

CALIFORNIA HORSE RACING BOARD
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SACRAMENTO HARNESS ASSOCIATION

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Proceedings of the Board of Stewards for the period of Monday, January 07, 2008 through Sunday, January 13, 2008. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

01/07/08 (1) **Dark Day**

Tuesday

01/08/08 (1) **Entries for January 11th**

The racing office was open accepting entries for Friday January 11th, 2008. Ten (10) races filled. Seventy four (74) horses are scheduled to face Starter Bill Vallandingham.

01/08/08 (2) **Dark Day**

Wednesday

01/09/08 (1) **Scratch Time**

Scratch time was held this morning at 9:00 a.m. Assistant Racing Secretary Joe Nefsky oversaw the changes in the racing office.

01/09/08 (2) **Dark Day**

Thursday**01/10/08 (1) Scott Cisco Hearing (Case No. 07SW-0120)**

Trainer Scott Cisco appeared in the steward's office to address a high Flunixin (Banamine) reading with one of his horses. Along with the stewards present were California Horse Racing Board Senior Special Investigator Keith Powell and California Horse Racing Board Veterinarian Robert Goodbary.

This case involved the horse "Cladstownmpression", who finished first in the seventh race at Cal Expo December 6, 2007. Trainer Cisco stated he administered a Banamine paste to his horse, which he stated in retrospect was too close to post time. Trainer Cisco has a 'clean' medication ruling up to this point. He accepted the following penalty:

Ruling # 12

Trainer Scott Cisco, who started "Cladstownmpression" in the Seventh Race on December 06, 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 – "Flunixin" 75 ng/ml in Excess of Permitted Level [Class VI]).

01/10/08 (2) Track Downgraded

Inclement weather during the week led to the stewards downgrading the track to 'good'.

01/10/08 (3) Seventh Race – Inquiry

The stewards posted the inquiry immediately following this race after viewing first place finisher #6 "Sun And Water" (James Guagliardo) go on a break shortly before the 3/4 pole. The stewards were inquiring into two (2) matters: 1) Did "Sun And Water" comply with California Horse Racing Board Rule #1722 (Breaking) and 2) What was the level of interference after this event?

Race replays show #6 "Sun And Water" comply with California Horse Racing Board Rule #1722 by losing sufficient ground after her break. Sixth place finisher #8 "Smarty Style" (Scott Cisco) was slightly impeded by "Sun And Water" following this break. However, after film review and speaking with both drivers the stewards unanimously felt this incident fell short of making any placings. No change.

01/10/08 (4) Tenth Race – Inquiry

The stewards posted the inquiry following this race to check possible interference between second place finisher #6 "Roborod" (Steve Wiseman) and fourth place finisher #7 "Mow Em Down" (Etienne Desomer).

The stewards were checking to see if these rivals had 'hooked wheels' an 1/8th of a mile before the finish. During inquiry review, films show even though the two (2) sulkies were extremely close, no contact or interference took place. No change.

01/10/08 (5) **Program Changes**

4th Race - #4 "General Jag" should read 'first time lasix'
 5th Race Declaration - #5 "Frankly Scarlett" – Trainer Scott Cisco
 Refund: \$2 Injured – Robert Goodbary, D.V.M.
 7th Race Declaration - #5 "Westernorchard" – Trainer Earl Kennedy
 Refund: \$12 Injured – Robert Goodbary, D.V.M.
 9th Race Declaration - #4 "Lucky Lamont Kid" – Trainer Frank Petrelli
 Refund: \$0.60 Injured – Robert Goodbary, D.V.M.
 10th Race Declaration - #3 "Beast Coast" – Trainer George Reider
 Refund: \$2 Stewards – Track Condition

01/10/08 (6) **Attendance and Handle**

Attendance	249
Live Handle (On Track)	\$33,347
Handle (In State)	\$322,960
Handle (Out of State)	<u>\$245,832</u>
Total Handle	\$602,139

Friday01/11/08 (1) **Entries and Scratch Time**

Six (6) races were filled today and along with four (4) that filled Tuesday, January 8th will comprise a ten (10) race card for Sunday January 13th.

Also scratch time was held this morning for January 13th. No changes took place.

01/11/08 (2) **Daniel Maier Hearing (Case No. 07SW-0119)**

A hearing was held this afternoon in the Cal Expo steward's office. The complaint reads as follows:

On December 20, 2007, a Sacramento County Superior Court jury found Daniel Ray Maier guilty of Three California Penal Code Sections, 182 (A) (1), (Conspiracy), Section 487(A) (Grand Theft), Section 337(B) (Offering to Bribe a Player to Effect the Outcome of a Sporting Event – Horse Race), of which all are Felony violations.

Stewards Wayne Oke and Brent McLaren heard this matter. California Horse Racing Board Senior Special Investigator Martin Snezek presented the case which was transcribed by Esther Schwartz (Capitol Reporters). Steward Grant Baker recused himself due to prior involvement in this matter at the Superior Court level.

Attorney Donald Calabria contacted Investigator Snezek to inform him Danny Maier would not appear at this hearing. The hearing was held on schedule at 3:30 p.m.

The complaint was read on the record and the matter was deemed submitted. Decision to follow.

01/11/08 (3) **Qualifying Races**

Five (5) qualifying races took place prior to tonight's twelve (12) race pari-mutuel card. Of the twenty nine (29) participants, twenty three (23) made the grade.

01/11/08 (4) **Off Track**

The stewards rated the racetrack as 'good' for tonight's card. Prior to the sixth race the track was upgraded to 'fast'.

01/11/08 (5) **General Manager Phone Call**

Following the ninth race, Sacramento Harness Association General Manager Dick Feinberg telephoned the stewards. General Manager Feinberg had concerns regarding what he felt was a questionable (low) exacta payoff in this race. California Horse Racing Board investigators were contacted by the stewards and they will follow up on the matter.

01/11/08 (6) **Tenth Race – Inquiry**

The stewards posted the inquiry sign following this race after viewing fourth place finisher #5 "Mighty Kicker" (Lou Pena) go on a 'break' at the finish.

Race replays show #5 "Mighty Kicker" go off stride with less than ten (10) yards before the finish. The stewards ruled that no violations took place. No change.

01/11/08 (7) **Program Changes**

8th Race - #8 "Fullback in Motion" should read 'first time lasix'.

01/11/08 (8) **Attendance and Handle**

Attendance	396
Live Handle (On Track)	\$45,074
Handle (In State)	\$444,115
Handle (Out of State)	<u>\$302,736</u>
Total Handle	\$791,925

Saturday01/12/08 (1) **Single Draw**

The racing office was open today accepting entries for Thursday, January 17th. Ten (10) races were filled by Assistant Racing Secretary Joe Nefsky. Nefsky is occupying 'the chair' of Racing Secretary Fred Kuebler who is taking a well deserved two (2) weeks off for personal reasons. Sixty nine (69) horses are scheduled to go postward January 17th.

01/12/08 (2) **Big Fresno Fair – Richard Horner Ruling (Case No. 07SW-0105)**

Ruling # 13

Pari-Mutuel Manager Richard Horner is hereby fined the sum of Five Hundred (\$500) Dollars for violation of California Horse Racing Board Rules #1963 (Emergency in Pari-Mutuel Department) and #1530 (Cases Not Covered by Rules and Regulations) for failing to notify the totalizator operator of the elimination of show wagering in the Fifth Race, on October 6, 2007 at The Big Fresno Fair.

The ruling above was the first of two (2) rulings concerning 2007 Big Fresno Fair Mutuel Manager Richard Horner. California Horse Racing Board Senior Special Investigator Martin Snezek investigated this matter.

This case involved show wagering inadvertently being accepted up until approximately fifteen (15) minutes to post of the fifth race October 6, 2007 at the Big Fresno Fair. Fair management received permission to eliminate show wagering in this race by the California Horse Racing Board. However a chain of events led to \$5,127.40 being wagered before show wagering was cancelled with all show wagers refunded.

Richard Horner is currently the mutuel manager at the Shasta District Fair in Anderson, CA. He waived his right to a hearing and accepted the penalty listed above for his involvement with this matter.

01/12/08 (3) **Big Fresno Fair – Richard Horner Ruling (Case No. 07SW-0106)**

Ruling # 14

Pari-Mutuel Manager Richard Horner is hereby fined the sum of Five Hundred (\$500) Dollars for violation of California Horse Racing Board Rules #1963 (Emergency in Pari-Mutuel Department) and #1530 (Cases Not Covered by Rules and Regulations) for failing to notify the totalizator operator of the scratch of “Pat’s Pride” in the Seventh Race, on October 11, 2007 at The Big Fresno Fair, resulting in refunds.

This second Richard Horner ‘incident’ took place on October 11, 2007 at The Big Fresno Fair. Mutuel Manager Horner failed to notify the tote department of a scratch he received from Big Fresno Fair Clerk of Scales Cheryl White at 10:30 a.m. The result was wagering on #8 “Pat’s Pride” in the seventh race.

The unintentional wagering on this horse led to a late total refund of \$1,003.00. Mutuel Manager Horner waived his right to a hearing and accepted the penalty listed above.

01/12/08 (4) **Twelfth Race – Inquiry**

The stewards held a brief inquiry into this race after viewing sixth place finisher #7 “Noam N” (Luke Plano) make a break after the 3/4 pole. Shortly after this break seventh place finisher #3 “Southern John” (Scott Cisco) was forced to make a break due to interference from #7 “Noam N”.

For this infraction #7 “Noam N” was disqualified and placed seventh (last).

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

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

01/12/08 (5) **Program Changes**

1st Race Declaration - #4 “Jess Or No” – Trainer Ed Hensley

Refund: \$2 Injured – Robert Goodbary, D.V.M.

3rd Race Declaration - #3 “Machine Maker” – Trainer Tom Wine II

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

5th Race Declaration - #2 “Hard On The Heart” – Trainer Tom Wine II

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

9th Race Declaration - #5 “Biggest Big Bertha” – Trainer Patty Harris

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

12th Race Declaration - #2 “Ashdale” – Trainer Denise Maier

Refund: \$26 Injured – Robert Goodbary, D.V.M.

01/12/08 (6) **Attendance and Handle**

Attendance	359
Live Handle (On Track)	\$51,559
Handle (In State)	\$471,985
Handle (Out of State)	<u>\$303,321</u>
Total Handle	\$826,864

Sunday01/13/08 (1) **Rick Plano Film Review**

Diver Rick Plano appeared in the steward’s office to view race replays from yesterday’s (Saturday, January 12th) fifth race. The stewards were looking to see if Rule #1722 (G) (Driving Rules) was violated.

In this race #4 “Something New” (Rick Plano) had the lead entering the stretch, then drifted out and finished second. #6 “Rich N Dandy” (Luke Plano) raced up along the inside while closing to win the race.

Driver Rick Plano stated his horse was tiring and drifting out in the stretch. The stewards concurred with Plano’s analysis. The stewards wanted to remind Driver Rick Plano to keep the ‘inside’ closed in the stretch as much as possible. The stewards did not feel there was a rule violation in this matter.

01/13/08 (2) **Third Race – Inquiry/Disqualification**

The stewards posted the inquiry sign after viewing #2 “March N Action” (Rocky Stidham) go on an extended break for the entire race. For this action #2 “March N Action”, who finished seventh, was disqualified and placed eighth (last).

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

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

01/13/08 (3) **Danny Maier Ruling (Case No. #07SW-0119)**

Ruling # 15

Pursuant to California Horse Racing Board Rule #1900 (Grounds for Suspension or Revocation), after being duly notified and having chosen not to attend Owner/Driver Daniel Ray Maier is hereby suspended for the term of his current licenses (4-30-2008), for violation of California Horse Racing Board Rules #1489 (A),(F),(G),(J), - Ground for Denial or Refusal of License – Criminal Conviction), & Rule #1530 (Cases Not Covered), Rule #1902 (B),(C) (Conduct Detrimental to Horse Racing) and Rule#1980 (A),(3),(B),(4), (Persons Prohibited from Wagering – Felony Conviction for California Penal Code Section 337 (B) – Race Fixing).

It is further ordered and recommended that any future applications for licensing submitted by or on behalf of Daniel Ray Maier be denied.

During the term of suspension all licenses and license privileges of Daniel Ray Maier are suspended and pursuant to California Horse Racing Board Rule #1528 (Jurisdiction of Stewards) Daniel Ray Maier is hereby denied access to all premises (including satellite wagering facilities) within this jurisdiction.

The ruling above was issued after Daniel Ray Maier or his representative Donald Calabria did not appear at a hearing at Cal Expo [Ref: 01/11/08 (2)] on January 11, 2008. A Sacramento County Superior Court jury found Maier guilty of three (3) felony counts that revolved around the running of the first race on May 05, 2006 at Cal-Expo.

01/13/08 (4) **Steve Slender Ruling (Case No. 07-SW-0101)****Ruling # 16**

Having received a notice of suspension by the British Columbia Racing Commission, Owner Stephen Slender is suspended effective February 01, 2008 pursuant to California Horse Racing Board Rule #1484 (Evidence of Unfitness of License).

During the term of suspension, all license privileges of Stephen Slender are suspended and pursuant to California Horse Racing Board Rule #1528 (Jurisdiction of Stewards to Suspend or Fine) subject is denied access to all premises in this jurisdiction.

The ruling above was issued after Cal Expo stewards held a formal hearing regarding this matter on January 03, 2008 [Ref: 01/03/08 (2)]. Steve Slender's attorney, Steve Schwartz, was notified January 14th of this ruling and a 'statement of decision' was also faxed to his Pasadena, California office.

01/13/08 (5) **Program Changes**

5th Race Declaration - #1 "Sadie's Desert Fox" – Trainer Tom Wine II
 Refund: \$4 Injured – Robert Goodbary, D.V.M.
 7th Race Declaration - #7 "C Easter Sunrize" – Trainer Matias Ruiz
 Refund: \$11 Injured – Robert Goodbary, D.V.M.

01/13/08 (6) **Attendance and Handle**

Attendance	265
Live Handle (On Track)	\$34,285
Handle (In State)	\$312,574
Handle (Out of State)	<u>\$202,791</u>
Total Handle	\$549,650

RULINGS ISSUED THIS WEEK

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- 01/12/08 13 Pari-Mutuel Manager Richard Horner is hereby fined the sum of Five Hundred (\$500) Dollars for violation of California Horse Racing Board Rules #1963 (Emergency in Pari-Mutuel Department) and #1530 (Cases Not Covered by Rules and Regulations) for failing to notify the totalizator operator of the elimination of show wagering in the Fifth Race, on October 6, 2007 at The Big Fresno Fair.
- 01/12/08 14 Pari-Mutuel Manager Richard Horner is hereby fined the sum of Five Hundred (\$500) Dollars for violation of California Horse Racing

Board Rules #1963 (Emergency in Pari-Mutuel Department) and #1530 (Cases Not Covered by Rules and Regulations) for failing to notify the totalizator operator of the scratch of "Pat's Pride" in the Seventh Race, on October 11, 2007 at The Big Fresno Fair, resulting in refunds.

- 01/13/08 15 Pursuant to California Horse Racing Board Rule #1900 (Grounds for Suspension or Revocation), after being duly notified and having chosen not to attend Owner/Driver Daniel Ray Maier is hereby suspended for the term of his current licenses (4-30-2008), for violation of California Horse Racing Board Rules #1489 (A),(F),(G),(J), - Ground for Denial or Refusal of License – Criminal Conviction), & Rule #1530 (Cases Not Covered), Rule #1902 (B),(C) (Conduct Detrimental to Horse Racing) and Rule#1980 (A),(3),(B),(4), (Persons Prohibited from Wagering – Felony Conviction for California Penal Code Section 337 (B) – Race Fixing).

It is further ordered and recommended that any future applications for licensing submitted by or on behalf of Daniel Ray Maier be denied.

During the term of suspension all licenses and license privileges of Daniel Ray Maier are suspended and pursuant to California Horse Racing Board Rule #1528 (Jurisdiction of Stewards) Daniel Ray Maier is hereby denied access to all premises (including satellite wagering facilities) within this jurisdiction.

- 01/13/08 16 Having received a notice of suspension by the British Columbia Racing Commission, Owner Stephen Slender is suspended effective February 01, 2008 pursuant to California Horse Racing Board Rule #1484 (Evidence of Unfitness of License).

During the term of suspension, all license privileges of Stephen Slender are suspended and pursuant to California Horse Racing Board Rule #1528 (Jurisdiction of Stewards to Suspend or Fine) subject is denied access to all premises in this jurisdiction.

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
10-Jan	5	5	FRANKLY SCARLETT	CISCO	Injured	Goodbary	\$2.00
	7	5	WESTERNORCHARD	KENNEDY	Injured	Goodbary	\$12.00

Cal-Bred Races	A	A	A	0	0	1	0	0	0
Claims	R	R	R	0	0	2	1	3	4
Disqualifications	K	K	K	0	0	1	1	2	4
Inquiries	D	D	D	2	1	1	1	5	8
Refunds	A	A	A	4	0	5	2	11	53
Rulings	Y	Y	Y	1	0	2	2	5	16

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

All drivers submitted to a breath analyzer test.

Grant Baker, Steward

Michael W. "Wayne" Oke, Steward

Brent McLaren, Steward