



## REPORT OF THE BOARD OF STEWARDS

### DEL MAR FALL MEET DEL MAR THOROUGHBRED CLUB

#### 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

**WEEK 3: Wednesday, November 15, 2017 through Sunday, November 19, 2017**

#### **WEDNESDAY**

11-15-17<sup>1</sup>

##### **ENTRY DAY**

Steward Scott Chaney was on duty in the Stewards' office overseeing entries for Saturday, November 18, 2017. Nine (9) races were drawn in the racing office with seventy eight (78) horses scheduled to face Starter Jay Slender. Steward Chaney also oversaw scratches and changes for Thursday, November 18. One (1) scratch was activated after the 10:00 a.m. deadline.

#### **THURSDAY**

11-16-17<sup>1</sup>

##### **ROBERT HESS JR. HEARING (CASE NO. 17SA0235)**

The Stewards conducted an informal hearing in our office this morning involving Trainer Robert Hess Jr.. Safety Steward Luis Jauregui and CHRB Investigator James Hamilton were also present. CHRB Rule #1866 (b)(2) was the rule that was allegedly violated in this case. The eleven (11) page complaint packet, prepared for this case by Investigator Hamilton, reads as follows:

*On October 23, 2017 the horse 'Imperative' trained by Robert Hess Jr. received a shockwave treatment from DVM Blue. Imperative was placed on the Veterinarian's List. On October 26, 2017 the horse 'Imperative' was placed on the Veterinarian's List. On October 26, 2017 the horse Imperative conducted a work in 1:13:60 handily at Del Mar Race Track. Under Rule 1866 (B)(2) a horse may not work out for 72 hrs. after being placed on the Veterinarian's List without permission of the Official Veterinarian.*

Trainer Hess testified at this hearing. Other than the official complaint, no other documents were presented. Decision to follow.

11-16-17<sup>2</sup> **MARIO GUTIERREZ RULING (REF: 11/12/17(2))**

The following ruling was issued after an informal hearing the Stewards held with Jockey Mario Gutierrez on Sunday, November 12. The following ruling was issued in a unanimous decision.

**DFTD RULING #015**

Jockey MARIO GUTIERREZ, who rode GUNSLINGER in the ninth race at Del Mar Race Track on November 11, 2017, is suspended for THREE (3) racing days (November 19, 23 and 24, 2017) for altering course without sufficient clearance and causing interference resulting in a disqualification of his mount from third to fourth. This constitutes a violation of California Horse Racing Board rule #1699 (Riding Rule – Careless Riding). Pursuant to California Horse Racing Board rule #1766 (Designated Races), the term of suspension shall not prohibit participation in designated races.

11-16-17<sup>3</sup> **FLAVIEN PRAT RULING (REF SA 6/17/17(5) & (SA 6/18/17(2) & (DM 8/25/17(6))**

Jockey Flavien Prat appealed a four (4) day riding suspension (Ruling #200) issued by Santa Anita Park Stewards on June 18, 2017. Jockey Prat appealed that ruling in a timely manner. On August 25, 2017 the appeal was heard by Designated Appellate Judge Steffan Imhoff at Del Mar Race Track. Attorney Donald Calabria represented Jockey Prat who did not appear. On September 19, 2017 Designated Appellate Judge Imhoff issued an order affirming that decision. On October 26, 2017 the California Horse Racing Board issued a decision (CASE No. 17-0025) modifying the four (4) racing day suspension to a two (2) racing day suspension. That decision was remanded back to the Stewards and the Stewards issued the following ruling.

**DFTD RULING #016**

Having received notice from the California Horse Racing Board that the proposed decision regarding the appeal of LATS Ruling #200, dated June 18, 2017, has been adopted in part, jockey FLAVIEN PRAT is suspended for two (2) racing days (November 25 and 26, 2017). Pursuant to California Horse Racing Board rule #1766 (Designated Races), the term of suspension shall not prohibit participation in designated races.

11-16-17<sup>4</sup> **CARLA GAINES RULING**

Prior to the 7<sup>th</sup> Race on Sunday, November 12 Horseshoe Inspector Victor Tovar informed the Stewards that the Carla Gaines trained #10 Conquest Smartree was improperly shod according to Del Mar turf course regulations. The actions of Inspector Tovar (filing down toe grabs on shoes) made it possible for this horse to comply with shoe regulations and therefore participate. Trainer Gaines was informed of the following unanimous decision by the Stewards.

**DFTD RULING #017**

Trainer CARLA GAINES, who started the horse “BELLERIN” in the seventh race at Del Mar Race Track on November 12, 2017, is fined TWO HUNDRED DOLLARS (\$200.00)\* for violation of California Horse Racing Board rules #1853 (Examination Required - Improperly shod).

11-16-17<sup>5</sup> **RUBEN FUENTES FILM REVIEW**

Apprentice Jockey Rueben Fuentes appeared in the Stewards’ office today in order to review his ride aboard #4 Lambo Luxx, who finished fifth in the third race on Sunday, November 12. In this 6 furlong main track event #4 Lambo Luxx drifts out several paths

bumping and impeding seventh place finisher #5 Changing Karma (Brandon Boulanger) approaching the ½ mile marker. This action also affected another participant, sixth place finisher #7 Brave Julian (Tiago Pereira) whose jockey was forced to check his mount due to contact initiated by the actions of Apprentice Fuentes. In a unanimous decision the Stewards issued the following decision.

#### **DFTD RULING #018**

Apprentice Jockey RUBEN FUENTES, who rode LAMBO LUXX in the third race at Del Mar Race Track on November 12, 2017, is suspended for THREE (3) racing days (November 23, 24 and 25, 2017) for altering course without sufficient clearance and causing interference down the backstretch. This constitutes a violation of California Horse Racing Board rule #1699 (Riding Rule – Careless Riding). Pursuant to California Horse Racing Board rule #1766 (Designated Races), the term of suspension shall not prohibit participation in designated races.

11-16-17<sup>6</sup>

#### **WINNERS' FOUNDATION**

Darin Scharer, who heads the drug and alcohol rehabilitation program at California racetracks, stopped by the Stewards' office today. Mr. Scharer updated us on the licensees that we have referred to the Winners' Foundation officially or unofficially here in Southern California over the last several months.

11-16-17<sup>7</sup>

#### **CHAIRMAN/ED/CHIEF STEWARD**

CHRB Chairman Chuck Winner, Executive Director Rick Baedeker and Chief Steward Darrel McHargue visited the Steward's stand today following today's meeting of the California Horse Racing Board. These three (3) gentlemen wanted to discuss a current issue with the Stewards.

11-16-17<sup>8</sup>

#### **SIXTH RACE INQUIRY**

The Stewards posted the Inquiry sign after viewing an incident at the 3/16<sup>th</sup> marker in this five (5) furlong turf race. Of particular interest were the actions of third place finisher #1 Hope Wins (Norberto Arroyo Jr.) This horse drifted out 'floating' fourth place finisher #6 Chickatini (Corey Nakatani) off of her original course. This was a maiden two (2) year old turf event. After viewing all camera angles, speaking with both jockeys involved and receiving a patrol judge report the Stewards' ruled that 'no change' would be made in the original placings. Jockey Norberto Arroyo Jr. was ordered to film review with the Stewards.

11-16-17<sup>9</sup>

#### **DECLARATIONS, CHANGES AND REFUNDS**

1<sup>st</sup> Race #4 Antioch (Tr. R. Mandella) claimed, R.Ellis, trainer  
 3<sup>rd</sup> Race Declaration #7 Sandbed Tr. C. Sise Jr. Flipped in Paddock- Dana Stead DVM. REFUND: \$7,010.87  
 4<sup>th</sup> Race Declaration #7 Aristocratic Tr. V. Garcia Unsound-Barrie Grant-DVM REFUND: \$448.42  
 6<sup>th</sup> Race #4 Sensible Myth should read off Lasix

11-16-17<sup>10</sup>

#### **DAILY ATTENDANCE & HANDLE**

On track	2,637	\$402,012.20
Off Track	3,940	\$1,856,674.20
Out –of-State	-0-	\$3,932,835.07
Total	6,577	\$6,191,521.47

**FRIDAY**11-17-17<sup>1</sup>**WILLIAM SPAWR DECISION (REF: 11/12/17 (7))**

The Stewards held a telephonic formal hearing for Trainer Bill Spawr in our office here at Del Mar last week (CASE No.17DM0017). The decision below was issued following deliberation of the documents and testimony following that hearing. Our decision was unanimous.

**DFTD RULING #019**

Trainer WILLIAM SPAWR, who started the horse "FRAC CANDY" which finished first in the first race at Del Mar Race Track on July 20, 2017, is fined TWO THOUSAND DOLLARS (\$2,000.00)\* pursuant to California Horse Racing Board rule # 1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule #1844(F)(9) (Authorized Medication – Methocarbamol in excess of permitted level [7.0 ng/ml]).

11-17-17<sup>2</sup>**ROBERT HESS JR. DECISION (REF: 7/16/17 (1))**

Trainer R. B. Hess Jr. appeared in our office yesterday for an informal hearing. He worked out the horse 'Imperative' while still on the Veterinarian's List. He stated he misinterpreted the time needed to wait until being removed from the Vet's List by 24 hours, before giving his horse an official workout. He accepted full responsibility for the error. The following ruling was issued in a unanimous decision.

**DFTD RULING #020**

Trainer ROBERT HESS JR., who worked out the horse "IMPERATIVE" on October 26, 2017, (less than 72 hours after being placed on the Veterinarian's List), is fined FIVE HUNDRED DOLLARS (\$500.00)\* for violation of California Horse Racing Board rule #1866(B) (Veterinarian's List – may not work out for 72 hours after being placed on list (Shockwave)).

11-17-17<sup>3</sup>**KEIL TRAVIS COMPLAINT (CASE NO. 17SA0212)**

The CHRFB filed a complaint against Assistant Starter Keil Travis for alleged violation of CHRFB Rule #1489 (A)(8) and Rule #1900. The complaint in this case reads as follows:

*On September 28, 2017 (Case #17SA0212) Keil Travis submitted a urine sample for drug testing that was analyzed by Quest Diagnostics Laboratories and reported to be 'positive' for Marijuana (40 ng/ml). On October 8, 2017, Kiel Travis submitted a urine sample for ICUP field testing that was again positive for Marijuana.*

Along with Mr. Travis and the Stewards present today was CHRFB Supervising (South) Investigator Phil Miyazaki. Mr. Travis told the Stewards that he has problems sleeping and that the positive was the result of his use of Marijuana edibles that he had previously consumed. The Stewards suggested that he contact a physician to inquire about alternative medication if indeed needed. The following ruling was issued in a unanimous decision.

**DFTD RULING #021**

Assistant Starter KEIL TRAVIS, is fined ONE HUNDRED DOLLARS (\$100.00)\* for California Horse Racing Board rule #1874 (Disorderly Conduct – marijuana positive). Mr. Travis is further ordered to sign a testing agreement with the California Horse Racing Board.

11-17-17<sup>4</sup>**MERSAD METANOVIC COMPLAINT (CASE NO. 17SA0025)**

The CHRFB filed a complaint against Owner Mersad Metanovic for alleged violation of CHRFB Rule #1876 (Financial Responsibility). The complaint in this matter reads as follows:

*Trainer Val Brinkerhoff alleges Owner Mersad Metanovic is indebted to him in the amount of \$101,689.00.*

Along with the Stewards, present for today's hearing was Attorney Tony Ventura, who was representing Owner Mersad Metanovic, who was not present. Complainant Val Brinkerhoff was also here accompanied by his lawyer, Darrell Vienna. Safety Steward Luis Jauregui was also present. At this informal hearing it was obvious to the Stewards that the two (2) parties in this matter are still 'far apart'.

The lawyers here today will exchange all relevant/current documents, bills and payments between Trainer Brinkerhoff and Owner Metanovic. If no agreement can be made between these two (2) parties this matter will be heard again in a formal hearing (with Court Reporter). More to follow.

11-17-17<sup>5</sup>**OFFICIAL CHANGE**

Paddock Judge Karen Denovel is off today for personal reasons. Stakes Coordinator Chris Merz will fill in.

11-17-17<sup>6</sup>**FIRST RACE JOCKEY OBJECTION**

Following the running of the first race Jockey Stewart Elliott, who finished second aboard #2 Malko (IRE), lodged a claim of foul against first place finisher #4 Café Flavor (Drayden Van Dyke) for alleged violation for interference at the 3/8ths marker (the second time around). The Stewards watched replays of this activity on the far turn of this 1 3/8<sup>th</sup> mile turf race. Jockey Elliott felt he was 'shut off' by #4 Café Flavor and that this incident cost him an opportunity for a better placing. He was defeated 2 ½ lengths for the victory.

The Stewards reviewed all replay angles, received a patrol judge report and spoke to both jockey's involved. The Stewards unanimously ruled that race replays were inconclusive with regards to the severity of the incident and made 'no change' in the order of finish.

11-17-17<sup>7</sup>**FIFTH RACE INQUIRY/DISQUALIFICATION**

The Stewards posted the inquiry sign after viewing an incident in the stretch drive of this one (1) mile turf race. Just inside the 1/16<sup>th</sup> marker original third place finisher #6 Midnight Swinger (Santiago Gonzalez) drifts out and takes the path of sixth place finisher #3 Aura Rose (Tyler Baze). Aura Rose was closing very strongly when Jockey Baze 'checked' his mount sharply. The Stewards reviewed all replay angles of this incident, received a patrol judge report and spoke to both jockeys involved. The three (3) Stewards were all of the opinion that this incident cost #3 Aura Rose an opportunity for a better placing and subsequently disqualified her and placed her sixth. Jockey Santiago Gonzalez was ordered to film review with the Stewards.

ORIGINAL ORDER OF FINISH 12-11-~~6~~-9-1-3-7-2-10-5

OFFICIAL ORDER OF FINISH 12-11-9-1-3-~~6~~-7-2-10-5

11-17-17<sup>8</sup>**DECLARATIONS, CHANGES AND REFUNDS**

3<sup>rd</sup> Race Declaration #5 Mercer Island Tr. P. Miller Sick-Barrie Grant DVM  
REFUND: \$966.44

3<sup>rd</sup> Race #7 Royal Opera House (IRE) (Tr. D.Blacker) claimed, R.B. Hess.Jr. trainer

3<sup>rd</sup> Race #8 It's The Ice (Tr. P. D'Amato) claimed, E.Moger, trainer

6<sup>th</sup> Race Jockey Change #6 Canadian Warrior B. Pena for S. Iniguez (No Show)

6<sup>th</sup> Race #5 Powerful Thirst (Tr. S. Miyadi) claimed, A. Lerner, trainer

- 7<sup>th</sup> Race Declaration #3 Secret Thorn Tr. D. Blacker Sick- Barrie Grant DVM  
REFUND: \$947.65
- 8<sup>th</sup> Race Declaration #11 King of Leon (ARG) Tr. R.Gomez Sick-Barrie Grant DVM  
REFUND: \$314.00
- 8<sup>th</sup> Race #4 Beloved Holiday (Tr. J.Sadler) claimed, E.Freeman, trainer

11-17-17<sup>9</sup> **DAILY ATTENDANCE & HANDLE**

On track	2,246	\$416,076.00
Off Track	4,204	\$2,363,698.80
Out -of-State	-0-	\$4,859,897.74
Total	6,450	\$7,639,672.54

**SATURDAY DRAYDEN VAN DYKE FILM REVIEW (REF: 11/16/17 (6))**

11-18-17<sup>1</sup> Jockey Drayden Van Dyke appeared in the Stewards' office in order to review his ride in the first race Friday, November 17. Jockey Van Dyke, who was aboard first place finisher #4 Café Flavor, had a claim of foul lodged against him by second place finisher #2 Malko (IRE) (Stewart Elliott) in this race. Race replays show Jockey Van Dyke's mount shift in as he is using his riding crop (right hand). This action forces Jockey Elliott to check his mount. Jockey Van Dyke was candid with the Stewards stating he felt bad for his actions that led to the interference. The camera angle of the incident combined with the position of the turf rail made it difficult for the Stewards to discern the level of Jockey Van Dyke's culpability. Warning issued.

11-18-17<sup>2</sup> **NORBERTO ARROYO JR. RULING (REF: 11/16/17(8))**

Jockey Norberto Arroyo Jr. failed to appear for film review as ordered yesterday November 17 and today November 18. The Stewards combined those two (2) violations of CHRB Rule # 1930 and issued the following ruling.

**DFTD RULING #022**

Jockey NORBERTO ARROYO JR. is fined ONE HUNDRED FIFTY DOLLARS (\$150.00)\* for violation of California Horse Racing Board rule #1930 (Obedience to Security Officers and Public Safety Officers – failure to attend film review on November 17, & 18, 2017).

11-18-17<sup>3</sup> **SANTIAGO GONZALEZ FILM REVIEW (REF: 11/17/17 (7))**

Jockey Santiago Gonzalez appeared in the Stewards' office in order to review his ride in the 5<sup>th</sup> Race on November 17. In this one (1) mile turf event Jockey Gonzalez is aboard third place finisher #6 Midnight Swinger who drifts out and impedes sixth place finisher #3 Aura Rose (Tyler Baze) in the final furlong of this race. This action led to a unanimous decision of the Stewards to disqualify from third to sixth position. Today's film review shows Jockey Gonzalez' mount drift out and causes interference in the stretch drive. Jockey Gonzalez immediately grabbed his inside rein and straightened his horse after the incident. The Stewards, in a unanimous decision, ruled this ride was not penalty worthy. Warning issued.

11-18-11<sup>4</sup> **KYLE FREY RULING**

Jockey Kyle Frey failed to appear on time for a film review in the Stewards' office. The Stewards want to review his use of the riding crop in the 8<sup>th</sup> race on Friday, November 17. He will appear in our office tomorrow. In a unanimous decision, the Stewards issued the following ruling.

**DFTD RULING #023**

Jockey KYLE FREY, is fined FIFTY DOLLARS (\$50.00)\* for violation of California Horse Racing Board rule #1930 (Obedience to Security Officers and Public Safety Officers – failure to attend film review on November 18, 2017).

11-18-17<sup>5</sup>**TIAGO PEREIRA RULING**

Jockey Tiago Pereira appeared in the Stewards' office in order to review his ride aboard #3 Californium who finished seventh in the 8<sup>th</sup> race yesterday November 17. Jockey Pereira used his riding crop four (4) consecutive times shortly after leaving the starting gate of this 5 ½ furlong race. The Stewards issued the following ruling.

**DFTD RULING #024**

Jockey TIAGO PEREIRA is fined ONE HUNDRED DOLLARS (\$100.00)\* for violation of California Horse Racing Board rule #1688(b)(6) (Use of Riding Crop – more than three times in succession without giving the horse a chance to respond – first offense in the last sixty days), during the eighth race at Del Mar Race Track on November 17, 2017.

11-18-17<sup>6</sup>**JOSEPHINE GOLDBERG COMPLAINTS (CASE NO.17SA0127, CASE NO. 17SA0228 & CASE NO. 17SA0229)**

Three (3) separate complaints were filed against Owner Josephine Goldberg by the CHRB. All are for alleged violation of CHRB Rule #1874 (Disorderly Conduct). They read as follows:

**CASE # 17SA0127**

*Amy Hartunian alleges that on May 6, 2017, she was accosted in the Women's Restroom near the 'Turf Terrace' restaurant by Josephine 'Josie' Goldberg. Hartunian said that when she went to wash her hands she noticed Goldberg standing nearby staring at her. Goldberg said many things that scared Hartunian during their thirty minute conversation. Hartunian is afraid for her safety and would like Goldberg to leave her alone.*

**CASE # 17SA0228**

*On 10-20-17, received Santa Anita Incident Report indicating that on 10-07-2017, Owner Josephine Goldberg yelled and harassed Amy Hartunian at the 'Turf Terrace' Restaurant. Interview of both parties and report written by Agent Mike Flanagan.*

**CASE # 17SA0229**

*On 10-20-2017, received Santa Anita Incident Report indicating that on 04-09-2016 Owner Josephine Goldberg cursed at Aaron Hesz in the stairway of the horse tunnel. Interview of both parties and report written by Agent Flanagan.*

Owner Aaron Hesz did not appear.

Owner Gary Hartunian appeared in our office on behalf of his wife Amy Hartunian.

Owner Josephine Goldberg did not appear at any of the three (3) hearings. More to follow.

11-18-17<sup>7</sup>**OFFICIAL CHANGE**

Paddock Judge Karen Denovel is off today for personal reasons. Stakes Coordinator Chris Merz is filling in.

11-18-17<sup>8</sup>**FOURTH RACE INQUIRY**

The Stewards posted the Inquiry sign after viewing an incident in the final furlong of this one (1) mile turf event. The Stewards were reviewing the actions of first place finisher #1 Hardboot (Stewart Elliott) and second place finisher #3 Smart Knows Smart (Martin Pedroza). These rivals were involved in a very tight photo for the 'win'. Race replays

show #3 Smart Knows Smart drifts out and takes the path of the eventual winner #1 Hardboot, who drifted back in slightly nearing the wire. These incidents took place in the final furlong of this race. The Stewards reviewed all camera angles of the incident, received a patrol judge report and spoke to both jockey's involved. In a unanimous decision the Stewards allowed the original placings to stand. 'No change.' Jockey Martin Pedroza was ordered to film review with the Stewards.

11-18-17<sup>9</sup>**DECLARATIONS, CHANGES AND REFUNDS**

1<sup>st</sup> Race #7 Vegas Itch should read First Time Gelding  
 2<sup>nd</sup> Race Declaration #3 The Critical Way Tr. M. Ruis Sick-Barrie Grant DVM  
 REFUND: \$2,147.83  
 2<sup>nd</sup> Race #8 True Valor (Tr. D. O'Neill) claimed, K. Desormeaux, trainer  
 6<sup>th</sup> Race #1 Lajatico(GB) (Tr. D. O'Neill) claimed, E. Kruljac, trainer—  
**VOIDED**--unsound  
 8<sup>th</sup> Race Declaration #6 Midnight Pleasure Tr. M. Ruis Sick-Barrie Grant DVM  
 REFUND: \$767.40  
 9<sup>th</sup> Race #1 Braddock (Tr. J. Hollendorfer) claimed, S. Gonzalez, trainer—  
**VOIDED**—unsound  
 #3 Gentrifie (Tr. J. Sadler) claimed, V. Cerin, trainer  
 #6 My Man Chuckles (Tr. D. O'Neill) claimed, R. Baltas, trainer

11-18-17<sup>10</sup>**DAILY ATTENDANCE & HANDLE**

On track	12,899	\$854,382.30
Off Track	7,249	\$3,904,552.10
Out –of-State	-0-	\$7,467,493.44
Total	20,148	\$12,226,427.84

**SUNDAY**11/19/17<sup>1</sup>**STEWARD CHANGE**

Steward C. Scott Chaney is off today for personal reasons. Safety Steward Luis Jauregui will replace him. Paul Atkinson travels to the San Diego area today to fill in as Safety Steward.

11-19-17<sup>2</sup>**MARTIN PEDROZA FILM REVIEW (REF: 7/18/17(7))**

Jockey Martin Pedroza appeared in the Stewards' office in order to review his ride aboard #3 Smart Knows Smart who was beaten a nose in the fourth race yesterday November 18. There was a Stewards' Inquiry into the running of this race. #3 Smart Knows Smart drifts out under Jockey Pedroza's right handed use of his riding crop. He was obviously very eager to win this Cal-Bred Maiden event that carried a purse of \$52,000. Mr. Pedroza realized he should have 'grabbed' an inside rein and straightened his mount, as the Stewards prefer to crop usage. His recent lack of Stewards' office visits and accountability for this ride worked in his favor as the Stewards deliberated following this film review. In a unanimous decision a 'warning' was issued in this matter.

11-19-17<sup>3</sup>**RONALD ELLIS COMPLAINT (CASE NO: 17LT0012)**

Trainer Ronald Ellis appeared in our office today to answer to a complaint filed by the CHRB alleging violation of CHRB Rule # 1844(F)(13) (Authorized Medication); Rule #1843 (A)(D) (Medication, Drugs and Other Substances); Rule #1887 (Trainer or Owner to Insure Condition of Horse) and Rule 1843.1(B) (Prohibited Drug Substances). The hearing was chaired by Steward Luis Jauregui. Court Reporter Michelle Derieg (Weinstein Court Reporters LLC) transcribed the proceedings. CHRB Senior Special Investigator James

Hamilton presented a twenty five (25) page 'complaint packet' at hearing, which reads as follows:

*On August 18, 2017 the horse 'Award It' trained by Ronald Ellis finished 10<sup>th</sup> in the 3<sup>rd</sup> race at Del Mar Race Track. Post race Sample #DM12791 was analyzed by U.C. Davis Laboratory and was found to contain the Class 4 Drug 'Triamcinilone Acetetonide' (190 pg/ml). Penalty C drug. Permitted level is (100 pg/ml).*

Trainer Ellis testified at today's hearing and documents were marked and moved into evidence. Decision to follow.

11-19-17<sup>4</sup>

**JOESPHINE GOLDBERG RULING (REF:11/18/17(6))**

The Stewards informed Owner Josie Goldberg of the ruling below after she failed to appear at separate hearings that were all scheduled for yesterday (November 18) in the Stewards' office.

**DFTD RULING #025**

Owner Josephine Goldberg, having failed to respond to three complaints alleging violation of California Horse Racing Board rule #1874 (Disorderly Conduct – Harassment) is suspended for violation of California Horse Racing Board rule #1547 (Failure to Appear). During the term of suspension, all licenses and license privileges of Josephine Goldberg are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend and Fine). Ms. Goldberg is denied access to all premises in this jurisdiction.

11-19-17<sup>5</sup>

**KYLE FREY RULING**

Jockey Kyle Frey appeared in the Stewards' office in order to review his ride aboard #13 Clifton Beach, who finished third in the eighth race on Friday, November 17. An examination of the 'stretch drive' of this race shows Jockey Frey use his riding crop more than three (3) times without giving his mount a chance to respond. The following penalty was issued.

**DFTD RULING #026**

Jockey KYLE FREY is fined ONE HUNDRED DOLLARS (\$100.00)\* for violation of California Horse Racing Board rule #1688(b)(6) (Use of Riding Crop – more than three times in succession without giving the horse a chance to respond – first offense in the last sixty days), during the eighth race at Del Mar Race Track on November 17, 2017.

11-19-17<sup>6</sup>

**NORBERTO ARROYO JR RULING (REF: 11/16/17(8) &11/18/17 (2))**

For the third day in a row Jockey Norberto Arroyo Jr. failed to appear in our office as ordered for a film review. The Stewards asked Jockeys Guild Western Regional Manager Darrell Haire if he would mind mentioning to Jockey Arroyo that we would like to see him and that we do not enjoy issuing these sanctions, even though we feel this office is being slighted. The following ruling was issued.

**DFTD RULING #027**

Jockey NORBERTO ARROYO JR. is fined TWO HUNDRED DOLLARS (\$200.00)\* for violation of California Horse Racing Board rule #1930 (Obedience to Security Officers and Public Safety Officers – failure to attend film review on November 19, 2017).

11-19-17<sup>7</sup>**NINTH RACE INQUIRY/DISQUALIFICATION**

The Stewards posted the Inquiry sign after viewing an incident involving several horses inside the final furlong of this one (1) mile event contested on the 'Jimmy Durante Course' (turf). In mid-stretch unofficial first place finisher #3 Bold Papa (Corey Nakatani) is racing on the lead in the middle of the race course. In the final furlong this horse starts drifting towards the inside rail. In the final forty (40) yards this drift becomes more pronounced and this horse makes contact with unofficial second place finisher #11 Lord Admiral (Brice Blanc). This incident forces original fourth place finisher #10 Tatar (Ruben Fuentes) to steady his mount and eventually clip heels after the finish. Original fifth place finisher #2 Schooley (Flavien Prat) also steadied sharply in tight quarters along the rail.

The Stewards reviewed all camera angles of the incident, received a Patrol Judge report and spoke to the jockeys involved. In a majority decision (Steward Jauregui dissent-No Change) #3 Bold Papa was disqualified and placed fifth. Jockey Corey Nakatani called the Stewards after the decision and said "he would not be able to attend the hearing Thursday".

ORIGINAL ORDER OF FINISH 3-11-8-10-2-1-5-9-7OFFICIAL ORDER OF FINISH 11-8-10-2-3-1-5-9-711-19-17<sup>8</sup>**DECLARATIONS, CHANGES AND REFUNDS**

2<sup>nd</sup> Race #6 Fire to the Wire (Tr. J. Armstrong) claimed, B. Koriner, trainer  
 3<sup>rd</sup> Race Jockey Change #1 Eye on the River B.Blanc for F. Martinez (Alternate Rider)  
 5<sup>th</sup> Race Declaration #1 Mt. Leinster Tr. B.Spawr Sick-Dana Stead DVM  
 REFUND: \$780.09  
 5<sup>th</sup> Race Jockey Change #8 Julia's Summer R.Higgins for C. Franco, (Personal)  
 5<sup>th</sup> Race Jockey Change #2 Two Thirty Five (Tr. B. Koriner) claimed, S. Gonzalez, trainer  
 5<sup>th</sup> Race #2 Two Thirty Five (Tr. B. Koriner) claimed, S. Gonzalez, trainer  
 6<sup>th</sup> Race #1 Avicii (Tr. W.E.Morey) claimed, D. O'Neill, trainer.

11-19-17<sup>9</sup>**DAILY ATTENDANCE & HANDLE**

On track	4,330	\$565,996.20
Off Track	7,870	\$3,367,848.20
Out -of-State	-0-	\$7,241,065.85
Total	12,200	\$11,174,910.25

**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 November 13 – November 19, 2017

Horses on Vet List 11  
 Horses off Vet List 12  
 Shock Wave Therapy 9  
 Deceased 1

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

**SUMMARY**

		Thur 11/16	Fri 11/17	Sat 11/18	Sun 11/19	Week	Meet
Accidents		0	0	0	0	0	2
Cal-Bred Races		1	1	2	3	7	24
Claims		1	4	3	3	11	41
Disqualifications		0	1	0	1	2	5
Inquiries		1	2	1	1	5	13
Refunds		2	3	3	1	9	78
Rulings		4	3	3	3	13	40
Voided Claims		0	0	2	0	2	5

Respectfully submitted,

---

Grant Baker, Steward

---

C. Scott Chaney, Steward

---

Kim Sawyer, Steward

---

Luis Jauregui, Safety Steward