

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, Chairman

Honorable David Israel, Vice Chairman

Honorable John Andreini, Member

Honorable Jesse H. Choper, Member

Honorable Bo Derek, Member

Honorable Jerry Moss, Member

Kirk E. Breed, Executive Director

Richard Bon Smith, Assistant Executive Director

Report for the period Wednesday, May 13, 2009 through Sunday, May 17, 2009.

Wednesday05-13-09¹ **LENZINI HEARING** (Case #09GG105)

Trainer **MIKE LENZINI** appeared in response to a complaint filed by CHRB Senior Investigator Barbara Chimero which alleged a horse in his care tested positive for the Class 4 substance Methocarbamol. The session was informal and Lenzini stated he gave the medication three days prior to the race as recommended by his practicing veterinarian and the Official Veterinarian.

Lenzini subsequently received information that the recommended withdrawal time for Methocarbamol is now five days and he had not been so informed about the change. The stewards will take the matter under consideration and render a decision in the near future.

05-13-09² **CLEAR AFTERNOON**

The afternoon's eight race program was completed without problem.

05-13-09³ **ATTENDANCE & HANDLE**

GGF	1,224	\$	291,054.60
NCOT	2,084	\$	708,153.50
SCOT		\$	411,993.60
Out of State			\$1,155,691.89
TOTAL	3,308	\$	2,566,893.59

Thursday05-14-09¹ **CASS RESOLUTION** (Case 09GG108)

A third party check submitted by **Robert Cass** to satisfy an old (1999) court judgment obtained by **San Francisco Equine** appears to have cleared the bank. The check for \$2462.00 was received May 1st, promptly deposited and, as yet, has not been returned.

05-14-09² **KORINER HEARING** (Case 09GG167)

Trainer **BRIAN KORINER** was the subject of a formal hearing held to address a complaint filed by **San Francisco Equine** seeking payment of a Superior Court judgment in the amount of \$49,414.66. Present, in addition to the Board of Stewards, were **Dr. Ken Allison** and his attorney, **Jim Ghidella**, along with members of the CHRB investigative staff Anne Glasscock and Barbara Chimero. Koriner, with the consent of the other parties, appeared telephonically from southern California.

Koriner acknowledged the money was owed but stated his present financial situation prevented him from submitting the full amount at this time. After protracted negotiations a settlement agreement was finalized. Koriner understood that failure to abide by the terms of the agreement would result in the loss of his license privileges.

05-14-09³ **EARLY DECLARATION – REFUND**

1st race: #3 KALOOKAN BOSS (Tr. Armando Lage) sick
Examining Veterinarian Diane Isbell REFUND: \$ 243.00

05-14-09⁴ **INCIDENT FREE**

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

05-14-09⁵ **ATTENDANCE & HANDLE**

GGF	1,413	\$ 361,251.80
NCOT	2,168	\$ 691,800.10
SCOT		\$ 414,753.30
Out of State		\$1,078,508.69
TOTAL	3,581	\$2,546,313.89

Friday

05-15-09¹ **RULING NO. 86 – KENGYE** (Case # 09GG172)

Owner **LAJOS KENGYE**, having failed to respond to written notice to appear before the Board of Stewards at Golden Gate Fields on or before Thursday, May 14, 2009, to answer charges of alleged violation of California Horse Racing Board rule #1876 (Financial Responsibility), is hereby suspended pending appearance before the Board of Stewards for violation of CHRB rule #1547 (Failure to Appear).

During the term of suspension, all licenses and license privileges of LAJOS KENGYE are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards), subject is denied access to all premises in this jurisdiction.

The above ruling was issued after Mr. Kengye failed to appear to address a complaint filed by trainer **Monty Meier** alleging \$3,370.00 due on a training bill. Lajos had contacted the stewards earlier in the month in an attempt to work out a payment plan. He was faxed a form to sign that called for payment of \$1,000 per month but since then there has been no further contact.

05-15-09² **RULING NO. 87 – LENZINI** (Refer 05-13-09¹)

Trainer **ALBERT MICHAEL LENZINI**, who started the horse MEAN JOLEENE, winner of the fifth race at Golden Gate Fields on March 11, 2009, is fined the sum of twenty-five hundred dollars (2,500.00) 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: Prohibited Drug Substance; Methocarbamol – Class 4, third offense).

The above ruling was issued following Wednesday's informal hearing. The stewards imposed the minimum penalty listed in the California Horse Racing Board guidelines. Lenzini argued that the recommended withdrawal time for Methocarbamol had been changed from 3 days to 5 days and he was still operating under the 3 day recommendation. He was given the benefit of the change in the recommended withdrawal times by the stewards during deliberation but we also noted that this is Lenzini's third Class 4 violation in the last six months.

- 05-15-09³ **EARLY DECLARATIONS – REFUNDS**
 4th race: #3 REALLY GRAND (Tr. L. A. Martinez) injured
 Examining Veterinarian Diane Isbell REFUND: \$ 192.00
- 5th race: #8 LITTLE SWOON (Tr. Cliff Delima) sick
 Examining Veterinarian Diane Isbell REFUND: \$ 71.00

05-15-09⁴ **HARVEY HEARING** (Case # 09GG176)
 Jockey **BARRINGTON HARVEY** appeared to address a complaint filed by official veterinarian Joan Hurley, DVM, alleging violation of California Horse Racing Board rule 1688 (Use of Whips) after the horse COLE ROCKS showed lacerations to the flank area following the running of the second race on April 26, 2009. Harvey waived his right to a formal hearing and pled guilty.

Barrington had two recent whip violations last December and January which he was fined \$300 and \$500 respectively. The stewards will discuss the penalty to be imposed and issue a ruling in the coming days.

05-15-09⁵ **MOLLICA HEARING** (Case # 09GG154)
 An informal hearing was conducted telephonically for trainer **MIKE MOLLICA** who was cited in a complaint for violation of CHRB rule 1843 (a) & (d) (Medications, Drugs and Other Substances) when the horse PRINCE ATLANTIS tested positive for Dexamethasone (Class 4) following the second race on April 3, 2009.

Mike acknowledged the test results saying he sent Azium packets with the horse when he was shipped north for the race. Apparently the packets were put in the feed tub too close to race time or the horse did not finish up dinner in a timely fashion. Ruling to follow.

05-15-09⁶ **LATE SCRATCH – Eighth Race – REFUND**
 #5 NEW GUN IN TOWN, trained by Cliff Delima, unseated jockey Alfredo Miranda during the loading process and ran off. After an extended gallop the equine escapee was declared by the stewards. His on track antics delayed the start approximately five minutes. The refund amounted to \$10,287.60.

05-15-09⁷ **ATTENDANCE & HANDLE**

GGF	1,392	\$ 350,824.20
NCOT	3,517	\$ 954,510.20
SCOT		\$ 283,848.10
<u>Out of State</u>		<u>\$1,391,895.05</u>
TOTAL	4,909	\$2,981,077.55

Saturday

05-16-09¹ **RULING NO. 88 – MOLLICA**
 Trainer **MICHAEL A. MOLLICA**, who started the horse PRINCE ATLANTIS, winner of the second race at Golden Gate Fields on April 3, 2009, 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: Prohibited Substance; Dexamethasone – Class 4).

The above ruling was issued following yesterday's informal hearing.

- 05-16-09² **EARLY DECLARATION – REFUND**
 3rd race: #6 ZIA ZOOM ZOOM (Tr. Steve Miyadi) sick
 Examining Veterinarian Diane Isbell REFUND: \$1,317.10
- 05-16-09³ **OBJECTION – Fifth Race – NO CHANGE**
 Doug Utley, trainer of the fourth place horse, #3 GO GEORGIANNI GO, ridden by Michael Martinez, lodged a claim of foul against the winner, #8 FLEET O LEI ridden by Julio Garcia for interference in the stretch. After a thorough review the stewards dismissed the objection. Tapes showed minor and mutual contact between the two horses which did not have any effect on the placings.
- 05-16-09⁴ **STEWARDS' INQUIRY – Seventh Race – DISQUALIFICATION**
 The stewards posted the inquiry sign to evaluate an incident inside the 1/16 between the winner, #4 OUR ROAD SCHOLAR, ridden by Julio Garcia and the eighth placed horse, #1 ROCKET KITTY, with jockey David Lopez. After a thorough review the stewards disqualified OUR ROAD SCHOLAR from first and placed him eighth behind ROCKET KITTY.
 Tapes showed that Garcia angled OUR ROAD SCHOLAR out just past the 1/16 and in doing so bumped and impeded ROCKET KITTY who was forced to check as a result of the contact. The decision to disqualify was by majority vote with Mr. Nevin dissenting. All three stewards agreed that OUR ROAD SCHOLAR interfered with ROCKET KITTY but Nevin did not feel the latter was cost a better placing.
 Original order of finish: **(4)** – 7 – 6 – 3 – 2 – 1a – 8 – 1 – 5
 Official order of finish: 7 – 6 – 3 – 2 – 1a – 8 – 1 – **(4)** – 5
- 05-16-09⁵ **ATTENDANCE & HANDLE**
- | | | |
|---------------------|---------------|-----------------------|
| GGF | 4,184 | \$1,168,081.70 |
| NCOT | 9,892 | \$2,899,266.40 |
| SCOT | | \$ 989,263.90 |
| <u>Out of State</u> | | <u>\$1,678,043.45</u> |
| TOTAL | 14,076 | \$6,734,655.45 |
- Sunday**
- 05-17-09¹ **EARLY DECLARATIONS – REFUNDS**
 1st race: #3 O BEE NAKI (Tr. Jeff Metz) sick
 Examining Veterinarian Diane Isbell REFUND: \$ 131.00
 6th race: #2 NOT SO BRIEF (Tr. Steve Miyadi) sick
 Examining Veterinarian Diane Isbell REFUND: \$ 246.80
- 05-17-09² **CAL-BRED REPORT**
 All races written exclusively for horses bred or sired in California during the five day race week failed to attract sufficient entries and were called off.
- 05-17-09³ **RULING NO. 89 – HARVEY**
 Jockey **BARRINGTON HARVEY** is fined the sum of fifteen hundred dollars (\$1,500.00) for violation of California Horse Racing Board rule #1688 (b) (1) (Use of Whips) during the running of the second race on April 26, 2009 (Third offense).

The above ruling was issued following Friday’s informal hearing. The fact that Barrington had two recent whip violations combined with the serious nature of this incident contributed to the amount of the fine imposed in the penalty.

05-17-09⁴ **RULING NO. 90 – GARCIA**

Jockey **JULIO GARCIA**, who rode **OUR ROAD SCHOLAR** in the seventh race at Golden Gate Fields on Saturday, May 16, 2009, is suspended three (3) racing days (May 24, 25 and 28, 2009) for altering course without sufficient clearance in the stretch and causing interference resulting in the disqualification of his mount from first to eighth; a violation of California Horse Racing Board rule #1699 (d) & f) (Riding Rules – careless riding).

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

The above ruling was issued after Julio appeared and freely admitted he shifted out in search of racing room and bothered an outside competitor when doing so.

05-17-09⁵ **NO PROBLEM**

The afternoon’s nine race card was conducted without incident.

05-17-09⁶ **ATTENDANCE & HANDLE**

GGF	4,805	\$ 743,429.20
NCOT	3,096	\$1,019,601.80
SCOT		\$ 696,319.30
Out of State		\$1,280,402.53
TOTAL	7,901	\$3,739,752.83

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

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

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
14-May	1	3	KALOOKAN BOSS	Lage	sick	Isbell	\$11.00
15-May	4	3	REALLY GRAND	Martinez	injured	Isbell	\$192.00
	5	8	LITTLE SWOON	Delima	sick	Isbell	\$71.90
16-May	3	6	ZIA ZOOM ZOOM	Miyadi	sick	Isbell	\$1,317.10
17-May	1	3	O BEE NAKI	Metz	sick	Isbell	\$131.00
	6	2	NOT SO BRIEF	Miyadi	sick	Isbell	\$246.80

VETERINARY REPORT

Euthanized / Died

05-17-09 Leo The Cat (Tr. Bud Klokstad) disarticulated left front fetlock – Tapeta, training

05-17-09 Precious Madame (Tr. W. E. Morey) fractured both sesamoids; right front fetlock with disarticulation of fetlock joint – Tapeta, training

Veterinarian’s List

There were eight (8) horses placed on the vet’s list:
Sick: 5

Injured: 1
 Unsound: 1
 Bled: 0
 Medication: 1

There were nine (9) horses removed from the vet's list:

Sick: 3
 Injured: 2
 Unsound: 3
 Bled: 0
 Medication: 1

Shockwave Therapy: There were three (3) shockwave therapy treatments reported.

WEEKLY ATTENDANCE & HANDLE SUMMARY FOR SATELLITE FACILITIES

Anderson	286	\$65,811.70
Bakersfield	910	\$184,863.20
Eureka	176	\$47,373.30
Fresno	769	\$192,621.30
Fresno Club One	135	\$76,746.30
Monterey	633	\$221,001.10
Pleasanton	2763	\$1,007,919.60
Sacramento	2431	\$672,285.50
San Jose	2606	\$777,927.50
San Mateo	4389	\$1,699,641.50
Santa Rosa	1516	\$308,708.40
Stockton	1632	\$366,656.50
Tulare	463	\$101,362.30
Turlock	861	\$210,657.60
Vallejo	1187	\$339,756.20
So. California		\$2,796,178.20
Out of State		\$6,584,541.61

	13- May	14- May	15- May	16- May	17- May	WEEK	Meet
ACCIDENTS	0	0	0	0	0	0	7
CAL-BRED RACES	0	0	0	0	0	0	8
CLAIMS	3	2	1	1	1	8	182
DISQUALIFICATIONS	0	0	0	1	0	1	14
INQUIRIES/OBJECTIONS	0	0	0	2	0	2	36
REFUNDS	0	1	3	1	2	7	293
RULINGS	0	0	2	1	2	5	90

Respectfully submitted,

 John B. Herbuveaux, Steward

 Dennis Nevin, Steward

 Darrel McHargue, Steward