

DIRECTIONS OF
THE RACING PENALTIES APPEAL TRIBUNAL

APPELLANT : RUSSELL STEWART

APPLICATION NO. : A30/08/251

APPELLANT : KENNETH NIGHTINGALE

APPLICATION : A30/08/252

APPELLANT : GRANT ALEXANDER GIBBS

APPLICATION NO : A30/08/253

PANEL : MR D MOSSENSON (CHAIRPERSON)

DATE OF HEARING : 21 JUNE 1995

IN THE MATTER OF a directions hearing regarding appeals lodged by Messrs Stewart, Nightingale and Gibbs against the determinations made by the WA Turf Club Stewards on the 21 April 1995.

Mr S J Browne, instructed by Stephen J Browne, appeared for Mr R Stewart.

Mr R A Mazza, instructed by Mazza McCallum & Robinson, appeared for Mr K Nightingale.

Mr T Monaghan, instructed by Karp & Monaghan, appeared for Mr G Gibbs.

R J Davies QC appeared for WATC Stewards.

I am satisfied, based on the material put to me, that it is appropriate to conduct separate hearings for these three appeals. However, I will endeavour to have the same panel of members hear all three of them.

The Registrar will liaise with counsel with a view to arranging an appropriate listing once it becomes clear when the transcript will be available.

In regard to the Stewart appeal, I will allow further evidence to be introduced along the lines outlined by counsel for Mr Stewart. However, if the Stewards require the deponent of any Affidavit to be available to be cross examined then I foreshadow that I am likely to so order. The appellant should prepare and serve copies of any affidavits which are proposed to be relied upon on the other side in advance of the hearing in order that the Stewards can make known whether they desire to cross examine or not.



DAN MOSSENSON, CHAIRPERSON

8 / 9 / 1995

