

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, January 05, 2009 through Sunday, January 11, 2009. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

01/05/09 (1) **Entries for January 8th**

The racing office was open this morning accepting entries for Thursday, January 8th. Twelve (12) races were drawn. Ninety three (93) horses are scheduled to go postward.

01/05/09 (2) **Dark Day**

Tuesday

01/06/09 (1) **Entry and Scratch Day**

Scratches and changes were accepted this morning in the racing office. No scratches took place, however six (6) driver changes took place at the 9:00 a.m. deadline.

Entries were taken this morning for the races on Friday, January 9th. Fifteen (15) races filled. One hundred eighteen (118) horses are scheduled to face Starter Bill Vallandingham.

01/06/09 (2) **Dark Day**

Wednesday

01/07/09 (1)

Entry and Scratch Day

Scratch time for Friday, January 9th was held this morning in the racing offices. Seven (7) driver changes were the only items activated at the 9:00 a.m. deadline.

Entries were taken today in the racing office for Saturday, January 10th. Thirteen (13) races were drawn. Ninety nine (99) horses are slated to start.

01/07/09 (2)

Dark Day**Thursday**

01/08/09 (1)

Scratch Time

Scratch time for Saturday, January 10th took place this morning in the racing office. Two (2) trainer corrections and seventeen (17) driver changes were activated at the 9:00 a.m. deadline.

01/08/09 (2)

Qualifying Races

Three (3) qualifying races were held tonight prior to this evening's pari-mutuel card. Of the fifteen (15) participants, nine (9) made the grade.

01/08/09 (3)

Power Outage

Roughly ten (10) seconds following the finish of the eleventh race all track and stable area lighting went out. Luckily no accidents took place before all seven (7) drivers safely pulled up their horses.

Following the outages, the stewards immediately phoned Director of Racing Dave Elliott, who contacted the maintenance department.

It was reported that this problem was due to a SMUD (Sacramento Municipal Utility District) 12 kv feeder cable failing across the street (Exposition Blvd.) from Cal Expo.

The twelfth (final) race was delayed approximately ten (10) minutes as stewards waited for track lighting to return to normal. California Horse Racing Board Investigator Martin Snezek contacted Cal Expo management on January 09, 2008 telling them to run their emergency lighting generators that are located around the circumference of the racetrack.

01/08/09 (4)

Smooth Card

Tonight's twelve (12) race card went well as it was free of steward's inquiries and driver objections.

01/08/09 (5)

Program Changes

4th Race Declaration - #1 "Grey Frier" – Trainer Nathalie Tremblay
 Refund: \$41 Injured – Robert Goodbary, D.V.M.
 6th Race Declaration - #3 "Thecurrentoperator" – Trainer Lou Pena
 Refund: \$76 Injured – Robert Goodbary, D.V.M.

7th Race Declaration - #4 “Always Luck K” – Trainer Rick Plano
 Refund: \$99 Injured – Robert Goodbary, D.V.M.
 10th Race Declaration - #7 “Pedal Pad” – Trainer Tim Clevenger
 Refund: \$74 Injured – Robert Goodbary, D.V.M.

01/08/09 (6)	<u>Attendance and Handle</u>	
	Attendance	220
	Live Handle (On Track)	\$40,028
	Handle (In State)	\$256,217
	Handle (Out of State)	<u>\$214,618</u>
	Total Handle	\$510,863

Friday

01/09/09 (1) **Jim Lackey Film Review**

Driver Jim Lackey appeared in the steward’s office today to review his drive aboard first place finisher #9 “Twice The Ruckus” (9th Race – January 8th). Driver Lackey had his horse two (2) to three (3) lengths ‘off the gate’ at the start. Winning the race was a mitigating factor as far as a penalty for being off the gate was concerned. The stewards issued an official warning to Driver Lackey, as all drivers at the start of the meet, were told to have the horses ‘on the gate’.

01/09/09 (2) **Luke Plano Film Review**

Driver Luke Plano appeared in the steward’s office to review his drive in the seventh race on January 8, 2009. Driver Plano sat behind #4 “Fullback In Motion”, who finished third in this race.

The stewards noticed Driver Plano’s foot making contact with his horse upon entering the stretch. Driver Plano was candid and apologetic to the stewards, stating it’s a bad habit he’s trying to break. A decision in this matter is forthcoming.

01/09/09 (3) **First Race – Inquiry**

The stewards posted the inquiry sign after viewing first place finisher #1 “Cute Move” (Richard Wojcio) appear to be ‘rough gaited’ about eighty (80) yards before the finish.

After reviewing all camera angles of this incident, the stewards unanimously ruled that “Cute Move” did not break stride. No change was made to the order of finish.

01/09/09 (4) **Fourth Race – Inquiry**

The stewards posted the inquiry after observing the trotting action of #7 “Big Gun” (Gene Vallandingham) just before the finish line.

“Big Gun” finished fourth in this race. After film review, the stewards unanimously ruled that “Big Gun” broke stride just after the finish. The stewards allowed the original order of finish to stand. No change.

01/09/09 (5) **Thirteenth Race – Inquiry/Disqualification**

The stewards posted the inquiry sign after viewing third place finisher #5 “Belle’s Message” (Steve Wiseman) race inside a track pylon in mid-stretch. At this point “Belle’s Message” passes a rival and eventual sixth place finisher #2 “AJ’s Little One” (George Luster).

The stewards unanimously ruled that an unfair advantage was obtained by the actions of “Belle’s Message” and Driver Wiseman. The stewards ruled ‘track pylon rules’ were violated in this matter. For this violation, #5 “Belle’s Message” (Steve Wiseman) was disqualified and placed sixth (last).

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

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

01/09/09 (6) **Program Changes**

10th Race Trainer Correction: should read #1 Lester Smith (program error)

13th Race Declaration - #4 “Stu On Top” – Trainer Lou Pena

Refund: \$22

Sick – Robert Goodbary, D.V.M.

01/09/09 (7) **Attendance and Handle**

Attendance	302
Live Handle (On Track)	\$46,863
Handle (In State)	\$475,510
Handle (Out of State)	<u>\$330,588</u>
Total Handle	\$852,961

Saturday01/10/09 (1) **Kennedy Lindsey Hearing (Case No: 08SW-0124)**

Trainer Kennedy Lindsey appeared in the steward’s office to address a complaint regarding a high Bute test (9.88 ug/ml) that was obtained following the third place finish of “Ailene’s Prince”. The test sample at issue was taken following the second race on December 13, 2008 here at Cal Expo Harness.

Along with the stewards and Trainer Lindsey, present were California Horse Racing Board Supervising Investigator Greg Fabbri. California Horse Racing Board Veterinarian Robert Goodbary was present as a medication expert. Trainer Lindsey was at loss for a reason why “Ailene’s Prince” returned with a high Bute reading. He stated he administers Bute pills orally. He also stated his ‘Bute program’ has not changed since 2002.

Trainer Lindsey has had a relatively good medication record recently. However, the stewards considered the high Bute reading in this case to nullify whatever mitigation his medication history would provide. More to follow.

01/10/09 (2) **Tim Clevenger Ruling (Case No: 08SW-0116)****Ruling # 06**

Acting upon an 'Order of Remand' (Case No: SAC 08-0062) from the California Horse Racing Board, Cal Expo Harness Association, Ruling # 46, dated November 26, 2008 is ordered set aside. A new (De Novo) hearing was held December 17, 2008. The following order is hereby made:

Trainer Tim Clevenger is hereby fined the sum of Six Hundred (\$600) Dollars for failing to start "Air Ivy" (November 21, 2008 – Eighth Race), "Photo Delight" (November 22, 2008 - Thirteenth Race), and "Trishie Mae" (November 22, 2008 - Fourteenth Race). Violations of California Horse Racing Board Rule #1629 (Penalty For Late Declaration).

The ruling above was issued following deliberation of a formal hearing held on December 17, 2008. This matter involves three (3) late scratches of Tim Clevenger trained horses on November 21, 2008 and November 22, 2008 [Ref: 11/21/08 (1), 11/26/08 (5) and 12/17/08 (4)].

A separate ruling was issued on this same matter November 29, 2008 (Cal Expo Ruling #46). That ruling was set aside by the California Horse Racing Board and a De Novo formal hearing was ordered and held on the aforementioned December 17, 2008.

01/10/09 (3) **Luke Plano Film Ruling**

This ruling is a result of an informal hearing [Ref: 01/09/09 (2)] held yesterday.

Ruling # 07

Driver Luke Plano, who drove #5 "Fullback In Motion" in the Seventh Race on January 08, 2009, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Driving With Foot Out Of Stirrup/Urging By Contact – Multiple Offenses).

01/10/09 (4) **Steve Wiseman Ruling****Ruling # 08**

Driver Steve Wiseman, who drove #5 "Belle's Message" in the Thirteenth Race on Friday, January 09, 2009, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (O) (Driving Rules – Drive In Such A Manner As To Obtain For Himself An Unfair Advantage – Inside Pylon In Stretch Resulting In A Disqualification).

Driver Steve Wiseman waived his right to a hearing in this matter. Driver Wiseman finished third in the thirteenth race January 9th, but was disqualified [Ref: 01/09/09 (5)] for leaving the course and gaining an unfair advantage.

01/10/09 (5) **Twelfth Race – Inquiry/Disqualification**

The stewards posted the inquiry following this race to investigate an incident regarding a minor (sixth) placing. #6 “British Spirit” (Rocky Stidham) went on a break in the upper stretch and proceeded to ‘run’ (not trot) the entire length of the stretch.

For this incident “British Spirit” was disqualified and placed seventh (last).

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

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

01/10/09 (6) **Program Changes**

9th Race Declarations - #5 “Moonlight Bliss” – Trainer Bruce Clarke

Injured – Robert Goodbary, D.V.M.

#7 “Hanover DG” – Trainer Lou Pena

Refund Total: \$199 uncoupled same owner entry – stewards

01/10/09 (7) **Attendance and Handle**

Attendance	351
Live Handle (On Track)	\$50,363
Handle (In State)	\$507,214
Handle (Out of State)	<u>\$318,355</u>
Total Handle	\$875,932

RULINGS ISSUED THIS WEEK

01/10/09 06 Acting upon an ‘Order of Remand’ (Case No: SAC 08-0062) from the California Horse Racing Board, Cal Expo Harness Association, Ruling # 46, dated November 26, 2008 is ordered set aside. A new (De Novo) hearing was held December 17, 2008. The following order is hereby made:

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01/10/09 07 Driver Luke Plano, who drove #5 “Fullback In Motion” in the Seventh Race on January 08, 2009, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Driving With Foot Out Of Stirrup/Urging By Contact – Multiple Offenses).

01/10/09 08 Driver Steve Wiseman, who drove #5 “Belle’s Message” in the Thirteenth Race on Friday, January 09, 2009, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (O) (Driving Rules – Drive In Such A Manner As To Obtain For Himself An Unfair Advantage – Inside Pylon In Stretch Resulting In A Disqualification).

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
8-Jan	4	1	GREY FRIER	TREMBLAY	Injured	Goodbary	\$41.00
	6	3	THECURRENTOPERATOR	PENA	Injured	Goodbary	\$76.00
	7	4	ALWAYS LUCK K	PLANO	Injured	Goodbary	\$99.00
	10	7	PEDAL PAD	CLEVENGER	Injured	Goodbary	\$74.00
9-Jan	13	4	STU ON TOP	PENA	Sick	Goodbary	\$22.00
10-Jan	9	5	MOONLIGHT BLISS	CLARKE	Injured	Goodbary	\$199.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	10,327.10
Bay Meadows	\$	-
Eureka	\$	-
Fresno	\$	4,626.00
Fresno Club One	\$	2,065.40
Golden Gate	\$	58,713.80
Monterey	\$	7,100.90
Pleasanton	\$	28,767.10
Sacramento	\$	112,637.50
San Jose	\$	47,446.10
San Mateo	\$	63,770.50
Santa Rosa	\$	13,325.90
Stockton	\$	23,443.30
Tulare	\$	-
Turlock	\$	-
Vallejo	\$	20,669.60
Racing Fairs	\$	-
So. California	\$	-
Out of State	\$	863,560.11

CAL-EXPO HARNESS ASSOCIATION**SUMMARY****2009**

	Mon 01/05	Tues 01/06	Wed 01/07	Thurs 01/08	Fri 01/09	Sat 01/10	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	0
Cal-Bred Races	A	A	A	0	0	0	0	0
Claims	R	R	R	1	1	2	4	7
Disqualifications	K	K	K	0	1	1	2	6
Inquiries	D	D	D	0	3	1	4	8
Refunds	A	A	A	4	1	2	7	24
Rulings	Y	Y	Y	0	0	3	3	8

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

All drivers submitted to a breath analyzer test.

Grant Baker, Steward

Brent McLaren, Steward

Michael W. "Wayne" Oke, Steward