

CALIFORNIA HORSE RACING BOARD  
1010 HURLEY WAY, SUITE 300  
SACRAMENTO, CA 95825  
(916) 263-6000  
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## REGULAR MEETING

of the **California Horse Racing Board (CHRB)** will be held on **Wednesday, September 16, 2015**, commencing at **9:30 a.m.**, in the Finish Line Room at the **Los Alamitos Race Course, 4961 Katella Avenue, Los Alamitos, California**. The audio portion only of the California Horse Racing Board regular meeting will be available online through a link at the CHRB website ([www.chrb.ca.gov](http://www.chrb.ca.gov)) under "Webcasts."

### AGENDA

#### Action Items:

1. **Approval of the minutes of August 20, 2015.**
2. **Executive Director's Report.**
3. **Public Comment:** Communications, reports, requests for future actions of the Board.  
**Note:** Persons addressing the Board under this item will be restricted to **three (3) minutes** for their presentations.
4. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the Del Mar Thoroughbred Club (T) at Del Mar**, commencing October 29, 2015 through November 29, 2015, inclusive.
5. Discussion and action by the Board regarding the **allocation of the 2016 Harness Race Dates.**
6. Discussion and action by the Board regarding the **proposed addition to CHRB Rule 1846.6, Postmortem Examination Review**, to require a postmortem examination review of each equine fatality within a CHRB inclosure.
7. Discussion and action by the Board regarding the **proposed addition of CHRB Rule 1866.1, Presence of Clenbuterol in Quarter Horses, and proposed amendment to CHRB Rule 1844, Authorized Medication**, to prohibit the presence of clenbuterol in a quarter horse test sample.
8. Report from the **Medication and Track Safety Committee.**
9. Discussion and action by the Board regarding the **proposed amendment to CHRB Rule 1845, Authorized Bleeder Medication**, to require that authorized bleeder medication be administered by independent, third party veterinarians.

10. **Closed Session:** For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code.
  - A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," and as authorized by Government Code section 11126(e).
  - B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).
  - C. The Board may convene a Closed Session for the purposes of considering personnel matters as authorized by Government Code section 11126 (a).

Additional information regarding this meeting may be obtained from the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. This notice is located on the CHRB website at [www.chrb.ca.gov](http://www.chrb.ca.gov). \*Information for requesting disability related accommodation for persons with a disability who require aid or services in order to participate in this public meeting, should contact Jacqueline Wagner.

**CALIFORNIA HORSE RACING BOARD**

Chuck Winner, Chairman  
Richard Rosenberg, Vice Chairman  
Madeline Auerbach, Member  
Steve Beneto, Member  
Jesse H. Choper, Member  
George Krikorian, Member  
Alex Solis, Member  
Rick Baedeker, Executive Director  
Jacqueline Wagner, Assistant Executive Director

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## PENDING LITIGATION SEPTEMBER 2015

### COURT LITIGATION

**A. Morteza Atashkar vs. CHRB**

Superior Court of California, County of Sacramento, Case No. 34-2008-00024426  
Court of Appeal, Third Appellate District, C074852

**B. Jeff Mullins vs. CHRB, et al**

Superior Court of California, County of San Diego, Case No. 37-2010-00092212

**C. San Luis Rey Racing, Inc., vs. CHRB, et al**

Superior Court of California, County of San Diego, Case No. 37-2011-00096586

**D. Donald Lockwood vs. CHRB**

Superior Court of California, County of Los Angeles, Case No. BS147701

**E. Jose DeLaTorre vs. CHRB**

Superior Court of California, County of Los Angeles, Case No. BS152795

**F. Dean Frey vs. CHRB**

Superior Court of California, County of Los Angeles, Case No. BS154219

**G. Gustavo DeLaTorre vs. CHRB**

Superior Court of California, County of Los Angeles, Case No. BS154412

**PROCEEDINGS** of the Regular Meeting of the **California Horse Racing Board** held at the **Del Mar Surfside Race Place**, 2260 Jimmy Durante Blvd., Del Mar, California, on **August 20, 2015**.

Present: Chuck Winner, Chairman  
Richard Rosenberg, Vice-Chairman  
Madeline Auerbach, Member  
Steve Beneto, Member  
Jesse H. Choper, Member  
George Krikorian, Member  
Alex Solis, Member  
Rick Baedeker, Executive Director  
Jacqueline Wagner, Assistant Executive Director  
Robert Miller, General Counsel

**APPROVAL OF THE MINUTES OF JULY 17, 2015**

Chairman Winner asked for approval of the minutes of the Regular Meeting of July 17, 2015.

Vice-Chairman Rosenberg **motioned** to approve the minutes. Commissioner Auerbach **seconded** the motion, which was **unanimously carried**.

**EXECUTIVE DIRECTOR'S REPORT.**

Executive Director Rick Baedeker reported that daytime handle increased 7.5 percent over 2014 and nighttime handle increased 13.3 percent, with an overall gain of 3.35 percent. Pleasanton increased handle by 1.7 percent. Sacramento had four more days than its 2014 race meeting, which resulted in a 63 percent increase in handle. Santa Rosa had a 5.7 percent increase in overall handle despite two fewer race days than in 2014. He added that the Santa Rosa on-track average daily handle increased by 14.3 percent. Satellite wagering in California was up 27.8 percent, Advanced Deposit Wagering increased 28.3 percent and out-of-state wagering increased by 21 percent from 2014. Executive Director Baedeker said the Santa Rosa race meet was a good example of how racing was during the "good old days" and he encouraged the audience to attend

any race meet held at Santa Rosa. Executive Director Baedeker reported that the next phase of the Microchip Pilot program was set to begin at Pleasanton in September 2015. He said the Jockey Club recently announced microchips would become a requirement for registration of Thoroughbred foals beginning in 2017. Executive Director Baedeker stated that the California Horse Racing Board (CHRB) decided to modernize old software already used by CHRB and incorporate it into relational databases that would make the software able to do most of the same functions at a lesser cost than purchasing a newer system.

#### **PUBLIC COMMENT**

Gail Matthews, from Winning Hands, Equine Massage Therapy thanked the Board and the Executive Medical Director for taking action to safeguard the lives of the horses and jockeys. However, Ms. Matthews said more needed to be done to prevent race horses from being sold at auctions with kill buyers. As an example, she said in August 2015, Valley Spirit finished last at a race held in Los Alamitos and was brought to Mike's Livestock Auction in Mira Loma within a week. Commissioner Auerbach commented that Ms. Matthews did not notify CHRB in a timely manner. She said the issue was already under investigation and thanked Ms. Matthews for her concern. Commissioner Auerbach encouraged Ms. Matthews to notify the Board as soon as she was aware of horses in such circumstances. Executive Director Baedeker added that the CHRB could be contacted on-site at race tracks, or through the CHRB website. Chairman Winner said the Board felt strongly about the treatment of the horses and that it supported Ms. Matthews concerns.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE LOS ANGELES TURF CLUB II IN THE AMOUNT OF \$39,964.66 TO TWELVE BENEFICIARIES.**

Eric Sindler of the Santa Anita Park Race Track stated the Los Angeles Turf Club II requested approval to distribute race day charity proceeds from its 2014 Autumn Meet to twelve horse racing related charitable organizations. Commissioner Choper **motioned** to approve the request by the Los Angeles Turf Club II to distribute its race day charity proceeds in the amount of \$39,964.66. Commissioner Solis **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF WATCH AND WAGER LLC (H) AT CAL EXPO, COMMENCING OCTOBER 24, 2015 THROUGH DECEMBER 20, 2015, INCLUSIVE.**

Executive Director Baedeker stated that Watch and Wager LLC (WAW) submitted all the outstanding items listed on the Staff Analysis that could be submitted prior to the stated deadline. Christopher Schick, WAW said the application was for the fourth season WAW hosted harness racing at Cal Expo. He said WAW focused on recruiting incentives and marketing and the response was positive. Commissioner Choper asked if any WAW strategies could be used by other racing associations. Mr. Schick replied that in 2014 WAW turned down stables it felt were problematic during its 2013 meeting. WAW also added a house rule to stop excessive use of cobalt, which he believed improved racing, and the public's overall perception regarding the integrity of racing. Commissioner Choper asked if there were any major harness racing tracks that operated at the same time as WAW at Cal Expo. Mr. Schick stated Meadowlands ran concurrent with WAW. He added a circuit in Ohio ran; Pompano Park in South Florida; and several New York tracks ran during the same timeframe. Ed Cummings, President of WAW said

he thought the success in 2014 was due to international premium player money, which was something WAW specialized in. Ben Kenney, WAW, said Cal Expo spent between \$700,000 and \$800,000 in the backstretch. The work included tack room quarters for grooms. The additional tack rooms helped recruit trainers. Commissioner Choper **motioned** to approve the application to conduct a horse racing meeting by Watch and Wager LLC at Cal Expo commencing October 24, 2015 through December 20, 2015. Vice-Chairman Rosenberg **seconded** the motion, which was **unanimously** carried.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE PACIFIC RACING ASSOCIATION (T) AT GOLDEN GATE FIELDS, COMMENCING OCTOBER 22, 2015 THROUGH DECEMBER 20, 2015, INCLUSIVE.**

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Cal Rainey, Golden Gate Fields (GGF), said the race meeting commencing October 22 through December 20, 2015 was for 32 days with an average of over eight races per day, which was consistent with recent meets at GGF. The first post time was at 12:45 p.m., except for the Breeders' Cup and Thanksgiving Day. The proposed stakes schedule was similar to the GGF 2014 fall meet. Mr. Rainey said GGF had a one percent increase in handle for its 2015 spring meet compared to its 2014 spring meet. He added that GGF had made improvements to its facility. Changes included: flat-screen television monitors at the clubhouse and stewards' stand, and a fiber optic cable installed to directly connect the uplink truck to improve out-of-state simulcast viewing. GGF also contracted with GeoVision for additional stable surveillance. In addition, GGF completed waste water treatment facility improvements, which were in compliance with water authority regulations. Vice-Chairman Rosenberg asked for clarification regarding the GGF's marketing plan budget. Dan Cirimile, GGF, stated that marketing funds

were spent on the facility improvements Mr. Rainey had spoken about. Vice-Chairman Rosenberg asked if the conclusion was that there was not an effective way to attract people to the track by spending more on advertising. Mr. Cirimile said the decision to spend marketing funds on the facility was made due to necessity for improvements and limited funds. Vice-Chairman Rosenberg asked how the funds would have been used if there was a larger profit. Mr. Cirimile said GGF would have spent a mix of funds on traditional advertising and increased advertising through social media. Scott Daruty, GGF, added that revenue ultimately originated from handle, and for GGF, only seven percent of the wagers came from people actually present at the race track. The remaining 93 percent was from off-track for recent meets. The result was less income. Therefore, improvements, such as improving adding fiber optic cable to improve the simulcast signal, were part of a marketing plan. Commissioner Choper asked about the May Hispanic Heritage Day. Mr. Rainey said about 11,000 adults attended. The last time GGF had a comparable crowd was at the beginning of the race meet held in August 2013. He said although the handle was higher for Hispanic Heritage Day, it was not proportionate with the attendance. Commissioner Choper asked if the attendants of Hispanic Heritage Day were given vouchers or anything to see if anyone came back. Mr. Cirimile replied that coupons were offered at designated gates for bounce-backs on certain days. Commissioner Choper said tracking the number of first-time attendants that came back would have been a good way to see if the Hispanic Heritage Day promotion met the goal to attract new people to the race track. Commissioner Beneto asked if it was wise to spend money on TVG and HRTV rather than on alternative advertising methods, such as newspapers or local television. Mr. Daruty said advertising on TVG catered to viewers already interested in racing and wagering, so it was important to broadcast races on the network. Commissioner Beneto said he had a difficult time

finding races held at GGF on TVG. Mr. Daruty explained that GGF entered into a transaction with HRTV and TVG in February 2015. GGF races were not shown on TVG prior to the February 2015 transaction. The transaction guaranteed that a percentage of races at GGF would be broadcast on TVG. Chairman Winner asked if HRTV was broadcasting races that had not been aired in the past with the new agreement. Mr. Daruty said that every race at GGF was on television; any race not shown on TVG was shown on HRTV. Chairman Winner **motioned** to approve the application to conduct a horse racing meeting by Pacific Racing Association at Golden Gate Fields commencing October 22, 2015 through December 20, 2015. Vice-Chairman Rosenberg **seconded** the motion, which was **unanimously** carried.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE BIG FRESNO FAIR (F), AT FRESNO, COMMENCING OCTOBER 8, 2015 THROUGH OCTOBER 18, 2015, INCLUSIVE.**

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John Alkire, of the Big Fresno Fair (Fresno), stated Fresno proposed to operate a race meeting from October 8 through October 18, 2015. He said Fresno added \$46,000 to its advertising budget for new promotions such as artwork that would be displayed on all busses in Fresno County. Fresno also worked with ESPN to develop coasters that included a QR code (barcode). The coaster would be placed throughout Fresno County. The QR code could be scanned to get information about the Fair. He stated Fresno contributed an additional \$40,000 incentive for trainers and owners to come to Fresno and Stockton. He said due to the success of its Salute to California Chrome Day, Fresno dedicated a section in its museum to California Chrome. He stated Fresno would have jumping horses between races to keep people entertained as well as K-9 dogs. Fresno was bringing back dancing horses on Sundays, as they were very popular.

Fresno County was a highly productive agricultural area, but the drought was resulting in high unemployment. So, Fresno was offering Dollar Day, Two-Dollar Day, and Food Drive Day to boost attendance. Larry Swartzlander, Director of Racing, stated Fresno had a contract with TVG to show the Pick Four races on Fridays, Saturdays, and Sundays on live TV, with the remaining thoroughbred races shown at TVG's discretion, as time permitted; while HRTV would show all of the thoroughbred races. Commissioner Krikorian **motioned** to approve the application to conduct a horse racing meeting by the Big Fresno Fair at Fresno commencing October 8, 2015 through October 18, 2015. Commissioner Auerbach **seconded** the motion, which was **unanimously** carried.

**DISCUSSION BY THE BOARD REGARDING RACING SECRETARIES ABILITY TO WRITE, AS A CONDITION FOR ANY RACE, LASIX-FREE RACES IN CALIFORNIA, WHICH WOULD PROHIBIT LASIX ADMINISTRATION WITHIN 24 HOURS OF A RACE.**

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This item was removed from the agenda.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1734, WHIPPING, TO CURTAIL AND PREVENT EXCESSIVE USE OF THE WHIP IN HARNESS RACING.**

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Executive Director Baedeker said the proposed amendment to Rule 1734, Whipping, would clarify which actions would be considered indiscriminate use of the whip in harness racing. He said the proposed amendment was part of an effort to modify the use of the whip in all types of California horseracing. Assistant Executive Director Jacqueline Wagner said the proposed amendment was an adoption of a Cal Expo house rule regarding whipping. Christopher Schick, Watch and Wager LLC (WAW), said WAW supported the proposed amendment. Mr. Schick

stated the California Harness Horsemen's Association (CHHA) had indicated its support. However, CHHA and the harness stewards requested that the proposed text be changed to include a section that would require that drivers keep one line, rein or handhold in each hand at all times during the race, except when the horse and driver reached the 7/8 mile pole marker. Vice-Chairman Rosenberg asked what would happen if the house rule was violated. Mr. Schick answered that the house rule was under some scrutiny, as the stewards would try to impose penalties, but did not have a CHRB rule to cite. Executive Director Baedeker explained that stewards had the ability to enforce house rules on behalf of the racing association. Vice-Chairman Rosenberg asked if the language would cause a problem for the stewards when harness drivers were fined. Executive Director Baedeker and Mr. Schick confirmed the stewards had fined drivers based on the provisions of Rule 1734 as it was written. Chairman Winner asked if the purpose of the amendment was to codify a house rule that was already used. Mr. Schick said "yes." Commissioner Krikorian asked if driver opinions were taken into consideration. Mr. Schick said when the house rule was first proposed, WAW met with the drivers, and he believed drivers supported the rule. Chairman Winner said the motion was to have the rule go out for a 45-day comment period. He suggested that Mr. Schick meet with the drivers, or that the drivers could submit their positions in writing to the Board. Commissioner Krikorian requested that Mr. Schick reach out to the drivers during the 45-day period, as part of the process. Commissioner Auerbach **motioned** to direct staff to initiate a 45-day public comment period regarding the amendment to Rule 1734, Whipping. Vice-Chairman Rosenberg **seconded** the motion, which was **unanimously** carried.

**PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1845, AUTHORIZED BLEEDER MEDICATION, TO REQUIRE THAT AUTHORIZED BLEEDER MEDICATION BE ADMINISTERED BY INDEPENDENT, THIRD PARTY VETERINARIANS.**

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Dr. Rick Arthur, CHRB Equine Medical Director, stated the proposed amendment to Rule 1845, Authorized Bleeder Medication, was part of California's ongoing commitment to the National Uniform Medication Program. Therapeutic thresholds had been adopted, and the Maddy Lab was one of the first labs to be accredited. He said third party Lasix and multiple medication violation penalties were the next step in the program. Third party Lasix had been adopted by other major racing states such as New York and Kentucky. The Thoroughbred Owners of California (TOC) and the American Association of Equine Practitioners (AAEP) supported third party Lasix, while local veterinarians had opposed third party Lasix, believing it interfered with their practices. Dr. Arthur stated AAEP was the largest equine veterinary organization in the world and its ten point action plan, which included third party Lasix, was a strategic plan to ensure the long term success of horseracing. He said the CHRB worked closely with the California Veterinary Medical Board (VMB) to resolve any conflicts with the veterinary client patient relationship. During that process CHRB staff explained the proposed amendment at VMB's public meeting. The VMB agreed unanimously that the proposed amendment addressed its concerns regarding the veterinary client patient relationship. He said while California was one of the cleanest racing jurisdictions in the United States, it could always do better. Third party Lasix was an important step in that direction, as it removed suspicion and temptation. Certain drugs could only be detected if they were administered by IV injection on race day. He stated California would benefit from Kentucky and New York's experience with third party Lasix; their procedures and protocols were shared with CHRB, and draft protocols were developed. In addition, third party Lasix was successfully conducted at two California Breeders'

Cups. He said the veterinary professionals administering the Lasix would be licensed by VMB and CHRB; administering Lasix was easy and complication-free. Private veterinarians, not State employee veterinarians, would administer the Lasix. Commissioner Auerbach asked if the racing associations were in favor of third party Lasix. Dr. Arthur said he received no objections from the racing associations. Dr. Karen Valko said she was tired of being painted that she was doing something wrong, or that her fellow veterinarians were doing something wrong. To change rules based on heresy was wrong. She said there were other options available besides a third party veterinarian, such as monitoring veterinarians while they administered the Lasix. She asked who would be responsible if something went wrong with the shot that was administered by the third party. Dr. Don Shields stated there were alternatives to third party Lasix, with several alternatives proposed to the Board in February 2013. The first alternative was impartial security personnel commissioned to supervise the administration of Lasix. Such a program was successfully implemented in Indiana. The second alternative involved private veterinarians being supervised by commission employees. He said in February 2013 the Board raised clarity issues that still remained unresolved, and the Office of Administrative Law would require clarification. Commissioner Auerbach said she had been on the Board for a year and a half, and was a member of the Medication Committee, but was not aware of any alternatives. Commissioner Choper asked if the amendment to Rule 1845 was reviewed by the Medication Committee. Dr. Shields said it was submitted at the February 2013 Regular Board meeting. Executive Director Rick Baedeker said the discussions regarding the amendment to Rule 1845 began in 2012. The first time that the issue was discussed under his tenure was in March 2014. The Board's only concern at that time was the opposition of the VMB over the Vet-Client-Patient relationship. He stated the Board worked cooperatively with the VMB to develop

language that was approved by the VMB with a seven to zero vote. To date, it had been a three year process. Chairman Winner stated he was on the Medication and Track Safety Committee and at the meeting where it was discussed several times and the public had the opportunity to submit any alternatives. Dr. Shields said he submitted alternatives at that time. Vice-Chairman Rosenberg said the most recent amendment to Rule 1845 had not been discussed in detail by the Board; just because the rule was sent out for 45-day notice did not mean that the Board had to approve it as written and some of the changes he did not understand, for example, a third party veterinarian designated by the official veterinarian shall administer Lasix. He asked how would that work in practice; the official veterinarian would be in charge of who he hired? He stated he agreed with Dr. Shields; if there were simple alternatives why not implement them? Chairman Winner said the language was the same as what was approved for 45-day notice; it was not new language. Vice-Chairman Rosenberg stated it was never discussed in detail. Dr. Arthur said the process was very simple; it was implemented in Kentucky and New York successfully. The only difference was not having private veterinarians that had an interest in the outcome of a race. He stated while the majority of California veterinarians were clean, it was evident that drugs other than Lasix were being administered to horses on race day. That was what the amendment to Rule 1845 was trying to prevent to protect the integrity of racing. As done in Kentucky, New York, and Woodbine, California would hire veterinary practices that did not have an interest in the outcome of the race. Vice-Chairman Rosenberg asked Dr. Arthur what his objection was to Dr. Shields suggested alternative. Dr. Arthur said Santa Anita had a different layout than Indiana Downs; logistically it was different. He stated if there were 30 veterinarians on the backside, there would have to be as many monitors. He said Kentucky charged \$20 for race day Lasix. He stated a greater burden would be placed on the owners who would have to pay for it if somebody

had to go along and stand behind the veterinarian, watch them give a shot, and confiscate the syringe. Joe Morris, TOC, said this process of amending Rule 1845 had been three years in the making. However, it was a national movement, not just a California movement, and it was following Racing Medication and Testing Consortium and the Uniform National Medication guidelines. He stated he was surprised that other people were uninformed, since the changes had been in the works for three years. He stated the changes matched Florida, New York, Kentucky, and Toronto; it was a good program that matched other racing states, and was a necessary step as part of the uniform medication guidelines. He stated California Thoroughbred Trainers (CTT) and TOC would participate in the hiring of the third party group so they would have input regarding the level of expertise and costs. Executive Director Baedeker said the national uniform language had not changed, only the language addressing the vet-client-patient relationship. Chairman Winner asked if the VMB saw the language they voted on? Executive Director Baedeker said "yes," with the focus being on the vet-client-patient relationship. Dr. Arthur stated the language was designed to be flexible to allow for different circumstances based on different tracks; TOC, CTT, and the racing associations would contract with a veterinary practice that wanted to provide services. The official veterinarian would make the decision as to whether or not there was a conflict of interest; for example, the racetrack hired the track veterinarian and the official veterinarian would designate the individual responsible for the pre-race examination. Vice-Chairman Rosenberg said the third party veterinarian would not be in the business of being a track veterinarian; he or she would be a non-track veterinarian. Dr. Arthur said the third party veterinarian could have had experience as a racetrack veterinarian, but was no longer practicing, or a veterinarian that was retiring or trying a different sort of practice. Vice-Chairman Rosenberg asked if Dr. Arthur would be in charge of telling the official

veterinarian who and how to choose third party veterinarians. Dr. Arthur said there were draft protocols; the individuals would be required to meet the criteria in the regulation, they should not have a conflict of interest; they should be disinterested veterinarians; and capable of doing the job. Commissioner Auerbach asked what input CTT and TOC would have in hiring the third party veterinarian. Dr. Arthur said that issue would be a part of the agreement between the horsemen's organizations and the racing associations. Vice-Chairman Rosenberg asked if Request for Proposals (RFP) would be required; under state law, bidding for projects of any size was required. Dr. Arthur said the amendment would not involve a State contract. Chairman Winner asked for legal confirmation that the State RFP process was not required. Robert Miller, CHRB Staff Counsel, stated Rule 1845 would not require a State contract. Commissioner Auerbach said she was concerned with the amount of flexibility that would be allowed. Dr. Arthur stated the amendment was designed to allow an enormous amount of flexibility. Los Alamitos, for example, may want to implement the program with two veterinarians and it may only cost \$15 a shot, while at Del Mar, due to the layout, there may be five veterinarians, which may cost \$75 a shot. He said the program was designed to be flexible to meet the needs of each race track. Chairman Winner asked if the selected veterinarian or organization would be a part of license application that went before the Board. Mr. Miller said the information would be included in the license application; the language was currently not included because the rule was not in effect. Chairman Winner asked if the Board would have approval of the third party Lasix agreement once the program was in effect and it was included in the license application. Mr. Miller stated that was correct. Alan Balch, CTT, stated at the Belmont Park meeting on Lasix in 2011, CTT advocated third party administration of Lasix accompanied by an increase in security to address the perception that other drugs may be administered along with Lasix. He said with

the long gap between 2011 and 2013, the discussions focused on third party administration and any alternatives were overlooked. He stated the Indiana alternative was listed as an acceptable third party administration, and even though it was not a third party administration, it achieved the same goal of preventing the administration of anything other than Lasix by the attending veterinarian. He said he believed the proposed amendment to Rule 1845 should have been sent back to the Medication Committee after the Cal Expo meeting. He stated after reviewing Dr. Shields alternatives, if the Indiana method could be implemented under existing rules, the Board should consider it. Jim Cassidy, CTT, said he asked at a prior meeting who would be responsible for a bad test, or if a horse got injured? He stated his questions still had not been answered. He said he believed the individuals that would be hired for the job would not have the best interest of the horses in mind. He stated the third party Lasix would not work for the health and safety of the horse. Dr. Arthur said the veterinarians were professionally liable for their conduct and to suggest that a veterinarian administering Lasix would not care about the animal was disappointing. Chairman Winner asked what would be required if the amendment to Rule 1845 was sent back to committee, and committee brought it before the Board with changes, except to the client-patient issue. Would the amendment be required to go out for the 45-day notice? Mr. Miller stated that was correct. Executive Director Baedeker said if the mutually agreed upon language regarding the client-patient issue had changed, CHRB would consult with VMB. Commissioner Choper asked if a horse would be subject to the same rule if it were taken to New York, Maryland, or any of the major racing jurisdictions. Mr. Cassidy said yes, and he had experienced mistakes firsthand. Dr. Arthur said over the course of 34 months no mistakes had been made, and only one horse out of 38,000 that had Lasix injections experienced colic. Vice-Chairman Rosenberg said no one on the Board had raised objections to the rule going into place;

the objections related to the language and the breadth of it. Dr. Arthur stated the language was written to allow flexibility. Executive Director Baedeker said when writing a regulation, the purpose was to regulate the issue, not manage it; the logistics would be worked out in order to comply with the regulation once it was in place. Commissioner Choper **motioned** to refer the issue back to the Medication and Track Safety Committee. Vice-Chairman Rosenberg **seconded** the motion which was **passed** by a five to two vote.

PUBLIC HEARING AND ACTION BY THE BOARD REGARDING **THE PROPOSED AMENDMENT TO CHRB RULE 1843.2, CLASSIFICATION OF DRUG SUBSTANCES, TO ADD COBALT TO THE CHRB PENALTY CATEGORIES LISTING BY CLASSIFICATION, THEREBY ESTABLISHING THE VIOLATION AND PENALTY GUIDELINES FOR THE PRESENCE OF COBALT IN AN OFFICIAL BLOOD SAMPLE.**

Commissioner Auerbach said the proposed amendment to Rule 1843.2, Classification of Drug Substances was a procedural motion to codify actions that were based on a house rule at Cal Expo. The amendment added cobalt to the CHRB Penalty Categories Listing by Classification form. Dr. Arthur requested the Board approve the proposed amendment so it could become effective before harness racing returned to Cal Expo. Commissioner Auerbach **motioned** to approve the amendment to Rule 1843.2, Classification of Drug Substances. Commissioner Choper **seconded** the motion, which was **unanimously** carried.

PUBLIC HEARING AND ACTION BY THE BOARD REGARDING **THE PROPOSED AMENDMENT TO CHRB BOARD RULE 1887, TRAINER TO INSURE CONDITION OF HORSE, TO ADD OWNERS OF A SHIP-IN HORSE AS EQUALLY RESPONSIBLE FOR THE CONDITION OF A HORSE.**

Bing Bush, licensed owner, stated he was concerned that the amendment to Rule 1887, Trainer to Insure Condition of Horse, would make an owner responsible for the condition of the horse. He

said owners usually were not involved in the day-to-day care of a horse, and could not even know the types of medication administered to their horse. He stated the definition of a ship-in horse was overbroad and would put an undue burden on owners, especially out-of-state owners. Commissioner Choper said there were many cases where a trainer received a shipped in horse that was drugged, and while the trainer was held responsible, the horse would come from the owner's ranch so the owner should also be held responsible. Mr. Bush stated he understood the purpose of the language was to address horses that came from private ranches or private training centers where the trainers were not licensed; however, the language did not specifically address horses that came from a private facility. Vice-Chairman Rosenberg asked if Mr. Bush was referring to horses that were shipped by an out-of-state trainer to a licensed owner in California, or an out-of-state trainer that was also licensed in California. Mr. Bush stated an owner that was licensed both out-of-state and in California often would not have any control or involvement in any medication issues. Executive Director Baedeker said usually when a trainer shipped a horse in to California from out-of-state the trainer was also licensed in California; therefore, the amendment to Rule 1887 would not apply as the horse would have been in the care of a licensed California trainer. He stated there were many incidents where a program trainer had never trained the horse or the horse had not been in his possession for more than a day and the ship in owner was not held responsible. He said the amendment to Rule 1887 would make the owner the joint absolute insurer along with the trainer, would protect the wagering public, and the trainers and owners. Chairman Winner said the purpose of the amendment was to create a deterrent. Vice-Chairman Rosenberg stated the amendment placed an added burden on the owner to know who his trainer was shipping the horse to, which was a legitimate concern. Commissioner Choper asked if the owner had multiple horses at the track, and one of the horses

he shipped in tested positive, what would happen to the other horses, would he be able to run the other horses? Chairman Winner said the rule would not affect the other horses; it would only affect the horse that tested positive. Commissioner Choper **motioned** to approve the proposed amendment to CHRB Rule 1887, Trainer to Insure Condition of Horse. Commissioner Auerbach **seconded** the motion, which was **passed** by a five to one vote.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE LICENSE RENEWAL FOR AMTOTE, THE TOTALIZATOR SELECTED BY SOUTHERN CALIFORNIA OFF TRACK WAGERING, INCORPORATED (SCOTWINC) AND NORTHERN CALIFORNIA OFF TRACK WAGERING, INCORPORATED (NCOTWINC), TO PROVIDE CALIFORNIA WAGERING SERVICES AND THE IMPACT THE SELECTION MAY HAVE ON CALIFORNIA RACING.**

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Scott Daruty, AmTote, stated AmTote submitted the requested information, including the application, and letter addressing the five conditions the Board previously placed on AmTote's license application. John Bucalo, Barona Casino, said he had several incidents where machines broke down and the technician for the machines was on vacation. He asked if AmTote would have technicians on-site, no less than two days a week for any repairs that could be needed. Chairman Winner asked if the equipment currently in place belonged to AmTote. Mr. Bucalo said that was correct. Chairman Winner asked if it was the tote company or the racing associations' responsibility for maintaining the tote equipment. Jeff True, AmTote, stated AmTote would have new equipment and therefore would have fewer breakdowns. Executive Director Rick Baedeker said any equipment issues at the satellite locations would be managed by Southern California Off Track Wagering, Incorporated (SCOTWINC). SCOTWINC would work with the tote company. The mutual manager at the host track would coordinate any issues for SCOTWINC. Joe Morris, SCOTWINC, stated the process of selecting a new tote provider

was a long and deliberate process. AmTote was awarded the contract for many reasons, and SCOTWINC urged the Board to approve the contract with AmTote. He said the current contract with Sportech was ending on October 25, 2015, with AmTote coming in at the close of business on the 25<sup>th</sup> - without any interruption in business. Chris Korby, California Authority of Racing Fairs (CARF), stated a very comprehensive Request for Proposal (RFP) was prepared by the racing industry. The RFP was offered to the tote companies who were interested in bidding. He urged the Board to vote in favor of the license application. Commissioner Krikorian asked who would be responsible for the costs associated for providing corporate minutes, financial audits, and other financial documents, and within what timeframe would the documents need to be provided? Executive Director Baedeker said any routine auditing would be completed by the CHRFB, but if the CHRFB required other audits or financial documents, those would be at the expense of AmTote. Philip Laird, CHRFB Staff Counsel, stated the items were not discussed specifically, however, regular requests of routine documents such as corporate minutes would be provided by AmTote. Executive Director Baedeker said it would depend on the type of audit requested. If the CHRFB requested a forensic audit, that would be something the CHRFB would want to control. The CHRFB would pay for that type of audit. Commissioner Krikorian stated there was no requirement to provide requested documents within a certain timeframe; how would the CHRFB control that? Executive Director Baedeker said that would be at the CHRFB's discretion. Commissioner Krikorian asked if language should be added to the agreement to state that CHRFB requested documents should be provided within a certain timeframe. Executive Director Baedeker asked if CHRFB Staff Counsel addressed performance timeframes in the conditions placed on AmTote. Mr. Laird said it could be addressed several ways. Executive Director Baedeker stated that as the regulator, the CHRFB had the ability to set timeframes.

Robert Miller, CHRB Staff Counsel, said that was correct. The law implied a reasonable time to comply, and if the licensee failed to comply, the CHRB could take disciplinary against a license. Commissioner Krikorian asked what the timeframe was for AmTote to provide a minimum payoff amount for a winning ticket. Scott Daruty, AmTote, stated AmTote developed and deployed the transaction audit file. The file would provide detailed information about individual transactions, including details of any winning ticket with a certain minimum payoff. The file would be delivered to the Thoroughbred Racing Protective Bureau at the conclusion of each race, and would be available for review by any authorized official of any Thoroughbred Racing Association track, including the CHRB. Commissioner Krikorian asked if Xpressbet used computer equipment. Mr. Daruty said Xpressbet was an Advance Deposit Wagering (ADW) company; patrons would deposit their money in their accounts and wager via their computer, smartphone, or telephone. Commissioner Krikorian said one of the Board's conditions required that AmTote not have any ownership interest in any computer-assisted wagering company; would that be Xpressbet? Mr. Daruty said AmTote and Xpressbet were sister companies owned by the same corporate parent. He stated AmTote's understanding of the term computer assisted wagering was a computer algorithm used to look at the odds and placing wagers automatically; that was not what Xpressbet did. Xpressbet was a retail ADW in which customers could place wagers through computers, laptops, and smartphones. Executive Director Baedeker stated the language was geared toward robotic wagering; and the politically correct term of computer assisted wagering was used. Mr. Daruty said the term robotic wagering had fallen out of favor within the industry and was currently referred to as computer-assisted wagering. Commissioner Krikorian asked the Board to consider requiring AmTote to provide a performance bond; if there were any violations, AmTote would lose the money. Mr. Daruty stated he believed there would

be certain circumstances where a performance bond would be appropriate, for example, in the account wagering business. However, it would not be appropriate to require a performance bond for AmTote's license; if AmTote failed to comply with any licensing requirements, its license could be revoked. He said AmTote would not be open to providing a performance bond. Commissioner Choper said it would not be easy to pull AmTote's license, or to have machines replaced, so something less than pulling the license would be a reasonable suggestion to ensure performance. Mr. Daruty stated the amount of investment AmTote was making in new equipment for California was larger than any performance bond could provide and was a testament of AmTote's good faith and willingness to cooperate and comply with the licensing requirements. Chairman Winner asked CHRB Staff Counsel if AmTote could be fined if the Board felt that it was not performing. Mr. Miller said that was correct; AmTote could be fined any reasonable amount. Commissioner Auerbach stated the parties involved did their due diligence in selecting AmTote, and AmTote had provided everything requested of it. Commissioner Auerbach **motioned** to approve the license renewal for AmTote. Vice-Chairman Rosenberg **seconded** the motion which was **passed** by a six to one majority.

#### DISCUSSION AND ACTION BY THE BOARD REGARDING THE ALLOCATION OF THE 2016 NORTHERN CALIFORNIA RACE DATES.

Commissioner Beneto said the race dates calendar was developed over the course of three to four months, and proposal three was selected. Chairman Winner said proposal three had been under a great deal of discussion; he was unclear whether the California Authority of Racing Fairs (CARF) recommended it. Executive Director Rick Baedeker said proposal two was the original CARF proposal which pushed the fair season back a week. Proposal three was identical to

proposal two, except it restored the start of the fair season to the pattern that existed for the last several years. He stated proposal three was nearly identical to the 2015 race dates calendar except for the changes made to accommodate Fresno. Chairman Winner asked Golden Gate Fields (GGF) if proposal three was its position. Chris Korby, CARF, said the CARF proposed calendar started on June 24, 2016. Mr. Korby stated the parties in negotiations consented to Scott Daruty making a presentation to set the scope of the discussions. Mr. Daruty said he would walk through the issues of stabling and race dates which were two issues that were intertwined and could not be discussed separately. Mr. Daruty stated GGF and the Stronach Group's perspective was to remain an integral part of Northern California racing long into the future. He said GGF had a loss of \$2 million in 2014, and was projected to lose \$2.2 million in 2015. He stated to increase GGF's bottom line, GGF had to focus on its expenses and revenues. The revenue side would be through race dates. He said reallocating race dates could change the economics of GGF. On the expense side, the single biggest expense was stabling; auxiliary stabling at a facility not located at the live racetrack. When GGF was not running live, stabling horses running at fairs was the largest expense. He said in 2011 GGF ran for nine weeks; in 2012 and 2013 for eight weeks; in 2014 and 2015 for seven weeks; and the proposal for 2016 was down to five weeks. He stated GGF was struggling to remain financially viable, and a decline from nine weeks to five weeks of racing got it further from the goal line, not closer. He said each lost week to GGF was \$350,000 to its bottom line, and a decline from nine weeks to seven weeks cost \$700,000. He stated GGF was \$2 million in debt and going to five weeks would cost it an additional \$700,000. He said it would be prudent to keep an eye on purses; the summer of 2014 GGF generated \$132,350 for Northern California purses, while the fairs generated \$104,000; GGF's purse generated was 26 percent more. He stated purse amounts were

also impacted by patrons in Southern California wagering on Northern California meets. He said during Del Mar's season, each day of GGF's live meet generated \$28,000 for Southern purses versus \$21,000 generated by the fairs, which resulted in a difference of 31 percent. He stated GGF presented a proposal at the June 2015 Race Dates Committee meeting to restructure race dates, to allow GGF to run more during the summer. He said the proposal drew criticism from the fairs and Commissioner Beneto; therefore, GGF looked for alternative solutions such as the stabling and vanning system. Stabling and vanning was GGF's largest expense with two components; payment to the stabling and vanning fund and the expenses incurred while keeping GGF open so fairs had a place to stable their horses. He said GGF's contribution to the stabling and vanning fund was \$2 million, while the fairs contributed \$650,000. He stated in addition to the \$2 million contributed, the cost to GGF to operate as a stabling facility for the 13 weeks that it was not running live was \$1.2 million and did not include property taxes or management overhead. He said while GGF's race weeks decreased, the time period it was open for stabling increased. He stated out of the \$2.6 million in the fund, GGF would receive \$625,000 to stay open as a summer stabling facility. He said the remaining \$2 million in the fund went to pay for stabling at Pleasanton. He stated while Pleasanton received \$1.8 million to stay open as a stabling facility, it only had 200 to 300 horses compared to the 1,100 to 1,200 horses stabled at GGF. He said GGF had a positive discussion with the Thoroughbred Owners of California (TOC), California Thoroughbred Trainers (CTT), and CARF to develop language for a proposed legislative bill that would allow GGF to opt out of the stabling and vanning fund on the condition GGF could prove it had adequate stabling for the 200 to 300 horses that were currently located at Pleasanton; that they had somewhere else to put them. Commissioner Beneto said GGF should close down after its meets; there were approximately 4,000 stalls at fairs that were not being

used. Mr. Daruty stated it was a great suggestion and GGF had discussions with CARF regarding GGF closing down after its meets. He said if the law was passed it would be up to CARF to decide how it wanted to spend money on stabling, and it would put the choice for stabling on the individual who would be financially responsible. GGF said the most critical issue was getting the legislation passed to restructure stabling and vanning. GGF was withdrawing any previous calendar it had submitted, and supported the 2016 CARF calendar. Chairman Winner stated he believed the proposed legislation was thoughtful, prudent, and in the best interest of racing. Joe Morris, TOC, said modifications were made to Business and Professions Code Sections that addressed funding for stabling for Northern and Southern California. The proposed legislation would allow more flexibility for compensating auxillary stabling in the South and North, with the additional opt out provision for the North. Joe Morris, TOC, said the current proposal was similar to the 2015 calender; GGF would close on June 12, 2016; three weeks for Pleasanton ending on July 4, 2016; three weeks to Sacramento; three weeks to Santa Rosa with two weeks during its fair and the last weekend without it; then the Humboldt-GGF overlap. He stated out of the five years he worked on Northern California's scheduling, this year involved the most conversations and collaborations. He added meetings were already scheduled to begin working on the 2017 race dates. Tawny Toscani, Sonoma County Fair (Sonoma), said Sonoma would like to get the dates back that it had in the past; Sonoma out-handled Sacramento by \$107,000 on a daily basis. She stated Sonoma agreed to the 2016 calendar as presented, but hoped conversations would continue regarding Sonoma County's dates for 2017. Commissioner Beneto said he would like to see Sonoma move its dates so it would run three weeks with its fair. Ms. Toscani said Sonoma would not move its fair dates on top of a school year; while the Board had already made its decision, she would like the Board to consider where Sonoma ran.

She stated Sonoma's out-of-state handle was very successful, and it spent more money on TVG than in the past. Jim Morgan, Humboldt County Fair (Humboldt), said Humboldt attended the initial Northern California Race Dates Committee meeting in June 2015; however, it was not invited to participate in subsequent discussions. He stated the original CHRB proposals allowed Humboldt to race without overlap and he did not understand why this concept would be abandoned. He said all race meets mattered, even the smallest. He stated Humboldt was told several years ago that to receive the support of the Board to race without overlap three things should occur: increased sponsorship; increased facilities; attracting horses. He said Humboldt met its end of the bargain by increasing sponsorship by 400 percent, increased facilities by widening its tracks; and had eight to nine races scheduled. He stated it would like consideration to allow its fair without overlap and access to host status; GGF had 155 race days without overlap with six days that overlapped. Of the six days it would mean the world to Humboldt to have equal access to host status during the six days. He said if the Board could not give Humboldt a weekend without overlap, it requested half the host status in order to sustain. Commissioner Krikorian asked what the approximate host fees would be on those days. Mr. Morgan stated the host fees on Wednesdays and Thursdays were \$25,000 per day, three to four times the amount on Fridays, Saturdays, and Sundays. Mr. Daruty said how the money from the overlap was split was listed in statute. Commissioner Krikorian asked what the percentage was. Mr. Morgan said .75 percent went to Humboldt. Commissioner Beneto asked if GGF would be willing to split the host money with Ferndale. Mr. Daurty said absolutely GGF would comply with existing statute, which required the host money to be split in the proportions designated in the law. Mr. Morgan said GGF would be delighted to forgo the statute money for the privilege of splitting the host fees. Mr. Daruty stated it would be appropriate to operate under the existing

statute. Chairman Winner asked CHRB Staff Counsel if the percentage could be changed based on changing host dates. Robert Miller, CHRB Staff Counsel, stated he would have to research the issue. Mr. Daruty said Business and Professions Code Section 19601.2 governed the allocation of host money when Humboldt County conducted a horse race meeting in the Northern Zone at the same time as another fair or association. Mr. Morgan stated he was not seeking to change the statute. The Board had the discretion to determine which racing associations shared host status at any one time, and the racing associations would agree to forgo the benefits of the statute to have equal access to host status. Mr. Korby stated the purpose of the statute was to distribute funds during any overlap period. It only pertained to Humboldt County Fair, and it was a provision put in place to ensure Humboldt County received monetary compensation during overlapping racing periods. He said he spoke with the Humboldt County Fair manager prior to the August 2015 Regular Board meeting. The manager agreed to overlapping dates, including dates assigned where Humboldt would not race but would receive host status. Mr. Morris stated that was correct; the Humboldt County Fair manager preferred to have two weeks in August overlap. Mr. Morgan said there was no agreement with fair management; he was representing fair management. He stated if Humboldt was going to share race dates, it should have equal access to host status; the Board had the power to allocate that. Humboldt County was waiving the statute. Mr. Daruty, GGF, said the proposal would take away its host status, leaving GGF with five weeks of being a host and a live track in Northern California. Mr. Korby said the CARF board and the CARF live racing committee took formal action on a calendar that came before the Board, also known as the CARF Calendar. Humboldt County voted in favor of the CARF Calendar. He stated CARF was not wavering from the calendar its board approved and ratified at its June 2015 meeting. TOC's calendar began a week

earlier than CARFs. Cal Rainey, GGF, stated he wanted to clarify a few items Mr. Morgan discussed. GGF had eight races on Friday and nine races on Saturday and all of the races were thoroughbred races; while not all of Humboldt's races were thoroughbred races. He said Humboldt chose to have overlapping race days with GGF. He stated the history behind GGF racing in August had to do with when Bay Meadows and the San Mateo fair closed in 2009, GGF had an agreement with CARF. He said in 2012 Ferndale had ten race days but chose to race six days only. Jerome Hoban, Alameda County Fair/Oak Tree at Pleasanton, stated it appeared that Proposal Three was agreed upon by all parties involved, however, to his understanding that was not accurate; Proposal Two was the original CARF calendar with the belief that GGF had agreed to it. He said Pleasanton's race dates had always included the fourth of July. He stated the calendar shifted based on the Kentucky Derby, which meant under TOCs proposal, the fourth of July would fall on the Monday after the Alameda County fair closed, costing the fair \$500,000 in net profit. He said the CARF calendar was supported by the CARF fairs. He asked that the Board understand the nuances of the fairs. The fairs were good for racing because they introduced people to racing. He stated his concern with Proposal Three was that fairs would have to decide if their fairs would run concurrent with their race meets; Santa Rosa had to make the decision to split its fair from its race meet; he wanted to keep Oak Tree's fair and race meet concurrent. He said the calendar had seven days, but it just shifted by one day when the entire week needed to shift. Commissioner Beneto **motioned** to approve GGF not to run less than \$5,000 claimers during the overlap with Humboldt for 2016 only; GGF would begin December 26 and run through June 14, 2016; Pleasanton would begin on June 15 and run through July 5, 2016; Cal Expo would begin on July 6 and run through July 26, 2016; Sonoma County Fair would begin on July 27 and run through August 16, 2016; Ferndale would begin on

August 17 and run through August 30, 2016; GGF would begin on August 17 and run through September 20, 2016; Stockton would begin on September 21 and race through October 4, 2016; Fresno would begin on October 5 and race through October 18, 2016; and GGF would begin on October 19 and run through December 20, 2016. Commissioner Auerbach **seconded** the motion, which was **unanimously** carried.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE ALLOCATION OF THE 2016 SOUTHERN CALIFORNIA RACE DATES.**

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Executive Director Baedeker stated the Board allocations began on the Wednesdays before opening days and concluded on the Tuesday following a closing day, unless the Board stipulated differently. He said there were four proposed calendars for 2016; Number One submitted by Del Mar and Santa Anita; Number Two by California Thoroughbred Trainers (CTT); Number Three was submitted by Los Alamitos and was a variation of CTT's calendar; and Number Four was a variation of Number Three. Commissioner Krikorian stated he believed it was important to have a spring break during Santa Anita's meet in 2016 to allow Los Alamitos an opportunity to race for three weeks and to give Santa Anita's surfaces a break. Santa Anita would be given three weeks in September to make up for the three weeks lost in April as proposed in Number Four. Chairman Winner said the Chairman of the Southern California Race Dates Committee recommended Number Four; it was in the best interest of racing because it allowed Los Alamitos to run in April, which was better for Los Alamitos, there was a grass meet in the North for grass horses to run, and it included a break for Santa Anita as a safety consideration for the welfare and safety of horses. Commissioner Auerbach asked if the parties involved came to a solution amongst themselves without the Board or Committee putting forward a solution. Scott Daruty,

Santa Anita, stated Santa Anita disagreed with the Committee's recommendation. He said it was a stabling discussion rather than a race dates discussion. Commissioner Krikorian stated he would not be making a decision based on stabling; stabling was an issue, but it was not the basis for making a decision on race dates. Josh Rubenstein, Del Mar, said Del Mar supported the calendar it submitted jointly with Santa Anita. Commissioner Krikorian asked why Del Mar/Santa Anita thought it was in horseracing's best interests to keep the three weeks in April with Santa Anita? Mr. Daruty, Santa Anita, said Santa Anita's Spring Stakes schedule had many key stakes races in April. To remove three weeks from Santa Anita would wreak havoc on its Spring schedule. In Arcadia, the weather in September would be in the 90s or 100s; Santa Anita was concerned about the safety of employees and horsemen. Running race meetings in the hottest months; Santa Anita would be running straight into Del Mar in the beginning of summer and running right after Del Mar at the end of the summer. Joe Morris, Thoroughbred Owners of California (TOC), said the stabling issue was interwoven with the race dates, both in the North and the South. If TOC had to make a decision, it would vote for Number Four, but it preferred to come to an agreement on the industry vanning and stabling fund and to work out the schedules as a group. Mr. Daruty, stated it was difficult to run race dates without stables. When Hollywood Park closed, it created two issues; where would those race dates go, and where would the horses go? He said the Stronach Group invested a significant amount of money to upgrade the 500 stalls at San Luis Rey Downs. He stated in a letter submitted by Santa Anita to TOC that Santa Anita was committed to replacing the portion of lost Hollywood Park stalls that equaled the portion of Hollywood Park dates that were granted or may be granted in the future by either building the stalls at its existing facilities or paying into a fund to build them somewhere else. Vice-Chairman Rosenberg asked Mr. Daruty if the letter sent to TOC indicated that it could be at

an outside facility, not an existing facility. Mr. Daruty said yes. Commissioner Krikorian said even if Santa Anita contributed a certain amount of money to stabling and vanning over the next three to five years, while it was appreciated, the Board did not want to make any decisions until other options were considered. Chairman Winner asked if Santa Anita had committed to 300 stalls at San Luis Rey Downs. Mr. Daruty stated yes, Santa Anita had an agreement that if 300 stalls were built at San Luis Rey Downs, Santa Anita would receive forgiveness of the \$1.5 million owed to the industry fund and Santa Anita would be authorized to use Del Mar's \$1 million in the fund. He said if Santa Anita did not build the 300 stalls that would leave \$2.5 million in funds that Santa Anita would have to figure out what to do with. Mr. Daruty said Santa Anita committed to one of three things; put \$750,000 into an industry fund for 2016; build 300 stalls at San Luis Rey Downs; or build 500 stalls at San Luis Rey Downs. He stated Santa Anita gave themselves until December 1, 2015, to decide which proposal to pursue. If Santa Anita decided on the stalls they would be ready for occupancy by December 1, 2016. Commissioner Auerbach asked why TOC did not accept the proposal? Joe Morris, TOC, said TOC wanted a 20 year commitment. Jack Liebau, Los Alamitos, stated Los Alamitos was not involved in the stabling and vanning or race dates discussions. He said Los Alamitos' first proposal submitted to the race dates committee meeting included two four-week meets which received opposition which was included in Proposal Four. Commissioner Beneto stated Los Alamitos did a wonderful job accepting thoroughbred horses, increasing track size, and adding stalls. Chairman Winner said the recommendation made by the Committee was not based on the issues that had or had not been resolved regarding stabling and vanning, long term stability and the industry fund. Mr. Daruty, Santa Anita, said he did not understand why the break in April meant Santa Anita had to run in September in 100 degree weather. Chairman Winner asked Mr.

Daruty what he would like to see happen in September. Mr. Daruty said by law, Los Alamitos was allotted five weeks of racing. He stated Fairplex historically ran three weeks of racing in September, so the Board should give Fairplex the three weeks; if the Board decided to give Los Alamitos three weeks in April, it would leave it two weeks which would fall in July, and Los Alamitos would finish with two weeks in September. Chairman Winner clarified Los Alamitos' request; to give the two Los Alamitos weeks to Santa Anita and give the September dates scheduled for Santa Anita to Los Alamitos. Mr. Daruty said that was correct. Chairman Winner asked Mr. Liebau what his response was to Mr. Daruty's proposal. Chairman Winner said Mr. Liebeau would gain an extra week under Mr. Daruty's proposal. Executive Director Baedeker said they would have three weeks in April, three weeks in September, and two weeks in December. Commissioner Auerbach said any decision that was made for 2016 would apply to that year only; it would not set precedence for future years. Chairman Winner stated he agreed with Commissioner Auerbach, any proposals agreed to were for one year only. He said he understood Santa Anita's position and why it was unhappy; that was why the proposed race dates were for one year and one year only; during which time the proposed race dates would be evaluated to determine how it affected racing. Chairman Winner said Proposal Four could be passed and amended. Chairman Winner asked CHRB Staff Counsel how to amend a passed motion. Mr. Miller stated the motion should state the Board was amending the previous motion adopted regarding Proposal Four to switch dates. Chairman Winner said to switch the two weeks in July going to Los Alamitos instead going to Santa Anita and the September dates going to Los Alamitos, with Los Alamitos getting eight weeks instead of seven weeks. Mr. Daruty said the month of December required clarification; the two weeks in December would open on December 7<sup>th</sup> and close on December 20, Santa Anita would open on December 21, as a simulcast only day.

Mr. Daruty said it would give Mr. Liebau nine weeks which would exceed the amount permitted. Executive Director Baedeker under the new proposal Mr. Liebau would have five weeks plus three. Executive Director Baedeker asked CHRB Staff Counsel if it could include in the motion for staff to review the legal parameters of the Board granting Los Alamitos the additional dates leading up to Christmas. Mr. Miller said they were not racing. Executive Director Baedeker stated that was correct. Commissioner Choper **motioned** to amend the prior motion to reverse the dates suggested by Mr. Daruty. Commissioner Beneto **seconded** the motion. Executive Director Baedeker stated under the modified Proposal Four, the dates would be: Santa Anita would start December 26 through April 12, 2016; Los Alamitos would run from April 13 through May 3, 2016; Santa Anita would run May 4 through July 12, 2016; Del Mar would run July 13 through September 6, 2016; Santa Anita would start on September 27 and run through November 8, 2016; Del Mar would start on November 9 and run through December 6; Los Alamitos would start on December 7 and run through December 20, 2016; Fairplex at Los Alamitos would start September 7 and run through September 27, 2016; Santa Anita would start on September 28 and run through November 8, 2016. By a six to one vote **the prior motion** was **amended** and the race dates for Southern California were approved.

REPORT FROM THE MEDICATION AND TRACK SAFETY COMMITTEE.

This item was deferred.

**MEETING ADJOURNED AT 3:50 P.M.**

A full and complete transcript of the aforesaid proceedings are on file at the office of the California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, California, and therefore made a part hereof.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Executive Director

**CALIFORNIA HORSE RACING BOARD**

**SEPTEMBER 16, 2015**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 2**

**CALIFORNIA HORSE RACING BOARD**

**SEPTEMBER 16, 2015**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 3**

STAFF ANALYSIS  
September 16, 2015

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE DEL MAR THOROUGHBRED CLUB AT DEL MAR OCTOBER 29, 2015 THROUGH NOVEMBER 29, 2015

Del Mar Thoroughbred Club filed its application to conduct a thoroughbred horse racing meeting at Del Mar October 29, 2015 through November 29, 2015 or 20 days; five more days than 2014. Del Mar proposes to race a total of 172 races, or 8.6 races per day. In 2014, Del Mar ran 8.6 races per day with an average of 8.35 runners per race. The average daily purse for the 2014 race meeting was \$495,296. The (estimated) average daily purse for this meet is \$492,709.

October – 2015							November – 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30					

- Racing concurrently with the dates allocated to the Pacific Racing Association.
- Racing 4 days per week, Thursday through Sunday, with 8 races per day Thursdays and Fridays with the exception of Friday, October 30, 2015 and November 27, 2015 when 9 races per day will be run; 9 races per day Saturdays and Sundays. If the horse population permits, Del Mar may run additional races, not to exceed an 8.6 average per day for the race meeting. Administrative approval will be requested if plans develop to exceed this amount.
- First post 12:30 p.m. each day, with the following exceptions:
  - 12:45 p.m. Breeder's Cup, October 30 and 31, 2015.
  - 11:00 a.m. Thanksgiving Day, November 26, 2015.
- Wagering program will use CHRB and ARCI rules.
  - Early wagering 9:00 a.m. to 10:00 a.m.
  - \$.50 Pick 4 will be offered on the last four races daily.
  - \$2 Daily Double will be offered on all daily races – with the exception of the last race.
  - \$.50 Pick 5 wager will begin with the first race each day and offer a 14% takeout.
- The Advance Deposit Wagering (ADW) providers are Xpressbet, TwinSpines, TVG, Bet America (Lien Games) and Watch and Wager.com, LLC.

Pursuant to Business and Profession Code section 19604, specific provisions must be met before an ADW provider can accept wagers.

Summary of Business and Profession Code section 19604

*To accept wagers on races conducted in California from a resident of California.*

- The ADW provider must be licensed by the Board.
- A written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made.
- The agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made.

*To accept wagers on races conducted outside of California from a resident of California.*

- The ADW provider must be licensed by the Board.
- There is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wager is placed, and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

Documents received in compliance with Business and Professions Code section 19604:

- ODS Technologies, L.P. d/b/a TVG Network has submitted all documents required in compliance with Business and Professions Code section 19604.
- XpressBet LLC. dba XpressBet.com, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Churchill Downs Technology Initiatives Company, dba TwinSpires, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Lien Games Racing LLC, dba Bet America, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Watch and Wager has submitted all documents required in compliance with Business and Professions Code section 19604.

Monarch Content Management, LLC (MCM), has shared that "The contracts signed in 2014 with TwinSpires is still in effect. Section 16 of the simulcast agreement states in pertinent part: "In the event Monarch permits Guest to continue wagering on Monarch Content after the expiration of the Term without entering into a new agreement, then the terms and provisions of this Agreement shall remain in effect."

- Simulcasting conducted with out-of-state racing jurisdictions pursuant to Business and Professions Code section 19602; and with authorized locations throughout California.
- Request Dianne Piper be appointed horse identifier pursuant to CHRB Rule 1525, Racing Officials Appointed by the Board.
- Track safety inspection has been requested and will be completed before the race meeting begins.

- Inspection of backstretch worker housing has been requested and will be completed before the race meeting begins.

RECOMMENDATION:

Staff recommends approval of the application.

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting in accordance with the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

**1. APPLICANT ASSOCIATION**

A. Name, mailing address, telephone, fax numbers, and the email address for associations contact person:

**Del Mar Thoroughbred Club**  
**P.O. Box 700, Del Mar, CA 92014**  
**Phone: 858-755-1141**  
**Fax: 858-794-1007**  
**Josh Rubinstein: josh@dmtc.com**

B. Breed of horse: TB  QH  H

C. Racetrack name: **Del Mar Thoroughbred Club (DMTC)**

D. Attach a certified check payable to the Treasurer of the State of California in the amount of \$10,000 as deposit for license fees pursuant to Business and Professions Code section 19490.

**On File**

E. Was the association licensed to operate a race meeting prior to January 1, 2001?

Yes  No

If no, attach a surety bond in the amount of one hundred thousand dollars.

**NOTICE TO APPLICANT:** No application for a license to conduct a race meeting shall be granted unless the applicant has deposited with the Board a surety bond in the amount of one hundred thousand dollars (\$100,000), or a greater amount, as determined by the board, which is sufficient to ensure payment of employee wages and benefits including, but not limited to, health, welfare, and pension plans. The surety bond shall be maintained during the period of the meeting and for an additional period, as determined by the board, sufficient to assure that all payments are made. This subdivision does not apply to any person or association licensed to operate a horse race meeting prior to January 1, 2001, which has conducted a race meeting in each of the immediate three previous consecutive calendar years. The \$100,000 surety bond amount maybe increased to an amount determined by the Board at the time the application is scheduled for hearing pursuant to Business and Professions Code section 19464(b).

**NOTICE TO APPLICANT:** Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

**2. DATES OF RACE MEETING**

A. Inclusive dates allocated for the entire meeting: **October 29 through November 29, 2015**

B. Actual dates racing will be held: **October 29 through November 29, 2015, everyday except Mondays, Tuesdays and Wednesdays. Dark 11/2-3-4, 11/9-10-11, 11-16-17-18. 11/23-24-25**

C. Total number of days or nights of racing: **20 days**

**CHRB CERTIFICATION**

Application received: 7/30/15  
Deposit received: on file  
Reviewed: LA

Hearing date: 9/16/15  
Approved date:  
License number:

- D. Days or nights of the week races will be held:  
 Wed - Sun     Tues - Sat     Other (specify)

**Racing Thursdays through Sunday**

- E. Number of days or nights of racing per week:  
**4 days per week**

**3. RACING PROGRAM**

- A. Total number of races: 172  
 B. Number of races for each day or night:

DAY	DATES	NUMBER OF RACES
THURS- 8 Races	11/5, 11/12, 11/19	24
FRI - 8 Races	11/6, 11/13, 11/20	24
FRI - 9 Races	10/30, 11/27	18
SAT - 9 Races	10/31, 11/7, 11/14, 11/21, 11/28	45
SUN - 9 Races	11/1, 11/8, 11/15, 11/22	36
Thanksgiving Day	11/26	8
OPENING DAY	10/29	8
CLOSING DAY	11/29	9

TOTAL	172
-------	-----

**\*DMTC reserves the right to change number of races based on horse availability**

- C. Total number of stakes races: 17 (15 stakes and 2 overnight stakes)  
 D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses.  
**Exhibit 1** (DMTC did not have a Fall Race Meet in 2013)  
 E. Will provisions be made for owners and trainers to use their own registered colors?  
 Yes     No    If no, what racing colors are to be used:  
 F. List all post times for the daily racing program: **Exhibit 2**

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813. For thoroughbred and quarter horse meetings, the total amount distributed for California-bred stakes races from the purse account, including overnight stakes, shall not be less than 10% of the total amount distributed for all stakes races pursuant to Business and Professions Code section 19568(b).

Exhibit 1 - 2015 Del Mar Fall Stakes Schedule

Closing Date	Running Date	#	Event	Distance	2015 Value	2014 Value	
Thu. Oct 22	Thu. Oct 29	1	GOLDEN STATE JUVENILE FILLIES	Fillies, two years old, bred in CA	Seven Furlongs	\$200,000 Guaranteed	\$200,000 Guaranteed (SA)
Thu. Oct 22	Fri. Oct 30	2	GOLDEN STATE JUVENILE	Two-year olds, bred in CA	Seven Furlongs	\$200,000 Guaranteed	\$200,000 Guaranteed (SA)
Thu. Oct 22	Sun. Nov 01	3	GOLDIKOVA STAKES(Gr.II)	Fillies and mares, three years old and upward	One Mile (Turf)	\$200,000 Guaranteed	\$200,000 Guaranteed (SA)
Thu. Oct 29	Sun. Nov 08	4	BETTY GRABLE STAKES	Fillies and mares, three years old and upward, bred in CA	Seven Furlongs	\$100,000 Guaranteed	\$100,000 Guaranteed
Thu. Nov 05	Sat. Nov 14	5	BOB HOPE STAKES(Gr. III)	Two-year-olds	Seven Furlongs	\$100,000 Guaranteed	\$100,000 Guaranteed
Thu. Nov 05	Sun. Nov 15	6	DESI ARNAZ STAKES	Fillies, two years old	Seven Furlongs	\$100,000 Guaranteed	\$100,000 Guaranteed
Thu. Nov 12	Sat. Nov 21	7	RED CARPET STAKES(Gr.III)	Fillies and mares, three years old and upward	1 3/8 Miles (Turf)	\$100,000 Guaranteed	\$100,000 Guaranteed
Thu. Nov 12	Sun. Nov 22	8	CARY GRANT STAKES	Three-year-olds and upward, bred in CA	Seven Furlongs	\$100,000 Guaranteed	\$100,000 Guaranteed
Sat. Nov 14	Thu. Nov 26	9	HOLLYWOOD TURF CUP (Gr. II)	Three-year-olds and upward	1 1/2 Miles (Turf)	\$250,000 Guaranteed	\$250,000 Guaranteed
Sat. Nov 14	Fri. Nov 27	10	SEABISCUIT HANDICAP (Gr. II)	Three year olds and upward	1 1/16 Miles (Turf)	\$250,000 Guaranteed	\$250,000 Guaranteed
Sat. Nov 14	Sat. Nov 28	11	JIMMY DURANTE STAKES (Gr. III)	Fillies, two years old	One Mile (Turf)	\$100,000 Guaranteed	\$150,000 Guaranteed
Sat. Nov 14	Sat. Nov 28	12	NATIVE DIVER HANDICAP (Gr.III)	Three year olds and upward	1 1/8 Miles	\$150,000 Guaranteed	\$200,000 Guaranteed
Sat. Nov 14	Sat. Nov 28	13	HOLLYWOOD DERBY (Gr. I)	Three year olds	1 1/8 Miles (Turf)	\$300,000 Guaranteed	\$300,000 Guaranteed
Sat. Nov 14	Sun. Nov 29	14	CECIL B. DeMILLE(Gr. III)	Two year olds	One Mile (Turf)	\$100,000 Guaranteed	\$150,000 Guaranteed
Sat. Nov 14	Sun. Nov 29	15	MATRIARCH STAKES (Gr. I)	Fillies and mares, three years old and upward	One Mile (Turf)	\$300,000 Guaranteed	\$300,000 Guaranteed

Exhibit 1 (Continued) - 2015 Del Mar Fall Stakes Schedule - Overnight Stakes

Closing Date	Running Date	Event	Distance	2015 Value	2014 Value
Thu. Oct 22	Sat. Oct 31	Overnight Stakes Let It Ride Stakes Three year olds (N/W S/S of \$50,000 at 1 M o/o since April 1)	One Mile (Turf)	\$75,000 Added	\$75,000 Added
Thu. Oct 22	Sat. Nov 07	Overnight Stakes Kathryn Crosby Stakes Fillies and mares three years old and upward (N/W S/S of \$50,000 at 1 M o/o since April 1)	1 1/16 Miles (Turf)	\$75,000 Added	\$75,000 Added
				\$150,000	

\*\* DMTC DID NOT HAVE A 2013 FALL MEET

EXHIBIT 1

## EXHIBIT 2

## POST TIMES FOR PROPOSED DAILY RACING PROGRAM

2015 - FALL MEET  
OCTOBER 29<sup>TH</sup> TO NOVEMBER 29<sup>TH</sup>

RACE	ALL DAYS (EXCEPT 10/30/15 - 10/31/15 AND 11/26/15)
1 <sup>st</sup>	12:30 p.m.
2 <sup>nd</sup>	1:00 p.m.
3 <sup>rd</sup>	1:30 p.m.
4 <sup>th</sup>	2:00 p.m.
5 <sup>th</sup>	2:30 p.m.
6 <sup>th</sup>	3:00 p.m.
7 <sup>th</sup>	3:30 p.m.
8 <sup>th</sup>	4:00 p.m.
9 <sup>th</sup> *	4:30 p.m.

\* On certain days to be determined.

BREEDER'S CUP  
FRIDAY, 10/30/15  
SATURDAY, 10/31/15

Race	
1 <sup>st</sup>	12:45 p.m.
2 <sup>nd</sup>	1:30 p.m.
3 <sup>rd</sup>	2:15 p.m.
4 <sup>th</sup>	3:00 p.m.
5 <sup>th</sup>	3:30 p.m.
6 <sup>th</sup>	4:00 p.m.
7 <sup>th</sup>	4:30 p.m.
8 <sup>th</sup>	5:00 p.m.
9 <sup>th</sup>	5:30 p.m.

THANKSGIVING  
THURSDAY  
11/26/15

RACE	
1 <sup>st</sup>	11:00 a.m.
2 <sup>nd</sup>	11:30 a.m.
3 <sup>rd</sup>	12:00 p.m.
4 <sup>th</sup>	12:30 p.m.
5 <sup>th</sup>	1:00 p.m.
6 <sup>th</sup>	1:30 p.m.
7 <sup>th</sup>	2:00 p.m.
8 <sup>th</sup>	2:30 p.m.

## EXHIBIT 2

## POST TIMES FOR PROPOSED DAILY RACING PROGRAM

2015 – FALL MEET  
OCTOBER 29<sup>TH</sup> TO NOVEMBER 29<sup>TH</sup>

RACE	ALL DAYS (EXCEPT 10/30/15 – 10/31/15 AND 11/26/15)
1 <sup>st</sup>	12:30 p.m.
2 <sup>nd</sup>	1:00 p.m.
3 <sup>rd</sup>	1:30 p.m.
4 <sup>th</sup>	2:00 p.m.
5 <sup>th</sup>	2:30 p.m.
6 <sup>th</sup>	3:00 p.m.
7 <sup>th</sup>	3:30 p.m.
8 <sup>th</sup>	4:00 p.m.
9 <sup>th</sup> *	4:30 p.m.

\* On certain days to be determined.

BREEDER'S CUP  
FRIDAY, 10/30/15  
SATURDAY, 10/31/15

Race	
1 <sup>st</sup>	12:45 p.m.
2 <sup>nd</sup>	1:30 p.m.
3 <sup>rd</sup>	2:15 p.m.
4 <sup>th</sup>	3:00 p.m.
5 <sup>th</sup>	3:30 p.m.
6 <sup>th</sup>	4:00 p.m.
7 <sup>th</sup>	4:30 p.m.
8 <sup>th</sup>	5:00 p.m.
9 <sup>th</sup>	5:30 p.m.

THANKSGIVING  
THURSDAY  
11/26/15

RACE	
1 <sup>st</sup>	11:00 a.m.
2 <sup>nd</sup>	11:30 a.m.
3 <sup>rd</sup>	12:00 p.m.
4 <sup>th</sup>	12:30 p.m.
5 <sup>th</sup>	1:00 p.m.
6 <sup>th</sup>	1:30 p.m.
7 <sup>th</sup>	2:00 p.m.
8 <sup>th</sup>	2:30 p.m.

4. RACING ASSOCIATION

- A. Association is a:  Corporation (complete subsection C)  
 LLC (complete subsection D)  
 Other (specify, and complete subsection E)

B. Complete the applicable subsection and attached Addendum, Background Information and Ownership.

**Full Disclosure Statement already on file with CHRB**

C. CORPORATION

1. Registered name of the corporation: **Del Mar Thoroughbred Club**
2. State where incorporated: **California**
3. Registry or file number for the corporation: **559096**
4. Names of all officers and directors, titles, and the number of shares of the corporation held by each:

David H. Batchelder	Chairman of the Board	1 Share
Joseph W. Harper	Director, President, General Manager & CEO	1 "
Rollin W. Baugh	Director	1 "
James R. Buell	Director	1 "
Jon S. Kelly	Director	1 "
Warner Lusardi	Director	1 "
Marie G. Moretti	Director	1 "
Martin J. Wygod	Director	1 "
Michael R. Ernst	Executive VP, Finance and Admin./CFO	0
Thomas S. Robbins	Executive VP, Racing & Industry Relations	0
Craig A. Dado	Executive VP, Chief Marketing Officer	0
Josh Rubinstein	Executive VP, Chief Operating Officer	0
Lynn Wright	VP and Controller	0
Robert Sanchez	VP, Plant	0
Tim Read	VP, Operations and Collective Bargaining	0
Ann Hall	VP, Human Resources / Administration	0

5. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each:  
**None**

6. Number of outstanding shares in the corporation: **8**

7. Are the shares listed for public trading?  Yes  No

If yes, on what exchange and how is the stock listed:

8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation: **Michael R. Ernst**

9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity: **None**

A. Is parent and/or paired corporation or entity a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F.

If yes, answer questions 10-17. Yes  No

10. Registered name of the corporation: **NA**

11. State where incorporated: **NA**

12. Registry or file number for the corporation: **NA**
13. Names of all officers and directors, titles, and the number of shares of the corporation held by each: **NA**
14. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each: **NA**
15. Number of outstanding shares in the corporation: **NA**
16. Are the shares listed for public trading? **NA** Yes  No   
If yes, on what exchange and how is the stock listed: **NA**
17. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation: **NA**

#### D. LLC

1. Registered name of the LLC:
2. State where articles of organization are filed:
3. Registry or file number for the LLC:
4. Attach a list of the names of all members (including individuals (true names), corporations, other LLCs and or foreign entities), titles, and the number of shares of the LLC held by each:
5. Are the shares listed for public trading? Yes  No   
If yes, on what exchange and how the stock is listed:
6. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
  - A. Is parent and/or paired entity either a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F. If yes, answer questions 7-12. Yes  No
7. Registered name of the LLC/Corporation:
8. State where articles of organization are filed:
9. Registry or file number for the LLC:
10. Attach a list of the names (true names) of all members (members may include individuals, corporations other LLCs and foreign entities), titles, and the number of shares of the LLC held by each:
11. Are the shares listed for public trading? Yes  No
12. If yes, on what exchange and how the stock is listed:

#### E. OTHER

1. Name(s) of partners/sole proprietor:
2. If a partnership, attach partnership agreement.

#### F. FINANCIAL INFORMATION \*

1. Attach the most recent audited annual financial statement or financial report for the applicant. The financial statement or financial report shall include all relevant financial information specific to the applicant including: **On file.**
  - Statement of Financial Position: also referred to as a balance sheet. Statement should report on applicant's assets, liabilities, contingent liabilities and ownership equity as of the date of the prepared statement.

- Statement of Comprehensive Income: also referred to as Profit and Loss (“P&L”) Statement. Statement should include report on applicant’s income, expenses, and profits.
- Profit and Loss statement for prior two years race meeting and Profit and Loss statement for projected year race meeting.
- Statement of Changes in Equity: to include the changes of the applicants’ equity through the reporting period.
- Statement of Cash Flows: to include a report of the applicant’s cash flow activity, particularly its operating investing and financing activities during the reporting period.
- Copy of a report made during the preceding 12 months to shareholders in the corporation and/or the Securities and Exchange Commission and/or the California Corporations Commission.

**\*NOTICE TO APPLICANT:** The financial information provided pursuant to subsection (F) above is exempt from disclosure pursuant to Government Code section 6254(k) and non-disclosable to the public.

#### G. MANAGEMENT AND STAFF

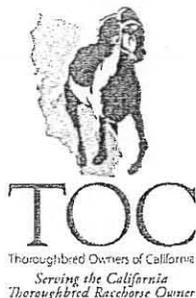
1. Name and title of the managing officer and/or general manager of the association and the name and title of all department managers and staff, other than those listed in 13B, who will be listed in the official program:

<b>Michael R. Ernst</b>	<b>Executive VP, Finance and Administration/CFO</b>
<b>Thomas S. Robbins</b>	<b>Executive VP, Racing &amp; Industry Relations</b>
<b>Craig A. Dado</b>	<b>Executive VP, Chief Marketing Officer</b>
<b>Josh Rubinstein</b>	<b>Executive VP, Chief Operating Officer</b>
<b>Timothy A. Read</b>	<b>Vice President, Operations &amp; Collective Bargaining</b>
<b>Ann Hall</b>	<b>Vice President, Human Resources &amp; Administration</b>
<b>David Jerkens</b>	<b>Racing Secretary</b>
<b>Mac McBride</b>	<b>Director of Media</b>
<b>Daniel G. Smith</b>	<b>Senior Media Supervisor</b>
<b>Lynn Wright</b>	<b>Vice President, Controller</b>
<b>Jacquelyn King</b>	<b>Director of Group Sales</b>
<b>Paul Porter</b>	<b>Director of Simulcasting and Racetrack Services</b>
<b>Walker McBride</b>	<b>Director of Sponsorship and Digital Media</b>
<b>William D. Navarro</b>	<b>Director of Parimutuels</b>
<b>Nancy Bonforte</b>	<b>Director, Turf Club</b>
<b>Robert Sanchez</b>	<b>Vice President, Plant</b>
<b>Kim Jacobson</b>	<b>Director of Risk Management</b>
<b>Trevor Denman</b>	<b>Public Address Announcer</b>
<b>Rich Tedesco</b>	<b>Track Superintendent</b>
<b>Leif Dickinson</b>	<b>Turf Course / Grounds Superintendent</b>
<b>Chris Bahr</b>	<b>Director of Events and Promotions</b>
<b>Greg Baugh</b>	<b>Customer Service Manager</b>

2. Name and title of the person(s) authorized to receive notices on behalf of the association and the mailing and email address of such person(s).

**Joseph W. Harper – President, General Manager & Chief Executive Officer**  
**PO Box 700, Del Mar, CA 92014 / [joeh@dmte.com](mailto:joeh@dmte.com)**





## EXHIBIT 3

September 2, 2015

## OFFICERS

MIKE PEGRAM  
CHAIR  
BILL STRAUSS  
VICE CHAIR, SOUTHERN CA.  
JACK OWENS  
VICE CHAIR, NORTHERN CA.  
NICK ALEXANDER  
SECRETARY/TREASURER  
MIKE HARRINGTON  
AT LARGE  
ED MOGER  
AT LARGE

Ms. Jackie Wagner  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

RE: Del Mar Thoroughbred Club 2015 Fall Race Meet

Dear Ms. Wagner,

## DIRECTORS

ALLEN ALDRICH  
BOB BAFFERT  
MARK DEDOMENICO  
RON ELLIS  
TERRY LOVINGIER  
WILLIAM E. MOREY  
GEORGE TODARO  
KATHY WALSH  
MICHAEL WELLMAN

Del Mar Thoroughbred Club (DMTC) has contacted the Thoroughbred Owners of California ("TOC") regarding the conducting of the "Players Pick-5" wager on the first five (5) races of the day, subject to a 14% takeout, on each racing day of its 2015 Fall meet, October 29 - November 29, 2015. The TOC agrees to such a wager based upon the same terms and conditions as it was offered at Del Mar's previous meet.

Please feel free to contact me with any questions.

## EXECUTIVE STAFF

JOE MORRIS  
PRESIDENT  
MARY FORNEY  
DIRECTOR OF OPERATIONS  
RICHARD SCHEIDT  
NO. CA. DIRECTOR OF OPERATIONS  
JENNIFER SAAVEDRA  
BOOKKEEPER

Sincerely,

Joe Morris  
President

## CHAIRS EMERITUS

ED FRIENDLY (1996-97)  
ROBERT B. LEWIS (1997-2001)  
GARY BURKE (2001)  
JACK B. OWENS (2001-03, 04-05,  
2011)  
RON CHARLES (2003-04)  
ALAN LANDSBURG (2005-07)  
MARSHA NAIFY (2007-10)  
ARNOLD ZETCHER (2010-11)

cc: Josh Rubenstein  
Lucy Myers

## CORPORATE OFFICE

285 W. HUNTINGTON DRIVE  
ARCADIA, CA 91007  
T: 626-574-6620  
F: 626-821-1515  
WWW.TOCONLINE.COM

## EXHIBIT 3



September 2, 2015

## OFFICERS

MIKE PEGRAM  
CHAIR  
BILL STRAUSS  
VICE CHAIR, SOUTHERN CA.  
JACK OWENS  
VICE CHAIR, NORTHERN CA.  
NICK ALEXANDER  
SECRETARY/TREASURER  
MIKE HARRINGTON  
AT LARGE  
ED MOGER  
AT LARGE

Ms. Jackie Wagner  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

RE: Del Mar Thoroughbred Club 2015 Fall Race Meet

Dear Ms. Wagner,

## DIRECTORS

ALLEN ALDRICH  
BOB BAFFERT  
MARK DEDOMENICO  
RON ELLIS  
TERRY LOVINGIER  
WILLIAM E. MOREY  
GEORGE TODARO  
KATHY WALSH  
MICHAEL WELLMAN

Del Mar Thoroughbred Club (DMTC) has contacted the Thoroughbred Owners of California ("TOC") regarding the conducting of "Rolling Doubles" wagers, subject to a 20% takeout, on each racing day of its 2015 Fall meet, October 29 – November 29, 2015. The TOC agrees to such a wager based upon the same terms and conditions as it was offered at Del Mar's previous meet.

Please feel free to contact me with any questions.

## EXECUTIVE STAFF

JOE MORRIS  
PRESIDENT  
MARY FORNEY  
DIRECTOR OF OPERATIONS  
RICHARD SCHEIDT  
NO. CA. DIRECTOR OF OPERATIONS  
JENNIFER SAAVEDRA  
BOOKKEEPER

Sincerely,

Joe Morris  
President

## CHAIRS EMERITUS

ED FRIENDLY (1996-97)  
ROBERT B. LEWIS (1997-2001)  
GARY BURKE (2001)  
JACK B. OWENS (2001-03, 04-05,  
2011)  
RON CHARLES (2003-04)  
ALAN LANDSBURG (2005-07)  
MARSHA NAIFY (2007-10)  
ARNOLD ZETCHER (2010-11)

cc: Josh Rubenstein  
Lucy Myers

## CORPORATE OFFICE

285 W. HUNTINGTON DRIVE  
ARCADIA, CA 91007  
T: 626-574-6620  
F: 626-821-1515  
WWW.TOCONLINE.COM

**5. TAKE OUT PERCENTAGE**

1. If this is a thoroughbred race meeting, will the percentage deducted for any type of wager be adjusted pursuant to Business and Professions Code section 19601.01? If no, proceed to subsection 6. If yes, identify the wager and the proposed takeout percentage.

Yes  No

Wager(s) to be adjusted: **Pick Five and Rolling Doubles**

Proposed percentage: **14% takeout (Pick Five)  
20% takeout (Rolling Doubles)**

- A. Attach copy of written notice requesting the proposed takeout adjustment, the proposed percentage and the wager(s) affected. The notice must include the written agreement of the thoroughbred association and the horsemen's organization for the meeting of the thoroughbred association accepting the wager. **Exhibit 3**

**NOTICE TO APPLICANT:** Pursuant to Business and Professions Code section 19601.01 notwithstanding any other provision of law, a thoroughbred association or fair, upon the filing of a written notice with, and approval by, the board specifying the percentage to be deducted, may deduct from the total amount handled in the pari-mutuel pool for any type of wager an amount of not less than 10 percent nor more than 25 percent. The written notice shall include the written agreement of the thoroughbred association or fair and the horsemen's organization for the meeting of the thoroughbred association or fair accepting the wager. The established percentage to be deducted shall remain in effect until the filing of a subsequent notice with, and approval by, the board, unless otherwise specified in the notice.

**6. HANDLE HISTORY**

1. Complete the table below providing the last five years of handle and attendance for your racing association. If your association has been operating for fewer than five years, provide information for the period of time it has been in operation. If the racing association has changed ownership include the handle information for the previous racing association. **N/A**

Year	On-Track Handle	Off-Track Handle	On-Track Attendance	Off-Track Attendance
2014 Fall	16,059,156	138,855,274	135,829	107,409

**7. PURSE PROGRAM (Excluding supplements, nominations, sponsorships and starter fees.):**

- A. Purse distribution:

1. All races other than stakes:  
 Current meet estimate: **6,717,286**  
 Prior meet actual: **4,717,980**

Average Daily Purse (7 A1 ÷ number of days):  
 Current meet estimate: **335,864**  
 Prior meet actual: **314,532**

2. Overnight stakes:  
 Current meet estimate: 150,000  
 Prior meet actual 150,000

Average Daily Purse (7 A2 ÷ number of days):  
 Current meet estimate: 7,500  
 Prior meet actual: 10,000

3. Non-overnight stakes:  
 Current meet estimate: 2,030,000  
 Prior meet actual: 1,802,950

Average Daily Purse (7 A3 ÷ number of days):  
 Current meet estimate: 101,500  
 Prior meet actual: 120,197

4. Total Purses: (7A1+7A2+ 7A3)  
 Current meet estimate: 8,897,286  
 Prior meet actual: 6,670,930

B. California-bred Stakes Races:

1. Percentage of the purse distribution for all stakes races that will be distributed for California-bred stakes races:  
 Current meet estimate: 27.5%  
 Prior meet actual: 10.3%

Average Daily Purse (7 B1 ÷ number of days):  
 Current meet estimate: 1.38%  
 Prior meet actual: 0.68%

C. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):  
 Current meet estimate: 716,951  
 Prior meet actual: 559,847

D. Payment to each recognized horsemen's organization contracting with the association and the name(s) of the organization(s):

	Current meet estimate:	Prior meet actual:
TOC Administration	68,556	56,760
CTT Administration	34,278	28,380
CTBL Workers' Comp	68,556	56,760
CTT Backstretch Pension	<u>68,556</u>	<u>56,760</u>
Total	239,946	198,660

E. Amount from all sources to be distributed in the form of purses or other benefits to horsemen

(7 A+7 C+7 D):

Current meet estimate: 9,854,184

Prior meet actual: 7,429,436

Average Daily Purse (7 E ÷ number of days):

Current meet estimate: 492,709

Prior meet actual: 495,296

F. Purse funds to be generated from on-track handle and intrastate off-track handle (excluding carry-overs from prior race meet(s):

Current meet estimate: 5,714,083

Prior meet actual: 4,579,553

Average Daily Purse (7 F ÷ number of days):

Current meet estimate: 285,704

Prior meet actual: 305,304

G. Purse funds to be generated from interstate handle:

Current meet estimate: 3,083,251

Prior meet actual: 2,449,967

Average Daily Purse (7 G ÷ number of days):

Current meet estimate: 154,163

Prior meet actual: 163,331

H. Bank and account number for the Paymaster of Purses' purse account:

Bank of America, 450 B Street Suite 1500, San Diego CA 92101, Account # On file

I. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meet:

Bowen, McBeth, Inc., 10722 Arrow Route, Suite 110, Rancho Cucamonga, CA 91730 (909) 944-6465

NOTICE TO APPLICANT: All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, shall not be deemed as income to the association; shall not be transferred to a parent corporation outside the State of California; and shall, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt, into such liability account. In the event the association is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the association shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The association is entitled to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the association is entitled to carry forward the deficit to its next succeeding meeting as provided by Business and Professions Code section 19615(c) or (d). In the event of underpayment of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the association may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

**8. STABLE ACCOMMODATIONS**

- A. Number of usable stalls available for racehorses at the track where the meeting is held: **700**
- B. Minimum number of stalls believed necessary for the meeting: **700**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **3,295**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site:
- |                      |                           |
|----------------------|---------------------------|
| • Santa Anita        | <b>1,900</b>              |
| • Los Alamitos       | <b>700</b>                |
| • San Luis Rey Downs | <b>495</b>                |
| • Galway Downs       | <b>200 (or as needed)</b> |
- E. Attach each contract or agreement between the association and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.  
**Agreement is on file with CHRB**

Complete subsections F through H if the association will request reimbursement for off-site stabling as provided by Business and Professions Code sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, proceed to section 9.

- F. Total number of usable stalls made available on-site for the **1986** meeting, pursuant to Business and Professions Code section 19535(c): **2,100**
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per day per stall:  
**\$999,305**  
**\$9.48 cost per day per stall**
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse:  
**Estimated vanning cost: \$285,700**
- |                              |              |
|------------------------------|--------------|
| Vanning per horse (one way): |              |
| Santa Anita                  | <b>\$160</b> |
| Los Alamitos                 | <b>\$160</b> |
| San Luis Rey Downs           | <b>\$ 90</b> |
| Galway Downs                 | <b>\$ 90</b> |

**9 PARI-MUTUEL WAGERING PROGRAM**

- A. Pursuant to Business and Professions Code section 19599, and with the approval of the CHRB, associations may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each:

Use DD for daily double, E for exacta (special quinella), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

	Type of Wager(s):	Applicable Rule(s):
Example Race:	\$5E, \$2DD	CHRB#1959; RCI #VE
Race #1	\$2Q, \$1E, \$1PK3, \$2DD <sup>2</sup> , \$1 PPN, \$1TRI, .10¢SF, .50¢P(n)P (Pick 5) <sup>3</sup>	CHRB#1958, 1959, 1977, 1957, 1976.8, 1979, 1979.1, 1976.9
Race #2	\$2Q, \$1E, \$1PK3, \$1TRI, .10¢SF, \$2DD <sup>2</sup> , P(n)P	CHRB#1958, 1959, 1977, 1979, 1979.1, 1957, 1976.9
Race #3	\$2Q, \$1E, \$1PK3, \$1TRI, .10¢SF, *\$2P(n)P (Pick 6), \$2DD <sup>2</sup>	CHRB#1958, 1959, 1977, 1979, 1979.1, 1976.9, 1957
Race #4	\$2Q, \$1E, \$1PK3, \$1TRI, .10¢SF, \$2DD <sup>2</sup> , P(n)P	CHRB#1958, 1959, 1977, 1979, 1979.1, 1957, 1976.9
Race #5	\$2Q, \$1E, \$1PK3, \$1TRI, .10¢SF, \$2DD <sup>2</sup> , .50¢PK4 <sup>1</sup> , P(n)P	CHRB#1958, 1959, 1977, 1979, 1979.1, 1957, 1978, 1976.9
Race #6	\$2Q, \$1E, *\$1PK3, .10¢SF, \$1TRI, \$2DD <sup>2</sup> , .50¢PK4 <sup>1</sup>	CHRB#1958, 1959, 1977, 1979.1, 1979, 1957, 1978
Race #7	\$2Q, \$1E, *\$1PK3, \$1TRI, .10¢SF, \$2DD <sup>2</sup> , .50¢PK4 <sup>1</sup>	CHRB#1958, 1959, 1979, 1979.1, 1957, 1978, 1977
Race #8	\$2Q, \$1E, \$1TRI, .10¢SF, \$2DD <sup>2</sup> , .50¢PK4 <sup>1</sup> , *\$1 SUPER HIGH FIVE*	CHRB#1958, 1959, 1979, 1979.1, 1957, 1978, ARCI 004-105 Pick(n) Position(x) Pool(s)
Race #9*	\$2Q, \$1E, \$1TRI, .10¢SF, \$2DD <sup>2</sup>	CHRB#1958, 1959, 1979, 1979.1, 1957

<sup>1</sup> .50¢SPK4 offered in the last four races daily.

<sup>2</sup> \$2DD offered every race daily, except the last race.

<sup>3</sup> .50¢PNP (Pick 5) This Players Pick Five wager will begin with the first race each day and offer a 14% takeout.

\* Days with 9 races, the types of wagers offered based on this schedule will be rolled forward or backward accordingly.

B. Maximum carryover pool to be allowed to accumulate before its distribution OR the date(s) designated for distribution of the carryover pool: **None**

C. List any options requested with regard to exotic wagering: **None**

D. Will "advance" or "early bird" wagering be offered? Yes  No

If yes, when will such wagering begin? Specify days and time for "early bird" wagering:  
 9:00am – 10:00am October 29 through November 29, 2015, every racing day

- E. Type(s) of pari-mutuel or totalizator equipment to be used by the association and the simulcast organization, name of the person(s) supplying equipment, and expiration date of the service contract:

**Totalisator Central System**

**American Totalisator, Inc. (AmTote)**

**Primary system at ViaWest Data Center located in Portland Oregon**

**AmTote Representative:**

**Jeff True (818-307-0679) [jeff.true@amtote.com](mailto:jeff.true@amtote.com)**

**Contract expiration date: October 28, 2020**

**Terminals**

**F3000e – Convertible teller and self-service unit; IP based, touch screen and keyboard operated.**

**V3000e – Self Service terminals, touch screen, bill accepting, ticket in/out.**

**AWSST – Account wagering self-service unit. Touch screen account based terminal.**

**10. ADVANCE DEPOSIT WAGERING (ADW)**

- A. Identify the ADW provider(s) to be used by the association for this race meeting:

**DMTC, in cooperation with Thoroughbred Owners of California and via Monarch Content Management, LLC, has signed agreements in place with the following Advance Deposit Wagering (ADW) companies to conduct Internet and telephone wagering from California residents: TVG, Xpress-Bet, Twin Spires, Bet America and Watch and Wager. In addition, several other ADW companies (complete list on file) have access to Del Mar’s content for Internet wagering in states for which ADW is approved by law.**

- B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting. **On file**

- C. Have the contract/agreements been approved by the respective horsemen’s groups?

Yes  No

If yes, attach a copy of the approval. **Exhibit 4**

If no, explain the status of the approval.

**NOTICE TO APPLICANT:** Pursuant to Business and Professions Code section 19604, ADW providers may accept wagers on races conducted in California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) a written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made; 3) the agreement shall have been approved in writing by the horsemen’s organization responsible for negotiating purse agreements for the breed on which the wagers are made. ADW providers may accept wagers on races conducted outside of California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) there is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wagers are placed and (ii) the horsemen’s organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

## EXHIBIT 4

July 28, 2015

Mr. Josh Rubenstein  
 Del Mar Thoroughbred Club  
 P.O. Box 700  
 Del Mar, CA 92014

RE: 2015 Del Mar Fall Race Meeting ADW Approvals

Dear Josh,

Pursuant to the Interstate Horseracing Act and applicable California law, the Thoroughbred Owners of California (TOC) agrees to the use of Del Mar Thoroughbred Club (DMTC) race signals under the terms and conditions set forth below.

DMTC shall be permitted to transmit race signal to California-licensed ADW providers TVG, Xpressbet, TwinSpire (subject to arbitration), WatchandWager, Game Play Network Inc. and Bet America to accept wagers on DMTC and other Thoroughbred races during the 2015 DMTC Fall race meeting, October 28 - December 2, 2015, as follows:

1. **California wagering on DMTC races:**
  - a. TVG, XpressBet, and TwinSpire (subject to arbitration), may deduct a Hub Fee of 5.0% of gross handle.
  - b. WatchandWager and Bet America may deduct a Hub Fee of 4.2% of gross handle.
  - c. Game Play Network, Inc. may deduct a Hub Fee of 6.5% for wagers using the Game Interface and 4.0% for wagers using the traditional interface.
  - d. The remainder of the takeout shall be distributed in conformity with the Market Access Fee provisions of California law (Section 19604 et seq).
2. **California wagering on out-of-state Thoroughbred races:**
  - a. TVG, XpressBet, and TwinSpire (subject to arbitration), may deduct a Hub Fee of 5.0% of gross handle.
  - b. WatchandWager and Bet America may deduct a Hub Fee of 4.2% of gross handle.
  - c. Game Play Network, Inc. may deduct a Hub Fee of 6.5% for wagers using the Game Interface and 4.0% for wagers using the traditional interface.
  - d. The remainder of the takeout shall be distributed in conformity with the Market Access Fee provisions of California law (Section 19604 et seq).
3. **Out-of-state wagering on DMTC races:**
  - a. TVG, XpressBet, and TwinSpire (subject to arbitration), shall pay a Host Fee of no less than 8.5% (plus a 1.25% California Purse Fee per SB 1072) of gross out-of-state handle wagered by out-of-state account holders.
  - b. WatchandWager and Bet America shall pay a Host Fee of no less than 60% of takeout (which includes a 1.25% California purse fee per SB 1072) of gross out-of-state handle wagered by out-of-state account holders.

This agreement in no way binds TOC to the same terms and conditions with respect to future race meetings. TOC's authorization shall not serve, nor should it be construed as, a precedent to future requests for permission to transmit race signals, and facilitate wagering on those signals, to the ADW providers specified herein or to any other ADW provider. TOC reserves the right to cancel or withdraw its authorization for any ADW provider, at any time, upon 48 hours written notice. These terms and conditions are subject to receipt by TOC of written confirmation of these terms, signed by authorized representatives of TVG, Xpressbet, TwinSpire, WatchandWager and Bet America.

Very truly yours,



Joe Morris  
 President



## OFFICERS

MIKE PEGRAM  
 CHAIR  
 BILL STRAUSS  
 VICE CHAIR, SOUTHERN CA.  
 JACK OWENS  
 VICE CHAIR, NORTHERN CA.  
 NICK ALEXANDER  
 SECRETARY/TREASURER  
 MIKE HARRINGTON  
 AT LARGE  
 ED MOGER  
 AT LARGE

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 BOOKKEEPER

## CHAIRS EMERITUS

ED FRIENDLY (1996-97)  
 ROBERT B. LEWIS (1997-2001)  
 GARY BURKE (2001)  
 JACK B. OWENS (2001-03, 04-05,  
 2011)  
 RON CHARLES (2003-04)  
 ALAN LANDSBURG (2005-07)  
 MARSHA NAIFY (2007-10)  
 ARNOLD ZETCHER (2010-11)

## CORPORATE OFFICE

285 W. HUNTINGTON DRIVE  
 ARCADIA, CA 91007  
 T: 626-574-6620  
 F: 626-821-1515  
 WWW.TOCONLINE.COM

**11. SIMULCAST WAGERING PROGRAM**

- A. Simulcast organization engaged by the association to conduct simulcast wagering:  
**Southern California Off Track Wagering, Inc. "SCOTWINC"**
- B. Attach the agreement between the association and simulcast organization permitting the organization to use the association's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.  
**SCOTWINC Agreement is on file with CHRB.**
- C. California simulcast facilities the association proposes to offer its live audiovisual signal:  
**Exhibit 5**
- D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal:  
**Exhibit 6**
- E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association:  
**Exhibit 7**
- F. California mini-simulcast facilities the association proposes to offer its live audiovisual signal:  
**Exhibit 8**
- G. For THOROUGHBRED racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": **Exhibit 9**

NOTICE TO APPLICANT: Business and Professions Code section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 50 imported thoroughbred races statewide. The limitation of 50 imported thoroughbred races per day statewide does not apply to those races specified in Business and Professions Code section 19596.2(a)(1), (2), (3) and (4).

**THOROUGHBRED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
--------------------	------------	---

- H. For QUARTER HORSE racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country quarter horse races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": **N/A**

**QUARTER HORSE SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
--------------------	------------	---

- I. For STANDARD BRED racing associations, list the host tracks from which the association proposes to import out-of-state and/or out-of-country harness races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": **N/A**

## Exhibit 5

## Satellites

Alameda County Fair, Pleasanton  
Antelope Valley Fair, Lancaster  
Barona Resort & Casino, Lakeside  
Big Fresno Fair, Fresno  
Cabazon Fantasy Springs Casino, Indio  
California State Fair & Expo, Sacramento  
Fairplex Park @ Barretts, Pomona  
Fresno Club One, Fresno  
Golden Gate Fields, Albany  
Hollywood Park Casino, Inglewood  
Humboldt County Fair, Ferndale  
Los Alamitos Racecourse, Los Alamitos  
Monterey County Fair, Monterey  
National Orange Show, San Bernardino  
San Bernardino County Fair, Victorville  
San Joaquin County Fair, Stockton  
Santa Clara County Fair, San Jose  
Santa Anita Park, Arcadia  
Shalimar Sports Center, Indio  
Shasta District Fair, Anderson  
Solano County Fair, Vallejo  
Sonoma County Fair, Santa Rosa  
Sports Pavilion, The Farmers Fair, Lake Perris  
Stanislaus County Fair, Turlock  
Sycuan Resort & Casino, El Cajon  
The Jockey Club, San Mateo  
Ventura County Fair, Ventura  
Viejas Casino & Turf Club, Alpine

## Exhibit 6

Alberta Downs, Alberta, Canada  
 AmWest Entertainment, KY  
 Arapahoe Park, Colorado  
 Arima Race Course, Trinidad  
 Arlington International Race Course, Illinois  
 Assiniboia Downs, Canada  
 Atlantic City Casino Assn., New Jersey  
 Atlantis Resort and Casino, Bahamas  
 Balmoral Park, Illinois  
 Bangor Raceway, Maine  
 Barrie Raceway, Ontario  
 Batavia Downs, New York  
 Belterra Race Course, OH  
 Bet America, LLC, North Dakota  
 Bet Fair Games Limited, UK  
 Bettor Racing OTB, South Dakota  
 Birmingham Race Course, Alabama  
 Bluff Runs Greyhound, Idaho  
 Bordertown OTB, Oklahoma  
 Buffalo Trotting Association, New York  
 Bwin International, Ltd.  
 Calder Race Course, Florida  
 Caliente, Mexico  
 Canterbury Park, Minnesota  
 Capital District OTB, New York  
 Catskill Regional OTB, New York  
 Caymanas Race Track, Jamaica  
 Century Downs, Alberta, Canada  
 Charles Town Races, West Virginia  
 Chester Downs - Pennsylvania  
 Churchill Downs, Kentucky  
 Clinton Teletheatre, Canada  
 Club Hipico Inturf, Venezuela  
 Coeur d' Alene Casino, Idaho  
 Colonial Downs Accounts, Virginia  
 Columbus Races, Nebraska  
 Connecticut OTB, Connecticut  
 Corpus Cristi Greyhound, Texas  
 Cypress Bayou, Louisiana  
 Dayton Park, OH  
 Divi Carina Bay Casino, Louisiana  
 Delaware Park, Delaware  
 Delta Downs, Louisiana  
 Dover Downs, Delaware  
 Downs at Albuquerque, New Mexico  
 Ebet Online, Oregon  
 Elite Turf Club, Curacao  
 Ellis Park, Kentucky  
 Elmira Raceway, Ontario  
 Equus St.Thomas, St. Thomas  
 Emerald Downs, Washington  
 Euro Offtrack, Isle of Man  
 Evangeline Downs, Louisiana  
 Evansville/Clarksville OTB, Indiana  
 Fair Chance Racing Services, Trinidad  
 Fairgrounds Racecourse, Louisiana  
 Fair Meadows, Texas  
 Fairmount Park, Illinois  
 Finger Lakes Race Track, New York  
 Flamboro Downs, Ontario  
 Fonner Park, Nebraska  
 Fort Erie Racetrack, Canada  
 Foxwoods Casino, Connecticut  
 Fraser Downs, British Columbia  
 Freehold Raceway, New Jersey  
 Gillespie County Downs, Texas  
 Grand River, Canada  
 Greentrack, Alabama  
 GWS German Tote, Germany  
 Gulf Greyhound, Texas  
 Gulfstream Park, Florida  
 Hanover Raceway, Canada  
 Harrington Raceway, Delaware  
 Hastings Park, Canada  
 Hawthorne Race Course, Illinois  
 Hazel Park, Michigan  
 Hiawatha Downs, Ontario  
 Hipica de Panama, Panama  
 Hipodromo Camarero, Puerto Rico  
 Hipodromo Montericco, Peru  
 Ho-Chuck Casino, Connecticut  
 Hoosier Park, Indiana  
 Horsemen's Park, Nebraska  
 Indiana Downs, Indiana  
 Inverness Raceway, Canada  
 John Martins Manor, Maine  
 Kawartha Downs, Ontario  
 Keeneland, Kentucky  
 Kentucky Downs, Kentucky  
 Kentucky OTB, Kentucky

## Exhibit 6

Las Vegas Dissemination Company, Nevada  
 Les Bois Park, Idaho  
 Lewiston Raceway, Maine  
 Lien Games, North Dakota  
 Lincoln Greyhound Park, Rhode Island  
 Lone Star Race Park, Texas  
 Louisiana Downs, Louisiana  
 Magna Bet, Austria  
 Mahoning Valley Race Course, OH  
 Maronas Race Track, Uruguay  
 Marquis Downs, Saskatchewan  
 Maryland Jockey Club, Maryland  
 Maywood Park, Illinois  
 Meskwaki Casino, Oklahoma  
 Miami Valley Gaming, Ohio  
 Millennium Racing, Trinidad  
 Millers OTB, Maine  
 Mobile Greyhound Park, Alabama  
 Mohegan Sun, Pennsylvania  
 Monmouth Park, New Jersey  
 Montana OTB, Montana  
 Monticello Raceway, NY  
 Mountaineer Park, West Virginia  
 Nassau Regional OTB, New York  
 Nebraska State Fair Park, Nebraska  
 Nevada Pari-Mutuel Association, Nevada  
 NJSEA, New Jersey  
 New Jersey Mobile, New Jersey  
 New York Racing Association, New York  
 Newport Jai-Alai, Rhode Island  
 Northfield Park, Ohio  
 Northlands Park, Canada  
 Northville Downs, Michigan  
 Oaklawn Park, Arkansas  
 Ocean Downs, Maryland  
 Offtrackbetting.com, Oregon  
 Oneida Bingo and Casino, Oklahoma  
 Ontario Teletheatre, Ontario  
 Paragon Casino, Louisiana  
 Penn National Race Course, Pennsylvania  
 Philadelphia Park, Pennsylvania  
 Phumelela (Premier Gateway), South Africa  
 Pojoaque Casino, Oklahoma  
 Potawatomi Casino, Wisconsin  
 Picov Downs, Canada  
 Pimlico Race Course, Maryland  
 Plainridge Race Course, Massachusetts  
 Plainridge Telephones, Massachusetts  
 Player Management Group, CA  
 Pocono Downs, Pennsylvania  
 Portland Meadows, Oregon  
 Prairie Meadows, Iowa  
 Premier Turf Club, North Dakota  
 Presque Isle Downs, Pennsylvania  
 Racing2Day, North Dakota  
 Racing and Gaming Services, St Kitts  
 Remington Park, Oklahoma  
 Retama Park, Texas  
 Rideau Carleton Raceway, Canada  
 Riders Up OTB, Oklahoma  
 Rockingham Park, New Hampshire  
 Rocky Mountain Turf Club, Canada  
 Royal Beach Casino, St Kitts  
 Ruidoso Downs, New Mexico  
 Saddle Brook Jockey Club, TX  
 Sam Houston Park, Texas  
 Sandy Downs, Idaho  
 Saratoga Harness, New York  
 Scarborough Downs, Maine  
 Scioto Downs, Ohio  
 Seabrook Greyhound Park, NH  
 Shoreline Star Greyhounds, Connecticut  
 Skydancer Casino, Oklahoma  
 Social Gaming Technologies, North Dakota  
 Sol Mutuel, St. George's, Grenada  
 Southland Greyhound Park, Arkansas  
 Sports Center, Kentucky  
 Suffolk District OTB, New York  
 Suffolk Downs, Massachusetts  
 Sunland Park Racetrack, New Mexico  
 Sun Ray Park, New Mexico  
 TabCorp, Australia  
 Tampa Bay Downs, Florida  
 TattsBet, Australia  
 Taunton Dog Track, New Hampshire  
 TBC Teletheatre, British Columbia  
 The Meadows, Pennsylvania  
 Thistledown, Ohio  
 Tioga Downs, New York  
 Tote Investment Services, Trinidad

**Exhibit 6**

Tri-State Greyhound, West Virginia  
Truro Raceway, Canada  
TVG, Los Angeles  
TVG Chester, Pennsylvania  
TVG Prairie Meadows, Iowa  
TVG, Arizona  
Turf Paradise, Arizona  
Turfway Park, Kentucky  
Twin River Greyhounds, RI  
Twin Spires, Kentucky  
Valley Greyhound Park, Texas  
Velocity Wagering Ltd., KY  
Venezuela OTB, Venezuela  
Vernon Downs, New York  
Watch and Wager, San Francisco  
Western Fair, Ontario  
Western Regional OTB, New York  
Wheeling Downs, Canada  
Will Rogers Downs, Oklahoma  
Woodbine Entertainment Corp, Ontario  
Wyoming Downs, Wyoming  
Wyoming Horse Racing LLC, Wyoming  
XpressBet, Pennsylvania  
Yonkers Raceway, New York  
Zia Park, New Mexico

Alberta Downs, Alberta, Canada  
 AmWest Entertainment, KY  
 Arapahoe Park, Colorado  
 Arima Race Course, Trinidad  
 Arlington International Race Course, Illinois  
 Assiniboia Downs, Canada  
 Atlantic City Casino Assn., New Jersey  
 Atlantis Resort and Casino, Bahamas  
 Balmoral Park, Illinois  
 Bangor Raceway, Maine  
 Barrie Raceway, Ontario  
 Batavia Downs, New York  
 Belterra Race Course, OH  
 Bet America, LLC, North Dakota  
 Bet Fair Games Limited, UK  
 Bettor Racing OTB, South Dakota  
 Birmingham Race Course, Alabama  
 Bluff Runs Greyhound, Idaho  
 Bordertown OTB, Oklahoma  
 Buffalo Trotting Association, New York  
 Bwin International, Ltd.  
 Calder Race Course, Florida  
 Canterbury Park, Minnesota  
 Capital District OTB, New York  
 Catskill Regional OTB, New York  
 Century Downs, Alberta, Canada  
 Charles Town Races, West Virginia  
 Chester Downs - Pennsylvania  
 Churchill Downs, Kentucky  
 Clinton Teletheatre, Canada  
 Club Hipico Inturf, Venezuela  
 Coeur d' Alene Casino, Idaho  
 Colonial Downs Accounts, Virginia  
 Columbus Races, Nebraska  
 Connecticut OTB, Connecticut  
 Corpus Cristi Greyhound, Texas  
 Cypress Bayou, Louisiana  
 Dayton Park, OH  
 Divi Carina Bay Casino, Louisiana  
 Delaware Park, Delaware  
 Delta Downs, Louisiana  
 Dover Downs, Delaware  
 Downs at Albuquerque, New Mexico  
 Ebet Online, Oregon  
 Elite Turf Club, Curacao  
 Ellis Park, Kentucky  
 Elmira Raceway, Ontario  
 Equus St. Thomas, St. Thomas  
 Emerald Downs, Washington  
 Euro Offtrack, Isle of Man  
 Evangeline Downs, Louisiana  
 Evansville/Clarksville OTB, Indiana  
 Fair Chance Racing Services, Trinidad  
 Fairgrounds Racecourse, Louisiana  
 Fair Meadows, Texas  
 Fairmount Park, Illinois  
 Finger Lakes Race Track, New York  
 Flamboro Downs, Ontario  
 Fonner Park, Nebraska  
 Fort Erie Racetrack, Canada  
 Foxwoods Casino, Connecticut  
 Fraser Downs, British Columbia  
 Freehold Raceway, New Jersey  
 Gillespie County Downs, Texas  
 Grand River, Canada  
 Greentrack, Alabama  
 GWS German Tote, Germany  
 Gulf Greyhound, Texas  
 Gulfstream Park, Florida  
 Hanover Raceway, Canada  
 Harrington Raceway, Delaware  
 Hastings Park, Canada  
 Hawthorne Race Course, Illinois  
 Hazel Park, Michigan  
 Hiawatha Downs, Ontario  
 Hipica de Panama, Panama  
 Hipodromo Camarero, Puerto Rico  
 Hipodromo Montericco, Peru  
 Ho-Chuck Casino, Connecticut  
 Hoosier Park, Indiana  
 Horsemen's Park, Nebraska  
 Indiana Downs, Indiana  
 Inverness Raceway, Canada  
 John Martins Manor, Maine  
 Kawartha Downs, Ontario  
 Keeneland, Kentucky  
 Kentucky Downs, Kentucky  
 Kentucky OTB, Kentucky  
 Las Vegas Dissemination Company, Nevada  
 Les Bois Park, Idaho

## Exhibit 7

Lewiston Raceway, Maine  
 Lien Games, North Dakota  
 Lincoln Greyhound Park, Rhode Island  
 Lone Star Race Park, Texas  
 Louisiana Downs, Louisiana  
 Magna Bet, Austria  
 Mahoning Valley Race Course, OH  
 Maronas Race Track, Uruguay  
 Marquis Downs, Saskatchewan  
 Maryland Jockey Club, Maryland  
 Maywood Park, Illinois  
 Meskwaki Casino, Oklahoma  
 Miami Valley Gaming, Ohio  
 Millennium Racing, Trinidad  
 Millers OTB, Maine  
 Mobile Greyhound Park, Alabama  
 Mohegan Sun, Pennsylvania  
 Monmouth Park, New Jersey  
 Montana OTB, Montana  
 Monticello Raceway, NY  
 Mountaineer Park, West Virginia  
 Nassau Regional OTB, New York  
 Nebraska State Fair Park, Nebraska  
 Nevada Pari-Mutuel Association, Nevada  
 NJSEA, New Jersey  
 New Jersey Mobile, New Jersey  
 New York Racing Association, New York  
 Newport Jai-Alai, Rhode Island  
 Northfield Park, Ohio  
 Northlands Park, Canada  
 Northville Downs, Michigan  
 Oaklawn Park, Arkansas  
 Ocean Downs, Maryland  
 Offtrackbetting.com, Oregon  
 Oneida Bingo and Casino, Oklahoma  
 Ontario Teletheatre, Ontario  
 Paragon Casino, Louisiana  
 Penn National Race Course, Pennsylvania  
 Philadelphia Park, Pennsylvania  
 Phumelela (Premier Gateway), South Africa  
 Pojoaque Casino, Oklahoma  
 Potawatomi Casino, Wisconsin  
 Picov Downs, Canada  
 Pimlico Race Course, Maryland  
 Plainridge Race Course, Massachusetts  
 Plainridge Telephones, Massachusetts  
 Player Management Group, CA  
 Pocono Downs, Pennsylvania  
 Portland Meadows, Oregon  
 Prairie Meadows, Iowa  
 Premier Turf Club, North Dakota  
 Presque Isle Downs, Pennsylvania  
 Racing2Day, North Dakota  
 Racing and Gaming Services, St Kitts  
 Remington Park, Oklahoma  
 Retama Park, Texas  
 Rideau Carleton Raceway, Canada  
 Riders Up OTB, Oklahoma  
 Rockingham Park, New Hampshire  
 Rocky Mountain Turf Club, Canada  
 Royal Beach Casino, St Kitts  
 Ruidoso Downs, New Mexico  
 Saddle Brook Jockey Club, TX  
 Sam Houston Park, Texas  
 Sandy Downs, Idaho  
 Saratoga Harness, New York  
 Scarborough Downs, Maine  
 Scioto Downs, Ohio  
 Seabrook Greyhound Park, NH  
 Shoreline Star Greyhounds, Connecticut  
 Skydancer Casino, Oklahoma  
 Social Gaming Technologies, North Dakota  
 Sol Mutuel, St. George's, Grenada  
 Southland Greyhound Park, Arkansas  
 Sports Center, Kentucky  
 Suffolk District OTB, New York  
 Suffolk Downs, Massachusetts  
 Sunland Park Racetrack, New Mexico  
 Sun Ray Park, New Mexico  
 Tampa Bay Downs, Florida  
 Taunton Dog Track, New Hampshire  
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## Exhibit 7

TVG Prairie Meadows, Iowa  
TVG, Arizona  
Turf Paradise, Arizona  
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Watch and Wager, San Francisco  
Western Fair, Ontario  
Western Regional OTB, New York  
Wheeling Downs, Canada  
Will Rogers Downs, Oklahoma  
Woodbine Entertainment Corp, Ontario  
Wyoming Downs, Wyoming  
Wyoming Horse Racing LLC, Wyoming  
XpressBet, Pennsylvania  
Yonkers Raceway, New York  
Zia Park, New Mexico

## Exhibit 8

**Mini-Satellites - South**

**M1.** Commerce Casino  
6131 East Telegraph Road  
Commerce, CA 90040  
Phone: (323) 721-2100  
Contact: Ralph Wong

**M2.** OC Tavern  
2369 South El Camino Real  
San Clemente, CA 92672  
Phone (949) 542-8877  
Contact: Micheal Merrigan

**M3.** Santa Maria  
Original Roadhouse Grill  
1423 S. Bradley Rd.  
Santa Maria, CA 93454  
Phone: (805) 614-0586  
Contact John Tintle

**M4.** Santa Clarita Lanes  
21615 W. Soledad Canyon Rd.  
Saugus, CA 93454  
Phone: (661) 254-0540  
Contact Craig Goodman

**M5.** Sammy's of Lake Forest  
23221 Lake Center Drive  
Lake Forest, CA 92630  
Phone: (949) 716-2367  
Contact: Brad McKinzie

**M6.** Tilted Kilt  
1345 E. Thousand Oaks Blvd.  
Thousand Oaks CA. 91362  
Phone: (805) 777-7418  
Contact: Robert Haupt

**M7.** Ocean's 11 Casino  
121 Brooks Street  
Oceanside, CA 92054  
Phone: (888) 439-6988  
Contact: Steve Gallagher

**Exhibit 8****M8. Striders Bar & Grill (Opening Pending)**

2895 Hamner Avenue

Norco, CA 92860

PH: 310-200-9666

Contact: Lance Ku

**M9. Striders SD Bar & Grill (Opening Pending)**

100 Harbor Drive

San Diego, CA 92101

PH: 310-200-9666

Contact: Lance Ku

**M10. Firehouse Restaurant**

7701 White Avenue

Bakersfield, CA 93313

PH: 310-200-9666

Contact: Russ Johnson

**Mini-Satellites – North****M9. Bankers Casino**

111 Monterey Street

Salinas, CA 93901

Phone: 831-372-8106

Contact: Dustin Stafford

## EXHIBIT 9

Full & Partial Cards

Aqueduct: November 4, 2015 - November 29, 2015  
Belmont Park: October 29, 2015 - October 31, 2015  
Churchill Downs: November 1, 2015 - November 29, 2015  
Delta Downs: October 29, 2015 - November 29, 2015  
Gulfstream Park: October 29, 2015 - November 29, 2015  
Fairgrounds: October 29, 2015 - November 29, 2015  
Finger Lakes: October 29, 2015 - November 29, 2015  
Hawthorne Race Course: October 29, 2015 - November 29, 2015  
Keeneland: October 29, 2015 - October 31, 2015  
Laurel Park: October 29, 2015 - November 29, 2015  
Mountaineer Park: October 29, 2015 - November 29, 2015  
PARX Racing: October 29, 2015 - November 29, 2015  
Penn National: October 29, 2015 - November 29, 2015  
Portland Meadows: October 29, 2015 - November 29, 2015  
Turf Paradise: October 29, 2015 - November 29, 2015  
Zia Park: October 29, 2015 - November 29, 2015

Woodbine: October 29, 2015 - November 29, 2015  
LARC (South America) via Laurel Park: October 29, 2015 - November 29, 2015  
LARC (South America) via Gulfstream Park: October 29, 2015 - November 29, 2015

**HARNESS SIMULCAST RACES TO BE IMPORTED**

Name of Host Track      Race Dates      Full Card or Selected Feature and/or Stakes Races

J. For ALL racing associations, list imported simulcast races the association plans to receive which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported:

**OTHER BREED SIMULCAST RACES TO BE IMPORTED N/A**

Name of Host Track      Breed of Horse      Race Dates      Number of Races to be Imported

K. For ALL racing associations, if any out-of-state or out-of-country races will commence outside of the time constraints set forth in Business and Professions Code sections 19596.2 and 19596.3, attach a copy showing the agreement by the appropriate racing association(s). N/A

**NOTICE TO APPLICANT:** All interstate wagering to be conducted by an association is subject to the provisions of Title 15, United States Codes, which require specific written approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by an association is subject to the provision of Business and Professions Code sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every association shall pay over to the simulcast organization within 3 calendar days following the closing of wagering for any day or night racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering, and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every association shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each day or night racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 7.)

**12. CHARITY RACING DAYS**

A. Name and address of the distributing agent (charity foundation) for the net proceeds from charity racing days held by the association:

**Del Mar Thoroughbred Club, P.O. Box 700, Del Mar, CA 92014**

B. Names and addresses of the trustees or directors of the distributing agent:

<b>David H. Batchelder</b> 12400 High Bluff Drive, Ste. 600 San Diego, CA 92130	<b>Rollin Baugh</b> P.O. Box 2461 Rancho Santa Fe, CA 92067
<b>Dr. James R. Buell</b> 4790 Caughlin Pkwy # 518 Reno, NV 89509	<b>Joseph W. Harper</b> P.O. Box 700 Del Mar, CA 92014
<b>Jon S. Kelly</b> Tres Palomas P.O. Box 2574 Rancho Santa Fe, CA 92067	<b>Warner C. Lusardi</b> Lusardi Construction Company 1570 Linda Vista Drive San Marcos, CA 92078
<b>Marie G. Moretti</b> 6705 De Chardin Lane Reno, NV 89511	<b>Martin J. Wygod</b> The Wygod Group P.O. Box 676306 Rancho Santa Fe, CA 92067

- C. Dates the association will conduct races as charity racing days OR:
- D. Will the association pay the distributing agent an amount equal to the maximum required under B&P Code Section 19550(b)? Yes

**NOTICE TO APPLICANT:** Net proceeds from charity racing days shall be paid to the designated and approved distributing agent within 180 days following the conclusion of the association's race meeting in accordance with the provisions of Business and Professions Code section 19555. Thereafter, the distributing agent shall distribute not less than 90% of the aggregate proceeds from such charity racing days within 12 calendar months after the last day of the meeting during which the charity racing days were conducted and shall distribute the remaining funds as soon thereafter as is practicable. At least 50% of the distribution shall be made to charities associated with the horse racing industry in accordance with the provisions of Business and Professions Code section 19556(b) and (c).

### 13. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

A. Racing officials nominated:

Association Veterinarian(s)	<b>Dana Stead, VMD</b>
Clerk of Scales	<b>Charles McCaul</b>
Assistant Clerk of Scales	<b>Matt Nichols</b>
Clerk of the Course	<b>Melanie Stubblefield</b>
Film Specialist	<b>Heather Correa</b>
Horse Identifier	<b>Dianne Piper</b>
Assistant Horse Identifier	<b>Jennifer Paige</b>
Horseshoe Inspector	<b>Victor Tovar</b>
Paddock Judge	<b>Karen Denovel</b>
Patrol Judges	<b>Heather Correa</b> <b>Karen Denovel</b>
Placing Judges	<b>Robert Moreno</b> <b>Sue Brent</b> <b>Merry Young</b>
Starter	<b>Jay Slender</b>
Timer	<b>John Lies</b>

B. Management officials in the racing department:

Vice President, Racing	<b>Thomas S. Robbins</b>
Racing Secretary	<b>David Jerkens</b>
Assistant Racing Secretary	<b>Zach Soto</b>
Paymaster of Purses	<b>Bridget Crawford</b>
Others (identify by name and title)	N/A

C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:

**Michelle Derieg**  
**Weinstein Court Reporters**  
**PO Box 26634**  
**Santa Ana, CA 92799**  
**(714) 637-6071**

D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:

**Plusmic Corporation, William O'Brien, Digital Photo Finish Only**  
**Contract expires 12/31/2017**

- E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.

**TVG**

Expiration: 6/30/2017

Equipment list on file with CHRB

For each race TVG will provide:

- Two manned pan cameras located near the judge's room in the press box providing a wide and a wide and tight view of each race, turf and dirt.
- Four manned tower cameras:
  - Backstretch head-on (Training Track Camera Tower)
  - Far turn and Stretch run back view (Quarter Chute Camera Tower)
  - Stretch-run head-on (Livestock Barn Camera Tower) - turf
  - Stretch-run head-on (Livestock Barn Camera Tower) - dirt
- 2 cameras in the paddock area provided coverage of horses, jockeys, trainers and owners
- A camera in winner circle
- A 16 x 9 aspect ratio pan camera located on the 7th floor providing race coverage for the in house video board presentation
- TVG will provide talent for this event

- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:

**TRAKUS**

Electronic Timing Device:

2.4 CHz spread spectrum transceiver

Name of Person:

Michael Ciacciarelli (Trakus LLC)

Ken Davis, Mike Schneider (TJC Racetrack Services)

Expiration Date:

July 2016

#### 14. SECURITY CONTROLS

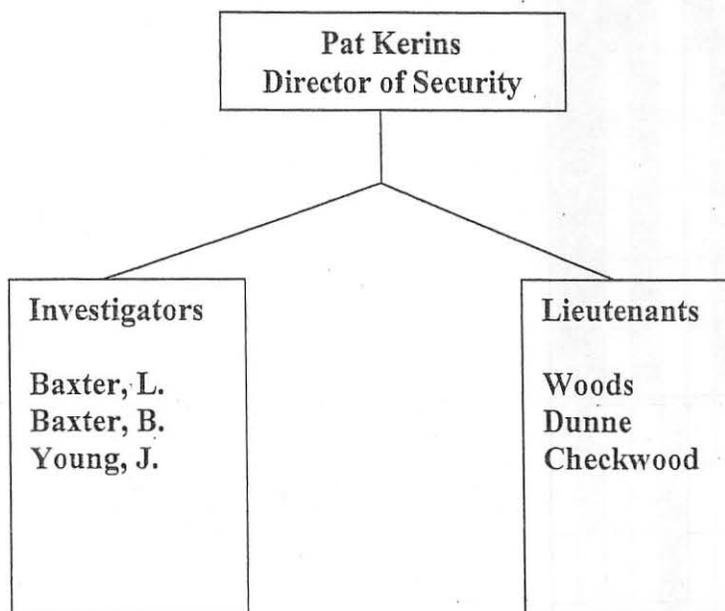
- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. **Exhibit 10**
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis: **50**
1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls. **The security for stakes races will be deployed in accordance with our agreement with TOC.**
  2. Detention Stalls:
    - A. Attach a plan for use of graded stakes or overnight races. **Detention barn is used as required by the CHRB.**
    - B. Number of security guards in the detention stall area during a 24-hour period. **As needed at the direction of the CHRB.**

**EXHIBIT 10****Security Personnel**

Person responsible for security controls on the premises:

Pat Kerins, Director of Security.

Security Department:\*

**Contact Information**

Director of Security	Work 858-755-1141 ext. 3652
James Young	Work 858-755-1141 ext. 3698
All others	Work 858-755-1141 ext. 3650

\*List of Security Personnel subject to change. Individuals will be hired by the union on a seniority basis.

## EXHIBIT 10 (Continued)

2015 GATE SCHEDULE

Gate	Shifts																								
	12am	1am	2am	3am	4am	5am	6am	7am	8am	9am	10am	11am	12pm	1pm	2pm	3pm	4pm	5pm	6pm	7pm	8pm	9pm	10pm	11pm	12pm
24 hr Main Gate																									
18 hr Solana Gate																									
19 hr Official Gate																									
8 hr Stable Gate																									

C. Describe number and location of surveillance cameras in detention stall area.

**For the meet we will be utilizing five or more Detention stalls, as needed, located east of the receiving / test barn as our detention area. We will install fixed cameras in each of the five detention stalls as well as fixed cameras viewing the shedrow from both directions. As with the barn area, surveillance control and viewing will be from the CHRB Investigators' office on the Frontside.**

3. TCO2 Testing:

A. Number of races to be tested, and number of horses entered in each race to be tested.

**All**

B. Plan for enhanced surveillance for trainers with high-test results.

**Will follow CHRB directives.**

C. Plan for detention stalls for repeat offenders.

**Will follow CHRB directives.**

D. Number of security personnel assigned to the TCO2 program.

**Assigned as needed**

C. Describe the electronic security system:

**Del Mar Thoroughbred Club uses a door alarm management system for its Executive and Operations offices utilizing Proximity cards and Proximity Access Keyfobs via door controllers located at entrances. The system comes with related door alarm management software.**

1. Location and number of video surveillance cameras for the detention stall and stable gate.

**Del Mar Thoroughbred Club utilizes several pan/tilt/zoom cameras located at various places in the barn area. The images from these cameras are recorded on disk drives and stored for up to three weeks before being rerecorded. Control of these cameras is located in DMTC's security office.**

D. For night racing associations. Describe emergency lighting system: N/A

## 15. EMERGENCY SERVICES

A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races:

**American Medical Response**

**8808 Balboa Avenue, Suite 150, San Diego, CA 92123**

**(858) 492-3514**

1. Attach a certification from the ambulance service(s) listed in 15A, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

**Exhibit 11 (Renewed-new certificate will be placed on file with CHRB after 7.31.15 date)**

**On-track staff: Advanced Life Support Ambulances (ALS) – A Paramedic and Bridge Program certified Emergency Medical Technicians are on site at all times that either training or live racing is taking place.**

**AMR****EXHIBIT 11**

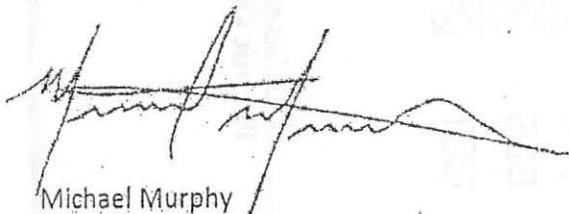
March 13, 2015

Joe Harper  
President & CEO  
Del Mar Thoroughbred Club  
P.O. Box 700  
Del Mar, CA 92014

Dear Joe,

I, Mike Murphy, General Manager of American Medical Response, hereby affirm, under the penalty for perjury, that all American Medical Response Ambulance Service, Inc., d/b/a American Medical Response ("AMR") Emergency Medical Technicians and paramedics assigned to Del Mar Thoroughbred Club activities are fully licensed and certified. Please note that this statement certifies all AMR personnel assigned to the Del Mar Thoroughbred Club are fully credentialed in San Diego County.

Sincerely,



Michael Murphy  
General Manager  
American Medical Response

Michael Murphy  
General Manager  
American Medical Response

8808 Balboa Avenue, Suite 150, San Diego, CA 92123  
(t): 858.492.3514; (f) 858.492.3515; Michael.murphy@amr.net



# COUNTY OF SAN DIEGO

## EMERGENCY MEDICAL SERVICES

### EMERGENCY MEDICAL TRANSPORT PERMIT

AGENCY NAME: AMERICAN MEDICAL RESPONSE

Effective Date: August 1, 2015

Expiration Date: July 31, 2016

Approved as: ALS   
BLS   
CCT

Authorized by:

*Marcelyn Gray*  
Permit Officer, Emergency Medical Services

Permit Number: 15-119

EXHIBIT 11

- B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:

**Auxiliary Site: Los Alamitos  
Huntington Ambulance  
Contact: Stacy O'Bryan  
PO Box 145  
Sunset Beach, CA 90742  
(562) 904-1550**

**Auxiliary Site: San Luis Rey Downs  
Mercy Ambulance  
Contact: Doug Moriarty  
2537 Old San Pascual Road  
Escondido, CA 92027  
(760) 525-9676**

**Auxiliary Site: Santa Anita  
AmbuServe, Inc.  
Contact: Wendal Smith  
15105 S. Broadway Ave.  
Gardena, CA 90248  
(310) 644-0500**

**Auxiliary Site: Galway Downs  
Symons Emergency Specialties  
Contact: Jeff Grange  
18592 Cajon Rd  
San Bernardino, CA 92407  
(909) 880-2979**

1. Attach a certification from the ambulance service (s) listed in 15B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

- **Huntington Ambulance Certificate: On file**
- **Mercy Ambulance Certificate: On file**
- **Symons Emergency Specialties: On file**
- **AmbuServe, Inc. – On file**

- C. Describe the on-track first aid facility, including equipment and medical staffing:

The on-site first aid clinic at Del Mar Thoroughbred Club is located at the east end of the grandstand facility, with easy access from the track. The facility includes 4 patient beds (1 private room, 3 curtain areas). There are 2 Paramedics, 2 EMTs, 1 Medical Assistant and 1 doctor on site every racing day. Friday, Saturday, Sunday, Opening Day and Pacific Classic Day we have a Medical Coordinator (Medic 25) who works as liaison with Municipal EMS. There are two ALS equipped ambulances on site as well.

The equipment contained in the first aid clinic includes:

- Oxygen at each station
- Cardiac monitor
- AED
- Otoscope
- Ophthalmoscope
- Pulse Oximeter
- B/P Cuff
- Thermometer
- Bag Valve mask
- Surgical equipment (used for laceration repair and suture removal)

## Huntington Ambulance, LLC

CHRB  
1010 Hurley Way #300  
Sacramento, CA 95825

April 6, 2015

Dear CHRB Board,

I, Stacey O'Bryan, President of Huntington Ambulance, LLC certify that all E.M.T's ( Emergency Medical Technicians ) working for Huntington Ambulance, LLC are licensed with the State of California Emergency Medical Services and licensed and certified with the Orange County Emergency Medical Services.

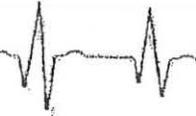
All of our E.M.T's are licensed with the California Horse Racing Board.

Sincerely,

Stacey O'Bryan - President  
Huntington Ambulance, LLC



**AmbuServe**  
Ambulance



May 12, 2015

To Whom it May Concern:

This letter shall serve as a statement of affirmation that all Emergency Medical Technicians and Paramedics employed by Ambuserve, Inc are trained, background checked and state certified in order to fulfill their job duties as authorized by the state of California Emergency Medical Services Authority.

Ambuserve, Inc  
15105 S. Broadway  
Gardena, Ca 90248  
(310) 644-0500

Respectfully,

William Gonzales  
Paramedic Supervisor

# MERCY

*Medical  
Transportation  
Inc.*

ADMINISTRATION  
5081 Hwy, 104, Ste B  
Mariposa, CA  
95338  
PO Box 5004  
Mariposa, CA  
95333-5004  
(209) 966-5762  
Fax (209) 966-4901

July 1, 2015

California Horse Racing Board

Re: Ambulance Certification letter

To: Whom It May Concern:

Mercy Medical Transportation, Inc., employs only Paramedics that are licensed in the State of California and the County of San Diego. All of our Paramedics endure a comprehensive interview and skills assessment, drug and hearing tests, and are subjected to a thorough Department of Justice (DOJ) background investigation.

Mercy Medical Transportation, Inc., also participated in the Department of Motor Vehicles (DMV) Pull Notice program, which is required by the California Highway Patrol (CHP). Moreover, Mercy Medical Transportation, Inc., employs a dynamic Quality Assurance / Quality Improvement Program, which places high standards on Emergency Services best practices in the areas personnel training, equipment deployment and quality patient care and customer service to its constituents it serves.

Should you require any additional information, please do not hesitate to contact myself or the President of Mercy Medical Transportation, Inc. Mr. Richard Roesch.

Sincerely Yours,



Douglas Moriarty  
Vice President of Operations



Symons Ambulance  
18592 Cajon Blvd.  
San Bernardino, CA 92407  
(909) 880-2979

June 16, 2015

To Whom It May Concern:

Symons Ambulance would like to confirm all of our field staff are state certified through 2015. All field staff are required to keep their state certifications current with no lapse. Symons Ambulance audits our personnel's required state certifications on a monthly basis.

If you have any additional questions please feel free to contact me.

Thank you,

Kurt Dye  
Operations Manager  
909-454-5093 Cell Phone  
909-880-2979

- D. Name and emergency telephone number of the licensed physician on duty during the race meeting: **(If quarter horse racing association sees D (1) :**  
**All medical doctors can be reached by contacting the first clinic directly at (858) 755-1141 ext. 2814 or through our Security Office by calling ext. 3650. The first aid clinic, Paramedics and EMTs have radios to monitor the security channel and/or Official Channel. Medical calls are dispatched by way of radio. Our doctors are contracted through Scripps Coastal Medical Center - and rotate on site for the racing days. The doctors include:**
- Ariel Alexander Cortes, MD**  
**John K. Agostino, MD**  
**Athanasios J. Foster, MD**  
**Melinda E. Nevins, DO**  
**Philip A. Sanderson, MD**
1. Name address and emergency telephone number of hospital located within 1.5 miles of the racetrack, which whom an agreement is in place to provide emergency medical services, pursuant to Business and Professions Code section 19481.3(a):  
 N/A
- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:  
**Refer to the Del Mar Thoroughbred Club Jockey, On-Track Accident Response Program for specifics regarding hospital selection.**
- Scripps La Jolla**  
**988 Genesee Ave., La Jolla, CA 92037 / 858-626-4123**
- Scripps Encinitas**  
**354 Santa Fe Drive, Encinitas, CA 92024 / 760-753-4123**
- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey:  
**Exhibit 12**
- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d):  
**Health and Safety Manager (Risk Manager): Kimberly Jacobson**  
**Assistant Manager (Risk Management Assistant): Jeremiah Mendoza**
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.  
**On File**
- I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details):  
**Berkshire Hathaway Homestate**  
**Cypress Insurance Company**  
**DEWC601389**
- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the association for payment of workers' compensation.  
**Exhibit 13**

Del Mar Thoroughbred Club  
Jockey On-Track Accident Response Program

**Overview:** The Del Mar Thoroughbred Club (DMTC) is committed to the overall health and safety of the riding professionals that are valued members of the racing community and DMTC. A large part of this commitment is the provision of professional medical and first aid services, should a jockey need to avail themselves of such services or be involved in an accident that requires first aid or emergency medical aid. DMTC takes their role in providing first aid and emergency medical care and transportation, when required, seriously. This program defines the plan elements and procedures DMTC will follow, should such events occur where medical aid becomes necessary.

**Program Elements:**

**I. Medical Professionals On-Site During Racing - Summary**

DMTC maintains licensed medical and first aid professionals that comply with the levels established by the horse racing industry. DMTC contracts with Scripps Coastal Medical Clinics to provide a licensed physician and medical assistants, who are on duty during live racing. DMTC maintains two Advanced Life Support Ambulances. At minimum each ambulance is staffed by a Paramedic and a certified Emergency Medical Technician (EMT). In addition, municipal fire department, with paramedic and EMT services are readily available as these services are co-located with the track.

**II. Jockey Information Health System**

DMTC participates in the Jockey Information Health System through Encompass. All Medical Doctors and the Risk Management Department have access to this program.

The medical doctors staffing the on-site clinic can access medical information for those jockeys who participate in the program.

When a jockey, who participates in the program, is injured on track, the DMTC Risk Management Supervisor will access and print the Jockey's information. This information, along with Work Comp information is then sent with the Jockey to the hospital and/or faxed directly to the hospital emergency room.

**II. Area Hospitals and Rapid Admittance**

- a. DMTC maintains a working relationship with two area hospitals, both members of the Scripps Hospital and Healthcare family of operations. The hospitals are found in either La Jolla, just south of the DMTC track, or Encinitas, just north of the track. Both are Level 1 trauma hospitals.
- b. The Scripps triage and base station is located at the La Jolla hospital – when determined transport is necessary they will be contacted immediately by the Medical Clinic Staff, Paramedics or Risk Management.

Del Mar Thoroughbred Club  
Jockey On-Track Accident Response Program

- c. Riders will be transported to Scripps La Jolla unless base station determines alternate site is necessary. All decisions on where a rider will be seen are made by Scripps La Jolla at the time of a reported incident. DMTC will not know where a rider is being taken until such time that transport has been initiated and we are advised as to which facility they are directed to.
- d. The addresses of the hospitals are: (Both are located less than 10 miles from DMTC)
  - a. Scripps La Jolla  
9888 Genesee Avenue  
La Jolla, CA 92037  
Tel: 858.626.4123
  - b. Scripps Encinitas  
354 Santa Fe Drive  
Encinitas, CA 92024  
Tel: 760.753.4123

### III. The DMTC Safety and Health and Program Manager

- a. The DMTC Risk Manager serves as the Safety Manager and coordinator of the Jockey medical treatment and on-track accident program.
- b. DMTC also maintains an Assistant Safety and Health Manager (the Risk Management Supervisor) during the live meet period in the event the Safety Manager is unavailable.

Both the Risk Manager and the Risk Manager Supervisor can be reached at the following extensions, Ext. 4233 or Ext. 3225 respectively or via radio on the Security Channel as Risk 1 and Risk 2. As needed, the DMTC Operator or security Dispatch can assist with obtaining alternate contact numbers as well.

### IV. On-site First Aid Facilities and Staffing

a. Physician - Services for the on-site medical clinic are contracted through Scripps Coastal Medical Center. During all live racing periods there will a licensed physician and medical assistant on duty.

b. Advanced Life Support Ambulances (ALS) – A Paramedic and Certified Emergency Medical Technicians are on site at all times that either training or live racing is taking place. During Training hours there will be one ALS ambulance and one team which includes one, at a minimum (1) Paramedic and one (1) Certified Emergency Medical Technician on site at all times. During live racing there will be two ALS ambulances, which will include two (2) Paramedics and two (2) Certified Emergency Medical Technicians on site. Team 1 will follow the field during live racing, Team 2 will cover the paddock during pre-race activities and serve as a back up to Team 1. Both teams will maintain radio contact with the officials and security dispatch at all times. (Depending on staffing for the day there may be times when two paramedics are on a rig).

Del Mar Thoroughbred Club  
Jockey On-Track Accident Response Program

c. Municipal Response Capabilities- DMTC is located on a State of California Fairgrounds. As such, we enjoy the benefits of the Del Mar Fire Department municipal fire service and Paramedic and Emergency Medical Technicians that are stationed on the grounds. If the on-site station has responded to an off-site emergency, the North Com dispatch will send the closest responding unit available. On track Paramedics have the capability of calling North Com directly should back up be necessary.

#### **V. Ambulance and Medical Transport Protocols**

- a. Contracted ambulance service – DMTC contracts with a licensed Emergency Medical Services provider who provides ALS on-track emergency medical response and may provide transport services. Depending on the time and nature of an incident as well as the number of riders involved, transport may be referred to or in conjunction with the local municipal services.
- b. Local municipal services – The Del Mar Fire Department or others within the Rancho Fire Service area may respond as needed or called upon. The Rancho Fire Service will respond with Paramedics and EMT's on the fire trucks as well as Paramedics assigned to the municipal ambulances.

#### **VI. The Emergency Medical Plan**

These steps will be followed in the event of an on-track accident:

##### **General Conditions**

- On-site Paramedics and EMT's will respond to any observed rider on-track accident or as otherwise summoned for assistance. Such response will occur during training and/or live racing periods,
- If an incident requires transport, the hospital will be contacted and notified of the patient transport. (The La Jolla location of Scripps Hospital serves as the triage and base station for all incidents requiring hospital emergency care; they will direct the medical transport team as to which hospital to respond to.)

##### **Communications**

- Paramedic and EMT's (Team 1 and 2) will be assigned two radios per team allowing for constant communication with both security dispatch and officials. Both Official Channel and Dispatch Channel will be monitored at all times.
- Medical Clinic will be assigned one radio and will maintain contact with security dispatch at all times.
- DMTC security dispatch will monitor the official channel at all times.
- Safety and Health Program Manager and Assistant will monitor the security channel at all times and the official channel during a live race. Both individuals will be available either on site or via cell phone 24 hours a day during the live meet.

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**Response During Training Periods**

- During training periods, Paramedic and EMT will determine the nature and extent of any injuries and whether transport to a medical facility is necessary,
- The DMTC Security Dispatch will be notified immediately of any rider incident on-track or otherwise during training periods and will assist Rural/Metro with securing additional medical help for transport to area hospital when necessary.
- Municipal units will meet Rural/Metro unit at the clock tower to secure injured rider and transport to one of designated hospital.
- Incidents with injuries not requiring transport to one of the local hospitals identified within this program, will be treated on-track or at the DMTC medical clinic based upon Paramedic judgment.
- Any on-track accidents during training periods will be immediately reported to the Safety Manager, for analysis review and additional reporting as might be required.

**Response During Pre-Race (Paddock)**

- Team 2 will be situated in the paddock area during pre race activities to respond to an emergency occurring in the paddock area.
- Should an emergency occur Security Dispatch will be notified immediately.
- DMTC Safety and Health Program Manager and/or Assistant will respond to incident.
- Security dispatch will notify on site medical clinic that an incident has occurred.
- As needed, additional medical assistance will be summoned from local municipal resources,
- DMTC Security will respond to incident and assist with crowd control. If necessary security will provide escort to the medical clinic.

**Accidents During Live Racing**

- ALS unit -Team 1 following the racing field will immediately respond to on-track accidents; simultaneously, the on-track physician and medical assistant will be made aware of the incident via radio contact, observation of the race via closed -circuit television or as advised by the DMTC Safety or Security Staff,
- ALS unit - Team 2 will be on stand by at medical clinic to assist and/or replace the on track unit should it be necessary for Team 1 to leave the track for any reason.

Del Mar Thoroughbred Club  
Jockey On-Track Accident Response Program

- In the event of a multiple rider down situation Team 1 will call for immediate backup from Team 2 at which time Team 2 will enter the track to assist. If the situation is going to require additional response from outside Team 1 will request outside units through Security Dispatch.
- Should incident require ambulance to leave the track prior to the start of the race, Team 2 will immediately move in to position at the starting gates. When this occurs Team 2 will notify stewards via radio that they are in place.
- If for any reason Team 2 is unavailable CHRB stewards must be notified immediately via the official channel.
- As needed, additional medical assistance will be summoned from local municipal resources,
- Riders will be transported to the on-site medical facility for initial review, observation and triage. Should the Paramedic feel that immediate transport is necessary to hospital he will alert Security that rider will be transported directly to hospital (Paramedics have radio contact with Scripps La Jolla and will notify them directly of the transport). Risk Management will notify Officials.
- To the extent possible, all care will be provided by the professionals within the DMTC medical clinic,
- DMTC Safety and Security staff will immediately respond to the medical clinic to assist with event management and access control to the medical clinic,
- Depending on the nature and severity of injuries, the rider(s) may be transported to one of the local hospitals noted within this plan for further medical care and treatment as is needed,
- Any on-track accidents during live racing will be immediately reported to the Safety Manager, for analysis review and additional reporting as might be required.
- When one of the ALS units are required to leave the grounds DMTC Security will be notified immediately and instructed to call North Com for any patron medical aids until unit returns to grounds.
- Risk Management Department will provide Jockey Information Health System paperwork and Workers Compensation to the hospital.

**Please note:** Under no circumstances will information regarding the medical condition of a rider be provided to members of the media or others. Any such request should immediately be referred to the Director of Media and or President/General Manager.

Del Mar Thoroughbred Club  
Jockey On-Track Accident Response Program

### VII. Posting This Plan

The DMTC, Jockey, On-Track Accident Response Plan will be posted in English and Spanish in the following locations:

- a. The Jockey's Room located on the first floor of the Clubhouse Grandstands
- b. The DMTC on-site medical facilities, and
- c. DMTC Security Dispatch

Additional copies of the plan will be maintained in the DMTC Risk Manager's office, located in the Operations Building.

### II. Updates

The plan will be reviewed annually prior to the DMTC live racing meet and appropriate changes and updates will be made. Regulatory and/or legislative changes that may modify this plan will be included as will any changes in medical providers and/or ambulance transport services.

Club de Caballos Purasangre Hipódromo Del Mar  
Programa de Respuesta ante un Accidente de los Jinetes en las Pistas

**Visión General:** El Club de Caballos Purasangre del Hipódromo Del Mar (DMTC) se compromete a la salud y seguridad de todos los profesionales de equitación que son miembros valorados de la comunidad de equitación y DMTC. Una gran parte de este compromiso es proporcionar atención médica profesional y servicios de primeros auxilios, en caso de que un jinete necesite utilizar tales servicios o se vea implicado en un accidente que requiera atención de primeros auxilios o asistencia médica de emergencia. DMTC hace su función al ofrecer asistencia médica de emergencia, de primeros auxilios y transporte cuando se requiera en caso necesario. Este programa define los elementos del plan y procedimientos. DMTC realizará un seguimiento, cuando ocurran estos hechos donde se necesite asistencia médica.

**Elementos del Programa:**

**I. Profesionales Médicos en el Sitio Durante la Carrera-Resumen**

DMTC mantiene a profesionales médicos licenciados y de primeros auxilios que cumplen con los niveles establecidos por la industria hípica. DMTC contrata a "Scripps Coastal Medical Clinics" para ofrecer un médico licenciado y ayudantes médicos que están en servicio durante la carrera de caballos. DMTC mantiene dos Ambulancias Avanzadas de Apoyo Vital. Cada ambulancia cuenta con un personal Paramédico y un Técnico Médico de Emergencia certificado del Programa Bridge (EMT). Además del departamento de bomberos municipal con paramédicos y servicios de EMT que están preparados, disponibles y están situados al lado de la pista.

**II. Sistema de Salud para la Información del Jinete**

DMTC participa en el Sistema de Salud para la Información del Jinete por medio de Encompass. Todos los Médicos y Departamento de Gerencia de Riesgo tienen acceso a este programa.

Todo el personal médico en el sitio puede acceder a la información médica de aquellos jinetes que participen en el programa.

Cuando un jinete, que participa en el programa, se accidenta en la pista, el Supervisor de Gerencia de Riesgo de DMTC accederá e imprimirá la información del Jinete. Esta información, junto con la información de Compensación de los Trabajadores se manda junto con el Jinete al hospital o se envía por fax directamente a la sala de emergencia del hospital.

**III. Hospitales de la Zona y Admisión Rápida**

- a. DMTC mantiene una relación profesional con dos hospitales de la zona, tanto los miembros del Hospital Scripps y la familia de asistencia médica de operaciones. Los hospitales se encuentran o en La Jolla, justo al sur de la pista de DMTC, o en Encinitas, justo al norte de la pista. Los dos son hospitales de traumatismos Nivel 1.

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- b. La selección de Scripps y estación base se sitúa en el hospital de La Jolla, cuando se necesite un transporte determinado se les pondrá en contacto inmediato con el Personal Médico, Paramédicos o Gerencia de Riesgo.
- c. Se trasladará a los jinetes a Scripps en La Jolla a menos que la estación base determine un lugar alternativo en caso necesario. Todas las decisiones con respecto a donde se atenderá a un jinete se realizarán en Scripps La Jolla en el momento en que se reporte el accidente. DMTC no sabrá a dónde se lleva al jinete hasta el momento en que se haya iniciado el traslado y se nos avise sobre la instalación a la que se dirige.
- d. Las direcciones de los hospitales son: (Ambas se localizan a menos de 10 millas de DMTC)
  - a. Scripps La Jolla  
9888 Genesee Avenue  
La Jolla, CA 92037  
Tel: 858.626.4123
  - b. Scripps Encinitas  
354 Santa Fe Drive  
Encinitas, CA 92024  
Tel: 760.753.4123

#### **IV. Salud y Seguridad y Gerente del Programa de DMTC**

- a. El Gerente de Riesgo de DMTC atiende como Gerente de Seguridad y coordinador del tratamiento médico del jinete y el programa de accidentes en la pista.
- b. DMTC también mantiene un Subgerente de Seguridad y Salud (el Supervisor de Gerencia de Riesgo) durante el periodo del encuentro de carreras en directo en caso de que el Gerente de Seguridad no esté disponible.

Tanto el Gerente de Riesgo y el Supervisor de Gerencia de Riesgo pueden localizarse en las siguientes extensiones, Ext. 4233 o Ext. 3225 respectivamente o por medio de la radio mediante el canal de Seguridad como Riesgo 1 y Riesgo 2. Cuando se necesite, el Operador o Despacho de Seguridad de DMTC podrán ayudarle a conseguir números de teléfono de contacto alternativos.

#### **V. Instalaciones de Primeros Auxilios en el sitio y Personal**

- a. Médico- Los servicios para el centro médico en el sitio se contratan por medio de "Scripps Coastal Medical Center". Durante los periodos de carreras en directo se proporcionará un médico licenciado y ayudante médico en servicio.

Club de Caballos Purasangre Hipódromo Del Mar  
Programa de Respuesta ante un Accidente de los Jinetes en las Pistas

- b. Las Ambulancias Avanzadas de Apoyo Vital (ALS)- Un Paramédico y Técnicos Médicos de Emergencia certificados están en el sitio en todo momento ya sea si están entrenando o se está llevando a cabo una carrera hípica. Durante las horas de entrenamiento habrá una ambulancia ALS y un equipo que incluirá un (1) Paramédico y un (1) Técnico Médico de Emergencia Certificado en el sitio. El Equipo 1 seguirá el campo durante la carrera en directo, el Equipo 2 cubrirá las caballerizas durante las actividades antes de las carreras y atenderá como un refuerzo del Equipo 1. Ambos equipos mantendrán el contacto por radio con los oficiales y despacho de seguridad en todo momento.
- c. Las Capacidades de Respuesta Municipal-DMTC está situado en un recinto ferial del Estado de California. Como tal, disfrutamos de los beneficios del servicio de bomberos municipal Del Mar, Paramédicos y Técnicos de Emergencia Médica que se localizan en el terreno. Si la estación en el sitio ha respondido a una emergencia fuera del sitio, el despacho North Com mandará a la unidad de respuesta más cercana disponible. Los Paramédicos en la pista cuentan con la capacidad de llamar directamente a North Com en caso de que se necesite un refuerzo.

#### **VI. Protocolos de Transporte Médico y Ambulancia**

- a. El servicio de ambulancia contratada-DMTC contrata a Ambulancias que proporciona ALS para responder ante las emergencias médicas que puedan surgir en la pista y proporcionará servicios de transporte. Dependiendo del tiempo y la naturaleza de un incidente así como el número de jinetes implicados, transporte al que podrá referirse o conjuntamente con los servicios municipales locales.
- b. Los servicios municipales locales- El departamento de bomberos Del Mar u otros dentro del área de servicio de incendios de Rancho podrá responder según se necesite o solicite. El Servicio de Bomberos de Rancho responderá con Paramédicos y EMTs en los camiones de bomberos así como los Paramédicos asignados a las ambulancias municipales.

#### **VII. Plan Médico de Emergencia**

Estos pasos se seguirán en caso de que ocurra un accidente en las pistas:

##### **Condiciones Generales**

- Los Paramédicos y EMT en el sitio responderán a cualquier accidente que observen de un jinete en la pista o de otro modo pedirán ayuda. Tal respuesta ocurrirá durante el entrenamiento o periodos de carreras en directo,
- Si un incidente requiere transporte, se contactará y avisará al hospital del transporte del paciente. (La localización de La Jolla del Hospital Scripp atiende como sala de urgencias y estación base para todos los incidentes que requieran asistencia de emergencia hospitalaria y dirigirán al equipo de transporte médico a qué hospital deberán acudir).

Club de Caballos Purasangre Hipódromo Del Mar  
Programa de Respuesta ante un Accidente de los Jinetes en las Pistas

### **Comunicaciones**

- Los Paramédicos y EMTs (Equipo 1 y 2) se les asignarán dos radios por equipo para permitir una comunicación constante con el despacho de seguridad y los oficiales. Tanto el Canal Oficial y el Canal de Despacho se controlarán en todo momento.
- Se le asignará al centro médico una radio y mantendrá contacto con el despacho de seguridad en todo momento.
- El despacho de seguridad de DMTC controlará el canal oficial en todo momento.
- El Gerente del Programa de Seguridad y de Salud controlará el canal de seguridad en todo momento y el canal oficial durante una carrera en directo. Ambas personas estarán disponibles tanto en el sitio como por teléfono celular las 24 horas al día durante el encuentro de las carreras en directo.

### **Respuesta Durante los Periodos de Entrenamiento**

- Durante los periodos de entrenamiento, el Paramédico y EMT determinarán la naturaleza y extensión de cualquier lesión y si el transporte a una instalación médica si fuera necesario,
- Se avisará de inmediato al Despacho de Seguridad de DMTC de cualquier incidente de los jinetes en la pista o de otro modo durante los periodos de entrenamiento y ayudará a "San Diego Medical Enterprises Services" a conseguir ayuda médica adicional para facilitar transporte al hospital del área cuando se necesite.
- Las unidades municipales se reunirán en la unidad de "San Diego Medical Enterprises" en la torre del reloj para asegurar al jinete lesionado y el transporte a un hospital designado.
- Los incidentes con lesiones que no requieran transporte a uno de los hospitales locales identificados dentro de este programa, se tratarán en la pista en el centro médico de DMTC según el criterio del Paramédico.
- Cualquier accidente en la pista durante los periodos de entrenamiento se reportará de inmediato al Gerente de Seguridad, para una revisión del análisis y reporte adicional según se requiera.

### **Respuesta Durante la Pre-carrera (Caballeriza)**

- El Equipo 2 de EMT estará situado en el área de caballerizas durante las actividades de pre-carrera para responder a una emergencia que ocurra en el area de las caballerizas.
- Si ocurre una emergencia se avisará al Despacho de Seguridad de inmediato.
- El Gerente del Programa de Salud y Seguridad de DMTC o Ayudante responderá al incidente.
- El despacho de seguridad avisará al centro médico del sitio de que ha ocurrido un accidente.

Club de Caballos Purasangre Hipódromo Del Mar  
Programa de Respuesta ante un Accidente de los Jinetes en las Pistas

- Se solicitará ayuda médica adicional de los recursos municipales locales, según se necesite,
- La Seguridad de DMTC responderá al incidente y ayudará con el control de la multitud. Si se necesita seguridad se proporcionará escolta hasta el centro médico.

**Accidentes Durante la Carrera en Directo**

- La unidad ALS-Equipo 1 que sigue el campo de carreras responderá de inmediato a los accidentes en la pista; simultáneamente, el ayudante médico y médico en la pista se les pondrá en conocimiento del incidente contactándoles por medio de radio, la observación de la carrera se hará por medio de un circuito cerrado de televisión según lo aconsejado por el Personal de Seguridad de DMTC,
- La unidad ALS-Equipo 2 estará preparada por el centro médico para ayudar o reemplazar a la unidad de la pista si fuera necesario por el Equipo 1 abandonar la pista por cualquier razón.
- Si un incidente requiere ambulancia deberá abandonar la pista antes de que empiece la carrera, el Equipo 2 se desplazará a una posición al cajón de salida. Cuando esto ocurre el Equipo 2 avisará a los comisarios por medio de radio de que están en su lugar.
- Si por cualquier razón el Equipo 2 no está disponible se avisará de inmediato a los comisarios CHRB por medio del canal oficial.
- Se pedirá asistencia médica adicional desde los recursos municipales locales, según se necesite,
- Se transportará a los jinetes a una instalación médica en el sitio para una revisión inicial, observación y emergencia. Si el Paramédico considera que se necesita transporte de inmediato al hospital se alertará a Seguridad de que se llevará al jinete directamente al hospital (los Paramédicos tienen contacto por radio con Scripps La Jolla y se les avisará directamente del transporte). La Gerencia de Riesgo avisará a los Oficiales.
- En la medida de lo posible, los profesionales ofrecerán toda la atención médica dentro del centro médico de DMTC,
- El personal de Seguridad de DMTC responderá de inmediato al centro médico para ayudar con la gerencia del evento y control de acceso al centro médico,
- Dependiendo de la naturaleza y gravedad de las lesiones, se podrá trasladar al jinete a uno de los hospitales locales señalado dentro de este plan para atención médica exhaustiva y tratamiento según se necesite,

Club de Caballos Purasangre Hipódromo Del Mar  
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- Cualquier accidente en la pista durante la carrera en directo se reportará de inmediato al Gerente de Seguridad, para una revisión del análisis y reporte adicional según se requiera.
- Cuando una de las unidades de ALS se requiere que abandone los campos la Seguridad de DMTC avisará de inmediato y se le instruirá llamar a North Com para cualquier atención médica hasta que regrese la unidad al terreno.
- El Departamento de Gerencia de Riesgo proporcionará la documentación del Sistema de Salud de Información al jinete y Compensación de los Trabajadores al hospital.

**Por favor tenga presente:** Bajo ninguna circunstancia la información con respecto al estado médico del jinete se proporcionará a los miembros de los medios u otros. Cualquier petición se referirá de inmediato al Director de Medios o Presidente/Gerente General.

### VIII. Exposición de Este Plan

El Plan de Respuesta de Accidente del Jinete en la pista se expondrá en Inglés y Español en las siguientes localizaciones:

La Sala del Jinete está situada en la primera planta de las Gradas del Clubhouse

- a. Las instalaciones médicas en el sitio de DMTC, y
- b. Despacho de Seguridad de DMTC

Las copias adicionales del plan se mantendrán en la oficina del Gerente de Riesgo de DMTC, localizada en el Edificio de Operaciones.

### IX. Actualizaciones

Se revisará el plan anualmente antes del encuentro de las carreras en directo de DMTC, los cambios apropiados y actualizaciones que se hagan. Los cambios regulatorios o legislativos que puedan modificar este plan se incluirán al igual que los cambios en los proveedores médicos o servicios de transporte de ambulancia.



DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
OFFICE OF THE STATE FIRE MARSHAL  
Fire and Life Safety Division

602 E. Huntington Drive, Suite A  
MONROVIA, CA 91016  
(626) 305-1908  
Website: [www.fire.ca.gov](http://www.fire.ca.gov)



July 13, 2015

Timothy A. Read, Director of Operations  
Del Mar Thoroughbred Club  
P.O. Box 700  
Del Mar, California 92014-070

Re: Del Mar Thoroughbred Racing Facility  
CSFM File #04-37-041-0001

Dear Mr. Read:

An inspection of the referenced facility was conducted on July 13, 2015, in accordance with Section 13108(c) of the California Health and Safety Code. The purpose was to determine compliance with minimum fire and life safety standards required by Titles 19 and 24 of the California Code of Regulations.

No deficiencies were noted at the time of inspection. Fire Clearance is hereby granted for the 2015 racing season.

If we can be of further assistance, or you desire additional information or clarification, please feel free to contact me at 951-676-2126.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Nachtmann".

Michelle Nachtmann  
Supervising Deputy State Fire Marshal

cc: J. Garcia, DSFM



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
3/17/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Bolton & Company 3475 E. Foothill Blvd., Suite 100 Pasadena, CA 91107	CONTACT NAME: Sara Przemielewski PHONE (A/C, No, Ext): (626) 799-7000 E-MAIL ADDRESS: sprzemielewski@boltonco.com	FAX (A/C, No): (626) 441-3233
	INSURER(S) AFFORDING COVERAGE INSURER A : Cypress Insurance Co.	
INSURED  Del Mar Thoroughbred Club PO Box 700 Del Mar, CA 92014-0700	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N N/A	DEWC601389	03/31/2015	03/31/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER  California Horse Racing Board 10140 Hurley Way, Suite 300 Sacramento, CA 95825	CANCELLATION  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall pursuant to Business and Professions Code section 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

**16. CONCESSIONAIRES AND SERVICE CONTRACTORS**

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

**Exhibit 14**

Does the association provide its own concessions? Yes  No

**17. ON-TRACK ATTENDANCE/FAN DEVELOPMENT**

A. Attach a copy of the promotional and marketing plans: for the race meeting:

**Exhibit 15**

B. Promotional/ Marketing budget for this race meeting:

<u>Category</u>	<u>2015 Fall Meet</u>
Advertising	\$ 1,212,900
Promotions	\$ 437,300
Publicity	\$ 95,300
Other	<u>\$ 11,500</u>
Total	\$ 1,757,000

Promotional/Marketing budget for prior race meeting:

<u>Category</u>	<u>2014 Fall Meet</u>
Advertising	\$ 1,205,400
Promotions	\$ 422,500
Publicity	\$ 88,000
Corporate Sponsorship Fulfillment	\$ 15,000
Other	<u>\$ 5,000</u>
Total	\$ 1,735,900

C. Number of hosts and hostesses employed for meeting:

We employ approximately 27 customer service representatives on weekdays (Thursdays and Fridays) and 42 on weekend (Saturdays and Sundays).

**EXHIBIT 14****CONCESSIONS:**

SMG PREMIER  
7966 Arjons Drive  
San Diego, CA 92126

**TIP SHEETS:**

Bruce M. Andrews, Jr.  
Deuce Bruce  
5910 Rancho Mission Rd. #33  
San Diego, CA 92108

Bob Baedeker  
Baedeker, Inc.  
130 West El Portal  
San Clemente, CA 92672

John Acquarelli  
Duke Racing Selections  
4615 Triesta  
Carlsbad, CA 92010

Toby Turrell  
Winners  
14112 Enfield Circle  
Westminster, CA 92683

Tiffany Bohland  
Bob's Card, Inc.  
166 Halifax Lane  
Medina, OH 44256

**SADDLERY SERVICES:**

Jarry Hobson  
Hobson Saddlery  
28 North 1st Avenue  
Arcadia, CA 91066

Frank Wipfli  
Western Saddlery, Inc.  
7038 Commerce Circle  
Pleasanton, CA 94588

**RACING COLORS:**

June Gee  
West Coast Racing Colors  
11920 Goldring Rd. Ste G  
Arcadia, CA 91006

**MISCELLANEOUS CONCESSIONS/SERVICES:**

Tony Vasquez  
**Garda Cash Logisitics**  
8807 Complex Drive  
San Diego, CA 92123

Rayetta Burr  
**Benoit & Associates, Inc.**  
Track Photographers  
PO Box 60014  
Arcadia, CA 91066-6014

Michael Costello  
**United/Puett Electrical Starting  
Gates**  
224 Tater Hill Rd.  
East Haddam, CT 06423

**Scripps Coastal Medical  
Center**  
Track Physicians  
380 Stevens, #100  
Solana Beach, CA 92075

Steve Stiles  
**Stiles Animal Removal  
Inc.**  
P.O. Box 1103  
Guasti, CA 91743-1103

Deven Owen  
**West Coast Feed**  
PO Box 893007  
Temecula, CA 92589

Gary S. Bell  
**Citrus Feed**  
PO Box 249  
La Verne, CA 91750

Angel P. Unamuno  
**Angel's Feed**  
4518 Rowland Ave  
El Monte, CA 91731

Michael Brunner  
**Westwalk Corp.**  
Hotwalkers  
2711 N. Sepulvada Blvd. # 312  
Manhattan Beach, CA 90266

## EXHIBIT 15

### Marketing Overview

The Bing Crosby Season debuted at Del Mar last Fall and was met with great enthusiasm by southern California racing fans. The season clearly established a distinct brand and personality – one that did not duplicate or compete with the summer brand. The brand was intended to be timeless, fun, and, most importantly, authentic:

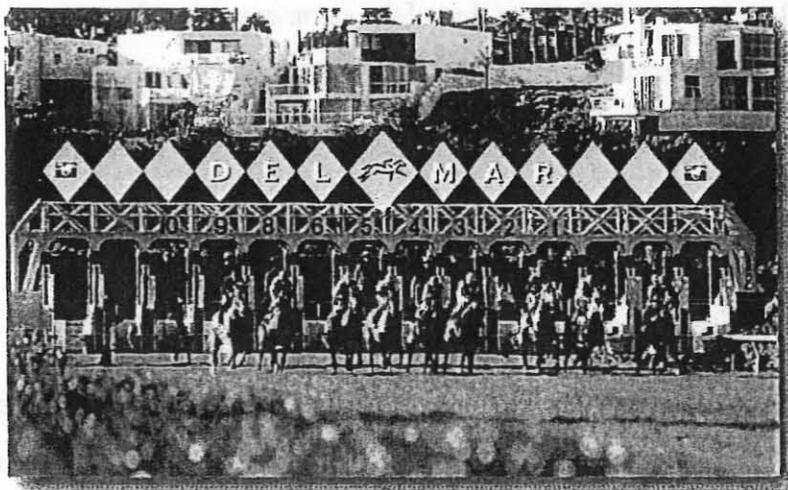


## BING CROSBY SEASON



Bing Crosby opened Del Mar in 1937, and photos documenting his tenure as the head of Del Mar can be seen throughout the facility. Unlike paid spokespeople for other products, Bing's love and devotion for Del Mar was real. He and his celebrity pals represent a cool, fun, old Hollywood lifestyle that we capture in our advertising and promotions. Some of the tactics to celebrate the Bing Crosby Season will include:

- Black and gold diamonds everywhere – advertising and throughout the facility
- Advertising inspired by Bing Crosby and the old Hollywood era
- Old Hollywood movie clips and music
- Grade I Hollywood Derby
- Opening Day “Old Hollywood Fashion Contest”
- Vintage cars
- Jazz trios
- Hollywood actor look-a-likes
- Sing With Bing promotion in Winner's Circle



2014 DEL MAR SEASON



Season Box • **Stretch Run Level 4**

box: 00      seat: 00



Although the brand of the fall season will differ from that of the summer season, the same marketing principles will be used to support a two-part marketing strategy:

1. Provide value to our regular customers
2. Attract new and occasional customers by promoting the “Bing Crosby Season” brand and diversifying our entertainment offerings

The first of the two strategies relies heavily on database marketing tactics. The focus of these tactics is the same Diamond Club that we rely on so heavily during the summer. The Diamond Club is a free loyalty club that offers members half-priced admission each time they attend as well as occasional free admissions and seats, discounted food and beverage, free bets and contests as well as wagering rebates to our biggest bettors. The Diamond Club was launched in 2006 and now has over 200,000 members. Each time members take advantage of Diamond Club benefits, they must scan their membership card, which in turn feeds the information to our data warehouse. As the number of Diamond Club members expands, and as the amount of information we gather about our members grows, it allows us to market to our regular patrons in a more effective and efficient manner. For example, the data warehouse can tell us which customers tend to come to the races on weekends, weekdays, pick six carryover days, giveaway days, etc. With this information, we can use database marketing and social media techniques to send the appropriate messages to the appropriate customers in a very cost-effective manner. As the data warehouse continues to grow, we will utilize the data findings even more aggressively to promote Del Mar to our current race fans.

One of the benefits of using database marketing as the principal tactic for attracting current customers is that it allows us to use traditional media (television, radio, print, online, outdoor, etc.) to accomplish our second strategy – attracting new and occasional customers. We sell Del Mar to this target market as a cool and sexy entertainment alternative while highlighting non-racing events such as Craft Beer Festivals, Concerts and Food Truck Festivals. The advertising campaign for the season will celebrate Bing founding the track as well as all the fashion and excitement that comes with a modern day at Del Mar.

## Promotions

- **Opening Day** – We certainly don't expect Opening Day of The Bing Crosby Season to rival that of the summer season. However, Del Mar has a lot of equity in Opening Days, and we expect this to be one of the biggest day of the season. The day will include jazz trios, celebrity look-a-likes, classic cars and an Old Hollywood Fashion Contest.
- **Saturday Concerts** – On two Saturdays during the Bing Crosby Season we will feature top named national acts for concerts after the races. The post-race concerts have become a staple at Del Mar over the years, and we expect the tradition will continue with large enthusiastic crowds.
- **Craft Beer Festival** – The Craft Beer Festival will feature over 100 specialty beers, with an emphasis on San Diego breweries. These events, which are targeted at the 21-40 year old demographic, have proved to be effective at attracting new fans to Del Mar. By offering complimentary programs, newcomer seminars and free *Daily Racing Form* Easy Forms, we hope to get the new fans to the betting windows. While the transaction amounts are not exceedingly large at Beer Fests, the attendees do wager, as evidenced by the healthy lines at the mutuel windows each race.



- **Gourmet Food Truck Festival** – Gourmet food trucks have become a phenomenon in Southern California and routinely draw thousands of people for festivals. The inaugural Del Mar Food Truck Festival contributed significantly to a total crowd of 28,909 and featured trucks from San Diego as well as Orange and Los Angeles Counties. Patrons sample a wide array of foods from Cajun favorites to seafood to good old-fashioned grilled cheese sandwiches. Although the event will be advertised via television, radio, online and print, we will rely heavily on social media to promote the event. The Food Truck Festival serves as another vehicle to expose new fans to the fun and excitement of thoroughbred racing.



- **Football Sundays** – Competing with the NFL for patrons on Sundays is going to be very difficult this fall. Our plan is to create an experience for race fans that will allow them to enjoy both racing and football. The seaside cabana on the far west side of the facility will be home of Football Sundays. The promotion will be hosted by the Union Tribune and The Mighty 1090 Sports Radio and will include sports celebrities as well as food & drink specials.

- **Free & Easy Fridays** – We believe it is appropriate to offer a value day with significant discounts for our fans. Every Friday during the meet (with the exception of Opening Day), racing fans will receive free Stretch Run admission and a free reserved seat. In addition, draft beer, sodas and hot dogs will be half price at designated concession stands. All patrons have to do to take part in the promotion is join the Diamond Club. This promotion, which was introduced during the 2009 season, has increased attendance numbers on Wednesdays during the summer season by over 20%.
- **Fleece Pullover Giveaway Day** – All fans in attendance will receive a free Bing Crosby Season blanket on one of the Saturdays during the meet. The blanket features the black and gold diamonds from the fall season and carries a very high perceived value. When promoted correctly, giveaway items continue to draw big crowds to the track. In addition, there is a value to having Del Mar-logged apparel around town for the entire year.
- **Seniors Days** – Seniors make up a significant portion of our fan base, and they tend to be price sensitive. Therefore, on one Thursday during the meet all seniors 62 and over will be admitted free and given a free reserved seat. In addition, seniors who are members of the Diamond Club will be admitted free every Thursday.
- **Direct Mail Offers** – Various offers will be mailed to fans on our mailing list. Offers will include free passes on a number of days as well as a special “Day on Us” which includes free parking, free admission, free program and a free *Daily Racing Form*.
- **Mystery Mutuel Tickets** – Fans in our database will be sent a Mystery Ticket that ranges in value from \$5 to \$10,000. The only way they can find out how much their ticket is worth is to bring it on track and cash it. This is an old-school racetrack promotion that stills brings out the more seasoned racing fans.
- **The Del Mar Handicapping Challenge** – In an effort to attract the top handicappers from across the country, we host the Del Mar Handicapping Challenge. One hundred players will compete for \$100,000 and ten entries into the NTRA National Handicapping Championship in this two-day competition. Historically, over half the field for this high-end contest travel in from out of state.

## Fan Education

Given that many Del Mar attendees are newcomers or occasional racetrack visitors, it is imperative that we stress fan education. Some of the initiatives include:

- **Free Programs** – As they say, “you can’t tell the players without a program,” so everyone who enters the admission gate receives a complimentary program. Although most racetracks charge an additional fee for programs, we believe many racetrack newcomers would not know to buy one and would, therefore, be very unlikely to wager and learn the game of horse racing.
- **Free Newcomers’ Seminars** – Located just inside the Stretch Run admission gates in the Plaza de Mexico, these simple 30-minute seminars are held every racing day and are extremely popular.
- **Free Handicapping Seminars** – Every Saturday and Sunday patrons can listen in as handicapping experts analyze the day’s racing card and give out their selections in every race.
- **Website** – The Del Mar website features a “Beginner’s Corner” which provides helpful tips on how to prepare for a visit to the races including pre-planning, handicapping resources, wagering, track terms and more. Fans may also participate in “Night School”, the racing industry’s national, interactive online fan education forum featuring lessons from expert hosts.
- **Betting Guides** – *Today's Racing Digest* produces pocket-sized guides for Del Mar that explain racing terms and how to place a bet. The betting guides are distributed through Group Sales, Mutuel Tellers and Customer Service representatives throughout the season.
- **DRF Easy Form** – On large concert or festival days, the *Daily Racing Form* produces a simplified racing guide that is distributed to newcomers free of charge. The Easy Form covers the day’s races in a simple format that is easy to understand for newcomers. It serves as a stepping stone to the traditional *Daily Racing Form*.
- **Staff Handicappers** – Del Mar staff handicappers regularly assist Group Sales parties. The handicappers teach the basics of handicapping and betting, recommend picks and arrange paddock tours.

## VIP Program

In addition to new and casual race fans, Del Mar also has a significant number of high-end customers. For those patrons we have the Del Mar VIP recruitment and retention program. The VIP program constitutes an aggressive effort to identify significant bettors and to meet the tailored needs of those patrons through personalized attention from all segments of Del Mar management and staff. The program accommodates over 200 high-per-capita patrons with services such as arranging housing, local transportation, complimentary dinners at local restaurants, hotel and golf reservations, and VIP seating for the races. In addition, players that wager over \$20,000 in a calendar month are eligible for rebates via a program sponsored by the California Marketing Committee.

## Customer Service

Given the number of new and casual race fans at Del Mar, Customer Service plays a vital role in the experience of our customers. Therefore, we staff the facility with Customer Service Representatives and Self-service Wagering Assistants very liberally. We also believe it is very important to train our Customer Service employees very thoroughly.

### Weekdays (Thursday and Fridays)

- 12 Customer Service Representatives
- 15 Self-service Wagering Assistants
- 27 Total Staffing

### Weekends (Saturdays and Sundays)

- 18 Customer Service Representatives
- 24 Self-service Wagering Assistants
- 42 Total Staffing

## Database Marketing

Database marketing continues to be one of the key components of the media mix each season. Given that the primary advertising strategy is to target new fans that are potentially younger, it is vital that we communicate effectively with our current fan base. With that strategy in mind, Del Mar has devoted significant time and money to identify our regular players. First, a state-of-the-art data warehouse was created that pulled together all the various lists of names and information contained at the racetrack (marketing, racing, group sales, turf club, ticketing, etc.) and combined them into a single database that can be segmented into various categories. Also, in May of 2006 a new loyalty club, known as the Diamond Club, was launched. The Diamond Club, which gives members half-priced admission each time they attend the races at Del Mar, allows us to track the visitation patterns of Club members. The Diamond Club has enjoyed phenomenal growth since its inception in 2006 with membership numbers now topping over 200,000.

Approximately 230,000 pieces of direct mail will be sent out for the fall season to racing fans in the Del Mar database. In addition to traditional mail, more than 125,000 fans will receive targeted e-mail updates from Del Mar on a year-round basis, ranging from coupons to instant notification of Pick Six carryovers to upcoming promotions and big races as well as general interest stories about various horses and horsemen.

## Internet Sites

Given that Del Mar targets two distinct audiences – racetrack regulars and newcomers – we believe it is appropriate to offer two different internet sites: [www.delmarracing.com](http://www.delmarracing.com) and [www.delmarscene.com](http://www.delmarscene.com).

### [www.delmarracing.com](http://www.delmarracing.com)

[delmarracing.com](http://delmarracing.com) is Del Mar's traditional internet site, which was completely redesigned for the 2014 summer season. Entries, charts, replays, real-time odds, pools and other valuable handicapping tools are offered. During the summer, over 6,000 patrons use the site to purchase admissions, make table reservations and reserve seats online.

Additionally, a lottery-type drawing for table reservations for Opening Day will be conducted exclusively online in advance of the regular opening of ticket sales. A new online ticketing system was implemented for the 2007 season that allowed patrons to receive immediate confirmation of their seat and table locations.

Out-of-town visitors to Del Mar are provided helpful travel aids including information about area restaurants, hotels, transportation and other local activities. They can also preview their visit by watching live shots from the Del Mar "Paddock Cam" and the nearby Del Mar "Beach Cam". They can even check out horses in their stalls with the Del Mar "Barn Cam".

Del Mar is a popular destination on the electronic superhighway as the site averages over 500,000 page requests per day during the summer season. The Online Handicapping Challenge, designed to encourage horseplayers to handicap and play the Del Mar card, draws nearly 7,000 players each season. The site also continues to be popular during the off-season with archived information about the past season, previews of the coming season, interactive forum and chat pages, a play-for-fun handicapping contest during other Southern California race meets and our online gift shop.

[www.delmarscene.com](http://www.delmarscene.com)

Delmarscene.com is Del Mar's "lifestyle & music" website that also serves as the hub for all our social media efforts with Facebook, Twitter, Instagram and YouTube. Launched in June of 2008, the site allows fans to access information on upcoming concerts and promotions. It also allows fans to share their personal experiences at the track with other fans. The site is a "Del Mar-centric" mix of concert schedules, photo galleries, YouTube videos and social networking. Highlights include user-generated content (blogs, photos and videos), music and band pages, a photo gallery of celebrities at Del Mar, blogs from jockeys and eginner-oriented racing information.



## Social Media

The social media goals for the Bing Crosby Season are threefold:

1. Increase awareness of the new season
2. Increase brand loyalty
3. Increase on-track attendance

The emphasis is not only on growing the size of our community, but the quality of the people and interactions. The feedback from our social media community is overwhelmingly positive, with people posting on both Facebook and Twitter how much they love Del Mar and how much they appreciate our efforts in the social space.

Facebook, which now has over 60,000 Del Mar fans within our community has proven to be an easy platform for us to grow and a natural space for us to be in as a result of our visual content. Our fans respond very favorably to the videos we share about concerts and big races, and regularly view and comment on our many photo albums. The content most often responded to involves celebrities, events, concerts and contests. However, some racing content also receives a significant response.

Twitter still has some room for growth, but despite being significantly smaller than our Facebook network, our 17,000 Twitter members are quite a bit more engaged. Twitter is best used as an engagement platform to provide customer service assistance and increase brand loyalty through one-on-one interactions.

Del Mar has addressed the demand for mobile with an application that was launched last season. The Del Mar "app" allowed on-track patrons to wager from their phone. Over \$500,000 was wagered on-track via the app last year – a number we expect to surpass in 2015. The app also contains convenient guest services such as ticketless admissions and event calendars as well as horse racing content including live video streaming of the races, live odds, race results and scratches/changes. The swiftness, flexibility and economical opportunities of social media and mobile marketing will continue to allow Del Mar the ability to evolve with emerging trends, harness a new revenue stream and directly engage with our passionate audience.

## Media Summary

The Media Plan features a diversified media mix consisting of broadcast television, cable television, radio, print, online, outdoor and direct mail. Although the media buy for the season is not yet complete, it is budgeted to breakdown as follows:

Broadcast Television	\$ 260,000
Cable Television	\$ 60,000
Radio	\$ 206,400
Print	\$ 53,000
Online	\$ 95,000
Outdoor	\$ 51,000
Direct Mail	\$ 93,000
Total	\$ 818,400

In addition to the cash media budget, DMTC negotiates barter deals with select media providers. In exchange for tickets, seating and parking privileges on days when inventory is available, DMTC receives free media. The Barter Program is expected to contribute an additional \$175,000 of media for the fall season. This brings our total paid and non-paid advertising to approximately \$993,400 for the five-week meet.

## Marketing Budget

The Marketing Budget for the inaugural Bing Crosby Season is over \$1.7 million. This amount includes direct expenses attributed to Advertising, Promotions and Publicity but does not include payroll, administrative supplies and other overhead items.

The Marketing Budget is categorized as follows:

Advertising	\$1,212,900
Promotions	\$ 437,300
Publicity	\$ 95,300
Other	\$ 11,500
<b>Total</b>	<b>\$1,757,000</b>

D. Describe facilities set aside for new fans:

At Del Mar, virtually the entire facility is considered a new fan area, with customer service locations on every floor and in every betting area and with a complete staff of customer service representatives moving about the facility. In addition, a large portion of new fans are introduced to racing through our Group Sales department which provides customized introductions to racing or the day's card tailored to individual groups. Del Mar also offers a variety of free seminars and handicapping education for more serious newcomers.

E. Describe any improvements to the physical facility in advance of the meeting that directly benefit:

1. Horsemen

- Ongoing replacement of stairways, balconies and shed row posts in stable area living quarters (restricted area)
- Ongoing replacement of flooring, doors, locks, window screens in living quarters (restricted area)
- Ongoing replacement of morning workout lights (restricted area)
- Ongoing replacement of electrical outlets in stable area restrooms to GFCI protected (restricted area)
- Repair all stable area smoke detectors (restricted area)
- Ongoing replacement of water service to miscellaneous barns in stable area (restricted area)
- Backfill all stable area stalls with decomposed granite (restricted area)
- Renovation of miscellaneous restrooms, tack rooms and living quarters in stable area (restricted area)
- Ongoing replacement of exterior electrical outlets and wall lights in stable area (restricted area)

2. Fans

- New Paddock area Tote Board
- High-Definition Television Production
- Box Seat Refurbishment – Phase 1
- ADA Handrail Improvements (on-going)
- On-going replacement of television monitors with flat screen monitors throughout facility
- On-going installation of wireless technology throughout facility

- Installation of a new wireless system to enhance the mobile app experience
- Replaced carpet and furniture in Luxury Suites
- Partial replacement of the Season Box panels and trays. Clubhouse Level 2 is complete – this will be a three-year project.

3. Facilities in the restricted areas  
See 17-E-1

18. SCHEDULE OF CHARGES

A. Proposed charges, note any changes from the previous year:

Fall Meet 2015

Admission	\$6.00 (\$3.00 with Diamond Club)
(includes official program)	\$25.00 (Season Pass-Sold pre-season through July 17)
Reserved Seating	\$4.00 Thurs & Fri, \$8 Opening Day, \$8 Sat & \$6 Sun
Parking (general, single day)	\$10.00
Parking (general, advance	
Discount book of 10)	\$50.00
Parking (Valet)	\$20.00
Programs (on-track)	Included with paid admission
Programs (off-track)	\$2.25

B. Describe any “Season Boxes” and “Turf Club Membership” fees:

Season Turf Club Membership (2 persons, includes Summer and Fall meetings):	\$1,500.00
Season Turf Club Membership (1 person, includes Summer and Fall meetings):	\$1,100.00
Daily Turf Club Admission (member guests):	\$40.00 (\$60 on Opening Day)
Daily Turf Club Admission (non-member):	\$60.00 (\$100 on Opening Day)
Stretch Run & Clubhouse Season Box Seats:	\$85 - \$100 per seat
Season Reserved Seat:	\$70.00

C. Describe any “package” plans such as combined parking, admission and program:  
Turf Club memberships include valet parking. All paid admissions include official programs.

19. JOCKEYS/DRIVERS’ QUARTERS

A. Check the applicable amenities available in the jockeys/drivers’ quarters:

<input checked="" type="checkbox"/> Corners (lockers and cubicles)	How many	<input type="text" value="73"/>
<input checked="" type="checkbox"/> Showers	<input checked="" type="checkbox"/> Steam room, sauna or steam cabinets	<input checked="" type="checkbox"/> Lounge area
<input checked="" type="checkbox"/> Masseur	<input checked="" type="checkbox"/> Food/beverage service	<input checked="" type="checkbox"/> Certified platform scale

- B. Describe the quarters to be used for female jockeys/drivers:

**Includes a locker area (2), shower area, sauna area, lounge area, food and beverage service and a certified scale.**

## 20. BACKSTRETCH EMPLOYEE HOUSING

- A. Inspection of backstretch housing has been requested and will be completed prior to the beginning of the race meet.

**Inspection of backstretch housing will be completed by CHRB staff on a date to be determined.**

- B. Number of rooms used for housing on the backstretch of the racetrack:

**666 permanent**

- C. Number of restrooms available on the backstretch of the racetrack:

**83**

- D. Estimated ratio of restroom facilities to the number of backstretch personnel:

**17.5 workers to 1 restroom facility**

## 21. TRACK SAFETY

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line: 5,280 feet.

- B. Describe the type of track surface at the facility, including the specific track surface composition:

**The main track surface is a Dirt Running Surface. The surface consists of a 10" sandy loam on top of a layer of decomposed granite and 6" round perforated drain pipe on top of the existing dirt sub-base.**

**The turf course consists of GN-1 Bermuda grass sod with a growing medium consisting of 9" of silica sand mixed with peat and turf grids blended into the top 6".**

- C.

DIRT:

The percent of cross slope in the straight-aways is: **2%**

The percent of cross slope in the center of the turns is: **4%**

TURF:

The percent of cross slope in the straight-aways is: **1.5%**

The percent of cross slope in the center of the turns is: **5%**

- D. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.

**Main Track:**

**Fontana Inner rail: Aluminum. Outer rail: Galvanized Steel Tubing. Inner rail supports: Aluminum with 33" offset. Coverings: Fontana Safety panels. Approximate height of the top inner rail: 40".**

**Turf Track:**

**Inside running rail: Mawsafe pvc injection molded**

**Inside rail supports: Mawsafe pvc with 16" offset**

**Approx. height: 47"**

**Outside running rail of the turf course is the same as the inside rail.**

**Outside rail supports are the same as the inside rail supports.**

**Approximate height 47"**

- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474:  
**Robert Sanchez, Vice President, Plant**
- F. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On File.**
- G. If the association is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **On File**

## 22. DECLARATIONS

- A. All labor and lease agreements and concession and service contracts necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state): **Exhibit 17**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.  
**Fall Meet agreements with CTT and TOC - in negotiations**
- C. Attach a lease agreement permitting the association to occupy the racing facility during the entire term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made). **On File**
- D. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state):  
**No exceptions**

## DEL MAR THOROUGHBRED CLUB - UNION CONTRACTS CURRENTLY IN NEGOTIATION

UNION	SIGNATORY ASSOCIATIONS	JOB CLASSIFICATION	CONTRACT DATES
Teamsters Local 495 Auto Park	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex	Auto Park	July 21, 2013 through July 2014 (Negotiations in Progress)
Teamsters Local 495 Clockers/ Outriders	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex	Clockers / Outriders	July 2014 through June 2016 (Negotiations in Progress)
Teamsters Starters Local 495	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex	Starters	July 21, 2013 through July 2014 (Negotiations in Progress)
Teamsters 495 Racing	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex	Racing Officials	July 21, 2013 through July 2014 (Negotiations in Progress)
SEIU Local #280	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex SCOTWINC	Mutuels	July 2014 through June 2017 (Negotiated-Document Signing in Process)
SEIU #1877	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex	Racing	May 1, 2014 through April 20, 2017 (Negotiations in Progress)

- E. Absent natural disasters or causes beyond the control of the association, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the association except as follows (if no exceptions, so state): **No exceptions**

**NOTICE TO APPLICANT:** Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

**23. CERTIFICATION BY APPLICANT**

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the association to attest to this application on its behalf.

Thomas S. Robbins  
Print Name

Executive Vice President, Racing  
Print Title

Thomas S. Robbins  
Signature

7/30/15  
Date

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD  
REGARDING  
THE ALLOCATION OF THE 2016 HARNESS RACE DATES

Regular Board Meeting  
September 16, 2015

ISSUE

The 2016 harness race dates have not been allocated. Watch and Wager, LLC has requested 2016 race dates for its harness race meeting.

ANALYSIS

The Board at its August 20, 2015 regular meeting allocated the 2016 Northern and Southern California thoroughbred race dates. The 2016 harness race dates, however, were inadvertently not allocated at the August meeting.

In its original May 6, 2015 request, Cal Expo as landlord for the harness race meeting, operated and managed by Watch and Wager LLC, and on their behalf submitted that for 2016 Watch and Wager was requesting the allocation of harness racing dates at Cal Expo for the inclusive period of December 26, 2015 through December 24, 2016.

Cal Expo on behalf of Watch and Wager LLC is resubmitting its request for 2016 harness race dates. Watch and Wager propose to conduct two separate race meetings during that period with the approximate dates of:

- Harness racing at Cal Expo – December 26, 2015 through May 15, 2016
- Harness racing at Cal Expo – October 1, 2016 through December 24, 2016

The request includes approximately 80 live harness racing days on a Friday and Saturday night schedule. Watch and Wager also requests approval to readdress this request dependent upon the overall California racing schedule and /or changes in the available harness horse population.

RECOMMENDATION:

Staff recommends the Board hear from Watch and Wager LLC.



September 8, 2015

Commissioners  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

Honorable Commissioners:

On behalf of the California Exposition & State Fair, we respectfully resubmit the following request for your consideration and approval. **Cal Expo Harness Racing- December 26, 2015 to December 25, 2016**

As the landlord of the current Harness Race Meet, operated and managed by Watch & Wager LLC, and on their behalf, we are requesting the allocation of harness racing dates at Cal Expo for the above listed inclusive period.

This request consists of two separate Racing Meetings for the approximate periods of December 26, 2015 through May 15, 2016 and October 1, 2016 through December 25, 2016. Our request includes approximately 80 Live Harness Racing days on a Friday and Saturday night schedule. We respectfully request your approval to readdress this request dependent upon the overall California racing schedule and/or changes in the available harness horse population.

Watch & Wager LLC has indicated that its overall promotional, marketing, and advertising efforts will consist of increased on track participation and fan support, along with increased visibility at off track and ADW platforms.

In closing, we greatly value the work of the CHRB to be forward looking into an uncertain future. With our roots deeply tied to horse racing, we are proud to be the oldest professional sport in the Sacramento region. We appreciate your consideration of our above outlined request, as we work together toward bolstering racing in California for generations to come.

Respectfully,

*Rick K. Pickering*

Rick K. Pickering  
CEO

STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING  
THE PROPOSED ADDITION OF  
CHRB RULE 1846.6, POSTMORTEM EXAMINATION REVIEW,  
TO REQUIRE A POSTMORTEM EXAMINATION REVIEW OF  
EACH EQUINE FATALITY WITHIN A CHRB INCLOSURE

Regular Board Meeting  
September 16, 2015

## BACKGROUND

Business and Professions Code section 19440 provides that the California Horse Racing Board shall have all powers necessary and proper to enable it to carry out the purposes of this Chapter. Business and Professions Code section 19444(c) further states that in performing its responsibilities, the Board may conduct research to determine more fully the cause and prevention of horse racing accidents, the effects of drug substances on the race horses, and the means for detection of foreign drug substances. Additionally, CHRB Rule 1527, General Authority of Stewards, gives the Stewards at each racetrack the general authority and supervision over all licensees and other persons attendant on horses, and also over the inclosures of any recognized meeting. CHRB Rule 1541, Power to Order Examination of Horse, also gives Stewards the specific authority to order an examination of any horse within the inclosure at any time by such persons as they see fit. CHRB Rule 1560, Duties of the Official Veterinarian, requires that the Official Veterinarian at each race track report to the Board the names of all horses humanely destroyed or which otherwise expire at the meeting and the reasons there for. Finally, CHRB Rule 1846.5, Postmortem Examination, presently requires a postmortem examination of every horse which dies or is euthanized within an area under the jurisdiction of the Board at a designated diagnostic laboratory.

Currently, under CHRB Rule 1846.5, a postmortem examination (also referred to as a "necropsy") is performed in a diagnostic laboratory operated by the California Animal Health and Food Safety laboratory system on every horse that dies within the inclosure in California. Additionally, Safety Stewards regularly interview jockeys and trainers whenever a horse suffers a fatal injury on the racetrack in training or competition. Finally, inquiry into the cause and circumstances behind an equine fatality also arises when a law or rule violation is suspected. Nevertheless, a thorough review of a horse's recent training and medication history is rarely conducted in the absence of suspicious or illegal circumstances, and consequently there is little opportunity for the CHRB to identify trends and behaviors that could help prevent future injuries.

To date, several racing jurisdictions, including New York and Kentucky, have implemented similarly structured equine fatality review panels with the purpose of better understanding the circumstances leading up to a fatal injury with the long-term goal of reducing overall injuries. These fatality review panels are geared towards fact gathering and educating all involved parties, and have generally received positive reception.

## ANALYSIS

The proposed addition of Board Rule 1846.6, Postmortem Examination Review, will establish a review process for every equine fatality that occurs within a CHRB inclosure, to be conducted by a three-person panel. Specifically, that panel will include a member of the Board of Stewards, a Safety Steward, and either the Equine Medical Director or a designated Official Veterinarian. The trainer and veterinarian for the deceased horse, as well as any other requested licensees, will be required to appear before the panel, and produce for review certain documents pertaining to the horse's training and medical history. Upon conclusion of the review, the panel will prepare and file a written report for the Executive Director which details their findings.

The creation of a postmortem examination review is meant to improve and encourage equine safety and welfare on the race track. The purpose of the postmortem examination review is to conduct an investigation into the circumstances surrounding an equine fatality in order to gain an understanding of all events that may have contributed to the incident. The act of conducting a postmortem examination review honors the deceased horse, provides case-specific recommendations to the horse's connections in order to prevent future injuries, and sends an unequivocal message to racing stakeholders and the general public that reducing equine fatalities is a major priority for the CHRB.

The postmortem examination review is intended to be an educational process for trainers and veterinarians, rather than a punitive effort, and will further advance the Board's research into the cause and prevention of horse racing accidents. The overall goal of the postmortem examination review is to establish a more interactive process to investigate and understand equine fatality more thoroughly, and importantly, provide feedback to licensees that may be of use in improving safety.

In May 2015, the Medication and Track Safety Committee considered an initial draft of proposed Rule 1846.6. At that time, the Committee indicated that they wanted language added that would further assure licensees that this process is purely meant for education and research purposes only, and would not be used as a basis for punishing misconduct. Accordingly, staff revised proposed Rule 1846.6 to add such intent language, and also made several minor additions to clarify procedural details such as form and timing of notice, as well as the completion deadline for the panel's written report. The Committee considered this revised version of proposed Rule 1846.6 at their August 2015 meeting, where they approved the item to go before the full Board.

## RECOMMENDATION

This item is presented to the Board for discussion and action.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARIAN PRACTICES.  
PROPOSED ADDITION OF  
RULE 1846.6. POSTMORTEM EXAMINATION REVIEW

1846.6. Postmortem Examination Review.

(a) The Board shall conduct a postmortem examination review to determine the circumstances of each equine fatality within a California Horse Racing Board (CHRB) inclosure.

(b) The postmortem examination review shall be conducted by a member of the board of stewards, a safety steward and the Equine Medical Director or an official veterinarian designated by the Executive Director and Equine Medical Director.

(c) The trainer of the expired horse will be required to appear before the postmortem examination review panel. Additional licensees may also be required to appear at the discretion of the postmortem examination review panel. All licensees required to come before the postmortem examination review panel shall receive at least 10 days written notice before the date of the review panel.

(d) The trainer shall make available at the postmortem examination review the training records for the expired horse, which shall include exercise, medication and shoeing histories for a minimum of 60 days prior to the date of death of the horse.

(e) All CHRB licensed veterinarians attending or treating a horse having died within a CHRB inclosure shall make available at the postmortem examination review a summary medical record covering a minimum of 60 days prior to the date of death of the horse, or longer if requested by the postmortem review panel. The summary medical record shall include:

(1) A history or pertinent information as it pertains to the horse's medical status, including an interpretation of all diagnostic imaging and laboratory findings.

(2) Data, including that obtained by instrumentation, from the physical examination.



## STAFF ANALYSIS

## DISCUSSION AND ACTION REGARDING THE PROPOSED ADDITION OF CHRB RULE 1866.1, PRESENCE OF CLENBUTEROL IN QUARTER HORSES, AND PROPOSED AMENDMENT TO CHRB RULE 1844, AUTHORIZED MEDICATION, TO PROHIBIT THE PRESENCE OF CLENBUTEROL IN A QUARTER HORSE TEST SAMPLE

Regular Board Meeting  
September 16, 2015

## ISSUE

At its June 25, 2015 regular meeting, the California Horse Racing Board (CHRB or Board) approved for submission to the Office of Administrative Law (OAL) an emergency rulemaking file which would add Rule 1866.1, Presence of Clenbuterol in Quarter Horses, and would amend Rule 1844, Authorized Medication, in order to restrict the use of Clenbuterol in racing quarter horses. On July 31, 2015, OAL approved these emergency regulations, making them effective immediately. Pursuant to the Administrative Procedure Act (APA), the Board now has until January 2016 to pass these regulatory changes through the regular rulemaking process in order for them to become permanent CHRB regulations.

## BACKGROUND

Clenbuterol is a beta-2 agonist approved for use as a bronchodilator in horses. Beta-2 agonists also have an anabolic-type effect through their muscle partitioning side effects. Clenbuterol is banned in human sport by the World Anti-doping Association for this reason. The drug is also abused in horses because of its anabolic effects. Clenbuterol became a problem in horse racing—especially quarter horse racing—when the CHRB and other racing authorities in the United States restricted the use of anabolic steroids. Quarter horses often engage in sprint racing. Accordingly, the preferred body-type for racing quarter horses is a well-muscled horse, which is easily accomplished and enhanced with the use of anabolic steroids.

The FDA approved formulation for horses was specifically formulated to make Ventiplulmin, the FDA approved brand, unpalatable to humans. Unapproved clenbuterol can be readily obtained though, and in fact in some countries it is allowed in food for animals to promote muscle weight gain. The official CHRB laboratory, the Maddy Laboratory at UC Davis School of Veterinary Medicine, has analyzed a number of non-FDA clenbuterol preparations from quarter horse racing in California and other southwest racing locations where quarter horse racing is prominent. Furthermore, several studies have described numerous side-effects associated with clenbuterol administration, including a repartitioning effect and major alterations in cardiac and skeletal muscle function, as well as affects on bone, immune, endocrine, and reproductive systems.

Los Alamitos Racecourse and the Pacific Coast Quarter Horse Racing Association (PCQHRA) began expressing concern to the CHRB in 2010 about what they perceived as unfair racing at Los Alamitos. Public confidence is critical to horse racing, and the perception of unfair competition amongst owners and trainers due to the use of clenbuterol became a serious issue for the public and licensees.

The CHRB conducted testing at Los Alamitos for their 2010 signature end of season races, the \$2,000,000 Futurity and Champion of Champions. A total of 72 blood samples were obtained and tested. Of those samples, every sample (72 out of 72) contained detectable levels of clenbuterol in the horse's blood. Realistically, clenbuterol can be detected in blood for no more than four to seven days after administration, indicating that all of the tested horses had recently been administered clenbuterol. At the request of Los Alamitos Racecourse and PCQHRA, the CHRB suspended authorization of clenbuterol by breed and track for one year at a time, pursuant to Rule 1844.1. The suspension was in place for 2011, and upon conducting a similar testing program, the CHRB found that no horses tested positive for clenbuterol this time around. In 2013, however, a number of trainers began to once again push the limits on clenbuterol use. In Fiscal Year 2013-14 there were 13 clenbuterol violations at Los Alamitos. While trainers are sanctioned when caught, the public is not protected in these instances. Those who wager on races where certain horses have been administered clenbuterol have no recourse. The people who wager on a winning horse that has been administered clenbuterol—which often includes the horse's owners and trainers—are rewarded, while those who wager on a losing horse not administered clenbuterol become victims of an unfair and illegal performance enhancing scheme.

Beginning on February 28, 2014, the CHRB implemented and enforced the provisions of a memorandum authored by the Equine Medical Director entitled "Instructions Pursuant to Rule 1855, Medication Procedures and Related Instructions." The memorandum described procedures for how and when quarter horses should be placed on the Veterinarian's List when clenbuterol is prescribed to or detected in a horse, as well as the procedures for removing a horse from the list once it tests clear of clenbuterol. On May 26, 2015, however, the Office of Administrative Law released 2015 OAL Determination NO. 6 (OAL MATTER NO. CTU2014-1110-01), which declared that the abovementioned memorandum was an "underground regulation." The Board concluded that this determination created an emergency situation for quarter horse racing in California, and in response, directed staff to file an emergency regulation with OAL. On July 31, 2015, OAL approved the emergency addition of Rule 1866.1, Presence of Clenbuterol in Quarter Horses, and the emergency amendment to Rule 1844, Authorized Medication. Pursuant to the APA, these emergency regulations will remain in effect until January 2016, during which time the Board must submit these changes through the regular rulemaking process to make them permanent CHRB regulations.

## ANALYSIS

The addition of Rule 1866.1, Presence of Clenbuterol in Quarter Horses, and the amendment to Rule 1844, Authorized Medication, will remain in effect as emergency regulations until January 2016. If the Board wishes these changes to become permanent regulations, it must submit these additions and amendments to OAL through the regular rulemaking process, which includes written notice, opportunity for public comment, and approval by OAL.

Rule 1866.1, Presence of Clenbuterol in Quarter Horses, as submitted now before the Board, provides that a quarter horse prescribed clenbuterol will be placed on the Veterinarian's List until an official test sample shows there is no clenbuterol in the blood or urine of the quarter horse after a workout to demonstrate its physical fitness. A quarter horse placed on the Veterinarian's List for clenbuterol will not be allowed to start in a race until the horse is removed from the Veterinarian's List. Veterinarians prescribing clenbuterol must fill out and submit form CHRB-24 (Veterinarian Report) and also ensure they are in compliance with Rule 1864, Labeling of

Medication. Administration of clenbuterol must also be reported by the trainer using form CHRB-60 (Trainer Medication Report).

Rule 1844, Authorized Medication, as submitted now before the Board, eliminates authorization for any level of clenbuterol in quarter horses.

It should be noted that CHRB staff, in conjunction with the Equine Medical Director, have made minor adjustments to the text of proposed Rules 1866.1 and 1844 from how they were enacted as emergency regulations in order to address concerns about clarity and redundancy. The revised text also implements a 30-day maximum for clenbuterol prescriptions.

The proposed amendment to Rule 1844, Authorized Medication, and proposed addition of Rule 1866.1, Presence of Clenbuterol in Quarter Horses, were heard at the August 19, 2015 Medication and Track Safety Committee Meeting, and were approved to go before the full Board.

#### RECOMMENDATION

This item is presented to the Board for discussion and action.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
PROPOSED AMENDMENT OF  
RULE 1844. AUTHORIZED MEDICATION

1844. Authorized Medication.

Consistent with the intent of these rules, drug substances and medications authorized by the Board for use may be administered to safeguard the health of the horse entered to race provided that:

(a) No person shall administer a drug substance to any horse entered to race except upon authorization of the official veterinarian in conformance with these rules.

(b) No drug substance, other than authorized bleeder medication, shall be administered to a horse entered to race within 24 hours of the race in which entered.

(c) Not more than one approved non-steroidal anti-inflammatory drug substance (NSAID) may be administered to a horse that is entered to race and shall be only one of the following authorized drug substances:

(1) Phenylbutazone in a dosage amount that the test sample shall contain not more than 2 micrograms of the drug substance per milliliter of blood plasma or serum.

(2) Flunixin in a dosage amount that the test sample shall contain not more than 20 nanograms of the drug substance per milliliter of blood plasma or serum.

(3) Ketoprofen in a dosage amount that the test sample shall contain not more than 10 nanograms of the drug substance per milliliter of blood plasma or serum.

(4) Metabolites or analogues of approved NSAIDs may be present in post race test samples.

(d) If the official chemist reports that a blood test sample contains an authorized NSAID in excess of the limit for that drug substance under this rule, the official veterinarian shall, in conjunction with the veterinarian who administered or prescribed the authorized drug substance, establish a dosage amount or time of administration of the drug substance that will comply with the limits under this rule; or the official veterinarian may, if in his/her judgment no such reduced dosage amount or amendment to time of administration will result in a test sample level within the limits of this rule, withdraw authorization for the use of any one NSAID.

(e) Official urine test samples may contain one of the following drug substances, their metabolites and analogs, in an amount that does not exceed the specified levels:

- (1) Acepromazine; 10 nanograms per milliliter
- (2) Mepivacaine; 10 nanograms per milliliter
- (3) Albuterol; 1 nanograms per milliliter
- (4) Procaine; 25 nanograms per milliliter
- (5) Salicylates; 750 micrograms per milliliter
- (6) Clenbuterol; 140 picograms per milliliter, except in quarter horses for which no level of clenbuterol is authorized.
- (7) Omeprazole; 1 nanogram per milliliter
- (8) Nandrolone; 1 nanograms per milliliter for geldings, fillies and mares; 45 nanograms for males other than geldings.
- (9) Boldenone; 15 nanograms per milliliter in males other than geldings.
- (10) Testosterone; 20 nanograms per milliliter in geldings.
- (A) Testosterone at any level in males other than geldings is not a violation of this regulation.

(11) Testosterone; 55 nanograms per milliliter in fillies or mares.

(12) Butorphanol 300 nanograms per milliliter

(f) Official blood test samples may contain the following drug substances, their metabolites and analogs, in an amount that does not exceed the specified levels in serum or plasma:

(1) Bethamethasone; 10 picograms per milliliter

(2) Dantrolene; 100 picograms per milliliter

(3) Detomidine; 1 nanogram per milliliter

(4) Dexamethasone; 5 picograms per milliliter

(5) Diclofenac; 5 nanograms per milliliter

(6) Dimethylsulfoxide (DMSO); 10 micrograms per milliliter

(7) Firocoxib; 20 nanograms per milliliter

(8) Lidocaine; 20 picograms per milliliter

(9) Methocarbamol; 1 nanogram per milliliter

(10) Methylprednisolone; 100 picograms per milliliter

(11) Glycopyrrolate; 3 picograms per milliliter

(12) Prednisolone; 1 nanogram per milliliter

(13) Triamcinolone Acetonide; 100 picograms per milliliter

(14) Xylazine; 10 picograms per milliliter of serum or plasma

(15) Butorphanol; 2 nanograms per milliliter

(g) Official blood test samples shall not contain any of the drug substances, or their metabolites or analogs listed in subsection (e)-(1)(12).

(h) Procaine, following administration of procaine penicillin, is an authorized medication provided:

(1) Official blood test samples shall not contain any procaine, or its metabolites or analogs in excess of 25 nanograms per milliliter.

(2) all procaine penicillin administrations have been reported pursuant to Rule 1842 of this division,

(3) procaine penicillin was not administered after entry to race,

(4) the horse was under surveillance for a minimum of six hours prior to racing.

(i) All expenses related to surveillance and testing for procaine under subsection (h) of this regulation shall be paid by the owner of the horse.

Authority: Sections 19440 and 19562,  
Business and Professions Code.

Reference: Sections 19580 and 19581,  
Business and Professions Code.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
PROPOSED ADDITION OF  
RULE 1866.1. PRESENCE OF CLENBUTEROL IN QUARTER HORSES

1866.1. Presence of Clenbuterol in Quarter Horses

(a) A quarter horse prescribed clenbuterol will be placed on the Veterinarian's List for veterinary treatment until an official test sample shows that there is no clenbuterol in the blood or urine of the horse after a workout to demonstrate its physical fitness, pursuant to Rule 1866. Quarter horses on the Veterinarian's List for clenbuterol administration will not be allowed to start in a race until the horse is removed from the Veterinarian's List.

(1) Clenbuterol shall only be prescribed to an individual quarter horse for a specific diagnosis to last for a period of not more than 30 days for each prescription. The quarter horse's name, the specific diagnosis, dosage and duration of treatment of clenbuterol administration must be reported by the prescribing veterinarian to the Official Veterinarian on form CHRB-24 (Rev. 7/15) (Veterinarian Report), which is hereby incorporated by reference.

(2) Clenbuterol prescribed to an individual quarter horse for a specific diagnosis shall not last for more than 30 days for any prescription. Dispensed clenbuterol prescriptions must be labeled in compliance with Rule 1864, Labeling of Medication, and all other laws, including California Veterinary Medical Board regulations.

(3) Administration of clenbuterol to a quarter horse must be reported by the trainer of the horse to the Official Veterinarian on form CHRB-60 (Rev. 7/15) (Trainer Medication Report), which is hereby incorporated by reference.

(b) A quarter horse that, pursuant to Rules 1858 or 1859, is reported to have clenbuterol detected in blood, urine, or any other official test sample by the CHRB official

laboratory will be placed on the Veterinarian's List until an investigation has been conducted to determine the circumstances of the presence of clenbuterol in the official test sample, and until a subsequent official test sample fails to detect clenbuterol in the blood or urine of the horse after a workout to demonstrate its physical fitness, pursuant to Rule 1866.

(c) A quarter horse shall not be removed from the Veterinarian's List and allowed to start in a race until an official test sample fails to detect clenbuterol in the blood or urine of the horse after a workout to demonstrate its physical fitness pursuant to Rule 1866.

Authority: Sections 19440, 19562, and 19580  
Business and Professions Code

Reference: Sections 19440, 19562, and 19580  
Business and Professions Code

### TRAINER MEDICATION REPORT

HORSE: \_\_\_\_\_

DATE OF RACE: \_\_\_\_\_ RACE NO.: \_\_\_\_\_

MEDICATION: \_\_\_\_\_  
\_\_\_\_\_

DATE TREATED: \_\_\_\_\_ TIME: A.M.   
P.M.  \_\_\_\_\_

TRAINER: \_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(PLEASE PRINT NAME)

COMMENTS: \_\_\_\_\_



**CALIFORNIA HORSE RACING BOARD**

**SEPTEMBER 16, 2015**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 8**

DISCUSSION AND ACTION REGARDING  
THE PROPOSED AMENDMENT TO  
CHRB RULE 1845, AUTHORIZED BLEEDER MEDICATION,  
TO REQUIRE THAT AUTHORIZED BLEEDER MEDICATION  
BE ADMINISTERED BY INDEPENDENT, THIRD PARTY VETERINARIANS

Regular Board Meeting  
September 16, 2015

ISSUE

Furosemide (Lasix) is a diuretic administered to horses to prevent exercise-induced pulmonary hemorrhage (EIPH), which is a condition wherein pulmonary bleeding occurs when capillaries in horses' lungs burst as a result of the exertion from intense exercise or racing. In 2013 the Racing Commissioners International (RCI) incorporated Racing Medication and Testing Consortium (RMTC) recommendations in a Model Rule, which requires that Lasix be the only medication authorized for administration on race day, and limits Lasix administration to no less than four hours prior to post time for the race in which the horse is entered. The RCI Model Rule also requires that Lasix administration be performed only by third-party veterinarians or veterinary technicians who are prohibited from working as private veterinarians or technicians at the racetrack or with participating licensees. As of January 2014, thirteen states had adopted regulations requiring third-party administration of Lasix: Colorado, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New York, North Dakota, Virginia and West Virginia. The proposed amendment to Rule 1845, Authorized Bleeder Medication, will bring the Board's regulations in line with the RMTC/RCI recommendations regarding the administration of Lasix.

ANALYSIS

**Committee Text:** The Medication and Track Safety Committee met on September 4, 2015. At its meeting, the committee considered alternate recommendations to the proposed amendment that was initially presented to the Board at its August 2015 Regular Meeting. Two alternate proposals were presented and discussed. The proposal "A" text was essentially the same as the originally proposed text. However, the term "designation" which was used in the original text to refer to the furosemide veterinarian, or the owner's veterinarian, has been removed and replaced with "furosemide veterinarian" and "owner's veterinarian." The proposal "B" text was essentially the same as the proposed text "A," except that it required the racing associations and horsemen's organizations to reach an agreement regarding the administration of race-day furosemide. The racing associations and horsemen's organizations must enter into an agreement to apply one of two options. The first option provided for a furosemide veterinarian, who must establish a client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032, to either administer the furosemide, or to directly supervise the California registered veterinary technician in the administration of the furosemide. Option two provided that furosemide may be administered by the owner's veterinarian while being monitored by direct visual observation by personnel employed or contracted by the racing association, horsemen's/trainer's organization or partnership thereof.

After considering alternative recommendations for the amendment to Rule 1845, the committee indicated it supported a modified version of the proposed text "B." The committee version (Committee text) would require that Lasix be administered by a designated furosemide veterinarian, or by a veterinary technician under the direction of the furosemide veterinarian. The furosemide veterinarian shall be employed by the racing association. The horsemen's organization, the trainers' organization and racing association shall enter into an agreement to provide for race-day Lasix administration. Additionally, the Committee text provides a definition of "furosemide veterinarian." The remaining content of the Committee text is essentially the same as the originally proposed text. However, the term "designation" which was used in the original text to refer to the furosemide veterinarian, or the owner's veterinarian, has been removed and replaced with "furosemide veterinarian" and "owner's veterinarian."

The proposed Committee text will require the amendment of Rule 1433, Application for License to Conduct a Horse Racing Meeting. The amendment will require the association to include a copy of the Race Day Furosemide Agreement.

**Originally Proposed Text:** This text is the original proposal heard at the August 2015 Regular Board Meeting. The initial paragraph of the proposed amendment to Rule 1845 states the only authorized medication for the control of EIPH shall be Lasix. The administration of the medication shall be made on the grounds of the racetrack by a single intravenous injection, in a dosage of not less than 150 mg and not more than 500 mg, and no later than four hours prior to race time. Lasix shall only be administered to a horse that is registered on the authorized bleeder medication list. These provisions are consistent with the RCI Model Rule, and most of them are current Board practice under the existing regulation. The exception is the provision that Lasix is the only authorized medication for the control of EIPH. Rule 1845 currently states that an "authorized bleeder medication" may be administered, which provides for the possibility of an alternative medication. Under the proposed amendment, only Lasix may be used to control EIPH.

The amended subsections 1845(a) through (a)(2) describe how a horse is registered on the authorized bleeder medication list. Under the current regulation, a horse is eligible to race with authorized bleeder medication if the licensed trainer or the veterinarian determines it would be in the horse's best interest. If the horse will race with authorized bleeder medication CHRB form 194 Authorized Bleeder Medication and Medical Records Request shall be used to notify the official veterinarian. The proposed amendment requires a determination from the trainer and veterinarian designated by the owner that Lasix is medically necessary to control EIPH and is not otherwise contraindicated (should not be used because it may be harmful) for that horse. The official veterinarian must approve CHRB form 194 Authorized Bleeder Medication and Medical Records Request, as submitted by the trainer and veterinarian designated by the owner. The Form 194 has been given a new title that indicates medical records may also be requested; however, an amended form is not currently available, nor does the amended text mention medical records.

Once registered, any horse that will receive Lasix must arrive on the grounds of the facility where the horse will race no later than five hours prior to post time. This will ensure the horse

registered veterinary technician who administered the Lasix, shall attend the horse until the arrival of the veterinarian designated by the trainer or owner. This provision will ensure the horse is in the care of a veterinarian or medical technician at all times, and it will allow the veterinarian to confer with the party who administered Lasix regarding the horse's reaction to the Lasix administration.

Designation: The text of the proposed amendment provides that the official veterinarian shall "designate" the veterinarian who will administer Lasix to horses entered to race. The proposed amendment also states the owner will "designate" a trainer and a veterinarian, and that the trainer, under certain circumstances, will also "designate" a veterinarian. However, the proposed text does not provide how the official veterinarian, the owner or the trainer will make such designations, or where such information will be retained.

Rule 1845 currently provides that a representative of the Board may request that the veterinarian administering the bleeder medication surrender the syringe used in the administration of Lasix for possible testing. A new subsection 1845(f) requires that the syringe used to administer Lasix shall be provided to, and shall be retained by the Board until all testing of the horse is completed. If there is a positive test finding, the Board, or the owner or trainer may request that the syringe be analyzed for prohibited substances. This ensures that each syringe used to administer Lasix shall be in the custody of the Board and available for testing as needed. However, the proposed text does not provide how the official veterinarian, the owner or the trainer will make such designations, or where such information will be retained.

The current subsections 1845(b) and (c) have been renumbered and appear in the revised text as subsections 1845(g) through (g)(2). These subsections give the required specific gravity of post-race urine samples, which shall not be below 1.010. They also provide that if the urine sample is not available, or if it is determined to be below 1.010, quantitation of Lasix in serum or plasma shall be performed. Concentrations may not exceed 100 nanograms of Lasix per milliliter of serum or plasma. These levels are the same as those in the current 1845 text.

Subsection 1845(f) of the current Rule 1845 has been renumbered as subsection 1845(h) of the revised text. The subsection remains essentially unchanged from the current version of Rule 1845. Subsection 1845(h) states how a horse may be removed from the official authorized bleeder medication list, and the periods of time the horse must remain off the list before it can be placed back on the list.

Subsection (g) of the current Rule 1845 has been renumbered as subsection 1845(i) of the revised text. The subsection provides the period of time a horse will be ineligible to race if the official veterinarian observes it bleeding externally from or both nostrils during or after a race or workout, and determines such bleeding is a direct result of EIPH. These periods of time remain unchanged; however, an exemption to these periods of ineligibility for horses voluntarily administered authorized bleeder medication has been stricken.

A new subsection 1845(j)(1) provides that the owner of the horse shall pay all costs associated with the administration of Lasix. Owners currently pay all such costs.

A new subsection 1845(j)(2) provides that the owner shall consent to the procedures in Rule 1845, and shall agree that the pre-race examination conducted by the official veterinarian constitutes a veterinary-client-patient relationship within the meaning of Title 16, section 2032.1, of the California Code of Regulations. Although Rule 1846, Racing Soundness Examination, provides that the horse may be examined as late as two hours before post time, most racing soundness examinations occur in early morning, well before the first post time.

**Proposed Text "B"**: As presented at the September Medication and Track Safety Committee meeting, the proposed text "B" is essentially the same as the proposed text "A" that was discussed at the September Medication and Track Safety Committee meeting, except that it requires the racing associations and horsemen's organizations to reach an agreement regarding the administration of race-day furosemide. The racing associations and horsemen's organizations must enter into an agreement to apply one of two options. The first option provides for a furosemide veterinarian, who must establish a client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032, to either administer the furosemide, or to directly supervise the California registered veterinary technician in the administration of the furosemide. Option two provides that furosemide may be administered by the owner's veterinarian while being monitored by direct visual observation by personnel employed or contracted by the racing association, horsemen's organization and trainer's organization, or partnership thereof.

Option #2 of the proposed text "B" states that the administration of furosemide shall be monitored by direct visual observation by "personnel employed or contracted by the association."

After considering alternative recommendations for the amendment to Rule 1845, the committee indicated it supported a modified version of the proposed text "B." The modified version of proposed text "B" would remove option #2 and have the effect of requiring that Lasix be administered by a designated furosemide veterinarian, or by a veterinary technician under the direction of the furosemide veterinarian. The furosemide veterinarian shall be employed by the racing association.

The proposed text "B" will require the amendment of Rule 1433, Application for License to Conduct a Horse Racing Meeting. The amendment will require the association to include a copy of the Race Day Furosemide Agreement.

## BACKGROUND

Business and Professions Code section 19440 states the Board has all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions under which all horse races with wagering on their results shall be conducted in California. Business and Professions Code section 19580 requires the Board to adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in

California. Business and Professions Code section 19581 states that no substance of any kind shall be administered by any means to a horse after it has been entered to race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. Business and Professions Code section 19582 provides that violations of section 19581 are punishable as set forth in regulations adopted by the Board.

At its October 2012 Regular Meeting the Board approved amendments to CHRB Rule 1845, Authorized Bleeder Medication, to require that authorized bleeder medication be administered by independent, third party veterinarians. During the 45-day public comment period objections were raised by private veterinarians and the California Veterinary Medical Association. Those in opposition to the proposed amendment stated it violated the veterinary medical practice act by interfering with the client-veterinarian-patient relationship required for prescription medications since furosemide is a federal prescription medication. Revisions were made to the text and the proposed amendment came before the Board at the March 21, 2014 Regular Board Meeting. At that meeting the Executive Officer of the VMB spoke in opposition to the amendment citing conflicts with existing statutes and regulations related to the veterinarian-client-patient relationship, and the dispensing of dangerous drugs. CHRB Counsel met with representatives of the VMB to make revisions, and correct any issues of conflict with existing statutes and regulations. The proposed amendment to Rule 1845 was subsequently noticed for a 45-day public comment period.

At the August 2015 hearing for adoption, a lengthy discussion was held regarding the proposed amendment. The Board determined the issue would be returned to the Medication and Track Safety Committee so that outstanding issues could be resolved. At the September 2015 Medication and Track Safety Committee meeting, the committee indicated it supported a modified version of the proposed text "B." The committee version (Committee text) would require that Lasix be administered by a designated furosemide veterinarian, or by a veterinary technician under the direction of the furosemide veterinarian.

#### RECOMMENDATION

This item is presented for Board discussion and action.

## Committee Text

CALIFORNIA HORSE RACING BOARD  
 TITLE 4. CALIFORNIA CODE OF REGULATIONS  
 ARTICLE 15. VETERINARY PRACTICES  
 RULE 1845. AUTHORIZED BLEEDER MEDICATION

Regular Board Meeting  
 September 16, 2015

*This text is derived from the discussion held at the September 4, 2015 Medication and Track Safety Committee. The Committee text is the version of the proposed amendment to Rule 1845 endorsed by the Medication and Track Safety Committee at its September 2015 meeting.*

1845. Authorized Bleeder Medication.

The only A authorized bleeder medication for the control of exercised exercise-induced pulmonary hemorrhage (EIPH) may shall be furosemide, and it shall only be administered to by a horse single intravenous injection, in a dosage of not less than 150 mg and not more than 500 mg, on the grounds of the racetrack where the horse will race, and no later than four hours prior to the post time of the race for which the horse is entered. It shall only be administered to a horse that is registered on the authorized bleeder medication list.

(a) A horse is eligible to race with registered on the authorized bleeder medication if the licensed list as follows:

(1) The trainer and/or the owner's veterinarian determines it is in the horse's best interest. If a horse will race with authorized bleeder medication, form shall determine whether furosemide is medically necessary to control EIPH and is not otherwise contraindicated for that horse; and

(2) Prior to entry for race, the official veterinarian approves form CHRB-194 (NewRev. 09/1508/04), Authorized Bleeder Medication and Medical Records Request, which is hereby incorporated by reference, shall be used submitted to notify the official veterinarian prior to entry by the trainer and owner's veterinarian.

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~~(b) The official laboratory shall measure the specific gravity of post race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.~~

~~(c) If the specific gravity of the post race urine sample is determined to be below 1.010, or if a urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.~~

(b) Once registered, any horse that will be administered furosemide shall:

(1) Arrive on the grounds of the racetrack where the horse will race no later than five hours prior to the post time of the race for which the horse is entered; and

~~(d)(2) A horse qualified to race with authorized bleeder medication shall be Be assigned to a pre-race security stall prior to the scheduled post time for the race in which it is entered, and shall remain there until it is taken to the receiving barn or the paddock to be saddled or harnessed for the race.~~

(A) The pre-race security stall shall be identified by the posting of a form CHRB-234 (New 09/15), Detention Stall sign, which is hereby incorporated by reference. The trainer shall post the Detention Stall sign no later than eight hours prior to the post time of the race for which the horse is entered or, for a horse arriving from off the grounds of the racetrack, when the horse is placed in the pre-race security stall.

(B) While in the pre-race security stall, the horse shall be in the care, custody, control and constant view of the trainer, or a licensed person assigned by the trainer. The trainer shall be responsible for the condition, care and handling of the horse while it remains in the pre-race security stall.

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(C) The official veterinarian may permit a horse to leave the pre-race security stall to engage in track warm-up heats prior to a race.

~~(e) A horse qualified for administration of authorized bleeder medication must be treated on the grounds of the racetrack where the horse will race no later than four hours prior to post time of the race for which the horse is entered. The authorized bleeder medication, furosemide, by a single intravenous injection only, in a dosage of not less than 150 mg.~~

(c) Furosemide shall be administered only after:

(1) The trainer, owner, or not more than 500 mg. A horse racing with furosemide must show a detectable concentration of the drug in the post race serum, plasma or urine sample. The the owner's veterinarian administering has consulted with the furosemide veterinarian regarding the condition of the horse and the furosemide veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1; or

(2) The trainer, owner, or owner's veterinarian has consulted with the bleeder medication shall the official veterinarian or racing veterinarian and the furosemide veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1, and that consulting official veterinarian or racing veterinarian directly supervises the furosemide veterinarian, or California registered veterinary technician, who administers furosemide.

(d) The person who administers furosemide pursuant to subsection (d)(1) of this regulation shall notify the official veterinarian of the treatment of the horse. Such Notification shall be made using on form CHRB-form-36 (New 08/04), Bleeder Treatment Report, which is hereby incorporated by reference, not later than two hours prior to post time of the race for which

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~~the horse is entered. Upon the request of a Board representative, the veterinarian administering the authorized bleeder medication shall surrender the syringe used to administer such medication, which may then be submitted for testing.~~

(1) The owner, trainer or a licensed employee of the trainer shall be present and observe the furosemide administration.

(e) The horsemen's organization, trainers' organization and racing association shall enter into an agreement to provide for race-day furosemide administration. The agreement to provide for race-day furosemide administration procedures shall be submitted to the Board for approval in accordance with Rule 1433 of this Division.

(1) Furosemide shall be administered by a furosemide veterinarian or California registered veterinary technician under the direct supervision of the furosemide veterinarian. The furosemide veterinarian or California registered veterinary technician who provides race-day furosemide administration shall be employed by the racing association and shall not have a current business relationship, or prior veterinarian-client-patient relationship, with participating licensees within 30 days of the date he or she is employed to administer furosemide.

(2) "Furosemide veterinarian" is defined as the veterinarian, licensed by the Board, and hired by the racing association to administer race-day furosemide to horses registered on the authorized bleeder medication list.

(3) "Owner's veterinarian" is defined as the veterinarian, licensed by the Board, and hired by the owner to provide veterinary care to horses.

(f) A horse registered to be administered furosemide shall receive 250 mg of furosemide intravenously unless an alternative dose of not less than 150 mg and not more than 500 mg has

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been determined after consultation between the trainer, owner, or owner's veterinarian, and the furosemide veterinarian pursuant to subsection (c).

(g) In the event of an adverse reaction or other emergency related to the administration of furosemide, the furosemide veterinarian, or California registered veterinary technician, who administered furosemide shall attend the horse until the arrival of the owner's veterinarian.

(h) The syringe used to administer furosemide shall be provided to and retained by the Board until all testing of the horse is completed. In the event of a positive test finding as defined in this article, the Board may order, or the owner or trainer may request, the retained syringe be analyzed for prohibited substances. The results of the analysis may be used in any action before the Board.

(i) A horse that has been administered furosemide must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.

(1) The official laboratory shall measure the specific gravity of post-race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.

(2) If the specific gravity of the post-race urine sample is determined to be below 1.010, or if the urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

(f)(k) A horse placed registered on the official authorized bleeder medication list must remain on the list unless the licensed trainer and/or owner's veterinarian requests that the horse be removed. The request must be made using form CHRB-form-194 (New Rev. 09/1508/04), and must be submitted to the official veterinarian prior to the time of entry. A horse removed from

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the authorized bleeder medication list may not be placed back on the list for a period of 60 calendar days unless the official veterinarian determines it is ~~detrimental to the welfare of~~ medically necessary for the horse. If a horse is removed from the authorized bleeder medication list a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.

~~(g)~~(l) If the official veterinarian observes a horse bleeding externally from one or both nostrils during or after a race or workout, and determines such bleeding is a direct result of EIPH, the horse shall be ineligible to race for the following periods:

- First incident -14 days;
- Second incident within 365-day period -30 days;
- Third incident within 365-day period -180 days;
- Fourth incident within 365-day period -barred ~~for~~ from racing lifetime.

For the purposes of counting the number of days a horse is ineligible to run, the day after the horse bled externally is the first day of such period. ~~The voluntary administration of authorized bleeder medication without an external bleeding incident shall not subject a horse to the initial period of ineligibility as defined under this subsection.~~

(m) The owner(s) of a registered horse shall:

(1) Pay all costs associated with the materials used in the administration of furosemide, to include the syringe and medication, and;

(2) Reasonable administrative costs as set under the race-day furosemide agreement entered into by the horsemen's organization, trainers' organization and the racing association.

(3) Consent to the procedures in this section and agree that the pre-race examination conducted under the direction of the official veterinarian or racing veterinarian shall constitute a

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veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1.

Authority: Sections 19440 and 19562,  
Business and Professions Code.

Reference: Sections 19580, ~~and~~ 19581 and 19582,  
Business and Professions Code

**SECURE AREA**

**DEFENTION**

**STALL**

**DO NOT APPROACH!**

**!NO SE ACERQUE USTEDI!**

**AUTHORIZED BLEEDER MEDICATION REQUEST**

CHRB – 194 (Rev. 05/09)

HORSE'S NAME: \_\_\_\_\_

TATTOO NUMBER: \_\_\_\_\_ BREED: \_\_\_\_\_ DATE: \_\_\_\_\_

TRAINER'S NAME: \_\_\_\_\_

- ( ) Request that the horse listed above be **placed** on the Authorized Bleeder Medication List and be treated pursuant to California Horse Racing Board Rules and Regulations. Article 15. Section 1845.
- ( ) Request that the horse listed above be **removed** from the Authorized Bleeder Medication List pursuant to California Horse Racing Board Rules and Regulations. Article 15. Section 1845.

VETERINARIAN SIGNATURE: \_\_\_\_\_

TRAINER'S SIGNATURE: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_

CALIFORNIA HORSE RACING BOARD  
**BLEEDER TREATMENT REPORT**

HORSE: \_\_\_\_\_

Date: \_\_\_\_\_ Race: \_\_\_\_\_

Time Administered: \_\_\_\_\_

Lasix ( ) or Other Medication ( )

Veterinarian: \_\_\_\_\_

Trainer: \_\_\_\_\_

Attendant Present: \_\_\_\_\_



## Originally Proposed Text

CALIFORNIA HORSE RACING BOARD  
 TITLE 4. CALIFORNIA CODE OF REGULATIONS  
 ARTICLE 15. VETERINARY PRACTICES  
 RULE 1845. AUTHORIZED BLEEDER MEDICATION

Regular Board Meeting  
 September 16, 2015

*Original text of proposed amendment to Rule 1845 as heard at the August 20, 2015 Regular Board Meeting. The text uses "designation" in reference to the furosemide veterinarian and the owner's veterinarian.*

1845. Authorized Bleeder Medication.

The only Authorized bleeder medication for the control of exercised-induced pulmonary hemorrhage (EIPH) may shall be furosemide, and it shall only be administered to by a horse single intravenous injection, in a dosage of not less than 150 mg and not more than 500 mg, on the grounds of the racetrack where the horse will race, and no later than four hours prior to race time. It shall only be administered to a horse that is registered on the authorized bleeder medication list.

(a) A horse is eligible to race with registered on the authorized bleeder medication if the licensed list as follows:

(1) The trainer and/or a veterinarian determines it is in the horse's best interest. If a horse will race with authorized bleeder medication, form designated by the owner determine furosemide is medically necessary to control EIPH and is not otherwise contraindicated for that horse.

(2) Prior to entry for race, the Official Veterinarian approves the CHRB Form 194 (New 08/04), Authorized Bleeder Medication and Medical Records Request, (Rev. 08/0406/15), which is hereby incorporated by reference, shall be used submitted to notify the Official Veterinarian by the trainer and veterinarian prior to entry designated by the owner.

(b) The official laboratory shall measure the specific gravity of post race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.

## Originally Proposed Text

~~\_\_\_\_\_ (c) If the specific gravity of the post-race urine sample is determined to be below 1.010, or if a urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.~~

~~\_\_\_\_\_ (d) A horse qualified to race with authorized bleeder medication shall~~ (b) Once registered, any horse that will be administered furosemide shall:

(1) Arrive on the grounds of the racetrack where the horse will race no later than five hours prior to the post time of the race for which the horse is entered; and

~~\_\_\_\_\_ (2) b~~ Be assigned to a pre-race security stall prior to the scheduled post time for the race in which it is entered, and shall remain there until it is taken to the receiving barn or the paddock to be saddled or harnessed for the race. While in the security stall, the horse shall be in the care, custody, control and constant view of the trainer, or a licensed person assigned by the trainer. The trainer shall be responsible for the condition, care and handling of the horse while it remains in the security stall. The eOfficial vVeterinarian may permit a horse to leave the security stall to engage in track warm-up heats prior to a race.

~~\_\_\_\_\_ (e) A horse qualified for administration of authorized bleeder medication must be treated on the grounds of the racetrack where the horse will race no later than four hours prior to post time of the race for which the horse is entered. The authorized bleeder medication, furosemide,~~ (c) fFurosemide shall be administered by a single intravenous injection only, in a dosage of not less than 150 mg. after:

(1) The trainer, owner, or not more than 500 mg. A horse racing with furosemide must show a detectable concentration of the drug in the post-race serum, plasma or urine sample. The veterinarian administering designated by the owner or trainer has consulted with the veterinarian designated by the Official Veterinarian regarding the condition of the horse and the veterinarian designated by the Official Veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1; or

## Originally Proposed Text

(2) The trainer, owner, or veterinarian designated by the owner or trainer has consulted with the bleeder medication shall Official Veterinarian or Racing Veterinarian and the veterinarian designated by the Official Veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1, and that consulting Official Veterinarian or Racing Veterinarian directly supervises the veterinarian or California registered veterinary technician who administers furosemide.

(d) Administration of furosemide shall occur as follows:

(1) Only a veterinarian designated by the Official Veterinarian or a California registered veterinary technicians under the direct supervision of the veterinarian designated by the Official Veterinarian may administer furosemide. The Official Veterinarian shall not designate himself or herself to administer furosemide except in an emergency, the details of which shall be immediately reported to the stewards.

(A) Any veterinarian or California registered veterinary technician who administers furosemide shall not have a current business relationship with participating licensees within 30 days of the date they are designated to administer furosemide, or have had a veterinarian-client-patient relationship within 30 days of the date they are designated to administer furosemide.

(B) The person who administers furosemide pursuant to subsection (d)(1) shall promptly notify the Official Veterinarian of the treatment of the horse. Such notification shall be made using on CHRB Form-36 (New 08/04), Bleeder Treatment Report, which is hereby incorporated by reference, not later than two hours prior to post time of the race for which the horse is entered. Upon the request of a Board representative, the veterinarian administering the authorized bleeder medication shall surrender the syringe used to administer such medication, which may then be submitted for testing.

(f)(2) The owner, trainer or a designated licensed employee of the trainer shall be present and observe the furosemide administration.

## Originally Proposed Text

(3) A horse placed authorized to be administered furosemide shall receive 250 mg of furosemide intravenously unless an alternative dose between 150 mg and 500 mg has been determined after consultation between the trainer, owner, or veterinarian designated by the owner or trainer, and the veterinarian designated by the Official Veterinarian pursuant to subsection (c).

(e) In the event of an adverse reaction or other emergency related to the administration of furosemide, the veterinarian or California registered veterinary technician who administered furosemide shall attend the horse until the arrival of a veterinarian designated by the trainer or owner.

(f) The syringe used to administer furosemide shall be provided to and retained by the Board until all testing of the horse is completed. In the event of a positive test finding as defined in this article, the Board may order, or the owner or trainer may request, the retained syringe be analyzed for prohibited substances. The results of the analysis may be used in any action before the Board.

(g) A horse that has been administered furosemide must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.

(1) The official laboratory shall measure the specific gravity of post-race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.

(2) If the specific gravity of the post-race urine sample is determined to be below 1.010, or if the urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

(h) A horse registered on the official authorized bleeder medication list must remain on the list unless the licensed trainer and/or veterinarian designated by the horse owner requests that the horse be removed. The request must be made using CHRB Form-194 (new-08/04),) and must be submitted to the Official Veterinarian prior to the time of entry. A horse removed from the authorized bleeder medication list may not be placed back on the list for a period of 60 calendar days unless the Official Veterinarian determines it is detrimental to the welfare

## Originally Proposed Text

~~ef~~medically necessary for the horse. If a horse is removed from the authorized bleeder medication list a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.

~~—(g)~~(i) If the ~~e~~Official ~~v~~Veterinarian observes a horse bleeding externally from one or both nostrils during or after a race or workout, and determines such bleeding is a direct result of EIPH, the horse shall be ineligible to race for the following periods:

- ~~—~~• First incident—14 days;
- ~~—~~• Second incident within 365-day period—30 days;
- ~~—~~• Third incident within 365-day period—180 days;
- ~~—~~• Fourth incident within 365-day period—barred ~~for~~from racing lifetime.

For the purposes of counting the number of days a horse is ineligible to run, the day after the horse bled externally is the first day of such period. ~~The voluntary administration of authorized bleeder medication without an external bleeding incident shall not subject a horse to the initial period of ineligibility as defined under this subsection.~~

(j) The owner(s) of a registered horse shall:

(1) Pay all costs associated with the administration of furosemide.

(2) Consent to the procedures in this section and agree that the pre-race examination conducted under the direction of the Official Veterinarian shall constitute a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1.

Authority: Sections 19440 and 19562, Business and Professions Code.

Reference: Sections 19580 and ~~19581~~19582, Business and Professions Code.

## Text B

As presented at September 2015  
Medication Track Safety Committee

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
RULE 1845. AUTHORIZED BLEEDER MEDICATION

Regular Board Meeting  
September 16, 2015

Amended text with options #1 and #2. The term "designation" has been removed and replaced with "owner's veterinarian" and "furosemide veterinarian."

1845. Authorized Bleeder Medication.

The only A authorized bleeder medication for the control of exercised exercise-induced pulmonary hemorrhage (EIPH) may shall be furosemide, and it shall only be administered to by a horse single intravenous injection, in a dosage of not less than 150 mg and not more than 500 mg, on the grounds of the racetrack where the horse will race, and no later than four hours prior to the post time of the race for which the horse is entered. It shall only be administered to a horse that is registered on the authorized bleeder medication list.

(a) A horse is eligible to race with registered on the authorized bleeder medication if the licensed list as follows:

(1) The trainer and/or the owner's veterinarian determines it is in the horse's best interest. If a horse will race with authorized bleeder medication, form shall determine whether furosemide is medically necessary to control EIPH and is not otherwise contraindicated for that horse; and

(2) Prior to entry for race, the official veterinarian approves form CHRB-194 (New Rev. 09/1508/04), Authorized Bleeder Medication and Medical Records Request, which is hereby incorporated by reference, shall be used submitted to notify the official veterinarian prior to entry by the trainer and owner's veterinarian.

## Text B

As presented at September 2015  
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~~(b) The official laboratory shall measure the specific gravity of post-race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.~~

~~(c) If the specific gravity of the post-race urine sample is determined to be below 1.010, or if a urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.~~

(b) Once registered, any horse that will be administered furosemide shall:

(1) Arrive on the grounds of the racetrack where the horse will race no later than five hours prior to the post time of the race for which the horse is entered; and

~~(d)(2) A horse qualified to race with authorized bleeder medication shall be~~ Be assigned to a pre-race security stall prior to the scheduled post time for the race in which it is entered, and shall remain there until it is taken to the receiving barn or the paddock to be saddled or harnessed for the race. While in the security stall, the horse shall be in the care, custody, control and constant view of the trainer, or a licensed person assigned by the trainer. The trainer shall be responsible for the condition, care and handling of the horse while it remains in the security stall. The official veterinarian may permit a horse to leave the security stall to engage in track warm-up heats prior to a race.

~~(e) A horse qualified for administration of authorized bleeder medication must be treated on the grounds of the racetrack where the horse will race no later than four hours prior to post time of the race for which the horse is entered. The authorized bleeder medication, furosemide, by a single intravenous injection only, in a dosage of not less than 150 mg.~~

(c) Furosemide shall be administered only after:

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(1) The trainer, owner, or not more than 500 mg. A horse racing with furosemide must show a detectable concentration of the drug in the post-race serum, plasma or urine sample. The the owner's veterinarian-administering has consulted with the furosemide veterinarian regarding the condition of the horse and the furosemide veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1; or

(2) The trainer, owner, or owner's veterinarian has consulted with the-bleeder medication shall the official veterinarian or racing veterinarian and the furosemide veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1, and that consulting official veterinarian or racing veterinarian directly supervises the furosemide veterinarian, or California registered veterinary technician, who administers furosemide.

(d) The person who administers furosemide pursuant to subsection (d)(1) of this regulation shall notify the official veterinarian of the treatment of the horse. Such Notification shall be made using on CHRB form-36 (New 08/04), Bleeder Treatment Report, which is hereby incorporated by reference, not later than two hours prior to post time of the race for which the horse is entered. Upon the request of a Board representative, the veterinarian administering the authorized bleeder medication shall surrender the syringe used to administer such medication, which may then be submitted for testing.

(1) The owner, trainer or a licensed employee of the trainer shall be present and observe the furosemide administration.

(e) The horsemen's/trainers' organization and racing association shall enter into an agreement to provide for race-day furosemide administration under one of two options:

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(1) Option one: Furosemide shall be administered by a furosemide veterinarian or California registered veterinary technician under the direct supervision of the furosemide veterinarian. The furosemide veterinarian or California registered veterinary technician who provides race-day furosemide administration shall be employed by the racing association and shall not have a current business relationship, or prior veterinarian-client-patient relationship, with participating licensees within 30 days of the date he or she is employed to administer furosemide.

(2) Option two: Furosemide shall be administered by the owner's veterinarian with a current veterinarian-client-patient relationship. The owner's veterinarian shall be monitored by direct visual observation by personnel employed or contracted by the association, horsemen's/trainers' organization or partnership thereof. The direct visual observation shall occur beginning at least 5 hours prior to the first race until 4 hours after the post-time for the last race.

(f) The agreement to provide for race-day furosemide administration procedures shall be submitted to the Board for approval in accordance with Rule 1433 of this Division.

(g) A horse registered to be administered furosemide shall receive 250 mg of furosemide intravenously unless an alternative dose of not less than 150 mg and not more than 500 mg has been determined after consultation between the trainer, owner, or owner's veterinarian, and the furosemide veterinarian pursuant to subsection (c).

(h) In the event of an adverse reaction or other emergency related to the administration of furosemide, the furosemide veterinarian, or California registered veterinary technician, who administered furosemide shall attend the horse until the arrival of the owner's veterinarian.

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(i) The syringe used to administer furosemide shall be provided to and retained by the Board until all testing of the horse is completed. In the event of a positive test finding as defined in this article, the Board may order, or the owner or trainer may request, the retained syringe be analyzed for prohibited substances. The results of the analysis may be used in any action before the Board.

(j) A horse that has been administered furosemide must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.

(1) The official laboratory shall measure the specific gravity of post-race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.

(2) If the specific gravity of the post-race urine sample is determined to be below 1.010, or if the urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

(~~f~~)(k) A horse placed registered on the official authorized bleeder medication list must remain on the list unless the licensed trainer and/or owner's veterinarian requests that the horse be removed. The request must be made using CHRB form-194 (New Rev. 09/1508/04), and must be submitted to the official veterinarian prior to the time of entry. A horse removed from the authorized bleeder medication list may not be placed back on the list for a period of 60 calendar days unless the official veterinarian determines it is detrimental to the welfare of medically necessary for the horse. If a horse is removed from the authorized bleeder medication list a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.

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~~(g)~~(l) If the official veterinarian observes a horse bleeding externally from one or both nostrils during or after a race or workout, and determines such bleeding is a direct result of EIPH, the horse shall be ineligible to race for the following periods:

- First incident -14 days;
- Second incident within 365-day period -30 days;
- Third incident within 365-day period -180 days;
- Fourth incident within 365-day period -barred ~~for~~ from racing lifetime.

For the purposes of counting the number of days a horse is ineligible to run, the day after the horse bled externally is the first day of such period. ~~The voluntary administration of authorized bleeder medication without an external bleeding incident shall not subject a horse to the initial period of ineligibility as defined under this subsection.~~

(m) The owner(s) of a registered horse shall:

(1) Pay all costs associated with the materials used in the administration of furosemide, to include the syringe and medication, and:

(2) All costs associated with monitoring of furosemide veterinarians with a current veterinarian-client-patient relationship;

(3) Reasonable administrative costs as set under the race-day furosemide agreement entered into by the horsemen's/trainers' organization and the racing association.

(4) Consent to the procedures in this section and agree that the pre-race examination conducted under the direction of the official veterinarian or racing veterinarian shall constitute a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1.

**Text B**

As presented at September 2015  
Medication Track Safety Committee

Authority: Sections 19440 and 19562,  
Business and Professions Code.

Reference: Sections 19580, ~~and 19581~~ and 19582,  
Business and Professions Code

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 3. RACING ASSOCIATION  
PROPOSED AMENDMENT OF  
RULE 1433, APPLICATION FOR LICENSE TO  
CONDUCT A HORSE RACING MEETING

Regular Board Meeting  
September 16, 2015

1433. Application for License to Conduct a Horse Racing Meeting.

(a) Unless the Board requires an earlier filing, at least 90 days before the time allocated by the Board for a race meeting to start, the association shall file with the Board an Application for License to Conduct a Horse Racing Meeting, CHRB-17 (Rev. 9/152/15), which is hereby incorporated by reference. Note: CHRB-17 incorporates by reference, the Personal History Record, CHRB-25A (Rev. 11/08). A California fair shall file with the Board an Application for License to Conduct a Horse Racing Meeting of a California Fair, CHRB-18 (Rev. 9/152/15), which is hereby incorporated by reference. Copies of the CHRB-17 and CHRB-18 may be obtained at the California Horse Racing Board headquarters office.

Authority: Sections 19420 and 19440,  
Business and Professions Code.

Reference: Section 19480, 19481 and 19562,  
Business and Professions Code.

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting in accordance with the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

**1. APPLICANT ASSOCIATION**

- A. Name, mailing address, telephone, fax numbers, and the email address for associations contact person:
- B. Breed of horse: TB  QH  H
- C. Racetrack name:
- D. Attach a certified check payable to the Treasurer of the State of California in the amount of \$10,000 as deposit for license fees pursuant to Business and Professions Code section 19490.
- E. Was the association licensed to operate a race meeting prior to January 1, 2001?  
Yes  No   
If no, attach a surety bond in the amount of one hundred thousand dollars.

**NOTICE TO APPLICANT:** No application for a license to conduct a race meeting shall be granted unless the applicant has deposited with the Board a surety bond in the amount of one hundred thousand dollars (\$100,000), or a greater amount, as determined by the board, which is sufficient to ensure payment of employee wages and benefits including, but not limited to, health, welfare, and pension plans. The surety bond shall be maintained during the period of the meeting and for an additional period, as determined by the board, sufficient to assure that all payments are made. This subdivision does not apply to any person or association licensed to operate a horse race meeting prior to January 1, 2001, which has conducted a race meeting in each of the immediate three previous consecutive calendar years. The \$100,000 surety bond amount maybe increased to an amount determined by the Board at the time the application is scheduled for hearing pursuant to Business and Professions Code section 19464(b).

**NOTICE TO APPLICANT:** Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

**2. DATES OF RACE MEETING**

- A. Inclusive dates allocated for the entire meeting:
- B. Actual dates racing will be held:
- C. Total number of days or nights of racing:
- D. Days or nights of the week races will be held:  
 Wed - Sun  Tues - Sat  Other (specify)
- E. Number of days or nights of racing per week:

**CHRB CERTIFICATION**

Application received:  
Deposit received:  
Reviewed:

Hearing date:  
Approved date:  
License number:

**3. RACING PROGRAM**

- A. Total number of races:
- B. Number of races for each day or night:
- C. Total number of stakes races:
- D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses.
  - 1. Attach a listing of all stakes races for the past two race meetings. The information provided must be for the same timeframe in which the association is applying. Include the date the stakes races were run, and the added money or guaranteed purse for each. Note the races that were designated for California-bred horses.
  - 2. Identify the stakes races listed under item D that have been altered, added, or are new for the current race meeting. Provide details regarding any alterations to the identified stakes races. (e.g., changes in the age, sex, eligibility, purse or substantial calendar changes).
  - 3. Identify the stakes races listed under item D1 that have been dropped or deleted, and the reasons the stakes were dropped or deleted.
- E. Will provisions be made for owners and trainers to use their own registered colors?
  - Yes  No      If no, what racing colors are to be used:
- F. List all post times for the daily racing program:

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813. For thoroughbred and quarter horse meetings, the total amount distributed for California-bred stakes races from the purse account, including overnight stakes, shall not be less than 10% of the total amount distributed for all stakes races pursuant to Business and Professions Code section 19568(b).

**4. RACING ASSOCIATION**

- A. Association is a:
  - Corporation (complete subsection C)
  - LLC (complete subsection D)
  - Other (specify, and complete subsection E)
- B. Complete the applicable subsection and attached Addendum, Background Information and Ownership.
- C. CORPORATION
  - 1. Registered name of the corporation:
  - 2. State where incorporated:
  - 3. Registry or file number for the corporation:
  - 4. Names of all officers and directors, titles, and the number of shares of the corporation held by each:

5. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each:
6. Number of outstanding shares in the corporation:
7. Are the shares listed for public trading?  Yes  No  
If yes, on what exchange and how is the stock listed:
8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation:
9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:

A. Is parent and/or paired corporation or entity a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F.  
If yes, answer questions 10-17. Yes  No

10. Registered name of the corporation:
11. State where incorporated:
12. Registry or file number for the corporation:
13. Names of all officers and directors, titles, and the number of shares of the corporation held by each:
14. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each:
15. Number of outstanding shares in the corporation:
16. Are the shares listed for public trading? Yes  No   
If yes, on what exchange and how is the stock listed:
17. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation:

D. LLC

1. Registered name of the LLC:
2. State where articles of organization are filed:
3. Registry or file number for the LLC:
4. Attach a list of the names of all members (including individuals (true names), corporations, other LLCs and or foreign entities), titles, and the number of shares of the LLC held by each:
5. Are the shares listed for public trading? Yes  No   
If yes, on what exchange and how the stock is listed:
6. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:  
A. Is parent and/or paired entity either a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F. If yes, answer questions 7-12. Yes  No
7. Registered name of the LLC/Corporation:
8. State where articles of organization are filed:
9. Registry or file number for the LLC:
10. Attach a list of the names (true names) of all members (members may include individuals, corporations other LLCs and foreign entities), titles, and the number of shares of the LLC held by each:

11. Are the shares listed for public trading? Yes  No
12. If yes, on what exchange and how the stock is listed:

E. OTHER

1. Name(s) of partners/sole proprietor:
2. If a partnership, attach partnership agreement.

F. FINANCIAL INFORMATION \*

1. Attach the most recent audited annual financial statement or financial report for the applicant. The financial statement or financial report shall include all relevant financial information specific to the applicant including:

- Statement of Financial Position: also referred to as a balance sheet. Statement should report on applicant's assets, liabilities, contingent liabilities and ownership equity as of the date of the prepared statement.
- Statement of Comprehensive Income: also referred to as Profit and Loss ("P&L") Statement. Statement should include report on applicant's income, expenses, and profits.
- Profit and Loss statement for prior two years race meeting and Profit and Loss statement for projected year race meeting.
- Statement of Changes in Equity: to include the changes of the applicants' equity through the reporting period.
- Statement of Cash Flows: to include a report of the applicant's cash flow activity, particularly its operating investing and financing activities during the reporting period.
- Copy of a report made during the preceding 12 months to shareholders in the corporation and/or the Securities and Exchange Commission and/or the California Corporations Commission.

\*NOTICE TO APPLICANT: The financial information provided pursuant to subsection (F) above is exempt from disclosure pursuant to Government Code section 6254(k) and non-disclosable to the public.

G. MANAGEMENT AND STAFF

1. Name and title of the managing officer and/or general manager of the association and the name and title of all department managers and staff, other than those listed in 13B, who will be listed in the official program:
2. Name and title of the person(s) authorized to receive notices on behalf of the association and the mailing and email address of such person(s).

5. TAKE OUT PERCENTAGE

1. If this is a thoroughbred race meeting, will the percentage deducted for any type of wager be adjusted pursuant to Business and Professions Code section 19601.01? If no, proceed to subsection 6. If yes, identify the wager and the proposed takeout percentage.

Yes  No

Wager(s) to be adjusted: \_\_\_\_\_ Proposed percentage: \_\_\_\_%

- A. Attach copy of written notice requesting the proposed takeout adjustment, the proposed percentage and the wager(s) affected. The notice must include the written agreement of the thoroughbred association and the horsemen's organization for the meeting of the thoroughbred association accepting the wager.

**NOTICE TO APPLICANT:** Pursuant to Business and Professions Code section 19601.01 notwithstanding any other provision of law, a thoroughbred association or fair, upon the filing of a written notice with, and approval by, the board specifying the percentage to be deducted, may deduct from the total amount handled in the pari-mutuel pool for any type of wager an amount of not less than 10 percent nor more than 25 percent. The written notice shall include the written agreement of the thoroughbred association or fair and the horsemen's organization for the meeting of the thoroughbred association or fair accepting the wager. The established percentage to be deducted shall remain in effect until the filing of a subsequent notice with, and approval by, the board, unless otherwise specified in the notice.

**6. HANDLE HISTORY**

- 1. Complete the table below providing the last five years of handle and attendance for your racing association. If your association has been operating for fewer than five years, provide information for the period of time it has been in operation. If the racing association has changed ownership include the handle information for the previous racing association.

Year	Handle	Attendance

**7. PURSE PROGRAM (Excluding supplements, nominations, sponsorships and starter fees.):**

A. Purse distribution:

- 1. All races other than stakes:

Current meet estimate:

Prior meet actual:

Average Daily Purse (7 A1 ÷ number of days):

Current meet estimate:

Prior meet actual:

- 2. Overnight stakes:

Current meet estimate:

Prior meet actual:

Average Daily Purse (7 A2 ÷ number of days):

Current meet estimate:

Prior meet actual:

- 3. Non-overnight stakes:  
 Current meet estimate:  
 Prior meet actual:

Average Daily Purse (7 A3 ÷ number of days):  
 Current meet estimate:  
 Prior meet actual:

- 4. Total Purses: (7A1+7A2+ 7A3)  
 Current meet estimate:  
 Prior meet actual:

B. California-bred Stakes Races:

- 1. Percentage of the purse distribution for all stakes races that will be distributed for California-bred stakes races:  
 Current meet estimate:  
 Prior meet actual:

Average Daily Purse (7 B1 ÷ number of days):  
 Current meet estimate:  
 Prior meet actual:

- C. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):  
 Current meet estimate:  
 Prior meet actual:

- D. Payment to each recognized horsemen's organization contracting with the association and the name(s) of the organization(s):

Recognized Horsemen's Organization

Current meet estimate:

Prior meet actual:

Total

Total

- E. Amount from all sources to be distributed in the form of purses or other benefits to horsemen (7 A+7 C+7 D):  
 Current meet estimate:  
 Prior meet actual:

Average Daily Purse (7 E ÷ number of days):  
 Current meet estimate:  
 Prior meet actual:

- F. Purse funds to be generated from on-track handle and intrastate off-track handle (excluding carry-overs from prior race meet(s):  
 Current meet estimate:  
 Prior meet actual:

Average Daily Purse (7 F ÷ number of days):

Current meet estimate:

Prior meet actual:

G. Purse funds to be generated from interstate handle:

Current meet estimate:

Prior meet actual:

Average Daily Purse (7 G ÷ number of days):

Current meet estimate:

Prior meet actual:

H. Bank and account number for the Paymaster of Purses' purse account:

I. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meeting:

**NOTICE TO APPLICANT:** All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the association; **shall not** be transferred to a parent corporation outside the State of California; and **shall**, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt, into such liability account. In the event the association is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the association shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The association is entitled to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the association is entitled to carry forward the deficit to its next succeeding meeting as provided by Business and Professions Code section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the association may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

## 8. STABLE ACCOMMODATIONS

A. Number of usable stalls available for racehorses at the track where the meeting is held:

B. Minimum number of stalls believed necessary for the meeting:

C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers:

D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site:

E. Attach each contract or agreement between the association and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.

Complete subsections F through H if the association will request reimbursement for off-site stabling as provided by Business and Professions Code sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, proceed to section 9.

- F. Total number of usable stalls made available on-site for the **1986** meeting, pursuant to Business and Professions Code section 19535(c):
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per day per stall:
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse:

**9. EQUINE EMERGENCY SERVICES**

- A. Name and emergency telephone number of the racing veterinarian onsite during training hours, workouts and during racing for the association and auxiliary sites:
  - 1. Attach a schedule listing the dates and times that the racing veterinarian will be available onsite during training hours, workouts and during racing for the association and auxiliary sites.

**10. PARI-MUTUEL WAGERING PROGRAM**

- A. Pursuant to Business and Professions Code section 19599, and with the approval of the CHRB, associations may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each:

Use DD for daily double, E for exacta (special quinella), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

	<b>TYPE OF WAGERS</b>	<b>APPLICABLE RULES</b>
Example Race:	\$1 E; \$1 Double	CHRB #1959; RCI #VE
Race #1		
Race #2		
Race #3		
Race #4		
Race #5		
Race #6		
Race #7		
Race #8		
Race #9		
Race #10		
Race #11		
Race #12		
Race #13		

- B. Identify any wagers noted in 10A (the current pari-mutuel wagering program) that were not in the prior year's pari-mutuel program, or that are not being carried forward from the previous year's pari-mutuel wagering program.
- C. Maximum carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool:
- D. List any options requested with regard to exotic wagering:
- E. Will "advance" or "early bird" wagering be offered? Yes  No   
If yes, when will such wagering begin? Specify days and time for "early bird" wagering:
- F. Type(s) of pari-mutuel or totalizator equipment to be used by the association and the simulcast organization, name of the person(s) supplying equipment, and expiration date of the service contract:
- G. List below the takeout percentage for each type of wager identified in 10A:

**TAKEOUT PERCENTAGE**  
(Example) PNP5-14%

- Race #1
- Race #2
- Race #3
- Race #4
- Race #5
- Race #6
- Race #7
- Race #8
- Race #9
- Race #10
- Race #11
- Race #12
- Race #13

**11. ADVANCE DEPOSIT WAGERING (ADW)**

- A. Identify the ADW provider(s) to be used by the association for this race meeting:
- B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting.
- C. Have the contract/agreements been approved by the respective horsemen's groups?

Yes  No

If yes, attach a copy of the approval.  
If no, explain the status of the approval.

**NOTICE TO APPLICANT:** Pursuant to Business and Professions Code section 19604, ADW providers may accept wagers on races conducted in California from a resident of California if : 1) the ADW provider is licensed by the Board; 2) a written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made; 3) the agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made. ADW providers may accept wagers on races conducted outside of California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) there is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wagers are placed and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

**12. SIMULCAST WAGERING PROGRAM**

- A. Simulcast organization engaged by the association to conduct simulcast wagering:
- B. Attach the agreement between the association and simulcast organization permitting the organization to use the association's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.
- C. California simulcast facilities the association proposes to offer its live audiovisual signal:
- D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal:
- E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association:
- F. California mini-simulcast facilities the association proposes to offer its live audiovisual signal:
- G. For **THOROUGHBRED** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

**NOTICE TO APPLICANT:** Business and Professions Code section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 50 imported thoroughbred races statewide. The limitation of 50 imported thoroughbred races per day statewide does not apply to those races specified in Business and Professions Code section 19596.2(a)(1), (2), (3) and (4).

**THOROUGHBRED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
--------------------	------------	---

- H. For **QUARTER HORSE** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country quarter horse races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

**QUARTER HORSE SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
--------------------	------------	---

- I. For **STANDARD BRED** racing associations, list the host tracks from which the association proposes to import out-of-state and/or out-of-country harness races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

**HARNESS SIMULCAST RACES TO BE IMPORTED**

Name of Host Track      Race Dates      Full Card or Selected Feature and/or Stakes Races

- J. For ALL racing associations, list imported simulcast races the association plans to receive which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported:

**OTHER BREED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track      Breed of Horse      Race Dates      Number of Races to be Imported

- K. For ALL racing associations, if any out-of-state or out-of-country races will commence outside of the time constraints set forth in Business and Professions Code sections 19596.2 and 19596.3, attach a copy showing the agreement by the appropriate racing association(s).

**NOTICE TO APPLICANT:** All interstate wagering to be conducted by an association is subject to the provisions of Title 15, United States Codes, which require specific written approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by an association is subject to the provision of Business and Professions Code sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every association shall pay over to the simulcast organization within 3 calendar days following the closing of wagering for any day or night racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering, and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every association shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each day or night racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 7.)

**13. CHARITY RACING DAYS**

- A. Name and address of the distributing agent (charity foundation) for the net proceeds from charity racing days held by the association:
- B. Names and addresses of the trustees or directors of the distributing agent:
- C. Dates the association will conduct races as charity racing days OR:
- D. Will the association pay the distributing agent an amount equal to the maximum required under B&P Code Section 19550(b)? Yes

**NOTICE TO APPLICANT:** Net proceeds from charity racing days shall be paid to the designated and approved distributing agent within 180 days following the conclusion of the association's race meeting in accordance with the provisions of Business and Professions Code section 19555. Thereafter, the distributing agent shall distribute not less than 90% of the aggregate proceeds from such charity racing days within 12 calendar months after the last day of the meeting during which the charity racing days were conducted and shall distribute the remaining funds as soon thereafter as is practicable. At least 50% of the distribution shall be made to charities associated with the horse racing industry in accordance with the provisions of Business and Professions Code section 19556(b) and (c).

**14. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT**

- A. Racing officials nominated:  
Association Veterinarian(s)  
Clerk of Scales  
Clerk of the Course  
Film Specialist  
Horse Identifier  
Horseshoe Inspector  
Paddock Judge  
Patrol Judges  
Placing Judges  
Starter  
Timer
- B. Management officials in the racing department:  
Director of Racing  
Racing Secretary  
Assistant Racing Secretary  
Paymaster of Purses  
Others (identify by name and title)
- C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:
- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:
- E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.
- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:

**15. SECURITY CONTROLS**

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers.
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis:
1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls.

## 2. Detention Stalls:

- A. Attach a plan for use of graded stakes or overnight races.
- B. Number of security guards in the detention stall area during a 24-hour period.
- C. Describe number and location of surveillance cameras in detention stall area.

## 3. TCO2 Testing:

- A. Number of races to be tested, and number of horses entered in each race to be tested.
- B. Plan for enhanced surveillance for trainers with high-test results.
- C. Plan for detention stalls for repeat offenders.
- D. Number of security personnel assigned to the TCO2 program.

## C. Describe the electronic security system:

- 1. Location and number of video surveillance cameras for the detention stall and stable gate.

## D. For night racing associations. Describe emergency lighting system:

**16. EMERGENCY SERVICES**

## A. Name, address and emergency telephone number of the ambulance service to be used during workouts and during racing:

- 1. Attach a certification from the ambulance service(s) listed in 16 A, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

## B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:

- 1. Attach a certification from the ambulance service (s) listed in 16 B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

## C. Describe the on-track first aid facility, including equipment and medical staffing:

D. Name and emergency telephone number of the licensed physician on duty during the race meeting: **(If quarter horse racing association sees D (1) :**

- 1. Name address and emergency telephone number of hospital located within 1.5 miles of the racetrack, which whom an agreement is in place to provide emergency medical services, pursuant to Business and Professions Code section 19481.3(a):

## E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:

- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey:
- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d):
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.
- I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details):
- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the association for payment of workers' compensation.

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall pursuant to Business and Professions Code section 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

**17. CONCESSIONAIRES AND SERVICE CONTRACTORS**

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

Does the association provide its own concessions? Yes  No

**18. ON-TRACK ATTENDANCE/FAN DEVELOPMENT**

- A. Attach a copy of the promotional and marketing plans: for the race meeting:
- B. Promotional/ Marketing budget for this race meeting:  
 Promotional/Marketing budget for prior race meeting:
- C. Number of hosts and hostesses employed for meeting:
- D. Describe facilities set aside for new fans:

E. Describe any improvements to the physical facility in advance of the meeting that directly benefit:

1. Horsemen
2. Fans
3. Facilities in the restricted areas

**19. SCHEDULE OF CHARGES**

A. Proposed charges, note any changes from the previous year:

- Admission (general)
- Admission (clubhouse)
- Reserved seating (general)
- Reserved seating (clubhouse)
- Parking (general)
- Parking (preferred)
- Parking (valet)
- Programs (on-track)
- (off-track)

B. Describe any "Season Boxes" and "Turf Club Membership" fees:

C. Describe any "package" plans such as combined parking, admission and program:

**20. JOCKEYS/DRIVERS' QUARTERS**

A. Check the applicable amenities available in the jockeys/drivers' quarters:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Corners (lockers and cubicles) | How many   | <input type="text"/>                              |
| <input type="checkbox"/> Showers                        | <input type="checkbox"/> Steam room, sauna or steam cabinets | <input type="checkbox"/> Lounge area              |
| <input type="checkbox"/> Masseur                        | <input type="checkbox"/> Food/beverage service               | <input type="checkbox"/> Certified platform scale |

B. Describe the quarters to be used for female jockeys/drivers:

**21. BACKSTRETCH EMPLOYEE HOUSING**

A. Inspection of backstretch housing was completed by (name) \_\_\_\_\_ on (date) \_\_\_\_\_.

B. Number of rooms used for housing on the backstretch of the racetrack:

C. Number of restrooms available on the backstretch of the racetrack:

D. Estimated ratio of restroom facilities to the number of backstretch personnel:

**22. TRACK SAFETY**

A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line:  feet.

- B. Describe the type of track surface at the facility, including the specific track surface composition:
- C. The percent of cross slope in the straight-aways is:  
The percent of cross slope in the center of the turns is:
- D. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.
- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474:
- F. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474.
- G. If the association is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing.

### 23. DECLARATIONS

- A. All labor and lease agreements and concession and service contracts necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state):
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.
- C. Attach a Race Day Furosemide Agreement to include the name of the furosemide veterinarian.
- ~~C~~ D. Attach a lease agreement permitting the association to occupy the racing facility during the entire term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made).
- ~~D~~ E. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state):
- ~~E~~ F. Absent natural disasters or causes beyond the control of the association, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the association except as follows (if no exceptions, so state):

**NOTICE TO APPLICANT:** Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

**24. CERTIFICATION BY APPLICANT**

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the association to attest to this application on its behalf.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Title

\_\_\_\_\_  
Date

## ADDENDUM

### Background and Ownership Information

**FULL DISCLOSURE:** By authority of Sections 19440 and 19480 of the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and in order to allow an evaluation of the competency, integrity, and character of potential racetrack operator, contractor, subcontractor and concessionaire licensees of the California Horse Racing Board (CHRB), any applicant for such a license shall comply with the provisions set forth below. Where applicable, supply the requested information and submit with your application documents. (If necessary, attach additional pages showing the corresponding numbers for the questions you are answering.) If a question does not apply to you, so state with "N/A".

**NOTE:** All information contained in this Addendum may be disclosed pursuant to the California Public Records Act.

#### I. BACKGROUND INFORMATION

- A. **PERSONAL INFORMATION** - Application documents must include for each individual who is a director, officer, or partner in the application, or an owner of an interest in the applicant of 5% or more:
1. Full name and any previous names or aliases;
  2. date of birth;
  3. physical description;
  4. business address and telephone number; and
  5. disclosure of employment, education and military history for the past 20 years or since the age of 18.
- B. **PERSONAL HISTORY** - Application documents must include a completed Personal History Record, CHRB-25A, for each individual named in Addendum Section I, A.
- C. **RELATIONSHIP** - The application documents must state, for each individual providing information under Addendum Section I, A, whether the individual is related to a member or an employee of the CHRB. A half-relationship or step-relationship is considered to be a familial relationship.
- D. **CORPORATIONS** - If the applicant is a corporation, the application documents must state:
1. The state in which the applicant is incorporated; and
  2. name and address of the applicant's agent for service of process in California.
- E. **INDICTMENTS OR CONVICTIONS** - If the applicant is a corporation, the application documents must include a statement disclosing whether the corporation is presently or has ever been indicted or convicted of a criminal offense, e.g., felony or misdemeanor.
- F. **PENDING LEGAL PROCEEDINGS** - An applicant for a license to operate a racetrack must describe any pending legal proceedings of \$250,000 or more:
1. To which the applicant, a director, officer, or partner of the applicant, or an individual who owns an interest in the applicant of 5% or more is a party; or
  2. that involves property owned by the applicant, a director, officer, or partner of the applicant, an individual who owns an interest in the applicant of 5% or more, or a related entity identified under Addendum Section I.
  3. Applicant must state the name of the court or agency before which the proceeding is or was pending, the case number, date the proceeding was instituted, and the names of the principal parties to the proceeding.

## II. OWNERSHIP

### A. IDENTIFICATION AND LOCATION - The application documents must include:

1. All names used by the applicant; and
2. name of the agent and the address and telephone number of the office of the applicant for service of process in California.

### B. BUSINESS STRUCTURE - The application documents must describe the applicant's business structure and include an organizational chart.

### C. ORGANIZERS - If the applicant is not an individual and was organized less than five years before the date on which the application documents are submitted to the CHRB, the application documents must state:

1. Name of each individual who was an organizer or promoter of the applicant;
2. nature and amount of assets, services, or other consideration contributed to the applicant by an organizer or promoter of the applicant; and
3. nature and amount of anything of value given by the applicant to an organizer or promoter of the applicant.

### D. ORGANIZATIONAL DOCUMENTS

#### 1. If the applicant is a corporation, the application documents must include:

- a. Statement of when and in what state the corporation was organized;
- b. certified copy of the articles of incorporation and bylaws of the applicant;
- c. statement and documentation of whether the corporation has been reorganized or reincorporated during the five-year period preceding the date on which the application documents are submitted to the CHRB; and
- d. statement and documentation of whether the corporation has filed restated articles of incorporation.

#### 2. If the applicant is an unincorporated business association, the application documents must include:

- a. Certified copy of each organizational document for the applicant, including any partnership agreement; and
- b. description of any oral agreements involving the organization of the partnership.

### E. CAPITOL STOCK

#### 1. If the applicant is authorized to issue capital stock, the application documents must state the classes of stock authorized and the total shares of each class authorized.

#### 2. For each class of stock, applicant must also state:

- a. Par value, if any;
- b. voting rights;
- c. current rate of dividend; and
- d. number of shares outstanding and the market value of each share.

#### 3. Application documents must list the name and address of each person who owns, of record or beneficially, at least 5% of stock. For each person listed under this subsection, the application documents must describe the nature of the person's ownership interest and the person's percentage of the total ownership interest.

4. Application documents must include a certified copy of each voting trust or voting agreement in which at least 5% of the capital stock is held and must state:
  - a. Name and address of each stockholder participating in the trust or agreement;
  - b. class of stock involved; and
  - c. total number of shares held by the trust or agreement.

#### F. DIRECTORS, OFFICERS, AND PARTNERS

1. If the applicant is not an individual, the application documents must include a list of the individuals who are serving or who are designated to serve, during the first year after the date the application documents are submitted to the CHRB, as a director, officer, or partner of the applicant. The list must state for each individual:
  - a. Name and business address;
  - b. each position or office of the applicant held by the individual;
  - c. principal occupation during the five-year period preceding the date on which the application documents are submitted to the CHRB; and
  - d. nature and extent of any ownership interest in the applicant.
2. Application documents must include a completed Personal History Record, CHRB-25A, for each individual named under Addendum Section II, F, 1.

#### G. CONTROLLING ENTITY

1. Application documents must state whether another entity exercises or is in a position to exercise control in the management or financial affairs of the applicant. The documents must describe the nature of the relationship between the entity and the applicant and the extent of control exercised by the entity.
2. If a nonindividual entity owns an interest of 5% or more in the applicant, the application documents must include the information required by Addendum Section II, G, 1, as it relates to the nonindividual entity.
3. Application documents must include information required by Addendum Section II, G, 2, for each nonindividual entity identified in the application documents to the extent necessary to determine the identity of each individual who is an indirect holder of an ownership interest in the applicant.

#### H. OUTSIDE INTERESTS AND LICENSE HISTORY - Application documents must state whether the applicant or a director, officer, or partner of the applicant:

1. Ever held an ownership interest in a licensee of the CHRB; or
2. is currently engaged in the business of racing in another state.

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting of a California fair as authorized by Article 6.5 of the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and in accordance with applicable provisions and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

**1. APPLICANT FAIR ASSOCIATION**

A. Name, mailing address, telephone, and fax numbers of fair:

B. Fair association is a:  District Fair  County Fair  Citrus Fruit Fair  
 California Exposition and State Fair  Other qualified fair

C. Provide the name, telephone, and email address for the fair contact person:

**NOTICE TO APPLICANT:** Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

**2. DATES OF RACE MEETING**

A. Inclusive dates allocated for race meeting:

B. Actual dates racing will be held:

C. Dates racing will NOT be held:

D. Total number of racing days:

E. Days of the week races will be held:

Wed - Sun  Tues - Sat  Other (specify)

**3. RACING PROGRAM**

A. Total number of races:

B. Number of races by breed:

Thoroughbreds  Quarter Horses  Appaloosas  
 Arabians  Paints  Mules

**CHRB CERTIFICATION**

Application received:  
Reviewed:

Hearing date:  
Approved date:  
License number:

C. Number of races daily:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Thoroughbred							
Other Breeds							
Total							

D. Total number of stakes races by breed:

<input type="text"/>	Thoroughbreds	<input type="text"/>	Quarter Horses	<input type="text"/>	Appaloosas
<input type="text"/>	Arabians	<input type="text"/>	Paints	<input type="text"/>	Mules

E. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each.

1. Attach a listing of all stakes races for the past two race meetings. The information provided must be for the same timeframe in which the association is applying. Include the date the stakes races were run, and the added money or guaranteed purse for each. Note the races that were designated for California-bred horses.

2. Identify the stakes races listed under item E that have been altered, added, or are new for the current race meeting. Provide details regarding any alterations to the identified stakes races. (e.g., changes in the age, sex, eligibility, purse or substantial calendar changes).

3. Identify the stakes races listed under item E1 that have been dropped or deleted, and the reasons the stakes were dropped or deleted.

F. Will provisions be made for owners and trainers to use their own registered colors?

Yes  No      If no, what racing colors are to be used:

G. List all post times for the daily racing program:

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813.

**4. FAIR ASSOCIATION**

A. Names of the fair directors:

B. Names of the directors serving on the Racing Committee or otherwise responsible for the conduct of the racing program:

C. Name and title of the fair manager or executive officer and the names and titles of all department managers and fair staff, other than those listed in 12B, who will be listed in the official program:

D. Name and title of the person(s) authorized to receive notices on behalf of the fair association and the mailing and email address of such person(s).

**5. TAKE OUT PERCENTAGE**

1. Will the percentage deducted for any type of wager be adjusted pursuant to Business and Professions Code section 19601.01? If no, proceed to subsection 6. If Yes, identify the wager and the proposed takeout percentage.

Yes  No

Wager(s) to be adjusted: \_\_\_\_\_ Proposed percentage: \_\_\_\_\_%

A. Attach copy of written notice requesting the proposed takeout adjustment, the proposed percentage and the wager(s) affected. The notice must include the written agreement of the fair association and the horsemen's organization for the meeting of the fair association accepting the wager.

**NOTICE TO APPLICANT:** Pursuant to Business and Professions Code section 19601.01 notwithstanding any other provision of law, a thoroughbred association or fair, upon the filing of a written notice with, and approval by, the board specifying the percentage to be deducted, may deduct from the total amount handled in the pari-mutuel pool for any type of wager an amount of not less than 10 percent nor more than 25 percent. The written notice shall include the written agreement of the thoroughbred association or fair and the horsemen's organization for the meeting of the thoroughbred association or fair accepting the wager. The established percentage to be deducted shall remain in effect until the filing of a subsequent notice with, and approval by, the board, unless otherwise specified in the notice.

**6. HANDLE HISTORY**

1. Complete the table below providing the last five years of handle and attendance for the fair association. If your association has been operating for fewer than five years, provide information for the period of time it has been in operation.

Year	Handle	Attendance

**7. PURSE PROGRAM (Excluding supplements, nominations, sponsorships, and starter fees):**

A. Purse distribution:

1. All races other than stakes:

Current meet estimate:

Prior meet actual:

Average Daily Purse (7A1 ÷ number of days):

Current meet estimate:

Prior meet actual:

- 2. Overnight stakes:  
Current meet estimate:  
Prior meet actual:

Average Daily Purse (7A2 ÷ number of days):  
Current meet estimate:  
Prior meet actual:

- 3. Non-overnight stakes:  
Current meet estimate:  
Prior meet actual:

Average Daily Purse (7A3 ÷ number of days):  
Current meet estimate:  
Prior meet actual:

- 4. Total Purses: (7A1+7A2+ 7A3)  
Current meet estimate:  
Prior meet actual

- B. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):  
Current meet estimate:  
Prior meet actual:

- C. Payment to each recognized horsemen's organization contracting with the fair:

Current meet estimate:	Prior meet actual:
CTT	
TOC	
NTRA	
PCQHRA	
CWAR	
ARAC	
AMRA	
CHBPAPEN	
CTHF	
Total	Total

- D. Amount from all sources to be distributed at the meeting in the form of purses or other benefits to horsemen (7A+7B+7C):  
Current meet estimate:  
Prior meet actual:

Average Daily Purse (7D ÷ number of days):  
Current meet estimate:  
Prior meet actual:

- E. Purse funds to be generated from on-track handle and intrastate off-track handle (excluding carry-overs from prior race meet(s):  
 Current meet estimate:  
 Prior meet actual:  
  
 Average Daily Purse (7E ÷ number of days):  
 Current meet estimate:  
 Prior meet actual:
- F. Purse funds to be generated from interstate handle:  
 Current meet estimate:  
 Prior meet actual:  
  
 Average Daily Purse (7F ÷ number of days):  
 Current meet estimate:  
 Prior meet actual:
- G. Bank and account number for the Paymaster of Purses' purse account:
- H. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meeting:

**NOTICE TO APPLICANT:** All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the fair and **shall**, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt into such liability account. In the event the fair is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the fair shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The fair is entitled thereafter to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the fair is entitled to carry forward the deficit to its next succeeding meeting as provided by Business and Professions Code section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the fair may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

## 8. STABLE ACCOMMODATIONS

- A. , Number of usable stalls available for racehorses at the track where the meeting is held:
- B. Minimum number of stalls believed necessary for the meeting:
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers:
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site:

- E. Attach each contract or agreement between the fair and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.

Complete subsections F through H if the fair will request reimbursement for off-site stabling as provided by Business and Professions Code sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, proceed to section 9.

- F. Total number of usable stalls made available on-site for the **1986** meeting, pursuant to Business and Professions Code section 19535(c).
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per-day per stall: .
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse:

**9. EQUINE EMERGENCY SERVICES**

- A. Name and emergency telephone number of the racing veterinarian onsite during training hours, workouts and during racing for the association and auxiliary sites:
  - 1. Attach a schedule listing the dates and times that the racing veterinarian will be available onsite during training hours, workouts and during racing for the association and auxiliary sites.

**10. PARI-MUTUEL WAGERING PROGRAM**

- A. Is the fair applicant a member of the California Authority of Racing Fairs (CARF)? If yes, attach a copy of the CARF recommended wagering format. Yes  No
- B. Pursuant to Business and Professions Code section 19599, and with the approval of the CHRB, fairs may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each. If applicant is a member of CARF, also indicate if wager is a part of the CARF recommended wagering format:

Use DD for daily double, E for exacta (special quinella), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

	TYPE OF WAGERS	APPLICABLE RULES	CARF WAGERING FORMAT
Example Race	\$1 E; \$1 Double	CHRB #1959; RCI #VE	Yes No

- Race #1
- Race #2
- Race #3
- Race #4
- Race #5

Race #6  
 Race #7  
 Race #8  
 Race #9  
 Race #10  
 Race #11  
 Race #12  
 Race #13

- C. Identify any wagers noted in 10A (the current pari-mutuel wagering program) that were not in the prior year's pari-mutuel program, or that are not being carried forward from the previous year's pari-mutuel wagering program.
- D. Maximum carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool:
- E. List any options requested with regard to exotic wagering:
- F. Will "advance" or "early bird" wagering be offered?                      Yes                      No
- If yes, when will such wagering begin. Specify days and time for "early bird" wagering:
- G. Type(s) of pari-mutuel or totalizator equipment to be used by the fair and the simulcast organization, the name of the person(s) supplying equipment, and expiration date of the service contract:
- H. List below the takeout percentage for each type of wager identified in 10B:

**TAKEOUT PERCENTAGE**

(Example) PNP5-14%

Race #1  
 Race #2  
 Race #3  
 Race #4  
 Race #5  
 Race #6  
 Race #7  
 Race #8  
 Race #9  
 Race #10  
 Race #11  
 Race #12  
 Race #13

**11. ADVANCE DEPOIST WAGERING (ADW)**

- A. Identify the ADW provider(s) to be used by the fair for this race meeting:

B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting.

C. Have the contract/agreements been approved by the respective horsemen's groups?

Yes  No

If yes, attach a copy of the approval.  
If no, explain the status of the approval.

**NOTICE TO APPLICANT:** Pursuant to Business and Professions Code section 19604, ADW providers may accept wagers on races conducted in California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) a written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made; 3) the agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made. ADW providers may accept wagers on races conducted outside of California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) there is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wagers are placed and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

**12. SIMULCAST WAGERING PROGRAM**

- A. Simulcast organization engaged by the fair to conduct simulcast wagering:
- B. Attach the agreement between the fair and simulcast organization permitting the organization to use the fair's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.
- C. California simulcast facilities the fair proposes to offer its live audiovisual signal:
- D. Out-of-state wagering systems the fair proposes to offer its live audiovisual signal:
- E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the fair:
- F. California mini-simulcast facilities the fair proposes to offer its live audiovisual signal:
- G. List the host tracks from which the fair proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

**NOTICE TO APPLICANT:** Business and Professions Code section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 50 imported thoroughbred races statewide. The limitation of 50 imported thoroughbred races per day statewide does not apply to those races specified in Business and Professions Code section 19596.2(a)(1), (2), (3) and (4).

**THOROUGHBRED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
--------------------	------------	---

H. List imported simulcast races the fair plans to receive during the racing meeting which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported:

## OTHER BREED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
--------------------	----------------	------------	--------------------------------

- I. If any out-of-state or out-of-country races will commence outside of the time constraints set forth in Business and Professions Code sections 19596.2 and 19596.3, attach a copy showing agreement by the appropriate racing association(s).

**NOTICE TO APPLICANT:** All interstate wagering to be conducted by a fair is subject to the provisions of Title 15, United States Codes, which require specific **written** approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by a fair is subject to the provisions of Business and Professions Code sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every fair shall pay to the simulcast organization within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every fair shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 7.)

### 13. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

- A. Racing officials nominated:
- Association Veterinarian(s)
  - Clerk of Scales
  - Clerk of the Course
  - Film Specialist
  - Horse Identifier
  - Horseshoe Inspector
  - Paddock Judge
  - Patrol Judges
  - Placing Judges
  - Starter
  - Timer
- B. Management officials in the racing department:
- Director of Racing
  - Racing Secretary
  - Assistant Racing Secretary
  - Paymaster of Purses
  - Others (identify by name and title)
- C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:
- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:

- E. Photopatrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.
- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:

#### 14. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers.
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis:
  - 1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls.
  - 2. Detention Stalls:
    - A. Attach a plan for use of graded stakes or overnight races.
    - B. Number of security guards in the detention stall area during a 24-hour period.
    - C. Describe number and location of surveillance cameras in detention stall area.
  - 3. TCO2 Testing:
    - A. Number of races to be tested, and number of horses entered in each race to be tested.
    - B. Plan for enhanced surveillance for trainers with high-test results.
    - C. Plan for detention stalls for repeat offenders.
    - D. Number of security personnel assigned to the TCO2 program.
- C. Describe the electronic security system.
  - 1. Location and number of video surveillance cameras for the detention stall and stable gate.

#### 15. EMERGENCY SERVICES

- A. Name, address and emergency telephone number of the ambulance service to be used during workouts and during racing:

1. Attach a certification from the Ambulance Company(s) listed in 15 A, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.
- B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:
  1. Attach a certification from the Ambulance Company(s) listed in 15 B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.
- C. Describe the on-track first aid facility, including equipment and medical staffing:
- D. Name and emergency telephone number of the licensed physician on duty during the race meeting:
- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:
- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey:
- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d):
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.
- I. Name of the workers' compensation insurance carrier for the fair and the number of the insurance policy (if self-insured, provide details):
- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the fair for payment of workers' compensation.

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall pursuant to Business and Professions Code section 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in Section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

**16. CONCESSIONAIRES AND SERVICE CONTRACTORS**

A. Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

B. Does the fair plan to provide its own concessions? Yes  No

**17. ON-TRACK ATTENDANCE/FAN DEVELOPMENT**

A. Attach a copy of the promotional and marketing plans for the race meeting:

B. Promotional/ Marketing budget for this race meeting:

Promotional/Marketing budget for prior race meeting:

C. Number of hosts and hostesses employed for meeting:

D. Describe facilities set aside for new fans:

E. Describe any improvements to the physical facility in advance of the meeting that directly benefits:

1. Horsemen
2. Fans
3. Facilities in the restricted areas

**18. SCHEDULE OF CHARGES**

A. Proposed charges, note any changes from previous year:

- Admission (general)
- Admission (clubhouse)
- Reserved seating (general)
- Reserved seating (clubhouse)
- Parking (general)
- Parking (preferred)
- Parking (valet)
- Programs (on-track)
- (off-track)

B. Describe any "Season Boxes" or other special accommodation fees:

C. Describe any "package" plans such as combined parking, admission and program:

**19. JOCKEYS' QUARTERS**

A. Check the applicable amenities available in the jockeys' quarters:

- |                          |                                |                          |                                     |
|--------------------------|--------------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | Corners (lockers and cubicles) | How many                 | <input type="checkbox"/>            |
| <input type="checkbox"/> | Showers                        | <input type="checkbox"/> | Steam room, sauna or steam cabinets |
| <input type="checkbox"/> | Masseur                        | <input type="checkbox"/> | Food/beverage service               |
| <input type="checkbox"/> |                                | <input type="checkbox"/> | Lounge area                         |
| <input type="checkbox"/> |                                | <input type="checkbox"/> | Certified platform scale            |

- B. Describe the quarters to be used for female jockeys:

## 20. BACKSTRETCH EMPLOYEE HOUSING

- A. Inspection of backstretch housing was completed by (name) \_\_\_\_\_ on (date) \_\_\_\_\_.
- B. Number of rooms used for housing on the backstretch of the racetrack:
- C. Number of restrooms available on the backstretch of the racetrack:
- D. Estimated ratio of restrooms to the number of backstretch personnel:

## 21. TRACK SAFETY

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line:  feet.
- B. Describe the type of track surface at the facility, including the specific track surface composition:
- C. The percent of cross slope in the straight-aways is:  
The percent of cross slope in the center of the turns is: \_\_\_\_\_
- D. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.
- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474:
- F. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474.
- G. If the fair is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing.

## 22. DECLARATIONS

- A. All labor agreements, concession and service contracts, and other agreements necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state):
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.

- C. Attach a Race Day Furosemide Agreement to include the name of the furosemide veterinarian.
- ⊖ D. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state):
- ⊖ E. Absent natural disasters or causes beyond the control of the fair, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the fair except as follows (if no exceptions, so state):

**NOTICE TO APPLICANT:** Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

**23. CERTIFICATION BY APPLICANT**

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the fair to attest to this application on its behalf.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Title

\_\_\_\_\_  
Date

**KENTUCKY ADMINISTRATIVE REGULATIONS**

810 KAR 1:018—Medication; testing procedures; prohibited practices:

Section 6. Furosemide Use on Race Day. (1) Furosemide may be administered, in accordance with this section, to a horse that is entered to compete in a race.

(2)(a) The commission veterinarian shall administer furosemide prior to a race.

(b) If the commission veterinarian is unavailable to administer furosemide to a horse prior to a race, the commission shall approve a licensed veterinarian to perform the administration. The approved licensed veterinarian shall agree to comply with all of the applicable administrative regulations regarding the administration of furosemide on race day.

(c) If the furosemide is administered by an approved licensed veterinarian, the administering veterinarian shall provide a written report to the commission veterinarian no later than two (2) hours prior to post time of the race in which the horse receiving the furosemide is competing.

(3) Furosemide may be used under the following circumstances:

(a) Furosemide shall be administered at a location under the jurisdiction of the commission, by a single intravenous injection, not less than four (4) hours prior to post time for the race in which the horse is entered.

(b) The furosemide dosage administered shall not exceed 500 mg, nor be less than 150 mg.

(c) The specific gravity of a post-race urine sample shall not be below 1.010. If the specific gravity of the post-race urine sample is determined to be below 1.010, a quantification of furosemide in blood serum or plasma shall be performed. If a horse fails to produce a urine specimen, the commission laboratory shall perform a quantification of furosemide in the blood serum or plasma specimen. Concentrations above 100 nanograms of furosemide per milliliter of blood serum or plasma shall constitute a violation of this section.

(4) The initial cost of administering the furosemide shall be twenty (20) dollars per administration. The commission shall monitor the costs associated with administering furosemide and consult with industry representatives to determine if the cost should be lowered based on prevailing veterinarian services and supplies. The commission shall maintain records documenting the basis for its determination, and if the cost is determined to be less than twenty (20) dollars per administration, then the commission shall lower the cost accordingly. The cost shall be prominently posted in the racing office.

## Indiana Rules

### 71 IAC 4.5-4-10 "In Today" program

Authority: IC 4-31-3-9; IC 4-31-12-1; IC 4-31-13-4

Affected: IC 4-31

Sec. 10. (a) The association shall, along with the assistance of the trainer or his or her licensed designee, identify each horse prior to 10:00 a.m. on the day of the scheduled race.

(b) The association shall provide security personnel to patrol the stable area on race day in order to deter violations of commission rules, to protect the integrity of horse racing, to guard the health of the horse, and to safeguard the interests of the public.

(c) The association shall establish track rules for the implementation of the "In Today" program that shall be subject to the approval of the commission or its executive director.

### 71 IAC 4.5-4-11 Escort of practicing veterinarians

Authority: IC 4-31-3-9; IC 4-31-12-1; IC 4-31-13-4

Affected: IC 4-31

Sec. 11. (a) The association shall be responsible for providing an employee to escort each practicing veterinarian while in the stable area during the time period race day furosemide is administered.

(b) The association shall be responsible for the filing of any forms and reports regarding compliance or noncompliance with these rules as directed by the commission or its executive director.

(c) Practicing veterinarians and/or their licensed helpers shall cooperate fully with their designated association escort at all times.

### 71 IAC 8.5-4-12 Contact with entered horses

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 12. (a) Practicing veterinarians and their helpers are prohibited from having contact with a horse within twenty-four (24) hours of its scheduled race except during the administration of furosemide under the guidelines set forth in 71 IAC 8.5-1-5(6) and 71 IAC 8.5-1-5(7) or unless prior approval has been given by the stewards or by the official veterinarian.

(b) Notwithstanding provisions [*sic.*] (a) above [*subsection (a)*], in the case of an emergency a practicing veterinarian may have contact with a horse within twenty-four (24) hours of its scheduled race. If this occurs, the practicing veterinarian shall immediately report such contact and the reasons necessitating the contact to the stewards or in their absence to commission or track security.

### 71 IAC 8.5-4-12.1 Stable area access

Authority: IC 4-31-3-9

Affected: IC 4-31-3; IC 4-31-13-7

Sec. 12.1. (a) Practicing veterinarians and their licensed helpers shall not be present in the stable area without an association escort from five (5) hours before the first race post time until four (4) hours before post time of the last race.

(b) Practicing veterinarians and their licensed helpers shall sign in and out at the stable gate each time they enter and leave the stable area. The association shall maintain daily logs of such access and agrees to provide copies of logs to commission security on a daily basis.

(c) Practicing veterinarians and their licensed helpers shall cooperate fully with their designated association escort at all times.

>Subject: Minnesota Furosemide Administration

>

>Furosemide (Salix®) Administration and Regulation

>

>MRC rules and policies regarding the regulation and testing of furosemide.

>7890.0140 BLEEDERS

>Subp. 6. Furosemide may be permitted.

>A horse is eligible to race with furosemide if the licensed trainer and

>licensed veterinarian determine that it would be in the horse's best

>interests to race with furosemide. Notification using prescribed

>commission forms must be given to the Commission Veterinarian by time

>of entry. Once a horse has raced with furosemide, it must continue to

>race with furosemide in all subsequent races unless a request is made

>to discontinue the use. If the use of furosemide is discontinued, the

>horse shall be prohibited from again racing with furosemide unless it

>is later observed to be bleeding pursuant to subpart 1 or meets the

>requirements of subpart 3. Requests for the use of or discontinuance of

>furosemide must be made to the Commission Veterinarian by the horse's

>trainer or assistant trainer on a form prescribed by the commission on

>or before the day of entry into the race for which the request is made.

>

>Subp. 7a. Conditions required for furosemide administration.

>Furosemide shall be administered intravenously by a veterinarian

>employed by the owner or trainer of the horse. The furosemide must be

>administered a minimum of four hours before scheduled post time for any

>bleeder entered to race and the dose level of furosemide must be no

>less than 150 milligrams and must not exceed 250 milligrams (no less

>than three nor more than five milliliters of a 50 milligram/milliliter

>or five percent

>solution) per administration, except in cases where the horse has been

>determined by the Commission Veterinarian and the treating veterinarian

>to be a severe bleeder. In these cases, doses of up to 500 milligrams

>(no more than ten milliliters of a 50 milligram/milliliter or five

>percent

>solution) may be permitted.

>The practicing veterinarian must deposit with the Commission

>Veterinarian an unopened supply of furosemide and sterile hypodermic

>needles and syringes to be used for the administration. The furosemide

>must be administered under the supervision of a person hired by the commission.

>A horse on the official furosemide list must show a detectable

>concentration of the drug in the post-race serum, plasma, or urine sample.

>

>PRE-RACE FUROSEMIDE TREATMENTS

> According to Minnesota Rule 7890.0140 furosemide shall be administered

>IV (intravenously) by the veterinarian employed by the owner or trainer

>of the horse. It should be given in the RIGHT jugular vein and cannot

>be given IM. The administered furosemide must be at least 150 mg and

>not exceed 250 mg per dose administered. Doses up to 500 mg can be

>administered to horses needing this amount but they must be signed up

>by the private veterinarian at least one day in advance of race day on

>a form in the Commission Veterinarian's office. Racehorses will receive

>their race day furosemide treatments in their stalls. Practicing

>veterinarians will be required to furnish to the Chief Commission  
>Veterinarian several factory-sealed bottles of furosemide, syringes,  
>and needles. These will be labeled with the private veterinarian's  
>name and will be retained and locked in the Furosemide Office.

>

>Official race day furosemide schedules are available in the  
>Veterinarians' Office. These are placed in your mailboxes one day  
>prior to race day. On race day, each veterinarian should go to the  
>Furosemide Office (located at the west end of barn-A6) to obtain filled  
>furosemide syringes and pick up an MRC observer.

>

>The MRC observer will confirm the horse's barn/stall number including  
>"horse in today" sign, identity of horse by tattoo, and the presence of  
>the assigned guardian, and observe the furosemide administration. They  
>will not restrain horses or otherwise assist in furosemide  
>administration. The horse handler, and NOT the MRC observer, is  
>responsible for showing the tattoo.

>

>

>Veterinarians are responsible for providing transportation for  
>themselves and the MRC observer. The observer should not have to shove  
>boxes aside or sit on equipment. Please make room for them in your  
>vehicle. The MRC observer should be treated with respect at all times.  
>Remember that they have paperwork that needs to be signed and completed  
>before they can re-join you in your vehicle after furosemide  
>administration. Do NOT harass the observers. They are there to do their  
>job and our expectation is that you will treat them accordingly.

>

>Horses not in their assigned barn/stall or lacking a person to restrain  
>them will not receive furosemide. If time permits, you can return to  
>the untreated horse after completion of the other horses. Please allow  
>adequate time to complete all furosemide administrations as no  
>furosemide can be administered within 4 hours of post-time. Horses  
>signed up for but not receiving furosemide will be recommended to the  
>Stewards to be scratched. The official clock will be the clock on the  
>wall in the Furosemide Office.

>

>If you are dealing with a true emergency and cannot make it in time for  
>scheduled treatments, contact the furosemide office immediately  
>(extension 3603) and they will then try to find a replacement  
>veterinarian for you.

>

>Lynn

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>Lynn Hovda, RPH, DVM, MS, DACVIM

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>Chief Commission Veterinarian

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>Minnesota Racing Commission

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>Shakopee, MN 55379

## Text A

As presented at September 2015  
Medication Track Safety Committee

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
RULE 1845. AUTHORIZED BLEEDER MEDICATION

Regular Board Meeting  
September 16, 2015

Amended text with "designation" removed and replaced with "owner's veterinarian" or "furosemide veterinarian."

1845. Authorized Bleeder Medication.

The only A authorized bleeder medication for the control of exercised exercise-induced pulmonary hemorrhage (EIPH) may shall be furosemide, and it shall only be administered to by a horse single intravenous injection, in a dosage of not less than 150 mg and not more than 500 mg, on the grounds of the racetrack where the horse will race, and no later than four hours prior to the post time of the race for which the horse is entered. It shall only be administered to a horse that is registered on the authorized bleeder medication list.

(a) A horse is eligible to race with registered on the authorized bleeder medication if the licensed list as follows:

(1) The trainer and/or the owner's veterinarian determines it is in the horse's best interest. If a horse will race with authorized bleeder medication, form determine furosemide is medically necessary to control EIPH and is not otherwise contraindicated for that horse; and

(2) Prior to entry for race, the official veterinarian approves form CHRB-194 (New 08/04), Authorized Bleeder Medication and Medical Records Request, which is hereby incorporated by reference, shall be used submitted to notify the official veterinarian prior to entry by the trainer and owner's veterinarian.

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~~(b) The official laboratory shall measure the specific gravity of post-race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.~~

~~(c) If the specific gravity of the post-race urine sample is determined to be below 1.010, or if a urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.~~

(b) Once registered, any horse that will be administered furosemide shall:

(1) Arrive on the grounds of the racetrack where the horse will race no later than five hours prior to the post time of the race for which the horse is entered; and

~~(d)(2) A horse qualified to race with authorized bleeder medication shall be Be assigned to a pre-race security stall prior to the scheduled post time for the race in which it is entered, and shall remain there until it is taken to the receiving barn or the paddock to be saddled or harnessed for the race. While in the security stall, the horse shall be in the care, custody, control and constant view of the trainer, or a licensed person assigned by the trainer. The trainer shall be responsible for the condition, care and handling of the horse while it remains in the security stall. The official veterinarian may permit a horse to leave the security stall to engage in track warm-up heats prior to a race.~~

~~(e) A horse qualified for administration of authorized bleeder medication must be treated on the grounds of the racetrack where the horse will race no later than four hours prior to post time of the race for which the horse is entered. The authorized bleeder medication, furosemide, by a single intravenous injection only, in a dosage of not less than 150 mg.~~

(c) Furosemide shall be administered only after:

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(1) The trainer, owner, or not more than 500 mg. A horse racing with furosemide must show a detectable concentration of the drug in the post race serum, plasma or urine sample. The the owner's veterinarian administering has consulted with the furosemide veterinarian regarding the condition of the horse and the furosemide veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1; or

(2) The trainer, owner, or owner's veterinarian has consulted with the bleeder medication shall the official veterinarian or racing veterinarian and the furosemide veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1, and that consulting official veterinarian or racing veterinarian directly supervises the furosemide veterinarian, or California registered veterinary technician, who administers furosemide.

(d) Administration of furosemide shall occur as follows:

(1) Only a furosemide veterinarian or a California registered veterinary technician under the direct supervision of the furosemide veterinarian may administer furosemide. The official veterinarian shall not administer furosemide except in an emergency, the details of which shall be immediately reported to the stewards.

(A) The furosemide veterinarian or California registered veterinary technician who administers furosemide shall not have a current business relationship with participating licensees within 30 calendar days of the date they are retained to administer furosemide, or have had a veterinarian-client-patient relationship within 30 calendar days of the date prior to the administration of furosemide.

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(B) The person who administers furosemide pursuant to subsection (d)(1) of this regulation shall notify the official veterinarian of the treatment of the horse. Such Notification shall be made using on CHRB form-36 (New 08/04), Bleeder Treatment Report, which is hereby incorporated by reference, not later than two hours prior to post time of the race for which the horse is entered. Upon the request of a Board representative, the veterinarian administering the authorized bleeder medication shall surrender the syringe used to administer such medication, which may then be submitted for testing.

(2) The owner, trainer or a licensed employee of the trainer shall be present and observe the furosemide administration.

(3) A horse registered to be administered furosemide shall receive 250 mg of furosemide intravenously unless an alternative dose of not less than 150 mg and not more than 500 mg has been determined after consultation between the trainer, owner, or owner's veterinarian, and the furosemide veterinarian pursuant to subsection (c).

(e) In the event of an adverse reaction or other emergency related to the administration of furosemide, the furosemide veterinarian, or California registered veterinary technician, who administered furosemide shall attend the horse until the arrival of the owner's veterinarian.

(f) The syringe used to administer furosemide shall be provided to and retained by the Board until all testing of the horse is completed. In the event of a positive test finding as defined in this article, the Board may order, or the owner or trainer may request, the retained syringe be analyzed for prohibited substances. The results of the analysis may be used in any action before the Board.

(g) A horse that has been administered furosemide must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.

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(1) The official laboratory shall measure the specific gravity of post-race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.

(2) If the specific gravity of the post-race urine sample is determined to be below 1.010, or if the urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

~~(f)~~(h) A horse ~~placed~~ registered on the official authorized bleeder medication list must remain on the list unless the ~~licensed trainer and/or owner's~~ veterinarian requests that the horse be removed. The request must be made using CHRB form-194 (New 08/04), and must be submitted to the official veterinarian prior to the time of entry. A horse removed from the authorized bleeder medication list may not be placed back on the list for a period of 60 calendar days unless the official veterinarian determines it is ~~detrimental to the welfare of~~ medically necessary for the horse. If a horse is removed from the authorized bleeder medication list a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.

~~(g)~~(i) If the official veterinarian observes a horse bleeding externally from one or both nostrils during or after a race or workout, and determines such bleeding is a direct result of EIPH, the horse shall be ineligible to race for the following periods:

- First incident -14 days;
- Second incident within 365-day period -30 days;
- Third incident within 365-day period -180 days;
- Fourth incident within 365-day period -barred ~~for~~ from racing lifetime.

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For the purposes of counting the number of days a horse is ineligible to run, the day after the horse bled externally is the first day of such period. ~~The voluntary administration of authorized bleeder medication without an external bleeding incident shall not subject a horse to the initial period of ineligibility as defined under this subsection.~~

(j) The owner(s) of a registered horse shall:

(1) Pay all costs associated with the materials used in the administration of furosemide, to include the syringe and medication.

(2) Consent to the procedures in this section and agree that the pre-race examination conducted under the direction of the official veterinarian or racing veterinarian shall constitute a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1.

Authority: Sections 19440 and 19562,  
Business and Professions Code.

Reference: Sections 19580, and 19581 and 19582,  
Business and Professions Code