

CHAPTER 307. PROCEEDINGS BEFORE THE COMMISSION

SUBCHAPTER C. PROCEEDINGS BY STEWARDS AND RACING JUDGES

1 **Sec. 307.62. Disciplinary Action**

2 (a)-(i) (No change.)

3 (j) Discovery.

4 (1) Prior to a disciplinary hearing, upon written request  
5 served on the opposing party, a party shall be entitled, subject  
6 to the limitations in §2.15 of the Act, to:

7 (a) the name and address of any witness who may be  
8 reasonably expected to testify on behalf of the opposing  
9 party, together with a brief summary of the subject matter  
10 of each witness's anticipated testimony; and

11 (b) copies of all documents or other materials in the  
12 possession or control of the opposing party that the  
13 opposing party reasonably expects to introduce into  
14 evidence in either its case-in-chief or in rebuttal.  
15 Rebuttal documents, to the extent that they are not  
16 immediately identifiable, shall be tendered to the opposing  
17 party forthwith upon identification.

18 (2) A party may obtain discovery only by making a written  
19 request for the production of witness lists, documents, and  
20 other materials, as provided in paragraph (1) of this  
21 subsection.

22 (3) The stewards and racing judges may exclude from a  
23 disciplinary hearing any witnesses, documents, and other  
24 materials that were not properly disclosed in accordance with  
25 this subsection unless good cause is shown for the failure to  
26 disclose them.

27 (4) Discovery requests under this section shall not be  
28 cause for postponement or delay of a disciplinary hearing or of  
29 the disposition of the proceedings.