

**NATIONAL
CUTTING
HORSE
ASSOCIATION**



260 Bailey Avenue
Fort Worth, Texas 76107
817/244-6188 • Fax 817/244-2015
Web: www.nchacutting.com

September 6, 2017

Tommy Manion
P.O. Box 94
Aubrey, Texas 76227

Dear Mr. Manion:

The NCHA Appeal Hearing Committee Grievance met on September 6, 2017 to consider and review evidence regarding a Complaint filed against you alleging that you violated NCHA Rules during the NCHA sanctioned cutting in Whitesboro, Texas on Saturday, July 15, 2017. The Complaint alleges that you violated the NCHA Zero Tolerance Policy and NCHA Standing Rules 35.a.1 and 35.a.2 by shooting your horse with a BB gun at that event.

A quorum of the Appeal Hearing Committee members was present for the hearing including Ron Pietrafeso, Bronc Willoughby, Jack Holt, David Pilcher and Chris Benedict. You and your counsel were given due notice of the date, time and place of the hearing and participated in the hearing. You and other witnesses gave testimony before the Appeal Hearing Committee at the hearing.

Based upon the testimony received at the hearing and the written and video evidence received both before and at the hearing, the Appeal Hearing Committee determined that:

- (1) there was no evidence that you violated NCHA Standing Rule 35.a.2 and no action is taken under that rule;
- (2) you violated the NCHA Zero Tolerance Policy and Standing Rule 35.a.1;
- (3) you should be and are hereby placed on NCHA membership suspension for a period of two (2) years;
- (4) you should be and are hereby placed on NCHA membership probation for a period of five (5) years, commencing at the end of the two year membership suspension. If you are found to have violated any NCHA rule during the probationary period, you will receive an additional one (1) year suspension from NCHA membership; and
- (5) you should be and are hereby fined a total of \$15,000 for your violations of the NCHA rules identified in this letter, payable immediately to the NCHA.

The report of the Appeal Hearing concerning this matter is enclosed.

Tommy Manion
September 6, 2017
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Please contact me at the NCHA office if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Chuck Smith". The signature is written in black ink and is positioned above a horizontal line.

Chuck Smith, Executive Director

**APPEAL COMMITTEE REPORT REGARDING
ALLEGED RULE VIOLATION BY**

Tommy Manion

The NCHA Appeal Committee duly appointed by the NCHA President, upon due notice to all its members, Respondent Tommy Manion and Rick Hagan representing Tommy Manion as his legal counsel, conducted a de novo hearing in the NCHA office on September 6, 2017 at 9:00 a.m. CST. to consider and review evidence regarding whether Tommy Manion violated the NCHA Zero Tolerance Policy and NCHA Standing Rules 35.a.1 and 35.a.2 by shooting his horse with a BB gun on July 15, 2017 at the NCHA sanctioned cutting in Whitesboro, Texas. Members appointed to the Appeal Committee by President Lewis Wray were Ron Pietrafeso, Bronc Willoughby, Jack Holt, David Pilcher and Chris Benedict and all were present for the hearing. Bronc Willoughby presided as chairman. NCHA attorney Jim Morris and Administrative Assistant Tammy Kimmel were also present at the hearing.

Tommy Manion and his legal counsel was given due notice of the date and time of the appeal hearing. In advance of the hearing, Rick Hagan (legal counsel for Tommy Manion) was provided with copies of all written and video materials considered by the Appeal Committee, including the transcript from the previous proceedings before the Grievance Committee. Tommy Manion was advised of his right to be represented by counsel at the hearing.

Legal counsel for Tommy Manion gave an opening statement followed by live testimony from Brandon Dufurrena, Sarah Sanderson and Tommy Manion. Tommy Manion and his legal counsel were present for the entire evidentiary portion of the hearing.

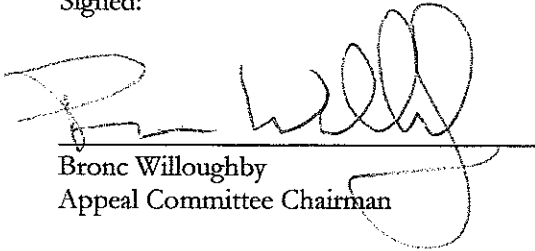
Based upon the evidence available and received by the Appeal Committee, it was determined that:

- (1) there was no evidence of any violation by Tommy Manion of NCHA Standing Rule 35.a.2 and no action is taken under that rule;
- (2) Tommy Manion violated the NCHA Zero Tolerance Policy and NCHA Standing Rule 35.a.1;
- (3) Tommy Manion should be and is hereby placed on NCHA membership suspension for a period of two (2) years;
- (4) Tommy Manion should be and is hereby placed on NCHA membership probation for a period of five (5) years, commencing at the end of the two year NCHA membership suspension. If Tommy Manion is found to have violated any NCHA rule during the probationary period, Tommy Manion will receive an additional one (1) year suspension from NCHA membership; and

- (5) Tommy Manion should be and is hereby fined a total of \$15,000 for the violations of NCHA rules identified in this report, payable immediately to the NCHA.

Dated: September 6, 2017

Signed:



Bronc Willoughby
Appeal Committee Chairman