



CALIFORNIA HORSE RACING BOARD
1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825

REPORT OF THE BOARD OF STEWARDS

**DEL MAR SUMMER MEET
DEL MAR THOROUGHBRED CLUB**

To the California Horse Racing Board

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HONORABLE MADELINE AUERBACH, VICE CHAIRMAN
HONORABLE DENNIS ALFIERI, MEMBER
HONORABLE GREGORY L. FERRARO, DVM, MEMBER
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JACQUELINE WAGNER, ASSISTANT EXECUTIVE DIRECTOR
JOHN McDONOUGH, CHIEF COUNSEL
DARREL McHARGUE, CHIEF STEWARD

WEEK 2 - Wednesday, July 24, 2019, through Sunday, July 28, 2019.

TUESDAY

07-23-19¹

STEWARD ON DUTY

Grant Baker was available to approve scratches for Wednesday with Assistant Clerk of Scales Charles McCall. He also attended to other issues that arose.

WEDNESDAY

07-24-19¹

MANDELLA RULING ref 07-21-19(5)

The following ruling was issued after Mr. Mandella took responsibility for his exercise rider who failed to pull his mount up during morning training while the lights/siren were activated.

Mr. Mandella stated he instructed his rider to continue the gallop, he felt his instructions were a safety issue for his horse.

DMTD RULING #010

Trainer RICHARD MANDELLA is fined ONE HUNDRED DOLLARS (\$100.00) for violation of California Horse Racing Board rule #1897 (Interference with Horse, Racing Participants or Racing Operations – interfering with the duties of the outriders) on July 21, 2019 at Del Mar Race Track.

07-24-19²

JOCKEY FILM REVIEW ref 07-21-19(9)

Apprentice jockey Jorge Velez met with the Stewards to review the second race on Sunday in which he was involved in an incident near the 3/16's marker. Coming off the turn Mr. Velez allowed his mount to drift out without correction interfering with a horse to his outside. The penalty listed in the ruling below is his second offense within the last sixty days.

DMTD RULING #011

Apprentice Jockey JORGE VELEZ who rode SEVEN SCENTS in the second race at Del Mar Race Track on July 21, 2019 is suspended for FOUR (4) racing days (July 31, August 1, 2 and 3, 2019) for altering course without sufficient clearance entering the stretch and causing interference; a violation of California Horse Racing Board rule #1699 (c) (e) (Riding Rules-Careless Riding – Second offense in the past sixty days). The term of suspension shall not prohibit participation in designated races in California.

07-24-19³

INQUIRY/DISQUALIFICATION/THIRD RACE 5 1/2 dirt

Following the running of the race the inquiry sign was posted to review an incident leaving the starting gate. Involved were #5 Anniversary Sale (A. Cedillo 3rd), #6 Brazilian Summer (I. Puglisi 6th), #7 Tim's Buddy (G. Franco 7th) and #8 An American Jet (E. Payeras 8th). After conversation with the Patrol Judge and jockeys involved in a unanimous decision #5 was disqualified from third and placed eighth behind #7. For ten strides out of the starting gate #5 bore out impeding three of the four horses to its outside that effected their final placing.

ORIGINAL ORDER OF FINISH 4-2-(5)-3-1-6-8-7-9
OFFICIAL ORDER OF FINISH 4-2-3-1-6-8-7-(5)-9

07-24-19⁴

VOIDED CLAIM

After a physical exam by Official Veterinarian Will Farmer of #5 Sergio who raced in the second race, the horse was placed on the Veterinarian's List. The Stewards voided the claim and the horse was returned to the stable of trainer Shelbe Ruis.

07-24-19⁵

DECLARATIONS, CHANGES AND REFUNDS

1st Race No Changes. Refund: \$ 0
2nd Race #3 Twirling Tiger (Tr. C. Treece) claimed by Tr. J. Carava
#5 Sergio (Tr. S. Ruis) claimed by Tr. R.B.Hess, Jr. VOID
#8 Desert General (Tr. R. Hanson) claimed by M. Pearson.
3rd Race No Changes. Refund: \$ 0
4th Race No Changes. Refund: \$ 11.50
5th Race No Changes. Refund: \$ 168.50
6th Race # 3 Zestful (Tr. M. Glatt) Stewards-stake. Refund: \$ 804.10
7th Race No Changes. Refund: \$ 840.40

07-24-19⁶

DAILY ATTENDANCE & HANDLE

On track	9,414	\$826,722.33
Off Track	2,985	\$1,638,329.98

Out –of-State	-0-	\$4,371,803.49
Total	12,399	\$6,836,855.80

THURSDAY

07-25-19¹

JOCKEY FILM REVIEW

Abel Cedillo met with the BOS to review the third race yesterday where he was involved in an inquiry, (ref 07-24-19 (3)). After a review of the race all agreed he made a proper effort to try and correct his mount out of the starting gate. The negative factor, he was correcting with a long rein, he was informed he needs to shorten his reins to have more control. He stated he would. Warning.

07-25-19²

DURAN RULING ref 07-21-199(4)

The following ruling was issued after Mr. Duran was notified of the penalty. Outrider Cindy Ellet verified Mr. Duran did not comply with the rules regarding safety on the race track during a.m. training.

DMTD RULING #012

Exercise Rider JAIME DURAN is fined ONE HUNDRED DOLLARS (\$100.00)* for violation of the California Horse Racing Board rule #1930 (Obedience to Security Officers and Public Safety Officers - galloping his horse while siren/warning lights were activated) on July 21, 2019 at Del Mar Race Track.

07-25-19³

ARROYO RULING

The following ruling was issued after agent Mike Ciani representing Norberto Arroyo met with the Stewards to address the issue of Mr. Arroyo once again arriving late to the jockey quarters to ride the first race yesterday. Not only was he late he also falsified the sign in sheet.

DMTD RULING #013

Jockey NORBERTO ARROYO JR. is fined TWO HUNDRED DOLLARS (\$200.00)* for violation of California Horse Racing Board rule #1680 (Jockeys and Drivers to Report) on July 24, 2019 at Del Mar Race Track.

07-25-19⁴

INQUIRY /NO CHANGE/SECOND RACE 1 1/16 turf

Following the running of the race the inquiry sign was posted to review two different incidents. The first involved #3 Unusually Green (A. Cedillo 2nd), #4 Play Hard to Get (D. Van Dyke 4th), #5 Van Cortlandt (N. Arroyo 3rd) and #6 Terrys Tom Cat (M. Gutierrez 7th). The run into the first turn was in the configuration of a four horse spread, #3 #4 and #5 were affected because of lack of room. The BOS opinion, #6 on the outside drops in on the #3, #4, #5 with very little room for movement. It was not an issue as all three horses finished in front of #6.

The second incident occurred near the 1/8 pole that involved #4 Play Hard to Get (D. Van Dyke 4th), #5 Van Cortlandt (N. Arroyo 3rd) and #6 Terrys Tom Cat (M. Gutierrez 7th). #5 behind a three horse spread forced his way out pushing the two horses to his outside off of their paths. The BOS felt this action did not affect the final placing and the race was made official.

07-25-19⁵

DECLARATIONS, CHANGES AND REFUNDS

- 1st Race #3 Majestic Display (Tr.C.Axmaker) Veterinarian-sick-Dr. Farmer
#7 Melbo (Tr. V. Garcia) Veterinarian-unsound-Dr. Farmer
Refund: \$2,040.01
- 2nd Race #9 Backstopped Kit (Tr. M. Jones) claimed by Tr. B. Hess, Jr.
Refund: \$1,017.00
- 3rd Race #3 Established Justice (Tr. D. O'Neill) claimed by Tr. M. Puype
Refund: \$145.00
- 4th Race No Changes. Refund: \$1,354.16
- 5th Race #2 We're Just Sayin (Tr. A. Mathis) Veterinarian-unsound-
Dr. Grande. Refund: \$370.51
- 6th Race #5 Battleground State (Tr.N.Drysdale)claimed Tr. D. Greenman
Refund: \$134.00
- 7th Race #8 Potantico (Tr. V. Cerin) Veterinarian-injured-Dr. Farmer
Refund: \$1,221.60

07-25-19⁶

DAILY ATTENDANCE & HANDLE

On track	3,579	\$721,529.67
Off Track	7,020	\$1,811,368.09
Out -of-State	-0-	\$5,008,220.39
Total	10,599	\$7,541,118.15

FRIDAY

07-26-19¹

JOCKEY FILM REVIEW

Mario Gutierrez met with the Stewards to review the second race yesterday that involved an inquiry into two different incidents which he was involved. The first occurred approaching the first turn in the 1 1/16 turf race. Mr. Gutierrez was on the outside of a tight spread of horses, he was advised to be more aware to relieve the pressure when that configuration forms. He stated he would do so. Warning. The second incident, his horse was the recipient of the foul.

Kent Desormeaux met with the BOS to review the eighth race on Sunday where his finish wasn't as strong as expected. He stated he was concerned with the direction of the traffic in front of him late in the stretch. The Stewards reluctantly acknowledged and accepted this assessment as traffic was a concern. Warning.

07-26-19²

INQUIRY/ACCIDENT/NO CHANGE/SIXTH RACE 1 mile dirt

The inquiry sign was posted to review an incident leaving the starting gate that involved #5 Hypersonic (E. Maldonado DNF). The video revealed, two strides out of the starting gate the horse stumbled and unseated the jockey. There were no other factors involved in the incident and the race was made official. The jockey was cleared to ride the next race by the race track physician and the horse was caught unharmed by the outrider.

07-26-19³

INQUIRY/JOCKEY OBJECTION/NO CHANGE /SEVENTH RACE 1/16 turf

Following the running of the race the inquiry sign was posted to review an incident approaching the ¼ pole. There was also a jockey objection lodged by jockey Brice Blanc (6th) against the winner (#3). Involved were #3 Grecian Fire (M. Smith 1st), #4 Ashleuluvssugar (B. Blanc 6th), #6 The Hunted (T. Pereira 7th) and #8 Brandothebartender (J. Talamo 9th). As #6 passed #3 the configuration left #4 and #8 on the outside of #3. In a majority opinion #6 stepped in slightly and caused #3 to check hard which caused it to shift out badly offending #4 and #8 to its outside. #9 farthest out was not impeded. The dissenting opinion of Steward Herbuveaux was, he did not see proof that #6 was involved in the incident.

07-26-19⁴

VOIDED CLAIMS

After a physical examination of #3 Watheeqa (Tr. J. Cassidy) in the fourth race and #5 Hypersonic (Tr. J. Metz) in the sixth race, by Official Veterinarian Will Farmer the two horses were placed on the Veterinarians List. The Stewards voided the claim's and the horses were returned to their trainers of record.

07-26-19⁵

DECLARATIONS, CHANGES AND REFUNDS

1st Race #3 Verified (Tr. K. Desormeaux) Veterinarian-injured-Dr. Stead
Refund: \$3,553.78

2nd Race No Changes. Refund: \$48.50

3rd Race #1 Portando (Tr. M. McCarthy) claimed by Tr. M. Rowan
Refund \$105.00

4th Race #1 C C the Bartender (Tr. J. Wong) claimed by Tr. S. Sherman
#3 Watheeqa (Tr. J. Cassidy) claimed by Tr.V. Brinkerhoff VOID
#4 Gemagine (Tr. J. Wong) Veterinarian-sick-Dr. Stead
#5 Duranga (Tr. P. Miller) claimed by Tr. A. Mathis
#7 Road Test (Tr. D. Keen) claimed by Tr. D. Pedersen.
Refund: \$866.30

5th Race No Changes. Refund \$783.64

6th Race #5 Hypersonic (Tr. J. Metz) claimed by Tr. J. Martin VOID.

7th Race No Changes. Refund \$0

8th Race #3 Topaz Time (Tr. P.Aguirre) claimed by Tr. M. Pearson
#5 Red Livy (IRE) (Tr. R. DeLeon) claimed by Tr. B. McLean
#7 Todos Santos (Tr. S. Knapp)claimed by Tr. J. Metz
#11 Mixed Emotions (Tr. E. Kruljac) DNF. Refund: \$69.70

07-26-19⁶

DAILY ATTENDANCE & HANDLE

On track	11,271	\$1,224,544.16
Off Track	4,610	\$2,758,393.08
Out -of-State	-0-	\$7,234,048.35
Total	15,881	\$11,216,985.59

SATURDAY

07-27-19¹

JOCKEY FILM REVIEW

As directed Tiago Pereira with his agent Patty Sterling met with the BOS to review the seventh race yesterday. After a review of the available videos the

majority still felt he stepped in slightly causing a horse to have to check, this action was not considered careless. Warning.

Norberto Arroyo met with the Stewards to review an incident that required an inquiry in the second race on Thursday ref 07-25-19(4). Also, in attendance at the request of the BOS were Investigator Greg Icamen and Investigator Mike Barker due to Mr. Arroyo's conduct and attitude in the last encounter in the Stewards' office. ref 01-19-19 (3).

In the stretch run Mr. Arroyo testified he had a lot of horse and needed racing room. In search of that racing room he deliberately angled his mount off the rail and well past the middle of the track despite having two horses to his outside and pushed them off their paths. This action put the horse farthest out on the heels of the horse in the middle. The BOS believed it was careless riding and that he deserved suspension days. The majority voted for a seven day suspension Steward Sawyer felt a five day suspension was appropriate. This is his third penalty within the last sixty days and the following ruling was issued.

DMTD RULING #016

Jockey NORBERTO ARROYO Jr., who rode VAN CORTLANDT in the second race at Del Mar Race Track on July 25, 2019 is suspended for SEVEN (7) racing days (August 2, 3, 4, 7, 8, 9, and 10, 2019), for altering course without sufficient clearance in the stretch and causing interference. This constitutes a violation of California Horse Racing Board rule #1699 (Riding Rules-Careless Riding – third offense in the past sixty days).

Pursuant to California Horse Racing Board rule #1766 (Designated Races), the term of suspension shall not prohibit participation in designated races.

07-27-19²

KOWALOW HEARINGS CASE 19SA0201; CASE 19SA0204

The CHRB filed a financial complaint on behalf of Ren-Mar Thoroughbreds against owners Mallory and Stefan Kowalow pertaining to an overdue board bill. Present at the informal hearing before the BOS were respondent Stefan Kowalow and representing Ren-Mar Thoroughbreds, Cathy Lambert. Ms. Kowalow was under the weather and her husband stated he would represent her. After much discussion a financial agreement was reached and signed.

07-27-19³

SCHWIZER FORMAL HEARING CASE 19SA0202

The CHRB filed a complaint against Trainer Martha Schwizer for violation of CHRB rule 1865 (Altering of Sex of Horse) and 1629 (Penalty for Late Declaration). Present for the formal hearing before the BOS was Marsha Schwizer, representing the CHRB, Investigator Greg Icamen and recording the proceedings was court reporter Michelle Derieg.

Ms. Schwizer testified, when she entered her horse at Santa Anita she told entry clerk Karen Denoval the first time starter was a gelding. She had previously spoken to entry clerk Michael Burns to inform him the horse had been gelded and he said he would take care of it. As neither racing official was

called to testify they could not contradict her testimony. She also acknowledged she should have verified the horse's status on the overnight but did not have access to one as she had to attend to her father who had suffered a stroke the next day and passed away the day after that.

It appears various parties contributed to the incident so to hold Ms. Schwizer solely responsible would not be equitable. The BOS took these mitigating circumstances into consideration and opted to dismiss the complaint.

07-27-19⁴

GOOD RACING

The nine race card was performed without notable incident. Any changes made are listed below.

07-27-19⁵

DECLARATIONS, CHANGES AND REFUNDS

1st Race #3 Billy Batts (Tr. P. Miller) Veterinarian-sick-Dr. Farmer
Refund: \$4,382.89

2nd Race No Changes. Refund: \$13.50

3rd Race No Change. Refund: \$17.00

4th Race #4 General McCarthy (Tr. V. Belvoir) Veterinarian-injured-Dr. Stead. Refund: \$838.32

5th Race No Changes. Refund: \$306.00

6th Race #3 Ishi (Tr. P. Miller) Veterinarian-injured-Dr. Farmer.
Refund: \$3,640.74

7th Race No Changes. Refund: \$1,116.10

8th Race #1 Coleman (Tr. V. Cerin) Stewards-stake. Refund: \$2,154.32

9th Race #2 Imprint (Tr. D. O'Neill) Veterinarian-sick-Dr. Stead
#10 Unwritten (Tr. K. Desormeaux) Veterinarian-sick-Dr. Farmer
Refund: \$7,943.89

07-27-19⁶

DAILY ATTENDANCE & HANDLE

On track	20,119	\$2,502,223.09
Off Track	7,362	\$4,326,904.85
Out –of-State	-0-	\$8,267,819.85
Total	27,481	\$15,096,947.79

SUNDAY

07-28-19¹

SALCIDO RULING

Exercise rider Cesar Salcido met with the Stewards to discuss the use of his crop during morning training. It was reported he used it more than three consecutive times while working a horse from the starting gate. He was informed that the afternoon crop rule (1866) is also applied to morning training. His penalty is listed in the ruling below.

DMTD RULING #017

Exercise Rider Cesar Salcedo is fined ONE HUNDRED DOLLARS (\$100.00)* 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 – during morning training hours) at Del Mar Race Track on July 27, 2019.

07-28-19²

GALLEGOS RULING

The following ruling was issued after Mr. Gallegos met with the Stewards to discuss why he did not pull his horse up when the lights/siren were activated during morning training. He stated he tried, but available witnesses stated that was untrue.

DMTD RULING #018

Exercise Rider PEDRO A. GALLEGOS is fined ONE HUNDRED DOLLARS (\$100.00)* for failure to follow the instructions of the morning outrider at Del Mar Race Track on July 22, 2019; a violation of California Horse Racing Board rule #1930 (Obedience to Security Officers and public Safety Officers)

07-28-19³

ARROYO INFORMAL HEARING

Norberto Arroyo, Jr. met with the Stewards to adjudicate three citations issued by DMTC Investigators. Outrider Cindy Ellet and Michael Gibbons joined as witnesses.

The first alleged Mr. Arroyo, Jr. was in the clocker's stand on the morning of July 25, 2019 sitting on the top of the fence facing the barn area. It was said he was slapping his crop on his boot and the noise was scaring the horses passing by. There was not a witness present to collaborate this accusation, case dismissed.

The second incident involved Mr. Arroyo, Jr. driving his golf cart on the "gap road" that runs parallel to the race track during training hours. There are signs posted stating this is not allowed. After being instructed by Outrider Cindy Ellet not to do so, he continued from the 3/4 to the end of the 7/8 chute.

The third incident involved a citation for not following the instructions of the outrider after being told he could not enter the track until she gave the all clear. Her testimony stated there were two different incidents concerning this matter. He stated one of the horses was hard to control.

After deliberation on the second and third incident the following two rulings were issued.

DMTD RULING #019

Jockey NORBERTO ARROYO Jr. is fined ONE HUNDRED DOLLARS (\$100.00)* for driving a golf cart in a restricted area during morning training hours at Del Mar Race Track on July 25, 2019; a violation of California Horse Racing Board rule #1870 (Conditions of Meeting Binding upon Licensees).

DMTD RULING #020

Jockey NORBERTO ARROYO Jr. is fined ONE HUNDRED DOLLARS (\$100.00)* for failure to follow the instructions of the morning outrider at

Del Mar Race Track on July 25, 2019; a violation of California Horse Racing Board rule #1930 (Obedience to Security Officers and Public Safety Officers – Entered track during renovation).

07-28-19⁴

SMOOTH SAILING

The eight race card was performed without a ripple. Any changes made are listed below.

07-28-19⁵

DECLARATIONS, CHANGES AND REFUNDS

- 1st Race #1 Lucia’s Maiden (Tr. C. Lewis) Veterinarian-sick-Dr. Stead.
Refund: \$1,073.02
- 2nd Race No Changes. Refund: \$14.00
- 3rd Race No Changes. Refund: \$28.50
- 4th Race #2 Italiano (Tr. S. Miyadi) claimed by Tr. A. Mathis
#4 Sweet River Baines (Tr. T. McCanna) Veterinarian-unsound-
Dr. Grande
#7 Spokane Eagle (Tr. E. Truman) claimed by Tr. J. Mullins.
Refund: \$454.60
- 5th Race #8 Reedley (Tr. B. Baffert) claimed by Tr. A. Marquez.
Refund: \$11.00
- 6th Race No changes. Refund: \$827.50
- 7th Race #2 Just a Smidge (Tr. B. Baffert) Stewards-stake.
Refund: \$ 1,537.80
- 8th Race #9 Zest (Tr. J. Shirreffs) Veterinarian-unsound-Dr. Farmer.
Refund: \$7,709.73

07-28-19⁶

DAILY ATTENDANCE & HANDLE

On track	9,593	\$1,940,205.21
Off Track	6,800	\$3,995,143.27
Out –of-State	-0-	\$7,391,886.27
Total	16,393	\$13,327,234.75

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 REPORT – WEEK OF 7/24/19 TO 7/28/19

Horses on Vet List	24
Horses off Vet List	5
Shock Wave Therapy	17
Deceased	0
Medication	0
Claims Voided	3

SUMMARY

	Wed 7/24	Thurs 7/25	Fri 7/26	Sat 7/27	Sun 7/28	Week	Meet
Accidents	0	0	1	0	0	1	2
Cal-Bred Races	1	2	2	2	0	7	13
Claims	2	8	7	1	3	21	35
Disqualifications	0	0	0	1	0	1	1
Inquiries	1	1	2	0	0	4	7
Refunds	4	7	6	9	8	34	55
Rulings	2	2	0	3	4	11	20
Voided Claims	1	1	2	0	0	4	10

Respectfully submitted,

Kim Sawyer, Steward

John B. Herbuveaux, Steward

Grant Baker, Steward

Luis Jauregui, Safety Steward