

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

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RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR**

Proceedings of the Board of Stewards for the period of Monday, January 18, 2010 through Sunday, January 24, 2010. Steward Will Meyers was the Reporting and Duty Steward for the enclosed period.

Monday

01/18/10 (1) **Entries for Thursday and Friday**

Seventy five (75) horses are entered for Thursday's ten (10) race card. No Cal-Bred races were used. Friday's thirteen (13) race card drew ninety seven (97) entries with no Cal-Bred races. The rain and wind are expected to continue throughout the week, which affects the total amount of horses entered.

01/18/10 (2) **Dark Day**

Tuesday

01/19/10 (1) **Scratches for Thursday & Friday/Entries for Saturday & Sunday**

One driver change was noted for Thursday. One scratch and numerous driver changes were taken for Friday. One hundred seven (107) horses are scheduled to participate in Saturday's thirteen (13) race card. No Cal-Bred races were used. Seventy four (74) horses are scheduled to race on Sunday's nine (9) race card.

01/19/10 (2) **Dark Day**

Wednesday

01/20/10 (1) **Scratches for Saturday and Sunday**

Numerous driver changes were recorded for Saturday and Sunday.

01/20/10 (2) **Escobedo VS Eiler Jr. – Case # 09SW-0174**

Trainer Raul Escobedo opted to take this case to small claims court to try to obtain a judgment to solidify his position in accordance with California Horse Racing Board Rule #1876 (Financial Responsibility). This action will take any question of jurisdiction out of the equation. Escobedo is seeking \$720 in alleged monies owed on a ‘race out’ or sale of horse.

01/20/10 (3) **Ricco VS McKee – Case # 09SW-0196**

A hearing was conducted today for a financial complaint filed by Trainer Jason Ricco against Owner Richard McKee in the amount of \$3,000. McKee has been suspended for failure to appear and ordered to pay in Rulings #1 and #2 issued by the Board of Stewards on December 27, 2009. Ruling #2, which ordered McKee to pay \$3,000, was set aside by the Board and the case was remanded to this Board of Stewards for a proper hearing. McKee and Ricco both appeared and brought paperwork and testified. After about an hour of discussion, an amount of \$2,500 was agreed upon by both parties and the hearing was brought to a close. A ruling reinstating McKee’s license will follow. Both McKee and Ricco signed a financial agreement.

Ruling # 07

Owner Richard McKee, having now appeared before the Cal Expo Board of Stewards, Ruling #01 dated December 27, 2009 is hereby Set Aside and the license privileges of Owner Richard McKee are hereby restored to good standing.

01/20/10 (4) **Dark Day**

Thursday

01/21/10 (1) **Silvestri III – Review**

Provisional Driver Ralph Silvestri III was in to review a couple of races with the stewards. Silvestri is new to driving and the stewards are generally counseling him in an effort to improve his performance.

01/21/10 (2) **Inclement Weather**

Rainstorms continue to batter Northern California. Tonight’s racing will be conducted on a sloppy surface.

01/21/10 (3) **Fifth Race – Inquiry/Disqualification**

#1 “Thouartthegreatest” (Steve Wiseman) went offstride in the stretch, finishing fifth (5th). The inquiry sign was posted and after review, it was determined #5 violated the breaking rule by failing to lose ground while offstride. #5 was placed sixth (last) for the violation.

01/21/10 (4) **Sixth Race – Inquiry/No Change**

#6 “Don’t Tempt Me” (Luke Plano) went offstride at the wire, finishing fourth (4th). The inquiry sign was posted and after review, no violations were noted. No change.

for redistribution in accordance with California Horse Racing Board Rule #1760 (Purse Award or Prize to be Held).

It is further ordered that Driver Steve Wiseman (\$60) and Trainer Frank Petrelli (\$60) 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

1st "Anns Nestegg"

2nd "Pussy Cat"

3rd "Santa Rosalia"

4th "Southern John"

5th "Hope Tu Place"

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-mutuel payoffs.

The above ruling was issued after the Board accepted the decision on Case # SAC 10-0006, finding Frank Petrelli in violation of California Horse Racing Board Rules for the horse "Keystone Comotion", testing positive for "Yohimbine".

01/22/10 (3) **Second Race – Inquiry/No Change**

The inquiry sign was posted to review an incident in the stretch involving #1 "Keyword Hanover" (Rocky Stidham, 1st), #6 "Dancincheektocheek" (Luke Plano, 3rd) and #3 "Natty Lite" (Lemoyne Svendsen, 4th).

After review, it was determined that #3 came out, putting a wheel under #1, who's driver in turn pulled out to avoid the wheel and caused the driver of #6 to check his horse. #1 and #6 ended up finishing in front of #3 so no change was warranted. Driver Svendsen was ordered to the stewards.

01/22/10 (4) **Program Changes**

5th Race Declaration - #2 "Awesome Deal N" – Trainer Rick Plano

Refund: \$48 Track Condition – Stewards

10th Race Declaration - #6 "Alpine Hawk" – Trainer Gordon Graham

Refund: \$13 Track Condition – Stewards

13th Race Declaration - #5 "Garland Bot Joefee" – Trainer Nathalie Tremblay

Refund: \$59 Track Condition – Stewards

#7 "Letter Of Intent" – Trainer Earl Kennedy

Refund: \$53 Track Condition – Stewards

01/22/10 (5) **Attendance and Handle**

Attendance	312
Live Handle (On Track)	\$48,856
Handle (In State)	\$327,770
<u>Handle (Out of State)</u>	<u>\$307,993</u>
Total Handle	\$684,619

Saturday

- 01/23/10 (1) **Wednesday's Draw Cancelled**
Racing Secretary Fred Kuebler had nine races ready to draw for Wednesday when Director of Racing Dave Elliott called and cancelled racing for Wednesday.
- 01/23/10 (2) **Bad News**
This office has been informed via e-mail of a new three (3) day a week schedule starting next week through June 19th. Los Alamito's cut back in days and overpayments of purses here at Cal Expo seem to be the main reasons.
- 01/23/10 (3) **Qualifiers**
Eleven of sixteen made the grade in tonight's four qualifying races.
- 01/23/10 (4) **Eleventh Race – Inquiry/No Change**
#7 “Luck Will Have It” (Trent Tharps Jr.) made a break and ended up finishing fourth. The inquiry sign was posted and after review it was determined that the breaking rule was complied with and no interference occurred.
- 01/23/10 (5) **Program Changes**
11th Race Declaration - #2 “Blissful Kassie” – Trainer Robert Bell
Refund: \$0 Injured – Dr. Robert Goodbary
12th Race Declaration - #7 “Silver Rocket” – Trainer Gene Vallandingham
Refund: \$0 Injured – Dr. Robert Goodbary
- 01/23/10 **Attendance and Handle**
- | | |
|------------------------------|------------------|
| Attendance | 364 |
| Live Handle (On Track) | \$60,785 |
| Handle (In State) | \$427,459 |
| <u>Handle (Out of State)</u> | <u>\$286,565</u> |
| Total Handle | \$774,809 |

Sunday

- 01/24/10 (1) **Maier Ruling**
- Ruling # 10**
- Trainer Tim Maier, who started the horse “ML Jackhammer” in the Eighth Race on Saturday, January 23, 2010, is hereby fined One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1848 Bandages – Unauthorized Bandages in Post Parade).*
- The above ruling was issued after Maier appeared and explained that he forgot to take the hind polo bandages off before he post paraded.
- 01/24/10 (2) **Tharps Jr. Ruling**
- Ruling # 11**
- Driver Trent Tharps Jr., who drove “Luck Will Have It” in the Eleventh Race on Saturday, January 23, 2010, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board*

RULINGS ISSUED THIS WEEK

- 01/21/10 07 Owner Richard McKee, having now appeared before the Cal Expo Board of Stewards, Ruling #01 dated December 27, 2009 is hereby Set Aside and the license privileges of Owner Richard McKee are hereby restored to good standing.
- 01/22/10 08 Driver Luke Plano, who drove “Don’t Tempt Me” in the Sixth Race on January 21, 2010, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Driving With Foot Out of Stirrup/Urging by Contact).
- 01/22/10 09 Acting upon a report from University of California, Davis, an official laboratory for the California Horse Racing Board and disposition of Case Sac 10-0006, that the post race sample #CE-11537, taken from the horse “Keystone Comotion”, the first place finisher in the Fourth Race on April 11, 2009, at Cal-Expo, tested positive for the prohibited drug “Yohimbine” (Class II), it is ordered that “Keystone Comotion” 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 “Keystone Comotion” (Owen Eiler Jr.) return all purse monies (\$1,080) 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 Steve Wiseman (\$60) and Trainer Frank Petrelli (\$60) 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

- 1st “Anns Nestegg”
 2nd “Pussy Cat”
 3rd “Santa Rosalia”
 4th “Southern John”
 5th “Hope Tu Place”

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-mutuel payoffs.

- 01/24/10 10 Trainer Tim Maier, who started the horse “ML Jackhammer” in the Eighth Race on Saturday, January 23, 2010, is hereby fined One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1848 (Bandages – Unauthorized Bandages in Post Parade).
- 01/24/10 11 Driver Trent Tharps Jr., who drove “Luck Will Have It” in the Eleventh Race on Saturday, January 23, 2010, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1734 (Whipping – No Driver Shall Use Unreasonable or Unnecessary Force in the Whipping of a Horse).
- 01/24/10 12 Driver Lemoyne Svendsen, who drove “Natty Lite” in the Second Race on Friday, January 22, 2010, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule # 1721 (A) (Driving Rules – Change Either to the Right or Left During Any Part of the Race When Another Horse is So Near That in Altering the Position of His Horse He Compels the Horse Behind Him to Shorten His Stride, or Causes The Driver of Such Other Horse to Pull Such Horse Out of His Stride).

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>
21-Jan	5	7	RED STAR RUFFLES	JOHNSON	Injured	Goodbary	\$30.00
23-Jan	11	2	BLISSFUL KASSIE	BELL	Injured	Goodbary	\$0.00
	12	7	SILVER ROCKET	VALLANDINGHAM	Injured	Goodbary	\$0.00
24-Jan	5	5	MOOD LIGHTING	SILVESTRI III	Lame	Goodbary	\$119.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	7,196.40
Fresno	\$	3,651.00
Fresno Club One	\$	1,385.60
Golden Gate	\$	50,587.20
Monterey	\$	8,162.40
Pleasanton	\$	26,019.70
Sacramento	\$	124,117.80
San Jose	\$	40,006.50
San Mateo	\$	63,420.70
Santa Rosa	\$	12,087.30
Stockton	\$	16,856.00
Vallejo	\$	16,710.10
So. California	\$	484,771.10
Out of State	\$	1,051,617.45

**CAL-EXPO RACING ASSOCIATION
SUMMARY
2010**

	Mon 01/18	Tues 01/19	Wed 01/20	Thurs 01/21	Fri 01/22	Sat 01/23	Sun 01/24	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	0	3
Cal-Bred Races	A	A	A	0	0	0	0	0	0
Claims	R	R	R	0	2	2	0	4	5
Disqualifications	K	K	K	2	0	0	0	2	4
Inquiries	D	D	D	3	1	1	0	5	21
Refunds	A	A	A	5	4	2	4	15	74
Rulings	Y	Y	Y	1	2	0	3	6	12

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

All drivers submitted to a breath analyzer test.

Will Meyers, Steward

Michael W. "Wayne" Oke, Steward

Brent McLaren, Steward