

CALIFORNIA HORSE RACING BOARD
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SACRAMENTO HARNESS ASSOCIATION

TO THE CALIFORNIA HORSE RACING BOARD
HONORABLE ARNOLD SCHWARZENEGGER, GOVERNOR

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HON: JOHN C. HARRIS, VICE CHAIRMAN
HON: JOHN AMERMAN, MEMBER
HON: JOHN ANDREINI, MEMBER
HON: JESSE H. CHOPER, MEMBER
HON: MARIE G. MORETTI, MEMBER
HON: JERRY MOSS, MEMBER
INGRID J. FERMIN, EXECUTIVE DIRECTOR
RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR

Proceedings of the Board of Stewards for the period of Monday, July 09, 2007 through Sunday, July 15 2007. Steward Paul Nicolo was the Reporting and Duty Steward for the enclosed period.

Monday

07/09/07 (1) **Dark Day**

Tuesday

07/10/07 (1) **Double Draw**

The racing office was open and accepting entries for Friday July 6th and Saturday July 7th. A total of twelve (12) races were drawn for Friday. There are ninety-one (91) horses scheduled to start.

Six (6) races were drawn for the July 7th card. The racing office plans to draw seven (7) additional races on Thursday to complete Saturday's card.

07/10/07 (2) **Dark Day**

Wednesday

07/11/07 (1) **Qualifying Races**

Entries for qualifying races were being accepted in the racing office this morning. A total of thirty two (32) horses were entered in six (6) races.

- 07/11/07 (2) **Scratches/Changes**
One (1) injury scratch and one (1) driver change took place at the 9:00 a.m. deadline.
- 07/11/07 (3) **Steward Substitute**
Grant Baker filled in this afternoon/evening for Paul Nicolo.
- 07/11/07 (4) **Qualifying Results**
Six (6) qualifying races starting at 4:00 p.m. were run this afternoon. Of the thirty two (32) horses trying to qualify, twenty four (24) made the grade.
- 07/11/07 (5) **Program Changes**
4th Race Declaration - #6 "My Promise" – Trainer Matias Ruiz
Refund: \$0 Stewards – Ineligible/Trainer Suspended
7th Race Declaration - #3 "West Nile Skeeter" – Trainer Tricia McConnell
Refund: \$6 Injured – Robert Goodbary, D.V.M.
11th Race #6 "Oriole Angus" – Trainer Chris Bainter
Refund: \$0 Sick – Henry Cook, D.V.M.
- 07/11/07 (6) **Tim Maier Ruling**

Ruling # 134

Driver Tim Maier, who drove "Nad N" in the Eleventh Race on Saturday July 7, 2007, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Driving with Foot out of Stirrup).

The above ruling was issued after Tim spoke with the stewards and had no legitimate excuse.

- 07/11/07 (7) **First Race – Inquiry/No Change**
The inquiry sign was posted for a possible breaking violation of the breaking rule involving #1 "Pedal On The Right" (Lou Pena). The films show #1 break after the 1/2 pole and Driver Lou Pena immediately take a hold and lose ground, thus complying with the breaking rule. No change was warranted and the race was declared official.
- 07/11/07 (8) **Eighth Race – Inquiry/No Change**
The inquiry sign was posted following the running of the eighth race for a possible breaking violation. A review of the tape confirmed that #10 "My Trying Ryan" (Rick Plano) complied with the breaking rule and no change was warranted and the race was declared official.

07/11/07 (9) **Tenth Race – Inquiry/Disqualification**

The stewards posted an inquiry for an incident involving third (3rd) place finisher #1 “Mic Mac Sam” (Gilbert Herrera). The films show, while lacking room on the inside, Mr. Herrera drove inside the pylons in mid stretch. The stewards ruled that for driving in such a manner as to obtain an unfair advantage, #2 “Mic Mac Sam” was disqualified from third (3rd) and placed last.

Original order of finish: 4-3-2-5-6-7-8-9-1

Official order of finish: 4-3-5-6-7-8-9-1-2

07/11/07 (10) **Chi-Cal Wager Problem**

Upon completion of the evening program at Cal Expo the stewards were informed that there was a problem with the calculating of the payout on this special wager. Since the calculations are made at Hawthorne Racecourse in Chicago, California’s officials had no control over the situation.

Further inquiry revealed that the problem stemmed from a communication problem between the computers at Hollywood Park and the computers at Hawthorne Racecourse in Chicago.

Approximately 2 hours after the conclusion of the program at Cal-Expo the stewards were informed that the problem had been corrected and the payouts calculated.

The stewards at Cal-Expo were further advised that the problem had been isolated and corrected and we should not expect a reoccurrence of the problem. Letter from Director of Mutuels attached.

07/11/07 (11) **Attendance and Handle**

Attendance	195
Live Handle (On Track)	\$42,687.30
Handle (In State)	\$307,373.00
Handle (Out of State)	<u>\$171,066.00</u>
Total Handle	\$521,126.30

Thursday07/12/07 (1) **Entries**

The seven (7) races needed to fill Saturday’s card were drawn and completed by 12:00 p.m.

07/12/07 (2) **Koenig Hearing – Gregg Feller, Katheren Jacobs**

The financial hearing concerning a complaint filed against Owner Donald Koenig was not heard as scheduled when Mr. Koenig failed to show. Gregg Feller and Katheren Jacobs, representing the plaintiff Loomis Basin Equine Medical Center, were informed that our only recourse at this time would be to issue a ruling against Mr. Koenig for failure to appear. Ruling pending.

07/12/07 (3) **Trainers Test**

Groom Brian Marchand was given the written examination for a trainer license. Brian's score of 77% failed to constitute a passing grade. He was informed he would be eligible to retake the exam following a one month waiting period.

07/12/07 (4) **Starter/Outrider Meeting**

Starter Bill Vallandingham and Outrider Billy Don Wainscott met with the stewards to discuss the procedure concerning horses that are in need of the outrider's assistance before the start. This matter became an issue after a horse refused in Saturday's tenth race.

We all agreed the best to avoid potential problems concerning the start was once the start call and the arms of the gate begin to unfold, all assistance shall cease and Billy Don should distance himself from the field immediately.

07/12/07 (5) **Program Change**

7th Race Declaration - #5 "Beelzebabe" – Trainer Bob Johnson

Refund: \$1 Stewards – Ineligible

10th Race Declaration - #2 "Buzz Arnbro" – Trainer Tom Buffamonte

Refund: \$13 Stewards – Ineligible

07/12/07 (6) **Robert Johnson Rulings****Ruling # 135**

Trainer Robert Johnson, who started "Claudius Augustus" in the Third Race on April 13, 2007, at Cal-Expo, is hereby fined the sum of Three Hundred (\$300) Dollars pursuant to California Horse Racing Board Rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board Rule #1843 (D) (Medications, Drugs and Other Substances – More Than One Approved Non-Steroidal Drug-Phenylbutazone and Ketoprofen).

Ruling # 136

Trainer Robert Johnson, who started "Claudius Augustus" in the Third Race on April 13, 2007, at Sacramento Harness Association, Cal-Expo, is Hereby Fined the sum of Three Hundred (\$300) Dollars Pursuant to California Horse Racing Board Rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board Rule #1843 (D) (Medications, Drugs and Other Substances – "Ketoprofen" 160 Ng/ml in Excess of Permitted Level [Class VI]).

The above rulings were issued following the signing of a waiver of hearing.

07/12/07 (7) **Michael Hickey Rulings****Ruling # 137**

Owner Michael Hickey, having now appeared before a Board of Stewards to answer charges of 1489 (C) (Material Misrepresentation), is hereby restored to good standing. Ruling #21 issued January 28, 2006 at Sacramento Harness Association is hereby set aside.

Ruling # 138

Owner Michael Hickey is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1489 (C) (Material Misrepresentation – License Application).

Following a meeting with the stewards and California Horse Racing Board Investigator Martin Snezek, the above rulings were issued.

07/12/07 (8) **Gilbert Garcia-Herrera Ruling****Ruling # 139**

Driver Gilbert Garcia-Herrera, who drove “Mic Mac Sam” in the Tenth Race on Wednesday July 11, 2007, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (K) (Driving Rules – Careless Driving – Raced Inside Pylon in Order to Pass a Competitor in the Stretch Resulting in a Disqualification – Unfair Advantage).

After speaking with Mr. Herrera, following the disqualification of his horse in Wednesday’s tenth race, the above ruling was issued.

07/12/07 (9) **Eleventh Race – Inquiry/Disqualification**

An inquiry concerning a breaking violation resulted in a disqualification of second (2nd) place finisher #4 “Steady As A Rock” (David Siegel).

The replays show #4 break stride coming to the wire. At the finish, #1, #7 and #5 were all lapped on #4. In a unanimous decision #4 was disqualified from second (2nd) and placed fifth (5th).

Original order of finish: 2-4-1-7-5-3-8-6

Official order of finish: 2-1-7-5-4-3-8-6

07/12/07 (10) **Attendance and Handle**

Attendance	338
Live Handle (On Track)	\$34,434.90
Handle (In State)	\$358,618.80
Handle (Out of State)	<u>\$193,559.50</u>
Total Handle	\$586,613.20

Friday**07/13/07 (1) Clarke Hearing –Case #'s 07SW0033 – 07SW0039 – 07SW0040
07SW0041 – 07SW0042 – 07SW0047**

A formal hearing was held today concerning six complaints filed against Edgar Clarke for violation of California Horse Racing Board Rules 1663 (B) and 1902. Senior California Horse Racing Board Investigator Greg Fabbri presented the case which was recorded by Ester Schwartz of Capitol Reporters.

Edgar Clarke was represented by Attorney Carlo Fisco. Will Meyers presided over the hearing.

The violations in this case stem from two horses, “Hanover County”, claimed on January 06, 2007 and “Goahedandlietome”, claimed on January 04, 2007. Neither horse is eligible to run in any races out of the State of California, other than stake races before September 28, 2007, according to California Horse Racing Board Rule #1663 (B).

With documentary and testimonial evidence entered, the matter was taken under submission with a decision to follow.

07/13/07 (2) Donald Koenig Ruling**Ruling # 140**

Trainer Donald Koenig, is hereby Suspended pending an appearance before a Board of Stewards for violation of California Horse Racing Board Rule #1547 (Failure to Appear) as ordered in Complaint 07SW-0050 to answer charges of alleged violation of California Horse Racing Board Rule #1876 (Financial Responsibility).

The above ruling was issued when Mr. Koenig failed to appear for his scheduled hearing.

07/13/07 (3) Film Review

Driver Lou Pena came in at the behest of David Siegel to represent him in an informal hearing with the stewards. The film of the race show Mr. Siegel swerve in and out in deep stretch. He brushed the #3 horse and caused the drivers of the #6 and #5 to steady. Ruling pending.

07/13/07 (4) Program Changes

7 th Race Declaration - #6 “Hot Toddy” – Trainer Bob Johnson	
Refund: \$0	Injured – Robert Goodbary, D.V.M.
11 th Race Declaration - #4 “Mighty Killian” – Trainer Lou Pena	
Refund: \$0	Injured – Robert Goodbary, D.V.M.

07/13/07 (5) **Twelfth Race – Inquiry/Disqualification**

In the twelfth race, second (2nd) place finisher #4 “Beast Coast” was disqualified and placed ninth (9th) and last. The tapes of the race show #4 break stride before the quarter, and while taking hold and complying with the breaking rule, caused #5 “This Old Maid” to steady and go offstride.

Original order of finish: 1-4-8-2-3-6-9-7-5

Official order of finish: 1-8-2-3-6-9-7-5-4

07/13/07 (6) **Attendance and Handle**

Attendance	608
Live Handle (On Track)	\$56,447.10
Handle (In State)	\$497,395.80
Handle (Out of State)	\$304,341.45
Total Handle	\$858,184.35

Saturday07/14/07 (1) **Entries/Double Draw**

The racing office was open and accepting entries for Wednesday and Thursday’s cards.

Wednesday’s card consists of eleven (11) races with seventy (70) horses competing. Thursday’s card will see sixty-eight (68) head in ten (10) races.

07/14/07 (2) **Tim Maier Ruling****Ruling # 141**

Driver Tim Maier, who drove “Shock Broker” in the Seventh Race on Friday July 13, 2007, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Driving with Foot out of Stirrup).

The above ruling was issued following a conversation with the stewards after Friday’s seventh race in which Tim offered no excuse.

07/14/07 (3) **David Siegel Ruling**

The following ruling was issued after the stewards reviewed the race with Lou Pena, who represents Mr. Siegel, before the stewards:

Ruling # 142

Driver David Siegel, who drove “Steady As A Rock” in the Eleventh Race on Thursday, July 12, 2007, is hereby Suspended Two (2)* Racing Days Friday July 20, 2007 and Saturday, July 21, 2007 for violation of California Horse Racing Board Rule #1721 (D) (K) (Driving Rules – Swerving In and Out – Reckless Driving).

- 07/14/07 (4) **Scratch Time**
 Scratch time for Wednesday and Thursday was at 8:00 a.m. and consisted of nine (9) driver changes on Wednesday and five (5) driver changes on Thursday.
- 07/14/07 (5) **Seventh Race – Inquiry/No Change**
 The inquiry sign was posted for an incident involving second (2nd) place finisher #1 “Red Star Sugar Gal” (Robley Johnson). Though it was tight, the films confirmed #1 had sufficient room to get out from behind the tiring leader. No change was warranted and the race was declared official.
- 07/14/07 (6) **Twelfth Race – Inquiry/Disqualification**
 In the twelfth race #4 “Prospect Speed” (Rick Plano) was disqualified from sixth (6th) and placed seventh (7th) for causing interference while on a break.
- 07/14/07 (7) **Attendance and Handle**
- | | |
|------------------------|---------------------|
| Attendance | 893 |
| Live Handle (On Track) | \$79,153.30 |
| Handle (In State) | \$655,703.80 |
| Handle (Out of State) | <u>\$324,086.25</u> |
| Total Handle | \$1,058,943.35 |

RULINGS ISSUED THIS WEEK

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Dear Cal Expo Stewards:

Chi-Cal pick 4 July 11, 2007

Problems existed pricing the Chi-Cal pick 4 on 07/11/2007. After numerous conversations and E-mails with our Tote Operators and Scientific Games at the Data Center in Sacramento, CA it appears that the main problem was at Hollywood when the program they entered for Hawthorne was incorrect.

The Chi-Cal was entered late at Hollywood and by default Win pools are added whenever a race is added. I believe these runners are then to be scratched, which wasn't done. After Hawthorne's 11th race was official the Data Center began requesting Leg 3 Pick 4 scans. At this time there were only a couple of minutes remaining to Cal Expo's next race and the Data Center was not receiving the Pool Scans from the Bay Meadows Hub. Bay Meadows Hub was called and they were waiting on Hollywood to send their scan, which is a double hop into the Data Center.

The Data Center then called Hollywood and worked with them to get the scan across. With the pool being close to Guarantee and Hollywood thinking that they had winning dollars we didn't want to throw Hollywood out of the Pool.

The Data Center had to work with Bay Meadows and Hollywood to make sure the scans were correct. This took time because of the double hop. The Data Center had to rely on Bay Meadows to breakout the Hollywood scan.

I apologize for the long delay and inconveniences to your customers in pricing the Pick 4 wager, at the same time I am assured the Pick 4 was finally priced correctly.

If I can answer any other questions or concerns you have, please call.

John Demy,

Hawthorne Race Course
Director of Mutuels

CALIFORNIA HORSE RACING BOARD

SUMMARY

2007

	Mon 07/09	Tues 07/10	Wed 07/11	Thurs 07/12	Fri 07/13	Sat 07/14	Total Week	Total Meet
Accidents	D	D	0	0	0	0	0	2
Cal-Bred Races	A	A	0	0	0	0	0	14
Claims	R	R	0	1	0	2	3	149
Disqualification's	K	K	1	1	1	1	4	73
Inquiries	D	D	3	1	1	2	7	129
Refunds	A	A	3	2	2	0	7	293
Rulings	Y	Y	1	5	1	2	9	142

Stewards Attendance: Stewards Nicolo, Meyers and Oke were in attendance.

All drivers submitted to a breathalyzer test.

Paul Nicolo, Steward

Will Meyers, Steward

Michael W. "Wayne" Oke, Steward

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

ATTENDANCE REPORT -

The full Board of Stewards was in session each 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
11-Jul	7	3	WEST NILE SKEETER	MCCONNELL	Injured	Goodbary	\$6.00
	11	6	ORIOLE ANGUS	BANTER	Sick	Cook	\$0.00
13-Jul	7	6	HOT TODDY	JOHNSON	Injured	Goodbary	\$0.00
	11	4	MIGHTY KILLEAN	PENA	Injured	Goodbary	\$0.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	11,302.20
Bay Meadows	\$	91,682.90
Eureka	\$	-
Fresno	\$	5,447.30
Fresno Club One	\$	3,459.50
Golden Gate	\$	68,842.80
Monterey	\$	15,829.60
Pleasanton	\$	42,747.00
Sacramento	\$	170,027.00
San Jose	\$	58,691.50
Santa Rosa	\$	11,980.60
Stockton	\$	28,880.80
Tulare	\$	1,659.10
Turlock	\$	1,661.00
Vallejo	\$	-
Racing Fairs	\$	27,484.10
So. California	\$	162,653.90
Out of State	\$	993,053.20