

CALIFORNIA HORSE RACING BOARD
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PACIFIC RACING ASSOCIATION

A Magna Entertainment Facility
Golden Gate Fields
Albany, California

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

Honorable Arnold Schwarzenegger, Governor

Honorable John C. Harris, Vice Chairman
Honorable John Andreini, Member
Honorable Jesse H. Choper, Member
Honorable Bo Derek, Member
Honorable David Israel, Member
Honorable Jerry Moss, Member

Kirk E. Breed, Executive Director
Richard "Bon" Smith, Assistant Executive Director

Report for the period Wednesday, January 7, 2009 through Sunday, January 11, 2009.

Wednesday

01-07-09¹ **DARK DAY HEARINGS**

Six Wednesdays in January and February are designated dark days as the racing schedule calls for four day race weeks. On some of those Wednesday the stewards will conduct hearings to clear up the backlog (17 hearings in 17 days) and spend time in the barn area gathering information that wouldn't usually be available while sitting in the office.

01-07-09² **TOLLETT HEARING** (08GG215)

The stewards conducted a telephonic hearing for trainer **Bill Tollett** who was the subject of a complaint alleging violation of California Horse Racing Board rule #1843 (Medication, Drugs and Other Substances) in that the horse **PROUD SOPHIE** showed a bute level of 8.43 ug/ml in a post race urine sample.

Tollett was contacted in Seattle where he has returned for medical reasons. Bill pled guilty but could not account for the high test results. He stated he did not alter his medication program for this or any other horse. Tollett's medication history falls in the excellent category as he has had no violations in over nine years. Disposition to follow.

01-07-09³ **DIXON HEARING CONTINUED** (Case 08GG225)

A hearing for groom **JAMES E. DIXON** was continued to later in the month when questions arose concerning proper notification. Dixon was cited for alleged violation of California Horse Racing Board rules #1874 (Disorderly Conduct) and #1530 (Cases Not Covered by Rules and Regulations).

Thursday

01-08-09¹ **RULING NO. 6 – TOLLETT**

Trainer **WILLIAM TOLLETT**, who started the horse **PROUD SOPHIE**, sixth place finisher in the second race at Golden Gate Fields on December 6, 2008, is fined the sum of five hundred dollars (\$500.00) pursuant to California Horse Racing Board rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule #1843 (a) & (d) (Medication, Drugs and Other Substances: - in excess of permitted level – Phenylbutazone – 8.43 ug/ml).

The above ruling was issued following yesterday’s telephonic hearing.

01-08-09² **EARLY DECLARATION – REFUND**

4th race: #4 GIDDY YAP (Tr. Monty Meier) sick
 Examining Veterinarian Diane Isbell REFUND \$ 183.00

01-08-09³ **BURMAN / PERKINS HEARINGS** (Cases 08GG170 & 08GG171)

Two hearings were conducted this morning for pony persons **JENNIFER BURMAN** and **JULIE PERKINS**. The two have a documented history of contentious behavior with each other.

The complaint (08GG171) filed by Perkins against Burman alleged that on November 15, 2008 the two verbally confronted each other in trainer Bill McLean’s barn where Burman is employed. The confrontation became physical when Burman struck Perkins on the nose. Burman pled guilty to the charges. A ruling will follow.

The companion complaint (08GG170) filed by Burman against Perkins alleged that Perkins slapped Burman on the shoulder on October 29, 2008 while Perkins was mounted on her pony. The two testified at a formal hearing and evidence and testimony was submitted for the record. The stewards will deliberate and render a decision in the near future.

01-08-09⁴ **LATE DECLARATIONS – Eighth Race – REFUND**

#2 MARYALICE INDALLAS, trained by Bill McLean, was scratched on the recommendation of Dr. Kerr as the field neared the starting gate after she diagnosed the mare as off in the right front. On Vet’s List. The refund amounted to \$9,991.04.

01-08-09⁵ **ATTENDANCE & HANDLE**

GGF	1,209	\$ 388,084.90
NCOT	2,350	\$ 857,938.80
SCOT		\$ 433,069.70
<u>Out of State</u>		<u>\$1,356,346.60</u>
TOTAL	3,559	\$3,035,440.00

Friday

01-09-09¹ **RUIZ DECISION** (Refer 01-04-09⁴)

After considering the facts and testimony presented in the case the stewards have dismissed the charges against Ruiz. Although a minor scuffle took place, it appeared both parties were equally responsible for precipitating the incident. Both Ruiz and Camacho have no history of rule violations so warnings were deemed sufficient.

01-09-09² **EARLY DECLARATIONS – REFUNDS**

1 st race:	#5 SAND HARBOUR (Tr. Lloyd Mason)	sick
	Examining Veterinarian Diane Isbell	REFUND: \$ 648.00
2 nd race:	#3 KISS KISS KISS (Tr. Steve Specht)	injured
	Examining Veterinarian Diane Isbell	REFUND: \$1,122.00
5 th race:	#3 HE'S A FLYER (Tr. Michael Lenzini)	sick
	Examining Veterinarian Diane Isbell	REFUND: \$ 312.00
	#4 FORESTRY'S FIRE (Tr. John F. Martin)	sick
	Examining Veterinarian Diane Isbell	REFUND: \$ 971.10
	#6 PASSIVE INCOME (Tr. Andy Mathis)	sick
	Examining Veterinarian Diane Isbell	REFUND: \$ 172.00
6 th race:	#7 MAD ABOUT FUZZ (Tr. Steve Miyadi)	sick
	Examining Veterinarian Diane Isbell	REFUND: \$ 160.20
7 th race:	#5 VIVA SLEW (Tr. Monica Russell)	sick
	Examining Veterinarian Diane Isbell	REFUND: \$ 74.00

01-09-09³ **RHEINFORD CONFERENCE** (Case #08GG243)

Trainer **Mark Rheinford** appeared in response to a complaint filed alleging violation of California Horse Racing Board rule #1843 (a) & (d) after the horse LAMPE showed a 5.9 ug/ml level of bute following a winning effort in the second race on December 20, 2008. The hearing was originally scheduled for January 25, but Mark wished to resolve the matter before then.

Rheinford has not had any medication violations in over six years and by virtue of such a spotless record is eligible to receive a warning for a high bute reading if the level is less than 7.5 ug/ml. The stewards will abide by the guidelines. Rheinford was counseled and warned.

01-09-09⁴ **CALVARIO HEARING** (Cases #08GG160 & 08GG164)

Trainer **MANUEL CALVARIO** appeared to address two complaints alleging violation of California Horse Racing Board rule #1843 (a) & (d) after two horses in his care showed the presence of Trichlormethiazide (Naquasone) – Class IV – in post race urine samples. ONE ROYAL STAR won the sixth race on October 19, 2008 and STARSHIP COUNTESS won the third race on October 25, 2008.

Manny acknowledged the test results explaining he had the substance in his barn and was out of town for that week. In his absence his brother assumed the medication duties. Rulings to follow.

01-09-09⁵ **IN THE CLEAR**

The afternoon's eight race program was completed in a problem free fashion.

01-09-09⁶ **ATTENDANCE & HANDLE**

GGF	1,147	\$ 382,504.30
NCOT	2,369	\$ 914,603.10
SCOT		\$ 464,723.10
<u>Out of State</u>		<u>\$1,421,115.78</u>
TOTAL	3,516	\$3,182,946.28

Saturday01-10-09¹ **EARLY DECLARATIONS – REFUNDS**

1 st race:	#1 JIGGLY Examining Veterinarian Diane Isbell	(Tr. William Morey)	sick REFUND: \$ 817.00
3 rd race:	#4 MONTANA FIELDS Stewards	(Tr. Jerry Hollendorfer)	Stakes Race REFUND: \$ 451.00
8 th race:	#1 PRETORIAN FALLS Examining Veterinarian Diane Isbell	(Tr. Jerry Hollendorfer)	injured NO REFUND – Part of Entry

01-10-09² **RULINGS NO. 7 & NO. 8 - CALVARIO**

NO. 7 Trainer **MANUEL R. CALVARIO**, who started the horse ONE ROYAL STAR, winner of the sixth race at Golden Gate Fields on October 19, 2008, is fined the sum of five hundred dollars (\$500.00) pursuant to California Horse Racing Board rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule #1843 (a) & (d) (Medication, Drugs and Other Substances: Unapproved Substance – Trichlormethiazide – Class IV).

NO. 8 Trainer **MANUEL R. CALVARIO**, who started the horse STARSHIP COUNTESS, winner of the third race at Golden Gate Fields on October 25, 2008, is fined the sum of one thousand dollars (\$1,000.00) pursuant to California Horse Racing Board rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule #1843 (a) & (d) (Medication, Drugs and Other Substances: Unapproved Substance – Trichlormethiazide – Class IV – second offense).

The above rulings were released following yesterday's informal hearing.

01-10-09³ **RULING NO. 9 – ALLEN**

In the Matter of:

Trainer **THOMAS ALLEN**

Having made arrangements to satisfy the outstanding financial obligation to the Alameda County Fair, Pacific Racing Association ruling #52, dated December 17, 2008 suspending Mr. Allen for violation of California Horse Racing Board rule #1547 (Failure to Appear) is set aside and the license privileges of THOMAS ALLEN are restored to good standing.

The foregoing ruling was published following the submission of a payment agreement between the two parties.

01-10-09⁴ **SHERMAN HEARING** (Case #08GG173)

Trainer **STEVE SHERMAN** appeared to address a complaint alleging violation of California Horse Racing Board rule #1843 (a) & (d) after the horse SERPETINESERPETINE, showed a bute level of 7.65 ug/ml in a test sample following a race on November 9, 2008. Sherman availed himself of the split sample program and the split from Industrial Laboratories confirmed the bute at a level of 7.3 ug/ml. Since Sherman has had no other Class IV violations in the previous 36 months a warning was issued.

01-10-09⁵ **LATE SCRATCH – Fourth Race – REFUND**

#2 PEPE LE FEU, trained by Bill Tollett, was scratched on the advice of Dr. Kerr as the field neared the starting gate after she reported the mare was off in the right hind. On Vet's List. The refund amounted to \$21,873.21.

01-10-09⁶ **LATE SCRATCH – Sixth Race – REFUND**

#6 MIOMOUD, trained by Dan Markle, was scratched during the warm up when Dr. Kerr stated the horse was unsound in the left hind. On Vet's List. The refund totaled \$10,064.69.

01-10-09⁷ **ATTENDANCE & HANDLE**

GGF	3,048	\$ 738,218.80
NCOT	3,760	\$1,318,592.30
SCOT		\$ 875,150.90
Out of State		\$1,914,385.20
TOTAL	6,808	\$4,846,346.90

Sunday01-11-09¹ **CAL-BRED REPORT**

None of the races written exclusively for horses bred in California filled this past week and were subsequently cancelled.

01-11-09² **EARLY DECLARATIONS – REFUNDS**

3 rd race:	#1 SONNY'S TORNADO	(Tr. Manuel Calvario)	unsound
	Examining Veterinarian Diane Isbell		REFUND: \$ 282.00
4 th race:	#7 IMAGUNNA	(Tr. Jim Penney)	injured
	Examining Veterinarian Diane Isbell		REFUND: \$ 381.00
6 th race:	#5 UNRAVELLED	(Tr. Gil Matos)	re-enter
	Stewards		REFUND: \$ 102.50
9 th race:	#2 RONNE'S DREAM	(Tr. J. B. Vargas)	unsound
	Examining Veterinarian Diane Isbell		REFUND: \$ 461.00
	#5 TOP CROP	(Tr. Monty Meier)	sick
	Examining Veterinarian Diane Isbell		REFUND: \$ 226.00

01-11-09³ **RULING NO. 10 – BURMAN**

Pony Person **JENNIFER BURMAN** is fined the sum of two hundred dollars (\$200.00) and placed on probation for the term of her license (02-28-2011) for violation of California Horse Racing Board rule #1874 (Disorderly Conduct) on November 15, 2008.

The above ruling was issued following Thursday's hearing and the respondent's guilty plea. As a condition of probation Burman will be instructed to attend anger management classes.

After reviewing the evidence and testimony from Thursday's formal hearing the stewards were of the opinion that Perkins actions on October 29, 2008 were in contravention of rule #1874 (Disorderly Conduct) and issued the following ruling:

Pony Person **JULIE PERKINS** is fined the sum of one hundred dollars (\$100.00) and placed on probation for the term of her license (07-31-2010) for violation of California Horse Racing Board rule #1874 (Disorderly Conduct) on November 15, 2008.

Attendance at anger management classes will also be considered a part of Ms. Perkins' probation.

01-11-09⁵ **LATE SCRATCH – Second Race – REFUND**

#2 SIX CENTS OF HUMOR, trained by Quentin Miller, was scratched during the warm up period after Dr. Kerr diagnosed the mare as unsound in the right hind quarters. On Vet's List. The refund amounted to \$6,438.92.

01-11-09⁶ **LATE SCRATCH – Fifth Race – REFUND**

#11 TURKS HEART, trained by Tony Diaz, was scratched by the stewards after the starter, Gary Stensgar, reported the filly would not load in the starting gate. On Stewards' and Starter's Lists. The refund totaled \$50,075.11.

01-11-09⁷ **LATE SCRATCH – Ninth Race – REFUND**

#3 VOODOO SUE, trained by Roy Lumm, was scratched on the recommendation of Dr. Kerr when she reported the filly reared in the starting gate and hit her head. On Vet's List. The refund ran \$111,633.23.

01-11-09⁸ **ATTENDANCE & HANDLE**

GGF	3,591	\$ 629,606.00
NCOT	3,035	\$ 952,967.20
SCOT		\$ 709,349.40
Out of State		<u>\$1,596,842.75</u>
TOTAL	6,626	\$3,888,765.35

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

ATTENDANCE REPORT – The full Board of Stewards was in attendance each day during this reporting period for both morning business and the afternoon racing program. Associate steward Paul Niccolo filled in for steward Darrel McHargue, 1/8 – 1/10, while McHargue was absent due to personal business.

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
8-Jan	4	4	GIDDY YAP	Meier	sick	Isbell	\$183.00
	8	2	MARYALICE INDALLAS	McLean	unsound	Kerr	\$9,991.04
9-Jan	1	5	SAND HARBOUR	Mason	sick	Isbell	\$648.00
	2	3	KISS KISS KISS	Specht	injured	Isbell	\$1,122.00
	5	3	HE'S A FLYER	Lenzini	sick	Isbell	\$312.00
		4	FORESTRY'S FIRE	Martin	sick	Isbell	\$971.10
		6	PASSIVE INCOME	Mathis	sick	Isbell	\$172.00
	6	7	MAD ABOUT FUZZ	Miyadi	sick	Isbell	\$160.20
	7	5	VIVA SLEW	Russell	sick	Isbell	\$74.00
10-Jan	1	1	JIGGLY	Morey	sick	Isbell	\$817.00
	4	2	PEPE LE FEU	Tollett	unsound	Kerr	\$21,873.21
	6	6	MIOMOUD	Markle	unsound	Kerr	\$10,064.69
	8	1	PRETORIAN FALLS	Hollendorfer	injured	Isbell	Part of Entry
11-Jan	2	2	SIX CENTS OF HUMOR	Miller	unsound	Kerr	\$6,438.92
	3	1	SONNY'S TORNADO	Calvario	unsound	Isbell	\$282.00
	4	7	IMAGUNNA	Penney	injured	Isbell	\$381.00
	9	2	VRONNE'S DREAM	Vargas	unsound	Isbell	\$461.00
		3	VOODOO SUE	Lumm	injured/gate	Kerr	\$111,633.23
		5	TOP CROP	Meier	sick	Isbell	\$226.00

VETERINARY REPORT**Euthanized / Died**

01-09-09 Septimus (Tr. Gloria Buckridge) right hind comminuted fracture – Tapeta, training

Veterinarian's List

There were twenty-one (21) horses placed on the Vet's List:

Sick: 9
Injured: 4
Unsound: 7
Bled: 1

There were fifteen (15) horses removed from the Vet's List:

Sick: 10
Injured: 1
Unsound: 3
Bled: 1

Shockwave Therapy: There was one (1) shockwave therapy treatment reported.

WEEKLY ATTENDANCE & HANDLE SUMMARY FOR SATELLITE FACILITIES

Anderson	132	\$43,381.00
Bakersfield	427	\$127,125.90
Eureka	46	\$30,846.20
Fresno	380	\$156,625.40
Fresno Club One	97	\$42,849.90
Monterey	335	\$139,288.30
Pleasanton	1787	\$598,223.40
Sacramento	1469	\$483,615.60

San Jose	1765	\$645,220.20
San Mateo	3445	\$1,462,129.30
Santa Rosa	829	\$196,996.10
Stockton	1066	\$288,897.30
Tulare	278	\$61,962.30
Turlock	534	\$154,331.00
Vallejo	795	\$241,546.20
So. California		\$2,482,293.10
Out of State		\$6,288,690.33

	8-Jan	9-Jan	10-Jan	11-Jan	WEEK	Meet
ACCIDENTS	0	0	0	0	0	0
CAL-BRED RACES	0	0	0	0	0	1
CLAIMS	0	1	3	6	10	26
DISQUALIFICATIONS	0	0	0	0	0	1
INQUIRIES/OBJECTIONS	0	0	0	0	0	4
REFUNDS	2	7	4	8	21	54
RULINGS	1	0	3	2	6	11

Respectfully submitted,

John B. Herbuveaux, Steward

Darrel McHargue, Steward

Dennis Nevin, Steward

JBH/BOS:kjk