

CALIFORNIA HORSE RACING BOARD
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ALAMEDA COUNTY FAIR
4501 Pleasanton Avenue
Pleasanton, California 94566

Report of the Board of Stewards
To the California Horse Racing Board

Honorable Arnold Schwarzenegger, Governor
Honorable John C. Harris, Chairman
Honorable David Israel, Vice Chairman
Honorable John Andreini, Member
Honorable Jesse H. Choper, Member
Honorable Bo Derek, Member
Honorable Jerry Moss, Member
Kirk E. Breed, Executive Director
Richard "Bon" Smith, Assistant Executive Director

Report for the period Wednesday, July 15, 2009 through Sunday, July 19, 2009.

Wednesday

07-15-09¹ **RULING NO. 16 – MIRANDA**

Jockey **ALFREDO MIRANDA**, who rode **NO JOHNNY COME LATELY** in the second race at the Alameda County Fair (Pleasanton) on Sunday, July 12, 2009, is suspended three (3) racing days (July 22, 23 and 24, 2009) for failure to make the proper effort to maintain a straight course at the start and causing interference resulting in the disqualification of his mount from first to third; a violation of California Horse Racing Board rule #1699 (d) & (f) (Riding Rules – careless riding).

The term of this suspension shall not prohibit participation in designated races in California.

The above ruling was issued after Miranda appeared and was shown his lack of effort to straighten his mount.

07-15-09² **RULING NO. 17 – MARTINEZ**

Jockey **MICHAEL MARTINEZ**, who was scheduled to ride **COUNT ME TWICE** in the third race at the Alameda County Fair (Pleasanton) on Sunday, July 12, 2009, is hereby fined the sum of one hundred dollars (\$100.00) for violation of California Horse Racing Board rule #1872 (Failure to Fulfill Jockey Agreement) causing a late rider change.

The foregoing ruling was issued after Martinez pled guilty to running late and missing his mount. He blamed traffic problems which is no excuse.

07-15-09³ **INJURED LICENSEE**

Following the running of the first race licensee **WILLIAM BURTON** (name reported later) stumbled, or was knocked down, while leading #6 NAMHAWK (Trainer Ray Thomas). NAMHAWK stepped on Burton's right arm severely lacerating it. The track ambulance responded immediately. Burton was transported to Eden Hospital. Later in the afternoon Track Doctor Peter Wong reported Mr. Burton to be in ICU with complex lacerations. Supervising Investigator Anne Glasscock was contacted by phone.

07-15-09⁴ **DECLARATIONS – REFUNDS**

7th race: #2 ROARING SPRINGS (Tr. Donna Elordi) lame at gate
Track Veterinarian Robert Connolly REFUND: \$10,118.03

8th race: #7 CRAZY THINKING (Tr. Aggie Ordonez) injured
Track Veterinarian Don Dooley REFUND: \$ 1,726.24

07-15-09⁵ **JOCKEY CHANGES**

1st race – Jockey Olivo Maldonado for Sergio Ruiz – double jockey fee

07-15-09⁶ **ATTENDANCE & HANDLE**

ACF	3,120	\$ 248,318.50
NCOT	1,930	\$ 524,929.60
SCOT		\$ 181,392.20
Out of State		\$ 683,072.23
TOTAL	5,050	\$1,637,712.53

Thursday07-16-09¹ **MOGER HEARING – CASE 09GG246**

Trainer **ED MOGER, JR.** and owner **RODNEY YOUNG** appeared at a formal hearing concerning the eligibility of the horse **NYMEGEN PITA** who raced at the San Joaquin County Fair (Stockton) on June 24, 2009 finishing second.

The horse was claimed for \$12,500 on May 30, 2009 and raced back on June 24, 2009 for the same price. June 24th was the 25th day after the claim which makes the horse ineligible in accordance with California Horse Racing Board rule 1663 (Entry of Claimed Horse). Moger felt he had counted the days correctly but he and owner Young both understood after a review with the stewards. Disposition to follow.

07-16-09² **RULING NO. 18 – LOVINGIER**

Owner **TERRY C. LOVINGIER**, who was scheduled to race his horse #2 **VICTORY DASH** in the tenth race at the Alameda County Fair (Pleasanton) on Saturday, July 11, 2009, is fined the sum of two hundred dollars (\$200.00) for violation of California Horse Racing Board rule #1629 (Penalty for Late Declaration – shipped horse off grounds).

The above ruling was issued after Lovingier was contacted repeatedly by phone by Stewards Nicolo and Meyers. Lovingier had a dispute with trainer **Leanne Aiello** over training and care (one racehorse injured in race) and had his horses transported to Southern California. Unfortunately, VICTORY DASH was entered. Mr. Lovingier agreed to pay the fine and get everything behind him.

07-16-09³ **GATE GLITCH – Fourth Race**

The #5 stall gate rebounded on favorite PISA PLAYBOY at the start slightly jostling jockey Russell Baze. #5 broke with the field and the incident was minor in nature. Baze called from the jock's room later on to report the gate malfunction. Starter Mooneyhan was notified and the problem was fixed immediately.

07-16-09⁴ **DECLARATIONS – REFUNDS**

1 st race:	#3 SIS-Q-LIZZIE Fitness Veterinarian Don Dooley	(Tr. Ray Thomas)	injured REFUND: \$ 16.00
3 rd race:	#1 RAVE RAVE RAVE Fitness Veterinarian Don Dooley	(Tr. Rene Amescua)	sick REFUND: \$ 152.00
4 th race:	#3 BLUE SUEDE HOOVES Fitness Veterinarian Don Dooley	(Tr. Rene Amescua)	sick REFUND: \$ 219.00
7 th race:	#3 CASH LAKE Fitness Veterinarian Don Dooley	(Tr. Don Roberson)	sick REFUND: \$ 10.50
8 th race:	#5 COOL YOUR JETS Fitness Veterinarian Don Dooley	(Tr. John Martin)	sick REFUND: \$ 380.30
	#9 LENNY G Fitness Veterinarian Don Dooley	(Tr. Mike Larson)	sick REFUND: \$ 130.00
9 th race:	#7 CHROMETICS Fitness Veterinarian Don Dooley	(Tr. Ronda Davis)	injured REFUND: \$ 108.00
	#10 DRAGON RISING Fitness Veterinarian Don Dooley	(Tr. Gloria Haley)	sick REFUND: \$ 255.90

07-16-09⁵ **JOCKEY CHANGE**

2nd race – Jockey Anisete Leon excused. Hector Ramirez was his replacement.

07-16-09⁵ **ATTENDANCE & HANDLE**

ACF	2,099	\$ 268,836.60
NCOT	2,618	\$ 780,642.60
SCOT		\$ 399,922.20
<u>Out of State</u>		<u>\$ 600,309.63</u>
TOTAL	4,717	\$2,049,711.03

Friday07-17-09¹ **RULING NO. 19 – PIZZURO REINSTATMENT**

In the matter of:

Owner **ANTONIO N. PIZZURO**

Owner **ANTONIO N. PIZZURO**, having now resolved the outstanding obligation to Equine Sports Medicine, is hereby restored to good standing and Bay Meadows Racing Association rule #63, dated May 1, 2008, suspending Mr. Pizzuro for violation of California Horse Racing Board rule #1547 (Failure to Appear) is set aside.

The above ruling was issued after this Board received confirmation of payment by Equine Sports Medicine.

07-17-09² **DIXON HEARING – CASE 09GG229** (Refer 07-11-09³)

A hearing was conducted for groom **JAMES EDWARD DIXON** concerning possible violation of his probation as stated in ruling no. 2, issued January 23, 2009.

Groom Dixon, Winners Foundation representatives **Nora Lee** and **Armando Calero** all testified. The matter was recorded by Christine Niccoli, C.S.R.

At issue was alleged abusive and threatening language from Dixon to Calero. Also, Dixon failed to abide by certain attendance requirements. A urine test, administered by CHRB investigators on June 24, 2009, was negative as reported by Quest Laboratories.

All testimony and relevant evidence was presented and the hearing closed.
Disposition to follow.

07-17-09³ **RULING NO. 20 – MIYADI**

Trainer **STEVE MIYADI**, who started the horse **LUCKER CHARMER** in the ninth race July 2, 2009 at the Alameda County Fair (Pleasanton) is fined the sum of one thousand dollars (\$1,000.00) for violation of California Horse Racing Board rule #1865 (Altering of Sex of Horse – failure to report gelding).

The above ruling was issued after Miyadi was contacted by phone and accepted the penalty.

07-17-09⁴ **INQUIRY – DISQUALIFICATION – Quarter Horse – Second Race**

The stewards posted the inquiry to review the start of this 350 yard Quarter Horse race. **#4 BF GAME LADY** stumbles and breaks in sharply at the start, bumping **#3 NOJOSHIN** who bumps **#2 LILA BELLE** into **#1 TRIPLE B JAZZ**. **#4 BFGAME LADY** went on to finish first and was disqualified and placed seventh for the chain reaction interference. Jockey Gregorio Arriaga was held blameless.

07-17-09⁵ **NO SHOW POOL – Fourth Race**

A late scratch of **#4 SUPER PLAN** reduced the field to four horses and the show pool was cancelled.

07-17-09⁶ **DECLARATIONS – REFUNDS**

4 th race:	#4 SUPER PLAN	(Tr. Steve Sherman)	injured
	Fitness Veterinarian Don Dooley		REFUND: \$ 375.00
6 th race:	#7 YORKVILLE KID	(Tr. Aggie Ordonez)	injured
	Fitness Veterinarian Don Dooley		REFUND: \$ 303.90

07-17-09⁷ **JOCKEY CHANGES**

1st race – Jockey April Boag for Anisete Leon – no show
6th race – Jockey Hugo Herrera for Anisete Leon – no show

07-17-09⁸ **ATTENDANCE & HANDLE**

ACF	2,415	\$ 273,169.90
NCOT	2,911	\$ 825,876.60
SCOT		\$ 244,209.60
Out of State		\$ 604,900.52
TOTAL	5,326	\$1,948,156.62

Saturday

07-18-09¹ **NEW JORNEYMAN JOCKEY**

JAIME MARTINEZ, who has plied his trade in Washington, Oregon and Idaho for the past seven years, was approved for a California jockey's license today.

07-18-09² **RULING NO. 21 – NYMEGEN** (Refer 07-16-09¹) (Case 09GG246)

Based upon a hearing held July 16, 2009 at the Alameda County Fair in Pleasanton, California, the stewards have ruled that pursuant to California Horse Racing Board rule #1663 (a) (Entry of Claimed Horse) the horse **NYMEGEN PITA**, the second place finisher in the fourth race, June 24, 2009 at the San Joaquin County Fair, Stockton, California, is deemed ineligible.

It is ordered the NYMEGEN PITA be disqualified from all purse monies earned said race in accordance with California Horse Racing Board rule #1592 (Ineligible Horse to be Disqualified).

It is further ordered that the purse money earned in said race (\$2,700.00) be returned to the Paymaster of Purses by owners Handler or Moger, Jr. or Moger or Young, by trainer Ed Moger (\$270.00) and (\$145.00) by jockey David Lopez for re-distribution in accordance with revised order of finish.

Revised order of finish:

2nd - LONDON EXPRESS

3rd - SAFEONTHEWIRE

All records are ordered changed to reflect this ruling. Pursuant to California Horse Racing Board rule #1956 (Race Declared Official) the pari-mutuel payoffs are in no way affected.

The above ruling was issued after due deliberation over yesterday's hearing.

07-18-09³ **RULING NO. 22 – GATES** (Case 09GG255)

Exercise Rider **TOMMY GATES** is fined the sum of one hundred dollars (\$100.00) for violation of California Horse Racing Board rule #1481 (a, b, 10) (Occupational Licenses and Fees) for working without a current license at the Alameda County Fair in Pleasanton.

The above ruling was issued after Gates appeared and admitted to working at Pleasanton as an exercise rider without a license.

07-18-09⁴ **RULING NO. 23 – WHITEHOUSE** (Case 09GG247)

Trainer **WILTON R. WHITEHOUSE** is fined the sum of one hundred dollars (\$100.00) for employing an unlicensed person at the San Joaquin County Fair (Stockton) on June 26, 2009; a violation of California Horse Racing Board rules #1482 (Employment of Unlicensed Person) and #1895 (Trainer's Duty to Insure Licensed Participation).

The above ruling was issued after Whitehouse accepted responsibility for failing to check the license of a temporary employee. Whitehouse was running two horses and his permanent groom hired an unlicensed friend to help out.

07-18-09⁵ **LATE SCRATCH – Second Race – MULES**

Clerk of Scales Gary Lawless called to report jockey **Pablo Castillo** was too heavy to ride. Castillo was 134 lbs. with the weight to be carried 125 lbs. Only a few jockeys will ride mules and a replacement could not be found. Trainer Adan Garcia accepted that his mule needed to be scratched. Castillo will report to the stewards' office tomorrow.

07-18-09⁶ **ACCIDENT – INQUIRY – NO CHANGE – Eleventh Race**

#7 FOOL ME ONCE stumbled badly at the start unseating jockey Russell Baze. The inquiry sign was posted and after review the race was made official. Although Baze was thrown dramatically, no interference occurred and Baze walked away appearing just slightly shaken.

07-18-09⁷ **DECLARATIONS – REFUNDS**

1 st race:	#4 MICANFLY	(Tr. Jesse Godinez)	sick
	Fitness Veterinarian Don Dooley		REFUND: \$ 81,00
2 nd race:	#6 BAR JF BOLD THUNDER	(Tr. Adan Garcia)	no rider
	Stewards		REFUND: \$ 339.00

4th race: #1 MAGIC TEXAN (Tr. Steve Miyadi) sick
 Fitness Veterinarian Don Dooley REFUND: \$ 99.00

With the above scratch out of the fourth race the field was reduced to four wagering interests and the additional show pool refund amounted to \$ 10,018.60.

5th race: #6 BENCHMARK'S BOUNTY (Tr. Keith Bennett) sick
 Fitness Veterinarian Don Dooley REFUND: \$ 237.00

10th race: #1 MOSROSA (Tr. Alex Sywak) lame gate
 Track Veterinarian Robert Connolly REFUND: \$12,453.00
 #2 EASTER CHEER (Tr. Susan Murphy) sick
 Fitness Veterinarian Don Dooley REFUND: \$ 447.00

11th race: #1 LADY DAWN (Tr. Armando Lage) sick
 Fitness Veterinarian Don Dooley REFUND: \$ 260.00

07-18-09⁸ **JOCKEY CHANGES**

7th race - Francisco Duran for Chad Schvaneveldt – sick

9th race - Francisco Duran for Chad Schvaneveldt – sick

07-18-09⁹ **ATTENDANCE & HANDLE**

ACF 4,821 \$ 450,677.50

NCOT 4,039 \$1,304,386.20

SCOT \$ 622,706.10

Out of State \$ 677,505.45

TOTAL 8,860 \$3,055,275.25

Sunday

07-19-09¹ **RULING NO. 24 – LEON**

Jockey **ANISETE LEON**, who was scheduled to ride THE SAM MAN in the second race on July 16, 2009 and SHOTGUNN WILLIE in the first race and DR. BUSCH in the sixth race on July 17, 2009, is hereby fined the sum of one hundred dollars (\$100.00) for violations of California Horse Racing Board rule #1872 (Failure to Fulfill Jockey Agreement) causing late rider changes.

The above ruling was issued after Leon failed to return from a visit to his home. Word is he may not come back.

07-19-09² **RULING NO. 25 – CASTILLO**

Jockey **PABLO CASTILLO**, who was scheduled to ride BAR JF BOLD THUNDER in the second race at the Alameda County Fair (Pleasanton) on Saturday, July 18, 2009, is hereby fined the sum of two hundred dollars (\$200.00) for violation of California Horse Racing Board rule #1683 (Maximum Overweight) causing a late declaration.

The above ruling was issued after Castillo appeared and accepted the penalty. Castillo has stopped accepting mounts until he can get his weight under control.

07-19-09³ **RULING NO. 26 – DIXON** (Refer 7-17-09²)

Groom **JAMES EDWARD DIXON** is hereby suspended forty-five (45) days, July 25, 2009 through September 7, 2009, for violation of California Horse Racing Board rules #1485 (d) (License Subject to Conditions and Agreements) and #1874 (2, 4) (Disorderly Conduct – using Threatening and abusive language).

As a condition of probation, Mr. Dixon must abide by the terms and conditions of a testing agreement with the California Horse Racing Board through the term of his license which is 03-2010.

During the term of suspension, all licenses and license privileges of JAMES EDWARD DIXON are suspended and pursuant to California Horse racing Board rule #1528 (Jurisdiction of Stewards), subject is denied access to all premises in this jurisdiction.

The above ruling was issued after due deliberation over Friday's hearing. Mr. Dixon stated he would comply with any ruling issued and wanted to get clean. Hopefully the Winners Foundation will help him in his pursuit.

- 07-19-09⁴ **INQUIRY – DISQUALIFICATION – Second Race – 350 yard Quarter Horse**
The stewards posted the inquiry sign to review this 350 yard maiden race which had a bounty of activity. After talking to riders and reviewing the race thoroughly, the stewards determined the only significant interference was caused by #6 THE SPECIAL SIDE (Olivo Maldonado) who finished seventh. #6 bumped #5 BEDUINOS JOY (Alfredo Miranda) repeatedly, virtually eliminating him from the race. #6 was disqualified and placed ninth behind #5 for the interference.
- 07-19-09⁵ **INQUIRY / OBJECTION – No Change – REFUND – Third Race**
The stewards posted the inquiry to review the start of this six furlong event concerning #6 U. C. MERCED TWO (David Flores). #6 managed to get its nose lodged in the stall door as the field was dispatched. The stewards felt that #6 was not afforded a "fair start" and ordered him declared a non-starter with all wagers refunded. Prior to the refund being ordered, the announcer and TV department by order told the public to "hold all tickets". The refund amounted to \$16,302.44.
- In a separate incident jockey Julio Garcia, aboard #4 CAPE HATCHET, who finished 5th, lodged a claim of foul against third place finisher #5 DON ELIAS M. and jockey Catalino Martinez for alleged interference entering the stretch. While tight quarters existed momentarily, the stewards could not detect any interference and no change was ordered.
- 07-19-09⁶ **ACCIDENT AFTER 8th RACE**
#10 SWISS CHARMER stumbled, unseating apprentice jockey Reed Saldana while pulling up follow the eighth race. Saldana was contacted in the room and stated, "I'm alright. The horse just got tired and stumbled." A report will be attached.
- 07-19-09⁷ **UNUSUAL PROGRAM SCRATCHES**
The first race for mules was reduced to five entries when two jockeys were unable to participate and no replacements could be found. #3 MISS DEPREE's jockey, James Wooten, was reported ill by Track Physician Peter Wong. Jockey Pablo Castillo was scheduled to ride #5 LACEY NELSON but cannot make weight. The racing office was notified to have mule trainers reminded to secure a rider before entering. The list of jockeys who will ride mules is getting thin.
- In the twelfth race, #3 DIAMONDSFOREVER failed to be on the grounds twenty-four hours ahead of time. Owner Adolfo Rivera was bringing the horse in from a ranch in Stockton to trainer **Francisco Chavez** and missed the deadline. (More to come)
- 07-19-09⁸ **DECLARATIONS – REFUNDS**
- | | | | |
|-----------------------|-----------------|--------------------|-------------------|
| 1 st race: | #3 MISS DEPREE | (Tr. Ron White) | no rider |
| | Stewards | | REFUND: \$ 397.00 |
| | #5 LACEY NELSON | (Tr. Susan Andrus) | no rider |
| | Stewards | | REFUND: \$ 208.00 |

6th race: #6 A BUZZINTHEKNIGHT (Tr. Justin Treasure) sick
 Fitness Veterinarian Don Dooley REFUND: \$ 337.20

12th race: #3 DIAMONDSFOREVER (Tr. Francisco Chavez) late arrival
 Stewards REFUND: \$ 205.50

07-19-09⁹ **ATTENDANCE & HANDLE**

ACF	4,052	\$ 475,071.80
NCOT	3,729	\$1,217,019.60
SCOT		\$ 687,424.40
Out of State		\$ 774,000.73
TOTAL	7,781	\$3,153,516.53

W E E K L Y S U M M A R Y

ATTENDANCE REPORT - The full Board of Stewards was in session each racing day during this reporting period for both morning business and the afternoon racing program.

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
15-Jul	7	2	ROARING SPRINGS	Elordi	lame at gate	Connolly	\$10,118.03
	8	7	CRAZY THINKING	Ordonez	injured	Dooley	\$1,726.24
16-Jul	1	3	SIS-Q-LIZZIE	Thomas	injured	Dooley	\$16.00
	3	1	RAVE RAVE RAVE	Amescua	sick	Dooley	\$152.00
	4	3	BLUE SUEDE HOOVES	Amescua	sick	Dooley	\$219.00
	7	3	CASH LAKE	Roberson	sick	Dooley	\$10.50
	8	5	COOL YOUR JETS	Martin	sick	Dooley	\$380.30
		9	LENNY G	Larson	sick	Dooley	\$130.00
	9	7	CHROMETICS	Davis	injured	Dooley	\$108.00
		10	DRAGON RISING	Haley	sick	Dooley	\$255.90
17-Jul	4	4	SUPER PLAN	Sherman	injured	Dooley	\$375.00
	6	7	YORKVILLE KID	Ordonez	injured	Dooley	\$303.90
18-Jul	1	4	MICANFLY	Godinez	sick	Dooley	\$81.00
	4	1	MAGIC TEXAN	Miyadi	sick	Dooley	\$99.00
	5	6	BENCHMARK'S BOUNTY	Bennett	sick	Dooley	\$237.00
	10	1	MOSROSA	Sywak	lame at gate	Connolly	\$12,453.00
		2	EASTER CHEER	Murphy	sick	Dooley	\$447.00
	11	1	LADY DAWN	Lage	sick	Dooley	\$260.00
19-Jul	6	6	A BUZZINTHEKNIGHT	Treasure	sick	Dooley	\$337.20

VETERINARY REPORT

Euthanized / Died

07-15-09 Light In Motion (Tr. Efrain Miranda) Hypermetric, startles easily, loss of balance

Veterinarian's List

There were twenty-six (26) horses placed on the vet's list:

Sick: 14
 Injured: 4
 Unsound: 8
 Bled: 0

There were sixteen (16) horses removed from the vet's list:

Sick: 9
 Injured: 4
 Unsound: 1
 Medication: 1
 Exhaustion: 1

Shockwave Therapy: There weren't any shockwave therapy treatments reported.

WEEKLY ATTENDANCE & HANDLE SUMMARY FOR SATELLITE FACILITIES

Anderson	112	\$24,687.50
Bakersfield	384	\$99,240.30
Eureka	60	\$36,602.50
Fresno	367	\$92,532.20
Fresno One Club	121	\$53,723.60
Golden Gate Fields	3666	\$1,204,854.10
Monterey	352	\$104,913.90
Sacramento	1326	\$423,081.10
San Mateo	3554	\$1,261,889.20
San Jose	1935	\$436,519.00
Santa Rosa	781	\$175,728.50
Stockton	987	\$293,116.90
Tulare	216	\$59,322.70
Turlock	488	\$145,842.50
Vallejo	878	\$240,800.60
So. California		\$2,135,654.50
Out of State		\$3,336,438.56

WEEKLY SUMMARY

	7/15	7/16	7/17	7/18	7/19	Week	Meet
ACCIDENTS	0	0	0	1	1	2	3
CAL-BRED RACES	0	0	0	0	1	1	4
CLAIMS	3	2	6	2	3	16	28
DISQUALIFICATIONS	0	0	1	0	1	2	7
INQUIRIES/OBJECTIONS	0	0	1	1	2	4	15
REFUNDS	2	8	2	7	5	24	62
RULINGS	2	1	2	3	3	11	26

Respectfully submitted,

Will Meyers, Steward

Darrel McHargue, Steward

Grant Baker, Steward