

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



REPORT OF THE BOARD OF STEWARDS
Del Mar Thoroughbred Club
To the California Horse Racing Board

Honorable Arnold Schwarzenegger, Governor
Honorable Richard B. Shapiro, Chairman
Honorable John C. Harris, Vice Chairman
Honorable John Amerman, Member
Honorable John Andreini, Member
Honorable Jesse H. Choper, Member
Honorable Marie G. Moretti, Member
Honorable Jerome S. Moss, Member
Ingrid Fermin, Executive Director
Richard "Bon" Smith, Assistant Executive Director

Report of the Board of Stewards for the period August 22, 2007 through August 27, 2007.

Wednesday
August 22, 2007

1 PORTER/AGUIRRE SETTLEMENT

After a pre-hearing conference last week, the parties in the Dan Porter Horse Transportation/Ken Aguirre complaint (Case 07HP101) negotiated a settlement and therefore asked that the financial complaint be dismissed. The stewards agreed and dismissed the court reporter and two subpoenaed witnesses.

2 PARKING VIOLATIONS

Rulings 59-64 involved non-disputed routine stable area parking violations.

3 OBJECTION/NO CHANGE

Following the running of the third race, Jockey Joe Talamo (second place finisher #6 Nutzapper) lodged a claim of foul against the winner #3 Shore Do (jockey Victor Espinoza). Mr. Talamo alleged that the winner drifted out into his path, turning into the stretch on the turf course. After speaking with both riders, as well as the patrol judges, it was the stewards' opinion that the winner did not drift out, but rather simply stayed in his path and completed the turn. In fact, the evidence seemed to indicate that Mr. Talamo's horse drifted in; therefore no change was appropriate.

4 DECLARATIONS, CHANGES AND REFUNDS

- 1st Race #6 Queen of the Derby – Veterinarian scratch, sick – Dr. Connor
Refund: - \$1,321.00
- 2nd Race #6 Salt Castle – Veterinarian scratch, injured – Dr. Connor
#3 IDig Her – Claimed, J. Cassidy
#4 R Charlie’s Angel – Claimed, T. West
Refund: - \$179.00
- 3rd Race No changes – Refund: - \$51.70
- 4th Race #6 Booyah – Veterinarian scratch, sick - Dr. Beck
Refund: - \$936.80
- 5th Race No changes - Refund: - \$495.00
- 6th Race #10 Dee Rain – Veterinarian scratch, sick – Dr. Beck
#9 A Toast to Tanner – Late veterinarian scratch, acted up in gate – Dr. Connor
Refund: - \$91,729.78
- 7th Race No changes
- 8th Race #3 Games We Play – Late veterinarian scratch, flipped in paddock – Dr. Connor
#6 Sunset Tijuana – Claimed, J. Sadler
Refund: - \$47,148.10

5 ATTENDANCE AND HANDLE

Total Refund: \$141,861.38	Del Mar on Track	10,068	Off Track	\$3,045,311.00
No Minus Pool	Off Track	7,230	Out of State	\$5,248,799.62
	Total Attendance	17,298	<u>Del Mar Total</u>	<u>\$1,811,654.70</u>
			Total	\$10,105,765.32

Thursday
August 23, 2007

1 STEWART HEARING

DR. ROD STEWART appeared before the Board of Stewards to answer case number 07DM011 which alleged violation of CHRB Rules 1840 (Veterinary Practices and Treatments Restricted); 1842 (Veterinarian Report) and 1864 (Labeling of Medications). Court reporter Barbara Weinstein was present to record the proceedings and Dr. Stewart was represented by an attorney, Scott Gailen. Before the hearing began, Senior Special Investigator Jim Hamilton explained that he had just received notice that Dr. Stewart’s license had been suspended in Kentucky last week on an unrelated matter. Dr. Stewart confirmed that information. The stewards explained that we would reciprocate Kentucky’s suspension and therefore were unable to address the complaint against him in California until the issue in Kentucky was resolved. Although disappointed, because Dr. Stewart flew from Kentucky to be present this morning, neither he nor his attorney objected. They did request that Dr. Stewart appear by telephone at the next hearing in the event that the Kentucky issue was resolved. Absent objection by the CHRB, the stewards granted that request as permitted by the Administrative Procedures Act.

2 STEWART RULING

After the pre-hearing conference, referenced above the stewards received a notice from the Kentucky Horse Racing Authority and felt that the following ruling was appropriate:

Ruling #65

Having received a notice of suspension issued by the Kentucky Horse Racing Authority, Veterinarian Rodney James Stewart is suspended pursuant to California Horse Racing Board Rule #1484 (Evidence of Unfitness of License).

During the term of suspension, all license and license privileges of Rodney James Stewart are suspended and pursuant to California Horse Racing Board #1528 (Jurisdiction of Stewards to Suspend or Fine) subject is denied access to all premises in this jurisdiction.

3 CHIANG RULING

Having received notice from Veterinarian Melinda Blue that the financial obligation incurred by Upper Group Inc. had been satisfied; the stewards issued the following ruling:

Ruling #66

Owners Shih C. Chiang and Hui Ying Chiang (dba Upper Group Inc.), having complied with provisions of California Horse Racing Board Rule # 1876 (Financial Responsibility), are restored to good standing. Ruling #53, issued at Del Mar Thoroughbred Club on August 17, 2007, is set aside.

4 JOCKEY'S WEEKLY MEETING

Ten jockeys attended today's weekly meeting as well as Darrell Haire from the Jockey's Guild. The riders had some questions about suspensions levied and not levied during the last week. There was a general feeling that the stewards had been inconsistent in our issuance of suspensions. In what was a spirited discussion, we attempted to explain the reasoning behind some of our decisions. We were able to reach some common ground, and the meeting seemed fruitful in that both jockeys and stewards were able to describe the expectations we have for each other.

5 INQUIRY/DISQUALIFICATION

The stewards posted the inquiry sign following the running of the second race to examine an incident at the start. Video tapes showed #3 Precious (seventh under David Flores) break out sharply and badly bother eighth place finisher #4 Tainted. Although disqualifications at the start are somewhat rare, the interference was such that #3 Precious was disqualified and placed last. Also at the start, #6 Blazzen Jo B breaks inwardly, interfering with #5 Military Woman. #5 Military Woman finished in front of #6 Blazzen Jo B, so no disqualification could be considered.

Original Order of Finish: 1-2-8-5-6-9-(3)-4

Corrected Order of Finish; 1-2-8-5-6-9-4-(3)

6 DECLARATIONS, CHANGES AND REFUNDS

- 1st Race #1 Awesome Feat – Veterinarian scratch, sick – Dr. Connor
Refund: - \$1,412.00
- 2nd Race #7 Funny Britches – Veterinarian scratch, sick – Dr. Connor
Refund: - \$48.70
- 3rd Race No changes
- 4th Race No changes - Refund: - \$14.00
- 5th Race #9 Engineered – Late veterinarian scratch, unsound – Dr. Connor
#3 Colonel Courtney – Claimed, B. Spawr
#5 Pt’s Grey Eagle – Claimed, N. Hines
Refund: \$170,366.74
- 6th Race #3 Like Josie Wells – Veterinarian scratch, sick – Dr. Connor
Refund: - \$1,064.50
- 7th Race No changes - Refund: - \$106.00
- 8th Race #11 Cat Report – Veterinarian scratch, sick – Dr. Beck
#10 Richly Endowed – Claimed, A. Sherman
#13 Simulcast – Claimed, J. Carava
Refund: - \$2,327.10

7 ATTENDANCE AND HANDLE

Total Refund: \$175,340.04	Del Mar on Track	9,864	Off Track	\$2,832,918.00
Minus Pool \$5,462.28	Off Track	<u>7,031</u>	Out of State	\$5,158,867.88
	Total Attendance	16,895	<u>Del Mar Total</u>	<u>\$1,691,942.90</u>
			Total	\$9,683,728.78

Friday
August 24, 2007

1 FILM REVIEW

Jockey DAVID FLORES met with the stewards regarding the start of the second race yesterday noted above. Mr. Flores’ mount broke out sharply and interfered with the horses to his outside. Although the stewards believed that Mr. Flores could have made a quicker effort in correcting his horse, that belief was partially ameliorated by the fact that his mount did stumble when the gates opened, making it more difficult and potentially unsafe to make an immediate correction.

2 GIL RULING

Pony rider JUAN GIL failed to appear at a hearing yesterday regarding case number 07DM003, which involved possession of contraband (tranquilizing syringe) in the stable area and was therefore suspended in the following ruling:

Saturday
August 25, 2007

1 FILM REVIEW

Jockey SAUL ARIAS met with the stewards to discuss his ride in the first yesterday in which his mount was laying on the rival to his outside for a good part of the stretch run. Mr. Arias explained that he was trying to win the race and keep his horse straight at the same time, but the stewards explained that it does no good to win the race if his horse is disqualified in the process. The stewards issued a warning and Mr. Arias pledged to make a better effort in the future.

2 SAAVEDRA RULING

Trainer ANTHONY SAAVEDRA contacted the stewards regarding a horse he entered for a race yesterday. Apparently, the horse was not transported from Arizona in time to participate in the race and was therefore scratched. This resulted in the following fine:

Ruling #68

Trainer Anthony Saavedra, is fined three hundred dollars (\$300.00)* pursuant to California Horse Racing Board Rule #1629 (Penalty for Late Declaration), for failing to transport “Wide Eyed Passion” necessitating the late declaration from the eighth race on Friday, August 24, 2007, at Del Mar Thoroughbred Club.

3 HERNANDEZ RULING

Based on a citation from San Luis Rey Downs, stable foreman SERGIO HERNANDEZ was fined for jumping over the stable fence and alcohol possession:

Ruling #69

Stable Foreman Sergio Hernandez is fined twenty five dollars (\$25.00)* for violation California Horse Racing Board Rule # 1874 (Disorderly Conduct – Abusive Behavior, Unlawful Entry) on July 31, 2007, at San Luis Rey Downs.

4 HOFMANS RULING

Trainer DAVID HOFMANS spoke with the stewards by telephone regarding case number 07DM036, which involved the failure to report a gelding. Mr. Hofmans took responsibility and accepted the following ruling:

Ruling #70

Trainer David Hofmans, is fined three hundred dollars (\$300.00)* for failure to properly report the gelding of the horse “Prosalate” that ran in the fourth race at Del Mar Thoroughbred Club on August 9, 2007, which is a violation of California Horse Racing Board Rule #1965 (Altering of Sex of Horse).

5 INQUIRY/OBJECTION/DISQUALIFICATION

Following the running of the third race, the stewards posted the inquiry sign to examine an incident at the eighth pole on the all weather in which #3 Sunshine Ridge, ridden by Martin Garcia, appeared to clip heels and fall. Jockey Joe Talamo (aboard fourth place finisher, #8 Asteri) also claimed foul against the winner, #7 Chief Teddybear, at the same point in the race. After reviewing the films, and speaking with all of the riders involved, as well as the patrol judges, it became clear that third place finisher #1 Fandabidoo, ridden by Joel Rosario, angles out around the eighth pole in front #3 Sunshine Ridge, causing that rival to clip heels and fall, and causing Joe Talamo to steady sharply. Michael Baze aboard the winner keeps his mount straight, so the rider's claim of foul was disallowed. However, for interference, #1 Fandabidoo was disqualified and placed unplaced. Sunshine Ridge and Martin Garcia both appeared to walk away with only minor injuries (see attached Accident Report).

Original order of finish: 7-2-1-8-5-4-6-3(DNF)
Corrected order of finish: 7-2-8-5-4-6-3(DNF)-1(unplaced)

6 DECLARATIONS, CHANGES AND REFUNDS

1st Race #3 Bid of Genius – Claimed, C. Gaines
#5 Kalamata – Claimed, J. Mullins

2nd Race #10 Powerful Summer – Claimed, J. Martin
#12 Alpine Sport – Claimed, J. Wallace

3rd Race #8 Asteri – Claimed, V. Cerin

4th Race #2 Sprigzee – Claimed, D. O'Neill
#6 Mad Adam – Claimed, B. Hess
#9 Fighting City Hall – Claimed, S. Shulman
Refund: - \$365.80

5th Race #2 Jaywalking – Claimed, WE Morey
#11 Mystery Hunter – bolted, pulled up, walked off
Refund: - \$832.90

6th Race #2 Kelly Carson – Veterinarian scratch, sick – Dr. Nevens
#6 Sizzling Sarah – Veterinarian scratch, injured – Dr. Connor
#7 Preciousness – Veterinarian scratch, sick – Dr. Connor
#3 Carrie's a Jewel – Claimed, T. West
#4 Eden Simone – Claimed, F. Monteleone
#5 Lil Nugget – Claimed, T. West
#8 Quippi – Claimed, J. Carava
Refund: - \$4,707.90

7th Race No changes – Refund: - \$125.00

8th Race #5 Mood Winner – Veterinarian scratch, sick – Dr. Beck
#8 Sip One for Mom – Stewards' scratch, stake
Refund: - \$3,125.40

9th Race No changes – Refund: - \$77.10

10th Race #2 Chocolate Lava – Veterinarian scratch, sick – Dr. Connor
Refund: - \$1,171.20

7 ATTENDANCE AND HANDLE

Total Refund: \$10,405.30	Del Mar on Track	37,840	Off Track	\$6,386,128.50
No Minus Pool	<u>Off Track</u>	<u>12,561</u>	Out of State	\$8,938,967.67
	Total Attendance	50,401	<u>Del Mar Total</u>	<u>\$3,518,980.80</u>
			Total	\$18,844,076.97

Sunday
August 26, 2007

1 FILM REVIEW

Jockey MICHAEL BAZE met with the stewards regarding two races yesterday in which the stewards felt that his riding was a bit sloppy. Both situations involved Mr. Baze passing tiring horses and cutting it a little close when crossing over in front of those rivals. We explained to him that he needs to keep his mounts straight when passing horses and he agreed.

Jockey JOEL ROSARIO met with the stewards regarding his ride in the third race yesterday in which he crosses over in front Martin Garcia's mount, who clips heels and falls. Mr. Rosario (for whom assistant steward Luis Jauregui translated) had little to offer in terms of a defense other than to note that his horse was getting out the entire race and that he thought he had cleared his inside rival when he drifted out. While the stewards do not believe that there was any specific intent to drop another rider, we do feel that the action was careless and the result was significant. Therefore a somewhat severe penalty was issued (although there was some disagreement about when the days should be served—the decision being that he should serve the last three days at Del Mar and the first seven days of Fairplex, Chaney dissenting):

Ruling #72

Jockey Joel Rosario, who rode "Fandabidoo" in the third race at Del Mar Thoroughbred Club on Saturday, August 25, 2007 is suspended for ten (10) racing days (September 2, 3, 5, 7, 8, 9, 10, 12, 13, 14, 2007) for altering course without sufficient clearance, causing interference which resulted in the disqualification of his mount from third to an unplaced position, which is a violation of California Horse Racing Board Rule # 1699 (Riding Rules – Careless Riding).

The terms of this suspension shall not prohibit participation in designated races in California.

2 YOUNG DISMISSAL

Case number 07DM041, which involved a financial complaint against trainer Stacy Young by exercise rider Enrique Morataya, was dismissed when the complainant failed to appear.

3 XILOJ RULING

Grooms ANGEL XILOJ and JUAN COLINDRES met with the stewards as directed by backside security to discuss an incident on the backside in which Xiloj had borrowed Colindres' car. Xiloj, who has no license, was stopped by security for speeding. Both grooms substantially agreed with security's version of events and therefore the following ruling was issued:

checking his mount. This opinion was confirmed by Mr. Smith in a conversation when he returned to the scales. Therefore no change was in order.

3 DECLARATIONS, CHANGES AND REFUNDS

- 1st Race No changes – Refund: - \$198.00
- 2nd Race #2 Bullysima – Claimed, M. Machowsky
 #4 Gold Datnoid – Claimed, B. Spawr
 #6 A P Charlie – Claimed, M. Marlow
 Refund: - \$29.00
- 3rd Race #2 Yieldtothequeen – Veterinarian scratch, unsound – Dr. Connor
 #8 Nottingham Forest – Claimed, J. Hollendorfer
 Refund: - \$599.90
- 4th Race #9 Afleet Aloha – Claimed, A. Sherman
 Refund: - \$194.80
- 5th Race #3 Floricultora (ARG) – Veterinarian scratch, sick- Dr. Nevens
 #1 Silvers Surprise – Rider change, O. Cedeno for A Delgadillo (sick)
 #5 Helmgold – Claimed, J. Mendoza
 Refund: - \$2,027.00
- 6th Race #2 Early Anna – Claimed, JC Green
 Refund: \$335.00
- 7th Race #7 Ebony Light – Veterinarian scratch, sick – Dr. Nevens
 Refund: -\$564.00
- 8th Race #1 After Curfew – Veterinarian scratch, unsound – Dr. Beck
 #10 Keep Your House – Rider change for S. Arias (sick)
 Refund: - \$2,976.10

4 ATTENDANCE AND HANDLE

Total Refund: \$6,923.80	Del Mar on Track 8,424	Off Track \$2,666,069.60
No Minus Pool	<u>Off Track</u> 6,370	Out of State \$4,404,892.59
	Total Attendance 14,794	<u>Del Mar Total</u> \$1,447,091.60
		Total \$8,518,053.79

CALIFORNIA HORSE RACING BOARD

SUMMARY

	Wed 8-25	Thurs 8-26	Fri 8-27	Sat 8-25	Sun 8-26	Mon 8-27	Week Total	Meet Total
Accidents	0	0	0	1	0	0	1	5
Cal-Bred Races	2	1	1	3	1	1	9	54
Claims	3	4	5	13	6	7	38	258
Inquiries	0	1	0	1	0	1	3	32
Objections	1	1	0	1	0	0	3	15
Disqualifications	0	1	0	1	0	0	2	15
Refunds	6	5	5	6	2	4	28	149
Rulings	6	2	1	3	2	8	22	80

Respectfully submitted,

C. Scott Chaney (Steward)

Grant W. Baker (Steward)

Albert Christiansen (Steward)