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CONTROVERSY FOLLOWING 2015 BREEDERS' CUP: EX- TRAINER OF 'RUNHAPPY' FILES SUIT

Equine (/full-blog?category=Equine)

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Keeneland, a staple in central Kentucky for many years, hosted its first Breeders' Cup during the last weekend of October 2015.^[i] The two-day event produced many storylines including the walk-off victory of Triple Crown winner, American Pharoah. However, a more unpredicted event following the Breeders' Cup has gained some headline attention in recent weeks, and it does not concern American Pharoah.

The very next day after 'Runhappy,' owned by Gallery Racing Stables LLC^[ii], won the TwinSpires Breeders' Cup Sprint, the trainer he had been conditioning under was relieved of her duties.^[iii] Maria Borell, a Syracuse, N.Y. native, was hired by James McIngvale (founder of Gallery Racing Stables LLC) as Runhappy's trainer and led him to victories in every race under her care.^[iv] Feeling slighted by the McIngvale family, Borell turned to the law.^[v]

The two sides differ as to why Borell was relieved of her duties, but a week after being fired, Borell filed suit in Fayette Circuit Court alleging claims of breach of contract and defamation against Gallery Racing Stables LLC.^[vi] Borell also named Breeders' Cup Limited and Keeneland Association as defendants who are holding funds she is entitled to.^[vii] The defamation claims arise out of disagreements both parties had during their working relationship. Borell

is making the claim that comments made by James McIngvale and his wife, Linda, "erroneously imputed dishonesty, incompetence, a lack of knowledge and concern for the well-being of horses and a lack of knowledge and competence as a trainer."^[viii] The funds Borell claims she is entitled to are the 10% share of the purse winnings of Runhappy (and another horse trained for the same owners), an amount the claim states is an industry standard that had been given to other trainers hired by Gallery Racing Stables LLC.^[ix]

In summation, Borell is seeking a total of \$117,752 in compensation as well as punitive and future compensatory damages.^[x] Currently, only Borell has shared her side of the story, and although Keeneland and Breeders' Cup Limited have already been dismissed from the suit by a Fayette County Circuit Court judge,^[xi] a lot remains



(<http://bizlex.com/2015/03/breeders-cup-tickets-to-go-on-sale-march-4/>)

unsettled. A clearer guidance of what can be expected arises with the McIngvale response.

[i] *Breeders' Cup Announces Keeneland as the Host of 2015 Breeders' Cup World Championships*, Keeneland (June 24, 2014), <https://www.keeneland.com/racing/breeders-cup-announces-keeneland-host-2015>.

[ii] Jonathan Lintner, *Ex-Runhappy trainer files lawsuit v. trainer*, Courier-Journal (Nov. 10, 2015, 4:36 PM), <http://www.courier-journal.com/story/sports/horses/breeders/2015/11/10/ex-runhappy-trainer-files-lawsuit-vs-owner/75527940/>.

[iii] *Id.*

[iv] *Id.*

[v] Ray Paulick, *Borell Sues McIngvales for Breach of Contract, Defamation*, Paulick Report (Nov. 10 2015, 2:31 PM), <http://www.paulickreport.com/news/the-biz/borell-sues-mcingvales-for-breach-of-contract-defamation/>.

[vi] *Id.*

[vii] *Id.*

[viii] *Id.*

[ix] *Id.*

[x] *Id.*

[xi] Matt Hegarty, *Keeneland, Breeder's Cup Dismissed from Borell Lawsuit*, Daily Racing Forum (Nov. 13, 2015, 3:38 PM), <http://www.drfr.com/news/keeneland-breeders%E2%80%99-cup-dismissed-borell-lawsuit>.

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