

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



## 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 Monday, February 23, 2015 through Sunday, March 1, 2015. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

### Monday

02/23/15 (1) Dark Day

### Tuesday

02/24/15 (1) Entry Day

The racing office was open today accepting entries for Saturday, February 28<sup>th</sup> and Saturday, March 1<sup>st</sup>. Fourteen (14) races filled. One hundred eighteen (118) horses are scheduled to face Starter Ken Fowler.

02/24/15 (2) Dark Day

### Wednesday

02/25/15 (1) Scratch/Entry Day

Scratches and changes for Saturday, February 28<sup>th</sup> were taken today in the racing office. Two (2) scratches and forty three (43) driver changes/selections were made. All changes were activated after today's 9:00AM deadline. Two (2) non betting California Sire Stakes, each with a purse of ten thousand (\$10,000.00) dollars will be held prior to a twelve (12) race pari-mutuel card that was drawn today in the racing office. Ninety nine (99) horses are scheduled to compete during the pari-mutuel program.

02/25/15 (2) Dark Day

### Thursday

02/26/15 (1) Scratch Day

The racing office was open today accepting scratches and changes for Sunday, March 1<sup>st</sup>. One (1) scratch and thirty eight (38) driver changes were submitted. All changes were activated after the 9:00AM deadline.

02/26/15 (2) **Dark Day**

**Friday**

02/27/15 (1) **Dark Day**

**Saturday**

02/28/15 (1) **James Kennedy Film Review**

Driver James Kennedy appeared in the Stewards office to review his drive in the fifth race on Saturday, February 21, 2015. Kennedy was excused from film review on Sunday, February 22, 2015. Driver Kennedy was aboard #1 'All American Solo' who finished fifth (last) in this one (1) mile pacing event. Film review shows Driver Kennedy use his whip sixteen (16) times in the stretch on his way to a last place finish. The Stewards told Kennedy this was very excessive and without hesitation the ruling below, by unanimous decision, was issued:

**RULING # 31**

**DRIVER JAMES KENNEDY, WHO DROVE "ALLAMERICAN SOLO" IN THE FIFTH RACE ON FEBRUARY 21, 2015, IS HEREBY FINED THE SUM OF ONE HUNDRED (\$100.00)\* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1734 (WHIPPING – UNNECESSARY FORCE).**

02/28/15 (2) **Steve Desomer Review [Ref: 02/22/15 (1)]**

Driver Desomer visited the Stewards office to discuss his drive in the sixth race on Sunday, February 22<sup>nd</sup>. Driver Desomer survived a Stewards inquiry following a second place finish with his trotter #6 'Silverlode' who finished second. In this event #6 'Silverlode' struck one track pylon and then went inside another one before the ¾ mile marker. Desomer was given a warning for this drive. Pegasus Communications failed to have a DVD of this race available to the Stewards for use at this hearing.

02/28/15 (3) **Qualifying Races**

Five (5) qualifying races were held prior to tonight's fourteen (14) race pari-mutuel card. Of the twenty four (24) competitors, twenty two (22) made the grade.

02/28/15 (4) **Two Day Racing Week**

Watch and Wager.com LLC has returned to two (2) day racing weeks starting this week. There are eighteen (18) racing nights remaining for the rest of the current 2014/2015 stand which is scheduled to end on Sunday May 3<sup>rd</sup>.

02/28/15 (5) **Official Change**

Paymaster/Mutuel Manager Glen Harris was off tonight for personal reasons. Clerk of the Course Patty Peterson filled in this evening for the Paymaster portion of Harris' dual assignment and Alan Renner was the Mutuel Manager.

02/28/15 (6) **Third Race Minus Pool**

Tonight's third race with five (5) participants was a three (3) year old colts and geldings Sire Stake with a purse of ten thousand (\$10,000.00) dollars. Prohibitive post time favorite (odds 1/9) #4 'Uringoodhands' (James Kennedy) finished first going off at odds of one to nine (1/9). There was a minus show pool in this race of \$11,263.73 as \$44,095.85 out of the \$47,249.83 wagered in this race was bet on the eventual winner. A follow-up phone call to the Tote department indicated \$26,097.00 of this amount was wagered at the Surfside Race Place (Del Mar, CA).

02/28/15 (7) **Long Day/Evening**

Five (5) qualifying races started today at 4:30PM. This was followed by a fourteen (14) race pari-mutuel card. Post time for the last race was 9:43PM.

02/28/15 (8) **Thirteenth Race Inquiry/ Disqualification**

The Stewards posted the Inquiry sign after viewing an incident past the ¼ mile marker. In this race original first place finisher #5 'Fox Valley Rebel' (James Lackey) pulls out from second position in order to pass the race leader just past the ¼ mile marker. While doing this, fast pacing second place finisher #1 'Bettor's Promise' (Luke Plano) is forced to check his horse and get to a three-wide position in order to avoid #5 'Fox Valley Rebel.' Patrol Judge Ken Fowler immediately reported this incident to the Stewards via two-way radio contact. Following a film review of all camera angles, the Stewards made a disqualification. In this race the Stewards ruled that the actions of #5 'Fox Valley Rebel' carried out #1 'Bettor's Promise' costing this rival valuable ground and an opportunity at a better placing. In a unanimous decision #5 'Fox Valley Rebel' was placed second. Driver James Lackey was ordered to film review.

Original order of finish: 5-1-6-2-3-4-8-7

Official order of finish: 1-5-6-2-3-4-8-7

02/28/15 (9) **Fourteenth Race Inquiry**

The Stewards posted the Inquiry sign following this race in order to review an incident involving ninth (last) place finisher #2 'Bit Player' (Lemoyne Svendsen), race replays show #2 'Bit Player' make a fairly sensational break in stride midway in the home stretch. Following this break Driver Svendsen and 'Bit Player' recover from the break, leave the main track and end up in a very well beaten last position. There was no interference to rival horses in this incident. Unanimous decision. No change.

02/28/15 (10) **Program Changes**

6<sup>th</sup> Race Declaration: #6 "Love Live Laugh" – Trainer Denise Maier

Refund:\$25.00

Injured – Clifford Zucco DVM

14<sup>th</sup> Race Program Error: #1 "Real Attitude" – should read:

1. Trainer Tim Brown
2. Owner Tim Brown
3. Claimed last start (02/21/15) for \$3,000.00

02/28/15 (11) **Attendance and Handle**

Attendance	232
Live Handle (On Track)	\$57,110
Handle (In State)	\$454,554
<u>Handle (Out of State)</u>	<u>\$671,382</u>
Total Handle	\$1,183,046

**Sunday**03/01/15 (1) **David Siegel Film Review**

Driver David Siegel appeared in the Stewards office in order to review his drive in the first race last night (February 28<sup>th</sup>). Siegel was aboard #1 'Gentle Dragon' who finished sixth (last) in this event. The purpose for the hearing was to review Driver Siegel's use of the whip. Siegel whipped this ten (10) year old mare twelve (12) times in the stretch drive while steadily maintaining a last place position. The Stewards explained to Driver Siegel that this is using unreasonable and unnecessary force. Siegel did not agree with this analysis. He spoke of the Stewards inconsistent enforcement of whipping rules. The Cal Expo Stewards focused on the video of this specific race. In a unanimous decision the following ruling was issued.

**RULING # 32**

**DRIVER DAVID SIEGEL, WHO DROVE "GENTLE DRAGON" IN THE FIRST RACE ON SATURDAY, FEBRUARY 28, 2015, IS HEREBY FINED THE SUM OF ONE HUNDRED (\$100.00)\* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1734 (WHIPPING – UNNECESSARY FORCE).**

03/01/15 (2) **James Lackey Film Review**

Driver Jim Lackey appeared in the Stewards office in order his drive in the thirteenth race last night (February 28, 2015). Lackey was aboard original first place finisher #5 'Fox Valley Rebel' who was disqualified and placed second [Ref: 02/28/15 (8)] in an incident just past the ¼ mile marker. Film review today showed Driver Lackey attempted to pull and take the lead while in second position. This action impeded rival and eventual second place finisher #1 'Bettor's Promise' (Luke Plano) forcing him into a three-wide position. The Stewards felt Driver Lackey fouled #1 'Bettor's Promise' and forced that rival into a three-wide position. The veteran Lackey accepted responsibility during and following film review. In unanimous decision the Stewards issued the following ruling:

**RULING # 33**

**DRIVER JAMES LACKEY, WHO DROVE "FOX VALLEY REBEL" IN THE THIRTEENTH RACE ON SATURDAY, FEBRUARY 28, 2015, IS HEREBY FINED THE SUM OF TWO HUNDRED (\$200.00)\* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1721 (F) (DRIVING RULES – CARRY A HORSE OUT RESULTING IN A DISQUALIFICATION FROM FIRST TO SECOND). INCIDENT OCCURRED NEAR THE QUARTER MILE MARKER.**

03/01/15 (3) **Richard Dunneback Hearing(CaseNo:14SW0047 Ref: CaseNo:SAC14-0078)**

A formal hearing was scheduled today for Trainer Richard Dunneback for alleged violation of CHRB Rule #1874 (Disorderly Conduct). The alleged incident in this case was a trainer (Dunneback) conducting himself in a disorderly and boisterous manner to with Cal Expo Track Veterinarian Eduardo De La Cruz on the night of November 16, 2014.

There was an informal hearing on this matter held on December 7, 2014 [Ref: 12/07/14 (1)] held in Cal Expo Stewards' office. The Cal Expo Stewards issued Ruling #20, dated December 13, 2014 which resulted in a three hundred (\$300.00) dollar penalty for violation of CHRB Rule #1874 (Disorderly Conduct) following this hearing. Dunneback subsequently appealed this ruling. CHRB Executive Director Rick Baedeker signed an 'order of remand' on December 19, 2014 whereby Ruling #20 was set aside with the matter to be remanded back to the Stewards for hearing and determination of findings pursuant to CHRB Rule #1537 (Record and Transcript for Hearing). This 'order of remand' was assigned Case No. SAC14-0078.

The Board of Stewards opened this hearing with Steward Oke chairing. However, the hearing quickly came to a close as the Stewards had to rush up to the judge's stand in order to officiate fourteen (14) wagering and non-wagering events scheduled to commence at 4:00PM. Court Reporter Wendy Frazier (Frazier Reporting) and two (2) witnesses sitting out in the waiting area were excused. After discussion with Respondent Dunneback, Dr. De La Cruz and CHRB Investigator Duane Tadlock, who is presenting this case for the Board, all parties agreed to reconvene on this matter on March 13, 2015 at 8:00AM. More to follow.

03/01/15 (4) **Fourth Race Inquiry**

The Stewards called for a 'General Inquiry' following the running of the fourth race. There were four (4) horses of particular concern. They were:

1. #2 Ge-evil (James Kennedy – seventh place)
2. #1 Crusin For You (Ryan Grundy – eighth place)
3. #3 El Rey Deoros (David Siegel – ninth place)
4. #10 Nasti Leroy (Lemoyne Svendsen – tenth place)

The Stewards reviewed all replay angles. After review it was determined that all of these horses either complied with the 'breaking rule' and/or did not commit any interference in this event. Unanimous vote. No change.

03/01/15 (5) **Seventh Race Driver Equipment**

During the post parade of race seven (7), Safety Steward Tom McCarthy informed the Stewards that Driver Steve Desomer (#1 Tour Guide) was not wearing a safety vest. The Stewards radioed Outrider Billy Don Wainscott who sent Driver Desomer and his trotter back to the paddock in order for Desomer to be properly outfitted with a safety vest as defined in CHRB Rule #1689.1 (Safety Vest Required). #1 'Tour Guide' went on to win this one (1) mile trotting event at odds of three to one (3/1). More to follow.

03/01/15 (6) **Eleventh Race Tote Delay**

The Tote department (Sportech Inc.) was unable to calculate and display the payoffs following tonight's eleventh race. The Stewards spoke to Tote Operator Michelle Arendt who reported they were having problems merging two (2) pools from an off track facility. There was a thirteen (13) minute, time span between this race being posted 'official and payoffs' being shown to the public. The Stewards have requested a letter of explanation which they will provide to the CHRB explaining specifics of what led to the delay.

03/01/15 (7) **Twelfth Race Stewards Review**

The Stewards conducted a Stewards' review following the running of the twelfth race. The Stewards wanted to review the actions of ninth place finisher #2 'Perfect Pitch' (Steve Wiseman) who made a break in stride before the start. After a brief review the Stewards felt there was no reason to post the inquiry sign.

03/01/15 (8) **Program Changes**

1<sup>st</sup> Race Driver Change: #4 "What A Shooter" – J. Kennedy for  
T. Succarotte (No Show – Stewards)

4<sup>th</sup> Race Driver Change: #1 "Crusin For You" – R. Grundy for  
B. Clarke (Stewards)

5<sup>th</sup> Race Driver Change: #6 "A Crown For Lindy" – L. Svendsen for  
T. Succarotte (Double Driver Fee – Stewards)

7<sup>th</sup> Race Declaration: #8 "Only In Lodi" – Trainer Pierre Girard  
Refund:\$30.90 Injured – Clifford Zucco DVM

9<sup>th</sup> Race Declaration: #2 "Boot Scootin Bow" – Trainer Mike Jarvis  
Refund:\$196.78 Injured – Clifford Zucco DVM

11<sup>th</sup> Race Driver Change: #2 "Im The Reason" – D. Siegel for  
B. Clarke (Stewards)

13<sup>th</sup> Race Driver Change: #7 "Rhi's Acuz That's Y" – R. Grundy for  
B. Clarke (Stewards)

03/01/15 (9) **Attendance and Handle**

Attendance	152
Live Handle (On Track)	\$36,209
Handle (In State)	\$254,253
Handle (Out of State)	\$536,308
Total Handle	\$826,770

## W E E K L Y S U M M A R Y

**ATTENDANCE REPORT -** The full Board of Stewards were 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>
28-Feb	6	6	LOVE LIVE LAUGH	MAIER	Injured	Zucco	\$ 25.00
1-Mar	7	8	ONLY IN LODI	GIRARD	Injured	Zucco	\$ 30.90
1-Mar	9	2	BOOT SCOOTIN BOW	JARVIS	Injured	Zucco	\$ 196.78

**WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES**

Fresno	\$	4,661.10
Fresno Club One	\$	624.70
Golden Gate	\$	24,249.00
Monterey	\$	4,844.10
Pleasanton	\$	12,551.10
Sacramento	\$	78,290.50
San Jose	\$	21,185.70
San Mateo	\$	33,872.60
Santa Rosa	\$	4,256.00
Stockton	\$	10,953.20

**WATCH AND WAGER LLC – CAL EXPO  
SUMMARY 2015**

	<b>Mon 02/23</b>	<b>Tues 02/24</b>	<b>Wed 02/25</b>	<b>Thurs 02/26</b>	<b>Fri 02/27</b>	<b>Sat 02/28</b>	<b>Sun 03/01</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>D</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>
<b>Cal-Bred Races</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>2</b>	<b>2</b>	<b>4</b>	<b>12</b>
<b>Claims</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>26</b>
<b>Disqualifications</b>	<b>K</b>	<b>K</b>	<b>K</b>	<b>K</b>	<b>K</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>8</b>
<b>Inquiries</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>20</b>
<b>Refunds</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>73</b>
<b>Rulings</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>33</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**