

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 Edmund G. Brown Jr. Governor
Honorable Keith Brackpool, Chairman
Honorable David Israel, Vice-Chairman
Honorable Steve Beneto, Member
Honorable Jesse H. Choper, Member
Honorable Bo Derek, Member
Honorable Richard A. Rosenberg, Member
Honorable Chuck Winner, Member
Kirk E. Breed, Executive Director
Jacqueline Wagner, Assistant Executive Director

Week 6: Sunday, August 19, 2012, through Saturday, August 25, 2012.

SATURDAY

08/19/12¹

FILM REVIEW

Apprentice jockey ESWAN FLORES came to the office to discuss his ride in the third race yesterday in which his mount was disqualified for interference in the stretch. Films revealed this his mount took an odd step and ducked out quickly. Mr. Flores then makes a decent effort to correct him. While it didn't rise to careless we explained to Mr. Flores that he could have reacted faster and that he will have to take his riding to the next level if he wishes to remain competitive when his apprenticeship expires next month.

Jockey RAFAEL BEAJRANO came to the office as directed to discuss his habitual tardiness for the weighing out process. He explained that he likes to wear clean pants for every ride; we explained that he needs to figure out a way to speed up the process.

08/19/12²

AGENT/RACING SECRETARY TOM KNUST MEETING

Jockey Agent TOM KNUST came to office as requested to introduce jockey KEVIN KRIGGER'S father who will be taking over his son's book when Mr. Knust becomes racing secretary at Fariplex. We also wanted to discuss some personnel issues with respect to racing officials at the upcoming fair meeting.

08/19/12³

STARTER MEETING

We met with starter JOHN LOPEZ this morning to discuss a couple of horses getting away slowly at the meet. Although every case is different, we wanted to maintain a good dialogue with the new starter.

08/19/12⁴

VALETS IN

We met with the two valets involved in yesterday's saddle switching incident described in last week's minutes. While it is not entirely clear how it occurred, we made a couple of small changes to the weighing out procedure to ensure that it does not happen again. These changes dovetail nicely with the overall adjustments we have made at the meet concerning weighing in and weighing out.

08/19/12⁵

HEADLEY RULING

Trainer GUS HEADLEY was suspended when he failed to appear for a hearing concerning parking tickets and disobedience to security (case number 12DM0022):

DMTD #037

Trainer **GUSTAV "GUS" HEADLEY**, having failed to appear to respond to charges alleging violation of California Horse Racing Board rule #1930(Obedience to Security Officials and Public Safety Officers), is suspended for violation of California Horse Racing Board rule #1574(Failure to Appear).

During the term of suspension, all license privileges of Gustav Headley are suspended and in accordance with California Horse Racing Board rule #1528(Jurisdiction of Stewards to Suspend or Fine), Mr. Headley is denied all access to all premises in this jurisdiction.

08/19/12⁶

INQUIRY/NO CHANGE

We posted the inquiry sign during the running of the first race to examine the circumstances under which jockey Victor Espinoza was unseated at the start. Films revealed that as the gates opened, #3 Te Rapa reared up, broke awkwardly and lost his rider. The horse was declared a starter since he caused his own problems. Accident report attached.

08/19/12⁷

OBJECTION/NO CHANGE

Following the running of the sixth race (Grade III Rancho Bernardo Handicap), jockey Garrett Gomez aboard third place finisher #1 Rumor claimed foul against the winner #2 Winding Way ridden by Rafael Bejarano for interference in the stretch. Films revealed that the winner did cross over the third place finisher without sufficient clearance causing that rival to steady. However, after speaking with the patrol judges and riders involved, we unanimously determined that #1 Rumor was not cost the opportunity at a better placing. Therefore no change was made to the original order of finish.

08/19/12⁸

DECLARATIONS, CHANGES AND REFUNDS

1st Race No changes

2nd Race No changes; Refund \$21.00

3rd Race #3 Yankee Dan – Claimed – F. Meza, trainer
 #4 Mr. Why Why – Claimed -- P. Miller, trainer
 Refund \$121.00

4th Race #14 Moonlight Beach – Stewards' scratch, also eligible
 #7 Warren's Clyde – pulled up, walked off
 Refund \$868.31

5th Race #4 In a Twinkling – Veterinarian scratch, unsound – Dr. Grande
 Refund \$1,841.42

6th Race No changes; Refund \$335.01

7th Race #4 Quick Chick – Veterinarian scratch, unsound – Dr. Stead
 #5 Agent Scully – Veterinarian scratch, injured – Dr. Stead
 Refund \$2,151.95

8th Race No changes; Refund \$73.00

9th Race #14 Anabaa's Bluff—Stewards' scratch, also eligible
 Refund \$470.18

08/19/12⁹

DAILY ATTENDANCE & HANDLE

On track	16,073	\$2,654,960.25
Off Track	9,520	\$4,738,876.30
TVG/Xpress/Youbet	n/a	n/a
Out –of-State	n/a	\$8,772,932.95
Total	25,593	\$16,166,769.25

WEDNESDAY

08/22/12¹

FILM REVIEW

Jockey RAFAEL BEJARANO came to the office to review his ride in sixth race Sunday which was the subject of an inquiry. He explained that his mount was lugging in but that he could have kept a straighter course. He was not completely clear of his rival ridden by Garrett Gomez when he crossed over. In a close decision, he was given a warning but promised days in the future for similar behavior.

Jockey MARTIN GARCIA came to the office with his agent to review his ride in the sixth race yesterday in which he angled over down the back stretch and put pressure on the horses to his inside. He claimed that he did this in a gradual fashion and that the jockeys to his inside should have taken back as the turn approached. We tended to agree but advised him to take care of his fellow riders.

08/22/12²

PROTEST HEARING

The protest filed by racing manger Steve Rothblum on behalf of his owner Fortuna Racing was heard this morning in a formal setting. The protest averred that the claim of #1 Elivette should have been voided (August 3, 8th Race, Del Mar) pursuant to CHRB rule 1658 Vesting of Title of Claimed Horse. The CHRB presented some documentary evidence, and oral testimony was given by Mr. Rothblum, private attending veterinarian Dr. Ryan Carpenter and racing veterinarian Dr. Dana Stead. There was some intimation that the filly did not receive humane care because of the rule. This notion is totally rejected by this Board of Stewards. The horse was given the same care every other equine patient receives on the

racetrack and decisions were made appropriately and humanely concerning her care. This is mostly because of the high level of expertise of Dr. Stead and the fact that the claim is not revealed to him until the horse has been loaded on the ambulance. Therefore the only relevant question was whether the rule was applied appropriately. The CHRB, in conjunction with the Stewards in California, have agreed upon an interpretation of the rule since it's inception and that rule has been applied fairly and consistently, including the instant case. To wit, in order for a claim to be voided, the horse must die or be euthanized on the track. Given all of this evidence and precedent, a decision will be made in the near future regarding the protest.

08/22/12³

HEADLEY REINSTATEMENT

Trainer GUS HEADLEY was reinstated when he appeared in the office and new hearing date was established:

DMTD #039

Trainer GUSTAV "GUS" HEADLEY, having appeared as ordered, is restored to good standing. Ruling DMTD #037, issued at Del Mar Thoroughbred Club on August 19, 2012, is set aside.

08/22/12⁴

CONLON RULING

Pursuant to the hearing held last week, trainer MELODY CONLON was fined in the following ruling:

DMTD #038

Trainer MELODY CONLON is fined **FOUR HUNDRED DOLLARS (\$400.00)*** pursuant to California Horse Racing Board rule #1629(Penalty for Late Declaration- medication administration on race day) for failure to start the horse "Last Sting" in the seventh race at Del Mar Thoroughbred Club on August 5, 2012.

08/22/12⁵

INQUIRY/DISQUALIFICATION

Following the running of the eighth race, we posted the inquiry sign in order to look at the stretch run involving the second and third place finishers. Films showed that the second place finisher #7 Tiz the Route (Jockey Joe Steiner) drifts out and impedes the third place finisher #11 Huntington Harbour (ridden by Alonso Quinonez), and in our unanimous opinion, cost that horse the opportunity at a better placing. After speaking with the patrol judges and riders involved, we voted to disqualify #7 and place her third.

Original order of finish: 5-(7)-11-12-1-8-10-6-4-2-13-9

Corrected order: 5-11-(7)--12-1-8-10-6-4-2-13-9

08/22/12⁶

DECLARATIONS, CHANGES AND REFUNDS

1st Race #1 Papa G.T. – Stewards' scratch, unsound – Dr. Grande
#2 Justa Gusta – Stewards' scratch, sick – Dr. Stead
Refund \$3,195.21

2nd Race #2 Peacenic – Claimed – C. Autrey, trainer
 #4 Close to the Edge – Claimed – V. Garcia, trainer
 Refund \$156.00

3rd Race #9 Forty Paces – Stewards’ scratch, also eligible
 #10 Four Better (GB) – Stewards’ scratch, also eligible
 #12 Magic School -- Stewards’ scratch, also eligible
 #13 Elusive Cookies -- Stewards’ scratch, also eligible
 #14 So Tempted -- Stewards’ scratch, also eligible
 Refund \$1,211.98

4th Race #7 Bull Time – Claimed – D. Pederson, trainer
 #8 His Royal Highness – J. Van Berg, trainer

5th Race No changes

6th Race #5 Lika – Late veterinarian scratch, flipped in paddock – Dr. Stead
 Refund \$6,103.47

7th Race No changes; Refund \$49.00

8th Race #14 My Diane – Stewards’ scratch, also eligible
 Refund \$677.47

08/22/12⁷

DAILY ATTENDANCE & HANDLE

On track	11,176	\$1,760,097.90
Satellites	4,828	\$1,836,486.90
TVG/Xpress/Youbet	n/a	n/a
Out –of-State	n/a	\$4,048,649.85
Total	16,004	\$7,645,234.65

THURSDAY

08/23/12¹

FILM REVIEW

Jockey JOE STEINER came to the office to review his ride in the last race yesterday in which mount was disqualified for causing interference in the stretch. He took responsibility for the incident, indicating that he was trying too hard to win the race and didn’t realize that he wasn’t clear of his rival. The following ruling was issued:

DMTD # 040

Jockey **JOE STEINER** is suspended for **THREE RACING DAYS** (August 29, 30 and 31, 2012) for failure to make the proper effort to maintain a straight course in the stretch and causing interference which resulted in the disqualification of his mount “Tiz the Route” from second to third place in the eighth race at Del Mar on August 22, 2012.

This constitutes a violation of California Horse Racing Board rule #1699 (Riding Rules-careless riding). Term of suspension shall not prohibit participation in designated races pursuant to California Horse Racing Board rule #1766 (Designated Races).

Jockey EDWIN MALDONADO came to the office to discuss two issues. First, he failed to call to report his weight in a timely manner. He was issued a warning because it was the first time he neglected this requirement. We also discussed the fact that he was required to change his whip during the warm up session twice in the last two weeks because

it was broken. He claimed that he didn't know that the whip couldn't be broken in this way, which we found difficult to believe, but he certainly understands now that a fine would be in order next time.

08/23/12²

JENNESS RULING

Owner WILLIAM JENNESS was suspended for failure to appear when he didn't show up for a scheduled hearing into case number 12DM017 which was filed by veterinarian Kurt Hoffman and alleged unpaid vet bills:

DMTD #041

Owner **WAYNE RAYMOND JENNESS**, having failed to respond to charges alleging violation of California Horse Racing Board rule #1876(Financial Responsibility-Dr. Kurt Hoffman \$3,109.75), is suspended for violation of California Horse Racing Board rule #1574(Failure to Appear).

During the term of suspension, all license privileges of Wayne Raymond Jenness are suspended and in accordance with California Horse Racing Board rule #1528(Jurisdiction of Stewards to Suspend or Fine), Mr. Jenness is denied all access to all premises in this jurisdiction.

08/23/12³

DECLARATIONS, CHANGES AND REFUNDS

1 st Race	#9 Cayanna – Stewards' scratch, also eligible #10 Luckyvic -- Stewards' scratch, also eligible #2 Lindz Winz – Claimed – J. Evans, trainer #7 Miss Reditore – Claimed – E. Kruljac, trainer Refund \$1,284.10
2 nd Race	#7 God of War (BRZ) – Claimed – J. Sadler, trainer Refund \$82.00
3 rd Race	No changes; Refund \$280.00
4 th Race	#9 Lasso From El Paso – Stewards' scratch, also eligible #10 Jet Blue Girl -- Stewards' scratch, also eligible Refund \$1,442.20
5 th Race	#8 Trumpet Player Jay – Stewards' scratch, entered back #4 Arabian Storm – Claimed – K. Desormeaux, trainer #5 Bronze Fox – Claimed – P. Pederson, trainer #6 Eye for an Eye – Claimed – J. Evans, trainer #7 Celestic Night – Claimed – J. Evans, trainer #9 My Man Sumo – Claimed – C. Autry, trainer #10 Fit and Awesome – Claimed – M. Pearson, trainer #6 Eye for an Eye – pulled up, vanned off (synthetic) Refund \$2,566.30
6 th Race	#8 Grey Tapit – Veterinarian scratch, sick – Dr. Grande #3 Likealovesong – Claimed – C. Autry, trainer Refund \$1,612.80
7 th Race	#4 Major Art (GB) – pulled up, vanned off, bled
8 th Race	No changes

08/23/12⁴**DAILY ATTENDANCE & HANDLE**

On track	9,930	\$1,850,338.30
Satellites	5,485	\$2,072,357.10
TVG/Xpress/Youbet	n/a	n/a
Out –of-State	n/a	\$5,226,718.83
Total	15,415	\$9,149,414.23

FRIDAY
08/24/12¹

FILM REVIEW

Jockey JOE STEINER was in the office this morning to discuss his ride in the last race yesterday in which he angled his mount out for running room and in the process fanned out two horses. Mr. Steiner agreed that he was trying too hard and made an error. He received a warning.

08/24/12²**DECLARATIONS, CHANGES AND REFUNDS**

1st Race #12 Lucky Fitz – Veterinarian scratch, injured – Dr .Grande
#2 Hombre Hughes – Claimed—P. Miller, trainer
Refund \$794.50

2nd Race #11 Harlan’s Halo – Stewards’ scratch, also eligible
#12 Backstreet Boss -- Stewards’ scratch, also eligible
#13 Cane Seeker -- Stewards’ scratch, also eligible
#2 Pacific View – Late veterinarian scratch, injured – Dr. Stead
#7 Kafister – Claimed – P. Miller, trainer
Refund \$35,504.90

3rd Race #9 Obsess - Stewards’ scratch, also eligible
#10 Sabor Amargo (CHI) -- Stewards’ scratch, also eligible
#11 La Mano Nera -- Stewards’ scratch, also eligible
#12 The Whammer -- Stewards’ scratch, also eligible
#14 Quietly Mine -- Stewards’ scratch, also eligible
Refund \$1,407.90

4th Race #10 Amy Rules – Veterinarian scratch, unsound – Dr. Stead
#6 Mirror Ball (GB) – Claimed – P. Miller, trainer
Refund \$748.40

5th Race #2 Hammer the Bay – Veterinarian scratch, unsound – Dr. Grande
Refund \$2,851.00

6th Race No changes; Refund \$129.00

7th Race #11 Sugar Mountain – Stewards’ scratch, also eligible
#12 Ziralli -- Stewards’ scratch, also eligible
#13 Celtic Country -- Stewards’ scratch, also eligible
#14 Tribal Dress -- Stewards’ scratch, also eligible
Refund \$876.60

08/24/12³**DAILY ATTENDANCE & HANDLE**

On track	13,557	\$2,170,094.40
Off Track	5,552	\$2,170,094.40
TVG/Xpress/Youbet	n/a	n/a
Out –of-State	n/a	\$4,816,959.20
Total	19,109	\$9,536,926.20

SATURDAY

08/25/12¹

PALMA HEARING

We held a formal hearing (case number 12DM025) this morning into a complaint filed by the CHRB against trainer HECTOR PALMA alleging violation of two CHRB rules concerning an incident in which one of his runners was given two pre race administrations of bute necessitating a late scratch. Evidence revealed that the horse did receive two administrations, the second of which was given under the order of private veterinarian Dr. Melinda Blue. Mr. Palma believed the error was the veterinarian's fault because she was not contracted to perform that service although his employee did hold the horse for both administrations. Ruling to follow.

08/25/12²

MORAN HEARING

A formal hearing was held into two complaints (case numbers 12HP0058 and 12HP0059) filed by the CHRB against trainer SHANE MORAN and his brother, owner MARK MORAN alleging violation of the trainer insurer rule for Shane Moran and alleging violation of the animal welfare rule for both licensees. CHRB Investigator Bill Westerman presented the case for the CHRB and called investigator Rick Amieva as a witness. The Moran brothers as well as third brother, Matt, testified and presented documentary evidence. Barbara Weinstein recorded the proceedings. This complaint stemmed from the poor condition of Mr. Moran's horse stabled at San Luis Rey Downs observed by Mr. Amieva during a routine track inspection. It also stemmed from the abysmal racing record of his two horses in California – namely, in four starts, his trainees have never beaten another horse. Decision to follow.

08/25/12³

ARIAS RULING

Jockey SAUL ARIAS was fined in the following ruling after he reported the incorrect weight yesterday:

DMTD #043

Jockey SAUL ARIAS is fined **ONE HUNDRED DOLLARS (\$100.00)*** for violation of California Horse Racing Board Rule #1682(Weighing Out-failed to report proper weight) on August 24, 2012.

08/25/12⁴

PEREZ RULING

Jockey ARNOLD PEREZ was fined in the following ruling after he reported the incorrect weight yesterday:

DMTD #042

Apprentice Jockey ARNOLD PEREZ is fined **ONE HUNDRED DOLLARS (\$100.00)*** for violation of California Horse Racing Board Rule #1682(Weighing Out-failed to report proper weight) on August 24, 2012.

08/25/12⁵

DECLARATIONS, CHANGES AND REFUNDS

1 st Race	#5 Mo Cheese – Rider change – D. Vergara for E. Flores (CW 122) #9 Indy Beauty – Claimed -- D. Keen, trainer Refund \$147.00
2 nd Race	#12 Won Won Oh Five – Stewards' scratch, also eligible

Refund \$1,350.20
3rd Race #7 Four Better (GB) – Rider change – J. Hernandez for E. Flores
Refund \$828.70
4th Race #8 Vaadka Logic – Veterinarian scratch, injured – Dr. Grande
#7 Freewayracer – Rider change – A. Gryder for E. Flores (CW 124)
Refund \$5,342.30
5th Race #3 Twitch – Claimed – J. Cassidy, trainer
#4 Hawfinch (GB) – Claimed – L. Powell, trainer
#9 Mia Isabel – Claimed – L. Mora
Refund \$209.00
6th Race #1 Sheza Dish – Stewards' scratch, horse ID
Refund \$1,707.00
7th Race #9 Put It There – Veterinarian scratch, unsound – Dr. Grande
#3 Rich Kid – Rider change – M. Garcia for E. Flores (CW 120)
#5 Explain – Claimed – B. Spawr, trainer
#6 Yes It's Snowing – Claimed – R. Diodoro, trainer
#12 Fast N Furious Cat – Claimed – T. West, trainer
Refund \$1,307.90
8th Race No changes; Refund \$92.40
9th Race #1 Roman Charity – Claimed – M. Glatt, trainer
#1 Roman Charity – Rider change – M. Garcia for E. Flores (CW 120)
#4 Warren's Leadgirl – pulled up vanned off (synthetic)
G. Papaprodromou, trainer
#10 Winter Blossom – pulled up vanned off (synthetic) – U. Rafaeli, trainer
Refund \$47.00
10th Race #4 Spot of Thunder – Veterinarian scratch, injured – Dr. Grande
#14 Outta Plash – Stewards' scratch, also eligible
#3 Mavenofwinterset – Claimed – P. Miller, trainer
#11 Midnight Raven – Claimed – C. Dominguez, trainer
Refund \$1,531.50

08/25/12⁶

DAILY ATTENDANCE & HANDLE

On track	19,280	\$3,593,866.80
Off Track	9,461	\$8,434,104.49
TVG/Xpress/Youbet	n/a	n/a
Out –of-State	n/a	\$8,434,104.49
Total	28,741	\$16,802,769.69

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

ATTENDANCE REPORT – Except as noted, the full Board of Stewards was in session each day during this reporting period for both morning business and the afternoon racing program.

SUMMARY

	Sun 08/19	Wed 08/22	Thu 08/23	Fri 08/24	Sat 08/25	Week	Meet
Inquiries	2	1	0	0	0	3	19
Disqualifications	0	1	0	0	0	1	2
Rulings	1	2	2	0	2	7	43
Refunds	8	6	6	7	10	37	138
Accidents	1	0	0	0	0	1	4
Claims	3	4	10	3	10	33	225
Cal-Bred Races	2	0	2	1	0	5	40

VETERINARIAN REPORT – WEEK OF 08/13/12-08/19/12

Horses on Vet List 17
Horses off Vet List **10**
Shock Wave Therapy 18
Deceased 3
Medication 1

Respectfully submitted,

C. Scott Chaney, Steward

Tom Ward, Steward

Kim Sawyer, Steward

Luis Jauregui, Safety Steward