

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

**HONORABLE EDMUND G. BROWN JR., GOVERNOR  
HONORABLE CHUCK WINNER, CHAIRMAN  
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RICK BAEDEKER, EXECUTIVE DIRECTOR  
JACQUELINE WAGNER, ASSISTANT EXECUTIVE DIRECTOR  
ROBERT B. MILLER, CHIEF COUNSEL CHRB**

Proceedings of the Board of Stewards for the period of Monday, April 7, 2014 through Sunday, April 13, 2014. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

**Monday**

04/07/14 (1) **Entry/ Draw Day**

The racing office was open today accepting entries for Friday, April 11<sup>th</sup> and Saturday, April 12<sup>th</sup>. Thirteen (13) races were drawn. Ninety four (94) horses are scheduled to start.

04/07/14 (2) **Dark Day**

**Tuesday**

04/08/14 (1) **Entry/ Scratch Day**

Scratches and changes for Friday, April 11<sup>th</sup> were taken today in the racing department. There was one (1) scratch and sixteen (16) driver changes selections made. All changes were activated after today's 9:00AM deadline. Twelve (12) races were drawn in the racing office today for racing Saturday, April 12<sup>th</sup>. Eighty five (85) horses are scheduled to start.

04/08/14 (2) **Dark Day**

**Wednesday**

04/09/14 (1) **Scratch Day**

The racing office was open today accepting scratches and changes for Saturday, April 12<sup>th</sup>. One (1) scratch and twenty (20) driver changes/selections were submitted. All changes were activated after the 9:00AM deadline.

04/09/14 (2) **Dark Day**

**Thursday**04/10/14 (1) **Dark Day****Friday**04/11/14 (1) **Seth Fogelson Hearing (Case No. 14SW0013)**

A hearing was held today for Groom Seth Fogelson who had failed to appear for a hearing in front of Colonial Downs Stewards late last year. Virginia Racing Commission suspended Seth Fogelson on December 31, 2013 for failure to pay fines stemming from Colonial Downs Virginia Rulings #13-058 and #13-059. Those rulings also state that Fogelson is ineligible for reinstatement until he appears before the Virginia Racing Commission and pays his fines in full. California Horse Racing Board Investigator Duane Tadlock gave the Stewards a seven (7) page complaint packet for this matter. The hearing was opened with Steward Will Meyers chairing the proceedings. Wendy Frazier (Frazier Reporting) was the court reporter. The complaint was read into the record. California Horse Racing Board Rule #1484 (Evidence of Unfitness for License) is the alleged rule violation in this matter. Decision to follow.

04/11/14 (2) **Edward Raczynski Ruling (Ref: 04/04/14 (2))****RULING # 41**

HORSESHOE INSPECTOR **EDWARD RACZYNSKI**, IS HEREBY FINED ONE HUNDRED (\$100.00)\* DOLLARS AND REQUIRED TO SHOW PROOF OF ATTENDANCE AT FIVE (5) ALCOHOLIC ANONYMOUS MEETINGS ON OR BEFORE MAY 3, 2014 FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1874 (DISORDERLY CONDUCT – BAC READING .045 AND .038 ON MARCH 8, 2014) AND #1546 (COMPLAINTS AGAINST OFFICIALS).

FAILURE TO PROVIDE PROOF OF ATTENDANCE SHALL RESULT IN THE IMMEDIATE SUSPENSION OF ALL LICENSES HELD BY EDWARD RACZYNSKI.

FURTHER, **EDWARD RACZYNSKI** IS PLACED ON PROBATION FOR THE TERM OF HIS LICENSE 03/2015.

Horseshoe Inspector Edward Raczynski was contacted by the Stewards and informed of the above ruling. Raczynski's employment was terminated at the Watch and Wager LLC.Com (Cal Expo) shortly after this March 8, 2014 incident.

04/11/14 (3) **David Siegel Ruling (04/05/14 (07))****RULING # 42**

DRIVER **DAVID SIEGEL**, WHO DROVE “**HOOSIER BOGO**” IN THE SECOND RACE ON SATURDAY APRIL 5, 2014, IS HEREBY FINED TWO HUNDRED (\$200.00)\* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1721 (I) (DRIVING RULES – COMMIT ANY ACT WHICH SHALL IMPEDE THE

PROGRESS OF ANOTHER HORSE) RESULTING IN A DISQUALIFICATION FROM FIRST TO THIRD.

Driver David Siegel appeared in the Stewards' office to review his drive aboard #2 'Hoosier Bogo' who finished first, but was disqualified and placed third in the second race on April 5<sup>th</sup>. The incident that led to the aforementioned disqualification occurred after the ½ mile marker where the flow of the race was heading into the far turn. Race replays show Driver Siegel racing mid-back when he pulls out into a two-wide position. This action forced Provisional Driver Patrick Galbraith and original third place finisher #6 "Bee Gee" to shift off his straight path in order to avoid contact with #2 'Hoosier Bogo.' This led to the disqualification of #2 'Hoosier Bogo' from first to third. Driver Siegel was adamant during film review that he was sufficiently clear of #6 'Bee Gee' when he pulled outward approaching the far turn. He felt his rival driver overreacted. The Stewards were of the unanimous opinion that one (1) or two (2) feet was not sufficient clearance in this case. The Stewards felt Driver Siegel compromised safety issues in this race by pulling out dangerously close in front of his rival. In a unanimous decision the ruling above was issued.

04/11/14 (4) **Sean Smithpeters Ruling**

**RULING # 43**

PROVISIONAL DRIVER **SEAN SMITHPETERS**, WHO DROVE "**HILLCREST ROMEO**" IN THE FIFTH RACE ON APRIL 5, 2014, IS HEREBY FINED THE SUM OF ONE HUNDRED (**\$100.00**)\* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1734 (WHIPPING – UNREASONABLE USE OF WHIP).

Provisional Driver Sean Smithpeters appeared in the Stewards' office to review his drive in the fifth race on Saturday, April 5<sup>th</sup>. Smithpeters obtained his harness license last month here at Cal Expo. Smithpeters finished seventh (last) aboard #3 'Hillcrest Romeo' in this race. He used his crop six (6) times while not vying for any significant placing in this race. Smithpeters was told that misuse of the whip offenses will result in sanctions by the Stewards regardless of driving experience.

04/11/14 (5) **James Kennedy Ruling (Ref: 04/05/14 (11))**

Driver James Kennedy appeared in the Stewards' office in order to review his drive in the eleventh race on April 5<sup>th</sup>. Driver Kennedy was aboard #5 'Get Down Tonight' who finished second, but was disqualified and placed fourth for stretch interference in this race. Film review showed #5 'Get Down Tonight' drift in while Driver Kennedy uses right handed urging. Original fourth place finisher #1 'A Real Miracle' (James Lackey) had racing room in the final one hundred (100) yards while racing adjacent to the track pylons. This racing room was eliminated after #5 'Get Down Tonight' continued to drift in. For this action the Stewards disqualified #5 'Get Down Tonight' and place him fourth. Driver Kennedy accepted full responsibility for the errant path he took in this race. Since October 2013 Kennedy has driven five hundred thirty eight (538) horses. Today was one his rare required

appearances in the Steward's office. In a unanimous decision the Stewards issued the following ruling:

**RULING # 44**

DRIVER **JAMES KENNEDY**, WHO DROVE "**GET DOWN TONIGHT**" IN THE ELEVENTH RACE ON APRIL 5, 2014, IS HEREBY FINED TWO HUNDRED (**\$200.00**)\* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1721 (J) (DRIVING RULES – CHANGE COURSE AFTER SELECTING A POSITION IN THE HOME STRETCH, OR BEAR IN OR OUT, IN SUCH MANNER AS TO INTERFERE WITH ANOTHER HORSE OR CAUSE HIM TO CHANGE STRIDE OR BREAK) RESULTING IN A DISQUALIFICATION FROM FIRST TO FOURTH.

04/11/14 (6) **Second Race Inquiry**

The Stewards posted the inquiry sign in order to review an incident after the  $\frac{3}{4}$  mile marker. The purpose of the inquiry was to take a look at the actions of the odds on favorite (odds 3/5) #4 'J's Littlerockstar' (James Kennedy) who finished third. The Stewards determined that this horse made a break in stride. The purpose of the inquiry was to determine if this horse complied with CHRB Rule #1722 (Breaking). The horse lost ground after the breaking. In a unanimous decision the Stewards ruled that #4 'J's Littlerockstar' complied with the CHRB Rule #1722 and that there would be no change in the order of finish.

04/11/14 (7) **Program Changes**

7<sup>th</sup> Race Declarations: #1 "Dukeofhazards" – Trainer Tim Brown  
 Injured – Clifford Zucco DVM  
 #3 "Ali De Vie" – Trainer Nathalie Tremblay  
 Injured – Clifford Zucco DVM  
 #9 "Lukie Duke" – Trainer Robert Roesch  
 Total Refunds:\$236.00 Injured – Clifford Zucco DVM

04/11/14 (8) **Attendance and Handle**

Attendance	178
Live Handle (On Track)	\$45,439
Handle (In State)	\$283,863
<u>Handle (Out of State)</u>	<u>\$321,584</u>
Total Handle	\$650,886

**Saturday**

04/12/14 (1) **Seth Fogelson Ruling (Ref: 04/11/14 (1))**

**RULING # 45**

OWNER/GROOM **SETH FOGELSON**, HAVING FAILED TO RESPOND TO WRITTEN NOTICE TO APPEAR BEFORE THE BOARD OF STEWARDS AT CAL EXPO HARNESS (SACRAMENTO) ON OR BEFORE FRIDAY APRIL 11, 2014 TO ANSWER CHARGES OF ALLEGED VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1484 (EVIDENCE OF UNFITNESS FOR LICENSE), IS HEREBY

SUSPENDED PENDING APPEARANCE BEFORE A BOARD OF STEWARDS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1547 (FAIL TO APPEAR).

The ruling above was issued after Groom Seth Fogelson failed to appear (Case No. 14SW0013) for his hearing yesterday, April 11<sup>th</sup>.

04/12/14 (2) **Wagering Format Changes**

Watch and Wager.com LLC did not offer show wagering in tonight's second and third races. Tonight's second race was a California Sires Stakes race that had five (5) starters/wagering interests and a carried purse of \$10,000. #1 'Laissez Moi Passer' (Driver William Hernandez) won this event at odds of 7/2. Tonight's third race was an open handicap that also had five (5) starters/wagering interests. (Purse \$5,000) Co- favorite (odds 8/5) #4 'One And Only' (Driver James Lackey) finished first in a time of 1.53 3/5.

04/12/14 (3) **Fifth Race Inquiry**

The Stewards posted the inquiry sign in order to review the actions of third place finisher #2 'Bit Player' (Steve Wiseman). The Stewards were specifically looking at the pacing gait of #2 'Bit Player' in this race's final one hundred (100) yards. Following film review the Stewards determined that this horse was rough gaited only and that there was no violation of CHRB Rule #1722 (Breaking). No change.

04/12/14 (4) **Eighth Race Inquiry**

The Stewards posted the inquiry sign in order to review the pacing gait of fourth finisher #7 'Hello Sevens' (Steve Wiseman) after the start. Film review shows #7 'Hello Sevens' make a quick break in stride, but comply with CHRB Rule #1722 (Breaking) by losing ground. Eventual winner #4 'Hi Ho Hi Ho' (Lemoyne Svendsen) was interfered with by break in stride went but on to defeat #7 'Hello Sevens'. In a unanimous decision there was no change in the order of finish.

04/12/14 (5) **Program Change**

5 <sup>th</sup> Race Declaration: #4 "Tiger Bait" – Trainer George Anthrop	
Refund:\$230.83	Injured – Clifford Zucco DVM
6 <sup>th</sup> Race Declaration: #6 "Portfolio" – Trainer Tim Maier	
Refund:\$87.30	Injured – Clifford Zucco DVM
8 <sup>th</sup> Race Declarations: #3 "Most Happy Lavros" – Trainer Tim Brown	
	Injured – Clifford Zucco DVM
#8 "Grandpa Stevie" – Trainer Mike Jarvis	
Total Refunds:\$118.00	Injured – Clifford Zucco DVM
10 <sup>th</sup> Race Declaration: #8 "Windsun T Bird" – Trainer Tim Brown	
Refund:\$41.20	Injured – Clifford Zucco DVM

04/12/14 (6) **Attendance and Handle**

Attendance	247
Live Handle (On Track)	\$44,611
Handle (In State)	\$295,916
<u>Handle (Out of State)</u>	<u>\$307,560</u>
Total Handle	\$648,087

## 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**

<b>Date</b>	<b>Race</b>	<b>No.</b>	<b>Horse</b>	<b>Trainer</b>	<b>Reason</b>	<b>Vet</b>	<b>Refund</b>
11-Apr	7	1	DUKEOFHAZARDS	TIM BROWN	Injured	Zucco	\$ 78.67
11-Apr	7	3	ALI DE VIE	NATHALIE TREMBLAY	Injured	Zucco	\$ 78.67
11-Apr	7	9	LUKIE DUKIE	ROBERT ROESCH	Injured	Zucco	\$ 78.67
12-Apr	5	4	TIGER BAIT	GEORGE ANTHROP	Injured	Zucco	\$ 230.83
12-Apr	6	6	PORTFOLIO	TIM MAIER	Injured	Zucco	\$ 87.30
12-Apr	8	3	MOST HAPPY LAVROS	TIM BROWN	Injured	Zucco	\$ 59.00
12-Apr	8	8	GRANDPA STEVIE	MIKE JARVIS	Injured	Zucco	\$ 59.00
12-Apr	10	8	WINDSUN T BIRD	TIM BROWN	Injured	Zucco	\$ 41.20

### **WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES**

Bakersfield	\$	-
Fresno	\$	2,710.90
Fresno Club One	\$	766.80
Golden Gate	\$	19,755.20
Monterey	\$	4,962.60
Pleasanton	\$	10,403.50
Sacramento	\$	74,485.80
San Jose	\$	15,880.70
San Mateo	\$	25,800.60
Santa Rosa	\$	4,682.70
Stockton	\$	6,736.90
Tulare	\$	-
Turlock	\$	-
Vallejo	\$	11,727.10
No. California	\$	-
So. California	\$	155,712.60
Out of State	\$	-

## WATCH AND WAGER LLC – CAL EXPO

### SUMMARY 2014

	<b>Mon 04/07</b>	<b>Tues 04/08</b>	<b>Wed 04/09</b>	<b>Thurs 04/10</b>	<b>Fri 04/11</b>	<b>Sat 04/12</b>	<b>Total Week</b>	<b>Total Meet</b>
<b>Accidents</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>Cal-Bred Races</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>32</b>
<b>Claims</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>21</b>
<b>Disqualifications</b>	<b>K</b>	<b>K</b>	<b>K</b>	<b>K</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>20</b>
<b>Inquiries</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>50</b>
<b>Refunds</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>3</b>	<b>5</b>	<b>8</b>	<b>139</b>
<b>Rulings</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>4</b>	<b>1</b>	<b>5</b>	<b>45</b>

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

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**Grant Baker, Steward**

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**Will Meyers, Steward**

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**Michael W. "Wayne" Oke, Steward**