

CALIFORNIA HORSE RACING BOARD
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SACRAMENTO HARNESS ASSOCIATION

TO THE CALIFORNIA HORSE RACING BOARD
HONORABLE ARNOLD SCHWARZENEGGER, GOVERNOR

HON: RICHARD B. SHAPIRO, CHAIRMAN
HON: JOHN C. HARRIS, VICE CHAIRMAN
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RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR

Proceedings of the Board of Stewards for the period of Monday, September 24, 2007 through Sunday, September 30, 2007. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

09/24/07 (1) **Dark Day**

Tuesday

09/25/07 (1) **Entries for Friday September 28th**

One (1) non-wagering and fourteen (14) pari-mutuel races were drawn today for Friday September 28th.

A non-wagering event will commence at 5:00 p.m. One hundred fourteen (114) horses are slated to start in the evening's pari-mutuel card.

09/25/07 (2) **Dark Day**

Wednesday

09/26/07 (1) **Racing Office Open**

Scratch time for Friday September 28th, was held at 9:00 a.m. in the racing office. One (1) scratch and two (2) driver changes took place before the deadline.

Entries were accepted in the racing office for Saturday September 29th. Fourteen (14) races were drawn. One hundred two (102) horses are scheduled to go postward.

09/26/07 (2) **Dark Day**

Thursday

09/27/07 (1) **Scratch Time**

The racing office was open this morning in order to conduct scratch time for Saturday September 28th and accept entries for qualifying races held this evening.

One (1) scratch and five (5) driver changes were submitted by the 9:00 a.m. deadline.

09/27/07 (2) **Qualifying Races**

Five (5) qualifying races were held this afternoon prior to the evening's twelve (12) pari-mutuel races. Of the twenty nine (29) participants twenty (20) made the grade.

09/27/07 (3) **Ed Hensley Ruling**

Driver Ed Hensley survived a Stewards' Inquiry Saturday September 22nd in the twelfth race. This inquiry revolved around Hensley's charge, #3 "Tag N Win" racing inside a pylon on the final turn. The Stewards placed the blame in this matter on 'driver error'. Driver Hensley accepted the following sanction:

Ruling # 38

Driver Ed Hensley, who drove "Tag N Win" in the Twelfth Race on Saturday September 22, 2007, is hereby fined the sum of One Hundred Dollars (\$100) for violation of California Horse Racing Board Rule #1721 (K) (Driving Rules – Careless Driving – Raced Inside Pylon – in the Final Turn).

09/27/07 (4) **David Siegel Ruling**

Driver/Trainer Lou Pena was deputized by Driver David Siegel to appear before the Stewards regarding a misuse of the whip on Saturday, September 22nd. Driver Siegel tends to use his whip flamboyantly by raising it upward, under his race bike's shaft.

The Stewards do not condone this type of whipping here at Cal Expo. The following ruling was issued:

Ruling #37

Driver David Siegel, who drove "Look Left N" in the First Race on September 22, 2007, at Cal Expo, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1734) (Whipping – Unreasonable Use – Under Tail).

09/27/07 (5) **Sixth Race – Inquiry/Disqualification**

The Stewards posted the inquiry sign after viewing sixth place finisher #6 “Mic Mac Sam” (Rocky Stidham) break stride twice while racing in the homestretch.

In the unanimous opinion of the Stewards, Driver Stidham failed to comply with California Horse Racing Board Rule #1722 (Breaking). At no point in the stretch did “Mic Mac Sam” ‘lose ground’. Due to this, #6 “Mic Mac Sam” was disqualified and placed ninth (last).

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

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

09/27/07 (6) **Eighth Race – Inquiry/Disqualification**

In this race the Stewards unanimously voted to make a ‘minor’ placing. Ninth (9th) place finisher #4 “Buzz Arnbro” (Etienne Desomer) was disqualified and placed tenth (last) for racing inside three (3) pylons on the final turn. Driver Desomer was ordered to contact the stewards.

Original order of finish: 10-3-7-5-9-2-6-8-4-1

Official order of finish: 10-3-7-5-9-2-6-8-1-4

09/27/07 (7) **Official Change**

Track Veterinarian Henry Cook is off this week for personal reasons. Joseph Sigfried, D.V.M. is his replacement.

09/27/07 (8) **Program Changes**

3rd Race Declaration - #5 “Well Matched” – Trainer Ed Hensley

Refund: \$1 Injured – Robert Goodbary, D.V.M.

5th Race Declaration - #8 “Dokey’s Tees” – Trainer Rick Plano

Refund: \$5 Injured – Joseph Sigfried, D.V.M.

8th Race – #5 “Cam Diaz” -Ownership should read Frank Petrelli
and Owen Eiler, Jr., Philadelphia, PA

11th Race Declaration - #3 “Gee Gee Whiz” – Trainer Ken Kakugawa

Refund: \$48 Wife ill- Stewards

11th Race – #2 “Arizona Cactus” - Ownership should read Owen Eiler, Jr.
Philadelphia, PA

09/27/07 (9) **Attendance and Handle**

Attendance	228
Live Handle (On Track)	\$37,493
Handle (In State)	\$363,957
Handle (Out of State)	<u>\$220,144</u>
Total Handle	\$621,594

Friday

09/28/07 (1)

Victoria Colby Hearing (Case No. 07SW-0068)

Photo Finish Operator (Plusmic USA) Vickie Colby appeared in the Stewards' Office to address California Horse Racing Board Rule Violation #1530 (Cases Not Covered by Rules and Regulations).

This case involved Ms. Colby not being present to serve as photo finish operator for the 'qualifying races' on the afternoon of September 7, 2007. The last complaint involving tardiness filed against her, was done so fourteen (14) months ago.

This hearing was chaired by Steward Will Meyers. The complaint was presented by Senior Special Investigator Martin Snezek. Esther Swartz (Capitol Reporters) transcribed the hearing. Ms. Colby stated that the week ending September 9, 2007, was a 'short week' (two (2) day race week). She said qualifying races were normally held on Wednesday or Thursday evenings. Ms. Colby further stated it was her impression that the 'Racing Office' was responsible for contacting her when any post time change took place. That was indeed determined to be the case.

This case was ultimately dismissed by the Stewards. The Stewards informed Ms. Colby no one, other than herself, will be responsible for workplace attendance in the future.

09/28/07 (2)

Stanley Swyers Complaint (Case No. 07SW-0073)

A formal hearing was scheduled for Winners Circle Photographer Stanley Swyers this afternoon. Mr. Swyers was charged with alleged violation of California Horse Racing Board Rule Violation #1489 (Grounds for Denial or Refusal of License). Senior Special Investigator Martin Snezek presented the case.

Mr. Swyers was arrested by State Fair Police at Cal Expo for possession of marijuana and narcotic paraphernalia. This took place in the corporation yard area of Cal Expo on July 26, 2007.

When the hearing started, Swyers was asked 'Questions for Licensees not Represented by Counsel at a Hearing before the Board of Stewards'. Midway through the questions, Swyers stated he wished to obtain an attorney. At this point the Stewards immediately took a recess. After brief conference, and agreement by Swyers, the hearing was continued until November 9th at 3:00 p.m. This will give him time to obtain counsel.

09/28/07 (3) **Lauren Veon Stipulation Agreement (Case #07SW-0048)**

Trainer Lauren Veon appeared in the Stewards' Office to address Case No. 07SW-0048 in front of the Stewards and Court Reporter (Esther Swartz – Capitol Reporters).

A 'Stipulated Agreement' and mutual release was agreed to between the California Horse Racing Board and Trainer Lauren Veon. All parties signed this agreement on September 26, 2007. This case was regarding the presence of the drug "Hydroxypropranolol" (Class 3); whose presence was found in the Veon trained "Roughing the Passer" on May 30, 2007 at Cal Expo. The sanctions agreed to by Trainer Veon and the California Horse Racing Board were discussed and transcribed. The Stewards will issue these agreed to penalties in ruling form tomorrow.

09/28/07 (4) **Carl Sobey Complaints (Case No.'s 07SW-0071 & 07SW-0072)**

Due to time constraints this afternoon two (2) complaints filed against Horse Identifier Carl Sobey were postponed. These complaints will now be heard on October 19, 2007 at 3:30 p.m.

09/28/07 (5) **Etienne Desomer Ruling**

Ruling # 39

Driver Etienne Desomer, who drove "Buzz Arnbro" in the Eighth Race on Thursday September 27, 2007, is hereby fined the sum of One Hundred Dollars (\$100) for violation of California Horse Racing Board Rule #1721 (K) (Driving Rules – Careless Driving – Raced Inside Multiple Pylons Past the 3/4 Pole Resulting in a Disqualification – Unfair Advantage).

The ruling above was issued and agreed to by Driver Etienne Desomer after he was contacted by telephone.

09/28/07 (6) **California Sires Stake – Inquiry**

This Sires Stake race was a non-wagering event held at 5:00 p.m. There were two (2) reasons for an inquiry in this race. A) The Stewards wanted to investigate if third place finisher #1A "Enscribe" (Steve Desomer) complied with the 'breaking rule' after making two (2) breaks in the race.

B) Did first (1st) place finisher #2 "Smooth Jazz" (Tim Maier) interfere with second (2nd) place finisher #4 "Letter of Intent" (Bruce Clarke) while ducking in sharply mid-stretch?

In both instances the Stewards unanimously ruled that neither event warranted a change in the order of finish.

09/28/07 (7) **Fourth Race – Inquiry**

The Stewards posted the inquiry sign after viewing #8 “Kellie’s Liberty” (Richard Bertrand) appear to ‘force a hole’ just past the 1/4 pole. This event took place in front of sixth (6th) place finisher #1 “Mygiveadamnsbusted” (Steve Wiseman).

The Stewards reviewed all film angles and spoke with drivers involved. After much discussion, the Stewards unanimously ruled to let the results stand. No change.

09/28/07 (8) **Eighth Race – Inquiry**

The Stewards put up the inquiry sign after watching three (3) horses scatter before the 1/2 mile pole. This incident was caused by tenth (last) place finisher #9 “Life’s Honor” (Ed Hensley) make a break at the 1/2 mile pole. #2 “Larry Horse” (Rick Plano) and #9 “PJ’s Rustler” were both impeded at this point, while veering out and losing ground.

The Stewards let the results of this race stand.

09/28/07 (9) **Twelfth Race – Inquiry**

The Stewards posted the inquiry sign after viewing #1 “Frank’s Magic” (Steve Wiseman) shift out in front of #1A “Class Hall” (Fern Paquet) at the 3/4 pole. #1A “Class Hall” made a break at this point but was rough gaited and unmanageable throughout. No change was made in the ‘order of finish’. Driver Steve Wiseman was ordered to film review.

09/28/07 (10) **Program Changes**

5th Race Declaration - #7 “Youngblood Hanover” – Trainer Chris Bainter
Refund: \$0 Injured – Robert Goodbary, D.V.M.

09/28/07 (11) **Attendance and Handle**

Attendance	441
Live Handle (On Track)	\$58,534
Handle (In State)	\$572,278
Handle (Out of State)	<u>\$367,944</u>
Total Handle	\$998,756

Saturday09/29/07 (1) **Double Draw**

The Racing Office was open today accepting entries for Wednesday, October 3rd and Thursday October 4th. Eleven (11) races filled for October 3rd. Eighty nine (89) horses are slated to start.

Ten (10) races are scheduled for Thursday, October 4th. Seventy seven (77) horses are scheduled to face Starter Bill Vallandingham.

09/29/07 (2) **Steve Wiseman Film Review [Ref. 09/28/07 (9)]**

Driver Steve Wiseman appeared to review his drive behind #1 “Frank’s Magic” in last night’s (September 28th) twelfth race. ‘Clearance’ was the main topic in this race as Wiseman shifted out in front of #1A “Class Hall” at the 3/4 pole.

Driver Wiseman was issued a warning in this matter as the actual amount of clearance at the point of the incident was debatable. Warning issued.

09/29/07 (3) **Jeff Cimini Film Review**

Provisional Driver Jeff Cimini appeared in the Stewards’ Office to review his drive in the ninth race on Friday, September 28th. Cimini drove seventh (7th) place finisher #5 “Mighty Midas” in this race. Driver Cimini rushed to the front in this race and caused ‘confusion’ when he slowed the pace down. This forced several rivals to take hold of their horses at this point. Mr. Cimini drives very rarely.

The Stewards told Mr. Cimini similar performances will lead to a Steward’s review of his Provisional Driver’s License.

09/29/07 (4) **Richard Bertrand Hearing (Case No. 07SW-0070)**

This case involved a race on June 9, 2007 in which Driver Richard Bertrand drove the second (2nd) place finisher “Rompaway Vincent”. Stewards Will Meyers, Wayne Oke and Paul Nicolo heard the case. California Horse Racing Board Investigator Keith Powell presented the complaint. Esther Swartz (Capitol Reporters) transcribed the proceedings. The complaint alleges violations of California Horse Racing Board Rule #1530 (Cases Not Covered), California Horse Racing Board Rule #1902 (Conduct Detrimental to Horse Racing) and California Horse Racing Board Rule #1721 (M) (Driving Rules). The complaint alleged Driver Bertrand failed to give his best efforts to win the aforementioned race by taking hold and stopping the momentum of his horse inside the 1/16th pole.

Race replays were reviewed. Driver Bertrand stated he “heard” his horse lose a shoe and that he was making a “snap business” decision in taking hold of his horse. Decision to follow.

09/29/07 (5) **Leon Veon Rulings (Case No. 07SW-0048)**

Ruling # 40

Trainer Lauren Veon, who started “Roughing The Passer” in the Second Race on May 30, 2007 at Sacramento Harness Association, Cal Expo and having entered into a signed stipulated agreement with the California Horse Racing Board, is hereby fined the sum of Fifteen Hundred Dollars (\$1500) and Suspended Fifteen (15) Days. The suspension will be stayed as long as Lauren Veon is not in violation of California Horse Racing Board Rules #1843, 1843.6 and 1887 regarding Class I, Class II or Class III substances for one (1) year from the imposition of this ruling. Furthermore, Trainer Lauren Veon is placed on probation for one (1) year from the date of this ruling under the terms and conditions of this ‘Stipulated Agreement’. “Roughing the Passer” Tested Positive For The Class III Drug 4-Hydroxypropranolol.

09/29/07 (5) Continued

Ruling # 41

Acting upon a stipulated agreement between the California Horse Racing Board and Trainer Lauren Veon, additionally acting upon a report from Maddy Laboratories At U.C. Davis, an official laboratory for the California Horse Racing Board, that the post race sample taken from the horse "Roughing The Passer", the first place finisher in the second race on May 30, 2007, at Cal-Expo, tested positive for the prohibited drug "Hydroxypropranolol" (Class 3), it is ordered that "Roughing the Passer" be disqualified from all purse monies earned in said race, in accordance with California Horse Racing Board Rule # 1859.5 (Disqualification upon Positive Test Finding).

It is further ordered that the owner of "Roughing the Passer" (Lauren E. Veon) return all purse monies to the paymaster of purses at Cal-Expo for redistribution in accordance with California Horse Racing Board Rule # 1760 (Purse Award or Prize to be Held).

REVISED ORDER OF FINISH

- 1ST "SOUTHWIND SIERRA"
- 2ND "GENERAL JAG"
- 3RD "AILENE'S PRINCE"
- 4TH "JUMPING JOY FLASH"
- 5TH "DUSTY DEAN"

All records shall be changed to reflect this ruling, in accordance with California Horse Racing Board Rule #1956 (Race Declared Official), this ruling shall not affect the pari-mutuel payoffs.

The rulings above were issued after a 'Settlement Agreement and Mutual Release' between Trainer Lauren Veon and the California Horse Racing Board were signed on September 26, 2007. Ruling #41 addresses the purse redistribution of the Veon trained "Roughing the Passer", who finished first (1st) in the second race May 30, 2007.

09/29/07 (6) **Luke Plano Ruling****Ruling # 42**

Driver Luke Plano, who drove "Jam And Jelly" in the Eleventh Race on Friday, September 28, 2007, is hereby fined the sum of Fifty Dollars (\$50) for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Late Leaving Paddock).

Driver Luke Plano accepted the penalty stated above after being late for the post parade in the eleventh race September 28th.

09/29/07 (7) **Official Change**

Steward Paul Nicolo filled in for Steward Grant Baker, who was off for personal reasons.

09/29/07 (8) **First Race – Driver Objection**

Driver Bruce Clarke (Fourth) place finisher, #2 “Stars and Sites”) lodged a Driver’s Objection against second place finisher #3 “Meringue” (Hans Rynningen) for alleged whip interference in the opening half mile.

Race replays were inconclusive as the Stewards were unable to definitely determine what caused #2 “Stars and Sites” to go on a break. No change.

09/29/07 (9) **Program Changes**

3rd Race Declaration - #1 “My Tryin Ryan” – Trainer Tom Wine II

Refund: \$0 Injured – Robert Goodbary, D.V.M.

11th Race Driver Change - #1 S. Wiseman for F. Petrelli (bad back)

12th Race Driver Change - #5 S. Wiseman for F. Petrelli (bad back)

13th Race Driver Change - #5 R. Plano for F. Petrelli (bad back)

09/29/07 (10) **Attendance and Handle**

Attendance	538
Live Handle (On Track)	\$62,013
Handle (In State)	\$530,805
Handle (Out of State)	<u>\$372,424</u>
Total Handle	\$965,242

RULINGS ISSUED THIS WEEK

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- 09/29/07 41 Acting upon a Stipulated Agreement between the California Horse Racing Board and Trainer Lauren Veon, additionally acting upon a report from Maddy Laboratories at U.C. Davis, an official laboratory for the California Horse Racing Board, that the post race sample taken from the horse “Roughing the Passer”, the first place finisher in the Second Race On May 30, 2007, at Cal-Expo, tested positive for the prohibited drug “Hydroxypropranolol” (Class 3), it is ordered that “Roughing the Passer” be disqualified from all purse monies earned in said race, in accordance with California Horse Racing Board Rule # 1859.5 (Disqualification upon a Positive Test Finding).

It is further ordered that the owner of “Roughing the Passer” (Lauren E. Veon) return all purse monies to the Paymaster of Purses at Cal-Expo for redistribution in accordance with California Horse Racing Board Rule # 1760 (Purse Award or Prize to be Held).

REVISED ORDER OF FINISH

- 1ST "SOUTHWIND SIERRA"
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All records shall be changed to reflect this ruling, in accordance with California Horse Racing Board Rule #1956 (Race Declared Official), this ruling shall not affect the pari-mutuel payoffs.

09/29/07 42 Driver Luke Plano, who drove "Jam and Jelly" in the Eleventh Race on Friday September 28, 2007, is hereby fined the sum of Fifty Dollars (\$50) for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Late Leaving Paddock).

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
27-Sep	3	5	WELL MATCHED	HENSLEY	Injured	Goodbary	\$1.00
	5	8	DOKEY'S TEES	PLANO	Injured	Sigfried	\$5.00
28-Sep	5	7	YOUNBLOOD HANOVER	BAINTER	Injured	Goodbary	\$0.00
29-Sep	3	1	MY TRYIN RYAN	WINE II	Injured	Goodbary	\$0.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	8,640.60
Bay Meadows	\$	116,400.40
Eureka	\$	-
Fresno	\$	5,731.60
Fresno Club One	\$	3,908.60
Golden Gate	\$	61,822.60
Monterey	\$	13,854.60
Pleasanton	\$	40,999.80
Sacramento	\$	131,975.80
San Jose	\$	54,332.00
Santa Rosa	\$	18,328.00
Stockton	\$	26,376.50
Tulare	\$	2,057.80
Turlock	\$	3,085.20
Vallejo	\$	25,564.90
Racing Fairs	\$	-
So. California	\$	-
Out of State	\$	960,511.83

SACRAMENTO HARNESS ASSOCIATION**SUMMARY****2007/2008**

	Mon 09/24	Tues 09/25	Wed 09/26	Thurs 09/27	Fri 09/28	Sat 09/29	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	1
Cal-Bred Races	A	A	A	0	0	0	0	9
Claims	R	R	R	8	2	0	10	36
Disqualification's	K	K	K	1	0	0	1	8

Inquiries	D	D	D	1	3	1	5	35
Refunds	A	A	A	3	1	1	5	59
Rulings	Y	Y	Y	2	1	3	6	42

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

All drivers submitted to a breathalyzer test.

Grant Baker, Steward

Will Meyers, Steward

Michael W. "Wayne" Oke