

CALIFORNIA HORSE RACING BOARD
1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825
(916) 263-6000
FAX (916) 263-6042



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

**HONORABLE ARNOLD SCHWARZENEGGER, GOVERNOR
HONORABLE KEITH BRACKPOOL, CHAIRMAN
HONORABLE DAVID ISRAEL, VICE CHAIRMAN
HONORABLE JESSE H. CHOPER, MEMBER
HONORABLE BO DEREK, MEMBER
HONORABLE JOHN C. HARRIS, MEMBER
HONORABLE JERRY MOSS, MEMBER
HONORABLE RICHARD A. ROSENBERG, MEMBER
KIRK E. BREED, EXECUTIVE DIRECTOR
RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR**

Proceedings of the Board of Stewards for the period of Monday, March 01, 2010 through Sunday, March 07, 2010. Steward Will Meyers was the Reporting and Duty Steward for the enclosed period.

Monday

03/01/10 (1) **Entries for Thursday**

Ninety three (93) horses are entered for Thursday's twelve (12) race card. No Cal-Bred races were used.

03/01/10 (2) **Dark Day**

Tuesday

03/02/10 (1) **Scratches for Thursday /Entries for Friday & Saturday**

A couple of driver changes were taken at scratch time for Thursday's card. One hundred twenty one (121) horses are scheduled to start in Friday's fifteen (15) race card. Saturday's fifteen (15) races drew one hundred seventeen (117) entries. No Cal-Breds were used on either day.

03/02/10 (2) **Dark Day**

Wednesday

03/03/10 (1) **Scratches for Friday and Saturday**

A few driver changes were noted for Friday and Saturday.

03/03/10 (2) **Waltenburgh Hearings – Case #08SW-0070 & 08SW-0081**

Hearings were held today concerning two complaints filed against Edwin Jeffery Waltenburgh. Mr. Waltenburgh was represented by Attorney James Warden who was present at the hearing. Mr. Waltenburgh testified by

phone from Canada. The cases were presented by Supervising Investigator II Martin Snezek on behalf of the Board. Yvonne Fenner of Wendy Frazier Reporting recorded the hearings.

The first case involved contraband found on or about May 14, 2008 in Mr. Waltenburgh's trailer located on Cal-Expo's grounds. Violation of Rules #1489 (H), 1843 (C), 1867 (B), 1890, 1900 and 1902 (B) are charged in the complaint.

The second case involved an alleged positive test on "Sues Destroyer", who finished first (1st) in the fourth race at Cal-Expo on July 24, 2008. Mr. Waltenburgh was the trainer of record for "Sues Destroyer" at the time. "Hydromorphone", a Class 1 prohibited substance, was detected by U.C. Davis Laboratories and confirmed by the University of Florida Laboratories under split sample testing. Violation of Rules #1887 and 1843 (A,D) are charged in the complaint.

Mr. Waltenburgh was summarily suspended by the Cal-Expo stewards on July 25, 2008 in Ruling #70 and has not participated in racing in California since then.

Mr. Waltenburgh's licenses have all expired: Trainer 11/2008; Owner 11/2008; and Driver 11/2009.

Mr. Waltenburgh, through and with his attorney, accepted the complaints and documents relating to both cases without objection and they were placed in evidence on the record.

According to Mr. Snezek, the stewards maintain jurisdiction to take action (fine, suspension of license privileges) against Mr. Waltenburgh based on Horse Racing Law 19461.1 (B), although his licenses are expired.

The law states: The suspension, expiration, or forfeiture by operation of law of a license issued by the board, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law, or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any of those grounds.

All evidence and testimony were placed on the record and the hearing closed. Due to the complicated nature of the case, the stewards will take some extra time to review the laws and rules before rendering a decision.

Thursday

03/04/10 (1)

Tenth Race – Inquiry/No Change

#6 "See Through It" (Gilbert Herrera) (4th) went inside of one pylon in the stretch. The inquiry was posted to review possible interference by the winner #4 "Chartleysmonalisa" (Rick Plano) (1st) causing #6 to go inside the pylons. After review, it was determined that no interference occurred.

Saturday

03/06/10 (1)

Plano Film Review

Luke Plano was in to review his drive in the 3rd Race last night. He accepted the stewards view that he needs to be out and going a little quicker, even with a 3 to 5 shot.

03/06/10 (2)

Sixth Race – Inquiry/No Change

#2 “Perfect Hanover” (Rick Plano) went inside of one (1) pylon in the stretch, finishing fourth (4th). After review it was determined that no unfair advantage was gained.

03/06/10 (3)

Eighth Race – Double Inquiry/One Disqualification/One No Change

The inquiry sign was posted to review two (2) separate instances of possible interference.

The first incident was shortly after the first quarter. #8 “Shock And Awe” (David Siegel) made the front after a 27² first quarter and Driver Siegel took hold of his horse. The second quarter was 31 seconds. When the pace slowed, it appeared confusion was caused to trailing horses of which three (3) made breaks. After review it was determined in a two (2) to one (1) vote that no change was necessary. Steward Meyers felt #8 should have been disqualified.

The second incident was in the stretch when original second (2nd) place finisher #7 “Leave It To Sam” and Driver Luke Plano pulled from the pocked and clipped the front legs of #3 “Axelrod” (James Lackey) who went offstride, ending up tenth (10th). #7 was disqualified and placed tenth (10th) for the interference.

Drivers Siegel and Plano were both ordered to appear before the stewards.

03/06/10 (4)

Program Changes

1st Race Declaration - #6 “King’s Highway” – Trainer Chris Bainter

Refund: \$159 Injured – Dr. Robert Goodbary

3rd Race Declaration - #5 “Thouartthegreatest” – Trainer David Gullian

Refund: \$352 Injured – Dr. Robert Goodbary

13th Race Declaration - #8 “Mattreality” – Trainer Liberio Pacheco

Refund: \$116 Injured – Dr. Robert Goodbary

03/06/10 (5)

Attendance and Handle

Attendance	432
Live Handle (On Track)	\$61,694
Handle (In State)	\$473,301
Handle (Out of State)	\$294,105
<u>Total Handle</u>	<u>\$829,100</u>

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>
4-Mar	4	6	TAWNY RESERVE N	SMITH	Injured	Goodbary	\$64.00
	8	8	GROOVIN HI	CISCO	Injured	Goodbary	\$366.00
5-Mar	8	8	MAX'S ILLUSION	CASALE	Injured	Goodbary	\$9.00
	10	5	MAC JONATHAN VP	SOLDEN	Injured	Goodbary	\$46.00
	15	9	PARTY BUNNY	SOLDEN	Injured	Goodbary	\$90.00
6-Mar	1	6	KING'S HIGHWAY	BAINTER	Injured	Goodbary	\$159.00
	3	5	THOUARTTHEGREATEST	GULLIAN	Injured	Goodbary	\$352.00
	13	8	MATTREALITY	PACHECO	Injured	Goodbary	\$116.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	8,672.30
Fresno	\$	9,222.50
Fresno Club One	\$	2,672.80
Golden Gate	\$	55,708.20
Monterey	\$	7,403.80
Pleasanton	\$	31,075.00
Sacramento	\$	122,736.60
San Jose	\$	45,083.40
San Mateo	\$	56,805.70
Santa Rosa	\$	12,013.90
Stockton	\$	22,701.10
Tulare	\$	-
Turlock	\$	-
Vallejo	\$	15,705.30
So. California	\$	543,038.40
Out of State	\$	912,362.82

CAL-EXPO HARNESS ASSOCIATION

SUMMARY

2010

	Mon 03/01	Tues 03/02	Wed 03/03	Thurs 03/04	Fri 03/05	Sat 03/06	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	4
Cal-Bred Races	A	A	A	0	0	0	0	0
Claims	R	R	R	0	0	0	0	9
Disqualifications	K	K	K	0	2	1	3	21
Inquiries	D	D	D	1	3	3	7	58
Refunds	A	A	A	2	3	3	8	153
Rulings	Y	Y	Y	1	0	0	1	37

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

All drivers submitted to a breathalyzer test.

Will Meyers, Steward

Michael W. "Wayne" Oke, Steward

Grant Baker, Steward