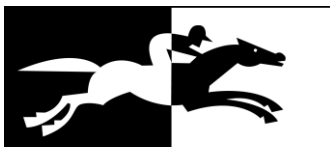


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RACING APPEALS AND
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APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 26 October 2010

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

Panel Judge Russell Lewis (Chair), Mr Brian Forrest (Deputy Chair), Mr Ron Taylor.

Appearances Mr Paul O’Sullivan of O’Sullivan Saddington Lawyers appeared on behalf of Mr Nikolic.
Mr Terry Bailey, Chairman of Stewards, appeared on behalf of the Stewards.

At Moonee Valley on Saturday 23 October 2010, jockey Danny Nikolic was found guilty of a charge of careless riding on his mount *Masthead* in Race 1 the *Microflite Helicopters Inglis Banner* (1000m).

The careless riding being that after passing the 200m he rode his mount out to a position where there was insufficient room between *Pensive Dream* and *Mirror Man* and as a result contact was made between *Masthead* and *Mirror Man*, forcing *Mirror Man* out across the heels of *Elite Falls*, resulting in Blake Shinn having to check *Mirror Man*.

Dan Nikolic had his licence to ride in races suspended for a period to commence at midnight on Saturday, 23 October 2010 and to expire at midnight on Monday, 1 November 2010 – a total of 10 race meetings (2 metropolitan, 8 country).

A Notice of Appeal against **the severity of the penalty** was lodged on Monday, 25 October 2010.

A stay of proceedings was not requested.

DECISION: **Appeal dismissed.**

Georgie Curtis
Registrar - Racing Appeals & Disciplinary Board

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
MR B. FORREST, Deputy Chairman
MR R. TAYLOR**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE MICROFLITE HELICOPTERS
INGLIS BANNER OVER 1000 METRES**

JOCKEY: DANNY NIKOLIC

MELBOURNE

TUESDAY, 26 OCTOBER 2010

MR T. BAILEY appeared on behalf of the RVL Stewards

MR P. O'SULLIVAN appeared on behalf of the Appellant

CHAIRMAN: Based on the evidence given at the Stewards' hearing and having regard to the films shown at this appeal and the submissions made today, the Board is of the opinion that (1) there was a minimal shift from Nash Rawiller's mount, but it occurred after the appellant's mount had caused Shinn's mount to be checked; (2) there was a minimal shift from Rodd's mount, but this occurred after the damage had already been done.

In short, the Board is of the opinion that the appellant, whose mount was making ground, tried to force a run when there was no room available. There was no relevant contribution by either Rawiller, nor Rodd, and accordingly, the appeal against penalty is dismissed.

END OF EXTRACT