

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, October 19, 2009 through Sunday, October 25, 2009. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

10/19/09 (1)

Entry Day

The racing office was open today, accepting entries for the races on Thursday, October 22. Twelve (12) races were drawn with one hundred (100) horses slated to start.

10/19/09 (2)

Dark Day

Tuesday

10/20/09 (1)

Double Draw/Scratch Day

Scratch time for Thursday, October 22 was held this morning in the racing office. There were no scratches; however thirteen (13) driver changes were activated at the 9:00 a.m. deadline.

Entries were taken this morning for Friday, October 23 and Saturday, October 24. Fifteen (15) races filled for Friday, October 23. One hundred thirty one (131) horses are scheduled to go postward. Fifteen (15) races are also scheduled for October 24. One hundred thirty one (131) horses are also scheduled to start.

10/20/09 (2)

Dark Day

Wednesday

10/21/09 (1)

Double Scratch Time

Scratch time for Friday, October 23 and Saturday, October 24 was held this morning in the racing office. Twenty nine (29) driver changes took place for October 23. Nine (9) driver changes and one (1) scratch was accepted for Saturday October 24.

Fourteen (14) driver changes and one (1) scratch were activated for Friday, October 23. Twenty three (23) driver changes took place for the races on Saturday, October 24.

10/21/09 (2) **Dark Day**

Thursday

10/22/09 (1) **Qualifying Races**

Seven (7) qualifying races were held prior to this evening's twelve (12) pari-mutuel races. Twenty nine (29) out of thirty eight (38) participants made the grade.

10/22/09 (2) **John Chappell Film Review**

Driver John Chappell appeared in the steward's office to review his drive in the eighth race on Saturday, October 17th. Driver Chappell drove #6 "R S Falcon", who finished eleventh (last) in this race.

Driver Chappell 'pulled late' in this race before the 1/2 mile pole, forcing third place finisher #7 "Little Rooster" (Jason Maier) off his straight course while in a 'first over' position. A 'warning' is being documented in these minutes and could be important if there are John Chappell film reviews in the near future. Chappell has had a clean driving record at Cal Expo.

10/22/09 (3) **Substitute Steward**

Steward Wayne Oke is off this three (3) day racing week for personal reasons. Steward Paul Nicolo will fill in.

10/22/09 (4) **Robley Johnson Ruling – (Case No's: 09SW-0153 & 09SW-0154)**

Ruling # 14

Trainer Robley Johnson, who started the horse "Fishy's Sushi", winner of the Sixth Race at Cal Expo, California on July 24, 2009, is fined the sum of One Thousand Five Hundred (\$1,500) Dollars pursuant to California Horse Racing Board Rule #1887 (Trainer to Insure Condition of Horse) for violations of California Horse Racing Board Rule #1843 (D) (Medications, Drugs and Other Substances – Flunixin – [Class IV] in Excess of Permitted Level (60.0 ng/ml) and Methocarbamol [Class IV]) (Second Offense – Aggravating Factors).

The stewards issued the ruling above after having held a hearing on October 16, 2009 [Ref. 10/16/09 (1)] in the Cal-Expo steward's office.

10/22/09 (5) **Chris Hernandez Ruling**

Ruling # 15

Driver Chris Hernandez, who drove “On Eagles Wings N” in the Fifteenth Race on Friday, October 16, 2009, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1721(K) (Driving Rules – Drive in Careless Manner).

The above ruling was issued after the stewards held an informal hearing [Ref: 10/17/09 (2)] for Driver Hernandez October 17, 2009 in the Cal Expo steward’s office.

The stewards told Driver Hernandez to be concerned with the actions of his own horse and not those of his stablemate’s (#4 “Quick On My Feet”) who won the race. Hernandez’s horse was tiring in this race, but he drove carelessly. He understood the steward’s reason for issuing the ruling.

10/22/09 (6) **Jason Maier Ruling****Ruling # 16**

Driver Jason Maier, who drove “Little Rooster” in the Eighth Race on Saturday, October 17, 2009, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1731 (E) (Driver Infractions – Crossing Over Before Start).

Driver Jason Maier failed to show for this film review. #7 “Little Rooster” ‘crossed over’ before the start in this race on Saturday, October 17th. Driver Maier will be spoken to about his absence.

10/22/09 (7) **Quentin Schneider Ruling****Ruling # 17**

Trainer Quentin Schneider, who started “Glance My Way” in the Fifteenth Race on Saturday, October 17, 2009, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Failure to Name the Proper Driver by the Prescribed Time Necessitating a Late Driver Change).

Driver Quentin Schneider made a late driver change in the race listed above, with the understanding a ruling would be issued by the stewards in this matter.

10/22/09 (8) **Brian Pharies Ruling (Case No: 08SW-0014)****Ruling # 18**

Owner/Trainer/Driver Brian Pharies is hereby Suspended for the term of all licenses with recommendation he not be considered for re-licensing until August 31, 2017 (five (5) years following termination of probation) for violation of California Horse Racing Board Rule #1902 (Conduct Detrimental to Horse Racing – Two (2) Federal Felony Convictions – Theft of Government Property) and Rule #1489 (Grounds for Denial or

Refusal of License – Moral Turpitude) pursuant to rule #1900 (Grounds for Suspension or Revocation).

The ruling above was issued after a formal hearing was held at Cal Expo on Saturday, October 3, 2009. Brian Pharies was contacted by telephone this evening and informed of the steward's decision.

10/22/09 (9) **Smooth Card**

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

10/22/09 (10) **Program Change**

7th Race Declaration - #8 "Rush County Smoke" – Trainer Ralph Silvestri III
Refund: \$111 Injured – Robert Goodbary, D.V.M.

10/22/09 (11) **Attendance and Handle**

Attendance	206
Live Handle (On Track)	\$32,843
Handle (In State)	\$259,380
Handle (Out of State)	<u>\$216,629</u>
Total Handle	<u>\$508,852</u>

Friday

10/23/09 (1) **Tim Maier Meeting**

Ruling # 19

Driver Tim Maier, who drove "Powergaiterdotcom" in the Second Race on Thursday, October 22, 2009, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Late Leaving Paddock).

Driver Tim Maier appeared in the steward's office to discuss his reasons for coming on the racetrack at zero (0) minutes to post prior to the second race last night. Driver Maier was warming another horse up between the first and second race and misjudged how much time he had before the second race. The ruling above was issued.

10/23/09 (2) **Noteworthy Event – Third Race**

Track Announcer Scott Erlich informed Cal Expo patrons that the first and second place drivers Keith Willey (#1A, "KD Amazin Spirit") and Thomas Parris (#1 "KD Nicol") are seventy five (75) and seventy six (76) years of age, respectively. It seems appropriate to mention their success.

10/23/09 (3) **Third Race – Inquiry/Disqualification**

A 'general' inquiry was held following this race as four horses broke stride.

- A. #3 "Franks Best" – Third Place
- B. #7 "Mr Pegasus" – Seventh Place
- C. #5 "Proxy" – Eighth Place
- D. #8 "My Sierra Doll" – Ninth Place

The stewards unanimously ruled that #7 “Mr Pegasus” (Rocky Stidham) was the only horse that violated California Horse Racing Board Rule #1722 (Breaking) and he was disqualified and placed ninth.

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

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

10/23/09 (4) **Fourth Race – Inquiry/Disqualification**

The stewards posted the inquiry sign after watching fourth place finisher #7 “Phipps” (Luke Plano) go on a break with approximately sixty (60) yards before the finish. #7 “Phipps” failed to lose any ground whatsoever and following video replays, the stewards made a change in the order of finish.

For violation of California Horse Racing Board Rule #1722 (Breaking), #7 “Phipps” was disqualified and placed sixth.

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

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

10/23/09 (5) **Twelfth Race – Recall**

Starter Bill Vallandingham flashed his recall lights prior to the twelfth race. #3 “Pedal On The Right” (John Chappell) interfered with #4 “Tonight Is Mine” (Richard Bertrand). A second attempt at the start was successful.

10/23/09 (6) **Program Changes**

None

10/23/09 (5) **Attendance and Handle**

Attendance	345
Live Handle (On Track)	\$40,869
Handle (In State)	\$447,223
Handle (Out of State)	<u>\$259,630</u>
Total Handle	\$747,722

Saturday

10/24/09 (1) **Fifth Race – Inquiry/Disqualification**

This was an out of the ordinary event at Cal Expo as the distance of the race was 1 1/8 miles.

The stewards posted the inquiry sign after witnessing eighth place finisher #10 “Little Kiera” (Tim Maier) veer inward while racing on the first turn. This action forced ninth place finisher #4 “The Adviser” (John Obert) to make a break at the point of interference. For this action, the stewards unanimously voted to disqualify #10 “Little Kiera” and place him ninth. The stewards determined the actions of the horse itself (“Little Kiera”) were to blame for this incident.

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

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

10/24/09 (2) **Eighth Race – Inquiry/Disqualification**

The stewards posted the inquiry sign after viewing third place finisher #4 “Royally Confused” (Lemoyne Svendsen) shift outward in mid stretch (inside 7/8 pole) and ‘put a wheel’ inside fourth place finisher #12 “ML Jackhammer” (Richard Wojcio). Driver Wojcio pulled on his race lines sharply to avoid contact in this incident. #12 “ML Jackhammer” finished strongly nonetheless.

The stewards spoke with both drivers involved and following film review were of the unanimous opinion that #4 “Royally Confused” should be disqualified and placed fourth. Driver Lemoyne Svendsen was ordered to film review with the stewards.

Original order of finish: 3-8-4-12-1-7-6-9-2-10-5-11

Official order of finish: 3-8-12-4-1-7-6-9-2-10-5-11

10/24/09 (3) **Fifteenth Race – Inquiry/Disqualification**

The stewards posted the inquiry sign following this late night event to view two (2) incidents.

The first incident was to determine if fifth place finisher #3 “Bangers And Mash N” (Kennedy Lindsey) violated Cal Expo pylon regulations on the final (3/4 pole) turn. Race replays determined that no violation took place as “Bangers And Mash” only ‘struck’ two (2) pylons.

In the second incident, sixth place finisher #5 “Mighty Kicker” (Richard Wojcio) goes on a break from the 15/16 pole to the wire. He was lapped-on at the finish by seventh place finisher #4 “Vapor Maker” (James Kennedy). The stewards enforced California Horse Racing Board Rule #1723 (Lapped-on Break) and disqualified #6 “Mighty Kicker” and placed him seventh.

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

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

10/24/09 (4) **Program Changes**

7th Race Declaration - #3 “Arcade Hall” – Trainer Bruce Clarke

Refund: \$146 Tied Up – Henry Cook, D.V.M.

8th Race Purse Correction – should read: \$3,700

10/24/09 (5) **Attendance and Handle**

Attendance	392
Live Handle (On Track)	\$47,209
Handle (In State)	\$503,989
Handle (Out of State)	<u>\$264,378</u>
Total Handle	\$815,576

RULINGS ISSUED THIS WEEK

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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

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
22-Oct	7	8	RUSH COUNTY SMOKE	SILVESTRI	Injured	Goodbary	\$111.00
24-Oct	7	3	ARCADE HALL	CLARKE	Tied Up	Cook	\$146.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	5,809.50
Fresno	\$	6,373.10
Fresno Club One	\$	2,303.90
Golden Gate	\$	47,146.40
Monterey	\$	8,020.70
Pleasanton	\$	29,081.90
Sacramento	\$	102,013.80
San Jose	\$	39,694.40
San Mateo	\$	72,573.50
Santa Rosa	\$	7,947.40
Stockton	\$	22,837.00
Vallejo	\$	21,426.00
So. California	\$	507,735.40
Out of State	\$	779,637.03

CAL-EXPO HARNESS ASSOCIATION**SUMMARY 2009**

	Mon 10/19	Tues 10/20	Wed 10/21	Thurs 10/22	Fri 10/23	Sat 10/24	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	1
Cal-Bred Races	A	A	A	0	0	0	0	0
Claims	R	R	R	0	1	2	3	7
Disqualifications	K	K	K	0	2	3	5	13
Inquiries	D	D	D	0	2	3	5	20
Refunds	A	A	A	1	0	0	1	27
Rulings	Y	Y	Y	5	1	0	6	19

**Stewards Attendance: Stewards Baker, Meyers and Oke, were in attendance.
All drivers submitted to a breath analyzer test.**

Grant Baker, Steward

Will Meyers, Steward

Michael W. "Wayne" Oke, Steward