

MEETING

STATE OF CALIFORNIA

HORSE RACING BOARD

In the Matter of:)
)
Special Purpose Meeting)
)

BALDWIN TERRACE ROOM
SANTA ANITA RACE TRACK
285 WEST HUNTINGTON DRIVE
ARCADIA, CALIFORNIA

WEDNESDAY, FEBRUARY 20, 2008

10:00 A.M.

Reported by:
Troy A. Ray

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMISSIONERS

Richard B. Shapiro, Chairperson
John C. Harris, Vice-Chairperson
John Amerman
John Andreini
Jesse H. Choper
Marie Moretti
Jerry Moss

STAFF

Derry L. Knight, Deputy Attorney General
Richard Bon Smith, Assistant Executive Director
Mike Marten

ALSO PRESENT

Terry Meyocks
Garrett Gomez
David Flores
Gary Stevens
Dr. J.P. Bardet
Dr. Mick Peterson
Jim Pendergest
Royce Hanamaikai
Michael Dickinson
Martin Collins

APPEARANCES CONTINUED

ALSO PRESENT

Ed Halpern

Bob Baffert

Gloria Hailey

Richard Mandella

Eoin Harty

John Shirreffs

David Hofmans

John Sadler

Ed Moger

Doug O'Neill

Bob Hess

Ron Ellis

Barry Abrams

Mike Mitchell

Cathy Walsh

Julio Canani

Dr. Rick Arthur

Dr. Diane Isbell

Dr. Joe Dowd

Dr. Kim Kuhlman

Dr. Jeff Blea

Dr. Susan Stover

Dr. Gregory Ferraro

APPEARANCES CONTINUED

ALSO PRESENT

Dennis Moore

Richard Tedesco

Steve Wood

Juan Meza

Tom Robbins

Rick Hammerle

Sean Greely

Mike Harlow

Drew Couto

J. Paul Reddam

Madeline Auerbach

Dottie Shirreffs

Brad Free

James Quinn

Ron Charles

Eual Wyatt

Joe Harper

Craig Fravel

Peter Tunney

Robert Hartman

Jerry Jamgotchian

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1 PROCEEDINGS

2 ASSISTANT EXECUTIVE DIRECTOR SMITH: Ladies and
3 gentlemen, will the meeting come to order, please? This is
4 the Special Purpose Meeting of the California Horse Racing
5 Board on Wednesday, February 20th, 2008, at the Baldwin
6 Terrace Room, Santa Anita Race Track, 285 West Huntington
7 Drive, Arcadia, California.

8 Present at today's meeting are Chairman Richard
9 Shapiro, Vice Chairman John Harris, Commissioner John
10 Amerman, and Commissioner Marie Moretti.

11 We anticipate the arrival of Commissioners Choper,
12 Moss, and Andreini, soon.

13 We're going to break for closed Executive Session
14 and reconvene the meeting at approximately 10:00 a.m. Thank
15 you.

16 (Thereupon the California Horse Racing
17 Board resolved into Executive Session at
18 9:38 a.m.)

19 ASSISTANT EXECUTIVE DIRECTOR SMITH: They'll
20 arrive as they can.

21 Before we go on to the business of the meeting,
22 I'd like to ask everyone to please state your name and
23 organization clearly, before you speak. It's important for
24 our reporter.

25 Also, I'd like to give a shout out to my track

1 buddy, Jeff, get well soon. Thank you.

2 The Board invites comments from the public about
3 items on its agenda, and also invites public comment about
4 items not on the agenda, that are related to horse racing,
5 during the public comment period.

6 Please note that unduly repetitious comments or
7 extended discussion of irrelevancies disrupt the meeting and
8 prevent the Board from accomplishing its business in a
9 reasonably efficient manner.

10 In order to assure that each individual, who
11 wishes to comment, will have an adequate opportunity to do
12 so and also to assure that the meeting as a whole will be
13 completed in a timely manner, so that individuals wishing to
14 comment on multiple matters will not be required to stay for
15 an unreasonable length of time, we will strictly enforce a
16 three-minute time limit for each person wishing to speak on
17 any agenda item. The shorter limit is necessary because of
18 the lengthy -- well, the large number of panels and items to
19 be covered today.

20 The goal of this rule is to assure that each
21 person's right to make their views known is not disrupted by
22 another's conduct.

23 There's sign-up, comment sheets for each item on
24 which the public comment will be taken, as well as a sheet
25 for a comment about anything related to horse racing that is

1 not on the agenda.

2 Sheets are located at our speaker's podium here,
3 to the -- on the left side of the building, the room.

4 COMMISSION CHAIRPERSON SHAPIRO: Bon, if I can
5 just interject?

6 ASSISTANT EXECUTIVE DIRECTOR SMITH: Yes, Richard.

7 COMMISSION CHAIRPERSON SHAPIRO: This is one
8 agenda item. There will be one comment period, which will
9 be at the end of the meeting. And so there will not be a
10 comment period after each agenda -- after each panel. So
11 it's at the very end, so just so you know.

12 ASSISTANT EXECUTIVE DIRECTOR SMITH: Thank you for
13 that.

14 COMMISSION CHAIRPERSON SHAPIRO: Keep going.

15 ASSISTANT EXECUTIVE DIRECTOR SMITH: If you wish
16 to make comments, please print your name legibly so that the
17 Chairman does not mangle it when he announces it. Just
18 prior to the open discussion, the comment sheets will be
19 brought forward and when your name is called, please come to
20 the podium to speak. The Chairman will let you know when
21 your time is commenced, when there is one minute left, and
22 when your time is up. Thank you.

23 COMMISSION CHAIRPERSON SHAPIRO: All right, thank
24 you very much.

25 Good morning to everybody. And I understand

1 they're going to bring in some more chairs so, hopefully, we
2 can get everybody situated.

3 As everybody knows, there's a lot to cover here,
4 and so I'm hoping that everybody got one of the handouts
5 that shows the panels that are set up. And you'll also
6 notice on that, that there is a proposed time limit or
7 estimate for each of the panels. We are going to try to run
8 this pretty quickly through each of these panels, so that we
9 can get to everything.

10 It is a racing day here, at Santa Anita, and so
11 we're -- we have people that need to be out for the racing,
12 so we will try to stay on schedule as much as possible.

13 The panels also have been organized to be
14 cognizant of that. We have riders who are here, who have
15 jobs to do, we have trainers that have jobs to do, and that
16 was taken into consideration when these panels were set.

17 This meeting is being webcast, and for those
18 people that cannot stay for the duration, I'm sure that this
19 webcast will be made available so that portions that you may
20 miss will be able to be viewed after the meeting.

21 Again, we'd like to thank everybody for coming to
22 this meeting. I would like to just urge that this is an
23 informational discussion. There's no decisions being made
24 on anything today, other than we, as an industry, are
25 getting together to collaboratively look at our track

1 surfaces and define the best and safest surfaces in
2 California.

3 With that said, our first panel is the Jockeys.
4 And I've asked Terry Meyocks, who is the head, and I'm not
5 sure of the exact title, but --

6 MR. MEYOCKS: National Manager.

7 COMMISSION CHAIRPERSON SHAPIRO: Say it again?

8 MR. MEYOCKS: National Manager.

9 COMMISSION CHAIRPERSON SHAPIRO: The National
10 Manager of the Jockeys Guild, to moderate this panel and to
11 give us input on track surfaces.

12 And I'd like to welcome Garrett Gomez, Gary
13 Stevens, David Flores. And at this point, Terry, I would
14 ask that you make some remarks to the Board.

15 MR. MEYOCKS: Well, thank you very much. Thank
16 you for the California Horse Racing Board for asking us to
17 participate.

18 At this time I also would like to support the
19 California industry, the racetracks, the TOC, the California
20 Horse Racing Board, and the State for all the support and
21 respect they have given to the jockeys over the last
22 decades.

23 The first question I have for the riders, since
24 riding over the synthetic surfaces since the fall of 2006
25 have they felt less wear and tear on their bodies, compared

1 to riding over dirt surfaces?

2 David?

3 COMMISSION CHAIRPERSON SHAPIRO: And would you
4 just state your name, first, for the record, so that the
5 court reporter knows it, and then go on.

6 MR. FLORES: I'm David Flores, I'm a jockey. And
7 the question is on my body I feel much better since we have
8 the synthetic track. The only problem is when they get --
9 when they seal it or we have these problems here, we can
10 feel it's much harder.

11 MR. MEYOCKS: Garrett?

12 MR. GOMEZ: My name's Garrett Gomez, jockey. My
13 body has felt tremendously better, I don't feel the same
14 wear and tear as I have, say, riding at Belmont Park, or
15 Keeneland racetracks, or something like that.

16 The racetrack that we've had here has had its all
17 problems, we all know that, so it's hard to compare. But
18 like Keeneland, and what we had at Del Mar, the surface and
19 what it feels like is tremendous. It's a great surface and
20 it feels really good. And I think it really helps with the
21 wear and tear on our bodies.

22 MR. MEYOCKS: And Robbie Alvarado, in the Blood
23 Horse Magazine article on synthetic surfaces, in early
24 December, he says "it's like running over a mattress." He
25 raced mostly at Keeneland, or Turfway, and fairgrounds, but

1 that's what his thoughts are.

2 Gary, let me ask you a question. If synthetic
3 surfaces were in existence when you were riding, would you
4 still be riding today?

5 MR. STEVENS: Gary Stevens. I can tell you that
6 over the years the knee injuries have been well publicized,
7 11 surgeries on my right knee, three on my left. Of all
8 those surgeries, only one of those was due to an accident,
9 all of the rest of them were wear and tear from jarring on
10 hard racetracks, sealed racetracks, racetracks that were
11 inconsistent, bases on tracks that were very, very hard.
12 And they varied throughout the country.

13 So I was fortunate enough to ride at Turfway Park
14 when it was first installed, at the Kentucky Cup, back in
15 2004. I rode nine races that day, which was unheard of, at
16 the end of the day I could have ridden nine more races.
17 There was no swelling, no problems at all.

18 And I've been able to work horses over Del Mar's
19 racetrack. Have not been on Hollywood Park's racetrack.
20 I've worked horses here, at Santa Anita, and the same
21 result, no swelling, no anything.

22 So, yes, I believe that I would still be riding
23 today. I've thought about coming back since we've had
24 these, but I've put on a lot of weight so that's not going
25 to happen.

1 COMMISSION CHAIRPERSON SHAPIRO: But you've joined
2 my category in the hair department, so that's lost a few.

3 (Laughter.)

4 MR. MEYOCKS: Based on that, I want to relate to
5 how a horse feels and is it better for the betterment of the
6 horses at the end of the day.

7 Garrett, and how the horses hit the ground at 40
8 miles an hour.

9 MR. GOMEZ: Definitely. Yeah, I mean, definitely,
10 I mean horses, the concussion of a horse hitting is, like he
11 was talking about, Robbie, how he says it's like a mattress,
12 it really is. Except when a horse comes to come out of it,
13 it's more like a dirt surface, they have to work to get out
14 of it. But the impact of a horse hitting it is so much
15 softer and horses seem to get across it really well.

16 MR. MEYOCKS: David?

17 MR. FLORES: Yeah, I believe that these help a lot
18 of horses. I mean, they have to get on it, first, before
19 they run. I don't think it's -- it's because they travel
20 different in the dirt, they slide in the dirt. And this
21 track, they hit the ground and they just -- there's just a
22 different. That's probably why I have problems behind or
23 something like that. Soon they go through it, I think they
24 get used to it and they're going to be just fine.

25 MR. MEYOCKS: It is well documented that there's

1 been considerably less breakdowns over synthetic tracks,
2 compared to dirt tracks. Which, would the panel agree?

3 MR. STEVENS: Yes.

4 MR. FLORES: Yes.

5 MR. GOMEZ: Yes.

6 MR. MEYOCKS: Over the last several months they've
7 been saying there's more hind end injuries and soft tissue
8 injuries. When I was racing secretary at Calder, I mean I
9 was racing secretary at Calder for 14 years, and Calder had
10 an artificial surface, the only problem we had from the
11 horsemen and the horses was the hind end issues.

12 At that time we heard it, we listened to the
13 horsemen, and eventually we took this artificial surface
14 out. Not because -- we just couldn't get the material. But
15 when we did the track, we increased somewhat the banking in
16 the turns and the hind end injuries did go away.

17 Is there any thoughts of the banking here, or on
18 the turns, or running over synthetic tracks, whether it be
19 Keeneland, you know, not just in California?

20 MR. GOMEZ: No.

21 MR. MEYOCKS: Okay.

22 MR. FLORES: No, I think the bank is good here.

23 MR. MEYOCKS: Gary, let me ask you ask you a
24 question. With the synthetic tracks and what you were
25 saying about the horses and the body, how they feel, do you

1 think it would increase to more starts per year, in their
2 career?

3 MR. STEVENS: Absolutely. Days like we have
4 today, where it's raining out, even a drizzle, I used to
5 cringe when I'd wake up in the morning because I knew the
6 track was going to be sealed and I knew what I was going to
7 feel like the next day.

8 And anybody that thinks that running on a sealed
9 racetrack is good for the horses, you should be ashamed of
10 what you're doing to the horses when you run on a sealed
11 track. It's inhumane to the horses.

12 When I'm feeling the concussion going through a
13 horse, and I'm talking in the past, I know what it's doing
14 to those horses.

15 And I was at the barn area every single morning,
16 I've dealt very closely with all the trainers that I rode
17 for. You could fry eggs on a horse's feet the day after
18 they ran on a sealed racetrack. You don't have that
19 problem.

20 I'd like to ask Garrett and David, today, would
21 you rather be going out there to ride on the racetrack
22 you're going to ride on, or would you prefer it if it was
23 sealed?

24 MR. GOMEZ: No, this is definitely, I mean,
25 there's no comparison. I mean, this racetrack, when it's

1 raining out, it's almost identical as if it was on a fast
2 racetrack day. These racetracks are absolutely the same as
3 it is when it's dry out. So, I mean, there's no comparison.

4 MR. MEYOCKS: I love fast tracks, you know, just
5 let them go. But the problem is if they come back safe, I
6 don't know. Like Garrett says, they have problems after, on
7 the hard tracks. And on soft tracks, you know, they just
8 got to learn.

9 MR. MEYOCKS: When the horses hit the ground do
10 you have more confidence?

11 MR. GOMEZ: Oh, definitely. I mean, these horses,
12 you know, on these synthetic racetracks the horses, they
13 seem a little more surefooted, there is no slippage, they
14 get across it a lot better.

15 MR. MEYOCKS: David, do you feel the same way?

16 MR. FLORES: Absolutely, yes.

17 MR. MEYOCKS: Okay. Are all synthetic surfaces
18 fair and consistent, not just in California, but the other
19 synthetic tracks that you've --

20 MR. GOMEZ: I believe they're fair. You know, I
21 think everybody's still learning how to get the
22 consistencies to them. But I feel that it's just like any
23 racetrack, it just takes time and people, like us, all
24 learning about them and trying to figure out how to maintain
25 them.

1 MR. FLORES: I think that's one of the problems we
2 had is being consistent, this track. And, hopefully,
3 they'll find a solution because it's a good track, it's just
4 a shame that we're having these kind of problems.

5 MR. MEYOCKS: Are speed horses at a disadvantage?

6 MR. GOMEZ: I don't think so. I just think it's,
7 you know, a way to race that's up. Anytime that you abuse
8 anything, you know, somebody's going to pay for it.

9 And a lot of times, you know, especially here, say
10 in California, or wherever, we seem to think that speed's a
11 plus. And anytime that you go too fast, you're going to pay
12 for it.

13 And I feel these kind of racetracks, you know,
14 they really show what kind of pace that the race ended up
15 being. You know, it's a surface that horses can close on.
16 If the pace is too slow, the horses on the front end keep
17 going, and if the pace is too fast, I mean, you know, the
18 horses stop. And I think it's just a very honest racetrack.

19 MR. MEYOCKS: Would you agree, David?

20 MR. FLORES: I agree and, you know, good horses,
21 they're going to run to anything. You see, if so -- and
22 they hold on sometimes, and you see some -- and still the
23 horse is way back still.

24 So it's just a matter of the quality of the horses
25 that run or the conditions.

1 MR. STEVENS: As a jockey, when I was riding, I
2 took a lot of pride in knowing how fast I was going or
3 having a good idea of how fast I was going. If I was going
4 too fast, I was going to pay the price. I did not enjoy
5 riding a lot of days out here in Southern California because
6 it was all speed, speed, speed.

7 And you didn't -- you could basically get anybody
8 to go out there and ride a race, and you didn't have to be a
9 rocket scientist. You still don't have to be a rocket
10 scientist to be jockey, for God's sake, but --

11 (Laughter.)

12 MR. STEVENS: I took a lot of pride in knowing
13 that, and riding good races, and knowing that if you did go
14 too fast, you were going to pay the price at the end.

15 MR. MEYOCKS: Consistency. California's very
16 fortunate it's not compared to Canada, or Kentucky, and
17 Turfway, and the drastic changes, whether it be less than 20
18 degrees or warmer in the afternoon.

19 Do you all notice the consistency's different,
20 whether it be cooler mornings here, the track's one way, and
21 then in the afternoon?

22 MR. GOMEZ: yes, I definitely do. In the morning,
23 it just seems a little bit tighter, I have no idea why. You
24 know, and at Keeneland, also, when I got to Keeneland and in
25 the morning times it just seems like horses work faster,

1 horses get across it a little bit faster for some reason.

2 And then in the afternoon they run 12 and change,
3 and stuff, and nobody can explain why. You know, it's one
4 of those learning processes, you know, that we're trying to
5 figure out.

6 MR. MEYOCKS: Would addition of water being added,
7 maybe in the afternoon, help, would you think, tighten it
8 up?

9 MR. GOMEZ: I don't know about water, because
10 these things are supposed to actually just drain right
11 through the bottom. You know, but there's something to do
12 with the actual, maybe the temperatures, and so forth. You
13 know, there is waxes in it, and I look at the waxes being a
14 piece of gum and, you know, when it's warm out it oozes and
15 gets soft, and when it's cold out it firms up. And that's
16 the way I am trying to assess it.

17 MR. MEYOCKS: Has your all's riding strategy
18 changed, similar to riding a turf race, riding over the
19 synthetic? David?

20 MR. FLORES: Yes, I think it's pretty similar to
21 the turf but, you know, so some horses they just love this
22 track and some horses they have -- they still have problems.

23 MR. STEVENS: Just a comment on field sizes. I
24 think that it's been pretty well documented through Del Mar,
25 and Hollywood Park, and even at this young meet of Santa

1 Anita, that turf horses can move to the synthetics and be
2 competitive.

3 We haven't had to rely so much on turf racing to
4 have large fields and fill races. The owners, the trainers
5 are not afraid to take a turf horse and run it on the
6 synthetic surface and, to me, that's a plus to adding to
7 field sizes and people just not worried about that.

8 MR. GOMEZ: I had one more thing to add. I was
9 actually at Keeneland when it rained four inches in about 20
10 minutes, and we had a turf race, and they took it off the
11 turf and put it onto the synthetic Polytrack and we had one
12 scratch.

13 MR. MEYOCKS: I was at Bay Meadows on Sunday. The
14 jockeys at Bay Meadows really are pleased with the Tapeta
15 surface, I just wanted to let you know.

16 COMMISSIONER AMERMAN: Golden Gate.

17 MR. MEYOCKS: Golden Gate. I was at Bay Meadows,
18 and they're racing --

19 COMMISSION CHAIRPERSON SHAPIRO: At Bay Meadows,
20 but you talked to the jockey colony up north.

21 MR. MEYOCKS: Right. And they were talking about
22 Tapeta and how pleased they are with that surface.

23 COMMISSION CHAIRPERSON SHAPIRO: And I should note
24 that sitting to my left, Mr. Harris here was inducted into
25 the California Hall of Fame on Monday night, and Russell

1 Baze was at the same time. And Russell, I talked to Russell
2 and he said that he was ecstatic with the track and that was
3 nice to hear.

4 MR. MEYOCKS: Question for the panel. Since the
5 polymer has been added to this racetrack here your feelings?
6 Is it -- I know there was an issue last Wednesday, it rained
7 on Thursday morning, and how do you all feel with this
8 track, now?

9 MR. GOMEZ: I think, yeah, it's gotten a lot
10 better. You know, it changes from day to day, the racetrack
11 keeps wanting to separate for some reason and, you know, I
12 keep an eye on it throughout the day. But throughout this
13 process, the first three days when we came back, when it was
14 first installed, it was absolutely amazing how good it
15 actually was. And then after that, the following Wednesday,
16 I don't know what happened to it, but something happened to
17 it. And through this process, the last week or so, from day
18 to day it's changed and, you know, the last couple of days
19 it has been trying to separate again. But it's still a safe
20 racetrack and the horses seem to still be getting over it
21 okay.

22 MR. MEYOCKS: I got one quick question. the
23 Breeder's Cup is being run here in the next two years, if
24 Allan Jerkins, old-time school, Garrett, has got three
25 horses to run, what type of advice would you give Allan,

1 would you get him to race over the racetrack, train over it,
2 run over another synthetic track?

3 MR. GOMEZ: What I would tell him to do is just to
4 absolutely be able to train over it a little bit, because
5 it's just a different kind of material. Because the horses
6 that have been training on dirt, horses actually slide into
7 it. And being a synthetic surface, it's a little more
8 sticky and some horses just aren't used to it and won't
9 relax and let themselves run across it, and until they get
10 across it and get some confidence to get across it. But
11 other than that, you know, I mean there's not a whole lot to
12 really tell him.

13 MR. MEYOCKS: Gary, any other comments, or David?

14 MR. STEVENS: No, I'm fine, thank you.

15 MR. FLORES: No, thank you.

16 MR. MEYOCKS: In closing, you know, I hope this
17 discussion's been helpful. In reality, there will be
18 injuries, horses will get hurt, jockeys will get hurt,
19 horsemen on the backside will get hurt, exercise riders will
20 get hurt.

21 The industry needs to continue to work together,
22 research and development, and make changes when warranted.

23 On the human side, the Jockeys Guild, the last
24 several months has been working with a project, and it's a
25 cure for paralysis. This past fall Kevin Everett, who

1 played for the Buffalo Bills, was thought to be paralyzed.
2 After five weeks he took his first step. And what they're
3 doing is trying to lower the body temperature immediately to
4 92, 93 degrees. In the first 32 hours there's no risk to
5 the person. If we can save one exercise rider, one jockey
6 from being paralyzed, I think it would be worth it. And it
7 would be helpful to the racetracks, it would be helpful to
8 the horsemen.

9 So anything that the industry can do to work, to
10 try to work with us in the Miami project, and there's other
11 groups out there, is appreciated. Thank you very much.

12 COMMISSION CHAIRPERSON SHAPIRO: Thank you. And
13 before you get away, I would like to invite any of the
14 Commissioners, if they have any questions or comments they'd
15 like to ask this panel.

16 COMMISSIONER HARRIS: I appreciate the panel's
17 remarks. One issue that's come up is the kickback on the
18 tracks, the synthetics versus the natural tracks, both. Are
19 there any concerns that the jockeys have as far as health
20 standards in the air, the stuff coming back? Or, also, how
21 do you kind of assess the kickback relativity of the two
22 types of surfaces?

23 MR. GOMEZ: The kickback of the two surfaces, the
24 Polytracks or the synthetic racetracks, they have no
25 kickback in it, it's actually unbelievable.

1 The kickback here, lately, on this surface for a
2 while was really, really bad, but it wasn't -- it didn't
3 have the binder, or so forth, it had the missing ingredient.
4 But the kickback is -- there is none.

5 And I think that's what gives an opportunity for
6 turf horses, also, to be able to run on a synthetic
7 racetrack.

8 MR. STEVENS: Just I would like to see a study
9 done. There's been studies done on injuries on the
10 synthetic racetracks versus the dirt racetracks. What about
11 horses bleeding? Because had a lot of people, jockeys say,
12 you know, I'm afraid to breath this stuff, or whatever.

13 I know one thing, I would come back after racing
14 on the dirt, sandy racetracks, and actually have blood in my
15 throat from the stuff that I swallowed. You're basically
16 swallowing small particles of glass.

17 So I think it would be interesting to see how the
18 horses, especially horses that come from off the pace, if
19 they're bleeding now because of cardio or if they were
20 bleeding because of what they were inhaling or ingesting in
21 a dirt race.

22 COMMISSION CHAIRPERSON SHAPIRO: All right. Well,
23 anybody else have any other questions?

24 COMMISSIONER MOSS: Yeah, just to finalize what
25 John was asking about. So you have no concerns over

1 what -- as far as humans breathing, I mean, as far as what
2 you're breathing from --

3 MR. FLORES: Not at all, I think --

4 COMMISSIONER MOSS: -- what the horses kick back,
5 whether you're coming from behind or whether you're leading
6 the race doesn't matter; right?

7 MR. FLORES: Yeah, it's fine. I mean, like
8 Garrett said, the kickback is very -- it's almost nothing,
9 and we feel safer about that.

10 COMMISSIONER HARRIS: Yeah, I think there are some
11 studies, I think Del Mar conducted some studies on that
12 aspect, that would be good for all of you to review and see
13 if you concur, but I think they did show that it was safe.

14 COMMISSION CHAIRPERSON SHAPIRO: I would suggest
15 there have been toxicology studies that have been done on
16 these racetracks, there have been studies of what the
17 components are to see if there are carcinogens or anything
18 in them. And I'm pleased to say that those studies have
19 shown that they are safe.

20 But I believe that our Public Information Officer,
21 Mike Marten, has copies of all the studies that we're aware
22 of here, in California, and we'll be more than happy, I'm
23 sure, to make them available to you, or anybody for that
24 matter, just to put everybody's mind at rest that these
25 tracks have, in fact, been studied. And so that's something

1 that I think is available.

2 Marie?

3 COMMISSIONER MORETTI: Question. Thank you for
4 sharing your sentiments about this and it seems that the
5 consensus is that you all like them.

6 My question is simply is there anything that you
7 would like to see done to improve them even more?

8 MR. FLORES: I think it's consistency. As long as
9 you keep them one way, it's going to be a big improvement.

10 MR. STEVENS: One thing to point out, we hear a
11 lot of people talk about how Del Mar's different than
12 Hollywood Park, Santa Anita's different than all the other
13 tracks, Tapeta up north.

14 Well, every one of our surfaces beforehand, when
15 we had dirt surfaces, Santa Anita was different than
16 Hollywood, Hollywood was different than Del Mar, Pomona was
17 different from any of them, and the tracks up north were
18 different. You're going to deal with inconsistencies when
19 you go from one track, whether it's Keeneland is going to be
20 different.

21 If you're training on dirt tracks, if you go from
22 Belmont Park to Fairgrounds, it's a different surface at
23 both places. So that's something I think everybody's going
24 to have to acknowledge and deal with, with the different
25 weather conditions and different climates of the different

1 places.

2 COMMISSIONER AMERMAN: On the issue of
3 consistency, have you noticed any change from a beginning of
4 a meet to the end of the meet, does anything change over
5 time with the synthetic surfaces?

6 MR. FLORES: Are you talking about specific Santa
7 Anita or --

8 COMMISSIONER AMERMAN: No, I was talking about,
9 you know, whether it be Del Mar, or Hollywood Park, or
10 Keeneland, or wherever you --

11 MR. GOMEZ: Well, like at Keeneland there has
12 been, from the time they installed it until this fall there
13 was no change in the racetrack, period. I mean, it was
14 absolutely the same racetrack. And even when it rained,
15 like I was telling you guys about the four inches of rain we
16 had in about 20 minutes, it was exactly the same racetrack.

17 COMMISSION CHAIRPERSON SHAPIRO: Okay, I'd like
18 again to thank you. We have a tight timeframe.

19 COMMISSIONER MORETTI: Thank you.

20 COMMISSION CHAIRPERSON SHAPIRO: Thank you very
21 much for coming out, we very much appreciate it, thank you.

22 (Applause.)

23 COMMISSION CHAIRPERSON SHAPIRO: If the second
24 panel will come up, which is the Manufacturers and Experts
25 Panel. On this panel Michael Dickinson, Jim Pendergest,

1 Martin Collins, Dr. J.P. Bardet, Dr. Mick Peterson. And
2 Royce, and I'm going to have to ask Royce to help me say his
3 last name.

4 MR. HANAMAIKAI: Hanamaikai.

5 COMMISSION CHAIRPERSON SHAPIRO: Oh, I got that.
6 Good morning to everybody. Again, I will ask that when you
7 do speak to please state your name for the record. This is
8 an unmoderated panel. Therefore, if you have a presentation
9 to make, we're going to invite you to make that
10 presentation. This panel is allotted 30 minutes, so it's
11 now almost a quarter of 11:00, and so we'd like to wrap this
12 up around 11:15, a little bit before if we can.

13 And I'm going to start with Michael, I know that
14 you have some presentation, I believe.

15 MR. DICKINSON: He's going first, I think.

16 COMMISSION CHAIRPERSON SHAPIRO: He's going first,
17 I think.

18 COMMISSION CHAIRPERSON SHAPIRO: Well, you guys
19 seemed to have figured it out, so I'll let you guys do it.
20 Okay, and please state your name, and which company you're
21 with, or what your expertise is.

22 And Dr. Bardet, are you going first?

23 DR. BARDET: It looks like it.

24 COMMISSION CHAIRPERSON SHAPIRO: It looks like it.
25 All right, so you need to be at a microphone, unfortunately.

1 And he'll move it for you.

2 COMMISSIONER HARRIS: He could pick that up, I
3 guess.

4 COMMISSION CHAIRPERSON SHAPIRO: There's also one
5 at the podium.

6 COMMISSIONER HARRIS: That might be better.

7 COMMISSION CHAIRPERSON SHAPIRO: All right.

8 DR. BARDET: Very good. My name is J.P. Bardet, I
9 am the Chair of the Department of Civil and Environmental
10 Engineering at the University of Southern California.

11 I will try and introduce you to synthetic surface,
12 I call that 101. I'm going to take the point of view of a
13 scientist or an engineer, and try to tell you what they're
14 made of and how they function, and that will help us to
15 understand the troubles we have seen lately.

16 Next slides. So, basically, we're going to cover
17 the wax surfaces, as well as the new surface, called polymer
18 surfaces. And we're going to tell you how they are built
19 and how we can monitor their performance to ensure that they
20 function as they have been designed.

21 Next slide. Now, you've seen these pictures,
22 these pictures was taken at the beginning of January, right
23 here at the Santa Anita Race Track, showing a distress of
24 the track due to some rains. That was before the
25 application of the new binder.

1 And, of course, we can ask the question, well,
2 what's going to happen next?

3 And so we have a lot of products here on the
4 market. I've listed them. Cushion Tracks, Polytracks, Pro-
5 Ride, Safe Track and Tapeta. Some of them are made of wax,
6 some are made of polymers.

7 Next. But, basically, if you look at a synthetic
8 surface, it's mainly made of sand. Sand, as you can see
9 shown here in the dark area, is about 80 percent of the
10 track, the rest is made of a binder, which is basically as a
11 wax or polymer. It varies between three and ten percent.
12 You have fibers, which can be carpet fibers, synthetic
13 fibers, and you have another materials, which is basically
14 rubber chips to give you some more cushion.

15 Next slide. Okay, I can't even read my own slide
16 here, but I think I remember it.

17 Now, what are we after here? If we compare
18 synthetic surface versus natural surfaces, well, we know
19 that a natural surface is made of sand, silt, clay, and it
20 also has moisture in it.

21 All right, we know that clay and silt are
22 sometimes not very predictable when we expose them to water,
23 which explains how different dirt tracks behave when it
24 rains.

25 So the idea is, well, why don't we just remove

1 what we don't understand, precisely, with something we can
2 control, and we're going to replace, basically, the silt,
3 and the clay, and the water, which varies depending on
4 weather, we're going to replace it by a new material, as a
5 wax or polymer.

6 All right, next slide. So if you look at it, you
7 can see there are the sand particles being coated here by
8 some materials. So we replace the clay, silt and water
9 coating of the sand grains by some other coating. It can be
10 either polymer or it can be like wax.

11 Now, we have to remember that sand loves water and
12 we call it hydrophilic. You go on the beach and you see you
13 can build a sand castle because sands like water. It sticks
14 together, the grains will hold.

15 Now, we're going to replace the water here by this
16 new products, polymer and wax.

17 Next. Okay, as you can see this graph, but it's
18 the grain size distribution, showing you that the sand
19 grains are kind of small, in the range of about .1 to 1
20 millimeter in diameter.

21 Next. All right. Okay, so how do they actually
22 work? Well, I kind of explained it before. We're going to
23 simply replace the silt, clay and water by this either wax
24 or polymer. And this is going to give us two things, it's
25 going to prevent the water from sticking to the sand grain.

1 It's going to give us some kind of cohesion, so we don't
2 have a kickback, and it's going to give us some kind of
3 elasticity so we have the cushion effects.

4 The fiber, which you have seen added to it, give
5 some strengths. All right. Okay, and if you want to add
6 rubber chips, that will give you added cushions.

7 Next slide. Now, here's a picture showing you how
8 we measure hydrophobicity. Hydrophobicity means you hate
9 water. And if you actually drop here -- put a drop of water
10 on top of some materials, one is sand, it will go through.
11 The drop will go through.

12 If you put it on Tapeta, Polytrack, or I think
13 it's Cushion Track here, which is -- it will stay, the drop
14 will not sink in, it will stay at the surface. So that's
15 the way we measure hydrophobicity.

16 Next. All right. Now, what are waxes? Well, not
17 all waxes are created equal, there are all kind of waxes.
18 We have soft waxes, hard waxes, and you are familiar, of
19 course, with the bee wax. Bee wax being natural wax. Most
20 waxes used in synthetic surfaces are all coming from
21 petroleum products. All right. So I'm now going to pass on
22 that. You know that, for instance, they do respond
23 differently to temperature.

24 Some waxes, soft waxes melt at lower temperature
25 than hard waxes.

1 On Santa Anita it was we used, originally in
2 Cushion Track a hard wax, which had a very high melting
3 point.

4 Okay, next. Okay, so the drainage problem I will
5 explain, briefly. I took a picture, actually, not from
6 Santa Anita and the constructions, but you know that under
7 the track we have a complex drainage system to remove the
8 water. And it shows here on the graph, on the bottom, with
9 this kind of dark little -- that's the lower part of the
10 diagram. And we have an asphalt layer, and on top of that
11 we have the synthetic surface.

12 All right, so next. Now, if we look at the
13 permeability of the upper layer, what happened before
14 we -- I mean, before we actually tried to re-wax Santa
15 Anita, we seen that we had -- and it shows here, in this
16 kind of pink shaded pink areas, that this we had a problem
17 with the drainage. As we were trying to compact the
18 material, the Cushion Tracks, that was in December, we were
19 systematically optioning very poor drainage characteristics.
20 Therefore, the track would not drain at all.

21 Okay, next. Now, if we were to add wax to the
22 material, it shows here, suddenly the curves would move up
23 in the green area and everything would be fine. So the
24 option was we could have re-waxed Santa Anita, we could have
25 and we would have solved the problem.

1 Next slide. Unfortunately, that wax didn't stick
2 to the sand grains, which explained why we had
3 deteriorations of the permeability and drainage.

4 All right, so that was a key issue here that was
5 basically a poor adherence of the wax to the sand grains,
6 therefore, a deteriorations, a decrease in the drainage
7 characteristics and, therefore, all the problems we've seen.

8 Next. Now, we're going to move to polymers.
9 Polymers, what are polymers? Well, polymers, there are all
10 kind of polymers. All of you wear polymers right now.
11 Polymers are on the carpets, everywhere on your clothes.

12 Okay, so polymers are very low molecules made of
13 different series of units. I'm not going to go into that,
14 okay.

15 Next slide. Now, if you look at polymers, which
16 is right there, which has been applied, if you look at the
17 microscopes, you see that. A polymer is applied as an
18 emulsion, it's like a vinaigrette, that the drops are micro
19 in size. They are tiny, little droplets which are in
20 suspension with water, micro in size. Very tiny things,
21 smaller than human hair.

22 Next. And so those little things are actually
23 held in suspension by what we call surfactant, little, tiny
24 molecules which actually are reversing the charges on the
25 little oil. So they actually have the oil droplets to be in

1 suspensions.

2 Next. Okay, so that shows some kinds of these
3 little droplets, which are micro in size, floating in water.
4 That is before we apply the product on the racetrack. They
5 are like vinaigrettes, if you like, but vinaigrettes
6 containing all the ingredients, the engineered ingredient we
7 want to apply on the sand grains.

8 Next. And that's what's going to happen, as we're
9 going to mix it with the sand grains, those little drops are
10 going to come close, and they're coalesce, and form a
11 coating which we wanted to have. So we are going to coat
12 the sand grains with this product, which has been engineered
13 to achieve the property we wanted.

14 Next slide. Okay, so that's another view of the
15 same concept, showing the breakdown of the emulsion, of your
16 vinaigrette, if you like, but the vinaigrette which you
17 don't want really to apply in your salad.

18 (Laughter.)

19 DR. BARDET: All right. So the vapor, the water
20 evaporates, creates this kind of coating around the sand
21 grains, and here you have waves of sand which has been
22 engineered, it's hydrophobic, it's going to be tacky, and
23 it's going to provide you, basically, the basis for the
24 synthetic surface.

25 Next. All right, we can show you here

1 how -- well, I don't have a picture of how wax synthetic
2 surfaces are built. But, basically, wax synthetic surface
3 you need to melt wax, you need to melt it first, because wax
4 is solid. You need to spray it. You need very often to
5 prep, prepare the sand grains so that you have a good
6 adherence between the wax and the sand.

7 Remember that here the problem was a problem of
8 poor adherence between sand and wax.

9 All right. Polymer, well, the polymer is kind of
10 easier to apply, you don't have to warm it up, you just pour
11 it, evaporation does the trick. Transfer the particular
12 polymer on the sand grains, and you have your coating, which
13 is done, okay.

14 However, in all cases there's a critical step, you
15 need to make sure that the -- when you apply this product in
16 the field, that you do a good job. It's not easy in the
17 field, and we may see here, in the field nowadays, some
18 variations as we apply the products.

19 Next. Okay, this is a picture showing how the
20 product was applied. You have the emulsion, which is being
21 sprayed from the tanker, and just behind the tanker you have
22 the power harrow, which basically mixed the emulsion into
23 the sand and, therefore, evaporates the water and transfers
24 the polymer on the sand grains.

25 Okay, next slide. Okay, how do we now make sure

1 that what we have manufactured remains as it was designed?
2 Well, here are -- we have listed a series of tests, we can
3 monitor. And it applies to both wax and polymers, I'm not
4 taking the side of either wax or polymer. We can apply the
5 same laboratory test and the same field test to monitor the
6 actually performance of the synthetic surfaces.

7 We have all kind of tests, I don't want to go into
8 that. But you've seen some of the tests. A simple test,
9 take some dirt, put it into a glass, add water to it, if
10 it's soluble, if it's the dirt mixed with water, you've got
11 a problem. Okay, so that's solubility.

12 All right, the other test we can do, such as a
13 Clegg hammer, and I think my colleague, Mick, will talk more
14 about it.

15 Okay, so there are plenty of tests we can do to
16 measure the wax content or the polymer content to ensure
17 that the actual surface will remain in good conditions.

18 Next. Okay, and that's a brief graph which I've
19 shown. That's my only equations, I apologize for this,
20 showing how we can actually measure the wax content by
21 measuring the density of the track.

22 Next. Okay, Clegg hammer, you're familiar with
23 that, it's an instrument which measure the impact or the
24 deceleration of the mass, which is dropped here.

25 It's going to simulate the hooves of the horse

1 impacting the track. So somewhat it's useful to us to
2 understand the response of the track to an impact. Okay.

3 So the next picture will show us that temperature
4 will vary a great deal. This data was transmitted to us by
5 Craig Fravel, of Del Mar, and showing temperature variation
6 on the track, way above 140 degree Fahrenheit. So we have
7 tremendous variation between morning and evening. Below are
8 like you can see 80 degrees to a 140 during July.

9 And next. And if we show here this graph, you see
10 the variation of the Clegg hammer readings versus
11 temperature, showing a decrease of the readings versus
12 temperature. That is clear that as you warm up the wax,
13 which forms Del Mar track, there is a softening of the
14 coating and, therefore, you basically start to have sand
15 instead of the original product, which was a wax sand, which
16 had kind of tackiness and cohesion between the grains, the
17 wax becoming softer.

18 Next. And that's my conclusion. I'm sorry for
19 the time I've taken. Synthetic surface, what are they?
20 Well, they are simply -- they're simply trying to emulate
21 natural dirt surfaces at their best. We're trying to take
22 the best natural dirt surface and by engineering the coating
23 on the sand grands, you're trying to reproduce its
24 characteristics.

25 However, by the synthetic coating we achieve

1 stability and reproducibility. We can actually control the
2 track better than we used to, when we had natural material,
3 which you cannot control.

4 All right, that you go with wax or polymer, it is
5 your choice, I'm not taking sides. Simply, wax at this
6 moment, have a problem with adherence and temperature
7 sensitivity. All right. But that, maybe in the future, can
8 be fixed.

9 Polymer seems to be a little bit more resistive to
10 temperature and certainly give us a better binding
11 capability between the coating and the sand grains.

12 Next. All right, that one thing is sure that we
13 need to move towards synthetic surface. It has happened,
14 now, in other sports, such as soccer, or they are moving
15 towards synthetic surface to decrease sport injuries.

16 And I think with -- certainly, with additional
17 research, we can stabilize the products and get better
18 results, for sure.

19 And I would like to conclude, it says here, from
20 one of your magazines, The Horse Player Magazine, "love
21 them, hate them, they are here." Well, I hope that we're
22 going to be loving them soon, altogether. Thank you.

23 (Applause.)

24 COMMISSION CHAIRPERSON SHAPIRO: Thank you, Dr.
25 Bardet. Certainly, I hope we're not taking out our quiz

1 books for a test, but there's certainly plenty of science
2 there.

3 Perhaps, sticking with the scientific front, Dr.
4 Mick Peterson, perhaps we could follow there and then we'll
5 get to our manufacturers.

6 Is that okay with you?

7 DR. PETERSON: Yeah, that's great. Academics are
8 sort of like televangelists, we've got to be able to move
9 around while we talk, you know, that's that sort of thing.

10 Before we get started, the work I've been doing on
11 this, I have to particularly attribute the number of people
12 who have been working with me over about the last five years
13 on this. Wayne McIlwraith, who's somebody that you know is
14 an orthopedic surgeon in Colorado State, who's worked with
15 me on this.

16 We've had sports scientists, a former Olympic
17 training center, biomechanists working on this. Auburn
18 University veterinarians. An equine researcher from
19 Gwealth. And then the two people who have probably taught
20 me more than anything else about horse racing have been
21 Steve Wood and Dennis Moore.

22 And we started all of this well before there was
23 any synthetics in California.

24 Next. What I'm talking about is -- J.P. gave a
25 pretty good start because what we've got right now is we've

1 got synthetic surfaces, but we don't have his engineered
2 surfaces. And it's my contention that there's a lot of
3 solutions to this track surface that we're going to see over
4 the next few years.

5 You know, we're not changing the fairgrounds to
6 synthetic surfaces any time soon. You know, there's going
7 to be a mix, too, there's going to be dirt tracks in there,
8 there's going to be a number of vendors in this, and what we
9 need to do is come up with some engineering that will allow
10 us to protect the horse.

11 The two things we need is we need to be able to
12 measure it when it's out there on the track. We need to
13 know day in and day out that they're good. That's the in-
14 situ properties, that's the nickel word for that. We need
15 to be able to compare the different tracks.

16 We heard the consistency talked about with the
17 jockeys, that's the deal, we got to know that. And that was
18 the deal in dirt tracks, as was said this morning, it's a
19 deal with the synthetics.

20 And we need to see what the horse sees. I don't
21 care what the track is made of, if the horse sees the same
22 thing day after day and it's safe, then we've got a
23 successful surface.

24 Then we also need to make sure it doesn't change
25 over time. And that's sort of what J.P. was talking about

1 is some of the track material issues. We got to make sure
2 that it continues to perform.

3 In-situ track tests. Some of you here, I don't
4 want to bore you with it, but I've been working since 2004
5 on a biomechanical hoof. The nickel words with that is
6 these surfaces are non-linear strain rate dependent. If you
7 run on it, you don't see the same thing a horse does. You
8 need to run as fast as a horse and weigh as much as a horse.

9 We got two loads, the shear, which is the
10 comfiness of the track, and the modiolus, how hard it is.
11 You don't want the horse to cup out, that's your soft tissue
12 injuries. You don't want it to be hard, that's your
13 fractures. That's the engineers' interpretation of that,
14 that's simpler. But it's more complex, the veterinarians
15 are on another panel.

16 When we have questions, we need to be able to go
17 back and look at what caused the problem. From the
18 California tracks, we have ground penetrating radar we've
19 been using to diagnose base problems. This isn't really
20 relevant to the synthetic tracks, now, because we've got
21 good bases on these.

22 You know, we're going to be able to ask that
23 question in ten years, when the synthetics get older. It's
24 still relevant for the dirt tracks.

25 Maintenance protocols, that came up in the panel

1 this morning. We've got to be able to have consistent
2 maintenance.

3 And then the composition. Next one, J.P.

4 Okay, you go -- yeah, cut it off at the bottom,
5 the screen cuts it off at the bottom.

6 You know, you got to have your annual checkup, you
7 got to take your vitamins every morning. Your vitamins
8 every morning on this is your maintenance. It's measuring
9 the temperature on the synthetic tracks, it's measuring the
10 rainfall on the dirt tracks. It may be temperature and
11 moisture on some of the synthetic tracks. That's the daily
12 testing.

13 Then your annual lab work, you got to send it in,
14 make sure that you've got the same amount of wax, you
15 haven't tracked off too much of the fiber. You got to make
16 sure that's the same track you started out the year with.

17 Next one. Okay, this is the slide that's -- this
18 is the too complicated slide that every engineer has to
19 include in it.

20 We got to have the composition, then performance.
21 The performance is what the horse is seeing, the composition
22 is so that the tracks are consistent over time.

23 I've got dirt up there, too. Again, I can't -- I
24 don't think we can ever neglect dirt because, you know, the
25 fairs are still going to have horses on them and it's

1 important for the sport. You know, that's how people come
2 into the sport.

3 Synthetics are what we're talking about today
4 pretty much, so I'm going to focus on that, and then the
5 performance testing.

6 Next slide. Synthetic composition. It still
7 needs work. I think that's what we've seen on this.
8 Polytrack has funded some of this, it looks like we've got
9 some new funding to be able to look at this temperature
10 sensitivity question, that has certainly been a question at
11 several of the tracks.

12 There's a couple other pieces in there, we need
13 good analytical techniques to measure the amount of rubber
14 and fiber content, the resistance to separation. And then
15 what J.P.'s been working on is down there at the bottom, the
16 permeability.

17 Next one. Implementation. You got to measure
18 this on this tracks, you need these analytical techniques.
19 And then the other thing that's kind of nice is out there on
20 the track, if you've got areas that seem to be mixing
21 differently, you know, there's different traffic coming out
22 of the quarter shoot, ground penetrating radar, we've done
23 some work with that, it's looking like we can find those
24 problems. Because you know the different parts of the track
25 get different usages and different levels of contamination

1 and we got to be able to go back and look at that.

2 But, again, it doesn't matter what track it is,
3 we've got those same issues, they carry over from the world
4 of the dirt.

5 Next one. One of the things that we've been doing
6 recently, that I think is particularly relevant to this, is
7 we've been using a triaxial shear test. This is one of
8 these standard tests that's used by soils. We modified it a
9 little, though, because we control the temperature.

10 Bingo, that was one of the questions we had and
11 everybody's been asking. And you know what, you ask these
12 questions and you get surprising answers.

13 J.P.? The news flash. Water changes the speed of
14 some of these synthetic tracks. This was not something I
15 expected. We're beginning to see that some of these
16 synthetic tracks are more sensitive to water than I thought.
17 Okay, I was wrong, I'll eat some crow. There was somebody
18 here, sitting at the front table, who told me this -- Mr.
19 Shapiro, who told me this, and I told him he was wrong. And
20 I'll have to tell him now, you were right, I'm sorry.

21 (Laughter.)

22 MR. PETERSON: But properly designed, here's the
23 other thing that's surprising, some of the synthetic tracks
24 are not showing sensitivity to temperature. Well,
25 oftentimes, we get those confused, and that was really why

1 Mr. Shapiro and I were discussing this. I thought it was
2 temperature, he thought it was moisture, it turns out --
3 well, we'll go on.

4 All right, the other thing we've got to look at
5 here is we've got to have the proper raw materials. You've
6 got to build the track with right materials and the you need
7 to hold to the specifications. This is a lesson for the
8 manufacturers.

9 Next one. Performance. This, I think, is the
10 most developed of what we've been doing and this is
11 primarily because of the forward attitude of the California
12 tracks.

13 We've got the biomechanical hoof, this was
14 supported by the American Quarter Horse Association and the
15 California tracks. We've got shear strength and vertical
16 modiolus that we can get in-situ. Remember, read that
17 fractures/soft tissue, as we go down.

18 And we've got base and separation, which is the
19 ground penetrating radar, that was Dolly Green and Oak Tree.
20 And what's coming in right now is this temperature and
21 moisture stability.

22 Next one. This is the biomechanical hoof. I'll
23 keep going on this. Most of you have seen this. I did a
24 meet at Del Mar, I've done Santa Anita, I've spent a lot of
25 time at dirt tracks on this. At this point, I've got about

1 23 tracks I've measured, dirt, four major synthetics.

2 Next one, J.P. 23 tracks, four Polytrack, and one
3 Cushion track installation that's been measured pretty
4 extensively. And those are high-speed videos, but I think
5 we're running -- I don't want to use up everybody's time, so
6 let's keep going.

7 In the future we need to be able to have those
8 measurements. When you ship a horse in, you need to have
9 some confidence that the horse is going to be safe coming
10 onto the track. You know, and you don't care what the
11 track's made of. That's what I contend is we're going to
12 have to -- the horse needs to be safe regardless of the
13 track material.

14 Some of these tools are already available. The
15 ground-penetrating radar, we can just use that to diagnose
16 some of the base problems. And then we need to continue to
17 characterize synthetic tracks.

18 Next one. And I need to acknowledge the fact that
19 like everything else in this industry, the only way we make
20 any progress is getting people talking together in a way
21 that is unique to the difficulties of this whole game.

22 So thanks a lot.

23 COMMISSION CHAIRPERSON SHAPIRO: Thank you, Dr.
24 Peterson.

25 (Applause.)

1 COMMISSION CHAIRPERSON SHAPIRO: Well, that's
2 science from coast to coast, Maine to California.

3 So now let's -- why don't we hear from our friends
4 at Polytrack. We have here, represented today we have
5 Polytrack and we have Tapeta.

6 I will tell you I received an e-mail from Cushion
7 Track, they were a last-minute scratch and unable to attend.

8 MR. PENDERGEST: I'm Jim Pendergest, I'm the
9 General Manager of --

10 COMMISSION CHAIRPERSON SHAPIRO: Just make sure
11 your microphone is on, Mr. Pendergest, and just bring it
12 close to you. No, no, just bring it close to you and I
13 think he'll be able to adjust the sound. Thank you.

14 MR. PENDERGEST: Okay. I'm Jim Pendergest, I'm
15 General Manager of Martin Collins Surfaces and Footings.
16 And this is Martin Collins, to my right. We appreciate the
17 invitation to be here today.

18 We don't have a PowerPoint so, hopefully, we can
19 keep you closer to your half-hour time limit.

20 We're pretty sure that the first question you all
21 would have from us is what can you expect from the Del Mar
22 Track this summer?

23 As we went through the race meet last year, we
24 were extremely pleased with the safety record that we had
25 from that track, and we were pleased with the overall

1 performance of the track.

2 As we've gone through the fall and we've been
3 monitoring the track, what we see from it is that it has
4 settled since the summer and it's more compacted, now. So
5 we're expecting to see some different things from it as we
6 go into the next race meet.

7 And as we have gone through the fall and through
8 the rainy season, it has drained exceptionally well.

9 The one thing that disappointed us with the Del
10 Mar surface this past summer was the variation that we saw
11 from morning to afternoon. And we know a lot of people were
12 concerned about that, a lot of the trainers expressed
13 concern about being able to train on it in the morning and
14 then having a different track in the afternoon.

15 So that's one of the challenges that we have
16 faced, after that race meet, was to try to figure out why
17 that surface changes so much.

18 Martin Collins has installed ten of these surfaces
19 around the world, and we haven't seen this kind of variation
20 with any of the others. So we were puzzled why this track
21 changed so much during those two times, during morning and
22 afternoon. And we, at first, thought that it was
23 temperature sensitive, but since we've been doing some
24 testing with Dr. Peterson, he has a theory that he talked a
25 little bit about, where it may be more water sensitive than

1 temperature sensitive.

2 So that's one of the things that we are looking
3 at. And immediately after the race meet we contracted with
4 him to begin doing this triaxle test, so that we could
5 compare some different formulas to try to modify the track,
6 to try to figure out how we can get it to be more consistent
7 from what it was last summer.

8 We also have done some work with Dr. Richard
9 Phillips, in the UK. Martin has had him working on some
10 things over there. And he's done some testing on the Del
11 Mar track to tell us that the wax content remains virtually
12 the same as it was when we installed the track. It's over
13 96 percent of the wax is still on that track. So that's not
14 an issue for us.

15 We think that the moisture is the big issue with
16 the Del Mar Track. So at this point we're looking at a two-
17 pronged approach to make that track more consistent as we go
18 into the next race meet.

19 The first thing is that when we get some warmer
20 weather, hopefully in March, we're going to go in and we're
21 going to do some test strips with water. We're going to
22 water the track and see if in the afternoons we can make it
23 resemble the track in the morning. And we think, from the
24 testing that we've done, that that's probably going to solve
25 the biggest part of the issue with that.

1 As we look at that, if that doesn't completely get
2 the track to the point where we want it, then we will apply
3 another coat of wax to it at some point before the race meet
4 comes.

5 What we're looking at right now is some waxes that
6 are much less temperature sensitive than the ones that we
7 used on the track, initially. So we think if water is not
8 the complete answer, that another coat of wax that is less
9 resistant to high temperatures will do the job for us.

10 So our goal with this track is to keep it as safe
11 as possible, but to speed it up during the races, improve
12 that time, and primarily to keep it consistent from morning
13 to afternoon.

14 So, really, that's about all we have. And if you
15 have any questions, we'll be happy to try to answer them.

16 COMMISSION CHAIRPERSON SHAPIRO: Mr. Pendergest,
17 thank you.

18 Perhaps what we should do is go over here to Royce
19 Hanamaikai.

20 MR. HANAMAIKAI: Pretty good.

21 COMMISSION CHAIRPERSON SHAPIRO: Okay, Hanamaikai.
22 Royce is with Pro-Ride Racing. And Ian Pearse is unable to
23 be here, from Australia, because he spent such an extended
24 period of time, despite having a new baby, even to help us
25 with this track at Santa Anita.

1 And, Royce, why don't you tell us what you did do
2 here and, also, you do use polymer versus wax, so a little
3 bit different. So perhaps you could help us there.

4 MR. HANAMAIKAI: Sure. As Mr. Shapiro stated, I'm
5 Royce Hanamaikai. I work with Ian Pearse, with Pro-Ride
6 Racing. And my association with Ian started actually while
7 I was a graduate student at the Anderson School of Business,
8 at UCLA. At that time, Ian was looking to see about
9 possibilities of entering the U.S. market and he, at that
10 point, had been -- was a recipient of a grant from the
11 Australian government, what they call the Comment Program,
12 to help Australian ventures expand. And he was funded that
13 way and he basically got a team of MBA students, for six
14 months we were slaves to him and his wishes. Not
15 necessarily to his wishes, but to a question that he had
16 asked.

17 And so I come from a little bit of a different
18 perspective, in that I was not affiliated with the horse
19 racing industry at all. I'd been to some races and thought
20 it was a pretty good thing to check out. And between a new
21 cell phone and horse racing, that was a better, funner
22 project, in my opinion, to check out, so that's what I
23 chose, me and my teammates, there were five of us.

24 And really what our questions were, were first of
25 all what's going on with the thoroughbred horse racing

1 industry in general?

2 Next, what's the viability of a synthetic product
3 within the U.S. And, third, would the Pro-Ride product be
4 an answer, potentially, for the problems that were going on
5 here?

6 And so that's just a little bit of the background
7 of what happened to start off this relationship.

8 And what we found was that over time that
9 definitely, obviously, this industry's very traditional,
10 it's very hesitant to change, and so most of the feedback
11 that we got, we interviewed track managers, track owners,
12 horse owners, track superintendents, and other manufacturers
13 across the country and definitely there was a huge
14 resistance to change.

15 And it was difficult to try to explain to people,
16 despite maybe some return or ROI advantages to a synthetic
17 surface, definitely that it was all about acceptance and
18 whether or not the horses would like it.

19 And so because of that it was interesting to then
20 go down and see what Ian had done in Australia, so we
21 visited Australia, as well. and Pro-Ride started back in
22 1985, and actually was in the dressage, in the arena,
23 jumping, initially, and then moved to the thoroughbred horse
24 racing segment of the market in 1999.

25 And what happened, because as soon as they went

1 outside, it's because of the extreme climate differences in
2 Australia, with heat, with rain, with cold, as well, that
3 initially the wax-based product that they were using was no
4 longer able to function. It had some variability issues
5 with temperature, obviously, and it seemed to be breaking
6 down.

7 And so that led Ian, at the time, to investigate
8 other solutions to bind the product. And Dr. Peterson, Dr,
9 Bardet, they're the scientists, they can tell you, you know,
10 you saw the formulas up there. I can't explain them to you
11 but, in essence, there is an issue, obviously, with the
12 binding the sand and whatever the fiber or the cushion
13 agent, and making sure that it stayed together.

14 And what Pro-Ride found was that wax, over time,
15 was not as reliable as other products, so that led the push
16 to try to find another product to bind these surfaces, to
17 make them more conducive to the Australian climate. And so
18 that's what kind of led Pro-Ride down the road of moving
19 towards a polymer-based binding system.

20 Specifically, with the surface here, at Santa
21 Anita, we had been in contact with Santa Anita when they
22 were first looking to install a synthetic surface, over a
23 year ago. At the time what we found is that obviously this
24 is a very close-knit industry, with a lot of influence
25 coming from other tracks, and other industry influencers,

1 and I believe at that time, although I believe we had a good
2 product, and I believe Santa Anita management took a good
3 look at our product, and when they chose to go to the
4 Cushion Track, although it was disappointing to Pro-Ride,
5 the fact that they were moving to a synthetic was okay, for
6 sure.

7 We were still able to maintain a good relationship
8 with the people here, at Santa Anita, and when they did have
9 some drainage issues and some problems that obviously came
10 forth this past fall, they contacted Ian and were able to
11 send a sample back of the track, in December.

12 And basically, the problem facing the track here
13 is, as you saw from the pictures that Dr. Bardet showed was,
14 one, the track was not draining and it was not binding. So
15 there was nothing holding the track together, so there was
16 no cushion to it, and it was not draining vertically.

17 And so that was really the question that Ian had
18 to answer first, in Australia, is that could, you know, it
19 being a wet surface -- and this is another thing that, you
20 know, Dr. Peterson talked about are engineered surfaces.
21 This is not an engineered surface here. There is all kinds
22 of stuff -- this track out there, cannot be duplicated in a
23 million years, let me tell you right now.

24 (Laughter.)

25 MR. PENDERGEST: It would be impossible. And so

1 it was basically take what we have out here, see if you can
2 make it stable and make it drain, really was the challenge.
3 And when Ian first told me that he said he could do it, I
4 was cautious, to say one thing. But one thing that I've
5 noticed about Ian, in the time that I've been associated
6 with him, is that he is his own worst enemy sometimes, and
7 he is probably the worst --

8 COMMISSION CHAIRPERSON SHAPIRO: You know, this is
9 being webcast to Australia.

10 MR. PENDERGEST: Ian, let me tell you, you're own
11 worst enemy. Where are you? Are you in Australia, are you
12 listening?

13 COMMISSION CHAIRPERSON SHAPIRO: That's okay.

14 MR. PENDERGEST: Because he's not trying to sell
15 the product and that's the whole point, if he doesn't feel
16 like he could do it, he wouldn't say he could do it. So he
17 had enough of positive results in Australia to jump on a
18 plane, like the next day, I picked him up at LAX, we drove
19 straight to USC and started to do testing with Dr. Bardet,
20 who also didn't believe it could work. And, you know,
21 because they had tried many different types of solutions.

22 And so, again, what we were able to do was first,
23 in the lab, just bind the product and make sure it could
24 drain, and really that was the goal.

25 And so, obviously, as Garrett Gomez mentioned, you

1 know, there's been some variability a little bit this first
2 week of racing, but the goal was to make the track safe and
3 make sure that it could drain, and so Santa Anita would not
4 lose racing, was the whole purpose of what we were trying to
5 do, and I believe we've accomplished that.

6 There's going to be some more testing that needs
7 to be done. Again, this product that you see outside there
8 is not a Pro-Ride surface, because there's so much
9 variability there. But as we continue to work with the
10 track managers here, we feel that definitely the product is
11 working, it is binding, it is draining, and the track is
12 safe, and that's the main purpose.

13 COMMISSION CHAIRPERSON SHAPIRO: Well, thank you.
14 Thank you, and I think all of us appreciate the good work
15 that Pro-Ride was able to do here, because it was very
16 unfortunate that we lost any racing, and certainly not more.

17 So that leaves us, now let's hear from Tapeta.
18 We're fortunate to have Michael Dickinson. And Michael,
19 I'll just remind you that we have a time issue, so if you
20 would make a presentation, I would appreciate it.

21 MR. DICKINSON: Thank you very much. A few years
22 ago the British Defense Minister was having an affair with a
23 call girl, and all hell was let loose, obviously. And he
24 said he wasn't, and she said she was. So it came down to
25 the call girl's best friend, a lady called Monday Rice

1 Davis. And they said, well, were you having an affair?

2 And, oh, yes, we were. Well, the minister said they
3 weren't. And she said, well, he would said that, wouldn't
4 he. And so that became a famous phrase in British politics.

5 And I'm obviously, please consider the source, I'm
6 going to promote Tapeta, but I've tried to be as honest as I
7 can, and not to put a political spin on it, and to use other
8 people's figures and other people's opinions.

9 So we move on. Thank you, Mick.

10 And the first slide we have, much as we all love
11 horses, and no one loves horses more than me, but our first
12 responsibility's got to be the jockeys. And we have 58
13 jockeys on the permanent disability at the moment. And two
14 horses a day are dying on the racetracks in the heat of
15 battle. So we have to change that.

16 Next slide. Thank you. So why did the synthetic
17 revolution start? And it's statistics like these.
18 Unfortunately, those are just a small sample of them.

19 Next one, Mick, thank you. Now, I'm going to show
20 you four graphs. Whichever way you measure the figures,
21 we're heading in the wrong direction.

22 Thank you, Mick. Now, some people would criticize
23 the California Horse Racing Board for moving too quickly.
24 Well, they're absolutely dead wrong. The California Horse
25 Racing Board are 20 years too late. They haven't moved too

1 quickly at all.

2 And next slide, again. Whichever way you go,
3 everyone, the California Horse Racing Board, have got to
4 commend it for moving because no one else has moved, and we
5 have to do something.

6 It's difficult for the press to promote our game
7 when we have accidents happening, and we have to do
8 everything we can to reduce it.

9 Okay, next slide. Thank you, Mick. We're going
10 to fatalities. The top line is the typical dirt tracks and
11 we have too many fatalities.

12 The next line is the opening of the Golden Gate
13 Fields, and we didn't do well. I'm not proud of it, it
14 didn't do well, but we have the wrong harrows. And we did
15 have a rush of fatalities. As soon as those happened, we
16 changed the harrows right away. We went up there and
17 everything was changed.

18 And you'll see on the fourth row down, from
19 January was when we had the new harrows, we had one fatality
20 in, what, nearly 1,300 starts. That's at least heading in
21 the right direction.

22 In Great Britain, you want the figures, the
23 statistics there, over a six-year period, over four tracks,
24 one fatality per 2,000 starts. And that's got to be our
25 goal, that's what we can do if we all just get our act

1 together. Tapeta, we've had one fatality in nine years.

2 Next one, thank you. And so what's the
3 difference? We have more fatalities, even on our synthetic
4 tracks over here, than we do in Great Britain. Well, are we
5 saying the Brits are better trainers than the Americans? I
6 don't think so.

7 But the two big differences are the toe-grabs, and
8 I know this an issue with some, but certainly on the Tapeta
9 you do not need a toe-grab. When a horse hits the ground on
10 the dirt, he slides about 12 inches, so toe-grabs will help.
11 But they don't slide much on a Tapeta surface, so we
12 recommend they take all the toe-grabs off and let him slide
13 a little bit. And any fatalities we've had have largely
14 been connected with toe-grabs.

15 And the other problem we're facing is we've got
16 too many second rate dirt tracks for training and racing on.

17 I was horrified, when I was at Prescile, we're the
18 only synthetic track on the East Coast, and a lot of horses
19 were shipping in, and they were sore as hell. Oh, I died
20 when I saw them all train. And I said, we're in trouble
21 here.

22 But, however, after about two weeks most of them
23 improved, and on the whole it was a success.

24 You know, I said to the outrider, I said, you
25 know, well, what are we going to do with these? Oh, he

1 said, some of these limp pretty good. But after two weeks
2 of training, they got better.

3 But a lot of the damage we're seeing, not all of
4 it, starts at some of the farms. All over America, some of
5 the farm training tracks are not up to the required
6 standard.

7 Okay, thank you. My mentor was Vincent O'Brien,
8 the best trainer in the world, for the last hundred years,
9 he's had 40 champions. The day when I went to his facility,
10 when I used to work for him for two summers, he just changed
11 my life. If I had seen the Great Wall of China, the Niagara
12 Falls on the same day, it couldn't have had more effect.

13 And there he trained -- go on to the next one,
14 Mick. He trained on turf and woodchips. And there were two
15 fatalities. I can never remember a lame horse when I was
16 there. We had 40 horses, we had two that were a little bit
17 shuffly, but all the others moved like ballet dancers, they
18 were terrific. So he was my inspiration.

19 Okay, this was one of the stimulus I needed to
20 produce Tapeta. This is one trainer in England. And I'd
21 really like the trainers here to have a really good look at
22 that. And can any trainer in this room come close to having
23 as few of injuries -- he was the second to the leading
24 trainer in England that year, he had 170 horses, 120 races,
25 and look at the injuries there. No fatalities, 22 sore

1 shins. Well, if you have a hundred two-year-olds, you're
2 going to have a few sore shins. But none of them really
3 serious. And he trained on turf and woodchips.

4 So, now then, this isn't in the SeaBiscuit era.
5 I'm sure we could produce statistics like that from 50 years
6 ago, when the racetrack was tougher. This was in the early
7 nineties. So I was there, I was visiting, I saw all their
8 injuries, or saw how little there were, and that's why I
9 said, well, I'm going to go to America and try and develop a
10 surface.

11 Not like turf. Now, your first criticism will be,
12 well, it's England, it's not -- we're in America, now. So
13 what? It's the same horse. The stallions and mares have
14 been crossing the Atlantic now for a hundred years, we're
15 all training the same horse now, the thoroughbred.

16 And all I wanted to do was to mimic that, to
17 produce a safe surface. Not grass, for obvious reasons.

18 Okay, thank you, Mick. And so I worked hard. Dr.
19 Pratt, just the bottom part of it here, horses working on
20 Tapeta will experience one-half the impact as compared to
21 horses working on a conventional surface. Dr. Pratt was an
22 MIT with racetracks for 30 years.

23 Thank you, Mick. About the weather, it was
24 obviously more of a challenge in America. England never
25 really gets hot, never gets cold. This is the weather,

1 we've survived. We had 12 inches of rain in 12 hours, we've
2 been from 110 to minus 17. That was my farm in Maryland, in
3 an eight-year period, and the proper government statistics,
4 they just didn't make them up.

5 It was a little bit upsetting because someone
6 said, oh, well, it won't handle the heat. Well, I hope that
7 this picture reflects that it's hot. And we'll go to the
8 next one, and this was also hot, and this is on Tapeta.
9 Actually, put in the desert.

10 And the next question is, oh, all right, but how
11 will it last? Well, it's been done, now, nearly two years,
12 and it's survived. It's actually got better. The track we
13 have, we're training on now, is much better having had two
14 summers on it in the desert, so it's survived.

15 Right, we talked about injuries, the Board asked
16 for -- we hear there are different injuries with synthetics.
17 And so we did a survey at the Fairhill Training Center, 700
18 horses in Maryland. This is where Barbaro trained as a two-
19 year-old. And there were 15 trainers and two vets. And,
20 basically, most people were quite happy.

21 Okay, thank you, Mick. And we asked them what
22 kind of injuries because we've heard, oh, you get different
23 injuries, and that was their reply. And so nothing got
24 worse, some were the same, and some got better.

25 Okay, thank you, Mick. This is a vet who looks

1 after 150 horses that trained on Tapeta. They had one
2 fatality. Second line, slight increase in condylar
3 fractures in front compared with turf.

4 The tibia stress, that's a hind end problem, about
5 the same as turf.

6 Now, the fourth one down, the pelvic fractures,
7 because I know some people have suggested we get more pelvic
8 fractures, and he said they disappeared, far fewer than he's
9 ever had in a ten-year period.

10 And we've heard about tendons, and he's had one
11 tendon with 150 horses.

12 Okay. And finally, a year ago he said, when we
13 ran -- we had 120 horses, we always had 30 that were walking
14 around the farm, and now he's down to three.

15 Those are just quotes from famous people. I've
16 got a lot more quotes. I went to Golden -- well, to Bay
17 Meadows on Monday, to ask for ten jockeys to sign supporting
18 the Tapeta surface, and 20 of them signed it. I've never
19 got 20 out of 20 before.

20 And then I went to the trainers and I said to
21 every trainer who asked, endorse the surface. I've never
22 got such high marks in my life, getting a ten out of ten or
23 a 20 out of 20, considering my wife seldom gives me more
24 than a five out of ten for anything.

25 (Laughter.)

1 MR. DICKINSON: Okay, where do we go now? Thank
2 you. The next one.

3 Right, so we talked a lot about polymers. Well,
4 first of all, you need to understand that polymers,
5 typically, are about ten times more expensive than wax, so
6 that's going to knock a lot of them out.

7 These polymers, the SBR, they're quite a bit
8 cheaper, obviously, because it's an emulsion. And it's
9 great. The people who put these tracks down love them for
10 the first ten weeks. Love them, they have a nice bounce,
11 but then the rubber changes and degrades, and it becomes
12 very brittle.

13 We've all looked -- Martin looked at polymers in
14 1995, didn't you?

15 MR. COLLINS: Yeah.

16 MR. DICKINSON: Years ago. And it's not easy,
17 they're either expensive or they don't work. And none of
18 them have worked so far.

19 COMMISSION CHAIRPERSON SHAPIRO: Can they work for
20 just nine more weeks?

21 MR. DICKINSON: Yes, they've got to.

22 (Laughter.)

23 MR. DICKINSON: Well, Richard, you're all right
24 there, you'll be all right for 500 hours.

25 COMMISSION CHAIRPERSON SHAPIRO: Okay, great,

1 thanks.

2 MR. DICKINSON: And I do have some samples of some
3 polymer tracks, which are about nine months old, and you'll
4 see their brittleness.

5 Okay, last slide. The race courses, where horses
6 train on Tapeta, one grade, or grade one races somewhere
7 around the world, and we're proud of that. We have about 20
8 installations, we're in five countries.

9 And three of our clients liked it so much they've
10 asked for another one. So we're very happy. Thank you very
11 much.

12 COMMISSION CHAIRPERSON SHAPIRO: Thank you,
13 Michael. Thank you.

14 (Applause.)

15 COMMISSION CHAIRPERSON SHAPIRO: All right. Well,
16 I think that shows there's science certainly involved, and
17 I'm glad to hear from our manufacturers that showed up, I
18 very much appreciate that they came.

19 Are there any questions from Board members for
20 this panel?

21 Commissioner Choper?

22 COMMISSIONER CHOPER: If your conclusion is that
23 the polymers break down after a relatively short period of
24 time, I'd be curious to hear what the other people have to
25 say about that. Because while this has all been a lot of

1 information, it seems to be a lot of using polymers here.

2 COMMISSION CHAIRPERSON SHAPIRO: Well, the only
3 one using polymers is Pro-Ride.

4 COMMISSIONER CHOPER: Okay.

5 COMMISSION CHAIRPERSON SHAPIRO: So perhaps,
6 Royce, you could address, what happens if Michael's right
7 that the polymer breaks down over a period of time, do you
8 come back in and put another dose of polymer into the track,
9 is that what you do?

10 MR. HANAMAIKAI: Well, any of the binders, any of
11 the products will break down. Even before, with the dirt
12 tracks, I know in speaking with Steve Woods, prior, that he
13 would analyze the content of a track and he would add to the
14 track. In the same way, with the synthetic surface, there's
15 going to be degradation of the surface over time.

16 And just as Mr. Shapiro said, there is a strict
17 maintenance program that should be employed.

18 And when Dr. Peterson was talking about having a
19 strict regulation or having some sort of rating system, I'm
20 in a hundred percent agreement with that. There should be
21 ratings, there should be testing, the products should be
22 analyzed in the lab. Because then you have a much more
23 scientific background or you have a more probability of
24 success by doing it that way. So I agree with that.

25 And also, part of the -- whichever surface you're

1 using, you know, Polytrack would talk about re-waxing or
2 even, you know, that it's going to happen over time.

3 And I think, from what I saw just speaking of,
4 say, Turfway Park, old Turfway to what they have currently,
5 it's definitely an improvement no matter what they would
6 have done.

7 But specifically speaking of polymers over time
8 they would break down and, yes, a recoating would be
9 necessary to keep it viable. But the tracks for Pro-Ride,
10 using polymers, have been down now since 1999, so there's
11 eight years, and there are now 15 installations, and the
12 unit's working on two more currently, in Australia.

13 COMMISSION CHAIRPERSON SHAPIRO: So let me ask
14 our --

15 DR. PETERSON: I'm sorry, I'd like to respond to
16 that, just if I could, just for a moment.

17 COMMISSION CHAIRPERSON SHAPIRO: Go ahead.

18 DR. PETERSON: Michael, as is typically the case
19 with Michael, his science is wrong, even if his observation
20 was right.

21 What happens, actually, with a rubber is there's
22 multiple sulfurs that cross-link in it, and they call it a
23 transition from a polysulfonic cross-link to a mimeo or
24 bisulfonic cross-link, and it's well established in the tire
25 industry. So he tried to tell you carbons are doing it.

1 But he's right, obviously, that it happens, but it's the
2 sulfur cross-link.

3 So I know you cared about that, right?

4 COMMISSION CHAIRPERSON SHAPIRO: Well, that
5 cleared it up for me. Okay, well, I was worried about the
6 copper aspect.

7 But okay. So let me ask a question of our
8 manufacturers. You know, one of the things that we've heard
9 is -- we sat in this very room and I think we had four study
10 sessions, which you were here, and you came, and you showed
11 us these tracks before we ever put any of them in.

12 And one of the things is that, you know, we saw
13 how wonderfully they worked, and we all were excited, and
14 that led to where we are today.

15 But now we have problems or challenges, and we
16 have issues. What is your company -- what are your
17 companies going to do to stand by us, as we go through these
18 challenges, to make sure that we have race tracks that we
19 can race on, when we need to race on them and train on them?

20 Because I think a lot of people are concerned
21 that, gee, we've had a disaster -- I hate to use that word.
22 But we've had a real problem here, at Santa Anita, and
23 thankfully, we've averted a disaster, but we still have had
24 losses.

25 Where are you with staying and coming out and

1 saying, gee, we have an obligation to make sure these tracks
2 work? How are you going to stand behind them and make sure
3 that they work?

4 MR. COLLINS: I can speak for our own company.
5 I've been in this industry, I was in --

6 COMMISSION CHAIRPERSON SHAPIRO: Martin Collins.

7 MR. COLLINS: Martin Collins, sorry. I was the
8 innovator of these wax surfaces. And, basically, when we
9 sell a track to someone, we sell our reputation and we stand
10 by what we do. We don't expect the client to pick the bill
11 up, if we've done something wrong.

12 And I think we've proved that here, in America.
13 We've had our troubles and we've learned a hell of a lot.
14 The weather conditions in some of the places in America are
15 so different than in Europe and, you know, I'm not going to
16 tell anybody that we have something that is absolutely the
17 best, you know, it will never be better.

18 We're always -- we've got scientists working.
19 We've just put a full lab in, in our factory, in England,
20 and we are learning more about what's making these things
21 work.

22 When I first started it off, we started with using
23 wax. We have on a good wax, we never had problems.
24 Suddenly, the wax industry trained and with that you've got
25 different types of waxes coming onto the market, and that's

1 where we started getting problems.

2 We know our problems, now, we know why it's
3 happened, and we are going to go forward. And I know that
4 this industry will become better, and better, and better in
5 what it does to make sure it can deal with the high and the
6 low temperatures.

7 I still believe that the wax is the much better
8 route to go. I think you can control it more and it
9 certainly lasts longer. I mean, I've had a race track down
10 there for eight years, they've never had to re-wax it once,
11 they've never spent a penny on it, at Lingfield Park, in
12 England.

13 Yes, we've done remedial work on a few of the
14 tracks here, at Woodbine, and at Turfway, and we're going to
15 now monitor -- we've been monitor, like Jim said, Del Mar.
16 And we're very confident, just by adding the water prior to
17 racing, this is going to tighten the wax up and this is
18 going to make a faster track.

19 And there are agents out there that we can put
20 into it. We're still not quite there, yet, to decide what
21 to put in, if we don't water, but we're getting very close
22 to it. So we're not going to rush into this.

23 And I think the great thing is not to panic, don't
24 rush. You know, we're learning as we're going along, as
25 well, here.

1 COMMISSION CHAIRPERSON SHAPIRO: Well, let me -- I
2 mean, we've heard with Polytrack, as an example, you know,
3 jelly cable, no jelly cable, all right.

4 MR. COLLINS: Yeah.

5 COMMISSION CHAIRPERSON SHAPIRO: And the track, as
6 I understand it, at Del Mar, does not have jelly cable.

7 MR. COLLINS: That's correct.

8 COMMISSION CHAIRPERSON SHAPIRO: Now, if that one
9 isn't going to have jelly cable, and maybe it needs
10 "whatsamadu" to be added to it, how do we know that you're
11 going to put that in so that -- you know, I appreciate not
12 rushing, but we have trainers, and owners, and fans that we
13 need to make sure that we have the latest and greatest
14 Polytrack, if that's what we're going to have, and we need
15 to know that you're going to add it so that it's there.
16 Yeah, what assurances do we have of that?

17 MR. COLLINS: You have my assurance that it will
18 be done, and I can guarantee you, now, that this track at
19 Del Mar, this year, will be riding faster than it did last
20 year.

21 COMMISSION CHAIRPERSON SHAPIRO: Okay.

22 MR. PENDERGEST: Jim Pendergest.

23 COMMISSIONER ANDREINI: Just as a matter of
24 curiosity, the track that you talked about being laid down
25 eight years ago?

1 MR. COLLINS: Yes.

2 COMMISSIONER ANDREINI: Does it get the same sort
3 of action that Del Mar would get?

4 MR. COLLINS: No, and I think that's a very good
5 point. I mean, here, in America, you train vigorously on
6 these tracks and it's totally different to the European way
7 of racing, and then you have elsewhere in the world to come
8 to that.

9 COMMISSIONER ANDREINI: I see.

10 MR. COLLINS: And this is a big factor, and this
11 is something where people are picking up and learning from.

12 COMMISSIONER ANDREINI: I see, thank you.

13 COMMISSION CHAIRPERSON SHAPIRO: Michael?

14 MR. PENDERGEST: I was just going to say that you
15 can also talk to any of our clients about whether we back
16 our product up or not. So we have a long list of references
17 of people that will tell you when they call, we come to the
18 site, we do whatever we need to do to make sure the product
19 is right.

20 COMMISSION CHAIRPERSON SHAPIRO: Okay, Michael,
21 last word.

22 MR. DICKINSON: Yes, at Tapeta, we will support
23 and back our product, we have every confidence in it. And
24 when Ron Charles was talking about Santa Anita, a year ago,
25 he asked me the same question you've asked me, what

1 guarantee? And I said, I've got a beautiful, 200-acre farm
2 on the edge of the Chesapeake Bay, I'm so confident in my
3 product, if it doesn't work you can have my farm.

4 COMMISSION CHAIRPERSON SHAPIRO: Damn, I bet he
5 wishes he'd put that in here, now. God. Okay.

6 MR. DICKINSON: I just need to talk a little bit
7 about maintenance. We hear a lot in the process about, oh,
8 it's a learning process. And it really so upsets me
9 sometimes because it's not much of a learning process. To
10 be honest with you, I could do it standing on my head, with
11 both hands tied behind my back. It's relatively simple.

12 Sometimes I think it's a -- to me, it's instinct,
13 because I've looked after my own farm for nine years, so I
14 run on the track at night. I train my horses on it in the
15 morning, and then I job my horses up in the afternoon, and
16 so I know exactly what it is.

17 And to me it's instinct and I can do it very
18 easily. I think sometimes I make the mistake, though,
19 here's the track superintendent, oh, it's dead easy, get on
20 with it, and I need to spend a little bit more time with the
21 track superintendents. But it is easy.

22 And, you know, about the learning process,
23 Martin's been at it for 20 years, I've been at it for nine
24 years, and it's simple. Thank you very much.

25 COMMISSION CHAIRPERSON SHAPIRO: Thank you.

1 COMMISSIONER HARRIS: I guess on the Cushion it's
2 a different situation. But on the Polytrack or the --

3 COMMISSION CHAIRPERSON SHAPIRO: Tapeta.

4 COMMISSIONER HARRIS: -- Tapeta Track, those two,
5 would you say that -- or each of you say that there should
6 be less maintenance cost to the track, there would be a
7 payback there in less maintenance, than it would on a dirt
8 track?

9 MR. COLLINS: There's less maintenance cost,
10 definitely, on a wax surface, absolutely.

11 COMMISSION CHAIRPERSON SHAPIRO: Well, it will be
12 very interesting to see if our track operators, at the end
13 of the day, would agree with that, because I'm not --

14 MR. COLLINS: But maintenance is a big issue, it
15 really is a big issue. And, you know, a lot of these people
16 who produce these surfaces do not produce their own
17 maintenance equipment, they copy, and that's only because
18 they don't understand their product, yet.

19 We've developed the Gallop Master, about ten years
20 ago, and I can guarantee you nearly everybody uses the same
21 machine today, on their surface. Because when they're asked
22 what you do, just use the same as Martin Collins does, and
23 that's what they do.

24 But you have to -- you know, if you're going to do
25 these surfaces and you're going to sell them to people,

1 you've got to be able to produce the right maintenance
2 equipment, and the right maintenance program so that the
3 track guys understand what they're doing and how to set them
4 up. Setting them up, learning how to get into the depths of
5 these things, keep the air into them, it's very important.
6 Don't anybody think it's easy, it's not.

7 COMMISSION CHAIRPERSON SHAPIRO: Well, thank you.

8 COMMISSIONER MOSS: Will you plan to have a
9 representative at the Del Mar meet this year, through the
10 whole meet?

11 MR. COLLINS: Last year we held-hand them all the
12 way through, there was someone there the whole time. I will
13 personally be there for the opening of the meet, and if it's
14 required that I need to be there longer, I will be.

15 COMMISSIONER HARRIS: Last year there was a lot
16 of --

17 MR. COLLINS: And Jim will be there, as well.

18 COMMISSIONER HARRIS: There was a lot of
19 expression from horsemen that they should have put water on
20 it, but Del Mar was saying they couldn't do that because it
21 might void their warranty and all this, but did they consult
22 with you on that?

23 MR. COLLINS: I think this is a -- I think you
24 need to talk with them about this, I'm not going to answer
25 on this one. But there is an answer to it.

1 COMMISSION CHAIRPERSON SHAPIRO: All right. You
2 know what, we made it exactly as an hour. We were supposed
3 to be 30 minutes. I'd like to thank the panel, this was
4 terrific. I think a lot of good information. And I hope
5 that you'll stick around. Thank you all very much.

6 (Applause.)

7 COMMISSION CHAIRPERSON SHAPIRO: The next panel is
8 a panel of trainers, and I would ask that Ed Halpern, Dick
9 Mandella, Bob Baffert, John Shirreffs, Doug O'Neill, Eoin
10 Harty, David Hofmans, John Sadler, and Ed Moger, if they're
11 in the room -- oh, we've got a couple scratches?

12 MR. HALPERN: A couple of additions, Bob Hess and
13 Gloria Hailey.

14 COMMISSION CHAIRPERSON SHAPIRO: Oh, Bob Hess and
15 Gloria Hailey. Thank you.

16 All right, if we can have everyone quiet, I'd
17 appreciate it. Again, it's quite an esteemed group of
18 trainers sitting here in the room, we're very fortunate.

19 And this is a moderated panel and, therefore, I
20 would ask Ed Halpern if Ed, why don't you read this, and
21 then afterward, if the Board has questions, we will address
22 them.

23 MR. HALPERN: Thank you.

24 COMMISSION CHAIRPERSON SHAPIRO: Thank you.

25 MR. HALPERN: Thank you, Commissioner Shapiro. As

1 you can see, we have a large an unwieldy group, but there's
2 800 trainers in California and if we had 799 of them here
3 this morning, tomorrow morning I'd get a call from the
4 800th, saying why wasn't my opinion heard.

5 But I know the Commission wanted a large group of
6 trainers to get a diverse set of opinions. We're here to
7 tell you, basically from the opinions given, how well
8 synthetics are or are not working at the current time.

9 We've got a large sample. We tried to pick, for
10 the most part, barns that had a lot of horses, so that the
11 trainers who spoke would have a lot of experience.

12 We tried to pick trainers with varied experiences.
13 The group sitting here, today, trains about 10 percent of
14 the horses running in California, so it gives you a very
15 broad spectrum and a very broad sample.

16 We've also attempted to select trainers that have
17 varied and diverse views on synthetic surfaces, so as not to
18 slant the opinions one way or another.

19 What I would like to do is ask a couple of
20 specific questions of the group, have each trainer, panel
21 member give a short answer to the question and then if we
22 have time, and we will have time, I expect, at the end of
23 the question period have each trainer take a minute or two
24 to express anything they feel hasn't been covered.

25 We'd also like to follow up, there are a lot of

1 trainers in the audience who feel they would like to be part
2 of the panel and make comment, and we would ask that at the
3 end of the presentation we incorporate those trainers into
4 the panel and let them make comment, if we have time.

5 So let's try to work with some rapid-fire
6 comments, if we can.

7 The first question is, remembering that the
8 purpose of installing the synthetics was to increase safety
9 and reduce injuries, let's start by going down the row and
10 ask that each of you take a minute to express your views on
11 whether synthetics are working or not working in that
12 regard. And let's start with Bob.

13 MR. BAFFERT: Well, I was -- excuse me --

14 COMMISSION CHAIRPERSON SHAPIRO: Can you just
15 state your name, because it's for the --

16 MR. BAFFERT: Bob Baffert.

17 COMMISSION CHAIRPERSON SHAPIRO: Thanks.

18 MR. BAFFERT: I was -- when I first heard about
19 synthetics, I knew that the tracks here, in California, they
20 were in dire need of being resurfaced and they needed some
21 serious money put into them, and for some reason they didn't
22 have the money, or whatever.

23 But when they came about, when I heard about the
24 synthetics, and when I found out that they were going to be
25 very safe, they were going to be consistent, they were going

1 to save horses, save jockeys, they were going to do all
2 these things, I bought into it. I really bought into it.
3 And I even talked to Joe Harper, please put it in, I was
4 behind it. I was behind Shapiro, of the Board, everybody, I
5 was behind it a hundred percent.

6 And now that we've got to train over them and
7 found out the way they react, I'm not opposed of synthetics.
8 I think maybe later on, maybe they can tinker enough with
9 them where they can perfect them. But right now they seem
10 like they're an experiment and a work in progress, and I
11 feel that it is hurting the business in a way that I just
12 feel that -- a lot of you know that I was at Del Mar, I was
13 very vocal about this, there's a lot of trainers out there
14 that really don't want to speak up because the worse thing
15 you can do is tell people, when they ask you, are you
16 injuring horses?

17 And the trainer does not want to say I am injuring
18 them left and right because that is bad for business and
19 it's bad marketing. We all want to be positive in
20 California, because I've always felt that California's the
21 best place to race. I don't want to leave California, I
22 want to stay in California.

23 But I think we're in a crises, now, and if we
24 weren't, we wouldn't be having this meeting right now.

25 And so I just feel that at Del Mar, when I

1 realized, and it wasn't Joe Harper's fault, he couldn't do
2 anything about it, I think these vendors that put these
3 tracks in, they sold us a bill of goods that didn't do what
4 they said they were supposed to do. And they started
5 breaking down and they didn't know -- there was a learning
6 curve all of a sudden that came into the fact.

7 Martin Collins told me that the track needed a
8 monsoon to set it up. Well, I told him it doesn't rain at
9 Del Mar.

10 And so it's just like this, Richard, if somebody
11 from -- if you were highway commissioner, and some guy from
12 Russia came and --

13 COMMISSION CHAIRPERSON SHAPIRO: I would probably
14 enjoy that more.

15 MR. BAFFERT: You would love that. If you were
16 highway commissioner, and some guy from Russia came over and
17 said, you know what, for twice the money I can make you the
18 best freeways when it gets hot, and I got the surface and,
19 believe me, you'll never have to maintain it or everything,
20 and you'd say let's go for it.

21 But the minute it started getting hot, and it
22 started buckling, and it rained, and you started getting
23 potholes, and they start filling them with asphalt, the next
24 thing you know they're putting cotton in it to stuff it, the
25 next thing they're putting donut holes in it, whatever it

1 costs.

2 And I mean, I think that's what's happened here
3 with this stuff. And I think eventually, down the road, I
4 don't mind training on it, if you'd put it in the training
5 track, and when they perfect it, right, if they can perfect
6 it, I'm not opposed to putting it in full time on a racing
7 surface. But right now, I left Del Mar, not because I was
8 upset, I didn't have a choice.

9 I had these nice horses, I had to get a new -- I
10 was afraid how they would compete down there, because in the
11 morning the track was great, in the afternoon we didn't know
12 what to expect.

13 So what I think these surfaces have done is I
14 think they've -- excuse me, I'm getting over a cold here.
15 But I just feel that they -- the word I'm thinking of here,
16 I'm just losing my mind here. My wife is going to be mad at
17 me because I've been working on this thing.

18 (Laughter.)

19 MR. BAFFERT: But what they do is they disrespect
20 the ability of a horse and they disrespect the contest of
21 horse racing, where the best horse is supposed to win, okay,
22 or the fastest horse is supposed to win.

23 MR. HALPERN: We'll come back to you, Bob, and
24 give you another chance to finish up.

25 Gloria, how about in Northern California, is the

1 synthetic surface working or not working?

2 MS. HAILEY: Well, I'm Gloria Hailey, I'm based in
3 Northern California, and I've had the Tapeta. And my
4 experience has been great. If we have any problems with the
5 surface, maybe a little bit too much kickback, we mention it
6 to our track people and they put more water on it, and it's
7 been phenomenal.

8 My injury rate has really decreased and my
9 experience has been fantastic with it. Maybe we're unique
10 in that, but I do feel fortunate that our track chose
11 Tapeta. So thank you.

12 MR. HALPERN: Dick Mandella.

13 MR. MANDELLA: As you all know, I am a proponent
14 of synthetic tracks. My first reason is that I think that
15 the natural resources here in our local area are -- give us
16 the inability to find anything good enough to make a sandy
17 loam racetrack. I keep hearing people say get some sandy
18 loam of high quality and make a racetrack, and I'd like
19 somebody to show me where you get it.

20 The mad scientist, Mr. Dickinson, made a statement
21 that I read recently, that the tracks have moved so slow in
22 progress towards improving surfaces, that they might as well
23 go backwards.

24 I agree with him completely. In fact, I think we
25 were going backwards with dirt. From the time I started

1 galloping horses, and training horses 35 years ago, the
2 tracks, little by little got worse and worse, and I think
3 the injury rates showed it. And I think that's due to the
4 natural resources that were available.

5 In my mind there's been some terrible mistakes
6 that have happened with these synthetic tracks, not even
7 worth trying to explain. I think that Cushion Track did a
8 terrible job and left us high and dry, pretty simple.

9 I think the man from Australia came and
10 practically has made a miracle here.

11 I've worked horse after horse on this thing since
12 he resurfaced it, and had nothing go backwards. I think
13 it's phenomenal.

14 The window of opportunity of having better tracks
15 five years from now, on the dirt that window was closed a
16 long time ago, in my mind. There are mistakes being made,
17 but there is some light in that window that we are going to
18 get better. I think a lot of learning's already happened
19 and I think it will just be much greater as we go.

20 MR. HALPERN: Eoin.

21 MR. HARTY: My name's Eoin Harty, and pretty much
22 what Dick just said I'd like to reiterate. I've raced
23 extensively on synthetic tracks. I've raced at Arlington,
24 Woodbine, Prescile, Keeneland, Turfway, and my rate of
25 injuries are way down. The horses last a lot longer, they

1 get more starts, and the owners are a lot happier.

2 MR. HALPERN: John Shirreffs.

3 MR. SHIRREFFS: John Shirreffs. I disagree with
4 the synthetic tracks. I see horses forging a lot on the
5 tracks, pulling their shoes. I hardly ever see a horse that
6 really, you'd say that's a really great mover. I see all
7 the horses have shorter sides, tremendous hind end problems.

8 When Hollywood Park went in, we had the right hind
9 condylar issues, then the tibia showed up. A lot of, a lot
10 of bleeding going on, on these tracks, that we haven't even
11 addressed, yet.

12 No end to hoof abscesses, bruises, gravel. You
13 know, I hardly ever heard of a gravel. Now, suddenly, three
14 or four horses with gravels. I mean, just the stuff keeps
15 coming, and coming, and coming. It's like being in
16 quicksand, you just get bogged down in it. It's hard to go
17 to the barn and be optimistic. You don't know how the
18 track's playing.

19 With a dirt surface, you knew when they renovated
20 it, it was going to be a little slow for a couple of days,
21 so the end of the week you could do your speed works.

22 This stuff, you don't know how it is. Soft spots,
23 hard spots, cuppy, loose, it's just ridiculous.

24 Del Mar. Del Mar, I considering a resounding
25 failure for the horses racing on it. Any sporting event,

1 any track event I've ever been in, when they have a good
2 first half-mile, going a mile, they set a nice pace, you get
3 a decent finishing time.

4 When horses run the mile in 1.41, their heads are
5 up in the air, they're not striding out six feet, I don't
6 see how you can call this horse racing.

7 These are performance horses, and they're supposed
8 to perform at a high level, and you're taking it away from
9 them.

10 Young horses. Young horses, developing horses.
11 All the injuries, most of the serious injuries are happening
12 to horses that are young, horses that are aspiring. You
13 don't hear about the old, six-year-old, seven-year-old
14 gelding that broke down, all you hear about is a good horse
15 reaching, trying, striving to do something, and you're
16 putting him on tracks that they can't do it.

17 MR. HALPERN: Dave Hofmans.

18 MR. HOFMANS: I'm David Hofmans.

19 MR. HALPERN: And, Dave, would you highlight your
20 injury experience on these tracks, whether it's been better
21 or worse?

22 MR. HOFMANS: Yeah, that's what I was going to
23 address. I think that with the synthetic surface is that
24 the injury rate in my barn has gone way down. I haven't
25 had, really, any catastrophic injuries in the last year, and

1 I think the problems that I have had have been fixable
2 problems, problems that we can live with.

3 As an example, today, if this were a dirt track
4 out here, we wouldn't be able to train on it this morning.
5 I worked a horse out of the gate, I worked a couple of
6 horses on the flat. We wouldn't be able to have a safe
7 racetrack to race on, the track would be sealed.

8 You heard what the jockeys said about the
9 concussion, that's what I see. And I know there are
10 problems with the tracks, working them out, but I think our
11 horses, overall, are better off on the synthetic surfaces.

12 My barn is bigger than I want it to be, and I have
13 a problem with that. I have a problem with having too many
14 horses because I'm not turning horses out at the rate that I
15 used to, and horses are making it back from these minor
16 problems, instead of career-ending problems.

17 And I have horses, now, that are four, five, six,
18 seven-year-olds still running. And I know, particularly
19 Greg's Gold would not be running today, if he weren't on the
20 synthetic surface.

21 So that's my feeling about it. I think it's a
22 thing that we have to work with, we have to figure out how
23 to make it -- the maintenance of it, or we have to get to a
24 point where we can keep it consistent. But it's a
25 worthwhile endeavor and I believe that horse racing needs

1 it. I'd like to see it throughout the whole country.

2 MR. HALPERN: John Sadler.

3 MR. SADLER: Yeah, John Sadler. My experience has
4 been that I've just had a different set of injuries. I'm
5 still injuring horses at about the same rate as before.
6 Where before they might be front end, they might be hind
7 end, now.

8 So I would like to say to the Board that I just
9 hope that they can come with something that's consistent,
10 that works, you know, that's what we expect. I know that's
11 what my clients expect.

12 But we've been through this winter where we've had
13 tracks that we've had a lot of cancellations, and we're
14 pretty disappointed in the performance of what's been going
15 on. So we'd like to see consistency at all the tracks.

16 MR. HALPERN: Ed Moser. Ed is the President of
17 the California Thoroughbred Trainers, he has horses both at
18 Golden Gate, Bay Meadows, and down here in Southern
19 California.

20 MR. MOGER: Yeah, I train in Northern California
21 and Southern. I've got 50 horses up north, and they're
22 stabled at Bay Meadows. And I've got about 10 to 12 in
23 Southern California year-round.

24 I cannot say that the synthetics are safer. You
25 know, I never like wrote down the numbers, but my smallest

1 stable here, I've actually had like a lot of injuries. And
2 I would think that -- I would not say for sure that it's a
3 worse track, and I for sure can't say it's a better track.

4 I've had a lot of injuries on the Polytrack. I've
5 had a lot of injuries at Golden Gate, when we race there.

6 Bay Meadows, to me, has been a very safe track for
7 me. I know a lot of people don't like racing on sealed
8 surfaces, and Bay Meadows, when it rains there, it's like a
9 great track up there. Like I never hurt a horse on a wet
10 track up there. I feel like it's actually safer than when
11 it's dirt, and don't ask me why.

12 The same thing as the other trainer said, we have
13 a lot of different injuries. And I actually had several
14 horses that came from Northern California, training at Bay
15 Meadows, and I came down to run at Del Mar and before they
16 even got started at Del Mar, they had to go back to the
17 ranch. So I shipped them all the way down south, raced
18 either once or twice, and they had to actually go back to
19 the ranch. Actually, they were all either two or three-
20 year-olds.

21 Now, it could have been -- it could be from going
22 from the dirt to the synthetic tracks, which I'm starting to
23 think that that might be the problem. They train on the
24 dirt and then they breeze down there, like within a week
25 when they get there, and they're not used to those muscles,

1 and getting hurt. That could be it.

2 I think I'm trying to keep an open mind.

3 Hopefully, hopefully, the synthetics will be the best thing
4 that ever happened.

5 I know Golden Gate has looked really good over
6 there. I know the jockeys have to really like it, there's
7 no kickback in the horse's face. It seems to stay very
8 consistent when it rains up there.

9 As far as being safe for sure, I can't say that.

10 MR. HALPERN: Doug O'Neill.

11 MR. O'NEILL: I'm definitely a support of the
12 synthetic tracks. And I think maybe, other than Jerry
13 Hollendorfer, our barn has had the most starts in California
14 over the last few years, and I see a lot of the horses come
15 out of the races a lot better.

16 To me, it's much easier to get new people into the
17 game, too, when they realize how much money is being poured
18 into track safety.

19 And like Mr. Mandella talked about, and I
20 think -- I think they tried everything they could to try to
21 make the dirt tracks safer, and better, and it just wasn't
22 out there.

23 And, you know, you hear a lot about the
24 fairgrounds being probably the best mean track in the
25 country and, boy, I guess you just can't find the same type

1 of products they use on the fairgrounds to go around the
2 country to have.

3 But I think we're onto something good. And I
4 think if we were to just put the synthetic tracks on the
5 training tracks, you know, they would probably not put the
6 money into going back to, you know, the big expense of
7 putting them on the main tracks. So I think we're heading
8 the right way.

9 And, again, the amount of starts we have, I see a
10 lot less injuries than we did prior to the synthetic tracks.

11 MR. HALPERN: Thanks. Bob Hess.

12 MR. HESS: Thanks. Bob Hess. Well, actually, I
13 agree with a lot of what different people have said,
14 especially John and David.

15 But, personally, I think the greatest track is a
16 dirt track, but we haven't had any for, I don't know, 30
17 years. And management figured out that sand would be easier
18 to take care of, you wouldn't lose racing, and they'd seal
19 the track.

20 So in lieu of having two tracks, a dirt track when
21 it's dry and a sand track when it's wet, we come to the
22 alternative of having a synthetic track.

23 And with that in mind, I think that we're probably
24 on the right track. And I also believe that our track at
25 Golden Gate is far superior to any other track so far. When

1 they started, they did some things that probably weren't the
2 best. They've changed them, like renovating at break time.
3 And we've found out that it needs a lot of water. And the
4 equipment they changed.

5 And I think if they add water to it, it's going to
6 be really good, because when it rains, it rained like five
7 inches in 36 hours, the track was great.

8 And I talked to the track superintendent and he
9 said that most of the injuries were Saturday and Sunday,
10 late in the day, and that's before they started renovating
11 the track, and it probably got hard.

12 But I have worked all my horses mostly early and I
13 haven't had any trouble except, like John said, about the
14 hind end, and grabbing quarters, and feet problems.

15 But even though you don't like these, I think you
16 can kind of live with them somewhat. And I know young
17 horses have a tendency to get the hind end problems, and I
18 think a little more so on the tracks.

19 But I think it's a learning process, and I think
20 that we don't have much choice because it's obvious that the
21 racetracks aren't going to put a dirt track down. Thank
22 you.

23 MR. HALPERN: Ron Ellis.

24 MR. ELLIS: Hi, Ron Ellis. I've trained in
25 California for 27 years, so I think I've got a little bit of

1 experience to go back to dirt track, compared to the
2 synthetics. I've been at Santa Anita -- I've been at
3 Hollywood Park since they put in the cushion track, and I
4 can unequivocally say that the horses say much sounder on
5 the track at Hollywood Park, compared to a dirt racetrack.

6 It's really too bad, I think, that this track
7 wasn't duplicated like was supposed to happen. I thought
8 the Santa Anita Race Track was going to be a duplicate of
9 the Hollywood Track. That obviously wasn't done because the
10 track wasn't made in England and shipped over on a boat,
11 like Hollywood Park's was.

12 So I think it would be a big mistake to condemn
13 synthetic racetracks because of the mistakes that were made
14 here, at Santa Anita.

15 And I would like to also suggest that had this
16 meeting been held on December 24th, I don't think you'd hear
17 so much displeasure with the synthetic surfaces.

18 MR. HALPERN: Thank you. I would like to mention
19 one other factor of the safety issue, and that is in regards
20 to the safety issue, and that is in regards to the safety of
21 our riders, and the jockeys, and the exercise riders.

22 Sonia Pitchivar, who administers, and does a
23 fantastic job of administering our industry worker's comp
24 program, follows these kind of statistics, and we will
25 provide the Board with the statistics that show there is a

1 definite correlation between the synthetic surfaces and a
2 reduction in the severity of injuries that we are seeing
3 amongst jockeys and riders, and we'll get those statistics
4 for you.

5 Let's go onto another question here. Do any of
6 you have any comment on the differences you're seeing
7 between training and racing on the different types of
8 synthetic surfaces? Anybody have any feelings or comments
9 about that? John?

10 MR. SHIRREFFS: I just notice that most of the
11 serious injuries happen in the morning, all the catastrophic
12 injuries I've seen, most of them are in the morning, not
13 during racing.

14 MR. HALPERN: Anybody else?

15 MR. MANDELLA: I'd like to make a statement to
16 that. You know, one thing about horse trainers, we're
17 trained to forget quickly, because we have so many problems
18 with horses health, some of our owners --

19 (Laughter.)

20 MR. MANDELLA: Thank you.

21 (Laughter.)

22 MR. MANDELLA: So we tend to not hold things in
23 and keep them for a long time. I'd ask this panel, when's
24 the last day we saw the ambulance on the Santa Anita main
25 track in the morning? Does anybody know?

1 MR. BAFFERT: We see them in the mornings, more so
2 than ever.

3 MR. MANDELLA: Which morning?

4 MR. BAFFERT: There's been a few mornings.

5 MR. MANDELLA: I haven't seen one. Has anybody
6 else seen one out there?

7 And I say if you go back two years, that ambulance
8 was out every day, every other day at all of our tracks,
9 picking up somebody. And if you think about it, when you
10 see that red light on anymore, it's a loose horse, or
11 somebody's having trouble out there, it's not an injured
12 horse like it used to be. Just something to think about.

13 MR. SHIRREFFS: Also something to think about,
14 then, along that same vein, when's the last time you saw a
15 horse ambulance on the track four times in a row in one
16 morning?

17 MR. MANDELLA: We haven't seen it here.

18 MR. SHIRREFFS: Hollywood Park, picked up four or
19 five horses that morning.

20 MR. BAFFERT: you know what, we're -- I respect
21 everybody's opinion here. I mean, we've got some good
22 people on this panel, that we're here today to discuss --
23 you know, I don't think the Racing Board is to blame for
24 what happened, it's an experiment in progress, like I said.

25 What can we do to bring world class racing back to

1 California, I think that's the big question. We have tracks
2 that are apparently going to go out of business, where are
3 we going to stable these other horses? Where are these
4 horses going to go, they're going to leave.

5 And right now the synthetics, they don't seem like
6 they're -- they were a positive. I think Del Mar, as you've
7 said, they're handle is up. Saratoga, they're handle is up.
8 I mean, you can quantify these different numbers, and
9 manipulate the numbers all you want, but we're still in a
10 crisis here, in California.

11 And what we can do, and by fighting and arguing
12 about it to each other, or whatever, but the main thing, if
13 we don't have the quality horses coming back to California,
14 we're not going to have a business.

15 Now, we might have a business, like the local
16 horses, there's always going to be racing. There's always
17 going to be racing if there's purses. But I mean, to bring
18 back the excitement -- like Del Mar. To me, the biggest day
19 at Del Mar is when the great Cigar came down. Even though
20 he got beat, it was the greatest day I've ever been at Del
21 Mar.

22 Can we get a horse like that to feel confident, to
23 come back to Del Mar? I don't think so. Nobody's going to
24 bring a horse of that caliber to Del Mar, not knowing what
25 to expect, and that's the problem with the synthetics.

1 And I think we got sold a bill of goods that
2 wasn't -- they sounded great, I was all for it. And I think
3 Richard Shapiro, he did a great job of getting this thing
4 done, and now they're blaming him for everything. But you
5 know what, we don't need to change the -- because we -- you
6 have to admit, hey, if you're wrong, you made a mistake.
7 Just like training horses, we made a mistake and ran the
8 horse in the wrong race, shouldn't have worked them,
9 whatever. This thing happened.

10 But right now in California, we have to think of
11 ourselves, if we're going to bring back racing to the top
12 again, to the forefront, there's nothing wrong with a great
13 racetrack.

14 If we were to come -- these track men that have
15 worked all these years here, if they would have said, hey,
16 look it, for \$8 million I'm going to go down and bring back
17 the silt and sand that Richard was talking about.

18 Because I remember I was on a track committee with
19 Richard, and we used to fight them all the time, and they
20 wouldn't put the money in. If they would have put \$8
21 million, we're going to put the state of the art dirt track
22 in, this place would be full of people from back east, I
23 really feel confident about that.

24 But right now we just have to figure, hey, we're
25 stuck with what we have right now, let's make it good. But

1 maybe we have to just rethink the situation, and this is an
2 experiment, a work in progress, we're trying to make it
3 better.

4 Santa Anita's had a horrible -- I think we need to
5 get behind Santa Anita. It's not Ron Charles' fault. It's,
6 you know, this thing didn't work. But it's not working
7 because it wasn't -- the only guys that had any science
8 about it are the guys selling it to us. They're the only
9 guys that had the numbers that said this works because of
10 this. You know, the sales pitch was fantastic.

11 But now, we need to get the quality of racing back
12 in California.

13 (Applause.)

14 MR. ELLIS: I hate to go off subject too much, but
15 I think, Bob, if you were over at Hollywood Park, you would
16 see a lot more people from the east coast that have come out
17 here because of the synthetic racetracks. I mean, I know
18 Darley's here because of synthetics. I know Cudmore's here
19 because of synthetics. I know Todd Pletcher is here because
20 of synthetics. Graham Motion was here because of
21 synthetics.

22 All those people came out here when Hollywood Park
23 put in the synthetic racetracks. There was more horses here
24 from the east coast than ever before. And I'm not sure,
25 you're not looking past your barn when you're saying that

1 people aren't here from the east coast.

2 I don't think you can dispute the fact that Golden
3 Gate puts in a synthetic track and all their numbers are up,
4 they're up almost two starters per race.

5 You've got Hollywood Park's numbers were up for
6 the first time in however long, when they had their
7 synthetic tracks put in. You're not looking past your barn.

8 MR. BAFFERT: Well, I think he's -- when you're
9 looking past your barn, Ron, you've got a horse that you're
10 seeing at Oak Lawn Park, and I read it the other day.
11 What's the name of your horse?

12 MR. ELLIS: Buzzard's Bay.

13 MR. BAFFERT: Buzzard's Bay, he won the San Diego
14 Derby. You're not going to run him here because he can't
15 compete on synthetics. That's what I'm saying.

16 And you know what, some horses are going to work
17 here, if you have turf influence or whatever. But if you
18 don't have a horse that doesn't work on synthetics, what are
19 we supposed to do with those horses?

20 When we go to the sales and buy yearlings, I don't
21 know what kind of horse to buy anymore because we don't know
22 how they're going to travel over the synthetics.

23 With dirt, we know for sure what's going to happen
24 there.

25 But we can argue here all day long, and go back

1 and forth, but right now we just have to find the solution.
2 And either the synthetic guys have to come with something
3 really quick and say hey, look it. One thing we know for
4 certain, they don't know how to fix it. The learning curve
5 comes in, they misremember, whatever.

6 But you know what, something's got to -- we need
7 to work on something.

8 MR. HALPERN: You know, the opinions here are
9 contentious, but I think they serve a great value, they do
10 seem to each bring out a separate point that hasn't been
11 raised before, and so there's probably some value in that.

12 So maybe we can just take one minute each, and go
13 down the row, and let everybody give one more comment here.
14 And then if we have time, let the trainers in the audience
15 make quick comments.

16 MS. HAILEY: Well, as I'll reiterate, I'm just
17 very happy with the Tapeta surface at Golden Gate Fields,
18 feel fortunate. We do need water on it, and I think that's
19 something that's been illustrated through the use of the
20 synthetics through California. Thank you.

21 COMMISSION CHAIRPERSON SHAPIRO: Richard.

22 MR. MANDELLA: You know, again I say there's been
23 some terrible problems that have come up with these
24 synthetic tracks, that would not have been expected. But
25 you often have to have a crisis before you get -- before you

1 learn how to fix things and make them get better.

2 Del Mar has a lot of confidence in turning their
3 surface around for the afternoons. The man from Australia I
4 think made a magnificent track out of this mess that was
5 here a month ago, I don't think I've ever trained on
6 anything better.

7 To stop now would be throwing the baby out with
8 the bath water, and I think we need to stay the course.

9 COMMISSION CHAIRPERSON SHAPIRO: Eon?

10 MR. HARTY: I know for a fact that synthetics are
11 the future. They're better for the horses, better for the
12 industry. And let's not forget that Del Mar, in the good
13 old days, was the only racetrack in the world where you had
14 animal rights activists outside the back gate, and they
15 printed a body count in the paper the following day, every
16 day during the meet.

17 MR. SHIRREFFS: And I think -- excuse me. I think
18 you have to remember that racehorses are performance
19 animals, and what's good in the morning for training doesn't
20 necessarily translate for great racing in the afternoon.
21 And I think that's important to keep in mind.

22 MR. HOFMANS: I think that what we've seen here
23 today, with all the panels so far, have been consistent,
24 that the synthetic track is better for the health of the
25 horse and people. So I have to -- and I have to look at

1 that now we have more people from the east coast here.

2 As Ron said, Todd Pletcher's here, Cudmore's here,
3 Darley's here. They weren't here before, you know, over the
4 last five years, they disappeared, they left.

5 I have clients from the east coast back in my
6 barn, again. So I disagree that people -- that California
7 is losing horses, I think we're gaining horses. And I think
8 that once these glitches in these tracks are figured out, I
9 think it will be better as we go forward.

10 MR. SADLER: Yeah, I would just want to reiterate
11 that they give us something that works here, in California,
12 that's consistent, that's safe. You know, we've had a very
13 up and down year and I hope we're not just Guinea pigs for
14 long periods of time.

15 MR. MOGER: Yeah, I said earlier that I'm not sure
16 if it's safer on the synthetics. Not necessarily think it's
17 worse.

18 I will tell you that I've talked to a lot of
19 people at Golden Gate Fields that have some big barns over
20 there, and a lot of horses, and I never talked to one person
21 that didn't like Golden Gate.

22 MR. O'NEILL: Yeah, like I said earlier, I think
23 we just got to stay the course. And I thought Ron and Bob
24 did a great job of debating both sides of it.

25 And I think we're all in agreement that if we

1 could find a dirt track that was consistent and safe, we'd
2 be up for that. But it doesn't sound like it's out there.

3 So I think we need to stay the course, and I think
4 we're onto something good.

5 Since Cushion, obviously, the fact that they
6 didn't have a representative here tells us that they weren't
7 real proud of what they put down. So I think we'll be okay
8 just, hopefully, soon.

9 MR. HESS: You know, I don't think there's any
10 doubt that the track at Golden Gate isn't superior to what
11 we've had in Northern California, and it's obvious that
12 we're not going to get dirt tracks, so we don't have any
13 choice.

14 And I think Golden Gate will get better as they go
15 along and work on some things. But I don't think we have
16 any choice, I think we just have to stay the course.

17 COMMISSION CHAIRPERSON SHAPIRO: Thank you.

18 MR. HALPERN: We'd like to hear from trainers who
19 have an opinion, just one minute. Would you state your
20 name, please?

21 MR. ABRAMS: Hi, Barry Abrams, owner, trainer,
22 breeder, horse bettor, player, controversial.

23 I'm going to start this off and quickly. Two
24 years from today we're going to be praising the CHRB,
25 especially Chairman Shapiro, over what he's done for

1 California racing and maybe the world racing.

2 This is the greatest thing that could have been
3 done by mandating synthetic surfaces, because it would never
4 have happened if they didn't do it.

5 Years ago, when the Breeder's Cup was running, and
6 Mr. Dickinson won the Breeder's Cup and an eight-year-old
7 said how can you do it, why? And I went and I checked into
8 myself, and I read and I looked, and I even went by the
9 track, by his track in Maryland, and there was only one
10 reason. Not because he might be a great trainer, the horse
11 might have been a great horse, it was a synthetic surface.
12 The horse had a chance to come back from an injury that
13 everybody said he had no shot. And then he won the
14 Breeder's Cup one year, and he won it again.

15 And I've always screamed and yelled in California,
16 so why don't we try it? But nobody listened, they thought
17 it was nuts.

18 I went to Del Mar this year with 26 horses, I left
19 with 29. Every other year I go with 26 or 25, I leave with
20 18.

21 I needed to x-ray a horse last year, I had to wait
22 two, three days to get an appointment. Today I can go, I
23 need an x-ray this morning, come back in two hours and you
24 can go x-ray a horse.

25 I took a horse to three veterinarians around

1 California, they said, hey, this horse will never have a
2 chance to come back to the races. He had a two-year layoff
3 and, guess what, he made it back and he ran the other day
4 after a two-year layoff, and he had an injury that was
5 impossible to come back of. It just goes down to one after
6 another, after another.

7 Mr. Baffert stated that California's going to lose
8 their great owners. Well, we have the toughest racing in
9 the world, we have the best horses in the world right here
10 in California, they're coming, there's not enough stalls to
11 bring them in.

12 And Mr. Baffert had a horse, and owner in Del Mar,
13 and Mr. Zayat, who decided he didn't like Del Mar, his
14 horses didn't like Del Mar, even though they trained great
15 there, he thought they might get hurt by racing there. He
16 took them to Saratoga, he took three of the best, finest
17 two-year-olds that I've seen in training at Del Mar, to
18 Saratoga. Well, guess what, they had race, and all three of
19 them won. Six months later, where are they today? They
20 might be in training, but they certainly haven't run.

21 That's Mr. Zayat, that was Mr. Zayat's stable.

22 I had a two-year-old filly that I ran, I had one
23 two-year-old, she ran at Del Mar, I ran her first start in
24 the stake race, she won. I ran her back five days later
25 against the colts, she just got beat. Five months later,

1 she never stopped running, she won a grade one race the
2 other day.

3 I mean, I can't just say enough about these
4 tracks. Just today, I mean, obviously, we have problems
5 with Santa Anita. But it's not a problem with the synthetic
6 surface, it's the problem with the people that put them in.

7 And I just, you know, praise Santa Anita, and Ron
8 Charles, and Magna for putting up hundreds of thousands of
9 dollars in trying to fix this because, you know, it's an
10 impossible situation.

11 And for the future, I mean, you know, cell phones,
12 people used to scream and yell about cell phones. Hey,
13 everybody got one now, and they're working properly.

14 Jet airplanes. We had propeller planes. The jets
15 were crashing, every three, four months you heard a jet
16 crash. Now, they're not crashing.

17 You know, my life, I put my life in science. I
18 mean, they told me a couple of years ago I might never make
19 it. So I put my life in science, hey, and science worked,
20 I'm here today.

21 Let's let science work on this because, obviously,
22 we don't understand what's really happening, from all the
23 scientific stuff we heard.

24 But it will work when everybody gets on the right
25 line and figures this out, it will work.

1 Our main thing is the horses aren't getting
2 injured. The guy that won the \$3 million the other day, he
3 wouldn't have won it if it wasn't for synthetic surface. As
4 a horse player, he's as happy as can be.

5 And the bettors that are complaining about it,
6 guess what, they're still betting just as much. Del Mar,
7 they're winning the 30 percent rate, the favorites. They're
8 running to form, they're in the money at 60, 70 percent.
9 That's as good as it gets for a bettor.

10 And I just, again, anybody's that's against
11 synthetic surfaces, they can move out of California.

12 COMMISSION CHAIRPERSON SHAPIRO: I think they're
13 giving you the hook there, Barry. I see Ed going like this.
14 Thank you.

15 (Applause.)

16 MR. ABRAMS: Thank you.

17 COMMISSION CHAIRPERSON SHAPIRO: Mike Mitchell.

18 MR. MITCHELL: Mike Mitchell, I've been at
19 Hollywood Park, and I've probably trained there for 25
20 years. I've -- I think their commitment, today, to put out
21 a safe racetrack is real. I know Dennis Moore really well,
22 I talk to him all the time, I know they're planning on
23 putting the material on this track before their meet opens.

24 And I know my horses are a lot of claiming horses.
25 They're not the kind of horses that John Shirreffs has, and

1 I might have a license to have horses pull up bad, and I've
2 had really, really good luck keeping the horses sound.

3 At Del Mar, in the mornings, I work my horses
4 before the first break, and I had very good luck in keeping
5 those horses sound. I think when a bunch of us horsemen met
6 with Del Mar and basically said, put some water on this
7 track, and for some reasons they couldn't do it. But I
8 think if they can just water that track, put some moisture
9 on it, I think you'll have a different track in the
10 afternoon.

11 Because in the morning, I think most of the
12 horsemen liked it. So, again, I think we're on the right
13 trail, we just have to work the bugs out.

14 MS. WALSH: My name is Cathy Walsh, and I would
15 just like to show you the current "Bloodhorse." On the back
16 page is an article by Bill Casner, who's the co-owner of
17 WinStar Farms. He is also the Chairman of the Thoroughbred
18 Owners and Breeders.

19 He said I would like to -- in the start of the
20 article, so we don't go all the way through, he is talking
21 about "ignorance is rampant in this industry and a group of
22 critics have emerged in force to condemn the leadership of
23 Shapiro, even calling for his resignation. They assert that
24 the California Horse Racing Board was too quick in
25 recommending the mandate to convert from dirt to synthetic

1 services. I suppose the suicidal injury rate that
2 California dirt tracks have experienced must have been very
3 acceptable to this group of naysayers and somehow they
4 thought Shapiro and the Board should be held accountable for
5 the poor surface installation by the vendor."

6 The bottom line goes down to say that, "for the
7 first time in years the people in the horse industry,
8 throughout the United States, have some respect now for the
9 California tracks."

10 As it was said earlier, we have owners here that
11 before had never raced in California. We came, and left,
12 and refused to come back.

13 Mr. Casner is probably one of them, I know he has
14 horses with Eoin Harty at this time.

15 And I think at this stage of the game it's very
16 important, we all have our opinions, some are stronger than
17 others. But as he is saying here, it is time for us to make
18 change, and it is a good change to make it work.

19 When we have somebody from the head of the
20 Thoroughbred Owners and Breeders Association of the United
21 States of America making that statement, and so strongly in
22 a publication like this, I think that means an awful lot.

23 MR. HALPERN: Okay, we've got Julio Canani wants
24 to say something. Julio. He might need an interpreter.

25 MR. CANANI: Well, the only thing that I can say

1 is I got a lot, a lot of foot problems on being up here,
2 like I never got before. Ninety percent of my horses are
3 bleeding. I think I retire horses because they are
4 bleeding, and they are bleeding because they breath this in.
5 All my horses, they are coughing -- (phone rings) -- excuse
6 me.

7 (Laughter.)

8 MR. CANANI: I don't know. But myself, they got
9 to improve, I mean, these tracks a lot, because we got a lot
10 of problems in the barn. And you can ask, I mean, a lot of
11 trainers, they don't want to say nothing because they say,
12 well, if I going to say what I think, I mean, my owners,
13 they don't want to go and buy horses in the sale. And this
14 is true what I'm telling you.

15 I wish, I mean, somebody from here that could go
16 in the barns in the morning and get a -- see what's going
17 on.

18 COMMISSION CHAIRPERSON SHAPIRO: Thank you.

19 MR. CANANI: You're welcome.

20 COMMISSION CHAIRPERSON SHAPIRO: All right, are
21 there -- first of all, I want to thank this panel and
22 everybody for taking the time, it's tremendous to see this
23 outpouring of trainers. It's wonderful.

24 Are there any questions from any of the Board
25 members, for this panel?

1 COMMISSIONER MORETTI: Actually, I have one.

2 COMMISSION CHAIRPERSON SHAPIRO: All right, Marie.

3 COMMISSIONER MORETTI: To the trainers who were
4 indicating that they're seeing a lot of hind end injuries,
5 and bleeding, I guess my question is twofold. One, are you
6 seeing more of those kinds of injuries? And also, in terms
7 of catastrophic injuries, can you give me a before and after
8 on that, and I guess I would be looking at John and --

9 MR. SADLER: I'm seeing a lot more horses on the
10 behind. I had two broken pelvis's this year. I had one
11 horse that shattered its hindleg, you know.

12 And then on the numbers, I don't know, you know,
13 we don't know how they're counting the numbers. Because we
14 have a lot of horses, I had one at Hollywood that walked
15 back off the track, gets to the barn, dies the next day.
16 You know, so I'm a little skeptical on some of the numbers
17 that they present. You know, we'd like some more detailed
18 studies, where we're asking for that. We've done some of
19 that, but I don't know where it's gone. But I've definitely
20 had more injuries behind.

21 MR. SHIRREFFS: Yeah, taking the bleeding issue,
22 first, because that was a real surprise, I never expected
23 that. Certainly didn't expect it out of two-year-olds that
24 hadn't started yet, and that were just up to five-eighths of
25 a mile, they weren't working out of the gate, they weren't

1 in any pressure, break off easy, take a little at the end.

2 I was very surprised when I started scoping them to see how
3 much bleeding I was getting, and it was just real shock.

4 And then the hind end stuff, you know, you expect
5 you'll get a tibia once in a while, that's pretty normal.
6 But when you see a series, a repeating pattern, then you
7 begin to suspect. And, you know, the worse thing that can
8 happen to a person is that they start to suspect something
9 is wrong. And, you know, that was the way it went, I just
10 got a bad feeling about it when Hollywood Park first -- when
11 I first got there, they were having trouble with right hind
12 condylar fractures. Hollywood Park has a little bit of a
13 tight turn, so you have to be careful not to accelerate on
14 the turn too much.

15 And so I said, well, I won't have a problem with
16 that because I'll just, you know, coast around the turn, no
17 big deal. But then when I started seeing hind tibias, it
18 started to bother me. And that's when the track was waxed,
19 and it was fairly new, and there wasn't a lot of x-raying or
20 anything like that, because it seems like with these tracks
21 there's what they call the honeymoon period, when they first
22 come in and they haven't been used enough to settle and
23 pound down, they don't have as many injuries. But as time
24 goes on, the injuries increase.

25 So, you know, it's as you've heard along here this

1 morning about the fact that the horse's feet won't slide at
2 all, it's like a velcro track, they hit, they plant, they
3 go. So I don't know if on the turns they need to be able to
4 torque a little bit to get around the turn effectively. You
5 know, it's hard to say. I only can speak to what I see. So
6 definite hind end.

7 And then we have a horse that had a nuclear scan,
8 an x-ray, and they can't find anything, but the more it
9 trains, the closer its hind legs get to going, and pretty
10 soon it looks like a rabbit going around the track. It
11 doesn't have that little ba-ba-ba-ba beat, it's just got two
12 hind legs pushing it around.

13 So when you see things like that, that are out of
14 the ordinary, and you never saw them before, and I've been
15 on the track for a while, those are things that make me
16 concerned about what's going on.

17 COMMISSION CHAIRPERSON SHAPIRO: Okay. Yeah?

18 MR. ELLIS: One comment, I do have a problem with
19 the synthetics in that I'm having trouble picking six
20 winners in a row when I bet.

21 But somebody's going to have to explain to me what
22 the heck bleeding has to do with the synthetic surface.
23 Because, you know, the hind end problems, yes, I have heard
24 those and I think they're understandable, that the foot
25 probably doesn't slide, there's a little bit more torque.

1 But I think they're getting a grip on that, I know they did
2 at Golden Gate.

3 But what in the world does bleeding have to do
4 with the racetrack?

5 COMMISSIONER MOSS: Well, doesn't bleeding have to
6 do with stress?

7 MR. ELLIS: Well, it could be, but it could
8 also -- you could probably make a point that anabolic
9 steroids are causing the bleeding more than the racetrack.

10 MR. SHIRREFFS: I'd like to comment on that just a
11 little bit, if you don't mind. On the bleeding.

12 COMMISSION CHAIRPERSON SHAPIRO: On the bleeding.
13 Oh, go ahead, sorry.

14 MR. SHIRREFFS: Yeah. One of the things, and
15 another characteristic, I think, of a synthetic track, and
16 probably one that's really synthetic that hasn't evolved too
17 much, it's just that when you walk out on the track, it's
18 the track squishes down.

19 So what a horse needs, as we've seen on any track
20 that's effective, is to have a good bottom, so they can hit
21 the bottom and then roll over and then push off.

22 So I find with the tracks, when they're really
23 cushioned, and they're synthetic, they don't have the
24 rebound, I think, so I think that might have a little effect
25 with the horses that they don't feel secure, it isn't

1 rebounding with them.

2 COMMISSION CHAIRPERSON SHAPIRO: Yes, of course.

3 COMMISSIONER CHOPER: I just wonder if we could
4 have some comments from the trainers, who are enthusiastic
5 about the tracks, on these two issues. Are you having more
6 hind end injuries, are you having more bleeding?

7 MR. HOFMANS: In the beginning, at Hollywood Park,
8 I had some issues behind. And we looked into it and we
9 found that maybe we were having toe-grabs behind. You know,
10 most horses were shod, in the past, either with a low toe-
11 grab in front and a higher toe-grab behind, that's what
12 everybody was doing.

13 And then, when the synthetic tracks came in, most
14 of us switched over to just plain shoes, with no toe-grabs
15 anywhere. And we found that, and I heard -- I heard a
16 statistic that said that the horses that were injured behind
17 all had hind toe-grabs. Now, I don't know how true that is,
18 but that's what I heard.

19 You know, since I've gone to no toe-grabs on any
20 of their feet, that hind end issue is no worse, I think it's
21 better, than I think it was on the dirt tracks.

22 Now, onto the bleeding issue. I've had horses
23 bleed on synthetic tracks, no more than they have on the
24 dirt tracks. But what I haven't found is that there's no
25 contaminant in their throats, there's no dirt down in their

1 tracheas, there's no material down in their tracheas, as
2 there used to be.

3 Veterinarians used to take the scopes out of the
4 horse's nostrils and there would actually be sand and dirt
5 in there.

6 The kick back is so low here most of the time,
7 when the track is right, that synthetic material does not
8 get up into their airways.

9 I think that, you know, you'll ask the jockeys the
10 same thing. When the track is right, when they haven't had
11 the problems, when the kick back is low enough that it
12 doesn't affect them.

13 So I haven't seen any increase in bleeding in my
14 barn, anyway.

15 COMMISSION CHAIRPERSON SHAPIRO: Okay.

16 MR. MANDELLA: I agree with the toe-grab issue
17 that you mentioned. I think when we first got the first
18 synthetic track there was a lot of canon bones behind, and
19 things like that, that came up. And I think that enough
20 people came to the conclusion that toe-grabs behind were
21 contributing to it because you don't have the slide, so you
22 don't want to get too much purchase of the place you set
23 your foot, and create a little bit of sliding by not having
24 them.

25 The bleeding issue, I've had no worse than any

1 other year. The abscesses and sore feet that I hear, we've
2 been -- you've got to remember, we've been stuck on the
3 training track here for the last month, back and forth. And
4 the training track, I think with good intention, has become
5 much darker and not the sand that it used to be out there.

6 I think that -- I haven't asked, but my guess is
7 that they probably took some of the main track and put it on
8 the track, the training track, thinking they were going to
9 improve it. And I think it actually made it worse and it
10 doesn't handle the mud like it used to.

11 Along with the roads that we walk up and down,
12 with urine and feces mixed in them, the bacteria's pretty
13 bad. And if you've got a month of rain, in that kind of
14 environment you're going to get quarter cracks, abscesses,
15 and sore feet.

16 MR. HOFMANS: You know, I noticed this morning
17 that the training track was sealed, that people were
18 training on it. And I could hear the horses training,
19 sitting up in the grandstand. And it reminded me of the old
20 Santa Anita track, when we used to seal it. And I thought,
21 wow, what are those horse's feet going to be like in a
22 couple of days.

23 And maybe that's where all these feet
24 problems -- I have a few feet problems in my barn, too. But
25 I had to go to the training track while they were fixing

1 this main track. So maybe that's what we're dealing with at
2 this point.

3 But as far as horses that -- horses on the dirt
4 courses, as you've heard, slide. These Cushion Tracks are
5 made so that they bounce over them and they don't get into
6 them. And I think maybe the shoe issue is the problem
7 behind, I'm not sure.

8 COMMISSION CHAIRPERSON SHAPIRO: I'd like to
9 thank, again, everybody. I think we're going to have to
10 move on to the next panel. Again, it's a wonderful
11 discussion, great input, and thank everybody very much.

12 (Applause.)

13 COMMISSION CHAIRPERSON SHAPIRO: All right, the
14 next panel, and then we will break for lunch after this next
15 panel. The next panel is the veterinarianian panel. We
16 estimate this will take about 45 minutes.

17 If we can please have Dr. Arthur, Dr. Stover, Dr.
18 Ferraro, Dr. Dowd, Dr. Kuhlman, Dr. Isbell, and Dr. Blea.

19 COMMISSIONER HARRIS: Sounds like a hospital
20 emergency.

21 COMMISSION CHAIRPERSON SHAPIRO: Yeah.
22 All right, if we can please have it quiet.

23 DR. ARTHUR: We're going to go ahead and get
24 started with the veterinary panel. I'm going to start with
25 a presentation of the fatality data that we have from

1 California.

2 Dr. Isbell's going to talk about her experience in
3 Northern California, she's the examining veterinarian at
4 both Bay Meadows and Golden Gate Fields.

5 We have Dr. Dowd, Dr. Blea, and Dr. Kuhlman that
6 are practicing veterinarians, that are going to be answering
7 some questions.

8 And then Dr. Stover is going to talk about her
9 research on synthetic surfaces and injuries, in general.

10 And Dr. Ferraro is going to talk about the overall
11 problem of understanding surfaces and breakdowns from a
12 research perspective.

13 I'm going to start very quickly by talking --
14 trying to explain the fuzziness in the CHRB annual report on
15 fatalities, that it has been done this way for over 15
16 years. We've talked about this problem at public meetings,
17 previously. We have two different ways to address it in the
18 future, and starting on July 1st of this year, we'll have an
19 entirely different process.

20 In '06 there were ten fatalities at Del Mar, from
21 racing. There were eight on the main track and two on the
22 turf track.

23 For training, there were nine fatalities. There
24 were six on the main track, two on the turf track, and one
25 at Santa Anita, because that is the auxiliary training

1 facility for Del Mar.

2 In '07, there were eight fatalities, racing
3 fatalities during Del Mar. Two were on the polytrack, four
4 were on the turf track. And they can't see it there, but
5 there's one at Hollywood Park and one at Santa Anita, from
6 racing. Both of those were horses that had suffered
7 catastrophic injuries in turf race days at Santa
8 Anita/Hollywood Park. They underwent surgery and both of
9 them died from complications, laminitis, similar to Barbaro.
10 And since they died during Del Mar, that is how they're
11 reported.

12 The racing fatality -- or the training fatalities,
13 four on the Polytrack, one on the turf track, three at the
14 Hollywood Park Cushion Track. And you can't read the two
15 fatalities from Fairplex. Fairplex and Hollywood Park are
16 auxiliary training facilities for Del Mar.

17 So when you put it all together, in '06 there were
18 14 fatalities on the dirt main track, compared to only six
19 fatalities on the Polytrack at Del Mar.

20 This is where the confusion lies in some of this
21 data.

22 But let me tell you, going forward -- and we're
23 going to address this, in the future it's going to be
24 presented much differently.

25 Going forward, I went back, over four years of

1 data, 950 fatalities in California from racing and training.
2 They were categorized by track, surface, and whether it was
3 racing or training. There were approximately 20 fatalities
4 that were either sudden deaths, or accidents that were
5 unrelated to track surfaces. And they have -- when you sit
6 down and look at this data, and this is from four years of
7 data, it's a very -- it's a very dramatic difference between
8 the synthetic surfaces and the dirt surfaces.

9 The fatality rate in California is a little over
10 three per thousand starts, and that's out of 77,000 starts.
11 The synthetic is a little -- it's around 1.2 fatalities per
12 thousand starts, that's a 60 percent reduction.

13 And if you look at these numbers, this is an
14 atrocious number in California, one out of 314. When this
15 program first started, we were looking about one out of 600
16 in California. Nationwide, on dirt, it's about one out of
17 550, from the National Injury Reporting Program. But on
18 synthetic surfaces, we're looking at one out of 806 starts.

19 And again, from the National Injury Reporting
20 Program, they have almost exactly the same number, excluding
21 California, and that's on synthetic surfaces, and that's one
22 out of 818 starts.

23 So, again, you're looking at an over 60 percent
24 reduction on synthetic surfaces for racing.

25 Training fatalities -- and that data is very good

1 data, it's very solid, I'm very confident in it.

2 The training fatality data is not as clear, but in
3 Southern California, I'm confident enough to be able to
4 present this information. And this is from '05 to '07,
5 because I only had workout data for '05, '06, and '07.

6 I have included Turf Works. There's two
7 fatalities, and Turf Works run about two to three percent,
8 so that ends up being a push. And there's one training
9 fatality at Fairplex, that can't be assigned to what track
10 it occurred at.

11 And again, sudden deaths and accidents are
12 excluded. And we're talking about Hollywood Park, Del Mar,
13 Santa Anita and Oaktree training fatalities only.

14 And the fact of the matter is there's really no
15 difference. It's inconsequential, synthetic track's a
16 little bit different. And we're talking about 162,000 works
17 on dirt track, as compared -- and turf tracks, as compared
18 to 67,000 on synthetic surfaces.

19 So, again, it's about the same. So you can see
20 why there's some concern about, you know, whether it's that
21 much of a difference.

22 But I think this shows -- this is a very
23 interesting graph. At Hollywood Park, since they've put in
24 Cushion Track, there's been about 50 some thousand works. I
25 divided them up into three roughly equal periods, based on

1 this monthly period.

2 In the first, roughly 18,000 works, the fatality
3 rate was .2 per thousand starts. That's one per every 5,000
4 works.

5 The second 15,000 plus works, the fatality rate
6 was about .4, and since August it's actually been over one
7 fatality per thousand starts. And if you look at this, the
8 dirt average is this yellow line. So you can certainly see
9 why some people have been frustrated with the synthetic
10 surfaces and have certainly have given some people the
11 impression that they are not as good as the previous dirt
12 surfaces.

13 But when you look at this particular number, and
14 somebody said, the honeymoon period this, again, is a 60
15 percent reduction in fatalities when these tracks are right.

16 And I think this points out a major problem with
17 these is in spite of what the manufacturers have told us
18 previously, these are not simple push button tracks to
19 maintain, they take a little bit of skill and they also
20 deteriorate over time, which I think none of us had
21 anticipated.

22 This is a racing fatality rate at one track, it's
23 pretty obvious who it is, but I'll let you figure it out.
24 There was about 4,000 starts on the synthetic surface at
25 this track. And, again, I divided those up into four

1 quadrants.

2 And the first thousand starts, the fatality rate
3 was one per thousand starts, which is very good. The second
4 quadrant went up to over three per thousand starts. The
5 third quadrant was over five per thousand starts. They
6 changed the maintenance procedures and then they're back to
7 a thousand.

8 There's this big learning curve on these tracks
9 that I think we're going to have to deal with. So when
10 they're good, they're very good and, when they're not good,
11 they're not good. So it's something we're just going to
12 have to learn how to work.

13 And, of course, racing fatalities are just the tip
14 of the iceberg. Dr. Blea will talk about some of the work
15 he's trying to do with getting injury data, objective injury
16 data to try to follow non-fatal injuries.

17 But certainly, in the racing fatalities, the
18 synthetic surfaces have reduced racing fatalities in
19 California by 60 percent. And I think if you want to do the
20 math, that's basically about 25 horses that have been saved
21 because of synthetic surfaces, and that's just in racing.
22 Thank you.

23 Dr. Isbell.

24 DR. ISBELL: Good morning. Or good afternoon,
25 now. I'm Dr. Diane Isbell. I do all of the morning pre-

1 race exams at Bay Meadows and Golden Gate Fields. I also,
2 in the afternoon, have a private practice where I have a
3 large percentage of my horses are dressage horses, so I've
4 learned to really study and be aware of the nuances in
5 subtle movements in horses.

6 For the last 20 years I've been working at Bay
7 Meadows and Golden Gate Fields. In that amount of time I've
8 done over 300,000 pre-race exams. In those exams, I've come
9 up with a few observations.

10 Today we're going to talk about what I have found
11 to be the two most significant items in relation to the
12 horse's soundness on the day of their pre-race exam.

13 I am looking at a very specific population, I am
14 looking at these horses on the morning that they're going to
15 run. It's probably their best day that they look,
16 particularly for me.

17 D. Kuhlman may have some different information for
18 you, he's looking at the horses at a different point in
19 time.

20 I find that the surface that a horse runs on and
21 the shoes which they run in are two of the key items that
22 make a difference in the horse's pre-race exam soundness.

23 A little history. When we ran on just plain dirt,
24 I would find that the horse's who trained on the old Bay
25 Meadows training track and at Golden Gate Fields were the

1 two soundest groups of horses I had, followed very closely
2 by the horses that trained on the old Bay Meadows main
3 track, and the Southern California horses that shipped up,
4 and that includes the horses that shipped up for allowance
5 and stakes races.

6 When they added the synthetic fibers to Bay
7 Meadows that changed. I found that we then had sounder
8 horses we trained at Bay Meadows, followed by Golden Gates,
9 and then the Southern California horses were, again, pretty
10 equivalent to the Golden Gate dirt track horses.

11 But we have a whole different ball game now, we
12 have synthetic surfaces, and I've noticed a significant
13 difference here.

14 The horses that come out of their stalls for me in
15 the morning, at Golden Gate, off the Tapeta surface are much
16 improved. They have much more bounce to their stride,
17 they've got a freer movement, they've got a longer stride,
18 and their feet hit the ground more evenly than I've found
19 with the other surfaces.

20 I find that a reasonably close second, when I look
21 at horses, are the horses off of Bay Meadows, which is dirt
22 plus synthetic fibers. Those horses don't have quite the
23 bounce that the Tapeta horses have, but they do come out
24 better.

25 This is probably not a popular slide here. I have

1 found that the horses shipping in from Southern California
2 are actually a distant third on their pre-race exam
3 soundness. And that does include horses that ship up for
4 allowance and for stakes races.

5 Now, there can be a number of different factors
6 that are involved in that, besides the surface, it can
7 be -- I do notice a difference in the shoeing that horses
8 get down south, and I think the training is also different
9 down here.

10 We have -- I see somebody added a little something
11 here. We have -- and the nice thing we've found at Golden
12 Gate Fields, we don't have to alter our training schedule,
13 we don't have to change shoes or our traction devices, we
14 have much sounder horses. And I'm finding that we have a
15 lot less joint feeling in the horses on pre-race, than we do
16 when we have the sealed surfaces.

17 The other key thing that I see is the style of
18 shoe that's on a horse, that really makes a large
19 difference. What we've found with the synthetic surfaces is
20 the foot does not have the slip that it had with the dirt
21 surface, and I think that is contributing to the injuries
22 that we see. That's something that we do need to have
23 funding and more research on.

24 A number of trainers in Northern California are
25 starting to train their horses barefoot. They're increasing

1 the number of trainers that are doing that, and those
2 trainers are increasing the number of horses that they're
3 training barefoot. That's because we find the horses are
4 sounder. They're working as well or better as they did when
5 they had shoes on.

6 We do know, from research work, that the barefoot
7 is better able to utilize the internal shock absorption
8 system of the horse, which does help to take some of the
9 stress off of the legs.

10 The most common footwear on the horses at Golden
11 Gate Fields are Queen's plates, which are a level, no-toe-
12 grab shoe. We see those on all four feet, they're by far
13 the most common way in which a horse's feet are shod.

14 The Queen's plate is still a relatively high
15 traction device. It's made out of aluminum, which has a
16 high friction coefficient. You'll see it has that rim which
17 goes entirely around the shoe. It actually has quite a bit
18 of bite on the ground. The difference between that and the
19 horses with the low-toes, the next slide down and the last
20 slide, the tall toes, or the regular toes is the distance
21 which that metal toe-plate sticks up.

22 Another -- the third -- I won't say the third. We
23 do see horses that train and run in Queen plates in front,
24 and toe-grabs behind. Those horses are notably more sore
25 behind. We do have a few trainers who still continue to

1 train in low-toes in front, and regular toes behind, and
2 those are the poorest moving horses that I see.

3 So I see a difference in the surface types upon
4 which the horses are running, with the horses currently on
5 the Tapeta, in Northern California, are the soundest.

6 I see a difference in the way the horses are shod,
7 with the horses that are barefoot, training barefoot, being
8 the soundest.

9 We have an opportunity to make some beneficial
10 changes for our horses, and there is something that the
11 Board could do and could do very quickly that would be quite
12 beneficial for the welfare of our horses, and that is to
13 allow us to race barefoot.

14 I would urge you to make that a priority and get
15 that done as soon as possible. I think that probably even
16 the trainers here, in Southern California, would appreciate
17 that.

18 We've got a track that reacts differently to the
19 horse's foot. It doesn't have the slippage. The barefoot,
20 as you saw, does not have the traction that the shoes do.
21 But I just urge you to do that at the very soonest
22 opportunity. In fact, tomorrow would be fine.

23 (Laughter.)

24 DR. ISBELL: And we do need to strike a balance
25 here. We have many different interests in the racing

1 industry. The horse's welfare is at stake.

2 COMMISSION CHAIRPERSON SHAPIRO: We'll put it on
3 our agenda, but we can't do it until, I think, March,
4 because the agenda, I think, is done.

5 COMMISSIONER HARRIS: We did put it on some agenda
6 for --

7 COMMISSION CHAIRPERSON SHAPIRO: Right. But we
8 will put it on.

9 COMMISSIONER HARRIS: I agree, we should have that
10 option.

11 DR. ARTHUR: We put it on the November agenda and
12 we agreed, I think the CTT was going to put together a
13 proposed rule on that.

14 COMMISSIONER HARRIS: Yeah, we did it for mules,
15 we can do it with mules.

16 COMMISSION CHAIRPERSON SHAPIRO: Yeah. All right.
17 Anyway, let's keep going, but we will do that.

18 DR. ISBELL: I'm done, thank you.

19 COMMISSION CHAIRPERSON SHAPIRO: Okay, thank you.

20 DR. ARTHUR: Okay.

21 COMMISSION CHAIRPERSON SHAPIRO: Dr. Arthur.

22 (Applause.)

23 DR. ARTHUR: All right, I have a series of
24 questions that I will be asking the practicing
25 veterinarians. We have Dr. Kim Kuhlman, who practices in

1 Northern California. Jerry Hollendorfer is one of his major
2 clients, amongst I think most everybody else up there.

3 Jeff Blea does Bobbie Frankel and Dick Mandella's
4 work. And Dr. Dowd does Doug O'Neill's work, amongst many
5 others.

6 And I'm going to start out with a series of
7 questions and just go through you one at a time, starting
8 with Dr. Dowd.

9 How have synthetic surfaces affected racing and
10 training injuries, are there more or less, are they the same
11 injuries or different? If different, what's different?

12 You've heard some of the trainers talk about hind
13 end problems, is that your impression as well? And has it
14 changed your surgery case load?

15 Joe.

16 DR. DOWD: You know, there's a lot of answers
17 based just on empirical impressions. I'll try to give you
18 the most concrete things that I've seen.

19 And one thing, when the Hollywood Park track went
20 in, that's primarily where I work, the incidents of soft
21 tissue injury went way down, way down. And so tendons and
22 suspensories much less of an issue, to the point where, you
23 know, we hardly had to ultrasound a horse. You almost
24 didn't need an ultrasound machine. And that was a huge
25 improvement in a lot of ways for us because, as you know,

1 when a horse gets a tendon, he's gone for eight to ten
2 months. And so the longer the horses stay in training, the
3 better it is for everybody. And so that is one concrete
4 thing I can say was an improvement with the synthetic
5 tracks.

6 And one other point I'll make about the right hind
7 condylars, that was brought up earlier, we certainly saw a
8 spate of right hind condylar fractures, which was very odd,
9 but it was in a very short window of time, which also made
10 it quite curious.

11 But they've made some changes in the track and we
12 didn't see those anymore. Unfortunately, we don't know why
13 or what was wrong with the track, that may have been wrong
14 with the track to cause those. They certainly were real,
15 and we saw them, and they made some adjustments, and we
16 don't see them anymore.

17 DR. ARTHUR: Okay, good. Kim.

18 DR. KUHLMAN: Kim Kuhlman. My experience with the
19 new surface at Golden Gate Fields was that initially the
20 injury rate had not changed very much. We still did the
21 same amount of radiographing, I was doing the same amount of
22 surgeries.

23 I, personally, did not see as much soft tissue
24 injuries as I did prior. However, as they alluded to down
25 here, we had a period of about four weeks where I did six

1 hind limb condylar fractures, and one front leg condylar,
2 and that's completely reversed from the norm, you generally
3 just do not see the hind end condylar fractures that I saw
4 in that period of time.

5 I also saw 12 horses that had fractured seismoids
6 that were racing or training at Golden Gate.

7 Now, as I spoke with Mr. Dickinson, you know, I
8 think there's a lot of factors involved there. They were
9 coming off of other surfaces. They may have been already on
10 the verge of having an injury, already, but there was a fair
11 number of seismoid fractures that were career threatening or
12 career ending at that time.

13 We did have several horses, we had one horse that
14 shattered a pelvis, breaking right out of the gate. So
15 there have been about the same amount of injuries initially.
16 It seems towards the end of Golden Gate, after they changed
17 the maintenance procedures on them, the injury rate
18 decreased, my surgery load decreased, which was good news.
19 And I think that, hopefully, that will carry on and carry
20 over. Okay.

21 DR. ARTHUR: Jeff?

22 DR. BLEA: To address the question of injury since
23 the inception of synthetics in Southern California, one
24 comment I'm going to start with is we're looking at a lot of
25 different things, we're comparing apples, and oranges, and

1 pineapples, and papayas. And I mean that in the fact that
2 we had a synthetic track at Hollywood for going on our
3 second year, we're on our first year at Santa Anita, we're
4 on our first year at Del Mar.

5 We've had some problems this winter, which
6 everyone is aware of.

7 That being said, I pulled up some data from our
8 practice for the last five years, and our practice is a
9 five-person practice, which we do both racetracks here in
10 Southern California.

11 And there's some trends that are pretty obvious in
12 this data when you look at the total population of horses we
13 treated, as well as the injuries. And I think we see that
14 empirically, on a day-to-day basis, albeit it doesn't strike
15 us between the eyes.

16 In looking at our practice, the number of shin x-
17 rays and shin problems we have, have decreased in the last
18 two years, more specifically in the last year.

19 The number of feet issues that we see, especially
20 radiographically, have increased. Albeit by not a large
21 number. All this data, again, I will repeat is raw data,
22 it's not been statistically analyzed.

23 But, for instance, if there's one to two percent
24 of our population being x-rayed for feet in 2003-2003, it
25 might increase to two, two and a half percent in the year

1 2006-2007.

2 That being said, fetlocks and carpuses have
3 remained the same as far as radiographic interpretations.
4 Our nuclear scans are similar for the last five years.

5 As Joe alluded to, our ultrasounds have actually
6 gone down a little bit, so I don't think the soft tissue
7 issue is that much to be concerned about, with the good
8 synthetic racetrack.

9 One thing that's to note, and it's been brought up
10 on the trainer's panel, is the hind end injuries. Our
11 instance of radiographs on hind ends have gone up 50 to 75
12 percent, especially in tibias. We see it most often, as
13 several trainers alluded to, in young horses in tibias.

14 We've had an increase in instance of radiographs
15 of stifles. 2003-2004, we hardly x-rayed a stifle and I
16 think now we're x-raying a quite a few more stifles.

17 So those are some notable issues. We see a quite
18 a bit more pelvises, I think, in the last two years, than we
19 did in years past.

20 So there is some method to the comment that there
21 is an increase in instance in hind end injuries that we
22 have, whether it's a function of how they're training, or
23 it's racetrack related, I don't know.

24 I think on the news, this morning, Hillary
25 Clinton blamed her loss in Wisconsin on the racetrack.

1 (Laughter.)

2 DR. BLEA: So, you know, I think we have to be
3 careful when we interpret some of this data. And I think
4 veterinarian data and trainer data is good, and you have to
5 look at it synergistically.

6 As far as that, you know, Dr. Dowd alluded to that
7 period at Hollywood Park where we had, I think it was 10 or
8 12 hind limb condylars in a two-week period of time, and I
9 think Dennis Moore figured out what the problem was in the
10 racetrack, and it was a racetrack problem, and Dennis fixed
11 it. Now, once that problem was fixed, it was a non-issue,
12 if I remember correctly.

13 Surgery caseload, if you look at the equine
14 hospital numbers and, again, this is raw data, but I pulled
15 these numbers. In 2007, and again go back to my first
16 comment, you're comparing apples to oranges, to bananas, to
17 papayas because you have multiple different racing surfaces.
18 But looking at raw data, surgery numbers, 2007 versus 2006,
19 arthroscopies have decreased by 16 percent.

20 Condylar fracture repairs, from 2007 to 2006, have
21 decreased by 20 percent.

22 From 2006 to 2005 there was a 21 percent decrease
23 in arthroscopies. From 2006 to 2005 there was a 16 percent
24 increase in condylar fractures.

25 So this is still data we're working through,

1 trying to figure out how much the racetrack has to do with
2 it.

3 In that 2006 year, where the condylar fractures
4 went up 16 percent, the number that occurred at Santa Anita
5 went up almost a hundred percent. So there's some -- and
6 that was prior to the installation of the synthetic track.

7 It's a multi-factorial issue, it's not simply just
8 racetrack, but this is what we see day to day.

9 In 2005, we had our largest number of
10 arthroscopies at the equine hospital, and our second largest
11 number of condylar fractures, up 51 percent versus 2004.

12 The question I have to ask is what happened in the
13 year 2005 as far as track maintenance meant, in Southern
14 California racetracks? And I think that has to be looked
15 at, as well, to help understand some of this injury data
16 that we're looking at.

17 DR. ARTHUR: Thank you. We heard some of the
18 trainers talk about an increase in bleeding, for example,
19 could you comment on other health issues related to other
20 organ systems, specifically address bleeding debris with
21 post-race scoping, of thalamic injuries, possibly by the
22 track surface getting in eyes, integumentary problems with
23 either skin, or hooves, quarter cracks, or anything else
24 that comes to mind, that you think is significant between
25 dirt and synthetic surfaces, or if you think there's any

1 difference at all.

2 Joe, why don't you go ahead and start.

3 DR. DOWD: Well, I heard some of the earlier
4 comments about bleeding, and I simply -- I mean, we're the
5 guys passing that scope all day long, and I certainly
6 haven't seen any increase in bleeding or any association
7 between bleeding and the type of track.

8 But the one remote possibility, and remember the
9 old days of drawing a horse up to reduce the gut contents,
10 because they are possibly impinging upon the caudal aspect
11 of the lungs, it's possible that the way a horse travels
12 over a synthetic track could be resulting, ultimately, in
13 bruising of the lungs. I think it's remote and I certainly
14 have not seen that.

15 DR. ARTHUR: What about debris, do you see any
16 more or less debris?

17 DR. DOWD: Less. Like Dave Hofmans said, I
18 reiterate what he said.

19 DR. ARTHUR: Okay. Kim?

20 DR. KUHLMAN: No, I would concur with that
21 completely. I haven't noticed any increase in bleeding on
22 the synthetic.

23 And as Dave said, you know, I've scoped a lot of
24 horses from the Tapeta, and you do not see any debris down
25 in their trachea at all, anymore.

1 And now that we're back at Bay Meadows, you're
2 starting to see dirt and debris down the trachea and the
3 larynx when you're scoping them.

4 DR. ARTHUR: Jeff?

5 DR. BLEA: I think you see a lot less debris with
6 the endoscope. You may get a film from time to time on your
7 scope, but I think there's a lot less debris with the
8 synthetic tracks versus the dirt tracks.

9 I do, however, think we see a much higher increase
10 in bleeders. And John has talked to me about this on
11 numerous occasions and I didn't quite understand it. But
12 I've been thinking about it and thinking about it, and we're
13 looking at it. There's some people around the country who
14 are starting to look at it, who are respiratory researchers.

15 And I think it's something we need to take a look
16 at. And Joe's made a good point, and it might answer Ron
17 Ellis's question is why are they bleeding?

18 And, you know, there was the theory of, well, it's
19 inhaled, it's aspirated. Well, then why do you have a two-
20 year-old, who's never started, go out and breeze and easy
21 half-mile, come back bleeding. And granted, that's going to
22 happen from time to time, but when it happens over, and over
23 and over -- so that the long answer to your question is,
24 yes, I think there is an increase in bleeders with the
25 synthetic tracks.

1 And my only theory is going to basically build
2 upon Joe's, I think it's a function of mechanics or
3 locomotion. You change the stride, you change the motion,
4 you change the way the internal part of the horse works and
5 you may cause some bleeding in the caudal aspect of the
6 lungs. But I don't have that answer right now, but I think
7 we need to look at it more.

8 DR. ARTHUR: Nobody mentioned quarter cracks. Is
9 that something that you don't think's significant?

10 Okay. Just in case the audience doesn't realize
11 that on a typical track, particularly a sandy track, non-
12 synthetic, you can see sand and debris down as far as you
13 can see with an endoscope, typically, if the horse is in the
14 back of the field.

15 Dirt tracks have appeared to have variable effects
16 on unsoundness. And what I'm saying is sometimes they're
17 good, sometimes they're bad. You see the same thing with
18 synthetic tracks, if you've noticed it, there's a lot of
19 variability.

20 Joe, you were over at Hollywood Park, you saw the
21 statistics I showed, where the fatality rate appears to have
22 increased as the track's aged. Do you see anything like
23 that, or any other changes in the surface that you think are
24 unique to synthetic surfaces?

25 DR. DOWD: I think so. I think that this year is

1 not as good as last year, and I think you did a great job of
2 taking that data and dividing it up in a temporal space of
3 time and showing how the track changes over time, because it
4 certainly mirrors what we see.

5 It's still a good track, I think it's better than
6 what we had before, but it isn't as good this year, as it
7 was last year.

8 And you talked about the east coast stables coming
9 out here for the synthetic track, that's true, they're here
10 to train on the synthetic tracks. But I can speak for one
11 that doesn't feel like Hollywood Park is the same track this
12 year, as it was last year and they've, unfortunately, had a
13 number of injuries. So, I mean, they're taking a hard look
14 at the synthetic tracks and whether they really are -- any
15 given track is really better to train on.

16 I think overall the answer, from what you've
17 presented, is that we need to keep maintaining these tracks,
18 and they're a work in progress and you need to keep them in
19 good shape, if you're going to keep the injuries down below,
20 in that optimal range.

21 DR. ARTHUR: Thank you. Kim?

22 DR. KUHLMAN: Well, you know, with Tapeta, you
23 know, you're dealing with a track that's fairly new, and
24 it's in basically good shape right now. And the unsoundness
25 seems to be better handled by the individual horses at

1 Tapeta, at this moment.

2 And with the -- the trainers tend to go ahead and
3 train them more, especially with the inclement weather up
4 there, they're able to train on that track quite a bit more,
5 and the horses, at this point, seem to have been able to
6 hold up better, versus the old dirt and the sealed track.

7 DR. ARTHUR: Jeff?

8 DR. BLEA: I think the horses, on synthetic
9 tracks, tend to train better. I think they tend to train
10 more with what I call subclinical problems. With the
11 synthetic tracks, you're able to train a little bit more,
12 you're able to run a little bit more, and I think that's
13 reflected in the number of starts per month, per year, per
14 meet.

15 The problem with that is it's a bit of a false
16 sense of security with synthetic tracks, inasmuch if you're
17 not diligent as a trainer or as a veterinarian, those horses
18 that are training with subclinical problems can often go
19 awry and go awry very quickly.

20 There is some concern in my mind, inasmuch as the
21 synthetic tracks do tend to break down, they do tend to
22 change, they are very amenable to management or maintenance.
23 You've got to be diligent. If you start seeing trends, you
24 have to start looking at the track.

25 And it worries me that the tracks are breaking

1 down. That being said, I think we have a counter to that
2 inasmuch as with a lot of the work that Mick's done, we have
3 to be aggressive about monitoring, maintaining, and managing
4 these tracks, even more so than a dirt track.

5 And I think it's going to cost money because if,
6 in order to do it properly, and maintain them properly, and
7 monitor them properly, you've got to stay with the science
8 and follow the science that will take you there.

9 DR. ARTHUR: All right, let me start the next set
10 of questions with two observations. Del Mar actually saw a
11 15 percent increase in workouts per start during their meet.

12 And at the AEP this year, and related similar to
13 what Dr. Blea had mentioned, during the Racing Forum's
14 discussion period, several veterinarians from around the
15 country expressed concern that horses that have problems
16 look like they don't have problems when you put them on a
17 synthetic surface.

18 I'd like you to think about if you've seen horse
19 management changes on synthetic tracks, where there's work
20 or race patterns, training patterns, shoeing patterns,
21 medication use, or anything else that you think would be a
22 relevant observation?

23 Joe?

24 DR. DOWD: From a veterinary point of view, no, I
25 really haven't. I know the trainers in Del Mar tended to

1 gallop them a little further to get them more fit. They
2 felt they needed to have them more fit to get over that
3 track. But from a veterinary perspective, no.

4 DR. ARTHUR: Kim?

5 DR. KUHLMAN: Like I say, up north they tend
6 to -- with the new Tapeta surface they're able to train on a
7 more regular schedule, and you don't see days upon days
8 where there's hardly any horses working anymore, they will
9 work regardless of the weather. So like I say, I think the
10 horses tend to be on a more regular training schedule.

11 The one note that I have -- would like to make,
12 and have noted up there with a lot of my trainers is since
13 we've had -- in a short period of time we had a fair number
14 of high limb condylars, I asked them to alter their shoeing
15 patterns behind. And I agree that hind toe-grabs are
16 basically unnecessary. In fact, a lot of the trainers that
17 were having hind limb problems, I even had them start
18 training barefoot.

19 And going back and speaking with them afterwards,
20 and checking the horses, they seem to have improved. So to
21 me, one of the big issues with this surface is definitely
22 going to be the proper shoeing, shoeing management.

23 DR. ARTHUR: Jeff?

24 DR. BLEA: I would agree. I think the removal of
25 the toe-grab behind, it took a while to kind of figure that

1 out in my mind, but I think it was helpful to take that toe-
2 grab away. In my hands, anyway, that doesn't apply to
3 everybody.

4 Medication-wise, it's hard to say. I would say, I
5 have a feeling that we probably do less inter-articular
6 injections with the synthetic tracks when they're good. And
7 the reason being I think the horses can tolerate a lot more,
8 they don't need as much help, they say sounder longer.

9 Again, it's a subclinical -- they may have
10 subclinical disease that you have to keep your eyes out on
11 and be vigilant about diagnostics.

12 As far as racing or working, or working or
13 breezing schedule, I don't think it's changed a whole lot.
14 I know when the tracks first came out it seemed like several
15 of the clients that we have, that were having a -- were
16 frustrated, it seemed as if once they started backing off a
17 little bit from the traditional dirt method of training,
18 they seemed to have a little bit more success. Whether that
19 was just timing, or they had the right horse at the right
20 time, I don't know. They're better to suited to answer
21 that, as far as training goes, than I am.

22 DR. ARTHUR: Okay. I'm going to give each of you
23 an opportunity to make any closing observations or comments
24 to the Commissioners on the synthetic surface.

25 Joe, do you have anything to add that we've missed

1 or you think is important for the Board to know?

2 DR. DOWD: Well, we talked a lot about the word
3 consistency, and I think there's two types of consistency.
4 There's the temporal consistency, which is how is the track
5 in the morning versus the afternoon. And then there's sort
6 of a step-to-step consistency. In other words, does that
7 horse's foot fall on the same type of material with each and
8 every stride.

9 And I think that's the veterinary -- that's where
10 the veterinarian problems come in. And so I think with the
11 synthetic tracks, the step-to-step type of consistency
12 greatly improved, and I think that's made our job a lot
13 easier.

14 The other type of consistency's more of a
15 handicapper problem, in my mind, and so I don't worry so
16 much about that.

17 DR. ARTHUR: Kim, do you have anything to add?

18 DR. KUHLMAN: I think that at Golden Gate Fields,
19 if you look at some of the injury data, when we had a rash
20 of injuries there, the injury rate decreased significantly
21 when they altered, as Mr. Dickinson said, the maintenance of
22 it. They changed the harrows, they slowed down the
23 tractors, and you had a more uniform racing surface from
24 five to six inches down on up.

25 And I think that that's probably going to be the

1 key to most of these is to try and make sure that the
2 maintenance procedures are followed and you have a
3 consistent surface based on how they're maintained.

4 DR. ARTHUR: Jeff, any final comments?

5 DR. BLEA: The only comment I would make is it
6 seems like things are going synthetic, and there's
7 proponents and opponents. There's a lot that's not known
8 yet, there's a lot still to be understood and discovered.
9 And I think there are some people out in the industry that
10 were on their way to doing that.

11 I would encourage you to encourage those people to
12 continue doing that. If we continue down the synthetic
13 pathway, you have to remember it's a product that we create,
14 so it's a product that's going to, one, breakdown but, two,
15 going to be able to be better managed through science. And
16 science is going to be the only way to ensure that it's
17 successful throughout the course of time. It will change
18 racing, but the fact of the matter is American racing, as
19 exciting as it once was, will again be exciting once we get
20 things lined out.

21 DR. ARTHUR: Okay. Jeff, if you could do so in no
22 more than two minutes, could you explain your efforts on
23 trying to monitor non-fatal racing injuries, that the
24 practitioners see, through the Equine Foundation?

25 DR. BLEA: I thought you wanted me to line out

1 synthetic tracks in two minutes.

2 Here's what we've done. A couple years ago
3 several practitioners were sitting around talking, and we
4 got tired of hearing the track's bad, the track's bad, the
5 track's bad. And we're not on the track. You know, we're
6 out there, we're seeing what's happened, and we listen to
7 our client. Our clients have to explain their problems to
8 the owners, and in the midst of it all we have to bear the
9 brunt of all of it.

10 So we got talking to a couple of guys, and one
11 guys says I scanned five tendons, another guy says I scanned
12 seven tendons, I scanned six tendons today. Well, what's
13 causing it, is it the racetrack, is it training, is it
14 management, what's the problem, is it shoeing?

15 So what we started doing, I got together with
16 Wayne McIlwraith and we started looking at injury rates on
17 the racetrack, and it just kind of started from that.

18 So we did an injury monitoring program, we did a
19 pre-pilot test in the fall of 2006, at Hollywood Park, and
20 we got pretty good participation from the attending
21 veterinarians, albeit we were still working on a lot of the
22 kinks.

23 We ceased that project and reinstated at the
24 beginning of Del Mar, with the intent of capturing a one-
25 meet racetrack for identification purposes, to look at one

1 racing surface for a finite period of time. We had
2 veterinarians report injuries, injuries that were non-
3 catastrophic. They were training morning injuries, or
4 injuries that were discovered the day after a race.

5 The reporting number was low, lower than what we
6 would have liked. We had 44 reported injuries during the
7 seven-week period of time. Again, non-catastrophic.

8 Of those 44 injuries reported by practicing
9 veterinarians on the backside, 56 percent were soft tissue.
10 Which asked us the question, since we don't seem to be an
11 increase in soft tissue, was it an actual increase of soft
12 tissue injuries or an actual decrease in bone injuries?

13 That has led us to the next step. Again, Dr.
14 McIlwraith and I are working on a project to reinstitute the
15 injury monitoring program. There is one on a national
16 level, being run by Dr. Mary Scala, this will be separate
17 from that. It looks specifically at Southern California,
18 and look at the attrition rate as far as day-to-day injuries
19 on the racetrack. We're in the midst of putting that
20 together, figuring out the best way to do it, and it will
21 incorporate several practices here on the backside for
22 reporting purposes, so we can finally get some good data as
23 far as injuries that occur on the racetrack, in the morning,
24 that people don't generally hear about.

25 DR. ARTHUR: Okay. Mr. Chairman, I'd like to

1 suggest that Dr. Stover and Dr. Ferraro finish up this
2 session, before the Commissioners ask questions.

3 COMMISSION CHAIRPERSON SHAPIRO: That's fine.
4 Let's just -- we're about out of time, though.

5 BRUCE: Mr. Shapiro, I'd like to ask the doctor a
6 question, if I could.

7 COMMISSIONER HARRIS: Let's finish this, first.

8 COMMISSION CHAIRPERSON SHAPIRO: I know who you
9 are, Bruce. Bruce -- Bruce --

10 BRUCE: I was just going to ask him, if they have
11 taken the testing themselves, of how many times those horses
12 were x-rayed, how many times they had cortisone, how much
13 acid, and how much juice they were on before those horses
14 broke their legs? I want to know if there's any tests like
15 that, and anything with drugs.

16 COMMISSION CHAIRPERSON SHAPIRO: Bruce, I really
17 appreciate it, but right now we need to stick to the program
18 here.

19 BRUCE: This is the program we're on at --

20 COMMISSION CHAIRPERSON SHAPIRO: Well, we're not
21 at that stage, though, okay, and I'm sorry.

22 BRUCE: We're at that stage because they're
23 breaking their legs off.

24 COMMISSION CHAIRPERSON SHAPIRO: Okay. Thank you.
25 Dr. Arthur -- Dr. Stover, sorry.

1 DR. STOVER: Okay, I just -- Sue Stover, from UC
2 Davis. Just wanted to try to keep a couple things in mind
3 as we're discussing the issue with racetracks relative to
4 musculoskeletal injuries.

5 And let's see -- oh, thank you. The first thing I
6 try to remember, myself, is that musculoskeletal injuries
7 are multi-factorial. What that means is that there are
8 multiple causes that contribute to injuries.

9 And then these are just a couple of the things
10 that have been associated with injuries, hoof conformation,
11 shoe appliances, pre-existing injuries, training regiment
12 and, certainly importantly, track surface, as well as track
13 geometry, banking, and many other factors.

14 And it's important to remember that, probably not
15 strictly speaking, but in general it's true that these are
16 additive. That means that if we have a hard track surface
17 we need to be more careful about the training regiment in
18 order to keep a sound horse.

19 If we have a kinder track surface, we may be able
20 to train those horses more intensely. But if we train them
21 too intensely, then we may increase our injury rate again.
22 So they work in concert, together, and we need to remember
23 that as we're -- when we speak about one of them, we need to
24 speak about all of them.

25 In general, we've looked at a number of injuries,

1 but we tend to concentrate on those injuries around the
2 fetlock because, historically, through the postmortem
3 program we recognize that almost half of our injuries
4 involve the fetlock, or the distal end of the canon bone.

5 When we look at injuries, injuries tend to develop
6 because of repetitive loading. And with these repetitive
7 loadings the more, the higher the magnitude of each of those
8 loads, the sooner that we're going to develop injury.

9 And building on this idea that several things
10 contribute together to form injuries, we need to remember
11 that the limb, the bones, and the soft tissues, the tendons
12 and the ligaments, achieve their loads not only through the
13 loads transferred through the ground, or the race surface,
14 but they're modified by whatever is on the foot, the shoe,
15 any appliances, such as heel-cocks, toe-grabs, but also by
16 hoof conformation.

17 Because this limb is simply a series of levers.
18 And if we look at that diagrammatically on the right, the
19 body weight is actually pushing down on the pastern and the
20 fetlock around the hoof, on the ground.

21 And if we think of the structures, the tendons and
22 the ligaments that support that limb and maintain the
23 fetlock in a normal position, the forces in those tendons
24 have to counteract the force of the gravity with the body
25 weight.

1 If we increase the length of that hoof lever by
2 adding appliances to the hoof, shoes, or whatever, or hoof
3 confirmation, long toe, underrun heel, then that magnifies
4 the force that the tendons see, and so they see a greater
5 force. So we recognize that altering hoof confirmation,
6 shoeing, those appliances can have a large affect on
7 propensity for injury.

8 We also recognize that these injuries develop over
9 a period of time and that our fatal injuries are, the vast
10 majority of the time, the result of horses doing athletic
11 activities on lesser injuries, or smaller injuries. In this
12 case, stress fractures of the cervical spine, the pelvis,
13 the tibia, the shoulder blade, or the scapula, the humerus,
14 and the canon bone.

15 But we've also recognized that those injuries
16 occur -- they develop over time, but there are also, even
17 the mild injuries, not the fatal injuries, actually cause a
18 huge attrition in the racing industry.

19 When we looked at those structures that support
20 the fetlock joint, the suspensory ligament, the proximal
21 seismoid bones, and the distal seismoid ligaments, horses
22 that had injuries of those structures over a three-month
23 period of time left racing because of a more severe injury
24 that developed.

25 So even though they were able to race on a day

1 that they had a mild injury, and not have a fatal injury,
2 they were lost from racing. Whereas those horses that
3 didn't have mild injuries continued to race.

4 And so I think one of the differences that we're
5 seeing with race surfaces that might be gentler to the
6 horses is that we're seeing them staying in racing longer,
7 and possibly contributing to filling cards, and having
8 horses be able to work and race more frequently.

9 Some more on the proximal seismoid bone. This is
10 one which is fractured on the left. We look at the other
11 bones in the same horse and we can see these lucencies, or
12 what we call stress risers, that contribute to the fatal
13 injury. So that we know that both bones, tendons, and
14 ligaments develop injuries over time.

15 That's sort of illustrated in this graph of two
16 different horses that start their careers down here at the
17 bottom, and with number of days in racing going to the
18 right, we have plotted each time they do a high-speed work,
19 or a race, and each distance that they run, we add that
20 together to see the furlongs that they run at high speeds on
21 the left.

22 The horse with the box actually had a fatal
23 injury. Over on the right, the horse in the circles or the
24 ellipsis did not.

25 And things that we've noted, or that the horses

1 that actually have a fatal injury train much more intensely,
2 they have a steeper slope to these curves than those that
3 continue racing.

4 Not only does that affect fatalities, but it
5 affects lay-ups or inability of horses to perform. If we go
6 back to this period where there's inactivity, we can see
7 that both the horse that had a fatal injury has a steep
8 curve, but also the horse that did not have a fatal injury.

9 So training intensity indeed plays a role on
10 whether these horses have an injury or not. And we can see
11 that when we look at specific numbers, where horses that
12 have a seismoid bone fracture race more frequently, have
13 been in continuous racing longer than horses that die for
14 other reasons.

15 We also have to be careful about all the factors
16 that we take into consideration when we're trying to
17 understand the affect of racetrack surface.

18 In this particular graph we're looking at two sets
19 of horses, those that did not have a fatal seismoid bone
20 fracture at the back of the fetlock, in blue, and those in
21 red that did have a fatal fracture.

22 And again, we're looking at training intensity,
23 the steeper the curve, the more intense they've been
24 trained.

25 Now, if we also add another group of horses to

1 that curve, these horses, each symbol being a different
2 horse, followed through time, the black symbols are horses
3 that had a fatal injury of the fetlock at this point in
4 time. Well, it so happens that on this very last point in
5 time these horses had just moved to a new racetrack, and
6 this was the racetrack that was implicated as the cause for
7 these horses' fatalities.

8 Yet you can see that looking at their racing
9 histories in the months preceding that event, those horses
10 were getting into trouble long before they arrived at that
11 racetrack. So it's important to remember that these
12 injuries develop over time, the racetrack is definitely very
13 important, but there are other factors that also contribute
14 to injury development.

15 Certainly, race surface, we want to keep in mind
16 these other factors but, undoubtedly, race surface is a key
17 factor.

18 We had an opportunity -- let's see if I can -- had
19 an opportunity in Keeneland Racecourse, in Kentucky, when
20 they had a synthetic surface for the training track, to
21 actually instrument horses with a force measuring horseshoe,
22 illustrated on the bottom, with markers on the limbs, so we
23 could watch kinematics, and with an accelerometer on the
24 hoof.

25 We were able to make measurements on the synthetic

1 surface, the dirt surface, and the turf surface, with four
2 different horses each day.

3 We need to change slides. Thanks, Rick. Back one
4 if we can? There.

5 So these plots on the left correspond to the
6 surfaces on the right, so that the top plot is what we call
7 the ground reaction force. That's the force between the
8 race surface and the horse's hoof, the dirt on the top, the
9 synthetic surface in the middle, and the turf surface on the
10 bottom.

11 And those scales are identical for the three
12 graphs, but this is representative of what we saw, in that
13 the height of the peaks is greater for the dirt surface and
14 the turf surface, than for the synthetic surface. And, in
15 fact, if we look at that statistically, the ground reaction
16 force is lower for this particular synthetic surface than
17 those particular dirt and turf surfaces. Which in general
18 will mean that lower forces are transferred up to the bones,
19 and the tendons, and the ligaments, and the limb and would
20 likely contribute to lower loads and, potentially, lower
21 injuries, if all other conditions were similar.

22 We also looked at accelerations, decelerations of
23 the limb, that's how fast the hoof stops or continues moving
24 forward. These are typical graphs from the three surfaces.
25 And you might note, again, they're on the same scales. And

1 for the synthetic surface that the peaks are lower in
2 magnitude than for the other two surfaces.

3 And, in fact, the accelerations, the different
4 accelerations that we looked at were often lower for the
5 synthetic surfaces than for dirt or turf surfaces.

6 I think it's important to recognize, as we've seen
7 today, that different synthetic surfaces can be very
8 different, they can vary.

9 So while we're very optimistic about these
10 findings, we need to interpret them with some caution.

11 We're also interested in how the hoof interacts
12 with each of the different surfaces. Remember that the
13 forces that are transferred to the bones and the soft
14 tissues in the limb, from the ground have to pass through
15 the hoof, and the shoe, or whatever appliance we have on it.

16 And if we think about football players, they wear
17 different cleats on synthetic surfaces than they do on true
18 grass or turf surfaces. And I think we need to be cognizant
19 that we may need different interfaces between the hoof, or
20 no interface, other than natural hoof, between some of these
21 surfaces.

22 So if we look -- yeah, Rick, if you can click that
23 top one. This is a high-speed video of the hoof interacting
24 with a dirt surface. And then in the middle one, with a
25 synthetic surface.

1 And I don't know, but you might notice that the
2 movement of the hoof, as it interacts with the ground, is
3 different between the three surfaces. And then if the turf
4 surface, in this particular instance you'll see the hoof
5 continue, stop, move forward again, move back.

6 Now, I don't know, we need to do more research in
7 this area because I can't guarantee that these are typical
8 findings but, certainly, the interaction between the
9 surfaces has the potential to be very different, and
10 important in things that we design for injury prevention.

11 So we hope to be able to contribute to assisting
12 in this effort. One of our strengths is computer modeling
13 of the race surfaces and the interface. It's certainly, as
14 you've noted, very expensive to test one idea, and then
15 another idea, and then another idea in race surfaces. And
16 what we would like to do is use a computer model simulation,
17 that we've developed over the past seven years, to actually
18 test different surface properties within the model, so that
19 we can design the criteria that we think will be optimal for
20 preventing injuries, that then surfaces can be designed to
21 meet.

22 As an example, here we see a simulation of the
23 forces or strains within one of the ligaments, this supports
24 the fetlock, and the green -- the green curve has a lower
25 peak than the red curve, which indicates that a more

1 compliant surface, such as we've seen with this synthetic
2 surface, has the potential to decrease or lower strains in
3 these ligaments and less propensity for injury.

4 Okay. I think it's also important to keep track
5 of these other things that also contribute to injury. We've
6 similarly done computer modeling for different training
7 regiments, looking at specific injury sites.

8 So the point here is just we need to keep track of
9 these other factors that also play a role.

10 Many, many people contribute to each of these
11 studies, as well as funding agencies, which are critical to
12 learning this information and the Foundation programs.

13 Thank you.

14 COMMISSION CHAIRPERSON SHAPIRO: Thank you.

15 DR. ARTHUR: Thank you.

16 (Applause.)

17 COMMISSION CHAIRPERSON SHAPIRO: Well, thank you.

18 And I know that funding is always critical, and since this
19 is being webcast, I'm sure that donations for future funding
20 would be welcome at UC Davis, attention Dr. Sue Stover.

21 Okay.

22 DR. ARTHUR: Dr. Ferraro is the Director of the
23 Center for Equine Health, and he's going to talk about what
24 he sees as the research needs on synthetic surfaces or
25 racing surfaces going forward. And, hopefully, he'll

1 comment on the meeting that we had up at UC Davis, several
2 weeks ago, trying to look at this particular issue.

3 Dr. Ferraro.

4 DR. FERRARO: Yeah, my name's Greg Ferraro, I'm
5 the Director of the Center for Equine Health, at UC Davis.
6 I'm in the business of research. I'm not a researcher,
7 myself, although sometimes I play one on TV. But I run the
8 research program, which means my job is to acquire the
9 funds, design the projects with the researchers in mind, and
10 make sure that these projects get done and the answers that
11 you need come forth.

12 For those of you under 50, or new to the game, I
13 used to be a racetrack practitioner for 27 years, and I say
14 that because I think it's important that you know that I
15 understand both sides of the game. I know what the backside
16 problems are, I've lived with them, as have these
17 practitioners. And now, on the other side of the fence, I
18 see what it takes to solve some of these problems.

19 As Rick mentioned, three weeks ago, at the request
20 of Craig Fravel, from Del Mar, we hosted a meeting between
21 several racetrack operators, who now, currently, have
22 synthetic tracks, Turfway being one of them, Keeneland being
23 another, several of the scientists that you've -- that were
24 here today, and other interested parties to discuss how we
25 could sort of set up a comprehensive program which would

1 provide information that the tracks need for maintenance,
2 and information that they need on a day-to-day, weekly
3 basis, versus acquiring research information, academic
4 information that tells you where to go forward.

5 And let me just kind of summarize, I think, what
6 the conclusion of the group was and what my opinion on that
7 is.

8 You have, at this point in time, made a major
9 commitment. There's been four tracks installing synthetic
10 surfaces in California, somewhere between 10 and 14 million
11 dollars apiece, that's a 40 to 50 million dollar investment.
12 Yet, there was no research and development of any kind done
13 before that investment was made.

14 I'm not faulting anybody for that, but most
15 industries would have required that information before going
16 in. And I think you depended a lot on the manufacturers
17 that you used, and most of the information they gave you was
18 good, but Santa Anita is a perfect example of what happens
19 when you get flawed information.

20 So this is not to fault anybody at all, but to
21 say, well, what do we do from here on, where do we go?

22 So there's two things that need to be done. One
23 is to be able to gather information on a continuous basis,
24 that can feedback to the tracks, that tells them what's
25 different about your track today, versus last week, versus

1 last month, versus last year, so that you can try, as best
2 you can, to maintain the surface in an equal footing. In
3 other words, it doesn't change over time. That's the goal
4 that you're after. Whether it's turf, dirt, or synthetic
5 surface, you want consistency day to day.

6 And so systems have to be developed that the track
7 can use, that give them day-to-day data.

8 The second thing that has to be done is these
9 synthetic surfaces are engineered surfaces that we're using,
10 are just the beginning of a new science, of a new way to
11 construct racetracks. This isn't the end, this is the
12 beginning.

13 And if you're going to make improvements over
14 time, and get better, and better, and better surfaces,
15 that's where you need to make a long-term investment in
16 research.

17 Now, there are several institutions that have
18 already participated with you, and some of those are
19 Colorado State, Dr. Peterson, from Maine, ourselves, at UC
20 Davis. And one of the things that became very clear to all
21 of us is that none of us, no one institution, no one area of
22 the country, no one track has all the answers.

23 And if we really want to solve this problem and
24 create the ideal racetrack, the ideal racetrack being one
25 that enhances performance and minimizes risk, that it should

1 be done on a national comprehensive basis. It should be
2 done with the cooperation of several racing jurisdictions
3 and racetrack operators, who have these different types of
4 surfaces, be it dirt, synthetic, or turf, because a safe
5 dirt track is just as good as a safe synthetic track. They
6 may be different, but if you can make them both equally
7 safe, that's fine.

8 And depending upon where you are in the country,
9 what types of surfaces you have, the goals are the same,
10 while the surfaces may be different.

11 What we recommended at the conclusion of this
12 meeting is that there needs to be a nationwide racing
13 initiative to look at racing surfaces over a long period of
14 time.

15 I can tell you, based on the experiences that I
16 have in conducting research in other areas, infectious
17 disease, reproduction, orthopedic injuries, small projects,
18 funded on a one-year basis, or a two-year basis, one
19 isolated project at Colorado State, one isolated project at
20 UC Davis, one small project at Maine doesn't do it. It
21 won't answer your questions. You'll get information, but it
22 won't be given to you in a way that takes all the multi-
23 factorial parts of that information and puts it together in
24 a way that can really say this is the direction we got to
25 go.

1 That investment, based on the discussions I've had
2 with the institutions involved, would amount in the range of
3 200 -- yes, \$250,000 a year, for five years. That's a \$1.25
4 million investment. Compared to the 50 million that's
5 invested in tracks, I think that would be a wise move for
6 the racing industry.

7 DR. ARTHUR: Mr. Chairman --

8 COMMISSION CHAIRPERSON SHAPIRO: Thank you.

9 DR. ARTHUR: -- if you and the Commissioners have
10 any questions, we're at your disposal.

11 COMMISSION CHAIRPERSON SHAPIRO: Thank you very
12 much, Dr. Arthur.

13 Do any of the Commissioners wish to pose any
14 questions? I mean, it's very informative, it's wonderful,
15 really, to see so much research and study, and I think it's
16 great to have a panel like this come together to try to tell
17 us what you see on the racetrack, what you guys see every
18 day, and then also what study and science is doing. I think
19 that there's a lot more science taking place than some of us
20 realize, and I think that's terrific.

21 Does anybody have any questions by the Board?

22 COMMISSIONER HARRIS: I was intrigued by Dr.
23 Isbell's comments on the barefoot racing idea. Did any of
24 the researchers or veterinarians have any -- would they have
25 any reservations about if the CHRB opened it up? Right now,

1 we do have a rule that you have to have shoes. But if we
2 opened it up where you did not have to race with shoes, does
3 anyone visualize that creating any issues?

4 It would just be an option, you could race with
5 shoes or not race with shoes.

6 DR. BLEA: I would encourage you to allow them to
7 run with or without shoes. I think some horses do well with
8 them, some do well without them, and I think the trainer
9 should have that prerogative to make that decision.

10 So I would encourage the CHRB to allow that
11 initiative, to allow them to run with or without shoes.

12 COMMISSIONER MOSS: I have one question, now. But
13 have there ever been any measurement on the horse's -- the
14 length of a horse's stride, and to see if the horses are
15 striding as far on the synthetic tracks as they used to
16 stride, let's say, on the regular dirt track?

17 Anybody have any measurements or any discussion on
18 that, at all?

19 DR. ARTHUR: Dr. Stover says she doesn't have it,
20 so if she doesn't, I don't know if anyone does.

21 But, you know, certainly, I think all of us could
22 see that horses's strides were different at Del Mar. You
23 don't see that so much at some of the other synthetic
24 surfaces. I don't know whether it was just a function of
25 their temperature, or whatever, but it's something that you

1 could analyze, I think, relatively easily, if somebody
2 wanted to sit down and take the effort.

3 COMMISSION CHAIRPERSON SHAPIRO: All right. Well,
4 thank you, again. Thank you, it was a terrific panel.

5 (Applause.)

6 COMMISSION CHAIRPERSON SHAPIRO: We are going to
7 take a lunch break, now. Forty-five minutes and --

8 COMMISSIONER HARRIS: Thirty minutes is okay.

9 COMMISSION CHAIRPERSON SHAPIRO: Thirty minutes,
10 great. Thirty minutes, which means --

11 COMMISSIONER HARRIS: We're not going to the Turf
12 Club, we're just hot-dogging it.

13 COMMISSION CHAIRPERSON SHAPIRO: Okay. We will be
14 back here and we will start at 2:20, with the next panel,
15 2:20.

16 (Off the record.)

17 COMMISSION CHAIRPERSON SHAPIRO: Two Johns on my
18 side here, and they're both complaining that we're late.

19 Okay. All right, we're going to bring the meeting
20 back to order.

21 The next panel is our track maintenance panel. If
22 Richard Tedesco, Dennis Moore, Juan Meza, and Steve Wood
23 would come up front, I'd appreciate it.

24 Okay, we're looking for Richard Tedesco, did
25 anybody see what -- he's out on the track?

1 MR. CHARLES: Yes.

2 COMMISSION CHAIRPERSON SHAPIRO: He couldn't let
3 you drive the -- never mind, okay.

4 MR. CHARLES: I tried to talk him into it, he
5 wouldn't let it.

6 COMMISSION CHAIRPERSON SHAPIRO: Four minutes.
7 Okay, do you want to sit down, Mr. Charles, and act like the
8 track superintendent for a few minutes? Maybe you
9 could -- or you might mess that up, too, never mind.

10 (Groans and laughter.)

11 COMMISSION CHAIRPERSON SHAPIRO: Just kidding.
12 All right, I was kidding with him, he knows that.

13 MR. CHARLES: I think after that comment, I'm
14 going to leave.

15 COMMISSION CHAIRPERSON SHAPIRO: All right, then
16 why don't we start. I forgot, this is being webcast. That
17 was a total joke, okay.

18 COMMISSIONER AMERMAN: Yeah, make sure you get
19 that across.

20 COMMISSION CHAIRPERSON SHAPIRO: Okay. All right,
21 this panel is not a moderated panel, but perhaps we could
22 start with the three of you and then, when Rich Tedesco's
23 here. You all have experience both with dirt and with
24 synthetic tracks, and what I think we've heard today is that
25 one of our biggest challenges is maintenance. I think we've

1 heard a wide variety of opinions on the benefits of these
2 tracks, and what we're doing, and everybody seems to have
3 the same concerns.

4 And some of the statistics or the slides that we
5 just saw from the veterinarian panel were very interesting
6 and perhaps, Dennis, you could tell us your -- when we see
7 that one stat that shows what I would call the change in the
8 track over the three study periods, from brand-new, to not
9 so new, to been in a while, and that was pretty concerning
10 or interesting.

11 So perhaps you could just each give us your views
12 on these tracks, as you've seen them, and your experience
13 today.

14 MR. MOORE: Okay, when we first installed --

15 COMMISSION CHAIRPERSON SHAPIRO: Please say your
16 name for the record?

17 MR. MOORE: Oh, I'm sorry, Dennis Moore, Hollywood
18 Park.

19 When we first installed the Cushion Track in
20 September 2006, from then until we started racing in
21 November, we had like no problems at all with the track. We
22 didn't pick up any -- I think, maybe, we picked up two
23 horses, and I think one of them was a heart attack, and
24 everybody was really pleased, and everything was going well.

25 Once we started racing, the first week of racing,

1 we experienced about eight to ten of the right hind leg
2 injuries. In talking to some trainers, they felt some of it
3 was because of the toe-grabs, but we also noticed a change
4 in the weather at that time, and that the material in the
5 track was becoming quite cohesive in the morning, so we
6 changed our maintenance routine.

7 We started loosening the track up with power
8 harrows in the morning, before we started training, and that
9 seemed to alleviate that.

10 Now, if it was a combination of the toe-grabs and
11 the working of the track, I don't really know. But I know
12 as soon as we quit doing that, we experienced the same
13 problems again, so we went right back to doing that power
14 harrowing early in the morning, before we started training,
15 and that problem went away.

16 Through the rest of the meet, we had a really good
17 meet as far as fatalities. We had no fatalities during
18 racing. We had two or three fatalities in the morning, and
19 everything was really good.

20 As we progressed on and got into our summer meet,
21 we started seeing changes in the track. It was getting a
22 lot looser, getting deeper, we had more fatalities in the
23 morning, eight.

24 And after the meet we had re-waxed the track once
25 again.

1 So my major concern has been what's going on in
2 the morning. The fatality rate in the afternoon has been
3 excellent, has been really good, a severe decrease in what
4 we had before.

5 But the morning fatality rate has really got me
6 concerned, and what is causing it? Is it the change of the
7 track, is it the amount of horses that we're putting on in
8 compared to what these tracks have experienced elsewhere?
9 How often are we going to have to refreshen them? Is it
10 going to be once every three months, once every six months,
11 or whatever? Right now, it looks like it's once every seven
12 months.

13 And the last time we re-waxed, we didn't put any
14 rubber fiber or anything else, whereas this time that's what
15 we're going to be doing is a complete redo, as far as wax,
16 rubber, and fiber, and working with Mick Peterson to
17 determine the amounts of what to bring it back to where it
18 was at.

19 In saying that, I think that what we need, I feel,
20 is to get a chemist involved, someone that's dealt with
21 petroleum-based products, be it polymers, waxes, or what
22 have you, to make a determination if under the conditions
23 that we race, are we using the right wax.

24 Because we're totally dependent, and I'm not
25 trying to be offensive here, we're depending on the vendors

1 telling us that, yes, this is the right wax.

2 Well, you know, that sounds good, but there's been
3 some mistakes along the way, and we've seen a lot of changes
4 along the way. And I think we need to be more scientific
5 and get -- I'd like to see us work with a chemist that has
6 dealt with waxes and petroleum-based products to tell us
7 that, you know, maybe there's additives we can put in that
8 would help the wax during this time of year, or what to look
9 for and what have you, along with a soils engineer.

10 So that's kind of where we're at right now. And
11 maintenance-wise we have -- you know, it's been a learning
12 process for us. It's not that difficult to figure or to
13 learn what to do, or what to maintain.

14 I disagree with Michael that, you know, you can
15 just walk out there and tell a guy, okay, this is what you
16 do. Maybe on Michael's farm, that's fine. But when you've
17 got 1,500 head of horses on the track every day, seven days
18 a week, 365 days a year, it takes more of a toll on the
19 track.

20 And I think that we have continued to adjust to
21 the climate and the changing weather affects these tracks a
22 lot more than anybody anticipated. And I think that goes on
23 during the course of a day, from the morning time, and then
24 even during the course of racing. As the temperatures
25 increase, the track changes.

1 And what control do we have over that and how do
2 we adapt to that? And those are things that we're going to
3 have to figure out.

4 COMMISSION CHAIRPERSON SHAPIRO: All right. Well,
5 Dennis, thank you very much. I know that I knew your dad,
6 and known you a long time, and I know that you're out there
7 working on it all the time and I think that you do a great
8 job.

9 I think that -- I'm curious to know, because I
10 know that you also have been involved in other track
11 companies, or something, I think Stabilizer Solutions, as I
12 remember when we met before. What is your view about
13 polymer versus wax?

14 MR. MOORE: Well, I deal with the Equitrack back
15 in '88, in Remington, at Oklahoma City, and that was a
16 polymer racetrack, polymer and oil. And it probably
17 contributed to my first heart attack was the -- my
18 experience with the polymer.

19 (Laughter.)

20 COMMISSION CHAIRPERSON SHAPIRO: That'd be a no.

21 MR. MOORE: Right. So I think that the -- I think
22 the waxes are -- of course, and the trainers have
23 contributed to the second heart attack but --

24 (Laughter.)

25 MR. MOORE: -- but the management to the seven

1 stents.

2 (Laughter.)

3 MR. MOORE: By anyway, I think the waxes, just my
4 experience in dealing with the polymer and the waxes, I
5 think the waxes are a lot more forgiving. I mean, and I
6 don't know if it's the waxes or the fact that we have the
7 rubber, the fiber, the grids, and everything else that we
8 have into the track that makes a big difference.

9 But I know one of the -- in talking to Rich, and
10 one of the problems he had last week with the polymer was
11 something that we would -- I'd seen with the Equitrack. So
12 I don't know if that's -- you know, it sounds, it's awful
13 familiar.

14 But I'd rather go through life, if I had a choice
15 between the two, dealing with the wax over the polymer.

16 COMMISSION CHAIRPERSON SHAPIRO: Thank you.

17 So Rich, why don't we turn to you. We know that
18 you're swamped and you've done a great job, I have to tell
19 you, on what you've been doing.

20 Just anecdotally, I hadn't seen Rich Tedesco in
21 probably 25, 30 years, from the old harness days, and there
22 he is and walks in, and I said welcome back. Well, this is
23 some homecoming you've gotten.

24 MR. TEDESCO: Yeah.

25 COMMISSION CHAIRPERSON SHAPIRO: But in any event,

1 Rich, why don't you tell us your experience here, at Santa
2 Anita, with the Cushion Track or Cushion-Ride, or whatever
3 you want to call it now.

4 MR. TEDESCO: Well, first of all, this has been
5 the race meet from hell, I'll tell you. I've gone through
6 everything here.

7 I've gone through three different surfaces since
8 we've started here with Cushion Track, and a mixture of
9 sands, and now with the Pro-Ride.

10 And to give Paul his due, we tried everything in
11 the world, and you were there, you helped, to make this
12 work. And with all the different sands, and people who were
13 involved, and you've met some of them here today, and we
14 couldn't get it to drain, we couldn't get it to do anything.
15 Times were outrageous.

16 Horses were coming back pretty good. I'm not
17 going to say they all came back good, but they were coming
18 back pretty good.

19 And then when we didn't have any drainage, we
20 started the adding of sands, which I think added to the
21 problem because it got loose and then we couldn't control it
22 after that.

23 And Pro-Ride came along with a fix that we saw
24 work in the lab, and we saw it work on Ron Charles' desk.
25 And so from there we went for the installation. We worked

1 24 hours a day, for four and a half days, and managed to get
2 the horses back on.

3 And like the jocks said earlier, the first three
4 or four days were really good and then we had a hiccup there
5 on the track, and that's what Dennis was referring to, is
6 that we had some peeling effect. And I think it all stems
7 back, and which it does, to the sand that was used in
8 Cushion Track, when they added their sand.

9 When they started doing their experiments in the
10 lab, they couldn't get the polymers to grab the number 16
11 sand for some reason, and that is the problem we have here.
12 But we're coping with it, making it happen.

13 To do that, I power harrow the track about three
14 times a week. If I see anything separating, I do it that
15 way to make it gel again, and it's working pretty good. I
16 haven't had any major breakdowns, ambulance hasn't gone out
17 that much. In fact, very little. Yes, I agree.

18 And so we're making it happen and we're going to
19 try to make the nine weeks left, and just keep our fingers
20 crossed.

21 COMMISSION CHAIRPERSON SHAPIRO: Okay, thank you.

22 COMMISSIONER MOSS: What, Rich, is the difference
23 between the sand that is at Hollywood Park and the sand that
24 was originally put in here, at Santa Anita?

25 MR. TEDESCO: The sand at Hollywood Park was a

1 silica sand that they mixed in England. And a real silica
2 sand is very, very pure.

3 COMMISSIONER AMERMAN: Yeah.

4 MR. TEDESCO: And the sand they used here is a
5 mixture out of Gilbrand, what they call a 90, and it's got
6 silt and clay in it. And I don't know how the mixup
7 happened, how this all came about, because we weren't
8 involved in that. But when they mixed it, after our first
9 rain we noticed that there was no drainage. There was
10 places that were dark, and places that were draining, and it
11 was just all over the place.

12 And when we started taking samples and sent it to
13 the lab, we found out we had a high percentage of silt and
14 clay in it, and that contributed to the track getting hard,
15 getting soupy, everything that goes with a dirt track that's
16 left open, that's happened to us.

17 COMMISSION CHAIRPERSON SHAPIRO: Okay. Thank you.

18 Next, Steve. Steve Woods, he's done I don't know
19 how many racetracks in California, and you certainly have
20 had your experience. Why don't you tell us your views. You
21 do Del Mar, and give us your views on the situation.

22 MR. WOOD: I'm Steve Wood and I'm pretty blessed,
23 I left Santa Anita in July, after 18 years, and I don't have
24 any heart trouble, yet.

25 (Laughter.)

1 MR. WOOD: My experience with dirt and the
2 Polytrack at Del Mar, my experience with the Polytrack this
3 year, at Del Mar, was very positive. There were some
4 issues, we were all a little apprehensive going in because
5 we didn't have experience with the maintenance part of it.

6 But we were pretty blessed, Michael Young, from
7 Keeneland, came out and he actually was there almost half
8 the meet, and he showed us how to take care of it, he showed
9 us everything to do on a daily basis, and showed us the
10 problems that he'd had. And we followed this program all
11 the way through, we really never varied from it much.

12 If we had an issue, I'd call him, or I'd call
13 Martin Collins, or Jim Pendergest, and pretty much we did
14 exactly what they said. We bought into the program a
15 hundred percent and it seemed to work very well for us.

16 There were issues with it, morning was a lot
17 different than the afternoon. We did things, too, in the
18 afternoon to try to tighten it up, and it didn't seem to
19 work. It was very temperature -- it was very sensitive to
20 the temperature. Moisture, temperature. We never did water
21 it.

22 We did exactly the way -- we took care of it
23 exactly the way they told us to.

24 You'll hear some negative things about it, but my
25 experience at Del Mar, I've been there 18 years, I was here

1 18 years. From my experience, and I visited with vets
2 constantly, I visited with four or five vets at least three
3 times a week.

4 My experience for there, it hit a home run. We
5 raced 39 days without a racing fatality. I don't
6 think -- I'm not sure that there's a track anywhere in the
7 country that has that kind of record on the dirt, not
8 the -- just the dirt, alone.

9 There were issues with it in the afternoon, it did
10 get slow, you know. I believe that the manufacturer's going
11 to address that and I believe -- I'm a positive person, I
12 think it will be better this year. But overall, I think it
13 was very good.

14 I don't think, from what I heard from the
15 veterinarians that I visited with, and I made a point to
16 visit with five vets at least bi-weekly, you'd think that
17 being slow it would have a tendency to make horses rupture
18 tendons, and bow, and pull suspensories, and the people that
19 I visited with never said there was much of an increase or a
20 decrease, it stayed about the same.

21 I, like Dennis, think that we should develop some
22 kind of tests so that we know the composition stays exactly
23 the same. If the wax wears off, I can relate to bark, and
24 sand, and stuff with a dirt track. As a track reaches its
25 peak and starts to degrade, it doesn't function as well as

1 it should.

2 I think there should be a way to test it, I think
3 there should be a way to monitor it. I think Mick Peterson
4 is trying to develop stuff that will help all of us.

5 For me, I think it was a very, very good surface.
6 I'm sure you'll get people that aren't as positive about it.
7 I don't want to go too far out on a limb, I think there are
8 good dirt tracks around, as well. I mean, I also think
9 there are poor dirt tracks, you know. That's just pretty
10 much my experience.

11 We used the equipment that Martin Collins bought
12 us, and he was out several times. We didn't have to power
13 harrow very much. We did pretty much the same thing every
14 day of the week. Monday and Tuesday were no different from
15 a Saturday and Sunday.

16 From my way of thinking, for the volume of horses
17 that we had, it did phenomenal.

18 COMMISSION CHAIRPERSON SHAPIRO: Okay, thank you,
19 Steve.

20 And Juan, Juan Meza, you're the track man at
21 Golden Gate Fields. I haven't had the pleasure of meeting
22 you, but it's nice to meet you, and thank you for coming.

23 And you've had your experience, now, of going from
24 dirt to Tapeta, and what is your view -- what are your
25 views?

1 MR. MEZA: Yes. My name is Juan Meza and I'm the
2 track superintendent at Golden Gate Fields. It is our
3 newest track, probably we have five months with it. And,
4 yes, from the beginning it does have to work on it, and I
5 call it break it down, Michael calls it cure. Which is, you
6 know, the same, as it changes from being brand-new to, you
7 know, three or four months later.

8 But I'm really positive with it, I like it. I
9 really like it because at the first rain we got up there it
10 drained really good, no problems. So everybody, you know,
11 accept it really well.

12 And we did have some problems in the first month
13 of racing. We decided to make an adjustment, which it was
14 including the equipment from the heavy equipment to lighter
15 equipment, it made all the difference. Things went a lot
16 better since then.

17 And up to now it's really good. Everybody likes
18 it and, you know.

19 COMMISSION CHAIRPERSON SHAPIRO: So let me ask all
20 four of you a question then. The one thing that seems to
21 really come through from so far today is that people want to
22 see consistency, that there's probably been a fallacy that
23 you put them in, you wave goodbye to them, and they're going
24 to be just fine. That there's truly a maintenance issue to
25 these tracks. They probably break down and need to be

1 refurbished or refreshed, and so forth.

2 What can the industry do, or what can this Board
3 do so that we can help the communication between the four of
4 you? I don't know if you and the other track men in the
5 State, or in the country, I don't know if there is a
6 dialogue that's ongoing. I mean, we've heard some pretty
7 good science today from Dr. Peterson and Dr. Bardet. I hope
8 you heard what they had to say, and they seem to be on top
9 of the science.

10 But what can we do, because you guys have probably
11 the most difficult job on the racetrack. The trainers,
12 every morning, if something goes wrong, you know, the first
13 thing you want to blame is the track, so I wouldn't want to
14 be in your shoes.

15 So what can we, as an industry, or we, as a Board
16 do that can help you? Is there anything that comes to mind?

17 MR. MOORE: You know, I've known Rich for, I don't
18 know, 40 years, I guess, and Steve. And so I mean, I
19 communicate, and Rich and I have been talking a lot, and
20 then I talk with Steve a lot. And Juan, I don't really know
21 that well. So, I mean, we communicate and talk about our
22 various little problems that we have, you know, between one
23 another, and what you're seeing and what I'm seeing, and all
24 that.

25 But the thing is that all three of us -- or four

1 of us, actually, I think all these tracks are different. I
2 think, you know, Del Mar's is different than Hollywood, and
3 Hollywood's different than Tapeta, and then we have Santa
4 Anita, which is different as well, what they've been
5 through.

6 So I mean it's each track has its own little
7 peculiarities that we have to get through, and learn about,
8 and understand, and so then that makes it difficult for me
9 to tell Rich about my problems, when he's got a completely
10 different track, or Steve, or what have you.

11 So I think the biggest thing is to have someone
12 like -- to get more science involved in it, really, and take
13 the guesswork out of it. Which is what we were doing with
14 the dirt tracks, when we got Mick Peterson involved through
15 Wayne McIlwraith and the HQHA funding that originally kicked
16 that whole program off, and that was the idea was to develop
17 a testing system so that we could go to a track and know
18 what its optimum performance should be, regardless of what
19 track it was, Hollywood, Santa Anita, Del Mar, Golden Gate
20 or whatever. And we would have parameters that we would
21 have to stay within, that would be a guideline for us, and
22 that's where we need to get with these tracks, you know, if
23 they're going to continue to be here and they're here.

24 And we need to understand that and horsemen need
25 to understand that. And once we have it just right, then we

1 want to try to keep it in that, within those parameters, and
2 the only way to do that is going to be through some type of
3 scientific testing, ongoing testing, be it weekly, monthly,
4 or what have you.

5 COMMISSIONER HARRIS: But right now is there
6 any -- are there any parameters that you can really point to
7 that can check a track for whatever conditions you're
8 looking for now?

9 MR. MOORE: Well, I mean, we've been using Clegg.
10 They talked about Clegg hammers earlier today. Well, we've
11 been using Clegg hammers and petrometers forever to get
12 density.

13 But there's a lot more involved in this stuff,
14 with the wax being there, and it's been very difficult to
15 get any real accurate testing done on these tracks because
16 of the separation of the wax from the particles, the various
17 particles that are in there.

18 So we need to get that narrowed down to where that
19 becomes more accurate than what's been done in the past.
20 And I think Mick feels, currently, that he can do that, he
21 can now give us a test and a result that is conclusive, and
22 we can see that instead of having six percent wax, we only
23 have four percent and, you know, we need more rubber, we
24 need more fiber, or whatever, and we can get it back to
25 where it's at.

1 MR. WOOD: With dirt, you guys, we all were pretty
2 experienced. You know, we all had taken care of dirt for a
3 long time. And we would share ideas. We've shared ideas
4 for 15 or 20 years together.

5 We still do share ideas. I mean, I converse with
6 Dennis two or three times a week, and Juan. And I don't
7 talk to Richard too much, but I talk to -- we talk a lot. I
8 talk to Michael Young at least once a week, you know, to try
9 to improve ourselves, to try to not have to make the same
10 failures they've made.

11 We're trying some new tires, now, that I think
12 Chicago's tried at Arlington Park. Constantly, you're
13 trying to talk to people so that you avoid having to go
14 through the mistakes that everybody has made.

15 The scientific part that Mick adds to the equation
16 helps all of us a lot. Because as the material breaks down,
17 the maintenance you were doing today doesn't work so well,
18 once the material starts to wear out or break down. That
19 will help us more, I think, than anything. That will give
20 us a guideline and a rule to go by so that we know as the
21 material changes, or as it matures, it doesn't require a
22 different type of maintenance.

23 COMMISSIONER MOSS: So then you think each of your
24 tracks will probably need its own chemist, it's own
25 Professor Bardet, so to speak, somebody that could -- you

1 know, because there's such differences in the constitution
2 of each track that you'll need your own man, somebody that
3 likes wax better than polymer, somebody that likes
4 polymer -- you know, you're going to have to tailor each
5 aspect of this thing because there is no uniform aspect to
6 it.

7 You've all got different kinds of silt, it's a
8 different kind of manufacturer. I just wonder, and I can
9 ask you this question, Dennis, is your relationship the same
10 with Cushion Track, now, that they've failed so badly at
11 Santa Anita?

12 MR. MOORE: Yeah. I mean, I still -- matter of
13 fact, I just talked to Paul last week or so, he called me.
14 So, obviously, he hasn't been coming around here, but he
15 still shows up at Hollywood, and we're in contact with him,
16 now. I'm trying to reach him about currently the upgrade
17 that we have to do.

18 And I mean, I don't know if it's several guys that
19 we're going to have to get involved, or one guy that can
20 handle all the tracks out here or whatever, but I think we
21 definitely have to have that person so that we know that if
22 we're in a percent and a half of our wax being too low, that
23 that's the time where you can go as far as it being two
24 percent without seeing a drastic change in your track. And
25 I think that's where we have to be in order to try to

1 deliver the consistency that's demanded from the trainers,
2 and the horses, and the industry as a whole.

3 And I think it's a lot more -- I think everything
4 with synthetics, and I think I learned this first with the
5 Equitrack -- you know, it used to, when I mentioned
6 Equitrack and waxes, everybody would say, oh, they're not
7 the same thing. Well, now we're starting to find out that
8 they do have a lot of the same characteristics. They do
9 create, have little problems like the other.

10 And I think we have to get to that point where we
11 can jump on those before they become major, major problems.
12 Because this stuff is so -- everything's accentuated with
13 it. Whereas with dirt, you know, we all know if we had a
14 lot of breakdowns, fractures, and breaks, what have you, and
15 horsemen talking about, you know, your track being too hard,
16 you knew what to do.

17 Well, we're seeing stuff here that we've
18 never -- like I said, the first week we raced on this stuff
19 we had eight to ten right hind ankle injuries. We might
20 used to see one a year. You know, and that's not an
21 exaggeration. I mean, I got that from the hospital, equine
22 hospital.

23 So those are the kind of things that we have to
24 stay ahead of the curve on, before they get out of hand.

25 COMMISSION CHAIRPERSON SHAPIRO: You know, I think

1 that one of the things that we have learned so far is that
2 there needs to be a lot more science, and the tracks
3 probably have promise, but we need to make sure that we find
4 the right scientist.

5 I know that, only because I was there with Rich,
6 and the people here at Santa Anita, when we were trying to
7 figure out what to do, and I was amazed that when the Pro-
8 Ride people came in, and they started talking about the
9 moisture content and, I mean, down to such precision of how
10 much the track could absorb, and what level, it was too
11 much. And, I mean, it truly was science. And I think with
12 Dr. Bardet, and working in the laboratory, it's clear that
13 there needs to be a lot more of that.

14 And somehow, I don't know if, you know, all of the
15 tracks should contract with the soils laboratory, where you
16 can send in the samples on a weekly basis, or find some
17 protocols.

18 MR. MOORE: I think the problem with that right
19 now is that the testing hasn't been thorough enough because
20 of the difficulty we've had, where I think Mick has now got
21 to the point where he's developed that.

22 But, I mean, I couldn't agree more with you. And
23 I think -- you know, I think it can't be one of these things
24 where, geez, let's see, this feels, maybe we ought to put a
25 little more wax, this needs a little bit -- no, no, we can't

1 have that, because this stuff is too sensitive. It's too
2 sensitive to weather changes, to temperature changes.

3 I mean, you can have three different racetracks in
4 the course of the day, you know, what you have in the
5 morning, what you have at noon, what you're going to have at
6 three o'clock in the afternoon. We have to try to control
7 that better, if that's possible, and we need to narrow that
8 range of that change happening.

9 I mean, it will change in the morning, from 5:30
10 in the morning to ten o'clock in the morning, and you have a
11 couple of changes in the track then. We take temperatures
12 every day on the track, when we're racing. And this fall,
13 you know, it could be 50 degrees ambient temperature,
14 outside on the track temperature could be 35. That's a big
15 difference.

16 You know, then by ten o'clock the track's 55.

17 COMMISSION CHAIRPERSON SHAPIRO: Well, this is, I
18 think, very enlightening and obviously this is an area where
19 the industry nationally has to, I hope, come together, and
20 we all have to pitch in, I think. That we have to find some
21 solutions and ways to quantify, you know, what we can do and
22 reach out more to the scientific community.

23 So I think this is a very good panel and I want to
24 thank you all for coming. Terrific. And you guys do a
25 great job, you really do. Thank you so much.

1 (Applause.)

2 COMMISSION CHAIRPERSON SHAPIRO: The next panel is
3 the Racing Secretaries panel, Sean Greely, Tom Robbins, Mike
4 Harlow, and Rick Hammerle.

5 Welcome, gentlemen. This is, again, another non-
6 moderated panel, so we want to give you each time to give us
7 your observations. All of you have been involved, now, in
8 dirt and synthetic surfaces. And I think what we'd like to
9 hear are your observations of having been dirt, and now that
10 you have synthetic, and what you hear, what you see, and is
11 your job easier, is it more difficult?

12 So we can go right to left, left to right, or
13 whoever wants to talk? Or, Tom, it looks like you're
14 grabbing for the mike, you can start.

15 MR. ROBBINS: Just adjusting it.

16 COMMISSION CHAIRPERSON SHAPIRO: Doesn't matter.

17 MR. ROBBINS: Well, I'd be happy to start.

18 COMMISSION CHAIRPERSON SHAPIRO: Just introduce
19 yourself, please?

20 MR. ROBBINS: Tom Robbins, Del Mar. I think we
21 want to keep our comments short, only because we know this
22 has been a long day and I think, quite honestly, we've heard
23 from all the right people so far.

24 We are here, I think, to merely fill in the gaps
25 and present maybe a little different perspective on what's

1 happened.

2 I have one meeting under my belt, Del Mar 2007,
3 and I can comment on. I think what we heard today from the
4 trainers is that they are all sort of experiencing different
5 things. You hear from some trainers that have very good
6 experiences with these tracks, and I'm going to try to keep
7 my comments to what they experienced on our track at Del Mar
8 this summer.

9 And then you have others that would wish that it
10 would be removed immediately.

11 I've been doing this job at Del Mar for over 25
12 years, and I can tell you, and by the evidence that we have,
13 that what we experienced in 2007, in terms of catastrophic
14 injuries and non-catastrophic injuries, that it was the best
15 year for that period that I've worked at Del Mar.

16 I think that's something pretty important. You've
17 heard today that we didn't have an ideal situation down
18 there. I think we had a very good track to train on in the
19 morning but, clearly, that track in the afternoon changed.
20 And you've also heard from the people today, the scientists,
21 and Martin Collins, and Jim Pendergest how the effort is
22 going to be made to lower that gap between how that track
23 behaved in the afternoon versus the morning.

24 All of our reports indicated it was as good a meet
25 as possible. We have a lot of comments from trainers as

1 well. We have data from our catastrophic injury reports,
2 the veterinary hospital, x-ray reports.

3 What we get from trainers, day in and day out,
4 were as a group very, very positive. Recognizing that some
5 trainers had difficulty with the racetrack, for whatever
6 reasons.

7 But I think it's critical to say that. In 25
8 years -- and I would hazard a guess that the thoroughbred
9 racehorse may not be as sturdy as he was 25 years ago. So I
10 think that's something that needs to be noted.

11 Even in spite of the difficulties of the
12 experience of the racetrack in the afternoon, our field size
13 was up.

14 We have experienced a high attrition rate of
15 horses at Del Mar through the years, and I don't think we
16 saw it this year, clearly didn't see it this year.

17 Something we experienced this year, that I've
18 never seen, and most racetracks probably have never seen, is
19 the field size actually increased as the meeting went along,
20 and actually ramped up quite dramatically at the end of our
21 season.

22 I think Rick Arthur mentioned, earlier, that we
23 had a thousand more works on our racetrack. That's not a
24 surprise. It was a challenge for trainers, it was a puzzle
25 for trainers to try to figure out how to prepare their

1 horses on that racetrack in the morning, and get them to
2 race competitively in the afternoon.

3 But they were two very safe racetracks and that
4 needs -- I can't stress that enough.

5 One other comment I would like to make, and Mike
6 and Rick can talk about it, is clearly the evidence that
7 happened at Oak Tree, a meeting that followed our meeting.
8 We sent -- when we talk about attrition rate, I can't tell
9 you what the number would be, but we clearly sent a much
10 healthier horse from Del Mar back to the Los Angeles area,
11 than we ever have.

12 And I'm excited. I think we're clearly going to
13 bridge that gap between morning and afternoon, and I think
14 we have nothing but good things to look forward to.

15 COMMISSION CHAIRPERSON SHAPIRO: Thank you. Mike?
16 Rick?

17 MR. HAMMERLE: I want to preface my comments by
18 saying I don't train horses, none of us up here train
19 horses. Part of our job is to listen, though, to trainers
20 who do train horses and, you know, during that time, Sean
21 and I come from a background back east, where people don't
22 seem to complain as much as they out here, about just about
23 anything, and I think you'll agree.

24 (Laughter.)

25 MR. HAMMERLE: We came here and, you know, you

1 kind of get used to people arguing about this, that, and the
2 other thing. But I'll say the number one thing that I --
3 complaint that did hear, when I got here, and continued to
4 hear was about the racetracks. Too hard, too this, too
5 that, something about the racetracks.

6 So, you know, keeping that in mind, I think
7 sometimes we maybe hear things more to the point than you
8 hear at some of these meetings. Bob Baffert brought it up
9 this morning, no one's going to -- you know, nobody's really
10 in a hurry to tell how many horses they've hurt in a public
11 forum. And so maybe sometimes you guys don't hear a lot of
12 things that maybe we hear in our offices. We kind of act as
13 a sounding board for, you know, owners and trainers to kind
14 of come in and lay their soul out for a little bit, and go
15 on, and it's kind of our job to listen to them and, you
16 know, filter that stuff out and kind of see what's right,
17 and what we think is right and what isn't.

18 But like Tom, when I worked with Tom at Del Mar
19 this summer, Mike and I worked Oak Tree, and now I'm back at
20 Santa Anita, so I have just a small little story at each one
21 of those -- one of those racetracks about the changes over
22 the synthetic surfaces.

23 Everyone knows the story of Del Mar, with the
24 apprehension going into the meetings and, you know, the
25 different track in the morning and the different track in

1 the afternoon. Well, I think everyone can remember the last
2 few years at Del Mar, every time they'd turn for home you'd
3 kind of cringe when you watched a race, and they'd go by and
4 you'd kind of count the horses and you'd go, okay, they all
5 made it.

6 Well, this year we kind of watched the race, but
7 after the race was over we kind of only looked to the right-
8 hand corner of the screen just to see what the time was,
9 hoping they'd break 1.13 or something.

10 And, you know, it was a little different, we had a
11 lot of people complain about that. And, you know, each day
12 were we going to change it, and the decision was made
13 halfway through the meet to leave it alone. And I think
14 that was the thing to do because it was working, and we
15 ended up with a lot fewer fatalities.

16 But what hit me the most was the last three or
17 four days of the meet I had at least a half-dozen trainers
18 come into the office on the front side, during the meet, and
19 sit down with a look on their face like they just didn't
20 know what to do because this was the first Del Mar meet in
21 years where they came with 20 horses and they left with 20
22 horses.

23 And besides all the training problems, and the
24 afternoon problems, and the speed, and this and that, the
25 bottom line was they pretty much left with what they had.

1 Which leads into the Oak Tree meet, which
2 literally used to go into the last three or four years like
3 let's just get by these five or six weeks. Because we just
4 didn't know what kind of stock we had and, pretty much, we
5 didn't have as much as we started with at the Del Mar meet.

6 And this meet, after hearing the comments at the
7 end of Oak Tree, that people had more horses, there was a
8 little bit of a buzz going into the Oak Tree meet, and we
9 actually had a lot of confidence that it was going to be a
10 better meet, and it sure was.

11 And I don't just look at field sizes, you know,
12 I'm not a huge field size, you know, oh, we were up a horse
13 a race. Well, that's great, we can run maybe 25s and be up
14 three horses a race, if we want.

15 It was the types of races that we were up in, the
16 maiden and two-year-old races, especially. Not only did we
17 increase the number of the races, we increased the field
18 size in the races, and I think we even split a couple of the
19 races, which never happened before. And so the Oak Tree was
20 just a wonderful experience.

21 And then we came here. And, you know, obviously
22 it was a new track, too, we didn't know what to expect. We
23 had a hint of a possible problem, with the little bit of the
24 train we had at Oak Tree, but we had no idea that it was
25 going to turn into what it did.

1 And it got to the point where if the phone didn't
2 ring before 5:30 or 6:00 in the morning then, you know,
3 maybe it was going to be all right. But there weren't too
4 many days where the phone didn't ring early, where we were
5 concerned not only if we were going to be on the turf, it
6 was whether we were going to run at all.

7 And I'm going to say during that four- or five-
8 week period, where it was getting pretty tense around here
9 as far as, you know, owners getting a little upset, trainers
10 not knowing how to train, we were getting upset whether we
11 were running, when are we going to run, when are we going to
12 cancel.

13 Everybody was pretty good about it. And if there
14 was ever a chance, if there was ever a time for there to be
15 a revolt, I mean, I actually thought maybe I'd come here one
16 day and there would be every trainer with a shovel in their
17 hand, they were going to shovel this track out and ask for
18 something else.

19 Well, through all this, the people still wanted
20 the synthetic tracks. For me, it was actually kind of hard
21 to believe. I thought we'd hit a point there were it was
22 just like let's just get rid of this stuff.

23 But the majority of the people, they wanted to
24 fight through it, they have fought through it, and we're
25 getting back on our feet here a little bit.

1 And I'm -- you know, those are my three stories
2 about it. They were all positive endings. And, you know,
3 there's cases for both. But I think synthetic tracks are
4 here to say and I feel that when they're working, that our
5 job ends up being easier.

6 COMMISSION CHAIRPERSON SHAPIRO: Thank you, Rick.
7 Sean?

8 MR. GREELY: Sean Greely, Golden Gate Fields. I
9 would have to say that, like most people, the overall
10 experience as a racing secretary at Golden Gate Fields has
11 been very positive.

12 I think for the longest time, one of the big
13 knocks about taking horses to Golden Gate Fields was the
14 racetrack. People felt that if they took horses there and
15 raced them, that they would -- they might not take a horse
16 home.

17 And I think that this is particularly the case in
18 the wintertime when it is -- when we've had heavy rains.
19 Since I've been there, which is the fall of '04, we had two
20 winters where we had excessive rains. I think everyone will
21 remember the spring of '06, where it rained for 45 days
22 straight. And there were numerous days during that period
23 where we didn't know whether we were going to be able to put
24 out a card.

25 I think one day we put out a card where we could

1 only fill seven. Five of them were six-horse fields, two of
2 them were five-horse fields.

3 And the horsemen not only did not want to run
4 their horses, they were afraid to train them, because they'd
5 take them out there, they'd try and keep them fit, and they
6 would hurt them and they wouldn't have a horse for the later
7 spring.

8 So I went out, did some recruiting in the fall,
9 and the reception from the horsemen in Seattle, and Canada,
10 where I went, was very enthusiastic, everybody wanted to try
11 the surface.

12 And as it turns out, they came in, their horses
13 ran well. Very few of them were injured and they were very,
14 very happy with the surface overall. So much so that some
15 of the trainers actually purchased homes in the Bay Area,
16 and they're very -- they're looking forward to coming back
17 again and may even stay year-round.

18 So our experience there has been a good
19 experience. When we had two or three weeks of rain in
20 January, it was a non-issue. It was like the sun could have
21 been shining outside, except for the fact that we couldn't
22 use the turf course. So all in all it's been good. Thanks.

23 COMMISSION CHAIRPERSON SHAPIRO: Thanks.

24 Mike?

25 MR. HARLOW: Mike Harlow, Santa Anita. If

1 Chilly's watching, despite what Rick said, and this nothing
2 against Rick, but we do go into every Oak Tree meet very
3 optimistic and with high hopes.

4 (Laughter.)

5 MR. HARLOW: Sometimes on the two-year-old races,
6 coming off Del Mar's difficult. But I believe after the Oak
7 Tree meet this last meet, I did call Tommy and I said that
8 we reaped the benefits from Polytrack, and we really did.

9 Our field size, just to throw some statistics at
10 you, we filled our two-year-old main races at 9.6 per horse,
11 which is almost a full horse higher than what we'd
12 experienced previously at Oak Tree.

13 Our field size overall was 8.9 a race. We've
14 never, in my ten years at Oak Tree, have never been over
15 8.5. And I think that speaks for the synthetic surfaces.

16 I'll keep my comments short. Overall, this meet
17 at Santa Anita is very difficult. We only have one full
18 meet, and that's the Oak Tree meet, to draw our numbers off
19 of, obviously.

20 But as a whole, horsemen-wise, filling races,
21 injuries that we hear from horsemen, it's much less with
22 synthetic surfaces, as we hear in the racing offices. And,
23 basically, we're the first line to the horsemen. When
24 there's a problem, like Rick said, our phone rings at 5:30,
25 6:00 in the morning. We know prior to coming to work

1 whether there's a problem with the racetrack.

2 This meet has been not a good basis for that
3 because our phone's been ringing quite often for different
4 reasons.

5 But overall, and one other point that I'd like to
6 make before I close is the amount of horses training on
7 these surfaces, I think, is unlike anything that the
8 manufacturers have experienced, which has caused us some
9 growing pains, which we're constantly changing as we go, as
10 far as our breaks in the morning, how we maintain the
11 racetrack. I don't think the manufacturers have seen a
12 thousand to 1,500 horses train, as Dennis said, seven days a
13 week, 365 days a year.

14 It's something that we're all learning and I think
15 the process will improve as we go along. Here, at Santa
16 Anita, we've had to constantly change in the morning,
17 depending on how the racetrack is reacting to weather, the
18 amount of horses, whatever it may be.

19 So like it's been said over and over again, this
20 was a learning process and I think it will get better as it
21 goes along.

22 COMMISSION CHAIRPERSON SHAPIRO: Thank you, Mike.

23 Do any of the Commissioners have any questions for
24 this panel?

25 Then let me thank you. You guys, you are the

1 first line of defense and you do a great job, and thank you
2 very much for coming here and sharing your thoughts. Thank
3 you.

4 (Applause.)

5 COMMISSIONER HARRIS: Yeah, the one thing I
6 learned from the panel was I didn't -- the one thing I
7 learned, I didn't realize the racing office opened at 5:30
8 in the morning to take calls.

9 MR. ROBBINS: It doesn't.

10 COMMISSION CHAIRPERSON SHAPIRO: They just block
11 the area code you're in.

12 (Laughter.)

13 COMMISSION CHAIRPERSON SHAPIRO: Okay, the next
14 panel is the Horse Owners panel, and this will be moderated
15 or presented by Drew Couto, of the TOC, and I think J. Paul
16 Reddam is here, and I believe there are Marsha Auerbach, the
17 Vice-Chair of --

18 MS. AUERBACH: Madeline.

19 COMMISSION CHAIRPERSON SHAPIRO: Madeline, I'm
20 sorry. She'll forgive me.

21 Okay, Mr. Couto.

22 MR. COUTO: Drew Couto, Thoroughbred Owners of
23 California. I apologize that our panel has -- there's been
24 some attrition over the day. We've lost two to illness so
25 far, late scratches, and one who was unable to make it, and

1 one who had to go catch a plane, so you've got two of us
2 here.

3 Two owners, in addition to myself, that will
4 hopefully share some of their own personal views about the
5 racing surfaces.

6 Before we get there, I'd like to run through a
7 quick PowerPoint presentation. I'll do it rather rapidly,
8 because I know everybody's tired.

9 The focus of the PowerPoint presentation is on
10 business trends. One way in which we have traditionally
11 measured the business of racing is looking at things, such
12 as handle, purse revenue, field size, starts, and works,
13 individual starters, demand for stall space, and quality
14 racing opportunities.

15 Those are -- in terms of the metrics, those are
16 the traditional indicators that we are constantly evaluating
17 to determine how the business is doing.

18 First off, the one that is most commonly referred
19 to, but I think probably one of the least insightful
20 indicators, is handle. But, nevertheless, we're going to
21 take a quick look at it, to see what we learned in 2007.

22 And I'm giving you handle for 2006 and '07, for
23 Santa Anita, Hollywood Park, Del Mar, and Oak Tree. And
24 what may not -- what jumps out at you is, one, we had
25 increase in handle at all of the Southern California tracks

1 since we introduced the engineered surfaces to them.

2 Santa Anita, shown there, does not include an
3 engineered surface, that was before the engineered surface
4 went in.

5 And while we had some growth in terms of overall
6 handle, it was the least of the three that we look at.

7 And one significant indicator, at least in my
8 mind, was the growth in out-of-state handle. We backed out
9 Canadian pari-mutuel handle because 2007 was the first year
10 in which it was commingled, and if we had added that, it
11 would have been a gigantic boost, and it wouldn't have been
12 a clear indicator, and so we backed out Canadian pari-mutuel
13 handle, and we could see significant gains out of state.
14 Meaning, the product in 2007 was better received out of
15 state than it had been in prior years.

16 And this was reversing a trend. We had seen
17 downward out-of-state handle, we saw increasing out-of-state
18 handle in 2007.

19 So purse revenue, let's look at the next
20 indicator, purse revenue is what we believe is the most
21 important. Looking at handle and purse revenue, it's really
22 the difference between gross sales and net revenue, it's the
23 bottom line in terms of the business from the owners' stand
24 point.

25 And we're going to go through the individual

1 meets, beginning with Hollywood Park. In the first meet in
2 California that was on an engineered surface or synthetic
3 surface was the 2006 Hollywood Park fall meet. And over the
4 prior year we saw an increase of 18.2 percent in average
5 daily purse revenue. So comparing the 2005 meet, which was
6 on a traditional dirt track, an old dirt track, versus the
7 first on an engineered surface, Hollywood saw an 18.2
8 percent increase in average daily purse revenue.

9 Looking at its spring meet, the spring meet also
10 saw an increase in excess of eight percent over its prior
11 dirt meet.

12 And then we look one last time at 2007, Hollywood
13 Park fall, which would have been the second season that it
14 ran on an engineered surface and again what we see is we had
15 an almost seven percent increase in average daily purse
16 revenue.

17 And again, this -- we use average daily purse
18 revenue because each of these meets varies in size by a few
19 days, so the best indicator is looking at average purse
20 revenue.

21 If we look at the Del Mar meet, its first on
22 engineered, we saw a 2.2 percent increase. Now, that may
23 not look significant, except if you realize it's a 2.2
24 percent increase over its best meet ever. And that's also
25 reflected -- it also reflects an increase, despite all of

1 the trials and tribulations that were widely reported at the
2 Del Mar meet last year, over its surface.

3 We still saw, again, increasing out-of-state
4 handle and, overall, an increase in purse revenues.

5 And when we get to Oak Tree this past year, the
6 increase was rather significant, again. That meet increased
7 its purse revenue on a daily basis by over 14 percent, 14.7
8 percent.

9 And when we get this last -- when we talk about
10 Golden Gate Fields, and this current meet, it increased 2.5
11 percent.

12 Now, what's very important about that increase,
13 despite it being small, is that's despite losing signal from
14 Southern California on eight days. And that revenue,
15 generated from Southern California signal, is just slightly
16 better than 40 percent of the purse revenue comes from
17 wagers on Southern California races.

18 So for what is roughly a fifth of their meet
19 without the Southern California signal, which would again
20 have been 40 percent of that revenue on that day, they still
21 had over a two and a half percent increase in purse
22 revenues, which are all very positive business indicators to
23 us.

24 And those are all reversing downward trends.

25 Now, I'd like to look at the other couple metrics,

1 as well, and if we now look at field size, and we go back to
2 Hollywood Park for the spring meet of 2007, its field size
3 increased 4.5 percent. And, again, that's important because
4 roughly, depending on who you listen to, for every horse
5 that we increase in terms of field size from, let's say,
6 average of seven to eight, it reflects, roughly, an 11
7 percent increase in betting handle on those races, so it's
8 very important to have large field sizes.

9 The number of average starters per day also
10 increased at the Hollywood Park spring, its first on the
11 engineered, by over six percent. So, again, looking at
12 traditional metrics, the Hollywood Park spring meet was up,
13 clearly.

14 Looking at the Hollywood Park 2007 fall meet and,
15 again, that was comparing to an engineered surface meet in
16 2006, we say again a second increase in field size, 1.6
17 percent. And we saw, again, an increase in the average
18 number of starters per day.

19 So even with a second consecutive meet, it
20 continued to grow on itself, with an increase of 6.4
21 percent.

22 The Del Mar meet, field size increased 2.9 percent
23 to 8.82, which was the highest average field size we'd had
24 in a long time, in California.

25 And so, again, our best meet grew despite all of

1 the trials and tribulations.

2 And I hope Craig Fravel will share a slide with
3 you later to show something that Tom Robbins alluded to a
4 minute ago, what's amazing about the growth in average field
5 size is a lot of it occurred at the end of the meet. And
6 the last two weeks were rather dramatic in terms of average
7 field size increases.

8 And, again, average starters per day increased by
9 over 6.3 percent.

10 Oak Tree had some of our most significant gains,
11 it's field size increased by over ten percent, almost 11
12 percent, to the highest number we saw, at 8.93, which was
13 huge, it was a huge increase.

14 And, again, average number of starters per day
15 increased by over 18 percent.

16 Golden Gate Fields saw what was, we thought, a
17 remarkable increase in field size, almost two horses, and
18 that's over a 13 percent gain, to 8.2.

19 And the number of average starters, despite the
20 problems up there, increased by over 15 percent. So those
21 numbers, all positive.

22 Now, I want to look at quality racing
23 opportunities for each of those meets, and I'll try to go
24 through this pretty quickly.

25 First, beginning with the Hollywood Park spring

1 meeting. As we indicated, the average daily starters had
2 increased by 8.6 percent, the average field size up. But
3 what we found very encouraging is if you look at the stakes
4 races, and the allowance races, the field sizes there
5 increased the most.

6 And in years past we had been told that we had a
7 shortage of allowance horses, and our allowance races
8 weren't filling. Hollywood Park, with two extra racing
9 days, ran almost 20 more allowance races, filled almost 20
10 more allowance races and showed an increase in field size in
11 those races. Despite running 20 more, increased over 7
12 percent.

13 So in terms of quality racing opportunities, there
14 were a lot more through that. We also saw an increase in
15 the maiden allowance races.

16 So again looking at the Hollywood Park fall meet,
17 its second year, we saw an increase, again, in the field
18 size, as we've alluded to, and they had additional stakes
19 races.

20 Looking at Del Mar, quality racing opportunities.
21 If this will cooperate with me.

22 Again, I just -- I'm reminding you of the 6.3
23 percent increase in average starters, but when we go ahead
24 and look at the stakes races at Del Mar, I believe we saw a
25 29 percent, almost 30 percent increase in field size, and

1 the allowance races, as well, increased field sizes by
2 over -- my eyes are -- I believe it's almost 15 percent.

3 So in terms of quality racing opportunities,
4 again, they were well up from where they had been in years
5 past.

6 Oak Tree, again saw the same sort of significant
7 increases. Field size up ten percent. And then when we
8 look at the stakes allowance races, and maiden allowance
9 races, you'll see that those quality races all improved
10 dramatically in field size, number run, the ability to fill.

11 And Golden Gate, which to me was very, very
12 encouraging for the north, which has for a long time been
13 suffering, if you look at the same indicators in terms of
14 quality racing opportunities -- my eyes are failing me, but
15 I believe the numbers in stakes races, allowance races, and
16 maiden allowance races will all reflect double digit
17 increases in field size, and the fact that they were able to
18 fill more races than they'd done in the past.

19 Registered and time works. What we saw was,
20 again, at Del Mar, Oak Tree, Hollywood Park rather
21 significant increases in the total numbers of works. And
22 horses were staying healthier and working far more than they
23 had before, so we had a healthy population, and trainers
24 took advantage of that quite well.

25 My last series of slides, since what we're trying

1 to do was sort of look back at where we were with our
2 surfaces, and where we are in comparison to others, I took a
3 few minutes on the internet last night, probably 15 minutes,
4 to do a little search, to pull down some stories that were
5 written prior to the introduction of engineered surfaces in
6 California, to see what horsemen were saying about running
7 on dirt surfaces prior to that.

8 And the first story I found related to a horse
9 called Stratham. Mr. Jamgotchian owns that horse. Mr.
10 Yakteen trains that horse. And this story was written about
11 a race that was coming off because of rain, from the turf to
12 the dirt, and Mr. Yakteen noted he wasn't concerned about
13 the surface switch, except he was concerned about running on
14 a sealed track, he was inclined not to run the horse if it
15 was going to be on a sealed dirt track.

16 Similarly, found an additional story, this was
17 five minutes in which, again, my eyes are failing me. I
18 believe that's Eoan Harty talking about the scratch of a
19 very promising horse at that time, and his comments were
20 that he was not going to run that horse on a sealed dirt
21 track, he didn't think it was in the best interest of the
22 horse to do so.

23 Lastly, there was, again -- not lastly, but Mr.
24 Kruljac noted that he was not inclined, in a different
25 story, and these are all occurring within the three years

1 prior to the change, that he was not prepared to run on a
2 sealed track, very concerned about those.

3 The last California story was one in which they
4 were quoting Mr. Wood at the time, prior to the Cal Cup, and
5 he was noting that if we had only a quarter inch of rain, we
6 would be fine, but if we had up to half an inch of rain he
7 was going to have to seal the track and, obviously, that
8 presented problems from everybody's stand point.

9 So just a half an inch of rain prior to these
10 surfaces would have required sealing and would have
11 presented a problem to a lot of the horsemen, as we saw.

12 How do we, today, stand in terms of horsemen out
13 of state, and their concerns with their own surfaces, dirt
14 surfaces in particular?

15 A few more minutes on the internet to look at
16 additional stories. This was last summer, August 2007, New
17 York, stories being written about the dirt surfaces in New
18 York, including, as the comments note Saratoga, Belmont
19 Park, and Aqueduct. All three of those dirt surfaces were
20 considered very difficult surfaces, of which the horsemen
21 had great concerns. And when I saw horsemen, the New York
22 Thoroughbred Horsemen's Association, which is the official
23 representative of owners and trainers in New York.

24 Rich Violette, who -- I wish I had my copy with
25 me, my eyes are failing me. Let me grab one copy so I can

1 point it out. No, it's not in here so I can't -- it's not
2 in there, so it won't do me any good.

3 But Mr. Violette was pointing out, in the second
4 quote there, the problems for two-year-olds training on dirt
5 last year, in New York, they were very significant. He said
6 he would work a two-year-old, and then you'd find that you
7 couldn't walk that horse for three days afterwards. This
8 was at Saratoga last summer, on what many people were
9 representing to be a wonderful dirt surface, the best and
10 far superior to what we were running on here.

11 The president of the New York THA was bemoaning
12 what it was doing to his two-year-olds there.

13 Additionally, Mr. Violette -- good, that's you.
14 All right. You know, and he was pointing out that unless
15 something happened this was devastating in New York.

16 The same for trainer Tim Barnes, who voiced his
17 concerns about horses running on the surfaces. And these
18 aren't wet surfaces, these were the everyday dirt surfaces
19 in New York and, in particular, at Saratoga last summer.

20 And lastly, I found this quote from Paul Kelly,
21 rather interesting, if my eyes aren't failing me, he was
22 saying you could stand at the three-sixteenths pole -- you
23 could stand up there and hear horses working at the three-
24 sixteenths pole because the track was so hard and so bad,
25 and he was describing the jarring motion of these horses

1 hitting this dirt surface and how bad it was.

2 So the official representative, at least in New
3 York, were very concerned, very distraught about how their
4 dirt surfaces were performing last year, and that's very
5 different from what we were experiencing at Del Mar.

6 From the TOC's stand point, the Board considered
7 how it should respond to the CHRB's request to testify, and
8 I think the Board came to the conclusion that on the whole,
9 as I think you've heard earlier, we've had very many owners
10 who are supportive and complimentary, far more than those
11 who have not.

12 There are, obviously, some who like it, some who
13 don't like it, we're all well aware of that. But on the
14 order, it's largely anecdotal, what you will hear from
15 owners, and it's all personal.

16 And so with that transition, I'd like to turn to
17 Mr. Reddam to share his views, whatever they may be. We
18 don't know what they're going to be, we're not bringing him
19 here for canned testimony but, hopefully, he'll be candid
20 with you about his impressions.

21 COMMISSION CHAIRPERSON SHAPIRO: I think he will
22 be, he's usually pretty candid. Mr. Reddam.

23 MR. REDDAM: Good evening. Thank you. Is it
24 evening?

25 COMMISSION CHAIRPERSON SHAPIRO: Somewhere.

1 MR. REDDAM: Well, Drew stole some of my
2 presentation with all of his figures but, really, I had been
3 thinking this morning about our business, and I think those
4 are important words, "our business," because we are all
5 business partners here. We don't realize it too often, but
6 Hollywood Park and Santa Anita are partners, the CTBA and
7 the TOC are partners. We are partners. And we compete with
8 baseball, indian gaming, the New York Racing Association, on
9 and on and on. Those are our competitors. Not really one
10 another here.

11 And I know this, that for our business it is
12 really bad for business when a horse breaks down on the
13 racetrack.

14 And if you think about the last two Breeder's
15 Cups, where George Washington broke down, and the year
16 before that Pine Island. And when the Breeder's Cup is
17 broadcast, that's what becomes the story, a horse broke down
18 again.

19 So it seems to me it's just really simple business
20 that we should be doing whatever we can to prevent stories
21 like that from happening. And pretty clearly, it's come out
22 in a lot of testimony today, that these surfaces are by and
23 large much safer.

24 Now, that's not to say they're not perfect,
25 there's a lot of tinkering that needs to be done, it's going

1 to continue to be done, it will get better. It wasn't going
2 to get better in the old situation.

3 And I really think that if you -- Bob Baffert
4 said, earlier today, that we're in a crisis. And, yeah, I
5 think we are in a crisis, but I don't think this is a
6 crisis. The crisis is if you go out in the hallway and you
7 look down, all the way to the end, and count how many people
8 you can count, that's the crisis.

9 I was standing outside with someone earlier, or
10 two o'clock, about the lunch break, and he said what time do
11 the races start today? And we were looking at the
12 grandstand. That's the crisis, that's where our energies
13 really need to be focused. How do you fix a slow leaking
14 boat that's got a couple of torpedoes that are aimed right
15 at it.

16 You know, it can be fixed, and I think that
17 everyone here can make a contribution to it being fixed if
18 you use your considerable mental energies, instead of in a
19 negative way, thinking about, well, what would I do if I
20 owned this racetrack or I ran this meet, or how would I put
21 25,000 people in the stands today?

22 You might say, well, that can't be done, that's
23 impossible. Well, you got 3,000 here.

24 Of course it can be done, right, if you said
25 people, whoever comes to Santa Anita today, we'll give a

1 thousand dollars to. Do you think you'd get 25,000 people?
2 Of course you would. That's too expensive. All right,
3 well, how about a hundred bucks. That would probably do it.

4 Can't afford a hundred bucks, maybe it's a
5 hundred-dollar mutuel ticket.

6 I don't know, I was thinking about this driving in
7 today, and as you evolve those sorts of thoughts, each and
8 every one of us has marketing abilities, marketing ideas.
9 Some of them, no doubt, would be crazy, right, but if you
10 take that energy and say, okay, look, we made the change to
11 the surfaces -- I also want to really commend the Board for
12 having the guts to make a change before all of the facts
13 were in, because a change needed to be made. And more
14 changes need to be made. You can't study this stuff
15 forever.

16 Preliminary? Sure. You could argue, and we could
17 be arguing still now and it wouldn't be done, right. You've
18 got to take action when your business is failing. And this
19 was an action that we took. I think there's a lot of other
20 actions. And I would like to see the petty bickering that
21 sometimes we engage in go away, and engage in constructive
22 dialogue to compete with the competitors I was mentioning
23 earlier. Thank you.

24 COMMISSION CHAIRPERSON SHAPIRO: Thank you.

25 Anything you'd like to add to that, Madeline?

1 MS. AUERBACH: Yeah, Madeline Auerbach. I would
2 like to add that I'm not only a horse owner, and a breeder,
3 and you all know how passionate I am about horses because of
4 my KARMA efforts, and I think that we sometimes lose site of
5 the fact that we are dealing with a living, breathing
6 creature. My personal experience with these surfaces has
7 been amazingly positive, our horses have stayed much sounder
8 for a much longer time.

9 I do have experience with one horse who was out on
10 the farm for almost two years, and sustained an injury while
11 in the process of coming back. He sustained an injury at
12 the farm, where he broke a piece of the bone behind the
13 knee, that is a very rare injury, and we were told by
14 everybody that this horse could not come back to the track.

15 Well, I won't bore you with the details, he did
16 come back to the track, he has run, and it is -- to me, it
17 is a testament to how much kinder these surfaces are to our
18 horses, to their joints, to their legs, their whole working
19 systems, and I would hate to see that go away.

20 I know in being around races for many years,
21 people are always going to complain about the track,
22 that's -- I don't care what you have out there, everyone
23 complains about it.

24 But I do know, from what I am able to see, that
25 these surfaces are much safer.

1 I know that when you seal a track, you run a great
2 risk of injuring a horse. I know that even giving people
3 their due, and two years at Santa Anita I ran a horse on a
4 sealed track who, everyone assured me it was safe, and this
5 was the thing to do, and you seal a track and it's safe, and
6 my thoroughbred was the only one coming around the turn who
7 snapped off his two front legs on a sealed track. So I'm
8 very passionate in my belief that I don't want to go back to
9 dirt, that I wouldn't want to see that happen again, and I
10 would hate to see any animal suffer because of something
11 that we could control, and make sure that it didn't happen
12 that way.

13 COMMISSION CHAIRPERSON SHAPIRO: Well, thank you.
14 Thank you, all.

15 Are there any questions from the Board? If
16 not --

17 COMMISSIONER AMERMAN: Just a quick comment, Mr.
18 Couto. I was very interested in all your statistics, before
19 synthetic tracks, after synthetic tracks. But what might be
20 of even more interest is going back five years and seeing
21 those same statistics from 2001, '02, '03, '04 and see how
22 they were going down. And I don't have the figures in front
23 of me, but I suspect they were going down.

24 MR. COUTO: They were.

25 COMMISSIONER AMERMAN: And if, indeed, we had not

1 made the change then, indeed, they would have continued to
2 go down and then we would have had a business that would
3 have gone away.

4 MR. COUTO: I think --

5 COMMISSIONER AMERMAN: It would be helpful, if you
6 have those numbers, I'd love to -- maybe you can share them
7 with us.

8 MR. COUTO: We have shared them in prior reports
9 and different instances. We didn't prepare them here, but
10 we'd be happy to do so for you.

11 But I think as we all know, and I think the racing
12 secretaries testified to, if you looked at field size,
13 everybody understand it was headed down, had been for quite
14 a while. On-track handle numbers, out-of-state handle
15 numbers, in particular, were way off. So these indicators
16 were all trending downward, and this is not simply a
17 reflection of an increasing trend, this is a reflection of a
18 reverse in trend.

19 UNIDENTIFIED SPEAKER: Drew, maybe, too, you'll
20 you have 2006 and 2007, both on the dirt, and it was on
21 the -- it did go up, that was a --

22 THE REPORTER: I'm sorry, I can't --

23 COMMISSION CHAIRPERSON SHAPIRO: I don't know.

24 UNIDENTIFIED SPEAKER: In the TOC book he sent
25 out, with the graphs and charts, to 2006 and 2007, he had

1 the comparisons, and they were both from the dirt, and it
2 showed an increase in field size, and I believe had numbers
3 that say they also had increases here on every other one.
4 So that answers Mr. Amerman's question.

5 COMMISSION CHAIRPERSON SHAPIRO: Okay.

6 COMMISSIONER AMERMAN: No, I was saying go back
7 five years.

8 MR. COUTO: Five years.

9 COMMISSIONER AMERMAN: From 2001, and see how it
10 was going up, down, or sideways, and I suspect it was going
11 down consistently.

12 COMMISSIONER HARRIS: Well, I think one issue,
13 which I think it's great that we're increasing the field
14 size, and I think this is a good report. I hope you put it
15 on your website.

16 But as we get more entries per race, if the
17 average purse per race stays the same, then the average
18 amount that we give a horse, the earnings is going down. So
19 the real challenge is to try to get the average purse earned
20 per horse up.

21 MS. AUERBACH: I think that's correct.

22 COMMISSION CHAIRPERSON SHAPIRO: These are great
23 statistics. I think it's a great idea. As usual, I think
24 that you do a -- very well done.

25 MR. COUTO: Thank you.

1 COMMISSION CHAIRPERSON SHAPIRO: And, Mr. Reddam,
2 I must echo your thoughts and your comments about coming
3 together constructively, and in a positive light and that,
4 you know, hopefully, our Board will get to a place where we
5 can have more meetings like this, that are informational,
6 and really get to important issues, rather than --
7 unfortunately, our meetings very often are dealing with
8 specific rules, and license applications, and the business,
9 which probably isn't as beneficial to the overall helping
10 growth, the growth of the business and turning the business
11 into a positive situation.

12 MR. COUTO: You know, I think I -- let me just add
13 one comment. I think I understanding what Ms. Ingordo
14 (phonetic) is expressing.

15 In the last newsletter what we showed, and what
16 the statistic that I think she's looking at, is our
17 assertion that when you put these tracks in on a circuit,
18 you see circuit wide improvement. And that's why, if I
19 believe what she's referring, despite the fact that Santa
20 Anita not being a track with an engineered surface last
21 year, it benefitted from the engineered surface at Hollywood
22 Park, with the influx of horses coming from out of state,
23 with the healthier horses from out of state, with those
24 training over at Hollywood Park, and I believe the racing
25 offices identified that as a factor, and I believe the

1 trainers identified that as a factor.

2 And so I think the comment that she's alluding to
3 was if you look in the context of what we wrote, the
4 circuits in which that has occurred have seen improvements.

5 COMMISSIONER CHOPER: Can I ask one question?

6 COMMISSION CHAIRPERSON SHAPIRO: Yes, please.

7 COMMISSIONER CHOPER: Mr. Couto, you mentioned a
8 number of thoroughbred owners that weren't happy with the
9 new tracks. Could you, for just very briefly, summarize the
10 common complaints that they have about these tracks?

11 MR. COUTO: Well, first of all, let me say there
12 were very few.

13 COMMISSIONER CHOPER: Uh-huh.

14 MR. COUTO: At Del Mar there were some that
15 expressed concerns over the time of race.

16 COMMISSIONER CHOPER: Yes.

17 MR. COUTO: They were very concerned that the time
18 was somehow not reflecting the character of the horse, or
19 the quality of the horse and, therefore, it was affecting
20 value.

21 The most common complaint, I guess, that I would
22 attribute right now, is to frustration over the
23 cancellations at this meet.

24 COMMISSIONER CHOPER: I think we all get that.
25 Sure.

1 MR. COUTO: Yeah, that is by and far the biggest
2 concern.

3 I wish Mr. Warner were here, and Mr. Bachman, and
4 the others, because Mr. Warner, in particular, is very
5 passionate about that he is both an owner, and he has a feed
6 company here, and he has expressed to me on several
7 occasions that these have been the greatest things -- these
8 surfaces have been the greatest thing for California racing,
9 and that he and many others, that have brought two-year-olds
10 in, still have two-year-olds running at this point in the
11 year, and it's been great.

12 MS. AUERBACH: They're now three.

13 MR. COUTO: Sorry, they're now three. And, you
14 know, I'll just give you one other comment. I received a
15 very nice e-mail from Mr. Casner, who they referenced today,
16 who just the other day he pointed out that he has sent two
17 of his best two-year-olds to California this year, and he
18 said I did that for one reason, and one reason only, and
19 that is the engineered surfaces, I think they're the best
20 for his young horses.

21 And he is an out-of-state owner, Kentucky owner,
22 who's trying to establish a stable out here because he
23 believes in what we're doing.

24 So, again, that's how I'd characterize the
25 interaction so far.

1 COMMISSIONER HARRIS: Was anybody able to talk to,
2 I guess, the Zayot Stable that left, as far as to let them
3 articulate what they felt the problems were?

4 MR. COUTO: I have not personally spoken to
5 anybody associated with that stable, no.

6 COMMISSION CHAIRPERSON SHAPIRO:

7 (Off-record comments.)

8 COMMISSION CHAIRPERSON SHAPIRO: Perhaps Mr.
9 Baffert would like to answer Mr. Harris's question.

10 MR. BAFFERT: Richard Zayat left because he was
11 getting frustrated, he was getting reports from back east,
12 you know, had some horses in, we canceled racing, we were
13 missing -- he was trying to get his horses on the derby
14 trail, couldn't get them ready.

15 You know, I just had to tell them that, you know,
16 tracks close, I'd ship them back and forth to Hollywood, and
17 finally he just got frustrated with it. Because Mr. Zayat,
18 you know, he's one for quality, he wants to compete at the
19 top end, and he just felt that California doesn't give you
20 that opportunity because if you do win, you don't really
21 know what you have, yet, and he didn't want to take a
22 chance. He's reading about, you know, they're putting in
23 different surfaces. And he said, the last -- you know, I
24 don't want my horses to get hurt out there.

25 And so he basically pulled the plug and so I said,

1 that's fine. And the horses, two of them left. One won by
2 eight lengths four days later, and the other one won by five
3 lengths in Oakmont Park.

4 And, you know, it's tough on me, and that's what
5 we have to deal with, but that's the problem. If a
6 trainer -- a lot of trainers here, in California, they're in
7 a comfort zone, they don't want to leave, they can't afford
8 to leave, they can't afford to lose owners.

9 And if you say something, if you tell the truth
10 and say you know what, this is not good, they leave. And
11 that's what happened, I was honest with the man and he left.

12 COMMISSION CHAIRPERSON SHAPIRO: Well, thank you.

13 MR. BAFFERT: Oh, and another thing.

14 (Laughter.)

15 COMMISSION CHAIRPERSON SHAPIRO: Okay.

16 MR. BAFFERT: If you want to put seats -- put
17 people in the seats, good horses put people in the seats.

18 COMMISSION CHAIRPERSON SHAPIRO: And you know
19 what --

20 (Applause.)

21 MR. BAFFERT: All right. And another thing about
22 Del Mar --

23 COMMISSION CHAIRPERSON SHAPIRO: -- then we need
24 to have a --

25 MR. BAFFERT: Another thing about Del Mar,

1 Richard, I'm telling you, is that the fields were bigger
2 because at Del Mar everybody had a shot to win. That's why
3 the teamed up against Lavaman, they thought, hey, we can
4 beat this horse now, he's vulnerable. And it made a lot of
5 horses vulnerable. And I think that's the message we're
6 sending to the east coast.

7 And Mr. Casner, he did send his horses out here
8 because Tiznows, they love it, because I have a Tiznow, they
9 love it. So it's now -- that's what's happening in this
10 game. Thank you.

11 COMMISSION CHAIRPERSON SHAPIRO: Thank you.

12 COMMISSIONER CHOPER: Can I ask you a question?

13 MR. BAFFERT: Yes, sir.

14 COMMISSIONER CHOPER: What do you make of the fact
15 that the fields got bigger and everything else despite the
16 fact that they were running so slow?

17 MR. BAFFERT: Well, because it was new, it was a
18 novelty, so everybody came out for it. But now, I think the
19 novelty's starting to wear off, and everybody had a chance.
20 It made an average horse good, a good horse average. And so
21 what happened was -- that's why I left. I took my better
22 horse and went to Saratoga. As a matter of fact, two of
23 them became champions. If they would have stayed in
24 California, they wouldn't have been champions.

25 COMMISSIONER CHOPER: Because of the --

1 MR. BAFFERT: Because I didn't know what I had, I
2 didn't want to take a chance.

3 COMMISSIONER CHOPER: You didn't know what you
4 had?

5 MR. BAFFERT: I didn't know what I had.

6 COMMISSIONER CHOPER: Because the times were so
7 slow you couldn't measure it.

8 MR. BAFFERT: Because this track surface was so
9 inconsistent in the morning and in the afternoon.

10 COMMISSIONER CHOPER: I got you.

11 COMMISSION CHAIRPERSON SHAPIRO: Thank you, Bob.

12 Okay, I want to thank this panel. We're going to
13 move on, now, to the Horse Player -- oh.

14 MS. SHIRREFFS: I just wanted to add one comment
15 about the numbers at Golden Gate --

16 COMMISSION CHAIRPERSON SHAPIRO: You need to go up
17 to a microphone.

18 MS. SHIRREFFS: Dottie Shirreffs. I just wanted
19 to add one number -- one comment about the numbers at Golden
20 Gate going up. Is there not some correlation to the fact
21 that Santa Anita was not running during that time period, or
22 having issues, and track -- races were being canceled, days
23 were being canceled and, thus, a lot of people were sending
24 a lot more horses up to Golden Gate to run and, therefore,
25 that's why their numbers might have been higher than usual?

1 And they also get all the people from up north, too, that
2 come down.

3 But I mean, we were seeing people right and left
4 send horses up there, from here, because we weren't racing,
5 our tracks weren't happening, nothing was going on. So I
6 think that needs to be taken into consideration when you
7 look at the Golden Gate numbers and the amount going up.
8 But that's part of looking at the whole picture.

9 COMMISSION CHAIRPERSON SHAPIRO: Okay. If we
10 could ask Jim Quinn and Brad Free to come forward.
11 Gentlemen, welcome. I think we're getting towards the end
12 of the day, we know it's late and we appreciate you being
13 here. We'd like to hear your views, if we could, on where
14 you see synthetic and dirt. And I'll leave it to you.

15 MR. FREE: Thank you. I am Brad Free, handicapper
16 and columnist for Daily Racing Form. I've covered Southern
17 California racing as a handicapper and reporter for the last
18 20 years.

19 I want to thank Mr. Chairman and the Board members
20 for inviting horseplayers to participate in today's panel.

21 I'll keep my comments brief and framed in the
22 perspective of handicapper, horseplayer, and racing fan.
23 I'm not here to support, nor oppose synthetic surfaces, only
24 to report on the changes that these new synthetic surfaces
25 have brought to the game from the viewpoint of a handicapper

1 and a fan.

2 When the first synthetic surface was installed at
3 Hollywood Park in 2006 a lot of horseplayers, myself
4 included, were quite leery that the game would be turned
5 upside down, that form would be turned upside down, that
6 class would become immaterial, speed would die, speed
7 figures and pace figures would become irrelevant, and
8 handicapping and betting on horses would become little more
9 than a game of chance.

10 Well, we're more than one year into the synthetic
11 era and the revolution has been far less radical than many
12 of us feared originally.

13 On the new surfaces, Cushion Track, PolyTrack, and
14 Pro-Ride, yes, there are form reversals, just like there
15 were form reversals on main tracks, on the dirt tracks at
16 the old racetracks.

17 Are there more form reversals on synthetic? I do
18 not believe there are.

19 And even though speed figure analysis has probably
20 had to be downgraded a little bit, the betting public has
21 been quick to adapt. Post-time favorites continue to win on
22 synthetic. In fact, at the Hollywood Park spring/summer
23 meet, on the synthetic surface, post-time favorites won at a
24 36 percent rate.

25 At the last two Hollywood fall meets, post-time

1 favorites won at 33 percent.

2 Even down at Del Mar, last summer, where we had
3 some unusually slow final time, the favorites were winning
4 at a 32 percent clip on the main track.

5 When it comes to picking winners on synthetic, the
6 public is as smart on this new stuff as they were on the
7 dirt.

8 Horseplayers can adapt and we've been forced to do
9 just that. What we want are a higher quality racing, rather
10 than a stream of maiden claimers, but what we really want
11 are full fields and more attractive wagering opportunities.

12 We want to believe that our handicapping
13 principles, whatever they are, still apply. And when our
14 informed opinion turns out to be right, we want to be paid
15 off, whether it's grass, mud, dirt, or synthetic.

16 The field sizes over the last year have increased.
17 Maybe the synthetics are the reason for the field size
18 increase.

19 As for the elements of handicapping, they still
20 apply on this new stuff. Condition and class still do
21 matter, established class, how a horse has run at that
22 particular class level might matter even more now, than it
23 did back on the dirt tracks. That's been one of the biggest
24 eye openers.

25 On synthetics, you need to have a fit horse and

1 one that fits on class. On those old, hard dirt tracks,
2 many of us were kind of lulled into backing the high-figure
3 horse, irrespective of class. But on synthetic surfaces,
4 speed figures are a little bit less important. Low class
5 speed is no longer the asset that it used to be.

6 Let me emphasize that speed figures remain an
7 essential tool, however, they are not as important now as
8 they were on dirt.

9 As for the element of pace, front runners still
10 win, even on PolyTrack at Del Mar, 17 percent of the six
11 furlong races were won by the pacesetter. Around two turns,
12 we all know, speed struggled. It was difficult to win on
13 the front end down at Del Mar. Only ten percent of the two-
14 turn races were won by the pacesetter on the slow stuff at
15 Del Mar last summer.

16 Nonetheless, once again, the public was quick to
17 adapt. We could all see what was going on and the bettors
18 reacted accordingly. Favorites won 32 percent of the two-
19 turn main track races last summer at Del Mar. In main track
20 sprints at Del Mar, 34 percent.

21 Now, Del Mar played slower than anything that
22 we've ever seen in the State of California, but the game was
23 not turned upside down, there was still an element of
24 predictability.

25 The difference is that cheap speed, low-class

1 speed no longer carries like it used to. So if the basics
2 remain the same, if condition, class, speed and pace remain
3 fundamental, then what has changed, what has become
4 different?

5 Well, I believe there's been a lot more noise,
6 than substance, in the modification of handicapping
7 principles. I think people are doing a lot of complaining
8 because they really don't understand the basic of
9 handicapping to begin with.

10 Yes, old ideas do need to be tweaked. Speed
11 figures, as I said earlier, are not as important now as they
12 were before.

13 Turf horses to synthetic, they are no longer
14 throw-outs. The nuances of the racing surface, track bias
15 are key, perhaps now, more than ever.

16 Last week, on this new track at Santa Anita, the
17 outside lanes were best. People reacted. Handicappers
18 reacted accordingly. This is part of handicapping, it's
19 what makes this game so much fun and what makes it so much
20 challenging.

21 The question is how many curve balls can you
22 continue to throw at horseplayers before they finally just
23 get completely exasperated. Well, so far, horseplayers have
24 stepped right up.

25 There are inconsistencies from one synthetic track

1 to another, just like there were inconsistencies from one
2 dirt track to another. That has not changed. The three
3 main tracks in Southern California have always been
4 different. But the best horses are still winning the races.
5 And if the fields are full, and if these same horses can
6 come back in three to four weeks, maintain form and run
7 again, if the basis of handicapping still apply, then I
8 believe that horseplayers will continue to return to the
9 racetrack. We will keep coming back until six-day-a-week
10 racing, with this current horse inventory, ruins us.

11 And I don't want to pick on Santa Anita, but all
12 you need to do is look at today's card, tomorrow's card, and
13 Friday's card to illustrate that this horse inventory has a
14 very difficult time standing up to the demands of six-day-a-
15 week racing.

16 Midday revisions to the racetrack surface, such as
17 occurred right here, one week ago today. That might be
18 necessary, sometimes, for the sake of safety. However,
19 there needs to be some potential relief to horseplayers. If
20 you're going to change the racetrack in the middle of a
21 card, there must be some potential relief for horseplayers
22 that are holding tickets on sequential race wagers.

23 When you make a wager on a series of races, you
24 need to believe in the integrity of that surface for the
25 duration of that wager.

1 I support large fields, whether the horses are
2 running on cotton balls or red licorice, it doesn't matter
3 to me.

4 I'm glad to hear that Del Mar will be a little bit
5 quicker next summer, than it was last summer.

6 I'd like to see higher quality racing in
7 California.

8 And, basically, I want to thank, again, the Board
9 and Mr. Chairman for inviting the horseplayers to today's
10 panel.

11 COMMISSION CHAIRPERSON SHAPIRO: Well, thank you,
12 I think your remarks are very insightful.

13 (Applause.)

14 COMMISSION CHAIRPERSON SHAPIRO: Brad, really
15 terrific remarks.

16 MR. QUINN: And I'm Jim Quinn, and I basically
17 think this is a horseman's issue, much more than it's a
18 players' issue.

19 As far as I can tell, in talking to my colleagues
20 around the country, there was no aversion among handicappers
21 and horseplayers to the introduction of synthetic tracks in
22 California. Horseplayers are very adaptive and very
23 resilient and this was just another change that we could
24 adapt to.

25 Track surface speed is just one of several factors

1 that we use to make decisions and to make our wagers, and we
2 have methods to control for the varying speeds of the track
3 surface.

4 However, there's been a couple of problems,
5 obviously. I think both of the problems are temporary. At
6 Hollywood Park, when it was introduced at Hollywood Park,
7 the Cushion Track at Hollywood Park, the speed of the racing
8 surface was within what I would call normal bounds. The
9 normal variation from the average times is plus or minus
10 three, slow three minus is to fast three. There's about a
11 seven-length spectrum that we would consider normal, and
12 that was the case when Hollywood Park began with Cushion
13 Track.

14 But then Del Mar started, and we had Polytrack,
15 and it was quite obvious, from the very first days of Del
16 Mar, that the daily track variant, which is a measure of how
17 fast or slow the track is playing in relation to what we
18 consider normal, that this was more than just any kind of a
19 normal adjustment. I mean, the very first week the sprints
20 were playing 10 to 12 lengths slower than normal. The
21 routes were playing 15 to 18 lengths slower than normal.

22 I've been making speed and pace figures for 20
23 years, and I've never seen anything, in any way comparable
24 to this.

25 So this was more than just an adjustment, this was

1 really a distortion of what we would consider any kind of
2 standard or normal performance.

3 Dr. Ferraro said today that the standards that he
4 thinks synthetic tracks should be held to is enhanced
5 performance and minimizing risk, and I think those are the
6 twin standards that it should be held accountable to.

7 There's been a lot of testimony today that the
8 trend, at least, is towards minimizing the risk to
9 fatalities and to injuries. And I think, you know, there's
10 some promise on the performance end, too, although here it's
11 a mixed bag.

12 I would argue that performance at Del Mar was not
13 an adjustment, it's a distortion. Players, for example,
14 after five or seven days of racing at Del Mar it was
15 impossible to compare horses that were going to be running
16 at Del Mar with horses that run at Hollywood Park, or run at
17 Santa Anita.

18 And then moving forward, it's very difficult to
19 compare performances at Del Mar with the subsequent meets at
20 Oak Tree and Hollywood Park.

21 So, obviously, the players around the country were
22 talking quite a lot about, you know, the slow races at Del
23 Mar and looking for a change next summer, and I would hope
24 that this problem -- I think it's an anomaly, I think it's
25 something that's temporary and it's probably going to be

1 improved next summer.

2 Late in Hollywood Park, the fall meet, some of the
3 veterinarians this morning were testifying that there's some
4 kind of degradation that goes on with these synthetic tracks
5 over a period of time. The daily track variants at
6 Hollywood Park this fall were probably twice as fast as they
7 were in the preceding meeting. Which if that were continue,
8 if that trend were to continue at the spring/summer meeting
9 here, then the races at Hollywood Park would be very
10 dissimilar from what they were when the Cushion Track was
11 first introduced, just making the comparisons more difficult
12 than ever.

13 And then we started at Santa Anita and actually
14 the times -- there was a renovation of the track between Oak
15 Tree, the times at Oak Tree -- the handicappers that are
16 having the most problem adjusting are the handicappers that
17 depend primarily on time, or trying to evaluate horses on
18 speed.

19 And at Oak Tree, the daily track variance were
20 reading a normal range, everything was fine. But we heard,
21 of course, after the meet was over that there would be a
22 renovation of the track, and that lasted for several weeks.

23 And when Santa Anita started, suddenly the times
24 were abnormally fast, we had five track records and we had a
25 world record. And the same problem that we had at Del Mar,

1 an opposite kind of problem was trying to compare the races
2 at Santa Anita with races anywhere else.

3 And now we've had a renovated track and something
4 very interesting happened last Wednesday. The renovated
5 track that began last weekend, the daily track variants were
6 normal on Saturday, Sunday and Monday, and it looked the
7 renovation had worked. And suddenly on Wednesday, the first
8 four races, the races were fast eleven -- eleven lengths
9 faster than what is normal.

10 And then there was a delay of 25 minutes and there
11 was a maintenance procedure which was called a -- I think it
12 was a power --

13 COMMISSION CHAIRPERSON SHAPIRO: A power
14 harrowing.

15 MR. QUINN: Power harrowing. The change was
16 dramatic. Between the fourth race and the fifth race, the
17 fourth race, the first four races were faster by eleven
18 lengths than normal, the fifth, sixth, seventh races were
19 slower than normal by two lengths.

20 So whatever that -- whatever happened during that
21 period of time, that maintenance procedure had a dramatic
22 impact on the way the track is changed. So it looks like
23 maintenance procedures are probably going to have a more
24 salient impact on these tracks than was originally --
25 originally estimated.

1 The players are just like everybody else, we're
2 just in a period of adjustment. I've looked at this from
3 the beginning as a two- to three-year period of adjustment,
4 and I still look at it that way.

5 I think what happened at Del Mar is an anomaly,
6 and I think what happened at Santa Anita is basically an
7 anomaly, and these problems probably will be temporary and
8 can be corrected.

9 But the problems for the players are -- you know,
10 on the enhanced performance end, if you're looking at
11 enhanced performance vis-a-vis the minimizing of risk to the
12 horses, I think the enhanced performance is a legitimate
13 standard. And right now it's certainly a mixed bag.

14 You know, I'll give you one -- I'll give you one
15 example that occurred over the weekend. We have a grade two
16 horse -- a grade one horse here, called Surfcat, who ran in
17 a grade two, seven furlong race over the weekend. He won
18 the race and the Buyer's speed figure was published today,
19 and the Buyer's speed figure for that race, published, was
20 99. Well, a 99 Buyer's speed figure is about average for
21 non-winners twice, other than maiden or claiming.

22 If that figure is accurate, that's a very poor
23 performance by Surfcat.

24 My own figure is about five lengths faster than
25 the buyer figure, and it would be about average or about par

1 for a grade two sprint. If my figure's accurate, you know,
2 it's a good race.

3 And that's the problem, it's not whether my figure
4 is accurate or Buyer's figure is accurate, it's the fact
5 that you have two professional handicappers coming up with
6 very dissimilar performances for the same horse. And the
7 reason was that the track -- for my opinion, the fact that
8 the figures are different, that the track was playing fast
9 for the first five or six races, and then for the next three
10 or four races it really slowed down.

11 That's not a normal occurrence at a racetrack, but
12 that's the kind of things that's been happening, and it's
13 been distorting performance in such a way that it's much
14 more difficult to compare races.

15 Certainly, the Del Mar races couldn't be compared
16 with races that went before it or races that came after it.
17 You can't compare the races that were run at the first three
18 weeks at Santa Anita with the races that will be run in the
19 subsequent three or four weeks.

20 So handicappers are trying to adjust to these
21 kinds of changes. And I don't think it's manifesting itself
22 in the handle, I think there's been some erosion of
23 confidence, but probably that's not going to be translated
24 into lower handle or into any kind of desertion. You're
25 just going to get a lot of negative media criticism and,

1 hopefully, these problems are temporary and they'll be
2 changed, you know.

3 COMMISSION CHAIRPERSON SHAPIRO: I do want to
4 thank you, both of you, for coming to this panel and for
5 participating. I think it's an important perspective. I
6 think it's reassuring to hear that the handicappers are
7 hanging in there while we still are going through some
8 adjustments, but I guess that's part of the game.

9 And, you know, fortunately, as seen by these
10 statistics, it doesn't appear that the handle is suffering
11 at this point, and that's a good thing.

12 And I think as we learn more and there's
13 consistency, I'm sure it will provide a more level playing
14 field for you in terms of handicapping.

15 But thank you very much.

16 MR. QUINN: Thank you.

17 MR. FREE: Thank you.

18 (Applause.)

19 COMMISSION CHAIRPERSON SHAPIRO: Okay. Our last
20 panel -- our last panel will be the track operators and,
21 therefore, I would ask that Ron Charles, Robert Hartman,
22 Peter Tunney, Eual Wyatt, Craig Fravel and Joe Harper, if
23 they would all come forward.

24 COMMISSIONER HARRIS: You know, on that last
25 handicapping panel, I think it would be helpful if the

1 tracks or somebody could develop any data that they can that
2 would quantify some of the issues on the track how -- you
3 know, how you do it, but if it's been worked, or what sort
4 of content the material has, or anything that handicappers
5 can use.

6 COMMISSION CHAIRPERSON SHAPIRO: Well, I agree
7 with you. I think, unfortunately, what occurred last week
8 was something where the riders found that the track appeared
9 to have an issue, and by power harrowing the track, they
10 were able to mix in the polymer again, to put it back
11 together, rather than cancel the remainder of the card.

12 I don't know how, in today's world, when we have
13 these pick-end bets -- or these sequential race bets, I
14 don't know how to protect them. It's something, hopefully,
15 that with the science and getting used to the surfaces we
16 won't have to deal with too often. But, you know, there are
17 going to be those circumstances and that's one of the
18 dangers of some of the wagers that we have today where, you
19 know, you're betting two, pick-threes, pick-fours, and pick-
20 sixes.

21 MR. CHARLES: Richard --

22 COMMISSION CHAIRPERSON SHAPIRO: It will come on.
23 The soundman over here is the one that's directing it. So
24 just kind of like stutter and then it will work.

25 MR. CHARLES: I do a lot of that, anyway.

1 COMMISSION CHAIRPERSON SHAPIRO: You know what, I
2 made a bad joke earlier, so I'm not going there.

3 MR. CHARLES: That's great, I haven't forgot it.

4 COMMISSION CHAIRPERSON SHAPIRO: I know I'll pay
5 the price for it.

6 (Laughter.)

7 MR. CHARLES: Just to clear up --

8 COMMISSION CHAIRPERSON SHAPIRO: Ron Charles.

9 MR. CHARLES: Ron Charles, MEC. Just to clear up
10 what happened, John, and for the racing fans, because I've
11 obviously received a lot of e-mails, and been called a lot
12 of names as to how we manipulated the races that day -- what
13 happened -- what happened was that the surface actually
14 started to separate a little bit from the polymer. It was
15 totally unexpected, we hadn't seen anything like that
16 before. The jockeys were concerned, they voiced their
17 concern. And the only possible way that we could continue
18 racing that day was to take out the power harrows and do the
19 racing lanes.

20 We did it. The jockeys were just unbelievably
21 surprised at how well the racing came back, agreed to finish
22 the card. And I've never seen it happen before, and I
23 surely hope it never happens again. Because it is unfair to
24 the handicapper, it is unfair to the racing fan.

25 And I can tell everyone it was something that was

1 done totally out of necessity and I don't think it will ever
2 happen again.

3 COMMISSION CHAIRPERSON SHAPIRO: You know, in that
4 situation, just to -- I mean, I was really pleased that the
5 racing fan was being considered. I can tell you that I got
6 a call about it, the next thing I know is the stewards are
7 down in the jock's room with your staff, meeting, and then
8 they were calling me, at my office, and we were going
9 through all the options. And everybody really was looking
10 at trying to protect the public, protect the fans, and
11 protect the horsemen. You know, and everybody to do the
12 right thing, the safe thing, but try and not lose anymore
13 racing opportunity, too. But in any event, I thought it was
14 handled well.

15 MR. QUINN: Let me make a quick comment on that,
16 because the reason I brought that up was that the change in
17 the track was so dramatic because of one maintenance
18 procedure, from fast eleven, to slow two, slow three. And
19 then the track, those times were normalized not only on that
20 day, but on Thursday, and Friday, and Saturday and Sunday.
21 In other words, the track played very consistently on
22 Thursday, Friday, Saturday and Sunday following that
23 maintenance procedure.

24 The only reason I brought that up was maybe you
25 learned something, maybe you learned something about that

1 maintenance procedure.

2 COMMISSION CHAIRPERSON SHAPIRO: It's very much
3 appreciated, Mr. Quinn, and I think, you know, it's just one
4 of those things we went through.

5 MR. CHARLES: Well, we don't hear a lot of good
6 things, let him keep talking here.

7 (Laughter.)

8 COMMISSION CHAIRPERSON SHAPIRO: Okay, let's
9 report. So here we have our track operators. You guys are
10 the ones who get the phone calls at the end of the day, and
11 the beginning of the day, and everything else. And I think
12 what we'd like to hear from you is, okay, you've each lived
13 with dirt, you've each lived with synthetic surfaces, you
14 probably have taken more than your fair share of heat for
15 both.

16 And now, we're sitting face to face and where are
17 we, guys, you know, how's the ride been.

18 MR. WYATT: I'd like to start, since we put the
19 first synthetic surface in, in California.

20 COMMISSION CHAIRPERSON SHAPIRO: It's Eual Wyatt.

21 MR. WYATT: I'm sorry, Eual Wyatt, Hollywood Park.
22 I would like to, before I say anything, I think this
23 exercise today was just magnificent, I think we all learned
24 something today.

25 And I'm going to keep my comments brief, and I

1 hope that all my colleagues do, because it's getting late.

2 There are very few things in this world that are
3 perfect, and we found out today that Polytrack is one of
4 them, it's not perfect.

5 I think we also found out today that maybe not
6 unanimously, but the synthetic surfaces are considered, at
7 least from what I heard today, better than the surfaces we
8 had.

9 You know, and as I said before, there are very few
10 things in this world that are perfect, but we all know that
11 there are like things that are better than others.

12 And I think the Board's reason for mandating the
13 synthetic surfaces was to have better tracks. And no matter
14 where you stand on the scale of what -- how much tracks
15 contribute to injuries and fatalities, it just stands to
16 reason that better tracks will have less of a negative
17 contribution.

18 So, you know, I thought at one point in time that
19 the mandate was probably premature. I don't believe that
20 anymore, I think that it was timely.

21 We heard today, too, that in order to go forward
22 in a positive manner, and get the most out of our \$40-\$50
23 million expenditures, we need to apply science. We need to
24 apply science that exists, we need to support the
25 development of science of these racetracks that does not

1 exist.

2 And more importantly, we need to do this together.
3 Even though we have different racing surfaces, we need to do
4 it together.

5 And I think it's the tracks' responsibility to
6 come up with a plan, and work together, and make it happen.

7 And then just sort of a minor note, although it's
8 been presented -- already been presented, our anticipation
9 of Polytrack -- or not Polytrack, but of synthetic tracks,
10 you know, it might have been a little bit -- you know, a
11 little bit high. And not because we didn't know a lot about
12 them, we didn't, but not because of that reason. I think
13 because we really wanted them to be bullet proof and that's
14 what we anticipated.

15 So, you know, sometimes your anticipation is high
16 and your disappointment is lower.

17 But that said, there was also ancillary benefits
18 that we anticipated. We anticipated increased field sizes,
19 we anticipated that there would be an influx of horses back
20 to California from the east and the midwest. We were
21 hopeful that there would be trainers that would come to
22 California. Those things all happened.

23 So all in all, I have to think that it was
24 positive.

25 And like I said before, if we're going to maximize

1 our investments, we need to take what we learned today with
2 us, as we go forward.

3 COMMISSION CHAIRPERSON SHAPIRO: Thank you, Mr.
4 Wyatt. Thank you, very, very good.

5 Joe, Craig, you guys want to weigh in?

6 MR. HARPER: Well, you know, I'd just like to echo
7 Eual's comments. I think you're to be commended for having
8 this meeting today. At first, I didn't think it was such a
9 hot idea because I have to drive for two hours to get here,
10 but I tell you it has been --

11 COMMISSION CHAIRPERSON SHAPIRO: I think there
12 were other reasons, too.

13 MR. HARPER: Yeah. I am delighted that you had
14 it, I'm delighted with the outcome and the way everybody's
15 being very candid and open about their beliefs, and about
16 what we hope we can go ahead and get done with this.

17 From Del Mar's stand point, we really, I suppose,
18 were one of the first tracks in California to take a really
19 hard look at this thing, maybe not. But, you know, we have
20 been a little more sensitive, maybe, than everyone, because
21 whatever happens at Del Mar gets reported.

22 It's a great thing to have, we've been getting
23 sensational publicity, our marketing is excellent, everybody
24 pays attention to us in San Diego. Everybody pays attention
25 to everything that goes on there.

1 A number of years ago we have some fatalities,
2 this was close to eight years, nine years ago. The front
3 page, section one, of the San Diego Union, on Pacific
4 Classic Day, was what's killing the horses at Del Mar. At
5 that time we were below the national average. Below the
6 national average. There wasn't one paper in the country
7 that even mentioned dead horses. Maybe once in a while in
8 the sports section or once in a while in the Racing Forum.
9 The front page of the San Diego Union.

10 That was the same way it was in '06. We weren't
11 that much, if at all, over the national average and, yet, we
12 certainly were being talked about.

13 We can handle that. You know, I'm too crazy about
14 being called a serial killer, which they did, but the fact
15 is that, you know, we all live with these things as part of
16 the game, we've been told.

17 But I will tell you, when you end up with that
18 kind of publicity, and the kind that we got that same year,
19 it's a very short step to a Congressional hearing, not a
20 hearing here, at the California Horse Racing Board.

21 When you throw in the Michael Vick situation, or
22 situations the other day on national television, there was a
23 five-minute piece, on national news, about saving a cow's
24 life. It's a different world out there than we've been used
25 to in this business, and I've been in it for close to 50

1 years.

2 The only reason, the number one, two, and three
3 reason we went for the synthetic was the safety. If the
4 times were going to be slow, so be it.

5 If a horse, like Cigar, wouldn't have come out to
6 Del Mar, I'll trade that for a 70 percent reduction in
7 fatalities, I'll take that any day.

8 Can we make this track better and still keep it
9 safe? I think we can.

10 We've spent an enormous amount of time, between
11 the end of the meet last year and today, studying the track,
12 and Craig will touch on that.

13 I think that we would never -- I mean, we wouldn't
14 make any different decisions. Martin Collins and Polytrack
15 have been terrific. They've been supportive, they've been
16 there for us the whole way and we couldn't have been happier
17 with the decision that we made, no regrets.

18 And they're working with us, now, to make next
19 year, next summer, those times a little faster, and we
20 wouldn't see quite that two-second drop off that we saw last
21 year in those races. So I think that we'll be a lot better.

22 And I know, Craig, you've probably got some things
23 you want to talk about, too.

24 MR. FRAVEL: I just came up here to keep you from
25 cussing.

1 (Laughter.)

2 MR. HARPER: He went back to New York, he's no fun
3 anymore.

4 MR. FRAVEL: Actually, you know what, Joe told me
5 a long time ago if you don't have anything really good to
6 add to what's already been said, then just shut up. And I
7 think so many good things have been said. I mean, some
8 things that we don't like to hear, but they're good for us
9 to hear, and we can take -- like Eual said, take them and
10 work on them together.

11 I do think that Jack had a wonderful idea, and I
12 think we still need to follow through on that as an
13 industry, to get together as a group, develop consistent
14 recordkeeping approaches.

15 I had a bunch of slides I was going to show you
16 guys and, candidly, I think there have been enough slides
17 for one day. But, you know, we kept an enormous amount of
18 data this summer, working with Mick Peterson, working with
19 Equibase and Encompass, and it becomes more and more
20 information.

21 And, actually, Jim Quinn was following, on a
22 weekly basis, handicapping trends, and writing about pretty
23 much what he said for us, during the meet.

24 And there are so many resources available to us,
25 between UC Davis, and Dr. Peterson, and Dr. Bardet, and the

1 manufacturers who are willing to come and work with us, that
2 I think as Eually said, nothing's perfect to begin with, but
3 we can get damn close. And there is an awful lot of data
4 out there and the vast majority of it, I have to tell you,
5 is very positive.

6 And so I would just suggest that we move forward
7 from here, not just walk away and say that was a great
8 meeting, as we sometimes do, but walk away and say let's
9 reconvene a smaller group to talk about how we, as tracks,
10 can improve not only our communications, but our
11 recordkeeping, our communication to the fans, and you, as
12 well as these manufacturers. And really, you know, deliver
13 on the promise that I think we all -- and maybe we over-
14 hoped, but I don't think there's anything wrong with that,
15 necessarily. And I think in two or three years time our
16 hopes will be met.

17 COMMISSION CHAIRPERSON SHAPIRO: Thank you.

18 MR. CHARLES: I happen to agree with Craig when he
19 talks about he put in the track for safety, that's the
20 number one reason why we put in this track.

21 They talk about costs, they talk about costs of
22 maintenance, they talk about promises of maintenance, none
23 of that had anything to do with the fact that we decided to
24 go ahead with what we thought was a safer surface.

25 It's very well documented what's happened here, at

1 Santa Anita, I don't need to rehash anything. I've tried to
2 be very open, forthright, and keep everybody informed. God
3 knows, nobody wants to hear anymore quotes from me, I can
4 tell you that.

5 Knowing that we had a manufacturer who made an
6 error, and that manufacturer continued to assure us, and
7 reassure us that this surface was going to drain, and not
8 only reassure us, he actually went to your meeting in
9 December and reassured you that this racetrack was going to
10 drain, and it didn't. And not only wouldn't it drain, it
11 wouldn't handle any amount of rain.

12 We're at a crisis. We have what I consider one
13 of, if not the premier meet in the country, it is critical
14 that we have a terrific racing surface. No one knows more
15 than I, or is aware more than I, that we have the Breeder's
16 Cup coming here for two years in a row. We've got to get it
17 right. We've got really go back out, and Joe talks about
18 looking at all the potential possibilities of who we can do
19 business with, we will once again go back out, because we're
20 going to have a period of time.

21 This surface that's out there right now will only
22 last us through the end of this meet. We're going to have
23 to make a major change at the end of this meet, and I think
24 that's -- it's going to be critical. And that decision is
25 going to be tremendously important.

1 I've got an open mind. You know, we're going to
2 go back out, we're going to weigh everything and, hopefully,
3 we're going to make the best decision possible.

4 But I just want to assure the Board, and we'll
5 keep the Board informed as to as we move along and how close
6 we get when we're ready to make that decision.

7 COMMISSION CHAIRPERSON SHAPIRO: Well, I
8 appreciate that. And, you know, I think we all up here know
9 that you certainly have tried hard and weathered this storm.
10 I think everybody in this room knows that you've done that.

11 I also think that perhaps today will be useful, as
12 you have to go back out. I mean, everyone else has picked
13 their surface, but now you have to deal with it, and I think
14 that one of the things that hopefully this has done is led
15 you to have more tools, and more input of other people that
16 can perhaps help in making that decision for you, I would
17 hope.

18 Mr. Tunney, Mr. Hartman?

19 MR. TUNNEY: I just wanted to jump in, this is
20 Peter Tunney, representing Golden Gate Fields. It started
21 out to be the kind of I love Eually show, because he said it
22 all for everybody, and I think that he was well spoken.

23 But the fact is that if it had not been for Ron
24 Charles, this surface would not be in at Golden Gate Fields
25 and this surface would not be in at Santa Anita. He went to

1 bat for both tracks, and got that approved by Magna who, I
2 think, you know, wasn't convinced at that time. I'm only
3 standing on my own guess.

4 But the fact is that these two surfaces are in, in
5 California, because of Ron Charles, who went to bat for us.
6 We had a good team that put it together, it's worked, we're
7 fine. But I think that's the appreciation that goes with
8 what's happened at Golden Gate and, hopefully, will now
9 continue to happen at Santa Anita.

10 So having said that, I was really only up here to
11 make sure that this seat wasn't open because I saw Michael
12 Dickinson looming out there trying to -- he's dying to get
13 back here.

14 COMMISSION CHAIRPERSON SHAPIRO: No, no, he's
15 holding him.

16 MR. TUNNEY: He's dying to get back here.

17 COMMISSION CHAIRPERSON SHAPIRO: We have a guard.

18 (Laughter.)

19 COMMISSION CHAIRPERSON SHAPIRO: Robert?

20 MR. HARTMAN: Robert Hartman, Golden Gate Fields.
21 If you recall, last year around this time, when we were in
22 front of the Board, we were talking about four-day race
23 weeks at Golden Gate Fields and Bay Meadows because the
24 product was so poor, and there's really been change of
25 racing in Northern California.

1 The meet leading into ours, Bay Meadows averaged
2 6.6 horses per race. Our meet, that just concluded,
3 averaged 8.2 horses per race. And now we're back at Bay
4 Meadows and they're averaging under 7 horses per race,
5 again.

6 So, you know, the synthetic surface really has
7 made a difference in the product that we offer.

8 Our out-of-state handle, where product is pretty
9 much king, if you're a bettor in New York or Kentucky, you
10 get to look at a lot of different signals and make your
11 choices, and we're up 25 percent in out-of-state handle over
12 last year. It's very, very positive news for the north and
13 for the future.

14 Just to close, one thing, Trainer Greg Gilcrest,
15 before the first horse walked onto a synthetic surface, came
16 up to me as they were putting in the track and he said,
17 Robert, just to let you know, the track's going to be a lot
18 better a year from today, than it is today. And I said,
19 Greg, why would you say something like that?

20 And he said, you'll know how to take care of it
21 better from a maintenance stand point and I, as a trainer,
22 will know how to train my horses better over it.

23 And I think that was a very wise comment that he
24 made, before we ever had a horse on the track. And I think
25 these tracks, as they continue on, will only improve.

1 COMMISSION CHAIRPERSON SHAPIRO: Thank you,
2 Robert.

3 Are there any questions from the Board for these
4 gentlemen?

5 COMMISSIONER HARRIS: I was pleased to see that
6 everyone is buying into the idea of working together to
7 really develop good databases and share information. And I
8 think that's a much better way to do it than having the CHRB
9 impose something on you, it's better to do it voluntarily.
10 So I just want to make sure everyone's got a commitment to
11 move forward quickly with that project.

12 MR. CHARLES: I think that's already in place,
13 John. I think Dr. Bardet, we've actually dealt with three
14 scientists and engineers, trying to bring more science into
15 the game. Dr. Bardet has shown a real interest in this.
16 It's someone who's an incredibly brilliant scientist when it
17 comes to dirt and racing surfaces, now.

18 And I can tell you that we will make
19 Dr. Bardet -- I mean, we've employed him up until now. It
20 was interesting, he was working Christmas, Christmas Eve and
21 Christmas Day trying to help us fix our track.

22 But we will do exactly that, we will -- every
23 person that we had, the soil engineer, chemist, scientist,
24 we will make available to the industry to try to help every
25 racetrack, you know, be its best.

1 COMMISSION CHAIRPERSON SHAPIRO: Well, you know, I
2 want to thank all of you. And, in fact, I want to thank
3 everybody who participated in this meeting today. This was
4 a long meeting. It was what I would call an adventure into
5 the unknown, to some degree, because I don't think, you
6 know, any of us really knew where this was going to come
7 down. It wasn't that we were making any decisions, but
8 there was a lot of anxiety over what was going to happen at
9 this meeting.

10 And what I think we all found out is that we all
11 share the same passion for this industry, and we all share
12 the same passion to make sure that we can put the best game
13 out there for the fans, for our trainers, for our owners,
14 and for our horses and our jockeys, where we owe it.

15 And what I learned today is there's a lot of good
16 brain power that came in this room, and everybody seemed to
17 work together, and everybody seems to be willing to say
18 let's turn this all into positive energy to create and craft
19 the best possible future for California horse racing.

20 And so for that, I really am very appreciative and
21 thankful to everybody who came to this meeting and
22 participated today, and to those who came and listened, I
23 think that it was terrific.

24 MR. CHARLES: Does that mean you take back the
25 comment about the mess?

1 (Laughter.)

2 COMMISSION CHAIRPERSON SHAPIRO: Yes, I take back
3 the comment about the mess, and I will hear it, I am sure,
4 until the cows come home.

5 Are there any other remarks from any of the other
6 Commissioners?

7 We are -- is there any -- were there any public
8 comment cards, Mike? None, okay. Then --

9 COMMISSIONER AMERMAN: Oh, we got one.

10 COMMISSION CHAIRPERSON SHAPIRO: Oh, okay, we've
11 got to have it quiet.

12 Mr. Jamgotchian, I hope that you will end this
13 meeting on a positive note, it's been a positive day. And,
14 of course, you have your three minutes.

15 MR. JAMGOTCHIAN: I'll let you determine the
16 positiveness of my comments.

17 Here's what I learned today, Chairman Shapiro, as
18 a horse owner of approximately 168 horses, I feel like a
19 person that's been shot, in that I kind of feel like I'm
20 bleeding, but the doctors don't really know how to fix me
21 and how to take care of me.

22 We had the dueling consultants up here, saying the
23 polymers won't work, and then the wax won't work.

24 We have trainers saying they're sustaining
25 injuries, other trainers saying they're not having injuries.

1 Some people saying use toe-grabs, other people not
2 saying use toe-grabs.

3 Martin Collins and Mr. Dickinson have 29 years of
4 experience and they haven't figured it out, yet. That's
5 really concerning to me, as a horse owner.

6 In fact, I came here thinking that the turf was
7 safe, and that's kind of where I run the majority of my
8 horses, and now I even have a concern about the turf.

9 So how long is this going to go, that's my
10 question? The uncertainty to the handicapper, who comes out
11 here on Wednesday and sees the track ripped up, slowed down,
12 split up, how can he have a conscious feeling about betting?

13 I mean, the bettors are what keep this sport
14 alive. And in this particular case, where you have
15 uncertainty, that's not the case.

16 Now, many people here should be concerned, and I
17 feel really sorry for the horses, as an example, because
18 they're being used as Guinea pigs in this experiment. I'm
19 going to lose horses, you're going to lose horses, we're
20 going to lose horses because the consultants don't even know
21 what to do with regards to these racetracks. All the
22 racetracks are different.

23 A common goal is certainly something that's been
24 official, but they all have different racetracks. How are
25 they going to address the differences between the

1 racetracks?

2 The trainers, obviously they're in trouble because
3 they're going to lose their livelihood if the owners aren't
4 making money, which obviously when you don't run, you don't
5 make any money, and that's certainly a serious condition if
6 you are an owner.

7 The State loses about \$300,000 a day, from what
8 I've been told, and I know there was a press release put out
9 by Senator Yee with regards to that.

10 The bettors, there's no racetrack consistency
11 here.

12 The track owners, they have to waste millions of
13 dollars trying to figure out something that there are no
14 answer to.

15 Finally, the track maintenance people have to
16 create their own programs, working out of a vacuum, on
17 different tracks.

18 And so -- then the final, obviously, this whole
19 business now rests under the control of scientists, and
20 that's what we are looking at.

21 So as a horse owner, as I said --

22 COMMISSION CHAIRPERSON SHAPIRO: Your time is
23 about up, Mr. Jamgotchian.

24 MR. JAMGOTCHIAN: Thank you. As I said, as a
25 horse owner, we're all bleeding, we're looking for the

1 scientists to help us, but Mr. Dickinson and Mr. Collins
2 have proven, in 29 years of experience they still don't have
3 the answers. And I hope that it doesn't take 29 years to
4 perfect synthetic tracks in California. Thank you.

5 COMMISSION CHAIRPERSON SHAPIRO: Thank you. All
6 right, I would again like to thank everybody for a wonderful
7 meeting, appreciate it.

8 We are not going to do Item 2 on the agenda, it's
9 a bit too late. The next regular meeting of the Board is on
10 February 28th, in Arcadia City Hall.

11 Again, thank you very much.

12 (Thereupon the California Horse Racing
13 Board Special Purpose Meeting was
14 concluded at 4:30 p.m.)

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CERTIFICATE OF REPORTER

I, TROY A. RAY, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing Meeting of the California Horse Racing Board; that thereafter the recording was transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said meeting, or in any way interested in the outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of February, 2008.

Troy A. Ray

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