

CALIFORNIA HORSE RACING BOARD
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WATCH AND WAGER LLC – CAL EXPO
TO THE CALIFORNIA HORSE RACING BOARD

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Proceedings of the Board of Stewards for the period of Sunday, December 30, 2012 through Sunday, January 6, 2013. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

Sunday

12/30/12 (1) **Entry Day**

The race office was open this morning accepting entries for the week's racing on January 4, 5 and 6. The usual clerical duties, horse transfers, and trainer changes were processed.

12/30/12 (2) **Dark Day**

Monday

12/31/12 (1) **Draw For Friday and Saturday Cards**

A draw was conducted at 11:00 am for Friday's card. The fifteen (15) race card had one hundred thirty one (131) entries. Immediately following, a draw was conducted for Saturday's fifteen (15) race card with one hundred twenty two (122) scheduled to compete in the fifteen (15) race card. Scratch time for both cards is Wednesday, January 2, at 9:00 am.

12/31/12 (2) **Dark Day**

Wednesday

01/02/13 (1) **Scratch Time for Friday and Saturday Cards**

At scratch time for Friday's card there were numerous driver corrections, one (1) claiming price correction, one (1) trainer correction and one (1) medication correction.

For Saturday's card there were numerous driver corrections, one (1) claiming price correction, one (1) trainer correction, three (3) injured scratches and one (1) steward's scratch (race office error).

01/02/13 (2) **Draw For Sunday, January 6, 2013**

At the 11:00 am draw for Sunday's card ninety one (91) head were drawn to compete in twelve (12) races. Scratch time for Sunday's card is tomorrow at 9:00 am.

01/02/13 (3) **Trainer's Test**

Corey Stevens took the CHRB Trainer's Test today.

01/02/13 (4) **Dark Day**

Thursday

01/03/13 (1) **Scratch Time For Sunday's Card**

At scratch time for Sunday's card there were numerous driver corrections, two (2) clerical corrections, one (1) injured scratch and one (1) steward's scratch (race office – not eligible).

01/03/13 (2) **Dark Day**

Friday

01/04/13 (1) **Second Race Inquiry – No Change**

The inquiry sign was posted in order to examine two (2) separate incidents in the race.

Firstly, the actions of #3 "Sea Bug" (Mike Jarvis) the eventual race winner in the stretch relative to the 'pylon rule'. #3, while extremely close to the line, in the unanimous opinion of the Board of Stewards there was no rule violation thus no change.

Secondly, the stewards reviewed the actions of #5 "Heartland Express" (James Kennedy) and #7 "Smiling Major" (Mark Eaton [P]) in the stretch. After reviewing video the stewards felt that both horses contributed to the close quarter racing and that the incident did not warrant a disqualification. However, the Board of Stewards felt Provisional Driver Eaton would benefit from a review of the race with the stewards. More to follow.

01/04/13 (2) **Sixth Race Inquiry – Disqualification**

The inquiry sign was posted to review the stretch drive in particular the actions of #1 "Cherry Tree Nicole" (Tim Maier) who was observed "off-stride" in the stretch. After reviewing video the stewards unanimously concluded that #1, while regaining her gait prior to the finish, was in violation of the breaking rule thus was disqualified from 5th and placed 6th (last).

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

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

- 01/04/13 (3) **Tenth Race – Driver to Film Review**
 Driver Steve Wiseman #9 “Stanza” was ordered to film review to discuss an incident that occurred among the ‘back markers’ resulting in #8 “Stigma Seelster” (David Siegel) finishing with a flat tire. Following the event Driver Wiseman contacted the Board of Stewards taking responsibility for the incident. More to follow.
- 01/04/13 (4) **Driver Excused**
 Driver Mike Jarvis was excused from his driver in races #12-14 after complaining of pain in his shoulder; a situation precipitated by an accident while competing in another jurisdiction.
- 01/04/13 (5) **Twelfth Race – Driver to Film Review**
 Driver Steve Wiseman #5 “Summer’s Overtime” was ordered to film review after his mount #5 was observed ‘off the gate’ and ‘crossing over’ before the start. More to follow.
- 01/04/13 (6) **Program Changes**
 6th Race Declaration - #4 “Alpine Hawk” –Trainer Gordon Graham
 Refund:\$308.31 Injured – Robert Goodbary, DVM
 12th Race Driver Change - #10 “Hi Ho Hi Ho”
 James Kennedy for programmed Driver Mike Jarvis (Injured)
 13th Race Driver Change - #1 “No Strings”
 Paul Welence for programmed Driver Mike Jarvis (Injured)
 14th Race Driver Change - #2 “Ginnysdoodledandy”
 Tim Maier for programmed Driver Mike Jarvis (Injured)
- 01/04/13 (7) **Attendance and Handle**
- | | |
|------------------------------|------------------|
| Attendance | 212 |
| Live Handle (On Track) | \$49,895 |
| Handle (In State) | \$359,261 |
| <u>Handle (Out of State)</u> | <u>\$552,694</u> |
| Total Handle | \$961,850 |

Saturday

- 01/05/13 (1) **Qualifying Entries**
 The race office was open this morning accepting entries for qualifying races to be conducted this afternoon. The resultant qualifying sheet shows thirteen (13) horses scheduled to compete in three (3) qualifying events. Post time is 4:30 pm.
- 01/05/13 (2) **Film Review – Provisional Driver Mark Eaton [REF: 01/04/13 (1)]**
 Provisional Driver Mark Eaton attended film review as requested, under discussion was the young man’s drive in Friday’s second race. The Board of Stewards were concerned with his failure to maintain a straight course in the stretch and his possible culpability under the ‘house whipping rule’. The young man was very respectful of the process and very receptive to constructive criticism. In light of his candor the Board of Stewards felt a warning was in order.

- 01/05/13 (3) **Film Review – Driver Steve Wiseman [REF: 01/04/13 (3) (4)]**
 Driver Wiseman attended film review as requested. At issue were Wiseman’s actions in the tenth race and the twelfth race on Friday’s card. Firstly, review was conducted of the tenth race when #8 “Stigma Seelster” (David Siegel) suffered a flat tire. Following the event Drive Wiseman contacted the Board of Stewards and took responsibility for the incident. After reviewing video the stewards felt that both parties contributed to the incident and took no action.

Secondly, during the start of the twelfth race Wiseman’s mount #5 “Summer’s Overtime” was observed ‘off the gate’ and ‘crossing over before the start’. After reviewing video Driver Wiseman concurred with the Board of Stewards assessment of the incident and the following ruling was issued:

RULING # 06

DRIVER STEVE WISEMAN, WHO DROVE #5 “SUMMER’S OVERTIME” IN THE TWELFTH RACE ON JANUARY 4, 2013, IS HEREBY FINED THE SUM OF ONE HUNDRED (\$100.00)* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1731 (E) (DRIVER INFRACTIONS [STARTING RULES] – CROSSING OVER BEFORE REACHING THE START) AND #1731 (G) (DRIVER INFRACTIONS – FAIL TO COME UP INTO POSITION).

- 01/05/13 (4) **Qualifying Races**
 Three (3) qualifying races were conducted today commencing at 4:30 pm. Nine (9) or the thirteen (13) participants were successful in their qualifying efforts.

- 01/05/13 (5) **Track Condition**
 The program began with the track listed ‘fast’, however a steady rain which started shortly after the first race caused the surface to be listed as ‘good’ for the sixth race and ‘sloppy’ for races seven (7) through fifteen (15).

- 01/05/13 (6) **Seventh Race – Whipping Rule Sanctions**
 At the conclusion of the seventh race, Driver James Lackey #2 “Herzon” (2nd) and Steve Wiseman “Terror Time” (1st) were contacted by the Board of Stewards concerning their use of the whip during the stretch drive. While both drivers were in contention for the win, it was the unanimous opinion of the stewards that both were in clear violation of the whipping rule. Both drivers declined the option of a hearing and accepted the following rulings:

RULING # 07

DRIVER JAMES LACKEY, WHO DROVE “HERZON” IN THE SEVENTH RACE ON JANUARY 5, 2013, IS HEREBY FINED THE SUM OF FIFTY (\$50.00)* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1530 (CASES NOT

COVERED – VIOLATION OF ‘CAL-EXPO HOUSE WHIPPING RULE’ – (4)(A) ANY BLATANT OR EXAGGERATED MOVEMENTS OF THE WHIPPING ARM WHICH WILL RESULT FROM RAISING THE ELBOW ABOVE THE DRIVER’S SHOULDER HEIGHT AND/OR ALLOWING THE HAND HOLDING THE WHIP TO REACH BEHIND THE DRIVER DURING THE USE OF THE WHIP).

RULING # 08

DRIVER **STEVE WISEMAN**, WHO DROVE “**TERROR TIME**” IN THE SEVENTH RACE ON JANUARY 5, 2013, IS HEREBY FINED THE SUM OF FIFTY (**\$50.00**)* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #**1530** (CASES NOT COVERED – VIOLATION OF ‘CAL-EXPO HOUSE WHIPPING RULE’ – (4)(A) ANY BLATANT OR EXAGGERATED MOVEMENTS OF THE WHIPPING ARM WHICH WILL RESULT FROM RAISING THE ELBOW ABOVE THE DRIVER’S SHOULDER HEIGHT AND/OR ALLOWING THE HAND HOLDING THE WHIP TO REACH BEHIND THE DRIVER DURING THE USE OF THE WHIP).

Both drivers were put on notice that any further violations will result in stiffer sanctions. Additionally Driver James Kennedy #6 “Brookie Faront” (4th) was issued a warning as the stewards do not consider his actions, concerning the same rule, rise to the level of sanction.

- 01/05/13 (7) **Thirteenth Race Inquiry – No Change**
The inquiry sign was lit in order to review the actions of #2 “Don’t Hurry Love” (Lemoyne Svendsen) (1st) and #7 “Posey Patch” (Luke Plano) (2nd) in deep stretch and at the finish. After reviewing video the stewards unanimously concluded there were no rule violations, thus no change.
- 01/05/13 (8) **Driver Excused [REF: 01/04/13 (4)]**
Driver Mike Jarvis was again excused from his drives after the seventh race after contacting the stewards complaining of shoulder pain. Driver Jarvis was advised the Board of Stewards would require a ‘medical clearance’ prior to him being allowed to participate as a driver.
- 01/05/13 (9) **Program Changes**
5th Race Driver Change - #6 “Amazon Dot”
Tim Maier for programmed Driver Gene Vallandingham
6th Race Driver Change - #2 “AJ’s Little One”
Bruce Clarke for programmed Driver George Luster
7th Race Declaration - #4 “Red Star Popeye” – Trainer Bob Johnson
Refund:\$455.88 Injured – Robert Goodbary, DVM
11th Race Driver Change - #6 “JC’s Lucky Dreamer”
James Lackey for programmed Driver Mike Jarvis
12th Race Declaration - #1 “Pip’s Jenny G” – Trainer Lester Smith
Refund:\$145.10 Injured – Robert Goodbary DVM
14th Race Declaration - #6 “Charmer” – Trainer Paul Welence
Refund:\$181.40 Injured – Robert Goodbary DVM

14th Race Driver Change - #2 "Colorado Rose"
 Tim Maier for programmed Driver Mike Jarvis

01/05/13 (10) <u>Attendance and Handle</u>	
Attendance	222
Live Handle (On Track)	\$45,155
Handle (In State)	\$341,743
Handle (Out of State)	\$583,673
Total Handle	\$970,571

Sunday

01/06/13 (1) **Jarvis Off [REF: 01/04/13 (4) & 01/05/13 (8)]**

Driver Mike Jarvis was removed from his drives on this evening's card. He will remain on the sidelines until he receives medical clearance to participate as a driver.

01/06/13 (2) **Track Condition**

The program started with the track condition listed as 'good'. The status was upgraded to 'fast' after the third race and remained that way through the conclusion of the card.

01/06/13 (3) **Second Race Inquiry – No Change**

The stewards posted the inquiry sign in order to review the actions of #3 "Claudius Augustus" (Lemoyne Svendsen) (7th) who was observed 'off-stride' past the ¾ mile marker and through the finish. While 'off-stride' #3 impeded the process of #5 "Putoneonnetformom" (Rocky Stidham) (6th) and #6 "K D Amazin Spirit" (Scott Cisco) (1st). #3 finished behind the affected horses thus no change. Driver Svendsen was held blameless in the incident.

01/06/13 (4) **Kudos to the Track Crew**

Track Superintendent J.R. Williams and his track crew have done an excellent job in providing a safe and race-able surface despite some very challenging weather conditions.

01/06/13 (5) **Program Changes**

5th Race Driver Change - #6 "Sweet Temperance"

James Lackey for programmed Driver Mike Jarvis

9th Race Driver Change - #4 "Glad It's Over"

Mike Eaton for programmed Driver Mike Jarvis

11th Race Driver Change - #5 "Stimulus Check"

Mike Eaton for programmed Driver Mike Jarvis

12th Race Driver Change - #7 "Breakin Loose"

Mike Eaton for programmed Driver Mike Jarvis

12th Race Declaration - #10 "Dancing Barry" – Trainer Gene Vallandingham

Refund:\$54.80

Injured – Robert Goodbary DVM

01/06/13 (6)	<u>Attendance and Handle</u>	
	Attendance	138
	Live Handle (On Track)	\$36,972
	Handle (In State)	\$245,210
	Handle (Out of State)	<u>\$547,016</u>
	Total Handle	\$829,198

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
4-Jan	6	4	ALPINE HAWK	GORDON GRAHAM	Injured	Goodbary	\$ 308.31
5-Jan	7	4	RED STAR POPEYE	BOB JOHNSON	Injured	Goodbary	\$ 455.88
5-Jan	12	1	PIP'S JENNY G	LESTER SMITH	Injured	Goodbary	\$ 145.10
5-Jan	14	6	CHARMER	PAUL WELENCE	Injured	Goodbary	\$ 181.40
6-Jan	12	10	DANCING BARRY	GENE VALLANDINGHAM	Injured	Goodbary	\$ 54.80

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	5,607.80
Fresno	\$	3,385.00
Fresno Club One	\$	1,939.20
Golden Gate	\$	48,587.50
Monterey	\$	5,859.40
Pleasanton	\$	21,965.60
Sacramento	\$	115,120.60
San Jose	\$	31,015.60
San Mateo	\$	57,095.70
Santa Rosa	\$	9,613.40
Stockton	\$	17,649.30
Tulare	\$	-
Turlock	\$	-
Vallejo	\$	15,286.80
No. California	\$	-
So. California	\$	397,492.30
Out of State	\$	-

CAL-EXPO HARNESS ASSOCIATION

SUMMARY

2012

	Mon 12/31	Tues 01/01	Wed 01/02	Thurs 01/03	Fri 01/04	Sat 01/05	Sun 01/06	Total Week	Total Meet
Accidents	D	D	D	D	0	0	0	0	0
Cal-Bred Races	A	A	A	A	0	0	0	0	0
Claims	R	R	R	R	0	0	0	0	0
Disqualifications	K	K	K	K	1	0	0	1	2
Inquiries	D	D	D	D	2	1	1	4	5
Refunds	A	A	A	A	2	4	2	8	21
Rulings	Y	Y	Y	Y	1	2	0	3	6

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

All drivers submitted to a breath analyzer test.

Michael W. "Wayne" Oke, Steward

Will Meyers, Steward

Grant Baker, Steward