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MEETING

STATE OF CALIFORNIA

HORSE RACING BOARD

In the Matter of)
)
REGULAR MEETING)
_____)

DEL MAR SURFSIDE RACE PLACE

GENERAL ADMISSION AREA

2260 JIMMY DURANTE BOULEVARD

DEL MAR, CALIFORNIA

FRIDAY, JULY 17, 2015

9:38 A.M.

REPORTER BY:

WENDY D. RASNICK, CSR NO. 12347

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APPEARANCES

Chuck Winner, Chairman
Richard Rosenberg, Vice Chairman

COMMISSIONERS

Madeline Auerbach
Jesse H. Choper
George Krikorian
Alex Solis

STAFF

Rick Baedeker, Executive Director
Jacqueline Wagner, Assistant Executive Director
Robert Browning Miller, Staff Counsel

ALSO PRESENT

Alan Balch, CTT Executive Director
Cal Rainey, Golden Gate Fields
Scott Daruty, Santa Anita
Rick Hammerle, Santa Anita
Nate Newby, Santa Anita
Rick Arthur, Equine Medical Director
Brad McKinzie, Los Alamitos
Jack Liebau, Los Alamitos

1 ALSO PRESENT

2

3 Joe Morris, TOC

4 Chris Korby, California Authority of Racing Affairs

5 Mike Seder, Los Angeles County Fair Association

6 Larry Schwartz, San Joaquin County Fair

7 Chris Flaherty, San Joaquin County Fair

8 Kelly Olds, C.E.O., San Joaquin County Fair

9 Steve Keech, President of AmTote

10 Jeff True, Vice President of AmTote

11 George Haines, SCOTWINC

12 Bob Fletcher, Director of Winners' Foundation

13 Gino Roncelli, President of Winners' Foundation

14 Darrell Haire, Jockeys' Guild

15 Deborah Russel, Racetrack Employee

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1 DEL MAR, CALIFORNIA, FRIDAY, JULY 17, 2015

2 9:38 A.M.

3

4 CHAIR WINNER: This is the regular noticed
5 meeting of the California Horse Racing Board on
6 Friday on July 17, 2015, at the Del Mar Surfside
7 Race Place, 2260 Jimmy Durante Boulevard, Del Mar,
8 California.

9 Present at today's meeting are myself,
10 Charlie Winner; Richard Rosenberg, Vice Chair;
11 Madeline Auerbach, Commissioner; Steve Beneto,
12 Commissioner; Jesse Choper, Commissioner;
13 George Krikorian, Commissioner; Alex Solis,
14 Commissioner.

15 Before we go on to the business of the
16 meeting, I need to make a few comments. In order to
17 ensure all individuals have an opportunity to speak
18 and the meeting proceeds in a timely fashion, I will
19 strictly enforce the time limit rule for each
20 speaker. The three minute time limit rule will be
21 enforced during discussion of all matters as stated
22 on the agenda as well as during the public comment
23 period.

24 There's a public comment sign-in sheet
25 for each agenda matter on which the Board invites

1 comments. Also, there's a sign-in sheet for those
2 wishing to speak during the public comment period
3 for matters not on the board's agenda if it concerns
4 horse racing in California.

5 Please print your name legibly on the
6 public comment sign-in sheet, and when a matter is
7 open for public comment, your name will be called.
8 Please come to the podium and introduce yourself by
9 stating your name and organization clearly. This is
10 necessary for the court reporter to have a clear
11 record of all who speak.

12 When your three minutes are up, I'll
13 ask you to return to your seat so others can be
14 heard. When all the names have been called, I'll
15 ask if there's anyone else who would like to speak
16 on the matter before the Board. Also, the Board may
17 ask questions of individuals who speak.

18 If a speaker repeats himself or
19 herself, I'll ask if the speaker has any new
20 comments to make. If there are none, the speaker
21 will be asked to let others make comments to the
22 Board.

23 Okay. Now, No. 5 on the agenda will be
24 put over until the August meeting.

25 I'd like to introduce Marie Moretti,

1 who is here with us today. Marie was on the
2 Commission for many years as Vice Chairman of the
3 Commission, and she's now on the Del Mar Board. So
4 thank you for being with us, Marie. We appreciate
5 it.

6 And I know that the Del Mar -- I think
7 you guys are having a meeting at 10:30; so some of
8 the folks from the Del Mar Board will be leaving
9 early. So we'll try to move things along so that,
10 if they have anything to say during the course of
11 the meeting, you'll be able to do it.

12 Let's move on to the approval of the
13 minutes from the last meeting. Is there a motion to
14 approve the minutes from the meeting on May 21st, or
15 are there any corrections or additions to the
16 minutes from the May 21st meeting? Anyone? Is
17 there a motion to approve? Is there a motion to
18 approve?

19 Vice Chair Rosenberg moves.

20 Commissioner Auerbach seconds.

21 All in favor?

22 COMMISSIONER BENETO: Aye.

23 COMMISSIONER CHOPER: Aye.

24 COMMISSIONER KRIKORIAN: Aye.

25 COMMISSIONER SOLIS: Aye.

1 MR. BAEDEKER: Aye.

2 CHAIR WINNER: Any opposed?

3 That motion carried.

4 We'll move on then to the Executive
5 Director's report. Mr. Baedeker.

6 MR. BAEDEKER: Thank you, Mr. Chairman. Last
7 week, the sixth annual summit of the welfare and
8 safety of the racehorse was held in Lexington,
9 Kentucky. It's a one-day event, and I must say, in
10 all the years of going to things like this, this was
11 really packed with information and useful data; and
12 I recommend, if you can attend, you should. If you
13 have an interest, you can also -- you can watch or
14 listen on line. There were about 230 people
15 present, and there were another 1,800 connecting via
16 the internet.

17 Several topics were discussed.

18 Sessions included findings from the jockey and
19 equine injury databases, racing surface studies,
20 lessons learned from postmortem programs, and the
21 importance of continuing education for trainers.
22 During that discussion, Dr. Arthur previewed the
23 bone physiology module the CHRB is currently
24 developing with Dr. Stover at UC Davis. Dr. Arthur
25 has assumed the role of producer-director on this

1 project which will be completed in another couple of
2 months.

3 This module is being funded by the
4 Jockey Club, but we took the opportunity to point
5 out that these will not just benefit the industry in
6 California but, as a matter of fact, nationally and
7 internationally. As such, we will be soliciting
8 help with funding in order to complete these
9 valuable tools, and we will ask this board to
10 consider a regulation which would make continuing
11 education a requirement for licensing.

12 During the presentation, findings from
13 the equine database research, it was shown that the
14 likelihood of serious injuries for racehorses
15 increases dramatically for horses that do not begin
16 their careers as two-years-olds. The timing was
17 interesting because there was an impromptu
18 discussion during our last Board meeting about
19 racing horses as two-year-olds.

20 While I was -- while I presumed that
21 this was likely the result of horses starting their
22 careers later because of injuries, in fact, that is
23 not the case. Dr. Bramlage explained that a horse
24 isn't born with a racehorse skeleton. I'm sure
25 horsemen in the room here probably already

1 understand this. The cannon bone and tibia are not
2 strong enough to bear the load of racing, but during
3 the horse's growth period, which is 20 to 27 months,
4 the horse must be trained into its racehorse
5 skeleton. Training overloads the undersized bones,
6 and the weakened bones are over repaired by the
7 body, making them bigger and stronger.

8 After a racehorse finishes his
9 two-year-old years, it's too late to remodel the
10 skeleton. And a horse that starts training at three
11 years old is placed at considerable risk for
12 significant injury.

13 So from a physiological standpoint,
14 horses should at least begin training, if not
15 racing, during their two-year-old year, according to
16 what was presented at the summit.

17 The best trainers, of course, will know
18 to push their two-year-olds very carefully during
19 this remodeling time frame as the structure is being
20 rebuilt to handle racing.

21 We had a press release last week, maybe
22 ten days ago, about the results of our testing over
23 the previous fiscal year, which concluded on
24 June 30th. The year before, we had 28 serious
25 violations -- those are the class one's, two's, and

1 three's. We had 28 two years ago. This last year,
2 we had four. That's the fewest on record, and our
3 records go back 40 years.

4 While this clearly attributes to the
5 fine work done by Dr. Arthur and the manulab at
6 UC Davis, in my opinion, it's even a stronger
7 tribute to the trainers and veterinarians working
8 the back side in California tracks.

9 For some reason, not apparent to many
10 of us, good news is not well received in our game,
11 but these results show that California racing is
12 clean.

13 Financials for the month show a
14 1 percent decline in daytime business with one less
15 day of racing. Night business also had one less day
16 but was up nearly 5 percent. Year-to-date,
17 everything in total business is up 2.62 percent for
18 the industry in California.

19 The recently concluded fair meet at
20 Pleasanton showed overall increase in business of
21 1.7 percent, but on-track attendance and handle were
22 down as were the size of the fields. There seems to
23 be a direct correlation there.

24 Sacramento, however, was off to a very
25 good start with a 20 percent increase in total

1 handle during the first week. There were about 130
2 more horses stabled there this year than last, and
3 field sizes were up a little bit as a result.

4 Los Alamitos had a successful meet
5 compared to last year. Total handle on Los Al races
6 was up 16.8 percent. While on track handle
7 declined, ADW was up more than 15 percent, and
8 out-of-state wagering on Los Al was up by 27.4
9 percent.

10 You probably saw the news over the last
11 few days. The first Lasix-free race for
12 two-years-olds was offered at Gulfstream Park. The
13 race was oversubscribed and therefore split into two
14 races with 11 and 12 horses. The races carried a
15 purse of \$65,000 versus the usual \$48,000.

16 That's my report.

17 CHAIR WINNER: Thank you very much,
18 Mr. Baedeker.

19 Do you have any questions or comments
20 for Mr. Baedeker?

21 Thanks. All right. We're going to go
22 on to the public comment period. We'll start with
23 Mike Wellman.

24 Mike.

25 MR. WELLMAN: Thank you. Good morning.

1 Mike Wellman, breeder and owner. I'm also a board
2 member of TLC, but I'm talking strictly as an
3 individual here.

4 I'd like to take this opportunity to
5 weigh in on the Rule 1699, which is on the agenda
6 for No. 10, I believe, later, but I thought I would
7 just get my comments in and not have to wait that
8 long actually.

9 I have already previously sent
10 communication to both Mike Marten and the executive
11 director Rick Baedeker that it is my opinion that
12 the language of the rule allows for way too much
13 subjectivity for stewards, and for whatever reason,
14 the current language leads to far too many
15 inconsistencies.

16 I, myself, have watched thousands of
17 races over the years, and many times I've seen
18 horses that can't win with 50 yards to go win. I've
19 seen horses that can't lose with 50, 100 yards to go
20 lose. I think we all had that experience over the
21 years.

22 Maybe, just maybe we should consider
23 what other professional sports teams do in terms of
24 replay. It's a difficult task no matter what, but
25 unless there's irrefutable evidence and reason to

1 reverse a call, lets stand, meaning that a horse
2 should only lose a placing if the stewards ruling is
3 unanimous and not just the majority.

4 It's not an easy decision. There's
5 always going to be some kind of, you know, people
6 that say, "The horse shouldn't have come down. This
7 horse should have come down," but I really think, at
8 this point, the inconsistencies that take place are
9 far too many and that something should be done.

10 Thank you.

11 CHAIR WINNER: Thank you very much. Hold on,
12 Mike. I think there's some questions.

13 VICE CHAIR ROSENBERG: Could you explain that a
14 little bit more about the specifics of reversing
15 based on irrefutable evidence? I mean, at what
16 stage do you reverse it? What is the criteria?

17 MR. WELLMAN: I don't know that. There's
18 referee in basketball that uses film today. Even
19 baseball uses film. Irrefutable would be that if
20 one guy in the room -- there's only three -- really
21 felt that that foul wasn't strong enough or severe
22 enough to be able to cause for taking down a horse,
23 it should stand. It should be unanimous.

24 VICE CHAIR ROSENBERG: So you're suggesting --

25 MR. WELLMAN: It's -- the language is always

1 going to be difficult. I made suggestions
2 previously in terms of modifying the language. The
3 more you try to mess with the language, the more you
4 see that that's a really difficult situation. So
5 I'm just suggesting maybe to simplify it.

6 If everybody in the room doesn't see
7 it, and I don't know exactly the way the NBA works,
8 but if they see a ball go out of bounds or
9 goaltending, and they say, "Stop. Play. We're
10 going to look at that," there's got to be a
11 unanimous decision or something that's irrefutable
12 to reverse that call. Why shouldn't it be the same
13 in terms of racing?

14 The film doesn't lie. The people that
15 look at that film should be very consistent in what
16 takes place. I'm telling you from owners that have
17 contacted me, friends, horse players, et cetera,
18 et cetera, trainers, nobody believes there's
19 consistency. So when there's that one of three --
20 at least one of three that says, "Hey, this should
21 stand," it's just something to consider.

22 VICE CHAIR ROSENBERG: I'm trying to clarify.
23 The irrefutable part of this is really irrelevant.
24 You're saying that the decision should be unanimous
25 in every case; right?

1 MR. WELLMAN: Yes, because that would be
2 irrefutable, wouldn't it?

3 CHAIR WINNER: Well, not necessarily. Let me
4 ask you, Mike. I mean, obviously -- actually,
5 racing probably was ahead of all other sports in
6 terms of instant replay.

7 I think what you're suggesting, as
8 Commissioner Rosenberg said, is you're suggesting
9 unanimity more than irrefutability. Irrefutability
10 is -- that in itself is subjective. And I
11 understand that you're saying that --

12 MR. WELLMAN: It's all subjective.

13 CHAIR WINNER: Yeah, it's all subjective.

14 MR. WELLMAN: And that's unfortunately the
15 rationale that always takes place, either upstairs
16 or when its spun into the, you know, the Racing Form
17 and what's gone.

18 I can tell you one thing for sure. A
19 couple weeks ago -- this is one example. If you'd
20 like, I can give you -- I studied it. I can give
21 you 15 or 20 that have taken place since the
22 beginning of the year. There was an occasion at Los
23 Alamitos where there was a horse -- I'm looking at
24 COMMISSIONER SOLIS just because obviously he
25 probably has /*R has a pretty good opinion on this

1 himself.

2 There was an occasion where there was a
3 horse that was not taken down as a winner because
4 the horse that was found re-rallied and was able to
5 get second. And the comments that I read from --
6 there was a quote from Stuart Ward -- Mr. Ward that
7 if that horse would have not rallied for second and
8 been third, they would have had taken down the
9 winner.

10 It doesn't make sense to me. It
11 absolutely doesn't make sense. There was a time and
12 a place, and I go back many years where riders rode
13 to get second because they knew there was a foul
14 that they could be placed first. Now, if they ride
15 hard to get that second for the owner or the bettor,
16 actually, they're never rewarded. And its just not
17 logical.

18 CHAIR WINNER: Again, Mike, to me, what you're
19 saying -- we've gone through so many much as you
20 know, meeting with the stewards time and time again,
21 trying to get input from everybody. I don't
22 think there's anyone that disagrees that it's --
23 this is a -- it's always going to be a subjective
24 call, and it's always going to be very difficult,
25 and it's always going to be controversial no matter

1 how we do it.

2 I think the point you've raised is at
3 least -- I think we should give some consideration
4 to is the unanimity point, which I think is
5 something that at least we ought to consider.

6 Anybody else have any questions or
7 comments?

8 COMMISSIONER SOLIS: I do.

9 CHAIR WINNER: Yes, Commissioner Solis.

10 COMMISSIONER SOLIS: I think that once a month
11 we have the second a lot of guys want to try to be
12 in the same page with the stewards. One of the
13 things we start doing about three months ago is we
14 meet with the steward once a month and go over a lot
15 of films that we felt that need to be changed, and
16 we tried to work together with the steward where
17 there's an understanding. Most of the guys -- they
18 have a lot of experience riding, and they know what
19 needs to be done to have some -- a lot of the guys
20 that feel that there wasn't the right call. They
21 have an understanding with these stewards. That's
22 what we been doing the last month.

23 COMMISSIONER AUERBACH: I kind of wish you
24 would save this until the end until we get to the
25 rest of this because I looked at the language. I've

1 looked at it a thousand times. I know it's been
2 vetted a thousand times.

3 I still think -- I agree with you. The
4 language does not help us where it talks about
5 floating. I think that's too broad and too
6 esoteric, and it's very difficult to use this
7 terminology.

8 MR. BAEDEKER: I'm going to pick up my
9 granddaughter at 12:00 o'clock; so that's why I
10 chose to do it.

11 COMMISSIONER AUERBACH: I want to encourage you
12 to be part of it because what the community doesn't
13 understand all the time -- I think you do -- is that
14 we sit here, and we need this kind of input. We
15 need help this is not something we want to get
16 wrong. We want to get right.

17 So when there's an issue like this, you
18 have a point that I've never thought of. I think
19 it's a great point. I like the idea, and I'd like
20 to talk about it.

21 And I want to encourage you and
22 everybody else who has ideas on specific issues like
23 this to help us get it right. I think it's
24 important.

25 MR. WELLMAN: I'd love to do it. Let me see --

1 COMMISSIONER AUERBACH: No, I don't want to put
2 you -- I'm using it --

3 MR. WELLMAN: You know me. I'm willing to
4 participate in any way I can.

5 COMMISSIONER AUERBACH: I'm trying to make it a
6 point for the community to understand that we do
7 listen.

8 MR. WELLMAN: If you're going to sit down and
9 have a committee meeting afterwards, I'll study
10 whatever you say in transcripts and everything else.
11 I'll be happy to participate. It's not to go away
12 for change today anyway. I know that for sure.

13 But anyway, something to think about.
14 I'd appreciate if you would -- again, it's an
15 important thing. And people that go to the races
16 for the first or second time and get a horse taken
17 down, they never understand. Enough said.

18 COMMISSIONER AUERBACH: Thank you.

19 CHAIR WINNER: Thank you, Mike, very, very
20 much.

21 Anyone else?

22 Okay. We're going to move on.

23 Kim Lloyd.

24 MR. LLOYD: Good morning.

25 CHAIR WINNER: Good morning.

1 MR. LLOYD: Kim Lloyd, General Manager of
2 Barrett's. I'm here to mention the sales coming up.
3 We have three sales coming up. On July 25th, next
4 Saturday after the races in the paddy, we'll have
5 our fourth annual paddy sale. It's going very well.
6 We have nice horses coming in. We have a horse
7 coming in from France that's Irish owned and French
8 raced. It's a two-year-old named Mr. Notorious.
9 We're expecting a big thing from that horse, and we
10 look forward to the sale.

11 Our new sale is our yearling sale,
12 August 15th. It's a select sale. It's nice horses.
13 As you can see, coming up here, we're dressing the
14 sales grounds up. We expect a big event. We want
15 everybody to come out. We want a couple of you guys
16 to buy some horses. Thank you.

17 CHAIR WINNER: Thanks, Kim.

18 Next, we have Andy Asaro.

19 Andy.

20 MR. ASARO: Andy Asaro. Horseplayer advocate,
21 industry critic. I too agree with Mr. Wellman.
22 Before I get into my subject of maximizing long-term
23 revenue of take out, I agree that the result should
24 be unanimous on the steward's part before you take
25 anyone down. Let the natural result stand. That

1 that's my opinion. And I think a lot of
2 horseplayers will share the same opinion.

3 The other thing I'd like to get to
4 before I speak on this is I want to give a tip of
5 the cap to the Del Mar. I think they have a great
6 meet track now in addition to a great turf course.
7 They had a good day yesterday. I think it's all
8 very positive.

9 Anyway, optimal take out declined.
10 Optimal take out is the price point that drives
11 total wagering upward to where total long-term
12 revenue becomes maximized for tracks, horsemen, and
13 governments. Nothing about gambling in the
14 definition. I know several Board members also breed
15 horses. But can you tell me whether or not you
16 practice optimal pricing when you decide upon a stud
17 fee. Of course, it doesn't. If not, why not charge
18 \$40,000 instead of \$20,000 for a stud fee? The only
19 reason you wouldn't do that is because you would
20 make less money.

21 So just groups like TOC are getting
22 less revenue from take out, and operating budgets
23 for several organizations are dwindling. Santa
24 Anita has reduced the hours of way over a hundred
25 employees.

1 At every CHRB meeting, we hear about
2 different people and organizations needing more
3 money. UC Davis always needs more money, and the
4 most persistent guy, John Bucalo needs more money to
5 operate and run a casino the right way. There are
6 many other people in groups that need more money as
7 well.

8 Why is it the California racing is so
9 good at making rules, some of which are based solely
10 on perception like the new whip rule, and not so
11 good at doing things to help increase revenue and
12 grow jobs from gambling? I am fully aware that CHRB
13 doesn't set take out rates and that the TLC and
14 tracks are most responsible for ignoring this
15 problem. The CHRB committee has a pari-mutuel
16 committee that was presented with prior numbers last
17 year, proving that exacta handles in California
18 showed a 22.68 percent take out rate handles much
19 less, and there is much less revenue produced than
20 NYRA, who has an 18.5 percent exacta take out.

21 Everyone here was given the facts on
22 paper. The facts were never disputed by anybody,
23 and a lot of people would like to know why no action
24 was ever taken. It's about making more money for
25 you.

1 Thank you.

2 CHAIR WINNER: Thank you, Andy. Any questions
3 or comments?

4 COMMISSIONER CHOPER: I would just want to say
5 that I certainly agree that we ought to do anything
6 that we can to try to determine whether there is
7 such a thing as a maximum beneficial or optimal take
8 out. As an avid reader of yours --

9 MR. ASARO: It's optimal pricing.

10 COMMISSIONER CHOPER: Thank you.

11 CHAIR WINNER: Let's move along. The next item
12 on the agenda is discussion and action by the Board
13 regarding the license renewal for AmTote. Did I
14 miss anything?

15 "4. Discussion and action by the Board
16 regarding the distribution of race day charity
17 proceeds of the Pacific Racing Association in the
18 amount of \$46,017.25 to 11 beneficiaries."

19 MR. RAINEY: Cal Rainey, Golden Gate Fields.
20 We just want to say that we give a hundred percent
21 of our charity proceeds to horse-related purposes.

22 MR WINNER: We appreciate that very much. Did
23 you have any statements you wanted to make or are
24 you --

25 MR. RAINEY: No, I think I speak for myself.

1 CHAIR WINNER: All right. We appreciate it
2 very much. And I think we all looked the at the
3 list and appreciate the list of charities that
4 you've selected. And we thank you.

5 MR. RAINEY: Thank you.

6 CHAIR WINNER: Thank you.

7 VICE CHAIR ROSENBERG: Could we have a motion?

8 CHAIR WINNER: Do we need a motion?

9 VICE CHAIR ROSENBERG: Yeah, you do.

10 CHAIR WINNER: Commissioner Solis moves.
11 Commissioner Auerbach seconds. Is everyone -- all
12 in favor?

13 Any opposed?

14 Motion carries.

15 Thank you.

16 VICE CHAIR ROSENBERG: Thank you.

17 CHAIR WINNER: Okay. Now we move on to Item 6.

18 "Discussion and action by the Board regarding the
19 license renewal for AmTote, the totalizator selected
20 by Southern California Off-Track Wagering,
21 Incorporated (SCOTWINC) and Northern California
22 Off-Track Wagering, Incorporated (NCOTWINC), to
23 provide California wagering services and the impact
24 the selection may have on California racing."

25 Do you want to speak on this?

1 VICE CHAIR ROSENBERG: I'll make a few
2 comments. The meat of the staff analysis was done
3 by our attorneys, and so they'll be in a position to
4 respond more accurately than I will.

5 But the origin of this agenda item and
6 the staff analysis is because of the new contract
7 awarded to AmTote which happens to be owned by the
8 Stronach Group as are many entities in the state of
9 California. There was concern expressed by
10 commissioners periodically since that announcement
11 was made about more control by the Stronach Group;
12 so we asked the attorneys to first of all do some
13 background work on the authority of the Board, the
14 responsibility of the Board in this matter.

15 Customarily, the tote company has
16 simply applied for a license. The license has been
17 granted without the matter coming before the Board.
18 But because of the related issues here, we felt that
19 it was important to put it on the agenda for the
20 commissioners to consider.

21 We also anticipated that the
22 commissioners might desire to attach a condition or
23 two to the license; so we've also done research
24 along those lines.

25 So I would suggest that any specific

1 questions related to the staff analysis can be
2 answered by either Mr. Miller or Mr. Laird.

3 COMMISSIONER AUERBACH: My first question, have
4 they seen this list?

5 VICE CHAIR ROSENBERG: They have. They also
6 have a presentation about AmTote. You can see that
7 they have some of their new equipment over here with
8 some information over here.

9 CHAIR WINNER: Stronach Group no longer owns
10 HRTV; is that correct?

11 VICE CHAIR ROSENBERG: That's correct.

12 CHAIR WINNER: So this is incorrect. It should
13 be corrected. Also, I don't think it is on the
14 list, and it probably should be.

15 Why don't we let them make a
16 presentation, and then we'll have questions for
17 them.

18 Please go ahead. Introduce yourselves,
19 please.

20 MR. KEECH: I'm Steve Keech, president of
21 AmTote, and the fine gentleman beside me is Jeff
22 True, vice president of AmTote. Jeff is going to
23 take -- he promised me no more than seven minutes to
24 go through a very quick presentation. If
25 afterwards, if anyone wants to take a look at the

1 terminals we'll be installing, we brought some so
2 you can take a look at them here.

3 CHAIR WINNER: Thank you.

4 MR. TRUE: We took the opportunity to introduce
5 AmTote to the Board and to the California industry
6 today because it's been 25 years since AmTote has
7 been in the state as a tote operator.

8 So Steve mentioned I'm going to run
9 through a few slides to basically tell you who we
10 are and what we do. It also talks about the
11 deployment plan. We'll give you some specifics and
12 dates about our deployment in California. We've got
13 about 3,000 terminals, as you know, 40 locations to
14 deploy to. We'll go quickly through these slides.

15 As you know, AmTote is owned by the
16 Stronach Group, and what we have here is basically a
17 high level ownership structure. You can see where
18 AmTote fits in. We have the Stronach Trust has a
19 variety of different businesses, AmTote being one of
20 them. It's a broad, diverse company. And when we
21 talk about the Stronach Group having a lot of
22 influence, I think we need to delineate the things
23 that the Stronach Group does in each of those
24 individual units.

25 AmTote is a piece of a very large

1 company, and we believe it's not an anti-trust issue
2 by any means. It's been mentioned. But AmTote is
3 an important part of the technology piece in a
4 larger organization. As you can see there's medical
5 and auto and real estate businesses in this empire
6 as well.

7 MR. KEECH: Just to build on Jeff's point,
8 AmTote views the Stronach Trust simply as an
9 investment banker. When I go to them and ask for
10 money, I have a business case. I present the
11 business case to them, and they approve it on the
12 business pieces. It's not like there's a day-to-day
13 interaction in any way, shape, or form.

14 MR. TRUE: Okay. Basically, we're a global
15 supplier of pari-mutuel systems. We write the
16 software. We build the hardware. We operate the
17 systems. We develop new products on that platform.
18 The company was started in the 30's, and it's the
19 oldest tote company in America.

20 We have tote hubs, which are data
21 centers that contain the totalizator servers and
22 hardware in multiple countries around the world.
23 Our primary hub is in Maryland where we have most of
24 our employees as well.

25 This is a look at some of our

1 customers. Some of you may recognize, of course. A
2 couple of them, Express Bet, Watch and Wager
3 currently operating here in California. Phumulela
4 is a South African company. You may recognize some
5 of the others.

6 We handle a diverse group of customers
7 around the world for not only sports wagering -- not
8 only premium wagering, but sports wagering as well.
9 The Tabcorp Group down in Australia does about
10 \$3 billion a year on our sports platform.

11 In Hunt Valley, that's where we had our
12 primary executive administrative teams, that's where
13 our engineers are, we do most of our hardware
14 assembly there. We also have an operation in New
15 South Wales in Australia that does primarily
16 hardware work.

17 It should be noted that the Hunt
18 Valley, Maryland hub is where we manage most of our
19 operations from. We have hubs in Portland, Oregon
20 in a data center. We have hubs in other parts of
21 the world, including Toronto and South Africa. Many
22 of them if not all of them are managed and operated
23 from Hunt Valley. That's where we have our best and
24 brightest operators, and that's where the
25 programming developing team is stationed.

1 MR. KEECH: I'd just like to build on that
2 point by asking the Board if they can allow some of
3 their staff to visit. I think it would be important
4 for the CHRB to see what the establishment looks
5 like because there could be a perception that this
6 really isn't a Tier 3 data center, and it is.

7 CHAIR WINNER: I'd love to do that, but the
8 Board doesn't have the resources. It has to come
9 from the state.

10 MR. KEECH: I'm sorry.

11 VICE CHAIR ROSENBERG: Frankly, I don't like
12 our chances.

13 MR. KEECH: What if -- what if we invited you
14 to Preakness?

15 CHAIR WINNER: Well, if you'd like to reimburse
16 the state.

17 MR. KEECH: We can do that. No, no. I'm
18 serious.

19 MR. TRUE: So again, that's a quick overview of
20 who we are and what we're doing and where we're
21 doing it.

22 I wouldn't talk about the deployment
23 plan. As I mentioned, AmTote will be the tote
24 provider beginning October 26th of this year. We
25 are currently building hardware, wiring facilities,

1 distributing cabinets and IT infrastructure. We'll
2 continue this deployment plan throughout the summer.

3 And one of the primary timelines that
4 you can see on the screen here -- it might be a
5 little bit hard to see, but you can find of follow
6 along in the deployment process. We're installing
7 cabinets and terminals at each of the locations so
8 we've got a live network for a couple of months
9 prior to our final deployment. That way, we'll be
10 able to burn in, if you will, the circuits and the
11 networks. When it comes time to turn on the entire
12 state, we'll already have much of that work done by
13 October 26th.

14 I won't belabor you with the details,
15 but the go live date, the first live racing date
16 that we'll host will be right here at Del Mar on
17 Thursday the 28th. We'll continue on through the
18 rest of that weekend.

19 MR. KEECH: So I think to build on Jeff's
20 point, there are three things if I were in your
21 shoes, I'd want to know. The first one is by the
22 end of the month, every location will be connected
23 to the network -- that will be the production
24 network -- when the cutover happens. So the network
25 will be in place long before the cutover date so we

1 can test all connectivity. The terminals will be
2 completed by mid-September. And the actual hub that
3 California will be running on is actually in place
4 with the software as I speak. And again, that is
5 all so that we can make sure that we do all the
6 right amount of testing before the cutoff date.

7 CHAIR WINNER: Did you -- yeah. Did you have a
8 chance to look at all of these points?

9 MR. KEECH: I did; I did.

10 CHAIR WINNER: And what is your view with
11 respect to the five points we listed?

12 MR. KEECH: On the face it, I don't have a
13 problem with any of them. We want to work with the
14 staff to make sure we're not going to get ourselves
15 in trouble by helping on one or two of them.

16 Specifically, I'm talking about if it's
17 against the law for us to transmit information
18 electronically, then we'll have to work with the
19 staff to figure out how to do that. Obviously an
20 example like a social security number. So someone
21 says, "Hey, you send me an E-mail with your social
22 security number." I can't. So we'll work with
23 them.

24 And on the other piece, and this is a
25 lesson well learned, is I am -- the only thing that

1 worries me is if the information I provide will
2 become accessible through public records request.
3 And that's something we can work with the staff to
4 make sure we're not going to give away a trade
5 secret. As I've recently found out, that can occur,
6 and it and cause problems for us.

7 So other than those two things, I'm
8 comfortable with all of them.

9 CHAIR WINNER: I'm going to read the five
10 points for those that might be on the webcast.

11 "Require AmTote to submit current
12 information and documents as required of a
13 first-time totalizator license applicant." So in
14 other words, the documents will be the same as if
15 you were the first time.

16 "Require all officers, directors,
17 employees of AmTote to disclose their relationships
18 to each of the various Stronach Group horse
19 racing-related entities.

20 "Require that certain transparency
21 standards be met by AmTote, including, but not
22 limited to disclosure of Board of Director meeting
23 minutes, financial documents, current corporate
24 structure, and all requests of any entities seeking
25 direct access to the totalizator site as well as any

1 other information as the Board may request."

2 MR. KEECH: Yeah. And the other piece we'd ask
3 is we'd like a definition of what "direct access"
4 and totalizator site access means. But yes, The
5 short answer is, yes. We can do that.

6 CHAIR WINNER: Require that AmTote not have any
7 ownership interest in any other similar wagering
8 entity.

9 MR. KEECH: Absolutely.

10 CHAIR WINNER: And require that AmTote report
11 the details of any winning ticket with a certain
12 minimum payoff within a set amount of time, which
13 shall include not be limited to the origin of the
14 wager -- satellite, on track, et cetera, base amount
15 of the ticket, and any other relevant information.

16 MR. KEECH: Sure. And that's another one of
17 these whose ones we say you have access to that
18 information today through the TRPB's realtime
19 connection; so we just work with the staff to see
20 what additionally you would like done to meet that
21 request.

22 MR. BAEDEKER: Mr. Chairman, I would just point
23 out that that last condition probably can't be
24 adequately met just by AmTote. The associations are
25 going to have to participate in disseminating that

1 information. The frustration is there's a big
2 carryover. You have a big winning ticket that
3 said -- and the public doesn't know anything about
4 it for three days, and that's why it lost interest.
5 It gives the perception somebody is hiding
6 something, somebody doesn't want to tell the public
7 where that ticket was brought and so forth. That's
8 the point of that one.

9 But I think we may suggest to the Board
10 that this also be included in the approval of
11 licenses for race meets. And staff can work with
12 the tote company and the associations to nail that
13 down.

14 A related condition that's not here
15 that I discussed when staff met with Steve and Jeff
16 and Scott and also a representative from Sportech
17 the other day is the continuing frustrating problem
18 of odds changing well after the race has begun.

19 It was encouraging because we had some
20 information from these folks that we weren't aware
21 of before, and it does appear that, even though the
22 problem can't be completely solved, it can be made
23 less significant.

24 So we would suggest that might also be
25 a condition of racing license going forward. The

1 staff will get back to the Commission, probably with
2 details worked out about these conditions after we
3 meet with the company and representatives and
4 apprise the commissioners of exactly what the final
5 form of those conditions would be, if the Board
6 moves in that direction.

7 VICE CHAIR ROSENBERG: Since this is a renewal
8 application for the tote license, the financial
9 information is not attached. It's normally attached
10 to an application. You have explained a lot of the
11 structure of the Stronach Group and all the entities
12 it holds.

13 What I would like to ask Scott, and he
14 might know the answer to this, is has the Stronach
15 Group ever filed any document with the CHRB that
16 discloses the ownership of the trust that you're
17 referring to, which is the Stronach Group, am I
18 correct? It is called the Stronach Group, am I
19 correct? It is called the Stronach Group, and you
20 refer to that. Is that the trust?

21 MR. KEECH: Yes, it is of the trust, which is
22 the ultimate holder of all these various businesses.

23 VICE CHAIR ROSENBERG: We know who owns and
24 controls the trust because it seems to me that as we
25 go along approving Santa Anita or whomever,

1 whichever entity that the Stronach Group controls or
2 owns and requests a license here, we get down to the
3 nitty-gritty. We find out about the ownership of
4 the subsidiary or the entity that operates out of
5 Santa Anita or Golden Gate or whatever.

6 But we don't know, and we should know
7 because Stronach Group could be owned by somebody we
8 don't think should be in control of racing in a
9 major way.

10 MR. KEECH: Well, to take the mystery out of
11 it, it is controlled by Frank Stronach and his
12 immediate family.

13 But to answer your specific question,
14 my recollection is that, when Board approved the
15 transfer from the old public company into the
16 Stronach Trust, that there was information provided
17 about all that. That was many years ago, probably
18 four or five years ago; so I don't recall exactly.

19 VICE CHAIR ROSENBERG: It would be helpful if
20 that could be updated again to confirm that it is in
21 fact held by Frank Stronach and his family.

22 CHAIR WINNER: It would be important to know if
23 there are any other --

24 MR. KEECH: We can certainly --

25 CHAIR WINNER: -- anybody else has ownership

1 besides Frank and his family.

2 MR. KEECH: Yeah, we can provide that.

3 VICE CHAIR ROSENBERG: Thank you.

4 CHAIR WINNER: Commissioner Krikorian.

5 COMMISSIONER KRIKORIAN: My question is this:

6 It is that, as a prerequisite to approving a
7 license, there's supposed to be an application filed
8 before we vet it. And my question is is that what's
9 happened in this instance, or are we asking to now
10 provide information to consider for an application?

11 CHAIR WINNER: In this case, it's a renewal.

12 And it seems to me -- do we have all the information
13 that's required in a renewal?

14 MR. BAEDEKER: Have we received a license
15 application from AmTote, Jackie?

16 MS. WAGNER: Jackie Wagner, CHRB staff. To
17 date, we have not received the renewal application.
18 Based on the actions of this Board, we will be
19 contacting AmTote to let them know that the renewal
20 application will be essentially be a new
21 application. They're going to be filling out the
22 application as if they were an original application
23 with all the original documents. That's following
24 condition No. 1. So that will be coming.

25 CHAIR WINNER: That's condition No. 1 on the

1 list?

2 MS. WAGNER: Correct. The last time their
3 license was renewed, we do have an older application
4 on file. We do have that. But based on the
5 situation as we see it today, we're going to be
6 requesting a new application.

7 COMMISSIONER KRIKORIAN: Well, it just seems to
8 me it would be more appropriate to have an
9 application and totally renew it before you make a
10 decision to license anybody or anything by this
11 Board.

12 MR. BAEDEKER: Well, first of all, the reason
13 that we went ahead and put it on the agenda is that,
14 you know, we really had been kind of a holding
15 pattern because this Board asked the Attorney
16 General's office for an opinion on yet another
17 company in the state relevant to horse racing being
18 owned by the trust -- Stronach group, and it hasn't
19 been forthcoming.

20 So at the same time, we know that a
21 tremendous amount of money is being invested in the
22 new equipment. There's a timeline in place, and so
23 forth. And so we really just wanted to bring this
24 to a public forum so we can identify issues like
25 you're talking about, Commissioner.

1 But I would ask Bob Miller what is the
2 action -- appropriate action for the Board to take
3 today?

4 MR. MILLER: Robert Miller, Counsel, California
5 Horse Racing Board. The action the Board should
6 take today is to discuss and act on any conditions
7 they wish to place on the license. The actual
8 approval of the license is not normally a matter
9 that comes before this Board. It's handled by
10 staff.

11 What's current -- looking at the
12 current information we have about AmTote, it has a
13 corporate structure that refers to Magnet
14 Entertainment, and that's gone by the wayside some
15 time ago.

16 So I do agree with Scott that the time
17 that the ownership of -- transfer of ownership out
18 of bankruptcy from Magnet to the Stronach Group, the
19 Board did receive some documentation as to the
20 ownership structure at the same time; however,
21 there's no update; so we don't know if any of there
22 have been any changes or not. So I think it's
23 incumbent upon this Board that they ask that
24 question and to receive that documentation.

25 Also, I think it's incumbent on this

1 Board to consider these conditions or any other
2 conditions which they wish to attach to this license
3 and to discuss and act on those conditions today.
4 However, the actual approval of the license
5 application, again, is normally done by staff.

6 CHAIR WINNER: I think --

7 COMMISSIONER KRIKORIAN: I understand. Also,
8 you're making a point -- points one and two say that
9 the Board's extra caution we want to have all of
10 these different things. Well, you don't even have
11 them, and then you're considering approving this --

12 CHAIR WINNER: First of all, I don't think
13 we're going to approve it today. I'm going to
14 recommend to move it to the August meeting. In the
15 interim, with all of the material we've been talking
16 about here, including the structure of the Stronach
17 Group Trust and all the other conditions we agreed
18 to that were discussed here today be submitted, and
19 then we'll vote on the matter at the August meeting.

20 I believe that given the circumstances,
21 that even though typically this would be a staff
22 decision, in this case I think the Board will want
23 to act on this and actually take an action to
24 approve it.

25 MR. MILLER: Again, Robert Miller, Counsel of

1 California Horse Racing Board. I think the Board
2 could in this instance if wishes, take out the
3 application itself.

4 CHAIR WINNER: And Mr. Miller, could you also
5 just enlighten us with respect to the current
6 situation with the Attorney General's office and
7 what it is that you requested of them.

8 MR. MILLER: I'll defer to Phillip Laird. But
9 I will say this: This is just an offhanded remark,
10 but the Attorney General is currently running for a
11 position with the federal government --

12 CHAIR WINNER: United States Senate.

13 MR. MILLER: -- and whether or not we're ever
14 going to get a decision out of her, it remains to be
15 seen. But I defer to Mr. Laird as a discussion to
16 the office.

17 MR. LAIRD: Philip Laird, CHRB staff. Not to
18 keep bouncing it back and forth, I think Mr. Miller
19 did have the initial conversations with the Attorney
20 General's office. I'm not positive what was
21 initially inquired about. My understanding has been
22 that the inquiry was pretty much along the lines are
23 there any antitrust implications by the ownership of
24 so much California horse racing, and we have not
25 received really information back from them. We're

1 not too confident we'll be receiving much substance
2 in --

3 CHAIR WINNER: Certainly not by the August
4 meeting.

5 MR. LAIRD: No, no. Probably not. Which would
6 also indicate to me that maybe there isn't much to
7 be said. I think the initial reaction is there
8 isn't.

9 CHAIR WINNER: Okay. Any other questions?
10 Commissioner Beneto. Go ahead and ask
11 your question again.

12 COMMISSIONER BENETO: Is AmTote the only game
13 in town, or when were they competing?

14 MR. BAEDEKER: We had it on the agenda a few
15 days ago where the industry came forward and
16 explained the bid process and explained who was
17 involved in the decision making. And I believe that
18 the consensus of the commissioners at that time was
19 that it was a thorough and a fair process. I don't
20 know if anyone wants to disagree with that.

21 CHAIR WINNER: That's correct.

22 MR. KEECH: Yeah, so that was vetted. But
23 practically speaking, Commissioner, there are two
24 big players, and one of which is sitting in front of
25 you. The other is Sportech. United Tote is also a

1 significant player in the industry.

2 I don't know if the stakeholders in the
3 room here considered that any of the other tote
4 companies were capable of handling the California
5 business. I can't speak for you.

6 COMMISSIONER CHOPER: My recollection was that
7 we had reports from an independent committee of the
8 industry. I think TOC was a member of it. And they
9 recommended -- I mean, they weren't connected at the
10 time to Stronach Group. And they recommended
11 without dissent that we renew our license with
12 AmTote.

13 CHAIR WINNER: Actually, some of the members of
14 the committee are connected to the Stronach Group of
15 the committees that made the decision. They didn't
16 participate, as I recall, in the vote that
17 affected --

18 COMMISSIONER CHOPER: Yes, sir. I think I'm
19 right because they had presentations.

20 CHAIR WINNER: Yes, they certainly did. I
21 think they had an opportunity to resubmit, as I
22 recall, something to that effect.

23 MR. KEECH: Correct. Well, it certainly was a
24 multiyear almost betting process.

25 COMMISSIONER BENETO: Who scored the highest?

1 MR. MILLER: AmTote.

2 MR. KEECH: I haven't seen the scores. I can't
3 comment, but I believe we scored higher.

4 MR. MILLER: Robert Miller. California Horse
5 Racing Board. The reason I say, "AmTote," is
6 because the independent committee that came back
7 talked about the equipment that AmTote had and how
8 their capabilities were better than the other
9 bidders. So I would assume that they scored the
10 highest.

11 CHAIR WINNER: We had a very, very thorough
12 discussion several months ago, and all of this was
13 discussed. There was concern at that time about the
14 process. And after reviewing the process, and I
15 believe an awful lot of the folks in this room and
16 others spoke at that time about the process. And
17 our conclusion was that it was a thorough and
18 complete process and that based on that, those who
19 were making the decision made the decision that the
20 best -- the company that scored the highest points
21 was AmTote. And therefore, I'm not sure if it was
22 unanimous, but the decision was made to go with
23 AmTote.

24 COMMISSIONER BENETO: Who came in the cheapest?

25 MR. BAEDEKER: Well, maybe George Haines ought

1 to come up and address this if he wouldn't mind --
2 from SCOTWINC. But my recollection is that it
3 wasn't close, that the financial terms offered by
4 AmTote were much more favorable than SCOTWINC. But
5 George can either confirm or correct that.

6 MR. HAINES: George Haines, SCOTWINC. The
7 process we undertook was extensive. The vote was
8 unanimous in favor of AmTote. The financial
9 advantage going to AmTote was substantial.

10 COMMISSIONER BENETO: Does that mean you were
11 the cheapest?

12 COMMISSIONER AUERBACH: Just say, "yes."

13 MR. HAINES: Not only cheapest, but they
14 offered new equipment. Sportech was used equipment.
15 It was a pretty easy decision.

16 CHAIR WINNER: Any other questions?

17 COMMISSIONER AUERBACH: This isn't really a
18 question. It's my understanding that we have --
19 this has been thoroughly checked. I'm not
20 questioning that, and I'm not questioning this
21 group.

22 I think that the reason that, if I'm
23 not mistaken, that this has any kind of a delay in
24 the process is the Board's ability or inability to
25 try to get the Attorney General on board for the

1 sake of all of us so that we don't have problems
2 going forward. So all of the rest of it has already
3 been -- for lack of a better terminology, put to
4 bed. We were hoping to have it -- or no one's not
5 going to do it or delay it or anything like that. I
6 don't want anybody walking out of here thinking "my
7 God, we put all this money in there, and we've been
8 hanging out to dry." I don't think that's what the
9 situation is. We were trying to make it healthier
10 for everybody, and I just don't think it's in the
11 cards.

12 Mr. Miller, you can correct me if that
13 is an incorrect assumption on my part that we're
14 ready to go ahead, but we just couldn't get that
15 little bit of insurance which would have made it
16 more comfortable for everybody.

17 CHAIR WINNER: There's also the fact of these
18 other issues --

19 COMMISSIONER AUERBACH: Well, assuming that
20 these
21 issues -- I have no reason to doubt that these
22 issues won't be adequately addressed or properly
23 addressed in their application. And I think the
24 paperwork and also the desire to acquiesce to these
25 things that we need.

1 So that's the way I view it. I didn't
2 want anybody walking out of here thinking, "Oh,
3 Lord, where are we now? These dates are upon us."

4 CHAIR WINNER: I think you can get a sense from
5 the Board that what our general feeling is and the
6 purpose of this discussion and the request of the
7 Attorney General just to protect everyone who's
8 involved here, but it's not. I agree with
9 Commissioner Auerbach.

10 The intent here is not to delay or
11 change anything of that sort with respect to the
12 decision that was made by SCOTWINC to proceed with
13 AmTote I don't think -- that's not the issue.

14 MR. MILLER: Mr. Chairman, in response to
15 Commissioner Auerbach's inquiry, I wrote a rather
16 extensive letter to the Attorney General's office,
17 laying out the presence of Stronach Group as it
18 relates to horse racing in California. And my
19 initial discussion with them, which Mr. Laird
20 referenced was basically there are no red flags that
21 came to -- that came out as a result of the
22 information I provided.

23 They requested some additional
24 information, and we've we have provided that, but
25 there was nothing from the Attorney General's office

1 that indicated that -- so far, having AmTote owned
2 by the Stronach Group be a licensee for the state of
3 California to provide the services that they're
4 capable of doing was any violation that I know of.

5 VICE CHAIR ROSENBERG: Just to clarify that so
6 far -- not so much as far as I'm concerned, but even
7 if they come up later with something, that's not our
8 problem to deal with at that point.

9 MR. MILLER: That's right.

10 COMMISSIONER KRIKORIAN: Well, if they come up
11 with something, you could allow them --

12 CHAIR WINNER: Commissioner Krikorian.

13 COMMISSIONER KRIKORIAN: Well, this is just my
14 own opinion, but there's a very serious relationship
15 here; so there's the potential concern of, you know,
16 conflict arising in the future. That's why you're
17 trying to address some of these things here.

18 In my opinion, AmTote is probably, you
19 know, a very fine company. But because of those
20 reasons, you know, I think that the Board should be
21 looking somewhere else or, you know, for a company
22 to provide totalizator services for California to
23 avoid any potential conflicts in the future.

24 MR. LAIRD: I would like to inform the Board
25 that Sportech will be moving their equipment out

1 October 26. It's already scheduled to go to other
2 racetracks.

3 COMMISSIONER KRIKORIAN: I'm sure that could
4 always be extended while we went through a process.
5 I'm not saying. I'm just giving you my opinion.
6 There could always be an extension provided and go
7 through a new process for applicants to come forward
8 that don't have a conflict of interest to try to
9 find a tote company as well.

10 CHAIR WINNER: Any other discussion? We're
11 going to postpone the vote until the August meeting
12 as we discussed earlier.

13 MR. TRUE: May I question the Board, sir?

14 CHAIR WINNER: Sure.

15 MR. TRUE: I'm uncertain during the last
16 conversation if AmTote should continue down the path
17 of preparing for an October 26th install or not.

18 CHAIR WINNER: It's sort of -- it really
19 becomes a judgment call for you. I mean, you've
20 heard the discussion. Clearly, there's one
21 commissioner that has serious concerns -- conflict
22 concerns. You've heard what the other commissioners
23 have had to say. You've heard what Mr. Miller had
24 to say with respect to the Attorney General and the
25 reason for the request and the initial response.

1 But if we had -- if we moved on it
2 today, it would really be premature because there's
3 so many issues that are still outstanding, including
4 all of the things we've discussed here today.
5 Therefore, as we said earlier, I think it would be
6 preferable to move the vote to the August meeting.
7 And in the meantime, you can act as you so choose,
8 based on what you've heard today.

9 MR. TRUE: What's the date of the August
10 meeting, sir?

11 CHAIR WINNER: 17th, I think. 20th?

12 MR. TRUE: 20th. Okay. Thank you very much.

13 COMMISSIONER AUERBACH: Just to follow up, I
14 hear what Commissioner Krikorian has to say, and
15 obviously it would be ideal not to have somebody
16 whose leadership is so conflicted because they are
17 in so many things.

18 I think the truth of the matter is we
19 need to state it openly. I don't know that there's
20 anybody out there at this point in time this far
21 down the road that would have the ability to ramp up
22 and do what the industry needs done for them. I
23 think we're at a point where I certainly would not
24 want to discourage AmTote from moving forward and
25 act as if well, no problem. We can get it done.

1 In the future, can we hope that the
2 parties would see if they can find some other
3 companies that have, you know, capabilities that
4 aren't related? I think that would -- obviously,
5 that's always available to us. But I don't see in
6 July -- whatever the day is -- 17th, 18th, whatever
7 it is -- that there is any way to really effectively
8 halt this process and hope to be able to have
9 working systems that we all depend on for our
10 livelihood.

11 COMMISSIONER KRIKORIAN: Well, I think it's
12 irrelevant to our issue. Not only that, but they
13 haven't even provided their applications yet to the
14 Board, and the Board's --

15 COMMISSIONER AUERBACH: But that's not -- I
16 don't believe that's their fault. That's our fault.

17 COMMISSIONER KRIKORIAN: I didn't say whose
18 fault it is. I just said it hasn't happened yet.

19 COMMISSIONER AUERBACH: There is no question --

20 COMMISSIONER KRIKORIAN: So we don't have
21 problems that we have to deal with --

22 COMMISSIONER AUERBACH: Well, the other thing
23 too is this really wasn't a Board issue.

24 COMMISSIONER KRIKORIAN: Then why are we
25 talking about it then? Why are we all sitting her

1 talking about it if it's not a Board issue?

2 COMMISSIONER AUERBACH: No, what I'm saying is
3 normally, it's not a Board issue. The only reason
4 it became a Board issue is because we were looking
5 for the conflict of interest concern.

6 COMMISSIONER KRIKORIAN: Right. That's why I'm
7 expressing my concerns. You may have a different
8 opinion.

9 COMMISSIONER AUERBACH: No, I have your
10 concerns too. But I don't know what else we can do
11 about it right now.

12 MR. KEECH: Mr. Chairman, I might point out
13 that AmTote is investing \$16 million in the state of
14 California. We're well down the path of having that
15 extended so that we can make these dates. There's a
16 gigantic amount of planning and exercise going on as
17 we speak to make these dates. Any alteration from
18 that, we're going to need as much notice as we can
19 get.

20 Further, with respect to the license,
21 it's a vendor's license, and the vendor application
22 doesn't have a lot in it. That's why we were asking
23 these specific questions. Those conditions were
24 being added because the vendor application doesn't
25 have a lot in it.

1 COMMISSIONER BENETO: I got a question.

2 CHAIR WINNER: Hold on one second.

3 COMMISSIONER KRIKORIAN: You have a lot of
4 serious --

5 MR. TRUE: I knew of a vendor --

6 COMMISSIONER KRIKORIAN: There's a lot of
7 serious things at stake. You're saying that this is
8 like a hot dog vendor application --

9 MR. TRUE: All I'm telling you that the license
10 application that we were instructed to fill them
11 out, which is be being renewed today or offered to
12 be renewed --

13 COMMISSIONER KRIKORIAN: Well, let me ask you a
14 question. Why didn't you come forward with all of
15 the applications and things prerequisite to moving
16 forward with the --

17 MR. KEECH: We didn't receive any instruction
18 from the staff and the Board.

19 COMMISSIONER KRIKORIAN: But this is the first
20 time.

21 MR. BAEDEKER: No, that's not a fair statement.
22 Your license expires at the end of September.
23 You've invested \$16 million, knowing that your
24 license hasn't been renewed, and so I wouldn't put
25 that onus fairly on the back of staff. The staff

1 informed you, Jeff, three months ago that we needed
2 to get your information in. We needed to get this
3 on the agenda.

4 MR. TRUE: With all due respect, I did talk to
5 the staff. All I'm saying is the vendor application
6 is not much. We'll give you whatever you want when
7 you want it.

8 MR. BAEDEKER: Let's be fair about this. It's
9 no secret that there's been concerns on the part of
10 several commissioners here going back to the meeting
11 we had where SCOTWINC and NCOTWINC came forward and
12 talked about the whole betting process. Concerns
13 were expressed at that point. It shouldn't be
14 surprised to anybody that the commissioners are
15 expressing the same concerns today.

16 MR. TRUE: The conditions are acceptable, and
17 we'll fulfill them. There's no question there.

18 VICE CHAIR ROSENBERG: I don't think we can
19 hold them accountable for not filing any kind of
20 application. I don't believe we can hold the
21 applicant responsible for not filling out a form
22 that didn't exist.

23 And second of all, I do recall at last
24 month's meeting or the committee meeting we
25 attended, the MO committee, that someone said -- it

1 was from staff -- that there is a renewal license.
2 That's why it wasn't attached to the form. Because
3 it's not normally done.

4 We probably need to change the system
5 to make something of this importance require much
6 more information than a normal vendor.

7 MR. DARUTY: Mr. Chairman, I have one question.
8 I'm just trying to clarify --

9 CHAIR WINNER: Please introduce yourself.

10 MR. DARUTY: Oh, sorry. Scott Daruty of the
11 Stronach Group. I'm trying to clarify so we know
12 what to prepare for next month. It was my
13 understanding that the item that was on the agenda
14 today and also that the item that would be on the
15 agenda next month is the approval or I guess the
16 disapproval of AmTote's renewal license.

17 I think there are certain factors that
18 would have to be met in order for somebody to get a
19 license in the state of California to be a tote
20 company. However, I'm also hearing a lot of
21 discussion today about whether this was the right
22 commercial arrangement for the California racetracks
23 to enter into. And I don't believe that that's
24 necessarily an appropriate item to discuss in
25 connection with AmTote's license.

1 I would just like to know again so we
2 can prepare properly for next month. Is the item on
3 the agenda whether or not AmTote meets the licensing
4 requirements, or is it whether or not the California
5 industry should have entered into a transaction with
6 AmTote? Those are two very different things.

7 CHAIR WINNER: I don't disagree with you at
8 all, Scott. But I do think the question of a
9 license renewal can be impacted by other conditions
10 that are not specifically listed here, such as the
11 condition that Commissioner Krikorian raised what we
12 view as a conflict not in the best interest of horse
13 racing.

14 I agree with you that the agreement
15 between the associations and AmTote is not the
16 condition that we're dealing with. It's the
17 relationship overall with the company.

18 MR. DARUTY: Okay. So is that an issue because
19 AmTote is going to be providing services for the
20 whole industry, including non-Stronach tracks or --
21 in other words, there is no conflict for AmTote to
22 provide the tote service to Santa Anita and Golden
23 Gate Fields. And we feel very strongly at the
24 Stronach Group, having the tote tech technology at
25 our racetracks in Florida, having the tote

1 technology at our racetracks in Maryland, frankly we
2 think it's better.

3 We joked earlier about traveling and
4 whatnot, but I think it's a shame that staff and
5 commissioners can't get to other racetracks and see
6 the AmTote tote machines and use them see how much
7 Monday intuitive and user friendly they are. So we
8 feel very strongly at the Stronach Group that we're
9 here to cooperate. If your conditions aren't
10 satisfactory to us, we're going to work with. You
11 but we also feel very strongly this was the right
12 decision, if not for all California racing,
13 certainly for Santa Anita and Golden Gate Fields.

14 We did work with the industry. We put
15 an arrangement in place, a contract that
16 specifically says AmTote won't favor the Stronach
17 tracks over the non-Stronach tracks. There was a
18 lot of language that was negotiated by the other
19 California racetracks and the horsemen to protect
20 this perceived conflict of interest.

21 I just wanted to make sure you knew all
22 that background.

23 COMMISSIONER BENETO: Are there other, like,
24 other fair tracks?

25 MR. DARUTY: Everybody currently is on the

1 Sportech system, and everybody is going to be on the
2 AmTote system in the future and --

3 COMMISSIONER BENETO: At every track in
4 California?

5 MR. DARUTY: Well, under the current
6 arrangement. I guess what I'm saying, and this
7 isn't necessarily a road we want to go down, but if
8 you felt conflict with someone being unfair, for
9 example, then maybe they could get their own tote
10 contract.

11 COMMISSIONER BENETO: No, I'm not asking that.
12 The question is is the plan to move through with all
13 the tracks in California whether they're fair or
14 whatever.

15 MR. DARUTY: That is correct. It's for all the
16 tracks in California. I think it can look to other
17 jurisdictions. In Kentucky, for example, United
18 Tote, which owned by Churchill Downs, does the tote
19 in Kentucky. AmTote, which is owned by the Stronach
20 Group group does the tote in Maryland. Sportech,
21 which runs the Connecticut OTB network, does the
22 tote in Connecticut.

23 COMMISSIONER CHOPER: It's not surprising.

24 MR. DARUTY: Well, but if -- it's not
25 surprising, I suppose, but it does make the point

1 that while there's understandable concerns, we're
2 here to address those concerns. This is very, very
3 common in other jurisdictions for the tote company
4 and the racetrack and the racing industry to have an
5 affiliated relationship.

6 COMMISSIONER BENETO: How is this -- say if one
7 track says, "I'm not going to go with AmTote. I'm
8 going to stay where we are." How is that going to
9 be in effect on racing?

10 CHAIR WINNER: I don't think the tote company
11 could do just --

12 MR. HAINES: John Haines, SCOTWINC. If you
13 have two different vendors in the state of
14 California, you'd have problems with the cross
15 cashing north and south, day and night, like we
16 already have, which is a great advantage. You can
17 go anywhere in the state and cash your ticket.
18 You'd lose that advantage.

19 The way you deal with the balancing is
20 very, very complex. You would lose the ability to
21 really have a good audit trail on your numbers.

22 So it's not something that would be
23 optimum to have two different vendors.

24 COMMISSIONER BENETO: It's the best interest of
25 racing in California to go with AmTote hundred

1 percent at every track; correct?

2 MR. DARUTY: Absolutely.

3 CHAIR WINNER: And that includes satellites and
4 new satellites; correct?

5 MR. DARUTY: Every brick and mortar site.

6 VICE CHAIR ROSENBERG: There's a rule -- a
7 Racing Board rule or a statute that actually says
8 that the system that's to be approved must have the
9 interchangeable tickets from track to track, as I
10 recall.

11 COMMISSIONER BENETO: In other words, I could
12 buy a ticket Del Mar and cash it in Sacramento?

13 COMMISSIONER AUERBACH: Only if it's good.

14 CHAIR WINNER: Only if you win.

15 COMMISSIONER AUERBACH: How likely is that?

16 CHAIR WINNER: All right. Is there any other
17 discussion on this issue?

18 COMMISSIONER BENETO: I don't know why we have
19 to wait until next month to vote. We have to get
20 this thing behind us.

21 CHAIR WINNER: Well --

22 COMMISSIONER BENETO: Everything is always next
23 month. I'm getting kind of sick of it.

24 MR. DARUTY: We'll take the guidance.

25 CHAIR WINNER: I'm going to put it off until

1 next month.

2 MR. DARUTY: I just want the Chairman and you
3 to know that when I asked my questions, I was trying
4 to figure out timelines. AmTote is still going to
5 move forward. If a decision or if that date gets
6 modified in some way, we'll act accordingly.
7 Certainly up until the vote in August, we'll
8 continue to push very, very hard to make sure that
9 this is the best transition that we've done to date.

10 CHAIR WINNER: I'd like to see, and I think
11 that some other commissioners would like to see
12 materials submitted before we reach a conclusion on
13 how to vote on this issue.

14 COMMISSIONER BENETO: Any questions for the
15 rest of the Board?

16 CHAIR WINNER: Well, you can make a motion to
17 approve right now if you choose to do that.

18 COMMISSIONER BENETO: Well, that's not my
19 question. I want to know if everybody feels
20 comfortable, let's get this thing over with. If
21 they don't, they vote as to whoever doesn't feel
22 comfortable. If it's unanimous one way or the
23 other, we just don't vote or vote.

24 VICE CHAIR ROSENBERG: It will be a done deal
25 if the conditions are met that have been laid out by

1 staff. Very well, by the way. I compliment the
2 staff in coming up with those conditions to be
3 attached.

4 And first thing I would say if it
5 causes any concern on the part AmTote, we should
6 delay it.

7 CHAIR WINNER: Okay. I mean, if you want to
8 vote, you can make a motion.

9 COMMISSIONER BENETO: I make a motion that we
10 pass this and put it on down the road. Does anybody
11 want to second?

12 COMMISSIONER AUERBACH: I just -- can I ask you
13 to put an amendment in there that we pass it with
14 the condition that all of the things we have
15 discussed here are met?

16 COMMISSIONER BENETO: Yes, definitely.

17 COMMISSIONER AUERBACH: To include everything
18 we've agreed upon.

19 COMMISSIONER BENETO: Yes.

20 COMMISSIONER AUERBACH: Okay. I'll second it
21 on that basis.

22 CHAIR WINNER: Is there a discussion on the
23 motion? I'm going to speak against the motion. I'm
24 speaking against the motion. I'm speaking against
25 it not because I'm against renewing the license, but

1 because I think it would be preferable for all of us
2 to see the materials that are submitted and in case
3 anything else comes up in the interim between now
4 and August that we ought to -- based on this
5 conversation, we ought to request and assume this
6 agreement from them. I think that would be helpful.

7 Furthermore, we don't know whether or
8 not the Attorney General may come back between now
9 and August with an opinion. We think not. We think
10 the opinion will be favorable if it does come back.
11 But we still -- I personally would prefer to wait
12 until August.

13 Is there any other discussion?

14 We'll take a vote.

15 All in favor of Mr. Benito's motion,
16 say, "Aye."

17 All opposed, say, "Nay."

18 The no's have it. So we're going to
19 put the decision off until August.

20 Thank you, gentlemen.

21 Okay. Moving on.

22 MR. BAEDEKER: Just one last point. The
23 equipment is over there, and so during a break or
24 something, if people are interested in looking at
25 the AmTote equipment, it's there for you.

1 CHAIR WINNER: Okay. Item No. 7. "Discussion
2 and action by the Board on the application for
3 license to conduct a horse racing meeting of the
4 Los Angeles County Fair at Los Alamitos, commencing
5 September 10, 2015, through September 25th, 2015."

6 By the way, on the last item, if your
7 home offices were in California, of course, it would
8 be a lot easier for staff to go have a look at it.

9 COMMISSIONER AUERBACH: Commissioner, before we
10 start this, can we get an update on items needed?
11 Is there an update on items still needed because I'm
12 wondering why this even came to us with all these
13 outstanding items on the agenda.

14 CHAIR WINNER: You're talking about these
15 items?

16 COMMISSIONER AUERBACH: Right. I've moved on.

17 MS. WINNER: Okay. Good. There are a number
18 of outstanding items. I don't know. Can staff --
19 Jackie, can you tell us how many of these items --
20 there are ten items that have not yet been
21 submitted.

22 MS. WAGNER: Jackie Wagner, CHRB staff. To my
23 knowledge, we still have nine of the ten items
24 outstanding. We did receive the marketing plan. I
25 am not aware of it -- he's raising his hand. You

1 said some things that I have not seen.

2 MR. MC KENZIE: Brad McKenzie, Los Alamitos
3 Racetrack. We have the CTT agreement that's been
4 signed here today. It's my understanding Joe Morris
5 is here we finished negotiations on the stake
6 schedule yesterday; so the TLC agreement has been
7 completed and is ready for us to sign today.

8 What were the other items Jackie?

9 MS. WAGNER: Horsemen's approval of your ADW
10 agreement.

11 MR. MC KENZIE: I believe we also have the
12 letters for the horsemen's approval for the ADW.
13 These letters from the TLC on our takeouts. Those
14 are done, and we have them here today.

15 MS. WAGNER: The pentafecta wager -- are you
16 going to be doing that?

17 MR. MC KENZIE: Yes, and we submitted to the
18 Board that we're doing it under the RCI rules.

19 MS. WAGNER: Your off-track wagering agreement.

20 MR. MC KENZIE: I believe Mr. Haines from
21 SCOTWINC has done.

22 MS. WAGNER: We've got two occupational
23 licenses that need to be renewed.

24 MR. MC KENZIE: Frank Miramonti has been
25 informed that he needs to be relicensed upon his

1 return to California.

2 MS. WAGNER: And your film specialist?

3 MR. MC KENZIE: We don't have a film
4 specialist.

5 MR. BAEDEKER: They still need to be licensed.

6 MR. MC KENZIE: By I way, I think I should
7 inform the Board that I am personally owned by the
8 Stronach family.

9 MR. BAEDEKER: The Trust?

10 MR. MC KENZIE: Yes, the Trust.

11 MR. BAEDEKER: Mr. Chairman, I might just say,
12 if we're going by the past, that this seems to be a
13 time for any license that comes before us,
14 particularly today. I don't think we've had so many
15 outstanding items. It seems to me it's become a
16 custom that you can go ahead and submit the license,
17 you know, the agenda goes out ten days before the
18 meeting, and then the Board book goes out a week
19 before the meeting. But the understanding is it's
20 pretty much get everything you can in by the time
21 the meeting itself takes place, and it leads to
22 confusion. It's not the right way to do business.

23 So I think staff just needs to tighten
24 the screws a little bit on this process. And if the
25 Board so inquires, perhaps an application shouldn't

1 be heard until all the items are received. And in
2 that time to provide them to Commissioners for
3 review prior to, you know, prior to the realtime
4 consideration of the license.

5 COMMISSIONER CHOPER: For whatever it's worth,
6 for the first couple of years I was on this Board, I
7 said that every time, and at a certain point, you
8 just give up. I'm sure the staff feels the same
9 way.

10 But there's something -- it's not
11 peculiar to the racing industry -- put it off to the
12 last minute. We'll do something else first.

13 MR. MC KENZIE: And I agree with Mr. Baedeker.
14 A little bit in our defense, we just learned last
15 month what the dates were going to be.

16 COMMISSIONER AUERBACH: I was going to mention
17 that, Brad, and give you a pass on it. You didn't
18 give me a chance to do that.

19 We're not picking on Los Al. This is
20 continuing trend which every applicant -- I know
21 Santa Anita has been notorious with this stuff. We
22 get a Board packet, its got a lot of stuff in it,
23 and these things are essential for us to be able to
24 look at. We sit up here, and we don't look -- we're
25 approving stuff like the last licensee. It's the

1 same kind of thing. It's very hard for us to work
2 this way.

3 MR. MC KENZIE: I agree.

4 COMMISSIONER KRIKORIAN: Brad, we knew there
5 were a couple dates that were changed around, but
6 you knew that we were going to have a meeting.

7 MR. MC KENZIE: We knew we were going to have a
8 meeting. We didn't know what our stake schedule was
9 going to be. We didn't know what dates we were
10 going to have. That was the main holdup as far as
11 the TOC stuff.

12 The other stuff, quite frankly,
13 marketing, we were waiting to see how our summer
14 meet -- what worked, what didn't. I agree 100
15 percent. We've all gotten into the habit of knowing
16 we can submit a license incomplete and fill it in,
17 and we've all gotten lazy about it. I agree 100
18 percent with what you're saying.

19 COMMISSIONER KRIKORIAN: I would like to say
20 moving forward, I agree these things need to be
21 cleaned up. And moving forward, I think we should
22 between ourselves agree that if we get applications
23 like this, you just don't hear them, or just don't
24 even bring them to the Board. "X" them out before
25 the meeting. They don't qualify on the agenda. And

1 that puts more burden on the staff. The staff is
2 going to just have to --

3 COMMISSIONER AUERBACH: I agree.

4 MR. BAEDEKER: Commissioner, I think it
5 somewhat puts less burden on the staff, trying to
6 hustle all that stuff together.

7 COMMISSIONER KRIKORIAN: That's what I
8 recommend moving forward.

9 MR. BAEDEKER: Okay. We don't need any kind of
10 action by the Board, do we?

11 MS. WAGNER: No.

12 MR. BAEDEKER: I just becomes policy?

13 MS. WAGNER: It becomes policy.

14 COMMISSIONER CHOPER: At least you got the Fire
15 Marshal's agreement.

16 CHAIR WINNER: All right, gentleman. Who is
17 doing the presentation?

18 MR. MC KENZIE: This is for the Los Angeles
19 County Fair meeting at Los Alamitos.

20 We do have a couple of additions. The
21 inclusive dates, just to make sure it's clear right
22 now, it's September 10th through the 25th. We need
23 to make sure that Wednesday's proceeding, that will
24 be the dark day, September 9th, is also included in
25 the licenses. That date historically goes to the

1 meet that's coming up.

2 Also just -- we don't know how this
3 happened, but on our list of satellite facilities,
4 Oceans 11 and the Firehouse Grill were left off for
5 some reason. I don't know why. As well as Lean
6 Games and Game Players; so we'll be providing that
7 those additions and housekeeping staff.

8 From Los Alamitos's point, we're
9 obviously looking forward to the meet because we had
10 success in our summer meet being up; although, on
11 track, business still presents a challenge.

12 This last summer was a little promising
13 and frustrating that our on-track business was up
14 the second week of our meet compared to last year,
15 then it was over. So maybe hopefully, that may
16 continue on, as we're kind of trying to make this as
17 seamless as possible.

18 The one thing that is different this
19 year is we're closing the meet on a Friday. We
20 close on Friday. Santa Anita opens on Saturday host
21 of Breeder's Cup preparation; so that is a marketing
22 and logistical challenge, quite frankly.

23 One the fears we had is that trainers
24 who had supported this -- owners and trainers who
25 had supported this so well during the summer meet

1 might find that as an excuse as to why go down to
2 Los Alamitos and race on Friday when we're going to
3 be racing Saturday at Santa Anita.

4 So one thing that we have done to try
5 to mitigate that fear, and we want to thank the TOC
6 for working with us on this, is that instead of
7 running like a little normal closing day stakes, we
8 are going to run a starter allowance series -- five
9 races -- starter allowance races that we're adding
10 significant purse money to make it sort of a little
11 championship starter allowance series for the
12 claiming horses. That way we feel will not only be
13 guaranteed a five good solid races on closing day,
14 but five great betting races is something that we
15 can market to our horseplayers that this is a reason
16 to be watching us on Friday, even though Santa Anita
17 is opening up on Saturday. It's something new.
18 Again, I want to thank the TOC for working with us
19 on this, but I think we're going to try to think out
20 of the box a little bit to try to assure that we
21 have a good closing Thursday and Friday. That is
22 obviously going to be the challenge.

23 COMMISSIONER BENETO: Brad, how many days of
24 racing does that give you?

25 MR. MC KENZIE: That gives us ten.

1 COMMISSIONER BENETO: So at least that's better
2 than twelve.

3 MR. MC KENZIE: Better than nine, not as good
4 as a twelve.

5 COMMISSIONER BENETO: No, I meant, originally
6 it's twelve.

7 MR. MC KENZIE: Originally, it's twelve. That
8 road has been well traveled.

9 MR. SEDER: Mike Seder, Los Angeles County Fair
10 Association. I'd just like to add that we're
11 looking forward to hosting successfully with Los
12 Alamitos again. If you recall, last year was the
13 first year of doing this, and year after year, we
14 saw a growth in handle and attendance, and that was
15 what I think we all were hoping for. We would
16 expect the same this year.

17 CHAIR WINNER: Thank you, Mike. Anybody else?

18 COMMISSIONER BENETO: Mike, when you were
19 racing at Fairplex, you were finishing up on Sunday;
20 right?

21 MR. SEDER: That's correct. We had three
22 weeks -- three weekends of racing. Last year that
23 we ran there, we had 13 days of racing over a three
24 week period.

25 COMMISSIONER BENETO: Now you're down to ten or

1 nine?

2 MR. SEDER: We're down to ten for this year.

3 COMMISSIONER BENETO: Well, doesn't that kind
4 of give you heartburn that you have to give up two
5 days of racing?

6 MR. SEDER: Yes. Right. That die was cast at
7 the last meeting, and I think economically, we'd
8 like to have more days.

9 COMMISSIONER BENETO: Yeah, but for years
10 you've been running twelve days of racing, finishing
11 on Sunday. Then all at once, last year, you get
12 screwed.

13 MR. SEDER: Well, this was a unique year. In
14 fact, the Breeder's Cup was coming early.
15 California horsemen trainers and owners felt the
16 need -- an understandable need to have Breeders' Cup
17 preparations. Santa Anita is the only one that can
18 host those. We certainly can't do it.

19 And so after lengthy negotiations, we
20 decided the best thing for this business for this
21 year is to give up this weekend to allow for these
22 Breeders' Cup preparations. We feel it's in the
23 best interest of California racing.

24 COMMISSIONER CHOPER: Yeah, and I think you
25 ought to be thankful.

1 COMMISSIONER BENETO: Can you go back to those
2 dates again where you don't have a conflict?

3 CHAIR WINNER: We haven't granted those dates
4 yet for future, Commissioner Benito.

5 MR. BENITO: I'm just asking the question if
6 something happens two years from now.

7 MR. MC KENZIE: We always hope to have those
8 historical dates in the future if the Board so
9 grants them.

10 VICE CHAIR ROSENBERG: Can I ask a question
11 about the LA County Fair? What -- I remember last
12 year before the meeting, we talked about some cross
13 promotions. Are you changing anything from the
14 prior year. Do you have any statistics on the
15 success of the cross promotions as far as getting
16 bodies to Los Alamitos?

17 MR. SEDER: Well, last year, we did a number of
18 promotions, and we're going to continue to do those.
19 We did a bounceback attendance promotion. I have
20 the numbers of people from Los Al that came up to
21 Fairplex, which was about 8,500 last year. We did
22 have a number of inquiries. We sent a lot of
23 tickets out to folks that headed down to Los Al.

24 We do onsite promotions so when folks
25 come to the LA County Fair, they get their daily

1 fair guide, and that's about a half million. They
2 go into the hands of customers. It talks about the
3 racing that's going on at Los Al and how they can
4 make that transition down there and have admission
5 to the event.

6 We have wagering locations that take
7 place during the fair at various places on the
8 property; so that will continue.

9 And then in terms of social media, we
10 do an E-blast. That's going to be over a hundred
11 thousand folks on our database, and we'll be talking
12 about raising fares as well.

13 So there's a number of promotions that
14 we'll continue to do and enhance as our databases
15 grow bigger. We'll have a bigger reach.

16 VICE CHAIR ROSENBERG: Is the OTB open at the
17 fair during the --

18 MR. SEDER: It is. Both the OTB and the top of
19 the park and our Longboard Bar restaurant are all
20 open and accessible for wagering.

21 VICE CHAIR ROSENBERG: Seems like sort of a
22 conflict. Wouldn't you be better sending people
23 over to the restaurant than to Los Alamitos?

24 MR. SEDER: These are folks that have that
25 certainly have that choice, and I think geography

1 dictates that they would rather stay closer. A lot
2 of them are regular customers that we see every day.

3 If they have an interest in getting
4 down to see the live racing, we certainly make it
5 very easy for them to do that.

6 CHAIR WINNER: Any other questions? Any other
7 comments?

8 Is there a motion to approve, pending
9 the changes that submission of the documents that
10 Mr. McKenzie spoke about and Ms. Wagner and also
11 changing the commencing date from September 10th to
12 September 9th, even though the races I think don't
13 begin until the 10th.

14 COMMISSIONER CHOPER: So moved.

15 CHAIR WINNER: Commissioner Choper moves.
16 Commissioner Auerbach seconds. All in favor? Any
17 discussion?

18 COMMISSIONER KRIKORIAN: Should we put a time
19 frame on when to get this information back that's
20 missing?

21 CHAIR WINNER: You certainly can. You can make
22 that an amendment to the motion.

23 COMMISSIONER KRIKORIAN: I would like to give
24 them just so many days.

25 CHAIR WINNER: How many days?

1 COMMISSIONER CHOPER: What's a reasonable time
2 frame?

3 MR. BAEDEKER: How about ten days?

4 CHAIR WINNER: Okay. Do you accept that
5 amendment to the motion?

6 COMMISSIONER BENETO: Absolutely.

7 CHAIR WINNER: All right. All in favor of the
8 motion?

9 VICE CHAIR ROSENBERG: Aye.

10 COMMISSIONER AUERBACH: Aye.

11 COMMISSIONER BENETO: Aye.

12 COMMISSIONER CHOPER: Aye.

13 COMMISSIONER KRIKORIAN: Aye.

14 COMMISSIONER SOLIS: Aye.

15 MR. BAEDEKER: AYE.

16 CHAIR WINNER: Any opposed?

17 Motion carries. Thank you very much.
18 Have a good meeting.

19 MR. SEDER: Thank you.

20 CHAIR WINNER: Moving on then to No. 8 on the
21 agenda. "Discussion and action by the Board on the
22 application to conduct a horse racing meeting of the
23 San Joaquin County Fair at Stockton, commencing
24 September 11, 2015, through September 25th, 2015,
25 inclusive."

1 Want to introduce yourselves,
2 gentlemen?

3 MR. SCHWARTZ: Larry Schwartz, Director of
4 Racing, San Joaquin County Fair.

5 MR. FLAHERTY: Chris Flaherty, San Joaquin
6 County Fair Board of Directors.

7 MR. OLDS: Kelly Olds, C.E.O., San Joaquin
8 County Fair.

9 MR. BAEDEKER: Commissioners, I'd like to point
10 out on this one, there are seven items still needed.
11 Some of those that are licenses that are either
12 about to expire or new licenses that need to be
13 secured. That leaves one which is the fire
14 clearance, which is scheduled for August. That's
15 outside of control of the persons sitting in front
16 of you. This one is actually a little more complete
17 right here.

18 MR. FLAHERTY: So if I may, I'd like to address
19 the Board. I'm here to dispel any myths or rumors
20 that are out there that we're not interested in
21 being in the racing industry anymore. I'm going to
22 make that very clear that we are committed to
23 racing.

24 And I want to give a little background
25 on where we have been and where we are now. Four

1 years ago, I was appointed by the Governor to the
2 fair Board in San Joaquin County. We're a heavy
3 agricultural community, and had I known now -- had I
4 known then what I know, I probably would have
5 thought a little bit differently about it because we
6 have been through terrible experiences in our county
7 and at the city level. The largest city in San
8 Joaquin County, obviously, I'm sure many of you
9 know, filed for bankruptcy, of which we are now
10 climbing out of.

11 We were asked four years ago to
12 consider moving our dates to September. We did so
13 at the request of the racehorse community, and we
14 went broke. We were \$300, 000 in the hole. That
15 was my first year on the fair Board.

16 The following year, we chose not to
17 have a fair. We could not afford to do so. The
18 community would not support it. The attendance was
19 dismal.

20 Since that point, we've hired a new
21 executive director, and we have righted the ship.
22 We are much healthier than we have ever been.

23 We have repetitively asked for our June
24 dates back. It was a huge mistake, and we want them
25 back, and we're here to ask for those June dates

1 back. And we will be conducting a fair this
2 September. Make no mistake about that.

3 I just wanted to make that very clear
4 to everybody here we're having a fair.

5 CHAIR WINNER: As long as you've raised the
6 issue, how about the last year? How big a fair did
7 you have.

8 MR. FLAHERTY: I believe our attendance was
9 down from the year before because the year before we
10 had a much larger version of the fair.

11 CHAIR WINNER: I'm asking what was the version
12 of the fair this time?

13 MR. FLAHERTY: We had quite a few animals there
14 on display. Obviously, we couldn't have our normal
15 ag-venture day where we have the livestock option
16 for all the exhibitors because we had found out
17 previously via losing \$000 the fair wasn't going to
18 be supported by the community.

19 CHAIR WINNER: You're talking about for -- but
20 this year, 2015 for this license, which is what's
21 under discussion.

22 I recognize you made the case about
23 2016. That's not up at this meeting. That would be
24 up -- we'll discuss it at this meeting, and you can
25 discuss it during that period.

1 But for 2015, you're saying you're
2 going to have a full fledged fair, not the type of
3 fair you had last year?

4 MR. FLAHERTY: Well, we will have what we deem
5 to be a fair that is successful for us not to lose
6 money. And as I believe, many of you get the same
7 statistics we get. Our race numbers are pretty
8 good.

9 If you look at our race numbers, starts
10 is a real simple one to take a look at. Our starts
11 were -- if you rank them amongst everybody, our
12 starts are pretty good.

13 So we've demonstrated that our version
14 of our fair, which it is our fair, is successful
15 with the horse racing dates that we have now
16 requested.

17 In the future, we believe we can be
18 much more successful. But we believe that we can
19 rebuild our fair because we lost our fair the way it
20 used to be, and it was the best lesson we could have
21 received. We're healthy now. We have a new
22 executive director. He's been with us for two
23 years. We're running it like a business now.

24 The Governor's office took an interest
25 in the health of our fair. The Secretary of,

1 Agriculture, Karen Ross, was tapped on the shoulder
2 and said, "Make sure these guys have guidance. I
3 don't want this going away."

4 They assigned Brian May to us. Brian
5 helped us hire a new executive director. Now the
6 Governor's office can point to our fair as success.
7 Having him taken all the money from us, he can point
8 to it as a success. He's very pleased. Two of our
9 Board members met with him yesterday.

10 I'm just here to make sure we all
11 understand we're not interested in giving up our
12 dates. We're not interested in going away or
13 trading with anybody. We're interested in getting
14 our dates back that we had that made us successful.

15 CHAIR WINNER: Okay. We'll talk about that
16 when we get to the Southern California race dates
17 for 2016. Now we're talking about 2015.

18 MR. FLAHERTY: We plan on having a fair. We
19 have a brochure highlighting some of the things that
20 we will be doing. A couple of things are on there,
21 and I'll let Kelly Olds talk more about some
22 additional fair activities that we will be having.
23 So I'm going to hand it over to Kelly to discuss
24 that.

25 MR. OLDS: My name is Kelly Olds. I'm the

1 C.E.O. of the San Joaquin County Fair.

2 In May when we were given our final
3 dates, and they were changed from the original dates
4 we had, it gave me a great deal of heartburn because
5 I had to start basically from square one. We had a
6 lot of things planned, and they fell through.

7 Since that time, we reminded ourselves
8 that we were able to resurrect the asparagus
9 festival between January and April. We had a very
10 successful three-day event where nearly 80,000
11 people came to the gates. It was a financial
12 success.

13 We have gone back out and continued,
14 even through yesterday, booking things that will be
15 components to our fair. Yesterday we were able to
16 get sponsorship and cooperation with some other
17 people to have food prep frenzies at the last two
18 hours at the horse races each day. A group of not
19 just taco trucks or roach coaches. These are some
20 gourmet food items that will be presented. One of
21 the trucks, an ice cream gelato truck -- and really
22 good gelato, by the way, will be there for the
23 entire six days of racing from noon until 6:00
24 o'clock each day.

25 In addition to that, a sponsor came

1 through yesterday to do some promotional activities
2 at the entertainment at the races, sponsoring a
3 derby hat day.

4 On the Saturday after, we got
5 cooperation from the local "C" Scouts groups.
6 They're going to be doing some Honor Guard for the
7 flags each day. We have contests for the singing of
8 the national anthem. We have a family circus that
9 will be there for the first day of racing until the
10 last day of racing, including the dark days.

11 There are a lot of different components
12 that we've put together, and we've been working hard
13 and continue to work hard. I want to assure you
14 we've got an attitude that we're flexible, and we're
15 going to make this thick work.

16 I'm committed like my Board that we
17 want to continue with horse racing in San Joaquin
18 County, and we'll do our best.

19 CHAIR WINNER: Any questions? Did you have
20 anything else? Larry, did you want to --

21 Are there any questions from the Board?

22 Let me start with Commissioner and Vice Chair
23 Rosenberg, and then we'll go to Commissioner Benito.

24 VICE CHAIR ROSENBERG: The gentleman from the
25 Board -- I'm sorry I don't know your name. The

1 Chairman asked the question about basically what's
2 going to be different this year versus last year or
3 how expansive it will be. You described the fair --
4 we think about the fair -- it was cut down at one
5 time significantly where you had financial problems.
6 And the question is is it up to where it was before
7 you had financial problems, or is it half of that?
8 A quarter of that? What is it? What will it be?

9 MR. FLAHERTY: I believe Kelly's done a real
10 good job explaining what's going to be there.
11 Obviously, the success of our asparagus festival
12 will be a new entry into the minds of the people of
13 Stockton that we have a facility which people can
14 come to. Families can come to.

15 We're rebuilding. I can't predict
16 tomorrow. I don't know how things are going to go,
17 but about we predict better attendance than last
18 year because we're in a better place financially.
19 And you know, we don't know. We're expecting to
20 have -- we're working very hard, and we've expecting
21 to have very successful meets. I'm not sure if that
22 answers your question.

23 MR. OLDS: I think I can address that a little
24 easier than Mr. Flaherty.

25 Last year's effort was a first effort

1 for the new C.E.O., and we had some people that made
2 promises to us that we couldn't keep.

3 This year the fair that we're having
4 will not an animal component. And even the
5 uneducated new C.E.O. can recognize that having a 4H
6 and FFA show three weeks after school starts in our
7 county is not going to work well. So we have no
8 animals at this fair because the kids can't come.
9 The schools won't let them out of school.

10 We have -- I can offer you a measure of
11 how I'm feeling about this because of the event
12 sales of box seats. We're about 40 percent over
13 where we were last year at this time. I'm feeling
14 really good about the enthusiasm that I'm getting
15 from the people that are coming out and buying the
16 box seats.

17 We established a new website. People
18 can buy and pay for their box seats online, which is
19 a new thing for this fair. So I'm really excited
20 about the prospect of having a lot of people there.

21 One of the major components we've put
22 into this thing is a craft beer festival, which is a
23 very popular thing these days. Our beer supplier
24 has helped us bring in a minimum of ten craft
25 breweries for each of the three day sessions.

1 They're selling tickets to people for that event in
2 addition to bringing them into the fair and the
3 horse races. That event is going too take place in
4 the grandstands. We're going to pack the place. I
5 really am excited about it.

6 We don't have an animal component, and
7 because of the date change, we lost our carnival,
8 but we have a circus which is not exactly the same,
9 but it's family fun.

10 CHAIR WINNER: So its' a variation of a fair?

11 MR. OLDS: Yes.

12 CHAIR WINNER: Commissioner Benito.

13 MR. BENITO: How bad did you get hurt from June
14 to September? Do you contribute that to your real
15 financial problem?

16 MR. FLAHERTY: We went broke. We went
17 completely broke.

18 MR. BENITO: How long did you have those dates
19 before you made a change? Why did you make the
20 change? I need to get briefed up on this.

21 MR. FLAHERTY: The CHRB Board and the horse
22 racing community felt that it would be better for
23 the industry and better for us if we moved our dates
24 to September. So we were offered the following two
25 choices, and Larry may want to correct me if I'm

1 incorrect. Either reduce our two June weeks of
2 racing to one week, or move to September and get two
3 weeks.

4 We really didn't have a choice. We all
5 know that one week of racing is very difficult to
6 maintain profitability with; so we moved to
7 September. We went broke. Completely broke.

8 MR. BENITO: Did that affect your fair as far
9 an attendance wise?

10 MR. FLAHERTY: Oh, no question about it. It
11 was in the paper that we weren't having a fair. We
12 couldn't have a fair. We had no money. We were
13 \$300,000 in the hole.

14 Look at the numbers. Look at the
15 numbers for our racing. How were they? I'm just
16 saying. You have those resources. We did very
17 well. We did even better last year.

18 MR. BENITO: If we move your fair dates back to
19 the first two weeks of June, could you move your
20 asparagus festival? Would that work for you?

21 MR. FLAHERTY: We've been talking about that,
22 and we would entertain that idea.

23 MR. BENITO: We go down there every year. We
24 missed last year when you had it. But prior to
25 that, we went. That place downtown is just packed

1 with people. I mean --

2 CHAIR WINNER: Commissioner Benito, we're
3 getting into a discussion of 2016 in Northern
4 California.

5 MR. BENITO: I know, but I've got to get my
6 mind -- I just want to know how bad this change was
7 just from a future -- for my future.

8 Mr. FLAHERTY: You can tell from my passion and
9 the -- I wear it on my body language and my face.
10 I'm volunteering to do this in my community. I flew
11 down here last night. I won't look for
12 reimbursement from the fair.

13 CHAIR WINNER: Thank you.

14 MR. FLAHERTY: I'm constantly putting up money
15 to help because I'm in that community. I'm involved
16 in agriculture. I'm involved in real estate
17 development. I'm vested in that community, and I
18 want it to be successful. That fair is not going to
19 go broke on my watch. Make no mistake about that.

20 So if I'm emotional and compassionate,
21 it's because I am. I take it very seriously. My
22 time is valuable, much like yours are. I was asked
23 to do this, and I feel good about where we've gotten
24 to today.

25 But when I hear that we're not

1 interested in racing, I'm here to correct that.

2 MR. BENITO: Thank you.

3 CHAIR WINNER: Are there any other questions or
4 discussion?

5 COMMISSIONER CHOPER: I just want to say after
6 our conversation the other day, I've looked over the
7 figures, and if you look it up from 2010 and '11,
8 you've done a wonderful job. I think you ought to
9 be congratulated. What goes with that is another
10 matter, but I think you ought to -- you've, as you
11 indicated, done I think as much as you can. Because
12 this is a real challenge in this industry.

13 CHAIR WINNER: Any other points, questions?

14 MR. FLAHERTY: Commissioner Krikorian, I am
15 still needing on the list here. Have you had a
16 chance to look at those, and what is the status on
17 those?

18 MR. SCHWARTZ: Larry Schwartz, Director of
19 Racing. All the individuals that requires licenses
20 have been addressed, and they will get them renewed.
21 The Fire Department simply can't do it in the time
22 frame, based on occupancy and other events ongoing
23 in the fairgrounds. It will be done in August.

24 CHAIR WINNER: Okay. Is there a motion to
25 approve the application contingent on receiving all

1 of the items that have not yet been submitted, and
2 there are seven of them. With the exception of the
3 fire clearance schedule, that the other items be
4 submitted within ten days. Is there a motion?

5 COMMISSIONER KRIKORIAN: I move.

6 CHAIR WINNER: COMMISSIONER KRIKORIAN moves,
7 and Commissioner Benito seconds.

8 Is there any discussion?

9 All in favor?

10 VICE CHAIR ROSENBERG: Aye.

11 COMMISSIONER AUERBACH: Aye.

12 COMMISSIONER CHOPER: Aye.

13 COMMISSIONER SOLIS: Aye.

14 MR. BAEDEKER: Aye.

15 Any opposed? Carries unanimously.

16 Thank you, gentlemen. Good luck. I'm
17 sure we'll be talking to you again when we get to
18 the item on Northern California race stakes.

19 MR. OLDS: Thank you very much.

20 CHAIR WINNER: I'm sorry. Commissioner
21 Rosenberg wanted to mention something.

22 VICE CHAIR ROSENBERG: I just wanted to say the
23 enthusiasm that was shown on this is wonderful. The
24 numbers that we are given showing handle, I believe
25 on the form, is total handle. It would be nice in

1 the future if we can revise -- I think it's
2 important to see what on track to handle is year to
3 year for any fair or any racetrack versus total
4 handle.

5 MR. BAEDEKER: I agree on that.

6 MR. OLDS: Yeah, I generally give that
7 information following the conclusion of a meet. But
8 I agree.

9 CHAIR WINNER: Let's move on to Item No. 9.
10 "Discussion and action by the Board application for
11 license to conduct a horse racing meeting of the
12 Los Angeles Turf Club II at Santa Anita, commencing
13 September 26, 2015, through October 25th, 2015,
14 inclusive."

15 Gentlemen.

16 MR. DARUTY: Scott Daruty, Santa Anita.

17 MR. HAMMERLE: Rick Hammerle, Santa Anita.

18 MR. NEWBY: Nate Newby, Santa Anita.

19 CHAIR WINNER: Scott, who is making the
20 presentation?

21 MR. DARUTY: Well, we submitted our
22 application, and all the information is in there.
23 There's a couple items still outstanding. We can
24 talk about those, but I don't really have a formal
25 presentation.

1 We're here to answer any questions you
2 might have. As you know, there was a little bit of
3 a different schedule in terms of our fall race meet.
4 It's a little bit shorter than we typically had.
5 We're dealing with it as best we can and are looking
6 forward to a good meet.

7 CHAIR WINNER: Do you want to give us a
8 briefing on the marketing plan?

9 MR. NEWBY: Yes, as you know, we wrapped up our
10 winter-spring meet about two and a half weeks ago;
11 so there were some good things I want to report
12 there.

13 We finished up 3 percent in source's
14 handles; so we were encouraged by that. On track
15 attendance was up 7 percent compared to the prior
16 year. So that 7 percent represents an additional
17 52,000 visits. The vast majority of those are by
18 new customers through promotions we did.

19 One of the good things now is a lot of
20 these customers we get their E-mail address, and we
21 did a follow-up survey to all of them. 81 percent
22 of those new customers had an excellent experience
23 and would recommend it to a friend. So that's
24 something we're encouraged by, and we think, if we
25 continue to fill that customer base, especially

1 with, like, a six-month season that we wrapped up is
2 very encouraging for the future.

3 COMMISSIONER CHOPER: Do you have a way of
4 keeping track of expressing appreciation and like if
5 they come back?

6 MR. NEWBY: Absolutely. The first step is we
7 ask them about their experience based on what type
8 of event they attended. We make offers to them to
9 come back for different things.

10 COMMISSIONER CHOPER: How did you do that?

11 MR. NEWBY: Via E-mail, direct mail.

12 COMMISSIONER CHOPER: Any way of keeping track
13 of the numbers?

14 MR. NEWBY: Oh, yeah. On average, it's about a
15 15 percent response on those. It may go up a little
16 but --

17 COMMISSIONER CHOPER: I have no idea whether
18 that's good or not good. Is that good? 15 percent?

19 CHAIR WINNER: I do think it's good.

20 COMMISSIONER CHOPER: Well, good for you.

21 MR. NEWBY: Thank you. We're happy about it.
22 So we're going to utilize a lot of those same
23 promotions. It's a fairly short season with just
24 about four and a half weeks; so it will be a packed
25 promotion schedule. In the marketing plan you've

1 all received, the back pages have the calendar. You
2 can see the promotions by day.

3 One of the things I just wanted to give
4 the Board an update on is that we're excited about
5 is the Gold Line is schedule to be wrapped up in
6 September. It will be just prior to our opening
7 day. It will be an Arcadia stop. We're working
8 with the City of Arcadia to have free shuttles
9 coming back and forth. It may not take off right
10 away, but really expecting that to build. We're
11 going to put a major effort behind it. As you've
12 probably experienced the 210 Freeway traffic, that
13 will give you a great option to getting to Santa
14 Anita without sitting in traffic.

15 COMMISSIONER SOLIS: Arcadia has a large Asian
16 population of the biggest and most loyal gamblers or
17 gentle people. Have you guys thought about doing
18 something like a restaurant to get those people to
19 attract them? I see more and more of them coming to
20 the track, and we accommodate them and make it feel
21 comfortable. I think it would help to get more
22 people.

23 MR. NEWBY: Absolutely. Arcadia has become
24 increasing bigger towards the Chinese demographic.
25 We have several agencies that target that. We've

1 looked at a lot of proposals, and we're still
2 talking about putting in some kind of facility,
3 whether it be a restaurant or something else at
4 Santa Anita. No doubt it's one of our biggest
5 opportunities, and we're looking to maximize that.

6 You know, we recently had the 626 night
7 market at Santa Anita that drew 80,000 people. So
8 we had a of people at that event, educating them
9 about horse racing, giving free passes come to Santa
10 a Nate a during the auto meet. Those festivals draw
11 huge attendance. We hope to get them back.

12 MR. BAEDEKER: Can I ask you a question about
13 that last point? You had 80,000 people out for that
14 event. Is there a significant language barrier, or
15 are these kind of second generation residents that
16 do communicate in English and would understand a lot
17 of the existing promotional materials, and so forth.

18 MR. NEWBY: Yes. So we do some of our
19 promotions and communication bilingual. That
20 particular event, it's a wide mix. Families, young,
21 old. It's really everything with that kind of a
22 crowd. Most, I would say the vast majority of
23 attendees speak English, but do have things
24 available in Chinese.

25 CHAIR WINNER: When you say, "bilingual,"

1 bilingual in Mandarin?

2 MR. NEWBY: Yeah. Mandarin and Cantonese.

3 CHAIR WINNER: Okay. Is it strictly the
4 Arcadia area, that surrounding area, is it strictly
5 Chinese, or are there other Asian communities that
6 have grown up in the Arcadia area?

7 MR. NEWBY: There's other communities as well,
8 but the majority is Chinese.

9 CHAIR WINNER: So you do have both Cantonese
10 and Mandarin bilingual materials.

11 MR. NEWBY: Absolutely. Wagering guides, all
12 kinds of things like that, done by those agencies
13 that we've hired.

14 CHAIR WINNER: Good. Anything else?
15 Commissioner Auerbach.

16 COMMISSIONER AUERBACH: Rick, do you want to
17 talk about the stake schedule, please.

18 MR. HAMMERLE: I thought I was going to get a
19 marketing question.

20 COMMISSIONER AUERBACH: Before you respond,
21 just a bookkeeping thing. When you submit it, did
22 you submit it like this, where one year was on one
23 page and -- I'm not real bright anymore -- and the
24 other year is on another page -- the way it's
25 submitted to us the -- stake schedule? Because now

1 you have to do it -- we're getting the stake
2 schedule from the previous years, according to the
3 way you have to submit applications now.

4 So I'm wondering how this came in like
5 this. Was this a staff thing we need to address?

6 MR. HAMMERLE: To tell you the truth --

7 COMMISSIONER AUERBACH: I don't know how you
8 submitted it.

9 MR. HAMMERLE: I didn't see what was in the
10 packet. We just --

11 COMMISSIONER AUERBACH: Can you look at your
12 packet?

13 MR. BAEDER: That's the way it was submitted.
14 It was submitted, you know -- last year's schedule
15 and post schedule --

16 COMMISSIONER AUERBACH: They submitted it that
17 way?

18 MR. HAMMERLE: Then that was probably the
19 way -- it was a mistake. We can put them in better
20 order for you guys to read.

21 COMMISSIONER AUERBACH: The first thing I would
22 like to request is that when you submit it, you
23 submit it side by side so we can see where we are.
24 So would you please do that?

25 MR. HAMMERLE: Absolutely. We'll do that in

1 the future.

2 COMMISSIONER AUERBACH: Because it took me a
3 while to figure out that we were down to -- I know
4 it's a shorter meet, but I want you to tell my what
5 we're doing with the stakes and how we're not going
6 to lose them.

7 MR. HAMMERLE: Okay. As you know, we're moving
8 forward off a six-month meet at Santa Anita. We did
9 fantastic.

10 COMMISSIONER AUERBACH: You did. You did
11 great.

12 MR. HAMMERLE: We're continuing on. And, you
13 know, we were handed an abbreviated schedule this
14 year for 2015. We're down to 19 days, which is
15 probably the lowest that that meet's ever had.

16 So obviously, with the shorter meet, we
17 don't generate as much revenue. We have to relook
18 at our purses as well as our stake program moving
19 forward compared to years before where we had more
20 time to generate revenue.

21 So knowing that we have an obligation
22 to the industry with the time that we run and what
23 we need to do with the stake wise, we know we need
24 to run as many Breeders' Cup races as possible for
25 our horses at that time of year to give them their

1 one final prep to move on to the championship day,
2 which this year is in Kentucky.

3 So taking that into consideration, we
4 have to balance that with how many stakes we're
5 going to run and still keep our overnight stake
6 program up at a high level, which we've been
7 continuing to do through these past few years.

8 After meeting with the TOC and going
9 over area various schedules back and forth, I think
10 we're both very happy with what the outcome actually
11 turned out to be. You mentioned me dropping a few
12 stakes here and there, but in essence, when it's all
13 said and done, we're only going to end up dropping
14 one, and that's going to be the John Henry Stakes.

15 COMMISSIONER AUERBACH: Are the other two are
16 Del Mar --

17 MR. HAMMERLE: I'll fill in here. And the John
18 Henry Stake, we just had to take say hit somewhere
19 along the line, and after going through some of the
20 field sizes and some of the light races during the
21 year, we thought that that one was the one that
22 maybe had to take a respite for one year. Keep in
23 mind we can take a one year hiatus --

24 COMMISSIONER AUERBACH: And not --

25 MR. HAMMERLE: -- and not lose the grade and

1 come back next year if we're awarded our normal
2 dates. Then we'll be right back on the schedule.

3 We had originally thought about taking
4 the LA woman out as one of the other races. After
5 talking about that with the TOC, through our
6 negotiations, we've decided to put that race back
7 in. So that's one of the races going back in the
8 schedule.

9 One of the other races we left out was
10 the Speak Easy Stakes, which is a two-year-old race.
11 We'll just write that back as an overnight stay for
12 the overnight price; so nothing will be lost there
13 in category. I'll mention we're going to write an
14 overnight stake at the condition of the John Henry
15 as well. So no categories will be left out. We're
16 just going to lose that one race.

17 There's three races at the end of the
18 meet that we traditionally run on Breeders' Cup
19 weekend. Two of the Golden State series races for
20 two-year-old fillies and two-year-old colts. Del
21 Mar is going to pick those races up and run them at
22 the same time frame.

23 The Gold Color Stakes is usually run on
24 closing day which is part of that Breeders' Cup
25 weekend that we weren't working this year. Del Mar

1 is picking that up; so that race will not be lost in
2 the calendar.

3 The only other races that we won't run
4 this year are races that kind of go with the
5 Breeders' Cup. We only run them during the
6 Breeders' Cup time. So in the whole scheme of
7 things, we've done great as far as being able to
8 fulfill our obligation to the horsemen of Southern
9 California, which we need to do.

10 COMMISSIONER AUERBACH: My only concern was not
11 -- it was we could take a one year hiatus. You're
12 telling me you will put it back on next year. So I
13 just want to make sure we take that into account --
14 I'm not so concerned about the overnights because
15 you're going to have to run them as your inventory
16 and your whatever we have available. I get that.
17 But thanks. That's what I wanted to know.

18 CHAIR WINNER: Any other questions?

19 COMMISSIONER BENETO: You'll be broadcasting
20 for Breeders' Cup; right?

21 MR. HAMMERLE: We'll be simulcasting. Del Mar
22 has those stakes; so we'll be open for business, but
23 we won't be live; correct? Our meet ends on the
24 25th of October.

25 COMMISSIONER BENETO: Del Mar kicks in on the

1 1st?

2 MR. HAMMERLE: Whatever that Thursday is. The
3 29th maybe.

4 COMMISSIONER BENETO: The 29th, yeah.

5 MR. HAMMERLE: Correct. Overnight purses --
6 were basically going to keep them what we said we're
7 going to offer last year, well above 300. We're
8 happy with that, and it's -- we think we did a
9 pretty good job with the abbreviated meet.

10 CHAIR WINNER: Any other questions?

11 COMMISSIONER AUERBACH: Yes, I had a question.

12 CHAIR WINNER: Sure. Let's go to Commissioner
13 Krikorian.

14 COMMISSIONER KRIKORIAN: Just real quick. Can
15 you address the cleanup items here on the
16 application. There seem to be ten items also.

17 MR. DARUTY: The -- well, the bond update, we
18 will be submitting that in due course. The TOC
19 approval letter, we have an agreement with the TOC;
20 so I'm not sure exactly --

21 MS. WAGNER: That is that item, the approval
22 letter.

23 MR. DARUTY: That is done, yes. I'm pretty
24 sure that's annual. They've done it for the whole
25 year. I will check on that.

1 The CTT agreement has been agreed upon.
2 There is an agreement, and documents are being
3 circulated for execution.

4 Let's see. Some of these other, like
5 the house inspection would be closer to the time of
6 the meet. The marketing plan, we just heard may go
7 through, and I guess a couple of these other
8 licenses, we will follow. Those occupational
9 licenses are in process, and we'll get those very
10 shortly.

11 COMMISSIONER KRIKORIAN: Thank you. Did you
12 say that the TOC that you have an agreement now?

13 MR. HAMMERLE: That's correct.

14 MR. DARUTY: Yes.

15 CHAIR WINNER: Commissioner Auerbach.

16 COMMISSIONER AUERBACH: I was going to ask
17 about some of the inspection reports for housing at
18 Santa Anita. I did take the time to look through
19 them. I don't know how you want to address these.
20 Scott or if Rick wants to talk about them. They're
21 scary to read, scary to look at with all the
22 violations.

23 I don't know whose -- is Santa Anita
24 liable for filling these out? How do these work?
25 They come from the county?

1 VICE CHAIR ROSENBERG: Yes.

2 COMMISSIONER AUERBACH: Okay. So since I found
3 I found Chris McCarron's name as the contact at
4 Santa Anita on one of these. I'm like, does anybody
5 read these things? I found the -- just of all the
6 inspections, not one of the inspections had no
7 violations. Every single inspection report is just
8 loaded with violations, and I'm just -- I understand
9 the situation back there. I just want some kind of
10 a response about how you are dealing with it. I
11 know everything in flux, but it still needs to be
12 clean and safe. So I'm wondering if you've started
13 any programs to do that.

14 MR. BAEDEKER: My understanding is you say you
15 know the situation. What is the situation?

16 COMMISSIONER AUERBACH: Well, no. I mean, I
17 know that it's going to flux because we haven't been
18 able to identify what we're doing with so many
19 things. That's what I meant. But that doesn't --
20 people are living there now.

21 CHAIR WINNER: Listen, I couldn't agree with
22 you more. We've had these discussions and --

23 COMMISSIONER AUERBACH: We have had them, and
24 I'm bringing them up again.

25 CHAIR WINNER: Both Commissioner Krikorian and

1 I have had discussions with Mr. Daruty and
2 Mr. Brackpool about the backstretch and the
3 situation in the backstretch. I think that's a
4 valid question.

5 MR. BAEDEKER: Commissioners, I might point out
6 staff has been actively involved in the management
7 of Santa Anita. We're very well aware of these
8 housing reports. We know the issues that need to be
9 addressed. We've communicated with these folks
10 about giving us answers to all of these questions on
11 a timely basis, and I think it's a fair statement
12 not a heck of a lot of work could be done until
13 everybody gets out.

14 MR. DARUTY: The backside is it's part of the
15 benefit of us being able to close for a while during
16 the Del Mar meet. So yeah, a lot of these we are
17 aware of. Obviously, safety and help is a big
18 priority for us, and we are doing all that we can to
19 satisfy all these. The time to really make a push
20 is now that the backside is going to be available
21 for the next few weeks to get this work done.

22 COMMISSIONER AUERBACH: We had the meeting at
23 Santa Anita and talked about a lot of these rodent
24 control issues.

25 COMMISSIONER BENETO: Can you talk in the mic.

1 I can't hear you.

2 COMMISSIONER AUERBACH: Sorry. We had I a
3 meeting a while ago at Santa Anita about working
4 with the rodent control issue. Specifically, it was
5 one of our major concerns. We had left it as we
6 leave so many things for the experts to get back to
7 us on the preventative actions that they recommend
8 with all the facets of what goes on back there. Do
9 we have an update on any of that.

10 MR. HAMMERLE: I think we followed through with
11 those experts. I just got a notebook from --
12 through you -- Director Baedeker because you're
13 asking for a monthly update on what we're doing back
14 there. That is due towards the end of July, which
15 when we start on next Monday, the 20th of July,
16 we're going full blast, and you'll be able to see
17 updates and progress on things that we just can't do
18 while the farms are full of horses.

19 COMMISSIONER AUERBACH: I guess my question is
20 have you determined a protocol?

21 MR. HAMMERLE: Yes.

22 COMMISSIONER AUERBACH: Okay. Well, you know,
23 it's like we do these things, and we're not told.
24 We get a Board packet which reminds me of things
25 we've talked about. I sit in on these meetings. I

1 know where we're supposed to be going. And then I'm
2 like, okay. Then I look at your inspection report,
3 and I go, "Oh, my God."

4 MR. HAMMERLE: I believe we had a follow-up to
5 that, and we had decided on a cause of action. We
6 were moving forward. Like I said, once we get going
7 next week, we'll provide Mr. Baedeker an updated
8 monthly report.

9 COMMISSIONER AUERBACH: Okay.

10 MR. HAMMERLE: That will start the ball rolling
11 and keep you in the loop.

12 CHAIR WINNER: What Commissioner Auerbach is
13 referring to, at least in my view, is sort of a pet
14 peeve of the entire Commission, which is we have
15 these meetings often times, and I'm not pointing
16 fingers at anyone. But we have these meetings often
17 times and folks come in -- whomever it is. They
18 tell us they're going to do certain things. Then
19 really, there's no follow-up. Then if something
20 doesn't happen, we don't know it unless it comes
21 back on the calendar.

22 It's disturbing from our perspective
23 that certain things that are sort of committed from
24 time to time to time to time don't get done. Then
25 we keep having to bring them up. So it's a concern.

1 VICE CHAIR ROSENBERG: Mr. Chairman, in
2 fairness to these guys --

3 MR. BAEDEKER: Believe me. This has nothing to
4 do with these guys.

5 MR. DARUTY: No, But in fairness to these guys,
6 Commissioner, following that meeting at Santa Anita,
7 Jeff Salmon from headquarters has been pretty much
8 hounding these guys on the issues that were brought
9 up and the follow-up that was promised. And we
10 have, you know, since put in a rodenticide program
11 throughout the state, making people more aware of
12 what you shouldn't do, what you need to do, and so
13 forth. And it really is -- frankly, we staff
14 haven't done a good enough job of keeping you all
15 apprised of that work. I don't think it's fair to
16 blame them necessarily.

17 But all of the associations, you know,
18 Santa Anita, Golden Gate, we have issues. We're not
19 getting any pushback or any stiff arm from any
20 association. They're good to work with. We'll do a
21 better job of keeping you apprised of what's going
22 on.

23 CHAIR WINNER: Commissioner Krikorian.

24 COMMISSIONER KRIKORIAN: Does this issue fall
25 into the stabling oversight in Southern California?

1 Can we set up -- have a schedule -- an executive
2 committee meeting in August or September and have
3 these folks come back and address all of the
4 inspections that we have accumulated here and go
5 over these items and try to clean them up?

6 CHAIR WINNER: Commissioner Rosenberg.

7 MR. BAEDEKER: It would be a committee meeting.

8 CHAIR WINNER: It would have to be a committee
9 meeting, not an executive meeting.

10 COMMISSIONER KRIKORIAN: That's what I meant.

11 MR. HAMMERLE: I would ask that you give us
12 through August because we have a six week time frame
13 there that we're going to be able to get a lot of
14 things done. If we could put it off until
15 September, that would give us our --

16 CHAIR WINNER: That's okay. Are you okay with
17 that?

18 COMMISSIONER KRIKORIAN: Yes, let's plan on
19 September.

20 CHAIR WINNER: Okay. That will be great. Any
21 other questions or statements from the Board with
22 respect to this item?

23 COMMISSIONER CHOPER: Well, I intended to have
24 an average of 8.66 runners per race. I think you
25 ought to be congratulated, and I think you ought to

1 try to spread the word as to just -- do you have a
2 one or two sentence explanation for your success?
3 What's the cause?

4 MR. HAMMERLE: We've got wonderful horsemen in
5 the California circuit. I think we've all started
6 to work together. Everybody gets it that we need to
7 put our program out there for people to bet on. And
8 we have the best fans in the world. And you know, I
9 think that's just what it is.

10 CHAIR WINNER: I sure love what you just said.
11 Working together. I really believe that's the
12 answer to some of the problems that we facing.
13 That's the future of racing in California is that we
14 all work together.

15 VICE CHAIR ROSENBERG: I'm glad you brought
16 that up, COMMISSIONER CHOPER. In terms of the --
17 you attribute some of the success to the field size
18 to the ship and win program that Del Mar had where
19 you get horses from coming from out of state to Del
20 Mar and Santa Anita. I am pursuing that part.

21 There's a statewide program, I
22 understand, now that the CMC had authorized, not
23 just for Del Mar, but for ship and win. I didn't
24 see any mention of that.

25 MR. HAMMERLE: Yes, yes, and yes. We obviously

1 benefit greatly from the horses that Del Mar brings
2 in during their meet, as a large majority of them
3 stay on and continue on at some period through the
4 Santa Anita meet. And yes, there is a year round
5 ship and win program in place, and it started in the
6 middle of our meet. It was a little hard to
7 promote, as we were getting going. We'll do a
8 little bit better promotion toward the end of the
9 meet.

10 We also have a program through the CMC
11 where we're able to help graded horses ship in for
12 many of our stakes. That's worked very well; so
13 we'll take advantage of anything we can do. But
14 yes, the ship and win program is definitely been
15 beneficial to us.

16 CHAIR WINNER: Any other questions?

17 COMMISSIONER BENETO: Yeah, I'm trying to find
18 something. Maybe you can help me. When do you
19 start up? A day after Christmas?

20 MR. NEWBY: Correct.

21 MR. BENITO: Because I saw it someplace in here
22 where it was the 31st or New Years. That's not
23 true?

24 MR. DARUTY: Well, I don't think those dates
25 have been awarded yet by this Board, but our

1 expectation would be to open the day after
2 Christmas.

3 MR. BENITO: You're still going to keep
4 tradition:

5 MR. DARUTY: Correct.

6 CHAIR WINNER: Anything else? Is there a
7 motion to grant approval pending the receipt of the
8 various documents within ten days, except those that
9 require a longer period of time?

10 It's been moved by Commissioner Choper
11 and seconded by Commissioner Solis. Is there any
12 discussion?

13 All in favor?

14 COMMISSIONER BENETO: Wait a minute.

15 CHAIR WINNER: Oh, I apologize. I'm sorry.

16 COMMISSIONER BENETO: These outstanding items
17 which we talked about earlier in this meeting, can
18 we make a rule they don't come up and ask for their
19 license until we've got a hundred percent --

20 MR. BAEDEKER: I think we discussed this
21 earlier.

22 COMMISSIONER BENETO: Now I'm getting tired of
23 I'll give it to you on contingency.

24 MR. BAEDEKER: What I we resolved earlier is
25 that you all don't need to take action, but we can

1 enforce a policy that will prohibit a licensee from
2 applying to the full Board until the application is
3 complete.

4 COMMISSIONER BENETO: You got a whole year to
5 do it.

6 MR. DARUTY: Well, I might just point out a lot
7 of these items, for example, are licenses of
8 individuals that are expiring in July. We have a
9 bond that expires in September. So some of these
10 things just in the normal course are going to be
11 replaced in the timing of this particular
12 application versus when our meet is. There's always
13 going to be items outstanding.

14 MR. BAEDEKER: The big ones are the horsemen's
15 agreement. POC, CTT, it always seems that those are
16 submitted a day or two before the meeting.
17 Commissioners haven't had a chance to review them.

18 We'll work with you. It will be
19 reasonable. Those things that are outside of your
20 control, obviously.

21 CHAIR WINNER: Okay. There's a motion on the
22 floor to second, do you have any discussion on the
23 motion? Then we can come back to that issue that
24 you just raised, Steve. The issue of documentation.

25 COMMISSIONER BENETO: Yes.

1 CHAIR WINNER: Let's vote on this motion, which
2 is this approval. Then we can come back and discuss
3 that. So any other discussion on the motion? All
4 in favor?

5 VICE CHAIR ROSENBERG: Yes.

6 COMMISSIONER AUERBACH: Yes.

7 COMMISSIONER BENETO: Yes.

8 COMMISSIONER CHOPER: Yes.

9 COMMISSIONER KRIKORIAN: Yes.

10 COMMISSIONER SOLIS: Yes.

11 MR. BAEDEKER: Yes.

12 CHAIR WINNER: Any opposed?

13 Okay. Good luck, gentlemen. Have a
14 great meet. And thank you very much.

15 Now, Steve. Did you want to continue
16 with that point?

17 COMMISSIONER BENETO: Yeah, I think we should.
18 I don't want to get into it for an hour with the
19 discussion, but I think it's short and sweet. We're
20 approving licenses. All their ducks should be in a
21 row when they come up for it. They got all year to
22 do this. My experience when I used to go in for
23 license and operate, I had to have everything there
24 -- the whole package, or they just sent you out the
25 door.

1 CHAIR WINNER: I think all of us agree with
2 you. I think that's what Rick was -- Mr. Baedeker
3 was commenting on is that it will be a policy. We
4 don't have to have a promotion. It will be a Board
5 policy that those items that are required for
6 approval and that are not subject to time issues,
7 such as what Mr. Daruty was talking about where a
8 bond issue overlaps with the date.

9 But other than that, you're 100 percent
10 right. We all agree. It's the same point
11 COMMISSIONER KRIKORIAN was making earlier. I think
12 there's total agreement, and I think Mr. Baedeker
13 and Ms. Wagner have taken that into
14 consideration, and that will be the policy going
15 forward.

16 MR. BENITO: And the meeting will go a lot
17 faster.

18 CHAIR WINNER: Yes, you're 100 percent right.

19 COMMISSIONER KRIKORIAN: And we're going to get
20 to the staff discretion to determine it's reasonable
21 to have little more time.

22 CHAIR WINNER: Right. Staff has the discretion
23 to say, "Look. They haven't submitted the documents
24 we've requested; therefore, we're not going to vote
25 on them. It will go on to the next meeting. "

1 COMMISSIONER KRIKORIAN: The only thing I would
2 ask is that when you do allow someone give someone
3 the opportunity to extend some time to get something
4 done, we should put a date on it or put a time
5 limit. If it's not done by that time, start over or
6 whatever because otherwise it puts the burden on the
7 Board and staff. That's what we want to try to
8 eliminate.

9 CHAIR WINNER: Couldn't agree with both of you
10 more.

11 Okay. Moving on then to item number
12 10. Discussion and action by the Board regarding
13 proposed amendment to CHRB rule 1699, Riding Rules,
14 as it pertains to the criteria to disqualification
15 in a horse race.

16 I think Mr. Baedeker is going to speak
17 on this.

18 MR. BAEDEKER: Thank you, Mr. Chairman. I'll
19 preface this by saying we have brought this before
20 committees and the full Board, I think 1,2,3,4,5,6
21 times. I think this is the 7th, and I think we
22 could probably all agree that we could continue to
23 talk about the perfect language for the next many
24 years and never be satisfied that we have it.

25 So what this an attempt to do is to

1 further define what constitutes interference and
2 also to quantify what we mean by a better placing
3 then put additional focus on careless riding.

4 And I won't do Professor Choper justice
5 when I try to remember his exact quote from a few
6 meetings ago. But the gist of it was if you want
7 judges to be more consistent, make the rules more
8 specific. Is that close?

9 COMMISSIONER CHOPER: That's very good.

10 MR. BAEDEKER: Anyhow, the other thing is that,
11 you know, the gentleman before talked about his
12 passion. I personally am passionate about this.
13 I've been involved in the game so long. I remember
14 back to 30 years ago where there were big arguments
15 about whether or not intimidation when you pull the
16 horse out was actual interference. That was all
17 left to the particular group of three that happened
18 to be up in the booth.

19 So what we're trying to do is to reduce
20 the inconsistency. It will never disappear. I'd
21 just like to take you through the significant
22 changes here.

23 The reason that that first graph, the
24 existing graph A was deleted is because it becomes
25 superfluous, given the new language and new

1 paragraph A. Because if, as a matter of fact, there
2 is interference, and let me read it. "A horse shall
3 not interfere with any other horse, period.
4 Interference is defined as bumping, impeding,
5 forcing, or floating in or out or otherwise causing
6 any other horse to lose stride, ground, momentum, or
7 position."

8 As you well know by looking at this, of
9 course, the underlying language is the new, and the
10 strike through language is the old. There wasn't
11 that kind of delineation of what constitutes
12 interference, which meant that that definition was
13 left to the particular group of stewards, and it was
14 very significantly subjective. And that's why we
15 have different interpretations by a group in the
16 south than we may have by a group in the north.

17 So this is an effort to define what
18 constitutes interference. It doesn't limit it to
19 this definition because it includes the broader
20 language, "or otherwise causing any horse to lose
21 stride, ground, momentum" -- that's a new word --
22 "or position."

23 The next part of it, we believe that we
24 improved upon the language that is existing in the
25 rule, and we have replaced it with, "A horse which

1 interferes with another, as defined in subsection A
2 above, may be disqualified and placed behind the
3 horse it interfered with." This is the new
4 language. "If in the opinion the steward, the horse
5 interfered with was not at fault, and due to the
6 interference lost the opportunity for a better
7 placing."

8 So that's the first thing. It's just
9 clarifying that -- we think making that language
10 clearer. This is the significant change to this.
11 Technically, right now, if a horse goes on and wins
12 a race with caused interference, say at the 8th
13 pole, in the opinion of the judges, the horse that
14 was interfered with who has finished 8th would have
15 finished 7th, technically he lost the opportunity
16 for a better placing. But as a matter of fact, that
17 horse not having been able to finish 7th doesn't
18 have an effect on anything.

19 The opinion is that language is too
20 broad, and so it is quantified. So better placing
21 now is stated as, "according to the distribution of
22 the purse," which now in most instances goes down
23 all the way to 6th.

24 COMMISSIONER KRIKORIAN: 5th.

25 MR. BAEDEKER: 5th. Okay. So that covers all

1 pari-mutuel wagers that have been made. So
2 basically, what this is saying is if the
3 interference didn't cost anybody anything, then as a
4 matter of fact, that's not a reason to make a
5 disqualification.

6 CHAIR WINNER: And also, it adds the language
7 for quarter horse racing as well.

8 MR. BAEDEKER: Oh, I'm sorry. I didn't read
9 it. Yeah. "According to the distribution of the
10 purse or the order finishing the trial because that
11 can cause a horse the opportunity to run in the
12 finals."

13 In the next section we made a simple
14 deletion of the word "impede" because that's also
15 included in the definition of interference in the
16 previous subsection.

17 The final graph here, the final
18 subsection F is the result of conversation by this
19 Board, the last time it came before you, about not
20 only focusing on what constitutes interference and
21 when a disqualification should be made to try to
22 make sure that our races are run safely and that the
23 bettors are protected, that the jockeys are
24 protected, and that the owners of the horses are
25 protected.

1 The suggestion was made to also focus
2 on careless riding and trying to tighten the
3 restrictions on careless riding or, as you'll see
4 here, better define or delineate the penalties for
5 careless riding. The goal is to make sure that not
6 only for those monetary reasons I described, but
7 also for reasons of safety that our riders
8 understand that if you're a repeat offender of the
9 careless riding rule, then the penalty will be
10 increasingly severe.

11 So that last paragraph, "When
12 penalizing a jockey for riding contrary to this
13 rule, the steward shall issue a greater opinion
14 penalty for more than one infraction of this rule by
15 the jockey within any contiguous 90-day calendar
16 period, or two, any infraction which, in the opinion
17 of the stewards, jeopardize the safety of another
18 horse or jockey."

19 So this language was vetted for the
20 third time to all of the stewards. My recollection
21 is that we had unanimous support among the stewards
22 for this language where we had mixed support for
23 previous versions that were suggested.

24 This also has been vetted with the
25 legislative committee and now comes back before the

1 full Board for public comment. And if the Board so
2 decides today, it could move into the 45-day public
3 comment period.

4 So everybody should understand this is
5 an important change, a significant change. We've
6 been working on it for well over a year, just about
7 a year and a half. There's no reason to rush it
8 if -- just no reason to rush it.

9 I will just say that I didn't want to
10 get involved in the conversation with Mr. Wellman
11 earlier, but as supervisor of the stewards, it makes
12 me very nervous that one steward in the booth would
13 have the leverage to control the decision. I am
14 very uncomfortable with that personally, just making
15 it subject to the personalities that we have. I'm
16 not talking about their integrity. I'm talking
17 about just one steward could really control the
18 entire meet by resisting any kind of
19 disqualification. I just think that puts way too
20 much power in the hand of one individual.

21 CHAIR WINNER: Thank you very much, Mr.
22 Baedeker. What I'm going to suggest we take a short
23 break here so that our stenographer, our court
24 reporter can have a little break. So let's take a
25 ten minute break, and we'll come back in ten

1 minutes.

2 (A recess was taken.)

3 CHAIR WINNER: The current meeting of the
4 California Horse Racing Board, taking place at the
5 Del Mar Surfside Race Place will now resume.

6 We are on Item 10. Executive Director
7 Baedeker has given a report on the race rule, and it
8 will now open up it for discussion from the Board.
9 I don't have any cards on this item from the from
10 the audience; so I'll open it up to the Board for
11 discussion.

12 The issue here is whether we vote to
13 send it out for 45-day public comment or not. So is
14 there any discussion from the Board, or is there a
15 motion to carry?

16 COMMISSIONER BENETO: I got a question.

17 CHAIR WINNER: Okay. Commissioner Benito.

18 COMMISSIONER BENETO: What -- on this rule, do
19 you pull the number right after the race, or would
20 it be something that will be delayed and done later?

21 MR. BAEDEKER: I'm sorry. I don't understand.

22 COMMISSIONER BENETO: Well, you said that the
23 rule is -- the way I got it is if a rider cuts in
24 front of another rider, you pull a number; right?

25 MR. BAEDEKER: Well, theoretically, yeah.

1 Nothing changes in terms of the process. Same
2 process.

3 COMMISSIONER BENETO: Are they pulled right
4 after the race.

5 CHAIR WINNER: Yes.

6 COMMISSIONER BENETO: It ain't going to be
7 something talked about three days from now.

8 CHAIR WINNER: No, no, no.

9 MR. BAEDEKER: The only difference is that just
10 as now, the careless riding is not a part of that
11 discussion whether or not you're going to disqualify
12 a horse. It's a question of whether or not there
13 was interference. That's what happens in real-time
14 right after the race.

15 Then the issue of careless riding is
16 usually determined by the judges. They will then
17 call the rider the next day. That's where that
18 action takes place.

19 CHAIR WINNER: And that's only to change the
20 jockey. That has nothing to do with the outcome of
21 the race. The outcome of the race will be
22 determined just as it is now.

23 COMMISSIONER BENETO: If you pull THE number
24 two days from now, it wouldn't be reflected on the
25 form for the next race.

1 CHAIR WINNER: No. It's immediate. Just like
2 this is now.

3 COMMISSIONER BENETO: Okay.

4 CHAIR WINNER: Any other discussion?
5 Commissioner Solis.

6 COMMISSIONER SOLIS: Item C, the jockey should
7 not strike with the riding crop or any other object
8 another horse, at least, you know, have an idea.

9 CHAIR WINNER: What would it be other than a
10 riding crop? What would it be? Give me an example.

11 COMMISSIONER SOLIS: A new helmet. New --

12 CHAIR WINNER: Like goggles?

13 MR. BAEDEKER: I think, Commissioner, the fact
14 that there is no specification here, that it doesn't
15 say riding crop or helmet, it includes anything, you
16 put in your fists. Even your elbow. So strike or
17 strike at means that's an action. That's not
18 defined as with a particular object. So it really
19 is I think purposely general or generic here. So it
20 would cover any instance of a rider striking another
21 horse or jockey.

22 CHAIR WINNER: Anything else? Yes,
23 Commissioner Krikorian.

24 COMMISSIONER KRIKORIAN: On Item B at the
25 bottom, it talks about "if a horse interferes or was

1 not involved and due to the interference, lost the
2 opportunity for better placing according to the
3 distribution of the purse," first question is define
4 distribution of the purse. And secondly, maybe that
5 can be defined first.

6 MR. BAEDEKER: Well, the distribution of the
7 purse is defined in the conditions of the race. So
8 we're talking about paying down to fifth. That can
9 always change.

10 COMMISSIONER KRIKORIAN: But it's not going
11 first place to fifth place. So let's say a horse
12 gets interfered with and gets hurt and ends up
13 finishing 8th, but just because he wasn't finishing
14 in the top five, the horse that caused the
15 interference doesn't come down, even though he may
16 have caused that horse the position.

17 MR. BAEDEKER: That happens now where, as a
18 matter of fact -- let's take an obvious example of
19 it couldn't be a more obvious one than this, I
20 suppose. Where there's severe interference at the
21 start, and the rider comes off a horse. There's no
22 question that even though, you know, that horse
23 technically did not finish but nonetheless had no
24 chance to compete in the races, there wouldn't be
25 any doubt, I don't think, that the stewards would

1 disqualify that horse that caused that interference
2 because the judges -- again, it's subjective. The
3 judges aren't going to say, "Well, he finished 8th.
4 The question is could he have finished in one of
5 those positions and have earned purse money?" Could
6 he, not can he without a doubt.

7 And so it's in the opinion of the
8 stewards. If this horse had finished 8th, could he
9 have finished 5th or 4th, or 2nd, or 3rd. But the
10 way the rule is currently written, as I said in the
11 opening remarks, if you finished 8th, and it was a
12 slight bump when you came by, and as a matter of
13 face, when you're tipping to judges, you might have
14 finished 7th. But it doesn't mean anything to
15 anybody. It would be an injustice then to
16 disqualify that horse that won the race or finished
17 in the money with all of the wagers that were made
18 on that horse and all the other interests, overall
19 it would be an injustice to disqualify that horse.
20 That's the old foul of a foul, you know, we don't
21 care what the outcome was. If you cause
22 interference, you're coming down.

23 In all of our discussions, there's been
24 very little support for foul for foul. But this is
25 really -- it's an effort to put a parameter around

1 better placement.

2 CHAIR WINNER: So what's happened here is
3 essentially, as we looked at it, and we've had --
4 obviously, it's been going on for a long time. We
5 had a lot of conversations with the stewards with
6 the committees and the Board.

7 We can't think of a circumstance where
8 if it goes beyond 5th, that anyone, including
9 someone placing a wager, there are no wagers where
10 you benefit from a horse that comes in 6th, 7th,
11 8th, 9th, or whatever.

12 So the protection here is for everyone
13 concerned if a horse loses a better placement
14 according to the purse -- so that's 1 through 5 --
15 then that's -- its always going to be in the
16 judgment of the stewards whether that horse, in
17 fact, lost a better placement.

18 COMMISSIONER SOLIS: To be honest, I like this
19 the way it was before. No matter how. If you bump
20 a horse, you get hurt really easy. So the other
21 thing that came to my mind is before we used to
22 rotate the stewards. I wish we could do that.

23 CHAIR WINNER: Rotate the stewards. Okay. Let
24 me just respond to both of those.

25 First of all, with respect to rotation

1 of the stewards, we have evaluated that a lot.
2 There's a cost involved. It's a significant cost to
3 the state for these people -- if we rotate them, we
4 have to rotate them north, south, et cetera. That
5 creates problems.

6 Furthermore, I don't want to speak for
7 the stewards. Many of the stewards make an argument
8 that in fact that because they know one another so
9 well, that is a positive. I'm not saying I agree
10 with that. That's an argument made is that you'd
11 have more inconsistency if you rotate the stewards.
12 What we're trying to find consistency. Again, I'm
13 not arguing for or against that. That's just an
14 argument position the stewards take. And then
15 there's a question of cost.

16 Now, with respect to a foul is a foul.
17 Again, this is something we've evaluated over and
18 over and over again. The stewards themselves will
19 point out that every state in the country tends to
20 follow our rule. Even those that originally had a
21 foul is a foul is a foul.

22 One of the reasons is that if a horse
23 clearly should -- is going to win the race and it
24 creates a minor incident on the backstretch, and it
25 does not affect the outcome of the race at all, and

1 the horse wins by ten lengths, should he really take
2 that horse down when clearly, it's the best horse
3 and effectively, the incident did not impact the
4 outcome of the race.

5 Again, I'm not making an argument one
6 way or the other. Clearly, there is unanimity among
7 all of the stewards for sure that a foul is a foul.
8 Rick, you might want to comment.

9 MR. BAEDEKER: Well, Mr. Chairman, there's one
10 more issue with rotating the stewards, and I think
11 in the best of all possible worlds, everybody would
12 agree that's a healthy thing generally. But the
13 business has changed. All stewards have gotten the
14 20 percent cut in the amount of time that they work.
15 By the way, they're independent contractors, they're
16 not employees. They pay for their own expenses. So
17 they've gotten a 20 percent cut because we've gone
18 from five days to four.

19 In the case of the harness stewards,
20 they're sometimes working one, two, or three days a
21 week. So many of the stewards have had to get forms
22 of additional income in order to survive and
23 continue to be stewards. If you're going to send
24 them north and south at different times of the year,
25 that makes it impossible for them to make a living,

1 in some instances.

2 So there's an overall issue of fairness
3 for our judges, and what we don't want you trade is
4 the ability to rotate them for a revolving door of
5 stewards. We're losing them all the time.
6 Everybody in the room, I think, appreciates it's not
7 a job you can just walk into off the street.

8 So it's complicated. We have looked at
9 it. I think we'd probably like to if we could.

10 CHAIR WINNER: Yeah, the truth of the matters
11 is at one point, I think we sort of agreed it was a
12 good idea to do it until what you're suggesting. I
13 think we all felt that's a good idea. Then we
14 started looking at the ramifications of it.

15 COMMISSIONER SOLIS: What about rotating the
16 one down south from Los Alamitos to Santa Anita or
17 whatever. Even look into a harness. I mean, I'm
18 not sure going up and down.

19 MR. BAEDEKER: So you say up north, rotate the
20 harness guys in with the guys over at the -- I
21 hadn't thought of that. It's certainly a
22 consideration.

23 CHAIR WINNER: I was just going to say I think
24 it's a suggestion we certainly should consider and
25 come back at the next stewards meeting. When is the

1 next stewards meeting?

2 MR. BAEDEKER: It will be in November,
3 probably.

4 CHAIR WINNER: Okay. But maybe before then in
5 response to Commissioner Solis's suggestion.

6 MR. BAEDEKER: Will do.

7 CHAIR WINNER: Yes, Commissioner Choper.

8 COMMISSIONER CHOPER: I just want to say three
9 things because we talked about this meeting a couple
10 of times, and I think maybe just once. I want to
11 thank and congratulate Rick Baedeker, our Executive
12 Director, for really doing a great job in putting
13 this together. It's not just controversial, it's
14 difficult. It's a really difficult issue.

15 Second, you know, there is always a
16 conflict in any judging situation, which is what we
17 have here with the stewards between clarity and a
18 clear rule. And on the one hand on the other hand,
19 it is the notion, well there ought to be discretion,
20 you can't take everything into account, you reach
21 better results with discretion.

22 Okay. I come out in the clear rule --
23 I said this before -- and I agree with Commissioner
24 Solis. I think a foul -- but I want to be clear --
25 a foul, as defined, very carefully defined in the

1 first in Paragraph 2, a foul should be a foul. And
2 what I would like to do -- I agree with everything
3 down right to the last two words of the second to
4 the last sentence there: "lost the opportunity for
5 a better placement."

6 If the opinion the horse interfered
7 with is not at fault, that's fine. But when you do
8 the other, I just think it's too complicated.
9 There's too much discretion in the judges, and I
10 think -- I want to be clear. A foul is not -- you
11 seen that at the next horse. The foul is one that
12 meets the definition.

13 MR. BAEDEKER: An interference.

14 COMMISSIONER CHOPER: An interference. That's
15 right. That's what we talk about when we say foul.
16 My own view is at that point, take them down.
17 That's the end of it. And put them behind the horse
18 they interfered with.

19 You say it doesn't make any difference
20 7, 8, 9. Well, I guess it doesn't. But why
21 complicate it with this? Just take them down and
22 have very little --

23 Look. Everything is discretion.
24 Defining what is the foul, do you think there's not
25 a lot of discretion in there? Causing any horse to

1 lose stride, momentum, or position, that can cause a
2 lot of discretion. But you can't do much about
3 that.

4 MR. BAEDEKER: Commissioner Choper, I think an
5 overriding issue of fairness to the betting public
6 primarily, and we always use the example of -- I
7 can't remember the name of the good horse in New
8 York that actually caused New York to change from
9 the language that you're talking about -- a foul is
10 a foul regardless -- to a language that is more like
11 this. And that is because the horse that in
12 question in sweeping by the field, bumped a horse
13 that -- it was backing up. The horse that caused
14 the bumping ended up winning by 12, and the horse
15 that got bumped still finished 2nd.

16 And so technically, that was
17 interference, technically that was a foul. That
18 horse was disqualified and placed, I think you said
19 at the time, last. There was so much uproar about
20 how unfair that was to the betting public that the
21 rule was changed.

22 CHAIR WINNER: Can I just point out, also that
23 we've had all these meetings with the stewards.
24 These are long, lengthy, and these guys, they
25 thought about this a lot. These are the people that

1 have to work with it every day. They have thought
2 about it a lot. They discussed it a lot. I can
3 assure you that there's not one steward of all the
4 stewards that we have who supports a foul is a foul.
5 I think that's correct, isn't it?

6 MR. BAEDEKER: That's correct.

7 COMMISSIONER CHOPER: I think we ought to put
8 it out and see what people have to say about it.

9 VICE CHAIR ROSENBERG: I would move to put it
10 out for comment. I would like to make a caveat that
11 in general that the public and the meeting look at
12 this not as a change of this particular draft -- not
13 as a change of the rule as much of a clarification
14 of a badly worded rule. Now, Commissioner Choper
15 would like to see the rule changed totally, but we
16 can discuss that and debate that at another time.

17 CHAIR WINNER: And I agree with the
18 Commissioner and Vice Chair Rosenberg that this is a
19 clarification of existing rule, and it's not really
20 a new rule.

21 At any rate, there's a motion to put it
22 out for 45 day.

23 COMMISSIONER AUERBACH: I just have one word.

24 CHAIR WINNER: Can we get a second first?

25 COMMISSIONER AUERBACH: I'm sorry. Excuse me

1 is.

2 CHAIR WINNER: Is there a second to
3 Commissioner Rosenberg's motion?

4 COMMISSIONER CHOPER: Second.

5 CHAIR WINNER: Commissioner Choper seconds.

6 COMMISSIONER AUERBACH: Just one word that
7 really bothers me, the word is floating. If
8 anything will be less a perceptive issue, the word
9 floating presents that word. Bumping, impeding,
10 forcing, and everything else, the word floating is
11 such is a visual thing. Is it good riding or
12 interference? I think when you leave the word
13 floating in there, you're trying to narrow it and
14 help, and I think it makes it less clear.

15 MR. BAEDEKER: First of all, there's no
16 reference. Again, this is a product of an old fart
17 sitting here who's aware a controversy many, many
18 years ago. As I mentioned earlier about -- there
19 was controversy that if there wasn't contact, it was
20 not interference.

21 And you look at the rule, and
22 interference was defined. You can't be -- even
23 though I force you out, float you out, or force you
24 out, and force or float -- those words --

25 COMMISSIONER AUERBACH: Forcing -- floating to

1 me is something that -- okay. A good rider does.
2 Taking advantage. And it's not something that I
3 would take a horse -- forcing to me is more --

4 MR. BAEDEKER: Well, when we're talking about a
5 lane or two, that happens all the time. There were
6 instances we're talking about two horses coming
7 down, two lanes part on the rail, and they end up --
8 the inside horse ends up carrying the outside horse
9 out five lanes, and the rider on the outside horse
10 has to back off. So that's why the language is
11 there now. The purpose of the 45 days.

12 COMMISSIONER AUERBACH: That's what I was going
13 to say. Just -- I want it on the record. I'm
14 uncomfortable with that word. I certainly think we
15 should put it out --

16 COMMISSIONER KRIKORIAN: I think it's important
17 that that word is in there, based on personal
18 experience over the years.

19 My last comment would be that I do
20 agree with what Jesse is saying about, you know, a
21 foul is a foul. And I can't seem to get over that,
22 but that's my personal opinion.

23 CHAIR WINNER: But again, after the 45 days,
24 that can all be discussed. Any other discussion on
25 the motion?

1 COMMISSIONER AUERBACH: No.

2 CHAIR WINNER: Okay. All in favor?

3 VICE CHAIR ROSENBERG: Aye.

4 COMMISSIONER AUERBACH: Aye.

5 COMMISSIONER BENETO: Aye.

6 MR. CHOPPER: Aye.

7 COMMISSIONER KRIKORIAN: Aye.

8 COMMISSIONER SOLIS: Aye.

9 MR. BAEDEKER: Aye.

10 CHAIR WINNER: Any opposed?

11 Motion carries. Thank you very much.

12 We'll move on to the next item. This
13 is out for 45 days public comment. Anyone here who
14 wants to comment, anyone listening to who wants to
15 comment, anybody else who wants to comment, and
16 certainly members of the Board any comment.

17 Everybody said this is a very difficult
18 one. It's been worked on for a year and a half, and
19 we need to get it -- we'll never get it completely
20 right. It's just too subjective. But as close to
21 right as we possibly can.

22 Item No. 11. "Discussion and action by
23 the Board regarding the report on operations and
24 status on the Winners' Foundation."

25 MR. BAEDEKER: Commissioner, I used to be on

1 the Winners' Foundation board, and I'm very familiar
2 with it. I think probably just about everybody in
3 the room that's been in the industry in California
4 for a little while is well aware of the continual
5 work that is done by Winners' Foundation and the
6 continual referrals that are made to the Winners'
7 Foundation by stewards or our investigative staff to
8 get people help.

9 It's a unique situation where we have
10 this organization that understands our licensees
11 better than any, I think, organization that's not
12 familiar with racing.

13 Whereas over the years, like so many
14 things in racing, there's been plenty of funding.
15 That's no longer the case. So I invited Bob
16 Fletcher to bring the issue to the full Board, and
17 with the Chairman's approval, we put it on the
18 agenda. So if you want to come up and just greet
19 everybody. I think it's something that the entire
20 industry would probably like to be aware of.

21 CHAIR WINNER: Please identify yourselves.

22 MR. FLETCHER: Bob Fletcher, Executive Director
23 of the Winners' Foundation.

24 MR. RONCELLI: Gino Roncelli, President of
25 Winners' Foundation for almost 30 years.

1 MR. HAINES: George Haines, Secretary of
2 Winners' Foundation.

3 MR. HAIRE: Darrell Haire, Western Regional
4 Manager of the Jockeys Guild, board member.

5 MR. FLETCHER: First of all, I'd like to thank
6 Rick and Commissioners for allowing us to come up
7 here and speak today. The chairman of our Board,
8 Joe Harper, couldn't be here. He's got another
9 Board meeting that he had to attend.

10 Winners' Foundation was created in
11 1984' so we've been in existence serving this
12 industry for 31 years. It was based on the vision
13 of one of the founders of Oak Tree Racing. So we
14 have a pretty serious pedigree there, and we've been
15 holding true to our mission statement for the last
16 three decades. Initially, it was to help struggling
17 with the disease of alcoholism. And over the last
18 number of years, we have incorporated other methods
19 of substance abuse -- problem gambling, mental
20 illness, domestic violence, anger management, and
21 any other sort of lifestyle issues that create
22 problems within one's living.

23 We do this with five full-time
24 employees, and we have a presence at every racing
25 venue and training facility throughout the state of

1 California. We're always on call whenever there's
2 any kind of a need.

3 We are now at a position where our
4 funding has dropped off, and we hear this
5 consistently from many of the other organizations.
6 What we're going to be discussing at length at our
7 August board meeting is the possibility of having to
8 cut our staff by at least two people. If we do
9 that, it's going to severely hamper our ability to
10 service people in our industry.

11 I'd like you to know that when any of
12 you come to the races, there's a possibility that
13 the person that parks your car and punches your
14 mutuel ticket, serves your meal, and protects you as
15 a member of the security detail have quite possibly
16 been a client or had the services of Winners'
17 Foundation provided to them.

18 And certainly you know that those that
19 groom your horses, exercise your horses, train and
20 ride your horses -- there are any number of those
21 who have been through Winners' Foundation. Some of
22 them, a very, very small percentage, are known to
23 the public.

24 Due to the nature of our business,
25 confidentiality and anonymity is critical. So it's

1 hard for us to publicize exactly what we do out
2 there to try to stir up interest in our
3 organization. That's why we really do appreciate
4 the fact that we're here today to tell our story
5 just a little bit and let the industry know that
6 we're on the verge of some very serious times and
7 again, the possibility that we may not be able to
8 provide the services that we have offered the
9 industry for the last 30 years.

10 VICE CHAIR ROSENBERG: What's your budget?

11 MR. FLETCHER: We run budgets of approximately
12 \$360,000. It hasn't increased by more than 5 or
13 \$10,000 over the last eight years. Part of that is
14 due to the fact that we have reduced salaries, and
15 we have cut back on our medical insurance for our
16 employees.

17 We have an outstanding board who looks
18 at our budget on a biannual basis, and we give them
19 our monthly reports, and they're given to any of the
20 Board members that need to take a look at it.

21 COMMISSIONER BENETO: So are you all
22 volunteers?

23 MR. FLETCHER: No, I'm one of the five members
24 of the staff.

25 COMMISSIONER AUERBACH: How are you funded?

1 MR. FLETCHER: Our primary funding comes from
2 charity days from racetracks. We get a small
3 portion of money from ADW for the problem gambling
4 program along with private donations.

5 COMMISSIONER AUERBACH: What is that portion?

6 MR. FLETCHER: This year, it's going to be
7 somewhere in the vicinity of 140 to \$150,000.

8 COMMISSIONER AUERBACH: And that represents
9 what portion of the ADW? Do you know?

10 MR. FLETCHER: I do not know.

11 COMMISSIONER AUERBACH: I'm just wondering
12 percentage wise.

13 COMMISSIONER BENETO: I didn't hear that. What
14 was the question?

15 COMMISSIONER AUERBACH: I asked them how they
16 were funded. I asked them who their funding sources
17 were. That's what the gentleman was referring to.

18 COMMISSIONER BENETO: Now, you said 360 was
19 your budget here? Can you meet your budget this
20 year?

21 MR. FLETCHER: No, we will be off.

22 COMMISSIONER BENETO: How short will you be?

23 MR. FLETCHER: We will be approximately
24 \$50,000. We've been using our reserves for the last
25 number of years, and we're down to \$200,000. It

1 will carry us through this year and possibly next
2 year.

3 COMMISSIONER BENETO: Is there a suggestion how
4 you can make up this difference of \$50,000?

5 MR. FLETCHER: Well, we're always looking for
6 suggestions. One of the things that we would
7 approach the CHRB with today is some form of
8 recognition or designation as the employee specific
9 programs for substance abuse for the horse racing
10 industry. At this point in time we are not
11 recognized that way, and that would possibly lead to
12 hopefully some sort of legislative path where we
13 could get some additional funding.

14 COMMISSIONER BENETO: You're 501 C3; right?

15 MR. FLETCHER: Correct.

16 VICE CHAIR ROSENBERG: A total of \$146,000 in
17 Kentucky. What portion -- does that include the
18 charity days or just the ADW?

19 MR. FLETCHER: No, that's just the ADW.

20 VICE CHAIR ROSENBERG: How much do the
21 charities bring in? The balance or most of the
22 balance?

23 MR. FLETCHER: Most of the balance.

24 VICE CHAIR ROSENBERG: So you get very few
25 private donations?

1 MR. FLETCHER: They've been dropping off.

2 CHAIR WINNER: Do you get donations from racing
3 associations besides --

4 MR. FLETCHER: No, we do not.

5 COMMISSIONER AUERBACH: If you're given this
6 designation, does that help your grant writers at
7 all?

8 MR. FLETCHER: No, it won't. Because we're not
9 a licensed facility in the same vein that they treat
10 patients.

11 COMMISSIONER AUERBACH: So then I don't really
12 understand. You need to get through my thick skull.
13 I think it will help me. Why you need this
14 designation? I assumed it will help you with your
15 grant writing.

16 MR. FLETCHER: Well, we're hoping it helps with
17 some sort of legislative process to get money from
18 the industry through the CHRB.

19 COMMISSIONER AUERBACH: In other words, you're
20 going after purse money.

21 MR. FLETCHER: I don't know if it would be
22 purse money.

23 COMMISSIONER AUERBACH: Well, let's see. I
24 mean, we might as well know what we're talking
25 about. That's what I wanted to know.

1 COMMISSIONER BENETO: I think the racetrack
2 should contribute themselves to that cause.

3 MR. FLETCHER: Well, Commissioner, I think that
4 there isn't a single entity in the industry that
5 doesn't think that the more organizations, whether
6 they be racetracks, trainers, owners, all of the
7 individuals -- and I would hope that every entity
8 would like to have some sort of investment in what
9 we do to make situation better.

10 COMMISSIONER BENETO: I need help. I'm a
11 gambler, or I'm an alcoholic.

12 MR. FLETCHER: Well, we can't give you any
13 winners, but we can help you.

14 COMMISSIONER BENETO: Okay. I'm an alcoholic.
15 How are you going to handle me?

16 MR. FLETCHER: Well, we would sit with you and
17 find out what the nature of your disease is and how
18 serious it is. Then we would design a program
19 specific to your needs.

20 COMMISSIONER BENETO: Where would I go to
21 complete the program?

22 MR. FLETCHER: We have a variety of places we
23 can send people throughout the state and even a few
24 out of the state.

25 COMMISSIONER BENETO: So you don't have a

1 facility?

2 MR. FLETCHER: We are primarily a referral
3 agency, and we do 12 step meetings and lay
4 counseling at our offices. Every one of our
5 employees have a long-term recovery, and they are
6 also all educated in a formal manner with different
7 degrees of certifications in substance abuse.

8 MR. BAEDEKER: Commissioners, one of the things
9 that should be pointed out is that because Winners'
10 Foundation is so integrally involved in the sport,
11 when someone within our sport has a problem and is
12 referred to Winners' Foundation, then -- and I'm
13 more familiar with the cases that come before our
14 stewards -- then when that individual is considered
15 for relicensing, they can contact Winners'
16 Foundation and find out as a matter of fact that the
17 treatment was received and that, as a matter of
18 fact, the person is now fit for licensing.

19 What happens, I understand, is when a
20 licensee is perhaps suspended on the condition that
21 he or she get treatment, you can go outside the
22 industry and shop around for a treatment facility
23 that basically will take your money and sign you
24 off. I'm probably simplifying that.

25 So we then, as a matter of fact, our

1 stewards really don't have a level of confidence as
2 a matter of fact that the individual got the help
3 that they needed.

4 CHAIR WINNER: We read all the reports that
5 come in on circumstances -- situations such as the
6 one that Mr. Baedeker has recommended. Frankly, the
7 industry is thankful to the Winners' Foundation for
8 the work that they do in so many ways. If they
9 weren't there, I don't know how we'd proceed with
10 some of these rehab situations that are absolutely
11 required. Otherwise, these folks wouldn't be able
12 to ride, wouldn't be able, to work whatever it may
13 be. So we're dependant on them.

14 It seems to me whatever we can do to be
15 helpful to the work that they are doing, which is so
16 important, in my opinion, to the industry, we ought
17 to do. I'm sort of of the opinion that staff could
18 come back to our next meeting with some
19 recommendations as to what we can do and make some
20 recommendations to the Board about how to proceed in
21 a way that enhances their ability to provide the
22 kinds of services they're currently providing.

23 VICE CHAIR ROSENBERG: Technically, this is
24 benefitting racing. I don't see why it couldn't be
25 an item budget for the Board and then come out of

1 handle, as anything else would. At least it seems
2 the explanation of how they worked directly with us,
3 it's possible to take that approach.

4 Another idea is have you ever
5 approached TVG about helping produce a commercial --
6 public service commercial that they would air for
7 you?

8 MR. FLETCHER: Yes, we have. I believe they're
9 still running one.

10 VICE CHAIR ROSENBERG: One? How often do they
11 run it?

12 MR. FLETCHER: I don't know.

13 VICE CHAIR ROSENBERG: Has it been successful
14 at all?

15 MR. FLETCHER: Not that I know of. We can't
16 contribute any kind of funding to that marketing
17 strategy they chose to do for us.

18 COMMISSIONER AUERBACH: Do you work with the
19 trainers? And this is an assumption I'm going to
20 make that the majority of people that you help would
21 be related to the trainers when you're talking about
22 people who work on the backstretch. I know you have
23 other communities you help too. But have you
24 established some kind of a problem with the
25 trainers? That might be a starting point. Have you

1 done that?

2 MR. FLETCHER: I don't know what you mean,
3 establish a program with them. We certainly help a
4 lot of employees with trainers.

5 COMMISSIONER AUERBACH: Well, that's what I'm
6 saying. Have you gone to the CPT --

7 MR. FLETCHER: Yes.

8 COMMISSIONER AUERBACH: -- and said, "Look. We
9 do business in this area."

10 MR. FLETCHER: CPT used to give us a lot of
11 funding over the years, and I believe they had to
12 discontinue that because of the nature of our
13 industry.

14 COMMISSIONER AUERBACH: Well, what I'm
15 suggesting to you is that might be -- to me, that's
16 the logical point where I would start if I was
17 looking to get funding.

18 I think what you do -- and this is just
19 an idea -- I would, and I'm sure all the trainers
20 organizations are going to love me after this, but I
21 think the lion's share of responsibility to help you
22 get started into whatever way you can develop more
23 funding may start in conjunction with them.

24 Whatever processes you can all agree
25 on, whether it's holding events that bring in money,

1 whether it's some kind of percentage based on how
2 many backstretch workers, something. But to my way
3 of thinking, I would suggest you might want to
4 explore that.

5 MR. FLETCHER: We certainly wouldn't be adverse
6 to looking at that again. TLC at one time provided
7 us with funding. They haven't been able to do that
8 for a number of years.

9 CHAIR WINNER: Mr. Baedeker.

10 MR. BAEDEKER: Could we look at the fees for
11 licensees and possibly add what I call a surcharge
12 for this use potentially?

13 MS. WAGNER: I would have to double-check the
14 statute.

15 CHAIR WINNER: You have to come up if you're
16 going to talk.

17 MS. WAGNER: Jackie Wagner. CHRB staff. I
18 would really have to double-check the statute.
19 Right now, our fees, they go to the general fund.
20 I'm not sure if the statute would allow us to
21 collect a surcharge on it.

22 COMMISSIONER BENETO: If you had \$50,000 right
23 now, you would be in good shape. Is that what
24 you're telling us?

25 MR. FLETCHER: Yes.

1 talking, and I asked him what happens to the money
2 that we get from the penalties that the stewards
3 assess? I know it goes to the general fund, but
4 we're just talking that now that you've brought it
5 to our attention, it may be worth our while to see
6 if we can investigate if we can get your
7 organization a nest egg or of some of that.

8 CHAIR WINNER: I think that requires
9 legislation.

10 COMMISSIONER AUERBACH: We could even start
11 there or at least start talking about it.

12 CHAIR WINNER: That's why I think the staff
13 ought to come back for our August meeting with all
14 of these things so that when they come back, we can
15 then evaluate.

16 I don't think there's any disagreement
17 on the Board -- I don't want to speak for anybody
18 else -- that we very much appreciate what you do,
19 what you have done, and what you will do; and we
20 want to make sure that you can continue to will do
21 for all of the people that are served and for
22 racing, which is served by your organization.

23 COMMISSIONER CHOPER is behind you and
24 would like to speak on it.

25 COMMISSIONER CHOPER: I just want to point out

1 that there's a misunderstanding here whether we are
2 a racing organization. But the Board recently
3 committed to Winners' Foundation to give them
4 \$50,000 a year for the next five years. We got a
5 nice letter back from Bob. As you know, Oak Tree
6 was the biggest contributor to the beginning of the
7 foundation, and we still have one of our directors
8 on Bob's Board. So when Bob said no racing
9 association had contributed to the cause, I think he
10 forgot about us. Thank you.

11 CHAIR WINNER: Anything else? Anything else on
12 this matter? Thank you very much, gentlemen.

13 MR. HAINES: We might be beating this into the
14 ground, but when you say business is booming,
15 unfortunately for Winners' Foundation, business is
16 booming. More people than ever need help.

17 Speaking for front side employees, we
18 use Winners extensively. They're embedded in the
19 fabric of our employment. We can get instantaneous
20 help when we can call Bob. He'll be there within
21 minutes. It's so important.

22 I've seen them save lives. And very
23 rarely can we make a statement like that that this
24 foundation does such good things, but they need
25 help, and they need help quickly.

1 CHAIR WINNER: Thank you, George. Darrell.

2 MR. HAIRE: Mr. Chairman, members of the Board,
3 I've been on the Board for about ten years now, and
4 I'm really grateful for the Winners' Foundation.
5 I've seen it. The support -- without the support of
6 the Winners' Foundation, I know some of these riders
7 would not be alive. I've seen what they've done and
8 saved jockeys' lives. And having that support we
9 need it, we're very fortunate to have had Winners'
10 Foundation behind the riders.

11 MR. RONCELLI: I'm Gino Roncelli. I've been a
12 horse owner for over 40 years, and I've been a
13 member of the Winners' Foundation Board for probably
14 about five years. I'm so proud of our organization,
15 and I'd just like to say a few words.

16 Bob's done a great job. At a time when
17 we really need leadership, not only in our state and
18 our country, but we need your leadership to help us
19 through this period of time.

20 Our working standards in the backside
21 and safety need some help. Most businesses of
22 California have a drug policy of some sort. They
23 have a drug-free policy for their companies, and I
24 have for many years in my company. Most of my
25 friends have that too. But we don't have that at

1 Santa Anita or any of the racetracks in Southern
2 California. We have a policy for horses, but we
3 don't are them for our employees.

4 Most employees like to work in an
5 environment where they're safe and don't have to
6 worry about the guy next to them going off. I think
7 we need to protect our employees and our animals.
8 They need to be around a drug-free situation. You
9 know, we're cutting back where we really should be
10 expanding.

11 We're thinking about what's going on in
12 Colorado with the drug policies they have. It's
13 coming our way. Watch it. We're going to have to
14 worry about how we're going to deal with people
15 using illegal drugs in our area.

16 I think some of the owners don't like
17 to be in our industry they know that there's things
18 going on in the backside that are not right to have
19 their million dollar horses sitting there, and
20 people are using -- I'm not talking about regular
21 drugs. I'm talking about illegal drugs. I'm not
22 alcohol -- normal use of alcohol. I'm talking about
23 illegal things.

24 We need higher standards. You're the
25 leaders. We need you to lead us into this. We're

1 more than happy to help with that. We're there to
2 give you any help you need, but I think it's time to
3 take some action in this area.

4 So we really appreciate that you were
5 even thinking about it and that you know it needs
6 it. So if we can be of any help to you coming to
7 your decision, we'll be more than happy to then.

8 CHAIR WINNER: Thank you very, very much. Do
9 you want to give a card to Mr. Martin.

10 MR. RONCELLI: I'm sorry. One more thing.

11 You know, yes, we are a charity
12 designated, but we don't like to think of ourself as
13 a charity. We like to think of ourself as a service
14 to a racetrack community. So thank you.

15 MR. FLETCHER: Hopefully I can save a little
16 face here because at the beginning of my talk, I
17 mentioned we were founded by the vision of Oak Tree
18 Racing, and we haven't had a stronger and more
19 dedicated supporter in the 31 years. I was
20 mentioning that they have consistently and
21 constantly supported us not just financially, but
22 morally and compassionately as well.

23 CHAIR WINNER: It's good that you said that
24 because COMMISSIONER CHOPER can reconsider his
25 withdrawal.

1 Deborah Russell would like to speak on
2 this issue, please.

3 MS. RUSSELL: Yeah, Deborah Russell. I have
4 been at the racetrack as a worker for 38 years and
5 very proud.

6 Bob Fletcher has been a help to our
7 members any time they had a problem. All I had to
8 do was call Bob, and he always, always answered the
9 phone and gave me the help that I needed and also
10 the direction for the workers and the members there
11 at the racetrack. And I'd like to say thank you to
12 Bob and of course, the Winners' Foundation is just
13 really great.

14 CHAIR WINNER: Thank you. Unless you have
15 anything else to say -- first of all, again, from
16 all of us, thank you for the work that you're doing.
17 I'm glad you named the foundation after me. I think
18 that's great.

19 COMMISSIONER AUERBACH: Where's your support
20 check?

21 MR. FLETCHER: Thank you.

22 CHAIR WINNER: Thank you very much.

23 Moving on. "Discussion and action by
24 the Board regarding the allocation of the 2016
25 Northern California race dates." And let me make

1 the point that obviously, if the majority of the
2 Board wants to vote on this item today, we'll do it.
3 My intention is to not vote on it today and to move
4 it to the August meeting, but we are going to have a
5 discussion on it today because there have been a
6 number of meetings, phone calls, et cetera that have
7 taken place and are taking place both north and
8 south. I'd like to at this point turn the
9 discussion over to Commissioner Beneto, who is the
10 Chairman of the Southern California race dates
11 committee.

12 COMMISSIONER BENETO: Well, nothing has been
13 done. We've had some phone conversations. Biggest
14 problem we got up north is the horse population.
15 You all know that. We're averaging a little over
16 six horses per field, short days of racing, seven
17 races per day on Fridays -- Thursdays and Fridays.

18 The dates that I set out on the last
19 meeting, which is in here, I proposed two proposals
20 which we haven't voted on. We have CARF's proposal,
21 we have Golden Gate's proposal. Nothing has really
22 been done.

23 On my part, I was told to stay out of
24 the meetings. The players were trying to make an
25 agreement amongst themselves. I'd other kind of

1 like to know from CARF and Golden Gate. Are they
2 here today?

3 CHAIR WINNER: CARF is here. Golden Gate is
4 here. TOC is here.

5 COMMISSIONER BENETO: Have you guys decided --

6 CHAIR WINNER: Well, first of all, Commissioner
7 Beneto, maybe we can have them all come up sit up
8 here if you would like.

9 COMMISSIONER BENETO: Because I'm in the dark.

10 CHAIR WINNER: Well, Chris, why don't you come
11 up here, Scott, is Joe still here? Where is Alan?
12 Alan, can you sit up here as well? Anybody else?

13 Why don't you identify yourselves and
14 go right down the table.

15 COMMISSIONER BENETO: I was told by Chris Korby
16 that the players were talking. I'd like to know
17 where we're at with that.

18 CHAIR WINNER: Is Santa Rosa here?

19 MR. KORBY: Not to my knowledge, sir.
20 Chris Korby, California Authority of Racing Fairs.

21 CHAIR WINNER: Hold on a second. Go ahead,
22 Chris.

23 MR. KORBY: Just confirming what Commissioner
24 Beneto said. We stakeholders in Northern California
25 have been talking, and we would like the Board to

1 know that we've been talking. The discussions have
2 been productive and held in good faith. We want to
3 continue those discussions and report to the Board
4 that they're underway. And we're hopeful that we
5 can come up with some solutions to bring back to
6 you.

7 CHAIR WINNER: Thank you.

8 UNIDENTIFIED SPEAKER: I agree with what Chris
9 says. We've probably been on the phone three or
10 four times in the last few weeks. We've been
11 working towards a proposal that involves both
12 stabling and the race states. You really can't
13 separate those two.

14 Some of the ideas are date-related, and
15 some of the ideas are how do we fund stabling.
16 That's why this is so complicated for a lot of you.

17 CHAIR WINNER: Joe.

18 MR. MORRIS: Joe Morris with the TOC. I agree
19 with both what Chris and Scott said. The other
20 thing I'll say is as we're going down through this,
21 we thought the timetable to get to resolution or to
22 get to our differences narrowed was the August
23 meeting; so we'll have even more conversation
24 scheduled for next week as we continue to try to
25 narrow the differences.

1 CHAIR WINNER: Alan.

2 MR. BALCH: Alan Balch, CTT. Ditto.

3 MR. BAEDEKER: Just so the Commissioners know,
4 I asked you, Chris, about the only one really not
5 represented is Santa Rosa?

6 MR. BALCH: Alan Balch again. I will just say
7 in our meetings we have been very careful always to
8 make a point of that. I think everybody is aware
9 because we've spoken about what we perceive to be
10 Santa Rosa's position. Fortunately they did put it
11 in writing prior to our last committee meeting.

12 So we are representing them by proxy in
13 a sense. We're keeping them closely informed.

14 COMMISSIONER CHOPER: I'd like to say that I am
15 greatly -- first of all, I want to thank you for
16 sweating it out because that's what it's going to
17 take. That's part of it. That's the biggest part
18 of it.

19 I hope that what I hear here is
20 accuracy, that you are that you are making progress,
21 and even if you can, you know, you get close would
22 be a lot better than the alternative.

23 COMMISSIONER BENETO: What I'm asking is no
24 overlap with Humboldt if we can eliminate that.
25 Move Stockton back to where they were first two

1 weeks in June. Let the fairs flow from that point
2 on until Golden Gate opens. That's just my
3 suggestion, Alan.

4 MR. BALCH: I was just going to say we all are
5 very well aware of your suggestions and are
6 considering it.

7 COMMISSIONER BENETO: Thank you.

8 CHAIR WINNER: Any other comments?

9 COMMISSIONER BENETO: I appreciate you all
10 talking. If you need any help from me, I'll be
11 willing to referee.

12 MR. KORBY: Thank you. And our thanks to the
13 Board for allowing us continue this discussion.

14 CHAIR WINNER: Any other discussion, Mr.
15 Referee?

16 COMMISSIONER BENETO: We're going to vote at
17 next --

18 CHAIR WINNER: At the August meeting, we will
19 vote on Northern California race dates. Hopefully
20 we'll have a consensus from the group before us --

21 COMMISSIONER BENETO: Before the meeting.

22 CHAIR WINNER: -- before the meeting. And you,
23 Mr. Chairman of the committee and Commissioner
24 Choper will have an opportunity hopefully to vet it
25 out before the next meeting if you can. Then we'll

1 move forward.

2 All right. Moving on. The next item
3 is "discussion and action by the Board regarding
4 allocation of the 2016 Southern California race
5 dates."

6 COMMISSIONER KRIKORIAN.

7 COMMISSIONER KRIKORIAN: Well, as you know, we
8 met several weeks ago and briefed everyone on the
9 results of a meeting we had with stakeholders.
10 Since then, we've been meeting with everyone.

11 At this point, there's still a number
12 of proposals out there to look at and jockey sort of
13 around some of the dates that are being suggested by
14 some of the different stakeholders. And so I think
15 that probably we are going to -- our expectation is
16 to continue to make progress to try to get a
17 consensus between the stakeholders between now and
18 our August meeting and continue to meet between now
19 and then. Hopefully, we'll have something solid by
20 then to talk about.

21 CHAIR WINNER: I, as a member of that
22 committee, also want to thank all of the
23 stakeholders for the cooperation, courtesy, and
24 willingness to work together work with us and trying
25 to work out a reasonable solution for the various

1 issues involved.

2 And obviously, stabling in the south is
3 also a major part of any discussion that takes place
4 with respect to gray states, and everybody
5 recognizes that.

6 Under the leadership of Commissioner
7 Krikorian, I think we are making progress, and I
8 support again what he just said.

9 Any other discussion?

10 COMMISSIONER BENETO: Steve, I have a question.
11 This will go to Joe. I don't know. Los Alamitos,
12 is there any way they can get more dates instead of
13 running a short -- maybe relieve Santa Anita? Give
14 them breathing room. Does that make sense? Scott?
15 Joe?

16 CHAIR WINNER: It's a part of the discussion
17 that's ongoing. I mean, they've submitted request
18 dates, and others, including the people before us
19 have submitted date requests. And those are part of
20 the discussions that are ongoing between the
21 stakeholders and the committee at this point.

22 I don't know if you guys want to
23 comment on that. You're certainly welcome to.

24 MR. DARUTY: Scott Daruty. I want to point out
25 that the proposal that everybody has submitted,

1 there's some maybe some variables around the edges,
2 but I think we all acknowledge that Los Alamitos is
3 at work and will be running dates this current year.

4 COMMISSIONER CHOPER: You're having succession
5 sessions among yourselves?

6 MR. DARUTY: Yes.

7 COMMISSIONER CHOPER: You ought to think about
8 Los Alamitos joining us once in a while.

9 CHAIR WINNER: They do.

10 COMMISSIONER CHOPER: Oh, they do?

11 COMMISSIONER BENETO: The consideration to give
12 them more days is what I hear.

13 MR. DARUTY: No. I chose my words carefully.
14 We would not be in favor of them getting more dates.

15 CHAIR WINNER: Again, I want to make it clear
16 that that's exactly what the next 30 days are all
17 about. We're continuing these discussions. We
18 recognize Mr. Liebau is here representing Los
19 Alamitos.

20 We recognize their differences of
21 opinion with respect to -- just like in the north
22 with respect to data allocations, with respect to
23 stabling. We're working hard to try to resolve
24 those problems. There are disagreements, and
25 eventually the committee, after the full discussions

1 that the various participants are having, the
2 committee will come to the Board with a
3 recommendation of Southern California dates, and
4 then the Board will have a vote on it and eventually
5 make that decision.

6 Mr. Liebau, did you want to speak?

7 MR. LIEBAU: My name is Jack Liebau,
8 representing Los Alamitos. I don't know how many
9 discussions Los Alamitos has been involved in.

10 We had sent out a proposed draft of the
11 minutes which was really a modification of the
12 suggestions made by the CPT. And in that memo that
13 I sent out -- some of you know I send out memos, and
14 they don't get a very good response.

15 We solicited comments from everybody,
16 and to this date I have not gotten any comments
17 about that schedule I sent out. I assume that
18 people don't like it, but I mean, I don't know how
19 much headway we're making, and I think it would
20 be -- I guess there might be a lot of discussions
21 going on about stabling -- future stabling offsite.
22 And I haven't really been a party to those.

23 CHAIR WINNER: Thank you. By the way, we
24 received an E-mail -- I received an E-mail which
25 we've copied and given to the Board from Roger

1 Newell, who keeps track of a lot of different things
2 with respect to this and frankly provides a lot of
3 helpful information. I distributed it to the Board
4 with his recommendations. He was unable to attend.

5 Is any other -- is there any other
6 discussion on southern race states?

7 COMMISSIONER BENETO: I got a question. I lost
8 it now. The dates -- these proposed dates for --

9 CHAIR WINNER: Item 13.

10 COMMISSIONER BENETO: Is this a proposal -- 15
11 and 16. Is that 28 days gives Los Al more dates to
12 run, or is that same thing as this year?

13 MR. DARUTY: 16 would be the same with the
14 exception of Saturday, Sunday.

15 COMMISSIONER BENETO: Uh-huh. I was just
16 wondering. 28 days in a year seems unhealthy for
17 everybody.

18 CHAIR WINNER: Any other discussion? Thank
19 you, gentlemen.

20 Is there a motion to adjourn?

21 VICE CHAIR ROSENBERG: I motion to adjourn.

22 CHAIR WINNER: Vice Chair Rosenberg, who is in
23 a hurry, moves to adjourn. Commissioner Choper
24 seconds.

25 Thank you all very much for attending.

1 This meeting is adjourned and going to executive
2 session.

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4 (At 1:20 p.m., the proceedings were
5 concluded.)

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1 STATE OF CALIFORNIA)
) SS.
2 COUNTY OF LOS ANGELES)
3

4 I, WENDY D. RASNICK, CSR No. 12347, do hereby
5 certify:

6 That the foregoing meeting of the California
7 Horse Racing Board was taken before me at the time and
8 place therein set forth and was taken down by me in
9 shorthand and transcribed into computer-generated text
10 under my direction and supervision; and i hereby certify
11 the foregoing transcript of my shorthand notes as taken.

12 I further certify that I am neither counsel for
13 nor related to any party to said meeting nor in any way
14 interested in the outcome thereof.

15 IN WITNESS WHEREOF, I have hereunto subscribed
16 my name this 24th day of July, 2015.

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WENDY D. RASNICK, CSR NO. 12347

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