



10. Public hearing and action by the Board regarding the **proposed amendment to CHRB Rule 1845, Authorized Bleeder Medication**, to require that authorized bleeder medication be administered by independent, third party veterinarians. (Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)
11. Public hearing and action by the Board regarding the **proposed amendment to CHRB Rule 1843.2, Classification of Drug Substances**, to add cobalt to the CHRB Penalty Categories Listing by Classification, thereby establishing the violation and penalty guidelines for the presence of cobalt in an official blood sample. (Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)
12. Public hearing and action by the Board regarding the **proposed amendment to CHRB Board Rule 1887, Trainer to Insure Condition of Horse**, to add owners of a ship-in horse as equally responsible for the condition of a horse. (Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)
13. Discussion and action by the Board regarding the **license renewal for AmTote, the totalizator selected by Southern California Off Track Wagering, Incorporated (SCOTWINC) and Northern California Off Track Wagering, Incorporated (NCOTWINC), to provide California wagering services and the impact the selection may have on California racing.**
14. Discussion and action by the Board regarding the **allocation of the 2016 Northern California Race Dates.**
15. Discussion and action by the Board regarding the **allocation of the 2016 Southern California Race Dates.**
16. Report from the **Medication and Track Safety Committee.**
17. **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**

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

**CALIFORNIA HORSE RACING BOARD**

1010 HURLEY WAY, SUITE 300

SACRAMENTO, CA 95825

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**PENDING LITIGATION  
AUGUST 2015****COURT LITIGATION****A. Morteza Atashkar vs. CHRB**

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

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

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

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

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

**D. Donald Lockwood vs. CHRB**

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

**E. Jose DeLaTorre vs. CHRB**

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

**F. Dean Frey vs. CHRB**

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

**G. Gustavo DeLaTorre vs. CHRB**

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

**PROCEEDINGS** of the Regular Meeting of the **California Horse Racing Board** held at the **Del Mar Surfside Race Place**, 2260 Jimmy Durante Blvd., Del Mar, California, on **July 17, 2015**.

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

**APPROVAL OF THE MINUTES OF JUNE 25, 2015**

Chairman Winner asked for approval of the minutes of the Regular Meeting of June 25, 2015.

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

**EXECUTIVE DIRECTOR'S REPORT.**

Executive Director Rick Baedeker stated he attended the sixth annual welfare and safety of the racehorse summit held in Lexington, Kentucky. The summit covered several topics including findings from the jockey and equine injury databases, racing surface studies, lessons learned from postmortem programs, and the importance of continuing education for trainers. Executive Director Baedeker stated Dr. Rick Arthur, CHRB Equine Medical Director, assumed the role of producer-director for a bone physiology continuing education module the California Horse Racing Board was developing with Dr. Stover at UC Davis. The module would be completed in a couple months and was funded by the Jockey Club. Executive Director Baedeker said the Board would be considering a regulation which would make trainer continuing education a

requirement for licensing. The equine database research showed the likelihood of serious injuries for racehorses increased dramatically for horses that did not begin their careers as two-year-olds. During the growth period-from 20 to 27 months, horses needed training to remodel the skeleton, making the bones bigger and stronger. Executive Director Baedeker reported a press release was sent out in early July, which included the results for drug testing over the previous fiscal year. The 2014-15 fiscal year had four serious violations, the fewest violations on record in the past 40 years. Each of the previous two years had 28 violations. Executive Director Baedeker stated that financials for the month of July showed a one percent decline in daytime business with one less day of racing, but night business was up nearly five percent with one less day. Total business was up 2.62 percent for the industry in California for the year-to-date. More specifically, the fair meet at Pleasanton increased business by 1.7 percent, even though on-track attendance, handle and field size were down. He said Cal-Expo had a 20 percent increase in total handle during the first week of its fair with about 130 more horses this year compared to last year and larger field sizes. Executive Director Baedeker added Los Alamitos had a 16.8 percent increase in total handle compared to last year, and although on track handle declined, Advanced Deposit Wagering handle was up more than 15 percent, with out-of-state wagering increasing by 27.4 percent. He concluded his report by stating the first lasix-free race for two-year-olds was offered at Gulfstream Park, and the race was so oversubscribed, it was split into two races with 11 and 12 horses. The races carried purses of \$65,000 rather than the usual \$48,000 purse.

**PUBLIC COMMENT**

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Mike Wellman, a breeder, owner and member of Thoroughbred Owners of California (TOC) stated he was speaking as an individual. Mr. Wellman said he thought the language of Rule 1699, Riding Rules, allowed for too much subjectivity for stewards, which led to inconsistencies. He said more should be taken into consideration in terms of replay based on what other professional sport teams did, and that a horse should only lose a placing if the ruling was unanimous. Vice-Chairman Rosenberg asked Mr. Wellman to explain about the specifics of reversing a result based on irrefutable evidence. He wanted to know at what stage and what criteria would results be reversed. Mr. Wellman replied he was not sure, but he believed the stewards' decisions should be unanimous, and that the language of the regulation should be simplified. Chairman Winner asked if Mr. Wellman was suggesting unanimity more than irrefutability, as irrefutability was subjective. Mr. Wellman and Chairman Winner agreed it was all subjective. Commissioner Solis said starting about April 2015, the stewards and jockeys went over films and tried to work together to come to an understanding of whether or not the stewards made the right calls. Kim Lloyd, of Barretts, commented that three sales were coming up and that Barretts wanted everyone to come to its events and buy horses. Andy Asaro, a horseplayer advocate, said he agreed with Mr. Wellman regarding steward unanimity, but he also wanted to speak about optimal take out. He stated at every Board meeting there were different people and organizations seeking money, and he wanted to know why California racing was so good at making rules, but not at increasing revenue or growing jobs from gambling. Mr. Asaro said he knew CHRB did not set take out rates, but had a pari-mutuel committee that was presented with numbers from last year, yet no action was taken. Commissioner Choper commented that he

agreed the Board should do anything it could to try to determine whether there was such a thing as a maximum beneficial, or optimal, take out.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE PACIFIC RACING ASSOCIATION IN THE AMOUNT OF \$46,017.25 TO ELEVEN BENEFICIARIES.**

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Cal Rainey, Golden Gate Fields (GGF), stated GGF proposed to distribute one hundred percent of its charity proceeds to horse-related organizations. Chairman Winner stated the Board reviewed the list of charities selected by GGF, and was appreciative of the choices made. Commissioner Solis **motioned** to approve the request by the Pacific Racing Association to distribute its race day charity proceeds in the amount of \$46,017.25. Commissioner Auerbach **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE LOS ANGELES TURF CLUB IN THE AMOUNT OF \$49,487.98 TO TWELVE BENEFICIARIES.**

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This item was deferred.

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

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Jeff True, AmTote, stated 25 years had passed since AmTote was a tote operator in California. He said AmTote was owned by the Stronach Group. The Stronach Trust had a variety of horse racing related businesses; AmTote was one of them. Steve Keech, AmTote, said AmTote

viewed the Stronach Trust as an investment banker; AmTote would present a business case and the Stronach Trust would approve funding on the business components only; there were no day-to-day interactions. Mr. True stated AmTote was a global supplier of pari-mutuel systems; it wrote software, built hardware, and operated the systems. He said AmTote opened in the 1930's and it was the oldest tote company in the United States. He stated AmTote's customers included XpressBet, and Watch and Wager, and it also handled a diverse group of customers from around the world. The majority of AmTote's operations were managed from the Hunt Valley, Maryland, hub. Mr. True said AmTote would become the tote provider in California beginning October 26, 2015. AmTote was currently building the hardware, wiring facilities, distributing cabinets and IT infrastructure, with deployment continuing throughout the summer. The first live racing date would be on October 28, 2015, at Del Mar. Mr. Keech stated every location would be connected to the production network by the end of the month, and the terminals would be complete by mid-September. Chairman Winner reviewed the five conditions placed on AmTote by the Board. The first condition required AmTote to submit current information and documents as required of a first time totalizator license applicant. The second condition required all officers, directors, and employees of AmTote to disclose their relationships to each of the various Stronach Group horse racing related entities. The third condition required that certain transparency standards be met by AmTote including, but not limited to, disclosure of Board of Director meeting minutes, financial documents, current corporate structure and all requests by any entities seeking direct access to the totalizator site, as well as any other information as the Board may request. The fourth condition required that AmTote not have any ownership interest in any robotic wagering company or other similar wagering entity. The fifth condition required AmTote to report the details of any winning ticket with a certain minimum payoff within a set

amount of time, which shall include but not be limited to the origin of the wager (ADW, satellite, on-track, etc), base amount of the ticket, and any other relevant information. Mr. Keech said he did not have a problem with any of the conditions. He stated he would like a definition for "direct access" and "totalizator site access." Executive Director Rick Baedeker said the condition requiring AmTote to report details of any winnings with a certain minimum payoff within a set amount of time should not be met only by AmTote; associations would have to participate in disseminating the information. Vice-Chairman Rosenberg asked who owned the Stronach Group. Mr. Keech said the Stronach Group was controlled by Frank Stronach and his immediate family. Vice-Chairman Rosenberg said it would help the Board to have updated information to confirm ownership. Executive Director Baedeker asked if a license application was received from AmTote. Jacqueline Wagner, Assistant Executive Director, said CHRB staff would contact AmTote letting them know the renewal application would not be sufficient and that a new application would be required since the Board had an older application on file. Executive Director Baedeker asked Robert Miller, CHRB Staff Counsel, what the appropriate action was for the Board to take. Mr. Miller stated the Board should discuss and place any conditions it wished on the AmTote license. He said the approval of the license was not normally a matter that came before the Board; it was done by CHRB staff. Chairman Winner said he recommended moving AmTote's approval to the August 2015 Regular Board meeting, and because of AmTote's unique situation, the Board would take action to approve the license. Chairman Winner asked if the Attorney General's (AG) office had expressed an opinion regarding the issue. Philip Laird, CHRB Staff Counsel, said CHRB staff inquired if there were any antitrust implications due to the Stronach Group owning other California horse racing entities; however, he had not received complete information from the AG. Commissioner

Beneto asked if AmTote was the only totalizator company in California. Executive Director Baedeker said the racing industry explained the bid process and who was involved in the decision making. He stated the consensus among the commissioners was that the bid process was a thorough and fair process. Mr. Keech said the biggest players were AmTote, Sportech, and United Tote. Commissioner Choper stated reports received from independent committees recommended the Board renew its license with AmTote. Chairman Winner said the process was discussed several months ago. The Board concluded the process was thorough and complete, and the company that scored the highest points was AmTote. Commissioner Beneto asked who had the lowest bid? George Haines, Southern California Off Track Wagering, Incorporated (SCOTWINC), said the vote for AmTote was unanimous, and the financial advantage of AmTote was substantial; AmTote was the cheapest and offered new equipment. Commissioner Auerbach said the only delay in the process was getting the AG on board so there would be no problems going forward. Chairman Winner said the request for an AG opinion was to protect everyone involved, but the intent was not to delay or change anything with respect to the decision made by SCOTWINC to proceed with AmTote. Mr. Miller stated he wrote a letter to the AG's office discussing the presence of the Stronach Group as it related to horse racing in California. He said his initial discussion with the AG raised no red flags. He stated the AG requested some additional information, which CHRB staff provided, but there was no indication from the AG's office that there were any violations due to AmTote being owned by the Stronach Group. Vice-Chairman Rosenberg asked if the Board would have to deal with any issues subsequently raised by the AG. Mr. Miller stated that was correct. Commissioner Krikorian said there was the potential of conflict arising in the future, and because of that, the Board should look for another totalizator company to provide services for California. Mr. Laird said Sportech

would be removing its equipment by October 26, 2015. Commissioner Krikorian said that could always be extended while the Board went through the process to find a tote company that did not have a conflict of interest. Mr. True asked if AmTote should continue preparing for the October 26, 2015, installation date. Chairman Winner said it was a judgement call for AmTote. He stated one Commissioner had serious conflict concerns, and a Board vote on AmTote's license would be premature due to the outstanding issues. Chairman Winner recommended moving the item to the August 2015 Regular Board meeting. Mr. Keech said AmTote was investing \$16 million in California, along with an enormous amount of planning, to meet the deadlines. If there was any alteration from the deadline, AmTote would need as much notice as possible. He stated the vendor's license application did not address specific questions, and that was why the conditions were being added. Commissioner Krikorian asked AmTote why they did not come forward with the applications. Mr. Keech said they did not receive instruction from the CHRB staff and Board. Executive Director Baedeker said that was not a fair statement; AmTote's license would expire at the end of September, and AmTote was investing \$16 million knowing its license was not yet renewed. Mr. True said the conditions were acceptable, and they would be fulfilled. Vice-Chairman Rosenberg stated the Board could not hold AmTote accountable for filling out a form that did not exist. He said the process should be changed to make something so important require more information than is provided by a normal vendor. Scott Daruty, Stronach Group, asked if the Board was discussing whether AmTote met the licensing requirements, or whether the California industry should have entered into a transaction with AmTote; they were two different issues. Chairman Winner said a license renewal could be impacted by other conditions. He stated the agreement between the associations and AmTote was not the condition the Board was dealing with; it was the overall relationship with the company. Mr. Daruty said

AmTote would provide services for the whole industry, including non-Stronach tracks. He stated the Stronach Group felt very strongly that its tote technology at its racetracks in Florida and Maryland was better because it was more user friendly and intuitive. He said the Stronach Group would cooperate, and it would work with any conditions imposed by the Board. He stated the Stronach Group also felt strongly that using AmTote was the right decision for all of California racing. He said AmTote worked with the industry to put a contract in place that specifically said AmTote would not favor the Stronach tracks over non-Stronach tracks. The language was negotiated between the race tracks and the horsemen to protect against any perceived conflict of interest. AmTote would be used for all of the tracks in California. He said it was common in other jurisdictions for the tote company, racetrack, and racing industry to have an affiliated relationship. AmTote would continue moving forward with implementation, and if the October 2015 date was modified, AmTote would act accordingly. Chairman Winner said the Board would like to see the documents submitted by AmTote before the Board reached a decision on the issue. Commissioner Beneto **motioned** to approve AmTote's license application contingent on AmTote meeting all of the conditions. Commissioner Auerbach **seconded** the motion. Chairman Winner said it would be preferable for the Board to see the materials submitted before the August 2015 Regular Board meeting. He stated the item would be deferred.

**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 LOS ALAMITOS, COMMENCING SEPTEMBER 10, 2015, THROUGH SEPTEMBER 25, 2015, INCLUSIVE.**

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Commissioner Auerbach asked if there were any items still outstanding for the application to conduct a horse racing meeting of the Los Angeles County Fair at Los Alamitos. Assistant

Executive Director Jacqueline Wagner acknowledged staff received a marketing plan. She stated there were several items missing from the application. Executive Director Rick Baedeker said an application should not be heard by the Board until all the items are received. Commissioner Krikorian stated he thought the Board should agree moving forward not to hear applications, or have them even qualify to make it on the agenda, if they were incomplete. Mr. McKenzie explained that some of the outstanding items, such as the stakes schedule, and the Thoroughbred Owners of California agreements, were dependent upon knowing the specific meeting dates, which were not confirmed until June 2015. He said Los Alamitos had a couple of additions to the application: he wanted to make it clear that the inclusive dates were September 10<sup>th</sup> through the 25<sup>th</sup>, but that Wednesday, September 9<sup>th</sup> was a dark day. He also wanted to add Oceans 11 and Firehouse Grill as satellite facilities, which were left off the application by mistake, as well as the Advanced Deposit Wagering providers Lien Games and Game Play. Commissioner Krikorian amended the motion to give Los Alamitos ten days to turn in the remaining missing items. Commissioner Choper **motioned** to approve the application to conduct a horse racing meeting by Los Angeles County Fair at Los Alamitos commencing September 10, 2015 through September 25, 2015. Commissioner Auerbach **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 SAN JOAQUIN COUNTY FAIR (F), AT STOCKTON, COMMENCING SEPTEMBER 11, 2015, THROUGH SEPTEMBER 20, 2015, INCLUSIVE.**

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Chris Flaherty, San Joaquin County Fair, stated he wanted to dispel any rumors that the San Joaquin County Fair (SJCF) was no longer interested in horse racing. He said that was not the

case; SJCF was committed to horse racing. He stated four years ago he was appointed to the San Joaquin County Fair Board, and at that time SJCF was asked to consider moving its race dates to September. He said the fair moved its dates to September at the request of the horse racing community, and went broke as a result. He stated during the second year of his appointment SJCF decided to not hold a fair due to lack of community support, attendance, and funds. He said SJCF hired a new executive director who had turned things around. He stated SJCF had repeatedly requested its June dates for 2016, but it would be conducting a fair in September 2015. Kelly Olds, San Joaquin County Fair, said SJCF added gourmet food trucks, derby hat day, boy scouts honor guards, family circus, and contests for singing the national anthem. He stated the fair would not have an animal component. He said the sale of box seats was up forty percent over last year's sales. A new website was established where people could buy and pay for their box seats online. A major component of the fair would be a craft beer festival that would bring in a minimum of ten craft breweries each day of the festival, and would be held at the grandstands. Although SJCF would not have an animal component or carnival as in previous years, the fair would still offer family fun. Chairman Winner asked if SJCF was a variation of a fair. Mr. Olds said yes. Commissioner Beneto asked about moving SJCF's June dates to September. Mr. Flaherty said the Board and the horse racing community believed it would be better for the industry and for San Joaquin County to move SJCF's dates to September. He stated SJCF was given two options – either reduce its two weeks of racing in June to one week, or move to September and get two weeks. He said it would be difficult to maintain profitability with only one week of racing, so the decision was made to move to September. The move to September resulted in the fair going completely broke. Commissioner Choper said SJCF did a wonderful job in increasing its figures in spite of the challenges faced in the racing industry and

should be congratulated. Larry Schwartz, SJCF, stated the individuals requiring license renewals were notified, and the fire inspection would be completed in August. Commissioner Krikorian **motioned** to approve SJCF's application to conduct a horse racing meeting commencing September 11, 2015 through September 20, 2015, conditioned on the submission of outstanding items. Commissioner Beneto **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 26, 2015, THROUGH OCTOBER 25, 2015, INCLUSIVE.**

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Nate Newby, Santa Anita (SA), said SA's marketing plan would utilize many of the same promotions used for its successful winter-spring meet that finished up three percent in all source's handle, with on track attendance up seven percent compared to the previous year. He stated the seven percent increase in attendance equaled an additional 52,000 visitors, with the majority being new customers that were attracted by SA's promotions. He said a follow-up survey conducted on new customers revealed 81 percent had an excellent experience and would recommend it to a friend. He stated SA worked with the City of Arcadia to offer free shuttles between Arcadia and SA during the race meeting. Commissioner Solis stated Arcadia had a large Asian population. He asked if SA thought about opening a restaurant to attract this population. Mr. Newby said SA was looking at opening a restaurant, or some other type of facility, to maximize the opportunity. He said the recent night market held at SA, which had 80,000 in attendance, afforded SA the opportunity to educate attendees on horse racing. Executive Director Rick Baedeker asked if the people who attended the night market experienced any language barriers or did they understand the existing promotional materials.

Mr. Newby said SA offered its promotional materials in languages besides English, including Mandarin, Chinese and Cantonese. Commissioner Auerbach asked if SA submitted its current and prior year stakes schedules on separate pages. Executive Director Baedeker stated the stakes schedules were submitted in accordance with its application. Commissioner Auerbach requested Santa Anita to submit its prior year and current year stakes schedule side by side to make it easier to read. Rick Hammerle, Santa Anita, said SA would do that in the future. Commissioner Auerbach asked what SA was doing with the stakes and how they would not lose them. Mr. Hammerle stated due to SA's shorter 2015 race schedule, with only 19 days, it would not generate as much revenue and had to reevaluate its purses and stakes program. After meeting with Thoroughbred Owners of California (TOC) to discuss the various stakes schedules, SA only removed the John Henry Stakes. Taking a one year hiatus from the John Henry Stakes would not jeopardize the grade, which could return the following year. The Del Mar Thoroughbred Club would pick up two of the Golden State series races, and the Gold Color Stakes that would run during the Breeder's Cup weekend, so the races would not be lost in the calendar. Commissioner Beneto asked if SA was broadcasting for the Breeder's Cup. Mr. Hammerle said SA would be simulcasting because Del Mar had those stakes. Commissioner Krikorian asked for the status on SA's ten outstanding items. Mr. Daruty said the bond would be submitted in due course; the TOC approval letter was complete; the California Thoroughbred Trainers agreement was currently being circulated for sign-off; the housing inspection would occur closer to the race meet; and the occupational licenses were in the process of being updated. Commissioner Auerbach asked about the inspection reports for the housing at SA and how many of the inspection reports had violations; how was SA dealing with it? Chairman Winner stated he had discussions with SA about the situation in the backstretch. Executive Director Baedeker said

CHRB staff were actively involved with the management of SA, and staff were aware of the housing reports, and knew of the issues that had to be addressed. Mr. Daruty stated the push to get the backside worked on could happen now that it was closed during the Del Mar meet. Commissioner Auerbach asked for an update on the rodent control issue. Mr. Hammerle stated SA would start working on the issues beginning July 20, 2015, and the Board would start receiving monthly updates starting at the end of July 2015. Mr. Daruty said a rodenticide program was implemented throughout the state. Commissioner Krikorian said the issue should be followed up by the Stabling Oversight and Vanning Committee in Southern California and a committee meeting would be held in September. Commissioner Choper asked how SA was able to get an average of 8.66 runners per race. Mr. Hammerle said the California circuit had great horsemen; everyone worked together, in addition to the horses Del Mar brought in for their race meet, and the year round ship and win program. Commissioner Choper **motioned** to approve SA's application to conduct a horse racing meeting commencing September 26, 2015, through October 25, 2015. Commissioner Solis **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1699, RIDING RULES, AS IT PERTAINS TO THE CRITERIA FOR DISQUALIFICATION IN A HORSE RACE.**

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Executive Director Rick Baedeker said the proposed amendment to Rule 1699, Riding Rules, would further define "interference" and quantify "better placing" to reduce inconsistency. It would also define the penalties for careless riding. He stated the proposed amendment defined interference as bumping, impeding, forcing, or floating in or out or otherwise causing any horse to lose stride, ground, momentum, or position. He said the proposed amendment defined better placing as "according to the distribution of the purse" going down to 5<sup>th</sup> place to cover the pari-

mutuel wagers made. If the interference did not cost anybody anything, then there would be no reason to make a disqualification. He stated the purpose of defining the penalties for careless riding was to reinforce to the riders that repeat offenders of the careless riding rule would result in increasingly severe penalties. He said the proposed language was vetted by all of the stewards as well as by the Legislative Committee. He stated the changes were significant, and the Board worked on the amendment for over a year. He said careless riding would not be a part of determining whether or not a horse would be disqualified; it would be a question of whether or not there was interference. Careless riding would be determined by the judges who would call the rider the following day. Chairman Winner said careless riding would only affect the jockey and had nothing to do with the outcome of the race. Commissioner Krikorian asked if a horse was interfered with, but was not in the top five, would the horse that caused the interference come down? Executive Director Baedeker said if the horse came in 8<sup>th</sup>, but because of a slight bump the horse came in 7<sup>th</sup>, it would not mean anything; it would be an injustice to disqualify the horse that won the race. Chairman Winner said after many discussions with the stewards, committees, and the Board, it was determined there were no wagers where a person could benefit from a horse coming in 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> place, etc. He stated if a horse was disqualified it would be due to the judgment of the stewards. Commissioner Solis stated he preferred the current version of the rule; if a horse got bumped, a rider could get hurt very easily. He added in the past the stewards were rotated. Chairman Winner stated after evaluating steward rotation it was determined there was a significant cost involved. He said the stewards had argued against rotation, claiming it created more inconsistency. He stated the foul is a foul was evaluated over and over again; if a horse was winning a race by ten lengths and the incident clearly did not affect the outcome of the race the horse should not be taken down. Executive Director Baedeker

stated the stewards received a 20 percent cut going from five days to four days; they were independent contractors that paid for their own expenses. He said the harness stewards worked one to three days a week and had to find other sources of income, so moving them around the state would make it extremely difficult for them to make a living. Commissioner Solis asked about rotating the stewards within the North and the South. Chairman Winner said the suggestion was worth considering and would be discussed at the next Stewards Committee meeting. Vice-Chairman Rosenberg **motioned** to direct staff to initiate a 45-day public comment period regarding the proposed amendment to Rule 1699. Commissioner Choper **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE REPORT ON THE OPERATIONS AND STATUS OF THE WINNERS' FOUNDATION.**

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Executive Director Rick Baedeker stated he was once on the Winners' Foundation (Foundation) board, and he was sure that anyone who was familiar with horseracing was well aware of the work that was done by the Foundation. He added that the Foundation was unique in that it understood licensees better than an organization that was not familiar with horseracing. Executive Director Baedeker said that like so many aspects of horseracing the funding for the Foundation was not what it once was, and that was something the entire industry should be made aware of. Bob Fletcher, Executive Director of the Foundation, stated his organization has been in existence since 1984, and was based on the vision of one of the founders of Oak Tree Racing Association. The initial goal of the Foundation was to help licensees struggling with alcoholism, but its mission had expanded to include problem gambling, mental illness, domestic violence, anger management and other issues that affected industry personnel. The Foundation had five

full-time employees and it had a presence at every horseracing venue throughout California. Mr. Fletcher said the funding for the Foundation was in decline, and it was faced with reducing staff. If that occurred, the Foundation's ability to provide services would be severely hampered. Due to the confidential nature of its services, it was difficult for the Foundation to publicize its work; however, the industry needed to be aware of the Foundation's financial difficulties. The Foundation's annual budget was \$360,000. It had not increased more than \$10,000 over the last eight years due to reductions in salaries and employee medical insurance costs. The Foundation's primary funding was from industry Race Day Charity proceeds. A small amount was provided by Advance Deposit Wagering (ADW), as required under Business and Professions Code section 19604, for problem gambling. The Foundation also received private donations. Commissioner Beneto asked if the Foundation would meet its current budget. Mr. Fletcher stated the Foundation would be approximately \$50,000 short of its budget. He added for the past several years the Foundation had been using its reserves, which were down to approximately \$20,000. Commissioner Beneto asked if there was a way for the Foundation to make up the projected shortfall in its budget. Mr. Fletcher stated the Foundation was looking for suggestions. It was before the Board to seek some sort of recognition or designation as the horseracing industry's employee specific program for substance abuse. He said the Foundation currently did not have such a designation. That could possibly lead to some sort of legislative path for additional funding. Vice Chairman Rosenberg asked how much funding ADW provided the Foundation. Mr. Fletcher stated ADW provided approximately \$146,000. Race Day Charity income provided most of the remainder of Foundation's budget, with private donations adding a modest amount. Commissioner Auerbach asked if a designation as the industry's substance abuse program would help the Foundation's grant writers. Mr. Fletcher stated it would not. The

**Proceedings of the Regular Meeting of July 17, 2015**

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Foundation wanted the designation, as it may help with the legislative process to get additional funds from the industry. Commissioner Beneto said he believed the industry should contribute to the cause. Mr. Fletcher stated he hoped every aspect of the industry would like to have an investment in the Foundation's work. Commissioner Beneto asked how the Foundation handled a licensee who sought its assistance. Mr. Fletcher stated the employee would be evaluated to determine the nature of the problem and how serious it was, and then a program would be designed specifically for that person. The Foundation would provide a variety of referrals. The Foundation did provide 12-step programs and lay counseling. Its employees were also having long-term recoveries and had formal education with certifications in substance abuse. Chairman Winner stated the Board was aware of the Foundation's work and the industry was thankful as well. Without the Foundation many in the industry would not be able to ride or work; the industry depended on the Foundation. It was incumbent on the Board to assist the Foundation. He stated the Board should look at recommendations as to what it could do to enhance the Foundation's ability to continue providing services. Commissioner Auerbach asked if the Foundation worked with the California Thoroughbred Trainers (CTT) to get funding. Mr. Fletcher stated the CTT use to provide funding, but it was discontinued. Commissioner Auerbach said she thought trainers had a responsibility to help the Foundation develop more funding, whether it was events to bring in money, or other paths to income. Chairman Winner stated it seemed legislation would be required to implement additional funding from the industry. That was why he said the Board would look at recommendations. There was no disagreement that the Foundation provided a valuable service.

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

Commissioner Beneto said the biggest issue facing Northern California was the horse population, which averaged six horses per field, with only seven races per day on Thursdays and Fridays. He stated the two 2016 Northern California race dates proposals he presented had not been voted on, nor had the California Authority of Racing Fairs (CARF) and Golden Gate Fields proposals been put to a vote. Chris Korby, CARF, stated the stakeholders in Northern California were in discussions which were productive and held in good faith. Joe Morris, Thoroughbred Owners of California (TOC), stated the stakeholders were working towards a proposal that involved both stabling and race dates with a resolution targeted for the August 2015 Regular Board meeting. Executive Director Rick Baedeker asked about the Sonoma County Fair (SCF) since it was not represented at the meeting. Alan Balch, California Thoroughbred Trainers (CTT), said CTT was representing SCF by proxy and CTT was keeping it informed. Chairman Winner stated the item would be deferred to the August 2015 Regular Board meeting.

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

Commissioner Krikorian said progress on the 2016 Southern California race dates allocation was being made, and he expected to have more of a consensus between the stakeholders by the August 2015 Regular Board meeting. Commissioner Beneto asked if Los Alamitos could get more dates and relieve Santa Anita. Chairman Winner acknowledged that was part of the discussions between stakeholders and the committee. Chairman Winner said the discussions included differences of opinion with respect to stabling. Mr. Jack Leibau, Los Alamitos, stated

he sent out a memo to suggest a 2016 Southern California Racing Schedule and had not received comments back. He was not sure how people felt about the dates he suggested.

**MEETING ADJOURNED AT 1:20 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 20, 2015**  
**REGULAR BOARD MEETING**

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

**CALIFORNIA HORSE RACING BOARD**

**AUGUST 20, 2015**  
**REGULAR BOARD MEETING**

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

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING THE  
DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF  
THE LOS ANGELES TURF CLUB II IN THE  
AMOUNT OF \$37,964.66 TO TWELVE BENEFICIARIES

Regular Board Meeting  
August 20, 2015

#### ISSUE

Los Angeles Turf Club II (LATC II) is requesting approval to distribute race day charity proceeds generated at its 2014 autumn meet from September 26, 2014 through November 2, 2014. From the net race day charity proceeds LATC II is proposing a total distribution of \$37,964.66. The charitable organizations selected and amount to be distributed are listed on the attachment. Staff notes that 100 percent of the proceeds will be given to 12 horse racing related organizations.

#### BACKGROUND

Business and Professions Code section 19550 states the Board shall require each licensed racing association that conducts 14 or less weeks of racing to designate three racing days, and each licensed racing association that conducts more than 14 weeks of racing to designate five racing days during any one meeting, to be conducted as charity days by the licensee for the purpose of distribution of the net proceeds there from to beneficiaries through the distribution agent. No racing association shall be required to pay to a distributing agent for the purpose of distribution to beneficiaries more than an amount equal to two-tenths of one percent of the association's total on-track handle on live races conducted by the association at the meeting. Business and Professions Code section 19555 requires that proceeds are to be distributed to beneficiaries within 12 calendar months after the last day of the meet during which charity days were conducted. Business and Professions Code section 19556 provides that the distributing agent shall make the distribution to beneficiaries qualified under this article. At least 20 percent of the distribution shall be made to charities associated with the horse racing industry. An additional five percent shall be paid to a welfare fund and another five percent shall be paid to a nonprofit corporation, the primary purpose of which is to assist horsemen and backstretch personnel who are being affected adversely as a result of alcohol or substance abuse. In addition to the above distributions, a separate 20 percent shall be made to a nonprofit corporation or trust, the directors or trustees of which shall serve without compensation except for reimbursement for reasonable expenses, and which has as its sole purpose the accumulation of endowment funds, the income on which shall be distributed to qualified disabled jockeys.

#### RECOMMENDATION

This item is presented for Board discussion and action. Staff recommends the Board approve the charity race day distribution as presented.



Frank De Marco, Jr., Esq.  
Vice-President, Regulatory Affairs and Secretary

July 16, 2015

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

Re: Los Angeles Turf Club II, Inc.'s Charity Days

Ladies/Gentlemen:

Los Angeles Turf Club II, Inc., doing business as "Santa Anita Park," has determined the beneficiaries of proceeds from "Charity Days" races conducted at Santa Anita Park during its 2014 Autumn Meet from September 26 through November 2, 2014. The net proceeds from the "Charity Days" totaled \$37,964.66.

Attached hereto is a list of the organizations selected to be the beneficiaries of the Charity Days proceeds, the amount to be distributed to each and a brief statement about each recipient. Note that 100% of the distributions are to horse related charities.

Please calendar this matter for discussion and action by the California Horse Racing Board. Distributions will be made upon approval of the proposed amounts by the Board.

Should you have any questions regarding the distributions or the matters set forth herein, do not hesitate to contact the undersigned. Kindly do not supplement this filing with any further documents without giving us prior notice.

Very truly yours,

Frank De Marco, Jr.

FDM:mr

Enclosures

cc: Chairman Chuck Winner

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CHRB  
2015 JUL 20 PM 1:33

**Los Angeles Turf Club, Inc.**

285 W. Huntington Drive, P.O. Box 60014, Arcadia, CA 91066-6014 (626) 574-7223 Fax (626) 446-9565

## Los Angeles Turf Club II, Inc.

## Distribution of Charity Days Proceeds

2014 Autumn Meet (September 26, 2014-November 2, 2014)\*

I. <u>Horse Related Charities – BP 19556(b) (20% minimum)</u>	<u>Amounts</u>	<u>Subtotals</u>
California Equine Retirement Foundation, Inc.	1,165.00	
California Thoroughbred Foundation	1,165.00	
California Thoroughbred Horsemen's Foundation	1,165.00	
CARMA	1,165.00	
Edwin Gregson Foundation	11,609.66	
Holy Angels Church (Backside Permanent Deacon)	1,000.00	
Racetrack Chaplaincy of America (Southern California Council)	1,000.00	
Southern California Equine Foundation, Inc.	1,165.00	
Tranquility Farm	1,165.00	
United Pegasus Foundation	1,165.00	
Winners Foundation	2,500.00	\$24,264.66
II. <u>Welfare Fund for Backside Personnel – BP 19641(b) (5% minimum)</u>		
California Thoroughbred Horsemen's Foundation	2,500.00	2,500.00
III. <u>Fund for Substance or Alcohol Abuse – BP 19556(b) (5% minimum)</u>		
Winners Foundation	2,500.00	2,500.00
IV. <u>Disabled Jockeys Fund – BP 19556(c) (20% minimum)</u>		
Permanently Disabled Jockeys' Fund	8,700.00	8,700.00
Total		<u>\$37,964.66</u>

\*Excluding Breeders' Cup Handle per contract

**LOS ANGELES TURF CLUB II, INC.**  
**ADDEMDUM TO REQUEST FOR AUTHORITY TO DISTRIBUTE**  
**2014 CHARITY DAYS PROCEEDS**

**California Equine Retirement Foundation, Inc.** – CERF is an organization that has developed into a full-care ranch to provide a full range of services to former race horses in need of rehabilitation toward retirement or placement in to a new career. CERF maintains 75 plus horses ranging in age from one year to 35 years, each having specific needs to insure proper health and optimal fitness. Each horse has its own paddock where appropriate portions are placed in feeders in the morning and again in the late afternoon. During the day hay is placed in outside feeders for grazing while the horses are turned out. Periodic re-evaluations are made to determine if any changes are needed in any individual's dietary regime. This program provides horses with proper nutrition to maintain health, fitness and longevity.

**California Thoroughbred Foundation** – CTF is a 503(c)(3) nonprofit organization that provides multiple benefits to individuals involved in the Thoroughbred industry. These include scholarship programs for veterinary medicine students at UC, Davis and maintenance of the Carleton F. Burke Memorial Library.

**California Thoroughbred Horsemen's Foundation** – CTHF is a 501(c)(3) nonprofit foundation that provides assistance to the low income backstretch community occupied with the care of Thoroughbred race horses at California's major race tracks and fair circuits and CHRB recognized off-track training centers. The organization maintains three clinics throughout the state which see over 10,000 people each year, including numerous children who are prepared medically to return to school each year.

**CARMA** – The California Retirement Management Account is organized to raise money for retired California race horses. Their mission statement provides that they assist Thoroughbred retirement facilities that care for and retrain horses whose careers have ended after competing in California Thoroughbred races. Their services include tracking of retired California race horses and in working to find homes for retired equines. CARMA also manages a grant request process and distributes funds to qualified retirement facilities caring for such horses. CARMA is dedicated to the goal of providing funding for the rehabilitation, retraining and/or retirement of Thoroughbred horses that have raced in California.

**Edwin Gregson Foundation** – A nonprofit charitable foundation organized for the purpose of improving the lives of backstretch workers and their immediate family members at California race tracks. The organization provides backstretch workers with many educational programs, including "English as a second language," bible studies and provides numerous programs, including computer training programs at its recreation facility, computer games and various magazines in English and Spanish. It organizes family outings for the workers and their children, including trips to Magic Mountain in Valencia, California, Raging Waters, Galaxy soccer games, Dodger baseball games and excursions to the Long Beach Aquarium. The organization also maintains a recreational hall at Santa Anita Park for the benefit of the backside workers and their children.

**Holy Angels Church (Backside Permanent Deacon)** – Holy Angels Church is a Catholic Church across the street from Santa Anita Park. A deacon from the church performs a weekly Mass in the recreation room at the track on Monday nights for the workers on the backside. He walks down the shed rows daily in the morning and assists the workers in an endless variety of ways. Examples of the assistance provided include counseling, organizing religious and recreational activities, the collection and distribution of clothing, help with Medicare, Medi-Cal and immigration forms, officiating at holiday gatherings at Santa Anita, etc.

**Racetrack Chaplaincy of America (Southern California Council)** – The stated mission of the organization is "The overall mission of RTCA, through its councils and chaplains, is to make disciples for Jesus Christ through teaching, preaching, and ministering to the spiritual, emotional, physical, social, and educational needs of those persons involved in all aspects of the horse racing industry."

**Southern California Equine Foundation, Inc.** – SCEF is a nonprofit charitable organization providing hospital and equine ambulance services on the Southern California Thoroughbred racing circuit. Commonly known as the Equine Hospital, SCEF has a long history of service to the racing industry and the equine athlete. This is an organization "dedicated to the care of the injured horse."

**Tranquility Farm** – This organization is a 501(c)(3) charity whose principal activity is to accept the donation of Thoroughbred horses from the race tracks and breeding farms and whose goal is to give such horses the best opportunity to find an adoptive home. For those Thoroughbreds that are not readily adoptable, the organization offers comfortable retirement wherever possible, giving priority to horses that were significant competitors or producers. Tranquility Farm requests, but does not require, that owners contribute sponsorship to help defray the costs of rehabilitation and retraining. No horse is denied acceptance at Tranquility Farm based upon its owner's financial contribution.

**United Pegasus Foundation** – This is a 501(c)(3) charitable organization that aids the rescue of superannuated Thoroughbreds and provides care for such animals at its farm in Tehachapi, California. On occasion the organization purchases older horses at auction and acquires other Thoroughbreds at the request of owners and trainers. The retired Thoroughbreds are maintained in pleasant quarters and peaceful surroundings to live out the balance of their lives. This organization depends entirely upon donations for the purchase of food and other amenities required to maintain the Thoroughbreds.

**Winners Foundation** – The Winners Foundation provides confidential assistance on a one-to-one basis to employees and family members of California race tracks who are seeking help for alcohol, gambling and drug addiction. Each situation is geared to best support an individual's desire to change his or her life for the better. The Foundation has developed a large referral base and maintains close relationships with community based services such as anonymous 12 step groups, city and county assistance agencies, detox centers, halfway houses and out-patient and in-patient hospital treatment programs. This service is provided to any employee or family member of anyone involved in the California Thoroughbred horse racing community, free of charge. This includes backstretch workers, as well as all employees of Del Mar, Fairplex, Golden Gate Fields, Hollywood Park, Oak Tree, Santa Anita and the California Association of Racing Fairs.

**Permanently Disabled Jockeys' Fund** – This is a statutorily mandated distribution per Business and Professions Code Section 19556 (c). It provides support to disabled jockeys, as its name implies.

## CHRB ANALYSIS

### Los Angeles Turf Club II, Inc. 2014 Autumn Charity Day Proceeds

#	Nonprofit Organization	Amount	Proposed Disbursement Percentage	Percentage Required By Horse Racing Law (from the 2/10 of 1%)	Notes
1	California Equine Retirement Foundation, Inc.	1,165.00	3%		a
2	California Thoroughbred Foundation	1,165.00	3%		a
3	California Thoroughbred Horsemen's Foundation	3,665.00	10%	minimum of 5%	b
4	CARMA	1,165.00	3%		a
5	Edwin J. Gregson Foundation	11,609.66	31%		a
6	Holy Angels Church (Backside Permanent Deacon)	1,000.00	3%		a
7	Racetrack Chaplaincy of American (Southern Ca Council)	1,000.00	3%		a
8	Southern California Equine Foundation, Inc.	1,165.00	3%		a
9	Tranquility Farm	1,165.00	3%		a
10	United Pegasus Foundation	1,165.00	3%		a
11	Winners Foundation	5,000.00	13%	minimum of 5%	c
12	Permanently Disabled Jockeys' Fund	8,700.00	23%	minimum of 20%	d
	<b>Total Horse Related Charities</b>	<b>\$ 37,964.66</b>	<b>100%</b>	<b>minimum of 50%</b>	<b>a</b>
	Notes:				
	<b>a</b>	20% to charities associated with the horse racing industry (B&P 19556 (b))			
	<b>b</b>	5% to welfare fund for backstretch personnel (B&P 19641 (b))			
	<b>c</b>	5% to nonprofit organization to assist horsemen and backstretch personnel affected by alcohol and substance abuse(B&P 19556 (b))			
	<b>d</b>	20% to nonprofit organization that benefits qualified disabled jockeys (B&P 19556 (c)(1))			
	<b>e</b>	overall a minimum of 50% of the charity distribution should go to horse racing industry related nonprofit organizations.			

Background information for each organization is attached.

STAFF ANALYSIS  
August 20, 2015

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE WATCH AND WAGER, LLC AT CAL EXPO OCTOBER 24, 2015 THROUGH DECEMBER 20, 2015.

Watch and Wager.com, LLC (WAW) is applying to run a harness race meeting at Cal Expo October 24, 2015 through December 20, 2015 or 15 days; 5 fewer days than 2014. WAW proposes to race a total of approximately 213 races. The (actual) average daily purse for the Watch and Wager 2014 meet during the same time period was \$44,055. The (estimated) average daily purse for this meet is \$42,933.

- The race dates proposed are the dates allocated:

October – 2015						
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 – 2015						
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 – 2015						
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 Saturdays only October 24, 2015 through November 7, 2015; racing two nights per week, Saturdays and Sundays, November 14, 2015 through December 20, 2015.
- First post 6:10 p.m., Saturdays; 4:45 p.m., Sundays.
  - The association requests authorization to alter post times as needed to compliment Los Alamitos or any other evening programs if applicable.
- Racing concurrently with Pacific Racing Association October 24, 2015 through December 20, 2015.
- 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; it expires September 1, 2015.

- Wagering program will use CHRB and ARCI rules.
  - Early wagering will begin at 10:00 a.m. each live race day.
  - \$0.20 Pick n Pool 4 last four races 16% takeout, 90% carryover if no correct tickets with four winners, 10% minor pool payout.
  - \$0.50 Pick n Pool 5 starting on the first race. 16% takeout, two tiered payout 75% major pool, 25% minor pool.
  - \$.20 Pentafecta selecting the first five finishers in the same race. 100% payout to all tickets selecting five winners. No consolation. 100% carryover if no winning ticket.
  - \$0.10 Pick (n) Pool 6 on races three through eight. 100% pool plus carryover paid for unique ticket with six winners. Otherwise 70% of the daily pool is paid to ticketholders selecting the most winners, 30% of the daily pool will be added to the carryover.
  - \$25,000 guaranteed Pick-4 pool Saturdays.
  - \$25,000 guaranteed Pick-4 pool Sundays.
  
- WAW is requesting a takeout reduction for three wagers on its nightly harness racing program. The proposed reduction is being sought for the \$0.10 Unique Winner Pick 6; \$0.50 Pick 5, \$0.20 Pick 4 and the \$0.10 Super Hi-5. The harness takeout for exotic wagers is 24.18% and WAW is seeking a 16% takeout for the four 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.

- Advance Deposit Wagering (ADW) providers are ODS Technologies, L.P. dba TVG; XpressBet, LLC; Game Play Network; Lien Games Racing, LLC, dba Bet America; and Watch and Wager.

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. dba XpressBet.com, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Churchill Downs Technology Initiatives Company, dba TwinSpires, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Lien Games Racing LLC, dba Bet America, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Watch and Wager has submitted all documents required in compliance with Business and Professions Code section 19604.
- Game Play Network (GPN) submitted all documents required allowing it to accept ADW wagers on races conducted outside of California from a resident of California. To date, GPN has not submitted the required documentation to allow it to accept wagers on races conducted in California from a resident of California.

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

- Simulcasting conducted with out-of-state racing jurisdictions pursuant to Business and Professions Code section 19602; and with authorized locations throughout California.
- Request Carl Sobey be appointed horse identifier pursuant to CHRB Rule 1525, Racing Officials Appointed by the Board.

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

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

1. Fire clearance
2. Bond or bond extension; bond on file expires September 1, 2015
3. California Harness Horseman's Association race meet agreement
4. California Harness Horseman's agreement for Advanced Deposit Wagering
5. California Harness Horseman's agreement for takeout reduction
6. Side-by-side stakes schedule of current and prior year

RECOMMENDATION:

If the outstanding items, with the exceptions of items one and two, are not received by Friday, August 14, 2015, Staff recommends that the application not be heard at the August 20, 2015 Board meeting.

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. 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.

Bond on file with CHRB expires 9/1/2015.

**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 24, 2015 thru December 20, 2015

B. Actual dates racing will be held: October: 24, 31 November: 7, 14, 15, 21, 22, 28, 29. December: 5, 6, 12, 13, 19, 20.

C. Total number of days or nights of racing: Fifteen (15) Calendar Attached.

### CHRB CERTIFICATION

Application received: 7/13/15  
Deposit received: on file  
Reviewed: Lf

Hearing date: 8/20/15  
Approved date:  
License number:



# Cal Expo Harness Fall Racing Calendar

October 24 through December 20, 2015

Sunday racing begins November 15<sup>th</sup>

*Post time 4:45 pm/pst*

Friday & Saturday Harness Racing

*Post time 6:10 pm/pst*



October 2015						
Sun	M	T	W	Th	F	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
19	20	21	22	23	24	<b>24</b>
26	27	28	29	30	31	<b>31</b>

November 2015						
Sun	M	T	W	Th	F	Sat
1	2	4	4	5	6	<b>7</b>
8	9	10	11	12	13	<b>14</b>
<b>15</b>	16	17	18	19	20	<b>21</b>
<b>22</b>	23	24	25	26	27	<b>28</b>
<b>29</b>	30					

December 2015						
Sun	M	T	W	Th	Fri	Sat
		1	2	3	4	<b>5</b>
<b>6</b>	7	8	9	10	11	<b>12</b>
<b>13</b>	14	15	16	17	18	<b>19</b>
<b>20</b>	21	22	23	24	25	26
27	28	29	30	31		

Watch and Wager LLC, Operator Cal Expo Harness Racing

25 Cadillac Drive, Suite 201 • Sacramento, CA 95825

Website: [CalXHarness.com](http://CalXHarness.com)

Email: [info@goldenbearracing.com](mailto:info@goldenbearracing.com) • Phone: 916-800-1395

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

Wed - Sun     Tues - Sat   

Other: Saturday only in October and November 7, Saturday and Sunday beginning November 14<sup>th</sup> thru the balance of the meeting.

E. Number of days or nights of racing per week: One in October and November 7 (Saturday). Two beginning November 14<sup>th</sup> (Saturday and Sunday), thru the balance of the meeting.

**3. RACING PROGRAM**

A. Total number of races: Up to 213

B. Number of races for each day or night: Up to 15 races on Saturday. Up to 13 races on Sunday.

C. Total number of stakes races: 5

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.

Stake schedule 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: Saturday post time 6:10    Sunday post time 4:45  
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).

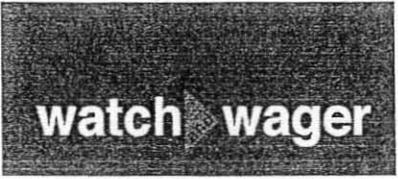
**4. RACING ASSOCIATION**

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:

The logo for 'watch wager' is displayed in a dark, textured rectangular box. The word 'watch' is in a bold, lowercase sans-serif font, followed by a small white arrow pointing to the right, and then the word 'wager' in the same font style.

Operating Harness Racing at Cal Expo

## Watch and Wager LLC @ Cal Expo Harness Fall 2015 Overnight Stake Schedule

- October 31<sup>st</sup>    The Bill Conlin            \$6,000 added
- November 7<sup>th</sup>    The Annette Funicello        \$6,000 added
- November 29<sup>th</sup>   The Robert Staats            \$7,500 added
- December 6<sup>th</sup>    The Joe Lighthill            \$7,500 added
- December 20<sup>th</sup>   The Robert Gordon            \$7,800 added

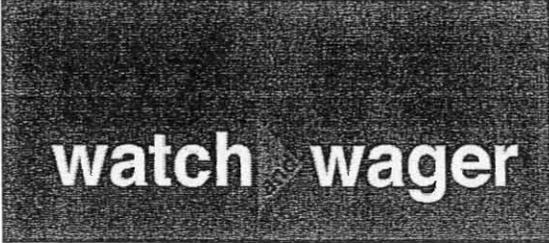
## CAL-EXPO 2014 FALL LATE CLOSERS

Event		Fees		Dates			Purse			
#	Title		Description	Nom.	Start	Leg 1	Leg 2	Final	Legs	Final Added \$
1	Bill Conlin	Pace C&G	Horses and geldings that have started in a \$4,000 claiming race or less since 5/1/14 and have not won a race for a purse of more than \$4,000 since 5/1/14	50	50	10/4	10/11	10/18	2,800	5,000
2	Annette Funicello	Pace F&M	Fillies and mares that have started in a \$4,000 claiming race or less since 5/1/14 and have not won a race for a purse of more than \$4,000 since 5/1/14	50	50	10/4	10/11	10/18	2,800	5,000
3	Kirk Breed	Pace	NW 150 PS in 2013-14 (F&M NW 250 PS); AE: NW \$1,000-5 (F&M NW \$1,500-5) - W/O \$10,000 (F&M \$15,000) in 2013-14 NE	50	50	11/2	11/9	11/16	2,800	5,000
4	Robert Staats	Pace F&M	Fillies & Mares NW \$10,000 LT (DHA \$15,000) as of 10/1/14; AE NW \$20,000 (DHA \$30,000) as of 10/1/14 to be claimed for \$6,000	100	100	11/9	11/16	11/30	3,500	6,000
5	Joe Lighthill	Trot	6 YO & Under NW \$10,000 LT (DHA & F&M \$15,000) as of 10/1/14; AE: NW \$20,000 (DHA & F&M \$30,000) as of 10/1/14 to be claimed \$6,000	100	100	11/9	11/16	11/23	3,500	6,000
6	Alan Kirschenbaum	Pace	NW 250 PS in 2013-14 (F&M NW 400 PS); AE: NW \$1,500-5 (F&M NW \$2,250-5) - W/O \$15,000 (F&M \$22,500) in 2013-14 NE	50	50	12/7	12/14	12/21	2,800	5,000

Claiming races include DHA, F&M and age allowances.

Top 10 money earners qualify for final Fields will split at 13.

Four year olds (CA Bred 5 yo) shall receive lifetime earning allowances as follows: 50% of two year old earnings (CA Bred 3 yo); 25% of three year old earnings (CA Bred 4 yo)


 A dark rectangular box with the words "watch" and "wager" in white, lowercase, sans-serif font, separated by a small diamond symbol.
 

watch wager

## Cal Expo Harness Racing

### 2015 Fall Post Time Schedule.

	Saturday	Sunday
Race 1	6:10	4:45
Race 2	6:36	5:13
Race 3	7:02	5:38
Race 4	7:27	6:02
Race 5	7:51	6:26
Race 6	8:15	6:50
Race 7	8:38	7:14
Race 8	9:01	7:38
Race 9	9:24	8:02
Race 10	9:46	8:25
Race 11	10:07	8:48
Race 12	10:27	9:02
Race 13	10:47	9:25
Race 14	11:07	
Race 15 *	11:26	

\* if applicable

Note: Cal Expo will coordinate its post times with Los Alamitos and any other twilight or nighttime thoroughbred signal.

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

D. LLC

1. Registered name of the LLC: Watch and Wager .com LLC
2. State where articles of organization are filed: Nevada
3. Registry or file number for the LLC: C20120420-0901
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: Watch and Wager.com 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.

Watch and Wager.com LTD is a wholly owned subsidiary of Webis Holdings PLC, a public 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:

- 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 audited financials on file.

**\*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 operating 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
Kate Phariss,	Director of Backstretch Operations
Glen Harris,	Mutuel Manager
John Robert Williams	Track Superintendent
Gary Seibel,	Announcer/ Simulcast Host
Martin Bridges,	Program Director

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). Christopher Schick and/or Benjamin Kenney 25 Cadillac Drive #201, Sacramento, Ca 95825 E-Mail [chris@goldenbearracing.com](mailto:chris@goldenbearracing.com) [ben@goldenbearracing.com](mailto:ben@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.

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
2014 ( 60 Days)	58,899,325	145,065
2013 ( 68 Days)	62,552,634	134,245
2012 ( 69 Days)	66,256,754	131,750
2011 ( 117 Days )	84,237,361	304,981
2010 ( 134 Days )	92,767,118	389,129
2009 ( 138 Days )	98,225,844	474,422

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

- A. Purse distribution: Proposed Current Meet – Oct 24, 2015 thru Dec 20,2015, 15 Racing Nights.  
Prior meet comparison Oct 4, 2014 thru Dec 21, 2014. 20 Racing Nights.

1. All races other than stakes:  
Current meet estimate: \$ 562,500  
Prior meet actual: \$ 735,860

Average Daily Purse (7 A1 ÷ number of days):  
Current meet estimate: \$ 37,500  
Prior meet actual: \$ 36,793

2. Overnight stakes  
Current meet estimate: \$34,800  
Prior meet actual: \$46,350

Average Daily Purse (7 A2 ÷ number of days):  
Current meet estimate: \$2,320  
Prior meet actual: \$2,318

3. Non-overnight stakes:  
Current meet estimate: \$ 0  
Prior meet actual: \$ 30,000

Average Daily Purse (7 A3 ÷ number of days):  
Current meet estimate: \$ 0  
Prior meet actual: \$ 1,500

4. Total Purses: (7A1+7A2+ 7A3)  
Current meet estimate: \$ 597,300  
Prior meet actual: \$ 812,210



- 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  
disher\_accountancy@msn.com

**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: 650
- 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): 1020
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per day per stall: NA
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse: NA

**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.**

Type	Rule Number
Exacta (1E)	1959
Daily Double (1DD)	1957
Trifecta (0.20 Tri)	1979
Superfecta (.10SF)	1979.1
Pick-3 (1 PK3)	1977
Pick-4 (0.20 PNP4)	1976.9
Pick-5 (.50 PNP5)	1976.9
Pentafecta (.20 Super H5)	ARCI 004-105-X- Option 3
PN6 (0.10)	ARCI 004-105G- (g)

- Race 1: 1E, 1DD, 0.20 Tri, 0.50 PNP5
- Race 2: 1E, 0.20 Tri, .10 SF
- Race 3: 1E, 0.20 Tri, 0.10 PN6
- Race 4: 1E, 0.20 Tri, .10SF, 1 P3
- Race 5: 1E, 0.20 Tri, .10SF
- Race 6: 1E, 0.20 Tri, .10SF
- Race 7: 1E, 0.20 Tri, .10SF, 1 P3
- Race 8: 1E, 0.20 Tri, .10SF
- Race 9: 1E, 0.20 Tri, .10SF
- Race 10: 1E, 0.20 Tri, .10SF, 1 P3
- Race 11: 1E, 0.20 Tri, 1PNP4
- Race 12: 1E, 0.20 Tri, .20 Super H5
- Race 13: 1E, 0.20 Tri, .10SF, 1 P3
- Race 14: 1E, 0.20 Tri, .10SF, 1DD
- Race 15: 1E, 0.20 Tri, .20 Super H5

**\$0.20 PNP4 on last four races. 16% takeout. 90% carryover if no correct tickets with four winners. 10% minor pool payout.**

**\$0.10 PN6 on races 3 thru 8. 100% Pool paid plus carryover for unique ticket with six winners. If no unique ticket selects six winners 70% of the daily pool is paid to the ticketholders selecting the most winners and 30% of the daily pool will be added to the carryover.**

**\$0.50 PNP5 starting on the first race. 16% takeout, two tiered payout 75% major pool, 25% minor pool.**

**\$.20 Pentafecta selecting the first five finishers in the same race. 100% payout to all ticket selecting five winners. No consolation. 100% carryover if no winning ticket. 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 20, 2015.

C. Request for 16% Takeout on Pick-5 (0.50) PNP5

Request for 16% Takeout on Pick-4 ( PNP4 0.20)

Request for Saturday \$25,000 Guaranteed Pick-4 Pool

Request for Sunday \$25,000 Guaranteed Pick-4 Pool

Attached is a letter requesting the reduced takeout promotional wagers.

D. 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: Amtote International...Statewide contract, Contract expires Sept 2018.

## 10. ADVANCE DEPOSIT WAGERING (ADW)

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

TVG  
Xpressbet  
Game Play Network  
Watch and Wager.com

B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting. TVG, Xpressbet, and Watch and Wager agreements on file. Game Play Network Attached.

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. Pending

## Promotional Wager Takeout Reduction Request

Watch and Wager.com LLC, and the California Horseman's Association jointly request a reduction in takeout for two nightly wagers on the program. The wagers requested for reduction are the \$0.50 Pick-5, and the \$0.20 Pick-4 wager. The normal takeout rate for those wagers would be 24.18%, we are requesting a reduced 16% takeout on the above 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 an 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.

**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.  
  
Scotwinc agreement on file with the board.
- 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 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":

## Watch & Wager LLC @ Cal Expo Harness

### OUT OF STATE SIMULCAST WAGERING LOCATIONS

#### 2015 Fall Harness Racing Meeting

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

**Watch & Wager LLC @Cal Expo 2015 Fall Harness Meet**

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

American Tab, Oregon	Northlands Park, BC, CAN
Atlantic City Race Course, New Jersey	Northville Downs, Michigan
Balmoral Park, Illinois	Ocean Downs, Maryland
Capitol District OTB, New York	Penn National Gaming, Pennsylvania
Catskill Region OTB, New York	Philadelphia Park, Pennsylvania
Connecticut OTB, Conn.	Plainridge Racecourse, Massachusetts
Downs at Albuquerque, New Mexico	Pompano Park, Florida
Elite Turf Club	Premiere Gateway
Empire City Bets, New York	Racing Channel, Oregon
ExpressBet, California	Racing & Gaming Services, St. Kitts
European Wagering Services, LTD. Oregon	Running Aces, Minnesota
Fire Lake Casino, Oklahoma	Sam Houston Park, Texas
Foxwoods Casino, Connecticut	Saratoga Harness, New York
Fraser Downs, BC, CAN	Scioto Downs, Ohio
Freehold Raceway, New Jersey	Southland Greyhound, Arkansas
Game Play Network, Ca	Sports Creek Raceway, Michigan
Harrington Raceway, Delaware	Suffolk Downs, MA
Harrah's Philly, Pa	Suffolk Regional OTB, New York
Hastings Park, BC, CAN	Sunland Park, New Mexico
Hawthorne Racecourse, Illinois	Television Games Network (TVG)
Hazel Park, Mich	The Meadows, Pa
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
Las Vegas Dissemination, Nevada	TwinSpires.com
Les Bois Park, Idaho	Watch and Wager.com LLC
Lone Star Park, Texas	Western Fair, ONT, CAN
Maywood Park, Illinois	Western Region OTB, New York
Meadowlands Race Track, New Jersey	Windsor Raceway, ONT, CAN
Mesquaki Casino, Iowa	Woodbine Entertainment. Group, ONT, CAN
Mohawk Racetrack, ONT, CAN	XpressBet. com
Nassau Region OTB, New York	Yonkers Raceway, New York
New Jersey Casinos, Atlantic City, NJ	
Nevada Pari-Mutuel Association	
Northfield Park, Ohio	

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
Balmoral Park	TBD	Selected Feature
Maywood Park	TBD	Selected Feature
Northfield Park	TBD	Selected Feature
Yonkers Raceway	TBD	Selected Feature
Woodbine Harness	TBD	Selected Feature
Pocono Downs	TBD	Selected Feature
Meadowlands	TBD	Selected Feature
Mohawk	TBD	Selected Feature

Under current statute, the association proposes to import eight (8) out of state races nightly during live Racing nights overlapped with Los Alamitos.

On non-overlapped racing nights, the association proposes to import sixteen (16) out of state races.

Association requests approval to import the entire Breeders Crown program from Mohawk Saturday October 24<sup>th</sup>, 2015. 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) : | Eduardo De La Cruz D.V.M |
| Clerk of Scales               | NA                       |
| Clerk of the Course:          | Patricia Petersen        |
| Film Specialist:              | N/A                      |
| Horse Identifier:             | Carl Sobey               |
| Horseshoe Inspector:          | Larry Goshman            |
| Paddock Judge:                | Walter Petersen          |
| Patrol Judges:                | Kenneth Fowler           |
| Placing Judges:               | Nancy Barney             |
| Starter:                      | Kenneth Fowler           |
| Timer:                        | Nancy Barney             |
- B. Management officials in the racing department;
- |                         |               |
|-------------------------|---------------|
| Director of Racing:     | Robin Schadt  |
| Racing Secretary:       | Robin Schadt  |
| Asst. Racing Secretary: | Brent Bridges |
| Paymaster of Pursés:    | Glen Harris   |
- 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, 2016

- 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 2016.  
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 2016.

#### 14. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. Chief Robert Craft, 916-263- 3000/3120. See attached 2015 security organizational chart.
- 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:

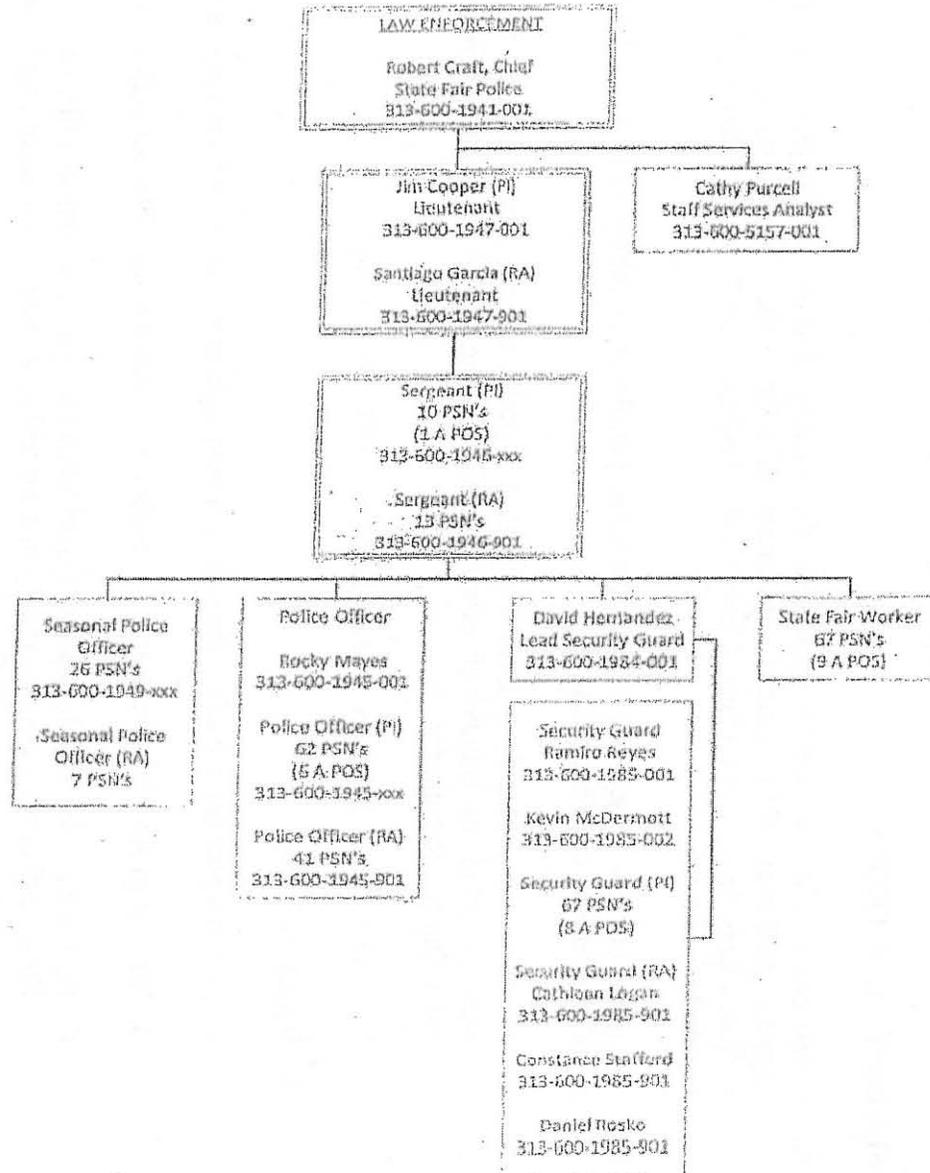
- A. Attach a plan for use of graded stakes or overnight races. Detention barn plan attached.
- B. Number of security guards in the detention stall area during a 24-hour period. Two
- C. Describe number and location of surveillance cameras in detention stall area.  
The detention barn is monitored by 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 be tested.  
Currently seven races nightly, two horses per race, randomly drawn by the stewards.  
Association will evaluate for potential increase.

## California Exposition & State Fair Law Enforcement



## Watch and Wager Detention Barn Procedures 2015 Fall Meeting

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.

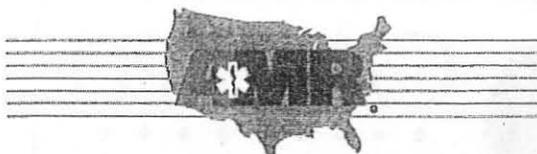
All California Sire Stake races, along with designated overnight stakes are required for detention.

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

- 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.
- D. Name and emergency telephone number of the licensed physician on duty during the race meeting: **(If quarter horse racing association sees D (1) :** 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)



AMERICAN MEDICAL RESPONSE®

July 14, 2015

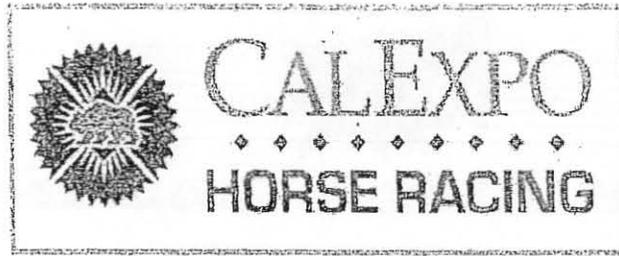
To Whom It May Concern;

American Medical Response – Sacramento Valley operates emergency and non-emergency ambulance transportation in and around the greater Sacramento area. All of our paramedic staff are licensed with the California Emergency Medical Services Authority in addition to being accredited by the LEMSA (local emergency medical services) in the area(s) in which they are practicing. The current status of any Paramedic License can be verified by CA EMSA on their website: <http://www.centralregistry.ca.gov/Search.aspx>. In addition to annual inspections by the LEMSA, our vehicles are inspected and permitted annually by the CHP.

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

Sincerely,

Jennifer L. Bales, MICP  
Operations Manager  
AMR – Sacramento County



## *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.

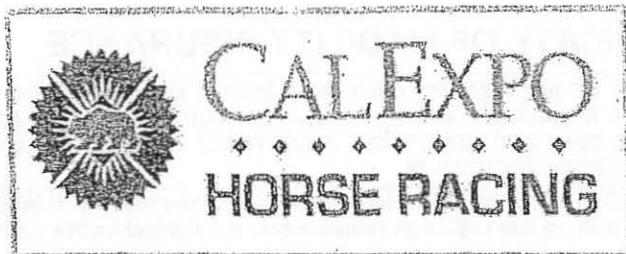
#### "INJURY TREATMENT"

- 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

CALIFORNIA EXPOSITION & STATE FAIR

P.O. Box 15540 \* Sacramento, CA 95842-1540 State of California \* Jerry Brown, Governor



## Watch & Wager.com LLC @ Cal Expo

### "PRIMERA RESPUESTA"

- En caso de un accidente, respondera la ambulancia, el poniador, o, el carrode comensar.
- La ambulancia respondera par aver lo necesario.
- La ambulancia tiene el equipo necesario para accidentes.
- Se hara una evaluacion de acuerdo al accidente.

### "EVALUACION AL INSTANTE"

- Basandose al (EMT) Emergencia Medica Responsable. Que es la ambulancia. Ellos Aran Una evaluacion al instante. Para ver si se puede tartar al momento o ser transportado, al hospital.

### "ATENCION AL ACCIDENTADO"

- El accidentado sera tratado de inmediato por (EMT).  
Sies demaciado grabe el accidente sera transportado por ambulancia



- I. 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): Na
- 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 Manager
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises. Inspection Pending (must be after State Fair ).
- I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details): Cypress Insurance Company Policy# WAWC602366
- 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 Certificate

**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

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: \$ \$30,500  
 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.
  - 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"/> Lounge area
<input type="checkbox"/> Masseur	<input checked="" type="checkbox"/> Food/beverage service	<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.

## Watch and Wager.com LLC @ Cal Expo

### Marketing and Promotional Plan Fall 2015

**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 \$300,000. We are offering an extensive overnight stake program. Our goal is to improve the quality and the quantity of the product.

**Improved Simulcast Production.:** Our on air team of Gary Siebel and Dave Brower provide some of the best insight in the industry. We plan on continuing to make the necessary investments to improve production and boost 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 two 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. This season we propose to experiment with the unique winner Pick-6.

**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: Currently 44
- C. Number of restrooms available on the backstretch of the racetrack: 8
- D. Estimated ratio of restroom facilities to the number of backstretch personnel: 1/40

**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: 

5280
------

 feet.
- B. Describe the type of track surface at the facility, including the specific track surface composition: The Cal Expo track surface is made up of various types of sand, very coarse, coarse, medium to fine. Silt and clay are also components. Medium to very fine sand makeup 75.4% of the sand. #2 screened fill sand added throughout the season to maintain surface consistency.
- C. The percent of cross slope in the straight-aways is: 2%  
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. No Rail on Inside- Pylon System. Outer Rail Aluminum.
- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: J,R, Williams Track Superintendent
- 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. NA

**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. Pending.

- 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). Lease agreement between Cal Expo and Watch and Wager LLC is on file with the board.
- 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 Exception

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 13 2015  
 Date

STAFF ANALYSIS  
August 20, 2015

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE PACIFIC RACING ASSOCIATION AT GOLDEN GATE FIELDS OCTOBER 22, 2015 THROUGH DECEMBER 20, 2015.

- Pacific Racing Association (PRA) filed its application to conduct a thoroughbred horse racing meeting at Golden Gate Fields (GGF) October 22, 2015 through December 20, 2015, or 32 days, two fewer days than in 2014. PRA proposes to race a total of 268 races, or 8.4 races per day. In the fall of 2014, PRA ran 8.41 races per day with an average of 7.33 runners per race. The average daily purse for the 2014 fall race meeting was \$166,697. The (estimated) average daily purse for this meet is \$156,974.

October – 2015						
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 – 2015						
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 – 2015						
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 26 where 8 races will be conducted; 8 races on Fridays except October 30 and November 27 where 9 races will be conducted; 9 races on Saturdays except October 31 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 8.4 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, October 30, 2015 Breeders' Cup 12:05 p.m. (subject to change)
  - Saturday, October 31, 2015 Breeders' Cup 11:40 a.m. (subject to change)
  - Thursday, November 26, 2015 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.
  - Advance wagering offered Friday, October 30, 2015 for Breeder's Cup.
  - \$2 Rolling Daily Double on all races - 20% takeout.
  - \$1 Pick 3 on eligible races; \$1 Trifecta on eligible races; \$.10 Superfecta on eligible races.
  - \$.50 Pick (n) Pool 4 on first four races and last four races.
  - \$.50 Pick (n) Pool 5 on first five races and will be offered with 100% payout to all tickets selective five winners. No consolation; 100% carryover if no ticket has five winners. Request 14% takeout.

- \$1 Super High Five in the last race of the day selecting the first five finishers in that race only. No consolation; 100% carryover if no ticket has five winners.
- \$.20 Pick (n) Pool 6 on the last six thoroughbred races each day. 100% pool paid and any prior carryovers for unique ticket selecting six winners. If no unique ticket selects six winners then the 70% minor pool that day is paid to the tickets selecting the most winners and the 30% major pool will be added to the carryover.
- Specific Changes from the 2014 license application:
  - Two additional security cameras:
    - One camera placed at the CTT office to monitor Stable Gate entrance.
    - Increase from two to three cameras installed at the horsemen walk-in gate providing 24/7 surveillance.
  - Admission increases:
    - Club house admission from \$8.00 to \$10.00.
    - Weekday turf club admission from \$10.00 to \$12.00.
- The Advance Deposit Wagering (ADW) providers are Xpressbet, TwinSpire, TVG, Bet America (Lien Games) and WatchandWager.com, LLC.

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

*Summary of Business and Professions Code section 19604*

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

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

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

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

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

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

- Lien Games Racing LLC, dba Bet America, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Watch and Wager has submitted all documents required in compliance with Business and Professions Code section 19604.

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

- Simulcasting conducted with other 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.

RECOMMENDATION:

Staff recommends approval of the application.

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

**1. APPLICANT ASSOCIATION**

- A. Name, mailing address, telephone, fax numbers, and the email address for associations contact person: **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 with the Board**
- 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. **N/A**

**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 22, 2015 through December 20, 2015**
- B. Actual dates racing will be held: **October 22-25, 29-31; November 1, 5-8, 12-15, 19-22, 26-29; December 3-6, 10-13**
- C. Total number of days or nights of racing: **32 days**

**CHRB CERTIFICATION**

Application received: *7/7/15*  
Deposit received: *on file*  
Reviewed: *LH*

Hearing date: *8/20/15*  
Approved date:  
License number:

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

**Racing Thursdays through Sundays**

**Exception: Simulcasting on Wednesday, October 21, 2015 (Host day)**

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

**3. RACING PROGRAM**

- A. Total number of races:    **268**

B. Number of races for each day or night:    **8.4 will be the average throughout the meet. We propose to conduct seven (7) races on Thursdays except November 26<sup>th</sup> where 8 races will be conducted; eight (8) races on Fridays except October 30<sup>th</sup> and November 27<sup>th</sup> where nine (9) races will be conducted; nine (9) races on Saturdays except October 31<sup>st</sup> where 10 races will be conducted, and nine (9) races on Sundays. If the horse population permits, we may run additional races as long as we do not exceed an average of 8.4 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 (3 Non-Overnight Stakes, 4 Overnight Stakes)**

D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses.  
**Stakes schedule attached along with comparative stakes schedule from 2014 and 2013**

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

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

Race	Post Time all days Except 10/30, 10/31, and 11/26
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> (when applicable)	5:15 p.m.

Exceptions:

Friday, October 30, 2015	Breeders' Cup	12:05 p.m. (subject to change)
Saturday, October 31, 2015	Breeders' Cup	11:40 a.m. (subject to change)
Thursday, November 26, 2015	Thanksgiving	11:15 a.m.

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

**PRA/GGF FALL 2015**

(October 22 – December 13, 2015)

**STAKES SCHEDULE**

**PIKE PLACE DANCER**

\$75,000 Guaranteed

*(Includes \$25,000 CMC supplement)*

2yo Fillies – 1 Mile Turf

Sunday, November 1

**GOLDEN NUGGET**

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

*Overnight Stakes*

2yo – 6 Furlongs

Saturday, November 7

**OAKLAND**

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

*Overnight Stakes*

3yo & up – 6 Furlongs

Saturday, November 14

**GOLDEN GATE DEBUTANTE**

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

*Overnight Stakes*

2yo Fillies – 6 Furlongs

Saturday, November 28

**BERKELEY HANDICAP GIII**

\$100,000 Guaranteed

3yo & up – 1 1/16

Sunday, November 29

**GOLD RUSH**

\$75,000 Guaranteed

2yo – 1 Mile

Saturday, December 5

**MISS AMERICA**

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

*Overnight Stakes*

Fillies & Mares 3yo & up -1 1/16 Turf

Sunday, December 13

**PRA/GGF FALL 2014**

(October 16 – December 14, 2014)

**STAKES SCHEDULE**

**PIKE PLACE DANCER**

\$75,000 Guaranteed

*(Includes \$25,000 CMC supplement)*

2yo Fillies – 1 Mile Turf

Saturday, October 25

**GOLDEN NUGGET**

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

*Overnight Stakes*

2yo – 6 Furlongs

Saturday, November 8

**OAKLAND**

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

*Overnight Stakes*

3yo & up – 6 Furlongs

Saturday, November 15

**GOLDEN GATE DEBUTANTE**

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

*Overnight Stakes*

2yo Fillies – 6 Furlongs

Saturday, November 29

**BERKELEY HANDICAP GIII**

\$100,000 Guaranteed

3yo & up – 1 1/16

Sunday, November 30

**GOLD RUSH**

\$75,000 Guaranteed

2yo – 1 Mile

Saturday, December 6

**MISS AMERICA**

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

*Overnight Stakes*

Fillies & Mares 3yo & up -1 1/16 Turf

Saturday, October 18

**PRA/GGF FALL 2013**

(October 17 – December 15, 2013)

**STAKES SCHEDULE**

**PIKE PLACE DANCER**

\$100,000 Guaranteed

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

2yo Fillies – 1 Mile Turf

Saturday, October 26

**GOLDEN NUGGET**

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

*Overnight Stakes*

2yo – 6 Furlongs

Saturday, November 9

**OAKLAND**

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

*Overnight Stakes*

3yo & up – 6 Furlongs

Saturday, November 16

**GOLDEN GATE DEBUTANTE**

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

*Overnight Stakes*

2yo Fillies – 6 Furlongs

Saturday, November 30

**BERKELEY HANDICAP GIII**

\$100,000 Guaranteed

3yo & up – 1 1/16

Friday, November 29

**GOLD RUSH**

\$75,000 Guaranteed

2yo – 1 Mile

Saturday, December 7

**MISS AMERICA**

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

*Overnight Stakes*

Fillies & Mares 3yo & up -1 1/16 Turf

Saturday, October 19

**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. **Addendum on file with the Board**

#### C. CORPORATION

1. Registered name of the corporation: **Pacific Racing Association**
2. State where incorporated: **California**
3. Registry or file number for the corporation: **0480316**  
**Federal ID #94-1585367 California ID #173-1919-5**
4. Names of all officers and directors, titles, and the number of shares of the corporation held by each:  
**Keith Brackpool, Chairman (Officer), 0 Shares**  
**Peter W. Tunney, Executive Vice President (Officer), 0 Shares**  
**Calvin Rainey, Vice President & General Manager (Officer), 0 Shares**  
**Frank DeMarco, Jr., Vice President Regulatory Affairs and Secretary (Officer), 0 Shares**  
**Mike Rogers, Vice President, Operations (Officer/Director), 0 Shares**  
**Gina Lavo, Vice President, Finance (Officer), 0 Shares**  
**Sheila Jane Lynn, Assistant Secretary (Officer/Director), 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., 100 Shares (formerly known as MI Developments, Inc.)**
6. Number of outstanding shares in the corporation: **100 Shares**
7. Are the shares listed for public trading?  Yes  No  
 If yes, on what exchange and how the stock is 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 Sheila Jane Lynn, General Counsel in corporate office (Canada); Email: jane.lynn@stronachgroup.com**
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: **Not applicable**
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 the stock is 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: **Not applicable**

#### 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: **Not applicable**
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: **Attached**
- 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**  
**Peter W. Tunney, Executive Vice President**  
**Calvin Rainey, Vice President and General Manager**  
**Mike Rogers, Vice President, Operations**  
**Frank DeMarco, Jr., Vice President, Regulatory Affairs and Secretary**  
**Gina Lavo, Vice President, Finance**  
**Sheila Jane Lynn, Assistant Secretary**  
**Merry Scalzo, Director of Administration**  
**Adam Njaa, Controller**  
**Ferdinand Rebusi, Director of Hospitality and Sales**  
**Doug Gooby, Mutuel Manager**  
**Tom Ferrall, Publicity Manager**  
**Bob Hemmer, Director of Operations**  
**Dan Cirimele, Senior 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 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 percentages: **14%**  
**Daily Double** **20%**

- 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. **TOC approval letters 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
2014 (10/16 – 12/25/14)	\$ 12,044,708.00	59,935 (35 live race days)
2013 (10/17 – 12/25/13)	\$ 13,074,833.00	68,675 (36 live race days)
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)

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

*Prior meet represents October 16 through December 14, 2014 (34 days)*

- A. Purse distribution:

1. All races other than stakes:  
 Current meet estimate: **\$4,069,440.00**  
 Prior meet actual: **\$4,684,887.82**

Average Daily Purse (7 A1 ÷ number of days):  
 Current meet estimate: **\$127,170.00**  
 Prior meet actual: **\$137,790.82**

# Golden Gate Fields

July 3, 2015

Rick Baedeker  
Executive Director  
California Horse Racing Board  
1010 Hurley Way, Suite 200  
Sacramento, CA 95825

Dear Rick:

Pursuant to California Business and Professions Code section 19601.01, Pacific Racing Association (PRA), after consultation with the Thoroughbred Owners of California (TOC), is hereby requesting takeout as set forth below to be offered during the PRA Fall race meet, October 22, 2015 through December 13, 2015.

- **Pick 5** – a \$.50 minimum wager on the first five (5) races on each day's card subject to a **takeout rate of 14%**.
- **Rolling Daily Double** - \$2.00 minimum wager offered every race on each day's card subject to a **takeout rate of 20%**.

For reference, the Pick 5 and Rolling Daily Doubles are noted on PRA's license application in Section 5A.

Please feel free to contact me with any questions or concerns.

Sincerely,



Calvin Rainey  
Vice President & General Manager

cc: Joe Morris



June 13, 2015

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

**OFFICERS**

MIKE PEGRAM  
 CHAIR

BILL STRAUSS  
 VICE CHAIR, SOUTHERN CA.

JACK OWENS  
 VICE CHAIR, NORTHERN CA.

NICK ALEXANDER  
 SECRETARY/TREASURER

MIKE HARRINGTON  
 AT LARGE

ED MOGER  
 AT LARGE

**DIRECTORS**

BOB BAFFERT

JIM CAHILL

MARK DEDOMENICO

RON ELLIS

TERRY LOVINGIER

WILLIAM E. MOREY

GEORGE TODARO

KATHY WALSH

MICHAEL WELLMAN

**EXECUTIVE STAFF**

JOE MORRIS  
 PRESIDENT

MARY FORNEY  
 DIRECTOR OF OPERATIONS

RICHARD SCHEIDT  
 NO. CA. DIRECTOR OF OPERATIONS

JENNIFER SAAVEDRA  
 BOOKKEEPER

**CHAIRS EMERITUS**

ED FRIENDLY (1996-97)

ROBERT B. LEWIS (1997-2001)

GARY BURKE (2001)

JACK B. OWENS (2001-03, 04-05,  
 2011)

RON CHARLES (2003-04)

ALAN LANDSBURG (2005-07)

MARSHA NAIFY (2007-10)

ARNOLD ZETCHER (2010-11)

**CORPORATE OFFICE**

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

RE: Golden Gate Fields (PRA) 2015 Fall Meet

Dear Ms. Wagner,

Golden Gate Fields has contacted the Thoroughbred Owners of California (TOC) regarding the conducting of the "Players Pick-5" on the first five (5) races of the day subject to a 14% takeout during their Fall race meet, October 22, 2015 – December 20, 2015. The TOC agrees to such a wager based upon the same terms and conditions as it was offered at Golden Gate Fields' previous meet.

Please feel free to contact me with any questions.

Sincerely,

Joe Morris  
 President

cc: Cal Rainey  
 Mary Scalzo



June 13, 2015

**OFFICERS**

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

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

RE: Golden Gate Fields (PRA) 2015 Fall Meet

**DIRECTORS**

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

Dear Ms. Wagner,

Golden Gate Fields has contacted the Thoroughbred Owners of California ("TOC") regarding the conducting of "Rolling Doubles" wagers, subject to a 20% takeout, on each racing day of its Fall meet from October 22, 2015 through December 20, 2015. The TOC agrees to such a wager.

Please feel free to contact me with any questions.

**EXECUTIVE STAFF**

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

Sincerely,

Joe Morris  
President

**CHAIRS EMERITUS**

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

cc: Cal Rainey, GGF  
Merry Scalzo, GGF

**CORPORATE OFFICE**

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

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: **\$6,250.00**  
 Prior meet actual: **\$5,882.35**
  
3. Non-overnight stakes:  
 Current meet estimate: **\$225,000.00 (Doesn't include \$25,000.00 CMC supplement)**  
 Prior meet actual: **\$199,350.00**  
  
 Average Daily Purse (7 A3 ÷ number of days):  
 Current meet estimate: **\$7,031.25**  
 Prior meet actual: **\$5,863.24**
  
4. Total Purses: (7A1+7A2+ 7A3)  
 Current meet estimate: **\$4,494,440.00**  
 Prior meet actual: **\$5,084,237.82**

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%**  
 Prior meet actual: **0%**  
  
 Average Daily Purse (7 B1 ÷ number of days):  
 Current meet estimate: **0%**  
 Prior meet actual: **0%**

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

Current meet estimate: **\$370,064.00**  
 Prior meet actual: **\$403,849.64**

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)	\$ 65,334.81	TOC (NTRA contribution)	\$ 73,964.49
TOC	\$ 37,334.17	TOC	\$ 42,265.42
CTT (Administration)	\$ 18,667.09	CTT (Administration)	\$ 21,132.71
CTT (Pension)	\$ 37,334.17	CTT (Pension)	\$ 42,265.42
Total	\$158,670.24	Total	\$ 179,628.04

- 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: **\$5,023,174.24**

Prior meet actual: **\$5,667,715.50**

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

Current meet estimate: **\$156,974.20**

Prior meet actual: **\$166,697.51**

- 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: **\$3,308,706.00**

Prior meet actual: **\$3,534,606.62**

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

Current meet estimate: **\$103,397.06**

Prior meet actual: **\$103,959.02**

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

Current meet estimate: **\$1,124,915.00**

Prior meet actual: **\$1,227,045.93**

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

Current meet estimate: **\$35,153.59**

Prior meet actual: **\$36,089.59**

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

**Wells Fargo PRA 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.  
**California Stabling & Vanning 2014 extension agreement attached**

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: \$407,160.00**  
**Stabling costs per day per stall: \$9.21**
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse:  
**Vanning fees for this meet: \$27,750.00**  
**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; \$.10 SF; \$.50 PNP5	CHRB#1957; 1959; 1977; 1979; 1979.1; 1976.9
Race #2	\$2 DD; \$1 E; \$1 PK3; \$1 TRI; \$.10 SF; \$.50 PNP4; \$.20 PNP6	CHRB#1957; 1959; 1977; 1979; 1979.1; 1976.9 ARCI 004-105 G. (g)
Race #3	\$2 DD; \$1 E; \$1 PK3; \$1 TRI; \$.10 SF; \$.20 PNP6	CHRB#1957; 1959; 1977; 1979; 1979.1; ARCI 004-105 G. (g)
Race #4	\$2 DD; \$1 E; \$1 PK3; \$1 TRI; \$.10 SF; \$.50 PNP4 \$.20 PNP6	CHRB#1957; 1959; 1977; 1979; 1979.1; 1976.9; ARCI 004-105 G. (g)
Race #5	\$2 DD; \$1 E; \$1 PK3; \$1 TRI; \$.10 SF; \$.50 PNP4 \$.20 PNP6	CHRB#1957; 1959; 1977; 1979; 1979.1; 1976.9; ARCI 004-105 G. (g)
Race #6	\$2 DD; \$1 E; \$1 PK3; \$1 TRI; \$.10 SF; \$.50 PNP4;	CHRB#1957; 1959; 1977; 1979; 1979.1; 1976.9
Race #7	\$2 DD; \$1 E; \$1 PK3; \$1 TRI; \$.10 SF; \$.50 PNP4	CHRB#1957; 1959; 1977; 1979; 1979.1; 1976.9
Race #8	\$2 DD; \$1 E; \$1 PK3; \$1 TRI; \$.10 SF	CHRB#1957; 1959; 1977; 1979; 1979.1
Race #9	\$2 DD; \$1 E; \$1 TRI; \$.10 SF;	CHRB#1957; 1959; 1979; 1979.1;
Race #10	\$2 DD; \$1 E; \$1 TRI; \$.10 SF; Super H5	CHRB#1957; 1959; 1979; 1979.1; ARCI #004-105 Subsection X Pick (n) Position (x) Pools)

\$2 DD Rolling Daily Double on all races. 20% takeout.

\$1 PK3 - Pick 3 on all eligible races

\$1 TRI - Trifecta on all eligible races

\$.10 cent SF - Superfecta on all eligible races

\$.50 PNP4 - Pick 4 on first four and last four races

\$.50 PNP5 - Pick 5 on first five races and will be offered with 100% payout to all tickets selecting five winners. No consolation; 100% carryover if no ticket has five winners. 14% takeout.

\$1 Pentafecta (Super High 5) in the last race of the day selecting the first five finishers in that race only. 100% payout on all tickets selecting five winners. No consolation; 100% carryover if no ticket has five winners.

\$.20 PNP6 on the last six thoroughbred races each day. 100% pool paid and any prior carryovers for unique ticket selecting six winners. If no unique ticket selects six winners then the 70% minor pool that day is paid to the tickets selecting the most winners and the 30% major pool will be added to the carryover.

- B. Maximum carryover pool to be allowed to accumulate before its distribution OR the date(s) designated for distribution of the carryover pool: **December 13, 2015 for the period of October 22, 2015 through December 13, 2015**
- 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:  
**Advanced wagering on Breeders' Cup (Saturday) will be offered Friday, October 30, 2015**
- 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: October 25, 2015; AmTote effective October 26, 2015 with expiration date of October 2020 with option to extend contract to October 2025**

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

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

- Xpressbet
- TwinSpires
- TVG
- Bet America (Lien Games)
- WatchandWager.com, LLC

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

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

Yes  No

If yes, attach a copy of the approval. **Attached**

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. **Attached**

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

**Northern California**

- Alameda County Fair, Pleasanton
- Big Fresno Fair, Fresno
- CA State Fair & Exposition, Sacramento
- Club One, Fresno
- Humboldt County Fair, Ferndale
- 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
- The Jockey Club, San Mateo

**Southern California**

- Antelope Valley Fair, Lancaster
- Barona Resort & Casino, Lakeside
- Cabazon Fantasy Springs Casino, Indio
- Surfside Race Place, Del Mar
- Derby Club at Seaside Park, Ventura
- Fairplex Park, Pomona
- Hollywood Park, Inglewood
- Los Alamitos Racecourse, Los Alamitos
- National Orange Show, San Bernardino
- San Bernardino County Fair, Victorville
- Santa Anita Park, Arcadia
- Shalimar Sports Center, Indio
- Sycuan Resort & Casino, El Cajon
- Sports Pavilion @ Farmer's Fair, Perris
- Viejas Casino & Turf Club, Alpine

June 13, 2015

6-19



**TOC**

Thoroughbred Owners of California

Serving the California  
Thoroughbred Racehorse Owner

Mr. Calvin Rainey  
Golden Gate Fields  
1100 Eastshore Highway  
Berkeley, CA 94710

RE: 2015 Pacific Racing Association (Golden Gate) Fall Race Meeting ADW Approvals

Dear Cal,

Pursuant to the Interstate Horseracing Act and applicable California law, the Thoroughbred Owners of California (TOC) agrees to the use of Pacific Racing Association (PRA) race signals under the terms and conditions set forth below.

PRA shall be permitted to transmit race signal to California-licensed ADW providers TVG, Xpressbet, TwinSpire (subject to arbitration), WatchandWager, Game Play Network Inc. and Bet America to accept wagers on PRA and other Thoroughbred races during the 2015 PRA Fall race meeting, October 22 – December 20, 2015, as follows:

**OFFICERS**

MIKE PEGRAM  
CHAIR

BILL STRAUSS  
VICE CHAIR, SOUTHERN CA.

JACK OWENS  
VICE CHAIR, NORTHERN CA.

NICK ALEXANDER  
SECRETARY/TREASURER

MIKE HARRINGTON  
AT LARGE

ED MOGER  
AT LARGE

**DIRECTORS**

BOB BAFFERT

JIM CAHILL

MARK DEDOMENICO

RON ELLIS

TERRY LOVINGIER

WILLIAM E. MOREY

GEORGE TODARO

KATHY WALSH

MICHAEL WELLMAN

**EXECUTIVE STAFF**

JOE MORRIS  
PRESIDENT

MARY FORNEY  
DIRECTOR OF OPERATIONS

RICHARD SCHEIDT  
NO. CA. DIRECTOR OF  
OPERATIONS

JENNIFER SAAVEDRA  
BOOKKEEPER

**CHAIRS EMERITUS**

ED FRIENDLY (1996-97)

ROBERT B. LEWIS (1997-2001)

GARY BURKE (2001)

JACK B. OWENS (2001-03, 04-05,  
2011)

RON CHARLES (2003-04)

ALAN LANDSBURG (2005-07)

MARSHA NAIFY (2007-10)

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

1. **California wagering on PRA races:**
  - a. TVG, XpressBet, and TwinSpire (subject to arbitration), may deduct a Hub Fee of 5.0% of gross handle.
  - b. WatchandWager and Bet America may deduct a Hub Fee of 4.2% of gross handle.
  - c. Game Play Network, Inc. may deduct a Hub Fee of 6.5% for wagers using the Game Interface and 4.0% for wagers using the traditional interface.
  - d. The remainder of the takeout shall be distributed in conformity with the Market Access Fee provisions of California law (Section 19604 et seq).
2. **California wagering on out-of-state Thoroughbred races:**
  - a. TVG, XpressBet, and TwinSpire (subject to arbitration), may deduct a Hub Fee of 5.0% of gross handle.
  - b. WatchandWager and Bet America may deduct a Hub Fee of 4.2% of gross handle.
  - c. Game Play Network, Inc. may deduct a Hub Fee of 6.5% for wagers using the Game Interface and 4.0% for wagers using the traditional interface.
  - d. The remainder of the takeout shall be distributed in conformity with the Market Access Fee provisions of California law (Section 19604 et seq).
3. **Out-of-state wagering on PRA races:**
  - a. TVG, XpressBet, and TwinSpire (subject to arbitration), shall pay a Host Fee of no less than 7.5% (plus a 1.25% California Purse Fee per SB 1072) of gross out-of-state handle wagered by out-of-state account holders.
  - b. WatchandWager and Bet America shall pay a Host Fee of no less than 55% of takeout (which includes a 1.25% California purse fee per SB 1072) of gross out-of-state handle wagered by out-of-state account holders.

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

Very truly yours,

Joe Morris  
President

cc: Tom Varela, Monarch Content Management

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

**2015 IMPORT TRACKS**

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
Belterra Park	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 Park	Full or Partial Cards
Gulfstream Park West	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
Mahoning Valley	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
Oaklawn Park	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
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

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: **Bankers Casino, Salinas; Commerce Casino Racebook, Commerce; OC Tavern Sports Bar & Grill, San Clemente; Ocean's 11, Oceanside; Original Roadhouse Grill, Santa Maria; Sammy's Original, Lake Forest; Santa Clarita Lanes, Saugus; Firehouse Bar & Grill, Bakersfield, and Tilted Kilt, Thousand Oaks**

West Entertainment	Dover Downs	Maronas (South America)	Saratoga Harness Raceway
Amwest Accounts	Dubuque Greyhound	Maryland Jockey Club	Saratoga Bets (ADW)
Greenbrier (WV)	Elite Turf Club (1 to 12)	Maywood	Scarborough
Riders Up (SD)	Ellis Park	Meadowlands	Scioto Downs
Time Out Lounge (SD)	Emerald Downs	Meadows The	Seabrook Greyhound
Triple Crown (SD)	Evangeline Downs	Meadows The (ADW) - PA regional	Social Gaming
Apahoe-Mile High	Evangeline Downs AWA	Millers OTB	Sol Mutuel
Arma Race Club	Fair Grounds	Mobile Greyhound	Southland Greyhound
Arington I	Fair Grounds ADW	Monmouth Park	Sports Creek Raceway
Atlantic City Racecourse	Fair Meadows	Montana OTB	State Fair (Lincoln, NE)
Almoral	Favorites at Gloucester	Monticello	Suffolk District OTB
Almoral ADW (BETZOTIC)	Finger Lakes	Mountaineer Park	Suffolk Downs
Angor Raceway	Fonner	Mt. Pleasant Meadows	Sunland Park
Atavia	Freehold	Nassau Regional OTB	SunRay Park & Casino
Attor Racing	Gillespie County Fair	New Jersey Casino Assoc.	Tampa Bay Downs
Bulah Park	Global Wagering Solutions	Nevada Pari-Mutuel Assoc.	Taunton Acct Wagering
Birmingham	Bwin International Ltd.	Newport Jai Alai	Taunton Dog Track Inc.
Buffs Run Greyhound	Intl Betting Assoc. Ltd	NJ Mobile	The Downs at Albuquerque
Buffalo Raceway	Magna Bet	Northfield	Thistledown
Canterbury	Racebets	Cedar Downs OTB	Tioga Downs
Capital District OTB	Greenetrack	Northville	Tri-State GH (Mardi Gras)
Castkills OTB	Greyhound @ Post Falls	NYRA	Turf Paradise
Charles Town Race Course	Gulf Greyhound	NYRA Account Wagering	Turfway Park
Chester Downs & Marina LLC	Gulfstream	Oaklawn	TVG Chester
Churchill Downs	Harrington Raceway	Ocean Downs	TVG Network
Club Hipica InTurf	HarringtonBets (DE regional)	Panama	TVG Prairie
Coeur d'Alene Casino	Hawthorne Race Course	PARX	Twin River Greyhound
Colonial Downs	Hawthorne ADW	PARX Phone Bet	TwinSpires
Colonial Downs Phone Bet	Hazel Park	Penn National	TwinSpires High Volume
Columbus Raceway	Hoosier Park	Penn National Telebet	Velocity Wagering Ltd.
Connecticut OTB	Horseman's Park	Peru	Venezuela OTB
Bradley Teletheater, Bristol	Idabet	Plainridge Race Course	Vernon Downs
New Britain, Norwalk, Milford	Indiana Downs	Plainridge Telephone Wagering	WatchandWager
East Haven, Hartford, Putnam	Clarksville/Evansville OTB	Player Management Group	Western OTB
Shoreline Star, Sports Haven	Intermountain Racing	Pocono Account Wagering	Wheeling Downs
Torrington, Waterbury	Keeneland	Pocono Downs and OTB	Will Rogers Downs
Manchester, New London	Keeneland Select ADW	Portland Meadows	Wyoming OTB
Willimantic, Sanford OTB	Kentuck Downs	Potawatomi Casino/ OTB	Wyoming Downs
John Martin's Manor Restaurant	Kentucky OTB	Prairie Meadows	XpressBet
Connecticut OTB ADW	Lebanon	Premier Turf Club	Yonkers Raceway
Coushatta Casino	Les Bois (Treasure Valley)	Presque Isle Downs	Yonkers ADW
Paragon Casino	Lewiston OTB's	Raceway Park	Yobet Group 1
Ho-Chunk Casino and Racebook	Lien Games	Racing2Day LLC	Zia Park
Mohegan Sun Casino	Chips Lounge and Casino	Racing2Day Intl. (Stan James)	123Gaming
Oneida Bingo and Casino	Howard Johnsons OTB	Remington Park	
Pony Bar Simulcast Center	Rumors OTB	Remington OTB Network	
Tote Investment Racing	Skydancer Casino OTB	Retama	
Randall James Racetrack	Lien Games ADW	Racing & Gaming Services	Separate Pool Locations
Millenium Racing	BetAmerica and Offtrackbetting	Rillito Park	Camarero (Puerto Rico)
Royal Beach Casino	Lone Star	River Downs	Caymanas (Jamaica)
Divi Carina Bay Casino	Louisiana Downs	Rockingham Park	Codere (Mexico/Spain)
Fair Chance, Winner's Circle	LVDC	Rockingham Account Wagering	MIR Books (Caliente)
Camouflage Gaming	Atlantis Paradise Casino	Ruidoso Downs	NDS Books (Nevada)
Corpus Christi Greyhound	Avatar Ventures	Running Aces Harness Park	Tabcorp (Australia)
Delaware	Buffalo Thunder Resort	Saddle Brook Park	Tattsbet (Australia)
Delta Downs	Foxwoods Resort Casino	Sam Houston	New Zealand Racing Board
Derby Jackpot	Meskwaki Bingo & Casino	Valley Greyhound Park	

Canadian Locations

Alberta Downs, Assiniboia, Barrie, Charlottetown, Clinton Teletheatre, Dresden, Elmira Raceway, Evergreen Park, Exhibition Park, Flamboro Downs, Fraser Downs, Fort Erie, Fredericton Raceway, Georgian Downs, Grand River, Hanover Raceway, Hastings Park, Hiawatha, Hipodrome de Quebec, 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, Turro Raceway, Western Fair, Woodbine,

- 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": **See 11D above. Full/partial card TBD**

**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
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- 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, 1100 Eastshore Hwy, Berkeley, CA 94710 is agent for distribution**
- B. Names and addresses of the trustees or directors of the distributing agent:  
**Pacific Racing Association, 1100 Eastshore Hwy, Berkeley, CA 94710 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)	Sara Sporer, D.V.M (Track Veterinarian) Forrest Franklin, D.V.M. (CHRB Veterinarian) Diane Isbell, D.V.M. (Examining Veterinarian)
Clerk of Scales	Ken Sjoldal
Assistant Clerk of Scales	Ross Allardyce
Clerk of the Course	Tina Walker-Bryant
Film Specialist/Patrol/Placing Judge	Ella Robinson
Horse Identifier	Darrell Sparks
Horseshoe Inspector	Butch Fyllingness
Paddock Judge	Linda Anderson
Patrol Judge/Steward's Aide	Tammy McDuffie-Morris
Placing Judge/Patrol Judge	Jon Forbes
Starter	Todd Stephens
Timer	Mark Martinelli

B. Management officials in the racing department:

Director of Racing	<b>Patrick Mackey</b>
Racing Secretary	<b>Patrick Mackey</b>
Assistant Racing Secretary	<b>Steve Martinelli &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>Bob Hemmer</b>
Price Maker	<b>Steve Martinelli</b>
Stable Superintendent	<b>Carrie Fawcett</b>
Steward's Secretary/Horsemen Liaison	<b>Cary Lamey</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, 2016**

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  
Security Department phone number (510) 559-7370  
Stable Security phone number (510) 542-4235 or (510) 559-7525  
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>	

**Attachment to PRA / Golden Gate Fields License Application  
13 (E):**

Track Camera Equipment:

There are a total of six (6) cameras placed at the following strategic locations around the race track:

- 7/8 Pole
- 3/8 Pole
- 1/4 Pole
- Paddock
- (2) Pan Cameras on Roof

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**

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 barn area.

**Barn #44 contains 27 stalls and is utilized as our Transit and Detention Barn. The surveillance system 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 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.

**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.

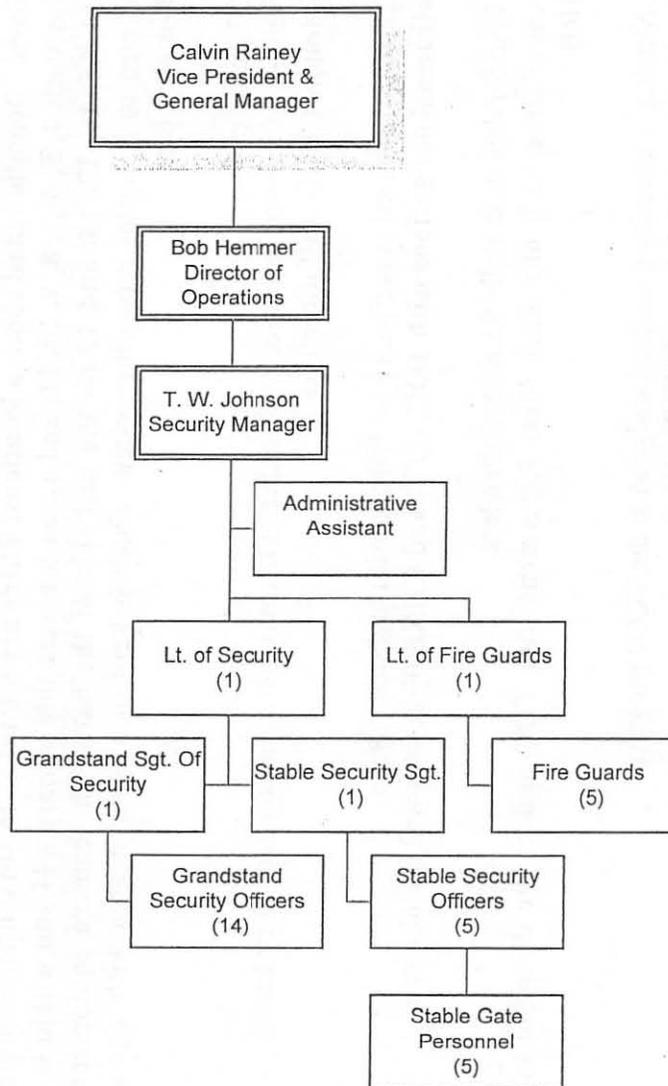
**As needed per the advice of CHRB staff**

C. Describe the electronic security system:

1. 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, Stable Security Office & Parking Lot Surveillance: Three (3) cameras are strategically placed to monitor all activities at the Main Stable Gate and in the barn area, one (1) camera located on roof of Stable Security Office looking out into barn area, one (1) camera placed at the CTT office to monitor Stable Gate entrance, and one (1) camera placed to monitor the Stable Gate exit; one (1) camera in O/T parking lot which is a PTZ camera that overlooks not only the Owner/Trainer parking lot but the parking lot at the top of the hill and Gilman street alongside the bay, and three (3) cameras installed at the horsemen walk-in gate providing 24/7 surveillance.

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

# PACIFIC RACING ASSN / GOLDEN GATE FIELDS SECURITY DEPARTMENT ORGANIZATIONAL CHART ATTACHMENT 14A



**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.  
**Certification documentation attached – 1 Paramedic and 1 EMT (1A) ambulance staff;**
- 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.  
**Certification documentation attached – 2 EMT's ambulance staff; letter on file with the Board referencing current practices at our auxiliary training facility at Pleasanton**
- C. 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 Ave., Berkeley, CA 94705, (510) 204-4444  
 or Alameda County Medical Center (Highland Hospital Trauma Center), 1411 East 31<sup>st</sup> Street, Oakland, CA 94602 (510) 437-4865**
- 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 Environmental, Health & Safety  
 Calvin Rainey, Vice President & 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 valid through April 21, 2016  
 Albany fire clearance letter attached valid through December 31, 2015**

**TURF RESCUE, LLC**

4470 Hillsborough Drive  
Castro Valley, CA 94546  
510-581-8470

September 25, 2014

California Horse Racing Board  
1010 Hurley Blvd., Suite 300  
Sacramento, CA 95825

Re: Turf Rescue, LLC licensed personnel in 2015

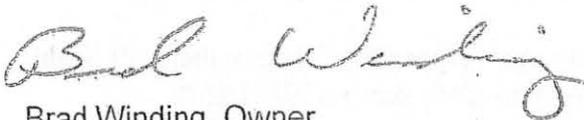
To Whom It May Concern:

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

Turf Rescue, LLC 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

**TURF RESCUE, LLC**

4470 Hillsborough Drive  
Castro Valley, CA 94546  
510-581-8470

September 25, 2014

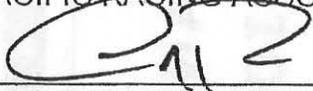
Calvin Rainey  
Pacific Racing Association / Golden Gate Fields  
1100 Eastshore Highway  
Albany, CA 94706

This "Letter of Agreement" serves to confirm a mutual understanding that our Contract will be extended for a period of one (1) year, covering your 2015 race meetings.

It is further mutually understood and agreed that all terms and conditions of the aforesaid Contract shall be in force and effect during the extended period, with one exception; the hourly billing will be \$44.50 per hour subject to change in accordance with insurance premiums.

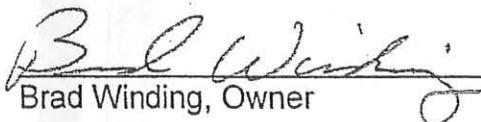
ACCEPTED:

PACIFIC RACING ASSOCIATION / GOLDEN GATE FIELDS



Calvin Rainey, Vice President and General Manager

TURF RESCUE, LLC



Brad Winding, Owner



# NON-EMERGENCY AMBULANCE CERTIFICATE OF OPERATION

This is to certify that:

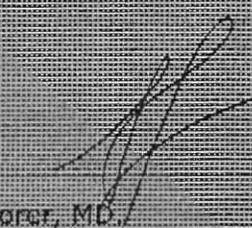
## Westmed Ambulance

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, 2014** to **December 16, 2016**

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

Fred Gardge  
EMS Director

  
Karl Sporer, MD  
Alameda County EMS Medical Director

An embossed seal should appear in a grey box



## 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 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.*

- 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 Liberty Mutual Fire Insurance Co. WA2-B7D-170912-015 (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.  
**Workers' Compensation COI 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:

- Tip Sheets                      West Coast Wheelie's, 4811 Versailles Rd, Lexington, KY 40510
- Armored Car                    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
- 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: **Included in attached Marketing Plan**  
  
Promotional/Marketing budget for prior race meeting: **Included in attached Marketing Plan**
- C. Number of hosts and hostesses employed for meeting:  
**1 Customer Service Representative**  
**5 Group Sales Representatives**

## ALBANY CALIFORNIA

CITY OF ALBANY



FIRE DEPARTMENT

1000 SAN PABLO AVENUE  
ALBANY, CA 94706  
510 528-5770[www.AlbanyCA.org/fire](http://www.AlbanyCA.org/fire)

Roy Roenbeck  
Environmental Health & Safety Director  
Pacific Racing Association/Golden Gate Fields  
11000 Eastshore Highway  
Berkeley, CA 94710

April 23, 2014

Mr. Roenbeck,

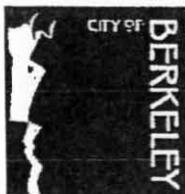
The Albany Fire Department conducted a Fire and Life safety inspection on April 23, 2015. All areas of Golden Gate Fields Race Track within the Jurisdiction of the City of Albany Fire Department have been inspected. During a pre-inspection meeting past corrective items were reviewed and have been acceptably corrected or mitigated. Compliance was confirmed during this inspection.

The facility is old. However, the buildings and infrastructure are well maintained. Overall the site is in good condition. The inspections of in place fire and life safety systems are current, maintained, and operational. Correction Notices are readily complied with and communication between Golden Gate Fields and the Fire Department is excellent.

Fire Clearance is granted to Golden Gate Fields/Pacific Horse Racing Association. This Fire Clearance will expire December 31, 2015. At which time a new clearance will need to be applied for. Should you have any further need of service, please do not hesitate to contact me.

Yours Sincerely,

Bill Svozil  
Fire Marshal  
City of Albany



Department of Fire and Emergency Services  
Division of Fire Prevention

April 24, 2015

**Merry Scalzo**  
Director of Admissions  
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 April 21, 2015 the Berkeley Fire Prevention Division conducted an annual inspection of the Golden Gate Field Horse Stables. This inspection will be valid through April 21, 2016. Our fire life safety report indicates that there are no outstanding violations noted or corrections needed 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 fluid and cursive, with the first name "Stan" and last name "Fernandez" clearly legible.

Stan Fernandez  
Fire Inspector / Investigator

No.: PACII-2015-336

Dated: June 29, 2015

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.

<b>Certificate Holder:</b> California Horse Racing Board 1010 Hurley Way Sacramento, CA 95825 Attn.: Insurance Department	<b>Named Insured and Address:</b> 445327 Ontario Limited D/B/A The Stronach Group and their subsidiaries 455 Magna Drive Aurora, ON L4G 7A9  <b>Subsidiary/Divisions:</b> Pacific Racing Association 1100 Eastshore Highway Albany, CA 94706  and  Pacific Racing Association II dba Golden Gate Fields 1100 Eastshore Highway Albany, CA 94706
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**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 9302183-13	Jun 30, 2015 to Jun 30, 2016	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-170912-015	Jun 30, 2015 to Jun 30, 2016	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, GLO9302183-12, 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-170912-014, 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.

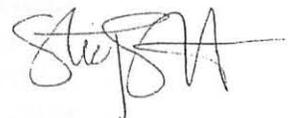
**Notice of cancellation:**

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**

120 Bremner Boulevard  
 Suite 800  
 Toronto, ON M5J 0A8  
 Telephone: 416-868-2123  
 Fax: -  
 stephanie.leite@marsh.com

Marsh Canada Limited



By: \_\_\_\_\_  
 Stephanie Wong

## D. Describe facilities set aside for new fans:

**Customer Service** – Our customer service center is open year round with a trained customer service representative 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

- Met with Geovision, surveillance company, to upgrade current barn area surveillance system
- Replaced old turf steel rail with Fontana aluminum turf safety rail
- Bridle path renovation in the barn area
- Enacted new procedure for Steward's to access the track emergency lights during racing hours
- Hooked up Wi-Fi antennae on new Walk-In Gate
- Replaced and repaired smoke alarms in the barn area
- Replaced and repaired 33 fire hydrants throughout entire facility
- Cement work completed to repair concrete around drains in stable area
- Repaired draining section on the turf course near the 1/16 pole
- Rebuilt Walk-In Gate and area where Horsemen watch morning workouts
- Replaced 50+ fire hoses, cabinets, and signage in barn area to enhance fire safety
- Added two (2) surveillance cameras to the Main Stable Gate to monitor the traffic going in and out of the barn area
- Added three (3) surveillance cameras into the barn area at the Walk-In gate
- Completed the Spring maintenance to the Tapeta surface in June 2015
- Working with Bay Alarm to update alarm system by including digital monitoring panels in the barn area
- Continual roadway and barn repairs in the barn area

## 2. Fans

- Replacing all Turf Club table top televisions (~282) with LED TVs
- Supplementing Club House television inventory by adding 12 55" LED TVs
- Adding nine (9) 42" LED televisions to the Club House Season Membership box seat area
- Initiated the first of its kind, "GGF Trackside" podcast on the GGF website. The weekly podcast focuses on a variety of topics including racing news, race analyses, GGF promotions and special events, interviews, racing history and more.
- Upgraded the Club House by adding 28 flat screen televisions to enhance fan's viewing pleasure
- Added four (4) surveillance cameras in Club House 1 and Club House 2
- Plans underway to improve the Golden Gate Fields' website



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

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

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.

**CHRB to provide name of CHRB inspector and date of last inspection conducted with Stable Superintendent, Carrie Fawcett**

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**

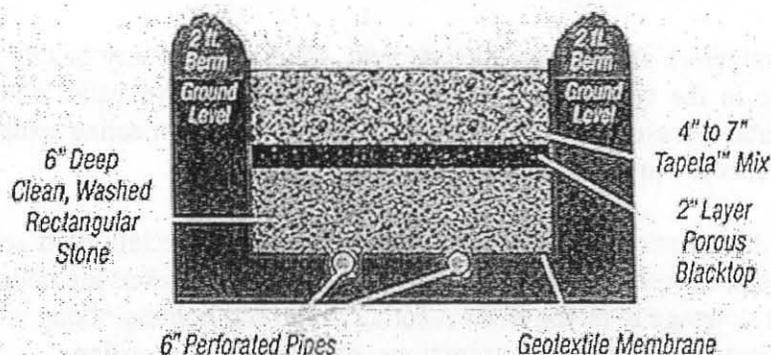
D. Estimated ratio of restroom facilities to the number of backstretch personnel:  
**1 restroom for every 12 people**

**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:

**Tapeta® Footings Synthetic Track Surface**



- 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.  
**Main Track:** 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.  
**Turf Course:** Inner and outer railings are metal gooseneck by Fontana Safety Rail. 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.  
**TOC agreement attached**  
**CTT agreement attached**

- 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). N/A
- 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.

<p><u>CALVIN RAINET</u> Print Name</p>	<p><u></u> Signature</p>
<p><u>VICE PRESIDENT + GENERAL MANAGER</u> Print Title</p>	<p><u>7/5/15</u> Date</p>

STAFF ANALYSIS  
August 20, 2015

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE BIG FRESNO FAIR AT FRESNO OCTOBER 8 THROUGH OCTOBER 18, 2015.

The Big Fresno Fair (Fresno) filed its application to conduct a horse racing meeting at Fresno October 8 through October 18, 2015, or 9 days, same as 2014. Fresno proposes to race a total of 100 races, the same as 2014. Fresno will be simulcasting only on October 7 and October 14, 2015, and live racing will begin on October 8, 2015.

- The proposed race dates are the approved dates allocated to the fair.

October – 2014						
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 5 days the first week and 4 days the second week. Ten races Thursdays, Fridays and Monday; twelve races Saturday, October 10<sup>th</sup> and Sunday, October 11<sup>th</sup>; and 13 races Saturday, October 17<sup>th</sup> and Sunday, October 18<sup>th</sup>.
- Racing concurrently with the Los Angeles Turf Club II, Inc. racing association at Santa Anita Park.
- Number of horses available determines the number of daily races programmed by breed.
  - 2014 Race Meeting: Average number of runners per race (TB): 8.69
  - 2014 Race Meeting: Average number of runners per race (Arabian): 7.57
  - 2014 Race Meeting: Average number of runners per race (Quarterhorse): 7.78
  - 2014 Race Meeting: Average number of runners per race (Mules): 7.17
- First post 12:15 p.m. Saturday and Sunday, 1:15 p.m. Monday, Thursday and Friday.
- Specific changes from the 2014 license application:
  - Parking (preferred) from \$8 to \$10
  - Parking (Chance Lot) from \$12 to \$15
  - Season Passes from \$25 to \$30

Wagering program will use CHRB and ARCI rules.

- The distribution of the carryover pool will be October 18, 2015 (Closing Day).
- Early wagering will not be offered.
- \$1 Place Pick and \$1 Trifecta \$0.10 Superfecta when applicable.
- \$.50 Pick (n) Pool 4 on first 4 races and last 4 thoroughbred races each day.
- \$.50 Pick (n) Pool 5 on last 5 thoroughbred races with 100% major pool paid for 5 of 5. If no 5 of 5, 75% carryover and 25% minor pool paid to most winners.

- \$0.20 Pick (n) Pool 6 on the last 6 thoroughbred races each day. 100% pools paid and any prior carryovers for unique tickets selecting 6 winners. If no ticket selects six winners the 40% minor pool paid for the day is paid to tickets selecting the most winners. 60% major pool will be added to the carryover.
- \$0.20 Pentafecta (Super High 5) selecting first 5 finishers in same race. 100% pool paid and any prior carryovers paid for a unique ticket selecting the first 5 finishers. If no unique ticket selects the first five finishers then 40% minor pool paid to tickets selecting the first 5 finishers. 60% of major pool will be added to the carryover. If no ticket selects the first 5 finishers 100% of the pool will be added to the carryover. Super High 5 will be carded on the last race of the day.
- The Advance Deposit Wagering (ADW) providers are TVG, Twin Spires, Xpressbet, Bet America, and Watch & Wager.
- 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. dba 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.
- Lien Games Racing, LLC, dba Bet America, has submitted all documents required in compliance with Business and Professions Code section 19604.
- WatchandWager.com, LLC, has submitted all documents required in compliance with Business and Professions Code section 19604.

Monarch Content Mangement, LLC (MCM), has shared that "The contracts signed in 2014 with TwinSpires is still in effect. Section 16 of the simulcast agreement states in pertinent part: "In the

event Monarch permits Guest to continue wagering on Monarch Content after the expiration of the Term without entering into a new agreement, then the terms and provisions of this Agreement shall remain in effect.”

- Simulcasting conducted with other out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.
- Request Darrell Sparks as horse identifier pursuant to CHRB Rule 1525.
- 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.

RECOMMENDATION:

Staff recommends the Board approve the application.

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](mailto:jalkire@fresnofair.com)**  
**Lauri King, Deputy Manager, 559-994-3135; [lking@fresnofair.com](mailto:lking@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 8 – October 18, 2015**

B. Actual dates racing will be held: **October 8 - 12 & October 15 – 18, 2015**

C. Dates racing will NOT be held: **October 7 & 14 are simulcast days; October 13 is a dark day.**

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

E. Days of the week races will be held:

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

**3. RACING PROGRAM**

Application received: <i>6/29/15</i>	CHRB CERTIFICATION	Hearing date: <i>8/20/15</i>
Reviewed: <i>[Signature]</i>		Approved date:
		License number:

CHRB-18 (Rev. 07/11)

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.	1 <sup>st</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 11, 2015  
Mules, 3 Year Olds  
350 Yards

AMRA World Championship \$ 7,000 Guaranteed  
Futurity

Sunday, October 18, 2015  
Quarter Horses, 2 Years Old  
400 Yards

Fresno Quarter Horse \$ 10,000 Guaranteed  
Futurity  
20<sup>th</sup> Running

Sunday, October 18, 2015  
Mules, 3 Years Old & Up  
440 Yards

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

Sunday, October 18, 2015  
Three Year Olds & Upward  
Six Furlongs

Fresno Arabian Stakes \$ 8,000 Added

**THOROUGHBRED STAKES SCHEDULE**

Harris Farms Stakes Cal Breds  
Three Year Olds & Upward – Six Furlongs

\$100,000 Golden State Series Guaranteed  
Sunday, October 11

Bulldog Hdcp, 21<sup>st</sup> Running  
Three-Year Olds & Upward, One & 1/8 Miles

\$50,000 Guaranteed  
Sunday, Oct 18

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:

<b>Debbie Jacobsen, Vice-President</b>	<b>Leta Ciavaglia, President</b>
<b>Elizabeth Hudson</b>	<b>Linda Mae Balakian Hunsucker</b>
<b>Larry Serpa</b>	<b>Jerry Pacheco</b>
<b>Dora Westerlund</b>	<b>Ricky Vang</b>
	<b>William "Bill" White</b>

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; Deputy Manager Lauri King;**  
**Past Director Ardie Der Manouel**

## 2014/ 2015 Stakes Comparison



- ❖ Oak Tree at Pleasanton
- ❖ California State Fair at Sacramento
- ❖ Humboldt County Fair at Ferndale
- ❖ San Joaquin County Fair at Stockton
- ❖ Big Fresno District Fair at Fresno

Revised: 4/23/2015 (\$175,000 in reductions)

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## ❖ OAK TREE AT PLEASANTON

	<u>2014</u>	<u>2015</u>
OAK TREE HANDICAP Three-year olds and Upward – One and 1/16 Miles	\$100,000 Guaranteed	\$50,000 Added Overnight Stakes (Plus up to \$15,000 to Cal-Breds)
Pleasanton Oaks Stakes Three-year old Fillies – Six Furlongs	\$50,000 Added Overnight Stakes (Plus up to \$15,000 to Cal-Breds)	\$50,000 Added Overnight Stakes (Plus up to \$15,000 to Cal-Breds)
Oak Tree Distaff Cal Breds Golden State Series Stakes Three-year olds & Upward F/M – Six Furlongs	\$100,000 (\$40,000 CTBA) (Guaranteed)	\$100,000 (\$40,000 CTBA) (Guaranteed)
The Oak Tree Sprint Three-year Olds & Upward – Six Furlongs	\$75,000 Guaranteed	\$50,000 Added Overnight Stakes (Plus up to \$15,000 to Cal-Bred)
Juan Gonzalez Memorial Stakes – 37 <sup>th</sup> Running Fillies Two-years old – Five & 1/2 Furlongs	\$50,000 Added Overnight Stakes (Plus up to 15,000 to Cal-Breds)	\$50,000 Added Overnight Stakes (Plus up to 15,000 to Cal-Breds)
Everett Nevin Futurity-54 <sup>th</sup> Running Two-year olds – Five & 1/2 Furlongs	\$50,000 Added Overnight Stakes (Plus up to \$15,000 from Cal-Breds)	\$50,000 Added Overnight Stakes (Plus up to \$15,000 to Cal-Breds)

## ❖ CALIFORNIA STATE FAIR

Governor's Handicap F&M, Three Year Olds & Upward – One & 1/16 Miles	\$75,000 (Guaranteed)	\$50,000 Added Overnight Stakes (Plus up to \$15,000 to Cal-Breds)
Sacramento Golden Bear Sprint (Moved from Pln) Three-year-olds & Upward – Six Furlongs		\$50,000 Added Overnight Stakes (Plus up to \$15,000 to Cal-Breds)

## ❖ HUMBOLDT COUNTY FAIR

C.J. Hindley Humboldt County Marathon Hdcp Three Year Olds & Upwards, 1 Mile and 5 Furlongs	\$20,000 Guaranteed	\$20,000 Guaranteed
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## ❖ SAN JOAQUIN COUNTY FAIR

The Harvest Stakes (Moved from Fresno)	\$50,000 Added Overnight Stakes	\$50,000 Added Overnight Stakes
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## 2014/ 2015 Stakes Comparison

Three-year Old & Upward F/M – Six Furlongs	(Plus up to \$15,000 to Cal-Breds)	(Plus up to \$15,000 to Cal-Breds)
The Stockton Asparagus Stakes	\$50,000 Added Overnight Stakes	
Three-year Old & Upwards F/M – Six Furlongs	(Plus up to \$15,000 to Cal-Breds)	

### ❖ BIG FRESNO FAIR

Harris Farms Stakes CAL BREDS	\$100,000 (\$40,000 CTBA)	\$100,000 (\$40,000 CTBA)
Golden State Series		
Three-year olds & Upward – Six Furlongs		

The Harvest Stakes (Moved from Fresno)	\$50,000 Added Overnight Stakes	
Three-year Old & Upward F/M – Six Furlongs	(Plus up to \$15,000 to Cal-Breds)	

Bulldog Hdcp, 22 <sup>nd</sup> Running	\$75,000 Guaranteed	\$50,000 Added Overnight Stakes
Three-Year Olds & Upward, One & 1/8 Miles		(Plus up to \$15,000 to Cal-Breds)

- 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**

**Stacy Rianda, Deputy Manager II**

**Doug Gooby, Pari-Mutuel Manager**

**Lauri King, Deputy Manager**

**Steve Wood, Track Superintendent**

**Rod Seitz, Maintenance Supervisor**

**Frank Mirahmadi, Race Announcer/  
Odds Maker**

**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**

**Deputy Manager**

**John C. Alkire**

**Lauri King**

**1121 S. Chance Avenue**

**1121 S. Chance Ave**

**Fresno, Ca 93702**

**Fresno, Ca 93702**

**jalkire@fresnofair.com**

**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 Days
2014	\$14,377,456	89,178	9 days
2013	\$16,163,081	93,811	9 days
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

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

### A. Purse distribution:

1. All races other than stakes:  
Current meet estimate: \$842,723  
Prior meet actual: \$867,723

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

Current meet estimate: \$93,635  
Prior meet actual: \$96,413

2. Overnight stakes:  
Current meet estimate: \$150,000  
Prior meet actual: \$175,000

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

Current meet estimate: \$16,666  
Prior meet actual: \$19,444

3. Non-overnight stakes:  
Current meet estimate: \$32,000  
Prior meet actual: \$74,000

4. Total Purses: (7A1+7A2+ 7A3)  
Current meet estimate: \$1,024,723  
Prior meet actual \$1,116,723

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

Current meet estimate: \$3,555  
Prior meet actual: \$8,222

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

Current meet estimate: \$79,555

Prior meet actual: \$86,473

\*\*\*New in 2015 – Central Valley Bonus Program - Start 5 horses at Stockton and 5 horses at Fresno and receive an additional \$1,000.

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

Current meet estimate:		Prior meet actual:
CTT	\$ 1,609	\$ 1,749
TOC	\$ 3,219	\$ 3,499
NTRA	\$ 1,304	\$ 1,418
PCQHRA	\$ 1,132	\$ 1,231
CWAR	\$ -0-	\$ -0-
ARAC	\$ 1,208	\$ 1,314
AMRA	\$ 2,479	\$ 2,695
CHBPAPEN	\$ 4,829	\$ 5,249
CTHF	<u>\$ 4,829</u>	<u>\$ 5,249</u>
Total	\$20,609	\$22,404

## 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: \$1,124,887  
 Prior meet actual: \$1,225,600

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

Current meet estimate: \$124,987  
 Prior meet actual: \$1136,177

## 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: \$936,857  
 Prior meet actual: \$975,893

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

Current meet estimate: \$104,095  
 Prior meet actual: \$108,432

## F. Purse funds to be generated from interstate handle:

Current meet estimate: \$107,393  
 Prior meet actual: \$111,868

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

Current meet estimate: \$11,932  
 Prior meet actual: \$12,429

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

West America Bank (C.A.R.F.) TOC Account number on file with CHRB.

## 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

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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**
- 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 (.20 PF)	ARCI 004-105
PK 3 (1PK3)	1977
PK 4 (.50PNP4)	1976.9
PK 5 (.50PNP5)	1976.9
PK 6 (.20PNP6)	1976.9

Example Race	TYPE OF WAGERS	APPLICABLE RULES	CARFWAGERINGFORMAT
	\$1 E; \$1 Double	CHRB #1959; RCI #VE	Yes X
Race #1	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.50PNP4	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9	
Race #2	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1	
Race #3	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 G. (g)	
Race #4	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 ARCI 004-105 G. (g)	
Race #5	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 G. (g)	
Race #6	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4 \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 G. (g)	
Race #7	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50 PNP4 \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g)	
Race #8	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 X-Pentafecta (5) Option 4	
Race #9	\$1E, \$1PK3, \$1TRI \$2DD, \$.10SF, \$.50PNP4 \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 ARCI 004-105 X-Pentafecta (5) Option 4	

Race #10	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #11	\$1E, \$1TRI, \$2DD \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #12	\$1E, \$1TRI, \$.10SF \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #13	\$1E, \$1TRI, \$.10SF \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4

C. Maximum carryover pool to be allowed to accumulate before its distribution OR the date(s) designated for distribution of the carryover pool: **October 18<sup>th</sup>, 2015 (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. Guaranteed late pic 4 \$30,000 Saturday and Sundays.**  
**\$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.**  
**\$.20 PNP6 on the last six thoroughbred races each day. 100% pool paid and any prior carryovers for unique ticket selecting six winners. If no unique ticket selects six winners then the 40% minor pool that day is paid to the tickets selecting the most winners and the 60% major pool will be added to the carryover.**  
**\$0.20 Pentafecta (Super High 5) selecting the first five finishers in the same race. 100% pool paid and any prior carryovers paid for a unique ticket selecting the first five finishers. If no unique ticket selects the first five finishers then 40% minor pool paid to tickets selecting the first five finishers and 60% of major pool will be added to the carryover. If no ticket selects the first five finishers 100% of the pool will be added to the carryover. 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:  
**Sportech (Anthony Lovell) Expiration: December 30, 2015.**  
**Equipment description on file with Board.**

**10. ADVANCE DEPOSIT 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, Bet America & Watch & Wager.**



July 3, 2015

California Horse Racing Board  
Attn: Jackie Wagner  
Assistant Executive Director

To Whom It May Concern:

The following information is provided for you in response to the 2015 Race Meet Application Review of the Oak Tree at Pleasanton Race Meet:

The following is the CARF wagering format:

	TYPE OF WAGERS	APPLICABLE RULES
Example Race	\$1 E; \$1 Double	CHRB #1959; RCI #VE
Race #1	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.50PNP4	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9
Race #2	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1
Race #3	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1958, CHRB #1957, CHRB #1979.1 ARCI 004-105 G. (g)
Race #4	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP5 \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB 1976.9, ARCI 004-105 G. (g)
Race #5	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g)
Race #6	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g)
Race #7	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB 1976.9 CHRB 1976.9, ARCI 004-105 G. (g)
Race #8	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 X-Pentafecta (5) Option 4
Race #9	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9, ARCI 004-105 X-Pentafecta (5) Option 4
Race #10	\$1E, \$1PK3, \$1TRI,	CHRB #1959, CHRB #1977, CHRB #1979,



	\$2DD, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #11	\$1E, \$1TRI, \$2DD, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #12	\$1E, \$1TRI, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #13	\$1E, \$1TRI, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4

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. The 2005 NCOTWINC Agreement is still current for the 2015 racing season.

Respectfully Yours,

Larry A. Swartzlander  
Chief Operating Officer

**\$.20 PNP6 on the last six thoroughbred races each day. 100% pool paid and any prior carryovers for unique ticket selecting six winners. If no unique ticket selects six winners then the 40% minor pool that day is paid to the tickets selecting the most winners and the 60% major pool will be added to the carryover.**

**\$.20 Pentafecta (Super High 5) selecting the first five finishers in the same race. 100% pool paid and any prior carryovers paid for a unique ticket selecting the first five finishers. If no unique ticket selects the first five finishers then 40% minor pool paid to tickets selecting the first five finishers and 60% of major pool will be added to the carryover. If no ticket selects the first five finishers 100% of the pool will be added to the carryover. Super High-5 will be carded on the last race of the day.**

- 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.

## 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:

Golden Gate Fields, Albany

\*Humboldt County Fair, Ferndale

Jockey Club at San Mateo, San Mateo

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

Fairplex Park, Pomona

Fantasy Springs Casino, Indio

Los Alamitos Race Course, Los Alamitos

Mermaid Tavern, Thousand Oaks

OC Tavern & Sports Bar, San Clemente

Roadhouse Grill, Santa Maria

Sammy's Restaurant & Bar, Lake Forrest

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

Tilted Kilt, Thousand Oaks

Viejas Casino & Turf Club, Alpine

Watch & Wager, Antelope Valley Fgds, Lancaster

\*Open only during Humboldt/Ferndale Fair Racing

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



# Pacific Coast Quarter Horse Racing Association

April 10, 2015

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

RE: 2015 California Authority of Racing Fairs ADW Approvals

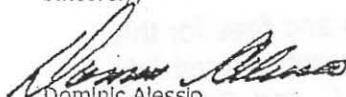
Dear Larry,

This is to confirm that the Pacific Quarter Horse Racing Association (PCQHRA) authorizes and agrees that during the California Authority of Racing Fairs (CARF) 2015 racing season, commencing June 18, 2015 and continuing through October 18, 2015, California-licensed ADW providers Bet America, TVG, Xpress Bet, Twinpires and Watch and Wager may accept wagers from California residents on races conducted at CARF and races conducted at tracks located outside of California.

It is PCQHRA's understanding that the compensation rates and fees for this wagering activity are those specified in the TOC letter Agreement dated April 9, 2015,

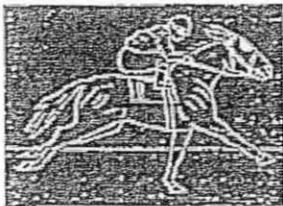
Please feel free to contact me if you have any questions.

Sincerely,

  
Dominic Alessio  
President

[Type text]

[Type text]



AMERICAN  
MULE  
RACING  
ASSOCIATION

1660 Expo Blvd  
Sacramento CA 95815

Don Jacklin, President  
4752 W Riverbend Ave  
Post Falls ID 83854

March 23, 2015

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

RE: California Authority of Racing Fairs ADW Approvals

Dear Larry:

This is to confirm that the American Mule Racing Association (AMRA) authorizes and agrees that during the California Authority of Racing Fairs (CARF) 2015 racing season, commencing June 18, 2015 and continuing through October 18, 2015, California-licensed ADW providers Lien Games Racing LLC, RVG, Xpressbet, TwinSpire, and Watch & Wager may accept wagers from California residents on races conducted at CARF and races conducted at tracks located outside of California.

It is AMRA's understanding that the compensation rates and fees for this wagering activity are those specified in the Hub Agreement entered into May 1, 2014 by and between Lien Games Racing LLC and California Authority of Racing Fairs.

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

Best regards,

Donald W. Jacklin, President

DWJ/law

amra carf.doc

April 9, 2015

7-20



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

RE: 2015 California Authority of Racing Fairs (CARF) ADW Approvals

Dear Larry,

Pursuant to the Interstate Horseracing Act and applicable California law, the Thoroughbred Owners of California (TOC) agrees to the use of California Authority of Racing Fairs (CARF) race signals under the terms and conditions set forth below.

CARF shall be permitted to transmit race signal to California-licensed ADW providers TVG, Xpressbet, TwinSpire (subject to arbitration), WatchandWager and Bet America to accept wagers on CARF and other Thoroughbred races during the 2015 CARF race meeting commencing June 17, 2015 and continuing through October 19, 2015, as follows:

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

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

Very truly yours,

Joe Morris  
President

**OFFICERS**

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

**DIRECTORS**

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

**EXECUTIVE STAFF**

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

**CHAIRS EMERITUS**

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

**CORPORATE OFFICE**

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

April 10, 2015

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

RE: 2015 California Authority of Racing Fairs ADW Approvals

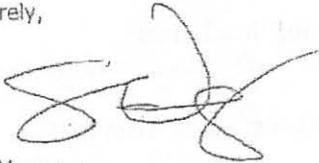
Dear Larry,

This is to confirm that the Arabian Racing Association of California (ARAC) authorizes and agrees that during the California Authority of Racing Fairs (CARF) 2015 racing season, commencing June 18, 2015 and continuing through October 18, 2015, California-licensed ADW providers Lien Games Racing LLC, TVG, Xpress Bet, Twinspires and Watch and Wager may accept wagers from California residents on races conducted at CARF and races conducted at tracks located outside of California.

It is ARAC's understanding that the compensation rates and fees for this wagering activity are those specified in the TOC letter Agreement dated April 9, 2015.

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

Sincerely,



Sam Vasquez

Chairperson

<b>DOMESTIC</b>	
ARLINGTON	10/7-10/18
BELMONT	10/7-10/18
CALDER RACECOURSE	10/7-10/18
CANTERBURY DOWNS	10/7-10/18
CHARLES TOWN	10/7-10/18
CHURCHILL DOWNS	10/7-10/18
COLONIAL DOWNS	10/7-10/18
DELAWARE	10/7-10/18
EMERALD DOWNS	10/7-10/18
EVANGELINE DOWNS	10/7-10/18
INDIANA DOWNS	10/7-10/18
LONE STAR	10/7-10/18
LOUISIANA DOWNS	10/7-10/18
MONMOUTH	10/7-10/18
MOUNTAINEER	10/7-10/18
PENN NATIONAL	10/7-10/18
PHILADELPHIA PARK/PARX	10/7-10/18
PIMLICO	10/7-10/18
PRAIRIE MEADOWS	10/7-10/18
PRESQUE ISLE DOWNS	10/7-10/18
RIVER DOWNS	10/7-10/18
RUIDOSO	10/7-10/18
SUFFOLK DOWNS	10/7-10/18
THISTLEDOWN	10/7-10/18
YAVAPAI DOWNS	10/7-10/18
<b>INTERNATIONAL</b>	
ASSINIBOIA	10/7-10/18
AUSTRALIAN RACING	10/7-10/18
FORT ERIE	10/7-10/18
HASTINGS	10/7-10/18
NORTHLANDS PARK	10/7-10/18
SOUTH AMERICAN RACING	10/7-10/18
UNITED KINGDOM	10/7-10/18
WOODBINE	10/7-10/18

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

### 2015 CARF Meets

#### Commingled Locations

AmWest Entertainment	Dover Downs	Maronas (South America)	Saratoga Harness Raceway
Amwest Accounts	Dubuque Greyhound	Maryland Jockey Club	Saratoga Bets (ADW)
Greenbrier (WV)	Elite Turf Club (1 to 12)	Maywood	Scarborough
Riders Up (SD)	Ellis Park	Meadowlands	Scioto Downs
Time Out Lounge (SD)	Emerald Downs	Meadows The	Seabrook Greyhound
Triple Crown (SD)	Evangeline Downs	Meadows The (ADW) - PA regional	Social Gaming
Arapahoe-Mile High	Evangeline Downs AWA	Millers OTB	Sol Mutuel
Arima Race Club	Fair Grounds	Mobile Greyhound	Southland Greyhound
Arlington I	Fair Grounds ADW	Monmouth Park	Sports Creek Raceway
Atlantic City Racecourse	Fair Meadows	Montana OTB	State Fair (Lincoln, NE)
Balmoral	Favorites at Gloucester	Monticello	Suffolk District OTB
Balmoral ADW (BETZOTIC)	Finger Lakes	Mountaineer Park	Suffolk Downs
Bangor Raceway	Fonner	Mt. Pleasant Meadows	Sunland Park
Batavia	Freehold	Nassau Regional OTB	SunRay Park & Casino

CHRB-18 (Rev. 07/11)

Bettor Racing	Gillespie County Fair	New Jersey Casino Assoc.	Tampa Bay Downs
Beulah Park	Global Wagering Solutions	Nevada Pari-Mutuel Assoc.	Taunton Acct Wagering
Birmingham	Bwin International Ltd.	Newport Jai Alai	Taunton Dog Track Inc.
Bluffs Run Greyhound	Intl Betting Assoc. Ltd	NJ Bets (ADW)	The Downs at Albuquerque
Buffalo Raceway	Magna Bet	Northfield	Thistledown
Canterbury	Racebets	Cedar Downs OTB	Tioga Downs
Capital District OTB	Greenetrack	Northville	Tri-State GH (Mardi Gras)
Catskills OTB	Greyhound @ Post Falls	NYRA	Turf Paradise
Charles Town Race Course	Gulf Greyhound	NYRA Account Wagering	Turf Paradise Bets (ADW)
Chester Downs & Marina LLC	Gulfstream	Oaklawn	Turfway Park
Churchill Downs	Harrington Raceway	Ocean Downs	TVG Chester
Club Hipica InTurf	HarringtonBets (DE regional)	Panama	TVG Network
Coeur d' Alene Casino	Hawthorne Race Course	PARX	TVG Prairie
Colonial Downs	Hawthorne ADW	PARX Phone Bet	Twin River Greyhound
Colonial Downs Phone Bet	Hazel Park	Penn National	TwinSpires
Columbus Raceway	Hoosier Park	Penn National Telebet	TwinSpires High Volume
Connecticut OTB	Horseman's Park	Peru	Velocity Wagering Ltd.
Bradley Teletheater, Bristol	Idabet	Plainridge Race Course	Venezuela OTB
New Britain, Norwalk, Milford	Indiana Downs	Plainridge Telephone Wagering	Vernon Downs
East Haven, Hartford, Putnam	Clarksville/Evansville OTB	Player Management Group	WatchandWager
Shoreline Star, Sports Haven	Intermountain Racing	Pocono Account Wagering	Western OTB
Torrington, Waterbury	Keeneland	Pocono Downs and OTB	Wheeling Downs
Manchester, New London	Keeneland Select ADW	Portland Meadows	Will Rogers Downs
Willimantic, Sanford OTB	Kentuck Downs	Potawatomi Casino/ OTB	Wyoming OTB
John Martin's Manor Restaurant	Kentucky OTB	Prairie Meadows	Wyoming Downs
Connecticut OTB ADW	Lebanon	Premier Turf Club	XpressBet
Coushatta Casino	Les Bois (Treasure Valley)	Presque Isle Downs	Yonkers Raceway
Paragon Casino	Lewiston OTB's	Raceway Park	Yonkers ADW
Ho-Chunk Casino and Racebook	Lien Games	Racing2Day LLC	Youbet Group 1
Mohegan Sun Casino	Chips Lounge and Casino	Racing2Day Intl. (Stan James)	Zia Park
Oneida Bingo and Casino	Howard Johnsons OTB	Remington Park	123Gaming
Pony Bar Simulcast Center	Rumors OTB	Remington OTB Network	
Tote Investment Racing	Skydancer Casino OTB	Retama	
Randall James Racetrack	Lien Games ADW	Racing & Gaming Services	
Millenium Racing	BetAmerica and Offtrackbetting	Rillito Park	<b>Separate Pool Locations</b>
Royal Beach Casino	Lone Star	River Downs	Camarero (Puerto Rico)
Divi Carina Bay Casino	Louisiana Downs	Rockingham Park	Caymanas (Jamaica)
Fair Chance, Winner's Circle	LVDC	Rockingham Account Wagering	Codere (Mexico/Spain)
Camouflage Gaming	Atlantis Paradise Casino	Ruidoso Downs	MIR Books (Caliente)
Corpus Christi Greyhound	Avatar Ventures	Running Aces Harness Park	NDS Books (Nevada)
Delaware	Buffalo Thunder Resort	Saddle Brook Park	Tabcorp (Australia)
Delta Downs	Foxwoods Resort Casino	Sam Houston	Tattsbet (Australia)
Derby Jackpot	Meskaki Bingo & Casino	Valley Greyhound Park	New Zealand Racing Board

**Canadian Locations**

Alberta Downs, Assiniboia, Barrie, Charlottetown, Clinton Teletheatre, Dresden, Elmira Raceway, Evergreen Park, Exhibition Park, Flamboro Downs, Fraser Downs, Fort Erie, Fredericton Raceway, Georgian Downs, Grand River, Hanover Raceway, Hastings Park, Hiawatha, Hipodrome de Quebec, 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, Woodbine,

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; Fresno Club One, Mermaid Tavern, Original

Road House Grill, Santa Clarita Lanes, Bankers Casino, Firehouse Restaurant, Bakersfield, Tilted Kilt, Thousand Oaks, Sammy's Restaurant & Bar, Lake Forest

- 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	Jackie Payton
Paddock Judge/Patrol Judge	Linda Anderson
Patrol Judge	Ross Allyrdice
Placing Judges	Danny Winnick/Myra Pronsky
Starter	Robert Mooneyhan
Timer	Melody Truitt

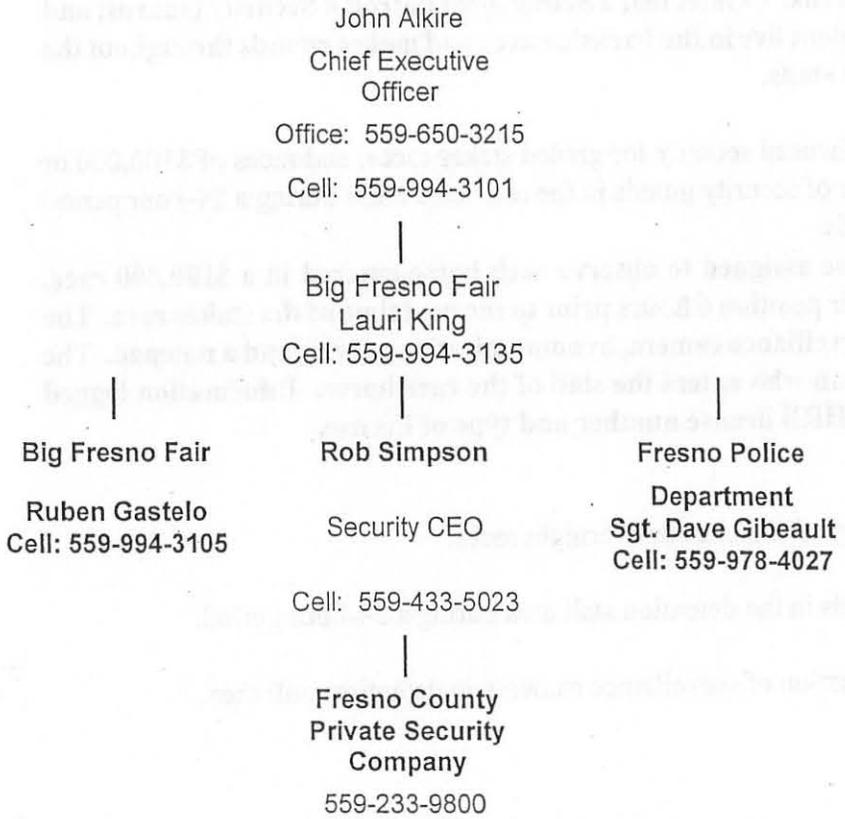
- B. Management officials in the racing department:
- Director of Racing – **Larry Swartzlander**
  - Racing Secretary – **Tom Doutrich**
  - Assistant Racing Secretary – **Lisa Jones**
  - Paymaster of Purses – **Victoria Layne (C.A.R.F.)**
  - Others (identify by name and title)
  - Mutual Manager – **Doug Gooby**
- 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**

13 A. FRESNO SECURITY ORGANIZATION CHART



- 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: 8 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.

**One security guard shall be assigned to observe each horse entered in a \$100,000 race. The guard will assume their position 6 hours prior to the post time of the stakes race. The guard will have a video surveillance camera, a communications device and a notepad. The guard must log every person who enters the stall of the race horse. Information logged will include name, time, CHRB license number and type of license.**

2. Detention Stalls:

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

**Addressed in B1 above.**

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.

**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 7-18, 2015.**

**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.**

**Please See Attached FORM 112, 133, 200, 291 & FORM 547 in this section with Fresno County Procedures.**

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.

**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**

June 28, 2015

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.

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

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 CCMESA policy 291, including ECG monitoring, defibrillation, endotracheal intubation, needle thoracotomy, 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 CCMESA policy 291, including ECG monitoring, defibrillation, endotracheal intubation, needle thoracotomy, 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

- 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:

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

- 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:

**See 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):

**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.

**Inspection took place in June and the facility passed. The Fire Marshal will be back September 16-17 to assure fire extinguishers have been installed.**

- 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.**

**14C 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.

**14F 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 injured. 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.

### 14F 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 siempre que lo necesario para tratar a la(s) victim(s).

#### Seguridad

1. Tan pronto como sea posible, un miembro 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 de seguridad sera responsable de mantener a los transeuntes fuera del lugar del accidente.
2. Un miembro del departamento de seguridad del hipodromo se acercara al cuart del jockey para asegurar el area donde la ambulancia estara y prevenir que transeuntes y personas ajenas se acerquen.
3. Un miembro de seguridad del hipodromo sera responsable de escoltar a los vehiculos de emergencia.
4. Los miembros de seguridad seran responsable de controlar a la multitud.

#### Personal de Carreras/Veterinario del hipodromo

1. Ena vez en el lugar del accidente, el Outrider/escolta debera sujetar 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 posible 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 tapa la vista al publica, antes de iniciar el procedimiento de sacrificio del animal.
5. Los Outriders son responsables de remover cualquier desecho en la pista de putes de 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 fapar el lugar para que el pulico no pueda ver lo que sucede, ademas deberan recibir intruccionnes del Paramedico responsable del lugar del accidente.

### Locutor

El locator 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 representatante de la gerencia se apersonara rapidamente al lugar del accidente en el hoipodromo. El genente informara a los otros gerents sobre las lesions sufridas.
2. Otro respesentante de la gerencia degera informar al departamento de videio 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 locator.
4. Un miembro de la gerencia sera responsable de ver que la informacion con respecto al accidente sea dada a los familiars de los heridos. Se debe hacer lo necesario para acompanar a los familiars a los hospitals, de ser el caso. Al respecto, es necesario tenter un registro de la persona a quin se debe comunicar en caso de que un jockey sufra un accidente.
5. Todo los anuncios publicos y respuestas a ls prensa las realice uncamente el funcionario de gerencia de alto nivel que se encuentre disponible en ese momento.

### Todos los Jefes de Departamento

Todos los Jefes de Departamento deb en 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.



May 19, 2015

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

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

Please be advised that the Big Fresno Fair/21<sup>st</sup> 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. GENERAL LIABILITY PROGRAM

A. Coverage Limits \$10,000,000 California Fair Services Authority  
Coverage continuous until cancelled

#### II. WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY PROGRAM

A. Primary Coverage \$500,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled

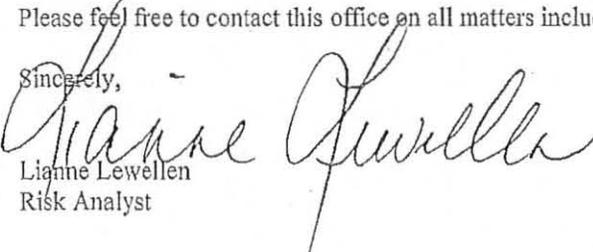
B. Excess Coverage (a) Workers' Compensation: Statutory Limit in excess of \$500,000  
(b) Employers' Liability: \$4,500,000 in excess of \$500,000  
Coverage provided by CSAC Excess Insurance Authority  
Term: 07/01/2014 to 07/01/2016

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/21<sup>st</sup> 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  
Risk Analyst

1776 TRIBUTE ROAD, SUITE 100  
SACRAMENTO, CA 95815  
PHONE: (916) 921-2213 | FAX: (916) 646-1238

[WWW.CFSA.ORG](http://WWW.CFSA.ORG)

- 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.

**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
Winner's Circle Restaurant	James Pardini	2257 W. Shaw Fresno, CA 93711	Cafe
	Don Fowler	916-205-5384	Providing food and non-alcoholic beverages to the Jockey Room
Speeda Sound	Mike King	5617 W. San Madele Fresno, Ca. 93722	Sound Equipment
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
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 Wayne	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 \$1,121,600. The overall Operating Expense of the Fair is \$11,015,302. The Live Racing expenses accounts for 9.82% of total Fair expenses. The overall Revenue from Live Horse Racing is \$1,214,000. The overall Revenue of the Fair is \$11,334,900. The Live Horse Racing revenue accounts for 9.33% of total revenue.

**Please See Attached Promotional & Marketing budget for 2011, 2012, 2013, 2014 & 2015.**

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 as well as 156 boxed mature olive trees.
- 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 new paint.
- Permanent grass planted in the infield; over two miles of sprinklers installed.
- Paddock: New recycled rubber tile floor and drainage system 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 including new restrooms.
- Completely painted all barns and buildings on the backstretch.
- Tote Board refurbished with rock, plus a new 14' waterfall.
- Outside rail raised to meet CHRB standards for safety.
- New Sports Bar in the Grandstand; "Starter's Sports Bar"
- New Churchill Downs gazebo in the VIP Horse Racing Parking Lot (Chance Parking Lot)

## 17. SCHEDULE OF CHARGES

### A. 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)		\$10.00	* Changed from \$8 in 2014	
Parking (Chance Lot)		\$15.00	* Changed from \$12 in 2014	
Parking (valet)		N/A		
Programs (on-track)		\$2.50		
(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 \$30.00 which allows the horse players admission to the Fair everyday of the Fair, a total of 12 days for only \$30.00**

## 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: 

5,129
-------

 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  
CEO  
Print Title



Signature  
June 29, 2015

**CALIFORNIA HORSE RACING BOARD**

**AUGUST 20, 2015**  
**REGULAR BOARD MEETING**

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

STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING THE PROPOSED AMENDMENT TO CHRB  
RULE 1734, WHIPPING, TO PROVIDE FOR ACTIONS THAT SHALL BE CONSIDERED  
CURTAIL AND PREVENT EXCESSIVE USE OF THE WHIP IN HARNESS RACING

Regular Board Meeting  
August 20, 2015

## BACKGROUND

Business and Professions Code section 19420 gives the Board 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 adopt rules and regulations for the protection of the public and the control of horse racing. Business and Professions Code section 19563 states the Board may adopt any rules and regulations of the United States Trotting Association, not inconsistent with this chapter, for the regulation of harness racing.

## ANALYSIS

It is a priority of the Board to ensure humane treatment of the horse. The United States Trotting Association (USTA) and the Association of Racing Commissioners International (ARCI) Model Rules of Racing have whipping rules that discuss actions that are considered excessive or indiscriminate use of the whip by the harness driver. In 2011, Cal Expo Harness Racing implemented a house rule related to whipping and driving that align with the USTA and ARCI rules. The purpose of the amendment to Rule 1734, Whipping, is to curtail and prevent any excessive use of the whip. The proposed amendment to Rule 1734 is necessary to clarify what is acceptable use of a whip by a harness driver and update the rule to be consistent with the USTA, ARCI and other racing jurisdictions such as Michigan, Pennsylvania and Indiana that have adopted similar rules.

The proposed amendment to Rule 1734 subsection (b) clarifies which actions shall be considered indiscriminate use of the whip. Subsection (b)(1) provides that raising the elbow above the driver's shoulder height and/or allowing the hand holding the whip to reach behind the driver during use of the whip is considered indiscriminate. The whip should not be used in certain areas described in the proposed amendments of subsection (b)(2) and (b)(3) as on areas other than inside and above the level of the shafts of the sulky and between the sulky shafts, as well as under the arch or shafts of the sulky (a two-wheeled one-passenger vehicle that is pulled by a horse.) The proposed amendment of subsection (b)(4) further clarifies that additional indiscriminate uses of the whip include using the whip as a goading or poking device or placing the whip between the legs of the horse. The proposed amendment of subsection (b)(5) provides that use of the whip is indiscriminate when the horse does not appear to be advancing through the field of horses or is no longer in contention. Subsection (b)(6) provides that persistently

using the whip even though the horse is showing no response is considered indiscriminate use of the whip.

**RECOMMENDATION**

This item is presented for Board discussion and action.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 9. HARNESS RACING RULES  
PROPOSED AMENDMENT OF  
SECTION 1734. WHIPPING

Regular Board Meeting  
August 20, 2015

1734. Whipping.

(a) No driver shall use unreasonable or unnecessary force in the whipping of a horse, nor whip any horse causing visible injury, nor whip any horse about the head, nor whip any horse after the finish line has been crossed except when necessary to control the horse.

(b) The following actions shall be considered indiscriminate use of the whip:

(1) Raising the elbow above the driver's shoulder height and/or allowing the hand holding the whip to reach behind the driver during the use of the whip.

(2) The use of the whip other than on the area inside and above the level of the shafts of the sulky and between the sulky shafts.

(3) Whipping under the arch or shafts of the sulky.

(4) Use of the whip as a goading or poking device or between the legs of the horse.

(5) Use of the whip when the horse does not appear to be advancing through the field of horses or is no longer in contention.

(6) Persistently using the whip even though the horse is showing no response.

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

Reference: Section 19563,  
Business and Professions Code.

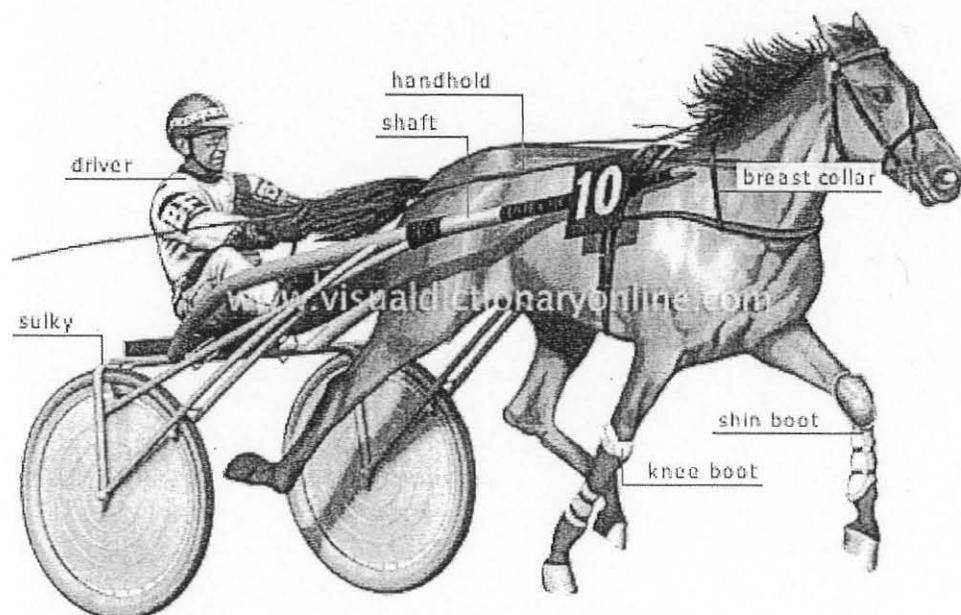


## Visual Dictionary Online

HOME :: SPORTS & GAMES :: EQUESTRIAN SPORTS :: HORSE RACING: HARNESS RACING :: TROTTER

### trotter

A horse that moves at a trot, that is, alternately lifting diagonal pairs of feet off the ground; the trot is slower than the pace.



◀ previous  
next ▶

#### breast collar

Part of the harness that goes around the horse's neck; it transmits the horse's movement to the shaft.

#### knee boot

Rigid equipment that protects the horse's knee.

#### shin boot

Equipment placed around the cannon of the horse's leg to protect it from injury.

#### sulky

Two-wheeled one-passenger vehicle that is pulled by a horse; it is light (around 35 lb), aerodynamic and has no body.

#### driver

Person who steers the horse; the driver's main task is to restrain the horse to conserve its energy for the right moment.

#### handhold

Rein that is held by the driver to control the movement of the bit and thus steer the horse.

#### shaft

Wooden or metal arm that extends the sulky; the horse is harnessed between the two of them.

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

Regular Board Meeting  
August 20, 2015

## ISSUE

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

## ANALYSIS

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

The amended subsections 1845(a) through (a)(2) describe how a horse is registered on the authorized bleeder medication list. Under the current regulation, a horse is eligible to race with authorized bleeder medication if the licensed trainer or the veterinarian determines it would be in the horse's best interest. If the horse will race with authorized bleeder medication CHRB form 194 Authorized Bleeder Medication and Medical Records Request shall be used to notify the official veterinarian. The proposed amendment requires a determination from the trainer and

veterinarian designated by the owner that Lasix is medically necessary to control EIPH and is not otherwise contraindicated (should not be used because it may be harmful) for that horse. The official veterinarian must approve CHRB form 194 Authorized Bleeder Medication and Medical Records Request, as submitted by the trainer and veterinarian designated by the owner.

Once registered, any horse that will receive Lasix must arrive on the grounds of the facility where the horse will race no later than five hours prior to post time. This will ensure the horse will be at the racetrack prior to the deadline for administration of Lasix (four hours prior to post time).

Subsection (d) of the current 1845 text has been renumbered as subsection 1845(b)(2) of the revised text. It requires that the horse be placed in a pre-race security stall under the care and constant view of the trainer. The trainer shall be responsible for the horse while it is in the security stall. The horse may leave the stall prior to a race only with the permission of the official veterinarian. These provisions are the same as those in the current 1845 text.

New subsections 1845(c) through (c)(2) provide that Lasix will only be administered after the owner, trainer, or veterinarian designated by the owner or trainer has consulted with the veterinarian designated by the official veterinarian to administer Lasix. The veterinarian designated by the official veterinarian must also examine the horse. Or, the consultation may take place with the official veterinarian or racing veterinarian if one of these persons examines the horse and is to directly supervise the veterinarian or California registered veterinary technician who will administer Lasix. The consultation and examination required under subsections 1845(c)(1) and (c)(2) are meant to establish a client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032. The establishment of the client-patient relationship will address the concerns of the California Veterinary Medical Board (VMB) which expressed reservations about the third party administration of Lasix due to what it believed were conflicts with existing statutes and regulations related to the veterinarian-client-patient relationship and the dispensing of medications.

New subsections 1845(d) through (d)(2) address how Lasix shall be dispensed. A third party veterinarian designated by the official veterinarian shall administer Lasix, or Lasix shall be administered by a California registered veterinary technician under the direct supervision of the veterinarian designated by the official veterinarian. Any veterinarian designated by the official veterinarian to administer Lasix or California registered veterinary technician who administers Lasix may not have a business or veterinarian-client-patient relationship with participating licensees within 30-days of the date they are designated to administer Lasix. This will act to ensure the veterinarian designated by the official veterinarian or California registered veterinary technician is a neutral party whose only interest is the proper administration of Lasix. The person who administers Lasix shall notify the official veterinarian of the treatment no later than two hours prior to post time of the race for which the horse is entered. The notification shall be made on CHRB Form-36, Bleeder Treatment Report. Further, the owner, trainer or a licensed employee of the trainer shall be present to observe the Lasix administration.

Subsection 1845(d)(3) sets a standard Lasix dose of 250 mg, which is a nationally recognized default dose. However, subsection 1845(d)(3) also allows for a Lasix dose between 150 mg and

500 mg if it is determined after consultation between the owner, trainer or veterinarian designated by the owner or trainer, and the veterinarian designated by the official veterinarian, that an alternative dose is required. This provides the parties with the flexibility to act in the best interest of the horse.

A new subsection 1845(e) requires that in the event of an adverse reaction or other emergency related to the administration of Lasix, the veterinarian who administered the Lasix, or California registered veterinary technician who administered the Lasix, shall attend the horse until the arrival of the veterinarian designated by the trainer or owner. This provision will ensure the horse is in the care of a veterinarian or medical technician at all times, and it will allow the veterinarian to confer with the party who administered Lasix regarding the horse's reaction to the Lasix administration.

Rule 1845 currently provides that a representative of the Board may request that the veterinarian administering the bleeder medication surrender the syringe used in the administration of Lasix for possible testing. A new subsection 1845(f) requires that the syringe used to administer Lasix shall be provided to, and shall be retained by the Board until all testing of the horse is completed. If there is a positive test finding, the Board, or the owner or trainer may request that the syringe be analyzed for prohibited substances. This ensures that each syringe used to administer Lasix shall be in the custody of the Board and available for testing as needed.

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

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

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

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

A new subsection 1845(j)(2) provides that the owner shall consent to the procedures in Rule 1845, and shall agree that the pre-race examination conducted by the official veterinarian

constitutes a veterinary-client-patient relationship within the meaning of Title 16, section 2032.1, of the California Code of Regulations. Although Rule 1846, Racing Soundness Examination, provides that the horse may be examined as late as two hours before post time, most racing soundness examinations occur in early morning, well before the first post time.

## BACKGROUND

Business and Professions Code section 19440 states the Board has all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions under which all horse races with wagering on their results shall be conducted in California. Business and Professions Code section 19580 requires the Board to adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California. Business and Professions Code section 19581 states that no substance of any kind shall be administered by any means to a horse after it has been entered to race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. Business and Professions Code section 19582 provides that violations of section 19581 are punishable as set forth in regulations adopted by the Board.

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

## RECOMMENDATION

This item is presented for Board discussion and action. Staff recommends the Board adopt the proposed amendment to Rule 1845 as presented. During the 45-day public comment period comments were received from Donald C. Smith II, DVM, and Don Shields, DVM.



CALIFORNIA HORSE RACING BOARD  
BLEEDER TREATMENT REPORT

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

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

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

Lasix (  ) or Other Medication (  )

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

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

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

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

Regular Board Meeting  
August 20, 2015

1845. Authorized Bleeder Medication.

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

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

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

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

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

~~— (c) If the specific gravity of the post-race urine sample is determined to be below 1.010,~~  
~~or if a urine sample is not available for testing, quantitation of furosemide in serum or plasma~~

shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

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

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

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

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

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

\_\_\_\_\_ (2) The trainer, owner, or veterinarian designated by the owner or trainer has consulted with the bleeder medication shall Official Veterinarian or Racing Veterinarian and the veterinarian designated by the Official Veterinarian has examined the horse sufficient to

establish a veterinary-client-patient relationship within the meaning of California Code of Regulations, Title 16, section 2032.1, and that consulting Official Veterinarian or Racing Veterinarian directly supervises the veterinarian or California registered veterinary technician who administers furosemide.

(d) Administration of furosemide shall occur as follows:

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

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

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

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

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

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

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

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

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

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

(h) A horse registered on the official authorized bleeder medication list must remain on the list unless the licensed-trainer and/or veterinarian designated by the horse owner requests that the horse be removed. The request must be made using CHRB Form-194 (new-08/04), and must be submitted to the Official Veterinarian prior to the time of entry. A horse removed from the authorized bleeder medication list may not be placed back on the list for a period of 60 calendar days unless the Official Veterinarian determines it is detrimental to the welfare of medically necessary for the horse. If a horse is removed from the authorized bleeder medication list a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.

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

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

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

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

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

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

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

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

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**From:** donald smith  
**Sent:** Saturday, August 08, 2015 10:00 PM  
**To:** Coburn, Harold  
**Subject:** CHRB Rule 1845, Authorized Bleeder Medication

Mr. Coburn:

I am writing with regard to the proposed CHRB Rule 1845, Authorized Bleeder Medication.

This rule endorses a nonchalant, dismissive attitude toward the importance of a true Veterinary Client Patient Relationship (VCPR). It also coerces horse owners to accept that a true VCPR exists with a veterinarian selected by the state and not by the horse owner.

It is truly to protect the interests of the horse owner that the VCPR exists. A veterinarian who is working for the owner has the interests of the owner primarily in mind.

The owner's ability to choose and supervise the veterinarian who treats his/her horse is an important safeguard of his/her interest, which is the welfare and performance of the horse.

A VCPR means that the veterinarian is familiar with the horse. He understands the individual characteristics of the horse's personality, also the medication sensitivity, the medication history, and any functional or anatomical anomalies which the patient may have.

A horse owner should be assured that the doctor evaluating and treating the horse is familiar with that horse, with its history and emotional makeup. The veterinarian should be accountable to the owner for doing what is best for the horse. The horse owner has a very substantial economic and emotional investment in the

horses. The owner has the right and responsibility to determine who cares for the horse and to supervise the decisions about the care being provided. A proper VCPR insures that the veterinarian treating the horse is accountable for his behavior and clinical technique. If the veterinarian makes a mistake he/she is answerable to the owner and the owner has the ability to seek satisfactory compensation for the mistake. The owner can relieve the veterinarian of his supervision of the horse, and can seek economic compensation for any mistakes. A state employee or third party employee has no such accountability. If the horse is agitated by bad behavior or technique, or if a mistake is made in the dosage or the administration of the medication, the owner has no recourse. The owner has no control, no influence, and no recourse, and so a true VCPR does not exist. In states which have implemented this program mistakes have been made. Horses have been treated at the incorrect time, horses have been treated which were not supposed to be treated, and horses have been subjected to multiple treatments. The aggrieved party in all of these cases is the horse owner, who absorbs the consequences of the mistakes. A proper VCPR is the best safeguard against these mistakes because it insures a true interest in the patient and owner by the treating doctor. Since he/she is responsible for the overall medical welfare of the horse he/she is focused on its condition, its idiosyncrasies, its history and its needs. Since the veterinarian is accountable for his/her actions and faces serious consequences for any mistakes or neglect, he/she is much more motivated to work in the best interests of the client. Thus a true VCPR

protects the owner's best interests by insuring that the horse receives the best care.

The state has no right or justification to usurp the VCPR. It does not pay for the purchase or upkeep of the horse. It does not make an emotional investment in the horse. It has no bond with the horse. And yet it wants to take from the owner the responsibility for directing the medical treatment of the horse, while dictating that the owner must bear the cost of that treatment and must accept the consequences of mistreatment.

I suggest that these shortcomings can be addressed. The following conditions should be met by any program which assumes responsibility for administering race day furosemide to the horses:

1. Horse owners should have the option to have a veterinarian of their choice treat their horse if they are willing to pay for security personnel to supervise the administration and collect the syringe and needle used to give the furosemide.
2. Anyone who administers furosemide should have the same accountability as the private veterinarians who now give it. They should face the same consequences which private veterinarians face. They should answer to the stewards for any complaints which are registered and should be liable to be fined just as veterinarians are presently.
3. The veterinarians who administer the furosemide should be liable for any complications which arise from faulty technique.
4. The veterinarians who administer the furosemide should be provided with a list of the tattoo numbers of

horses to be treated so that they can verify their identity if necessary.

5. The State Veterinarian should maintain a list of horses to be treated with the dose of furosemide prescribed by the owner's veterinarian, and the location of the horse.

6. Fresh medication manufactured by a reputable company should be used.

7. Horses should be treated with a fresh needle. A needle which has pierced the medication vial should never be used on the horse.

8. Any individual who is to administer medication should be required to view a training video prepared by the CHRB Equine Medical Director.

Thank you for considering my concerns.

Donald C. Smith II, D.V.M.

# Comments and Concerns Regarding the Proposed Changes to CHRB Rule 1845

Submission to CHRB during Public Comment Period

8/10/2015

By Don Shields, DVM, DABVP (Equine Practice)  
President, North American Association of Racetrack Veterinarians

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**Don Shields, DVM**  
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August 10, 2015

Harold Coburn, Regulation Analyst  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
E-Mail: haroldc@chr.ca.gov

Sent via email

Dear Mr. Coburn,

Please accept these combined documents as my submission containing important discussions regarding the California Horse Racing Board's proposed changes to Rule 1845 which seek to:

- Change the process required to add a horse to the "Bleeder Medication List"
- Prohibit race day administration of adjunct bleeder medications (Estrogens/Premarin)
- Mandate that approved race day medication be administered by third-party private veterinarians or veterinary technicians who have had no business relationship or veterinary-client-patient relationship (VCPR) with CHRB licensees within 30 days of administering race day medication

I am a staunch supporter of improving the integrity of racing and believe all of the private practitioners working at California racetracks agree that this is a worthy goal and one we are willing to champion. For this reason, besides submitting my concerns and comments regarding the proposed rule, I am also submitting alternatives which provide even greater assurance to the betting public that only approved medications are administered on race day. The consideration of these alternatives is imperative, not simply because Government Code mandates the implementation of alternatives that are equally effective while being less burdensome on affected private persons and California small businesses, but because of the numerous problems and conflicts the wording of the proposed rule still creates.

Please consider the following conflict (consistency), necessity, clarity and authority issues created by the language of your proposed rule prior to submitting your file to the Office of Administrative Law (OAL). The APA is designed to provide the public with a meaningful opportunity to participate in the adoption of state rules and regulations and to ensure that governmental actions are clear, necessary and legally valid.

We trust the CHRB will give due consideration to our concerns. The APA exists so that those governed by regulations may have a voice in their creation. This is important as *“the party subject to regulation is often in the best position, and has the greatest incentive, to inform the agency about possible unintended consequences of a proposed regulation. Moreover, public participation in the regulatory process directs the attention of agency policymakers to the public they serve, thus providing some security against bureaucratic tyranny”*. Tidewater Marine Western, Inc. v. Bradshaw (1996).

Our concern over the legality of CHRB actions is not limited to the proposed rule, but includes how the CHRB handled Breeder’s Cup races in 2012 – 2014. The actions of the CHRB during those Breeder’s Cup programs were not consistent with APA standards and rulemaking procedures. We are deeply concerned that such actions will be cited as a significant need for passage of the national horse racing legislation recently introduced. Given that California contributes roughly 25% of the Nation’s total revenue from betting on horse racing it is imperative that California’s regulatory agency refrains from acting in ways which do not comport with existing laws?

The following includes issues which require the CHRB’s consideration:

1. The CHRB must, in consonance with Government Code section 11346.5, subdivision (a)(13), consider equally effective alternatives.
  - Alternatives exist and have already been implemented in Texas and Indiana.
  - Alternatives were submitted via petitions signed by over 200 CHRB licensees.
  - Alternatives are being resubmitted today with additional alternatives included.
  
2. The *prima facie* conflict with existing Veterinary Medical Board statutes in that the proposed rule:
  - Redefines a veterinary-client-patient relationship as a pre-race Racing Soundness Examination (CHRB Rule 1846).
  - Allows the Official Veterinarian to treat horses without an existing VCPR.
  - The CHRB conflates the terms “consult”, “consulted” and “consultation” utilizing them in confusing, misleading and inappropriate contexts in an attempt to create a VCPR.
  - Creates a VCPR with an insufficient examination for medical treatment.

- Creates a single VCPR through the actions of three distinct and separate veterinarians, where no single veterinarian possesses within their medical record all the information required for a valid VCPR to exist.
  - Allows veterinarians without a valid VCPR to directly supervise other veterinarians and veterinary technicians.
  - Requires private practitioners to publish private and confidential facts from their medical records on an unsecure document – CHRB form 194, “*Authorized Bleeder Medication and Medical History Request*”.
3. The CHRB fails to provide substantial evidence proving the necessity for any of the changes contemplated by this proposed rule.
- All medication violations are already a very rare occurrence.
  - No data regarding the existence of regulatory sanctions imposed on private practitioners for administering unapproved medications or illicit substances at the time of administration of race day medication is provided.
  - No evidence providing proof of the occurrence of such improper administrations is presented.
  - No data or scientific evidence is provided proving the need to prohibit the race day administration of adjunct bleeder medications (Estrogens/Premarin) or how such action would benefit the horse, licensees or the public.
4. Numerous other clarity, conflict and authority issues exist in the proposed rule:
- The CHRB fails to provide an example of the new form “*Authorized Bleeder Medication and Medical History Request*”.
  - No criteria are established for the selection of the third-party veterinarians and veterinary technicians and no minimum requirements are provided.
  - Currently the CHRB prohibits veterinary technicians from injecting medication into a patient. The proposed rule conflicts with this current CHRB guideline.
  - The procedures for medication storage and security as well as those for the confiscation and testing of the administration syringes are never discussed.
  - The proposed rule states that veterinarians administering race day medication must have a VCPR prior to treating an animal and are paid for their services. The proposed rule also specifically states that no VCPR or business relationship may exist between the third-party treating the horse and any CHRB licensee within 30 days of administering race day medication. Thus after treating a single horse, every third-party administrator is prohibited from treating another horse for 30 days because a VCPR and business relationship now exists.
  - If the pre-race examination conducted by the Official Veterinarian constitutes a VCPR, then the Official Veterinarian has multiple VCPR’s less than 30 days old

at all times. Therefore the Official Veterinarian is prohibited from designating himself to administer race day medication by the wording of the rule.

The Equine Medical Director has repeatedly stated that this proposed rule is opposed by veterinarians and trainers, but that opposition is not to improving the integrity of racing, but rather to the manner in which the rule proposes to accomplish its goals. While the goal of improving the integrity of racing is both attainable and desirable, the actions mandated by the rule and the entire rulemaking process followed must fall within the confines of the law. The proposed rule is in its third iteration because of conflicts with existing statutes and California law. Many of those conflicts remain unresolved.

There are alternatives which exceed the proposed rule's ability to improve the integrity of racing while having less impact, being less burdensome, on the affected citizens and small businesses. Indiana has already implemented such alternatives for the administration of race day medication. California Boards are mandated by law to implement such equally effective alternatives which are less burdensome on those affected. Despite statements to the contrary, alternatives do exist and have been implemented in other racing states.

The claims that no alternatives to the proposed rule exist, that none have been submitted to the Board and that there is no financial impact to disclose because horse racing is not a small business are false and misleading. Alternatives have been submitted and significant financial impact does occur on the private veterinarians working at California's racetracks. The CHRB has been provided with alternatives intended to accomplish the goal of improving the integrity of racing in February of 2013. The CHRB cannot ignore and disclaim the existence of any such alternatives. We continue to remain willing and available to discuss the potential alternatives submitted. A substantive discussion regarding these alternatives is long overdue.

The CHRB has a legal obligation to discuss equally effective alternatives and implement procedures that will improve the integrity of racing in a legal manner. We look forward to a discussion of such alternatives, perhaps at the Medication Committee level, in an attempt to move this stalled process along.

No substantial evidence has been presented to prove the necessity for any of the proposed changes to Rule 1845. The wording of the proposed rule leads to numerous conflicts with existing Veterinary Medical Board (VMB) statutes and creates significant clarity and authority issues. Any attempt to enhance the integrity of racing must be in accordance with California law.

Veterinarians, trainers and owners have previously submitted alternatives intended to improve the integrity of racing, with even more viable ideas submitted in the attached documents. Included herein are suggestions and alternative to enhance the integrity of racing that do not conflict with existing statutes or violate California law. The CHRB has an obligation to consider

these alternatives. To this date, there has been no public meeting at which the numerous equally effective alternatives were discussed.

CHRB actions taken in disregard of APA standards are not only illegitimate they are damaging to California's horse racing industry and are not in the best interest of the horse, CHRB licensees or the integrity of racing.

We look forward to discussing viable alternatives with the Board in the near future. Please notice me directly at the email above regarding any changes to the proposed rule and provide me with a copy of the final file submitted to the OAL for review.

The following pages offer a more detailed discussion of the comments and concerns presented above. Alternatives are presented and discussed in more detail. We hope that these discussions will clarify our concerns regarding issues which remain unresolved in the language of the proposed rule.

Thanking you in advance for your consideration of our concerns and comments.

Sincerely,



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## **Alternatives to the proposed changes to CHRB rule 1845**

Those affected by the proposed rule are the private practitioners, the equine veterinarians currently working at California racetracks. The proposed rule will have a significant financial impact on these veterinarians. An accurate estimation of such financial impact of the proposed rule must be included under California's rulemaking procedures, but appears to be absent in what has been noticed to the public. The financial impact of the proposed rule is one important variable that must be taken into account when considering the alternatives proposed.

The following are some of the numerous alternatives that should be considered as all are at least equal in assuring the public that only approved medications are administered on "race day". A discussion explaining the changes the proposed rule creates, procedures within the existing rule and the alternatives follows.

### **Proposed Alternatives**

1. The first alternative would be for the CHRB to implement already rules. The authority to confiscate and test the administration syringes used by the current private practitioners to administer race day medication already exists. Testing of these syringes will prove exactly what has been administered to the horse. Existing rules are already sufficient to prove what medication has been administered on race day.

This "no change" alternative is what Texas has decided to employ.

The only way to prove exactly what has been administered by the third-party private veterinarians, who will administer race day medication under the proposed rule, is to confiscate and test their administration syringes, as the proposed rule allows.

Confiscating and testing the administration syringes utilized by the current private practitioners (already allowed by existing CHRB rules) provides the same level of deterrent and verifiable proof of what medication has been administered by these veterinarians.

2. Prior to administering the approved race day medication, the private practitioners could provide a 1-2cc sample of the medication by injecting that volume into a test tube. The

needle would be changed and then the remaining desired dosage of approved medication would be administered to the horse. This procedure of providing an aliquot of the administered medication prior to contamination of the syringe with the horse's blood ensures that the treating veterinarian will not be held responsible for any substances already in the animal prior to the administration of the race day medication. The aliquot and administration syringe are confiscated by a CHRB representative and tested at the discretion of the CHRB. This provides a pure sample of the medication administered on race day for laboratory testing.

3. The CHRB could require racetracks to install fixed or portable video surveillance cameras in or near the "race day security stall" or even mounted on the halter of the horse (horse body camera – similar to what police everywhere are implementing). These cameras would provide the benefit of recording every contact with the horse on race day. These cameras, together with testing of the administration syringes and the pre-administration aliquot, would be better able to assure the public that the only medications administered on race day are the approved medications. Every contact with the horse on race day is recorded including the administration of the approved race day medication and the collection of the pre-administration aliquot and administration syringe by depositing these items in a sealed container.
4. If so desired, the CHRB could send already employed CHRB investigators or security personnel to accompany the private practitioners and observe or videotape the practitioners as they draw medication into the administration syringe, provide the pre-administration aliquot, administer the approved race day medication and provide the administration syringe for any desired testing. This is really no different than what has been proposed in alternative #3 except third-party security personnel replace the stall or horse-body cameras in witnessing and capturing on video the details of race day medication administration.

Rather than third-party veterinarians administering race day medication who directly determine what medication is being administered (and therefore have the ability to administer unapproved medication or illicit substances), these third-party witnesses are disinterested parties whose actions have absolutely no impact on what medication is contained in the administration syringe. Like the disinterested stall and horse-body video cameras, these third-party witnesses simply observe and record what actions occur while not being a part of, or having vested interest in, any of those actions. The third-party witness could also act as the custodian in the chain of custody to collect the pre-administration aliquot and the administration syringe.

California racetracks already implement similar procedures for certain races, generally stakes races, where individuals are hired to observe and videotape any contact with the horse, including the administration of race day medication.

**This third-party witness alternative is what has been implemented in Indiana.**

5. The CHRB could require that all approved race day medication be purchased by or simply stored by the Official Veterinarian. The medications would then be brought with the security personnel as they accompany the private veterinarians during the administration of race day medication, or otherwise furnished to the private practitioners under observation. This is truly unnecessary as confiscating and testing the pre-administration aliquot and the administration syringe will prove exactly what was administered to the horse, but this certainly is another step that might be considered. The medication administered on race day would never be in the possession of the private practitioners. Of course it would be essential to provide a pre-administration aliquot under these conditions as the private practitioner will have no way to be certain the medication has not been tampered with when stored in someone else's care. This procedure may create issues with the chain of custody if and when a medication violation is detected. It would also require a secure area be created and monitored for the storage of the medication.

There are numerous other alternatives that can be discussed. The only way the proposed rule proves what has been administered by a third-party private veterinarian is by laboratory testing the administration syringe. The same laboratory testing of the syringe used to administer race day medication by the current private practitioners is already allowed under existing CHRB rules.

To prove these alternatives are equally as effective, we must determine what the goals of the proposed rule are and exactly how the actions described in the proposed rule will accomplish those goals. A quick summary of what will occur with the third-party administration of race day medication under the proposed rule, compared with what occurs under the current wording of CHRB 1845 follows.

The proposed changes to Rule 1845 seek to:

- Mandate that approved race day medication be administered by third-party private veterinarians or veterinary technicians who have had no business relationship or veterinary-client-patient relationship (VCPR) with CHRB licensees within 30 days of administering race day medication.
- Change the process required to add a horse to the "Bleeder Medication List".
- Prohibit race day administration of adjunct bleeder medications (Estrogens/Premarin).

This discussion of equally effective alternatives will focus primarily on the third-party administration of race day medication.

**Third-party Administration:** Third-party **private veterinarians** or veterinary technicians who are unfamiliar with the owner and trainer and who have never before examined the horse must first generate a valid VCPR and then administer race day medication. The administration syringe will be retained for any desired laboratory testing. It is stated that these third-party veterinarians or veterinary technicians may not have had a VCPR or business relationship with any CHRB licensee within 30 days of the administration of race day medication. The proposed rule states that these third-party veterinarians are necessary to ensure that only furosemide is administered on race day by veterinarians under the control of the Board.

**Current Private Veterinary Practitioners:** The current **private veterinarians** have existing, legally formed and valid VCPRs with the horses, owners and trainers. These VCPRs are maintained by visits to the trainers' barns multiple times daily along with the frequent examination and treatment of the owners' horses. These veterinarians are private veterinarians just like the third-party veterinarians. The current private practitioners are under the control of the Board as are all CHRB licensees. Current private practitioners are no more or no less under the control of the Board than the third-party private veterinarians. The current wording of CHRB 1845 allows the CHRB to confiscate and test the syringe used to administer race day medication at their discretion. The existing procedures are equally as effective at proving what medication has been administered as the procedures in the proposed rule.

For purposes of this discussion I will define race day as the 12 – 16+ hours encompassing the start of work on the day of the race until after the last race has run. Work at the racetrack starts at about 4:00am and when twilight racing occurs, the last race occurs 16+ hours later. The approved race day medication must be administered 4 hours prior to the race under current wording as well as the proposed rule.

**Under both the current wording and the wording of the proposed rule:**

1. A private veterinarian (current practitioner or third-party veterinarian) administers the approved race day medication 4 hours prior to the race.
2. Both of these private veterinarians (current practitioner or third-party veterinarian) are under the control of the Board.
3. The administration syringe utilized by either of these private veterinarians may be confiscated and tested at the Board's discretion. Such testing will provide scientific proof of exactly what has been administered to the horse on race day.

It is impossible to determine whether only approved medication is present in the race day medication administration syringe simply through a visual inspection of the syringe. The administration syringe must be confiscated and tested to prove exactly what medication has been administered to the horse 4 hours prior to the race.

None of the language contained in the proposed rule affects access to the horse on race day outside of the few moments it takes to administer the approved race day medication, 4 hours prior to the race. It is therefore impossible for the proposed rule to assure anyone of whether anything (medication or illicit substance) was administered to the horse either before or after the administration of the approved race day medication. Such administration could be intentional or accidental, and certainly does not have to have been performed by a veterinarian.

Unlike the alternatives provided, the proposed rule offers no improvement in security or the restriction of physical access to the horse on race day. However, some of the alternatives we have provided do indeed record every human contact with the horse on race day. The alternatives provide much greater assurance that only approved medication has been administered on race day.

The proposed rule states that it *will have the benefit of helping to protect the health and safety of horse and rider*. However, the proposed rule seeks to restrict access to race day medication by prohibiting the administration of Premarin (estrogens) and by requiring the Official Veterinarian to approve whether or not a horse may receive race day medication at all. The proposed rule states that, *“untreated EIPH places both horse and rider at risk of injury”*. It would seem reasonable that restricting access to race day medication might result in the inadequate treatment or a total lack of treatment of EIPH (if and when the Official Veterinarian does not allow such administration). Contrary to what has been stated, the actions implemented by the proposed rule may leave horses inadequately treated or untreated for EIPH which *places both horse and rider at risk of injury*.

In the Initial Statement of Reasons, the CHRB even states:

*Under the proposed amendment it must be determined that furosemide is medically necessary for the horse; this would preclude the “voluntary” administration of the medication without a bleeding incident.*

The statement above is from a section of the proposed rule describing how long a horse is restricted from racing if the Official Veterinarian observes the horse suffering visible EIPH after a race or workout and is deeply troubling. **This is an extremely important clarity issue** as this statement seems to suggest that no horse may receive the *administration of the medication* (furosemide) *without a bleeding incident*. The described actions seem to mandate that horses must bleed, must suffer pulmonary injury, before an effective preventive therapeutic medication may be administered. Scientific data demonstrates that a small number of horses suffering EIPH when raced untreated for the condition will bleed to death. Severe pulmonary hemorrhage is a leading cause of sudden death in racing horses not treated for EIPH with the administration of furosemide.

This section of the rule clearly discusses workouts as well as races. Such actions do not promote preventive veterinary care intended to decrease the incidence and severity of EIPH and protect

and improve the health and wellbeing of our equine athletes. The entire concept of preventive medicine is to prevent or lessen pathology before it arises, not wait until injury and pathology have occurred before offering treatment. Prohibiting the preventive administration of Lasix (furosemide) would be similar to not allowing vaccinations, such as that for influenza, until after California citizens have contracted the virus and are demonstrating signs of the disease.

While only limited scientific data regarding the efficacy of Premarin (estrogens) to decrease the incidence or severity of Exercise Induced Pulmonary Hemorrhage (EIPH) is available, it is the professional opinion and clinical judgment of numerous equine veterinarians that the race day administration of Premarin does provide a therapeutic benefit to their patients. The effects of Premarin on red blood cells and vessel walls are well documented in the scientific literature. These data and clinical opinions constitute professional testimony which is one form of substantial evidence accepted by the OAL. We believe that the administration of Premarin on race day should not be prohibited.

While numerous reasons are stated articulating the different desired goals of the proposed rule, it appears that the main goal is to be certain that only approved medication is being administered on "race day". As discussed above, the proposed rule has no impact on race day other than during the few moments required to administer race day medication, 4 hours prior to the race. Also stated was the impossibility to determine what is contained in the administration syringe simply through a visual examination. To be certain of what has been administered to the horse, the administration syringe must be confiscated and tested.

The proposed rule offers no details regarding the procedures for the retention and collection of the third-party administration syringes. Will this be witnessed or videotaped or will the third-party veterinarians retain and submit their own syringes for testing (which might not constitute a secure chain of custody)? The minimum requirements necessary to become a third-party veterinarian are not discussed. The procedures by which the Official Veterinarian will determine which third-party veterinarians will be designated to administer race day medication are never disclosed.

Our submitted alternatives suggest veterinarians provide a pre-administration aliquot of the medication to be administered, have third-party witnesses observe or videotape all aspects of the administration of race day medication and/or horse body-cams to videotape all contact with the horse on race day. These alternatives greatly exceed the ability of the proposed rule to improve the integrity of racing and assure the public that the only medications administered during the entirety of race day are approved medications. We can move forward to improve the integrity of racing together and in a legal fashion that has less impact on those affected.

Sincerely,

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## **Potential conflicts with existing Veterinary Medical Board statutes**

Some other issues you may want to consider include that alternatives have been implemented in both Indiana and Texas. Examples of such alternatives were submitted to the CHRB in February of 2013 and have once again been brought to your attention. No accurate disclosure of the financial impact of the proposed rule on private veterinarians currently working at California racetracks has been provided. An example of the new CHRB form 194, Authorized Bleeder Medication and Medical History Request is not contained in the rule noticed to the public.

While the issues above do exist, the following perceived conflicts with existing VMB statutes are also of concern.

### **Conflicts with existing statutes of the Veterinary Medical Board**

- The proposed rule redefines the VCPR as a pre-race Racing Soundness Examination.
- The pre-race examination is an inappropriate and insufficient examination to establish a VCPR for the medical treatment of EIPH.
- When the Official Veterinarian administers race day medication he has only had contact with half of the horses he treats; therefore he lacks a VCPR with half the horses treated.
- The proposed rule conflates the terms “consult”, “consulted” and “consultation” utilizing them in confusing, misleading and inappropriate contexts. The act of being consulted *regarding the condition of the horse* does not create any part of a VCPR. The word consultation has a specific defined meaning as a term of art in the profession of veterinary medicine. A VCPR is not created through the act of being consulted.
- Under certain circumstances the VCPR will be created by a committee of different veterinarians rather than by only the treating veterinarian. No single medical record will contain both the history and physical examination findings required to form a valid VCPR, which must exist in the treating veterinarians medical records.
- Veterinarians who have been “consulted” *regarding the condition of the horse* have conducted an insufficient racing soundness examination to directly supervise the third-party veterinarian whose medical records contain only physical examination findings. Neither of these veterinarians has a valid VCPR. A veterinarian may not provide direct supervision without possessing a valid VCPR.
- A veterinarian being directly supervised to administer a specific dosage of medication is acting as a pharmacist or veterinary technician rather than as a veterinarian, which is a violation of VMB statutes.

- Private practitioners are being forced to publish confidential medical data on the new Bleeder's Medication List registration form which is an unsecure document (CHRB form 194, Authorized Bleeder Medication and Medical History Request). This procedure provides no benefit to the horse or licensees and mandates the publication of privileged, confidential information.
- Private practitioners are determining how a horse must be treated by another veterinarian at a future date, basically prescribing future treatment by an unknown veterinarian or veterinary technician. A veterinarian may not simply fill the prescription of another veterinarian at some future date.
- The Official Veterinarian may designate himself to administer race day medication in the occurrence of an "emergency". I am unaware of any emergency a horse might encounter to which the proper veterinary response would be the administration of race day medication. It would appear that the term emergency is conflated and not defined when perhaps what is really meant is not having another veterinarian present to administer the medication. An inconvenience certainly, but an emergency?

### Background

The CHRB distinguishes between 4 types of separate and autonomous veterinarians. These veterinarians are distinctly different people performing distinctly different job functions. They are separate, autonomous individuals and business entities:

1. Official Veterinarian
2. Racing Veterinarian
3. Current Private Practitioners
4. Newly defined Designated Veterinarian = treating veterinarian who administers race day medication. This veterinarian is a private practitioner just like the veterinarians currently working at the racetrack, the current private practitioners.
5. There will now also be Veterinary Technicians administering race day medications

The Official and Racing Veterinarians have official duties described under CHRB rules. These are two separate veterinarians. Each of these two autonomous and distinctly separate veterinarians performs pre-race racing soundness examinations on about half of the horses racing on any given day. This examination is conducted on the morning of race day and is established by CHRB rule 1846 which states, in part:

1846            Racing Soundness Examination.

*(b) All such examinations shall be conducted in or near the stall to which the animal is assigned and shall be conducted by the Official Veterinarian or the Racing Veterinarian.*

During the January 2015 VMB meeting, Drs. Nunez and Sullivan discussed the necessity that for a valid VCPR to be formed, both the acquisition of a history and a physical examination of the patient must occur. It has always been my impression that a VCPR is formed between a client and a single veterinarian, rather than being formed by a committee of distinctly separate

veterinarians. The findings from the physical examination and the acquired history must exist in a single medical record of the patient. This medical record must belong to the veterinarian who will treat the animal.

**The recording of the January 2015 VMB meeting may be found at:**

<https://www.youtube.com/watch?v=fk2m5c7cdOA&feature=youtu.be> (starting at 3:27:00min)

If we think in terms of a VMB inspection of medical records, these important parts of creating a VCPR may not exist half in one veterinarian's medical record at practice A and the other half in another, autonomous and separate veterinarian's record working at practice Z. We are unaware of a distinction making either a pertinent history or physical examination more important or more of a necessity than the other in forming a VCPR. Both forms of information are necessary to create a valid VCPR and both should be acquired by, and remain part of, the medical record of the veterinarian treating the animal.

In the VMB wording describing the VCPR, all references to the veterinarian are singular:

- (1) *The client has authorized the veterinarian...*
- (2) *The veterinarian has sufficient knowledge...This means that the veterinarian is personally...*
- (3) *The veterinarian has assumed responsibility...*

In the actual statute describing a VCPR, the language indicates that this voluntary contractual relationship is between a client and a single veterinarian authorized by the animal(s) owner to care for the client's animal(s). Nowhere does the wording suggest that a VCPR formed by committee of distinctly different veterinarians is appropriate or legal. As was discussed at the VMB meeting, another statute exists to allow for the continuity of patient care by a co-worker or relief veterinarian when the veterinarian with the original VCPR is absent (2032.15. Veterinarian-Client-Patient Relationship in Absence of Client Communication).

However, in regard to the proposed rule, the current private practitioners are the veterinarians with the original valid and existing VCPRs and they are not absent. The other three types of autonomous and distinctly separate veterinarians are not co-employees of a single practice or relief veterinarians for each other or for the original veterinarian with the valid VCPR (the current private practitioner). These are distinctly different veterinarians with different job descriptions. They may not simply take over or transfer the duties assigned to them under CHRB rules whenever they wish. Thus VMB statute 2032.15 does not and cannot apply to the CHRB proposed rule we are discussing. In fact this was pointed out by Dr. Sullivan at the January 2015 VMB meeting.

**The Conflicts created by the proposed rule**

1. No examination, in and of itself, constitutes a VCPR.

I believe it is clearly a conflict to state:

*A new subsection 1845(j)(2) provides that the owner shall consent to the procedures in Rule 1845, and shall agree that the pre-race examination conducted by the Official Veterinarian constitutes a veterinarian-client-patient relationship within the meaning of Title 16, section 2032.1, of the CCR.*

The proposed rule states that the pre-race Racing Soundness Examination constitutes a VCPR. The proposed rule cites CHRB Rule 1846 (Racing Soundness Examination). The CHRB lacks the authority to redefine a VCPR as a racing soundness examination.

The VCPR is defined by Title 16 Professional and Vocational Regulations Division 20 Veterinary Medical Board Article 4 Practice (Refs & Annos) 16 CCR § 2032.1

***2032.1. Veterinarian-Client-Patient Relationship.***

*(a) It is unprofessional conduct for a veterinarian to administer, prescribe, dispense or furnish a drug, medicine, appliance, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture or bodily injury or disease of an animal without having first established a veterinarian-client-patient relationship with the animal patient or patients and the client, except where the patient is a wild animal or the owner is unknown.*

*(b) A veterinarian-client-patient relationship shall be established by the following occur:*

*(1) The client has authorized the veterinarian to assume responsibility for making medical judgments regarding the health of the animal, including the need for medical treatment,*

*(2) The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the care of the animal(s) by virtue of an examination of the animal or by medically appropriate and timely visits to the premises where the animals are kept, and*

*(3) The veterinarian has assumed responsibility for making medical judgments regarding the health of the animal and has communicated with the client a course of treatment appropriate to the circumstance.*

It was made clear at the January 2015 VMB meeting that **both a history and physical examination are needed to generate the information required to form a valid VCPR.** It was also stated that **the pre-race Racing Soundness Examination was an insufficient and inadequate examination to create a VCPR for the purpose of administering race day medication to treat EIPH.** Dr. Arthur even commented (paraphrasing) that you don't need to know if a horse is limping to administer furosemide. However, the proposed rule remains unchanged and this issue unresolved. An examination which has been described as insufficient and inadequate to form part of a VCPR for the medical treatment of the horse (furosemide administration) continues to be stated as constituting a VCPR. The proposed rule states:

*Although Rule 1846, Racing Soundness Examination, provides that the horse may be examined as late as two hours before post time, most racing soundness examinations occur in early*

*morning, well before the first post time. (The first post time in a thoroughbred race meeting is typically between 12:30 p.m. and 1:30 p.m.) The examinations are conducted by the Official Veterinarian or the Racing Veterinarian. This provision will ensure a veterinary-client-patient relationship has been established should an emergency require that the Official Veterinarian designate himself or herself to administer furosemide.*

Please also note that even if the VMB allows this redefinition of the VCPR, nowhere does the proposed rule state that the examination conducted by the Racing Veterinarian constitutes a VCPR (and of course if it did, that VCPR would reside with the Racing Veterinarian conducting the examination). Only those horses examined by the Official Veterinarian are defined to have a VCPR under the definitions in this rule, but all horses need to be treated and therefore must have a VCPR to be treated legally. When designating himself the treating veterinarian, the Official Veterinarian will have had no contact with half the horses he treats and therefore will lack even this improperly redefined VCPR with those animals.

By stating, *“the pre-race examination conducted by the Official Veterinarian constitutes a veterinary-client-patient relationship”*, this section of the proposed rule redefines a VCPR as the pre-race Racing Soundness Examination. The Official Veterinarian examines roughly half of the horses racing on any given day so he will have this redefined VCPR with only half of the horses he treats, if and when he designates himself the treating veterinarian. It is impossible for the Official Veterinarian to have established any VCPR with horses with which he has had absolutely no contact. These facts would make this section and the procedures it mandates actions which conflict with existing VMB statutes. A VCPR must exist with every horse and the treating veterinarian prior to the administration of race day medication.

2. The pre-race Racing Soundness Examination is not a sufficient or appropriate examination to form a VCPR for the medical treatment of EIPH.

It was clearly stated at the VMB meeting that a VCPR may not be created by consultation alone (although the word “consultation” is utilized in the proposed rule, it is inappropriate in the context of acquiring a VCPR). A physical examination must accompany the acquisition of the medical history for the formation of a valid VCPR to occur. I assume that the intent is to have the “consultation” provide the necessary history; however, that is simply my assumption as the rule is not clear in this regard. The use of the term “consultation” further interferes with the required clarity of this section. It was also stated that the pre-race Racing Soundness Examination was not the proper examination required to establish a VCPR to allow for the medical treatment of the patient. Dr. Arthur stated that the CHRB would have the designated veterinarian perform whatever examination would satisfy the VMB. However, that is not what has occurred. The language of the proposed rule continues to state:

*A new subsection 1845(j)(2) provides that the owner shall consent to the procedures in Rule 1845, and shall agree that the pre-race examination conducted by the Official Veterinarian constitutes a veterinary-client-patient relationship...*

Since this pre-race examination is insufficient to provide the physical examination requirement of the necessary VCPR to allow medical treatment, both the Official and Racing Veterinarians lack a sufficient VCPR to allow them to administer race day medication to any horse or to directly supervise anyone administering such medical treatment. There simply is no legally valid VCPR existing between the Official and/or Racing Veterinarians, the owner and the horse.

3. When the Official Veterinarian designates himself to be the treating veterinarian he will have a redefined VCPR with only half of the horses treated.

As stated, the Official Veterinarian has only had any contact with half of the horses racing on any given day. If the Official Veterinarian treats all of the horses (which is what I assume the rule intends when it says that the Official Veterinarian may designate himself the treating veterinarian in an emergency) then half of the horses he will be treating will have been “examined” and had a “consultation” provided by the Racing Veterinarian. The Official Veterinarian will be treating numerous horses he has had absolutely no contact with. It is simply impossible for the Official Veterinarian to have valid VCPRs with half of the horses he will treat under such circumstances. He had no contact with half the horses so there is absolutely no way a VCPR exists with these animals.

4. The act of being consulted *regarding the condition of the horse* does not legally form any part of a valid VCPR.

The proposed rule utilizes the words “consult”, “consulted” and “consulting” in describing how a VCPR may be formed. However, a consultation has a defined meaning as a legal term of art recognized by the profession of veterinary medicine. **One consults an expert for assistance with a patient, but does not utilize a consultation to form a VCPR.** Both the California Veterinary Medical Association (CVMA) and the American Veterinary Medical Association (AVMA) state that a consultation occurs when the veterinarian with the existing VCPR receives advice from a person whose expertise will benefit the patient. A VCPR is not created between the expert being consulted and the patient simply because a consultation has occurred, but rather the VCPR is maintained by the veterinarian requesting the consultation.

The application of the terms “consult”, “consulted” and “consulting” appear to be an incorrect application of these terms of art. This improper conflation of these terms degrades and confuses the description of how a VCPR may be formed. The rule states:

*Before the veterinarian designated by the Official Veterinarian may administer furosemide to the horse, a veterinary-client-patient relationship must be established within the meaning of CCR, Title 16, section 2032.1. A new subsection 1845(c)(1) provides that such a relationship may be established if the owner, trainer or the veterinarian designated by the owner or trainer has consulted with the veterinarian designated by the Official Veterinarian regarding the condition of the horse.*

*Alternatively, under a new subsection 1845(c)(2), the trainer, owner or veterinarian designated by the owner or trainer may consult with the Official Veterinarian or Racing Veterinarian,*

*and the veterinarian designated by the Official Veterinarian examines the horse. Under subsection 1845(c)(2) the consulting Official Veterinarian or Racing Veterinarian must also directly supervise the veterinarian designated by the Official Veterinarian or registered veterinary technician who administers the furosemide. The direct supervision is necessary because the veterinarian designated by the Official Veterinarian would not have consulted with the owner, the trainer or the veterinarian designated by the owner or trainer.*

The rule mandates that that owners, trainers or private practitioners with existing and valid VCPRs consult the designated third-party, Official or Racing Veterinarians *regarding the condition of the horse*. It is unclear how this is supposed to create a VCPR between the Official, Racing or third-party veterinarians and the patient as the veterinarian being consulted does not acquire a VCPR from the act of consulting. The designated third-party, Official and Racing Veterinarians may not consult their way into a VCPR as the term “consult” has a specific definition as a term of art recognized in the profession of veterinary medicine. A veterinarian may consult an expert regarding a patient under their care only after they have already formed a legally valid VCPR.

It is also unclear exactly why it is that the private practitioners with the valid existing VCPRs, who possess the complete medical history of his patients, would need to consult with the Official, Racing or third-party designated veterinarians *regarding the condition of the horse*. What expertise *regarding the condition of the horse* is the private practitioner, owner or trainer attempting to receive from such a consultation? In fact the veterinarians being consulted are unlikely to possess the same level of expertise as the private practitioners who maintain the valid VCPRs and are now being mandated to consult with these other veterinarians who are unfamiliar with the equine patient and their medical history.

All veterinarians must acquire a relevant history in the creation of a VCPR which is to be maintained as part of their medical record, but a “consultation” is only available to veterinarians who have already established a valid existing VCPR. A consultation may not form the basis for, or any part of, the creation of a VCPR. A consultation may only occur after the veterinarian has established the VCPR. Such consultation is undertaken to receive expert advice which will benefit the patient of that existing VCPR. The consulting expert does not form a VCPR simply by providing a consultation to the veterinarian with the existing VCPR.

The California Veterinary Medical Association defines a consultation as:

*“Consultation” means when a licensed veterinarian receives advice or assistance in person, telephonically, electronically, or by any other method of communication from a veterinarian licensed in this or any other state, or other person, whose expertise, in the opinion of the licensed veterinarian, would benefit a patient. The California licensed veterinarian receiving consultation shall maintain the veterinarian-client-patient relationship.*

**The American Veterinary Medical Association’s definition is all but identical, stating:**

*“Consultation” means when a licensed veterinarian receives advice in person, telephonically, electronically, or by any other method of communication from a veterinarian licensed in this or any other state or other person whose expertise, in the opinion of the licensed veterinarian,*

would benefit a patient. *The licensed veterinarian receiving consultation maintains the veterinarian-client-patient relationship.*

**The American Association of Equine Practitioners** defines a consulting veterinarian as:

*A consulting veterinarian is a veterinarian (or group of veterinarians) who agrees to advise an attending veterinarian on the care and management of a case. **The VCPR remains the responsibility of the attending veterinarian.***

In none of these definitions does the consulting veterinarian acquire a VCPR through the process of the consultation. The VCPR is the responsibility of, and is maintained by, the attending veterinarian seeking the consultation. It is confusing, improper and incorrect to suggest that any part of a VCPR is attained by the designated third-party, Official or Racing Veterinarians providing “consultations” *regarding the condition of the horse.*

5. Generating a VCPR by a committee of distinctly different veterinarians means no single veterinarian possesses all the information required to form a valid VCPR in their medical records. Such complete records and the existence of a valid VCPR are a prerequisite to the legal treatment of the animal patient.

In the Initial Statement of Reasons, the CHRB states:

*Before the veterinarian designated by the Official Veterinarian may administer furosemide to the horse, a **veterinary-client-patient relationship must be established** within the meaning of CCR, Title 16, section 2032.1. A new subsection 1845(c)(1) provides that such a relationship may be established if the owner, trainer or the veterinarian designated by the owner or trainer has consulted with the veterinarian designated by the Official Veterinarian regarding the condition of the horse. **The veterinarian designated by the Official Veterinarian must also examine the horse.***

As discussed, the use of the term “consulted” is inappropriate to use in the formation of a VCPR, but this section comes the closest to actually forcing a VCPR into existence. While not authorized by the owner to make medical decisions regarding the owner’s animal, the designated third-party veterinarian is conducting a physical examination and is speaking with someone who has something to do with the horse to be treated (the owner, trainer or their authorized veterinarian). It is impossible to suggest that a history is acquired by the third-party veterinarian when he is “consulted” by the owner, trainer or their authorized veterinarian, but the third-party veterinarian has at least spoken to some living person who has knowledge of the patient to be treated. While the pre-race examination conducted by the Official Veterinarian is clearly defined as the Racing Soundness Examination, nowhere does the rule describe what type of examination is conducted by the third-party designated veterinarian.

If a medical history is acquired and an appropriate physical examination is conducted by the veterinarian who will treat the animal, and this specific veterinarian *has communicated with the*

*client* (regarding) *a course of treatment appropriate to the circumstance* then a forced VCPR may exist, if such a thing is legal. Under these circumstances, all the information necessary to form a VCPR (other than voluntary owner authorization) is acquired by the designated veterinarian and is maintained in the single medical record generated by that veterinarian.

However, we must remember that a medical history is not acquired by the third-party veterinarian when they are “consulted” by the owner, trainer or their authorized veterinarian *regarding the condition of the horse*. A consultation seeks information from the expert being consulted and it is distinctly different from the acquisition of a medical history. Also as stated, there is the issue that this veterinarian who is being “consulted” is unknown to the owner, unfamiliar with the animal and has never been authorized by the owner to treat their animal(s). Rather than the typical owner-initiated voluntary VCPR described in VMB statutes, this would be a VCPR forced into existence by the state of California via the CHRB, if it is legally considered a VCPR at all.

Two other methods in which a VCPR may be established are described by the rule which raise a number of concerns.

*Alternately, under a new subsection 1845(c)(2), the trainer, owner or veterinarian designated by the owner or trainer may consult with the Official Veterinarian or Racing Veterinarian, and the veterinarian designated by the Official Veterinarian examines the horse. Under subsection 1845(c)(2) the consulting Official Veterinarian or Racing Veterinarian must also directly supervise the veterinarian designated by the Official Veterinarian or registered veterinary technician who administers the furosemide. The direct supervision is necessary because the veterinarian designated by the Official Veterinarian would not have consulted with the owner, the trainer or the veterinarian designated by the owner or trainer.*

Here the Official Veterinarian or the Racing Veterinarian are being “consulted” and the designated treating veterinarian conducting the physical examination. As stated above, the Official Veterinarian and the Racing Veterinarian each see about half of the horses racing on any given day. This means we have a situation where the Official Veterinarian has “consulted” on half of the horses which are supposed to receive the administration of race day medication, while the Racing Veterinarian “consulted” on the other half.

The designated, treating veterinarian takes no history and does not “consult” on any horse, but examines all of the horses. The designated veterinarian’s medical record only contains physical examination findings on all of the horses racing that day. The “consultations” on all the horses were provided by the Official and Racing Veterinarians. Exactly what information now resides in their medical records is a matter of speculation and conjecture. If the Official and Racing Veterinarians did acquire medical histories, then the medical history of half of the horses would reside in the Official Veterinarian’s medical record with the other half in the Racing Veterinarian’s records. Remember that these are three distinctly different and autonomous

veterinarians. Also remember that VMB statutes require that the veterinarian who will treat the animal *has communicated with the client* (regarding) *a course of treatment appropriate to the circumstance*. This has not happened and is impossible under this scenario.

How does the designated veterinarian know how much furosemide to administer? The equine patient cannot tell the veterinarian during the physical examination the amount which has previously been adequate to minimize or prevent EIPH. The designated veterinarian must be told how much furosemide to administer by the veterinarians who consulted and, hopefully, acquired the medical histories. The designated veterinarian would have to be under the direct supervision of both the Official Veterinarian **and** Racing Veterinarian (simply replace the “or” with “and” in the rule). This would be necessary as each of these veterinarians only had contact with half of the horses and therefore could not directly supervise anyone regarding the horses they had no contact with.

Unfortunately neither the Official Veterinarian nor the Racing Veterinarian possesses a valid VCPR because the pre-race racing soundness examination is an insufficient and inadequate examination to form a VCPR for the medical treatment of the patient.

By simply following orders on the amount of furosemide each horse requires, the designated veterinarian is acting as a pharmacist or veterinary technician filling another veterinarian’s prescription. Perhaps the rule should state that the designated veterinarian is consulting with the Official or Racing Veterinarian in order to obtain a second-hand history, which we are assuming the other veterinarians acquired when they were consulted *regarding the condition of the horse*. Of course this would once again conflate the term “consulting”. It is also unclear that an independent veterinarian may legally attain a medical history of the patient from anyone other than the owner or the owner’s agent.

What statute allows the Official Veterinarian or Racing Veterinarian to collect the history needed by the designated veterinarian to determine the amount of furosemide to administer? What allows the Official or Racing Veterinarians to “directly supervise” an autonomous private veterinarian, especially when the totality of information required to form a valid VCPR simply does not exist in their medical records? The Official and Racing veterinarians only have the history of the horse in their medical records, if indeed any history was acquired when they were “consulted”. How can these veterinarians directly supervise anyone in the treatment of a horse with which they do not have all the components of a valid VCPR?

These veterinarians have not conducted an appropriate examination for the initiation of medical treatment, but rather a Racing Soundness Examination that has been redefined as a VCPR. This examination remains an insufficient and inadequate examination for the medical treatment of the equine patient. The rule states the designated treating veterinarian is under the direct supervision of the other veterinarians and is therefore being supervised by veterinarians who lack a complete VCPR and who conducted an insufficient examination to begin medical treatment.

What legal statute allows the Official or Racing Veterinarians to directly supervise the veterinary technicians who are stated to be under the control of the designated treating veterinarian? Can I directly supervise the veterinary technician employees of another autonomous and separate veterinarian? Who employs these veterinary technicians? The rule is not clear regarding these issues.

These issues demonstrate what I mean by creating a VCPR by committee. The information gathered is a matter of conjecture and speculation because we simply do not know what transpired and what information was provided by whom, or to whom, when the owner, trainer or their authorized veterinarian "consulted" the third-party, Official or Racing Veterinarians *regarding the condition of the horse*. Has enough information been gathered by the individual veterinarian who will treat the horse to form a VCPR? The VCPR must be formed by the treating veterinarian and not pieced together from information gathered by a number of separate veterinarians.

While a significant clarity issue, we must hope that the Official and Racing Veterinarians each have acquired the medical history on half of the horses which resides in their respective medical records. The designated treating veterinarian has the physical examination findings on all of the horses in his records. However, when viewed as separate individual veterinarians (which they are both physically and legally), none of these veterinarians has the sufficient information necessary and required to form a valid VCPR. A veterinarian may not legally directly supervise anyone unless they possess a valid VCPR and the supervised veterinarian may not simply act as a pharmacist or veterinary technician.

**The VCPR must be formed by the treating veterinarian alone, not collected in pieces by three different veterinarians where only one of them will be treating the animals and all are distinctly separate individuals and business entities.**

6. CHRB form 194, *Authorized Bleeder Medication and Medical History Request*, is an unsecure document functioning as a prescription used to place a horse on the Bleeder Medication List.

With the changes mandated by this rule, the veterinarian now has to place the horse on the Bleeder Medication List (and the trainer must agree). This occurs by use of a form (CHRB194) that veterinarians must fill out on which they now must write and disclose a pertinent medical history. Veterinarians will be publishing part of their private medical records; publishing confidential medical facts about their patients. This would seem to be an obvious violation of the privacy of our medical records.

The Initial Statement of Reasons states:

*The title of the CHRB form 194 has been changed to read "Authorized Bleeder Medication and Medical History Request." This has been done to reflect the requirement that the horse's*

*medical history, relevant to the administration of authorized bleeder medication, must be provided. This is in accordance section 2032.1 of Title 16, of the CCR dealing with Veterinarian-Client-Patient Relationships. The regulation requires veterinarians who perform any act requiring a license upon any animal to prepare a legible, written record concerning the animal which shall contain a history or pertinent information as it pertains to each animal.*

Being instructed to maintain a written record and being forced to publish confidential private data from that record are two vastly different issues. Why are we publishing the data anyway? How does the release of this information benefit the patient or the owner? The Official Veterinarian does not have sufficient information about this animal to approve or deny my decision to place my patient on the Bleeder Medication List.

The owner has never *“authorized the (Official or Racing) veterinarian to assume responsibility for making medical judgments regarding the health of the animal, including the need for medical treatment.* That authorization belongs with the current private practitioners. It must also be noted that the Official and Racing Veterinarians simply do not possess *“sufficient knowledge of the animal(s)”* to make medical judgments, initiate any form of proper medical treatment or even to determine whether the horse should be allowed to be placed on the Bleeder Medication List or not. After all, the examination they conduct is the pre-race racing soundness examination, a lameness examination that divulges nothing about the medical condition of the horse. However, it is a scientific fact that virtually every horse bleeds. After performing sequential endoscopic examinations following three races, more than 87% of the horses will have bled at least once. The proposed rule acknowledges that virtually all horses bleed and states that *“untreated EIPH places both horse and rider at risk of injury”*.

In October 2004, the CHRB amended the procedures to place a horse on the Bleeder Medication List to make the medication available to all horses. On page 1370 of **California Regulatory Notice Register: REGISTER 2004, NO. 41-Z** published **October 8, 2004 OAL** (<http://www.oal.ca.gov/res/docs/pdf/notice/41z-2004.pdf>), the following information was provided by the CHRB:

*Rule 1845 provides the conditions and procedures under which authorized bleeder medication may be administered to a horse. The proposed amendment to Rule 1845 changes the name of the regulation from “Bleeder List” to “Authorized Bleeder Medication.” This clarifies the topic of the regulation. Subsection 1845(a) provides that a horse is eligible to race with authorized bleeder medication if the licensed trainer and/or veterinarian determine it is in the best interest of the horse. Most, if not all thoroughbred horses eventually show signs of exercise induced pulmonary hemorrhage (EIPH). However, horses may not bleed at a time when they can be observed. Allowing the trainer or veterinarian to determine if the horse should run on an authorized bleeder medication eliminates the need for the official veterinarian to observe the bleeding. Subsection 1845(a) incorporates by reference form CHRB 194 (New 09/04) Authorized Bleeder Medication Notice/Request (CHRB 194). A similar form is currently used at racetracks.*

*Incorporation of CHR B 194 provides a standardized form and procedures by which the official veterinarian will be notified that a horse will run on authorized bleeder medication. In addition, CHR B 194 will be used to request the horse be taken off the authorized bleeder medication list.*

In the proposed rule now under consideration, the CHR B states:

*Currently, under Rule 1845, the CHR B form 194, Authorized Bleeder Medication Request (New 08/04) (CHR B 194), which is incorporated by reference in Rule 1845, is used to notify the Official Veterinarian of the trainer's or veterinarian's decision to place the horse on the bleeder medication list. Subsection (a)(2) has been amended to provide that prior to entry for race, the Official Veterinarian must approve the CHR B form 194. The requirement for the Official Veterinarian's approval will mean that he or she must agree with the medical determination made by the trainer of the horse and the veterinarian designated by the owner before the horse may be placed on the bleeder list. The title of the CHR B form 194 has been changed to read "Authorized Bleeder Medication and Medical History Request." This has been done to reflect the requirement that the horse's medical history, relevant to the administration of authorized bleeder medication, must be provided. This is in accordance with section 2032.1 of Title 16, of the CCR dealing with Veterinarian-Client-Patient Relationships. This regulation requires veterinarians who perform any act requiring a license upon any animal to prepare a legible, written record concerning the animal which shall contain a history or pertinent information as it pertains to each animal.*

The relevant history is the same for all of the horses. Simply put, the relevant fact is that they are racing horses and that virtually every single one of them will bleed. I believe the proposed rule captured the relevant sentiment extremely well when they stated,

***"Untreated EIPH places both horse and rider at risk of injury".***

The Official Veterinarian is not present when private practitioners perform endoscopic examinations of their patients to determine if, or to what degree a horse has bled. The Official Veterinarian is not engaged in the practice of veterinary medicine and does not have a complete medical history on my patients. It is hard to appreciate how this procedure benefits the health and wellbeing of the horse.

7. Currently a horse is placed on the Bleeder's List by either the trainer or the private practitioner so that it may be treated by that private practitioner who is already authorized by the owner/trainer (owner's agent) to make medical judgments regarding the animal.

There is no problem if I place a horse on the Bleeder Medication List essentially prescribing that race day medication is appropriate and necessary to be given prior to racing, as long as someone from my practice administers that race day medication. The current process is even more appropriate because it allows a trainer to place their horse on the Bleeder Medication List. By not requiring specific data from the medical history of the horse to support its registration on the

Bleeder Medication List, the List cannot be presumed to be a veterinary prescription. It currently does not require a medical decision to place a horse on the List. The List just states that we want the horse to have race day preventive therapeutic medication administered prior to the race.

By requiring veterinarians to place the horse on the List and to provide medical data supporting this decision, the List has now become a medical instruction from those veterinarians. We are stating that because of x, y and z in this specific horse's medical history, the horse should receive race day medication in the future. But now the veterinarians placing the horse on the List will never be those who actually treat the horse in the future on race day, if the proposed rule is implemented.

The current private practitioners are making a medical decision for a future unknown designated, treating veterinarian. This would seem to be the equivalent of a prescription that these unknown veterinarians are then simply filling. In the Initial Statement of Reasons, the rule states that the private practitioner is making the *"determination that furosemide is medically necessary"*. **The treating veterinarian must determine what is necessary for the horse they are treating at the time they are treating the animal.** We do not have the authority to make medical determinations for another autonomous and distinctly separate veterinarian who may treat a horse at some unknown time in the future.

Although not termed a prescription, the new rule describing the changes to the Bleeder Medication List registration procedures are fulfilling the definition of a prescription. The designated treating veterinarian needs to have their own VCPR and make their own medical decision as to whether the horse is healthy and fit to race, whether race day medication is appropriate and at what dosage the medication should be administered or else they are simply filling my prescription – which is a violation of existing statutes.

In explaining why form CHRB 194 and the procedures to register a horse on the Bleeder Medication List must be amended, the rule states:

*This is in accordance with section 2032.1 of Title 16, of the CCR dealing with Veterinarian-Client-Patient Relationships. This regulation requires veterinarians who perform any act requiring a license upon any animal to prepare a legible, written record concerning the animal which shall contain a history or pertinent information as it pertains to each animal.*

However, if these procedures are implemented, the current private practitioners will not be administering race day medication. The *veterinarians who (will) perform (the) act requiring a license* (by administering race day medication are the veterinarians who must) *prepare a legible, written record concerning the animal which shall contain a history or pertinent information as it pertains to each animal.* Under the procedures of the proposed rule, it would appear that private practitioners could not legally place horses on the Bleeder Medication List for third-party veterinarians to treat at some time in the future.

The changes with the Bleeder Medication List may place both the designated treating veterinarian and current private practitioner in tenuous legal standing. In previous OAL submissions (October 8, 2004), the CHRB stated that they were allowing the trainer or veterinarian to put the horse on the List as this avoided the need for the Official Veterinarian to witness the horse bleed. Do we really want to make our horses have to bleed, make them injure their lungs before we allow them to have a preventive therapeutic medication administered.

These procedures are not in the best interest of the horse and may inflict injury to both the horse and rider until the Official Veterinarian allows the horse to receive furosemide. Allowing all horses access to furosemide creates a level playing field and is in the best interest of the horse, CHRB licensees and the public interest. All racehorses are very likely to bleed, so all should have access to therapeutic preventive medication to decrease the incidence and severity of EIPH. If furosemide does affect performance, allowing all horses access to the medication creates a level playing field which is fair and in the best interest of the betting public.

8. What “emergency” might a horse encounter that requires the administration of race day medication as treatment?

The rule appears to be conflating the term “emergency” when it states:

*Subsection (d)(1) states that...The Official Veterinarian may designate himself or herself in an emergency, the details of which shall be immediately reported to the stewards.*

In explaining this section, the CHRB cites existing rules:

*Board Rule 1560, Duties of the Official Veterinarian, currently allows the Official Veterinarian – in an emergency - to directly treat or prescribe for any horse registered to race at any recognized meeting. Rule 1560 also requires that the stewards be immediately informed if the Official Veterinarian directly treats or prescribes for any horse.*

It would appear that rule 1560 allows the Official Veterinarian to render aid and treat a horse that has been injured. An emergency situation has arisen where a horse is injured and the Official Veterinarian may render aid by treating the injured animal. This is consistent with existing VMB statutes describing veterinary care during an emergency situation.

The rule fails to define emergency as it is being used. Is it an emergency if no third-party veterinarian arrives for work, or is that simply an inconvenience? What does emergency mean? And to whom has the emergency situation occurred? Who is it that defines what constitutes the existence of an emergency situation allowing the Official Veterinarian to designate himself the treating veterinarian?

Did the horse suffer the emergency? This would seem to be the single definition that agrees with how the term “emergency” is utilized in rule 1560. However, it is extremely difficult to envision an emergency situation a racehorse might encounter that would be treated properly by having

race day medication administered as the appropriate veterinary response to the emergency. In general, when a racehorse encounters an emergency on race day, they are scratched from the race due to injuries suffered during the emergency.

In Summary:

This proposed rule asks veterinarians to publish private information contained in confidential medical records.

The rule redefines how a VCPR may be created by establishing the formation of a VCPR by committee – a group of distinctly different, separate and autonomous veterinarians with some presumably acquiring the history and others the physical examination findings. No individual veterinarian alone within this group possesses all the information required to form a valid VCPR in their own medical record of the patient. Each veterinarian's medical record would either contain only medical histories (presumably) or only physical examination findings. Neither of these pieces of information alone provides the appropriate and sufficient knowledge required to form a valid VCPR.

When the designated veterinarian operates under the direct supervision of the Official Veterinarian they will be acting as a pharmacist or veterinary technician. The legal precedent whereby the Official or Racing Veterinarian may directly supervise the designated veterinarian (another autonomous vet) when the Official or Racing Veterinarian has only collected the history (presumably) on the patient and the designated veterinarian has examined the patient is unclear. Neither the Official Veterinarian nor the Racing Veterinarian has a complete VCPR sufficient to directly supervise anyone.

Can the Official Veterinarian directly supervise another veterinarian's veterinary technicians? Who actually employs these veterinary technicians? This seems like a liability, if not a legal nightmare. The rule states that the treating veterinary technicians are under the direct supervision of the designated, treating veterinarian, but later states that the Official or Racing Veterinarians may provide them with direct supervision. I'm not sure if this is legal, but I do suspect that it creates a liability fiasco. Perhaps the AVMA Liability Trust should review the language of this proposed rule?

**The rule redefines a VCPR as the pre-race Racing Soundness Examination conducted by the Official Veterinarian. The CHRB lacks the authority to empower an owner to define or agree to what the legal definition of a VCPR is.** The VCPR is defined by existing statutes and the CHRB does not possess the authority to redefine a VCPR as the pre-race examination conducted by the Official Veterinarian or allow owners to determine what constitutes a VCPR. This pre-race examination has also been determined to be insufficient to form a VCPR for the medical treatment of these patients.

When the Official Veterinarian designates himself the treating veterinarian, he will have had no contact with half the horses he will be treating. There is no possible way he possesses a VCPR with the half of the horses that were seen by the Racing Veterinarian. Nowhere does it state that the pre-race examination conducted by the Racing Veterinarian constitutes a VCPR. None of the horses seen by the Racing Veterinarian have any form of a VCPR under the wording and definitions in this proposed rule.

Finally, the owner never authorizes the Official, Racing or designated treating veterinarians to care for their animals, but rather is forced to consent to the procedures contained in the rule. We believe the owner has the right to determine which veterinarian cares for their animal(s). As with human medicine, the VCPR is contractual in nature and entered into voluntarily. The CHRB has no right or authority to intervene in this existing and legally formed contractual relationship which already exists or mandate the creation of new contractual relationships between the animal's owner and veterinarians who are unknown to the owner and animal patient. The rule forces the suspension and temporary termination of an existing and valid contractual VCPR only to replace it with a mandated, quasi-legal VCPR or a likely illegal VCPR formed by committee or a non-existent VCPR (for all or half the horses treated by the Official Veterinarian) depending on which section of the rule is enacted.

Unfortunately, the proposed rule still contains many areas of concern. We can improve the integrity of racing by implementing the submitted alternatives which work within the confines of existing statutes and California law.

Sincerely,



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## Clarity and Necessity Issues

I'd like to begin this discussion with some quotes from the February 18, 2015 CHRB meeting transcript. It appears the Commissioners were reading questions and concerns regarding the wording of the proposed rule that CHRB staff had assembled for them. These are pertinent questions which remain clarity issues as they have not been clarified or explained in the version of the proposed rule noticed to the public.

### **CHRB meeting 2/18/15, transcript pages 116 – 125**

*DR. ARTHUR: I would like to point out one change that we need to add, and that is to page 8-11. That form needs to be modified, after consultation with the Veterinary Medical Board, to say "authorized bleeder medication and medical history." And we need to add a space for the veterinarians to add medical history relevant to authorized bleeder medication administration. Those are -- those can be done when this is sent out for 45-day notice; correct, Jackie?*

*MS. WAGNER: It needs to be -- it needs to be developed before we initiate the 45-day comment period.*

*DR. ARTHUR: That's right. It will be easy to do. It's very simple. I've virtually already done that.*

While it is clearly stated that the new form CHRB 194 "authorized bleeder medication and medical history" must be finalized prior to the 45-day comment period, we can find no example of the form. We would suggest that the new form must be included in the rule noticed to the public.

*VICE CHAIR ROSENBERG: Questions. On page 8-8 there's a Section D(a) which says - it says, "Any veterinarian or California Registered Veterinary Technician" -- I won't read the whole thing, but my question is who is going to administer this to check to see about these business relationships between the vet and the -- well, the language is, "Within 30 days they are designated to administer the -- the furosemide or have had a veterinarian-client-patient relationship within 30 days of the date they're designated to administer it." And who's going to check on that? I mean, who?*

*DR. ARTHUR: Well, it's going to be the responsibility of the official veterinarian who designates the person administering the Lasix. And exactly how extensive that will be, I'm sure that we'll have investigators involved and other administrative personnel at*

*the Horse Racing Board. They may be required to sign a statement that they -- they don't have any business relationship.*

These procedures remain unexplained in the proposed rule.

There is also the question of how this part of the rule can exist without creating a fatal flaw in the entire process described. The veterinarians and veterinary technicians designated to administer race day medication must form a VCPR prior to treating any horse. The rule states that the owners must pay the third-party for treating their horse which means a business relationship exists. A service has been provided and the owner must pay for that service. But the proposed rule is specific in establishing that the designated veterinarians and veterinary technicians may not have had a business relationship *or have had a veterinarian-client-patient relationship within 30 days of the date they're designated to administer* race day medication.

After treating a single horse, the designated veterinarians and veterinary technicians will have a current redefined VCPR with a licensee. They will also have a current business relationship as they have provided a service and the owner is now responsible to pay for that service. How can the designated veterinarian or veterinary technician treat a second horse? The rule states they can't have a current VCPR or business relationship which they now have with a licensee. The third-party veterinarian or veterinary technician would have to wait 30 days before they would be allowed to treat another horse.

Perhaps it will be suggested that the rule states the designated veterinarian or veterinary technician simply may not have a VCPR or business relationship before being designated to administer race day medication. How long does such designation last? For one day, one month, an entire race meet or a year? If we allow these private third-party veterinarians or veterinary technicians to administer race day medication to all of the horses racing on any given day, they will now have VCPR's and business relationships with numerous licensees. How can they be allowed to treat any horse the following day? The rule seems to conflict with itself in a serious, if not fatally flawed way.

One stated necessity requiring the proposed rule was to get private veterinarians out of the stall on race day. These third-party veterinarians are private veterinarians and after treating the runners during a single race day, they now have redefined VCPR's and business relationships with numerous CHRB licensees. These private veterinarians are now seemingly indistinguishable from the current private practitioners who are being prohibited from administering race day medication because of the existence of current VCPR's and business relationships with CHRB licensees. How can one group of private veterinarians be prohibited from practicing an aspect of veterinary medicine only to be replaced by another group of private veterinarians or veterinary technicians?

The distinguishing characteristic between the current private practitioners and the third-party veterinarians, no longer exists after they treat a single horse or, certainly, after they treat all the horses on any given race day. Both the current private practitioners and the third-party veterinarians are private veterinarians under the control of the Board who now have current VCPR's and business relationships with numerous CHRB licensees. It would appear that one

private veterinarian (who has an established regulatory record) is being replaced with another private veterinarian (who no one knows as they have not yet been identified).

Both groups of veterinarians will have current VCPR's and business relationships with numerous CHRB licensees, so both should be prohibited from administering race day medication by the language of the rule. The wording of the proposed rule conflicts with itself over this objective. The wording creates important clarity and consistency issues regarding the procedures mandated by the proposed rule. It is impossible for the third-party veterinarians not to have current VCPR's and business relationships if they must have a VCPR exist prior to treating any horse and will be paid by the owner for the service rendered.

*COMMISSIONER AUERBACH: Okay. I was curious about that. Then on 8-3 where you go down to where it says "Designation," and then it says, "Rule 1845." If you read through those paragraphs, the bottom of the first paragraph, "However, the proposed text does not provide how the official veterinarian, the owner, or the trainer will make some designations or where this information will be retained." And at the bottom of the next paragraph is says, "However, the proposed text does not explain how the owner or trainer would request analysis of the syringe or who would pay for such testing." I mean, so we're putting in all these rules and regulations without the backup.*

*DR. ARTHUR: The person who wrote this did not have the procedures.*

Nothing in the proposed rule provides the public with the procedures mentioned. These are valid questions apparently brought forward by CHRB staff and read into the official record by Board members. Why are these issues still deficient in the rule noticed to the public?

*DR. ARTHUR: And frankly, this is way more complicated than it needs to be. We designate, just like you designate your trainer to make decisions for you whether a horse is on the bleeder's list or not, that trainer, as they currently do, can designate the veterinarian to put the horse on the Vet's List. Dr. Van Bluker (phonetic) put so and so on the Vet's List. That's how that's designated. It's very informal. Designate maybe look to be a very restrictive word, but it's not that complicated.*

*COMMISSIONER AUERBACH: So the language here is really unnecessary? I mean, we have a procedure and this just –*

*DR. ARTHUR: I think the write-up is unnecessary.*

We must disagree with Dr. Arthur regarding the example he proposes as a response to how these procedures will actually occur. Dr. Arthur provides an example of an owner designating the trainer they have chosen to make decisions regarding if and when to place a horse on the bleeder's list. The relationship between the owner, trainer and their chosen veterinarian constitutes a voluntary contractual relationship that all three are aware of and have entered into willingly. However, the veterinarian designated to administer race day medication is never (voluntarily) authorized to treat an owner's animal.

The Commissioner's question about how the treating veterinarian will be designated and staff's concern over where information will be retained are both valid questions which are not answered. The designated veterinarians have not been chosen by the owner or trainer. We believe it is important that the minimum requirements for such designation, the process employed to verify credentials, business relationships, potential background checks, etc. be made public. It seems reasonable that it would be preferable to avoid authorizing addicted gamblers, substance abusers and those facing financial crises from administering race day medication, as these issues may increase the probability of illicit actions occurring if the designated veterinarians possess such characteristics. Determining which veterinarians will replace the current private practitioners should not be decided by the toss of a coin. But the transcript documents the comment that:

*It's very informal. Designate maybe look to be a very restrictive word, but it's not that complicated.*

These are all significant clarity issues. It was also mentioned that there was a question over where certain information would be stored. As I have discussed previously, this is also a clarity and conflict (consistency) issue regarding the information required to form a valid VCPR. The Veterinary Medical Board has stated that both a history and physical examination are merely part of what is required to form a valid VCPR. Where this information is stored is a matter of conjecture and depends on how the term "consult" is applied and which part of the proposed rule is read.

**The fact is, both the history and the physical examination findings must reside within the medical record of the treating (designated) veterinarian.** It is inappropriate to redefine a medical record as being the sum total of the contents of three separate veterinarians' records, with a history here and physical exam findings over there. All of these issues must be clarified and must be consistent with existing statutes. It is virtually impossible to determine exactly what information is stored where because we don't know what information is being gathered by which veterinarian or if the examinations being conducted are sufficient and appropriate to create a VCPR for the medical treatment of the patient.

The following quotes from the CHRB transcript of the July 2013 Medication and Track Safety Committee meeting as well as the January 2015 CHRB meeting with the California Veterinary Medical Board (VMB). The official records of these meetings are incorporated herein by reference. The CHRB transcript is available by contacting the CHRB and the recording of the VMB meeting is available at:

<https://www.youtube.com/watch?v=fk2m5c7cdOA&feature=youtu.be>

During the CHRB Medication and Track Safety Committee meeting, Dr. Arthur, the CHRB Equine Medical Director states: **"And, you know, with all due respect, I do realize that most of our veterinarians practice very ethically. I'm very proud of the veterinarians here in California."**

At the VMB meeting, Mr. Baedeker, CHRB Executive Director states that this proposed rule is intended to: **“Make a clean sport squeaky clean.”**

And Dr. Arthur states: **“Far and away, California has the cleanest racing of any state in the Union.”**

And from the transcript of the CHRB meeting held on 1/19/2012, page 44:Commissioner Derek: **“Our Drug Testing Program seems to be the best in the world.”**

Statements such as these make one question the necessity for governmental intervention through this proposed rule. How much financial harm must be inflicted on private veterinary racetrack practitioners, most with exemplary regulatory records, in the attempt to try to “make a clean sport squeaky clean”. The value of an extremely competent laboratory such as the UC Davis Kenneth L. Maddy Equine Analytical Chemistry Laboratory performing drug testing for the CHRB cannot be overstated. The transcript from the CHRB meeting on 1/19/2012 credit such testing with eradicating a problem once said to exist on California racetracks concerning elevated TCO2 levels (“milkshakes”).

It would seem reasonable that such testing can provide an extremely important part of the substantial evidence required to determine the necessity of the proposed rule, or the lack thereof.

We know the three goals the proposed rule is attempting to accomplish, but by law we must be certain that these problems exist which need fixing, that the actions and procedures mandated by the proposed rule will remedy these issues and that no alternatives to these proposed actions exist that are equally as effective at providing a remedy while being less burdensome on affected private persons and California small businesses.

Why must the Official Veterinarian approve my decision to place my patient on the Bleeder Medication List? What criteria will the Official Veterinarian utilize in his decision to approve or disallow my request? All horses are very likely to bleed, so how is it in the best interest of the horse, licensees or the public to restrict or deny access to effective preventive medication?

Why must Premarin (estrogens) be removed from approved race day medication status? Have these medications been proven unsafe? Have they been demonstrated to have any effect on performance whatsoever? If it is the professional opinion of numerous veterinarians that these medications provide clinical therapeutic benefit in decreasing the incidence and severity of EIPH, why is this professional testimony being ignored?

What actual facts and verifiable data provide the substantial evidence that the current private practitioners should be removed from the stall on race day? Are there regulatory sanctions and medication violations that have been proven to have occurred because a private veterinarian administered unapproved medication or illicit substances during the administration of race day medication? When the syringes used to administer race day medications have been confiscated and tested, have medication violations been documented? Have regulatory sanctions been imposed after testing these confiscated syringes and if so, how many times?

The following table briefly summarizes the regulatory differences between the current private practitioners and the proposed third-party administrators.

	Current Private Practitioner	Third-party administrator
Possess a legally formed VCPR	Yes	No
Maintains VCPR with daily visits	Yes	No
Authorized by owner to care for animal	Yes	No
Known to owner and trainer	Yes	No
Experienced racetrack practitioner	Yes	Unknown
Experienced equine veterinarian	Yes	Unknown
Veterinary Technician administers medication	No	Yes - sometimes
Legally diagnose and treat patient in emergency	Yes	Yes / No - Vet Tech
Possesses complete medical history of patient	Yes	No
Unknown and unidentified individual	No	Currently Yes
Possesses a demonstrable regulatory record	Yes	No
CHRB able to confiscate administration syringe	Yes	Yes
CHRB able to test administration syringe	Yes	Yes
Has had administration syringes tested by CHRB	Yes	No
Requires rulemaking and OAL approval for:		
Race day medication administration	No	Yes
Confiscation of administration syringe	No	Yes
Testing of administration syringe	No	Yes

Perhaps what is required is improved security and the implementation and enforcement of ample, existing regulations. As Dr. Arthur has mentioned, **“Far and away, California has the cleanest racing of any state in the Union.”** I am happy that Dr. Arthur has acknowledged that he does, **“realize that most of our veterinarians practice very ethically”** (and that he is) **“very proud of the veterinarians here in California.”** If what is intended is to “make a clean sport squeaky clean;” why not simply punish those who violate the rules rather than inflict financial harm on an entire group of veterinarians? Together we can improve security and implement any of the numerous equally effective alternatives to greatly improve the integrity of racing in California.

#### **Concerning removing Premarin (estrogens) from approved race day medication status:**

Regarding removing Premarin (estrogens) from approved race day medication status, Commissioner Derek states that *“during 45-day comment you can definitely put forward your - your -- everyone’s feelings on estrogen”*.

Licensees did comment on February 4, 2013 when petitions signed by more than 200 licensees (trainers, assistant trainers, owners and veterinarians) were submitted to the CHRB expressing our desire to have Premarin (estrogens) retain their approved race day medication status. These licensees may be considered experts in the training veterinary care of racehorses. One form of substantial evidence to support or refute the necessity of a proposed rule is expert testimony such as that provided by these signed petitions.

CHRB transcripts record that Dr. Arthur has stated he too administered Premarin (estrogens) when he practiced, but now he supports removing the medication from approved race day medication status. **The professional and clinical judgment of numerous veterinarians throughout the United States is that Premarin (estrogens) is therapeutically efficacious in decreasing the incidence and severity of EIPH, especially in “bad bleeders”.**

In the proposed rule it is stated that there are concerns regarding “*the efficacy of furosemide to control exercise-induced pulmonary hemorrhage (EIPH)*”. Adjunct bleeder medications are permissible under current regulations, why would a reasonable person limit the authorized race day medication to only furosemide if there are concerns regarding “*the efficacy of furosemide to control exercise-induced pulmonary hemorrhage (EIPH)*”? These adjunct medications are regarded by most trainers and racetrack practitioners as having therapeutic value in reducing the severity of EIPH in “bad bleeders”. The need to properly treat racing horses to reduce the incidence and severity of EIPH is stated in the ISR:

*EIPH and the associated side effects cause poor racing performance. EIPH cumulatively damages lungs, and as damage accumulates the incidence and severity of bleeding increases. Untreated EIPH places both horse and rider at risk of injury.*

If untreated EIPH places both the horse and rider at risk of injury, what about poorly, inadequately or improperly treated EIPH? If EIPH is a risk for both horse and rider, why limit the medication authorized to be administered on race day to only furosemide? This is an especially pertinent question if there are questions regarding the efficacy of furosemide to control EIPH. A reasonable person might likely conclude that if EIPH poses such an injurious risk to both horse and rider, it certainly must be treated appropriately. And if there are concerns regarding the efficacy of furosemide to treat EIPH, then adjunct medications considered to be therapeutically beneficial by numerous racing industry experts should not be removed from authorized status.

In recommending removing the authorized status of adjunct bleeder medications, the RMTC and RCI have simply discounted scientific data as well as the opinions and recommendations of racetrack veterinarians and trainers throughout the country regarding the clinical efficacy and therapeutic value of these adjunct medications. The opinions of these experts in training racehorses and in the practice of equine racetrack veterinary sports medicine should be provided significant consideration. These opinions are relevant in deciding the necessity of the removal of adjunct bleeder medications from approved status.

The recent consensus statement on EIPH by the American College of Veterinary Internal Medicine (ACVIM) states that simply because the limited studies performed thus far to scientifically determine the efficacy of these adjunct bleeder medications have shown limited or no effect, that does not mean that a lack of efficacy has been proven. Many of these studies were poorly designed utilizing too small a sample size (6 horses) and patient selection was often inappropriate. The statistical power of the vast majority of these studies is, at best, weak. The clinical opinion of skilled and experienced veterinary professionals who utilize these adjunct medications on a daily basis must be given due consideration.

In the discussion of the ACVIM study results they state:

*Of particular concern to the panel was the large number of reports that had negative results (i.e., the study did not detect an effect of the intervention) but did not make an a priori attempt to establish adequate study size or to consider statistical power in interpretation of their results. Failure to detect an effect of the intervention in a study with inadequate statistical power is not the same as demonstration of no effect.*

In the conclusions section of another scientific study, *Review of Alternative Therapies for EIPH*, the authors state:

*In summary, there are alternatives to furosemide to reduce and treat EIPH. The nasal strip, CES, and a diet rich in omega-3 fatty acids have shown scientific efficacy at this time; conjugated estrogens and aminocaproic acid may also be beneficial.*

Please make no mistake; the removal of Premarin from approved medication status is an equine welfare issue. EIPH is pathology that injures the lungs of our magnificent equine athletes. The damage incurred during episodes of EIPH is progressive and chronic in nature and is a source of significant financial loss to owners. The authors of the 2008 RMTTC funded study on Premarin stated, *“There is a compelling demand for effective prophylaxis and/or treatment that provides better control of EIPH and, in so doing, reduces the susceptibility to sequelae that impact pulmonary health and precipitate premature athletic career termination.”*

Please also understand that no study has ever suggested that Premarin is performance enhancing. For decades, Premarin has been used successfully in human medicine to treat abnormal bleeding. This medication has been scientifically proven to have beneficial effects on both platelets and the vasculature (blood vessels). Premarin is administered for the treatment of numerous human medical conditions such as abnormal uterine bleeding, uncontrolled epistaxis (nose bleeds), bleeding due to renal failure and uremia, in cystic fibrosis to control hemoptysis (coughing up blood), and in life-threatening gastrointestinal bleeding in hemodialysis patients, amongst other conditions.

There is no doubt that Premarin (conjugated estrogens) has beneficial effects on both the vasculature and platelets and is an effective anti-bleeding medication. If you are being told otherwise, you are being misled.

The investigators of the 2008 study proved that Premarin also *“mitigates exercise-induced pulmonary inflammation”* in horses. The authors note that, *“...inflammatory airway disease (IAD) has previously been demonstrated to be an important contributor to the severity of EIPH.”* In her PhD thesis, Dr. Larson-Epp discussed the relationship between IAD, EIPH and poor performance (financial loss).

*Exercise-induced pulmonary hemorrhage (EIPH) and inflammatory airway disease (IAD) constitute a significant proportion of the pulmonary disease encountered in racehorses, and this category of disorder is second only to musculoskeletal disease as a cause of poor performance and premature career termination. It is important to note that epidemiologic and post-mortem*

*studies have identified an association between EIPH and IAD. In addition, the development of performance decrements consequent to EIPH and associated IAD often necessitate additional veterinary care, extended breaks from training, and/or permanent racetrack banishment in cases where horses continue to exhibit EIPH despite treatment.*

The findings of the 2008 RMTTC-funded study were greatly compromised due to its design and the low number of horses utilized (only 6); however, **there was still evidence that Premarin had a small effect in reducing EIPH.** In fact, the authors wrote:

*Further consideration of the data suggests that 'Premarin' may show significant reductions in EIPH when larger groups of bleeders are tested... the small effect of Premarin on EIPH would require  $n > 24$  to obtain statistical significance (if the current study population is representative of all horses).*

In fact the horses tested were NOT representative of the racing population which usually receives Premarin. The six horses in the study were between "5-14 years old..., with Jockey Club and BAL-documented EIPH of varying severities." These horses were trained and tested on a treadmill and, "only two of six horses bled substantially in the study; four of six of those horses were lighter bleeders." Premarin is generally given to the population of horses that are considered 'bad bleeders' and most are ages 5 or less. Testing an anti-bleeder medication in a group of horses in which two-thirds are "lighter bleeders" will most certainly decrease the likelihood of acquiring significant results and proving efficacy of an anti-bleeder medication such as Premarin.

Another significant problem with the study is that no one knows when the horses bled. The authors state,

*The horses were trained on a high-speed treadmill 3 days/week, using a moderate- heavy intensity exercise regimen...beginning 2 months before and throughout the study to keep the horses conditioned and stable with regards to EIPH.*

However, bronchoalveolar lavage (BAL) was only performed after the "maximal exercise test". Part of Dr. Larson-Epp's thesis proved what most trainers and any practicing veterinarian will tell you, which is that horses can and do suffer EIPH during sub-maximal exercise (training). She states,

*Contrary to the widely held belief that EIPH can only be induced by maximal or near-maximal exercise, this investigation demonstrates that a significant level of EIPH occurs during sub-maximal exercise in known bleeders.*

The RBC's seen in the BAL fluid in the 2008 study may have been due to EIPH occurring during the 3 day/wk sub-maximal training sessions. Thus when Premarin was given prior to the maximal exercise test, the RBC's may well have already been present. This would make it appear that Premarin had not been effective at reducing EIPH. To control for this scientifically established and well known fact, the researchers should have collected a BAL sample prior to premarin administration and the maximal exercise test as well as after it. The comparison of the

RBC counts would then be a much more accurate representation of what bleeding had occurred during just the test period and whether Premarin decreased that bleeding or not.

We are left with a study that proved Premarin decreased exercise-induced airway inflammation and demonstrated small effects on reducing EIPH in a group of horses where 2/3 were lighter bleeders and EIPH may well have been occurring during training sessions, contaminating the post-maximal exercise test samples.

EIPH is an equine welfare issue and Premarin is an approved anti-bleeder medication that has never been suggested to enhance performance. Numerous studies during the last 50 years have proven Premarin is an effective anti-bleeder medication utilized in human medicine. Even with all of its limitations, the 2008 Premarin study in horses proved the medication decreases exercise-induced airway inflammation and had a small effect in reducing EIPH.

The petitions signed by your licensees should have clearly demonstrated how overwhelmingly unpopular the removal of Premarin from approved medication status is to these industry participants. We hope you will consider the scientific and medical facts presented as well as the wishes of those you govern before taking a stance against equine welfare and the health and wellbeing of our equine athletes.

An example of the petition signed by more than 200 CHRB licensees regarding Premarin (estrogens) which were submitted 2/4/13 follows. A new summary of some CHRB veterinarians' opinions regarding this topic is also included as part of our expert testimony regarding this issue. These bullet points were developed through discussions with a number of CHRB racetrack practitioners.

**Statement of opposition to the proposed amendment of Rule 1845**

**Removal of Premarin (estrogen) from Approved Status**

As a CHRB licensee, I would like to have input into the regulations this Board adopts. I have reviewed the proposed amendment to CHRB Rule 1845 as well as the arguments presented both for and against it. It is my belief that,

- While regulations are necessary for medications utilized in horse racing, room must always be left for practicing veterinarians to exercise their clinical judgment.
- CHRB Rules concerning medications should be based on scientific facts and medical knowledge with the health and safety of our equine athletes and the jockeys piloting them the paramount concern. These rules should not be based solely on mere opinion or public perception issues.
- Simply because a medication has not yet been proven effective, it does not mean that the medication has been proven ineffective or harmful.
- Scientific studies testing the efficacy of a medication should be designed to test the medication as it is utilized in practice and produce statistically significant results, if we are to base our regulations on these studies.
- CHRB transcripts show that Dr. Arthur (the Equine Medical Director) utilized Premarin when he practiced at the race track. I assume Dr. Arthur administered Premarin because he felt it was in the best interest of his patients and his clinical opinion was that it was efficacious at reducing EIPH.
- Premarin is widely utilized because many trainers and veterinarians believe they have noticed a decrease in the severity and/or incidence of EIPH when Premarin is administered in conjunction with furosemide (Lasix). These trainers and veterinarians agree with the presumed clinical opinion of Dr. Arthur that Premarin is efficacious at reducing EIPH when administered concurrently with furosemide.
- Scientific studies have only tested the administration of Premarin alone. These studies demonstrated a significant reduction in airway inflammation that may reduce EIPH when Premarin is administered concurrently with furosemide.
- It is my opinion that Premarin is safe to administer, reduces airway inflammation which may decrease EIPH when administered concurrently with furosemide and is considered to be clinically effective at decreasing EIPH by many trainers and veterinarians.

For these reasons, Premarin should remain an approved race-day medication.

Date:

License type:

Name (print):

Signature:

### **Veterinary Racetrack Practitioners' expert opinion on Estrogens/Premarin**

- As veterinary professionals and racetrack practitioners we agree with the description of Exercise Induced Pulmonary Hemorrhage (EIPH) included in the Policy Statement Overview and the Initial Statement of Reasons of the proposed amendments to CHRB 1845. We also agree with the statement that left untreated, EIPH poses a risk of injury to both the horse and rider (CHRB statements attached - Page 2). We would add that inadequately treating EIPH may also pose such a risk of injury to both horse and rider.
- It is our professional opinion that adjunct bleeder medications (Estrogens/Premarin) have a therapeutic and clinical benefit in the treatment of EIPH. Our clinical impression is formed by, and is based upon, our decades of experience with the clinical use of this medication. Combined, our experiences with this medication would be in excess of 400 years; representing hundreds of thousands of man-hours of administrations.
- There has never been any suggestion, data or proof that Estrogens/Premarin enhances racing performance.
- Over the decades of use, Estrogens/Premarin has proven to be extremely safe to administer to horses.
- It is our professional opinion that to protect the health and well-being of the racehorse, EIPH must be treated as effectively as possible. For this reason, estrogens/Premarin should remain approved for race day administration. It is in the best interest of the horse, CHRB licensees and the betting public that racehorses are properly and adequately treated to decrease the incidence and severity of EIPH. When the racehorse is properly and adequately treated, the risk of injury to both horse and rider are decreased.
- The CHRB has failed to provide any substantial evidence establishing the necessity to prohibit the administration of adjunct bleeder medications (Estrogens/Premarin) on race day. Simply stating that the RMTC and RCI want to discontinue the race day administration of adjunct bleeder medications is insufficient data upon which to base regulatory action.
- The clinical experience and professional opinions voiced herein opposing this regulatory action constitutes testimony by professional experts in support of the continued race day administration of adjunct bleeder medications (Estrogens/Premarin).

**Regarding data on medication violations as substantial evidence contradicting any  
necessity for the proposed rule**

In 2011 and again in 2013, the Association of Racing Commissioners International (RCI) published facts about how intricate and sensitive the testing of post-race samples is in United States horseracing. While numerous quotes from these reports follow, the entirety of these reports is incorporated herein by reference. The 2010 study by the RCI produced facts about the actual presence (or lack thereof) of medication violations in post-race samples from all racing jurisdictions in the United States. This study, *DRUGS IN U.S. RACING – 2010 THE FACTS*, is incorporated herein by reference. The RCI begins by stating:

*“With more rigorous standards than the Olympics, professional horse racing has the most aggressive drug testing program in professional sports, testing for more substances with greater sensitivity than anyone else.”*

September 1, 2011

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The summary of the findings from this study was reported as:

- *Horse racing is subjected to the most aggressive drug testing program of any professional sport, testing for more substances with greater sensitivity;*
- *324,215 biological samples taken from racing horses were submitted to testing labs in 2010;*
- *Less than one half of one percent (.493%) of those tested samples were found to contain a substance not allowed by racing’s medication rules;*
- *Of those, 94% were overages of legal therapeutic medications at concentrations in excess of permitted levels. These medications are used routinely in equine care by licensed veterinarians and cannot be equated with “horse doping”;*
- *Only 47 of the over 320,000 samples tested in 2010 contained a Class 1 or Class 2 1 substance that could qualify for the term “horse doping”.*
- *Possible “Horse doping” accounted for 0.015% of total samples tested. Such instances have remained rare for the past ten years despite dramatic increases in testing sensitivity.*
- *Overall violations of the medication rules in 2010 were 20% less than 2001.*
- *The \$35 million collective investment by the US state racing commissions on drug testing dwarfs the entire \$26 million budget for the World Anti-Doping Agency.*

*• Claims that illegal drugs are “rampant”, “endemic”, “widespread” in horse racing are not consistent with the facts, although illegal drug use does exist and there is an ongoing need to support efforts to detect and punish those responsible.*

Factual statistics such as those reported in this study conducted by the RCI demonstrate a clear lack of necessity for the proposed rule. Not only are medication violations extremely rare (less than one half of one percent in total and a mere 0.015% for Class 1 or 2 substances that could qualify for the term “horse doping”), but the vast majority are inadvertent overages derived from commonly utilized therapeutic medications. Nowhere in this study does the RCI report conclude that any of these rarely occurring medication violations are a result of a veterinarian administering an unapproved medication at the time of the administration of race day medication. Surmising, suspecting or speculating that such race day administration is occurring does not rise to the level that demonstrates by substantial evidence and the need for this proposed rule.

Public perception of our industry is affected by these unfounded allegations and the accompanying sensationalistic journalism. Public perception is shaped by these untruths and does not represent the factual nature of racing clearly portrayed by the data and facts presented in the RCI study. As regulators you must base your decisions on whether to create or amend rules based on facts, not rumor, suspicion or public opinion. Public opinion is important to our industry in the retention and expansion of our fan base; however, it must not be the foundation upon which regulations are created. The basis for your actions must be derived from facts, not unfounded allegations, suspicion, speculation or public opinion.

The RCI study went on to make many other verifiable statements regarding the racing industry:

*On May 5, 2011, the front page of USA Today was headlined “Chemical Warfare in Horse Racing Targeted”. The article was prompted by the comments of a prominent public official who declared that “Chemical warfare is rampant on American racetracks”. **Such salacious comments create an undeserved negative perception of a sport that is responsible for the employment of over 380,000 people across the country.***

*“The “anti-doping” standards in horse racing are more aggressive than those deployed in the Olympics.”*

*Horse racing’s anti-doping program tests for more substances at deeper levels than any other professional sport. These facts are inexplicably ignored by many who wish to opine on this matter and have been successful in drawing attention to their assertions by spinning negative headlines about the sport.*

*The perception created is not consistent with the facts.*

*In 2010, 324,215 biological samples were taken and tested.<sup>2</sup> Lab results show that 99.51% of those samples were found to contain no foreign or prohibited substance. In other words only less than one half of one percent of all samples tested was found to have contained a substance in violation of the rules<sup>3</sup>.*

*An analysis of the data from 2001 through 2010 reveals no prevailing pattern concerning the number or severity of violations of racing medication and doping rules. Violations remain relatively rare and this has remained constant over the past decade. It is important to note that total medication rule violations in 2010 were 20% less than the 2001 violations.*

	Class 1	Class 2	Class 3	Class 4	Class 5
2001	14	46	144	770	18
2002	15	69	145	622	6
2003	24	41	129	732	6
2004	16	46	143	768	12
2005	10	34	175	552	10
2006	11	26	117	492	8
2007	12	27	109	536	16
2008	9	56	156	568	10
2009	13	31	154	668	25
2010	8	39	128	572	48

Not only does the RCI discuss the facts regarding medication violations in general, they also discuss furosemide (race day medication) violations separately and in particular:

#### ***Furosemide:***

*The United States is one of several nations where the raceday use of the diuretic furosemide is permitted. This medication, used to reduce instances of exercise induced pulmonary hemorrhage (EIPH), is allowed under strict conditions requiring administration no less than four hours prior to the race. For the purpose of this report we handled violations of the furosemide rule separately as a trainer can be cited for not having the medication in his horse as well as for an overage. Furosemide violations should not be considered "horse doping".*

*In 2010 there were 36 violations of the furosemide rules out of 324,215 samples tested. The 2010 instances of furosemide violations are 33% less than in 2001. The trend has been generally downward. It is important to remember, as with all statistics in this report, that the instances of a violation of racing medication rules are not a frequent occurrence, representing one half of one percent of all samples tested.*

The RCI commenting on data from 2013, as reported by The Blood-Horse, stated:

*The Association of Racing Commissioners International has released a state-by-state breakdown of the results of equine drug testing in 2013. RCI officials said U.S. racing regulators sent 340,932 biological samples to various laboratories for testing last year. The results show 99.65% of the samples had no violation. The organization released the breakdown in conjunction with a release that suggests that U.S. horse racing performs far more drug tests than the United States Anti-Doping Agency and World Anti-Doping Association, yet has comparable number of clean tests.*

The RCI reported the following for California testing:

Jurisdiction	Drug Tests	Violations	Adverse Analytical Finding Rate (%)	Clear Rate (%)
California*	26,005	89	0.342	99.66

\* Fiscal Year 2012-2013

The CHRB also reports on the rare occurrences of medication violations (Exhibit A).

*Dr. Rick Arthur, the CHRB equine medical director, provided an update on medication violations. He indicated there were 28 Class 1, 2 and 3 violations more than 45,000 samples during the fiscal year that ended June 30, 2014. He said there were only three such violations from July 1 through December 31, 2014, from approximately 20,000 samples.*

Total medication violations (class 1-5) during the fiscal year that ended June 30, 2014 numbered 111. However, 16 of these were not from post-race samples, but rather from horses working for removal from the Veterinarian's List (CHRB Rule 1866). Therefore there were a total of 95 medication violations detected in 11,907 post-race samples. This equates to roughly 0.8% of the tested samples returning a medication violation. These represent the total number and percentage of post-race medication violations and are therefore only indirectly relevant to this discussion of necessity. These facts would be directly relevant if they represented post-race medication violation that had been proven to be the result of unapproved medications or illicit substances being administered by a veterinarian at the time of the administration of race day medication.

**These facts demonstrate that 99.2% of the post-race samples tested contained no medications or illicit substances** in violation of CHRB rules.

The facts published by the CHRB for the fiscal year that ended June 30, 2013 are very similar. In that year, less than 0.7% of the tested post-race samples returned a medication violation. During the 2012 – 2013 racing season, the established facts published by the CHRB state that more than 99.3% of the post-race samples tested contained no medications or illicit substances in violation of CHRB rules. These are extremely low numbers of medication violations which have been very consistent for the last two years.

The data from the 2009 – 2010 racing season does not indicate whether all samples reported were post-race or included samples from horses working for removal from the Veterinarian's List. The data indicates there were a total of only 70 medication violations. When I enquired, the Equine Medical Director stated:

*There were about 15K bloods; 14.5K urines & ~ 30K TCO2's in FY 09-10*

This amounts to less than 0.5% of samples returning a medication violation. I do not have information regarding the number of post-race tests conducted during the 2010 – 2011 and 2011 – 2012 racing seasons, but the data reported by the CHRB states that there were a total of 97 and 73 class 1-5 medication violations during those seasons, respectively. The data published by the CHRB for the last five years clearly demonstrates that there have been consistently low numbers of total medication violations detected in post-race samples throughout all those years. The number of these positive tests resulting in regulatory sanctions against veterinarians is vastly smaller.

We would suggest that having medication violations in roughly 0.5% to 0.8% of the post-race samples tested does not rise to the level of necessity as defined by the OAL. The actual number of these violations where action was taken against a veterinarian's license was far less than this already extremely low number. More importantly, the number of these medication violations which were attributed to, and were proven to be, the result of a veterinarian administering an unapproved or illicit medication at the time of the administration of race day medication was zero. The proposed rule simply cannot remedy an existing situation when no verifiable proof has been provided to demonstrate that the situation in need of a remedy actually exists.

The numbers presented in the data published by both the RCI and CHRB provide clear proof that post-race medication violations occur at an extremely low incidence nationally as well as in California. None of these infrequent post-race medication violations, whether last year or during the last 5 years, have ever been proven to be the result of administration by a veterinarian at the time of race day medication administration. We must remember that the proposed rule does nothing to improve security or protect against anyone tampering with a racehorse at any time during race day. All the proposed rule does is replace one private veterinarian with another during the few moments it takes to administer race day medication. Without testing the administration syringe there is no way to prove that either veterinarian has administered only the approved race day medications.

Equally and more effective yet less burdensome alternatives exist and have been submitted. The alternatives provided suggest that the race day medication might be secured as never to be in the possession of the current private practitioners until the time of administration. Third-party disinterested witnesses may observe and record the actions of the current private practitioner as they draw medication into a syringe and administer it to the horse. The current private practitioner could provide an aliquot of what will be administered prior to contamination with the horse's blood to make testing even easier and to protect the integrity of the medication being administered. The third-party witnesses would then collect the syringe and aliquot for any desired testing. Horse body-cameras or stall cameras could record every human contact with the horse on race day. Alternatives have been implemented successfully in other states with horse racing industries.

These alternatives improve the integrity of racing and improve the CHRB's ability to assure the public that only approved medications have been administered on race day. The alternatives have less impact on those affected and are vastly more effective at accomplishing the stated goals of the proposed rule. These procedures have been submitted to the CHRB by your licensees for your consideration and implementation.

Sincerely,



Don Shields, DVM, DABVP (Equine Practice)  
President, North American Association of Racetrack Veterinarians

## Exhibit A

STATE OF CALIFORNIA

EDMUND G. BROWN JR., GOVERNOR

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY

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CALIFORNIA HORSE RACING BOARD



Los Alamitos Race Course  
4961 E. Katella Avenue  
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CHRB NEWS RELEASE

JULY 9, 2015

### FEWER MEDICATION VIOLATIONS IN CALIFORNIA

SACRAMENTO, CA – California horse racing experienced only four Class 1, 2, or 3 medication violations during the 2014-15 fiscal year – the lowest number in at least 40 years.

The Maddy Laboratory at the University of California, Davis, confirmed four positives for Class 1, 2, or 3 drug substances from 11,900 samples tested during the fiscal year that concluded June 30. This was the lowest number of major medication violations that could be determined by a search of California Horse Racing Board (CHRB) records going back to 1974. This compares to 28 Class 1, 2, or 3 confirmations in FY 2013-14.

The huge drop is largely attributable to CHRB and industry enforcement efforts, particularly for clenbuterol, which accounted for 16 of the 28 previous year's positives. There were no clenbuterol positives in FY 2014-15.

One of the CHRB's most effective deterrents and enforcement tools is drug testing at the Maddy Laboratory, which has gained international respect for its comprehensive program of detection and research. The laboratory screens for more than a thousand drugs and other substances using some of the most advanced instruments available in the field. And with additional funding this year, the laboratory intends to expand its testing program and develop new tests for emerging threats.

**For Fiscal Year 2013 – 2014:**

Class 1,2, or 3 violations and 83 Class 4 or 5 violations out of 48,332 samples analyzed from 36,425 samplings.

	Class 1, 2 or 3 Drugs	Class 4 or 5 Drugs
Post-race Urine & Bloods (11,907 paired samples)	28 (0.26%)	67 (0.56%)
Work Bloods (509 blood samples)	0	16 (1.9%)
TCO2 (22,911 Pre-race samples)	1 (0.004%)	N/A
Out of Competition (1,098 blood samples)	None	None

- Post-race samples are paired urine & blood samples meaning 23,814 samples were analyzed.
- Work Bloods are samples required for horses to be removed from the Veterinarian's List as Unsound.
- TCO2 Samples are drawn pre-race on Thoroughbreds and Harness.
- Out of Competition samples are primarily samples from horses not entered to race, but frequently includes horses nominated to stake races.

## Class 1, 2 or 3 Violations FY 13-14

Drug	SoCal TB's	Norcal TB's	Fairs	Cal Expo	Los Al	Total
Acepromazine	1				1	2
Clenbuterol	1		2		13	16
Hydroxyzine					1	1
Meprobamate		1				1
Procaine			1			1
Pseudophedrine	1	1				2
Ractopamine					1	1
Stanozolol			1			1
TCO2				1		1
Trenbolone		1				1
Zilpaterol					1	1
Total	3	3	4	1	17	28

## Class IV & V Violations FY 13-14

Carbazochrome	2
Ceterizine*	1
Dexamethasone	1
Flunixin	9
Guaifenesin & Dextrophan	1
Ketoprofen	6
Ketoprofen & Phenylbutazone	1
Methocarbamol	8
Phenylbutazone	53
Prednisolone	1

There have been 83 Class IV or V violations from 67 trainers and 80 different horses. 67 of the violations were during racing; 16 violations were working for removal from the Veterinarian's List under 1866. All but 5 phenylbutazone violations were under 5 ug/ml.

\* Ceterizine is a metabolite of the Class 2 drug hydroxyzine which was the primary charge in this case.

### CHRB's drug and medication violations for fiscal year 2012-2013.

A total of 89 medication or drug violations occurred in FY12-13 including 18 Class 1,2, or 3 violations and 71 Class 4 or 5 violations out of 46,944 samples tested from 33,419 samplings.

	Class 1, 2 or 3 Drugs	Class 4 or 5 Drugs
Post-race Urine & Bloods (11,525 paired samples)	17 (0.15%)	60(0.5%)
Work Bloods (364 blood samples)	None	11(3%)
TCO2 (24,347 Pre-race samples)	1(0.004%)	N/A
Out of Competition (183 blood samples)	None	None

- Post-race samples are paired urine & blood samples meaning 23,050 samples were analyzed.
- Work Bloods are samples required for horses to be removed from the Veterinarian's List as Unsound.
- TCO2 Samples are drawn pre-race on Thoroughbreds and Harness.
- Out of Competition samples are primarily samples from horses not entered to race, but frequently includes horses nominated to stake races.

## Class 1, 2 or 3 Violations FY 12-13

Drug	SoCal TB's	Norcal TB's	Fairs	Cal Expo	Los Al	Total
Albuterol		1				1
Carisoprodol/Meprobamate	1					1
Clenbuterol					5	5
Levamisole				1		1
Norpropoxyphene				2		2
TCO2	1					1
Testosterone	2					2
Zilpaterol*		1			4	5
<b>Total</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>9</b>	<b>18</b>

\*48 zilpaterol findings from horses at Cal Expo, Santa Anita, Los Alamitos and Golden Gate Fields were either dismissed or not filed due to zilpaterol contamination in Purina feed in March and early April.

## Class IV &amp; V Violations FY 12-13

Carbazochrome	4
Dantrolene	1
Dexamethasone	2
Flumethasone	2
Flunixin	8
Guaifenesin	2
Methocarbamol	2
Methylpredisolone	2
Phenylbutazone	47
Tranexamic Acid	1

There have been 71 Class IV or V violations from 61 trainers and 59 different horses. 60 of the violations were during racing; 11 violations were working for removal from the Veterinarian's List under 1866. All but 2 phenylbutazone violations were under 5 ug/ml.

### Class 1, 2 or 3 Violations FY 11-12

Drug	SoCal TB's	Norcal TB's	Fairs	Cal Expo	Los AI	Total
Hydroxyzine			1 (SAC)			1
Acepromazine		1				1
Clenbuterol			1 (FPX)		3	4
Zilpaterol		1			6	7
Methamphetamine					1	1
Phentermine					1	1
Tramadol					1	1
Total	0	2	2	0	12	16

### Class IV & V Violations FY 11-12

Cyclobenzaprine	1
Dantrolene	1
DMSO	1
Dexamethasone	5
Flunixin	15
Ketoprofen	1
Methocarbamol	8
Phenylbutazone	32
Phenylbutazone & Flunixin	1
Phenylbutazone & Ketoprofen	1

There were 66 Class IV or V violations from 58 trainers and 66 different horses. 57 of the violations were during racing; 9 violations were working for removal from the Veterinarian's List under 1866. 14 of the phenylbutazone violations were Category C penalty (>5ug/ml) and 18 were Category D penalty (>2ug ≤ 5ug/ml).

### Class 1, 2 or 3 Violations FY 10-11

Drug	SoCal TB's	Norcal TB's	Fairs	Cal. Expo	Los AI	Total
TCO2	2					2
Etodolac	1					1
Trenbolone		1				1
Clenbuterol	1	1			12	14
Pyrimamine		1				1
Albuterol		1			2	3
Indomethacin			1			1
Propranolol			1			1
Pentazocine					1	1
Total	4	4	2	0	15	25

3

### Class IV & V Violations FY 10-11

Benzocaine	1
Cetirizine	1
DMSO	2
Dexamethasone	3
Flunixin	11
Ketoprofen	1
Methocarbamol	18
Phenylbutazone	44
Phenylbutazone & Flunixin	6
Phenylbutazone & Ketoprofen	1

There were 88 Class IV or V violations from 72 trainers and 85 different horses. 72 of the violations were during racing; 16 violations were working for removal from the Veterinarian's List under 1866 (15 phenylbutazone overages and 1 phenylbutazone and flunixin.

4

## Class 1, 2 or 3 Violations FY 09-10

Drug	SoCal TB's	Norcal TB's	Fairs	Cal Expo	Los Al	Total
TCO2				3		3
Gabapentin			1		1	2
Trenbolone	1					1
Clenbuterol	2		1		4	7
Ractopamine			1		2	3
Acepromazine					1	1
Indomethacin	1					1
Lidocaine					1	1
Total	4	0	3	3	9	19

## Class IV Violations FY 09-10

Dexamethasone	13
Flumethasone	1
Flunixin	16
Ketoprofen	1
Methocarbamol	11
Methylprednisolone	2
Phenylbutazone	51

88 horses total including 1 horse with 3 Class IV drugs & 4 horses with 2 Class IV drugs. There were 77 different trainers for the 88 violations.



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

Regular Board Meeting  
August 20, 2015

ISSUE

Cobalt is a naturally occurring trace element that may be present in horses at very low levels, as well as a normal dietary substance due to the ingestion of feedstuffs that contain it in trace amounts. Cobalt is also present in vitamin B12. Cobalt can be administered to horses in various forms, including feed supplements or injections. Although cobalt is a naturally existing and necessary dietary mineral for the horse, there is evidence it is being administered in very high doses. High doses of cobalt containing products are used to increase erythropoiesis, the process which produces red blood cells. This may allow a horse to oxygenate better than it would in its normal state; a form of "blood doping". Due to concerns regarding the illicit use of cobalt in horse racing, the Board has determined a threshold must be set to differentiate samples collected from a horse that was normally fed and supplemented from a horse administered an extremely high dose of cobalt to enhance performance. This may be accomplished by amending Board Rule 1843.2, Classification of Drug Substances, to add cobalt to the California Horse Racing Board (CHRB) Penalty Categories Listing by Classification (Revised 02/13).

ANALYSIS

The proposed amendment to Rule 1843.2 will add cobalt to the CHRB form Penalty Categories Listing by Classification (Revised 04/15), which is incorporated by reference in Rule 1843.2. The proposed amendment will also update the CHRB Penalty Categories Listing by Classification to bring it in line with the ARCI Uniform Classification Guidelines for Foreign Substances. The revisions to the CHRB Penalty Categories Listing by Classification include spelling corrections, reclassification of drug substances, and the addition of drug substances. The CHRB Penalty Categories Listing by Classification lists medications and drug substances whose presence in an official test sample, or whose presence in excess of the authorized level, will result in a violation of the Board's rules. The form also lists drug classification and penalty class for each substance. When adjudicating a hearing for a violation of Business and Professions Code section 19581, the Board, the board of stewards, the hearing officer, or the administrative law judge must consider the classification of the substance as listed in the CHRB Penalty Categories Listing by Classification.

## BACKGROUND

Business and Professions Code section 19580 provides that the Board shall adopt regulations to establish policies, guidelines and penalties relating to equine medication to preserve and enhance the integrity of horse racing in this state. Section 19581 of the Business and Professions Code states that no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. Business and Professions Code section 19582 provides that violations of Business and Professions Code section 19581, as determined by the Board, are punishable in regulations adopted by the Board, and that the Board may classify violations based upon each class of prohibited drug substances, prior violations within the previous three years and prior violations within the violator's lifetime. Board Rule 1843, Medication, Drugs and Other Substances, provides that no horse participating in a race shall carry in its body any drug substance or its metabolites or analogues, foreign to the horse except as hereinafter expressly provided. No drug substance shall be administered to a horse which is entered to compete in a race to be run in this state except for approved and authorized drug substances as provided in these rules.

## RECOMMENDATION

This item is presented for Board discussion and action. Staff recommends the Board adopt the proposed amendment as presented. No comments were received during the 45-day public comment period.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
PROPOSED AMENDMENT OF  
RULE 1843.2. CLASSIFICATION OF DRUG SUBSTANCES.

Regular Board Meeting  
August 20, 2015

1843.2. Classification of Drug Substances.

The Board, the board of stewards, the hearing officer, or the administrative law judge, when adjudicating a hearing for a violation of Business and Professions Code section 19581, shall consider the classification of the substance as referenced in the California Horse Racing Board (CHRB) Penalty Categories Listing by Classification (Revised ~~02/13~~04/15), hereby incorporated by reference, which is based on the Association of Racing Commissioners International (ARCI) Uniform Classification Guidelines for Foreign Substances (~~12/11~~12/14), as modified by the Board.

Authority: Sections 19580, 19581 and 19582,  
Business and Professions Code.

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

## California Horse Racing Board (CHRB) Penalty Categories Listing by Classification

**Class 1:** Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apomorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.

Drug	Trade Name	Drug Class	Penalty Class
3, 4-methylenedioxypropylamphetamine	MCVP, "BATH Salts"	1	A
Alfentanil	Alfenta	1	A
Amphetamine		1	A
Anileridine	Leritine	1	A
Apomorphine		1	A
Benzylpiperazine (BZP)		1	A
Carfentanil		1	A
Cathinone	Khat	1	A
$\alpha$ -Cobratoxin	Cobra Venom	1	A
Cocaine		1	B
Codeine		1	A
Darbepoetin	Aranesp	1	A
Darb-erythropoetin		1	A
Dermorphin	Frog Venom	1	A
Drug Enforcement Administration (DEA) Class 1 (all)		1	A
Dextromoramide	Palfium, Narcolo	1	A
Diamorphine		1	A
Donepezil	Aricept	1	A
Endorphins		1	A
Enkephalins		1	A
Erythropoietin (EPO)	Procrit, Epogen	1	A
Ethylmorphine	Dionin	1	A
Etorphine HCl	M99	1	A
Fentanyl	Sublimaze	1	A
Heroin		1	A
Hydrocodone (dihydrocodeinone)		1	A
Hydromorphone	Dilaudid	1	A

## Listing by Classification

**Class 1:** Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apmorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.

Drug	Trade Name	Drug Class	Penalty Class
Hydroxyamphetamine	Paradrine	1	A
ITPP (myo-inositol trispyrophosphate)		1	A
Levorphanol	Levo-Dremoran	1	A
Lofentanil		1	A
Mazindol	Sanorex	1	A
Meperidine	Demerol	1	A
Mephentermine		1	A
Metaraminol	Aramine	1	A
Methadone	Dolophine	1	A
Methamphetamine	Desoxyn	1	A
Methaqualone	Quaalude	1	A
Methcathinone		1	A
Methylhexaneamine	Geranamine	1	A
Methylphenidate	Ritalin	1	A
Metopon (methyldihydromorphinone)		1	A
Morphine		1	B
Nikethamide	Coramine	1	A
Oxycodone	Percodan	1	A
Oxymorphone	Numorphan	1	A
Pemoline	Cylert	1	A
Pentylenetetrazol	Metrazol, Nioric	1	A
Phenazocine	Narphen	1	A
Phencyclidine (PCP)	Sernylan	1	A
Phendimetrazine	Bontril, etc.	1	A
Phenmetrazine	Preludin	1	A
Picrotoxin		1	A
Piritramide		1	A
Recombinant Growth Hormones		1	A

## Listing by Classification

**Class 1:** Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apomorphine, nikethamide, mazindol, pemoline, and pentylentetrazol.

Drug	Trade Name	Drug Class	Penalty Class
Remifentanil	Ultiva	1	A
Recombinant Erythropoiesis Stimulating Agents		1	A
Snake Venoms		1	A
Strychnine		1	B
Somatrem	Protropin	1	A
Somatropin	Nutropin	1	A
Sufentanil	Sufenta	1	A
Synthetic cannabis	Spice, K2, Kronic	1	A
Venoms Not Otherwise		1	A
Ziconotide	Cone Snail Venom	1	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class
Acecarbromal		2	A
Acetophenazine	Tindal	2	A
Adinazolam		2	A
Alclofenac		2	B
Alcuronium	Alloferin	2	A
Alphaprodine	Nisentil	2	A
Alpidem	Anaxyl	2	A
Alprazolam	Xanax	2	A
Althesin	Saffan	2	A
Amisulpride	Solian	2	A
Amitriptyline	Elavil, Amitril, Endep	2	A
Amobarbital	Amytal	2	A
Amoxapine	Asendin	2	A
Amperozide		2	A
Anilopam	Anisine	2	A
Aprobarbital	Alurate	2	A
Articaine	Septocaine, Ultracaine, etc.	2	A
Atomoxetine	Strattera	2	A
Atracurium	Tracrium	2	A
Azacyclonol	Frenque	2	A
Azaperone	Stresnil, Suicalm, Fentaz (with Fentanyl)	2	A
Barbital	Veronal	2	A
Barbiturates	Benzo, BZD	2	A
Bemegride	Megimide, Mikedimide	2	A
Benoxaprofen		2	B
Benperidol		2	A
Bentazepam	Tiadipona	2	A
Benzactizine	Deprol, Bronchodiletten	2	A
Benzoctamine		2	A
Benzonatate		2	A
Benzphetamine	Didrex	2	A
Benztropine	Cogentin	2	A
Biriperone		2	A
Brimonidine	Alphagan	2	A
Bromazepam	Lexotan, Lectopam	2	A
Bromisovalum	Diffucord, etc.	2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class
Bromocriptine	Parlodel	2	A
Bromperidol	Bromidol	2	A
Brotizolam	Brotocol	2	A
Bupivacaine	Marcaine	2	A
Buprenorphine	Temgesic	2	A
Buspirone	Buspar	2	A
Buspropion	Wellbutrin	2	A
Butabarbital (Secbutobarbitone)	Butacaps, Butasol, etc.	2	A
Butalbital (Talbutal)	Fiorinal	2	A
Butanilicaine	Hostacain	2	A
Butaperazine	Repoise	2	A
Butoctamide	Listomin	2	A
Caffeine		2	B
Camazepam	Paxor	2	A
Captodiamine	Covatine	2	A
Carbidopa + levodopa	Sinemet	2	A
Carbromol	Mifudorm	2	A
Carisoprodol	Soma, Rela	2	B
Carphenazine	Proketazine	2	A
Carpipramine	Prazinil	2	A
Carticaine	Ultracain	2	A
Chloralose (Alpha-Chloralose)		2	A
Chloral betaine	Beta-Chlor	2	A
Chloral hydrate	Nactec, Oridrate, etc.	2	A
Chloraldehyde (chloral)		2	A
Chlordiazepoxide	Librium	2	A
Chlormezanone	Trancopal	2	A
Chloroform		2	A
Chlorhexidol		2	A
Chloroprocaine	Nesacaine	2	A
Chlorproethazine	Newiplege	2	A
Chlorpromazine	Thorazine, Largactil	2	A
Chlorprothixene	Taractan	2	A
Citalopram	Celex	2	A
Clobazam	Urbanyl	2	A
Clocapramine		2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Clomethiazole		2	A
Clomipramine	Anafranil	2	A
Clonazepam	Klonopin	2	A
Clorazepate	Tranxene	2	A
Clothiapine	Entermin	2	A
Clotiazepam	Trecalmo, Rize	2	A
Cloxazolam	Enadel, Sepazon, Tolestan	2	A
Clozapine	Clozaril, Leponex	2	A
Codeine		2	B
Conorphone		2	A
Corticaine	Ultracain	2	A
Crotetamide		2	A
Cyamemazine	Tercian	2	A
Cyclobarbitol	Phanodorm	2	A
Decamethonium	Syncurine	2	A
Demoxepam		2	A
Desipramine	Norpromine, Pertofrane	2	A
Dezocine	Dalgan®	2	A
Diazepam	Valium	2	B
Dichloralphenazone	Febenol, Isocom	2	A
Diethylpropion	Tepanil, etc.	2	A
Diethylthiambutene	Themalon	2	A
Dihydrocodeine	Parcodin	2	A
Dilorazepam	Briantum	2	A
Diprenorphine	M50/50	2	A
Dixyrazine	Esucos	2	A
Dopamine	Intropin	2	A
Doxacurium	Nuromax	2	A
Doxapram	Dopram	2	A
Doxefazepam	Doxans	2	A
Doxepin	Adapin, Sinequan	2	A
Droperidol	Inapsine, Droleptan, Innovar-Vet (with Fentanyl)	2	A
Duloxetine	Cymbalta, Ariclam	2	A
Enciprazine		2	A
Ephedrine		2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Epibatidine		2	A
Epinephrine		2	A
Ergoloid Mesylates (dihydroergocornine mesylate, dihydroergocristine mesylate and dihydroergocryptine mesylate)	Hydergine	2	A
Estazolam	Domnamid, Eurodin, Nuctalon	2	A
Ethamivan		2	A
Ethanol		2	A
Ethchlorvynol	Placidyl	2	A
Ethinamate	Valmid	2	A
Ethopropazine	Parsidol	2	A
Ethylisobutrazine	Diquel	2	A
Etidocaine	Duranest	2	A
Etifoxin	Stresam	2	A
Etizolam	Depas, Pasaden	2	A
Etodroxizine	Indunox	2	A
Etomidate		2	A
Fenarbamate	Tymium	2	A
Fenclozic acid	Myalex	2	B
Fenfluramine	Pondimin	2	A
Fluanisone	Sedalande	2	A
Fludiazepam	Erispam	2	A
Flunitrazepam	Rohypnol, Narcozep, Darkene, Hypnodorm	2	A
Fluopromazine	Psyquil, Siquil		
Fluoresone	Caducid	2	A
Fluoxetine	Prozac	2	A
Flupenthixol	Depixol, Fluanxol	2	A
Fluphenazine	Prolixin, Permitil, Anatensol	2	A
Flurazepam	Dalmane	2	B
Fluspirilene	Imap, Redeptin	2	A
Flutoprazepam	Restas	2	A
Fluvoxamine	Dumirox, Faverin, etc.	2	A
Galantamine	Reminyl	2	A
Gallamine	Flaxedil	2	A
Gepirone		2	A

## Listing by Classification

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Drug	Trade Name	DrugClass	Penalty Class
Glutethimide	Doriden	2	A
Halazepam	Paxipam	2	A
Haloperidol	Haldol	2	A
Haloxazolam	Somelin	2	A
Hemoglobin glutamers	Oxyglobin, Hemopure	2	A
Hexafluorenium	Myalexen	2	A
Hexobarbital	Evipal	2	A
Homophenazine	Pelvichthol	2	A
Hydrocodone (dihydrocodeinone)	Hycodan	2	A
Hydroxyzine	Atarax	2	B
Ibomal	Noctal	2	A
Imipramine	Imavate, Presamine, Tofranil	2	A
Isapirone		2	A
Isocarboxazid	Marplan	2	A
Isomethadone		2	A
Isoproterenol	Isoprel	2	A
Isoxicam	Maxicam	2	B
Ketamine	Ketalar, Ketaset, Vetalar	2	B
Ketazolam	Anxon, Laftram, Solatran, Loftran	2	A
Lenperone	Elanone-V	2	A
Levamisole	Ergamisol	2	B
Levomethorphan		2	A
Lidocaine	Xylocaine	2	B
Lithium	Lithizine, Duralith, etc.	2	A
Lobeline		2	A
Loflazepate, Ethyl	Victan	2	A
Loperamide	Imodium	2	B
Loprazolam	Dormonort, Havlane	2	A
Lorazepam	Ativan	2	A
Lormetazepam	Noctamid	2	A
Loxapine	Laxitane	2	A
Maprotiline	Ludiomil	2	A
Mebutamate	Axiten, Dormate, Capla	2	A
Meclofenoxate	Lucidril, etc.	2	A
Medazepam	Nobrium, etc.	2	A

## Listing by Classification

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Drug	Trade Name	DrugClass	Penalty Class
Melperone	Eunerpan	2	A
Memantine	Akatinol, Namenda, Ebixa	2	A
Meparfynol	Oblivon	2	A
Mepazine	Pacatal	2	A
Mephenoalone	Control, etc.	2	A
Mephénytoin	Mesantoin	2	A
Mephobarbital (Methylphenobarbital)	Mebaral	2	A
Mepivacaine	Carbocaine	2	B
Meprobamate	Equanil, Miltown	2	B
Mesoridazine	Serentil	2	A
Metaclozapem	Talis	2	A
Metazocine		2	A
Metharbital	Gemonil	2	A
Methohexital	Brevital	2	A
Methotrimeprazine	Levoprome, Neurocil, etc.	2	A
Methyprylon	Noludar	2	A
Metocurine	Metubine	2	A
Metomidate	Hypnodil	2	A
Mexazolam	Melex	2	A
Midazolam	Versed	2	A
Mirtazepine	Remeron	2	A
Modafinil	Provigil	2	A
Molindone	Moban	2	A
Moperone	Luvatren	2	A
Mosaprimine		2	A
Nalbuphine	Nubain	2	A
Nalorphine	Nalline, Lethidrone	2	A
Nefazodone	Serzone	2	A
Nimetazepam	Erimin	2	A
Nitrazepam	Mogadon	2	A
Nordiazepam	Calmday, Nordaz, etc.	2	A
Norepinephrine		2	A
Nortriptyline	Aventyl, Pamelor	2	A
Olanzapine	Zyprexa	2	A
Oxazepam	Serax	2	A

## Listing by Classification

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Drug	Trade Name	DrugClass	Penalty Class
Oxazolam	Serenal	2	A
Oxilofrine (hydroxyephedrine)		2	A
Oxyperitine	Forit, Integrin	2	A
Paliperidone	Invega	2	A
Pancuronium	Pavulon	2	A
Paraldehyde	Paral	2	A
Paroxetine	Paxil, Seroxat	2	A
Penfluridol	Cyperon	2	A
Pentobarbital	Nembutal	2	A
Perazine	Taxilan	2	A
Perfluorodecalin		2	A
Perfluoro decahydronaphthalen		2	A
Perfluorooctylbromide		2	A
Perfluorotripropylamine		2	A
Perfluorocarbons		2	A
Periciazine	Alodept, etc.	2	A
Perlapine	Hypnodin	2	A
Perphenazine	Trilafon	2	A
Phenaglycodol	Acalo, Alcamid, etc.	2	A
Phenelzine	Nardelzine, Nardil	2	A
Phenobarbital	Luminal	2	A
Phentermine	Iomamin	2	A
Piminodine	Alvodine, Cimadon	2	A
Pimozide	Orap	2	A
Pinazepam	Domar	2	A
Pipamperone	Dipiperon	2	A
Pipecuronium	Arduan	2	A
Pipequaline		2	A
Piperacetazine	Psymod, Quide	2	A
Piperocaine	Metycaine	2	A
Pipotiazine	Lonseren, Piportil	2	A
Pipradrol	Dataril, Gerondyl, etc.	2	A
Piquindone		2	A
Prazepam	Verstran, Centrax	2	A
Prilocaine	Citanest	2	A

## Listing by Classification

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Drug	Trade Name	DrugClass	Penalty Class
Prochlorperazine	Darbazine, Compazine	2	A
Propanidid		2	A
Propiomazine	Largon	2	A
Propionylpromazine	Tranvet	2	B
Propiram		2	A
Propofol	Diprivan, Disoprivan	2	A
Propoxycaine	Ravocaine	2	A
Prothipendyl	Dominal	2	A
Protriptyline	Concordin, Triptil	2	A
Proxibarbitol	Axeen, Centralgol	2	A
Pyrithyldione	Hybersulfan, Sonodor	2	A
Quazipam	Doral	2	A
Quetiapine	Seroquel	2	A
Racemethorphan		2	A
Racemorphan		2	A
Raclopride		2	A
Ractopamine	Raylean	2	A
Remoxipride	Roxiam	2	A
Reserpine	Serpasil	2	B
Rilmazafone		2	A
Risperidone		2	A
Ritanserlin		2	A
Rivastigmine	Exelon	2	A
Rocuronium	Zemuron	2	A
Rofecoxib	Vioxx	2	B
Romifidine	Sedivet	2	B
Ropivacaine	Naropin	2	A
Secobarbital (Quinalbarbitone)	Seconal	2	A
Selegiline	Eldepryl, Jumex	2	A
Sertraline	Lustral, Zoloft	2	A
Spiclomazine		2	A
Spiiperone		2	A
Succinylcholine	Sucostrin, Quelin, etc.	2	A

## Listing by Classification

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Drug	Trade Name	DrugClass	Penalty Class
Sulfondiethylmethane		2	A
Sulfonmethane		2	A
Sulforidazine	Inofal	2	A
Sulpiride	Aiglonyl, Sulpitol	2	A
Sultopride	Barnetil	2	A
Talbutal	Lotusate	2	A
Tandospirone		2	A
Temazepam	Restoril	2	A
Tetrabenazine	Nitoman	2	A
Tetracaine	Pontocaine	2	B
Tetrazepam	Musaril, Myolastin	2	A
Thebaine		2	A
Thialbarbital	Kemithal	2	A
Thiamylal	Surital	2	A
Thiethylperazine	Torecan	2	A
Thiopental	Pentothal	2	A
Thiopropazate	Dartal	2	A
Thiopropazine	Majeptil	2	A
Thioridazine	Mellaril	2	A
Thiothixene	Navane	2	A
Tiapride	Italprid, Luxoben, etc.	2	A
Tiletamine	Component of Telazol	2	A
Timiperone	Tolopelon	2	A
Tofisopam	Grandaxain, Seriel	2	A
Topirimate	Topamax	2	A
Tramadol	Ultram	2	A
Tranylcypromine	Parnate	2	A
Trazodone	Desyrel	2	A
Tretoquinol	Inolin	2	A
Triazolam	Halcion	2	A
Tribromethanol		2	A
Tricaine methanesulfonate	Finquel	2	A
Trichloroethanol		2	A
Trichloroethylene	Trilene, Trimar	2	A
Triclofos	Triclos	2	A

## Listing by Classification

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Drug	Trade Name	DrugClass	Penalty Class
Trifluomeprazine	Nortran	2	A
Trifluoperazine	Stelazine	2	A
Trifluoperidol	Triperidol	2	A
Triflupromazine	Vetame, Vesprin	2	A
Trimipramine	Surmontil	2	A
Tubocurarine (Curare)	Metubin	2	A
Tybamate	Benvil, Nospain, etc.	2	A
Urethane		2	A
Valdecoxib		2	B
Valnoctamide	Nirvanyl	2	A
Venlafaxine	Efflexor	2	A
Veralipride	Accional, Veralipril	2	A
Vercuronium	Norcuron	2	A
Viloxazine	Catatrol, Vivalan, etc.	2	A
Vinbarbital	Delvinol	2	A
Vinylbital	Optanox, Speda	2	A
Yohimbine		2	A
Zaleplon	Sonata	2	A
Zilpaterol	Zilmax	2	A
Zolazepam		2	A
Zolpidem	Ambien, Stilnox	2	A
Zomepirac	Zomax	2	B
Zopiclone	Imovan	2	A
Zotepine	Lodopin	2	A
Zuclopenthixol	Ciatyl, Cesordinol	2	A

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
19-Norandrostenediol		3	B
19-Norandrostenedione		3	B
4-Hydroxytestosterone		3	B
Acebutolol	Sectral	3	B
Acepromazine	Atrovet, Notensil, PromAce®	3	B
Albuterol (Salbutamol)	Proventil, Ventolin	3	B
Almotriptan	Axert	3	A
Alprenolol		3	A
Ambenonium	Mytelase, Myeuran	3	B
Aminophylline	Aminophyllin, etc.	3	B
Amitraz	Mitaban	3	A
Amlodipine	Norvasc	3	A
Amyl nitrite		3	A
Arecoline		3	A
Arformeterol	Brovana	3	A
Atenolol	Tenormin	3	B
Atropine		3	B
Benazepril	Lotensin	3	A
Betaxolol	Kerlone	3	B
Bethanidine	Esbatal	3	A
Biperiden	Akineton	3	A
Bisoprolol	Zebeta, Bisobloc, etc.	3	B
Bitolterol	Effectin	3	B
Bolasterone		3	B
Boldenone	Equipoise	3	B
Boldione		3	B
Bretylium	Bretylol	3	B
Brimonidine	Alphagan	3	B
Bromfenac	Duract	3	A
Bromodiphenhydramine		3	B
Bufexamac		3	B
Bumetanide	Bumex	3	B
Butorphanol	Stadol, Torbugesic	3	B
N-Butylscopolamine	Bucospan	3	B
Candesartan	Atacand	3	B
Captopril	Capolen	3	B
Carazolol	Carbacel, Conductor	3	A

## Listing by Classification

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Drug	Trade Name	DrugClass	Penalty Class
Carbachol	Lentin, Doryl	3	B
Carbamezapine	Tegretol	3	B
Carbinoxamine	Clistin	3	B
Carteolol	Cartrol	3	B
Carvedilol	Coreg	3	B
Celecoxib	Celebrex	3	B
Cimeterol		3	A
Clausterone	Methosorb	3	B
Clemastine	Tavist	3	B
Clenbuterol	Ventipulmin	3	B
Clidinium	Quarezan, Clindex	3	B
Clonidine	Catapres	3	B
Clostebol		3	B
Cobalt (>50ng/ml in blood)		3	B
Cyclandelate	Cyclospasmol	3	A
Cycrimine	Pagitane	3	B
Danazol	Danocrine	3	B
Dehydrochloromethyl-testosterone Dehydrochloromethyltestosterone		3	B
Deracoxib <sup>2</sup>	Deremaxx	3	GB
Desoxymethyl-testosterone		3	B
Detomidine	Dormosedan	3	B
Dextropropoxyphene	Darvon	3	B
Diazoxide	Proglycem	3	B
Diflunisal		3	C
Dimeflin		3	A
Diphenhydramine	Benadryl	3	B
Dipyridamole	Persantine	3	B
Divalproex	Depakote	3	A
Dobutamine	Dobutrex	3	B
Doxazosin	Cardura	3	A
Doxylamine	Decapryn	3	B
Dromostanolone	Drolban	3	B
Dyphylline		3	B
Edrophonium	Tensilon	3	B
Eletriptan	Relpax	3	A
Enalapril (metabolite enalaprilat)	Vasotec	3	B

Ergoloid mesylates

3

C

(Revised 02/13 04/15)

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Erthrityl tetranitrate	Cardilate	3	A
Esmolol	Brevibloc	3	B
Etamiphylline	Millophylline V	3	B
Ethacrynic acid	Edecrin	3	B
Ethosuximide	Zarontin	3	A
Ethylestrenol	Maxibolin, Organon	3	B
Ethylnorepinephrine	Bronkephrine	3	A
Etodolac	Lodine	3	C
Felbamate	Felbatol	3	A
Fenbufen	Gincopal	3	B
Fenoldopam	Corlopam	3	B
Fenoprofen	Nalfon	3	B
Fenoterol	Berotec	3	B
Fenspiride	Respiride, Respan, etc	3	B
Fentiazac		3	B
Flufenamic acid		3	B
Fluoxymesterone	Halotestin	3	B
Flupirtine	Katadolone	3	A
Flurbiprofen	Froben	3	B
Formebolone		3	B
Formoterol	Altram	3	B
Fosinopril	Monopril	3	A
Fosphenytoin	Cerebyx	3	B
Furazabol		3	B
Gabapentin	Neurontin	3	B
Gestrinone		3	B
Glycopyrrolate	Robinul	3	B
Guanadrel	Hylorel	3	A
Guanethidine	Ismelin	3	A
Guanabenz	Wytensin	3	B
Heptaminol	Corofundol	3	B
Homatropine	Homapin	3	B
Hydralazine	Apresoline	3	B
Indomethacin	Indocin	3	B
Ipratropium		3	B

## Listing by Classification

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Drug	Trade Name	DrugClass	Penalty Class
Irbesarten	Avapro	3	A
Ibutilide	Corvert	3	B
Iloprost	Ventavis	3	A
Isoetharine	Bronkosol	3	B
Isosorbide dinitrate	Isordil	3	B
Kebuzone		3	B
Ketorolac	Toradol	3	B
Labetalol	Normodyne	3	B
Lamotrigine	Lamictal	3	A
Levobunolol	Betagan	3	B
Lisinopril	Prinivil, Zestril	3	A
Losartan	Hyzaar	3	B
Mabuterol		3	A
Mecamylamine	Inversine	3	B
Medetomidine	Domitor	3	B
Mefenamic acid	Ponstel	3	B
Mestanolone		3	B
Mesterolone		3	B
Metaproterenol	Alupent, Metaprel	3	B
Metenolone		3	B
Methachloline		3	A
Methandienone		3	B
Methandriol	Proboldic	3	B
Methandrostenolone	Dianabol	3	A
Methantheline	Banthine	3	B
Methasterone		3	B
Methixene	Trest	3	A
Methoxamine	Vasoxyl	3	A
Methoxyphenamine	Orthoxide	3	A
Methsuximide	Celontin	3	A
Methyl-1-testosterone		3	B
Methylatropine		3	B
Methyldienolone		3	B
Methyldopa	Aldomet	3	A
Methylnortestosterone		3	B
Methyltestosterone	Metandren	3	B
Metolazone		3	B

(Revised 02/13 04/15)

## Listing by Classification

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Drug	Trade Name	DrugClass	Penalty Class
Metoprolol	Lopressor	3	B
Mibefradil	Posicor	3	B
Mibolerone		3	B
Midodrine	Pro-Amiline	3	B
Minoxidil	Loniten	3	B
Moexipril (metabolite moexiprilat)	Uniretic	3	B
Muscarine		3	A
Nabumetone	Anthraxan, Relafen, Relifex	3	B
Nadol	Corgard	3	B
Naloxone	Narcan	3	A
Naltrexone	Revia	3	A
Naratriptan	Amerge	3	B
Nandrolone	Nandrolin, Laurabolin, Durabolin	3	B
Nebivolol		3	A
Nefopam		3	A
Neostigmine	Prostigmine	3	B
Niflumic acid	Nifluril	3	B
Nimesulide		3	B
Nitroglycerin		3	B
Norbolethone		3	B
Norclostebol		3	B
Norethandrolone		3	B
Nylidrin	Arlidin	3	A
Olmesartan	Benicar	3	A
Oxabolone		3	B
Oxandrolone	Anavar	3	B
Oxprenolol	Trasicor	3	B
Oxymesterone		3	B
Oxymetholone	Adroyd, Andarol	3	B
Papaverine	Pavagen, etc.	3	A
Paramethadione	Paradione	3	A
Pargyline	Eutonyl	3	A
Penbutolol	Levatol	3	B
Pentaerythritol tetranitrate	Duotrate	3	A
Pentazocine	Talwin	3	B
Pergolide		3	B

Perindopril

Biprel

3

A

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Phenoxybenzamine	Dibenzyline	3	B
Phentolamine	Regitine	3	B
Phenylephrine	Isophrin, Neo-Syneprine	3	B
Phenylpropanolamine	Propadrine	3	B
Physostigmine	Eserine	3	A
Pindolol	Viskin	3	B
Pirbuterol	Maxair	3	B
Piretanide	Arelix, Tauliz	3	B
Piroxicam	Feldene	3	B
Prazosin	Minipress	3	B
Primidone	Mysoline	3	B
Procaine		3	B
Procatamol	Pro Air	3	A
Procyclidine	Kemadrin	3	B
Promazine	Sparine	3	B
Promethazine	Phenergan	3	B
Propantheline	Pro-Banthine	3	A
Propentophylline	Karsivan	3	B
Propranolol	Inderal	3	B
Prostanazol		3	B
Protokylol	Ventaire	3	A
Pseudoephedrine	Cenafed, Novafed	3	B
Pyridostigmine	Mestinon, Regonol	3	B
Pyrilamine	Neoantergan, Equihist	3	B
Quinapril	Accupril	3	A
Quinbolone		3	B
Ractopamine	Raylean	3	B
Ramipril	Altace	3	A
Ritodrine	Yutopar	3	B
Rizatriptan	Maxalt	3	B
Salmeterol		3	B
Scopolamine (Hyoscine)	Triptone	3	B
Sibutramine	Meridia	3	B
Sildenafil	Viagra	3	A
Sotalol	Betapace, Sotacor	3	B
Spirapril, Spiraprilat	Renormax	3	A

## Listing by Classification

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Drug	Trade Name	DrugClass	Penalty Class
Stanozolol	Winstrol-V	3	B
Stenbolone		3	B
Sulindac	Clinoril	3	B
Sumatriptan	Imitrex	3	B
Tadalafil	Cialis	3	A
Telmisartan	Micardis	3	B
Tenoxicam	Alganex, etc.	3	B
Tepoxalin		3	C
Terazosin	Hytrin	3	A
Terbutaline	Brethine, Bricanyl	3	B
Testolactone	Teslac	3	B
Testosterone		3	B
Tetrahydrogestrinone		3	B
Theophylline	Aqualphyllin, etc.	3	B
Tiaprofenic acid	Surgam	3	B
Timolol	Blocardrin	3	B
Tolazoline	Priscoline	3	B
Tolmetin	Tolectin	3	B
Torsemide (Torasemide)	Demadex	3	B
Trandolapril (and metabolite, Trandolaprilat)	Tarka	3	B
Trenbolone	Finoplix	3	B
Trihexylphenidyl	Artane	3	A
Trimethadione	Tridione	3	B
Trimethaphan	Arfonad	3	A
Tripelennamine	PBZ	3	B
Valerianic acid		3	C
Valsartan	Diovan	3	B
Vardenafil	Levitra	3	A
Xylazine	Rompun, Bay Va 1470	3	B
Zolmitriptan	Zomig	3	B
$\Delta$ -1-androstene-3,17-diol		3	B
$\Delta$ -1-androstene-3,17-dione		3	B
$\Delta$ -1-dihydrotestosterone		3	B
Zilpaterol	Zilmax	3	A
Zonisamide	Zonegran	3	B

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	DrugClass	Penalty Class
Acetaminophen (Paracetamol)	Tylenol, Tempra, etc.	4	C
Acetanilid		4	B
Acetazolamide	Diamox, Vetamox	4	B
Acetophenetidin (Phenacetin)		4	B
Acetylsalicylic acid (Aspirin)		4	C
<del>Aclo</del> methasone <u>Aclo</u> methasone	Aclovene	4	C
Adrenochrome monosemicarbazone salicylate		4	B
Aldosterone	Aldocortin, Electro cortin	4	B
Ambroxol	Ambriol, etc.	4	BC
Amcinonide	Cyclocort	4	C
Amiloride	Moduretic, Midamor	4	B
Aminocaproic acid	Amicar, Caprocid	4	C
Aminodarone		4	B
<u>2-Aminoheptaine</u> <u>2-Aminoheptane</u>	Tuamine	4	B
Aminopyrine		4	B
Amiodarone		4	B
Amisometradine	Rolictron	4	B
Amlodipine	Norvasc, Ammivin	4	B
Amrinone		4	B
Anisotropine	Valpin	4	B
Antipyrine		4	B
Apazone (Azapropazone)	Rheumox	4	B
Aprindine		4	B
Baclofen	Lioresal	4	B
Beclomethasone	Propaderm	4	C
Benazepril	Lotrel	4	B
Bendroflumethiazide	Naturetin	4	B
Benoxinate	Dorsacaine	4	C
Benzocaine		4	C
Benzthiazide		4	B
Bepidil	Bepadin	4	B
Betamethasone	Betasone, etc.	4	C
Bethanechol	Urecholine, Duvoid	4	C
Bromhexine	Oletor, etc.	4	C
Brompheniramine	Dimetane, Disomer	4	B
Budesonide	Pulmacort, Rhinocort	4	C

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Butacaine	Butyn	4	B
Butamben (butyl aminobenzoate)	Butesin	4	C
Butoxycaine	Stadacain	4	B
Camphor		4	C
Carbazochrome		4	C
Carprofen	Rimadyl	4	B
Certirizine	Zyrtec	4	B
Chlormerodrin	Neohydrin	4	B
Chlorophenesin	Maolate	4	C
Chloroquine	Avloclor	4	C
Chlorothiazide	Diuril	4	B
Chlorpheniramine	Chlortriemton, etc.	4	B
Chlorthalidone	Hydroton	4	B
Chlorzoxazone	Paraflex	4	B
Ciclesonide	Alvesco, Omnaris, Omniair	4	B
Cinchocaine	Nupercaine	4	C
Clanobutin		4	C
Clibucaine	Batrax	4	C
Clidinium	Quarezan, Clindex, etc.	4	B
Clobetasol	Temovate	4	C
Clocortolone	Cloderm	4	C
Clofenamide		4	B
Clormecaine	Placacid	4	C
Cobalt (>25ng/ml in blood)		4	C
Colchicine		4	B
Cortisone	Cortone, etc.	4	C
Cyclizine	Merazine	4	B
Cyclobenzaprine	Flexeril	4	B
Cyclomethylcaine	Surfacaine	4	C
Cyclothiazide	Anhydron, Renazide	4	B
Cyproheptadine	Periactin	4	C
Dantrolene	Dantrium	4	C
Dembroxol (Dembrexine)	Sputolysin	4	C
Deoxycorticosterone	Percortin, DOCA, Descotone, Dorcostrin	4	C
Desonite	Des Owen	4	C
Desoximetasone	Topicort	4	C

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Dexamethasone	Azium, etc.	4	C
Dextromethorphan		4	C
Dibucaine	Nupercainal, Cinchocaine	4	C
Dichlorphenamide	Daramide	4	C
Diclofenac	Voltaren, Voltarol	4	C
Diflorasone	Florone, Maxiflor	4	C
Diflucortolone	Flu-Cortinest, etc.	4	C
Digitoxin	Crystodigin	4	B
Digoxin	Lanoxin	4	B
Dihydroergotamine		4	C
Diltiazem	Cardizem	4	B
Dimethisoquin	Quotane	4	B
Dimethylsulfoxide (DMSO) (>1 ug/ml in blood or >10ug/ml in urine)	Domoso	4	C
Diphenoxylate	Difenoxin, Lomotil	4	B
Dipyrrone	Novin, Methampyrone	4	C
Disopyramide	Norpace	4	B
Dromostanolone	Drolban	4	C
Dyclonine	Dyclone	4	C
Eltenac		4	C
Ergonovine	Ergotrate	4	C
Ergotamine	Gynergen, Cafergot, etc.	4	C
Etanercept	Enbrel	4	B
Ethoheptazine	Zactane	4	B
Ethosuximide	Zarontin	4	B
Ethotoin	Peganone	4	B
Ethoxzolamide	Cardrase, Ethamide	4	C
Ethylaminobenzoate (Benzocaine)	Semets, etc.	4	C
Felodipine	Plendil	4	B
Fexofenadine	Allegra	4	C
Firocoxib		4	C
Flecainide	Idalon	4	B
Floctafenine	Idalon, Idarac	4	B
Flucinolone	Synalar, etc.	4	C
Fludrocortisone	Alforone, etc.	4	C
Flumethasone	Flucort, etc.	4	C

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Flumethiazide	Ademol	4	B
Flunarizine	Sibelium	4	B
Flunisolide	Bronilide, etc.	4	C
Flunixin	Banamine	4	C
Fluocinolone	Synalar	4	C
Fluocinonide	Licon, Lidex	4	C
Fluoroprednisolone	Predef-2X	4	C
Fluprednisolone	Alphadrol	4	C
Flurandrenolide	Cordran	4	C
Fluometholone	FML, Flarex	4	B
Fluticasone	Flixonase, Flutide	4	C
Guaifenesin (glycerol guiacolate)	Gecolate	4	C
Halcinonide	Halog	4	C
Halobetasol	Ultravate	4	C
Hexocyclium	Tral	4	B
Hexylcaine	Cyclaine	4	C
Hydrochlorthiazide	Hydrodiuril	4	C
Hydrocortisone (Cortisol)	Cortef, etc.	4	C
Hydroflumethiazide	Saluron	4	B
Ibuprofen	Motrin, Advil, Nurpin, etc.	4	B or C
Infliximab	Remicade	4	B
Isoflupredone	Predef	4	C
Isometheptene	Octin, Octon	4	B
Isopropamide	Darbid	4	B
Isoxsuprine	Vasodilan	4	C
Isradipine	DynaCirc	4	B
Ketoprofen	Orudis	4	C
Letosteine	Viscotiol, Visiotal	4	C
Loratidine	Claritin	4	B
Meclizine	Antivert, Bonine	4	B
Meclofenamic acid	Arquel	4	C
Medrysone	Medriusar, etc.	4	C
Meloxicam	Mobic	4	C
Mepenzolate	Cantil	4	B
Mephenesin	Tolserol	4	B

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Meralluride	Mercuhydrin	4	B
Merbaphen	Novasural	4	B
Mercaptomerin	Thiomerin	4	B
Mercumailin	Cumertilin	4	B
Mersalyl	Salyrgan	4	B
Metaxalone	Skelaxin	4	B
Methandrostenolone	Dianabol	4	C
Methantheline	Banthine	4	B
Methapyrilene	Histadyl, etc.	4	B
Methazolamide	Naptazane	4	C
Methdilazine	Tacaryl	4	B
Methocarbamol	Robaxin	4	C
Methotrexate	Folex, Nexate, etc.	4	B
Methscopolamine	Pamine	4	B
Methsuximide	Celontin	4	B
Methylchlothiazide	Enduron	4	B
Methandrostenolone	Dianabol	4	C
Methylergonovine	Methergine	4	C
Methylprednisolone	Medrol	4	C
Methysergide	Sansert	4	B
Metiamide		4	B
Metoclopramide	Reglan	4	C
Mexilitine	Mexilil	4	B
Milrinone		4	B
Mometasone	Elocon	4	C
Montelukast	Singulair	4	C
Naepaine	Amylsine	4	C
Naphazoline	Privine	4	B
Naproxen	Equiproxen, Naprosyn	4	C
Nicardipine	Cardine	4	B
Nifedipine	Procardia	4	B
Nimodipine	Nemotop	4	B
Norethandrone		4	C
Nortestosterone		4	C
Olsalazine	Dipentum	4	B

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Orphenadrine	Norfex	4	B
Oxaprozin	Daypro, Deflam	4	C
Oxymetazoline	Afrin	4	B
Oxyphenbutazone	Tandearil	4	C
Oxyphencyclimine	Daricon	4	B
Oxyphenonium	Antrenyl	4	B
Paramethasone	Haldrone	4	C
Pentoxifylline	Trental, Vazofirin	4	C
Phenacemide	Phenurone	4	B
Phensuximide	Milontin	4	B
Phenylbutazone		4	C
Phenytoin	Dilantin	4	B
Polythiazide	Renese	4	B
Pramoxine	Tronothaine	4	C
Prednisolone	Delta-Cortef, etc.	4	C
Prednisone	Meticorten, etc.	4	C
Probenecid		4	C
Procainamide	Pronestyl	4	B
Propafenone	Rythmol	4	B
Propantheline	Pro-Banthine	4	B
Proparacaine	Ophthaine	4	C
Propylhexedrine	Benzedrex	4	B
Quinidine	Quinidex, Quinicardine	4	B
Salicylamide		4	C
Salicylate		4	C
Spironalactone	Aldactone	4	B
Sulfasalazine	Azulfidine, Azaline	4	C
Terfenadine	Seldane, Triludan	4	B
Tetrahydrozoline	Tyzine	4	B
Theobromine		4	C
Thiosalicylate		4	C
Thiphenamil	Trocinate	4	B
Tocainide	Tonocard	4	B
Tranexamic acid		4	C
Triamcinolone	Vetalog, etc.	4	C

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Triamterene	Dyrenium	4	B
Trichlormethiazide	Naqua, Naquasone	4	C
Tolmetin	Tolectin	4	B
Tridihexethyl	Pathilon	4	B
Trimeprazine	Temaril	4	B
Tripolidine	Actidil	4	B
Tuaminoheptane	Tuamine	4	C
Vedaprofen		4	C
Verapamil	Calan, Isoptin	4	B
Xylometazoline	Otrivin	4	B
Zafirlukast	Accolate	4	C
Zeranol	Ralgro	4	C
Zileuton	Zyflo	4	C

## Listing by Classification

**Class 5:** This class includes *the following* therapeutic medications for which concentration limits have been established.

Drug	Trade Name	DrugClass	Penalty Class
Acenocoumarol		5	C
Anisindione		5	D
Cilostazol	Pletal	5	D
Cimetidine	Tagamet	5	D
Cromolyn	Intel	5	D
Dicumarol	Dicumarol	5	D
Dimethylsulfoxide (DMSO)	Domoso	5	D
Dimethylsulphone (MSM)		5	D
Diphenadione		5	D
Esomeprazole	Nexium	5	D
Famotidine	Gaster, etc.	5	D
Lansoprazole		5	D
Mesalamine	Asacol	5	D
Misoprostel	Cytotec	5	D
Nedocromil	Tilade	5	C
Nizatidine	Axid	5	D
Omeprazole	Prilosec, Losec	5	D
Pantoprazole	Protonix	5	D
Phenindione	Hedulin	5	D
Phenprocoumon	Liquamar	5	D
Pirenzapine	Gastrozepin	5	D
Polyethylene glycol		5	C
Rabeprazole	Aciphex	5	C
Ranitidine	Zantac	5	D
Warfarin	Coumadin, Coufarin	5	D

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

Regular Board Meeting  
August 20, 2015

## ISSUE

Rule 1887, Trainer to Insure Condition of Horse, provides that the trainer is the absolute insurer of and is responsible for the condition of the horse entered in a race. If a positive test showing the presence of any prohibited drugs substance as defined in Rule 1843.1, Prohibited Drug Substances, the trainer of the horse may be fined, his/her license suspended or revoked, or be ruled off. In addition, the owner of the horse, foreman in charge of the horse, groom, and any other person shown to have had the care or attendance of the horse, may be fined, his/her license suspended, revoked, or be ruled off. If the Board or its agents fail to notify a trainer of a potential positive test within 21 days from the date the sample was taken, the trainer shall not be deemed responsible.

There are cases where horses are being trained off the grounds of CHRB licensed facilities under the care or direction of the owners, and then shipped in just a day or two before they race and placed with trainers who have little or no involvement in the prior care of those horses. If any of these horses subsequently test positive, the trainer is typically deemed responsible as the absolute insurer. Occasionally owners will admit they had prior custody of the horses, as opposed to some third party, in which case the CHRB can and have filed complaints against owners. However, when there is no such admission, it can be difficult to take action against those owners, given the current wording of Rule 1887.

## ANALYSIS

The proposed amendment to Rule 1887 would require the owner and trainer of a "ship in horse" to be equally responsible for the condition of the horse, and would include the definition of a "ship-in" horse. Rule 1887 currently identifies the trainer of a horse as the primary individual responsible for the care and condition of a horse that is entered in a race and later tests positive for any prohibited drug substance as defined in Rule 1843.1. Rule 1887 does not address horses that are trained by their owners at another location and later shipped in by their owner to race under another trainer's name. The proposed amendment defines a ship-in horse as any horse entered to race that has not been in the continuous care of a licensed trainer within a licensed inclosure in California or other racing jurisdiction for seven consecutive calendar days prior to the day of the race for which it is entered. Based on Rule 1887, if a shipped in horse that runs in a race later tests positive for a prohibited drug substance, the trainer under which the horse ran will be the primary individual held responsible and may be subject to fines, a suspended or revoked license, or be ruled off. Currently, the owner of the horse is not held equally

accountable for the condition of the horse and may claim that since his horse was sent to another location to race under another trainer, the horse was not in his "care or attendance."

The proposed amendment to Rule 1887 will ensure that both the trainer and owner are equally responsible for the condition of the horse entered in a race.

#### 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. Business and Professions Code section 19580 states that the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in California. Business and Professions Code section 19581 states that no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance.

The proposal to amend Rule 1887 was discussed at the November 2014 Stewards' Committee meeting, and then at the January 14, 2015, Medication and Track Safety Committee meeting. The Board directed staff to initiate a 45-day public comment period regarding the proposed amendment to Rule 1887 at the February 18, 2015, Regular Board meeting. The 45-day comment period ended August 10, 2015. No comments were received.

#### RECOMMENDATION

This item is presented for Board discussion and action. Staff recommends the Board adopt the proposed amendment as presented.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 16. GENERAL CONDUCT  
PROPOSED AMENDMENT OF  
RULE 1887. TRAINER TO INSURE CONDITION OF HORSE

1887. Trainer or Owner to Insure Condition of Horse

(a) The trainer is the absolute insurer of and responsible for the condition of the horses entered in a race, regardless of the acts of third parties, except as otherwise provided in this article. If the chemical or other analysis of urine or blood test samples or other tests, prove positive showing the presence of any prohibited drug substance defined in Rule 1843.1 of this division, the trainer of the horse may be fined, his/her license suspended or revoked, or be ruled off. In addition, the owner of the horse, foreman in charge of the horse, groom, and any other person shown to have had the care or attendance of the horse, may be fined, his/her license suspended, revoked, or be ruled off. The owner of a ship-in horse is the joint-absolute insurer of and is equally responsible for the condition of the horses entered in a race.

(b) A ship-in horse is defined as any horse entered to race that has not been in the care of a Board licensed trainer for seven consecutive calendar days prior to the day of the race for which it is entered.

(~~b~~) (c) Notwithstanding the above, if the Board or its agents fail to notify a trainer or the owner of a ship-in horse of a potential positive test within 21 calendar days from the date the sample was taken, the trainer or the owner of a ship-in horse shall not be deemed responsible under this rule unless it is shown by the preponderance of the evidence that the trainer or the owner of a ship-in horse administered the drug or other prohibited substance defined in Rule 1843.1 of this division, caused the administration or had knowledge of the administration.

Authority: Sections 19440, 19580 and 19581,  
Business and Professions Code.

Reference: Section 19440, 19577, 19580 and 19581  
Business and Professions Code.

STAFF ANALYSIS  
August 20, 2015

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

AmTote International, Inc. (AmTote) filed its application for a renewal license as a CHRB licensed Totalizator Company. AmTote currently holds a CHRB Totalizator license through September 30, 2015.

A fee in the amount of \$1,000 is required to be submitted with an application or renewal for a license as a Totalizator Company. AmTote, has submitted the required fee for its proposed license renewal.

CHRB Rule 1440.5, Licensing of Contractors and Sub-contractors, provides every license granted by the Board under Rule 1440.5 shall expire on the last day of the month in which it was issued and is renewable annually.

AmTote has contracts/agreements with the following to provide totalizator services:

- Xpressbet, LLC
- Northern California Off-Track Wagering, Inc. (NCOTWINC) and Southern California Off Track Wagering, Inc. (SCOTWINC)

Business and Professions Code section 19420 states that 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, is vested in the California Horse Racing Board. Business and Professions Code section 19440 provides that the California Horse Racing Board shall have all powers necessary and proper to enable it to carry out the purposes of this Chapter. Business and Professions Code section 19460 states that all licenses granted by the Board 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. Business and Professions Code section 19433 further states that the Board may visit, investigate, and place expert accountants and such other persons as it may deem necessary in the office, track, or other place of business of any licensee for the purpose of satisfying itself that its rules and regulations are strictly complied with. Additionally, Business and Professions Code section 19434 provides that the Board may require that the books and financial or other statements of any person licensed under this chapter shall be kept in any manner which to the Board may seem best.

In regard to totalizators, Business and Professions Code section 19592 states that the pari-mutuel system of wagering shall be operated only by a totalizator or other equipment approved by the Board; that the Board shall not require any particular make of equipment; and that the communications system, technology, and method used to accept wagers and transmit odds, results,

and other data related to wagering shall be approved by the Board. CHRB Rule 1440.5 describes the process for licensing a Totalizator Company as follows: [A Totalizator Company] shall procure the appropriate license by completing and submitting to the Board, CHRB-87 (Rev. 5/97), Application for License/Contractor or Sub-contractor, Application for Approval/Concessionaire which is hereby incorporated by reference, at least ninety (90) calendar days before the date the entity intends to commence business at live race meetings and/or simulcast wagering facilities and pay the required fee.

#### SUGGESTED CONDITIONS:

CHRB staff notes that AmTote is a subsidiary company of The Stronach Group, which owns and operates multiple racetracks in California, as well as numerous other entities involved in the horse racing industry. Given The Stronach Group's widespread influence over California horse racing, staff has been concerned about the potential for undisclosed and otherwise problematic interactions between the company's numerous subsidiaries and AmTote. In an attempt to address these concerns, staff identified a number of potential conditions that the Board may place on AmTote's license to satisfy itself that all CHRB laws and regulations are being complied with.

In July, the Board considered the following conditions, and generally expressed interest in attaching all of them to AmTote's license. Although the Board made a motion on the item, no vote was taken at that time. Since then, AmTote has already made an effort to comply with these suggested conditions by providing all relevant information that they currently have available, as well as by making certain affirmative assurances. Accordingly, staff again suggests that the Board consider applying the following conditions to AmTote's license:

1. All officers, directors, and employees of AmTote must disclose their relationships to each of the various Stronach Group horse racing related entities.
2. AmTote must meet certain transparency standards including, but not limited to, disclosure of Board of Director meeting minutes, annual financial audits and other relevant financial documents, current corporate structure, and forensic audits as requested, as well as any other information as the Board may request.
3. AmTote must notify the Board of all requests by any entities seeking direct access to the totalizator, and provide any information about these applicants that the Board may request.
4. AmTote must not have any ownership interest in any computer assisted wagering company or other similar wagering entity.
5. AmTote must report to the CHRB and California horse race tracks the details of any winning ticket generated through a California pool with a certain minimum payoff within a set amount of time, which shall include but not be limited to the origin of the wager (ADW, satellite, on-track, etc.), base amount of the ticket, and any other relevant information requested by the Board.

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

1. Occupational Licenses – AmTote is currently in the process of obtaining Occupational Licenses for three of its officer/directors.

RECOMMENDATION:

If the application is considered for approval, staff recommends that the abovementioned conditions be placed on AmTote's Totalizator license, and that approval is made contingent on the submission of all outstanding items.

State of California  
CALIFORNIA HORSE RACING BOARD

*Application for License/Contractor or Sub-contractor  
Application for Approval/Concessionaire*

Application is hereby made to the California Horse Racing Board for a license/approval to provide goods or services in connection with a horseracing meeting and/or parimutuel wagering in accordance with the Business and Professions Code, Chapter 4, Division 8 (Horse Racing Law) and the California Code of Regulations, Title 4, Division 4 (Rules and Regulations of the California Horse Racing Board).

- (1) Name of applicant entity: Amtote International, Inc.
- (A) Type of business: Totalizator Company
- (B) Mailing address: 11200 Pepper Road, Hunt Valley, Maryland 21031
- (C) Telephone number: 410-785-5155
- (D) Fax number: 410-785-5295
- (2) Contract/Agreement: (Supply the following information on each contract/agreement).  
See attached
- (A) Names of racing entities with whom you have or intend to have a contract or agreement
- (B) Addresses of racing entities:
- (C) Racing entities phone numbers:
- (D) Proposed contract dates: From:
- (E) Location(s) where services or goods are to be delivered:
- (F) Describe the goods or services to be provided:

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Attach a certified check payable to the Treasurer of the State of California in the amount of \$1,000 for a totalizator company and simulcast service supplier or \$250 for a video production, timing and photo finishing company for the required license fee. Fees are not required for approval as a concessionaire.

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CHRB CERTIFICATION

Application filed on:  
received by:

14-day Notice Letter:

Approved on:

License number issued:

Fee

Reviewed by:

## (3) THE CONTRACTOR/CONCESSIONAIRE

(A) The applicant contractor/concessionaire is a:

Corporation [ X ] Please complete subsections B, C, and D.

Partnership [ ] Sole proprietorship [ ] Other business entity [ ]

Please complete subsections C and D.

All entities must fulfill the instructions for Full Disclosure Statement on Pages 4-6 of this application.

(B) Corporation

(1) The registered name of the corporation:

Amtote International, Inc

(2) State where incorporated:

Delaware

(3) Registry or file number for the corporation:

C1817153

(4) The names of all officers and directors, their respective offices, and the number of shares of the corporation held by each: No officer/director holds any shares in the company

**Steven Keech- President, Director****Michael Rogers- VP of Operations, Director****Jane Lynn- Assistant Secretary, Director****Michael Fuchek- Secretary, Gen Counsel****Brenan Redman- Assistant Controller**

(5) The names (true names if known) of all persons other than the officers and directors heretofore listed holding 5% or more of the outstanding shares in the corporation and the number of shares held by each:

N/A

(6) The number of outstanding shares in the corporation:

71.25 Class A 6003.75 Class B

(7) Are the shares listed for public trading? YES [ ] NO [ X ]

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

(8) Give the name of the custodian of the list of shareholders and/or the transfer agent for the shareholdings of the corporation:

Michael W. Fuchek, General Counsel-Amtote

(9) If 100% 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 the paired corporation or entity:  
TSG Developments Investments, Inc.

Attach the most current annual financial statement for the corporation including balance sheet and profit and loss statement and a copy of the most recent report made to shareholders in the corporation and/or the Securities and Exchange Commission and/or the California Corporations Commission.

(C) MANAGEMENT AND STAFF OF THE CONTRACTOR/CONCESSIONAIRE

- (1) The name and title of the managing officer and/or General Manager of the contractor:  
**Steven Keech, President**
  
- (2) The names and titles of all managers and staff who are employed by the contractor or concessionaire and, who will operate, install or maintain equipment or otherwise provide service on a premises licensed by the California Horse Racing Board:  
**See Attached**

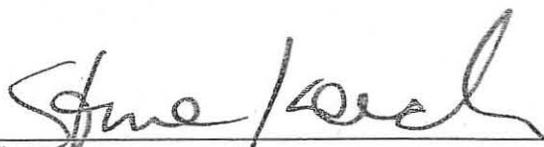
(D) THE CONTRACT/AGREEMENT

- (1) Attach a copy of all contract(s)/agreement(s) covered by this application.

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 contractor or concessionaire to attest to this application on its behalf.

Name: Steven Keech



\_\_\_\_\_  
Signature

Title: President

7/27/15  
\_\_\_\_\_  
Date

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

Regular Board Meeting  
August 20, 2015

ISSUE

The Northern California Race Dates and Stabling Oversight Committee (Committee) met on June 19, 2015 to discuss the allocation of the 2016 Northern California race date allocations and related issues. Prior to the meeting the industry was asked to submit proposed 2016 Northern California race dates in preparation for discussion regarding 2016 Northern California race date allocations. The California Authority of Racing Fairs (CARF) submitted a 2016 Northern California racing calendar for its member fairs, with inclusive date requests for the fairs. The CARF proposal included proposed 2016 race dates for Pacific Racing Association (PRA) at Golden Gate Fields. Sonoma County Fair at Santa Rosa submitted its proposed 2016 race dates request. Cal Expo Harness Racing Association (Cal Expo Harness) and California Exposition and State Fair (Cal Expo) also requested 2016 race dates. PRA submitted a 2016 Northern California Race Dates request that also included proposed fair race dates. In addition, Commissioner Beneto submitted two proposals for 2016 Northern California race dates. At the June 25, 2015 Regular Board Meeting, Chairman Winner urged the northern stakeholders to continue their discussions in an effort to reach consensus. At the July 2015 Regular Board Meeting industry representatives stated numerous meetings had been held in an effort to reach a consensus on proposed 2016 racing calendars; the meetings resulted in the two proposals contained herein. Chairman Winner stated the Board would vote on the 2016 race-date allocations at its August 2015 Regular Meeting.

ANALYSIS

Northern California Race Dates and Stabling Oversight Committee proposed 2016 Northern California race date calendars.

**PROPOSAL #1**

PRA at Golden Gate Fields – December 26, 2015 to May 29, 2016  
San Joaquin County Fair at Stockton – June 1, 2016 to June 12, 2016  
Alameda County Fair (ACF) at Pleasanton – June 17, 2016 to July 4, 2016  
California State Fair (Cal Expo) at Sacramento – July 7, 2016 to July 24, 2016  
Sonoma County Fair (SCF) at Santa Rosa – July 27, 2016 to August 14, 2016  
Humboldt County Fair (HCF) at Ferndale – August 19, 2016 to August 28, 2016  
PRA at Golden Gate Fields – August 19, 2016 to October 4, 2016  
Fresno County Fair at Fresno – October 5, 2016 to October 18, 2016  
PRA at Golden Gate Fields – October 19, 2016 to December 18, 2016

## PROPOSAL #2

PRA at Golden Gate Fields – December 26, 2015 to June 14, 2016  
Alameda County Fair (ACF) at Pleasanton – June 17, 2016 to July 4, 2016  
California State Fair (Cal Expo) at Sacramento – July 7, 2016 to July 24, 2016  
Sonoma County Fair (SCF) at Santa Rosa – July 27, 2016 to August 14, 2016  
Humboldt County Fair (HCF) at Ferndale – August 19, 2016 to August 28, 2016  
PRA at Golden Gate Fields – August 19, 2016 to September 20, 2016  
San Joaquin County Fair at Stockton – September 21, 2016 to October 4, 2016  
Fresno County Fair at Fresno – October 5, 2016 to October 18, 2016  
PRA at Golden Gate Fields – October 19, 2016 to December 18, 2016

## BACKGROUND

Business and Professions Code section 19530 provides the Board the authority to allocate racing weeks to an applicant pursuant to the provisions of the horse racing law and to specify such racing days, dates, and hours for horse racing meetings as will be in the public interest, and will subserve the purposes of the law. Business and Professions Code section 19531 states the Board shall make allocations for racing weeks, including simultaneous racing between zones as it deems appropriate. The maximum number of racing weeks that may be allocated for horse racing other than at fairs, shall be as follows: (a) For thoroughbred racing: 44 weeks per year in the northern zone; 42 weeks per year in the central zone; and seven weeks per year in the southern zone. (b) For harness racing: 25 weeks per year in the northern zone. (c) For quarter horse racing: 25 weeks per year in the northern zone. (d) For harness racing and quarter horse racing: a total of 77 weeks per year in the combined central and southern zones. Business and Professions Code section 19532(a) specifies any association licensed to conduct thoroughbred racing in the northern zone may receive no more than 35 weeks of that racing. (b) Any association licensed to conduct thoroughbred racing in the central zone may receive no more than 17 weeks of that racing, except that any association which conducts a split meeting may receive up to 20 weeks of that racing. No more than one such split meeting may be licensed in any one year. Business and Professions Code section 19549 provides the maximum number of racing weeks that may be allocated to a fair shall be four weeks each, except under specified conditions.

Board Rule 1430, Allocation of Racing Weeks and Dates, states the Board shall allocate racing weeks and dates for the conduct of horse racing in this State for such time periods and at such racing facilities as the Board determines will best subserve the purposes of the Horse Racing Law and which will be in the best interests of the people of California in accord with the intent of the Horse Racing Law.

## RECOMMENDATION

This item is presented for Board discussion and action.



## Proposal 1 - Summary

January 1st - May 29th	Golden Gate
June 1st - June 12th	Stockton
June 17th - July 4th	Pleasanton
July 6th - July 24th	Cal Expo
July 27th - August 14th	Santa Rosa
August 17th - August 28th	Ferndale
August 19th - August 21st	Golden Gate
August 26th - August 28th	Golden Gate
September 1st - October 2nd	Golden Gate
October 5th - October 16th	Fresno
October 19th - December	Golden Gate

This proposal would be so Golden Gate can run continuous from August 19th to October 2nd without a break - Strictly for economic reasons for Golden Gate.

# Proposal 1

June 2016

June 2016							July 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4						1	2
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	May 29	30	31	Jun 1	2	3	4
May 29 - Jun 4				Stockton			
	5	6	7	8	9	10	11
Jun 5 - 11				Stockton			
	12	13	14	15	16	17	18
Jun 12 - 18	Stockton					Pleasanton	
	19	20	21	22	23	24	25
Jun 19 - 25				Pleasanton			
	26	27	28	29	30	Jul 1	2
Jun 26 - Jul 2			Pleasanton				

\*Golden Gate will run from January 1st - May 29th.

# Proposal 1

July 2016

July 2016							August 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30	31			
31													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jun 26	27	28	29	30	Jul 1	2
6/26 - 7/1						Pleasanton	
	3	4	5	6	7	8	9
7/3 - 8	Pleasanton			Cal Expo			
		Independence Day - H					
	10	11	12	13	14	15	16
7/10 - 15	Cal Expo						
	17	18	19	20	21	22	23
	Cal Expo						
7/17 - 22							
	24	25	26	27	28	29	30
7/24 - 29	Cal Expo			Santa Rosa			
	31	Aug 1	2	3	4	5	6
7/31 - 8/5	Santa Rosa						

# Proposal 1

## August 2016

August 2016							September 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
	Jul 31	Aug 1	2	3	4	5	6	
Jul 31 - Aug 6	Santa Rosa							
	7	8	9	10	11	12	13	
Aug 7 - 13	Santa Rosa							
	14	15	16	17	18	19	20	
Aug 14 - 20	Santa Rosa						Ferndale	Golden Gate - \$5,000 on up claiming races
	21	22	23	24	25	26	27	
Aug 21 - 27	Golden Gate - \$5,000 or	Ferndale					Golden Gate - \$5,000 on up claiming races	
	28	29	30	31	Sep 1	2	3	
Aug 28 - Sep 3	Ferndale							
	Golden Gate - \$5,000 or							

\*Golden Gate will run from January 1st - May 29th

# Proposal 1

## September 2016

September 2016							October 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	2	3	2	3	4	5	6	7	1
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Aug 28 - Sep 3	Aug 28	29	30	31	Sep 1	2	3
					Golden Gate		
Sep 4 - 10	4	5	6	7	8	9	10
		Labor Day - Holiday			Golden Gate		
Sep 11 - 17	11	12	13	14	15	16	17
					Golden Gate		
Sep 18 - 24	18	19	20	21	22	23	24
					Golden Gate		
Sep 25 - Oct 1	25	26	27	28	29	30	Oct 1
				Golden Gate			To Oct 2

# Proposal 1

## October 2016

October 2016							November 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Sep 25	26	27	28	29	30	Oct 1
9/25 - 30							Golden Gate
	2	3	4	5	6	7	8
10/2 - 7	Golden Gate			Frenso			
	9	10	11	12	13	14	15
10/9 - 14	Frenso						
	16	17	18	19	20	21	22
10/16 - 21	Frenso			Golden Gate			
	23	24	25	26	27	28	29
10/23 - 28	Golden Gate						
	30	31	Nov 1	2	3	4	5
10/30 - 11/4	Golden Gate						

# Proposal 1

## November 2016

November 2016							December 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
6	7	1	2	3	4	5	4	5	6	7	1	2	3
13	14	8	9	10	11	12	11	12	13	14	15	16	17
20	21	15	16	17	18	19	18	19	20	21	22	23	24
27	28	22	23	24	25	26	25	26	27	28	29	30	31

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Oct 30	31	Nov 1	2	3	4	5
Oct 30 - Nov 5	Golden Gate						
	6	7	8	9	10	11	12
Nov 6 - 12	Golden Gate						
	13	14	15	16	17	18	19
Nov 13 - 19	Golden Gate						
	20	21	22	23	24	25	26
Nov 20 - 26	Golden Gate						
	27	28	29	30	Dec 1	2	3
Nov 27 - Dec 3	Golden Gate						

# Proposal 1

## December 2016

December 2016							January 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Nov 27	28	29	30	Dec 1	2	3
					Golden Gate		
	4	5	6	7	8	9	10
	Golden Gate						
	11	12	13	14	15	16	17
	Golden Gate						
	18	19	20	21	22	23	24
	Golden Gate						
	25	26	27	28	29	30	31
	Christmas Day - Holiday						

Nov 27 - Dec 3

Dec 4 - 10

Dec 11 - 17

Dec 18 - 24

Dec 25 - 31

## Proposal 2 - Summary

June 1 - June 12th	Golden Gate
June 17th - July 4th	Pleasanton
July 6th - July 24th	Cal Expo
July 27th - August 14th	Santa Rosa
August 17th - August 28th	Ferndale
August 19th - August 21st	Golden Gate
August 26th - August 28th	Golden Gate
September 1st - September 5th	Golden Gate
September 9th - September 18th	Stockton
September 22nd - October 2nd	Golden Gate
October 5th - October 16th	Fresno
October 19th - December	Golden Gate

# Proposal 2

## June 2016

June 2016							July 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4						1	2
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	May 29	30	31	Jun 1	2	3	4
May 29 - Jun 4				Golden Gate			
	5	6	7	8	9	10	11
Jun 5 - 11				Golden Gate			
	12	13	14	15	16	17	18
Jun 12 - 18	Golden Gate					Pleasanton	
	19	20	21	22	23	24	25
Jun 19 - 25				Pleasanton			
	26	27	28	29	30	Jul 1	2
Jun 26 - Jul 2			Pleasanton				

\*Golden Gate will run from January 1st - June 12th.

# Proposal 2

## July 2016

July 2016							August 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30	31			
31													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jun 26	27	28	29	30	Jul 1	2
6/26 - 7/1						Pleasanton	
	3	4	5	6	7	8	9
7/3 - 8	Pleasanton			Cal Expo			
		Independence Day - H					
	10	11	12	13	14	15	16
7/10 - 15	Cal Expo						
	17	18	19	20	21	22	23
7/17 - 22	Cal Expo						
	24	25	26	27	28	29	30
7/24 - 29	Cal Expo			Santa Rosa			
	31	Aug 1	2	3	4	5	6
7/31 - 8/5	Santa Rosa						

\*Golden Gate will run from January 1st - June 12th.

# Proposal 2

## August 2016

August 2016							September 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
	Jul 31	Aug 1	2	3	4	5	6	
Jul 31 - Aug 6	Santa Rosa							
	7	8	9	10	11	12	13	
Aug 7 - 13	Santa Rosa							
	14	15	16	17	18	19	20	
Aug 14 - 20	Santa Rosa	Ferndale					Golden Gate - \$5,000 on up claiming races	
	21	22	23	24	25	26	27	
Aug 21 - 27	Ferndale					Golden Gate - \$5,000 on up claiming races		
	Golden Gate - \$5,000 or							
Aug 28 - Sep 3	28	29	30	31	Sep 1	2	3	
	Ferndale	Golden Gate - \$5,000 or						

\*Golden Gate will run from January 1st - June 12th.

# Proposal 2

## September 2016

September 2016							October 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Aug 28	29	30	31	Sep 1	2	3
Aug 28 - Sep 3					Golden Gate		
	4	5	6	7	8	9	10
Sep 4 - 10	Golden Gate		Labor Day - Holiday			Stockton	
	11	12	13	14	15	16	17
Sep 11 - 17	Stockton						
	18	19	20	21	22	23	24
Sep 18 - 24	Stockton				Golden Gate		
	25	26	27	28	29	30	Oct 1
Sep 25 - Oct 1	Golden Gate					To Oct 2 →	

\*Golden Gate will run from January 1st - June 12th.

# Proposal 2

## October 2016

October 2016							November 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	1	6	7	1	2	3	4	5
9	10	11	12	13	14	8	13	14	8	9	10	11	12
16	17	18	19	20	21	15	20	21	15	16	17	18	19
23	24	25	26	27	28	22	27	28	22	23	24	25	26
30	31					29			29	30			

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
9/25 - 30	Sep 25	26	27	28	29	30	Oct 1
							Golden Gate
10/2 - 7	2	3	4	5	6	7	8
	Golden Gate			Frenso			
10/9 - 14	9	10	11	12	13	14	15
	Frenso						
10/16 - 21	16	17	18	19	20	21	22
	Frenso			Golden Gate			
10/23 - 28	23	24	25	26	27	28	29
	Golden Gate						
10/30 - 11/4	30	31	Nov 1	2	3	4	5
	Golden Gate						

\*Golden Gate will run from January 1st - June 12th.

# Proposal 2

## November 2016

November 2016							December 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
	Oct 30	31	Nov 1	2	3	4	5	
Oct 30 - Nov 5			Golden Gate					
	6	7	8	9	10	11	12	
Nov 6 - 12	Golden Gate							
	13	14	15	16	17	18	19	
Nov 13 - 19	Golden Gate							
	20	21	22	23	24	25	26	
Nov 20 - 26	Golden Gate							
	27	28	29	30	Dec 1	2	3	
Nov 27 - Dec 3	Golden Gate							

\*Golden Gate will run from January 1st - June 12th.

# Proposal 2

## December 2016

December 2016							January 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	9	10	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14
18	19	20	21	22	23	24	15	16	17	18	19	20	21
25	26	27	28	29	30	31	22	23	24	25	26	27	28
							29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Nov 27 - Dec 3	Nov 27	28	29	30	Dec 1	2	3
	Golden Gate						
Dec 4 - 10	4	5	6	7	8	9	10
	Golden Gate						
Dec 11 - 17	11	12	13	14	15	16	17
	Golden Gate						
Dec 18 - 24	18	19	20	21	22	23	24
	Golden Gate						
Dec 25 - 31	25	26	27	28	29	30	31
	Christmas Day - Holiday						

\*Golden Gate will run from January 1st - June 12th.

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

Regular Board Meeting  
August 20, 2015

ISSUE

The industry was asked to submit proposed 2016 Southern California race dates in preparation for discussions regarding the 2016 Southern California race date allocations.

**PROPOSAL #1**

Los Angeles Turf Club (LATC) and the Del Mar Thoroughbred Club (DMTC) submitted a joint 2016 Southern California racing calendar (Proposal #1). The joint proposal provides that DMTC would not run the day after Labor Day, which will allow Los Alamitos Race Course (LARC) to open its September 2016 race meeting one day earlier.

LATC at Santa Anita Park Race Track - December 26, 2015 to June 26, 2016

LARC at Los Alamitos Race Course – July 1, 2016 to July 10, 2016

DMTC at Del Mar – July 14, 2016 to September 5, 2016

LACF at Los Alamitos Race Course – September 8, 2016 to September 25, 2016

LATC at Santa Anita Park Race Track – September 29, 2016 to November 6, 2016

DMTC at Del Mar – November 10, 2016 to December 4, 2016

LARC at Los Alamitos Race Course – December 8, 2016 to December 18, 2016

**PROPOSAL #2**

California Thoroughbred Trainers (CTT) submitted a proposal (Proposal #2) that included between 3 and 4 weeks un-allocated. The CTT stated the unallocated weeks would provide flexibility as well as opportunity, for either Los Alamitos or Santa Anita to run additional weeks, in the event that is deemed necessary. In addition, the CTT did not include the Los Angeles County Fair dates in the September time frame.

LATC at Santa Anita Park Race Track – December 26, 2015 to April 10, 2016

LACF at Los Alamitos Race Course – April 14, 2016 to May 1, 2016

LATC at Santa Anita Park Race Track – May 5, 2016 to June 12, 2016

LARC at Los Alamitos Race Course – June 16, 2016 to July 10, 2016

DMTC at Del Mar – July 14, 2016 to September 5, 2016

LATC at Santa Anita Park Race Track – September 8, 2016 to November 6, 2016

DMTC at Del Mar – November 10, 2016 to December 4, 2016

PROPOSAL #3

The Los Alamitos Race Course submitted Proposal #3.

LATC at Santa Anita Park Race Track – December 26, 2015 to April 10, 2016

LACF at Los Alamitos Race Course – April 14, 2016 to May 1, 2016

LATC at Santa Anita Park Race Track – May 5, 2016 to June 19, 2016

LARC at Los Alamitos Race Course – June 23, 2016 to July 10, 2016

DMTC at Del Mar – July 14, 2016 to September 5, 2016

LATC at Santa Anita Park Race Track – September 8, 2016 to November 6, 2016

DMTC at Del Mar – November 10, 2016 to December 4, 2016

LARC at Los Alamitos Race Course – December 8, 2016 to December 18, 2016

PROPOSAL #4

Proposal #4 was submitted following meetings of the Southern California Race Dates Committee.

LATC at Santa Anita Park Race Track – December 26, 2015 to April 10, 2016

LACF at Los Alamitos Race Course – April 14, 2016 to May 1, 2016

LATC at Santa Anita Park Race Track – May 5, 2016 to June 26, 2016

LARC at Los Alamitos Race Course – June 30, 2016 to July 10, 2016

DMTC at Del Mar – July 14, 2016 to September 5, 2016

LATC at Santa Anita Park Race Track – September 8, 2016 to November 6, 2016

DMTC at Del Mar – November 10, 2016 to December 4, 2016

LARC at Los Alamitos Race Course – December 8, 2016 to December 18, 2016

BACKGROUND

Business and Professions Code section 19530 provides the Board the authority to allocate racing weeks to an applicant pursuant to the provisions of the horse racing law and to specify such racing days, dates, and hours for horse racing meetings as will be in the public interest, and will subserve the purposes of the law. Business and Professions Code section 19531 states the Board shall make allocations for racing weeks, including simultaneous racing between zones as it deems appropriate. The maximum number of racing weeks that may be allocated for horse racing other than at fairs, shall be as follows: (a) For thoroughbred racing: 44 weeks per year in the northern zone; 42 weeks per year in the central zone; and seven weeks per year in the southern zone. (b) For harness racing: 25 weeks per year in the northern zone. (c) For quarter horse racing: 25 weeks per year in the northern zone. (d) For harness racing and quarter horse racing: a total of 77 weeks per year in the combined central and southern zones. Business and Professions Code section 19532(a) specifies any association licensed to conduct thoroughbred racing in the northern zone may receive no more than 35 weeks of that racing. (b) Any association licensed to conduct thoroughbred racing in the central zone may receive no more than 17 weeks of that racing, except that any association which conducts a split meeting may receive up to 20 weeks of that racing. No more than one such split meeting may be licensed in any one year. Business and Professions Code section 19549 provides the maximum

number of racing weeks that may be allocated to a fair shall be four weeks each, except under specified conditions.

Board Rule 1430, Allocation of Racing Weeks and Dates, states the Board shall allocate racing weeks and dates for the conduct of horse racing in this State for such time periods and at such racing facilities as the Board determines will best subserve the purposes of the Horse Racing Law and which will be in the best interests of the people of California in accord with the intent of the Horse Racing Law.

#### RECOMMENDATION

This item is presented for Board discussion and action.

2016 dates proposals shown below are based on projected opening and closing days.

Actual Board allocations, however, begin with the Wednesday prior to opening day and end with the Tuesday following closing day.

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC		
2	2014													
0	SANTA ANITA						LA	DEL MAR	FPX/LA	SANTA ANITA	DEL MAR	LA	2	
1													0	
4						1 2 15	16	3	4 23 24		4 5	2 3 21	7	
2	2015													
0	SANTA ANITA						LA	DEL MAR	FPX/LA	SANTA ANITA	DEL MAR	LA	2	
1													0	
5						1 2 15	16	8	9 25 26 27		28	2 3 20	7	
1	Proposal 1										Breeders' Cup   11/4-11/5			
	SANTA ANITA						LA	DEL MAR	LA/FPX	SANTA ANITA	DEL MAR	LA	2	
													0	
						26 1 10	14	5	8 25 29		6 10	4 8 18	7	
2	Proposal 2			LA/FPX		SANTA ANITA		LA	DEL MAR		SANTA ANITA		DEL MAR	2
													DARK	0
				14 1 5	12 16	10	14	5 8		6 10	4		7	
3	Proposal 3			LA/FPX		SANTA ANITA		LA	DEL MAR		SANTA ANITA		DEL MAR	2
													0	
				14 1 5	19 23 10	14	5 8		6 10	4 8 18		7		
4	Proposal 4			LA/FPX		SANTA ANITA		LA	DEL MAR		SANTA ANITA		DEL MAR	2
													0	
				14 1 5	26 30 10	14	5 8		6 10	4 8 18		7		
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC		

# 2015-2016

## Joint Proposal of Santa Anita Park and Del Mar Thoroughbred Club

LATC	131
DMTC	57
LOS AL	28

TOTAL RACE DAYS	216
-----------------	-----

December 2015						
S	M	T	W	T	F	S
20	21	22	23	24	25	26
27	28	29	30	31		4

January						
S	M	T	W	T	F	S
					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						19

February						
S	M	T	W	T	F	S
	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					
						16

March						
S	M	T	W	T	F	S
		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		
						17

April						
S	M	T	W	T	F	S
					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
						17

May						
S	M	T	W	T	F	S
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				
						18

June						
S	M	T	W	T	F	S
			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		
						16

July						
S	M	T	W	T	F	S
					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						
					8	15

August						
S	M	T	W	T	F	S
	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			
						21

September						
S	M	T	W	T	F	S
				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	
				5	12	2

October						
S	M	T	W	T	F	S
						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					
						18

November						
S	M	T	W	T	F	S
		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			
					4	12

December						
S	M	T	W	T	F	S
					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
					8	4



# 2016 Calendar - By Site

## So Cal Thoroughbred Race Dates - By Site

Sites	2014	2015	2016
Santa Anita	132	125	127
Los Alamitos	31	29	32
Del Mar	51	60	57

December 2015						
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	
	28	29				

January						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	4	5	6			
	11	12	13			
	18	19	20	21		
	25	26	27			

February						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3			
	8	9	10			
	15	16	17	18		
	22	23	24			
	29					

March						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2				
	7	8	9			
	14	15	16			
	21	22	23			
	28	29	30			

April						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	4	5	6			
	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4			
9	10	11				
16	17	18				
23	24	25				
30	31					

June						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1			
	6	7	8			
	13	14	15			
	20	21	22			
27	28	29				

July						
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						

August						
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			

September						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	
4	5	6	7			
12	13	14				
19	20	21				
26	27	28				

October						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	3	4	5			
	10	11	12			
	17	18	19			
	24	25	26			
	31					

November						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3		
	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						
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

SANTA ANITA

LOS ALAMITOS / FPX

DEL MAR

December 26, 2015 through March 31, 2016 = Santa Anita Winter

APRIL						
SU	MO	TU	WE	TH	F	SA
					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

MAY						
SU	MO	TU	WE	TH	F	SA
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				

JUNE						
SU	MO	TU	WE	TH	F	SA
			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		

JULY						
SU	MO	TU	WE	TH	F	SA
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	24	26	27	28	29	30
31						

AUGUST						
SU	MO	TU	WE	TH	F	SA
	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			

SEPTEMBER						
SU	MO	TU	WE	TH	F	SA
				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	

OCTOBER						
SU	MO	TU	WE	TH	F	SA
						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						
SU	MO	TU	WE	TH	F	SA
		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						
SU	MO	TU	WE	TH	F	SA
				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

**CALIFORNIA HORSE RACING BOARD**

**AUGUST 20, 2015**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 16**