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**CALIFORNIA HORSE RACING BOARD****CALIFORNIA STATE FAIR**

1600 Exposition Blvd.  
Sacramento, CA 95815

**Report of the Board of Stewards**To the California Horse Racing Board

Honorable Edmund G. Brown, Jr., Governor  
Honorable Chuck Winner, Chairman  
Honorable Madeline Auerbach, Vice-Chairman  
Honorable Jesse H. Choper, Member  
Honorable Fred Maas, Member  
Honorable Araceli Ruano, Member  
Honorable Alex Solis, Member  
Rick Baedeker, Executive Director  
Jacqueline Wagner, Assistant Executive Director  
John McDonough, Chief Counsel  
Darrel McHargue, Chief Steward

Report for the period Wednesday, July 25, 2018 through Sunday, July 29, 2018.

**WEDNESDAY**07-25-18<sup>1</sup> **DUTY STEWARD**

Steward Richard Lewis was in attendance overseeing scratches and changes for Friday's race card and entries for Saturday. Only a few minor changes were made at scratch time, and an eight race program was carded for Saturday.

**THURSDAY**07-26-18<sup>1</sup> **SCRATCH TIME**

Scratch time provided no declarations, and just two rider changes for Saturday's card.

07-26-18<sup>2</sup> **ANDERSON HEARING**

The Stewards held a formal hearing for case #18GG0064 that was brought against owner/exercise rider Erin Anderson, by the CHRB, for allegedly being under the influence and in possession of a controlled substance, during an off-the-grounds arrest.

Present in the hearing, in addition to the board of Stewards, was Erin Anderson, CHRB Investigator Jennifer Tolman, and Darin Sharer (representing the Winners Foundation). CSR Wendy Frazier recorded the proceedings. The Stewards heard testimony, received documentary evidence, and will render a decision.

07-26-18<sup>3</sup> **PENCE HEARING**

Later the same morning we heard case #18GG0074 brought against owner Crystal Dawn Pence, by the CHRB, for allegedly being under the influence and in possession of methamphetamine, at the Alameda County Fairgrounds in Pleasanton.

Present in the hearing, in addition to the board of Stewards, was Crystal Dawn Pence, CHRB Investigator Louis Quezada, and Darin Sharer (representing the Winners Foundation). CSR Wendy Frazier once again recorded the proceedings.

The Stewards heard testimony, received documentary evidence, and will render their decision in the coming days.

07-26-18<sup>4</sup> **RECEIVING BARN NO SHOW**

After the fourth race went official, we learned that one of the runners for the fifth event had not yet arrived in the receiving barn. The Stewards ordered that the Jason Homer runner HERE'S TO WISHING be withdrawn. More to follow...

07-26-18<sup>5</sup> **TOTE ISSUE**

During the loading process of the final race on the card, the Judges' Console froze, not allowing the placing judges to arm the system. Thankfully, the race itself went off without a hitch, and the final running order was logged in directly from the tote room. We later learned that the console malfunction actually triggered the "lock" process, causing wagering to close prior to the horses leaving the starting gate. A thorough explanation can be found in the attached memo, provided by Mutuel Manager Douglas Gooby.

07-26-18<sup>6</sup> **LATE SCRATCHES**

1 <sup>st</sup> Race: #5 MY WERNERS EQUINOX	(Tr. R. White)
Sick – DVM De La Cruz	REFUND: \$ 104.00
5 <sup>th</sup> Race: #8 HERE'S TO WISHING	(Tr. J. Homer)
Stewards – late to receiving barn	REFUND: \$ 397.30
7 <sup>th</sup> Race: #2 VIRGHAZI	(Tr. E. Moger, Jr.)
Sick – DVM De La Cruz	REFUND: \$ see below
#5 AMERICAN LEAGUE	(Tr. J. Wong)
Sick – DVM De La Cruz	REFUND: \$ 1003.09

07-26-18<sup>7</sup> **ATTENDANCE & HANDLE**

OTP	976	\$	116,727.00
NCOT	1138	\$	462,277.26
SCOT		\$	90,621.30
Out of State		\$	207,250.27
<b>TOTAL</b>	<b>2114</b>	<b>\$</b>	<b>876,875.83</b>

**FRIDAY**07-27 -18<sup>1</sup> **LATE SCRATCHES**

3 <sup>rd</sup> Race: #7 HAWK'S RISING	(Tr. E. Moger, Jr.)
Sick – DVM De La Cruz	REFUND: \$ 107.20
5 <sup>th</sup> Race: #5 PREACHER'S BLUFF	(Tr. C. DeLima)
Injured – DVM De La Cruz	REFUND: \$ 173.60

07-27-18<sup>2</sup> **HOMER RULING – REF (07-26-18<sup>4</sup>)**

The following ruling was issued as a result of the late scratch of the Jason Homer runner HERE'S TO WISHING, from yesterday's fifth race.

**Ruling # 11**

Trainer **JASON HOMER** is hereby fined the sum of three hundred dollars (\$300)\* pursuant to California Horse Racing Board rule #1629 (Penalty for Late Declaration) for failure to have the horse **HERE'S TO WISHING** report to the Receiving Barn at the time designated for the fifth race on Thursday, July 26, 2018; a violation of California Horse racing Board rule #1852 (Reporting to the Receiving Barn).

07-27-18<sup>3</sup> **VANNED OFF - VOIDED CLAIM**

Following the running of the sixth race, as the horses returned to the scale, it was determined by Racing Veterinarian Dr. De La Cruz, DVM that #4 DESERT EXPRESS was unsound. The horse ambulance was dispatched, and following an evaluation by CHRB Veterinarian Dr. Franklin DVM, the claim submitted by Jonathan Wong was voided. The six (6) year old gelding was returned to the care of Trainer Rene Amescua.

07-27-18<sup>4</sup> **ATTENDANCE & HANDLE**

OTP	2119	\$	125,404.49
NCOT	1642	\$	639,948.89
SCOT		\$	110,895.00
Out of State		\$	242,906.07
<b>TOTAL</b>	<b>3761</b>	<b>\$</b>	<b>1,119,154.45</b>

**Saturday**07-28-18<sup>1</sup> **DECLARATIONS & CHANGES**

1<sup>st</sup> Race: #2 SASSY JAZZY jockey Jesus Velazquez (late) changed to Martin Arriaga  
 2<sup>nd</sup> Race #8 CHILOSO jockey Jesus Velazquez (late) changed to Hugo Herrera  
 2<sup>nd</sup> Race: #4 TEXASDESIRE (Tr. C. Villamar)  
 Stewards – Stakes scratch REFUND: \$ 27.40  
 \*3<sup>rd</sup> Race: #5 OUT OF THE ORDINARY (Tr. I. Tamayo)  
 Injured – DVM De La Cruz REFUND: \$ 91.00  
 \*This declaration reduced the field to four wagering interests and the show pool was canceled.  
 6<sup>th</sup> Race: #6 IRON DUDE (Tr. W. Whitehouse)  
 Sick - DVM De La Cruz REFUND: \$ 91.60  
 8<sup>th</sup> Race: #6 WHO NOSE IT (Tr. S. Sherman)  
 Injured in gate - DVM De La Cruz REFUND: \$ 30,710.33

07-28-18<sup>2</sup> **VIGIL RULING**

After failing to appear for the scheduled formal hearing, the following ruling was issued.

**Ruling # 12**

Stable Foreman **GREGORIO FERNANDEZ VIGIL** having failed to respond to written notice to appear before the Board of Stewards at California State Fair on or before July 27, 2018, is hereby suspended for violation of California Horse Racing Board rule #1547 (Failure to Appear) pending an appearance before the Board of Stewards to answer charges alleging violation of California Horse Racing Board rules #1489 (a) (6) (7) (8) (Grounds for Denial or Refusal of License), #1530 (Cases Not Covered by Rules and Regulations), #1874 (Disorderly Conduct), #1890 (Possession of Contraband) and #1900 (Grounds for Suspension or Revocation).

During the term of the suspension, all license and license privileges of **GREGORIO FERNANDEZ VIGIL** are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards) subject is denied access to all premises in this jurisdiction.

07-28-18<sup>3</sup> **ANDERSON RULING – REF (07-26-18<sup>2</sup>)**

After deliberating all the facts heard in the formal hearing held on Thursday, the Stewards reached decision, and issued the following ruling.

**Ruling #13**

Owner/ Exercise Rider **ERIN ANDERSON** is hereby suspended thirty (30) days, July 30, 2018 through August 28, 2018 inclusive, and placed on probation for the term of her license(s) pursuant to California Horse Racing Board rule #1900 (Grounds for Suspension or Revocation) for violation of California Horse Racing Board #1489 (a) (7) (8) (Grounds for Denial or Refusal- possession of methamphetamine) and California Horse Racing Board rule #1902 (Conduct Detrimental to Horse Racing). Prior to reinstatement of her license privileges Ms. Anderson must show proof of completion of a Program acceptable to this Board of Stewards which is approved by the Winners Foundation and provide a negative test result.

As conditions of probation Ms. Anderson must maintain sobriety and remain on a testing program as long as she is licensed by the California Horse Racing Board and abide by terms of a contract with Winners Foundation. Failure to

comply with the terms of probation will be grounds for actions against Ms. Anderson's license privileges pursuant to California Horse Racing Board rule #1485 (License Subject to Conditions and Agreements).

During the term of the suspension, all license and license privileges of **ERIN ANDERSON** are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards) subject is denied access to all premises in this jurisdiction.

07-28-18<sup>4</sup> **PENCE RULING – REF (07-26-18<sup>3</sup>)**

Once the Stewards had a chance to deliberate all the facts heard in the formal hearing held on Thursday, in addition to taking into consideration the recommendations from Darin Sharer of the Winners Foundation, a decision was reached, and the following ruling was issued.

**Ruling #14**

Owner/Groom **CRYSTAL PENCE** is hereby suspended sixty (60) days, July 30, 2018 through September 27, 2018 inclusive, and placed on probation for the term of her license(s) pursuant to California Horse Racing Board rule #1900 (Grounds for Suspension or Revocation) for violation of California Horse Racing Board #1489 (a) (6) (7) and (8) (Grounds for Denial or Refusal), California Horse Racing Board rule #1874 (Disorderly Conduct), California Horse Racing Board rule #1890 (a) (Possession of Contraband – Needles, Syringes and Methamphetamine) and California Horse Racing Board rule #1902 (Conduct Detrimental to Horse Racing). Prior to reinstatement of her license privileges Ms. Pence must show proof of completion of a minimum thirty (30) day in-house Rehabilitation program recommended by Winners Foundation and acceptable to this Board of Stewards in addition to providing a negative test result.

As conditions of probation Ms. Pence must maintain sobriety and remain on a testing program as long as she is licensed by the California Horse Racing Board and abide by terms of a contract with Winners Foundation. Failure to comply with the terms of probation will be grounds for actions against Ms. Pence's license privileges pursuant to California Horse Racing Board rule #1485 (License Subject to Conditions and Agreements).

During the term of the suspension, all license and license privileges of **CRYSTAL PENCE** are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards) subject is denied access to all premises in this jurisdiction.

07-28-18<sup>5</sup> **FILM REVIEW**

At the Stewards request, jockey Catalino Martinez came into our office this morning to review the start of yesterday's second race, where his mount broke inward somewhat sharply. Though Mr. Martinez did correct his mount after a few strides, the Stewards felt he could have reacted a bit more quickly. Jockey Martinez received a stern warning to make a better effort in the future.

07-28-18<sup>6</sup> **INQUIRY – NO CHANGE**

Shortly after the runners crossed the finish line in our sixth race, the Stewards posted the Inquiry sign to review an incident going into the far turn. The first place finisher, with apprentice jockey David Mussad, shifted in somewhat abruptly approaching the turn, putting one of his rivals in a tight spot. After further review, the Stewards unanimously felt that the incident did not affect the outcome of the race, thus letting the original order of finish stand.

07-28-18<sup>7</sup> **LATE SCRATCH**

During the loading process of the eighth race, #6 WHO NOSE IT, attempted to flip while inside the starting gate unseating jockey Alejandro Gomez. The Steve Sherman runner was ordered scratched by the Stewards, on the advice of Dr. De La Cruz DVM, and Mr. Gomez returned to jocks room where he was evaluated by the track doctor. X-rays taken later in the day found no signs of injury to Mr. Gomez' sore left ankle and knee.

07-28-18<sup>8</sup> **ATTENDANCE & HANDLE**

OTP	6013	\$	255,842.85
NCOT	2464	\$	1,069,071.65
SCOT		\$	174,877.30
Out of State		\$	352,741.94
<b>TOTAL</b>	<b>8477</b>	<b>\$</b>	<b>1,852,533.74</b>

**Sunday**07-29-18<sup>1</sup> **DECLARATIONS & CHANGES**

2<sup>nd</sup> Race #2 INTESSA, jockey Alejandro Gomez (injured) changed to Catalino Martinez  
 5<sup>th</sup> Race: #2 CALIFORNIA TRIBE, Alejandro Gomez (injured) changed to Heribert Martinez  
 7<sup>th</sup> Race: #3 SON OF THE SOUTH, Alejandro Gomez (injured) changed to Francisco Duran  
 7<sup>th</sup> Race: #5 SOUTHERN LOYALTY (Tr. A. Tekos Jr.)  
     Sick – DVM De La Cruz REFUND: \$ 45.00  
 8<sup>th</sup> Race: #3 TOTALLY JADED (Tr. B. Maelfeyt)  
     Sick – DVM De La Cruz REFUND: \$ 213.50

07-29-18<sup>2</sup> **CROP RULING**

After speaking with jockey Martin Arriaga following yesterday's second race, he admitted to violating the crop rule, so the following ruling was issued today.

**Ruling #15**

Jockey **MARTIN ARRIAGA** who rode **SNOWY CORONITAS** in the second race at the California State Fair on Saturday, July 28, 2018 is hereby fined the sum of one hundred dollars (\$100)\* for violation of California Horse Racing Board rule #1688 (use of Riding Crop – used more than three times without giving the horse a chance to respond).

07-29-18<sup>3</sup> **MUSSAD RULING**

Apprentice jockey David Mussad came into our office this morning to review yesterday's sixth race. He understood that his actions put one of his fellow riders in a potentially dangerous situation, and pledged to do a better job going forward. The Stewards unanimously felt that a penalty was in order, so the following ruling was issued.

**Ruling #16**

Apprentice Jockey **DAVID MUSSAD** who rode **DADDY DUKE** in the sixth race at California State Fair on Saturday, July 28, 2018 is suspended three (3) racing days (August 5, 9 and 10, 2018) for altering course without sufficient clearance approaching the first turn and causing interference; a violation of California Horse Racing Board rule #1699 (c) & (e) (Riding Rules – careless riding).

07-29-18<sup>4</sup> **VELAZQUEZ RULING**

After failing to arrive in-time to ride his first two mounts on yesterday's card, we asked jockey Jesus Velazquez to report to our office this morning. Once the Board of Stewards heard his explanation, the following ruling was issued.

**Ruling #17**

Jockey **JESUS VELAZQUEZ** who was scheduled to ride **SASSY JAZZY** in the first race and **CHILOSO** in the second race on Saturday, July 28, 2018 at the California State Fair is hereby fined the sum of One Hundred Dollars 100.00)\* for violation of California Horse Racing Board rule #1872 (Failure to Fulfill Jockey Agreement).

07-29-18<sup>5</sup> **STEWARDS REVIEW**

In our final race of the day, the Stewards conducted a review of the start, after the #6 STEAMNSTONE got off to a very awkward beginning. Starter Todd Stephens reported that the mare threw her head just as the doors opened. Upon further review, the Stewards unanimously agreed that STEAMNSTONE caused her own problems at the start, thus consider her a starter.



**SUMMARY**

	26-Jul.	27-Jul.	28-Jul.	29-Jul.	<b>WEEK</b>	<b>MEET</b>
ACCIDENTS	0	0	0	0	<b>0</b>	<i>0</i>
CAL-BRED RACES	0	0	0	0	<b>0</b>	<i>0</i>
CLAIMS	1	2	1	0	<b>4</b>	<i>17</i>
DISQUALIFICATIONS	0	0	0	0	<b>0</b>	<i>3</i>
INQUIRIES/OBJECTIONS	0	0	1	0	<b>1</b>	<i>5</i>
REFUNDS	4	2	4	2	<b>12</b>	<i>36</i>
RULINGS	0	1	3	3	<b>7</b>	<i>17</i>

Respectfully submitted,

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**David Nuesch, Steward**

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**Dennis Nevin, Steward**

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**Richard Lewis, Steward**

*Northern California Off-Track Wagering Inc.*

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**Memo****July 27, 2018**

**To: The Board of Stewards**  
**From: Doug Gooby**  
**RE: Wagering Incident of July 26, 2018**

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At or about the 7<sup>th</sup> Race on Thursday, July 26, 2018, there was a Stop Betting command from the Judges Console as the first horse was entering the gate. By the time the issue was diagnosed, and I was made aware of the situation, three horses were already in the gate. When this has happened in the past, it has taken a minimum of 2 minutes to re-initiate wagering. Past practice has been that we have just left wagering off this close to the race.

By California Horse Racing Board Rules and Regulations, the horses are not to be on the track for more than 12 minutes unless there is an issue that cannot be avoided on the track. In view of the 105 degree heat, I mentally made the call to not request that the Stewards unload the Starting Gate, nor ask for a couple of extra minutes.

Jamie Cariglio Swayze was sent to the roof to assess the issue on the Judges Console, and the race was run. After the race had been run, Tote Manager, Dave Calendine, and I were going through the prices and verifying the Carryover Pools as we do every day at the conclusion of the last race. Since the Judges Console was down, we had to do this manually, so it took some additional time. Steward David Nuesch called to find out what the delay was, and I told him that we were calculating manually and verifying the last price, which was the Super High-5 Jackpot pool and Carryover. Steward Dennis Nevin called on the ringdown phone, and we went official. When I picked up the phone, Dennis was gone, so I called back and told him what I thought had happened, and about the manual calculations. When Jamie returned to the Tote Room, she stated that she could not find anything obviously wrong with the Console.

On the morning of July 27, 2018, tote technicians were dispatched to the Judges Console to determine a likely cause of the prior day's issue. A bent pin was discovered in the serial plug of the facility cable, and was repaired. That seemed to be the most likely cause of the issue, and there were no further issues throughout the July 27<sup>th</sup> Race Day.

I would personally estimate that this cost somewhere in the range of \$41,000 to \$50,000 in handle on this race.

Sincerely,

**Douglas W. Gooby**  
**Mutuel Manager**