

KEENELAND REPOSITORY
2020 JANUARY HORSES OF ALL AGES SALE

TERMS, CONDITIONS AND PROCEDURES BINDING
UPON CONSIGNORS AND BUYERS

- I. GENERAL DESCRIPTION: Due to inefficiencies attendant to multiple x-rays of sale horses and due to potential harm from multiple endoscopic examinations of sale horses, and for other reasons, Keeneland has established a Repository where consignors may place certain information applicable to their sale horses. **The use of the Repository is voluntary, but if used, all of the minimum required views must be on file (see attached) along with a copy of a signed Veterinary Radiographic Report.**
- II. LOCATION: First floor of the Sales Pavilion.
- III. HOURS OF OPERATION OF THE REPOSITORY:
- 8:30 a.m. – 4:30 p.m. | Wednesday, January 8 – Friday, January 10
8:00 a.m. – 4:30 p.m. | Saturday, January 11 and Sunday, January 12
8:00 a.m. through end of sale on all sale days.
- IV. INFORMATION TO BE ACCEPTED TO THE REPOSITORY (“REPOSITORY INFORMATION”):
- A. X-rays taken within **15 days** prior to selling, and delivered to Keeneland not later than **four days prior to selling by 4:30 p.m. for film and digital x-rays (see attached schedule).** **Minimum of 36 films (or 38 films for horses of racing age) - see attached listing.** The hip number of the horse in question must be marked on all x-rays.
- B. Veterinary statement(s) concerning x-rays or endoscopic videotape as the consignor may choose to present which shall refer to the hip number of the horse in question.
- C. Veterinary certificates must be delivered to Keeneland no later than **four days prior to selling by 4:30 p.m. (see attached schedule).** Veterinary certificates in lieu of announcements for all horses that (i) possess any deviation from the norm in the eyes, (ii) are a “wobbler” (defined as a horse which suffers from a neurological disease caused by compression of the spinal cord and resulting in lack of balance and coordination), (iii) are two years of age or less and have undergone invasive joint surgery or surgical intervention of the upper respiratory tract, or (iv) all horses that have had any abdominal surgeries that occurred in the last two calendar years; any resection of an abdominal organ (partial or complete) at any time except to repair a ruptured bladder in a newborn foal, or (v) have been nerved, or (vi) broodmares that, within the last two years, have undergone a

caesarian section delivering a fetus, surgery involving the cervix, an urethral extension, or removal of an ovary can be placed in the Sales Repository.

- D. All information delivered through Tuesday, January 7 should be taken to the Administrative Office. Starting Wednesday, January 8, all information must be taken directly to the Repository in the Sales Pavilion.

V. REQUIREMENTS OF CONSIGNORS (INCLUDING OWNERS):

- A. Consignor must furnish Keeneland with possession of Repository Information not later than **4:30 p.m. four days prior to selling (see attached schedule). No Repository Information will be accepted by Keeneland subsequent to the above dates and times.**
- B. All information shall be marked by hip number.
- C. Keeneland will allow consignors to place restrictions on those persons permitted to review the information which is placed in the Repository by the consignors. However, Keeneland will not permit restrictions to be placed on the use of the Repository if Keeneland believes that the restrictions are arbitrary or discriminatory. For example, a consignor may request Keeneland to limit the access to that consignor's Repository Information to licensed veterinarians.

If a consignor chooses to limit access to Repository Information, a written request must be submitted to the repository.

VI. REQUIREMENTS OF BUYERS (INCLUDING THEIR AGENTS):

- A. Each person desiring to look at Repository Information shall first register and then will be given unique credentials to view the information.
- B. No Repository Information shall be taken from the general location where it is being sorted.
- C. Persons reviewing the Repository Information shall not collaborate with or advise others who are not their client(s) when evaluating the Repository Information.
- D. The Repository is designed for use by licensed veterinarians on behalf of their buyer-clients. Access to a consignor's Repository Information may be denied to non-veterinarians.

LEGAL NOTICE BINDING UPON ALL PARTIES INTERESTED IN THE SALE OR PURCHASE OF HORSES DURING KEENELAND SALES:

- A. The maintenance of the Repository by Keeneland shall not change any of Keeneland's Conditions of Sale which shall continue to be binding upon all parties; rather, the Repository shall provide an opportunity to facilitate buyers' inspection of horses which they may be interested in purchasing.
- B. Each buyer, per Keeneland's Conditions of Sale, is encouraged to inspect each horse which he may purchase including the Repository Information. As provided in the Conditions of Sale and otherwise, buyers are accepting any horse purchased with all defects except those conditions and defects specifically warranted on Keeneland's Conditions of Sale and not as announced prior to sale.
- C. Keeneland will not review the Repository Information and makes no warranty or assurance of any kind concerning the authenticity or accuracy of the Repository Information, all of which shall be the responsibility of the consignor. The knowledge of Repository Information shall therefore not be imputed to Keeneland.
- D. Purchasers will be charged with knowledge of any defect that is or should be revealed by a reasonable inspection, including any defect that is or should be revealed by a review of the Repository Information, with the exception of the Consignors' warranties per Condition Fifth (cribbers and ridglings only) and Condition Sixth (upper respiratory, laryngoscopic evaluation). Those limited warranties remain effective as more fully provided for and stated in Conditions Fifth and Sixth, unless announcement is made by the auctioneer in conjunction with the sale of the horse in question. With respect to Condition Eighth (injury or disease of bone structure for two-year-olds in training only), any defect which will, more likely than not, materially and adversely affect the horse's suitability for training and racing, that appears on radiographs taken within 24 hours after the session in which the horse is sold and taken before the horse leaves Keeneland's grounds, which does not appear on the radiographs filed in the repository prior to the sale, is subject to arbitration as provided in Condition Eighth which may result in a return of the horse to the consignor and a refund of the purchase price.
- E. In the event consignor elects to place information in the Repository, consignor warrants that consignor has deposited in the Repository all of the required views mandated by Keeneland and further warrants the authenticity of said views.
- F. Furthermore, should the veterinarian responsible for the radiographs (and the attendant Veterinary Repository Report) have total or part ownership in a particular yearling, said ownership must be so disclosed on the Veterinary Repository Report.

- G. All purchasers acknowledge that any Veterinary Radiographic Report relating to radiographs of a horse (“Veterinary Radiographic Report”) is inherently subjective. Keeneland makes no warranty or assurance of any kind concerning the authenticity, sufficiency, quality, completeness or accuracy of information contained in Veterinary Radiographic Reports, and knowledge of the information in Veterinary Radiographic Reports shall not be imputed to Keeneland.

KEENELAND REPOSITORY

2020 JANUARY HORSES OF ALL AGES SALE DEADLINES FOR X-RAYS AND ENDOSCOPIC VIDEOS

SESSION NUMBER	DATE SELLING	HIP NUMBERS	SCOPE VIDEO MUST BE RECORDED ON OR AFTER	X-RAYS MUST BE TAKEN ON OR AFTER	DEADLINE TO BE IN REPOSITORY
1	MON – JAN 13	1 - 398	FRI – JAN 3	SUN – DEC 29	THUR – JAN 9
2	TUES – JAN 14	399 – 795	SAT – JAN 4	MON – DEC 30	FRI – JAN 10
3	WED – JAN 15	796 – 1169	SUN – JAN 5	TUES – DEC 31	SAT – JAN 11
4	THUR – JAN 16	1170 – 1543	MON – JAN 6	WED – JAN 1	SUN – JAN 12
5	FRI – JAN 17	1544 - 1827	TUES – JAN 7	THUR – JAN 2	MON – JAN 13