

Professional Overview  
**Wayne G. Hipsley**

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**Education**

Bachelor of Science - Agriculture/Animal Husbandry, University of Tennessee, Knoxville  
Master of Science - Animal Industries - Physiology, University of Connecticut, Storrs  
Additional graduate work toward doctorate Animal Physiology - University of Tennessee  
American Management Association - Organizational and Management Courses  
American Society of Association Executives - Personnel and Operational Management  
University of Arizona - Race Track Industry Seminar  
Washington State University - Equine Identification Seminar  
Equine Nutrition and Physiology Symposium  
Kentucky Livestock Investigator Training Program II – Morehead State University

**Honors and Recognitions**

American Horse Publications - Numerous awards as editor of two major breed journals  
Livestock Publications Council - Numerous awards as editor of two major breed journals.  
Norwegian Fjord Horse Registry - Outstanding Service Award  
American Morgan Horse Association - Excellence in Service  
International Arabian Horse Association - Exceptional Service - President's Award  
Massachusetts Cooperative Extension - Citation for Outstanding Service to 4-H Horse Program  
Vermont Cooperative Extension – Citation for Outstanding Service to 4-H Horse Program

**Volunteer/Community Service Work**

Member – Equine Studies Advisory Board, University of Findlay  
Member – Kentucky Horse Council, Past Chair – Finance Committee  
Past Vice President - Kentucky Horse Council  
Commissioner – Fayette County Green Space Commission  
Past Education Committee Chair – Int'l Andalusian-Luistano Horse Association  
Past Director - Kentucky Farm Bureau, Fayette County  
Past President - All Kentucky Ag Expo [Two Terms]  
Past Director – American Horse Shows Association [currently United States Equestrian Federation]  
Past Vice President/Director – Pedigree Livestock Council  
Past Committee Member – Horse Show Committee – American Horse Council  
Past Committee Member – National Equine Identification Committee – American Horse Council  
Committee Member – United States Equestrian Federation  
Andalusian/Lusitano Rules Committee; Friesian Rules Committee; Young Horse Development Committee(past member)

## **Professional Experience**

### **Hipsley & Associates, Lexington, Kentucky - Equine Educators and Consultants**

Providing a variety of services for many aspects of the horse business and related industries including association management and operations reviews; budget preparation; financial reviews; bylaws reviews; personnel searches and preliminary interviews; establishment of judges educational seminars and licensing criteria; coordination of educational programs; newsletter preparation; event management; equine related subject matter presentations; advice to legal counsel during litigation. Written numerous articles and monthly columns for equine publications. Client base ranges from domestic to foreign organizations: Professional Rodeo Cowboys Assn., Color Breed Council, Pinto Horse of America, Massachusetts Dept. of Public Safety, American Horse Council, American Miniature Horse Association, United States Pony Club, American Hanoverian Society, New Zealand Royal Agricultural Society, New Zealand Pinto Horse Assn, Andalusian Horse Society of New Zealand, New Zealand Western Riding Society, Appaloosa Horse Assn of NZ, International Andalusian & Lusitano Horse Assn., International Buckskin Horse Assn, British Miniature Horse Society, Norwegian Fjord Horse Registry, Fjord Horse International, American Hackney Society, Danish Fjord Horse Studbook, City of Providence Rhode Island, Johnson & Wales College, North American Riding for the Handicapped, Rocky Mountain Horse Assn. Appaloosa Horse Club, US Livestock Genetic Export [USDA Foreign Marketing Service], Kentucky Horse Council, Gypsy Vanner Horse Society, plus many state and local organizations as well as breeders and owners.

Work as equine consultant for legal counsel and others in matters associated with the business of horses. [details attached]

PasturesPlus is a portion of the consulting business for providing information and services to horse farm owners who are seeking advice and information on horse forage management programs, including pastures and hay production. Developed expertise in this area through formal education and practical experience in establishing forage stands, renovating pastures and maintaining pastures as a contract service provider and horse farm owner. Includes seedbed preparation, seed selection, seeding, fertilizing, herbicide uses, mowing and liming.

### **Executive Vice President - International Arabian Horse Association, Denver, Colorado**

Served as the chief operating officer for this 32,000 member non-profit breed organization. Through internal initiatives, increased membership by 4,000 in 4 years. Worked direct with members of the Executive Committee in implementing policies and procedures; prepared financial reports, budgets, and status reports for the Board of Directors; supported annual audits of the financial activities; created periodic financial reports for officers; relocated assn offices from California to Colorado; hired entirely new staff for new offices; prepared organizational chart; wrote appropriate job descriptions; established employee policies and trained all new employees; coordinated the modification and implementation of new computer software; served as executive editor for breed journal; established advertising and marketing programs, feature editorial assignment, overall conceptual design and layout. Coordinated corporate sponsorship program, event management for Canadian and US National Horse Shows, Arabian Horse Fairs, annual membership meetings, and licensed official educational seminars. Established and coordinated the racing programs for non pari-mutual and pari-mutual racing throughout the US. Coordinated public relations programs, newsletters, and event promotions. Implemented financial incentive programs, ie Arabian Breeder's Sweepstakes. Created internal marketing programs to sell specialty logo products to members and those with an interest in the breed.

**Executive Director – American Morgan Horse Association, Shelburne, Vermont [formally Utica, NY]**

Served as the chief operating officer of this 10,000 member non-profit breed organization. Worked with the members of the Executive Committee and Board of Directors to create and implement new programs. Prepared periodic financial reports. Prepared the annual budget for approval by the Board of Directors. Supported annual audit of financial records. Relocated office within the community. Assisted the Board of Directors in the acquisition of property for a permanent office in Vermont. Oversaw the operations of the breed registry, worked with legal counsel to restructure registry rules and regulations. Worked with legal counsel to handle legal matters. Served as breed journal editor, established advertising programs, feature editorial assignment and overall conceptual design and layout. Coordinated the publication of the national horse show programs, marketing program [*The Year of the Morgan*], and event management for the national horse show. Coordinated the implementation of a new computer online software system. Coordinated the first multi-breed advertising program in an effort to promote the equine industry in publications with a new targeted audience.

**Field Secretary – Arabian Horse Registry of America, Denver, Colorado**

Initial responsibility for contacting breeders with problems in completing registrations and transfers of ownership requirements. When correspondence with breeders and owners proved to be insufficient, personal visits were made to their farms for clarifications. If intentional misrepresentations were discovered action was taken against the breeder/owner. Worked with legal counsel to develop due process procedures. Participated in legal proceedings against breeders/owners. Conducted investigations into breeders/owners activities of improper registration and transfer, primarily due to deliberate acts of misrepresentation. Represented the organization at membership meetings, and presented new programs directly via public meetings. Created educational materials to assist breeders/owners in correctly supplying registration and transfer of ownership information, suggestions for improving record keeping, and definitions of acceptable conformation. Worked with the University of California on developing blood type parentage analysis procedures. Worked with Keith Farrell, DVM, Washington State University on the development of the freeze marking permanent identification program. Conducted research on the growth of permanent marks on foals in an effort to create a marking iron small enough to be used successfully on foals. Worked with Colorado State University in the implementation of the equine artificial insemination short course and worked as liaison with the breeders and their veterinarians on breeding issues. Traveled to Egypt to freeze mark all the Arabian Horses in the country under the supervision of the EAO. Coordinated the inspection of imported Arabian Horses into the US for quality of conformation standards in accordance with the Registry's standard.

**Professor/Department Head, Equine Studies – Midway College, Midway, Kentucky**

Managed the equine teaching unit including coordination of course content, instruction and advising students. Served as Division Chairman on President's Council and tenure committee. Established curriculum for graduation criteria; prepared annual budget for department; handled all equine related donated gifts and contributions, oversaw the horse herd management and care, including farrier and veterinary care; and responsible for all aspects of the equine studies program. Taught courses: Introduction to the Horse; Equine Business Farm Management, Equine Reproductive Management; Equine Nutrition and Management; Horsemanship and Riding - Beginner through Immediate (Flat work and Over Fences); Practical Equine Management and Handling. Coached intercollegiate riding team.

**Faculty Member/Instructor - University of Connecticut & University of Tennessee**

Taught equine studies courses: Introduction to the Horse, Equine Breeding Management, Horse Judging and Selection, Horse Breed Promotion and Advertising, Horse Farm Management and Operation. Served as a student adviser on course selection and counseling for graduation. Faculty advisor to student activities clubs, including Intercollegiate Horse Show team. Coached intercollegiate horse judging team. Participated in contests at All American Quarter Horse Congress, National Horse Judging Contest[Harrisburg, PA], and Eastern States Horse Judging Competition. Participated as full-time faculty member in departmental committees and activities. Conducted research on reproductive physiology for collecting equine embryos, behavioral studies for stabled horses, and examined the interrelationship between the pituitary and the pineal glands and their effect on reproduction in the mare.

**Superintendent of Horses - Instructor - University of Massachusetts, Amherst, MA**

Managed the University teaching and research herd, taught lectures and laboratory classes in horse nutrition and feeding; horse breeding; horse reproductive physiology; horse management and care; horse training – riding and driving; horse safety; veterinary and farrier care; equine research into behavior, nutrition, foaling and physiology. Coached the intercollegiate horse judging team. Served as the liaison to the State 4-H Extension office, providing educational support on a variety of subjects for training volunteer leaders and youth.

**State Extension Specialist - Agricultural Education - University of Massachusetts, Cooperative Extension Service, Amherst, MA**

Prepared and coordinated agricultural based educational curriculum and programs for educators in conjunction with agricultural producers [i.e. MA Farm Bureau, MA Horse Council, Ocean Spray NY-NE Apple Producers, MA Maple Sugar Producers, American Water Works, USDA Agricultural Inspection Service, Agriculture in the Classroom] for distribution throughout the state Coordinated and conducted teacher education workshops and in-service programs. Admitted to graduate teaching faculty. School of Education. Provided educational resources for classroom programs. Wrote curriculum and work study guides for teachers and students. Worked with a non-profit Board of Directors in fund raising. Prepared informational brochures, press releases and quarterly newsletters. Presented educational concepts on learning agriculture and issues associated with the challenges being presented by animal rights organizations to professional educators.

**Licensed Horse Show Judge and Member [current and past]**

American Miniature Horse Association  
American Miniature Horse Registry  
American Shetland Pony Club  
American Buckskin Horse Registry  
Appaloosa Horse Club of New Zealand  
International Buckskin Horse Association  
Fjord Horse International – International Judge  
Gypsy Vanner Horse Society  
Haflinger Association of New Zealand - Evaluator  
National Miniature Donkey Association  
National Snaffle Bit Association  
New England Horseman's Council – English/Western  
New Zealand Miniature Horse Association  
North American Saddle Mule Association  
Norwegian Fjord Horse Registry  
Pinto Horse Association of America

Ponies of the Americas  
United States Equestrian Federation  
    Andalusian, Friesian  
    Arabian, Western, Stock Seat Equitation [formally]  
Welsh Pony and Cob Society of America  
Western Riding Federation of New Zealand  
Working Equitation Association USA  
WE United (Working Equitation)

### **Professional Memberships**

American Horse Council  
Kentucky Farm Bureau  
Kentucky Equine Education Project  
Kentucky Horse Council  
Certified Horsemanship Association  
Equine Science Society

### **Publications and Video**

Judging and Showing the Mountain Horse(DVD) Assessing Gaits  
Horse Safety – Volume 1 (completed in pre-publication status)  
Risk Management for Riding Stables [work in progress]  
2005 European Union: Market Study and Recommendations prepared for USLGE  
How to Purchase a Horse in the United States [DVD in five languages] for USLGE  
Evaluating and Selecting Norwegian Fjord Horses 1999[revised 2008]  
Evaluating and Selecting American Miniature Horses 2003 [revised 2008]  
The Art and Science of Judging and Selecting Horses and Ponies 2007  
Judging Horses in Individual and Team Competition 1972 Mass. Extension Publication  
Several articles and columns on a variety of topics related to the horse industry, [i.e. judging, marketing, training, showing, breeds history, and more].

### **Business Affiliations**

Creation with a partner of a secondary business, Equine Risk Management Group, LLC, and HorseSafetyUSA, LLC, based in Lexington, KY. The focus of the businesses is the education and promotion of safety with people and horses participating in equestrian activities and sports. The development of educational materials and educational programs is ongoing.

## **Expert Consulting** **Provided On the Following Legal Matters**

[October 1, 2005 to December 1, 2016]

### **Summary –**

- 6 Court testimonies as an Expert [Never been denied testimony as an expert]
- 19 Depositions
- 25 Written reports filed with Attorneys
- 61 Cases - Matters reviewed – 57 United States(1 – US Federal Court); 3 International
- 60 Cases – 35 (58%) Working for Plaintiff – 22 (37%) Working for Defendant; 3 5.0% cases attorney did not accept contrary advice and/or opinion on matter.

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### **United States**

**Alabama** – Personal Injury – Claims vehicle stopping on legal highway made sounds to frighten horse, resulting in rider being injured from a fall

Field of Expertise: Horseback Riding Safety, Horse Behavior, Horse Training, Horseback riding, Care and Uses of Horse Tack and Equipment, Horses Being Ridden in Traffic

Working for Defendant: Vehicle Operator/Owner National Delivery Service

Provided a Written Report

Case Status: Settled in favor of Client

**Arizona** - Personal Injury – Horse owner taking lessons on “green” injuries to equipment failure, riding in unsafe environment.

Field of Expertise: Horseback Riding Safety, Horse Behavior, Horse Training, Horseback riding, Care and Uses of Horse Tack and Equipment

Working for Plaintiff: Injured Horse Owner

Provided written report and opinion, no deposition given

Case Status: Settled in favor of client

**Colorado** – Horse Parentage Qualification Dispute – Horse refused registration due to improper parentage.

Field of Expertise: Equine Breed Registry, Horse Breeding Practices, Horse Selling and Values.

Working for Plaintiff: Horse Breeder/Owner.

Provided appraisal and written opinion, gave deposition, no trial date

Case Status: Unknown

**Connecticut** – Personal Injury – Woman injured due to fall from horse drawn vehicle she was driving.

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Driving, Horse Safety

Working for Defendant: Horse Drawn Vehicle Builder

Case ongoing, no report filed, no deposition given, no trial date set.

Provided subject matter advice and opinions to counsel.

Case Status: Unknown

**Georgia** – Personal Injury/Death - Man riding horse near road, falls from horse into path of automobile.

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Horse Tack and Equipment.

Working for Defendant: Dog/Property Owner.  
Provided unwritten opinion, no report filed, no trial. Deposed October 2006.  
Case Status: Settled in Favor of Client February 2007

**Georgia** – Personal Injury/Death – Man riding horse near road, falls from horse into path of automobile.

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Horse Tack and Equipment.

Worked for Defendant: Vehicle Operator.

Provided unwritten opinion, no report filed, no deposition given, no trial.

Case Status: Settled in Favor of Client September 2006

**Georgia** – Personal Injury of Young Riding Student During Ground Handling of Horse

Field of Expertise: Horsemanship Training – Horse Safety, Horse Behavior, Horse Tack and Equipment

Work for Plaintiff: Injured Handler

Provided unwritten opinion and accident site assessment; deposed September 2013.

Case Status: Trial Completed

**Georgia** – Personal Injury of Riding Instructor at Summer Camp

Field of Expertise: Horsemanship Training – Horse Safety, Horse Behavior, Horse Tack and Equipment

Work for Defendant: Horse Provider for Camp

Deposed September 2014.

Case Status: Unknown

**Florida** – Personal Injury – Public Riding Stable - Man riding horse falls from horse as result of stirrup leather breaking, did not sign waiver.

Field of Expertise: Horseback riding, Horseback Riding Stable Safety, Care of Horse tack and equipment, Horse behavior, Standards for Horse Guides/Wranglers.

Worked for Plaintiff: Horse Rider

Provide no written report, only unwritten opinions to counsel prior to trial

Deposition given on August 21, 2007

Testified at Hearing

Case Status: Trial by jury resolved in favor of client.

**Florida** – Loss of Income – Vehicle accident has created inability to derive income from horse business.

Field of Expertise: Knowledge of horse farm operations, Horse farm business and sales of horses, Development of business and marketing plans.

Working for Defendant Horse Owner

Provided interview of client to ascertain knowledge, experience and income potential and losses.

Prepared report for counsel.

Case Status: Unknown

**Florida** – Injured Horse – Horse suffered stress caused by examination and testing at veterinary clinic

Field of Expertise – Horse Behavior, Horse Training and Conditioning, Horse Care and Management.

Working for Plaintiff – Horse Owner

Provided interview for Attorney and deposition  
Case Status: Settled

**Florida** – Personal Injury of Working Student

Field of Expertise – Horse Behavior, Horse Care and Management, Horse Safety, Instructional Training to Students.

Working for Plaintiff – Student

Provided preliminary information to Attorney

Case Status: Unknown

**Florida** – Vehicle Accident - Horses on highway collide with vehicle

Field of Expertise: Horse Behavior, Horse Safety, Horse Care and Management, Horse Fencing.

Working for Plaintiff: Vehicle Owners

Provided written report not favorable to plaintiff's case, favored horse owner

Case Status: Withdrew from the case due to evidence did not support attorney's position

**Florida** – Vehicle Accident – Cattle on highway collide with vehicle

Field of Expertise: Fencing and Confinement Construction and Maintenance Systems; Animal Behavior; Grazing Practices

Working for Defendant: Cattle Owner

Accident and Site Investigation; Consulting with Counsel

Case Status: Unknown

**Illinois** - Personal Injury – Public riding stable accident

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Standards for Trail Guides.

Working for Plaintiff: Injured Party

Provided written report opinion, and deposition given.

Case Status: Ongoing – Trial Date Set – Decision favored defendant

**Iowa** - Spectator Injury - Injured bystander to runaway horses at parade

Field of Expertise – Horse Behavior, Horse Training and Conditioning, Driving and Preparation for Driving

Working for Plaintiff – Bystanders to incident [Class Action]

Conducted inspection of location and condition of equipment

Case Status: Ongoing, Deposed, Trial date pending, Status unknown.

**Kentucky** – Intelligent Property and Copyright – Horse breed association challenges another breed association on its use of pedigrees and certificates of registrations issued by the former organization.

Field of Expertise: Horse Breed Registry Operations, Horse Industry Standards for Creation of a Breed Registry, Historical Development and Growth of Horse Industry.

Working for the Defendant: Equine Breed Organization.

Provided written report and opinion

Trial date November 6, 2007, testified as an expert

Case Status: Trial in Federal Court by judge; resolved in favor of client.

**Kentucky** – Horses Perished in Barn Fire - Facilities Management, Care, Custody and Control

Field of Expertise: Making, Handling and Storage of Hay, Fire Safety in Stables, Horse Farm/Stable Management



Working for Plaintiff: Horse Owners  
Provided written report and opinion, deposition  
Case Status: Settled in favor of client

**Kentucky** – Personal Injury - death of rider upon horse's collision with logging truck  
Field of Expertise: Horseback riding, Horseback Riding Safety, Horse Behavior, Gait, Movement and Speed of the Horse  
Working for Plaintiff: Executor of Deceased's Estate, horse owner  
Provided written report and opinion, deposition given  
Case Status: Settled in favor of client.

**Kentucky** – Horse Owner Liability - Horses left owner's property struck by automobile  
Field of Expertise: Horse Farm/Stable Management, Horse Fence/Fencing, Pasture Management and Care, Horse Behavior  
Working for Plaintiff: Vehicle Operator  
Provided written report and opinion  
Case Status: Unknown

**Kentucky** – Personal Injury – Horse show volunteers injured due to horse out of control  
Field of Expertise: Horse Behavior, Horse Show Operations and Management, Horse Fence/Fencing, Horse Behavior  
Working for Plaintiff: Injured Parties  
Provided counsel with opinions and subject matter information  
Case Status: Unknown

**Kentucky** – Horse Owner Liability – Horses left owner's property and were struck by vehicle  
Field of Expertise: Horse Behavior, Horse Show Operations and Management, Horse Fence/Fencing, Horse Behavior  
Working for Plaintiff: Injured Party, Vehicle Operator  
Provided counsel with opinions and subject matter information  
Case Status: Unknown

**Kentucky** – Insurance Investigation - Deceased Horse's Value and Circumstances of Death  
Field of Expertise: Horse Transportation, Horse Behavior, Horse Facilities and Management  
Working for Defendant Insurance Carrier  
Provided Complete Review of Matter, uncovering broken chain of recorded ownership, no bill of sale, no cancelled checks, and horse over valued based upon current market values.  
Case Status: Provided results of investigation to insurance carrier. Disposition unknown.

**Kentucky** – Stable Operations - Stable Operator Providing Free Horseback Riding Sued by Rider  
Field of Expertise: Horse Behavior, Horseback Riding, Stable Operations, Riding Facilities  
Working for Defendant: Farm Owner  
Case Status: On-site Investigation; Provided Preliminary Report; Plaintiff drop matter

**Massachusetts** – Riding Instructor Deficiency in Certification and Training; Personal Injury – Horse purchased under misrepresented terms; novice rider injured due to improper preparation of horse  
Field of Expertise: Horse Behavior, Horse Training and Showing, Equine Facilities Management and Operations, Practices in Purchasing Horses; Riding Instructor Lessons Evaluations  
Working for Plaintiff: Horse owner/purchaser, and injured party

Case Status: Prepared written report; No deposition scheduled; Settled in favor of client

**Massachusetts** – Personal Injury - Riding Student Falls from Horse During Lesson

Field of Expertise: Horse Behavior, Horse Training, Equine Facilities Management and Operations, Riding Instructor Lessons Evaluations

Working for Defendant: Riding Stable/Riding Instructor

Case Status: Court dismissed upon summary judgement

**Maryland** – Vehicle Accident - Facilities Liability – Horse being groomed escapes from show facility, enters traffic causing death to vehicle operator and animal

Field of Expertise: Horse Behavior, Horse Training and Showing, Equine Facilities Management and Operations, Equine Facility Design and Use

Working for Defendant: Equine Facility Management

Provided opinion to counsel, deposition given

Case Status: Client Dismissed from Case - Sovereign Agency

**Michigan** – Personal Injury – Public riding stable accident, fall from horse.

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Standards for Trail Guides.

Working for Plaintiff: Injured Party.

Provided advice and opinions to attorney, no report filed, no deposition given, no trial.

Case Status: Settled in favor to client.

**Michigan** – Personal Injury – Horse farm employee injured on job.

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Standards for Trail Guides.

Working for Plaintiff: Injured Party.

Provided advice and opinions to attorney, no report filed, deposition, testified at trial

Case Status: Trial by jury, decision favored client

**Michigan** – Damages/Loss of Income – Diseased Horses

Field of Expertise: Management and Care of Horses; Horse Health Care and Diseases; Marketing and Utilization of Horses

Working for Plaintiff: Horse Owner

Provided advice and expert report - opinion on matter.

Case Status: Unknown

**Michigan** – Injured Rider – Taking Pre-purchase Test Ride

Field of Expertise: Marketing of Horses, Horsemanship-Riding Safety, Horse Behavior, Assessment of Suitability of Horse to Rider

Working for Plaintiff: Person Taking the Test Ride (Horse Owner)

Provided advice to Attorney, scheduled to be deposed October 2013.

Case Status: Settled in Favor of Client

**Michigan** – Injured Rider – Adult Participating in Trail Ride, Injured at Dismount, Slipping Saddle

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Standards for Trail Guides.

Working for Plaintiff: Injured Rider

Case Status: Settled

**Minnesota** – Farm Owner – Owner Disposed of horses co-owned with second party

Field of Expertise: Marketing and Sales of Horses, Horse Care and Management, Horse Appraisals

Working for Defendant: Farm Owner

Provided preliminary report to Attorney

Case Status: Settled

**Missouri** – Defending Attorney Sued by Client Over Mishandling Case

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Standards for Trail Guides.

Working for Defendant: Attorney

Case Status: Provide consultation to defense Attorney; Current Status Unknown

**New York** – Personal Injury - Bystander

Field of Expertise: Mounted Police Training and Work; Horse Training, Horse Behavior, Horse Equipment and Uses

Working for Defendant: NYPD Mounted Police Division

Provided preliminary opinion to attorney

Case Status: Unknown

**New York** – Personal Injury – horse participant in summer camp riding program

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety

Working for Defendant: Injured youth

Provided preliminary opinion to attorney

Case Status: Postponed deposition; current status unknown

**New Mexico** – Personal Injury – Exercise Rider

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety

Working for Defendant: Race Track Ownership

Provided advice and opinion to counsel, no deposition, no written report

Case Status: Settled in favor of client

**North Carolina** –Sale of Horses – Horse misrepresented to buyer at time of sale.

Field of Expertise: Breed Registry/Studbook Management, Evaluation and Selection of Horses, Breed Registration Standards

Working for Plaintiff: Horse Buyer

Provided preliminary opinion to counsel, no report filed, no deposition, no trial

Case Status: Unknown

**Ohio** – Personal Injury – Test Ride by Potential Buyer

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations

Working for Plaintiff: Potential Buyer

Provided preliminary opinion to counsel, no report, no deposition, no trial date scheduled

Case Status: Unknown

**Oklahoma/Texas** – Personal Injury – Horse race track accident, fall from horse.

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Horse Anatomy and Physiology, Horse Race Track Operations.

Working for Plaintiff: Exercise Rider.

Provided report and opinion, no deposition given, no trial.

Case Status: Settled in favor of the client.

**Oregon** – Personal Injury – Spectator at Horse Auction Injured by Ridden Horse  
Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety  
Working for Plaintiff: Injured Spectator  
Provided consultation for Attorney  
Case Status: Unknown

**Pennsylvania** – Horse Death Due to Bedding – Horse allegedly died as a result of improper bedding supplied by defendant.  
Field of Expertise: Horse Care and Management, Horse Behavior, Horse Stable Operations, Horse Values.  
Working for Defendant: Bedding Provider.  
Provided preliminary opinion, no report prepared, no deposition given, no trial date set  
Case Status: Unknown

**Pennsylvania** – Personal Injury – Boarding stable, person severely bitten by horse.  
Field of Expertise: Horse Behavior, Horse Care and Management, Horse Training, Horse Safety.  
Working for Plaintiff: Injured Horse Owner.  
Provided written report and opinion, no deposition given, no trial.  
Case Status: Settled in favor client

**Pennsylvania** – Personal Injury – Public riding stable accident, foot lodged in stirrup, dragged by horse.  
Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Standards for Trail Guides.  
Working for Plaintiff: Injured Client.  
Provided written report and opinion, no deposition given, no trial.  
Case Status: Settled in favor of client.

**Pennsylvania** – Personal Injury – Public riding stable accident, horse out of control, threw rider.  
Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Standards for Trail Guides.  
Working for Plaintiff: Injured Party  
Provided written report and opinion, no deposition given, no trial date scheduled.  
Case Status: Unknown

**Pennsylvania** – Personal Injury – Harness race driver injured during official race at a licensed track.  
Field of Expertise: Horse Movement and Gait; Training and Care of Standardbreds; Standardbred Racing; Assessment of Behavior.  
Working for Defendant: Horse Owner  
Case Status: Prepared report

**Tennessee** – Personal Injury – Public riding stable accident, foot lodged in stirrup, rider dragged by horse.  
Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Standards for Trail Guides.  
Working for Defendant: Public Riding Stable.  
Provided preliminary written report and opinion, no deposition given, no trial.

Case Status: Advised Counsel on poor operating conditions and management practices by defendant, no further activity in matter.

**Tennessee** – Personal Injury – Public riding stable accident, horse fell with rider off elevated path.

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Standards for Trail Guides.

Working for Plaintiff: Injured Party.

Provided written report and opinion, deposition

Case Status: Settled in favor of client.

**Tennessee** – Personal Injury – Public riding stable accident, rider fell from horse

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Standards for Trail Guides.

Working for Plaintiff: Injured Party.

Provided written report and opinion

Case Status: Case Settled

**Tennessee** – Personal Injury – Fall by rider on pony ride.

Field of Expertise: Horse Safety, Horse Riding and Training, Horse Saddles and Equipment,

Working for Plaintiff: Injured Party

Case Status: Provided preliminary report; matter withdrawn by counsel due to unknown pre-existing condition of rider.

**Tennessee** – Personal Injury – Spectator injured by horse

Field of Expertise: Horse Behavior, Horse Safety, Horse Riding and Training, Horse Saddles and Equipment.

Working for Plaintiff: Injured Party

Case Status: Preliminary Review; Status Unknown

**Tennessee** – Personal Injury – Trail ride participant kicked by horse

Field of Expertise: Horse Behavior, Horse Safety, Horse Riding and Training, Trail Riding Management, Horse Safety

Working for Plaintiff: Injured Party

Case Status: Drafted preliminary report, awaiting further information from Attorney

**Texas** – Personal Injury – Rider falls from horse

Field of Expertise: Horse Behavior, Horse Safety, Horse Riding and Training, Trail Riding Management, Horse Safety

Working for Plaintiff: Defendant

Case Status: Deposed; No report; Current status unknown.

**Tennessee** - Equine Veterinary Malpractice – Equine Veterinarian sued over treatment of injury

Field of Expertise: Horse Behavior, Horse Safety, Horse Care and Management, Veterinary Care, Horse Values

Working for Defendant: Veterinarian

Case Status: Provided report; Settled

**South Carolina** – Personal Injury – Product Liability – Defective Girth

Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Horse Tack and Equipment

Consultant for Defendant: Retail Tack and Equipment Seller  
Case Status: Settled

**Virginia** – Personal Injury – Owner of castrated stallion attacked by horse  
Field of Expertise: Horse Behavior, Horse Care and Management, Horse Training, Horse Safety.  
Working for Plaintiff: Injured Horse Owner  
Provided preliminary opinion to counsel.  
Case Status: Unknown.

**Virginia** – Personal Injury – Public riding stable accident, rider fell from horse  
Field of Expertise: Horse Behavior, Horse Training, Horsemanship-Riding, Horse Safety, Riding Stable Operations, Standards for Trail Guides.  
Working for Defendant: Public Riding Stable/Resort  
Provided Only Opinion after Site Visit and Inspection  
Case Status: Case Settled on behalf of Client

**Virginia** – Vehicle Accident - Horse Owner Liability – Horses left owner's property and were struck by vehicle  
Field of Expertise: Horse Behavior, Horse Show Operations and Management, Horse Fence/Fencing, Horse Behavior  
Working for Defendant: Horse Owner  
Provided counsel with opinions and subject matter information after site inspection, provided deposition  
Case Status: Accident and Farm Inspection; Deposed; Current Status Unknown

**Virginia** – Personal Injury – Fall from Horse at Public Riding Stable  
Field of Expertise: Horsemanship – Rider Safety; Riding Stable Operation; Horse Training and Behavior; Trail Riding  
Working for Plaintiff: Rider  
Provided counsel with opinions and subject matter information; Deposed.  
Case Status – Deposed; Current Status Unknown

**Virginia** – Personal Injury – Official at the Virginia Gold Cup Injured While Performing Duties  
Field of Expertise: Horse Behavior, Horse Training, Point-to-Point Racing  
Working for Plaintiff: Race Official  
Case Status – Consulted with Attorneys on matter providing information and resources for case; Current status unknown.

**Wisconsin** – Personal injury of passenger in horse drawn vehicle  
Field of Expertise: Horse Behavior, Horse Training and Conditioning, Driving and Preparation for Driving  
Working for Plaintiff: Injured passenger  
Provided preliminary opinion based upon documents in case.  
Case Status – Provided Opinion; Case Settled

**Wisconsin** – Personal injury of passenger in horse drawn sleigh  
Field of Expertise: Horse Behavior, Horse Training and Conditioning, Driving and Preparation for Driving  
Working for Plaintiff: Injured passengers  
Provided preliminary opinion based upon documents in case.

Case Status – Provided Opinion; Deposition Cancelled; Judge Ruled Against Expert Testimony for No Given Reason.

**Wyoming** – Personal Injury – Fall from Horse at Public Riding Stable in National Park  
Field of Expertise: Horsemanship – Rider Safety; Riding Stable Operation; Horse Training and Behavior; Trail Riding

Working for Defendant: Vendor providing trail riding in National Park

Provided accident investigation; review of management practices; submitted report and opinion

Case Status: Awaiting schedule for deposition; No trial date scheduled. Matter has been ruled upon in summary judgement favoring defendant; Appeal Granted on Matter.

**Wyoming** – Death – Fall of a horseback rider on trails in Yellowstone National Park

Field of Expertise: Horsemanship – Rider Safety; Riding Stable Operation; Horse Training and Behavior; Trail Riding

Working for Defendant: Vendor providing trail riding in National Park

Provided accident investigation; review of management practices; submitted report and opinion

Case Status – Dismissed summary judgement

### **United States Federal Court**

#### **United States Department of Justice –**

Expertise on Management and Operations of Horse Business; Assessment of Business Practices; Responses to Review of Horse Farm's Records, Record system, Advertising and Marketing program, Sales Activities and Horse Farm Operations. Tennessee Walking Horse breeding farm and show stable.

Working for the Defendant

Provided written report, deposition and testified in Federal Court

Case Status: Trial Date – April 2013; Federal Bench Trial. Judge ruled in favor of Defendant.

#### **United States Department of Justice -**

Expertise on Management and Operations of Horse Business; Assessment of Business Practices and Development of a Business Plan; Responses to Review of Horse Farm's Records, Record system, Advertising and Marketing program, Sales Activities and Horse Farm Operations. Quarter Horse and Thoroughbred racing owner.

Working for the Defendant

Case Status: Provided written report

### **International**

**Canada – Ontario** – Personal Injury – Woman injured during the teasing of a mare

Field of Expertise: Horse Breeding and Teasing, Horse Behavior, Horse Safety, Horse Handling and Training

Working for Plaintiff: Injured Woman

Provided written report and opinion, no deposition given, no trial date.

Case Status: Unknown

**Canada – Ontario** - Personal Injury – Woman was injured from fall while training a horse under supervision of a professional

Field of Expertise: Horseback Riding Safety, Horse Behavior, Horse Training, Horseback riding, Uses of Horse Tack and Equipment, Fences and Footing

Working for Plaintiff: Injured Woman[horse owner]

Provided written report and opinion, no deposition given, no trial date.  
Case Status: Settled in favor of client

**United Kingdom** – Horse Show Disqualification.

Field of Expertise: Horse show operations, horse selling and values, horse show rules and regulations

Working for Plaintiff: Horse Breeder/Owner

Provided appraisal of plaintiff's horse; written opinion and report filed, no deposition, no trial.

Case Status: Matter Dropped

**Depositions and Trial Experience**  
**[October 1, 2005 to November 1, 2016]**

**2006 October 9, 2006 Deposition**

J. Clint Sumner, Jr. Attorney

Magruder & Sumner

PO Box 5187

Rome, GA 30162

Superior Court of Whitfield County, State of Georgia, Civil Action No. 90432-A

**2007 June 15, 2007 Deposition**

Michael Meares, Attorney

Dugan & Meares

307 College Street

Maryville, TN 37804

US District Court for Eastern District of Tennessee, Northern Division

Civil Action No. 3:06-CV-259

**2007 July 17, 2007 Deposition**

Caroline C. Cooley, Attorney

Caroline C. Cooley, LLC

413 North Wilcox Street, Suite 103

Castle Rock, CO 80104

Colorado District Court, County of Douglas

Case Number: 05CV1928

**2007 August 21, 2007 Deposition**  
**September 5, 2007 Trial, Testified as Expert**

Russell Dohan, Attorney

Goldberg and Dohan

1001 Brickell Bay Drive

Miami, FL 33131

Florida Fifth Judicial Circuit, Lakeland County

Case Number: 2006CA000758

**2007 September 25, 2007 Deposition**

Gregory K. Wells

Shadoan, Michael & Wells

108 Park Avenue

Rockville, MD 20850

State of Maryland, Circuit Court of Prince George's County



Case Number: CAL 06-13776

**2007 November 6-7, 2007 Trial Testified as Expert**

Thomas C. Corts, Esq.  
Ortale Kelley Herbert & Crawford  
200 Fourth Ave, North, 3<sup>rd</sup> Floor  
Nashville, TN 37219  
US District Court for Middle Tennessee  
Case Number: 1:05cv0088

**2008 February 27, 2008 Deposition**

Alex Scutchfield  
Stites & Harbison  
250 Main Street  
Suite 2300  
Lexington, KY 40507  
United States District Court  
Western District of Kentucky  
Civil Action: 3:07 CV-45-H

**2008 April 14, 2008 Deposition**

Jack Vital  
Vital & Vital, LLC  
536 5<sup>th</sup> Ave  
Huntington, WV 25701  
Commonwealth of Kentucky  
Lincoln Circuit Court: Division 1  
Civil Action: 07-CI-0017

**2010 September 27, 2010 Deposition**

C. Brooks Ricca, Jr  
C. Brooks Ricca, Jr & Associates, PA  
1615 Forum Place, Suite 200  
West Palm Beach, FL 33401  
Florida Fifth Judicial Court  
Civil Action: 42-2008-CA-003169-A

**2010 December 20, 2010 Deposition**

Robert R. Kurtz  
Stanley & Kurtz, PLC  
422 Gay Street, Suite 301  
Knoxville, TN 37092  
United States District Court  
Eastern District of Tennessee  
Case Number: 3:10-CV-000106

**2011 June 7, 2011 Deposition & September 20, 2011 Testified at Trial as Expert**

Arvin J. Pearlman  
Arvin J Pearlman & Associates  
24725 West 12 Mile Road, Suite 220  
Southfield, MI 48034

Circuit Court Barry County Michigan  
Case No. 09-3970-NO

**2012 January 5, 2012 Deposition and Testified at Trial April 10, 2012**

J. Tom Chute  
1 East Wacker Drive  
Suite 2850  
Chicago, IL 60601  
Circuit Court 15<sup>th</sup> Judicial District  
Jo Daviess County, Illinois

**2012 July 24, 2012 Deposition**

James J. Morici, Jr, Charles Wallace, Morici, Figlioli & Associates  
150 North Michigan Ave  
Suite 1100  
Chicago, IL 60601  
Re: Macke v. Steines

**2012 December 21, 2012 Deposition**

Jolene Murphy  
Hartel, Kane, DeSantis and Howie  
11720 Beltsville Drive, Suite 500  
Beltsville, MD 20705  
Booze v. Mateos

**2013 April 4, 2013 Testify Trial**

US Department of Justice  
Federal Court, Springfield, Illinois

**2013 April 15, 2013 Deposition**

Tim McAfee  
PO Box 529  
1033 Virginia Ave, NW  
Norton, VA 24273  
Baldwin v. Hay

**2013 August 25, 2013 Deposition; June 2014 Testify in Civil Court**

Jeff Dover/Sara Root  
Dover Law Firm  
12600 Deerfield Parkway, Suite 100  
Alpharetta, GA 30004  
Zawisza vs Gannon

**2014 September 12, 2014 Deposition**

John Hawkins  
Weinberg, Wheeler, Hudgins, Gunn & Dial  
3344 Peachtree Road, Suite 2400  
Atlanta, GA 30326  
Gadd v. Warwick  
Civil Action No. 2012-CV-0316-RG

**2016 October 12, 2016 Deposition**

Brandon E Berg

Thompson, Coe, Cousins and Irons, LLP

One Riverway, Suite 1400

Houston, TX 77056

Bonneau v. Wood, CTS Management, et al

**Hipsley and Associates, LLC**  
*International Equine Consultants*  
2720 Wiggington Point  
Lexington, KY 40511

**Letter of Engagement/Fee Schedule – Equine Expert Consultant**

Dear Attorney

This letter confirms that you have retained Wayne G. Hipsley, BSc., MSc., to work as an expert consultant in the field of horses, the science of horses and horse related activities.

Pursuant to our telephone discussions and verbal agreement, I will provide timely services to you and your client as an independent professional. In order for this to be accomplished promptly and provide your client the best service, deadlines for fulfillment are necessary as well as delineation of your expectations. Payment for the services I provide is not dependent upon my findings, nor on the outcome of the legal action, mediation, arbitration, or the amount or the terms of any settlement of the underlying legal cause, nor on any contractual arrangement between you, your client and any other person or party.

My minimum non-refundable engagement fee for services is:

\$750.00 (Seven Hundred Fifty Dollars)

due at the time this agreement is signed and returned. Invoices for services performed or expenses incurred shall be charged against the engagement fee until such time as the amount of the fee is exhausted. You may not formally identify me as either a testifying or non-testifying expert until such time as the engagement fee has been paid.

**1. Fees for Services**

You agree to compensate expert consultant for services rendered as follows:

- A. Except as outlined herein, I shall be paid by you at the rate of \$175.00 per hour for all tasks performed under this agreement, including but not limited to analysis, calculations and conclusions, preparation of reports, email preparations/communications, telephone conferences and meetings. There shall be no charge for initial consultation.
- B. When requested to perform a rush service, to accommodate deadlines for filings with courts and other governing bodies, and the cause is due to late contact/notification, an increase in the hourly rate will be charged, \$250.00 per hour, with all tasks being considered.
- C. Fees will be billed by the quarter of an hour, with a minimum charge for any discrete task.
- D. For testimony at a deposition and trial, I shall be paid at the rate of \$350.00 per hour, to be billed in hourly increments. This rate shall apply both while awaiting to give testimony, whether at an office or court, and including time taken for breaks or meals, as well as time spent actually giving testimony.
- E. For investigation and review at a location where an incident has occurred, I shall be paid at the rate of \$175.00 per hour, to be billed in hourly increments. This rate shall apply while I am waiting at the inspection site, actually reviewing matters, interviewing, and conducting a site survey. A two hour minimum will be billed, unless alternative arrangements have been agreed upon in advance of such site inspection.
- F. Travel requiring time away from my office, shall be billed at the minimum rate of \$200.00 per day for travel time to and from my office to the designated location, destination.

**2. Expenses for Services**

You shall agree to reimburse me for expenses as follows:

- A. Travel by personal motor vehicle: 50 cents per mile
- B. Travel by air or train: The actual cost of the round trip ticket, plus a ten per cent [10%] handling fee. The handling fee may be waived if you wish to make direct payment/purchase of the necessary tickets. I will purchase refundable tickets for any necessary travel, unless you instruct me otherwise or purchase the tickets on my behalf.

C. Travel related lodging: For any travel of more than ten [10] miles from my office, I shall be reimbursed for the cost of meals and lodging, plus a ten per cent [10%] handling fee for lodging. The handling fee may be waived if you wish to make direct payment/purchase of the necessary lodging.

D. Travel via rented automobile: For any travel requiring the rental of an automobile, I shall be reimbursed for the cost of a mid-size vehicle and any associated expenses including service fees, taxes, fuel, and insurance, plus a ten per cent [10%] handling fee. The handling fee may be waived if you wish to make direct payment/purchase of the necessary rental vehicle.

E. Expenses associated with photography, reproduction of documents and photographs, preparation of exhibits, express mailing/shipping, document faxing and other associated expenditures shall be reimbursed at reasonable market values.

### **3. Payment for Services**

You are responsible for all payments for fees and expenses as outlined in this contract, regardless of any arrangement you may have with any party or parties you represent. I will issue bills on a monthly basis or whatever other interval I deem appropriate. Bills are due upon receipt, and shall be considered delinquent if unpaid more than thirty [30] days after their date of issuance. Interest shall accrue to any delinquent balance at the maximum rate permitted by law, not to exceed 1.5 per cent per month. All payments may be made to: Hipsley and Associates, LLC

This agreement shall be interpreted under the laws of the Commonwealth of Kentucky. Any litigation under this agreement shall be resolved in the trial courts of Fayette County, Commonwealth of Kentucky.

The affixing of your signature below represents your agreement with the terms set forth herein. Please return a signed copy of this agreement to my office, along with the required engagement fee. I look forward to working with you, providing the necessary service to support your client's needs.

Sincerely,

*Wayne G. Hipsley*

I hereby accept the terms of this agreement:

Date: \_\_\_\_\_ x \_\_\_\_\_

Client-Attorney

Please retain one copy of this document for your records, sign and return one to Hipsley and Associates.