



# Saddlebred Post

Indiana American Saddlebred Horse Association

January/February 2010

## Renew Your IASHA Membership

If you have not sent in your 2010 IASHA membership please fill out the application and return it at your earliest convenience! Please remember that High Point Award points DO NOT start to accumulate until membership is paid. If you have questions, please contact the IASHA president, Linda Beltz.

### From Your President...

Linda Beltz, IASHA president and avid Saddlebred enthusiast, kicks off this month's newsletter with the following article written by an attorney with Bingham and Hale, Casey Eckert, who is developing a multi breed equine practice. We hope you find it educational.

#### Think You're Safe? Think Again. Avoiding Liability for Equine Professionals

by Casey J. Eckert  
(reprinted with permission)

*This article does not create an attorney-client relationship.*

*The information contained in this article is general legal information and should not be construed as legal advice to be applied to any specific factual situation.*

Many equine activity sponsors and equine professionals post the obligatory warning sign mandated by Indiana's equine activity liability statute and assume they are immune from any and all liability resulting from the injury or death of a participant involved in an equine activity. However, to gain the full protection of the statute, equine activity sponsors and equine professionals must also include the warning language in contracts relating to certain activities. Furthermore, the statute explicitly carves out five (5) circumstances

under which equine activity sponsors and equine professionals cannot benefit from the statutory immunity. It is imperative that equine activity sponsors and equine professionals are aware of and understand the full requirements and exceptions in the statute to fully avail themselves of the protections under the law.

According to Indiana Code § 34-31-5, *et. seq.*, an equine activity sponsor or equine professional is not liable for an injury to or the death of a participant resulting from an inherent risk of equine activities. An "inherent risk of equine activities" is defined to include: 1) the propensity of an equine to behave in ways that may result in injury, harm, or death to persons on or around the equine; 2) the unpredictability of an equine's reaction to such things as sound, sudden movement, unfamiliar objects, people or other animals; 3) hazards such as surface and subsurface conditions; 4) collisions with other equines or objects; and 5) the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, such as failing to maintain control over the animal or not acting within the participant's ability. Thus, the statute provides broad immunity over many equine-related accidents that could occur.

However, the statute specifically exempts from immunity equine activity sponsors or equine professionals who: 1) provided equipment or tack that was faulty and that caused the injury and knew or should have known that the equipment or tack was faulty; 2) provided the equine and failed to make reasonable and prudent efforts based on the participant's representations of the participant's ability to determine the ability of the participant to engage safely in the equine activity and determine the ability of the participant to safely manage the particular equine; 3) was in lawful possession and control of the land or facilities on which the participant sustained injuries and knew or should have known of the dangerous latent condition that



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caused the injuries; if warning signs concerning the dangerous latent condition were not conspicuously posted on the land or in the facilities; 4) committed an act or omission that constitutes reckless disregard for the safety of the participant and caused the injury; or 5) intentionally injured the participant.

As a result, it is prudent for all equine activity sponsors and equine professionals to thoroughly inspect all equipment and tack and to document (in writing) all steps taken to make the inspections. Equine activity sponsors and equine professionals should also inspect all land and facilities for dangerous latent conditions and post warning signs, if necessary. Again, any inspections should be carefully documented to defend against a claim by an injured participant that the condition should have been known to the equine activity sponsor and/or equine professional.

Additionally, it is well advised to ensure that all employees, representatives, and agents are adequately trained to assess a participant's abilities to ride a particular horse. Courts in several states have found that the requirement to assess a participant's abilities is continuing. That is to say, for example, an instructor would have a continuing responsibility to assess the rider's abilities throughout the entire lesson, rather than just at the beginning of the lesson.

Finally, equine activity sponsors and equine professionals must include the warning language required by the statute in all written contracts entered into by an equine professional for: 1) the providing of professional services; 2) the providing of instruction; or 3) the rental of equipment, tack or an equine. Thus, the immunity of the statute will only be available in such instances if the written contract specifically sets for the warning language provided in the statute, even if the equine professional posted the appropriate warning sign.



*Casey J. Eckert is an attorney at Bingham McHale LLP, located in Indianapolis.*

## **More about the author...**

Casey J. Eckert grew up showing Appaloosas and recently made the switch to POA's. She has judged competitively all throughout 4-H and participated on the judging team at Purdue, travelling all over the country competing in national and world level competitions. Although she still owns several POA's, her involvement is mostly through judging as her time for riding and training has become limited.

Ms. Eckert has been with Bingham McHale since 2007, after graduating from IU School of Law - Bloomington. She specializes in labor and employment and equine law.

Working at such a great firm has given her an amazing opportunity in starting the equine law practice. Because of her background in labor and employment, she counsel equine professionals on employment-related issues and also assist frequently in general liability concerns such as ensuring compliance with the Indiana Equine Activity Statute, drafting liability releases, boarding and training agreements, etc.

She also is an adjunct professor of Equine Law for Purdue Calumet's on-line distance learning program.

Recently, Ms Eckert started a group called Indiana Equine Professionals with two other Indianapolis businesswomen. The mission of IEP is to provide equine professionals throughout Indiana the ability to network with other equine professionals and save on marketing costs by allowing the group to market



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on its members' behalf. They are in the beginning stages, but hope to grow quickly!

Please feel free to check out Ms. Eckerts bio at: <http://www.binghamchale.com/professionals/index.asp?id=eckert>. If you need any further information or have any other questions you are welcome to contact her at:

Casey J. Eckert  
Bingham McHale  
[ceckert@binghamchale.com](mailto:ceckert@binghamchale.com)

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## UPHA/IASHA 2010 Spring Warm Up Horse Show:

The Spring Warm Up of 2009 was an amazing success in its first year as a two day event. So much so that the 2010 Spring Warm Up Horse Show will kick off on Friday evening making this a *three* day event.

Mark your calendars for **March 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup>** at the Crossroads USA Arena and Expo Center, a heated, indoor show facility only 25 miles west of Indianapolis, Cloverdale, Indiana. This venue offers 500 stalls, large show arena, full size make-up ring, seating area, ringside tables, concessions and vendor space under one roof.

The UPHA Academy Tournament Show will also continue to run in conjunction with the Spring Warm Up ending the winter tournament season at this show. Keep an eye out for your show bill and join us for this spectacular event!

This show is **double** IASHA High Points for participation! Get into the show season and join us at the Spring Warm Up. Contact Linda Beltz, (317) 695-3792, for more information.

## Dates Too Remember...

### March 19 – 21 IASHA 2010 Spring Warm-Up Horse Show

Crossroads Arena & Expo, Cloverdale, IN  
Contact: Linda Beltz, 317-844-9702  
(Double-point show for IASHA members!)

### February 27 UPHA Academy Tournament Show

Laurelwood Stables, Sheridan, IN  
Contact: Caroline Boyer, [carolineboyer3@gmail.com](mailto:carolineboyer3@gmail.com)  
or (317)758-5196

### March 20 & 21 UPHA Academy Tournament Show

Crossroads Arena & Expo, Cloverdale, IN  
In partnership with the IASHA Spring Warm Up  
Contact: Caroline Boyer, [carolineboyer3@gmail.com](mailto:carolineboyer3@gmail.com)  
or (317)758-5196

### April 9–11 Indiana State Fairgrounds Hoosier Horse Fair

We are looking for volunteers for this year's **Hoosier Horse Fair** which will take place on April 9<sup>th</sup> - 11<sup>th</sup> at the Indiana State Fairgrounds. Are you and your horse available to represent the versatility of the American Saddlebred?

Can you or your youth group volunteer a few hours in the IASHA booth, meeting and greeting the public? This is a great opportunity to share our love the American Saddlebred with our fellow horse lovers. Please contact Caroline Boyer or Linda Beltz to volunteer. 2009 HHF participants - Cassy Howard with Attache's Atta Girl and Hannah Stilwell with The Hidden Charm.





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## News Around The Saddlebred World...

### IASHA Awards Banquet

On January 17, 2010 the Ritz Charles was again the place to be as members gathered for the Annual IASHA Awards Banquet.



**Congratulations to all our 2009 IASHA High Point Winners!**

### Academy

#### **8 and under W/T**

Champion- Isabel Houston

#### **9-10 W/T**

Champion - Brianna Robison

#### **11-13 W/T**

Champion – Sarah Taylor

#### **11-13 W/T/C**

Champion- Megan Buckley

### Saddle Seat Equitation

Leadline

Champion – Sabrina Mullen

### Junior Pleasure Equitation

Champion- Courtney McGinnis

### Senior Pleasure Equitation

Champion- Brittany Ann McGinnis

Reserve Champion- Sarah Lawson

### Country Pleasure

#### **English Country Pleasure, Adult**

Champion- Callaway's Big Deal, owned and shown by Linda Thorin Johnson

Reserve Champion- Kalarama's Flo Jo, owned and shown by Diana Whiting

#### **English Country Pleasure, Novice/Limit**

Champion- Kalarama's Flo Jo, owned and shown by Diana Whiting

#### **English Country Pleasure Junior Exhibitor**

Champion- Dance Card, owned and shown by Taylor Boyer

#### **Country Pleasure Driving**

Champion- Prairie Wind Dancer, owned and shown by Tony Boxdorfer

Reserve Champion – Heir Express, owned and shown by Joan Todd

#### **Hunter Country Pleasure**

Champion- Staffordshire, owned by Cam and Caroline Boyer, shown by Corey Covert

#### **Western Country Pleasure**

Champion- Highly Charmed, owned and shown by Joan Todd

Reserve Champion- Mr. Threadman, owned and shown by Natasha Epperly

#### **Western Country Pleasure, Novice/Limit**

Champion - Staffordshire, owned by Cam and Caroline Boyer, shown by Corey Covert

### Show Pleasure

#### **Five-Gaited Show Pleasure**

Champion- CH Summit Up, owned by Linda Thorin Johnson, shown by Kristen Johnson

#### **Three-Gaited Show Pleasure**

Champion- CH Lightnin' Lil, owned by Skip & Linda Beltz, shown by Nicholle Beltz Tolliver

Reserve Champions (tie) Quite Delightful, owned by Mitch & Cathy Schueler, shown by Cathy Schueler and CH Detached, owned and shown by Claudia Schultheis

#### **Three-Gaited Show Pleasure, Novice/Limit**

Champion- I'm Big N Rich, owned and shown by Hannah Stilwell

Reserve Champion – Quite Delightful, owned by Mitch & Cathy Schueler, shown by Cathy Schueler



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## **Show Pleasure Driving**

Champion- Double Click, owned and shown by Barbara Fischler

Reserve Champion – Irish Tribute, owned and shown by Dr. Gene Ress

## **Park**

### **Three-Gaited Park**

Champion – The Hollywood Heartthrob, owned by Linda Thorin Johnson, shown by Mike McIntosh

### **Amateur Three-Gaited Park**

Champion – Stonecroft Front and Center, owned and shown by Chelsea Patterson

Reserve Champion – CH Carolina's Top Gun, owned and shown by Margaret Tirkes

### **Three-gaited Park, Junior Exhibitor**

Champion – Stonecroft Front and Center, owned and shown by Chelsea Patterson

### **Open Park Pleasure**

Champion – Indiana Sky, owned by Bill and Sandy Marple, shown by Mike McIntosh

### **Junior Park Pleasure**

Champion - Glamour Star, owned by Steve & Katie Lindamood, shown by Mike McIntosh

Reserve Champion- Steel The Dance, owned by Skip and Linda Beltz, shown by Renee Biggins

### **Park Pleasure Driving**

Champion- My Domain, owned by Cam & Caroline Boyer, shown by Cam Boyer

## **Three-Gaited**

### **Three-Gaited, Jr. Ex.**

Champion- Ostentatiously, owned and show by Brittany Ann McGinnis

Reserve Champion- Bold Magic, owned by Linda & Tony Boxdorfer, shown by Shelby Payne

### **Three-Gaited, Amateur**

Champion- Let's Boogie, owned by Bill and Linda Sullivan, Shown by Linda Sullivan

## **Fine Harness**

### **Amateur Fine Harness**

Champion- That Silver Tongued Devil, owned and shown by Linda Boxdorfer

### **Open Fine Harness**

Champion- French Kiss, owned by Bill and Sandy Marple, shown by Bill Marple

### **Junior Fine Harness**

Champion – Steel the Moment, owned by Skip & Linda Beltz, shown by John Biggins

Reserve Champion- Mooi Mooi, owned by Tony and Linda Boxdorfer, shown by Jennifer Townsend

## **Five-Gaited**

### **Amateur Five-Gaited**

Champion- Solstices, owned by the Rabourne family, shown by Kinsey Rabourne

### **Five-Gaited, Junior Exhibitor**

Champion-Stravinsky, owned and shown by Brittany Ann McGinnis

**Congratulations again to all of our  
2009 High Point Award winners!  
Good luck in the 2010 show season.**

## **UPHA Chapter 13 Horse Preview!**

On February 27, 2010, UPHA Chapter 13 is hosting a Sale Horse Preview to be held at the Champions Center in Springfield, Ohio. The event is intended to be an opportunity for owners/trainers to present their show horse and show horse prospects for sale to an audience at minimal expense.

The preview will begin approximately 1pm and the duration will be as long as necessary to give each entry an opportunity to be shown. All sales are by private treaty. UPHA Chapter 13 is charging \$150 (non-member fee) to enter a horse in the preview and UPHA members will be charged a reduced fee of \$100.

Entries may submit a video clip which will be incorporated into a media show and played continuously in the barn area. There will be a table for farm advertisements and brochures. A printed program will be distributed at the event and also



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maintained on-line prior to the date. Light refreshments will be served.

Contact Jim Taylor, at [memoryLaneFarm@zoominternet.net](mailto:memoryLaneFarm@zoominternet.net) or 330-722-0316. To receive a catalog and other information on the Preview contact: Marcia Belcher: [mcbelcher@verizon.net](mailto:mcbelcher@verizon.net) or 330-421-4091.

## **IASHA Board & General meeting**

(November 29, 2009)

Board members and Officers in attendance: Caroline Boyer, Linda Beltz, Phyllis Harris, Claire Panke, Dawn Kendrick, Joan Todd, Linda Sullivan, Dee McNealy

*Elections*- Slate was elected:

President- Linda Beltz;  
Vice President- Linda Sullivan  
Treasurer-Caroline Boyer;  
Secretary- Mary Lynn Foster;  
Michelle Lawson - website maintenance  
Dawn Kendrick - newsletter assistance.

*Board members whose terms will expire in:*

2012 Dee McNealy, Kathy Conflenti, Joan Todd  
2010 Autumn Harrier, Megan John, Laura Lockwood  
2011 Barbara Fischler, Dawn Kendrick, Claire Panke

Directory development - Claire Panke

**Board discussion:**

*Spring Warm Up Show*- Reviewed plans for show.

*Marple Memorial Donation* - was discussed.

*Charter Club Council*- Dawn Kendrick gave a brief description of a new award concept being developed.

*Membership*- Board discussed ways to encourage and increase membership.

*Indianapolis Charity Horse Show*- Phyllis Harris gave a report about the 2010 show dates.

*Club Scrapbook* - Plans for developing a scrapbook for the booth display were discussed. Diana Whittinger volunteered to help create a scrapbook – or poster.

**\*\*Please send candid photos of club events to Diana at her address in Chicago, 701 S. Wells St. 2503 Chicago, IL 60607, or to her e-mail address, [diana@2wtech.com](mailto:diana@2wtech.com).**

## **From Member To Member...**

**In Memory...**

Dorothy Marple, the mother of Bill Marple, Barbara Marple, and Katie Lindamood, all long time members of the IASHA, passed away May 15, 2009.

The club members would like to send condolences to the family and thank the family for thinking of the IASHA during this time. The club received several memorial gifts from friends of the family and family.

**New additions:**

Nicolle and Damion Tolliever welcome Hudson Daques Tolliver born July 17, 2009. Congratulations to all of the family!

*If you have announcements for our member to member corner, please submit to the IASHA secretary via email, [iasha\\_secretary@tds.net](mailto:iasha_secretary@tds.net).*

## **Academy Corner**

**Spotlight On...**

**ASHA Youth Clubs**

Want to become an ASHA Youth Club registered with the ASHA? An American Saddlebred Horse Association Youth Club is the perfect place to meet other young people interested in horses, and the perfect way to become involved with American Saddlebreds. ASHA Youth Club members do not need to own a horse or even be taking riding lessons to participate. Any young person who likes horses is welcome!





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In addition to a wide variety of activities and projects, both entertaining and educational, membership in an ASHA Youth Club provides the opportunity to participate in all the ASHA youth programs as well as trail rides, farm visits, clinics, horse shows and other horse-related adventures.

Each year, one special club is named ASHA Youth Club of the Year at the ASHA Annual Meeting and Youth Conference.

Information about Youth Clubs in your area, Youth Leaders' manuals, guidelines for starting Youth Clubs, judging contests, recognized competitive events, brochures and printed educational materials are all available from ASHA. Join in the fun!

## **ASHA Youth Clubs in Indiana:**

### **Terrific Trotters at Laurelwood**

Kristen Stonecipher

11411 Timberlake Drive

Fishers, IN 46038

317-250-6773

[lauraelockwood@hotmail.com](mailto:lauraelockwood@hotmail.com)

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