings).

Georgie Curtis
Registrar - Racing Appeals & Disciplinary Board

TRANSCRIPT OF PROCEEDINGS

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR S. CURTAIN
MR C. ENRIGHT**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE CORPS OF COMMISSIONAIRES
HANDICAP OVER 1600 METRES AT CAULFIELD ON 14/8/10**

JOCKEY: DANNY NIKOLIC

MELBOURNE

TUESDAY, 17 AUGUST 2010

MR T. BAILEY appeared on behalf of the RV Stewards

MR D. O'KEEFFE appeared on behalf of the Appellant

CHAIRMAN: In this case, the Board is satisfied that there was a degree of carelessness on the part of Dan Nikolic, in that he, in taking the run, made contact with Jordan Mallyon's mount and it follows from that that he shifted ground in doing so and continued to ride for some strides with his horse's head turned out.

However, the Board is also satisfied that there was significant contribution by Steven Arnold's mount, in that he narrowed the gap considerably through which Luke Nolen intended to drive his horse, and the Board also takes into account the fact that Jordan Mallyon's mount was behaving in such a way that it was not travelling straight. It was, as he termed it, "wobbling around a little", and therefore contributed or accentuated the degree of the interference.

Taking all matters into consideration in this case, the Board is of the view that it should characterise the level of careless riding in the lower registers of the low range, and taking into account Dan Nikolic's recent record, the Board is of the opinion that he should be suspended, but the period of suspension to expire at midnight on Friday, 20 August 2010

END OF EXTRACT