

DETERMINATION OF
THE RACING PENALTIES APPEAL TRIBUNAL

APPELLANT: SHERI SHEEHY

APPLICATION NO: A30/08/658

PANEL: MR D MOSSENSON (CHAIRPERSON)
MR A MONISSE (MEMBER)
MR R NASH (MEMBER)

DATE OF HEARING: 2 AUGUST 2006

DATE OF DETERMINATION: 26 OCTOBER 2006


IN THE MATTER OF an appeal by Sheri Sheehy against the determination made by the Racing and Wagering Western Australia Stewards of Harness Racing on 29 June 2006 imposing 6 months disqualification for breach of Rule 238 of the Rules of Harness Racing.

Ms S Sheehy appeared in person.

Mr J Zucal appeared for the Racing and Wagering Western Australia Stewards of Harness Racing.

By a majority decision with the Chairperson dissenting the appeal against penalty is upheld. The 6 month disqualification beginning 29 June 2006 imposed by the Stewards be varied to 4 months disqualification. The disqualification of the Appellant will therefore cease on 28 October 2006.



 Mr D MOSSENSON, CHAIRMAN

THE RACING PENALTIES APPEAL TRIBUNAL

**REASONS FOR DETERMINATION OF MR D MOSSENSON
(CHAIRPERSON)**

APPELLANT: SHERI SHEEHY

APPLICATION NO: A30/08/658

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MR A MONISSE (MEMBER)
MR R NASH (MEMBER)

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IN THE MATTER OF an appeal by Sheri Sheehy against the determination made by the Racing and Wagering Western Australia Stewards of Harness Racing on 29 June 2006 imposing 6 months disqualification for breach of Rule 238 of the Rules of Harness Racing.

Ms S Sheehy appeared in person.

Mr J Zucal appeared for the Racing and Wagering Western Australia Stewards of Harness Racing.

BACKGROUND

On 15 February 2006 the Racing and Wagering Western Australia ("RWWA") Stewards of Harness Racing suspended Mrs Sheehy's reinsperson's licence for six months following an inquiry into the analysts report that the urine sample provided by her was found to contain a drug of abuse. Mrs Sheehy had admitted taking what she thought was an ecstasy tablet on a Thursday evening prior to driving on the following Monday. The Stewards informed Mrs Sheehy in handing down their determination that the industry relied on drivers being able to make split

decisions which have the potential to impact on the outcome of races, the welfare of drivers and the horses they drive. Mrs Sheehy was told in such an environment there was no place for drivers to have drugs of abuse in their bodies. In handing down the sentence the Stewards permitted Mrs Sheehy to drive trackwork at registered tracks provided a urine sample had been found to be drug free.

A further inquiry was held by the Stewards on 7 June 2006. The second inquiry was in relation to a report from the RWWA principal investigator, Mr P O'Reilly, that Mrs Sheehy drove at Byford Training Complex in April 2006 when her licence was suspended. Mr G J Kersley was present and assisted Mrs Sheehy during the second inquiry. During the course of it Mrs Sheehy admitted that she was fully aware of the circumstances of her prior suspension and the conditions applying in relation to driving trackwork [page 6 of the transcript of the Stewards' inquiry (T6)].

Evidence was presented to the Stewards of Mrs Sheehy's video interview with Mr O'Reilly on 22 May 2006. In the course of the interview Mrs Sheehy stated she had been in the racing industry about 15 years and was experienced in the rules applying to the use of the Byford Trotting Track. In relation to the subject of track use Mrs Sheehy explained:

'... that she could not remember exactly the dates when she used the track however she was aware that she had driven on the track whilst under suspension on one occasion due to the circumstances at the time where Greg was unable to drive for some reason so she had gone onto the track to work a horse.(T13)'

Mrs Sheehy went on to explain that since the Chief Steward Harness, Mr W J Delaney, had spoken to her and advised that there had been sightings of her using the track, she had not driven a sulky on the track (T13). Later in the interview Mrs Sheehy said she could not remember whether she drove on 19 April but reiterated that she had not done so on 9 May 2006. During the course of the inquiry Mrs Sheehy did admit that on one occasion she had driven on the track at Byford. She asserted it was certainly not in the month of May but couldn't tell the exact date. (T15)

Part of the transcript of an inquiry into a report from Mrs Kelly Ellis, Secretary/Manager at the Pinjarra Trotting Track, regarding an incident that occurred at trackwork on 17 March 2006 was introduced into the evidence at the Stewards' inquiry. In that transcript the Chairman of that inquiry, Mr Delaney, specifically asked Mrs Sheehy whether she had ever driven and she

categorically said she had not (T23). In that passage Mrs Sheehy specifically responded to Mr Delaney that she had not driven at Byford the day before. A little later in the inquiry when Mrs Sheehy was asked by the Chairman of Stewards, Mr J A Zucal, why did she drive at Byford when she knew the license was suspended, Mrs Sheehy responded:

'As I said in interview sir, Greg was not there, I took the horse, Fry, Fry and Kersley were meant to drive it. They were unavailable at the time. I took it on my own accord. Yes it was wrong. I'm prepared to cop whatever is coming my way. I done the wrong thing I wanted to take the horse and get home. (T30)'

Mr Zucal then asked a follow up question "how many times did you drive trackwork" to which Mrs Sheehy she responded:

'Once, twice maximum. I couldn't tell you the second time and it was before Mr Delaney spoke to me and I haven't driven since, I give you my word.' (T30)

When asked why in the interview with Mr Delaney she did not admit driving trackwork, Mrs Sheehy replied by admitting her response to Mr Delaney had been a lie (T30).

Mr McKenzie, the Byford Track Curator, gave telephone evidence to the inquiry of having made a note that Mrs Sheehy had worked on the track on 19 April 2006 and on 9 May 2006. Mrs Sheehy declined asking Mr McKenzie any questions but simply commented that she *'...wouldn't believe a word that man says'* (T36).

The Stewards' inquiry continued on 29 June 2006 after an adjournment had been sought and granted to enable Mrs Sheehy to obtain legal advice. Mr Kersley again attended and he assisted Mrs Sheehy once again. Further questioning took place. Mrs Sheehy again admitted prior to 30 March 2006 she had driven on the Byford track. When asked the question by the Mr Zucal *'On at least one occasion?'* Mrs Sheehy responded *'Yes I did, sir'*. [page 8 of the transcript of the Stewards' continuation of the inquiry (CT8)]. Mrs Sheehy explained that she admitted driving on the track before 30 March *"... but the dates that coincide to this inquiry she hadn't driven on those dates."*

Mrs Sheehy was charged under Harness Rule of Racing 238 which states:

'Failure to comply with orders.'

A person shall not fail to comply with any order, direction or requirement of the controlling body or the Stewards relating to Harness Racing or to the Harness Racing Industry.'

Under that rule Mrs Sheehy was charged '*...for failing to comply with the order of the RWWA Stewards in that you drove a pacer in trackwork at the Byford Training Complex after 15 February 2006, whilst your licence to drive trackwork was suspended.*' (CT11)

After the charge was read Mrs Sheehy acknowledged she understood the nature of the charge and pleaded not guilty. Following that, when asked whether she wished to say anything further or wished to call any witnesses, Mrs Sheehy responded in the negative. The Stewards then adjourned and subsequently handed down their determination in the following terms:

'By your own admission you have admitted that you drove trackwork at the Byford Training Complex after February 15th 2006 when you're licence (sic) to drive trackwork had been suspended by the Stewards. Accordingly the Stewards find you guilty as charged.

Mrs Sheehy it's left to the Stewards to decide a penalty. The Stewards are giving you the opportunity to place anything before them in relation to penalty and I would urge you to do that, because at the outset of this inquiry I said it is considered to be a serious matter, so you should, if you so desire place factors before us which you think may influence us in making a decision'. (CT12)

Mrs Sheehy replied as follows:

'Yes Sir, well that's good because I do have a comment. It wasn't intentional for me to go driving trackwork on that day as I stated before. Jason Fry and Brian Kersley were to be asked if they could drive the horses, I thought they could at the time. They were unavailable and yes I did take on my own accord but it wasn't intentional for me to go there and to drive those horses - the horse.' (CT12)

In regard to the type of penalty to be imposed Mrs Sheehy was asked what affect a disqualification would have on her. Mrs Sheehy responded "*It would have quite a lot ...*" because '*...shortly I would like to get back in the cart.*' (CT13). When asked as to her ability to pay a fine, Mrs Sheehy advised that she could probably not pay it without great hardship. Mr Kersley then explained to the Stewards that he was in a relationship with Mrs Sheehy. By this I believe he was intending to advise the Stewards of the implications to Mrs Sheehy which flowed

from him being a licensed person with a licensed establishment. The Stewards acknowledged that they would take that factor into account. The Stewards pointed out that they regarded the matter as extremely serious, they had made a direction and this matter struck at their control '*...by the Stewards saying something and the person going outside the mark*'. Mr Kersley then pointed out that a disqualification "*... would change Mrs Sheehy's lifestyle a great deal*" (CT14) and he went on to refer to Mrs Sheehy's marriage break up and how his relationship with her had developed (CT14). Mr Kersley also explained how Mrs Sheehy was desperate to get back into driving. Mrs Sheehy in the course of the exchanges which followed acknowledged she was remorseful. Mr Delaney went on to comment that in the light of Mrs Sheehy's desperation to get back in the cart:

'the terms of the original suspension that were handed out to her were quite clear in that to get back to driving trackwork at registered trackwork, all that was required was a urine sample which was found to be free of drugs of abuse, which Mrs Sheehy was to provide at her own expense. Once that was provided, she was quite okay to be driving trackwork. So there was no, from, administratively there was no embargo on her other than that. So for her to be saying that all she wants to do is get back in the cart needs to be taken in that context.' (CT15).

Mr Kersley then made the comment that in fact he had given up trying to stop Mrs Sheehy from driving as he did not see the need and did not rate her as a great driver either. Mr Kersley also revealed that Mrs Sheehy had not informed her parents of her suspension and that "*she got caught out lying to her old lady and they did not take it to (sic) flash ... she told her mum and dad lies ...*"

After an adjournment the Stewards announced the outcome on penalty as follows:

"... Firstly, the Stewards see this as a serious charge.

On the 15th February 2006 you pleaded guilty to a drug of abuse, amphetamine being detected in a urine sample submitted by you. The Stewards after due consideration handed down a penalty, that penalty was and I quote from the transcript extract of the Stewards' inquiry.

"Your reinsperson's license will be suspended for six months, as you have been stood down of driving since the 19th of January, the penalty will be back dated to that date. When you provide a urine sample at your expense, which is found to be free of a drug of abuse or alcohol we will permit you to drive trackwork at registered tracts. We also reserve the right to ask you to provide a urine sample at any time from there on. Four months from the 19th January, that is the 19th May you may resume driving in trials to prepare you for your return to race driving which will occur on the 19th July. Against our decision here today you do have a Right of Appeal of course which lies with the Racing Penalties Appeal Tribunal, but if you go away and reflect on it you have probably come out of it as well as you could have expected under the circumstances"

The Stewards took this action for good reason. They weighed up all factors and arrived at what they saw as an appropriate penalty. You did not appeal that decision. It is central to the control of racing that penalties handed out by the Stewards are accepted and properly served. The failure to do so strikes at the very heart of Stewards control and cannot be tolerated. Penalties handed out by the Stewards must be served in accordance with the order directed by the Stewards. The control of the racing industry would effectively be neutered if penalties were not served in accordance with the Stewards orders.

The Stewards penalty needs to encompass a level of deterrence both general and specific. Thus, this penalty must reflect the seriousness of the offence.

The Stewards have considered the options of a fine, suspension or disqualification. In our opinion a fine would not satisfy the seriousness of this charge. In relation to a suspension, you were under suspension when this offence occurred. That penalty did not deter you from breaching the rules. Consequently, the Stewards believe that a term of disqualification to be appropriate. The Stewards cannot recall any prior offence of this nature." (CT19 and 20)

THE APPEAL

Mrs Sheehy appeals against "Severity of penalty imposed and conditions of it". In the accompanying written submission seeking a suspension of operation of the penalty Mrs Sheehy states:

'Yes, I made a silly mistake and took it upon myself to drive and exercise the horse knowing it was not right. Never in my wildest dreams did I think that it would lead to this and turn my whole world and life upside down. Had I thought that what I thought was my good deed for the day would be frowned upon so bitterly and severely (sic) from the Stewards would I have even considered taking the chance.'

The application for the stay was strongly opposed by the Stewards who pointed out Mrs Sheehy had chosen not to take advantage of the option of producing a clear urine sample. The Stewards described the matter "as a most serious breach of the Rules." After weighing up the opposing arguments I refused to grant the stay.

In the course of her submissions to the Tribunal Mrs Sheehy explained her personal circumstances and provided more detail of the adverse consequences of the disqualification in terms of her inability to see her children, which, due to her matrimonial circumstance was limited to trotting meetings. The importance to Mrs Sheehy of being able to go to Mr Kersley's stables and attend trotting meetings was made much clearer during the appeal than had been explained to the Stewards. Mrs Sheehy told the Tribunal she was most remorseful. She went on to explain that had she known that her defiance of the Stewards' order would lead to disqualification and the "life changing situation" she "would not have done it".

Mr Zucal responded by stating at the outset that this was a "serious, serious matter". He referred to the plea of guilty and the acknowledgement given by Mrs Sheehy to the Stewards that she had understood the basis of the suspension and had chosen not to submit to a urine test which would have enabled her to resume trackwork if it were clear. Mr Zucal argued the evidence established Mrs Sheehy:

- knew the conditions of the penalty;
- had disputed the track official's evidence;
- had not been truthful on 30 March 2006 when the Stewards questioned her;
- admitted that she drove at Byford Trotting Track;
- did not plead guilty to the charge.

CONCLUSIONS

Mrs Sheehy did provide further details of her personal circumstances during the appeal proceedings which had not been brought to the Steward's attention at their inquiry. Mr Zucal did

not dispute this fact. There is no doubt that what Mrs Sheehy told the Tribunal as to her domestic circumstances since the imposition of disqualification was very important to her and was impacting significantly on her life. Those facts are relevant and need to be carefully weighed against the other relevant matters.

I am completely satisfied that the Stewards quite properly regarded the circumstances of this breach of the Rules as being of great importance to the industry in that the misconduct challenged the very authority of the Stewards. In their reasons the Stewards state:

"It is central to the control of racing that penalties handed out by the Stewards are accepted and properly served. The failure to do so strikes at the very heart of the Stewards control and cannot be tolerated. Penalties handed out by the Stewards must be served in accordance with the order directed by the Stewards."

There can be no doubt as to the validity of this assertion. There would be confusion, indeed the recipe for chaos, in this heavily regulated and controlled industry if offenders were able to make light of their punishment by choosing to ignore the regime of discipline properly imposed on them by those charged with the duty of maintaining control and order. Racing is a very sensitive industry. Public confidence and trust in its credibility, integrity and stability are essential. To assist in the control of racing Stewards are appointed with extensive powers and authority under the Rules to ensure the industry is properly controlled and order is maintained.

I consider the offence which Mrs Sheehy committed must attract a penalty of disqualification. Mr Zucal has indicated he is unable to recall a similar offence. That makes the starting point as to the length of the disqualification difficult to determine. Clearly the Stewards are in a better position than the Tribunal to correlate the gravity of this novel offence with other breaches of Rules and to be able to arrive at a length of disqualification which is appropriate in all the circumstances.

I am not persuaded that the new information presented to the Tribunal by Mrs Sheehy as to her personal circumstances, when evaluated with all of the relevant factors of the case, does demonstrate that the ultimate outcome arrived at by the Steward's is in any way inappropriate. In that context I am mindful that Mrs Sheehy said she would not have committed the offence had she known the consequences. Further, although Mrs Sheehy claimed she is desperate to drive again she elected, for reasons only known to herself but not explained, not to adopt the course which the Stewards left open to her of undergoing a urine test. Drugs can have no place in

racing. The onus was on Mrs Sheehy to prove she was eligible to drive trackwork. In coming to my conclusion I also took into account the fact that Mrs Sheehy pleaded not guilty to the charge. There was no cooperation with the Stewards. Indeed, by her own admissions she had previously lied to the Stewards in relation to the matter.

I am not persuaded by anything that was presented that the period of 6 months disqualification has been shown to be so severe as to reflect an error on the part of the Stewards which would justify the Tribunal's interference with that penalty.

For these reasons I would dismiss the appeal.

Dan Mossenson

DAN MOSSENSON, CHAIRPERSON



THE RACING PENALTIES APPEAL TRIBUNAL

REASONS FOR DETERMINATION OF MR A MONISSE (MEMBER)

APPELLANT: SHERI SHEEHY

APPLICATION NO: A30/08/658

PANEL: MR D MOSSENSON (CHAIRPERSON)
MR A MONISSE (MEMBER)
MR R NASH (MEMBER)

DATE OF HEARING: 2 AUGUST 2006

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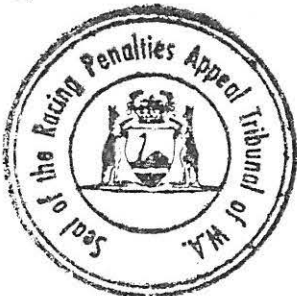
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Ms S Sheehy appeared in person.

Mr J Zucal appeared for the Racing and Wagering Western Australia Stewards of Harness Racing.

I have read the draft reasons of Mr R Nash, Member.

I agree with those reasons and conclusions and have nothing to add.



A E Monisse

MR A MONISSE, MEMBER

THE RACING PENALTIES APPEAL TRIBUNAL

REASONS FOR DETERMINATION OF MR R NASH (MEMBER)

APPELLANT: SHERI SHEEHY

APPLICATION NO: A30/08/658

PANEL: MR D MOSSENSON (CHAIRPERSON)
MR A MONISSE (MEMBER)
MR R NASH (MEMBER)

DATE OF HEARING: 2 AUGUST 2006

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Ms S Sheehy appeared in person.

Mr J Zucal appeared for the Racing and Wagering Western Australia Stewards of Harness Racing.

The Appellant, Sheri Sheehy, appeals against the penalty imposed by the RWWA Stewards of Harness Racing disqualifying her from harness racing for a period of 6 months commencing on 29 June 2006 for failing to comply with an order of the RWWA Stewards contrary to Rule 238 of the RWWA Rules of Harness Racing.

On 15 February 2006 the Appellant had her reins person's licence suspended as a consequence of amphetamine being detected in a urine sample taken from her contrary to Rule LR 252AB (1)(a)(i). The Stewards imposed a suspension of licence for 6 months or until such time as the Appellant, at her expense, was able to provide them with a drug free urine sample, whichever occurred first. It was, therefore, open to the Appellant, provided she did not continue to use amphetamines, to produce a clear urine sample for the Stewards and bring her suspension to an end well before the 6 month period elapsed. She did not avail herself of that opportunity.

On 7 June 2006 the Stewards commenced a formal inquiry into allegations that the Appellant had driven track work at the Byford Training Complex whilst her licence remained suspended. The Inquiry was commenced following a report by RWWA Principal Investigator, Mr Phil O'Reilly.

Mr O'Reilly investigated an allegation by the Complex Curator at the Byford Trotting Training Complex, Mr Allan McKenzie, to the effect that on 18 May 2006 the Appellant had called Mr McKenzie a dog when he approached her and went on to say to him words to the effect that "you know what happens to dogs". Mr McKenzie then went on to assert the Appellant said "you know what happened to Don Hancock don't you". Mr McKenzie interpreted the statement to be a referral to the death several years ago of a retired WA Police Officer Don Hancock after his car was blown up.

In the course of that investigation the Appellant was interviewed by Mr O'Reilly. Whilst being interviewed she admitted that she had used the Bedford Track for track work whilst under suspension. She also agreed that she had called Mr McKenzie a dog but denied the reference to Don Hancock.

The Appellant indicated that she had been spoken to by the Chief Steward of Harness Racing, Mr Delaney, on about 19 April 2006 (later in her evidence at the Inquiry she corrected this to 30 March 2006) in relation to observations that she had been driving track work whilst under suspension. It seems she was not prepared at that time to acknowledge that she had driven but was emphatic that after being spoken to by Mr Delaney she had not driven again. She said she had not "set foot on a sulky since [she] had the talk with Mr Delaney".

The Stewards Inquiry ran over two separate hearing dates, namely 7 and 29 June 2006.

It was put to the Appellant by the Stewards that she had driven after 30 March 2006. More specifically, it was put to her that she had been seen driving track work at the Byford Track by Mr McKenzie in April 2006.

The Stewards proceeded to consider whether the Appellant should be charged with contravening Rule 238 as a result of the evidence given at the Inquiry. Following a period of deliberation the Stewards charged

the Appellant with breaching Rule 238. The charge was particularised as follows (see page 11 of the Transcript of 29 June 2006):

“...failing to comply with the order of the RWWA Stewards in that you drove a pacer in track work at the Byford Training Complex after 15th February 2006, whilst your license (sic) to drive track work was suspended”.

The particulars of the charge did not identify the occasion upon which the alleged breach occurred. The Stewards had received evidence during the Inquiry of a number of alleged incidents of driving track work whilst the Appellant was under suspension and it was not clear which of those events they were asserting constituted the incident the subject of the charge.

Not surprisingly, and despite her free admission that she had driven track work on one occasion prior to 30 March 2006 whilst under suspension, the Appellant pleaded not guilty to the unparticularised charge.

There was no further evidence led by either the Stewards or the Appellant. The Stewards accordingly retired again to consider their decision. Shortly afterwards the Stewards returned with a finding of *guilty* which was based on the admission by the Appellant that she had driven track work prior to 30 March 2006 whilst under suspension. The Stewards made no finding of guilt in respect of the other allegations, being the allegations she had denied during the course of the Inquiry.

In her plea in mitigation the Appellant informed the Stewards that she had not intended to drive on the day that she did, but had done so when the intended drivers, who were believed to be available, turned out not to be available when the horses were taken out to the track. She also indicated that her financial circumstances prevented her from paying a fine. There was also reference to her having gone through a recent marriage break up, her having few friends and that her group of friends were primarily involved with harness racing. It was pointed out to the Stewards that a disqualification would cause her significant hardship because it would altogether preclude her from being involved with the harness racing industry in any respect.

The Stewards in bringing down their penalty observed that: the charge was serious; the Appellant's failure to comply with the terms of the suspension struck “at the very heart of Stewards control and [could] not be tolerated”; the control of the racing industry “would effectively be neutered if penalties were not served in accordance with Stewards orders”; and that there was a need for both general and specific deterrence. After considering the different penalty options, the Stewards determined that the only appropriate penalty was one of disqualification.

In my view the Stewards' observations were perfectly reasonable and their chosen penalty of disqualification was entirely appropriate in the circumstances. The Stewards proceeded to impose a penalty of 6 months disqualification effective from 29 June 2006.

The Appeal

During the hearing of this Appeal, the Appellant was able to further develop her plea in mitigation beyond what had been put before the Stewards. It was submitted by her that she had been involved in the harness racing industry since she was 15½ years of age, and that she knew no other industry. She had no experience of earning an income from any other vocation. It was also clear that at the time when she was under suspension her life was in a state of turmoil following her marriage break up. She described her mind as being clouded with other matters, and stated that the "trots are the only way" for her to see her children.

Accordingly, at the hearing of this appeal it became apparent that the Appellant's offending occurred at a time when her life was in a degree of crisis far more serious than what she had portrayed at the Stewards' inquiry.

The Chairman of Stewards, Mr Zucal, appeared for the Stewards at the hearing of this appeal. He emphasised the seriousness of the offence, especially when one has regard to the background and circumstances of its commission. He indicated that the Appellant had not explained her personal circumstances in the manner and to the extent she explained them on the appeal before this Tribunal. He also drew the Tribunal's attention to the fact that it was significant that the Appellant had pleaded not guilty when the charge was put to her by the Stewards.

Reasons for determination

It is significant that on appeal the Stewards made mention of the Appellant's plea of *not guilty* in support of the penalty imposed. The intent in making that reference was no doubt to show that her plea did not afford her any mitigation which might otherwise have been the case had she pleaded *guilty*. In my view this demonstrated error on the part of the Stewards in their determination of the appropriate length of disqualification.

The Stewards should have expressly acknowledged in their consideration of what was the appropriate penalty that the Appellant had admitted her wrong doing, since it was on the basis of her admission that the charge against her was made out.

The charge itself suffered from latent duplicity in that it did not identify the occasion the Stewards were alleging constituted the offence. In my view, this explained the Appellant's plea of "*Not Guilty*". In the circumstances, the Appellant should not have lost the credit of her admission. That was clearly a mitigatory factor that the Stewards should have expressly taken into account.

For these reasons I would allow the appeal. In my view the 6 months disqualification imposed by the Stewards should be discounted by one third in recognition of the personal circumstances of the personal crisis that the Appellant was experiencing at the relevant time which are described above, which circumstances were not adequately explained to the Stewards in her plea in mitigation, and the mitigatory effect of her admission before the Stewards of the allegation.

Order

Accordingly, in lieu of the 6 months disqualification imposed by the Stewards, I would substitute a penalty of 4 months disqualification to take effect from 29 June 2006.



A handwritten signature in black ink, appearing to read "Robert Nash", written over a horizontal line.

ROBERT NASH, MEMBER