

**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 08, 2010 through Sunday, March 14, 2010. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

**Monday**

03/08/10 (1) **Entries & Draw for Thursday 03/11/10**  
Entries were taken and a draw conducted for Thursday's card. At the 1:00 p.m. draw one hundred three (103) head were drawn to compete in thirteen (13) races.

Scratch time is tomorrow at 9:00 a.m.

03/08/10 (2) **Dark Day**

**Tuesday**

03/09/10 (1) **Scratch Time for Thursday 03/11/10**  
At scratch time for Thursday's card there were sixteen (16) driver corrections and one (1) injured scratch.

03/09/10 (2) **Entries & Draw for Friday 03/12/10 and Saturday 03/13/10**  
Entries were taken and a double draw conducted for Friday and Saturday's programs.

At the 12:30 p.m. draw for Friday's card one hundred six (106) head were drawn to compete in fourteen (14) races.

Immediately following a draw was conducted for Saturday's card with one hundred nine (109) head drawn to compete in fourteen (14) races.

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

03/09/10 (3) **Dark Day**

**Wednesday**

03/10/10 (1) **Scratch Time for Friday 03/12/10 & Saturday's Cards**

At scratch time for Friday's card there were six (6) driver corrections. For Saturday's card there were twenty three (23) driver corrections.

03/10/10 (2) **USTA Trainer's Test**

Prospective Trainer Zachary Taggert (Conrad Stable) wrote his USTA Trainers Test under the supervision of Duty Steward Wayne Oke. We wish him well.

03/10/10 (3) **Dark Day**

**Thursday**

03/11/10 (1) **Qualifying Entries**

Entries were taken and a qualifying sheet produced with thirty six (36) hopefuls scheduled to face Starter Bill Vallandingham in seven (7) qualifying events with first post set for 3:30 p.m.

03/11/10 (2) **Film Review/Driver Luke Plano**

Driver Luke Plano appeared in the steward's office as requested, to review his drive in Saturdays (03/06/10) 8<sup>th</sup> Race.

In this event Driver Plano's mount #7 "Leave It To Sam" was disqualified for initiating contact with #3 "Axelrod" (James Lackey) midstretch causing #3 to break stride.

Driver Plano, after a very respectful discussion with the Board of Stewards, accepted the following ruling:

**Ruling # 38**

*Driver Luke Plano, who drove "Leave It To Sam" in the Eighth Race on Saturday, March 06, 2010, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (B) (Driving Rules – Jostle, Strike, Hook Wheels or Interfere with Another Horse or Driver). The incident occurred mid stretch—resulting in a disqualification).*

03/11/10 (3) **Qualifying Races**

Seven (7) qualifying races were conducted under the supervision of Stewards Baker and Oke. With first post of 3:30 p.m. thirty (30) of thirty six (36) participants were successful in their qualifying efforts.

03/11/10 (4) **First Race – Inquiry/No Change**

The stewards posted the 'inquiry' sign to inquiry into two (2) incidents in the race.

Firstly, #5 “Andover Victory” (Rick Plano), the eventual fourth (4<sup>th</sup>) place finisher ‘broke stride’ immediately after the start. After reviewing film, the stewards unanimously concluded that #5 complied with the breaking rule, thus no change.

Secondly, #1 “Bert’s Pick” (Rocky Stidham), the third (3<sup>rd</sup>) place finisher, broke stride in deep stretch and continued ‘offstride’ through the finish.

After reviewing film, the stewards, by majority vote (Steward Oke dissenting), voted to leave the order of finished unchanged.

03/11/10 (5) **Second Race - Inquiry/Disqualification**

The stewards posted the ‘inquiry’ sign to inquiry into actions of first (1<sup>st</sup>) place finisher #1 “Stick Up” (Gilbert Garcia-Herrera).

After viewing films, the stewards unanimously concluded that #1 had bore out the length of the stretch, carrying #2 “Tootin Lady” (Steve Wiseman), the eventual third (3<sup>rd</sup>) place finisher, out, costing #2 an opportunity at a better placing. Thus, #1 who finished first (1<sup>st</sup>), was placed third (3<sup>rd</sup>) for interference in the stretch.

Driver Herrera was ordered to film review.

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

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

03/11/10 (6) **Twelfth Race – Inquiry/Disqualification**

The stewards posted the ‘inquiry’ sign to inquire into an incident among the ‘back markers’ when #4 “Hope Tu Place” (Tim Maier) broke stride and continued ‘off stride’ to the tote board. #4 who finished sixth (6<sup>th</sup>) was placed seventh (7<sup>th</sup>) for violation of the breaking rule.

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

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

03/11/10 (7) **Program Changes**

7<sup>th</sup> Race Declaration - #5 “Agirlthing” – Trainer Ralph Silvestri III

Refund: \$38                      Injured – Dr. Robert Goodbary

13<sup>th</sup> Race Declaration - #3 “Drama Princess” – Trainer Ralph Silvestri III

Refund: \$138                      Injured – Dr. Robert Goodbary

03/11/10 (8) **Attendance and Handle**

Attendance	232
Live Handle (On Track)	\$63,367
Handle (In State)	\$396,086
<u>Handle (Out of State)</u>	<u>\$241,261</u>
Total Handle	\$700,714

**Friday**

03/12/10 (1)

**Film Review/David Siegel**

Driver David Siegel was in the steward's office to review his drive on #8 "Shock And Awe" in Saturday's March 06, 2010 8<sup>th</sup> Race. At issue were two potential rule violations, namely:

- **1721(f)** Carry a horse out or sit down in front of him, take up abruptly in front of other horses so as to cause confusion or interference among trailing horses.
- **1721(i)** Drive or cause to be driven any unreasonably slow quarters or fractions.

After a frank discussion with Driver Siegel, the stewards (with Steward Wayne Oke arguing for a more severe penalty) issued the following ruling:

**Ruling # 39**

*Driver David Siegel, who drove "Shock And Awe" in the Eighth Race on Saturday, March 06, 2010, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule # 1721 (F) (Driving Rules - Take Up Abruptly In Front Of Other Horses So As To Cause Confusion) and 1721 (L) (Driving Rules – Drive Or Cause To Be Driven Any Unreasonably Slow Quarters Or Fractions).*

03/12/10 (2)

**Film Review – Driver Gilbert Herrera**

Driver Gilbert Herrera was in the steward's office to review his drive in Thursdays 2<sup>nd</sup> Race. Driver Herrera was quite candid in acknowledging his culpability in the incident and readily accepted the following ruling:

**Ruling # 40**

*Driver Gilbert Garcia-Herrera, who drove "Stick Up" in the Second Race on Thursday, March 11, 2010, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (J) (Driving Rules – Change Course Causing Interference). The incident occurred in the stretch – resulting in a disqualification.*

03/12/10 (3)

**Third Race – Inquiry/No Change**

The stewards lit the inquiry sign to investigate multiple 'breakers' during the running of this event. After reviewing film, the stewards determined there were no rule violations, thus no change.

03/12/10 (4)

**Fourth Race – No Show Wagering**

With two (2) 'track condition' scratches to a field with only six (6) wagering interests initially, the Board of Stewards cancelled 'show' wagering.

03/12/10 (5)

**Sixth Race – Inquiry/Disqualification**

The 'inquiry' was lit to examine an incident at the head of the stretch when eventual second (2<sup>nd</sup>) place finisher #3 "I Was The One" (Lemoyne

Svendsen) was observed shifting out, taking racing room from #2 “Little Box Out” (Tim Maier).

After reviewing film and speaking with the parties involved, the stewards unanimously concluded that #2’s chances had been compromised, thus #3 was disqualified and placed fifth (5<sup>th</sup>) behind #2 in the official order of finish. Driver Svendsen was ordered to film review.

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

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

03/12/10 (6) **Tenth Race – Recall/Scratch**

As the field formed for Race #10, #6 “OK Reilly N” (Chris Hernandez) wheeled and proceeded the wrong way on the racetrack. The horse was caught by Outrider Billy Don Wainscott without further incident.

The Board of Stewards scratched #6 and ordered the horse to successfully qualify twice before being eligible to participate in wagering events.

03/12/10 (7) **Program Changes**

4<sup>th</sup> Race Declaration - #2 “Fitness Freak” – Trainer James Kennedy  
Refund: \$99 Track Condition- Stewards

#3 “KG Discovery” – Trainer John Chappel  
Refund: \$59 Track Condition- Stewards

6<sup>th</sup> Race Declaration - #4 “Above Timberline” – Trainer Troyce Thomas  
Refund: \$622 Track Condition- Stewards

7<sup>th</sup> Race Declaration - #8 “Tonight Is Mine” – Trainer Richard Bertrand  
Refund: \$17 Track Condition- Stewards

8<sup>th</sup> Race Driver Change - #3 “Special Edition N”  
James Kennedy for programmed driver Ralph Silvestri III

9<sup>th</sup> Race Driver Change - #5 “Paul The Powerful”  
Steve Wiseman for programmed driver Ralph Silvestri III

9<sup>th</sup> Race Declaration - #8 “Garden Gate Admiral” – Trainer Brian Marchand  
Refund: \$8 Track Condition- Stewards

10<sup>th</sup> Race Driver Change - #5 “Royally Confused”  
James Kennedy for programmed driver Ralph Silvestri III

10<sup>th</sup> Race Declaration - #6 “OK Reilly N” – Trainer Chris Hernandez  
Refund: \$7,789 Stewards

12<sup>th</sup> Race Declaration - #1 “Steady Goin” – Trainer Troyce Thomas  
Refund: \$43 Track Condition- Stewards

14<sup>th</sup> Race Declaration - #5 “Vaminos Diablo” – Trainer Chris Hernandez  
Refund: \$111 Track Condition- Stewards

14<sup>th</sup> Race Driver Change - #8 “Alias Jones”  
Steve Wiseman for programmed driver Ralph Silvestri III

03/12/10 (8) **Attendance and Handle**

Attendance	322
Live Handle (On Track)	\$53,529
Handle (In State)	\$430,012
<u>Handle (Out of State)</u>	<u>\$323,016</u>
Total Handle	\$806,557

**Saturday**

03/13/10 (1)

**Driver L. Svendsen/Film Review – No Show/Sanction**

Driver L. Svendsen, who was ordered to film review to review his drive in Friday's 6<sup>th</sup> Race, failed to appear, thus the stewards issued the following ruling:

**Ruling # 42**

*Driver Lemoyne Svendsen, who drove #3 "I Was The One" in the Sixth Race on Friday, March 12, 2010, is fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (J) (Driving Rules – Change Course After Selecting a Position in the Home Stretch – Bore Out Into #2 Costing #2 an Opportunity for a Better Placing) – Resulting in a disqualification.*

Driver Svendsen contacted the stewards later, but was informed his fate has already been decided.

03/13/10 (2)

**Second Race – "Pacific Admiral"/Pulled Up – DNF**

Immediately after the start of Race #2 (open handicap pace), #3 "Pacific Admiral" (James Kennedy) broke stride and was 'pulled up' by Driver Kennedy. The horse was obviously in distress and the horse ambulance was called to the scene. During this time, the horse was attended by Official Veterinarian Robert Goodbary and Track Veterinarian Henry Cook.

The horse was vanned from the track and it was later determined the horse suffered a broken pastern. After the injury was diagnosed and consultation with Owner/Trainer Gretchen Smith, it was concluded the horse be euthanized to prevent further suffering.

03/13/10 (3)

**Fourth Race – Inquiry/Dead Heat – Disqualification**

The inquiry and the photo sign were flashed to determine the order of finish and investigate a 'breaking horse' at the finish.

After examining the photo finish, the stewards determined that #2 "Phipps" (Tim Maier) and #3 "Jam And Jelly" (Luke Plano) finished in a 'dead heat' for the place position. Secondly, it was determined that #2 was 'lapped on' at the wire, thus #2 was placed third (3<sup>rd</sup>) for a violation of the breaking rule.

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

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

03/13/10 (4)

**Sixth Race – Claim**

#3 "Giles L S Hanover" was claimed by David Siegel from Bob Johnson for Seven Thousand Five Hundred (\$7,500) Dollars.

03/13/10 (5)

**Sixth and Seventh Race – Timer Malfunction**

The timer 'shut down' prior to Race #6 due to an electronic component failure. Frank Mathews of Pegasus was able to obtain a replacement part and the system was back fully operational for Race #8.

The stewards timed the 6<sup>th</sup> and 7<sup>th</sup> races from the video replay.

03/13/10 (6) **Cal Sired Events**  
There were no Cal Sired events programmed for this week's three (3) cards.

03/13/10 (7) **Placing Judge – Surgery**  
Placing Judge Kathy Poor underwent orthopedic surgery this past week and consequently she was absent for the week's racing.

Assistant Race Secretary Brent Bridges filled in for Ms. Poor on Thursday and Friday and Sherry Cariglio filled in for Saturday's card.

03/13/10 (8) **Program Changes**  
4<sup>th</sup> Race Declaration - #4 "Meringue" – Trainer Hans Rynningen  
Refund: \$29                      Injured – Dr. Robert Goodbary  
8<sup>th</sup> Race Declaration - #2 "Blue Canyon" – Trainer James Kennedy  
Refund: \$49                      Injured – Dr. Robert Goodbary  
13<sup>th</sup> Race Declaration - #9 "Askmetootherball" – Trainer Lester Smith  
Refund: \$168                    Injured – Dr. Robert Goodbary  
14<sup>th</sup> Race Driver Change - #1 "Tu Charming"  
Etienne Desomer for programmed driver James Kennedy  
14<sup>th</sup> Race Declaration - #4 "Allamerican Macro" – Trainer Dario Solares  
Refund: \$74                      Injured – Dr. Robert Goodbary  
#6 "Doubleblackdiamond"- Trainer Chris Hernandez  
Refund: \$184                    Injured – Dr. Robert Goodbary

03/13/10 (9) **Attendance and Handle**

Attendance	378
Live Handle (On Track)	\$41,022
Handle (In State)	\$295,826
<u>Handle (Out of State)</u>	<u>\$311,964</u>
Total Handle	\$648,812

#### RULINGS ISSUED THIS WEEK

03/11/10      37      Driver Rick Plano, who drove "Perfect Hanover" in the Sixth Race on Saturday, March 06, 2010 is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule # 1721 (K) (Driving Rules – Careless Driving – Raced Inside Pylon – Top of Stretch).

03/11/10      38      Driver Luke Plano, who drove "Leave It To Sam" in the Eighth Race on Saturday, March 06, 2010, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (B) (Driving Rules – Jostle, Strike, Hook Wheels or Interfere with Another Horse or Driver). The incident occurred mid stretch—resulting in a disqualification).

- 03/12/10 39 Driver David Siegel, who drove “Shock And Awe” in the Eighth Race on Saturday, March 06, 2010, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule # 1721 (F) (Driving Rules - Take Up Abruptly In Front Of Other Horses So As To Cause Confusion) and 1721 (L) (Driving Rules – Drive Or Cause To Be Driven Any Unreasonably Slow Quarters Or Fractions).
- 03/12/10 40 Driver Gilbert Garcia-Herrera, who drove “Stick Up” in the Second Race on Thursday, March 11, 2010, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (J) (Driving Rules – Change Course Causing Interference). The incident occurred in the stretch–resulting in a disqualification.
- 03/13/10 41 Owner Richard Mckee, having failed to abide by the terms of the financial agreement signed in response to California Horse Racing Board Complaint #09SW-0196 is summarily suspended pending compliance with the previously written complaint.
- This ruling issued with reference to California Horse Racing Board Rule 1528 (Jurisdiction of Stewards) which states in part *“The Stewards May Suspend the License of Anyone Whom They Have The Authority to Supervise or They May Impose a Fine or They May Exclude From all Inclosures in This State or They May Suspend, Exclude and Fine. All Such Suspensions, Fines or Exclusions Shall be Reported Immediately to the Board.”*
- 03/13/10 42 Driver Lemoyne Svendsen, who drove #3 “I Was The One” in the Sixth Race on Friday, March 12, 2010, is fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (J) (Driving Rules – Change Course After Selecting a Position in the Home Stretch – Bore Out Into #2 Costing #2 an Opportunity for a Better Placing) – Resulting in a disqualification.

## 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>
11-Mar	7	5	AGIRLTHING	SILVESTRI III	Injured	Goodbary	\$38.00
	13	3	DRAMA PRINCESS	SILVESTRI III	Injured	Goodbary	\$138.00
13-Mar	4	4	MERINGUE	RYNNINGEN	Injured	Goodbary	\$29.00
	8	2	BLUE CANYON	KENNEDY	Injured	Goodbary	\$49.00
	13	9	ASKMETOOTHMALL	SMITH	Injured	Goodbary	\$168.00
	14	4	ALLAMERICAN MACRO	SOLARES	Injured	Goodbary	\$74.00
	14	6	DOUBLEBLACKDIAMOND	HERNANDEZ	Injured	Goodbary	\$184.00

### WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	5,306.70
Fresno	\$	7,709.40
Fresno Club One	\$	2,322.30
Golden Gate	\$	43,761.70
Monterey	\$	7,101.80
Pleasanton	\$	18,646.90
Sacramento	\$	111,897.60
San Jose	\$	38,316.00
San Mateo	\$	49,613.20
Santa Rosa	\$	15,896.50
Stockton	\$	20,499.30
Vallejo	\$	13,680.80
So. California	\$	473,105.10
Out of State	\$	876,241.44