

CALIFORNIA HORSE RACING BOARD  
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**CAL-EXPO HARNESS ASSOCIATION**  
**TO THE CALIFORNIA HORSE RACING BOARD**

**HONORABLE ARNOLD SCHWARZENEGGER, GOVERNOR**  
**HONORABLE JOHN C. HARRIS, CHAIRMAN**  
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**KIRK E. BREED, EXECUTIVE DIRECTOR**  
**RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR**

Proceedings of the Board of Stewards for the period of Monday, May 25, 2009 through Sunday, May 31, 2009. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

**Tuesday**

05/26/09 (1)

**Revised Racing Schedule**

Due to a change in the thoroughbred schedule throughout the state, the harness schedule was set back one (1) day, effectively substituting Sunday May 31 for Thursday May 28.

05/26/09 (2)

**Entries & Draw for Friday 05/29/09**

Entries were taken and a draw conducted for Friday's card. At the 1:15 p.m. draw one hundred five (105) head were drawn to compete in thirteen (13) events. Scratch time is Tomorrow at 9:00 a.m.

05/26/09 (3)

**Dark Day**

**Wednesday**

05/27/09 (1)

**Scratch Time for Friday 05/29/09**

At scratch time for Friday's card there were eight (8) driver changes and one (1) trainer correction.

05/27/09 (2)

**Entries and Draw for Saturday 05/30/09 & Sunday 05/31/09**

Entries were taken and individual draws held for Saturday and Sunday's programs.

At the 11:30 a.m. draw for Saturday's card one hundred fourteen (114) head were drawn to compete in fifteen (15) events.

Immediately thereafter a draw was conducted with ninety eight (98) head drawn to compete in thirteen (13) events on Sunday's card.

Scratch time for both cards is tomorrow at 9:00 a.m.

05/27/09 (3) **Dark Day**

**Thursday**

05/28/09 (1) **Scratch Time for Saturday 05/30/09 & Sunday 05/31/09**

At scratch time for Saturday's card there were fifteen (15) driver changes, one (1) owner adjustment, one (1) horse added to the Lasix list and one (1) injured scratch.

At scratch time for Sunday's card there were seventeen (17) driver changes and no other changes.

05/28/09 (2) **Increased Horse Population**

The horse population has increased substantially due to the arrival of several new horses, some from Canada (Trainers Slopianka and Marino) as well as a large contingent from the Blooded Horse Sale in Delaware, Ohio. Much of this influx attributable to Cal-Expo management's instituting a program to assist in the transportation costs of new arrivals.

05/28/09 (3) **Dark Day**

**Friday**

05/29/09 (1) **Qualifying Entries and Sheet**

Entries were taken and a qualifying sheet produced with three (3) qualifying races scheduled to go to post at 5:00 p.m.

05/29/09 (2) **Qualifying Races**

Three (3) qualifying races were held today with first post at 5:00 p.m. These events were under the supervision of Stewards Meyers and McLaren.

In these events sixteen (16) of twenty (20) participants were successful in their qualifying attempt.

05/29/09 (3) **Jim Marino/Film Review**

Driver Jim Marino was present in the steward's office to review his drive in the eleventh race on Saturday's card.

The stewards were concerned with Driver Marino's actions driving #5 "Western Collection" past the 1/4 mile marker when Marino, who was in front of the field, slowed the pace abruptly causing the trailing horses to "jam up" and causing two (2) of the back markers to break stride.

Driver Marino accepted responsibility in the incident, thus the following ruling was issued:

**Ruling # 67**

*Driver Jim Marino, who drove # 5 "Western Collection" in the Eleventh Race on Saturday, May 23, 2009 is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule # 1721 (F) (Driving Rules – Taking Up in Front of Other Horses Causing Confusion).*

- 05/29/09 (2) **First Race – Quarter Mile Marker Timer Malfunction**  
 At the 1/4 mile marker, the timer failed to record an accurate split. The stewards obtained the correct time manually.  
 Technical personnel later determined that the “eye” had been moved. The “eye” was re-aligned and there were no further problems.
- 05/29/09 (3) **Second Race – Claim**  
 #4 “Drama Princess” was claimed by R. Silvestri III for Four Thousand Three Hundred Fifty (\$4,350) Dollars. The new trainer will be Frank Petrelli.
- 05/29/09 (4) **Eleventh Race – Driver Steve Wiseman/Film Review**  
 Driver Steve Wiseman, #4 “Skyway Fantasy”, was summoned to film review to review an incident after the start when it appeared that Driver Wiseman “opened a hole” for #3 “Sandra Hotspur” (R. Plano), the eventual race winner. More to follow.
- 05/29/09 (5) **Program Changes**  
 1<sup>st</sup> Race Declaration - #2 “The Panishing Girl” – Trainer Rick Plano  
     Refund: \$74                      Injured – Dr. Robert Goodbary  
 2<sup>nd</sup> Race Declaration - #5 “High Maintenance” – Trainer Brian Marchand  
     Refund: \$26                      Injured – Dr. Robert Goodbary  
 5<sup>th</sup> Race Declaration - #7 “Cinnamon” – Trainer Rick Cisco  
     Refund: \$0                        Injured – Dr. Robert Goodbary  
 6<sup>th</sup> Race Program Correction - #5 “Jill’s Sooter”  
     Program should read “1<sup>st</sup> Time Lasix”
- 05/29/09 (6) **Attendance and Handle**
- |                              |                  |
|------------------------------|------------------|
| Attendance                   | 436              |
| Live Handle (On Track)       | \$51,363         |
| Handle (In State)            | \$500,671        |
| <u>Handle (Out of State)</u> | <u>\$250,114</u> |
| Total Handle                 | \$802,148        |

**Saturday**

- 05/30/09 (1) **Film Review/Steve Wiseman**  
 Driver Steve Wiseman attended in the steward’s office to review his drive in Friday’s eleventh race aboard #4 “Skyway Fantasy”.  
 The stewards felt that Wiseman “allowed a hole” after the start for #3 “Sandra Hotspur” (R. Plano). Wiseman contended that it was simply a situation of normal race flow and any other action on his part would have resulted in his “backdoor” the driver of #3. Driver Wiseman strongly disagreed with the steward’s assessment.  
 The stewards, after some discussion, issued the following ruling by majority vote (Steward Oke dissenting):

**Ruling # 68**

*Driver Steve Wiseman, who drove “Skyway Fantasy” in the Eleventh Race on Friday, May 29, 2009, is hereby fined the sum of Two Hundred (\$200)*

*Dollars for violation of California Horse Racing Board Rule #1721 (H) (Driving Rules – Allow a Hole in the First Turn).*

05/30/09 (2) **Tim Maier Hearing – Case #09SW-0065**

Trainer Tim Maier appeared in the steward's office in response to California Horse Racing Board Case #09SW-0065. Trainer Maier took responsibility for the positive test and stated it was a result of a mix up in barn procedures. In light of these facts, the stewards issued the following ruling:

**Ruling # 69**

*Trainer Tim Maier, who started "London Calling" in the Sixth Race on April 02, 2009, at Cal-Expo, is hereby fined the sum of One Thousand (\$1,000) 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 – Methocarbamol (Robaxin) in Excess of Permitted Level) Class IV Violation With a Class C Penalty (Second Offense).*

05/30/09 (3) **Fifteenth Race – Non Starter/Refund**

The stewards posted the "inquiry" sign at the start of this event to investigate an incident prior to the start when #8 "Yes I'll Fly" (Chris Hernandez) refused to come to the gate, despite the efforts of Outrider Billy Don Wainscott.

After reviewing film and discussing this incident with the parties involved, the stewards unanimously concluded that #8 be declared a "non starter" and all monies wagered on #8 be refunded.

#8 "Yes I'll Fly" was placed on the steward's list for being "unmanageable" in spite of the protest of Trainer Natalie Tremblay, who felt the starter, should have ordered a "recall".

05/30/09 (4) **Program Changes**

5 <sup>th</sup> Race Declaration - #2 "Hydropedes" – Trainer Donald Ratchford	
Refund: \$44	Injured – Dr. Robert Goodbary
8 <sup>th</sup> Race Declaration - #8 "Spinreel" – Trainer Darren Lupul	
Refund: \$20	Injured – Dr. Robert Goodbary
14 <sup>th</sup> Race Declaration - #6 "Az Mutanto" – Trainer Frank Petrelli	
Refund: \$4	Injured – Dr. Robert Goodbary

05/30/09 (5) **Attendance and Handle**

Attendance	567
Live Handle (On Track)	\$51,788
Handle (In State)	\$503,407
<u>Handle (Out of State)</u>	<u>\$280,125</u>
Total Handle	\$835,320

**Sunday**

05/31/09 (1) **Fifth Race – Inquiry/No Change**

The stewards posted the inquiry sign at the conclusion of Race #5 to investigate an incident at the start when #1 "KD Rowdy One" (Rick

Plano), the eventual second (2<sup>nd</sup>) place finisher, was observed to be offstride before and after the start. After reviewing film, the stewards concluded that #1 complied with the breaking rule, thus no change.

05/31/09 (2) **Sixth Race – Inquiry/Change**

The stewards posted the inquiry sign at the conclusion of Race #6 to investigate an incident mid stretch when #3 “Royally Confused” (Lemoyne Svendsen) broke stride and ran sideways, causing interference to #4 “Franco Smoothie N” (Tim Maier).

After reviewing films the stewards disqualified the fifth (5<sup>th</sup>) place finisher for “causing interference while on a break” and Placed him sixth (6<sup>th</sup>) behind #4.

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

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

05/31/09 (3) **Driver Injury**

After the incident in Race #6, the stewards were informed that Driver Lemoyne Svendsen had suffered a lower back injury. After discussion with the on-duty EMTs, the stewards excused Driver Svendsen from the remainder of his drives. Substitute drivers were named.

05/31/09 (4) **Seventh Race – Sulky Failure/Non Finisher**

The stewards observed an incident past the 1/2 mile marker when the sulky on #4 “Highway Man” (Chris Hernandez) began to sag. It was later determined that the arch of the sulky broke at the point where the seat is attached. Driver Hernandez did an excellent job pulling the horse up with no further problems. The matter was turned over to Senior Special Investigator Martin Snezek to further investigate the situation with the failed equipment.

05/31/09 (5) **Pre-Race Testing Continues**

The random pre-race testing program instituted by Cal-Expo management continues; a program that has been very well received by horseman and management alike.

05/31/09 (6) **Program Changes**

1<sup>st</sup> Race Driver Change - #1 “Mattreality”

Jim Lackey for programmed driver Lemoyne Svendsen

8<sup>th</sup> Race Driver Change - #1 “Know The Pro”

Etienne Desomer for programmed driver Lemoyne Svendsen

9<sup>th</sup> Race Driver Change - #5 “Red Star Wild One”

Chris Hernandez for programmed driver Lemoyne Svendsen

11<sup>th</sup> Race Driver Change - #7 “Yougotwhatyouwant”

Etienne Desomer for programmed driver Lemoyne Svendsen

12<sup>th</sup> Race Driver Change - #8 “Jaccka Invoke N”

Troy Thomas for programmed driver Lemoyne Svendsen

13<sup>th</sup> Race Driver Change - #7 “Princess Joy”

Etienne Desomer for programmed driver Lemoyne Svendsen

05/31/09 (7)	<b><u>Attendance and Handle</u></b>	
	Attendance	303
	Live Handle (On Track)	\$64,669
	Handle (In State)	\$392,447
	<u>Handle (Out of State)</u>	<u>\$248,631</u>
	Total Handle	\$675,747

#### RULINGS ISSUED THIS WEEK

- 05/30/09      67      Driver Jim Marino, who drove # 5 “Western Collection” in the Eleventh Race on Saturday, May 23, 2009 is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule # 1721 (F) (Driving Rules – Taking Up in Front of Other Horses Causing Confusion).
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## 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

<u>Date</u>	<u>Race</u>	<u>No.</u>	<u>Horse</u>	<u>Trainer</u>	<u>Reason</u>	<u>Vet</u>	<u>Refund</u>
29-May	1	2	THE PANISHING GIRL	PLANO	Injured	Goodbary	\$74.00
	2	5	HIGH MAINTENANCE	MARCHAND	Injured	Goodbary	\$26.00
	5	7	CINNAMON	CISCO	Injured	Goodbary	\$0.00
30-May	5	2	HYDROPEDES	RATCHFORD	Injured	Goodbary	\$44.00
	8	8	SPINREEL	LUPUL	Injured	Goodbary	\$20.00
	14	6	AZ MUTANTO	PETRELLI	Injured	Goodbary	\$4.00

**WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES**

Bakersfield	\$	14,087.20
Fresno	\$	6,665.90
Fresno Club One	\$	2,069.30
Golden Gate	\$	63,133.60
Monterey	\$	11,780.90
Pleasanton	\$	42,520.50
Sacramento	\$	117,162.90
San Jose	\$	35,718.20
San Mateo	\$	66,810.80
Santa Rosa	\$	10,594.70
Stockton	\$	25,690.80
Tulare	\$	485.80
Turlock	\$	2,164.20
Vallejo	\$	26,284.30
So. California	\$	649,575.40
Out of State	\$	778,870.42

**CAL-EXPO RACING ASSOCIATION****SUMMARY 2009**

	<b>Mon 05/25</b>	<b>Tues 05/26</b>	<b>Wed 05/27</b>	<b>Thurs 05/28</b>	<b>Fri 05/29</b>	<b>Sat 05/30</b>	<b>Sun 05/31</b>	<b>Total Week</b>	<b>Total Meet</b>
<b>Accidents</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Cal-Bred Races</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>17</b>
<b>Claims</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>46</b>
<b>Disqualifications</b>	<b>K</b>	<b>K</b>	<b>K</b>	<b>K</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>38</b>
<b>Inquiries</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>71</b>
<b>Refunds</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>5</b>	<b>199</b>
<b>Rulings</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>69</b>

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

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

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

\_\_\_\_\_  
**Will Meyers, Steward**

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