



7. Discussion and action by the Board regarding an **update from the Los Angeles Turf Club II (T), on its marketing plan for its race meeting at Santa Anita**, commencing September 25, 2013 through November 3, 2013, inclusive.
8. Discussion and action by the Board regarding an **industry report on the issues related to conditions placed on the allocation of the 2014/2015 Southern California racing calendar and the Board's ratification of the calendar.**
9. Discussion and action by the Board regarding an **industry update on the status of the discussions regarding the Southern California auxiliary off-track stabling issue for 2014/2015.**
10. Discussion and action by the Board regarding a **presentation from the Thoroughbred Racing Protective Bureau (TRPB) and its Tote Security System.**
11. Report and update by the University of California, Davis on the **CHRB/California Animal Health and Food Safety Laboratory System (CAHFS) University of California, Davis Necropsy Program** for fiscal year 2011-2012 and preliminary fiscal year 2012-2013 results.
12. Report and update regarding the **CHRB Track Safety Program, including the Enhanced Necropsy Program and the Racing Safety Programs.**
13. Report from the **Medication and Track Safety Committee.**
14. Discussion and action by the Board regarding the **proposed amendment to CHRB Rule 1658, Vesting of Title to Claimed Horse**, to provide that a claim shall not be voided by the stewards if prior to the race the claimant elects to claim the horse regardless of whether the racing or official veterinarian determines the horse will be placed on the Veterinarian's List as unsound or lame.
15. Report from the **Jockey and Driver Welfare Committee.**
16. Discussion and action by the Board regarding the **proposed amendment to CHRB Rule 1536, Stewards Minutes**, to require the new CHRB form Report of Training Accidents (CHRB 201A), to be attached to the stewards' minutes.
17. Discussion and action by the Board regarding the **proposed addition of CHRB Rule 1500.3, Jockey Breath Alcohol Testing**, to provide that every jockey or apprentice jockey is subject to a breath alcohol test prior to each race program in which he or she participates.
18. Report from the **Pari-mutuel/ADW and Simulcast Committee.**

19. Report from the **Legislative, Legal and Regulations Committee**.
20. Discussion and action by the Board regarding **approval of the revised CHRB Governing Procedures notice for disciplinary hearing**.
21. **Closed Session:** For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code.
  - A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," as authorized by Government Code section 11126(e).
  - B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).
  - C. The Board may convene a Closed Session for the purposes of considering personnel matters as authorized by Government Code section 11126, (a).

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

**CALIFORNIA HORSE RACING BOARD**

David Israel, Chairman  
Chuck Winner, Vice Chairman  
Steve Beneto, Member  
Jesse H. Choper, Member  
Bo Derek, Member  
George Krikorian, Member  
Richard Rosenberg, Member  
Jacqueline Wagner, Assistant Executive Director

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## PENDING LITIGATION AUGUST 2013

### SUPERIOR COURT LITIGATION

- A. **Jeff Mullins vs. CHRB, et al**  
Superior Court of California, County of San Diego, Case No. 37-2010-00092212
- B. **San Luis Rey Racing, Inc., vs. CHRB, et al**  
Superior Court of California, County of San Diego, Case No. 37-2011-00096586
- C. **Alexander Sywak vs. CHRB**  
Superior Court of California, County of Sacramento, Case No. 34-2011-800001021
- D. **Morteza Atashkar vs. CHRB**  
Superior Court of California, County of Sacramento, Case No. 34-2008-00024426
- E. **Gerald Gibbs vs. Bob Hubbard Transportation, Inc., and the CHRB**  
Superior Court of California, County of Los Angeles, Case No. BC505465
- F. **Carla Gaines vs. CHRB**  
Superior Court of California, County of Los Angeles, Case No. BS144185

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**PENDING ADMINISTRATIVE ADJUDICATIONS  
AUGUST 2013****CASE****A. Proposed Decision****Trainer Paul Aguirre**

CHRB Case Number: SAC 13-0032

**B. Fitness for Licensure****Jose Jesus Saldivar**

CHRB Case Number: SAC 13-0015

**PROCEEDINGS** of the Regular Meeting of the **California Horse Racing Board** held at the **Del Mar Thoroughbred Club**, 2260 Jimmy Durante Boulevard, Del Mar, California, on **July 18, 2013**.

Present: David Israel, Chairman  
Chuck Winner, Vice-Chairman  
Steve Beneto, Member  
Jesse H. Choper, Member  
Bo Derek, Member  
George Krikorian, Member  
Richard Rosenberg, Member  
Jacqueline Wagner, Assistant Executive Director  
Robert Miller, General Counsel

#### **APPROVAL OF THE MINUTES OF JUNE 20, 2013**

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Chairman Israel asked for approval of the minutes of the Regular Meeting of June 20, 2013.

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

#### **PUBLIC COMMENT**

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There were no public comments.

#### **DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE LOS ANGELES COUNTY FAIR (F), AT FAIRPLEX, COMMENCING SEPTEMBER 5, 2013 THROUGH SEPTEMBER 23, 2013, INCLUSIVE.**

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Chairman Israel asked if any of the items listed in the staff analysis as outstanding had been received. Jacqueline Wagner stated the horsemen's agreement had been received, and renewals for various racing officials' occupational licenses were moving forward; however, the Vanning and Stabling agreement was still outstanding. Chairman Israel asked if the applications for the occupational licenses had been received. Ms. Wagner stated they had not; the licenses would be

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renewed before the opening of the meet. Commissioner Rosenberg asked if the stabling numbers (1200 on site, 500 at Santa Anita, and 300 at Hollywood Park) were consistent with prior years. James Henwood, representing the Los Angeles County Fair at Fairplex (Fairplex), stated the numbers were consistent with previous applications. Chairman Israel said it looked like the purses had increased. Mr. Henwood stated yes, consistent with the 2012 race meet performance there was an expected increase in handle. He said there was no change in the number of races or race days. Fairplex was concentrating on having fuller fields with more competitive races. Vice-Chairman Winner **motioned** to approve the application for license to conduct a horse racing meeting at Fairplex, commencing September 5, 2013 through September 23, 2013, inclusive. Commissioner Rosenberg **seconded** the motion, which was **unanimously carried**. Mr. Henwood said Barrett's Sales & Racing (Barrett's) was conducting a sale at the Del Mar race track and asked the Board if Kim Lloyd, representing Barrett's, could speak a few minutes about it. Mr. Lloyd invited the Board members to come to the sale at Del Mar. He stated last year's Paddock Sale was a success with 150 starts and two stake winners. Chairman Israel asked how many horses were auctioned. Mr. Lloyd said 35 in 2012 and there would be 28 for the 2013 sale; Texas horses were left out of the 2013 sale accounting for the lower number. Chairman Israel asked where the horses in the sale were coming from. Mr. Lloyd stated in the 2013 sale there were California bred horses, one from Europe, one from Saratoga, and one that was the full brother of Gervinho. Commissioner Beneto asked if the horses had veterinarian checks. Mr. Lloyd stated yes, the horses would have x-rays and would be covered by the same warranty as all Barrett's' racing day sales. He said there would not be a preview show as was done in the two-year-old training sales, but some would gallop before the sale.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE SAN JOAQUIN COUNTY FAIR (F), AT STOCKTON, COMMENCING SEPTEMBER 18, 2013 THROUGH SEPTEMBER 29, 2013, INCLUSIVE.**

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Chairman Israel stated the only item missing from the application was the fire clearance which was commonly a last minute item. Vice-Chairman Winner asked why there was a reduction in race days. Larry Swartzlander, representing the San Joaquin County Fair at Stockton (Stockton), stated the 2012 meeting had an eight day schedule running Thursday through Sunday. He said the Thursdays were run with a \$60,000 loss in handle so they were removed for the 2013 meet. Commissioner Beneto asked if Stockton would prefer to move its race meet to June and run concurrent with the county fair. Mr. Swartzlander said there was concern with Golden Gate Fields running in front of the June dates. He said Northern California was experiencing a realignment of race dates, and there was a need to cover the summer dates, mid June through mid October. The fairs were doing what they could to cover those dates and keep horses in California; with too big a gap in the calendar horses would likely leave the state. Commissioner Krikorian **motioned** to approve the application for license to conduct a horse racing meeting at Stockton, commencing September 18, 2013 through September 29, 2013. Commissioner Choper **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE LOS ANGELES TURF CLUB II (T), AT SANTA ANITA, COMMENCING SEPTEMBER 25, 2013 THROUGH NOVEMBER 3, 2013, INCLUSIVE.**

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George Haines, representing the Los Angeles Turf Club (LATC), stated LATC was undergoing extensive renovations and was prepared for its fourth Breeders' Cup in six years. Commissioner Choper stated that it was nice to spend money for renovations that would keep LATC's customer

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base happy, but he was more interested in knowing about the effort to bring in new customers. Tom Ludt, representing LATC, said improving the facilities was good for both pleasing the returning customer base and new customers in an attempt to entice them to return. One of the improvements planned was to increase customer service, including the use of college interns as hosts to help people find their way around the facility. Vice-Chairman Winner stated LATC's improvements were impressive but the Board wanted to know what was being done to get customers to come in the first place, especially with such a relatively small marketing budget. Mr. Ludt stated he would provide a more detailed report on LATC's marketing plan at the August 22, 2013 Regular Board Meeting. Chairman Israel asked for an explanation as to why the agreements from the Thoroughbred Owners of California (TOC) and the California Thoroughbred Trainers (CTT) were not included with the application. Mr. Haines stated the agreement with the TOC was very close to being complete; however, the CTT agreement was still being negotiated. Joe Morris, representing the TOC, stated the agreement was being held up until all of the necessary information on the Breeders' Cup undercard was available. Chairman Israel asked where the TOC stood on the "Win & You're In" program in reference to the jockeys' commissions. Mr. Morris stated the TOC agreed with the guild that jockeys should get a percentage of any non-owner paid entry fees or supplements, such as those paid by the Breeders' Cup; however it did not think the jockeys should get a percentage of entry fees actually paid by owners. Alan Balch, representing CTT, stated an agreement between CTT and LATC was very far off. He said CTT desired to negotiate over the disagreement on the transition to the 2014 calendar and LATC did not. Chairman Israel asked if an agreement could be made for the 2013 fall race meeting without negotiations over the transition to the 2014 calendar. Mr. Balch stated the decisions over the horse population, and stall limits in the fall

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meeting, would carry over into the winter meeting. Mr. Haines stated some of the contentious points in the CTT offer were over items LATC had no control over, such as vanning and stabling. He said many of the other points had nothing to do with the 2013 fall meet so LATC counter offered with a duplicate of the agreement used in 2012. Mr. Balch stated there was an immediate need to know where the horses were going for LATC's 2014 spring meet and it should be part of the 2013 fall meet negotiation. Chairman Israel stated the discussion over the 2014/2015 calendar had been going on since the May 2013 Regular Board Meeting and this was the first time the fall 2013 meet was brought up as part of the negotiation. Mr. Balch stated the CTT was now trying to make it part of the discussion. He said that although 60 days had passed since the May 2013 Regular Board Meeting, the Stabling and Vanning Committee had not convened again to discuss CTT's issue with the plan that was presented. Mr. Balch stated LATC management was unwilling to meet with CTT. Mr. Haines stated the accusation was untrue, his door was always open. He said he had been available for the previous two months while it was Mr. Balch that was unavailable. Commissioner Choper stated that both parties had the same interests and that the inability to compromise on both sides did not make sense. Chairman Israel agreed, stating accusations without solutions were not constructive. Commissioner Rosenberg asked if CTT had attempted to meet with LATC's management over the agreement on the 2013 fall race meeting. Mr. Balch stated no, CTT attempted to meet with LATC to discuss track safety and other related issues. Those attempts were deferred. Commissioner Derek stated the CTT should have taken these concerns to the Medication and Track Safety Committee sooner. Mr. Balch said the Board instructed the parties to work these types of issues out with each other and take them to the Board as a last resort. Jim Cassidy, representing the CTT, stated changes in the 2013 fall meet were needed to handle the issues with trainers competing for space at LATC

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when Hollywood Park closed. Chairman Israel agreed stating that was the reason the Board started discussions on the calendar four months early, with a meeting in May instead of September. He said waiting until the last minute to bring up these issues was essentially holding the 2013 fall meeting hostage to meet CTT's demands. Mr. Cassidy stated he understood that comparison; but CTT felt as though bringing up the issue at the hearing for the race meet application was the best option to make sure the trainers were represented. Mr. Balch stated vanning and stabling was a later agenda item but discussion and agreement on it was necessary for CTT agreement on LATC's 2013 race meeting. Vice-Chairman Winner asked Mr. Balch for a specific example of the transitional problem. Mr. Balch stated the application process for LATC stalls at its 2014 spring meet would be extra heated as the alternatives were going to be San Luis Rey Downs (SLRD) or Los Alamitos Race Course, but LATC had not been clear on its stall limit or how applicants would be chosen. Chairman Israel asked what CTT proposed as the solution. Mr. Balch stated CTT proposed a stall limit of 32 per trainer starting in September. He said the current limit was 40, but there had never been a need to observe it. Chairman Israel stated a limit would not become important until Hollywood Park closed and should not affect the negotiations over the 2013 fall meet. Mr. Balch said the trainers needed to plan ahead and stabling needed to be decided before the transition, not during. Mr. Balch stated the Board meeting was the only place CTT could be heard, it would prefer to negotiate in private but without that opportunity it was happy to do it publicly. Commissioner Krikorian stated the agreement to give LATC its 2014/2015 calendar was contingent upon resolving issues with CTT, which had not been done; however, it should not affect the application for the 2013 fall meet. He said LATC needed to show a good faith effort to get the stabling issue resolved by the time its application for its 2014 spring race dates came before the Board. Commissioner Choper stated

the application listed the applicant as a corporation that was owned by another corporation that had no listed ownership. He asked who could be listed as the owners at the end of the corporation to corporation chain. Scott Daruty, representing LATC, stated Los Angeles Turf Club II was the applicant, which was ultimately owned by the Stronach Group which was chaired by Frank Stronach. Mr. Daruty said if a problem was big enough it might have to go up to corporate levels, otherwise the people representing LATC at the meeting made the management decisions. He said the discussion about the CTT agreement needed to be about the CTT trying to do an end run around the process the industry had been going through for months. Mr. Daruty said the Board should grant the 2013 fall meet license without the CTT agreement; it was permissible and with precedent. Commissioner Choper asked what was being done about the storm water problem. Mr. Daruty stated it would cost in the tens of millions of dollars to bring the facility into compliance with the storm water requirements. He said instead of doing the necessary improvements first and the desired improvements later, LATC preferred all improvements be done concurrently. Mr. Daruty said concurrent improvements would take more time than what was given to correct the problem but negotiations with the Regional Water Quality Control Board (RWQCB) were taking place to allow for this. Commissioner Krikorian asked if there was anything in writing stating exactly what needed to be corrected. Mr. Daruty stated that with any negotiation between a private business and a regulating agency there was the agency's ideal solution, which may not be feasible or affordable, and the final solution which comes out of compromise. Commissioner Krikorian stated he understood the process and was asking where LATC was in the negotiations. Frank DeMarco, representing LATC, said the process had been going on for three to four years. He said a comprehensive solution was presented to the RWQCB, but it had not been approved. The RWQCB was monitoring monthly

to establish that LATC remained compliant. Commissioner Krikorian asked for Mr. DeMarco to be more specific in where LATC was in the negotiation. Mr. DeMarco stated LATC was waiting to find out if its plan was accepted; meanwhile it remained in compliance with monthly monitoring. Vice-Chairman Winner stated the plan for the wastewater improvements, with specifics including a timeline, was one of the contingencies for 2014/2015 race dates. Mr. Daruty said one was not available. Vice-Chairman Winner asked when it would be available. Mr. Daruty stated he could only guess. Commissioner Choper asked why it had been four months since the last meeting between LATC and the RWQCB. Mr. DeMarco stated he did not know and LATC was not the party requesting meetings. Mr. Balch stated solving the storm water issue was important, more important than the agreement with CTT, and it was another promise from LATC (that its race dates were contingent upon) that it had not delivered. He said it was true the Board could award a license without the CTT agreement; however, LATC was not fulfilling the Board's contingency requirements, so its application should not be approved. Commissioner Krikorian asked why the application asked for 1500 off-site stalls. Mr. Haines stated Hollywood Park had 2,000 stalls available, and the 1500 requested was a very optimistic representation of the need. Chairman Israel asked where the horses for the Breeders' Cup were stabled. Mr. Haines said LATC dedicated 200 stalls at LATC for the Breeders' Cup. Rick Hammerle, representing LATC, stated the number of stalls needed usually peaked when the new two-year-olds were ready. He said the method for estimating the number was to literally count the horses at the various tracks and auxiliary facilities. The workmen's compensation insurance companies also did a count that could be compared. Mr. Hammerle said it was a guess, but a very accurate guess. Chairman Israel **motioned** to approve LATC's application for license to conduct a horse racing meeting commencing September 25, 2013 through November 3, 2013 on

a conditional basis, contingent upon an agreement with CTT, a more specific marketing plan, an update on the storm water issue including specifics on who the contacts were and what applications had been filed, and HRTV and TVG content sharing. Commissioner Beneto stated he was against the conditional application. He said all of the parties should be able to get together and negotiate these deals on their own. Mr. Balch stated he agreed, but 60 days had passed and there had not been any one on one meetings with LATC. Mr. Daruty stated there had been meetings. Commissioner Beneto stated even if these conditions were not meant the Board would still issue the license. Mr. Ludt said approving the license contingent upon the CTT agreement jeopardized the relationship with the Breeders' Cup. Chairman Israel offered to mediate a meeting between LATC and CTT. Commissioner Krikorian suggested both parties bring a proposal to the table. Commissioner Rosenberg **seconded** the motion, which was **carried**, with Commissioner Benito voting **no**.

**DISCUSSION AND ACTION BY THE BOARD REGARDING AN INDUSTRY UPDATE ON THE STATUS OF THE DISCUSSIONS REGARDING THE SOUTHERN CALIFORNIA AUXILIARY OFF-TRACK STABLING ISSUE FOR 2014/2015.**

Chairman Israel stated a decision by Steward Scott Chaney made in necessary for a reorganization of the Stabling and Vanning Committee (SVC) to bring it into accordance with the law. Robert Miller, CHRB General Counsel, stated there needed to be more separation between Southern California Off-Track Wagering, Inc. (SCOTWINC) and the SVC; and payments from the SVC should go through the associations as reimbursements, not given directly to the off-site stabling facilities. He said the decision also found the number of stalls needed was sometimes exaggerated to inflate the fees for off-site stabling. Commissioner Rosenberg stated it appeared there was a general acceptance for paying whatever the auxiliary

facility required. Mr. Miller said under the law the SVC should have representatives from the associations, the fairs, and the thoroughbred horsemen and horsewomen; the Board recognized the Thoroughbred Owners of California (TOC) as the representative body of the horsemen and horsewomen. Chairman Israel stated that once reorganized the SVC needed to meet regularly and report its decisions to the Board. Commissioner Rosenberg asked if the Board would review the reorganization of the committee. Mr. Miller stated by law the Board supervised the stabling and vanning fund. Chairman Israel asked if there had been any progress towards an agreement over stabling and vanning. Joe Morris, representing the SVC, stated the decision for 1900 stalls at LATC, 500 at San Luis Rey Downs (SLRD), and 500 at Los Alamitos (LA) was still the best option. There were talks with Los Alamitos for a possible 200 more stalls if needed. There were also negotiations with Los Angeles County Fair (Fairplex); its storm water issues were not as inhibitive as previously believed. He said the biggest issue was to determine what the need would be. Commissioner Choper asked if there was an effort to use Fairplex as it was the preference of the trainers. Mr. Morris stated Fairplex was an option to fulfill any need beyond the 2900 stalls already decided upon. Commissioner Choper asked if those responsible for counting the horses were also confirming that the horses currently occupying stalls deserved to be in them. Mr. Morris stated that issue was a contentious point between the CTT and the SVC but they were working on it as well. Chairman Israel asked if the CTT and the SVC were meeting every Friday as promised. Mr. Morris stated yes, but the day had changed. Jim Henwood, representing Fairplex, stated there had been meetings. Commissioner Rosenberg asked if the TOC had polled its members as to their preferences for stabling. Mr. Morris stated the issue had been discussed many times at TOC board meetings but there was no poll of the owners. Chairman Israel stated it was his understanding that Fairplex received dispensation from

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the Regional Water Quality Control Board (RWQCB) for 500 stalls. Mr. Henwood stated Fairplex's previous application was expired but keeping the number of horses under 500 would put less pressure on the application process for 2015. Going over the 500 mark reclassified the containment areas; it was not impossible, but it would require more storm water improvements in the near future. Chairman Israel stated the CTT's proposal was for 3,000 stalls to be provided in the Los Angeles County area, but with only 500 available at Fairplex there was no way to provide 3000 stalls without going outside of Los Angeles County. Vice-Chairman Winner asked if Fairplex could provide over 500 stalls for 2014, and if Fairplex provided the stalls would it risk its application with the RWQCB for 2015. Mr. Henwood stated yes to both. Jim Cassidy, representing CTT, stated the way to go forward was to provide the best stabling for 2014, and worry about 2015 later; for 2014 Fairplex could provide the needed stalls. Chairman Israel asked if Fairplex could take 1000 horses in 2014. Mr. Henwood stated it could, but it would create a problem with the RWQCB that Fairplex would need help fixing. Commissioner Beneto stated the CTT needed to be more flexible in its proposal especially with the requirement that all of the stalls be in the Los Angeles area if there were not that many stalls available. He asked how the CTT expected to come up with something that didn't exist. Alan Balch, representing CTT, stated the stalls were available at Fairplex; he said Mr. Henwood had been clear on how Fairplex could go above 500 stalls. The parties involved just needed to get together and figure out how to make it work for 2014. Commissioner Beneto said it had already been figured out with SLRD and LA each providing 500 stalls. Commissioner Rosenberg asked if Fairplex had other horses training at its facility. Mr. Henwood said that Fairplex's training program was cut as the horseracing industry got smaller. He said when LATC had to reset its track in 2010, its training program relocated to Fairplex for 90 days. Mr. Balch stated the industry, through the SVC, and

Fairplex spent money to research how Fairplex could serve as a training area for the future of Southern California. Josh Rubenstein, representing Del Mar, stated Del Mar believed there to be 3300 horses in Southern California. He said 2900 stalls or 3100 stalls would not be enough and Del Mar was willing to divert money from the industry fund to increase that number for 2014. Mr. Morris stated the TOC did not think diverting money from the industry fund was a good idea. He said that money was critical for solving the problem long term, and not for adding to the short term solution. Mr. Morris stated the number of horses was still a contentious point and was inflated by an unknown number of horses that should be relocated to farms. Chairman Israel asked why an owner would want to pay a day rate to a trainer for a horse that was not going to race. Mr. Morris stated the trainers wanted the day rate and intentionally kept horses that didn't race. Chairman Israel stated it was the owner's responsibility to get those horses off the track and the TOC needed to work with them to make that happen. He said this needed to be resolved as it was one of the conditions for future race dates. Commissioner Rosenberg asked if the TOC was opposed to using the industry fund for the short-term problem in favor of using it for a long term solution that had yet to be determined. Mr. Morris stated yes. Chairman Israel stated for months the Board had been listening to absolutes and intractable positions. He said it was time to compromise and come up with a solution. Commissioner Beneto asked how the SVC paid for vanning, per truck or per horse. Mr. Morris stated it was per horse, if a truck with a capacity for eight horses shuttled one horse the SVC would only pay for the one horse. Commissioner Krikorian stated the discussion started with the changing race dates and the windfall profits they were providing for LATC and Del Mar. He said the best use of the industry fund would be to put it back into purses. Scott Daruty, representing LATC, stated that under statute purses could only be generated from handle and that the associations would not support the industry fund

being used for purses. Mr. Daruty stated Hollywood Park was going out of business because racing was not the best use for that property. He said LATC would need the added race dates to sustain; the idea it was a windfall of profit was not accurate. Mr. Balch stated the stabling and vanning fund was derived from satellite wagering, which had declined as advance deposit wagering (ADW) had grown. He said there was a provision in the law that the parties could agree to change the distribution of the ADW funding; it had been done before to help sustain satellite wagering and could be done again to create distributions for stabling and vanning. Mr. Balch said the stabling and vanning fund only needed \$3 to \$4 million more to sustain, and this would amount to a relatively small diversion from the existing ADW distribution. Chairman Israel stated this issue needed to be held-over until the August 22, 2013 Regular Board Meeting.

**DISCUSSION AND ACTION BY THE BOARD REGARDING AN INDUSTRY REPORT ON THE ISSUES RELATED TO CONDITIONS PLACED ON THE ALLOCATION OF THE 2014/2015 SOUTHERN CALIFORNIA RACING CALENDAR AND THE BOARD'S RATIFICATION OF THE CALENDAR.**

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Chairman Israel stated the issue had been discussed during the previous item and would be held over until the August 22, 2013 Regular Board Meeting.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING (ADW) BY WATCH AND WAGER LLC, FOR AN OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB, FOR A PERIOD OF UP TO TWO YEARS.**

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Ed Cummings, representing Watch and Wager (WAW), stated WAW's ADW application for standardbred racehorses was complete and the bond had been provided as required. He said WAW would not offer wagering on the other breeds as it did not currently have hub agreements with them. Chairman Israel asked why the principle license was in North Dakota. Mr.

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Cummings stated the required multijurisdictional license was available from Oregon or North Dakota, both of which were equally commercially viable; when WAW was acquired by Webis Holdings PLC it came with the North Dakota license, which it held onto. Chairman Israel asked what bank held the wager funds. Mr. Cummings stated it was a U.S. Bank, as required by the North Dakota gaming license. The money was set up in a protected account that could not be spent by WAW so that it was available for customers. Commissioner Rosenberg asked what the issues with expanding the license beyond standardbreds were. Mr. Cummings stated the current licensed ADW providers did not want the competition or cannibalization of their product. He said WAW did not see the current licensed providers as the competition; WAW's competitors were the unlicensed off-shore providers. Mr. Cummings said the Thoroughbred Owners of California (TOC) had requested that WAW provide a marketing plan showing market growth verses cannibalization. He stated WAW hoped to have agreements for the other breeds by September 6, 2013. Commissioner Choper asked how WAW would market to capture business from off-shore unlicensed providers. Mr. Cummings stated WAW would focus its marketing on the protection of funds that the offshore providers did not have. Commissioner Choper asked how those protections were different from a current licensed ADW provider for thoroughbreds like TVG. Mr. Cummings stated all four ADW providers would offer the same quality level of service. Commissioner Choper said if the off shore patrons would enter the pools through licensed providers it would go a long way to solving some of the current money issues. Commissioner Rosenberg stated the more ADW competition the better, in terms of wagering rebates. Mr. Cummings stated the European e-gaming market had thousands of licensed providers, and it resulted in better service and a better deal for the customer. Commissioner Krikorian asked if the split was the same as the other licensed ADW providers. Christopher

Schick, representing WAW, stated because the hub agreement for standardbred racing was negotiated between two companies with the same parent company, any harness race bet placed through WAW ADW would have a more favorable split for the harness racing industry than any other provider. Jim Perez, representing the California Harness Horsemen's Association (CHHA), stated the CHHA supported the application. He said that WAW had been good for harness racing. Vice-Chairman Winner **motioned** to approve the application to conduct ADW by WAW, for an out-of-state multi-jurisdictional wagering hub. Commissioner Rosenberg **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO OPERATE A MINISATELLITE WAGERING FACILITY AT THE MERMAID TAVERN IN THOUSAND OAKS, CALIFORNIA, FOR A PERIOD OF UP TO FIVE YEARS.**

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Commissioner Beneto asked how many customers the Mermaid Tavern (MT) served daily. Frank Ibanez, representing the MT, stated the restaurant served about 300 customers a day. Chairman Israel asked how many more customers would wagering attract. Mr. Ibanez estimated there would be 200 to 250 more customers daily. Rick Baedeker, representing Southern California Off-Track Wagering, Inc. (SCOTWINC), stated the peak traffic for wagering was between lunch and dinner and filled seats that would otherwise be empty. Commissioner Beneto asked how long the MT had operated. Mr. Ibanez stated the MT was a sports bar that had been open one and a half years. Commissioner Krikorian asked if any population radius studies had been completed and if there were any radius restrictions on other minisatellites opening in the same area. Mr. Baedeker stated there were no population studies done; however, there was a wagering study that found \$8 million in advance deposit wagering (ADW) handle in a five mile radius. He said there was an exclusivity clause in the SCOTWINC contract that prevented new

minisatellites within five miles. SCOTWINC added this clause to the contract to encourage investment in minisatellites but was not bound to the language for future contracts. Mr. Baedeker said there was also a clause that could allow SCOTWINC to cancel the agreement if the business did not do \$20,000 in average daily handle. He said the MT would likely do between \$25,000 to \$30,000, generating about \$750,000 for purses and commissions annually. Commissioner Krikorian stated that was if the MT generated about \$1 million in gross handle a year, which was small compared to the higher quality facilities. He asked why SCOTWINC was agreeing to a five mile exclusivity clause for \$1 million a year in handle. Mr. Baedeker said the annual gross handle was estimated to be \$6 million. Commissioner Krikorian stated the better location grossed upwards of \$80 to \$100 million a year. He said the five mile restriction would still limit revenue that could be generated. Mr. Baedeker stated the OC Tavern and Santa Clarita did \$8 million in annual gross handle; the Commerce Club Casino did about \$20 million in annual gross handle. He said even without the restrictive clause, the chances of getting local approval for two minisatellites so near to each other would be remote. Commissioner Krikorian asked what the cost was for the clerks and any other expenses. Mr. Baedeker stated two percent of handle went to the owner; two and half percent went to SCOTWINC which paid for the clerks, signal downlink, equipment, and the cash delivery from the two and a half percent it received from the handle. That left about 13 percent to the industry, half of which went to purses. Robert Miller, CHRB General Council, stated there was a statutory limit of 45 on the number of minisatellites in California, 15 in the northern, 15 in the central, and 15 in the southern zone. Commissioner Krikorian asked what the difference was between a minisatellite and a satellite. Mr. Miller stated that a satellite facility had to have a connection with a racetrack, fair, or tribal casino. Commissioner Beneto asked how many tracks could be bet on at a minisatellite. Mr.

Baedeker said minisatellites offered the same program as the racetracks and satellites as determined by the host track. Vice-Chairman Winner asked how many minisatellites were currently in the southern region. Mr. Baedeker stated there were three: Commerce, OC Tavern, and Santa Clarita. Commissioner Krikorian stated the five mile limitation prevented the industry from maximizing its gross potential. Mr. Baedeker said adding a minisatellite to a restaurant was a complete change in the culture of that business. He stated Mr. Ibanez had invested \$1 million into his business and needed assurances that it was not for nothing. Commissioner Krikorian asked if Mr. Baedeker could point to an instance where a minisatellite damaged the business of another. Mr. Baedeker stated there were not enough minisatellites for that to have occurred. Chairman Israel stated Commissioner Krikorian would head an ad hoc committee that would do an initial review for all minisatellite applications. Vice-Chairman Winner stated the Board should act on the minisatellite applications before the Board, but going forward all applicants would first need to go through the ad hoc committee. Commissioner Krikorian stated he wanted to license minisatellites, but he wanted to make sure it was done in a way that was best for the industry. Vice-Chairman Winner **motioned** to approve the application for license to operate a minisatellite wagering facility at the MT in Thousand Oaks, California, for a period of five years. Chairman Israel **seconded** the motion, which was **carried**, with Commissioner Benito and Commissioner Krikorian voting **no**.

**DISCUSSION AND ACTION BY THE BOARD ON THE RENEWAL APPLICATION FOR LICENSE TO OPERATE A MINISATELLITE WAGERING FACILITY AT THE ORG RESTAURANT AND BAR IN SANTA MARIA, CALIFORNIA, FOR A PERIOD OF UP TO FIVE YEARS.**

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Rick Baedeker, representing Southern California Off-Track Wagering, Inc. (SCOTWINC), stated the SCOTWINC contract for the renewal of the ORG Restaurant and Bar in Santa Maria

had a 5 mile exclusivity clause; however, the facility was in a rural area that could not support two minisatellites. He said it generated only \$375,000 a year in purses/commissions, but it was the only remaining exposure the industry had in the Santa Barbara area. Chairman Israel **motioned** to approve the application for license to operate a minisatellite wagering facility at the ORG Restaurant and Bar in Santa Maria, California, for a period of five years. Chairman Israel seconded the motion, which was **carried**, with Commissioner Krikorian voting **no**.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE ALLOCATION OF THE NORTHERN CALIFORNIA 2014/2015 RACING CALENDAR AND RELATED ISSUES FOR 2014/2015.**

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Chairman Israel stated at the request of California Authority of Racing Fairs, and consented to by Golden Gate Fields, the item would be held over to a future Regular Board Meeting.

**PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE PROPOSED ADDITION OF CHRB RULE 1927.1, TAMPERING WITH SMOKE DETECTORS PROHIBITED, TO INCLUDE PENALTIES RELATIVE TO TAMPERING WITH FIRE SAFETY EQUIPMENT I.E. SMOKE DETECTORS. (NOTE: THIS CONCLUDES THE 15-DAY PUBLIC COMMENT PERIOD. THE BOARD MAY ADOPT THE PROPOSAL AS PRESENTED.)**

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Commissioner Choper asked if this Rule was applicable strictly to the tack rooms. Jacqueline Wagner, CHRB Staff, stated yes. Commissioner Choper asked how often the smoke detectors were tampered with. Ms. Wagner stated they were usually disabled to allow for cooking, but an answer to the number of violations would have to be deferred to enforcement. Chairman Israel stated there were a few violations a month at each facility. Commissioner Derek stated it should be an effective deterrent, and get everyone's attention. Chairman Israel stated it was one of the most dangerous things done at a racetrack. Commissioner Choper said the fines seemed fairly

modest. Commissioner Krikorian asked if there were already rules against smoking in the barns. James Henwood, representing Fairplex, stated it was a house rule at all of the tracks but it was not followed very carefully. He said to his knowledge that only a very few trainers allowed smoking in their barns as it was considered by most to be very unsafe. Bill Westermann, CHRB staff, stated if enforcement sees personnel smoking in the barns they would ask them to go elsewhere. He said no tickets had been issued for smoking, only for tampering with smoke detectors. Alan Balch, representing CTT, stated there was also a need for better signage and effort to call out this issue to people's attention. He said the smoke detectors should be upgraded and modernized at the barns; a hardwired or full fire system would be preferred. Chairman Israel stated smoke detectors with cameras might be effective. Vice-Chairman Winner stated the Board should request Los Angeles Turf Club upgrade its fire prevention system as part of its backstretch improvements. Commissioner Derek **motioned** to approve addition of CHRB Rule 1927.1, Tampering with Smoke Detectors Prohibited, to include penalties relative to tampering with fire safety equipment i.e. smoke detectors. Commissioner Rosenberg **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST FROM GOLDEN GATE FIELDS FOR A WAIVER TO CHRB RULE 1472, (G) RAIL CONSTRUCTION AND TRACK SPECIFICATIONS, TO INSTALL HEDGES WITHIN 10 FEET OF THE INSIDE RAIL ON ITS TURF COURSE.**

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Chairman Israel asked if the request by Golden Gate Fields to install hedges was to prevent horses from jumping the inside rail on the turf course. Calvin Rainey, representing Golden Gate Fields, stated yes. He said the idea was approved by safety stewards Paul Nicolo, and Tom McCarthy. Darrell Haire, of the Jockeys' Guild, Alan Balch, from the California Thoroughbred Trainers; and Joe Morris, from the Thoroughbred Owners of California also endorsed the

request. Commissioner Rosenberg **motioned** to approve request from Golden Gate Fields for a waiver to CHRB Rule 1472, (g) Rail Construction and Track Specifications, to install hedges within 10 feet of the inside rail on its turf course. Commissioner Choper **seconded** the motion, which was **unanimously carried**.

**MEETING ADJOURNED AT 1:02 P.M.**

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

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Chairman

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Executive Director

**CALIFORNIA HORSE RACING BOARD**

**AUGUST 22, 2013**  
**REGULAR BOARD MEETING**

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

STAFF ANALYSIS  
August 22, 2013

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE BIG FRESNO FAIR AT FRESNO OCTOBER 3-14, 2013.

Fresno District Fair filed its application to conduct a horse racing meeting at Fresno:

- October 3-14, 2013, or 9 days, the same as 2012. The fair proposes to race a total of 100 races, the same as 2012.
- The proposed race dates are the approved dates allocated to the fair.

October – 2013						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- Racing 4 days the first week and 5 days the second week. Ten races Monday, Thursday, and Fridays and twelve races Saturday, October 5 and Sunday, October 6. 13 races Saturday, October 12<sup>th</sup> and Sunday, October 13<sup>th</sup>.
- Number of horses available determines the number of daily races programmed by breed.
  - 2012 Race Meeting: Average number of runners per race (TB): 7.19
  - 2012 Race Meeting: Average number of runners per race (Arabian): 6.2
  - 2012 Race Meeting: Average number of runners per race (Quarterhorse): 6.63
  - 2012 Race Meeting: Average number of runners per race (Mules): 7
- Racing concurrently with the Los Angeles Turf Club II, Inc. racing association at Santa Anita Park.
- First post 12:15 p.m. Saturday and Sunday, 1:15 p.m. Monday, Thursday and Friday.
- Request Darrell Sparks be appointed horse identifier pursuant to CHRB Rule 1525, Racing Officials Appointed by the Board.
- Wagering program will use CHRB and ARCI rules.
  - Early wagering will not be offered.
- The Advance Deposit Wagering (ADW) providers are TVG, Twin Spires and Xpressbet.
- Pursuant to Business and Profession Code section 19604, specific provisions must be met before an ADW provider can accept wagers.

Summary of Business and Professions code 19604

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

- The ADW provider must be licensed by the Board.

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

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

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

Documents received in compliance with Business and Professions code 19604:

- ODS Technologies, L.P. d/b/a TVG Network has submitted all documents required in compliance with Business and Professions code 19604.
- XpressBet LLC. dba XpressBet.com, has submitted all documents required in compliance with Business and Professions code 19604.
- Churchill Downs Technology Initiatives Company, dba Twinpires, has submitted all documents required in compliance with Business and Professions code 19604.
- Simulcasting conducted with other out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.
- Inspection of backstretch worker housing has been requested and will be completed prior to start of race meet.
- Track safety inspection has been requested and will be completed prior to start of race meet.

ITEMS STILL NEEDED:

There are no outstanding items.

RECOMMENDATION:

Staff recommends the Board approve the application.

STATE OF CALIFORNIA  
CALIFORNIA HORSE RACING BOARD  
APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF A CALIFORNIA FAIR  
CHRB-18 (Rev.07/11)

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting of a California fair as authorized by Article 6.5 of the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and in accordance with applicable provisions and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

1. APPLICANT FAIR ASSOCIATION

A. Name, mailing address, telephone, and fax numbers of fair:

**21<sup>st</sup> District Agricultural Association**  
**The Big Fresno Fair**  
**1121 South Chance Avenue**  
**Fresno, Ca. 93702**  
**(559) 650-3247; FAX (559) 650-3226**

B. Fair association is a:  District Fair  County Fair  Citrus Fruit Fair  
 California Exposition and State Fair  Other qualified fair

C. Provide the name, telephone, and email address for the fair contact person:

**John C. Alkire, CEO, 559-650-3355; jalkire@fresnofair.com**

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

2. DATES OF RACE MEETING

A. Inclusive dates allocated for race meeting: **October 2 – October 14, 2013**

B. Actual dates racing will be held: **October 3 - 6 & October 10 – 14, 2013**

C. Dates racing will NOT be held: **October 2, 7, 8, & 9; October 2 & 9 will be simulcast only.**

D. Total number of racing days: **9**

E. Days of the week races will be held:

Wed - Sun  Tues - Sat  Other (specify) **Thu-Sun, 1<sup>st</sup> week; Thu – Mon, 2<sup>nd</sup> week.**

3. RACING PROGRAM

CHRB CERTIFICATION

Application received: **6.28.13**  
Reviewed: **7.30.13**

Hearing date: **8.22.13**  
Approved date:  
License number:

A. Total number of races: 100

B. Number of races by breed:

<input type="text" value="78"/>	Thoroughbreds	<input type="text" value="5"/>	Quarter Horses	<input type="text" value="0"/>	Appaloosas
<input type="text" value="9"/>	Arabians	<input type="text" value="0"/>	Paints	<input type="text" value="8"/>	Mules

C. Number of races daily:

	1 <sup>st</sup> Sun.	2 <sup>nd</sup> Sun.	2 <sup>nd</sup> Mon.	1 <sup>st</sup> Thurs.	2 <sup>nd</sup> Thurs.	1 <sup>st</sup> Fri.	2 <sup>nd</sup> Fri.	1 <sup>st</sup> Sat.	2 <sup>nd</sup> Sat.
Thoroughbred	9	10	8	8	8	8	8	9	10
Other Breeds	3	3	2	2	2	2	2	3	3
Total	12	13	10	10	10	10	10	12	13

D. Total number of stakes races by breed:

<input type="text" value="2"/>	Thoroughbreds	<input type="text" value="1"/>	Quarter Horses	<input type="text" value=""/>	Appaloosas
<input type="text" value="1"/>	Arabians	<input type="text" value="0"/>	Paints	<input type="text" value="2"/>	Mules

E. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each.

### EMERGING BREEDS OVERNIGHT STAKES SCHEDULE

Sunday, October 6, 2013  
Mules, 3 Year Olds  
350 Yards

AMRA World Championship \$ 7,000 Guaranteed  
Futurity

Sunday, October 13, 2013  
Quarter Horses, 2 Years Old  
400 Yards

Fresno Quarter Horse \$ 8,000 Guaranteed  
Futurity  
19<sup>th</sup> Running

Sunday, October 13, 2013  
Mules, 3 Years Old & Up  
440 Yards

Fresno AMRA Gold Cup \$ 7,000 Guaranteed  
17<sup>th</sup> Running

Saturday, October 12, 2013  
Arabians, 3 Years Old & Up  
1 1/16 Miles

K Cuch Jedah Stakes \$8,000 Guaranteed  
16<sup>th</sup> Running

**THOROUGHBRED STAKES SCHEDULE**

Charlie Palmer Futurity  
Two-year olds – One Mile

\$50,000 Added Overnight Stakes  
(Plus up to \$15,000 to Cal-Breds)  
Saturday, Oct 5

Bulldog Hdcp, 19<sup>th</sup> Running  
Three-Year Olds & Upward, One & 1/8 Miles

\$75,000 Guaranteed  
Sunday, Oct 13

F. Will provisions be made for owners and trainers to use their own registered colors?  
 Yes  No If no, what racing colors are to be used:

G. List all post times for the daily racing program:

*\* As much as possible, we intend to align our post times to compliment the Santa Anita post times*

	MON//THURS/FRI	SATURDAY/SUNDAY
Race #1	1:15 p.m.	12:15 p.m.
Race #2	1:45 p.m.	12:45 p.m.
Race #3	2:15 p.m.	1:15 p.m.
Race #4	2:45 p.m.	1:45 p.m.
Race #5	3:15 p.m.	2:15 p.m.
Race #6	3:45 p.m.	2:45 pm
Race #7	4:15 p.m.	3:15 p.m.
Race #8	4:45 p.m.	3:45 p.m.
Race #9	5:15 p.m.	4:15 p.m.
Race #10	5:45 p.m.	4:45 p.m.
Race #11		5:15 p.m.
Race #12		5:45 p.m.
Race #13		6:15 p.m.

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813.

**4. FAIR ASSOCIATION**

A. Names of the fair directors:  
**A.J. Yates, Vice-President**  
**Leta Ciavaglia**  
**Jerry Pacheco**  
**Ricky Vang**

**Elizabeth Hudson, President**  
**Ron Barsamian**  
**Debbie Jacobsen**  
**Larry Serpa**  
**William "Bill" White**

B. Names of the directors serving on the Racing Committee or otherwise responsible for the conduct of the racing program:  
**Chief Executive Officer John C. Alkire; Past Director Ardie Der Manouel**

C. Name and title of the fair manager or executive officer and the names and titles of all department managers and fair staff, other than those listed in 12B, who will be listed in the official program:

**John C. Alkire, CEO**  
**Bryan Wayte, Pari-Mutuel Manager**  
**Steve Wood, Track Superintendent**  
**Frank Mirahmadi, Race Announcer/  
 Odds Maker**

**Stacy Rianda, Deputy Manager II**  
**Lauri King, Deputy Manager I**  
**John Heinrich, Maintenance Supervisor II**  
**Larry Swartzlander, Director of Racing**

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

**Chief Executive Officer**  
**John C. Alkire**  
**1121 S. Chance Avenue**  
**Fresno, Ca 93702**  
[jalkire@fresnofair.com](mailto:jalkire@fresnofair.com)

**Deputy Manager**  
**Lauri King**  
**1121 S. Chance Ave**  
**Fresno, Ca 93702**  
[lking@fresnofair.com](mailto:lking@fresnofair.com)

**5. TAKE OUT PERCENTAGE**

1. Will the percentage deducted for any type of wager be adjusted pursuant to Business and Professions Code section 19601.01? If no, proceed to subsection 6. If yes, identify the wager and the proposed takeout percentage.

Yes  No

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

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

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

**6. HANDLE HISTORY**

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

Year	Handle	Attendance	Number of Racing Day
2012	\$15,414,006	95,139	9 days
2011	\$17,988,069	98,221	9 days
2010	\$17,619,553	102,463	10 days
2009	\$19,600,988	114,994	11 days
2008	\$7,297,871	109,848	11 days
2007	\$7,203,095	116,049	11 days

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

A. Purse distribution:

1. All races other than stakes:

Current meet estimate: 972,209

Prior meet actual: \$972,209

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

Current meet estimate: \$108,023

Prior meet actual: \$108,023

2. Overnight stakes:

Current meet estimate: \$30,000

Prior meet actual: \$36,000

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

Current meet estimate: \$3,333

Prior meet actual: 4,000

3. Non-overnight stakes:

Current meet estimate: 125,000

Prior meet actual: \$150,000

4. Total Purses: (7A1+7A2+ 7A3)

Current meet estimate: \$1,127,209

Prior meet actual \$1,158,209

Average Daily Purse (7A3 ÷ number of days):

Current meet estimate: \$13,889

Prior meet actual: \$16,667

B. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):

Current meet estimate: \$81,753

Prior meet actual: \$84,022

C. Payment to each recognized horsemen's organization contracting with the fair:

Current meet estimate:

CTT \$ 2,629

TOC \$ 5,355

NTRA \$ -0-

PCQHRA \$ 3,988

CWAR \$ -0-

Prior meet actual:

\$ 2,702

\$ 5,504

\$ 1,880

\$ 4,099

\$ -0-

ARAC	\$ 1,507	\$ 1,549
AMRA	\$ 3,402	\$ 3,496
CHBPAPEN	\$ 7,888	\$ 8,107
CTHF	<u>\$ 7,888</u>	<u>\$ 8,107</u>
Total	\$32,657	\$35,444

D. Amount from all sources to be distributed at the meeting in the form of purses or other benefits to horsemen (7A+7B+7C):

Current meet estimate: \$1,241,619

Prior meet actual: \$1,277,675

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

Current meet estimate: \$137.958

Prior meet actual: \$141,964

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

Current meet estimate: \$986,095

Prior meet actual: \$986,095

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

Current meet estimate: \$109,566

Prior meet actual: \$109,566

F. Purse funds to be generated from interstate handle:

Current meet estimate: \$110,781

Prior meet actual: \$110,781

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

Current meet estimate: \$12,309

Prior meet actual: \$12,309

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

West America Bank (C.A.R.F.) TOC Account No.: on file      Emerging Breeds Account No.  
: on file

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

Disher Accountancy Corporation, 1816 Maryal Drive, Sacramento, CA. 95864, (916) 482-4224

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

meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the fair may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

## 8. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held:  
**624 plus 80 porta stalls**
- B. Minimum number of stalls believed necessary for the meeting:  
**624**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers:  
**None**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site:  
**n/a**
- E. Attach each contract or agreement between the fair and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.  
**n/a**

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

- F. Total number of usable stalls made available on-site for the **1986** meeting, pursuant to Business and Professions Code section 19535(c).  
**1,037**
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per-day per stall:  
**n/a**
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for Vanning per-horse: **-0-**

## 9. PARI-MUTUEL WAGERING PROGRAM

- A. Is the fair applicant a member of the California Authority of Racing Fairs (CARF)? If yes, attach a copy of the CARF recommended wagering format. Yes  No
- B. Pursuant to Business and Professions Code section 19599, and with the approval of the CHRB, fairs may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each. If applicant is a member of CARF, also indicate if wager is a part of the CARF recommended wagering format:

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

Type	Rule Number
Exacta (1E)	1959
Daily Double (2DD)	1957
Superfecta (.10SF)	1979.1
Pentafecta (.50 PF)	ARCI 004-105
PK 3 (1PK3)	1977
PK 4 (.50PNP4)	1976.9
PK 5 PK (.50PNP5)	1976.9
6 (2PNP6)	1976.9
PLACE PICK (1PPN)	1976.8
ALL	

## TYPE OF WAGERS

## APPLICABLE RULES

Race #1	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$1PPN% \$.50PNP4	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.8, CHRB #1976.9
Race #2	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$1PPN%	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB 1976.8
Race #3	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$1PPN% \$2PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB 1976.8, ARCI 1976.9
Race #4	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP5 \$2PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB 1976.9, ARCI 1976.9
Race #5	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$2PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 1976.9
Race #6	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$2PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 1976.9
Race #7	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$2PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB 1976.9 CHRB 1976.9, ARCI 1976.9
Race #8	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.50 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9,
Race #9	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50 SUPER HIGH 5	ARCI 004-105 T-Pick (N) POSITION (X) POOLS CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9,
Race #10	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50 SUPER HIGH 5	ARCI 004-105 T-Pick (N) POSITION (X) POOLS CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 T-Pick (N) POSITION (X) POOLS
Race #11	\$1E, \$1TRI, \$2DD, \$.10SF, \$.50 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 T-Pick (N) POSITION (X) POOLS
Race #12	\$1E, \$1TRI, \$.10SF, \$.50 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 T-Pick (N) POSITION (X) POOLS
Race #13	\$1E, \$1TRI, \$.10SF, \$.50 SUPER HIGH 5	CHRB #1959, CHRB #1958, CHRB #1979.1 ARCI 004-105 T-Pick (N) POSITION (X) POOLS



May 15, 2013

California Horse Racing Board  
Attn: Jackie Wagner  
Assistant Executive Director

To Whom It May Concern:

The following Updated CARF Wagering format is provided. The change is that the RCI has not approved a rule for a 10 Cent pic six. The pic six wager at all CARF fairs will be 2\$ as it was in previous years.

9A: CARF wagering format required:

The following is the CARF wagering format:

Example Race	TYPE OF WAGERS	APPLICABLE RULES
	\$1 E; \$1 Double	CHRB #1959; RCI #VE
Race #1	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$1PPN% \$.50PNP4	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.8, CHRB #1976.9
Race #2	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$1PPN%	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB 1976.8
Race #3	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$1PPN% \$2PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB 1976.8, ARCI 1976.9
Race #4	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP5 \$2PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB 1976.9, ARCI 1976.9
Race #5	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$2PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 1976.9
Race #6	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$2PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 1976.9
Race #7	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$2PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB 1976.9 CHRB 1976.9, ARCI 1976.9
Race #8	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.50 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 T-Pick (N) POSITION (X) POOLS
Race #9	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9, ARCI 004-105 T-Pick (N) POSITION (X) POOLS

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Race #10	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 T-Pick (N) POSITION (X) POOLS
Race #11	\$1E, \$1TRI, \$2DD, \$.10SF, \$.50 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 T-Pick (N) POSITION (X) POOLS
Race #12	\$1E, \$1TRI, \$.10SF, \$.50 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 T-Pick (N) POSITION (X) POOLS

This format will be use at the following fairs: Alameda County Fair, The California State Fair, Humboldt County Fair, San Joaquin County Fair and the Big Fresno Fair.

Respectfully Yours,

Larry A. Swartzlander  
Chief Operating Officer

- C. Maximum carryover pool to be allowed to accumulate before its distribution OR the date(s) designated for distribution of the carryover pool: **October 14<sup>th</sup>, 2013 (Closing Day of The Big Fresno Fair)**
- D. List any options requested with regard to exotic wagering:  
**\$1 PPN when applicable; \$1 TRI and \$0.10 SF when applicable**  
**\$0.50 PNP4 on the first four races and the last four thoroughbred races each day**  
**\$0.50 PNP5 on the last five thoroughbred races each day, with 100% major pool paid for 5 of 5. If no 5 of 5, 75% carryover and 25% minor pool to most winners.**  
**\$2 PNP6 on the last six thoroughbred races each day, with 70% major pool paid or a carryover and a 30% minor pool paid.**  
**\$0.50 Pentafecta (Super High 5) selecting the first five finishers in the same race. 100% payout on all tickets selecting five winners. No consolation or minor pool; 100% carryover if no ticket has five winners. Note: Superfecta will be offered in the race. Super High-5 will be carded on the last race of the day.**
- E. Will "advance" or "early bird" wagering be offered?  Yes  No
- If yes, when will such wagering begin. Specify days and time for "early bird" wagering:
- F. Type(s) of pari-mutuel or totalizator equipment to be used by the fair and the simulcast organization, the name of the person(s) supplying equipment, and expiration date of the service contract:  
**Sportstech (Tom Kelso) Expiration: September 30, 2015.**  
**Equipment description on file with Board.**

#### 10. ADVANCE DEPOIST WAGERING (ADW)

- A. Identify the ADW provider(s) to be used by the fair for this race meeting:  
**Express Bet, T.V.G.(Television Games Network), Twin Spires**
- B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting. **On file with CHRB.**
- C. Have the contract/agreements been approved by the respective horsemen's groups?  
 Yes  No
- If yes, attach a copy of the approval.  
 If no, explain the status of the approval.

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



# TOC

Thoroughbred Owners of California  
Serving the California  
Thoroughbred Racehorse Owner

March 20, 2013

Mr. Larry Swartzlander  
Chief Operating Officer  
CARF  
1776 Tribute Road, Suite 205  
Sacramento, CA 95815

#### OFFICERS

MIKE PEGRAM  
CHAIR  
PABLO SUAREZ  
VICE CHAIR, SOUTHERN CA.  
JACK OWENS  
VICE CHAIR, NORTHERN CA.  
GEORGE KRICKORIAN  
SECRETARY/TREASURER  
ED MOGER  
AT LARGE  
JOHN SADLER  
AT LARGE

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MADLINE AUERBACH  
BOB BAFFERT  
DENNIS CARDOZA  
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MIKE HARRINGTON  
WILLIAM E. MOREY  
GEORGE TODARO  
KATHY WALSH  
MICHAEL WELLMAN

#### EXECUTIVE STAFF

LOU RAFFETTO  
PRESIDENT  
KELLEE BREEN  
CHIEF FINANCIAL OFFICER  
MARY FORNEY  
DIRECTOR OF OPERATIONS  
RICHARD SCHEIDT  
NO. CA. DIRECTOR OF  
OPERATIONS

#### CHAIRS EMERITUS

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

#### CORPORATE OFFICE

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

RE: 2013 California Authority of Racing Fairs Interstate Simulcast Approvals

Dear Larry,

This letter shall serve as TOC's authorization for the California Authority of Racing Fairs ("CARF") to transmit the audiovisual signal of CARF Thoroughbred races to, and accept wagers on those races placed through, the out-of-state betting systems ("Guests") in accordance with the conditions of, and at Host Fee rates no lower than those specified in the rate sheet provided to TOC by Monarch Content Management LLC ("Monarch") on behalf of CARF, during the CARF racing season commencing June 19, 2013, continuing through October 15, 2013.

As a condition of TOC's authorization of the acceptance of wagers on CARF races by Guests which engage in phone and/or Internet wagering, herein called "ADW," CARF shall take all reasonable steps to distinguish between ADW and other wagering handled through such Guests, including requiring tote vendors of both CARF and Guests to facilitate the separation of ADW and non-ADW data in reports used by CARF and/or CHRIMS to account for and settle balances between CARF and Guests.

TOC's authorization shall not serve, nor should it be construed as, a precedent to future requests for permission to simulcast to the Guests specified on the list provided by Monarch or to any other Guest. TOC reserves the right to cancel or withdraw its authorization for any Guest, at any time, upon 48 hours written notice.

Pursuant to AB-701, raising the takeout to fund Workers' Compensation costs, CARF shall collect the incremental increase in takeout as an addition to the money room adjustment, for the transmittal to the Fund in accord with such legislation. Should any Guest herein authorized fail to enter into a contractual obligation with CARF to allocate this additional takeout in this manner, TOC authorization for that site is hereby immediately rescinded.

Please feel free to contact me, should you have any questions.

Sincerely,

Richard Scheidt  
Northern California  
Director of Operations  
Thoroughbred Owners of California

March 20, 2013

Chief Operating Officer  
CARF  
1776 Tribute Road, Suite 205  
Sacramento, Ca 95815

RE: 2013 California Authority of Racing Fairs Interstate Simulcast Approvals

Dear Larry,

This letter shall serve as AMRA's authorization for the California Authority of Racing Fairs (CARF) to transmit the audiovisual signal of CARF Mule races to, and accept wagers on those races placed through, the out-of-state betting systems ("Guests") in accordance with the conditions of, and at Host Fee rates no lower than those specified in the rate sheet provided to AMRA by Monarch Content Management LLC ("Monarch") on behalf of CARF, during the CARF racing season commencing June 19, 2013, continuing through October 14, 2013.

As a condition of AMRA's authorization of the acceptance of wagers on CARF races by Guests which engage in phone and/or Internet wagering, herein called "ADW", CARF shall take all reasonable steps to distinguish between ADW and other wagering handled through such Guests, including requiring tote vendors of both CARF and Guests to facilitate the separation of ADW and non-ADW data in reports used by CARF and/or CHRIMS to account for and settle balances between CARF and Guests. AMRA's authorization shall not serve, nor should it be construed as, a precedent to future requests for permission to simulcast to the Guests specified on the list provided by Monarch or to any other Guest. AMRA reserves the right to cancel or withdraw its authorization for any Guest, at any time, upon 48 hours written notice.

Please feel free to contact me if you have any questions.

Sincerely,  
Don Jacklin  
President

*Don Jacklin*  
*April 3, 2013*

March 20, 2013

Chief Operating Officer  
CARF  
1776 Tribute Road, Suite 205  
Sacramento, Ca 95815

RE: 2013 California Authority of Racing Fairs Interstate Simulcast Approvals

Dear Larry,

This letter shall serve as ARAC's authorization for the California Authority of Racing Fairs (CARF) to transmit the audiovisual signal of CARF Arabian races to, and accept wagers on those races placed through, the out-of-state betting systems ("Guests") in accordance with the conditions of, and at Host Fee rates no lower than those specified in the rate sheet provided to ARAC by Monarch Content Management LLC ("Monarch") on behalf of CARF, during the CARF racing season commencing June 19, 2013, continuing through October 14, 2013.

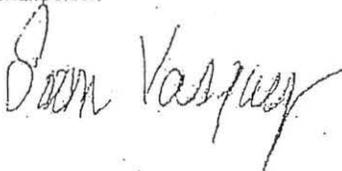
As a condition of ARAC's authorization of the acceptance of wagers on CARF races by Guests which engage in phone and/or Internet wagering, herein called "ADW", CARF shall take all reasonable steps to distinguish between ADW and other wagering handled through such Guests, including requiring tote vendors of both CARF and Guests to facilitate the separation of ADW and non-ADW data in reports used by CARF and/or CHRIMS to account for and settle balances between CARF and Guests. ARAC's authorization shall not serve, nor should it be construed as, a precedent to future requests for permission to simulcast to the Guests specified on the list provided by Monarch or to any other Guest. ARAC reserves the right to cancel or withdraw its authorization for any Guest, at any time, upon 48 hours written notice.

Please feel free to contact me if you have any questions.

Sincerely,

Sam Vasquez, ARAC

Chairperson



[Type text]

[Type text]

April 2, 2013

Chief Operating Officer  
CARF  
1776 Tribute Road, Suite 205  
Sacramento, Ca 95815

RE: 2013 California Authority of Racing Fair's Interstate Simulcast Approvals

Dear Larry,

This letter shall serve as PCQHRA's authorization for the California Authority of Racing Fair's (CARF) to transmit the audiovisual signal of CARF Quarter Horse races to, and accept wagers on those races placed through, the out-of-state betting systems ("Guests") in accordance with the conditions of, and at Host Fee rates no lower than those specified in the rate sheet provided to PCQHRA by Monarch Content Management LLC ("Monarch") on behalf of CARF, during the CARF racing season commencing June 19, 2013, continuing through October 14, 2013.

As a condition of PCQHRA's authorization of the acceptance of wagers on CARF races by Guests which engage in phone and/or Internet wagering, herein called "ADW", CARF shall take all reasonable steps to distinguish between ADW and other wagering handled through such Guests, including requiring tote vendors of both CARF and Guests to facilitate the separation of ADW and non-ADW data in reports used by CARF and/or CHRIMS to account for and settle balances between CARF and Guests. PCQHRA's authorization shall not serve, nor should it be construed as, a precedent to future requests for permission to simulcast to the Guests specified on the list provided by Monarch or to any other Guest. PCQHRA reserves the right to cancel or withdraw its authorization for any Guest, at any time, upon 48 hours written notice.

Please feel free to contact me if you have any questions.

Sincerely,



Dominic Alessio  
President

[Type text]

[Type text]

for negotiating purse agreements for the breed on which wagering is conducted.

## 11. SIMULCAST WAGERING PROGRAM

- A. Simulcast organization engaged by the fair to conduct simulcast wagering:  
**Northern California Off-Track Wagering, Inc. (NOCTWINC)**
- B. Attach the agreement between the fair and simulcast organization permitting the organization to use the fair's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.

### On File

- C. California simulcast facilities the fair proposes to offer its live audiovisual signal:

#### NORTHERN CALIFORNIA

Alameda County Fair, Pleasanton  
 Bankers Casino, Salinas  
 Big Fresno Fair, Fresno  
 California State Fair & Exposition, Sacramento  
 Club One, Fresno  
 Golden Gate Fields, Albany

\*Humboldt County Fair, Ferndale  
 Jockey Club at San Mateo, San Mateo

Kern County Fair, Bakersfield

Monterey County Fair, Monterey  
 San Joaquin County Fair, Stockton  
 Santa Clara County Fair, San Jose  
 Shasta District Fair, Anderson  
 Solano County Fair, Vallejo  
 Sonoma County Fair, Santa Rosa  
 Stanislaus County Fair, Turlock  
 Tulare County Fair, Tulare

#### SOUTHERN CALIFORNIA

Barona Valley Ranch Resort & Casino, Lakeside

Cabazon Fantasy Springs Casino, Indio  
 Commerce Casino Racebook, Commerce  
 Derby Club, Seaside Park, Ventura  
 Fairplex Park, Pomona  
 Fantasy Springs Casino, Indio  
 Los Alamitos Race Course, Los Alamitos  
 OC Tavern & Sports Bar, San Clemente  
 Roadhouse Grill, Santa Maria  
 Santa Anita Park, Arcadia  
 Santa Clarita Lanes, Santa Clarita  
 Shalimar Sports Center, Indio  
 Sports Center, San Bernardino  
 Sports Pavillion at The Farmers Fair, Lake Perris  
 Sports Pavillion, San Bernardino Cty. Fair, Victorville  
 Surfside Race Place at Del Mar, Del Mar  
 Sycuan Gaming Center, El Cajon  
 Viejas Casino & Turf Club, Alpine  
 Watch & Wager, Antelope Valley Fgds, Lancaster

\*Open during Humboldt/Ferndale Fair Racing

- D. Out-of-state-wagering systems the fair proposes to offer its live audiovisual signal:

Out-of-State & International Imports – Full and/ or Partial Card (Subject to Change)

<b>DOMESTIC</b>	
ARLINGTON	10/3-10/14
BELMONT	10/3-10/14
CALDER RACECOURSE	10/3-10/14
CANTERBURY DOWNS	10/3-10/14
CHARLES TOWN	10/3-10/14
CHURCHILL DOWNS	10/3-10/14
COLONIAL DOWNS	10/3-10/14
DELAWARE	10/3-10/14
EMERALD DOWNS	10/3-10/14
EVANGELINE DOWNS	10/3-10/14
INDIANA DOWNS	10/3-10/14
LONE STAR	10/3-10/14
LOUISIANA DOWNS	10/3-10/14
MONMOUTH	10/3-10/14
MOUNTAINEER	10/3-10/14
PENN NATIONAL	10/3-10/14
PHILADELPHIA PARK/PARX	10/3-10/14
PIMLICO	10/3-10/14
PRAIRIE MEADOWS	10/3-10/14
PRESQUE ISLE DOWNS	10/3-10/14
RIVER DOWNS	10/3-10/14
RUIDOSO	10/3-10/14
SUFFOLK DOWNS	10/3-10/14
THISTLEDOWN	10/3-10/14
YAVAPAI DOWNS	10/3-10/14
<b>INTERNATIONAL</b>	
ASSINIBOIA	10/3-10/14
AUSTRALIAN RACING	10/3-10/14
FORT ERIE	10/3-10/14
HASTINGS	10/3-10/14
NORTHLANDS PARK	10/3-10/14
SOUTH AMERICAN RACING	10/3-10/14
UNITED KINGDOM	10/3-10/14
WOODBINE	10/3-10/14

E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the fair:

### 2013 CARF Commingled Locations

AmWest Entertainment	Delta Downs	Meadows The	Scioto Downs
Amwest Accounts	Dover Downs	Meadows The (ADW)	Seabrook Greyhound
Greenbrier (WV)	Ebet	Millers OTB	Sol Mutuel
Riders Up (SD)	Elite Turf Club (1 to 10)	Mobile Greyhound	Southland Greyhound
Time Out Lounge (SD)	Ellis Park	Monmouth Park	Sports Creek Raceway
Triple Crown (SD)	Emerald Downs	Montana OTB	State Fair (Lincoln , NE)
Arapahoe-Mile High	Euro Wagering Services	Monticello	Suffolk District OTB
Colorado phone	Evangeline Downs	Mountaineer Park	Suffolk Downs
Arima Race Club	Fair Grounds	Mt. Pleasant Meadows	Pat's Pizza
Arlington I	Fair Grounds ADW	Nassau Regional OTB	Sunland Park
Atlantic City Racecourse	Fair Meadows	New Jersey Casino	SunRay Park & Casino
Atokad	Finger Lakes	Assoc. Nevada Pari-Mutuel Assoc.	Tampa Bay Downs

Balmoral	Fonner	Newport Jai Alai	Taunton Acct Wagering
Balmoral ADW (BETZOTIC)	Freehold	NJ Mobile	Taunton Dog Track Inc.
Bangor Raceway	Gillespie County Fair	Northfield	The Downs at Albuquerque
Batavia	Global Wagering Solutions	Cedar Downs OTB	Thistledown
Bet Fair Games Limited	Bwin International Ltd.	Northville	Tioga Downs
Beulah Park	Intl Betting Assoc. Ltd	NYRA	Tri-State GH (Mardi Gras)
Birmingham	Magna Bet	NYRA Account Wagering	Turf Paradise
Bluffs Run Greyhound	Racebets, etc	Oaklawn	Turfway Park
Buffalo Raceway	Greenetrack	Ocean Downs	TVG Network
Calder Racecourse	Greyhound @ Post Falls	Panama	TVG Yonkers
Canterbury Day	Gulf Greyhound	Penn National	Twin River Greyhound
Capital District OTB	Gulfstream	Penn National Telebet	TwinSpires
Catskills OTB	Harrington Raceway	Peru	TwinSpires High Volume
Charles Town Race Course	Hawthorne Race Course	Philadelphia Park	Venezuela OTB
Chester Downs & Marina LLC	Hawthorne ADW	Philly Park Phone Bet	Vernon Downs
Chester Downs Acct Wagering	Hazel Park	Phumelela	Western OTB
Churchill Downs	Hoosier Park	Pinnacle Race Course	Wheeling Downs
Club Hipica InTurf	Horseman's Park	Plainridge Race Course	Will Rogers Downs
Coeur d' Alene Casino	Indiana Downs	Plainridge Telephone Wagering	Wyoming
Coeur d' Alene Account	Evansville OTB	Player Management Group	XpressBet
Colonial Downs	Clarksville OTB	Pocono Account Wagering	Yavapia Downs
Colonial Downs Phone Bet	Intermountain Racing	Pocono Downs and OTB	Yonkers Raceway
Columbus Raceway	Keeneland	Portland Meadows	Yonkers Account
Connecticut OTB	Keeneland Select ADW	Potawatomi Casino/OTB	Youbet Group 1
Bradley Teletheater, Bristol	Kentucky Downs	Prairie Meadows	Youbet Illinois
New Britain, Norwalk, Milford	Kentucky OTB	Premier Turf Club	Zia Park
East Haven, Hartford, Putnam	Lebanon	Presque Isle Downs	
Shoreline Star, Sports Haven	Les Bois (Treasure Valley)	Raceway Park	
Torrington, Waterbury	Lewiston OTB's	Racing2Day LLC	
Manchester, New London	Lien Games	Racing2Day Intl. (Stan James)	
Willimantic	Chips Lounge and Casino	Remington Park	
John Martin's Manor Restaurant	Howard Johnsons OTB	Remington OTB	
Connecticut OTB ADW	Rumors OTB	Network	
Paragon Casino	Skydancer Casino OTB	Retama	
Ho-Chunk Casino and Racebook	BetAmerica and Win2wager	Racing & Gaming Services	
Mohegan Sun Casino	Lone Star	Riplay de Venezuela (Caliente)	Separate Pool Locations
Oneida Bingo and Casino	Louisiana Downs	River Downs	Caymanas Park, Jamaica
Pony Bar Simulcast Center	LVDC	Rockingham Park	Hippodromo Camarero, P
Tote Investment Racing	Atlantis Paradise Casino	Ruidoso Downs	MIR Books (Caliente)
Randall James Racetrack	Avatar Ventures	Running Aces Harness Park	LVDC
Millenium Racing	Pojoaque Cities of Gold	Sam Houston	
Royal Beach Casino	Foxwoods Resort Casino	Valley Greyhound Park	
Divi Carina Bay Casino	Meskwaki Bingo & Casino	Saratoga Harness Raceway	
Fair Chance	Maronas (South America)	Saratoga Bets (ADW)	
Corpus Christi Greyhound	Maryland Jockey Club	Scarborough	
Cypress Bayou OTB	Maywood		
Delaware	Meadowlands		

**Canadian Locations**

Assiniboia, Barrie, Charlottetown, Clinton Teletheatre, Dresden, Elmira Raceway, Evergreen Park, Exhibition Park, Flamboro Downs, Fort Erie  
Fraser Downs, Fredericton Raceway, Georgian Downs, Grand River, Hanover Raceway, Hastings Park, Hiawatha, Inverness Raceway  
Kawartha Downs, Marquis Downs, Mohawk, New Brunswick, Northlands, Northside Downs, Picov Downs, Quinte Raceway, Rideau Carlton,  
Rocky Mountain Turf Club, Royal Britiana Hub, St. Johns, Sudbury Downs, Summerside, TBC Sandown, TBC Teletheaters  
Truro Raceway, Western Fair, Windsor Raceway, Woodbine, Woodstock/Ontario

**F.** California mini-simulcast facilities the fair proposes to offer its live audiovisual signal:  
OC Tavern & Sports Bar, San Clemente; Commerce Club, City of Commerce; Original Road House Grill, Santa Maria  
Bankers Casino, Salinas; Santa Clarita Lanes, Santa Clarita

**G.** List the host tracks from which the fair proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

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

**THOROUGHBRED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
See 11D above.	TBD	

**H.** List imported simulcast races the fair plans to receive during the racing meeting which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported:

**OTHER BREED SIMULCAST RACES TO BE IMPORTED**

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

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

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

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

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

### A. Racing officials nominated:

Association Veterinarian(s)	F.G. Franklin - DVM Track & Fitness Veterinarian Don Dooley – CHRB Veterinarian
Clerk of Scales	Cheryl White
Clerk of the Course TB	Dawn Schmid
Clerk of the Course EB	Dolores Collins
Film Specialist/Asst Clerk of Scales	Matt Nichols
Horse Identifier	Darrell Sparks
Horseshoe Inspector	Maurice Fitzpatrick
Paddock Judge/Patrol Judge	Linda Anderson
Patrol Judge	Ross Allardyce
Placing Judges	Danny Winnick/Myra Troske
Starter	Robert Mooneyhan
Timer	Melody Truitt

### B. Management officials in the racing department:

Director of Racing – **Larry Swartzlander**  
 Racing Secretary – **Tom Doutrich**  
 Assistant Racing Secretary – **Lisa Jones**  
 Paymaster of Purses – **Victoria Layne (C.A.R.F.)**  
 Others (identify by name and title)  
 Mutual Manager – **Bryan Wayte**

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

**Esquire Deposition Services, 155 E. Shaw Ave, Suite 201, Fresno, Ca. 93704 (559) 261-2324**  
**Tricia Martinez**

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

**Plusmic Corporation USA – Bill O'Brien (Expires 12/7/15)**

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

**Pegasus Communication, Inc. – Jim Porep) Contract Expires: April 30, 2018**  
**Equipment description on file with the Board: 5 Cameras – (3 Tower, 1 Pan, 1-Hand Held)**

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

**Pegasus Communication, Inc. – Jim Porep - Contract Expires April 30, 2018**

### 13. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers.

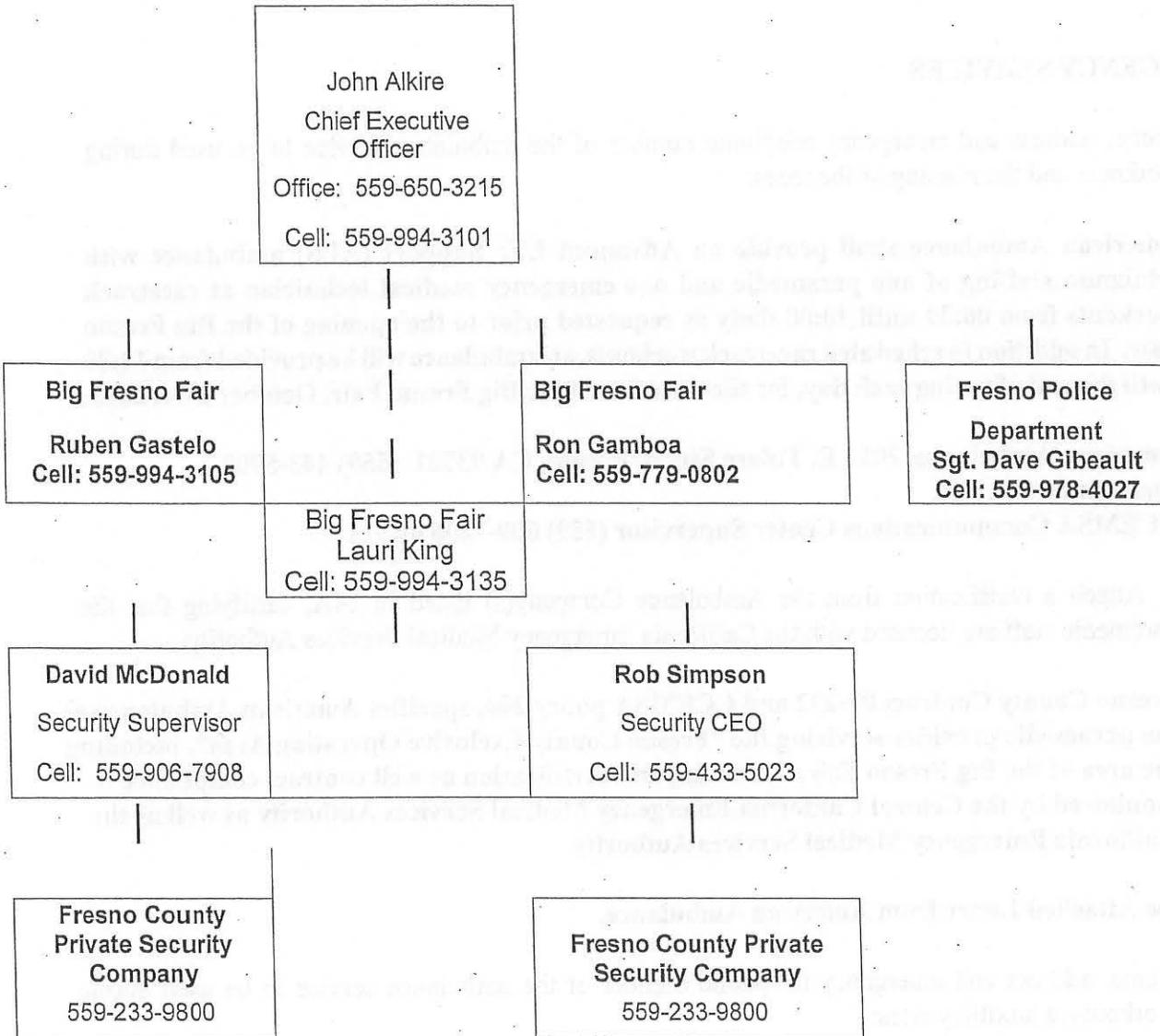
**Larry Swartzlander, Director of Racing**  
**Cell: (916) 799-7084**  
**Organizational Chart Attached**

- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis:

**Grandstand Security Guards: 4 Security Guards plus 2 Fresno Police Officers.**  
**Stable Gate Area Security Guards: 6 Gatemen; 2 Stable Area Patrol; 4 Security Guards; and an on-ground stall superintendent live in the backside area and makes rounds throughout the night checking the horses and stalls.**

1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls.  
 N/A
2. Detention Stalls:  
**(The Fair is not running graded stakes)**
  - A. Attach a plan for use of graded stakes or overnight races.  
 N/A
  - B. Number of security guards in the detention stall area during a 24-hour period.  
 N/A
  - C. Describe number and location of surveillance cameras in detention stall area.  
 N/A
3. TCO2 Testing:
  - A. Number of races to be tested, and number of horses entered in each race to be tested.  
**All horses in thoroughbred races where the number is determined by a random algorithm generator.**
  - B. Plan for enhanced surveillance for trainers with high-test results.  
**Trainer with high test results will be moved to the detention area.**
  - C. Plan for detention stalls for repeat offenders.  
**Ten (10) stalls adjacent to Test Barn, which are under 24-hour video surveillance**
  - D. Number of security personnel assigned to the TCO2 program.  
**One (1) 24-hour security guard when detention stalls are occupied.**
- C. Describe the electronic security system.  
**C.A.R.F. surveillance equipment and program that travels between racing Fairs.**
  1. Location and number of video surveillance cameras for the detention stall and stable gate.

### 13 A. FRESNO SECURITY ORGANIZATION CHART



**4 surveillance cameras monitoring this area**

**14. EMERGENCY SERVICES**

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

**American Ambulance shall provide an Advanced Life Support (ALS) ambulance with minimum staffing of one paramedic and one emergency medical technician at racetrack workouts from 06:30 until 10:00 daily as requested prior to the opening of the Big Fresno Fair. In addition to scheduled racetrack workouts, an ambulance will be provided from 12:00 until the end of racing each day, for the duration of the Big Fresno Fair, October 2-14, 2013.**

**American Ambulance, 2011 E. Tulare Street, Fresno, CA 93721 (559) 443-5900**

**Emergency Contact:**

**CCEMSA Communications Center Supervisor (559) 600-7406 or 911.**

1. Attach a certification from the Ambulance Company(s) listed in 14A, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

**Fresno County Contract 07-292 and CCEMSA policy 200, specifies American Ambulance as the paramedic provider servicing the "Fresno County Exclusive Operating Area", including the area of the Big Fresno Fair. Licensing and certification as well contract compliance is monitored by the Central California Emergency Medical Services Authority as well as the California Emergency Medical Services Authority**

**See Attached Letter from American Ambulance.**

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

**American Ambulance, 2011 E. Tulare Street, Fresno, CA 93721 (559) 443-5900**

**Emergency Contact Numbers:**

**CCEMSA Communications Center Supervisor: (559) 600-7406 or 911**

**American Ambulance Field Supervisor: (559) 259-0054**

**Fresno Fair First-Aid Station: (559) 253-7417**

**The Fresno Fair First-Aid Station is manned by 2 medical teams during Fair hours of 11:00am-11:00pm on weekdays and 10:00am-12:00am on weekends. These teams have a minimum staffing of one paramedic and one emergency medical technician.**

**FORM 112, 133, 200, 291 & FORM 547 in this section with Fresno County Procedures is:  
On File**

1. Attach a certification from the Ambulance Company(s) listed in 14B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.



June 20, 2013  
 Lauri King  
 Deputy Manager  
 Big Fresno Fair  
 1121 S. Chance Ave  
 Fresno, CA 93702

Dear Lauri:

All of the personnel staffing ambulances supplied by American Ambulance are currently certified and have met the certification requirements set forth by the Central California Emergency Medical Services Agency (CCEMSA) in addition to meeting the licensure and/or certification requirements of the California Emergency Medical Services Authority.

Paramedic's meet all of the requirements outlined in CCEMSA policy 133 (attached).

Emergency Medical Technician's meet all of the requirements outlined in CCEMSA policy 112 (attached).

All of the paramedic ambulances providing service to the Big Fresno Fair are defined as Advanced Life Support Unit (ALSU): ***An ambulance unit which is equipped and staffed to provide Paramedic level patient care***, as outlined in CCEMSA policy 291 (attached).

Please contact me if you require further information about the credentialing or licensure of EMT's and Paramedics that will be providing emergency medical services to participants and patrons of the Big Fresno Fair.

A handwritten signature in cursive script that reads 'Russ Richardson'.

Russ Richardson  
 Quality Improvement Manager  
 American Ambulance  
 2911 East Tulare Ave  
 Fresno, CA 93721  
 (559) 443-5915



2911 East Tulare Street

Fresno, CA 93721

559 443-5900

559 441-0283 FAX

www.americanambulance.com

**See Attached Letter from American Ambulance.**

**Fresno County Contract 07-292 and CCEMSA policy 200, specifies American Ambulance as the paramedic provider servicing the "Fresno County Exclusive Operating Area", including the area of the Big Fresno Fair. Licensing and certification, as well contract compliance is monitored by the Central California Emergency Medical Services Authority.**

**See Attachment from Fresno County.**

**Each paramedic ambulance is equipped to provide Advanced Life Support as outlined in CCEMSA policy 291, including ECG monitoring, defibrillation, endotracheal intubation, needle thoracostomy, intravenous fluid, medications, spinal immobilization, splinting and hemorrhage control.**

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

**Each paramedic ambulance is equipped to provide Advanced Life Support as outlined in CCEMSA policy 291, including ECG monitoring, defibrillation, endotracheal intubation, needle thoracostomy, intravenous fluid, medications, spinal immobilization, splinting and hemorrhage control.**

- D. Name and emergency telephone number of the licensed physician on duty during the race meeting:

**Breana Siliznoff  
1933 N. Trinity  
Kerman, CA 93630  
559-977-8477**

- D. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:

**Community Medical Centers, 2823 Fresno Street, Fresno, Ca. 93715 (559) 459-6000.**

- E. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey:

**See Attached**

- F. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d):

**John C. Alkire, CEO, Stacy Rianda, Deputy Manager II and Lauri King, Deputy Manager I**

- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.

**See Attached Fire Clearance issued on June 24, 2013  
by Deputy State Fire Marshal George D. Mavrikis**

## 12C First aid and Medical Staffing

The Big Fresno Fair provides emergency medical services which support comprehensive care for jockeys, track staff and allied personnel. Emergency care focuses on immediate stabilization, comfort and transportation of injured racetrack personnel to appropriate local hospitals.

The on-track ambulance is a paramedic staffed advanced life support unit, dedicated solely to racing and racing related events. The ambulance is present trackside during training and on the track during racing. This ambulance is responsible for providing emergency medical services and transportation. When the services of the on-track ambulance are required, an additional ambulance will immediately be sent to replace the on-track ambulance.

During regular fair hours, at least one or more advanced life support ambulances are available onsite, as well as a fully staffed first-aid station that can provide advanced and basic life support.

Additional EMS resources, including rescue and air ambulance, are immediately available in the local area.

Patients will be transported per CCEMSA policy 547, based on medical necessity and/or patient preference. There are 4 local receiving facilities that provide comprehensive emergency medical services, including a Level One Trauma Center.

Community Regional Medical Center (Level One Trauma Center),  
2823 Fresno St. Fresno CA 93721  
(559) 459-33308.

Saint Agnes Medical Center. 1303 E. Herndon, Fresno, CA 93711  
(559) 449-3205

Clovis Community Hospital, 2755 Herndon, Clovis CA 93611  
(559) 324-4040

Kaiser Foundation Medical Center, 7300 N Fresno St. Fresno, CA 93720  
(559) 448-5555

Onsite communication services are provided to ensure contact between all emergency care personnel. Communications are maintained between racing operations and the on-track ambulance via VHF radio, utilizing cell phones as a secondary resource. The on-track ambulance, additionally, maintains contact with the CCEMSA communications center through VHF and UHF radio, utilizing cellular service as a backup system.

The CCEMSA communications center is a Public Safety Answering Point. All personnel are informed to call 911 in the event emergency medical services are needed and other communications systems are not functional, and/or the on-track ambulance is disabled or otherwise unavailable.

The Big Fresno Fair provides the services of a Kimzey Horse Ambulance, as well as a senior experienced driver who is responsible for the evacuation and disposition of injured horses.

## 12F Medical Protocols and Procedures: English

In case of an accident on the racetrack, the following procedures shall be implemented:

### Track Ambulance

The track ambulance will travel immediately to the scene of an accident and assume triage and patient care responsibilities and evacuated.

### Security

1. As soon as possible, a member of the track security staff shall report to the scene of the accident and thereafter take direction from the EMT responsible for management of the accident scene. The track security representative shall be responsible for keeping bystanders away from the accident scene.
2. A member of the track security staff shall proceed to the Jockey's Room to secure the ambulance transfer area, as well as prevent visitation from bystanders from entering the accident area.
3. A member of the track security staff shall be responsible for escorting emergency vehicles.
4. The security staff shall be responsible for all crowd control activities.

### Racing Staff/Track Veterinarian

1. Upon arrival at the scene, the Outrider should hold the injured horse in order to prevent further harm to people, horses or property.
2. Horses with severe injuries should be transported off the track via the horse ambulance, whenever it is practical to do so.
3. The track veterinarian shall make the decision as to the necessity of euthanasia on the track.
4. A screen blocking the public's view of the injured horse shall be set up prior to the euthanasia procedure.
5. Outriders are responsible for the removal of any debris from the racetrack following the removal of the injured person or horse from the track.

### Plant Staff

1. The Horse Ambulance shall travel immediately to the scene of an accident whenever it appears that a horse will require transport.
2. Members of the plant department who are near the accident site shall assist in screening the accident scene from the public view and shall take direction from the EMT that is responsible that is responsible for the management of the accident scene.

### Announcer

1. The announcer shall make riders aware of the details of the situation (such as the location of a loose horse, the necessity to pull up, etc.), enabling them to take the necessary steps to mitigate additional problems.

### Senior Management

1. A senior management representative should quickly proceed to the location on the racetrack where the accident has occurred. The manager should report to other members of the management team as to the accident status.

2. An additional member of the management team should report to the video department in order to monitor the scene and access the extent of video coverage to be transmitted to the public.
3. A member of the management team should provide input as to announcements to be made by the track announcer.
4. A member of the senior management team should be responsible for seeing that information regarding the accident is communicated to the family member of the injurec. Efforts need to be made to escort family members to the hospital, if necessary. In this regard, a current compilation as to who should be notified in the case of an injured jockey is kept on file.
5. All public address announcements and responses to press inquiries are within the sole purview of the senior members of the management team then available.

### All Department Heads

All department heads shall communicate to their employees that, although intentions are good, the treatment of the injured rider must be left up to trained personnel, and all other employees must stay away from the scene of an accident.

### 12F Medical Protocols and Procedures: Spanish

#### Procedimiento en caso de Accidente en Big Fresno Fair

De ocurrir un accidente en el hipodromo, se debe hacer lo siguiente:

#### El personal de la Ambulancia

El personal de la ambulancia trasladarse inmediatamente al lugar del accidente siumpre que lo necesario para tartar a la(s) victim(s).

#### Seguridad

1. Tan pronto como sea possible, unmiembro de seguridad del hipodromo debera reportarse al lugar del accidente y desde ahi recibir las instrucciones del Paramedico responsable del lugar del accidente. El miembro desguridad sera responsable de mantener a los transeuntes fuera del lugar del accidente.
2. U miembro del departamento de seguridad del hipodromo se acercara al cuart del jockey para asquarar el area donde la amulancia estara y prevenir que transeuntes y personas ajenas se acerquen.
3. Un miembrwo de seguridad del hipodrmomo sera responsable de escoltar a los vehiclulos de emergencia.
4. Los miembros de seguridad seran responsable de controlar a la multitude.

#### Personal de Carreras/Vetennano del hipodromo

1. Ena vez en el lugar del accidente, el Outrider/escolta debera sejetar al caballo herido para evitar que lastime a la gente, a otros caballos o a la propiedad.
2. Los caballos muy mal heridoa deberan ser sacados de la pista con la ambulancia para caballos, siempre que sea possible hacerlo de esa manera.

3. El veterinario del hipodromo debera decidir si se sacrifica al caballo en la pista.
4. Sea posible hacerlo, se debe colocar la pantalla/screen para tapar la vista al publico, antes de iniciar el procedimiento de sacrificio del animal.
5. Los Outriders son responsables de remover cualquier desecho en la pista de lo que la persona a caballo accidentado haya sido trasladado del lugar.

#### Personal de Planta/Plant Staff

1. La Ambulancia de Caballos debera trasladarse inmediatamente al lugar del accidente siempre que un caballo este severamente lesionado y necesite transporte.
2. Los miembros del departamento de planta que esten cerca del accidente deberan ayudar a tapar el lugar para que el publico no pueda ver lo que sucede, ademas deberan recibir instrucciones del Paramedico responsable del lugar del accidente.

#### Locutor

El locutor debera informar a los jinetes acerca de los detalles de la situacion (como la ubicacion del caballo suelto, la necesidad de adelantar, etc.) para que puedan hacer lo necesario y mitigar otros problemas.

#### Gerencia

1. Un representante de la gerencia se apersonara rapidamente al lugar del accidente en el hipodromo. El gerente informara a los otros gerentes sobre las lesiones sufridas.
2. Otro representante de la gerencia debera informar al departamento de video para monitorear la escena y ver la cobertura de video que sera transmitida al publico.
3. Un miembro de la gerencia debera aportar con informacion sobre los anuncios que debera hacer el locutor.
4. Un miembro de la gerencia sera responsable de ver que la informacion con respecto al accidente sea dada a los familiares de los heridos. Se debe hacer lo necesario para acompañar a los familiares a los hospitales, de ser el caso. Al respecto, es necesario tener un registro de la persona a quien se debe comunicar en caso de que un jockey sufra un accidente.
5. Todos los anuncios publicos y respuestas a la prensa las realice unicamente el funcionario de gerencia de alto nivel que se encuentre disponible en ese momento.

#### Todos los Jefes de Departamento

Todos los Jefes de Departamento deben comunicar a sus empleados que, a pesar de que las intenciones sean buenas, el tratamiento de un jinete/jockey herido debe ser realizado por el personal calificado para ello, y todos los demas empleados deben permanecer lejos del lugar del accidente.

STATE OF CALIFORNIA – NATURAL RESOURCES AGENCY  
 DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
**OFFICE OF THE STATE FIRE MARSHAL**  
 FIRE AND LIFE SAFETY DIVISION  
**INSPECTION REPORT**  
 EN-02 (12/08)



**INSPECTION REPORT**

FILE NUMBER <b>04-10-04-0001</b>		PAGE <b>01</b>	OF <b>01</b>	PAGE <b>01</b>
NAME OF FACILITY <b>The Big Fresno Fair</b>		HOURS	MINUTES	
NAME OF BUILDING <b>Horse Barns #18 to #42</b>				
ADDRESS <b>1121 S. Chance Ave. Fresno, Ca. 93702</b>				
DISCUSSED WITH <b>John Heinrich</b>		TITLE <b>Maintenance Supervisor</b>		
ACCOMPANIED BY <b>John Heinrich</b>		TITLE <b>Maintenance Supervisor</b>		

*559-994-3111*

On June 24, 2013, an annual inspection was conducted at the above named facility in accordance with 13108 of the Health & Safety Code; by George D. Mavrikis, Deputy State Fire Marshal who was accompanied by: John Heinrich – Maintenance Supervisor. The following was noted:

1. Ensure all smoke detectors are maintained at all times. (CCR T19 Sec.§3.24)
2. Ensure all fire sprinklers are maintained at all times. (CCR T19 Sec.§3.24)
3. Ensure all fire extinguishers are maintained at all times. (CCR T19 Sec.§3.24)

**~ A Fire Clearance is Issued on this Dated ~**

###

RECEIVED BY <b>John Heinrich</b>	DATE <b>06/24/2013</b>
DEPUTY STATE FIRE MARSHAL <b>George D. Mavrikis</b>	DATE OF INSPECTION <b>06/24/2013</b>

- I. Name of the workers' compensation insurance carrier for the fair and the number of the insurance policy (if self-insured, provide details):

**See Attached letter from California Fair Service Authority for General Liability and Workers Compensation coverage.**

- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the fair for payment of workers' compensation.

**See Attached letter from California Fair Service Authority for General Liability and Workers Compensation coverage.**

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

## California Fair Services Authority

P.O. Box 15518, Sacramento, CA 95852 • tel 916.921.2213 fax 916.263.6159 • www.cfsa.org



June 12, 2013

To: California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
Attn: Andrea Ogden

Re: Big Fresno Fair/21st DAA  
1121 South Chance Avenue  
Fresno, CA 93702

Please be advised that the Big Fresno Fair/21st DAA is a member of the California Fair Services Authority (CFSa), and participates in the following self-insurance and loss pooling programs which are administered by CFSa:

## I. COMPREHENSIVE GENERAL LIABILITY PROGRAM

- A. Primary Coverage \$750,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled
- B. Excess Coverage \$9,250,000 in excess of \$750,000  
Coverage provided by Allied World Assurance Company  
Term: 01/01/2013 to 01/01/2014

## II. WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY

- A. Primary Coverage \$500,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled
- B. Excess Coverage (a) Workers' Compensation: Statutory Limit in excess of \$500,000  
(b) Employers' Liability: \$4,500,000 in excess of \$500,000  
Coverage provided by CSAC Excess Insurance Authority  
Term: 07/01/2013 to 07/01/2014

CFSa represents to the California Horse Racing Board that within the above limits, terms and provisions of the coverage stated, to the extent provided by law, CFSa will provide defense, payment, and indemnification on loss funding in accordance with the terms of the contractual assumption of the Big Fresno Fair/21st DAA as set forth in the California Horse Racing Board's "Insurance Requirements".

You will be given at least thirty (30) days notice of any change in the foregoing information. We trust that this commitment will satisfy your insurance requirements.

Please feel free to contact this office on all matters including possible claims.

Sincerely,

*Lianne Lewellen*  
Lianne Lewellen  
Risk Analyst

## 15. CONCESSIONAIRES AND SERVICE CONTRACTORS

- A. Names and addresses of all persons to whom a concession or service contract has been given, other than those already identified, and the goods and/or services to be provided by each:  
Food & Non-Alcoholic Beverages

COMPANY	OWNER	ADDRESS	CONCESSION SERVICE
Pardini Fair Ventures, L.P.	James Pardini	2257 W. Shaw Fresno, CA 93711	Food & Beverage, Alcoholic & Non-Alcoholic Beverage
Speeda Sound	Mike King	5617 W. San Madele Fresno, Ca. 93722	Sound Equipment
Winner's Circle Restaurant	James Pardini	2257 W. Shaw Fresno, CA 93711	Cafe
Bob's Card, Inc.	Tiffany Bohland	6288 Highland Meadows Medina, OH 44256	Tip Sheets
Cal Horse	Rick Harris	26807 Proveda Mission Viejo, Ca. 92691	Tip Sheets
Vassar Photography	Bill Vassar	5075 Double Point Way Discovery Bay, CA 94505	Winner's Circle Photos
Stall West Inc.	Jim Costigan	4149 Burnett Road, Lincoln, Ca 95648	Portable Stalls
I Sound View Loop	CARF Contract	South Salem, NY 10590	Starting Gate
Bailey Mobile Laundry	Frances Lorene Dutton	1129 Avenida Sevilla #7-B Walnut Creek, Ca. 94595-3741	Jockeys Laundry
Delmar Graphics	Del Scott	7806 Honors Court Pleasanton, CA 94588	Program Printing
NOTWINC	Bryan Wayte	11875 Dublin Blvd. Dublin, Ca. 94568	Armored Car Service

- B. Does the fair plan to provide its own concessions? Yes  No

## 16. ON- TRACK ATTENDANCE/FAN DEVELOPMENT

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

**Please See Attached Marketing Plan**

- B. Promotional/ Marketing budget for this race meeting:

**Please See Attached Marketing Plan**

Promotional/Marketing budget for prior race meeting:

As noted in our plan, the overall Operating Expense of Live Horse Racing is \$1,104,300. The overall Operating Expense of the Fair is \$11,070,900. The Live Racing expenses accounts for 10.02% of total Fair expenses. The overall Revenue from Live Horse Racing is \$1,512,100. The overall Revenue of the Fair is \$11,513,300. The Live Horse Racing revenue accounts for 7.65% of total revenue.

**Please See Attached Promotional & Marketing budget for 2011, 2012 & 2013.**

- C. Number of hosts and hostesses employed for meeting: **12**



- D. Describe facilities set aside for new fans:  
**Weekend and Holiday Handicapping Seminars, Created Beginner's Guide to Betting that will be available at each window.**
- E. Describe any improvements to the physical facility in advance of the meeting that directly benefits:
- More than 6,350 trees planted.
  - Backside improvements to the tack rooms and new stall doors.
  - Additional new permanent restrooms on the Backside
  - Grandstand second floor restrooms, new tile floors and painted.
  - Permanent grass planted in the infield; over two miles of sprinklers installed.
  - Paddock: New recycled rubber tile floor and drainage system installed.
  - New VIP paddock deck installed.
  - Grandstand murals.
  - Tote Board upgraded (electronically) plus a new water and rock feature.
  - New 1890 Grandstand replica constructed for Kings Canyon customer gate entrance.
  - Completely re-built eight barns and built 40 wash racks.
  - Remodeled backside restaurant and new Satellite Wagering facility.
  - Completely painted all barns and buildings on the backstretch.
  - Tote Board refurbished with rock, plus a new 14' waterfall.

## 17. SCHEDULE OF CHARGES

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

Admission (general)	-	\$10.00	\$7.00 Child	\$7.00 Seniors
Admission (clubhouse)		\$10.00		
Reserved seating (general)		\$4.00		
Reserved seating (clubhouse)		\$10.00		
Parking (general)		\$5.00		
Parking (preferred)		\$8.00		
Parking (Chance Lot)		\$12.00		
Parking (valet)		N/A		
Programs (on-track)		\$2.00		
(off-track)		\$2.50		

- B. Describe any "Season Boxes" or other special accommodation fees:  
**Box seats are sold in advance - \$642.00 (Box of 4)**  
**Daily box seats are sold individual at \$5/ea. (if available)**
- C. Describe any "package" plans such as combined parking, admission and program:  
**Season Passes will be sold for only \$25.00 which allows the horse players admission to the Fair everyday of the Fair, a total of 12 days for only \$25.00**

## 18. JOCKEYS' QUARTERS

A. Check the applicable amenities available in the jockeys' quarters:

- |                                     |                                |                                     |                                     |
|-------------------------------------|--------------------------------|-------------------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> | Corners (lockers and cubicles) | How many                            | <input type="text" value="23"/>     |
| <input checked="" type="checkbox"/> | Showers                        | <input checked="" type="checkbox"/> | Steam room, sauna or steam cabinets |
| <input type="checkbox"/>            | Masseur                        | <input checked="" type="checkbox"/> | Food/beverage service               |
|                                     |                                | <input checked="" type="checkbox"/> | Lounge area                         |
|                                     |                                | <input checked="" type="checkbox"/> | Certified platform scale            |

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

**Quarters for female jockeys are the same as the men's quarters. Built in 1990 and 1991. Separate locker rooms, restrooms, sauna room, bunkroom, and shower room for female jockeys.**

## 19. BACKSTRETCH EMPLOYEE HOUSING

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

B. Number of rooms used for housing on the backstretch of the racetrack:  
126 Tack Rooms

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

**Five trailers—one, 20-foot restroom trailers with two restrooms each available for both men and women; and two, 28-foot shower trailers with four showers and 1 restroom each available for both men and women and two 40-foot trailers with two restrooms and four showers each available for both men and women.**

D. Estimated ratio of restrooms to the number of backstretch personnel:

- 1 – Receiving Barn; 58 in RV Trailer Park; 3 Portable Toilets (2 @Gate #10; 1 @Gap)  
1 – Racing Secretary's Office; 1 – Winner's Circle Café.**

## 20. TRACK SAFETY

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

B. Describe the type of track surface at the facility, including the specific track surface composition:  
**Organic dirt, silt, clay, sand, and Fir bark**

C. The percent of cross slope in the straight-aways is: **5.3% - 5.4%**  
The percent of cross slope in the center of the turns is: **5.6%**

D. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.  
**Inner rail, metal (powder coated); outer rail, metal, aluminum and galvanized chainlink; inner rail supports, metal gooseneck; inner rail top shield is made of sheet metal; shield is 39" above the track surface.**

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

## 21. DECLARATIONS

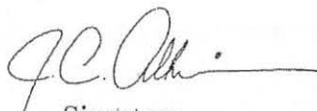
- A. All labor agreements, concession and service contracts, and other agreements necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state):  
**No Exceptions**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.  
**Horsemen's Agreement on file with CHRB.**
- C. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state):  
**No Exceptions**
- D. Absent natural disasters or causes beyond the control of the fair, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the fair except as follows (if no exceptions, so state):  
**No Exceptions**

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

## 22. CERTIFICATION BY APPLICANT

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

John C. Alkire  
Print Name

  
Signature

CEO  
Print Title

7/31/13  
Date

STAFF ANALYSIS

August 22, 2013

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE PACIFIC RACING ASSOCIATION AT GOLDEN GATE FIELDS OCTOBER 16, 2013 THROUGH DECEMBER 22, 2013.

- Pacific Racing Association (PRA) filed its application to conduct a thoroughbred horse racing meeting at Golden Gate Fields. PRA proposes to conduct a thoroughbred race meeting October 16, 2013 through December 22, 2013, or 36 days. PRA proposes to race a total of 301 races, or 8.4 races per day and will be simulcasting on October 16 and December 16-22, 2013. In the fall of 2012, PRA ran 35 days at GGF from October 17, 2012 through December 16, 2012. It ran a total of 292 races, or 8.59 races per day with an average of 7.33 runners per race during the 2012 fall meet. The average daily purse for the 2012 fall race meeting was \$155,207. The (estimated) average daily purse for this meet is \$155,007.

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

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

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

- Racing 4 days per week, Thursday through Sunday.
- 7 races on Thursdays except November 28<sup>th</sup> where 8 races will be conducted; 8 races on Fridays except on November 1, 2013 and November 29, 2013 where 9 races will be conducted; 9 races on Saturdays except November 2, 2013 where 10 races will be conducted; and 9 races on Sundays. If the horse population permits, PRA may run additional races as long as it does not exceed an average of 8.7 races per day for the meet. If PRA plans to exceed this amount, it will request administrative approval.
- First post 12:45 p.m. daily with the following exceptions:
  - Friday, November 1, 2013 Breeders' Cup 12:00 noon
  - Saturday, November 2, 2013 Breeders' Cup 11:45 a.m.
  - Thursday, November 28, 2013 Thanksgiving 11:15 a.m.
    - Request the option to change post times to coordinate north/south signals.
- Wagering program will use CHRB and ARCI rules.
  - Early wagering will be offered Friday, November 1, 2013 and on Saturday, November 2, 2013, Breeders' Cup races.
- The Advance Deposit Wagering (ADW) providers are Xpressbet, TwinSpires and TVG.

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

Summary of B&P code 19604

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

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

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

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

Documents received in compliance with Business and Professions code 19604:

- ODS Technologies, L.P. d/b/a TVG Network has submitted all documents required in compliance with Business and Professions code 19604.
- XpressBet, LLC has submitted all documents required in compliance with Business and Professions code 19604.
- Churchill Downs Technology Initiatives Company, dba Twinpires, has submitted all documents required in compliance with Business and Professions code 19604.
- Simulcasting conducted with out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.
- Request Darrell Sparks be appointed horse identifier pursuant to CHRB Rule 1525.
- Track safety inspection has been requested and will be completed before the race meeting begins.
- Inspection of backstretch worker housing has been requested and will be completed before the race meeting begins.

Specific information **still needed** to complete this application includes:

1. 1 paramedic and 1 EMT are listed on the application; however, the Westmed Ambulance certification only covers the EMTs.
2. The Berkeley fire clearance expires in October and the Albany fire clearance does not have term of validity.
3. CTT Agreement
4. Occupational licenses for the Executive Vice President and the Racing Secretary/Stakes Coordinator.

Specific information which will need **updating** during the proposed race dates:

1. License for the Vice President of Operations, Association Veterinarian, and the Patrol Judge/Steward's Aide.

RECOMMENDATION:

If the application is considered for approval, staff recommends a contingent approval pending the submission of outstanding items.

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

**1. APPLICANT ASSOCIATION**

A. Name, mailing address, telephone, fax numbers, and the email address for associations contact person: **Pacific Racing Association**  
**1100 Eastshore Highway**  
**Berkeley, CA 94710**  
**Phone (510) 559-7300 Fax (510) 559-7464**  
**Calvin.rainey@goldengatefields.com**

B. Breed of horse: TB  QH  H

C. Racetrack name: **Golden Gate Fields**

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

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

Yes  No

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

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

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

**2. DATES OF RACE MEETING**

A. Inclusive dates allocated for the entire meeting: **October 16, 2013 to December 22, 2013**

B. Actual dates racing will be held: **Oct. 17-20, 24-27, 31; Nov 1-3, 7-10, 14-17, 21-24, 28-30; Dec 1, 5-8, 12-15**

C. Total number of days or nights of racing: **36**

**CHRB CERTIFICATION**

Application received: 7/16/13  
Deposit received:  
Reviewed: QW

Hearing date: 8/22/13  
Approved date:  
License number:

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

**Racing Thursdays through Sundays**

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

**3. RACING PROGRAM**

- A. Total number of races: **301**

- B. Number of races for each day or night: **8.4 will be the average throughout the meet. We propose to conduct 7 races on Thursdays except November 28<sup>th</sup> where 8 races will be conducted; 8 races on Fridays except on November 1 and November 29 where 9 races will be conducted; 9 races on Saturdays except November 2nd where 10 races will be conducted; and 9 races on Sundays. If the horse population permits, we may run additional races as long as we do not exceed an average of 8.7 races per day for the meet. If we plan to exceed this amount, we will request administrative approval.**

- C. Total number of stakes races: **7**

- D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses.  
**Attached**

- E. Will provisions be made for owners and trainers to use their own registered colors?  
 Yes     No    If no, what racing colors are to be used:

- F. List all post times for the daily racing program:

Race	Post Time All days except November 1, 2, 28
1st	12:45 p.m.
2nd	1:15 p.m.
3rd	1:45 p.m.
4th	2:15 p.m.
5th	2:45 p.m.
6th	3:15 p.m.
7th	3:45 p.m.
8th	4:15 p.m.
9th	4:45 p.m.
10 <sup>th</sup>	5:15 p.m. (5:50 p.m. Nov. 2 <sup>nd</sup> subject to change based on Breeders' Cup)

**Exceptions:**

Friday, November 1, 2013	Breeders' Cup	12:00 noon
Saturday, November 2, 2013	Breeders' Cup	11:45 a.m.
Thursday, November 28, 2013	Thanksgiving	11:15 a.m.

**Request the option to change post time schedules in order to coordinate North/South signals**

## Golden Gate Fields Fall 2013 Stakes Races

### MISS AMERICA

\$50,000 Added (Plus up to \$15,000 to Cal-Breds)

*Overnight Stake*

Fillies & Mares 3 & up; 1 1/16 Turf

Saturday, October 19

### PIKE PLACE DANCER

\$100,000 Guaranteed

*(Includes \$35,000 CMC supplement)*

2yo Filly - 1 mile Turf

Saturday, October 26

### GOLDEN NUGGET

\$50,000 Added (Plus up to \$15,000 to Cal-Breds)

*Overnight Stake*

2 yo - 6 furlongs

Saturday, November 9

### OAKLAND

\$50,000 Added

*Overnight Stake*

3 yo & up - 6 furlongs

Saturday, November 16

### BERKELEY HANDICAP G.III

\$100,000 Added

3yo & up - 1 1/16

Friday, November 29

### GOLDEN GATE DEBUTANTE

\$50,000 Added

*Overnight Stake*

Fillies 2yo - 6 furlongs

Saturday, November 30

### GOLD RUSH

\$75,000

2yo - 1 mile (All Weather)

Saturday, December 7

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

**4. RACING ASSOCIATION**

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

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

C. CORPORATION

1. Registered name of the corporation: **Pacific Racing Association**
2. State where incorporated: **California (4/2/12) 6-4-12**
3. Registry or file number for the corporation: **Forwarded to Board upon issuance 3481225**
4. Names of all officers and directors, titles, and the number of shares of the corporation held by each:
  - Keith Brackpool (Chairman) 0 shares**
  - Scott Daruty (Director) 0 shares**
  - George Haines, President (Officer) 0 shares**
  - Mike Rogers, Vice President, Operations (Officer) 0 shares**
  - Peter W. Tunney, Executive Vice President (Director/Officer) 0 shares**
  - Lyle Strachan, Executive Vice President, Finance (Officer) 0 shares**
  - Frank DeMarco, Jr., Vice President Regulatory Affairs and Secretary (Officer) 0 shares**
  - Calvin Rainey, Vice President & Assistant General Manager (Officer) 0 shares**
  - Gina Lavo, Vice President, Finance (Officer) 0 shares**
5. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each: **TSG Developments Investments Inc. formerly known as MI Developments Inc.**  
 Number of outstanding shares in the corporation: **100 Shares**
6. Are the shares listed for public trading?  Yes  No  
 If yes, on what exchange and how is the stock listed:
8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation: **Share register is with Jane Lynn, General Counsel in Toronto, Canada**
9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity: **TSG Development Investments Inc**
  - A. Is parent and/or paired corporation or entity a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F.  
 If yes, answer questions 10-17. Yes  No
10. Registered name of the corporation: **Not applicable**

11. State where incorporated: **Not applicable**
12. Registry or file number for the corporation:
13. Names of all officers and directors, titles, and the number of shares of the corporation held by each: **Not applicable**
14. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each: **Not applicable**
15. Number of outstanding shares in the corporation:
16. Are the shares listed for public trading? Yes  No
- If yes, on what exchange and how is the stock listed: **Not applicable**
17. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation:

## D. LLC

1. Registered name of the LLC: **Not applicable**
2. State where articles of organization are filed: **Not applicable**
3. Registry or file number for the LLC: **Not applicable**
4. Attach a list of the names of all members (including individuals (true names), corporations, other LLCs and or foreign entities), titles, and the number of shares of the LLC held by each: **Not applicable**
5. Are the shares listed for public trading? Yes  No
- If yes, on what exchange and how the stock is listed:
6. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity: **Not applicable**
- A. Is parent and/or paired entity either a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F. If yes, answer questions 7-12. Yes  No
7. Registered name of the LLC/Corporation: **Not applicable**
8. State where articles of organization are filed: **Not applicable**
9. Registry or file number for the LLC:
10. Attach a list of the names (true names) of all members (members may include individuals, corporations other LLCs and foreign entities), titles, and the number of shares of the LLC held by each: **Not applicable**
11. Are the shares listed for public trading? Yes  No
12. If yes, on what exchange and how the stock is listed:

## E. OTHER

1. Name(s) of partners/sole proprietor: **Not applicable**
2. If a partnership, attach partnership agreement. **Not applicable**

## F. FINANCIAL INFORMATION \*

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

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

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

#### G. MANAGEMENT AND STAFF

1. Name and title of the managing officer and/or general manager of the association and the name and title of all department managers and staff, other than those listed in 13B, who will be listed in the official program:
  - Keith Brackpool, Chairman**
  - George Haines, President**
  - Lyle Strachan, Executive Vice President, Finance**
  - Mike Rogers, Vice President, Operations**
  - Frank DeMarco, Jr., Vice President, Regulatory Affairs and Secretary**
  - Peter W. Tunney, Executive Vice President**
  - Gina Lavo, Vice President, Finance**
  - Calvin Rainey, Vice President and Assistant General Manager**
  - Adam Njaa, Controller**
  - Jerry Aldoroty, Director of Hospitality and Sales**
  - Bryan Wayte, Mutuel Manager**
  - Tom Ferrall, Publicity Manager**
  - Bob Hemmer, Director of Operations**
  - Dan Cirimele, Director of Marketing**
  - T.W. Johnson, Security Manager**
  - Michael Wrona, Announcer**
  - Juan Meza, Track Superintendent**
  - Steve Martinelli, Price Maker**
  - William Vassar, Track Photographer**
  - David Seftel, M.D., Track Physician**
  
2. Name and title of the person(s) authorized to receive notices on behalf of the association and the mailing and email address of such person(s).
  - Calvin Rainey**
  - Vice-president and Assistant General Manager**
  - 1100 Eastshore Hwy**
  - Berkeley, CA 94710**
  - [Calvin.rainey@goldengatefields.com](mailto:Calvin.rainey@goldengatefields.com)**

**5. TAKE OUT PERCENTAGE**

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

Yes  No

Wager(s) to be adjusted: Pick 5 Proposed percentage: 14%

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

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

**6. HANDLE HISTORY**

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

Year	Handle	Attendance
2012 (10/17-12/25/12)	\$ 13,070,451.20	71,568 (35 live race days)
2011 (10/19-12/25/11)	\$ 14,141,548.10	80,148 (36 live race days)
2010 (10/20 - 12/25/10)	\$ 14,489,746.70	82,919 (42 live race days)
2009 (10/21 - 12/25/09)	\$ 17,259,602.40	90,856 (42 live race days)
2008 (9/17 - 12/25/08)	\$ 32,893,242.30	147,684 (67 live race days)

7. **PURSE PROGRAM (Excluding supplements, nominations, sponsorships and starter fees.):**  
*Prior meet represents October 17 through December 16, 2012 (35 days)*

A. Purse distribution:

1. All races other than stakes:  
Current meet estimate: **\$4,568,976.00**  
Prior meet actual: **\$4,438,760.00**

Average Daily Purse (7 A1 ÷ number of days):  
Current meet estimate: **\$126,916.00**



# GOLDEN GATE FIELDS

1100 Eastshore Highway · Berkeley, CA 94710

July 15, 2013  
Ms. Jackie Wagner  
Assistant Executive Director  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

Dear Ms Wagner:

Pursuant to California Business and Professions Code section 19601.01, Pacific Racing Association, after consultation with the Thoroughbred Owners of California ("TOC") is hereby requesting takeout as set forth below to be offered during PRA's Fall Meet October 16-December 15, 2013.

- **Players Pick-5**-a \$.50 minimum wager on the last five (5) races on each day's card subject to a **takeout rate of 14%**.

For reference, the Players Pick-5 is noted on PRA's license application in section 5A.

Please contact me directly if you have any questions

Best regards,

Elizabeth Morey  
Golden Gate Fields  
(510) 859-6340



July 16, 2013

## OFFICERS

MIKE PEGRAM  
CHAIR  
PABLO SUAREZ  
VICE CHAIR, SOUTHERN CA.  
JACK OWENS  
VICE CHAIR, NORTHERN CA.  
ED MOGER  
AT LARGE  
JOHN SADLER  
AT LARGE

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PRESIDENT  
KELLE BREEN  
CHIEF FINANCIAL OFFICER  
MARY FORNEY  
DIRECTOR OF OPERATIONS  
RICHARD SCHEIDT  
NO. CA. DIRECTOR OF  
OPERATIONS

## CHAIRS EMERITUS

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

## CORPORATE OFFICE

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

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

RE: 2013 Golden Gate Fields Fall Race Meeting

Dear Ms. Wagner,

Pacific Racing Association (Golden Gate Fields) has contacted the Thoroughbred Owners of California (TOC) with regards to conducting the "Players Pick-5" on the last five races of the day subject to a 14% takeout.

TOC agrees to such a wager based on the same terms and conditions it was offered for the 2012 fall race meeting.

Please feel free to contact me, should you have any questions.

Sincerely,

Joe Morris  
President

cc: Elizabeth Morey

Prior meet actual: **\$126,821.71**

- 2. Overnight stakes:  
 Current meet estimate: **\$200,000.00**  
 Prior meet actual: **\$200,000.00**

Average Daily Purse (7 A2 ÷ number of days):  
 Current meet estimate: **\$5,555.56**  
 Prior meet actual: **\$5,714.29**

- 3. Non-overnight stakes:  
 Current meet estimate: **\$228,000.00**  
 Prior meet actual: **\$219,550.00**

Average Daily Purse (7 A3 ÷ number of days):  
 Current meet estimate: **\$6,333.33**  
 Prior meet actual: **\$6,272.86**

- 4. Total Purses: (7A1+7A2+ 7A3)  
 Current meet estimate: **\$4,996,976.00**  
 Prior meet actual: **\$4,858,310.00**

B. California-bred Stakes Races:

- 1. Percentage of the purse distribution for all stakes races that will be distributed for California-bred stakes races:  
 Current meet estimate: **0.00%**  
 Prior meet actual: **0.00%**

Average Daily Purse (7 B1 ÷ number of days):  
 Current meet estimate: **\$0.00**  
 Prior meet actual: **\$0.00**

- C. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):  
 Current meet estimate: **\$409,628.00**  
 Prior meet actual: **\$397,487.04**

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

Recognized Horsemen's Organization

Current meet estimate:		Prior meet actual:	
TOC (NTRA contribution)	\$71,497.98	TOC (NTRA contribution)	\$72,652.64
TOC	\$40,855.99	TOC	\$41,515.78
CTT (Administration)	\$20,428.00	CTT (Administration)	\$20,757.89
CTT (Pension)	<u>\$40,855.99</u>	CTT (Pension)	<u>\$41,515.78</u>
Total	\$173,637.96	Total	\$176,442.09

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

Current meet estimate: **\$5,580,241.96**

Prior meet actual: **\$5,432,239.13**

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

Current meet estimate: **\$155,006.72**

Prior meet actual: **\$155,206.83**

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

Current meet estimate: **\$3,593,438.00**

Prior meet actual: **\$3,505,295.69**

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

Current meet estimate: **\$99,817.72**

Prior meet actual: **\$100,151.31**

- G. Purse funds to be generated from interstate handle:

Current meet estimate: **\$1,208,972.00**

Prior meet actual: **\$1,232,855.72**

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

Current meet estimate: **\$33,582.56**

Prior meet actual: **\$35,224.45**

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

**Well's Fargo Account # On File**

- I. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meeting: **Bowen & McBeth, 10722 Arrow Route, Suite 110, Rancho Cucamonga, California 91730, (909) 944-6465; email: craigmiller@verizon.net**

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

## 8 STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held: **1,325**

- B. Minimum number of stalls believed necessary for the meeting: **2,000**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **680**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site: **Pleasanton – 680 Stalls**
- E. Attach each contract or agreement between the association and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.

**On File**

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

- F. Total number of usable stalls made available on-site for the **1986** meeting, pursuant to Business and Professions Code section 19535(c): **1,405**
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per day per stall:  
**Stabling costs for this meet: \$457,272.00**  
**Stabling costs per day per stall: \$9.21**
- H. Estimated cost to provide vaning from off-site stalls for this meeting. Show fees to be paid for vaning per-horse:  
**Vanning fees for this meet: \$33,750.00**      **Vanning fee per horse: \$75.00**

**9 PARI-MUTUEL WAGERING PROGRAM**

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

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

	TYPE OF WAGERS	APPLICABLE RULES
Example Race:	\$1 E; \$1 Double	CHRB #1959; RCI #VE
Race #1	\$2 DD*; \$1 E; \$1 PK3+; \$1 TRI++; \$1 PPN%; \$.10 SF#; \$.50 PNP4	CHRB#1957; 1959; 1977; 1979; 1976.8; 1979.1; 1976.9
Race #2	\$2 DD*; \$2 PNP6; \$1 E; \$1 PK3+; \$1 TRI++; \$.10 SF#	CHRB#1957; 1976.9; 1959; 1977; 1979; 1979.1
Race #3	\$2 DD*; \$2 PNP6; \$1 E; \$1 PK3+; \$1 TRI++; \$.10SF#; \$.50 PNP5	CHRB#1957; 1976.9; 1959; 1977; 1979; 1979.1; 1976.9
Race #4	\$2 DD*; \$2 PNP6; \$1 E; \$1 PK3+; \$1 TRI++; \$.10 SF#; \$.50 PNP4; \$.50 PNP5	CHRB#1957; 1976.9; 1959; 1977; 1979; 1979.1; 1976.9; 1976.9
Race #5	\$2 DD*; \$2 PNP6; \$1 E; \$1 PK3+; \$1 TRI++; \$.10 SF#; \$.50 PNP4; \$.50 PNP5; Super H5^^	CHRB#1957; 1976.9; 1959; 1977; 1979; 1979.1; 1976.9; 1976.9; ARCI #004-105 Subsection T Pick (n) Position (x) Pools
Race #6	\$2 DD*; \$1 E; \$1 PK3+; \$1 TRI++; \$.10 SF#; \$.50 PNP4; \$.50 PNP5;	CHRB#1957; 1959; 1977; 1979; 1979.1; 1976.9, 1976.9;

Race #7 \$2 DD\*; \$1 E; \$1 PK3+; \$1 TRI++; \$.10 SF#; \$.50 PNP4  
 Race #8 \$2 DD\*; \$1 E; \$1 PK3+; \$1 TRI++; \$.10 SF#  
 Race #9 \$2 DD\*; \$1 E; \$1 TRI++; \$.10 SF#  
 Race #10 \$1 E; \$1 TRI++; \$.10 SF#

CHRB#1957; 1959; 1977; 1979; 1979.1; 1976.9  
 CHRB#1957; 1959; 1977; 1979; 1979.1  
 CHRB#1957; 1959; 1979; 1979.1  
 CHRB#1959; 1979; 1979.1

\* - \$2 Daily Double on all races  
 PNP6 - \$2 Pick 6 on last six races  
 + - \$1 Pick 3 on every race  
 ++ - \$1 Trifecta on every eligible race  
 # - \$.10 cent Superfecta on all eligible races  
 % - \$1 Place Pick All on all races carded  
 PNP4 - \$.50 Pick 4 on first four and last four races  
 PNP5 - \$.50 Pick 5 on last five races  
 ^^ - \$1 Pentafecta (Super High 5) in the 5<sup>th</sup> race only selecting the first five finishers in a same race. 100% payout on all tickets selecting five winners. No consolation; 100% carryover if no ticket has five winners.  
 PNP5 - \$.50 Pick 5 will be offered with 100% payout to all tickets selecting five winners. No consolation; 100% carryover if no ticket has five winners. 14% takeout.  
 PNP6 - 2 Tier - 70%/30% split \$2 Pick 6 will be offered on the final six races of each card, with 70% to the major pool or carryover, and 30% to the minor pool.

- A. Maximum carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool: **December 15, 2013 for the period of October 16, 2013 through December 15, 2013**
- C. List any options requested with regard to exotic wagering: **2 Tier - 70%30% split (see above)**
- D. Will "advance" or "early bird" wagering be offered? Yes  No   
 If yes, when will such wagering begin? Specify days and time for "early bird" wagering: Advance wagering will be offered Friday, November 1, 2013, on Saturday, November 2, 2013, Breeders' Cup races.
- E. Type(s) of pari-mutuel or totalizator equipment to be used by the association and the simulcast organization, name of the person(s) supplying equipment, and expiration date of the service contract: **Sportech (previously Scientific Games, LLC) Expires: September 2015**

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

- A. Identify the ADW provider(s) to be used by the association for this race meeting:  
**Xpressbet**  
**TwinSpires**  
**TVG**
- B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting. **On File**
- C. Have the contract/agreements been approved by the respective horsemen's groups?

Yes  No

If yes, attach a copy of the approval. **On File**  
 If no, explain the status of the approval.

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

## 11. SIMULCAST WAGERING PROGRAM

- A. Simulcast organization engaged by the association to conduct simulcast wagering:  
**Northern California Off-Track Wagering, Inc.**
- B. Attach the agreement between the association and simulcast organization permitting the organization to use the association's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.  
**On File**
- C. California simulcast facilities the association proposes to offer its live audiovisual signal:
- | <u>Northern California</u>                     | <u>Southern California</u>             |
|--|--|
| Alameda County Fair, Pleasanton                | Antelope Valley Fair, Lancaster        |
| Big Fresno Fair, Fresno                        | Barona Casino, Lakeside                |
| California State Fair & Exposition, Sacramento | Cabazon Fantasy Springs Casino, Indio  |
| Club One, Fresno                               | Del Mar Thoroughbred Club, Del Mar     |
| Kern County Fair, Bakersfield                  | Derby Club at Seaside Park, Ventura    |
| Monterey County Fair, Monterey                 | Fairplex Park, Pomona                  |
| San Joaquin County Fair, Stockton              | Hollywood Park, Inglewood              |
| The Jockey Club at San Mateo, San Mateo        | Indian Fantasy Springs Casino, Indio   |
| Santa Clara County Fair, San Jose              | Los Alamitos Racecourse, Los Alamitos  |
| Shasta District Fair, Anderson                 | National Orange Show, San Bernardino   |
| Solano County Fair, Vallejo                    | Santa Anita Park, Arcadia              |
| Sonoma County Fair, Santa Rosa                 | Santa Barbara County Fair, Santa Maria |
| Stanislaus County Fair, Turlock                | Shalimar Sports Center, Indio          |
| Tulare County Fair, Tulare                     | Sports Pavilion, Lake Perris           |
|  | Sports Pavilion, Victorville           |
|  | Sycuan Casino, El Cajon                |
|  | California Mid-State Fair, Paso Robles |
|  | Viejas Casino, Alpine                  |
- D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal:  
**Attached**
- E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association: See Appendix 15
- F. California mini-simulcast facilities the association proposes to offer its live audiovisual signal:  
**Bankers Casino, Salinas, Commerce Casino, City of Commerce, OC Tavern Grill & Sports Bar, Original Roadhouse Grill, Santa Clarita Lanes, The Mermaid Tavern, Tilted Kilt, Sammy's**
- G. For THOROUGHBRED racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported,



state "selected feature and/or stakes races": Additional details TBD

<b>2013 Import Tracks</b>	
Track	Full or Partial Cards and Stakes
Arlington	Full or Partial Cards
Assiniboia (International)	Full or Partial Cards
Australia Racing (International)	Full or Partial Cards
Beulah	Full or Partial Cards
Calder	Full or Partial Cards
Canterbury	Full or Partial Cards
Charles Town	Full or Partial Cards
Churchill Downs	Full or Partial Cards
Delaware Park	Full or Partial Cards
Downs at Albuquerque	Full or Partial Cards
Ellis Park	Full or Partial Cards
Emerald	Full or Partial Cards
Evangeline	Full or Partial Cards
Fort Erie (International)	Full or Partial Cards
Gulfstream	Full or Partial Cards
Hastings Park (International)	Full or Partial Cards
Hawthorne	Full or Partial Cards
Indiana Downs	Full or Partial Cards
Keeneland	Full or Partial Cards
Kentucky Downs	Full or Partial Cards
Laurel	Full or Partial Cards
Lone Star	Full or Partial Cards
Louisiana Downs	Full or Partial Cards
Monmouth	Full or Partial Cards
Mountaineer Park	Full or Partial Cards
Northlands (International)	Full or Partial Cards
NYRA - Aqueduct, Belmont	Full or Partial Cards
Penn National	Full or Partial Cards
Philadelphia Park (Parx)	Full or Partial Cards
Prairie Meadows	Full or Partial Cards
Presque Isle	Full or Partial Cards
River Downs	Full or Partial Cards
South America Racing (International)	Full or Partial Cards
Suffolk Downs	Full or Partial Cards
Sunland Park	Full or Partial Cards
Sunray Park	Full or Partial Cards
Tampa Bay	Full or Partial Cards
Thistledown	Full or Partial Cards
Turfway Park	Full or Partial Cards
Turf Paradise	Full or Partial Cards
Woodbine (International)	Full or Partial Cards

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

**THOROUGHBRED SIMULCAST RACES TO BE IMPORTED**

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

H. For QUARTER HORSE racing associations, list the host track from which the association proposes

to import out-of-state and/or out-of-country quarter horse races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

**QUARTER HORSE SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
<b>Los Alamitos</b>	<b>Per CHRB calendar</b>	<b>Full Card</b>

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

**HARNESS SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
<b>Cal Expo Harness</b>	<b>Per CHRB calendar</b>	<b>Full Card</b>

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

**OTHER BREED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
<b>None</b>			

- K. For **ALL** racing associations, if any out-of-state or out-of-country races will commence outside of the time constraints set forth in Business and Professions Code sections 19596.2 and 19596.3, attach a copy showing the agreement by the appropriate racing association(s). **Not applicable**

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

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

**12. CHARITY RACING DAYS**

- A. Name and address of the distributing agent (charity foundation) for the net proceeds from charity racing days held by the association:  
**Pacific Racing Association is agent for distribution**
- B. Names and addresses of the trustees or directors of the distributing agent:  
**Pacific Racing Association will act as its own distributing agent**

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

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

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

A. Racing officials nominated:

Association Veterinarian(s)	<b>Sara Sporer, D.V.M</b> (Track Veterinarian) <b>Forrest Franklin, D.V.M.</b> (CHRB Veterinarian) <b>Diane Isbell, D.V.M.</b> (Examining Veterinarian)
Clerk of Scales	<b>Ken Sjoldal</b>
Assistant Clerk of Scales	<b>Ross Allardyce</b>
Clerk of the Course	<b>Tina Walker-Bryant</b>
Film Specialist	<b>Ella Robinson</b>
Horse Identifier	<b>Darrell Sparks</b>
Horseshoe Inspector	<b>Butch Fyllingness</b>
Paddock Judge	<b>Linda Anderson</b>
Patrol Judge/Steward's Aide	<b>Tammy McDuffie-Morris</b>
Patrol Judge	<b>Ella Robinson</b>
Placing Judges	<b>Chris Merz &amp; Steve Martinelli</b>
Starter	<b>Todd Stephens</b>
Timer	<b>Pedro Mercado</b>

B. Management officials in the racing department:

Racing Secretary/Stakes Coordinator	<b>David Jerkens</b>
Assistant Racing Secretary	<b>C. Gregory Brent, Jr. &amp; Linda Anderson</b>
Paymaster of Purses	<b>Patricia Prospero</b>
Others (identify by name and title)	
Main Track Superintendent	<b>Juan Meza</b>
Turf Track Superintendent	<b>Calvin Rainey</b>
Price Maker	<b>Steve Martinelli</b>
Stable Superintendent	<b>Carrie Fawcett</b>

- C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards: **Christine Niccoli**  
**Niccoli Reporting Service, 619 Pilgrim Drive, Foster City, CA 94404-1707, (650) 573-9339**
- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract: **Plusmic Corp., USA, Bill O'Brien, Expires: December 31, 2014**
- E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras

for dirt and turf tracks. **Pegasus Communications, Inc, Jim Porep, Jr., System maintained in house, Equipment contract expires: March 5, 2016**

- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract: **Electronic timer is installed and maintained by on-site staff**

#### 14. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers.

**T.W. Johnson, Security Manager is responsible for security on site.  
Security Department organizational chart is attached. Appendix 15.1  
Security Department phone number (510) 559-7370  
Stable Security phone number (510) 542-4235  
T.W. Johnson cell phone number (510) 418-3161**

- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis: **34**

<b>1 – Security Manager</b>	<b>14 – Grandstand Security Officers</b>
<b>1 – Security Lieutenant</b>	<b>5 – Stable Security Officers</b>
<b>1 – Security Sergeant</b>	<b>5 – Stable Gate Personnel</b>
<b>1 – Stable Security Sergeant</b>	<b>5 – Fire Guards</b>
<b>1 – Fire Guard Lieutenant</b>	

1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls: **Attached**

2. Detention Stalls:

- A. Attach a plan for use of graded stakes or overnight races.

**6 hour surveillance prior to race in Graded Stakes with purses of \$100,000 or over  
24 hour surveillance in detention barn for Trainers with high-test results and repeat offenders Attached appendix 15.2**

- B. Number of security guards in the detention stall area during a 24-hour period.

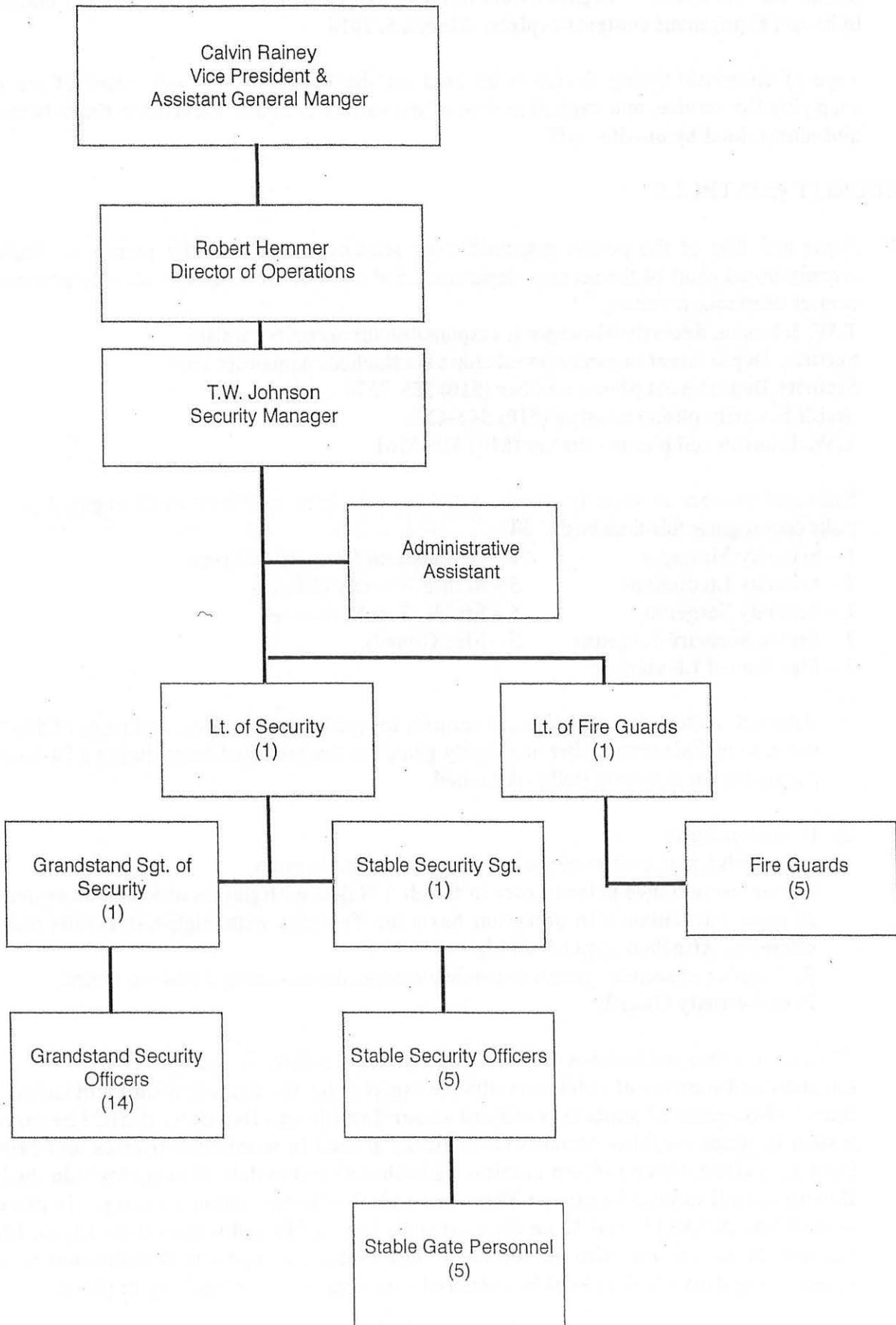
**Four Security Guards**

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

**Location and number of video surveillance cameras for the detention stall and stable gate.  
Barn #44 contains 27 stalls in is utilized as our Transit and Detention Barn. The surveillance system in place contains cameras strategically placed to monitor entrances and exits of the barn area along with a camera monitoring each designated detention stall within the barn.  
Detention stall camera locations: There are a total of 16 surveillance cameras in place within stalls 4,5,6,7,8,9,10,11, and 12 on the west side of barn #44 and within stalls 13, 14, 15, 16, 17, 18, and 19 on the east side of the barn. The camera equipment is connected to a digital recording system which is kept in a secured area with a power back-up in place.**

3. TCO2 Testing:

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



**Attachment to PRA / Golden Gate Fields License Application  
14B (1) and 14B (2):**

**SECURITY CONTROLS**

Graded Stakes and Races of \$100,000 or more

The following procedures have been put in place at Los Angeles Turf Club / Golden Gate Fields to ensure that proper security surveillance guidelines for races of \$100,000 or more are followed:

- Carrie Fawcett, Stable Superintendent, provides a list of starters to T. W. Johnson, Director of Security which includes the following information:
  1. Name of horse
  2. Name of trainer
  3. Barn number
  4. Stall number
- Supplemental security staff, provided by a licensed security contractor and licensed by the CHRB, are called in the morning of the race to meet with the Director of Security for the following instruction:
  - A. An overview of the race track operating procedures
  - B. A briefing of their duties throughout the day
  - C. All guards are asked to sign out for their specific video camera
  - D. A form is provided by the CHRB to each guard which is to be signed by the attending veterinarian when administering medication to bleeders.
  - E. Each guard is given a video camera to record ALL activities involving individuals entering and exiting their assigned stall. Instruction is given to first record the posted number on the stall to confirm that the camera is directed at the assigned horse.
  - F. Instruction is given to monitor any and all suspicious activity and to contact the Director of Security if and when suspicious activity occurs.
  - G. Guards are instructed to position themselves as close to the horse's stall without jeopardizing safety.
  - H. The horse and handler will be followed on foot by each guard to the receiving barn before the race.
  - I. After all horses are safely in the receiving barn, the guards are instructed to meet in the Security office with the Director of Security. The guards sign that they have returned their video camera and participate in a discussion of the day's surveillance activities.
- Surveillance videotapes are saved until all test results have received a negative result.

**Attachment to PRA II / Golden Gate Fields License Application  
14B (2) and 14C (1):**

Detention Barn Surveillance:

Barn #44 contains 27 stalls and is utilized as our Transit and Detention Barn. The surveillance system in place contains cameras strategically placed to monitor entrances and exits along with a camera monitoring each stall.

The camera equipment is connected to a digital recording system which is kept in a secured area with a power back-up in place.

Stable Gate Surveillance:

Cameras are strategically placed to monitor all activities at the Main Stable Gate and the Horsemen Walk-In Gate.

**Will follow CHRB staff directives**

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

**Contractual obligations with TOC, CTT, and CHRB directives will be followed**

C. Plan for detention stalls for repeat offenders.

**In compliance with our Race Meet Agreement with TOC and at the direction of the CHRB**

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

**As needed per the advice of CHRB staff**

C. Describe the electronic security system:

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

**Barn #44 contains 27 stalls in is utilized as our Transit and Detention Barn. The surveillance system in place contains cameras strategically placed to monitor entrances and exits of the barn area along with a camera monitoring each designated detention stall within the barn.**

**Detention stall camera locations: There are a total of 16 surveillance cameras in place within stalls 4,5,6,7,8,9,10,11, and 12 on the west side of barn #44 and within stalls 13, 14, 15, 16, 17, 18, and 19 on the east side of the barn. The camera equipment is connected to a digital recording system which is kept in a secured area with a power back-up in place**

**Stable Gate & Parking Lot Surveillance: Cameras are strategically placed to monitor all activities at the main stable gate (1), O/T parking lot (1), and horsemen walk-in gate (1) providing 24/7 surveillance**

D. For night racing associations. Describe emergency lighting system: **Not Applicable**

**15. EMERGENCY SERVICES**

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

**Brad Winding Turf Rescue, LLC, 19615 Barclay Road, Castro Valley, CA 94546,  
(510) 581-8470**

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

**Attached**

**1 paramedic and 1 EMT**

B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites: **Westmed Ambulance Service, 2424 Whipple Road, Hayward, CA 94544, (510)-504-3616**

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

**Attached**

**1 paramedic and 1 EMT**

Turf Rescue, LLC.  
4470 Hillsborough Drive  
Castro Valley, CA 94546  
510 581-8470

May 16, 2013

California Horse Racing Board  
1000 Eastshore Hwy.  
Berkeley, CA 94710

To Whom It May Concern:

This is to inform you Turf Rescue, LLC., operations and procedures are well within the standard care Operating Procedures set forth by Alameda County E.M.S.

Turf Rescue employs only licensed Paramedics and Emergency Medical Technicians that meet and follow the licensing requirements for Alameda County E.M.S.

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

Sincerely,



Brad Winding, Owner  
Turf Rescue, LLC.



March 22, 2013

To Whom It May Concern:

This letter shall serve as a statement of affirmation that Westmed Ambulance Service is certified provider of Basic Life Support Non Emergency Service in the County of Alameda certified through the Alameda County Emergency Medical Services Agency. Every Emergency Medical Technician employed by Westmed Ambulance is trained, background checked and state certified in order to fulfill their job duties as authorized by the State of California Emergency Medical Services Authority.

Should you need any additional information please feel free to contact me.

A handwritten signature in black ink that reads "Christopher A. Seymour".

Christopher A. Seymour

Director of Advanced Life Support Services

2424 Whipple Rd. Hayward CA.

EMT-P, BA



ALAMEDA COUNTY EMERGENCY MEDICAL SERVICES

A Division of the Alameda County Public Health Department



# NON-EMERGENCY AMBULANCE CERTIFICATE OF OPERATION

This is to certify that:

## Westmed Ambulance

is authorized to provide non-emergency ambulance transportation within the boundaries of Alameda County. The above meets all of the requirements contained in the Alameda County Ambulance Ordinance and has passed equipment, staffing and vehicle inspections.

This certificate is valid from **December 17, 2012** to **December 16, 2014**

for **BASIC LIFE SUPPORT and CRITICAL CARE NON-EMERGENCY TRANSPORT**

Karl Sporer, MD  
Interim Alameda County EMS Director

Karl Sporer, MD  
Alameda County EMS Medical Director

*An embossed seal should appear in a grey box*



- B. Describe the on-track first aid facility, including equipment and medical staffing:  
**Attached**
- D. Name and emergency telephone number of the licensed physician on duty during the race meeting: (If quarter horse racing association sees D (1) ):  
**Dr. David Seftel**  
**Office Number: 510-559-7375, Cell Number: 650-520-6204**
1. Name address and emergency telephone number of hospital located within 1.5 miles of the racetrack, which whom an agreement is in place to provide emergency medical services, pursuant to Business and Professions Code section 19481.3(a): **N/A**
- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:  
**Alta Bates Summit Medical Center, 2450 Ashby, Berkeley, CA 94705 (510) 204-4444**
- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey: **Attached**
- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d):  
**Roy Roenbeck, Director of Safety and Compliance**  
**Calvin Rainey, Assistant General Manager, serves as Assistant Safety Manager.**
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.  
**Berkeley fire clearance letter attached**  
**Albany fire clearance letter attached**
- I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details): **Liberty Mutual Insurance Co. (insurer) and WA2-B7D-170912-013 (policy no.)**
- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the association for payment of workers' compensation.  
**Attached**

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



## GOLDEN GATE FIELDS

### Description of GGF Medical Clinic (Live Racing)

#### Services (Mission)

- Pre-race examinations on jockeys;
- Preventive & curative medical services for jockeys;
- Urgent care facility for jockeys;
- Assist CHRB in assessment of any impaired individuals.

#### Staffing

- Physician Medical Director ("Track Physician").

#### Equipment

- Advanced cardiac life support (ACLS) equipment;
- 12-Lead EKG;
- Lung function testing equipment;
- Ultrasound (for internal organ injury assessment);
- Blood work & hematology supplies & equipment;
- Basic surgical care supplies & equipment.

#### Availability

- One-hour before first posted race until one-to-two hours following last posted race;
- Extended hours for necessary follow-up care and/or upon request from track management or CHRB.



## EMERGENCY MEDICAL PROCEDURES -MORNING TRAINING- FOR ON-TRACK INJURY TO JOCKEYS OR EXERCISE RIDERS

### "FIRST RESPONSE"

- In the event of an accident, the Outriders shall immediately contact the on-track GGF Human Ambulance using Radio Channel #1 ("Rider Down");  
*(or the accident may very well be witnessed directly by the Ambulance Crew);*
- The on-track GGF Human Ambulance (manned by GGF-contracted medical personnel) shall respond immediately to the site of the accident;
- The attending contracted medical personnel shall arrive equipped with advanced cardiac life support (ACLS) and other necessary acute medical treatment equipment & supplies;
- An "on-site evaluation" of injuries to the jockey(s) or exercise rider(s) shall be made by the attending contracted medical personnel.



### "ON-SITE EVALUATION"

- Based on the attending contracted medical personnel "on-site evaluation" of injuries, a decision shall be made to either treat the injured jockey(s) or exercise rider(s) on-site or to request emergency medical transport for off-site treatment at a hospital trauma center;
  - If on-site treatment is deemed sufficient, the GGF Human Ambulance shall provide the injured jockey(s) or exercise rider(s) with appropriate medical treatment; or,
  - If off-site treatment is deemed necessary, "911" shall be used to summon a City of Albany Fire Dept. ambulance *(a Fire Dept. truck shall also respond)*.



### "INJURY TREATMENT"

- If an injured jockey(s) is treated on-site:
  - the attending contracted medical personnel shall provide medical treatment until surrendering custody of the patient based on his/her medical judgment;
  - the Track Physician of the GGF Medical Clinic shall likewise be notified either via telephone or when arriving on-site (live race days only).
- If an exercise rider(s) is treated on-site:
  - the attending contracted medical personnel shall provide medical treatment until surrendering custody of the patient based on his/her medical judgment;
- If the City of Albany Fire Dept. ambulance is summoned to respond, the injured jockey(s) or exercise rider(s) shall be transferred to this ambulance at either of the two following locations for transport to a local hospital;
  - If the injuries are deemed less severe, the jockey(s) or exercise rider(s) will be transported by the GGF Human Ambulance to an off-track location for pick-up by the City of Albany Fire Dept. ambulance; or,
  - If the injuries are deemed severe and the jockey(s) or exercise rider(s) cannot be moved, the City of Albany Fire Dept. ambulance will be escorted by GGF security personnel directly onto the track for patient pickup.



### "POST INJURY ACTIVITIES"

- The incident must be reported immediately to the appropriate CHSA representative;
- In consultation with the attending contracted medical personnel, an "Accident/Injury Investigation Report" must be completed by track management following completion of the above-noted procedures.

*Should the GGF Human Ambulance need to leave the track premises, for whatever reason(s), all morning training must be delayed until a city-chartered or other substitute ambulance is on-site and available for on-track medical service.*



## EMERGENCY MEDICAL PROCEDURES -LIVE RACING- FOR ON-TRACK INJURY TO JOCKEYS

### "FIRST RESPONSE"

- In the event of an accident, the Stewards and/or Outriders shall immediately contact the Track Physician ("Jockey Down") using Radio Channel #7 (or the accident may very well be witnessed directly by the Track Physician);
- The on-track GGF Human Ambulance (manned by GGF-contracted contracted medical personnel) and the Track Physician (transported via the GGF "chase" or "Vet" truck) shall respond immediately to the site of the accident;
- The attending medical professionals shall arrive equipped with advanced cardiac life support (ACLS) and other necessary acute medical treatment equipment & supplies;
- An "on-site evaluation" of injuries to the jockey(s) shall be made by the Track Physician.



### "ON-SITE EVALUATION"

- Based on the Track Physician's "on-site evaluation" of injuries, a decision shall be made to either treat the injured jockey(s) on-site or to request emergency medical transport for off-site treatment at a hospital trauma center;
  - If on-site treatment is deemed sufficient, the GGF Human Ambulance shall transport the injured jockey(s) directly to the GGF Medical Clinic; or,
  - If off-site treatment is deemed necessary, "911" shall be used to summon a City of Albany Fire Dept. ambulance (a Fire Dept. truck shall also respond).



### "INJURY TREATMENT"

- If the injured jockey(s) is treated at the GGF Medical Clinic, the Track Physician shall be the primary care provider unless (or until) the Track Physician surrenders custody of the patient based on his/her medical judgment;
- If the City of Albany Fire Dept. ambulance is summoned to respond, the injured jockey(s) shall be transferred to this ambulance (accompanied by the Track Physician) at either of the two following locations for transport to a local hospital;
  - If the injuries are deemed less severe, the jockey will be transported by the GGF Human Ambulance to an off-track location for pick-up by the City of Albany Fire Dept. ambulance; or,
  - If the injuries are deemed severe and the jockey(s) cannot be moved, the City of Albany Fire Dept. ambulance will be escorted by GGF security personnel directly onto the track for patient pickup.



### "POST INJURY ACTIVITIES"

- The incident must be reported immediately to the appropriate CHSA representative;
- In consultation with the Track Physician, an "Accident/Injury Investigation Report" must be completed by track management following completion of the above-noted procedures.

*Should the GGF Human Ambulance need to leave the track premises, for whatever reason(s), racing must be delayed until a city-chartered or other substitute ambulance is on-site and available for on-track medical service.*



## PROCEDIMIENTOS MÉDICOS DE EMERGENCIA

### ~~ENTRENAMIENTO MATUTINO~~

#### PARA HERIDAS A JINETES O JINETES DE EJERCICIO EN LA PISTA

##### "PRIMEROS AUXILIOS"

- En caso de accidente, los paradores deberán contactarse de inmediato con la Ambulancia para pacientes humanos del Golden Gate Fields (GGF) a través del canal de radio n.º 1 (por "jinete caído") *(o tal vez el equipo de la ambulancia presencia el accidente directamente)*;
- La Ambulancia del GGF (con personal médico contratado del GGF) deberá actuar de inmediato en el lugar del accidente;
- El personal médico contratado que asista deberá contar con conocimientos en soporte vital cardiovascular avanzado (SVCA) y demás equipos y suministros necesarios de tratamiento médico inmediato;
- Dicho personal llevará a cabo una "evaluación en el lugar" de las heridas del jinete o del jinete de ejercicio.



##### "EVALUACIÓN EN EL LUGAR"

- De acuerdo con la evaluación de las heridas que realice el personal médico contratado en el lugar, se tomará una decisión acerca de tratar al jinete o jinete de ejercicio herido en dicho lugar o bien solicitar un transporte médico para emergencias para llevar a cabo un tratamiento en un centro de traumatología;
  - Si se considera suficiente el tratamiento en el lugar, la Ambulancia del GGF deberá proporcionar el tratamiento médico correspondiente al jinete o jinete de ejercicio herido o
  - Si es necesario un tratamiento fuera del predio, se deberá utilizar el "911" para llamar una ambulancia del Departamento de Bomberos de la ciudad de Albany *(también podrá actuar un camión del Departamento de Bomberos)*.



##### "TRATAMIENTO DE HERIDAS"

- Si se trata un jinete herido en el lugar:
  - el personal médico contratado que asista deberá proveer tratamiento médico hasta que derive al paciente de acuerdo con su criterio médico;
  - también se deberá notificar al médico de la pista de la Clínica Médica del GGF ya sea por vía telefónica o cuando llegue al lugar (únicamente los días de carreras).
- Si se trata un jinete de ejercicio en el lugar:
  - el personal médico contratado que asista deberá proveer tratamiento médico hasta derivar al paciente de acuerdo con su criterio médico;
- Si se llama a la ambulancia del Departamento de Bomberos de la ciudad de Albany para brindar atención, se trasladará al jinete o jinete de ejercicio herido en dicha ambulancia hasta una de las siguientes ubicaciones para trasladarlo a un hospital local;
  - Si las heridas se consideran poco graves, se trasladará al jinete o jinete de ejercicio en la Ambulancia del GGF fuera de la pista para que lo recoja la ambulancia del Departamento de Bomberos de la ciudad de Albany o
  - Si las heridas se consideran graves y no se pueden movilizar al jinete o jinete de ejercicio, el personal de seguridad del GGF escoltará la ambulancia del Departamento de Bomberos de la ciudad de Albany directamente hacia la pista para que recoja al paciente.



##### "ACTIVIDADES POSTERIORES A LAS HERIDAS"

- Se debe informar el incidente de inmediato al representante correspondiente de la Asociación de jinetes de California (CSHA, por su sigla en inglés);
- Con el asesoramiento del personal médico contratado que asista, la gerencia debe completar un "Informe de investigación de accidentes/ heridas" luego de que se completen los procedimientos que se apuntaron anteriormente.



## PROCEDIMIENTOS MÉDICOS DE EMERGENCIA

### ~~DURANTE LAS CARRERAS~~

#### PARA HERIDAS A JINETES EN LA PISTA

##### "PRIMEROS AUXILIOS"

- En caso de accidente, los comisarios de carreras y/o los paradores deberán contactarse de inmediato con el médico de la pista (por "jinete caído") a través del canal de radio n.º 7 (o tal vez el médico de la pista presencia el accidente directamente);
- La Ambulancia para pacientes humanos del Golden Gate Fields (GGF) que se encuentra en la pista (con personal médico contratado del GGF) y el médico de la pista (que se trasladará en el camión escolta o veterinario del GGF) deberán atender al jinete de inmediato en el lugar del accidente;
- Los profesionales médicos que asistan deberán contar con conocimientos en soporte vital cardiovascular avanzado (SVCA) y demás equipos y suministros necesarios de tratamiento médico inmediato;
- El médico de la pista llevará a cabo una "evaluación en el lugar" de las heridas del jinete.



##### "EVALUACIÓN EN EL LUGAR"

- De acuerdo con la evaluación de las heridas que realice el médico en la pista, se tomará una decisión acerca de tratar al jinete herido en dicho lugar o bien solicitar un transporte médico para emergencias para llevar a cabo un tratamiento en un centro de traumatología;
  - Si se considera suficiente el tratamiento en el lugar, la Ambulancia del GGF deberá trasladar al jinete herido directamente a la Clínica Médica del GGF o
  - Si es necesario un tratamiento fuera del predio, se deberá utilizar el "911" para llamar una ambulancia del Departamento de Bomberos de la ciudad de Albany (también podrá actuar un camión del Departamento de Bomberos).



##### "TRATAMIENTO DE HERIDAS"

- Si el jinete herido recibe tratamiento en la Clínica Médica del GGF, el médico de la pista deberá ser el que provea asistencia primaria a menos que (o hasta que) derive al paciente de acuerdo con su criterio médico;
- Si se llama la ambulancia del Departamento de Bomberos de la ciudad de Albany para brindar atención, se deberá trasladar al jinete herido en dicha ambulancia (*acompañado por el médico de la pista*) hasta una de las siguientes ubicaciones para trasladarlo a un hospital local;
  - Si las heridas se consideran poco graves, se trasladará al jinete en la Ambulancia del GGF fuera de la pista para que lo recoja la ambulancia del Departamento de Bomberos de la ciudad de Albany o
  - Si las heridas se consideran graves y no se puede movilizar al jinete, el personal de seguridad del GGF escoltará la ambulancia del Departamento de Bomberos de la ciudad de Albany directamente hacia la pista para que recoja al paciente.



##### "ACTIVIDADES POSTERIORES A LAS HERIDAS"

- Se debe informar el incidente de inmediato al representante correspondiente de la Asociación de jinetes de California (CSHA, por su sigla en inglés);
- Con el asesoramiento del médico de la pista, la gerencia debe completar un "Informe de investigación de accidentes/ heridas" luego de que se completen los procedimientos que se apuntaron anteriormente.

*Si la Ambulancia del GGF debe retirarse del predio, por cualquier motivo, se debe demorar la carrera hasta que una ambulancia de la ciudad u otra de reemplazo se encuentre en el lugar y disponible para brindar servicio médico en la pista.*



Department of Fire and Emergency Services  
Division of Fire Prevention

Date: October 31, 2012

**Merry Scalzo**  
Director of Operations  
Golden Gate Fields  
1100 Eastshore Highway  
Albany, CA 94706  
Phone (510) 559-7325  
Fax (510) 559-7465

**Subject:** Fire & Life Safety Inspection – Golden Gate Fields - Stables

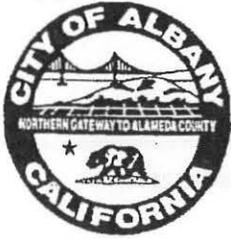
On October 31, 2012 the Berkeley Fire Prevention Division conducted an annual inspection of the Golden Gate Field Horse Stables. This inspection will be valid through October 31, 2013. Our fire life safety report indicates that there are no outstanding violations noted or corrections need to be made at this time.

Should you have any questions regarding the annual inspection please call my office (510.981-5582) at your convenience.

Thank you for your time and I look forward to speaking with you in the near future.

A handwritten signature in black ink that reads "Stan Fernandez". The signature is written in a cursive, flowing style.

Stan Fernandez  
Fire Inspector / Investigator



# City of Albany

1000 SAN PABLO AVE. • ALBANY, CALIF. 94706 • TELEPHONE (510) 528-5770 • FAX (510) 528-5774

FIRE DEPARTMENT

23 May 2013

Roy Roenbeck  
Environmental Health & Safety Director  
Pacific Racing Association/Golden Gate Fields  
1100 Eastshore Highway  
Berkeley, CA 94710

Dear Mr. Roenbeck,

On 20 May 2013, I performed a Fire and Life Safety Inspection at your request for the facilities that are within the jurisdiction of the Albany Fire Department. The facilities inspected include all of the administrative areas, kitchens, public & non-public areas of the grandstand, Turf Club and Club House, all decks, roof, underground, Jockey building and Equine Hospital. The areas that were not inspected include the corporation yard.

## GENERAL

The facilities are in good condition. Housekeeping in all areas is neat and well maintained. No electrical issues were found throughout. All portable fire extinguishers are in good repair and regularly inspected. A copy of the current fire sprinkler inspection report is in our position which states that the system is in good repair.

Only a couple of emergency lights were found to be non-functional and they were quickly repaired. One smoke detector that was loose and hanging in the B-C Connector has already been repaired as well. We do realize that work is on-going for the clean agent systems used in the Video Room and the IT/Server room and accepts that the Golden Gate Fields shall submit the completed work statements so we can verify its compliance.



# City of Albany

1000 SAN PABLO AVE. • ALBANY, CALIF. 94706 • TELEPHONE (510) 528-5770 • FAX (510) 528-5774

FIRE DEPARTMENT

## Conditional Fire Clearance

At this time the Albany Fire Department does hereby grant the Golden Gate Fields/Pacific Horse Racing Association a fire clearance for the facilities listed above. The Albany Fire Department, Fire Prevention Division, will make periodic inspections during the racing season to verify that the current conditions are maintained.

Should you have any further need of our service, please do not hesitate to contact us.

Sincerely,

Edward W. Tubbs – Fire Chief



## Certificate of Insurance

No.: 2013-189

Dated: June 28, 201

This document supersedes any certificate previously issued under this number.

This is to certify that the Policy(ies) of insurance listed below ("Policy" or "Policies") have been issued to the Named Insured identified below for the policy period(s) indicated. This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder named below other than those provided by the Policy(ies).

Notwithstanding any requirement, term, or condition of any contract or any other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the Policy(ies) is subject to all the terms, conditions, and exclusions of such Policy(ies). This certificate does not amend, extend, or alter the coverage afforded by the Policy(ies). Limits shown are intended to address contractual obligations of the Named Insured.

Limits may have been reduced since Policy effective date(s) as a result of a claim or claims.

**Certificate Holder:**

California Horse Racing Board  
1010 Hurley Way  
Sacramento, CA 95825

Attn.: Insurance Department

**Named Insured and Address:**

445327 Ontario Limited D/B/A The Stronach Group and their subsidiaries  
455 Magna Drive  
Aurora, ON L4G 7A9

Subsidiary/Division:  
Pacific Racing Association II  
dba Golden Gate Fields  
1100 Eastshore Highway  
Albany, CA 94706

**This certificate is issued regarding:**

Evidence of Insurance

Type(s) of Insurance	Insurer(s)	Policy Number(s)	Effective/Expiry Dates	Sums Insured Or Limits of Liability	
COMMERCIAL GENERAL LIABILITY	Zurich American Insurance Company	GLO 9302183-11	Jun 30, 2013 to Jun 30, 2014	Each Occurrence	USD 2,000,000
				Products-Completed Operations Aggregate	USD 2,000,000
				General Aggregate	USD 2,000,000
WORKERS' COMPENSATION & EMPLOYERS' LIAB	Liberty Mutual Fire Insurance Company	WA2-B7D-170912-013	Jun 30, 2013 to Jun 30, 2014	Workers' Compensation	Statutory
				Employers' Liability Each Accident	USD 1,000,000 Bodily Injury by Accident
				Employers' Liability Each Employee	USD 1,000,000 Bodily Injury by Disease
				Employers' Liability Policy Limit	USD 1,000,000 Bodily Injury by Disease

**Additional Information:**

The Commercial General Liability Policy, GLO9302183-11, placement was made by Marsh Commercial Business Center, a Service of Seabury & Smith, Inc., 9830 Colonnade Blvd # 400, San Antonio, TX 78230. Marsh Canada Limited has only acted in the role of a consultant to the client with respect to this placement, which is indicated here for your convenience.

The Workers' Compensation and Employers' Liability Policy, WA2-B7D-170912-013, placement was made by Marsh USA Inc. Marsh Canada Limited has only acted in the role of a consultant to the client with respect to this placement, which is indicated here for your convenience.

**Notice of cancellation:**

The insurer(s) affording coverage under the policies described herein will not notify the certificate holder named herein of the cancellation of such coverage.

**Marsh Canada Limited**

161 Bay Street, Suite 1400  
Toronto, ON M5J 2S4  
Telephone: 416-868-2123  
Fax: -  
stephanie.leite@marsh.com

Marsh Canada Limited

By: 

Stephanie Wong

## 16. CONCESSIONAIRES AND SERVICE CONTRACTORS

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

Tip Sheets                      Jack's Blue Card, 127 Sun Avenue, Hayward, CA 94544  
    West Coast Wheelie, 4811 Versailles Rd, Lexington, KY 40510

Armored Car Services Loomis Armored Car, P.O. Box 44196, San Francisco, CA 94144

Track Physician              Dr. David Seftel, Conocen Corp., 20066 Austin Lane, Castro Valley, CA 94546

Official Program              Del Mar Graphics, 1100 Eastshore Highway, Albany, CA 94706

Jockey's Laundry              F. Lorene Dutton, Bailey's Mobile Laundry, 3263 Vineyard Ave., Pleasanton, CA 94566

Starting Gate                  Mike Costello, United Puett Starting Gate Co., P.O. Box 18, S. Salem, NY 10590

Track Photographer      Bill Vassar, Vassar Photography, 1167 Sapphire Drive, Livermore, CA 94550

Does the association provide its own concessions?    Yes        No   

## 17. ON-TRACK ATTENDANCE/FAN DEVELOPMENT

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

B. Promotional/ Marketing budget for this race meeting: **\$157,467**

Promotional/Marketing budget for prior race meeting: **\$105,000**

C. Number of hosts and hostesses employed for meeting:  
**2 Customer Service Representatives**  
**5 Group Sales Representatives**

D. Describe facilities set aside for new fans:

**Customer Service** – Our customer service center is open year round with trained customer service representatives to assist fans with general racing information, maintain our frequent fan club known as the THOROUGHBREDS, and assist with XpressBet sign ups and account maintenance

**Mutuel Newcomer Window** - A specific Mutuel teller window has been created which includes a hand-selected Mutuel clerk trained in customer service

**Group Sales Contest Area** – All group attendees can enter contests for prizes which creates a festive atmosphere where people can mingle and share their handicapping prowess

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

1.. Horsemen

Install 500 ft Turf-course Hedge (pending approval) -Barn area Tapeta bridle path restoration -Refurbish Turf course distance pole markers -Stable area waste water

**2013 Fall Promotions Calendar**

**October**

- Oct 18: Senior Friday  
Thoroughbreds Members 62 and older receive free Club House admission
- Oct 19: Inaugural Let's Go 510 – The East Bay's 10k Run  
A 10k Run that Finishes on the Track / After Party During the Races
- Oct 20: Fiesta Hispana on Dollar Day (Hispanic Heritage Dollar Day)  
Live music, Hispanic Themed Entertainment, NFL Sunday Ticket  
\$1 Gen. Admission, \$1 Gen. Parking, \$1 Programs, \$1 Hot Dogs, \$1 Sodas, \$1 Beers
- Oct 25: Senior Friday  
Thoroughbreds Members 62 and older receive free Club House admission
- Oct 27: Ghostly Gate Fields Dollar Day: Halloween Family Day  
Free Activities for Kids, Pumpkin Patch, NFL Sunday Ticket  
\$1 Gen. Admission, \$1 Gen. Parking, \$1 Programs, \$1 Hot Dogs, \$1 Sodas, \$1 Beers

**November**

- Nov 1: Senior Friday  
Breeders' Cup Day 1  
Free Bet Day / Breeders' Cup Pay Day – Cash Voucher Giveaway
- Nov 2: Breeders' Cup Day 2  
Free Bet Day / Breeders' Cup Pay Day – Cash Voucher Giveaway
- Nov 3: Dollar NFL Sunday: NFL Sunday Ticket  
\$1 Gen. Admission, \$1 Gen. Parking, \$1 Programs, \$1 Hot Dogs, \$1 Sodas, \$1 Beers
- Nov 8 Senior Friday  
Thoroughbreds Members 62 and older receive free Club House admission
- Nov 10 Veterans' Day Salute: Dollar Day  
Winner's Circle Ceremony / National Anthem  
Turf Club Group Sales Giveaway  
Dollar NFL Sunday: NFL Sunday Ticket  
\$1 Gen. Admission, \$1 Gen. Parking, \$1 Programs, \$1 Hot Dogs, \$1 Sodas, \$1 Beers
- Nov 15: Senior Friday  
Thoroughbreds Members 62 and older receive free Club House admission
- Nov 17: Toy Drive to Support Toys-4-Tots  
Dollar NFL Sunday: NFL Sunday Ticket  
\$1 Gen. Admission, \$1 Gen. Parking, \$1 Programs, \$1 Hot Dogs, \$1 Sodas, \$1 Beers

- Nov 22: Senior Friday  
Thoroughbreds Members 62 and older receive free Club House admission
- Nov 24: Canned Food Drive  
Dollar NFL Sunday: NFL Sunday Ticket  
\$1 Gen. Admission, \$1 Gen. Parking, \$1 Programs, \$1 Hot Dogs, \$1 Sodas, \$1 Beers
- Nov 28: Thanksgiving at the Races  
Thanksgiving Buffet Special in Turf Club
- Nov 29: Black Friday TV Giveaway  
Senior Friday: Thoroughbreds Members 62 and older receive free Club House admission
- Dec 1: Dollar NFL Sunday: NFL Sunday Ticket  
\$1 Gen. Admission, \$1 Gen. Parking, \$1 Programs, \$1 Hot Dogs, \$1 Sodas, \$1 Beers
- Dec 6: Senior Friday  
Thoroughbreds Members 62 and older receive free Club House admission
- Dec 8: Dollar NFL Sunday: NFL Sunday Ticket  
\$1 Gen. Admission, \$1 Gen. Parking, \$1 Programs, \$1 Hot Dogs, \$1 Sodas, \$1 Beers
- Dec 13: Senior Friday  
Thoroughbreds Members 62 and older receive free Club House admission
- Dec 15: Dollar NFL Sunday: NFL Sunday Ticket  
\$1 Gen. Admission, \$1 Gen. Parking, \$1 Programs, \$1 Hot Dogs, \$1 Sodas, \$1 Beers

**2012 Fall Meet Promotions Calendar**

**October:**

- Oct. 20: DOGTOBERFEST  
Dog Day at the Track, Beer Garden
- Oct. 21: Dollar NFL Sunday
- Oct. 27: Ghostly Gate Fields
- Oct. 28: Dollar NFL Sunday

**November:**

- Nov. 3: Breeders' Cup  
MMV \$5
- Nov. 4: Breeders' Cup  
MMV \$5
- Nov 11: Veterans' Day Salute / Dollar NFL Sunday

Nov 17: Toys-4-Tots  
Nov. 18: Dollar NFL Sunday  
Nov. 22: Thanksgiving at the Track  
Nov. 24: Food Drive  
Nov. 25: Dollar NFL Sunday  
Turf DOU  
**December:**  
Dec. 2: Dollar NFL Sunday  
Dec. 9: Dollar NFL Sunday  
Dec. 16: Dollar NFL Sunday  
Dec. 18 Dollar NFL Sunday

**Budget: Fall 2013**

Advertising: \$133,967

Hispanic Day: \$7,000

Halloween Family Day: \$3,000

Toys-For-Tots: \$0.00

Breeders' Cup MMV: \$5,000

Black Friday TV Giveaway: \$5,000

Food Drive: \$0.00

Veterans' Day Salute Giveaway: \$3,500

**Total Marketing Budget: \$157,467**

**Budget: Fall 2012**

Advertising: \$88,000

Hispanic Day: \$7,000

Dogtoberfest: \$2,500

Toys-For-Tots: \$0.00

Breeders' Cup MMV: \$5,000

Food Drive: \$0.00

Turf Club Day On Us (Email): \$0.00

Veterans' Day Salute: \$2,500

**Total Marketing Budget: \$105,000**

discharge line replacement -New finish line signs on the Turf Course -clean out excess silt material buildup on infield water treatment pond 2 -rebuild 7/8 TV production camera tower and install safety cage on steps -rebuild ramp to on gap entrance of main track

2. Fans

Complete floor renovation of men's and women's turf club terrace restrooms -installed 35 in 42' flat panel LG television sets in Turf Club and Bayview Lounge -Added new electrical circuit for bus station in Bayview Lounge -Install new sound system in the General Admission (Paddock Pub)

3. Facilities in the restricted areas Equine Hospital

18. SCHEDULE OF CHARGES

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

Admission (general)	\$6.00 – Bundled price includes free program
Admission (club house)	\$8.00 – Bundled price includes free program
Admission (turf club)	\$10.00 Weekdays – Bundled price includes free program
Admission (turf club)	\$15.00 Weekends/Holidays – Bundled price includes free program
Reserved seating (general)	N/A
Reserved seating (clubhouse)	\$3.00 (Free with Thoroughbreds card)
Parking (general)	\$4.00
Parking (preferred)	\$8.00
Parking (valet)	\$8.00
Programs (on-track)	\$2.50
(off-track)	\$2.50

Thoroughbred Club Members

Bundled Pricing includes free program

<b>General Admission:</b>		<b>Club House Admission:</b>	
1-10 Visits	\$5.00	1-10 Visits	\$6.00
11-20 Visits	\$4.00	11-20 Visits	\$5.00
21-30 Visits	\$3.00	21-30 Visits	\$4.00
31-40 Visits	\$2.00	31-40 Visits	\$3.00
Over 40 Visits	\$1.00	Over 40 Visits	\$2.00
		Reserved seating	Free

Thoroughbred Club Prepaid Admission/Program Packages

TB Club Members can purchase a minimum of 30 Prepaid G/A admissions @ \$2.00 each

TB Club Members can purchase a minimum of 15 Prepaid C/H admissions @ 4.00 each

Horsemen Free

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

Turf Club – Full Season Single Membership	\$ 1,000.00
Turf Club – Full Season Dual Membership	\$ 2,000.00
Top of the Stretch – Full Season Membership	\$ 500.00
Club House Box (4 seats, no admission)	\$ 450.00
Club House Season Pass (Admission only)	\$ 400.00
Grandstand Season Pass (Admission only)	\$ 200.00

- C. Describe any "package" plans such as combined parking, admission and program:  
**Bundled pricing, except on \$1 Sundays, includes admission and program (see above)**

**19. JOCKEYS/DRIVERS' QUARTERS**

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

<input checked="" type="checkbox"/> Corners (lockers and cubicles)	How many	<input type="text" value="23"/>
<input checked="" type="checkbox"/> Showers	<input checked="" type="checkbox"/> Steam room, sauna or steam cabinets	<input checked="" type="checkbox"/> Lounge area
<input checked="" type="checkbox"/> Masseur	<input checked="" type="checkbox"/> Food/beverage service	<input checked="" type="checkbox"/> Certified platform scale

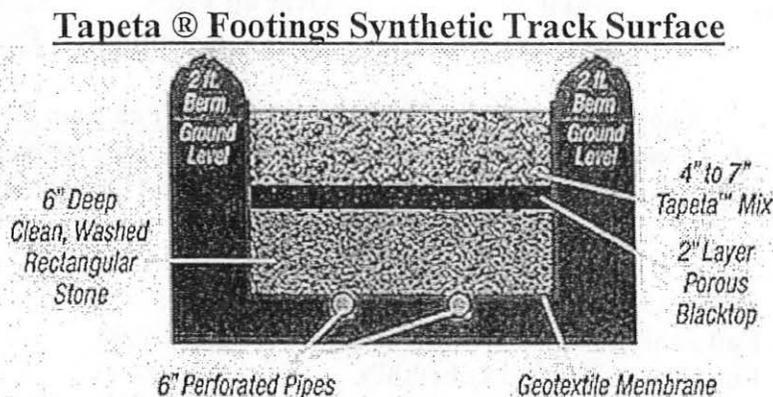
- B. Describe the quarters to be used for female jockeys/drivers: **Fifteen by twenty foot room accessed from a community hallway. The room has a television and bed with attached shower room, sink, and toilet.**

**20. BACKSTRETCH EMPLOYEE HOUSING**

- A. Inspection of backstretch housing has been requested and will be completed prior to the beginning of the race meet.
- B. Number of rooms used for housing on the backstretch of the racetrack: **128**
- C. Number of restrooms available on the backstretch of the racetrack: **18 with showers, 7 in office areas**
- D. Estimated ratio of restroom facilities to the number of backstretch personnel:  
**1 restroom for every 12 people**

**21. TRACK SAFETY**

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line:  feet.
- B. Describe the type of track surface at the facility, including the specific track surface composition:



- C. The percent of cross slope in the straight-aways is: **1.5%**  
 The percent of cross slope in the center of the turns is: **4%**

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

**Inner and outer railings are metal gooseneck. Coverings are Rider Protection Rail by Horsemen's Track & Equipment, Inc. Approximate height of the top of the inner railing is 42 inches.**

- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474:

**Juan Meza**

- F. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On File**

- G. If the association is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing.

**Not applicable**

## 22. DECLARATIONS

- A. All labor and lease agreements and concession and service contracts necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state):

**No exceptions**

- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.

**CTT agreements will be forwarded**

- C. Attach a lease agreement permitting the association to occupy the racing facility during the entire term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made).

- D. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state): **No exceptions**

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

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

23. CERTIFICATION BY APPLICANT

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

CALVIN J RAINY

Print Name



Signature

VICE PRESIDENT & ASSISTANT GENERAL

Print Title

MANAGER

7/15/13

Date

STAFF ANALYSIS  
August 22, 2013

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE WATCH AND WAGER, LLC AT CAL EXPO OCTOBER 5, 2013 THROUGH DECEMBER 21, 2013.

The Watch and Wager.com, LLC (WAW) is applying to run a harness race meeting at Cal Expo. WAW is owned by European Wagering Services Limited (EWS), an Isle of Man, United Kingdom company. EWS is a wholly owned subsidiary of Webis Holdings PLC. EWS holds licenses with the Isle of Man Gambling Supervision Commission and the North Dakota Racing Commission for operating the advance deposit wagering platforms link2bet and Watch and Wager. Golden Bear Racing, LLC (GBR) is under a management agreement with WAW. GBR will manage the day to day operations of the race meeting.

- Watch and Wager filed its application to conduct a harness horse racing meeting at Cal Expo. Watch and Wager proposes to conduct a harness race meeting October 5, 2013 through December 21, 2013, or 20 days, 4 days more than Watch and Wager raced in 2012. In 2012 Watch and Wager raced November 2, 2012 through December 22, 2012. The association proposes to race a total of approximately 300 races. The (actual) average daily purse for the Watch and Wager 2012 meet during the same time period was \$58,730. The (estimated) average daily purse for this meet is \$47,565.
- The race dates proposed are the dates allocated:

October - 2013						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November - 2013						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December - 2013						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- Racing 1 night per week in October, Saturday; 2 nights per week in November and December, Friday and Saturday.
- First post 5:45 p.m. daily.
  - The association requests authorization to alter post times as needed to compliment Los Alamitos and Hollywood Park Friday evening programs if applicable.
- Business and Professions Code section 19464(b) specifies no application for license to conduct a horse racing meeting shall be granted unless the applicant has deposited with the Board a surety bond in the amount of \$100,000, or a greater amount, as determined by the Board, which is sufficient to ensure payment of employees wages and benefits including, but not limited to, health, welfare and pension plans. The surety bond shall be maintained during the period of the meeting that all payments are made. In the event of a dispute over the amount owed, the dispute shall be resolved through the grievance

procedures set forth in the labor agreement of the union representing the class of employees affected.

This subdivision does not apply to any person or association licensed to operate a horse race meeting prior to January 1, 2001, which has conducted a race meeting in each of the immediate three previous consecutive calendar years. Watch and Wagers initial race meeting was conducted after 2001. Therefore, it is subject to the provisions of the Business and Professions Code section 19464(b). WAW has a bond on file with the Board.

- WAW is requesting a takeout reduction for three wagers on its nightly harness racing program. The proposed reduction is being sought for the \$ 1 Pick 4; ¢.50 Pick 5 and the ¢.10 Super Hi-5. The Pick 4; Pick 5 and Pentafecta wagers are exotic wagers. The harness takeout for exotic wagers is 24.18% and WAW is seeking a 16% takeout for the three wagers listed. WAW has cited Business and Professions Code section 19610.8 on which they base their reduction request.

Business and Profession Code section 19610.8 states upon the joint request of the association or fair accepting the wager, and the organization representing the horsemen and horsewomen participating in the meeting of the association or fair accepting the wager, the Board may set the total percentage deducted from the parimutuel pool for proposition wagers and any new type of wager introduced after January 1, 2004, in an amount of at least 10 percent and not more than 30 percent of the amount handled in the pari-mutuel pool for the wager. WAW is seeking a 16% takeout for the \$ 1 Pick 4; ¢.50 Pick 5 and the ¢.10 Super Hi-5. The CHHA has approved this joint request.

- Wagering program will use CHRB and ARCI rules.
  - Early wagering will begin at 10:00 a.m. each day.
  - \$0.50 PNP5 starting on the third race. 16% takeout, One tier payoff 100% carryover.
  - \$0.20 PNP4 beginning on race 11 on 15 race card, race 10 on 14 race card. 16% takeout.
  - \$.10 Pentafecta selecting the first five finishers in the same race. 100% payout to all tickets selecting five winners. No consolation. 100% carryover if no ticket has five winners. 16% takeout. Super High-5 will be carded as the last race. ARCI-004-105-X-Option3.
- Advance Deposit Wagering (ADW) providers are Xpressbet, TwinSpires and TVG.

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

Summary of B&P code 19604

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

- The ADW provider must be licensed by the Board.
- A written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made.

- The agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made.

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

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

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

- ODS Technologies, L.P. d/b/a TVG Network has submitted all documents required in compliance with Business and Professions code section 19604.
- XpressBet, LLC has submitted all documents required in compliance with Business and Professions code section 19604.
- Churchill Downs Technology Initiatives Company, dba Twinpires, has submitted all documents required in compliance with Business and Professions code section 19604.
- Simulcasting conducted with out-of-state racing jurisdictions pursuant to Business and Professions Code section 19602; and with authorized locations throughout California.
- Request Carl Sobey is appointed as horse identifier pursuant to CHRB Rule 1525, Racing Officials Appointed by the Board.
- Track safety inspection has been requested and will be completed before the race meeting begins.

WAW has provided an update on the Cal Expo backstretch housing issue. As of July 31, 2012, the fire marshal would no longer allow grooms/caretakers overnight in the Cal Expo tack rooms. On November 1, 2012, WAW and Cal Expo were able to obtain a conditional use contingent upon submission of a permanent backstretch housing proposal prior to February 1, 2013. The proposal was submitted, but subsequently rejected in April 2013. The conditional use has expired as of May 25, 2013. There is no backstretch housing available for the proposed race meet of October 5, 2013 through December 21, 2013.

- A WAW representative has reported that the Cal Expo track site will have one paramedic and one emergency medical technician (EMT) in the on-track ambulance.

Specific information **still needed** to complete this application includes:

1. Watch and Wager Financial information
2. Fire clearance
3. CHRB licenses for the Announcer/Simulcast Host, and Program Director.

Specific information which will need **updating** during the proposed race dates:

1. License for the Horse Identifier and Paddock Judge

**RECOMMENDATION:**

If the application is considered for approval, staff recommends a contingent approval pending the submission of outstanding items.

STATE OF CALIFORNIA  
CALIFORNIA HORSE RACING BOARD  
APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING  
CHRB-17 (Rev 07/11)

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

1. APPLICANT ASSOCIATION

A. Name, mailing address, telephone, fax numbers, and the email address for associations contact person: **Watch and Wager.com LLC, 20 California St 7<sup>th</sup> Floor, San Francisco, Ca, 94111 415- 503-4041, Ed Comins, ecomins@ watchandwager.com**

B. Breed of horse: TB  QH  H

C. Racetrack name: **California Exposition & State Fair (Cal Expo)**

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

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

Yes  No

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

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

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

2. DATES OF RACE MEETING

A. Inclusive dates allocated for the entire meeting: **October 5, 2013 thru December 21, 2013**

B. Actual dates racing will be held: **October: 5,12,19,26 November: 1,2, 8,9, 15,16, 22,23, 29,30, December: 6,7, 13,14, 20,21.**

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

D. Days or nights of the week races will be held:

Wed - Sun  Tues - Sat  Other : **Saturday in October, Friday/Saturday in November/ December.**

CHRB CERTIFICATION

Application received: *7/16/13*  
Deposit received:  
Reviewed: *GW*

Hearing date: *8/29/13*  
Approved date:  
License number:

- E. Number of days or nights of racing per week: **1 night per week in October, 2 nights per week in November and December.**

### 3. RACING PROGRAM

- A. Total number of races: **Up to 300**
- B. Number of races for each day or night: **Up to 15 races nightly.**
- C. Total number of stakes races: **13.**
- D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses.  
**Attached**
- E. Will provisions be made for owners and trainers to use their own registered colors?  
 Yes  No If no, what racing colors are to be used: **Drivers and Trainers will use their own registered colors.**
- F. List all post times for the daily racing program: **First Post 5:45pm. Post times to be coordinated with Los Alamitos, and Hollywood Park Friday evening programs if applicable. Post Time schedule attached.**

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

### 4. RACING ASSOCIATION

- A. Association is a:  Corporation (complete subsection C)  
 LLC (complete subsection D)  
 Other (specify, and complete subsection E)
- B. Complete the applicable subsection and attached Addendum, Background Information and Ownership.
- C. CORPORATION
1. Registered name of the corporation:
  2. State where incorporated:
  3. Registry or file number for the corporation:
  4. Names of all officers and directors, titles, and the number of shares of the corporation held by each:
  5. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each:
  6. Number of outstanding shares in the corporation:
  7. Are the shares listed for public trading?  Yes  No



Operating Harness Racing at Cal Expo  
Managed By Golden Bear Racing, LLC

## Watch and Wager @ Cal Expo

### Fall 2013 Stakes Schedule

<b>October 26: The Annette Funicello Series</b>	<b>\$9,200 A</b>
<b>October 26: The Bill Conlin Series</b>	<b>\$9,200 A</b>
<b>October 26: The Jim Dennis Series</b>	<b>\$9,400 A</b>
<b>October 26: The Mike Corley Series</b>	<b>\$9,400 A</b>
<b>November 15: The Robert Staats Series</b>	<b>\$13,000 A</b>
<b>November 16: California Sire Stakes</b>	<b>\$10,000</b>
<b>November 22: The Joe Lighthill Series</b>	<b>\$13,000 A</b>
<b>November 22: California Sire Stakes</b>	<b>\$10,000</b>
<b>November 29: California Sire Stakes</b>	<b>\$10,000</b>
<b>November 30: California Sire Stakes</b>	<b>\$10,000</b>
<b>December 6: California Sire Stakes</b>	<b>\$10,000</b>
<b>December 13: California Sire Stakes</b>	<b>\$10,000</b>
<b>December 21: The Robert Gordon Series</b>	<b>\$13,000 A</b>

The logo for 'watch wager' features the word 'watch' in a bold, lowercase sans-serif font, followed by a small diamond-shaped icon containing a stylized 'W', and then the word 'wager' in the same font style.

Operating Harness Racing at Cal Expo  
Managed By Golden Bear Racing, LLC

## Watch & Wager LLC @ Cal Expo Harness

### Fall 2013 Post Time Schedule

#### Friday & Saturday

Race 1: 5:45

Race 2: 6:10

Race 3: 6:37

Race 4: 7:06

Race 5: 7:31

Race 6: 7:55

Race 7: 8:18

Race 8: 8:41

Race 9: 9:04

Race 10: 9:28

Race 11: 9:50

Race 12: 10:13

Race 13: 10:34

Race 14: 10:53

Race 15: 11:12 ( if applicable)

Notes: Cal Expo will coordinate its post times with Los Alamitos.  
Cal Expo will schedule around Hollywood Park and Los Alamitos  
on Friday night overlap.

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

8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation:
9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
  - A. Is parent and/or paired corporation or entity a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F. If yes, answer questions 10-17. Yes  No
10. Registered name of the corporation:
11. State where incorporated:
12. Registry or file number for the corporation:
13. Names of all officers and directors, titles, and the number of shares of the corporation held by each:
14. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each:
15. Number of outstanding shares in the corporation:
16. Are the shares listed for public trading? Yes  No 

If yes, on what exchange and how is the stock listed:
17. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation:

#### D. LLC

1. Registered name of the LLC: **Watch and Wager .com LLC**
2. State where articles of organization are filed: **Nevada**
3. Registry or file number for the LLC: **2012-132-101-72**
4. Attach a list of the names of all members (including individuals (true names), corporations, other LLCs and or foreign entities), titles, and the number of shares of the LLC held by each: **Ed Comins, Managing Member, Chief Operating Officer 0 Shares**
5. Are the shares listed for public trading? Yes  No 

If yes, on what exchange and how the stock is listed:
6. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
 

**European Wagering Services 100 % Shareholder**

  - A. Is parent and/or paired entity either a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F. If yes, answer questions 7-12. Yes  No
7. Registered name of the LLC/Corporation: **European Wagering Services Ltd.**
8. State where articles of organization are filed: **Isle of Man, United Kingdom**
9. Registry or file number for the LLC: **IOM Registration # 0984CC2**
10. Attach a list of the names (true names) of all members (members may include individuals, corporations other LLCs and foreign entities), titles, and the number of shares of the LLC held by each: **D H N Eke, Executive Chairman, 0 Shares – Ed Comins, COO, 0 Shares. European Wagering Services LTD is a wholly owned subsidiary of Webis Holdings PLC, a company listed on AIM ( London ) United Kingdom.**

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

12. If yes, on what exchange and how the stock is listed: **London Stock Exchange**

E. OTHER

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

F. FINANCIAL INFORMATION \*

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

Watch and Wager.com financials attached,

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

G. MANAGEMENT AND STAFF

1. Name and title of the managing officer and/or general manager of the association and the name and title of all department managers and staff, other than those listed in 13B, who will be listed in the official program: **Ed Comins- Managing Member & Chief Operating Officer, Watch & Wager,com LLC.**  
**Watch & Wager.com LLC has entered into a management agreement with Golden Bear Racing LLC.**  
**Golden Bear Racing LLC is registered in California. There are two members of Golden Bear LLC, Benjamin Kenney and Christopher Schick. Golden Bear will operate on behalf of Watch & Wager .com LLC the day to day operations of the proposed harness meeting. Management agreement on file with the board.**

Christopher Schick, General Manager  
 Benjamin Kenney, Chief Financial Officer

**Backstretch Operations**

**Kate Pharris,**

**Director**

**Glen Harris,  
J. R. Williams,  
Gary Seibel,  
Marty Bridges,  
Mark Ratzky,**

**Mutuel Manager  
Track Superintendent  
Announcer/ Simulcast Host  
Program Director  
Publicity**

2. Name and title of the person(s) authorized to receive notices on behalf of the association and the mailing and email address of such person(s). **Ben Kenney/ Christopher Schick 2335 American River Dr, Suite 301, Sacramento, Ca 95825. ben@goldenbearracing.com chris@goldenbearracing.com**

**5. TAKE OUT PERCENTAGE**

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

Yes  No

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

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

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

**6. HANDLE HISTORY**

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

Year	Handle	Attendance
2013 (YTD) 49 Days	39,896,008	134,245
2012 ( YTD ) 49 Days	31,548,231	131,750
2011 ( 117 Days )	69,237,361	304,981
2010 ( 134 Days )	77,767,118	389,129
2009 ( 138 Days )	88,225,844	474,422
2008 ( 142 Days )	97, 847,893	494,338

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

A. Purse distribution: Proposed Current Meet – October 5, 2013 thru December 21, 2013, 20 Racing Nights.

Prior meet comparison November 2, 2012 thru Dec 23, 2012. 16 Racing Nights.

1. All races other than stakes:  
Current meet estimate: \$ 749,000  
Prior meet actual: \$ 658,500

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

Current meet estimate: \$ 37,450  
Prior meet actual: \$ 41,150

2. Overnight stakes  
Current meet estimate: \$71,000  
Prior meet actual: \$84,400

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

Current meet estimate: \$3,550  
Prior meet actual: \$5,275

3. Non-overnight stakes:  
Current meet estimate: \$ 60,000  
Prior meet actual: \$140,000

Average Daily Purse (7 A3 ÷ number of days):

Current meet estimate: \$ 3,000  
Prior meet actual: \$ 8,750

4. Total Purses: (7A1+7A2+ 7A3)  
Current meet estimate: \$ 880,000  
Prior meet actual: \$ 882,900

B. California-bred Stakes Races:

1. Percentage of the purse distribution for all stakes races that will be distributed for California-bred stakes races: California Sires Stakes 3Yo Pacers and Trotters.

Current meet estimate: \$ 60,000  
Prior meet actual: \$ 80,000

Average Daily Purse (7 B1 ÷ number of days):

Current meet estimate: \$ 3,000  
Prior meet actual: \$ 5,000

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

Current meet estimate: \$ 26,635  
Prior meet actual: \$ 21,308

D. Recognized Horsemen's Organization: California Harness Horseman's Association

Current meet estimate:

Prior meet actual:

Total \$ 44,600

Total \$ 35,480

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

Current meet estimate: \$ 951,295

Prior meet actual: \$ 939,687

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

Current meet estimate: \$ 47,565

Prior meet actual: \$ 58,730

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

Current meet estimate: \$ 615,760

Prior meet actual: \$ 489,098

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

Current meet estimate: \$ 30,788

Prior meet actual: \$ 30,569

G. Purse funds to be generated from interstate handle:

Current meet estimate: \$ 100,240

Prior meet actual: \$ 73,886

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

Current meet estimate: \$ 5,012

Prior meet actual: \$ 4,618

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

**Union Bank Account # On File**

I. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meeting: **Disher Accountancy Corp. 1816 Maryal Dr. Sacramento, Ca. 95864 916-482-4224**

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

**8 STABLE ACCOMMODATIONS**

- A. Number of usable stalls available for racehorses at the track where the meeting is held: **1020**
- B. Minimum number of stalls believed necessary for the meeting: **675**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **NA**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site: **NA**
- E. Attach each contract or agreement between the association and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site. **NA**

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

- F. Total number of usable stalls made available on-site for the **1986** meeting, pursuant to Business and Professions Code section 19535(c):
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per day per stall:
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse:

**9 PARI-MUTUEL WAGERING PROGRAM**

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

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

**Proposed Wagering Format**

**The following CHRB and ARCI wagering rules are requested.**

<b>Type</b>	<b>Rule Number</b>
Exacta (1E)	1959
Daily Double (1DD)	1957
Trifecta (0.20 Tri)	1979
Superfecta (.10SF)	1979.1
Pick-3 (0.20 PK3)	1977

Pick-4 (0.20 PK4) 1976.9  
 Pick-5 (.50 PK5) 1976.9  
 Pentafecta (.10 Super H5) ARCI 004-105-X- Option 3

- Race 1: 1E, 1DD, 0.20 Tri
- Race 2: 1E, 0.20 Tri, .10 SF
- Race 3: 1E, 0.20 Tri, .50 PK5
- Race 4: 1E, 0.20 Tri, .10SF, 0.20 PK3
- Race 5: 1E, 0.20 Tri, .10SF
- Race 6: 1E, 0.20 Tri, .10SF
- Race 7: 1E, 0.20 Tri, .10SF, 0.20 PK3
- Race 8: 1E, 0.20 Tri, .10SF
- Race 9: 1E, 0.20 Tri, .10SF
- Race 10: 1E, 0.20 Tri, .10SF, 0.20 PK3
- Race 11: 1E, 0.20 Tri, 1PK4
- Race 12: 1E, 0.20 Tri, .10SF
- Race 13: 1E, 0.20 Tri, .10SF, 0.20 PK3
- Race 14: 1E, 0.20 Tri, .10SF, 1DD
- Race 15: 1E, 0.20 Tri, .10 Super H5

- \* \$0.50 PK5 starting on the third race. 16% takeout, One tier payoff 100% carryover.
- \* \$0.20 PK4 beginning on race 11 on 15 race card, race 10 on 14 race card. 16% takeout.

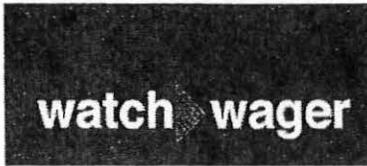
**\$.10 Pentafecta selecting the first five finishers in the same race. 100% payout to all tickets selecting five winners. No consolation. 100% carryover if no ticket has five winners. 16% takeout. Super High-5 will be carded as the last race. ARCI-004-105-X- Option3.**

- B. Maximum carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool: **December 22, 2013**
- B. List any options requested with regard to exotic wagering:  
**Request for 16 % Takeout on .50 Pick-5**  
**Request for 16% Takeout on \$1 Pick-4**  
**Request for 16% Takeout on .10 Super Hi-5**  
**Request for Friday \$15,000 Guaranteed Pick-4 Pool**  
**Request for Saturday \$25,000 Guaranteed Pick-4 Pool**

**Attached is a letter requesting the reduced takeout promotional wagers.**

- C. Will "advance" or "early bird" wagering be offered? Yes  No   
 If yes, when will such wagering begin? 10 am Specify days and time for "early bird" wagering:  
**All live race days.**
- E. Type(s) of pari-mutuel or totalizator equipment to be used by the association and the simulcast organization, name of the person(s) supplying equipment, and expiration date of the service contract: **Sportech ( Formerly Scientific Games ) Statewide contract, Contract expires Sept 2015.**

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



Operating Harness Racing at Cal Expo  
Managed By Golden Bear Racing, LLC

## Promotional Wager Takeout Reduction Request

Watch and Wager.com LLC, and the California Horseman's Association jointly request a reduction in takeout for three nightly wagers on the program. The wagers requested for reduction are the \$0.50 Pick-5, the \$0.20 Pick-4 wager, and the nightly \$0.10 pentafecta ( super hi-five ) on the final race. The normal takeout rate for those wagers would be 24.18%, we are requesting a reduced 16% takeout on these three nightly wagers.

Business and Professions code 19610.8 states that upon joint request of the association or fair accepting the wager, and the organization representing the horseman and horsewomen participating in the meeting of the association accepting the wager, the board may set the total percentage deducted from the pari-mutuel pool for any new wager introduced after Jan 1,2004 in a amount of at least 10% but not more than 30%of the total amount handled in the pari-mutuel pool for the wager.

The California Harness Horseman's Association has approved this joint request of reduction of takeout on the above stated wagers.

Last season these nightly promotional wagers at 16% proved very popular. We ask the board to approve the continuation of reduced takeout for the above nightly promotional wagers.

**California Harness Horsemen's Association**  
**P.O. Box 254767**  
**Sacramento, CA 95865**  
**(916) 263-7888; fax (916) 263-7887**

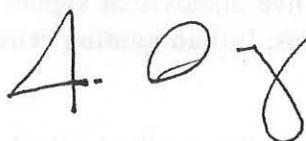
July 17, 2013

Mr. Kirk Breed  
Executive Director  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

Dear Mr. Breed:

The California Harness Horsemen's Association consent is herein given for the various wagering formats, including the use of wagers with reduced take-outs that are presented in the license applications that has been submitted to the California Horse Racing Board by Watch & Wager, LLC in order to conduct harness racing at Cal Expo beginning October 5, 2013 and concluding in May of 2014.

Sincerely,  
CALIFORNIA HARNESS HORSEMEN'S ASSOCIATION



Jimmy Perez,  
Executive Director

- A. Identify the ADW provider(s) to be used by the association for this race meeting:  
**TVG**  
**Xpressbet**  
**Twinspires**
- B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting. **On File**
- C. Have the contract/agreements been approved by the respective horsemen's groups?

Yes  No

If yes, attach a copy of the approval. **On File**

If no, explain the status of the approval.

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

## 11. SIMULCAST WAGERING PROGRAM

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

**NOTICE TO APPLICANT:** Business and Professions Code section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 50 imported

Watch & Wager LLC @Cal Expo 2013 Harness Meet

**OUT OF STATE SIMULCAST WAGERING LOCATIONS THAT WILL COMBINE THEIR  
POOLS WITH CAL EXPO.**

American Tab, Oregon	New Jersey Casinos, Atlantic City, Nj
Atlantic City, New Jersey	Northfield Park, Ohio
Balmoral Park, Illinois	Northlands Park, BC, CAN
Capitol District OTB, New York	Northville Downs, Michigan
Catskill Region OTB, New York	Ocean Downs, Maryland
Connecticut OTB, Connecticut	Penn National Gaming, Pennsylvania
Dark Horse Racing/ Avatar	Philadelphia Park, Pennsylvania
Diaryland Greyhound, Wisconsin	Plainridge Racecourse, Massachusetts
Downs at Albuquerque, New Mexico	Pompano Park, Florida
Elite Turf Club	Racing Channel, Oregon
ExpressBet, California	Raceway Park, Ohio
Euro Off Track, NA	Racing & Gaming Services, St. Kitts
European Wagering Services, LTD. Oregon	Sam Houston Park, Texas
Fire Lake Casino, Oklahoma	Saratoga Harness, New York
Foxwoods Casino, Connecticut	Scioto Downs, Ohio
Fraser Downs, BC, CAN	Southland Greyhound, Arkansas
Freehold Raceway, New Jersey	Sports Creek Raceway, Michigan
Harrington Raceway, Delaware	Suffolk Downs, MA
Hastings Park, BC, CAN	Suffolk Regional OTB, New York
Hawthorne Racecourse, Illinois	Sunland Park, New Mexico
Hazel Park, Mich	Television Games Network (TVG)
Hippodrome de Montreal, QUE, CAN	Thistledown, Ohio
Hoosier Park, Indiana	The Downs at Albuquerque, New Mexico
Illinois OTB, Illinois	The Red Mile, Kentucky
Indianapolis Downs, Indiana	Tri-State Greyhound, WV
International Racing Group, Curacao	TwinSpires.com
Ladbrokes at Meadows, Pennsylvania	Watch and Wager.com LLC
Las Vegas Dissemination, Nevada	Western Fair, ONT, CAN
Les Bois Park, Idaho	Western Region OTB, New York
Lone Star Park, Texas	Windsor Raceway, ONT, CAN
Maywood Park, Illinois	Woodbine Entertainment. Group, ONT, CAN
Meadowlands Race Track, New Jersey	XPressBet. com
Mesquaki Casino, Iowa	Yonkers Raceway, New York
Mohawk Racetrack, ONT, CAN	
Nassau Region OTB, New York	

## Watch & Wager LLC @ Cal Expo Harness

### OUT OF STATE SIMULCAST WAGERING LOCATIONS

American Tab, Oregon	New Jersey Casinos, New Jersey
Atlantic City, New Jersey	New York City OTB, New York
Balmoral Park, Illinois	Northfield Park, Ohio
Capitol District OTB, New York	Northlands Park, BC, CAN
Catskill Region OTB, New York	Northville Downs, Michigan
Connecticut OTB, Connecticut	Ocean Downs, Maryland
Dark Horse Racing/ Avatar	Penn National Gaming, Pennsylvania
Diaryland Greyhound, Wisconsin	Philadelphia Park, Pennsylvania
Downs at Albuquerque, New Mexico	Plainridge Racecourse, Massachusetts
ExpressBet, California	Pompano Park, Florida
Euro Off Track, NA	Racing Channel, Oregon
Elite Turf Club,	Raceway Park, Ohio
Fire Lake Casino, Oklahoma	Racing & Gaming Services, St. Kitts
Foxwoods Casino, Connecticut	Rosecroft Raceway, Maryland
Fraser Downs, BC, CAN	Sam Houston Park, Texas
Freehold Raceway, New Jersey	Saratoga Harness, New York
Harrington Raceway, Delaware	Scioto Downs, Ohio
Hastings Park, BC, CAN	Southland Greyhound, Arkansas
Hawthorne Racecourse, Illinois	Sports Creek Raceway, Michigan
Hazel Park, Mi	Suffolk Downs, MA
Hippodrome de Montreal, QUE, CAN	Suffolk Regional OTB, New York
Hoosier Park, Indiana	Sunland Park, New Mexico
Illinois OTB, Illinois	Television Games Network (TVG)
Indianapolis Downs, Indiana	Thistledown, Ohio
International Racing Group, Curacao	The Downs at Albuquerque, New Mexico
Ladbrokes at Meadows, Pennsylvania	The Red Mile, Kentucky
Las Vegas Dissemination, Nevada	Tri-State Greyhound, WV
Les Bois Park, Idaho	TwinSpires.com
Lone Star Park, Texas	Watch and Wager.com LLC, ND
Maywood Park, Illinois	Western Fair, ONT, CAN
Meadowlands Race Track, New Jersey	Western Region OTB, New York
Mesquaki Casino, Iowa	Windsor Raceway, ONT, CAN
Mohawk Racetrack, ONT, CAN	Woodbine Entertainment. Group, ONT, CAN
Nassau Region OTB, New York	Yonkers Raceway, New York
Nevada Pari-mutuel Association, Nevada	XPressBet.com

thoroughbred races statewide. The limitation of 50 imported thoroughbred races per day statewide does not apply to those races specified in Business and Professions Code section 19596.2(a)(1), (2), (3) and (4).

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

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

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

QUARTER HORSE SIMULCAST RACES TO BE IMPORTED

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

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

HARNESS SIMULCAST RACES TO BE IMPORTED

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

Table with 3 columns: Name of Host Track, Race Dates, Full Card or Selected Feature and/or Stakes Races. Rows include Balmoral Park, Maywood Park, Northfield Park, Yonkers Raceway, Woodbine Harness, and Pocono Downs.

Under current statute association will import eight out of state races nightly during evenings of overlap. On non-overlapped racing nights, the association will import 16 out of state races.

Association request approval to import the entire Breeders Crown program from Pocono Downs Saturday October 19th. This request is consistent with 19596 #1 which allows harness associations racing live that evening to import the entire Breeders Crown program.

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

OTHER BREED SIMULCAST RACES TO BE IMPORTED

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

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

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

Every association shall pay over to the simulcast organization within 3 calendar days following the closing of wagering for any

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

## 12. CHARITY RACING DAYS

- A. Name and address of the distributing agent (charity foundation) for the net proceeds from charity racing days held by the association: **Sacramento Horseman's Association 3200 Longview Dr. Sacramento, Ca. 95821**
- B. Names and addresses of the trustees or directors of the distributing agent: **Paris Frazier, 3200 Longview Dr. Sacramento, Ca 95821 501 C4 - 68-0031464**
- C. Dates the association will conduct races as charity racing days OR:
- D. Will the association pay the distributing agent an amount equal to the maximum required under B&P Code Section 19550(b)? Yes

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

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

- A. Racing officials nominated:
- |                               |                               |
|-------------------------------|-------------------------------|
| Association Veterinarian(s) : | <b>Dr. Clifford Zucco DVM</b> |
| Clerk of Scales               | <b>NA</b>                     |
| Clerk of the Course:          | <b>Patricia Peterson</b>      |
| Film Specialist:              | <b>N/A</b>                    |
| Horse Identifier:             | <b>Carl Sobey</b>             |
| Horseshoe Inspector:          | <b>Eddie Rycinski</b>         |
| Paddock Judge:                | <b>Walter Peterson</b>        |
| Patrol Judges:                | <b>Bill Vallandingham</b>     |
| Placing Judges:               | <b>Kathy Poor</b>             |
| Starter:                      | <b>Bill Vallandingham</b>     |
| Timer:                        | <b>Kathy Poor</b>             |
- B. Management officials in the racing department:
- |                        |                      |
|------------------------|----------------------|
| Director of Racing:    | <b>Fred Kuebler</b>  |
| Racing Secretary:      | <b>Fred Kuebler</b>  |
| Asst Racing Secretary: | <b>Brent Bridges</b> |
| Paymaster of Purses:   | <b>Glen Harris</b>   |
- C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards: **Wendy Frazier Reporting, 13136 Ivey Rd. Herald, Ca, 95638 916- 956- 3914 breezecs@att.net**

- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract: **Plusmic Corp USA, CDV -210 System- Bill O'Brien. Contact expires May 15, 2014**
- E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks. Service provider : **Pegasus Communications – Jim Porep, President. Contract expires May 2014.**  
**Total of 6 cameras, Upper Pan, Lower Pan, 1/8 Pole Tower Head On, 5/8 Pole Tower Head On. Paddock, Finish Line Ground Level.**
- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract: **Automatic electronic timer maintained and owned by Pegasus Communications. Contract Expires May 2014.**

#### 14. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. **Chief Robert Craft, 916-263- 3000/3120. See attached security organizational chart. Attached**
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis: **18**
1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls:  
**Harness has no graded stake races or races for \$100,000 or more.**
  2. Detention Stalls:
    - A. Attach a plan for use of graded stakes or overnight races. **Detention barn plan attached.**
    - B. Number of security guards in the detention stall area during a 24-hour period. **Two**
    - C. Describe number and location of surveillance cameras in detention stall area.  
**The detention barn is monitored by one surveillance camera. The recording location is the main backstretch entrance Gate 12.**

**Cal Expo Detention Barn Information : The Cal Expo Detention Barn is a stand alone fully secure 20 stall barn at the south end of the Cal Expo barn area. All California Sire Stake races along with designated overnight stakes will be detention barn races. All detention barn horses must be checked in with the security guard by 12 noon. A detailed log of all people entering the detention barn is always on file. Veterinarians are allowed for Salix administration or emergency's only. All ingress or egress is documented in the log book.**
  3. TCO2 Testing:
    - A. Number of races to be tested, and number of horses entered in each race to

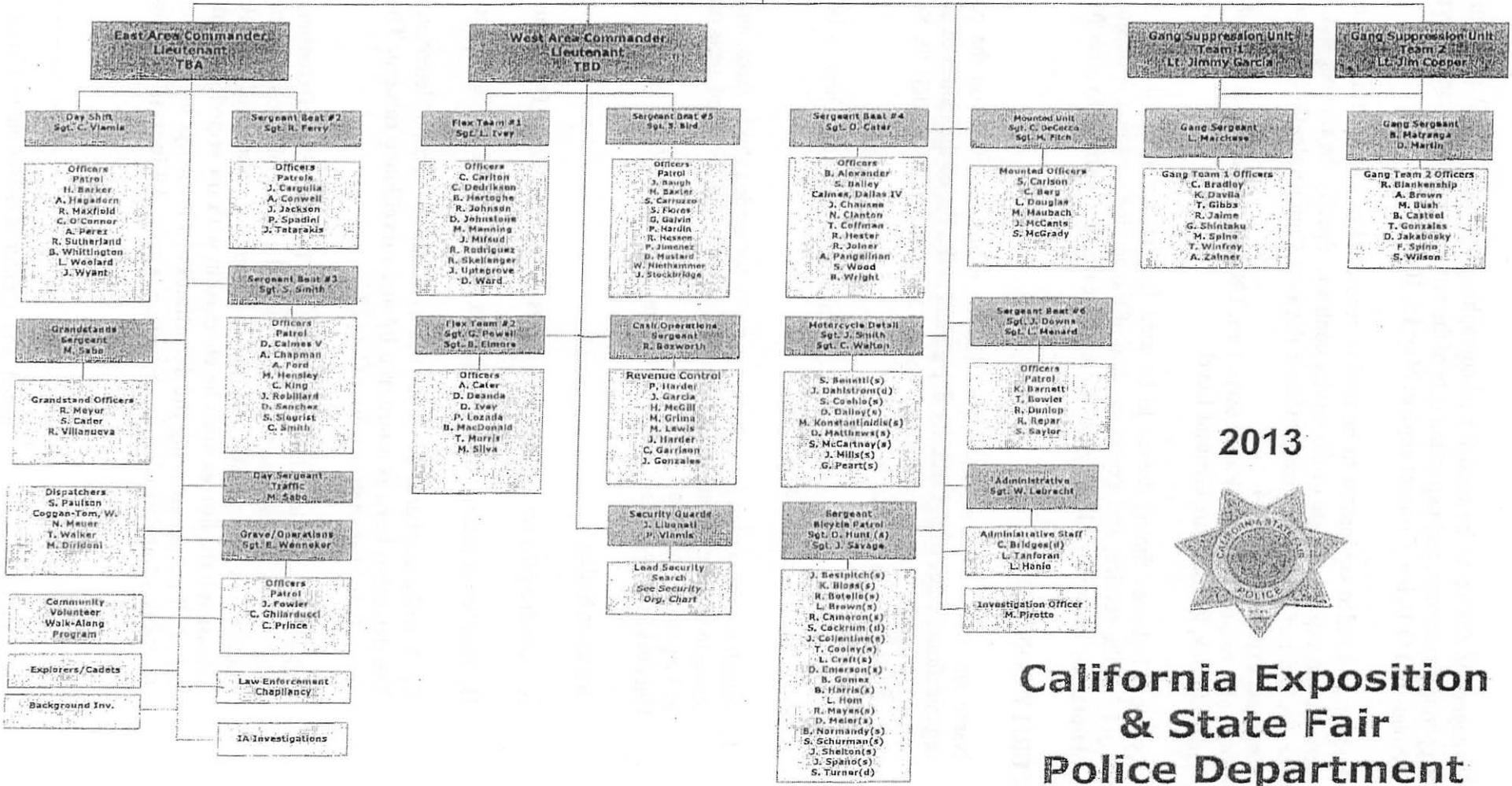
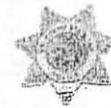


**General Manager**  
Rick K Pickering

**Deputy General Manager**  
TBA

**Robert L. Craft**  
Chief of Police

Cathy Purcell  
Staff Services Analyst



2013



**California Exposition  
& State Fair  
Police Department**

The logo for 'watch wager' features the word 'watch' in a white sans-serif font, followed by a white right-pointing arrow, and then the word 'wager' in a white sans-serif font. The entire logo is set against a dark, textured rectangular background.

Operating Harness Racing at Cal Expo  
Managed By Golden Bear Racing, LLC

## Cal Expo Detention Barn Procedures

The Cal Expo Detention Barn is a stand alone fully secure 20 stall barn located at the south end of the Cal Expo barn area.

There is a guard on duty out front of the detention barn. All personnel entering are required to be sign in the log book. Veterinarians are allowed in for Salix administration only.

All California Sire Stake races, along with designated overnight stakes are required for detention.

Detention barn horses are required to report by 12 noon to the detention barn.

be tested.

**Currently seven races nightly, two horses per race, randomly drawn by the stewards. Association will evaluate for potential increase.**

- B. Plan for enhanced surveillance for trainers with high-test results. **TCO2 levels exceeding 37 millamoles are considered positive tests. We will require detention of a high testing horse for a minimum of four starts.**
  - C. Plan for detention stalls for repeat offenders. **Repeat offenders will have their entire barn in detention for a period of no less than 30 days. Repeat offender will bear the cost of such detention. Any violation thereafter, offending trainer will be considered for exclusion.**
  - D. Number of security personnel assigned to the TCO2 program. **A pool total of 10, with no more than 2 at any given time.**
- C. Describe the electronic security system:
- 1. Location and number of video surveillance cameras for the detention stall and stable gate. **One surveillance camera and monitor will be located at both the detention barn and Gate 12 Main security gate.**
- D. For night racing associations. Describe emergency lighting system: **Generator lights are placed in strategic locations around the racetrack. In addition the starting gate lights will be used for safe exit of racing participants in the event of power loss.**

## 15. EMERGENCY SERVICES

- A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races: **American Medical Response, 1779 Tribute Rd, Sacramento, Ca, 95815 916- 563-0600**
  - 1. Attach a certification from the ambulance service(s) listed in 15A, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority. **Attached.**
- B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites: **NA**
  - 1. Attach a certification from the ambulance service (s) listed in 15B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority. **NA**
- C. Describe the on-track first aid facility, including equipment and medical staffing: **The Cal Expo first aid station is located just past the main entrance. The facility is staffed by the Cal Expo police staff. A minimum of two Cal Expo police officers are on duty during the live racing program. Basic first aid supplies include antibiotic ointment, cotton balls/swabs, gauze pads/roller, sterile eyewash, thermometer, turkey baster for cuts. All Cal Expo police officers are CPR trained, they are also trained for Defibrillator (on site) use. Basic first aid services are offered at the station. In addition the on duty ambulance staff provides basic first aid services. The ambulance service is staffed by one EMT, and one Paramedic. The ambulance staff also has a wide range of basic and advanced life support equipment on hand.**



AMERICAN MEDICAL RESPONSE®

July 15, 2013

To Whom It May Concern;

American Medical Response – Sacramento Valley operates emergency and non-emergency ambulance transportation in and around the greater Sacramento area. I certify that all of our Emergency Medical Technicians (EMT's) and Paramedics are licensed by the California State Emergency Medical Services Authority (EMSA). The Paramedics are additionally accredited by Sacramento County Emergency Medical Services (SCEMS). Upon request, personnel names and certification numbers can be provided for verification. EMSA has a website where Paramedic and EMT's licenses can be verified as active and in good standing. Our ambulances are inspected annually by the California Highway Patrol and local EMS agency (Sacramento County EMS) and are stocked with equipment, medication and supplies as required by these agencies, to include all of the optional scope of practice items.

Please feel free to contact me if you have questions or require further information.

Sincerely,

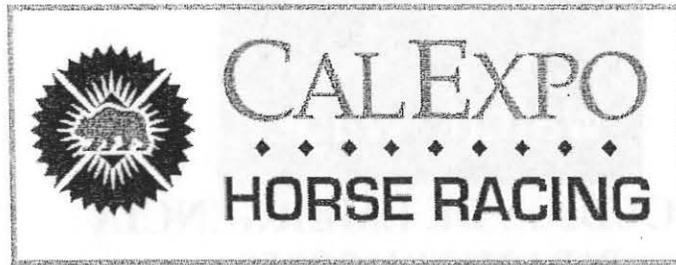
Jennifer L. Bales, MICP  
(916) 563-0835  
Operations Manager  
AMR – Sacramento County

- D. Name and emergency telephone number of the licensed physician on duty during the race meeting: **(If quarter horse racing association sees D (1) : Na**
  - 1. Name address and emergency telephone number of hospital located within 1.5 miles of the racetrack, which whom an agreement is in place to provide emergency medical services, pursuant to Business and Professions Code section 19481.3(a): **Sutter Memorial Hospital 5151 F St, Sacramento 916-454-3333 (1.5 miles) Mercy General Hospital 4001 J St, Sacramento 453-4553 ( 1.5 miles)**
- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey: **Sutter Memorial Hospital, 5151 F Street, Sacramento 916-454-3333 (1.5 miles)**
- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey: **Attached**
- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d): **Ben Kenney, Safety Manager , Kate Pharris, Asst Safety Mgr**
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises. **Inspection Pending ( must be after State Fair ). See attached letter regarding the backstretch housing issue.**
- I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details): **Praetorian Insurance Company #EQB0102172**
- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the association for payment of workers' compensation. **Attached**

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

## 16. CONCESSIONAIRES AND SERVICE CONTRACTORS

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



## ***Watch & Wager,com LLC @ Cal Expo***

### FOR ON TRACK INJURY TO DRIVERS

#### "FIRST RESPONSE"

- In the event of an accident, the Starter; Outrider, and/or Ambulance shall respond immediately
- The American Medical Response Ambulance will stop on the track and assess the driver's(s) need.
- The attending medical professionals shall be equipped with advanced cardiac life support (ACLS) and other necessary acute medical treatment equipment and supplies.
- An "on site evaluation" of injuries to the driver(s) shall be made.

#### "ON SITE EVALUATION"

- Based on the Emergency Medical Response, the Paramedic and EMT team on the American Medical Response Ambulance, will provide on site evaluation of injuries and make decision to either treat the injured driver(s) on site or to request emergency medical transport for off site treatment at a hospital trauma center.
- If on site treatment is deemed sufficient, the American Medical Response shall treat the injured drivers(s); or,
- If off site treatment is deemed necessary, a back up ambulance from American Medical Response will be summoned to either take over the duties at the track or transport the injured party to the appropriate medical center.

#### "INJURY TREATMENT"

- If the injured driver(s) is treated by the Paramedic on the American Medical Response Ambulance, they will be the primary care provider.
- If a back up ambulance is requested, the injured driver(s) shall be transported to the local appropriate medical facility.

This notice shall be posted in a conspicuous and highly visible location in the driver's room



**watch wager**

## **PRECUARIOS DE EMERGENCIA PARA MANEJADORES**

### **“PRIMERA RESPUESTA”**

- En caso de un accidente, respondera inmediatamente la ambulancia, el poniador, o, el carrode comenzar.
- La Ambulancia respondera para ver lo necesario.
- La Ambulancia tiene el equipo necesario para accidentes.
- Se hara una evaluacion de acuerdo al accidente.

### **“EVALUACION AL INSTANTE”**

- Basado en el (EMT) Emergencia Medica Responsable. Que es la ambulancia. Ellos Aran Una evaluacion al instante. Para ver si se puede tratar al momento o ser transportado, al hospital.

### **“ATENCION AL ACCIDENTADO”**

- El accidentado sera tratado de inmediato por (EMT).
- Si es demasiado grave el accidente sera transportado por ambulancia al hospital.

En caso de algun corredor accidentado se hara un reporte complete por los encargados hipo dromo.

The logo for Watch and Wager LLC, featuring the words "watch" and "wager" in a bold, sans-serif font, separated by a small graphic element.

Operating Harness Racing at Cal Expo  
Managed By Golden Bear Racing, LLC

## **Update on Cal Expo Backstretch Housing**

**Cal Fire revoked the use of Cal Expo tack rooms as living quarters effective July 31, 2012. Upon licensing in August of 2012 Watch and Wager LLC and Cal Expo had a number of meetings with the Fire Marshalls office. The core issue is that the tack rooms were not built to living quarter codes. We were able to receive a conditional use effective November 1, 2012. The conditional use was contingent upon submission of a permanent backstretch housing proposal prior to February 1, 2013. We did submit a backstretch housing proposal that was subsequently rejected in April of 2013.**

**As of May 25, 2013 the conditional use has expired. The meet we are currently applying for does not have backstretch housing at this time.**

**Cal Expo and Watch and Wager LLC have jointly engaged the services of a design consultant. We have had recent meetings with Cal Fire. Attached is the most recent correspondence between our consultant and the Fire Marshall's office.**

**We will continue to engage Cal Fire to try and develop an alternative plan that will be acceptable to them.**

**Nina Berne, AIA**

NINA RESNE, AIA 4917 H STREET SACRAMENTO CA 95819 (916)205-4747

July 12, 2012

Christine Fowler, Deputy State Fire Marshal  
Office of the State Fire Marshal  
Fire and Life Safety Division  
P.O. Box 944246  
Sacramento, CA. 94244-2460

**RE: Cal Expo Backstretch Staff Housing –Preliminary Narrative of Proposed Temporary Facilities**

Dear Ms. Fowler,

Please let this correspondence serve as documentation of the discussion held between Cal Expo and Golden Bear Racing staff and the State Fire Marshall's office on July 1, 2012. The purpose of the meeting was to review and present the concept for temporary housing measures for Backstretch staff.

Golden Bear Racing and Cal Expo are proposing to bring onsite dormitory style trailers to allow staff to vacate tack room quarters until a permanent housing solution can be identified and approved. Specifics regarding the style and configuration of the proposed dormitory trailers are currently unknown; however, Golden Bear Racing and Cal Expo shall provide a detailed description and design information of the intended trailers to allow CALFIRE to review and confirm the following requirements are met:

- Sleeping quarters shall provide for appropriate square footage per occupant in accordance to Title 24, 1004.1
- Emergency lighting on battery back-up shall be provided - one fixture at interior and fixture at exterior minimum.
- Primary and secondary egress requirements shall be met by means of a door and window either dedicated to individual units or shared by common areas.
- Secondary exiting analysis shall be performed to confirm that egress windows meet requirements including height limitations from widow to exiting surface - construction of an exterior platform may be required.
- Smoke and CO2 detectors shall be provided in each sleeping unit.
- Ventilation requirements in accordance with CBC shall be met.
- Emergency procedures and evacuation plans shall be posted in sleeping quarters.
- Occupancy of each trailer shall be of an appropriate capacity – assumed to be between 10-15 occupants pending review of the proposed trailer.
- The type and amount of personal effects that will be allowed in the sleeping quarters shall be addressed under separate cover.

**Nina Besne, AIA**

NINA BESNE AIA 4917 H STREET SACRAMENTO CA 95819 (916)205-4747

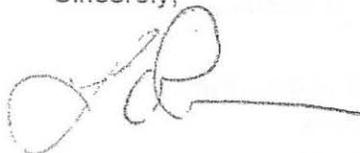
In addition to the evaluation of the proposed trailers, a site plan shall be submitted depicting the proposed placement of the trailers. The site plan shall be evaluated for the following:

- Confirmation with the Division of the State Architect (DSA) that the dormitory trailers shall remain exempt from full ADA requirements as they are not intended for use by the general public.
- Setback requirements with determination dictated by construction type of trailers.
- Road and access verification based upon an assumed 20' wide access requirement.
- A break room or community trailer shall be provided for occupants/staff. The trailer shall provide for seating as well as food warming and storage and should accommodate the facilities and appliances needed therein such as refrigerator, microwave, and sink with potable water. The same Life Safety requirements for the sleeping units shall apply to the break room.

The requirements above may be altered or amended based upon the review of the trailer information and site plan provided.

Time is of the essence; in accordance with correspondence from Fire Marshal Steve Guarino dated July 3rd, 2013, Cal Expo shall be permitted to house grooms and stable hands in the existing tack rooms during the State fair provided the conditions outlined therein are maintained. Nevertheless, the tack rooms must be vacated by July 28<sup>th</sup>. I and the Cal Expo staff would appreciate commentary and interpretation of the approach outlined above so that we may compile the proposed dormitory trailer information and site plan and move towards an acceptable housing solution.

Sincerely,



Nina Besne, AIA

Cc: Paul Gillingham



Does the association provide its own concessions? Yes  No

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

- A. Attach a copy of the promotional and marketing plans for the race meeting: **Attached**
- B. Promotional/ Marketing budget for this race meeting: **\$ 38,000**  
 Promotional/Marketing budget for prior race meeting: **\$ 34,000**
- C. Number of hosts and hostesses employed for meeting: **2**
- D. Describe facilities set aside for new fans: **None**
- E. Describe any improvements to the physical facility in advance of the meeting that directly benefit:
  - 1. Horsemen : **None at this time**
  - 2. Fans: **Big Screen TV rental. Upgraded graphics and simulcast presentation. Hiring of Gary Seibel as track announcer/ simulcast host.**
  - 3. Facilities in the restricted areas: **None at this time.**

**18. SCHEDULE OF CHARGES**

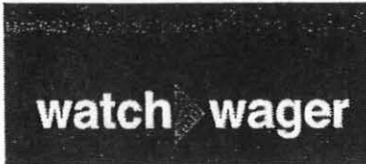
- A. Proposed charges, note any changes from the previous year:
  - Admission (general) **Free**
  - Admission (clubhouse) **Free**
  - Reserved seating (general) **Na**
  - Reserved seating (clubhouse) **Na**
  - Parking (general) **Free**
  - Parking (preferred) **Na**
  - Parking (valet) **Na**
  - Programs (on-track) **3.50**
  - (off-track) **4.00** **Program is a joint Los Alamitos/ Cal Expo night program.**
- B. Describe any "Season Boxes" and "Turf Club Membership" fees: **NA**
- C. Describe any "package" plans such as combined parking, admission and program: **Na**

**19. JOCKEYS/DRIVERS' QUARTERS**

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

<input checked="" type="checkbox"/>	Corners (lockers and cubicles)	How many	<input type="text" value="46"/>
<input checked="" type="checkbox"/>	Showers	<input checked="" type="checkbox"/>	Steam room, sauna or steam cabinets
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	Lounge area
<input type="checkbox"/>	Masseur	<input checked="" type="checkbox"/>	Food/beverage service
<input type="checkbox"/>		<input type="checkbox"/>	Certified platform scale
- B. Describe the quarters to be used for female jockeys/drivers: **Female drivers had a separate room for changing, along with a separate rest room and showering facilities.**

**20. BACKSTRETCH EMPLOYEE HOUSING**



Operating Harness Racing at Cal Expo  
 Managed By Golden Bear Racing, LLC

## Watch and Wager.com LLC @ Cal Expo

### Marketing and Promotional Plan

**New Stable Recruitment:** We currently are advertising nationwide to recruit new stables. We are offering a new horse incentive plan in partnership with the CHHA funded up to \$100,000. We are offering an extensive overnight stake program. Our goal is to improve the quality and the quantity of the product.

**Improved Simulcast Production.:** We have acquired the services of Gary Siebel as track announcer/ simulcast host. We plan on continuing to make the necessary investments to improve production and recognition of our product. Ninety Five percent of harness handle comes from off-track sources.

**Social Media:** California harness racing has very little social media exposure. We plan on immediately establishing Facebook, Twitter and You Tube accounts and start interacting with a younger crowd.

**On Track Handle:** We believe that the best thing we can do short term to improve on-track handle is improvement of the racing product.

**Parking/ Admission:** We will continue the night policy of free parking and admission.

**Concessions:** We will continue to work with the Cal Expo master caterer ( Ovations ) to provide live fans with food and beverage nightly specials. We have agreed to a \$1 night the final Saturday of each month.

**Handicappers:** We will be sharply focused on the gambling public. Each night we propose to offer three low takeout wagers. Each night we will have a guarantee on our Pick-4. We hope to implement a guaranteed pool on our Pick-5. We have limited our gimmick schedule somewhat to gives our fans bigger wagering pools.



term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made).

- D. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state): **No Exceptions**
- E. Absent natural disasters or causes beyond the control of the association, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the association except as follows (if no exceptions, so state): **No Exceptions**

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

**23. CERTIFICATION BY APPLICANT**

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

CHRISTOPHER J. SCHICK

Print Name



Signature

GENERAL MANAGER

Print Title

JULY 14, 2013

Date

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING  
AUTHORIZED BLEEDER MEDICATION POLICIES FOR  
BREEDERS' CUP RACES TO 1) LIMIT TWO YEAR OLD RACES  
TO HORSES NOT ON THE CHRB AUTHORIZED BLEEDER  
MEDICATION LIST AND TO 2) LIMIT AUTHORIZED BLEEDER  
MEDICATION IN OTHER BREEDERS' CUP RACES TO FUROSEMIDE  
ADMINISTERED BY CHRB LICENSED VETERINARIANS APPROVED  
BY THE BREEDERS' CUP, WHO ARE NOT OTHERWISE ATTENDING  
HORSES OR PROVIDING VETERINARY SERVICES TO TRAINERS  
COMPETING IN THE BREEDERS' CUP RACES

Regular Board Meeting  
August 22, 2012

#### BACKGROUND

At its July 2012 Regular meeting the Board approved the Los Angeles Turf Club (LATC) application for license to operate a horse racing meeting at Santa Anita Park Race Track. The application contained provisions regarding the 2012 Breeders' Cup races that would be run at the LATC fall meeting, November 2 and 3, 2012. The conditions were approved by the Thoroughbred Owners of California and the California Thoroughbred Trainers prior to Board approval of the application. The following conditions were noted for the Breeders' Cup races:

- No horse on the CHRB Authorized Bleeder Medication list will be allowed to enter or start in a 2 year old Breeders' Cup Championship race as a condition of the race.
- Only Breeders' Cup CHRB licensed veterinarians approved by Breeders' Cup will be allowed to administer CHRB authorized bleeder medication to horses entered in Breeders' Cup Championship races.
- The Breeders' Cup reserves the right to limit authorized bleeder medication to furosemide (Lasix/Salix) only in Breeders' Cup Championship races.

The conditions provided that two-year olds on the CHRB Authorized Bleeder Medication list not being allowed to enter 2YO races would be handled as a conditional entry. The other two conditions were based on the ARCI model rule for furosemide administration. They were the same provisions currently under consideration by the CHRB as an amendment to Rule 1845, Authorized Bleeder Medication.

At the July 2013 Regular Meeting the Board approved the application for license to operate a race meeting of the Los Angeles Turf Club II (LATCII) at Santa Anita Park Race Track. At that time the application did not reflect the conditions for the 2013 Breeders' Cup races which will be run at the LATCII meeting on November 1 and 2, 2013. LATCII subsequently provided a letter in which it outlined the 2013 special Breeders' Cup race conditions for two-year-olds. The conditions, which are essentially the same as the 2012 conditions:

- No horse on the CHRB authorized Bleeder Medication list will be allowed to enter or start in the designated two-year-old Breeders' Cup Championship races or the Juvenile Turf Sprint race as a condition of the race.
- Only CHRB licensed veterinarians approved by Breeders' Cup will be allowed to administer Lasix (Salix/Furosemide) only.
- The sole CHRB Authorized Bleeder Medication to be administered to horses entered in Breeders' Cup Championship races that allow authorized bleeder medication is Lasix (Salix/Furosemide).

#### RECOMMENDATION

Staff recommends the Board approve the race conditions set forth in the letter submitted by LATCII, to wit, limiting of authorized bleeder medication to furosemide administered by CHRB licensed veterinarians approved by the Breeders' Cup and who are not otherwise attending horses competing in the Breeders' Cup races.

**Coburn, Harold**

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**From:** Wagner, Jacqueline  
**Sent:** Tuesday, August 13, 2013 3:09 PM  
**To:** Coburn, Harold  
**Subject:** FW: 2013 Santa Anita Stakes  
**Attachments:** 2013 AUTUMS STAKES card ZZZ.xls

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**From:** Hammerle, Rick  
**Sent:** Monday, July 29, 2013 2:45 PM  
**To:** Breed, Kirk  
**Cc:**

**Subject:** 2013 Santa Anita Stakes

July 30, 2013

Kirk E. Breed  
 Executive Director  
 California Horse Racing Board  
 Sacramento, California 95825

Dear Kirk,

The license application originally submitted to the Board for our 2013 Autumn Meet did not have the final stakes schedule included. We are now respectfully submitting the entire schedule which includes all races taking place during the 30<sup>th</sup> running of Breeders' Cup Championship weekend.

On Breeders' Cup Friday, November 1, there will be five undercard races; which will include two California bred stakes, the Golden State Juvenile and the Golden State Juvenile Fillies, as well as the Grade II Twilight Derby. These will be followed by five Breeders' Cup Championship races.

On Breeders' Cup Saturday, there will be three undercard stakes; a two-year-old Juvenile Turf Sprint, the Damascus and the Grade III Senator Ken Maddy Stakes. These will be followed by nine Breeders' Cup Championship races.

The four Breeders' Cup Championship two-year-old races as well as Saturday's Juvenile Turf Sprint stakes will be subject to special Breeders' Cup race conditions for two-year-olds as follows: 'No horse on the CHRB authorized Bleeder Medication List will be allowed to enter or start in the designated two-year-old Breeders' Cup Championship races or the Juvenile Turf Sprint race as a condition of the race.'

Only CHRB licensed veterinarians approved by Breeders' Cup will be allowed to administer Lasix (Salix/furosemide) only as the sole CHRB Authorized Bleeder Medication that will be administered to horses entered in Breeders' Cup Championship races that allow Authorized Bleeder Medication.

Thank you for your consideration.

With regards,

Rick Hammerle  
Vice President, Racing  
Santa Anita Park

cc: David Israel, Chuck Winner, Jackie Wagner, Rick Arthur, Craig Fravel, Dora Delgado

rh/ll

---

**RICK HAMMERLE**

Vice President, Racing / Racing Secretary



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Arcadia, California 91007

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2013 SANTA ANITA AUTUMN STAKES

RACE DATE	RACE	PURSE	AGE	DISTANCE	CLOSES	LATE CLOSE	FEE
Fri, Sep 27	EDDIE D STAKES (G III)	\$100,000	3 & UP	abt 6 1/2 F (T)	19-Sep		50
Sat, Sep 28	FRONTRUNNER STAKES (G I) **	\$250,000	2 YO	1 1/16 M	24-Aug	19-Sep	50/250 BC Challenge
Sat, Sep 28	AWESOME AGAIN STAKES (G I) **	\$250,000	3 & UP	1 1/8 M	24-Aug	19-Sep	50/250 BC Challenge
Sat, Sep 28	RODEO DRIVE STAKES (G I) **	\$250,000	F/M, 3 & UP	1 1/4 M (T)	24-Aug	19-Sep	50/250 BC Challenge
Sat, Sep 28	ZENYATTA STAKES (G I) **	\$250,000	F/M, 3 & UP	1 1/16 M	24-Aug	19-Sep	50/250 BC Challenge
Sat, Sep 28	CHANDELIER STAKES (G I) **	\$250,000	F, 2 YO	1 1/16 M	24-Aug	19-Sep	50/250 BC Challenge
Sun, Sep 29	JOHN HENRY TURF CHAMPIONSHIP (G II)	\$150,000	3 & UP	1 1/4 M (T)	19-Sep		50
Sat, Oct 5	ARROYO SECO MILE (G II)	\$150,000	3 & UP	1 M (T)	26-Sep		50
Sat, Oct 5	SANTA ANITA SPRINT CHAMPIONSHIP (G I) **	\$250,000	3 & UP	6 F	24-Aug	26-Sep	50/250 BC Challenge
Sat, Oct 5	L.A. WOMAN STAKES	\$100,000	F/M, 3 & UP	6 1/2 F	26-Sep		50
Sun, Oct 6	ZUMA BEACH STAKES	\$100,000	2 YO	1 M (T)	26-Sep		50
Sun, Oct 6	SURFER GIRLSTAKES	\$100,000	F, 2 YO	1 M (T)	26-Sep		50
Sat, Oct 12	CALIFORNIA DISTAFF	\$100,000	F/M, 3 & UP (CA)	abt 6 1/2 f (T)	3-Oct		50
Mon, Oct 14	TIM CONWAY STAKES	\$100,000	2 YO	6 F	5-Oct		50
Sat, Oct 19	CALIFORNIA FLAG STAKES	\$100,000	3 & UP (CA)	abt 6 1/2 F (T)	10-Oct		50
Sat, Oct 26	AUTUMN MISS STAKES (G III)	\$100,000	F, 3 YO	1 M (T)	17-Oct		50
Fri, Nov 1	Breeders' Cup Friday						
Fri, Nov 1	GOLDEN STATE JUVENILE FILLIES	\$200,000	F, 2 YO (CA)	1 M	19-Oct		50
Fri, Nov 1	GOLDEN STATE JUVENILE	\$200,000	2 YO (CA)	1 M	19-Oct		50
Fri, Nov 1	TWILIGHT DERBY (G II)	\$150,000	3 YO	1 1/8 M (T)	19-Oct		50
Sat, Nov 2	Breeders' Cup Saturday						
Sat, Nov 2	JUVENILE TURF SPRINT STAKES	\$100,000	2 YO	abt 6 1/2 F (T)	20-Oct		50
Sat, Nov 2	SEN. KEN MADDY STAKES (G III)	\$100,000	F/M, 3 & UP	abt 6 1/2 F (T)	20-Oct		50
Sat, Nov 2	DAMASCUS STAKES	\$100,000	3 YO	7 F	20-Oct		50
Sun, Nov 3	GOLDIKOVA STAKES (G II)	\$150,000	F/M, 3 & UP	1 M (T)	20-Oct		50

Supplementary Nominations available for ALL Stakes

\*\* Please note BC Challenge Races

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD  
REGARDING AN UPDATE FROM THE LOS ANGELES TURF CLUB II (T),  
ON ITS MARKETING PLAN FOR ITS RACE MEETING AT SANTA ANITA,  
COMMENCING SEPTEMBER 25, 2013 THROUGH NOVEMBER 3, 2013, INCLUSIVE

Regular Board Meeting  
August 22, 2013

BACKGROUND

Business and Professions Code section 19460 provides that all licenses granted under this chapter shall contain such conditions as are deemed necessary or desirable by the Board for the best interests of horse racing. At its July 22, 2013 Regular Meeting the Board conditionally approved the Los Angeles Turf Club II (LATCII) application for license to conduct a horse racing meeting at Santa Anita Park Race Track commencing September 25, 2013 through November 3, 2013. At that time the Board imposed four conditions on the approval of the 2013 fall race meeting. One of the conditions was that LATCII must submit a comprehensive marketing plan for review at the Board's August 22, 2013, Regular Meeting.

RECOMMENDATION

This item is presented for Board discussion and action. A representative of LATCII is prepared to address the Board.

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD  
REGARDING AN INDUSTRY REPORT ON THE ISSUES RELATED TO  
CONDITIONS PLACED ON THE ALLOCATION OF THE  
2014/2015 SOUTHERN CALIFORNIA RACING CALENDAR AND THE  
BOARD'S RATIFICATION OF THE CALENDAR

Regular Board Meeting  
August 22, 2013

## BACKGROUND

At the May 23, 2013, Regular Board Meeting, representatives of the Thoroughbred Owners of California (TOC), Santa Anita Park, Del Mar Race Track, and Fairplex Park expressed agreement in general on proposed racing calendars for 2014 and 2015. Hollywood Park was not included in the proposed calendars because Hollywood Park's owners previously announced their intention to close the racetrack at the end of 2013 to develop the property. The closure of Hollywood Park releases racing dates historically allocated to that facility. In 2013, these racing dates are April 24 through July 14 and November 6 through December 22. Following a three-hour discussion, the Board conditionally, or tentatively, allocated the requested racing dates as follow (beginning with the 2014 racing-year calendar):

12-26-13 to 7-6-14, Santa Anita Park

7-16-14 to 9-3-14, Del Mar

9-4-14 to 9-23-14, Fairplex

9-25-14 to 11-2-14, Santa Anita

11-5-14 to 12-7-14, Del Mar

(continuing with the 2015 racing-year calendar)

12-26-14 to 7-5-15, Santa Anita

7-15-15 to 9-7-15, Del Mar

9-10-15 to 9-25-15, Fairplex

9-26-15 to 10-15-15, Santa Anita

10-28-15 to 12-6-15, Del Mar

There have been a number of unresolved issues pertaining to the 2014 and 2015 racing calendars and the future of thoroughbred horse racing in Southern California, as discussed at the May 23 and the June 20 Regular Board Meetings. Principal among these issues is arranging for adequate stabling for horses normally stabled at Hollywood Park that will be displaced after January 1, 2014. At the May 2013 Regular Board Meeting individual racing commissioners expressed their concerns about a variety of issues, some of which were expressly cited as conditions for the allocation of 2014 and 2015 racing dates. The Board determined that representatives of Del Mar must agree in writing to relinquish the 2015 Breeders' Cup dates to Santa Anita if the 2015 Breeders' Cup is awarded to Santa Anita. In addition, Del Mar and Santa Anita must agree in writing to properly compensate Fairplex for the loss of two weekend dates in 2015.

The issue of the conditions placed on the allocation of the 2014/2015 Southern California racing calendar was again discussed at the July 18, 2013 Regular Board Meeting. As the parties had not reached an agreement, Chairman Israel agreed to meet with representatives of Santa Anita and the CTT to resolve differences that were delaying a signed agreement for the Santa Anita fall meeting.

#### ANALYSIS

Among the many issues related to the allocation of the 2014/2015 Southern California racing calendar, four stood out as conditions for the allocation of racing dates:

- 1) The industry must agree on a stabling and vanning plan to meet the future needs of an adequate inventory of horses to maintain the Southern California thoroughbred racing circuit. The Board is insistent that the California Thoroughbred Trainers be allowed input on this decision.
- 2) There must be an agreement on an industry fund to provide a permanent solution for stabling and vanning.
- 3) There must be an agreement between TVG and HRTV allowing both horse racing networks to continue showing races at all racetracks in the state.
- 4) As the principal beneficiary of the racing dates vacated by Hollywood Park, and given the CHRB's long and consistent demand that the stable area in Arcadia be vastly improved, Santa Anita must submit a backstretch improvement plan to the Board.

#### RECOMMENDATION

Based on the progress reports from the industry in meeting the expressed conditions, the Board may consider making permanent the temporary allocations of 2014/2015 Southern California race dates made at the May 23 Regular Meeting.

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING  
AN INDUSTRY UPDATE ON THE STATUS OF THE  
DISCUSSIONS REGARDING THE SOUTHERN CALIFORNIA  
AUXILIARY OFF-TRACK STABLING ISSUE FOR  
2014/2015

Regular Board Meeting  
August 22, 2013

## BACKGROUND

In May 2013 Hollywood Park Race Track announced it would permanently close upon the completion of its fall 2013 race meeting, which opens November 7, 2013 and ends December 22, 2013. The closure of Hollywood Park will cause the industry to lose approximately 1,000 stalls that would normally be available when the facility is not hosting live racing. At the June 2013 Regular Board Meeting industry representatives made a presentation regarding the status of discussions regarding southern California auxiliary off-track stabling. Thoroughbred Owners of California (TOC) President Joe Morris reported the Vanning and Stabling Committee voted to fund the relocation of horses displaced by the pending closure of Hollywood Park to three auxiliary stabling locations: Santa Anita with 1,900 stalls, San Luis Rey Downs training center with 500 stalls, and Los Alamitos with 500 stalls. Following the presentation the Board requested that the industry return to provide an update on the auxiliary off-track stabling issue.

At the July 2013 Regular Board Meeting Mr. Morris reported the Vanning and Stabling Committee was still considering the use of Santa Anita, San Luis Rey Downs and Los Alamitos for the purposes of auxiliary stabling. However, the committee was also considering other options, including Fairplex Park Pomona (Fairplex). Mr. Morris stated in addition to location of stalls, there were issues that would affect how many stalls were needed and/or available. The issues included the number of horses in southern California and the requirements of the Water Quality Control Board for Fairplex and Santa Anita. The parties also discussed the possible use of an industry fund created in response to the stabling issue. Industry representatives agreed to meet informally with Chairman Israel in an effort to reach a compromise regarding stabling issues.

## RECOMMENDATION

This item is presented for Board discussion and action.

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING A PRESENTATION FROM  
THE THOROUGHBRED RACING PROTECTIVE BUREAU (TRPB)  
AND ITS TOTE SECURITY SYSTEM

Regular Board Meeting  
August 22, 2013

## BACKGROUND

The totalizator systems in use throughout North America were developed to process wagers. They also provide odds and some tracking information for those wagers but limitations within these systems prevent them from providing detailed information in a timely manner to patrons, racetracks, and regulators. The Thorough Racing Protective Bureau (TRPB), which is the security arm of the thoroughbred racing associations, recognized the need for a parallel system that could provide improved information about those wagers, so several years ago the TRPB set out to develop a new Tote Security System (TSS). Now it is ready to implement the new system at selected racetracks in a pilot program. The Stronach Group has agreed to use the new system at Golden Gate Fields beginning the fall of 2013.

## ANALYSIS

TSS does not process wagers. That function remains the sole responsibility of the totalizator companies. The closest that TSS comes to being involved in the wagering process is to provide an improved stop betting device and a redundant secondary communications path for stop-betting commands between host tracks and all of the wagering outlets in the network. This procedure is designed to prevent wagering from continuing after the stewards have issued the stop-betting command. After stop-betting has been executed, every tote system in the wagering network issues a transaction audit file and sends that to the TRPB, which permits the host track and the racing commission to audit wagers down to the bet detail, including wagers on multi-leg-pick-pools.

Security is another important function of TSS. Racetracks and regulators have Internet access to a system that pinpoints every wagering outlet logged into the system and can instantaneously track any wager to a specific location. Personnel can audit multi-race wagers on a leg-by-leg basis.

Improved odds information is the aspect of TSS that will be most apparent to patrons. Firstly, the odds will be displayed on monitors in decimal numbers instead of fractions. For example, while the older totalizator boards might still display odds of 5/2 on a particular horse, the improved displays will show 2.60, or 2.70, or 2.80 or 2.90 for the same horse (includes the \$1 wagered).

The TSS will provide real-time odds with more rapid cycles than those provided by traditional totalizator systems. While the TSS odds cycles will be 30 seconds up until 10 minutes before a race, and then at 10-second intervals until two minutes, as post times draw close the odds cycles

will quicken, so that in the final two minutes before a race the odds will cycle every two seconds. And this information will be made available to advance deposit wagering companies for a subscription fee, which would most likely make these odds viewable through iPhone and Android aps. The broad distribution of this real-time odds information should greatly reduce concerns about late odds changes caused by slower odds displays provided by traditional totalizator systems.

TSS development has been a collaborative effort involving many segments of the horse racing industry, including The Jockey Club, Roberts Communications Network, AmTote, United Tote, Sportech, and Las Vegas Dissemination Company.

#### RECOMMENDATION

Representatives of the TRPB, Golden Gate Fields, and Sportech are prepared to give a brief presentation and to answer any questions about TSS. Staff recommends that before implementing TSS at any racetrack, those representatives must bring the stewards up to date on the workings of the new system, particularly in the use of the new stop betting device that the stewards will be required to use.

STAFF ANALYSIS  
REPORT AND UPDATE BY THE UNIVERSITY OF CALIFORNIA, DAVIS ON THE  
CHRB/CALIFORNIA ANIMAL HEALTH AND FOOD SAFETY LABORATORY  
SYSTEM (CAHFS) UNIVERSITY OF CALIFORNIA, DAVIS NECROPSY PROGRAM  
FOR FISCAL YEAR 2011-2012 AND PRELIMINARY FISCAL YEAR 2012-2013 RESULTS

Regular Board Meeting  
August 22, 2013

## BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Board Rule 1846.5, Postmortem Examination, requires a necropsy to be performed on any horse that dies within the racing inclosure at a diagnostic laboratory under contract with the CHRB. Since 1990 the CHRB has contracted with the state diagnostic laboratory, the California Animal Health and Food Safety (CAHFS) laboratory system which is under the direction of the School of Veterinary Medicine at University of California, Davis (UC Davis-SVM). CAHFS diagnostic laboratories performing necropsies for the CHRB are located at Davis, Tulare and San Bernardino. The Davis laboratory performs necropsies for the northern California tracks, Tulare performs necropsies for the Fresno fair and San Bernardino performs necropsies for southern California. Since the inception of the program in 1990 through June 30, 2013, a total of 6,127 post-mortem examinations have been conducted under the CHRB/CAHFS-UC Davis-SVM necropsy program. Each year CAHFS reports its finding to the CHRB at public meetings. Through 2008, the reports were presented to the full Board; after 2008 CAHFS reported its findings to the Medication and Track Safety Committee. The report for FY 2011-2012 was presented at the February 2013 Medication and Track Safety Committee.

## ANALYSIS

There were 278 equine fatalities in FY 2011-2012 of which 97 were categorized as racing fatalities, 110 fatalities as training fatalities and 71 non-exercise fatalities. Preliminary data for FY 2012-2013 show a marked reduction in total fatalities in California to 209 with 90 racing fatalities, 56 training fatalities and 64 non-exercise fatalities. These numbers are preliminary and could change slightly by category after final review. The total number of thoroughbred fatalities is the lowest since the CHRB/CAHFS-UC Davis-SVM necropsy program started in 1990.

## RECOMMENDATION

Representatives of UC Davis are prepared to address the Board regarding this item.

STAFF ANALYSIS  
REPORT AND UPDATE REGARDING THE CHRB TRACK SAFETY PROGRAM,  
INCLUDING THE ENHANCED NECROPSY PROGRAM  
AND THE  
RACING SAFETY PROGRAMS

Regular Board Meeting  
August 22, 2013

## BACKGROUND

Business and Professions Code section 19481.3(e) requires the stewards to investigate and prepare a report with respect to all on-track accidents and that the report include the likely causes of each accident. Business and Professions Code section 19481(a) requires the CHRB to establish safety standards to improve the safety of horses, riders and workers at the racetrack. Business and Professions Code section 19444(c) authorizes the CHRB to conduct research to determine more fully the cause and prevention of horse racing accidents as well as the effects of drug substances on the race horses, and the means for detection of foreign drug substances.

The Program has three parts:

- **The Necropsy (Postmortem) Program** is conducted by the California Animal Health and Food Safety Laboratory System (CAHFS), University of California, Davis. Necropsy examinations are performed by veterinary pathologists, specifically trained for this purpose, who examine all body systems to determine cause of death and identify other abnormalities that may have affected horses' health. This program has been in place since 1990.
- **The Track Safety Standards** project has engineers working with racetrack personnel to develop parameter ranges for safe track operations. Initiated in 2010, standards are developed to maintain race surface consistency. Field and laboratory measurements of surface parameters are compared to surface composition. These comparisons give direction for the management of the track surface so that they are kept within the published safety standards.
- **The Racing Injury Prevention Program** was conducted in collaboration with Dr. Susan Stover's JD Wheat Veterinary Orthopedic Research Laboratory (VORL), University of California, Davis. The program was initiated in 2011 because of the high fatality rates from musculoskeletal injuries and attrition due to mild injuries that adversely affect equine welfare and the industry. The program was terminated in the spring of 2013 due to budgetary limitations.

The key element of the Racing Injury Prevention Program at VORL is the enhanced necropsies on musculoskeletal fatalities. Dr. Stover's VORL has specialized equipment, instruments and techniques that are unique and not available to pathologists performing routine necropsies. Musculoskeletal fatalities are the most common cause of both fatal and non-fatal injuries. What has been clear from very early in the necropsy program was

that fatal injuries are the result of pre-existing injuries and that fatal injuries offer a window into understanding the development of even minor injuries. The seminal finding is that pre-existing injuries predispose to catastrophic bone fractures; *therefore, injuries should be preventable*. Further, factors such as training and racing schedules and race surfaces are associated with development of injuries. Consequently, factors can be managed to reduce injury rates. Based on this information Executive Director Breed concluded a continuing education program for trainers and assistant trainers should be instituted in California and authorized computer-based educational modules to be included in VORL's contract with the CHRB. Using the research and findings from these programs a comprehensive education program designed to educate licensees was being developed for injury prevention in equine athletes. Training materials contain an overview, interactive information, how to movies, and self-assessment sections. Part of the Racing Injury Prevention Program included an examination of jockey injuries conducted by Dr. Peta Hitchens, a post-doctoral fellow at VORL with experience in researching jockey injuries in Australia. The enhanced necropsy program, racehorse injury research, jockey injury research, and the continuing education program were stopped when, due to budgetary limitations, the Racing Injury Prevention Program was terminated in the spring of 2013.

#### BACKGROUND

Representatives of UC Davis are prepared to address the Board regarding this item.

**CALIFORNIA HORSE RACING BOARD**

**AUGUST 22, 2013**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 13**

## STAFF ANALYSIS

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1658, VESTING OF TITLE TO CLAIMED HORSE, TO PROVIDE THAT A CLAIM SHALL NOT BE VOIDED BY THE STEWARDS IF PRIOR TO THE RACE THE CLAIMANT ELECTS TO CLAIM THE HORSE REGARDLESS OF WHETHER THE RACING OR OFFICIAL VETERINARIAN DETERMINES THE HORSE WILL BE PLACED ON THE VETERINARIAN'S LIST AS UNSOUND OR LAME.

Regular Board Meeting  
August 22, 2013

## BACKGROUND.

Business and Professions Code section 19420 provides that the Board has jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings. Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board include adjudication of controversies arising from the enforcement of those laws and regulations dealing with horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in California. In February 2013 the Board adopted an amendment to Rule 1658, Vesting of Title to Claimed Horse, which states that title to a horse which is claimed shall be vested in the successful claimant from the time the field has been dispatched from the starting gate and the horse becomes a starter. The successful claimant becomes the owner of the horse unless the claim is voided by the stewards. The stewards shall void the claim and return the horse to the original owner if the horse suffers a fatality during the running of the race, or the racing or official veterinarian determines the horse will be placed on the Veterinarian's List as unsound or lame before the horse is released to the successful claimant. When the Board adopted the amendment to Rule 1658 it stated the regulation was not perfect, but it was the best approach presented. The Board also recognized that the regulation might need further modification; however, it could take some time for the rule to have its desired impact on those who might use claiming to discard damaged horses.

The Office of Administrative Law approved the amendment to Rule 1658 on May 2, 2013. The effective date of the regulation was also May 2, 2013. The Board did not implement the regulation until May 16, 2013. The delay was to allow time for the stewards, veterinarians and others involved in the process to fully understand the change, and to notify the industry and the public. Since its implementation, Rule 1658 has generated some controversy. In response to the various reactions to the amended Rule 1658, the item was placed on the June 2013 Regular Board Meeting agenda.

At the June 2013 Board Meeting, there was discussion of relevant issues surrounding Rule 1658 and a presentation by the Equine Medical Director of the recent history of the enactment of the

rule, as well as examples of claims voided. The issue was referred to the July 2013 Medication and Track Safety Committee Meeting.

At the July 2013 Medication and Track Safety Committee Meeting, the Committee heard discussion from various interested parties and learned that some claimants desire to keep the horse regardless of its post race condition. The Committee determined it would endorse a proposal to allow a claimant to claim the horse regardless of whether the racing or official veterinarian determines the horse will be placed on the Veterinarian's List as unsound or lame.

#### ANALYSIS

The proposed amendment to Rule 1658 provides that the stewards shall void a claim and return the horse to the original owner if the horse dies or is euthanized before leaving the track. This amendment minimizes confusion by clarifying that if a horse just finished the running of the race but did not make it off the track alive, the claim is still void. The proposed amendment to Rule 1658 also states that the claim shall not be voided by the stewards if the claimant elects prior to the race to claim the horse regardless of whether the racing or official veterinarian determine the horse will be placed on the Veterinarian's List as unsound or lame. The election may be entered on the form CHRB-11 (Rev. 8/13) Agreement to Claim, in accordance with Rule 1656, Errors Which Invalidate Claim. A claimant may elect, by checking a box on the claim slip, to claim the horse regardless of whether or not it was placed on the Veterinarian's List. Rule 1656 incorporates by reference the form CHRB-11 (Rev. 8/13) Agreement to Claim. The proposed amendment to Rule 1658 will necessitate an amendment to Rule 1656 to change the revision date of the form CHRB-11 (Rev. 8/13) Agreement to Claim.

#### RECOMMENDATION

This item is presented for Board discussion and action.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 7. CLAIMING RACES.  
PROPOSED AMENDMENT OF  
RULE 1658. VESTING OF TITLE TO CLAIMED HORSE.

Regular Board Meeting  
August 22, 2013

1658. Vesting of Title to Claimed Horse.

(a) Title to a horse which is claimed shall be vested in the successful claimant from the time the field has been dispatched from the starting gate and the horse becomes a starter; and said successful claimant becomes the owner of the horse unless voided by the stewards under the provisions of this article. Only a horse which is officially a starter in the race may be claimed. A subsequent disqualification of the horse by order of the stewards or the Board shall have no effect upon the claim.

(b) The stewards shall void the claim and return the horse to the original owner if:

(1) The horse suffers a fatality during the running of the race or dies or is euthanized before leaving the track, or

(2) The racing or official veterinarian determines the horse will be placed on the Veterinarian's List as unsound or lame before the horse is released to the successful claimant.

(c) The stewards shall not void the claim if prior to the race in which the horse is claimed, the claimant elects to claim the horse regardless of whether the racing or official veterinarian determines the horse will be placed on the Veterinarian's List as unsound or lame.

(1) An election made under subsection (c) of this rule shall be entered on the form CHRB-11(Rev. 8/13) Agreement to Claim, in accordance with section 1656 of this article.

(ed) The claim shall be void if the race is called off, canceled, or declared no contest in accordance with Rule 1544 of this division.

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

Reference: Section 19562,  
Business and Professions Code.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 7. CLAIMING RACES  
PROPOSED AMENDMENT OF  
RULE 1656. ERRORS WHICH INVALIDATE CLAIM

Regular Board Meeting  
August 22, 2013

1656. Errors Which Invalidate Claim.

A claim is invalid if the name of the horse to be claimed is erroneously spelled or not specified on the claim form, CHRB-11 (REV. 8/0013) Agreement to Claim, which is hereby incorporated by reference; or if the claim form is not signed by an owner authorized to claim or a member of a racing interest authorized to claim or their properly registered authorized agent; or is not accompanied by a certification from the paymaster of purses that the amount of the claim and all applicable taxes is on deposit with the association or such paymaster of purses; or is deposited at a place other than that provided by the association; or is not deposited within the correct time; or does not specify the racing interest making the claim; or does not correctly specify the name of the new trainer, the claiming race number, or the date of the claiming race; or is otherwise so defective in any particular that the stewards cannot approve its validity; or fails to specify the designated claiming price.

Authority: Sections 19420, 19440 and 19562,  
Business and Professions Code.

Reference: Sections 19408.2 and 19562,  
Business and Professions Code.



**CALIFORNIA HORSE RACING BOARD**

**AUGUST 22, 2013**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 15**

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED  
AMENDMENT TO CHRB RULE 1536, STEWARDS MINUTES, TO REQUIRE THE NEW  
CHRB FORM REPORT OF TRAINING ACCIDENTS (CHRB 201A) TO BE ATTACHED TO  
THE STEWARDS' MINUTES

Regular Board Meeting  
August 22, 2013

BACKGROUND

Business and Professions Code section 19420 provides that jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the California Horse Racing Board. Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include administration and enforcement of all laws, rules, and regulations affecting horse racing and pari-mutuel wagering. Business and Professions Code section 19432 provides that the executive director shall keep a full and true record of all proceedings of the Board, and preserve at the Board's general office all books, documents, and papers of the Board. Business and Professions Code section 19481.3 provides that the stewards shall investigate and prepare a report with respect to all on-track accidents involving jockeys that occur during the performance of their duties. Rule 1536, Stewards' Minutes, provides that the stewards shall maintain minutes and records of all proceedings before the stewards, and report all on-track accidents involving jockeys or drivers. At the May 2013 Medication and Track Safety Committee Meeting jockey and exercise rider injuries by horse activity and incident location within the inclosure was discussed. The issue was again discussed at the July 2013 Jockey and Driver Welfare Committee Meeting where a proposed amendment to Rule 1536 was presented. The proposed amendment would require the stewards to report on-track accidents involving exercise riders.

ANALYSIS

Although jockey and driver accidents are reported with the stewards' minutes, there are currently no reports of exercise rider accidents. This means the Board has no way of tracking the numbers of exercise rider accidents or their severity. The proposed amendment to Rule 1536 provides that a report of all on-track accidents involving exercise riders shall be forwarded to the Board as an attachment to the stewards' minutes. The accident report shall be made on form Training Accident Report CHRB-201A (New 08/13). The Training Accident Report requires the name of the track; date and time of the incident; the name of the trainer and the exercise rider; and the condition of the exercise rider and the horse. In addition a description of the actions of the horse and the accident is required. The stewards must provide the circumstances of the accident, and whether it occurred in the barn area or the track.

RECOMMENDATION

This item is presented for Board discussion and action.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 5. RACING OFFICIALS  
RULE 1536. STEWARDS' MINUTES

Regular Board Meeting  
August 22, 2013

(a) The stewards shall maintain minutes and records of all proceedings before the stewards that shall contain:

- (1) the record of votes,
- (2) a record of all actions taken, and
- (3) the penalties imposed along with the reasons for the actions.

A majority vote of the stewards shall govern and, in the event of a split vote, each steward shall file a separate report on the matter. The stewards shall submit their original minutes to the Executive Director weekly, and shall deliver a copy of their minutes to each member of the Board.

(b) A report of all on-track accidents involving jockeys or drivers on form Jockey/Driver Accident Report CHRB-201 (New 07/06), which is hereby incorporated by reference, shall be attached to the stewards' minutes.

(c) A report of all on-track accidents involving exercise riders on form Training Accident Report CHRB-201A (New 08/13), which is hereby incorporated by reference, shall be attached to the stewards' minutes.

Authority: Sections 19420, 19440 and 19481.3(e),  
Business and Professions Code.

Reference: Sections 19432, 19440 and 19481.3(e),  
Business and Professions Code.

State of California  
Training Accident Report  
CHRB-201A (New 08/13)

CALIFORNIA HORSE RACING BOARD

**TRAINING ACCIDENT REPORT**

The stewards shall investigate and prepare a report regarding all on-track accidents involving exercise riders that occur during the performance of their duties. The investigation shall commence no later than the next live racing day and shall be completed expeditiously. Upon completion of the report it shall immediately be sent by facsimile or electronic mail to the exercise rider; the racing association; the owner; and the trainer of the horse the exercise rider was riding at the time of the accident.

Name of exercise rider & CHRB License No.: \_\_\_\_\_

Name of horse owner & CHRB License No.: \_\_\_\_\_

Name of trainer & CHRB License No.: \_\_\_\_\_

Name of horse & Tattoo No.: \_\_\_\_\_

Date/time/location of accident: \_\_\_\_\_

**DESCRIPTION OF ACCIDENT**

Include circumstances of accident, likely causes and the extent of injury to exercise rider, if any. Complete one Training Accident Report for each exercise rider involved in an accident. In addition to the distribution described above, a copy of each report shall be attached to the stewards' minutes in accordance with Rule 1536, Stewards' Minutes.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Exercise Rider condition: \_\_\_\_\_

Horse condition: \_\_\_\_\_

\_\_\_\_\_

Prepared by:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date report completed

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING  
THE PROPOSED ADDITION OF CHRB RULE  
1500.3, JOCKEY BREATH ALCOHOL TESTING,  
TO PROVIDE THAT EVERY JOCKEY OR APPRENTICE JOCKEY IS  
SUBJECT TO A BREATH ALCOHOL TEST PRIOR TO EACH  
RACE PROGRAM IN WHICH HE OR SHE PARTICIPATES

Regular Board Meeting  
August 22, 2013

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19460 states all licenses granted under this chapter are subject to all rules, regulations and conditions prescribed by the Board and shall contain such conditions as are deemed necessary or desirable by the Board for the best interests of horse racing and the purposes of this chapter.

Board Rule 1874, Disorderly Conduct, states "No licensee shall be under the influence of any alcoholic beverage, and/or any illegal substance while performing their respective duties while within the inclosure of any racing association." Board Rule 1902, Conduct Detrimental to Horse Racing, provides that no licensee shall engage in any conduct prohibited by this division nor shall any licensee engage in any conduct which by its nature is detrimental to the best interest of horse racing.

In July 2013, the Jockey and Driver Welfare Committee discussed the possible addition of a regulation allowing for the breath alcohol testing of Board licensed jockeys and apprentice jockeys. At the same time, the committee discussed another draft regulation that would allow for the breath alcohol testing of a wider range of licensees who might work directly with horses. The committee determined that, like the random drug testing regulation, it would prefer to add a regulation that only addressed jockeys and apprentice jockeys – and in the future expand the scope of the breath alcohol testing program to other classes of license.

Currently, CHRB enforcement only tests for alcohol with reasonable cause. If reliable information is received that a jockey or apprentice jockey is under the influence of alcohol or is emitting a strong odor of alcohol on his or her breath, the jockey or apprentice jockey would be ordered to submit to a breathalyzer test administered by a CHRB enforcement investigator. On occasion, enforcement will become aware of a jockey or apprentice jockey who has been drinking and require him or her to submit to a breathalyzer test. CHRB Rule 1874, Disorderly Conduct, is most commonly used by CHRB enforcement when it involves a jockey and alcohol related violations. For the period July 1, 2011 through July 24, 2013, staff identified 21

stewards' rulings specifically citing intoxication. However, the rulings were not limited to jockeys. All the rulings were made under Rule 1874.

Due to the testing requirements of Rule 1500.1, Random Drug Testing, and Rule 1498, Physical Examination, the Board may become aware of possible alcohol abuse by jockeys, but it cannot act on the information. This is because Quest Diagnostics Laboratories, which tests for the presence of prohibited drug substances in samples submitted under the random drug testing rule or the physical examination rule, also tests for the presence of alcohol in the same procedure, though it is not a requirement of the regulations. If tested through Quest Diagnostics Laboratories as mentioned, an alcohol screening will be listed in the lab results.

Below is a chart of various states and their information related to testing of jockeys for alcohol.

### Other Racing Jurisdiction Rules Regarding Jockey Alcohol Testing:

State	Is there BAC testing of jockeys/drivers?	State Rule or In-House Track Policy?	BAC Threshold	Differ between TB/HB/Etc.?
Nebraska	Yes with Cause	State Rule	0.05	No
Delaware	Random or Probable Cause	DTRC Rules	0.04	TB and Arabian
Illinois	Yes with Cause	IRB Rules	0	No
Wyoming	Yes with Cause	State Rule	0.05	No
New Jersey	Random or Probable Cause	State Rule	0.05	No
Washington	Random or Probable Cause	State Rule	0.02	No
Minnesota	Yes with Cause	State Rule	0.04	No
Oregon	Yes with Cause	State Rule	0.02	TB and Quarter
Michigan	Yes with Cause	State Rule	0.05	No
Maryland	Random or Probable Cause	State Rule	0.05	No
Louisiana	Yes - Mandatory	State Rule	0.05	TB and Quarter
New York	Yes - Mandatory - Drivers	State Rule	0.05	Yes
Indiana	Yes - Mandatory	State Rule	0.05	No
Ontario	Yes - Mandatory	State Rule	0.02	No
Ohio	Yes - Mandatory	State Rule	0.035	No
Kentucky	Yes - All, Random or Probable Cause. Policy is to test daily.	State Rule	0.05	No

### ANALYSIS

The proposed addition of Rule 1500.3, Jockey Breath Alcohol Testing, would require every jockey or apprentice jockey to submit to breath alcohol testing prior to each race program in which he or she participates. Should the jockey or apprentice jockey refuse or fail such a test he or she shall not be permitted to ride in the race program for which the test was administered. In

addition the jockey or apprentice jockey shall be referred to the stewards and shall be required to submit to a breath alcohol test prior to the commencement of the next race program in which he or she participates. The proposed regulation uses a level of .02 or above to demonstrate the presence of alcohol in the jockey or apprentice jockey's system. This coincides with current practice under Rule 1874, Disorderly Conduct, which provides that no licensee shall be under the influence of any alcoholic beverage. CHRB enforcement and stewards are currently using the level of .02 or more as showing a presence of alcohol. The CHRB currently has breathalyzer machines available at each track. The machines used are "Alco Sensor IV" which is a hand held breath alcohol tester that provides a simple method of determining breath alcohol concentration. Calibration of the machines may be done at no cost to the CHRB by the California Highway Patrol. The mouth pieces, which are replaced with each use of the machine, are a minimal cost at twenty two cents per thousand.

#### RECOMMENDATION

This item is presented for Board discussion and action. Staff recommends the Board direct staff to initiate a 45-day public comment period regarding the proposed addition of Rule 1500.3.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 16. GENERAL CONDUCT.  
PROPOSED ADDITION OF  
RULE 1500.3. JOCKEY BREATH ALCOHOL TESTING

Regular Board Meeting  
August 22, 2013

1500.3. Jockey Breath Alcohol Testing.

(a) Every jockey or apprentice jockey is subject to a breath alcohol test prior to each race program in which he or she participates. No jockey or apprentice jockey shall refuse to submit to a breath alcohol test. Failure to submit to a breath alcohol test will result in the jockey or apprentice jockey being treated as though he or she had taken a breath alcohol test that demonstrated that he or she tested positive for the presence of alcohol.

(b) If a jockey or apprentice jockey fails to submit to a breath alcohol test, or if an actual breath alcohol test demonstrates the jockey or apprentice jockey tests positive for the presence of alcohol at a level of .02 or above:

(1) The jockey or apprentice jockey shall not be permitted to ride in the race program for which the test was administered,

(2) Shall be referred to the stewards, and

(3) Shall submit to a breath alcohol test before the commencement of the next race program in which the jockey or apprentice jockey participates.

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

Reference: Sections 19460 and 19520,  
Business and Professions Code.

**CALIFORNIA HORSE RACING BOARD**

**AUGUST 22, 2013**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 18**

**CALIFORNIA HORSE RACING BOARD**

**AUGUST 22, 2013**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 19**

STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING AN  
UPDATE OF THE CHRB GOVERNING PROCEDURES FOR HEARINGS

Regular Board Meeting  
August 22, 2013

## BACKGROUND

When the California Horse Racing Board Enforcement Unit serves a disciplinary Complaint against a Licensee, the Licensee also receives a copy of the Governing Procedures that will be used in the prosecution of the matter.

**Attachment 1 is the current version of the Governing Procedures served by the Enforcement Unit.**

The Governing Procedures are required to be given to the Licensee to inform him or her how the disciplinary hearing will be conducted. Importantly, the Governing Procedures set forth the rights of the Licensee, including the right to discover the evidence that supports the allegations in the Complaint, the right to have counsel represent the Licensee at the Hearing, the right to cross examine witnesses and present rebuttable evidence, as well as the appeal rights of the Licensee should the Board of Stewards uphold the Complaint.

Presently, there is only one form of Governing Procedures provided to the Licensee, regardless of the type of Rule violation alleged or the penalty to be requested. Staff Counsel and the Office of the Attorney General have reviewed the current Governing Procedures and propose adopting the three separate Governing Procedures, depending upon the type of Rule violation alleged and the penalty sought.

## ANALYSIS

**A. Attachment 2 is the proposed Governing Procedures for non-drug related violations before the Board of Stewards.**

Attachment 2 mirrors the current Governing Procedures with one important addition. Paragraph 9 distinguishes between a hearing seeking to revoke a license and a non-revocation hearing. The current Governing Procedures are silent in this important regard and do not provide the Licensee with a clear understanding of his or her rights. In the cases where the revocation of a license is sought, the totality of Chapter 5 (Administrative Adjudication: Formal Hearing) of the Administrative Procedure Act applies, Government Code section 11500 et seq, as mandated by Business and Professions Code section 19461. A revocation hearing will not be conducted by the Board of Stewards, but will be heard by an Administrative Law Judge, hearing officer or referee who will be taking evidence and drafting a proposed decision on behalf of the California Horse Racing Board to consider. Attachment 2 makes clear that the Board of Stewards may refer a matter to the California Horse Racing Board if license revocation is determined to be appropriate.

However, if license revocation is **not** sought, Business and Professions Code section 19461 does not require the disciplinary hearing to be conducted pursuant to Chapter 5 of the Administrative Procedures Act. In the past and currently, non-revocation hearings before the Board of Stewards are conducted pursuant to the Governing Procedures in Attachment 1. Attachment 2 more clearly delineates how non-revocation disciplinary hearings before the Board of Stewards are to be conducted. Attachment 2 provides the non-revocation hearing will be conducted under Government Code section 11513 (Evidence; examination of witness), Government Code section 11514 (Affidavits) and Government Code section 11515 (Official Notice). Further, Attachment 2 conforms to the Administrative Adjudication Bill of Rights stated in Government Code section 11425.10.

Finally, Attachment 2 authorizes hearing officers to hear the appeals in addition to Administrative Law Judges and referees.

**B. Attachment 3 is the proposed Governing Procedures for non-revocation Class 1, 2 or 3 Drug Violation cases.**

Attachment 3 is consistent with the Attachment 2, with an additional provision regarding a Licensee's right to elect to have the matter heard by the Board of Stewards or a hearing officer as permitted by Business and Professions Code section 19517.5.

Appeals from a non-revocation drug violation case will be heard directly by the California Horse Racing Board.

**C. Attachment 4 is the proposed Governing Procedures for Class 1, 2 or 3 Drug Violation cases where revocation of license is the penalty sought.**

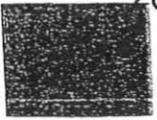
Revocation of a California Horse Racing Board license requires the proceedings be conducted pursuant to Chapter 5 of the Administrative Procedures Act, Government Code section 11500 et seq.

Representatives of the California Thoroughbred Trainers organization have voiced objections to the Proposed Governing Procedures. Primarily, the Representatives assert Chapter 5 of the Administrative Procedures Act should apply to all California Horse Racing Board disciplinary hearings. While Chapter 5 of the Administrative Procedures Act is required for any disciplinary hearing seeking revocation of a California Horse Racing Board License, Counsel for the Board and the Office of the Attorney General Liaison Counsel do not believe Chapter 5 is required or warranted for disciplinary hearings not involving revocation of a License.

Attached is language which can be incorporated into the official notice of disciplinary action from the California Horse Racing Board. The language is submitted to allay the concerns of Representatives of the California Thoroughbred Trainers organization.

**RECOMMENDATION**

Staff recommends the three proposed Governing Procedures (Attachments 2, 3 and 4) be adopted by the California Horse Racing Board.



CALIFORNIA HORSE RACING BOARD  
 GOVERNING PROCEDURE  
 RB 204A



GOVERNING PROCEDURE FOR HEARING  
 BEFORE BOARD OF STEWARDS

1. You are entitled to reasonable advance notice of the charges against you. You are also entitled to receive, in advance of the hearing, copies of all investigative reports and support documentation which the California Horse Racing Board (CHRB) investigators relied upon in bringing the charges against you, as well as all documents which the CHRB intends to put in evidence at the hearings.
2. You will have an opportunity to present your side of the case and rebut the case against you, including the opportunity to cross-examine witnesses who testify against you. You must bring all of your witnesses and all of your evidence to the hearing.
3. You are entitled to be represented by an attorney at the hearing.
4. The hearing shall be open to the public.
5. All or part of the hearing may be conducted telephonically, to the extent that all parties agree, and to the extent that each participant has an opportunity to participate in and to hear the proceeding while it is taking place.
6. If you believe that a steward on the Board of Stewards who will hear your case is biased or prejudiced against you, or has an interest in the outcome of the proceeding, you may challenge the steward. Upon such challenge, the steward may either disqualify him/herself or put the decision to the Board of Stewards, who must then decide whether you have stated a basis for disqualification of the steward. If a steward is disqualified, another steward will be appointed to sit on the Board of Stewards for purposes of hearing the matter. If the challenged steward is not disqualified, you may challenge the decision not to disqualify the steward as a separate matter on appeal. The decision of a steward or the Board of Stewards regarding such challenge is final.
7. From the time that the Complaint and Notice to Appear issues until the Board of Stewards renders its decision, you may not communicate, in any manner, directly or indirectly, with the Board of Stewards, unless at the same time, the communication is shared with all parties to the proceedings including the CHRB. This rule applies equally to the CHRB and its representatives.
8. You may request a subpoena for the production of witnesses or documents at the hearing. The Executive Director of the CHRB shall issue subpoenas at the request of any party to the matter for the purpose of compelling attendance at the attendance of a witness or the production of documents at the hearing. The Board of Stewards will decide disputes.

TE OF CALIFORNIA

EDMUND G. BROWN JR., GOVERNOR

CALIFORNIA HORSE RACING BOARD  
GOVERNING PROCEDURE  
RB 204A



GOVERNING PROCEDURE FOR HEARING  
BEFORE BOARD OF STEWARDS

9. A verbatim record of the proceedings will be made, using either a shorthand reporter or a tape recorder. You may request a tape recording or a transcript of the hearing from the CHRB. It will be provided to you free of charge.

10. You will receive a written decision after the hearing. The decision will be written by the majority, be based on the record, and include a statement of the factual and legal basis for the decision. The decision will also include a description of the penalty imposed, if any. The Board of Stewards will take action upon a majority decision. In the event of a split vote, each steward shall file a separate written decision on the matter.

11. You have 72 hours from the receipt of the written decision to appeal the Board of Stewards decision to the CHRB. You may request a stay of any penalty pending appeal.

12. If you timely appeal a Board of Stewards' decision, the matter will be heard on behalf of the CHRB by an administrative law judge (ALJ) or referee designated by the CHRB. On appeal, you bear the burden of showing that the law was improperly interpreted or applied by the Stewards and/or that the stewards' factual determinations were not supported by substantial evidence or that the best interest of racing in the State maybe better served by reversal or modification of the stewards decision. The ALJ/referee will draft a proposed decision and submit it to the CHRB.

13. The CHRB may adopt, modify and adopt, or reject the proposed decision of the ALJ/referee.

14. If you are dissatisfied with the CHRB's decision, you may appeal that decision to Superior Court.

**GOVERNING PROCEDURE FOR DISCIPLINARY HEARING  
BEFORE BOARD OF STEWARDS**

1. You are entitled to reasonable advance notice of the charges against you. You are also entitled to receive, in advance of the hearing, copies of all investigative reports and support documentation which the California Horse Racing Board (CHRB) investigators relied upon in bringing the charges against you, and the CHRB will exchange with you copies of all documents which each party intends to put in evidence at the hearing.
2. You will have an opportunity to present your side of the case and rebut the case against you, including the opportunity to cross-examine witnesses who testify against you. You must bring all of your witnesses and all of your evidence to the hearing.
3. You are entitled to be represented by an attorney at the hearing.
4. The hearing shall be open to the public.
5. All or part of the hearing may be conducted telephonically to the extent that all parties agree and to the extent that each participant has an opportunity to participate in and to hear the proceeding while it is taking place.
6. If you believe that a steward on the Board of Stewards who will hear your case is biased or prejudiced against you or has an interest in the outcome of the proceeding, you may challenge that steward. Upon such challenge, the steward may either disqualify him/herself or put the decision to the Board of Stewards, who must then decide whether you have stated a basis for disqualification of that steward. If a steward is disqualified, another steward, will be appointed for purposes of hearing the matter. If the steward is not disqualified, you may challenge the decision not to disqualify the steward as a separate matter on appeal. The decision of the Board of Stewards regarding such challenge is final.
7. While the proceeding is pending, beginning with the issuance of the Complaint and Notice to Appear, you may not communicate, in any manner, directly or indirectly, with the Board of Stewards regarding any issue in the proceeding, unless, at or before the time the communication is made, the communication is shared with all the parties to the proceeding including the CHRB, and an opportunity is afforded to all parties to participate in the communication. This rule applies equally to the CHRB and its representatives. Nothing herein precluded communications made on the record at the hearing. Applicable exception to, and clarifications of, this rule are found in Government Code sections 11430.10 through 11430.80.
8. You may request a subpoena for the production of witnesses at the hearing and/or the production of documents at a reasonable time and place or at the hearing. The Executive Director of the CHRB shall issue subpoenas at the request of any party to the matter for the purpose of compelling attendance of a witness at the hearing or the production of documents. The Board of Stewards, hearing officer or referee will decide disputes.

CALIFORNIA HORSE RACING BOARD  
**GOVERNING PROCEDURE**  
CHRB-204A-1

STATE OF CALIFORNIA

9. The Stewards may refer your matter to the CHRB if license revocation is determined to be appropriate. In that case, Chapter 5 of the Administrative Procedure Act will apply to the proceedings to revoke your license and will supplant any inconsistent provisions herein. Chapter 5 is Government Code sections 11500 et seq. If the matter is not referred to the CHRB, the proceedings will be held before the Board of Stewards, Hearing Officer or Referee under the evidentiary provisions of Government Code sections 11513, 11513 and 11515, but Chapter 5 will not otherwise apply.
10. A verbatim record of the proceedings will be made, using either a shorthand reporter or a tape recorder. You may request a record of the hearing from the CHRB. A tape or transcript of the hearing will be provided to you free of charge.
11. You will receive a written decision after the hearing. The written decision will include a statement of the factual and legal basis for the decision. The statement of the factual basis for the decision shall be based on the evidence of record and on matters officially noticed in the proceeding. The decision will also include a description of the penalty imposed, if any. The Board of Stewards will take action upon a majority decision. In the event the decision is not unanimous, one or more dissenting or concurring decisions shall be filed. Each steward shall file his/her own written decision or join in a written decision on the matter.
12. You may appeal the decision of the Board of Stewards' decision to the CHRB. Appeals must be received by a CHRB employee at any of its offices not later than 72 hours from the date of the decision.
13. If you timely appeal a decision, the matter will be heard on behalf of the CHRB by an administrative law judge (ALJ), a referee or a hearing officer designated by the CHRB. The ALJ, referee or hearing officer will draft a proposed decision and submit it to the CHRB. On appeal, you bear the burden of proving the facts necessary to sustain the appeal. The CHRB will consider evidence that was presented to the Board of Stewards. It will also consider whether the stewards mistakenly interpreted the law, whether new evidence of a convincing nature is produced, and whether the best interests of racing and the state may be better served by overruling the stewards' decision.
14. The CHRB may adopt, modify, and adopt, or reject the proposed decision of the ALJ, referee or hearing officer.
15. If you are dissatisfied with the CHRB's decision, you may appeal that decision to the Superior Court.

**GOVERNING PROCEDURE FOR DISCIPLINARY HEARING  
BEFORE BOARD OF STEWARDS OR HEARING OFFICER  
NON-REVOCATION ENFORCEMENT PROCEEDINGS  
ALLEGING CLASS 1, 2, OR 3 DRUG POSITIVE VIOLATION**

1. Your matter will be heard by the Board of Stewards or by a hearing officer. Below, the term "Presiding Officer" shall refer to the individual or individuals who will hear your case whether it be stewards or a hearing officer.
2. You are entitled to reasonable advance notice of the charges against you. You are also entitled to receive, in advance of the hearing, copies of all investigative reports and support documentation which the California Horse Racing Board (CHRB) investigators relied upon in bringing the charges against you, and the CHRB will exchange with you copies of all documents which each party intends to put in evidence at the hearing.
3. You will have an opportunity to present your side of the case and rebut the case against you, including the opportunity to cross-examine witnesses who testify against you. You must bring all of your witnesses and all of your evidence to the hearing.
4. You are entitled to be represented by an attorney at the hearing.
5. The hearing shall be open to the public.
6. All or part of the hearing may be conducted telephonically to the extent that all parties agree and to the extent that each participant has an opportunity to participate in and to hear the proceeding while it is taking place.
7. If you believe that the Presiding Officer is biased or prejudiced against you or has an interest in the outcome of the proceeding, you may challenge the Officer. Upon such challenge, the Officer may disqualify him/herself. If your challenge is to a steward, the steward may put the decision to the Board of Stewards, who must then decide whether you have stated a basis for disqualification of the steward. If your challenge is to a hearing officer, the hearing officer may put the decision to the Executive Director. If a Presiding Officer is disqualified, another Presiding Officer will be appointed as a replacement. If the challenged Officer is not disqualified, you may challenge the decision not to disqualify the Officer as a separate matter on appeal. The decision of the challenged Presiding Officer, the Board of Stewards or Executive Director regarding such challenge is final.
8. From the time the Complaint and Notice to Appear issues until the CHRB renders its decision, you may not communicate, in any manner, directly or indirectly, with the Presiding Officer regarding

CALIFORNIA HORSE RACING BOARD  
**GOVERNING PROCEDURE**  
CHRB-204A-2

STATE OF CALIFORNIA

any issue in the proceeding, unless, at or before the time the communication is made, the communication is shared with all parties to the proceeding including the CHRB, and an opportunity is afforded to all parties to participate in the communication. This rule applies equally to the CHRB and its representatives. Nothing herein precludes communications made on the record at the hearing. Applicable exceptions to, and clarifications of, this rule are found in Government Code sections 11430.10 through 11430.80.

9. You may request a subpoena for the production of witnesses at the hearing and/or the production of documents at a reasonable time and place or at the hearing. The Executive Director of the CHRB shall issue subpoenas at the request of any party to the matter for the purpose of compelling attendance of a witness at the hearing or the production of documents. The Presiding Officer will decide disputes.
10. The hearing will be conducted under the evidentiary provisions of Government Code sections 11513, 11514 and 11515. Otherwise, the only disciplinary proceedings to which Chapter 5 of the Administrative Procedure Act apply are license revocation proceedings, and the Board does not anticipate seeking a revocation of your license in this matter. Chapter 5 is Government Code sections 11500 et seq.
11. A verbatim record of the proceedings will be made, using either a shorthand reporter or a tape recorder. You may request a record of the hearing from the CHRB. A tape or transcript of the hearing will be provided to you free of charge.
12. The Presiding Officer will draft a proposed decision and submit it to the CHRB. The CHRB may adopt, modify and adopt, or reject the proposed decision of the Presiding Officer. The CHRB's written decision will include a statement of the factual and legal basis for the decision. The statement of the factual basis for the decision shall be based on the evidence of record and on matters officially noticed in the proceeding. The decision will also include a description of the penalty imposed, if any.
13. If you are dissatisfied with the CHRB's decision, you may appeal that decision to the Superior Court.

**GOVERNING PROCEDURE FOR DISCIPLINARY HEARING  
BEFORE BOARD OF STEWARDS OR HEARING OFFICER  
REVOCATION ENFORCEMENT PROCEEDINGS  
ALLEGING CLASS 1, 2, OR 3 DRUG POSITIVE VIOLATION**

1. Your matter will be heard by the Board of Stewards or by a hearing officer. Below, the term "Presiding Officer" shall refer to the individual or individuals who will hear your case whether it be stewards or a hearing officer.
2. You are entitled to reasonable advance notice of the charges against you. You are also entitled to receive, in advance of the hearing, copies of all investigative reports and support documentation which the California Horse Racing Board (CHRB) investigators relied upon in bringing the charges against you, and the CHRB will exchange with you copies of all documents which each party intends to put in evidence at the hearing.
3. You will have an opportunity to present your side of the case and rebut the case against you, including the opportunity to cross-examine witnesses who testify against you. You must bring all of your witnesses and all of your evidence to the hearing.
4. You are entitled to be represented by an attorney at the hearing.
5. The hearing shall be open to the public.
6. All or part of the hearing may be conducted telephonically to the extent that all parties agree and to the extent that each participant has an opportunity to participate in and to hear the proceeding while it is taking place.
7. If you believe that the Presiding Officer is biased or prejudiced against you or has an interest in the outcome of the proceeding, you may challenge the Officer. Upon such challenge, the Officer may disqualify him/herself. If your challenge is to a steward, the steward may put the decision to the Board of Stewards, who must then decide whether you have stated a basis for disqualification of the steward. If your challenge is to a hearing officer, the hearing officer may put the decision to the Executive Director. If a Presiding Officer is disqualified, another Presiding Officer will be appointed as a replacement. If the challenged Officer is not disqualified, you may challenge the decision not to disqualify the Officer as a separate matter on appeal. The decision of the challenged Presiding Officer, Board of Stewards or Executive Director regarding such challenge is final.
8. From the time the Complaint and Notice to Appear issues until the CHRB renders its decision, you may not communicate, in any manner, directly or indirectly, with the Presiding Officer regarding

any issue in the proceeding, unless, at or before the time the communication is made, the communication is shared with all parties to the proceeding including the CHRB, and an opportunity is afforded to all parties to participate in the communication. This rule applies equally to the CHRB and its representatives. Nothing herein precludes communications made on the record at the hearing. Applicable exceptions to, and clarifications of, this rule are found in Government Code sections 11430.10 through 11430.80.

9. You may request a subpoena for the production of witnesses at the hearing and/or the production of documents at a reasonable time and place or at the hearing. The Executive Director of the CHRB shall issue subpoenas at the request of any party to the matter for the purpose of compelling attendance of a witness at the hearing or the production of documents. The Presiding Officer will decide disputes.
10. Chapter 5 of the Administrative Procedure Act (Government Code section 11500 et seq.) is applicable to this proceeding except for the provisions of Chapter 5 that are inconsistent with Business & Professions Code, section 19517.5 or any other section of the Horse Racing Law (Chapters 4 and 4.5, Division 8 of the Business & Professions Code.)
11. A verbatim record of the proceedings will be made, using either a shorthand reporter or a tape recorder. You may request a record of the hearing from the CHRB. A tape or transcript of the hearing will be provided to you free of charge.
12. The Presiding Officer will draft a proposed decision and submit it to the CHRB. The CHRB may adopt, modify and adopt, or reject the proposed decision of the Presiding Officer. The CHRB's written decision will include a statement of the factual and legal basis for the decision. The statement of the factual basis for the decision shall be based on the evidence of record and on matters officially noticed in the proceeding. The decision will also include a description of the penalty imposed, if any.
13. If you are dissatisfied with the CHRB's decision, you may appeal that decision to the Superior Court.

## SUGGESTED MODIFICATIONS TO PROPOSED GOVERNING PROCEDURS

- 1) On notice 204A-2 pertaining to Class I, II or III non-revocation hearings, the following sentence be added to paragraph 2: "In extraordinary circumstances, on motion by a party, the Presiding Officer may allow additional discovery where the moving party demonstrates that unusual issues arising in the case create a compelling need for additional discovery."
- 2) On notice 204A-1 pertaining to non-class I, II or III proceedings that are heard by the Stewards, the following sentence be added to paragraph 9: "Where Chapter 5 does not apply, in extraordinary circumstances, on motion by a party, the Presiding Officer may allow discovery additional to that provided for above in paragraph 1 if the moving party demonstrates that unusual issues arising in the case create a compelling need for additional discovery."
- 3) On notice 204A-3 pertaining to class I, II or III proceedings where revocation is sought no new language is needed as that notice provides for the application of Chapter 5.

KAMALA D. HARRIS  
Attorney General

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DEPARTMENT OF JUSTICE



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July 16, 2013

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Dear Mr. Vienna and Mr. Fisco:

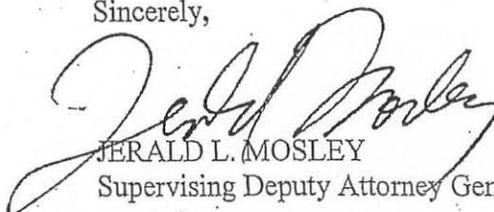
Thank you for your letters furthering the discussion as to appropriate amendments to the governing procedures. As an initial point, let me mention that I do not believe that either of you have objection to the proposed changes that do not pertain to Chapter 5 of the APA. Prominent among those changes are ones that reflect the statutory requirement that either the Stewards or the Hearing Officer hear Class I, II or III matters and that the decision be in the form of a proposed decision submitted to the CHRB. Let me know if I am mistaken on this point. I mention it only to avoid those uncontroversial changes being overlooked in the discussion of the difficult issue regarding Chapter 5 of the APA.

As to the proposed amendments regarding Chapter 5, my last letter suggested adding language that, even though Chapter 5 does not apply, expansive discovery could be allowed in extraordinary circumstances where a party demonstrates that unusual issues create a compelling need for additional discovery. I suggested that wording because it tracks my view of the Committee's concerns. Indeed, as I recall, the word "extraordinary" or a closely related word was indeed expressed by a Committee member in questioning whether additional discovery should at times be allowed. My recollection of the import of that discussion is that discovery be limited in the majority of class I, II and III cases, but that in unusual circumstances discovery

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could be expanded. I do not mean to suggest that the Committee committed itself to any particular view, I only offer these remarks to explain my understanding of the Committee's concerns. My intent was to meet those concerns.

Sincerely,



JERALD L. MOSLEY  
Supervising Deputy Attorney General

For KAMALA D. HARRIS  
Attorney General

JLM:la

cc: Robert Miller