

CALIFORNIA HORSE RACING BOARD  
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## CAL-EXPO HARNESS ASSOCIATION

TO THE CALIFORNIA HORSE RACING BOARD  
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Proceedings of the Board of Stewards for the period of Monday, December 08, 2008 through Sunday, December 14, 2008. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

### Monday

- 12/08/08 (1) **Condition Sheet Change/Starter Allowances**  
The race office has implemented a change in conditions, adding starter allowance races for the final two weeks of the meet. This effectively protects claiming class horses which are currently competing at Cal-Expo.
- 12/08/08 (2) **Entries and Draw for Thursday 12/11/08**  
Entries were taken and a draw held for the card for Thursday. At the 2:00 p.m. draw, ninety eight (98) head were drawn to compete in twelve (12) events. Scratch time is tomorrow at 9:00 a.m.
- 12/08/08 (3) **Dark Day**

### Tuesday

- 12/09/08 (1) **Scratch Time for Thursday 12/11/08**  
At scratch time there were fifteen (15) driver changes and zero (0) scratches.

12/09/08 (2) **Entries & Draw for Friday 12/12/08**  
 Entries were taken and a draw held for Friday. At the 12:45 p.m. draw, one hundred twenty two (122) head were drawn to compete in fifteen (15) races. Scratch time is tomorrow at 9:00 a.m.

12/09/08 (3) **Owner Owen Eiler, Jr./Claiming Irregularities**  
 The duty steward spoke via telephone to Owner Owen Eiler, Jr. to address his concerns relating to the claim of the horse "Seneca Falls" by Trainer Natalie Tremblay. Owner Eiler, Jr. and his trainer (Frank Petrelli) had some issues with the procedures involved in the particular claim.

Owner Eiler was informed that after discussion with Investigator Greg Fabbri and the racing officials involved, that there appeared to be no rule violations in connection with this claim. Owner Eiler, Jr. expressed his appreciation for the update and expressed an understanding of the steward's position.

12/09/08 (4) **Dark Day**

### **Wednesday**

12/10/08 (1) **Scratch Time for Friday 12/12/08**  
 At scratch time there were twelve (12) driver changes and no scratches.

12/10/08 (2) **Formal Hearing - Owner Judy Waltenburgh/Horse "Sues Destroyer"**  
 A formal hearing was held at California Horse Racing Board Headquarters concerning California Horse Racing Board Complaint, Sacramento #SAC 08-SW0081. The hearing was convened solely to address the matter of purse re-distribution and disqualification of the subject horse "Sues Destroyer".

The hearing was opened, evidence was taken and the matter was deemed submitted. More to follow.

12/10/08 (3) **Entries & Draw for Saturday 12/13/08**  
 Entries were taken and a draw conducted for Saturday's card. At the 11:30 a.m. draw, there were ninety four (94) head drawn to compete in thirteen (13) races. Scratch time is tomorrow at 9:00 a.m.

12/10/08 (4) **Saturday Race #4/Re-Draw**  
 Immediately after the conclusion of Saturday's draw, the race office and subsequently the duty steward, were made aware of a potential problem with the draw for Race #4.

The filly "Jersey Dream", trained by James Wilkinson Jr., was declared 'not eligible' for this event, which was written for "Cal Breds". It was later determined that this filly was in fact eligible as a "Cal Bred", thus a re-draw was ordered. Ironically, the filly "Jersey Dream" was a winner in her first lifetime start.

12/10/08 (5) **Dark Day**

**Thursday**

12/11/08 (1) **Scratch Time for Saturday 12/13/08**

At scratch time there were six (6) driver changes and one (1) trainer change.

12/11/08 (2) **Qualifying Entries**

Qualifying entries were taken up to 9:00 a.m. today for a qualifying card to be conducted today at 4:30 p.m. On this qualifying program there are sixteen (16) horses competing in three (3) qualifying races.

12/11/08 (3) **Entries Not Used**

During the week eight (8) horses entered to participate were not used.

12/11/08 (4) **Cal Bred Races**

During the current week, the race secretary wrote nine (9) races for Cal Breds. Of these nine races, only one filled.

12/11/08 (5) **Qualifying Races**

Three (3) qualifying races were held commencing at 4:30 p.m. These events were under the supervision of Stewards Baker and McLaren. In these qualifying races, fourteen (14) of fifteen (15) participants were successful in their qualifying efforts.

12/11/08 (6) **Race #1 – Inquiry/No Change**

The inquiry sign was lit immediately at the conclusion of Race #1 to examine an incident at the finish when #1 “Manslaughter” (L. Plano), the eventual fourth (4<sup>th</sup>) place finisher, was ‘offstride’ at the wire. After examining films, the stewards concluded there was no violation, thus no change.

12/11/08 (7) **Clean Card**

The remainder of Thursday’s card was conducted without any notable incidents.

12/11/08 (8) **Program Changes**

1<sup>st</sup> Race Declaration - #7 “Festive Viking” – Trainer Brian Solden

Refund: \$36                      Injured – Dr. Robert Goodbary

10<sup>th</sup> Race Declaration - #7 “Sycamore Molly” – Trainer Frank Petrelli

Refund: \$33                      Injured – Dr. Robert Goodbary

11<sup>th</sup> Race Declaration - #7 “Jungle Girl” – Trainer Vickie Desomer

Refund: \$26                      Injured – Dr. Robert Goodbary

12<sup>th</sup> Race Declaration - #4 “Scarlet O’ho” – Trainer Wine II

Refund: \$39                      Injured – Dr. Robert Goodbary

12/11/08 (9)	<b><u>Attendance and Handle</u></b>	
	Attendance	218
	Live Handle (On Track)	\$38,272
	Handle (In State)	\$314,076
	Handle (Out of State)	<u>\$235,131</u>
	Total Handle	\$587,479

**Friday**12/12/08 (1) **Driver Review/Luke Plano**

Driver Luke Plano appeared as ordered to review his drive in Thursday night's eighth race on #2 "Edgar Allen Coe", who finished fifth (5<sup>th</sup>). The stewards wished to discuss Driver Plano's effort in the stretch. After hearing Driver Plano's explanation, the stewards were comfortable with Driver Plano's effort.

12/12/08 (2) **Waltenburgh Ruling**

As a result of a formal hearing held at California Horse Racing Board Headquarters relative to California Horse Racing Board Case #SAC 08SW-0081. The Cal-Expo stewards issued the following ruling:

**Ruling # 51**

*Acting upon a report from University of California, Davis, an official laboratory for the California Horse Racing Board, that the post race sample #CE-09534, taken from the horse "Sues Destroyer", the First Place finisher in the Fourth Race on July 24, 2008, at Cal-Expo, tested positive for the prohibited drug "Hydromorphone" (Class 1), it is ordered that "Sues Destroyer" 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 "Sues Destroyer" (Judy Waltenburgh) return all purse monies (\$1,672.00) 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).*

*It is further ordered that Driver Rocky D. Stidham (\$88.00) 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**  
 1<sup>st</sup> "Mamahaswhiskerstoo"  
 2<sup>nd</sup> "Bronte Anas Boy"  
 3<sup>rd</sup> "Tutiming Gal"  
 4<sup>th</sup> "Real Gone"  
 5<sup>th</sup> "Joe The Jet"

*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-mutual payoffs.*

12/12/08 (3) **First Race – Claim**

“Falcon Forte N” was claimed by Gerard Guagliardo from Owen Eiler, Jr. for Three Thousand (\$3,000) Dollars. The new trainer is Lester Smith.

12/12/08 (4) **Race #2 – Inquiry/No Change**

The ‘inquiry sign’ was lit following Race #2 to examine an incident mid stretch when the eventual fourth (4<sup>th</sup>) place finisher, #6 “Chocolicious” (Luke Plano), went ‘off-stride’ briefly. After reviewing films, the stewards unanimously concluded that #5 complied with the ‘breaking rule’, thus no change.

12/12/08 (5) **Race #5 – Driver No Show**

As the horses were leaving the paddock for Race #5, the stewards were informed by Paddock Judge Walter Petersen that the programmed driver of #1 “Flash The Sign”, Jason Ricco, could not be located. This despite the fact that Ricco had driven in the evening’s 2<sup>nd</sup> Race. Driver Steve Wiseman was recruited to ‘fill in’. Driver Ricco contacted the stewards late and explained “he had returned to his barn to check on a sick horse”. The stewards found Ricco’s explanation to be unacceptable, thus the following ruling was issued:

**Ruling # 52**

*Driver Jason Ricco is fined the sum of One Hundred (\$100) Dollars for failure to fulfill his driving engagement on “Flash The Sign” in the Fifth Race December 12, 2008 at Cal Expo, California. A violation of California Horse Racing Board Rule # 1872 (Failure to Fulfill Jockey (Driver) Agreement).*

12/12/08 (6) **Program Changes**

1<sup>st</sup> Race Declaration - #3 “Spinreel” – Trainer Darren Lupul  
Refund: \$70                      Injured – Dr. Robert Goodbary

4<sup>th</sup> Race Declaration - #3 “Hitchiker” – Trainer Vickie Desomer  
Refund: \$50                      Sick – Dr. Robert Goodbary

5<sup>th</sup> Race Declaration - #8 “Rama Hanover” – Trainer Dario Solares  
Refund: \$41                      Injured – Dr. Robert Goodbary

6<sup>th</sup> Race Program Correction - #9 “Quasimodo Norman”  
Should Read “First Time Lasix”

7<sup>th</sup> Race Declaration - #5 “M L Jackhammer” – Trainer Tim Maier  
Refund: \$214                      Injured – Dr. Robert Goodbary

11<sup>th</sup> Race Declaration - #4 “Carl Lewis N” – Trainer Lou Pena  
Refund: \$14                      Injured – Dr. Robert Goodbary

12<sup>th</sup> Race Declaration - #7 “Game Peter” – Trainer Nick Casale  
Refund: \$22                      Injured – Dr. Robert Goodbary

15<sup>th</sup> Race Declaration - #5 “Columbia Court” – Trainer Gilbert Herrera  
Refund: \$94                      Injured – Dr. Robert Goodbary

12/12/08 (7)	<b><u>Attendance and Handle</u></b>	
	Attendance	340
	Live Handle (On Track)	\$51,842
	Handle (In State)	\$567,602
	Handle (Out of State)	<u>\$346,442</u>
	Total Handle	\$965,886

**Saturday**12/13/08 (1) **Race #12 – Inquiry/No Change**

The stewards lit the ‘inquiry’ light at the conclusion of Race #12 to investigate an incident approaching the 1/4 mile marker. At this point, #1 “Check Raisin” (Steve Hyman) went ‘offstride’, causing confusion amongst the trailing horses. After reviewing films, the stewards unanimously determined there were not any rule violations, thus no change.

12/13/08 (2) **Clean Card/Good Racing**

Other than the single noted incident, the card was incident free with very competitive racing.

12/13/08 (3) **Program Changes**

1<sup>st</sup> Race Declaration - #5 “Roger J” – Trainer Edgar Clarke  
 Refund: \$35                      Injured – Dr. Robert Goodbary  
 4<sup>th</sup> Race Declaration - #1 “Little Kiera” – Trainer Tim Maier  
 Refund: \$314                      Sick – Dr. Robert Goodbary  
 6<sup>th</sup> Race Declaration - #1 “Fitness Freak” – Trainer Edgar Clarke  
 Refund: \$30                      Injured – Dr. Robert Goodbary  
 10<sup>th</sup> Race Declaration - #1 “Wooski” – Trainer James Wilkinson  
 Refund: \$8                      Injured – Dr. Robert Goodbary

12/13/08 (4) **Attendance and Handle**

	Attendance	317
	Live Handle (On Track)	\$44,284
	Handle (In State)	\$434,799
	Handle (Out of State)	<u>\$271,308</u>
	Total Handle	\$750,392

RULINGS ISSUED THIS WEEK

12/11/08      50      Trainer Drew Anderson is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1629 (Penalty for Late Declaration) pursuant to California Horse Racing Board Rule #1501 (Worker's Compensation Insurance Required) for failure to start "Titan Seelster" (9<sup>th</sup> Race) and "Youbetterbelieveit" (10<sup>th</sup> Race) on Saturday, December 06, 2008 at Cal Expo, California.

12/12/08      51      Acting upon a report from University of California, Davis, an official laboratory for the California Horse Racing Board, that the post race sample #CE-09534, taken from the horse "Sues Destroyer", the First Place finisher in the Fourth Race on July 24, 2008, at Cal-Expo, tested positive for the prohibited drug "Hydromorphone" (Class 1), it is ordered that "Sues Destroyer" 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 "Sues Destroyer" (Judy Waltenburgh) return all purse monies (\$1,672.00) 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).

It is further ordered that Driver Rocky D. Stidham (\$88.00) 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

- 1<sup>st</sup> "Mamahaswhiskerstoo"
- 2<sup>nd</sup> "Bronte Anas Boy"
- 3<sup>rd</sup> "Tutiming Gal"
- 4<sup>th</sup> "Real Gone"
- 5<sup>th</sup> "Joe The Jet"

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-mutual payoffs.

12/13/08 (52)      Driver Jason Ricco is fined the sum of One Hundred (\$100) Dollars for failure to fulfill his driving engagement on "Flash The Sign" in the Fifth Race December 12, 2008 at Cal Expo, California. A violation of California Horse Racing Board Rule # 1872 (Failure to Fulfill Jockey (Driver) Agreement).

## 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-Dec	1	7	FESTIVE VIKING	SOLDEN	Injured	Goodbary	\$36.00
	10	7	SYCAMORE MOLLY	PETRELLI	Injured	Goodbary	\$33.00
	11	7	JUNGLE GIRL	DESOMER	Injured	Goodbary	\$26.00
	12	4	SCARLET O'HIO	WINE II	Injured	Goodbary	\$39.00
12-Dec	1	3	SPINREEL	LUPUL	Injured	Goodbary	\$70.00
	4	3	HITCHIKER	DESOMER	Sick	Goodbary	\$50.00
	5	8	RAMA HANOVER	SOLARES	Injured	Goodbary	\$41.00
	7	5	M L JACKHAMMER	MAIER	Injured	Goodbary	\$214.00
	11	4	CARL LEWIS N	PENA	Injured	Goodbary	\$14.00
	12	7	GAME PETER	CASALE	Injured	Goodbary	\$22.00
	15	5	COLUMBIA COURT	HERRERA	Injured	Goodbary	\$94.00
13-Dec	1	5	ROGER J	CLARKE	Injured	Goodbary	\$35.00
	4	1	LITTLIE KIERA	MAIER	Sick	Goodbary	\$314.00
	6	1	FITNESS FREAK	CLARKE	Injured	Goodbary	\$30.00
	10	1	WOOSKI	WILKINSON	Injured	Goodbary	\$8.00

### WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	6,097.30
Bay Meadows	\$	5,315.50
Eureka	\$	-
Fresno	\$	11,189.90
Fresno Club One	\$	3,491.70
Golden Gate	\$	71,096.90
Monterey	\$	11,087.10
Pleasanton	\$	34,010.00
Sacramento	\$	117,909.70
San Jose	\$	51,901.50
San Mateo	\$	68,670.50
Santa Rosa	\$	13,871.20
Stockton	\$	29,356.00
Tulare	\$	5.00
Turlock	\$	-
Vallejo	\$	28,174.00
Racing Fairs	\$	-
Out of State	\$	852,881.45

# CAL-EXPO HARNESS ASSOCIATION

## SUMMARY

2008

	Mon 12/08	Tues 12/09	Wed 12/10	Thurs 12/11	Fri 12/12	Sat 12/13	Total Week	Total Meet
<b>Accidents</b>	D	D	D	0	0	0	0	1
<b>Cal-Bred Races</b>	A	A	A	0	0	1	1	21
<b>Claims</b>	R	R	R	0	1	0	1	25
<b>Disqualifications</b>	K	K	K	0	0	0	0	18
<b>Inquiries</b>	D	D	D	1	1	1	3	47
<b>Refunds</b>	A	A	A	4	7	4	15	150
<b>Rulings</b>	Y	Y	Y	1	1	1	3	52

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

**All drivers submitted to a breath analyzer test.**

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**Michael W. "Wayne" Oke, Steward**

\_\_\_\_\_  
**Grant Baker, Steward**

\_\_\_\_\_  
**Brent McLaren, Steward**