



**Horse Racing Appeal Panel**  
90 SHEPPARD AVE E  
SUITE 200  
TORONTO ON M2N 0A4  
Tel: 416 326-8700 or 1 800 522-2876 toll free in Ontario  
Fax: 647 723-2198

# Notice of Expert Witness & Acknowledgement of Expert's Duty

## INSTRUCTIONS AND IMPORTANT INFORMATION

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If you are intending to call an expert witness then you must serve notice on all other parties within the following timelines, unless otherwise ordered by the Panel:

- 30 days before the hearing if you are the party who filed the notice of appeal; or
- 20 days before the hearing for any other party to the proceedings.

Notification of your intention to call an expert witness must be accompanied by the following information:

- The expert's name and area of expertise;
- The expert's qualifications, including employment, education, training and experience in his or her area of expertise;
- A report that sets out the expert's conclusions and the basis for those conclusions on the issues to which the expert will provide evidence to the Horse Racing Appeal Panel (HRAP);
- Where the expert report exceeds 12 pages (excluding photographs), a summary stating the facts and issues that are admitted and those that are in dispute, and the expert's findings and conclusions;
- Where the party intends to rely on or refer to the written report of the witness statement at the hearing, a copy of that report or witness statement signed by the expert witness; and
- An acknowledgement of expert's duty signed by the expert (see page 2, Acknowledgement of Expert's Duty).

## ACKNOWLEDGEMENT OF EXPERT'S DUTY

Between \_\_\_\_\_ (name of appellant) and the REGISTRAR of the Alcohol and Gaming Commission of Ontario.

1.

|                   |                           |                   |
|-------------------|---------------------------|-------------------|
| My name is (name) |                           |                   |
| of (municipality) | in the (county or region) | in the (province) |

2. I have been engaged by or on behalf of \_\_\_\_\_ (name of party/parties) to provide expert evidence in relation to the above-noted proceeding.

3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:

- a. to provide opinion evidence that is fair, objective and non-partisan;
- b. to provide opinion evidence that is related only to matters that are within my area of expertise; and
- c. to provide such additional assistance as the Panel may reasonably require, to determine a matter in issue.

4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

|           |                                  |
|-----------|----------------------------------|
| Signature | Date<br>YYYY      MM      DD<br> |
|-----------|----------------------------------|

**NOTE:** This form must be attached to any notice of expert report and any opinion evidence provided by an expert witness on a motion or application.

The Horse Racing Appeal Panel collects the personal information requested on this form under the *Horse Racing Licence Act, 2015*. This information will be used to determine appeals under this Act. After an appeal is filed, all information may become available to the public. Any questions about this collection may be directed to the Horse Racing Appeal Panel at 416 326-8700 toll-free at 1 800 522-2876.