

**CALIFORNIA HORSE RACING BOARD**

1010 HURLEY WAY, SUITE 300

SACRAMENTO, CA 95825

(916) 263-6000

FAX (916) 263-6042

**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 Keith Brackpool, Chairman  
Honorable David Israel, Vice Chairman  
Honorable Jesse H. Choper, Member  
Honorable Bo Derek, Member  
Honorable John C. Harris, Member  
Honorable Jerry Moss, Member  
Honorable Richard A. Rosenberg, Member  
Kirk E. Breed, Executive Director  
Richard "Bon" Smith, Assistant Executive Director

Report for the period Wednesday, January 13, 2010 through Sunday, January 18, 2010.

**Wednesday**

01-13-10<sup>1</sup> **San Francisco Equine vs. Kalookan Racing Inc., Luis Aquino Asistio, Luis Antonio Liwanag, Asistio** (Case No. 09GG394)

Veterinarian **Kim Kuhlmann** appeared in the stewards' office today representing the veterinarian group San Francisco Equine. This group filed a California Horse Racing Board complaint against **Luis Aquino Asistio** and **Luis Antonio Liwanag Asistio** who raced their horses under the stable name, **KALOOKAN RACING**.

Dr. Kuhlmann alleges that these two (2) owners have violated CHRB rule 1876 (Financial Responsibility) by allegedly being indebted to San Francisco Equine for the amount of \$16,966.50.

**Derek Lawson**, who said he represented the owners, requested to conduct this hearing over the telephone. Dr. Kuhlmann denied this request wishing to face the owners in person. These bills were incurred from October 2008 to August 2009. CHRB supervising investigator Anne Glasscock and Christine Niccoli (Niccoli Reporting) were also present. The respondents failed to appear, therefore no hearing was held. More to follow.

01-13-10<sup>2</sup> **San Francisco Equine vs. Joseph Kowal/Douglas Kent Racing** (Case No. 09GG396)

This complaint was filed against owner **JOSEPH KOWAL** and the stable name 'Douglas Kent Racing' for unpaid veterinarian services and court costs in the amount of \$740.50.

A small claims court (Alameda County) judgment was obtained against owner Joseph Kowal in this matter and contained in the complaint packet. Joseph Douglas Kowal (Douglas Kent Racing) failed to appear at today's hearing. More to follow.

01-13-10<sup>3</sup> **San Francisco Equine vs. Genaro Ungaro (Blue White Diamond Stables)**  
(Case No. 09GG397)

A financial hearing was scheduled today for a complaint filed by the veterinarian group, San Francisco Equine against owner **GENARO UNGARO (Blue White Diamond Stables)**.

A small claims court judgment (Superior Court – San Mateo County) was entered in favor of San Francisco Equine in the amount of \$3,049.98. Owner Genaro Ungaro failed to appear at today's hearing. CHRB senior special investigator Barbara Chimero prepared the complaint packet for this matter. More to follow.

**Thursday**

01-14-10<sup>1</sup> **RULING NO. 11 – ASISTIO** – (Case No. 09GG394)

Owner **LUIS AQUINO ASISTIO** (d.b.a. Kalookan Racing, Inc.) having failed to respond to written notice to appear before the Board of Stewards at Golden Gate Fields on or before Wednesday, January 13, 2010, 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 LUIS AQUINO ASISTIO are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards), subject is denied access to all premises in this jurisdiction.

**RULING NO. 12 – ASISTIO** – (Case No. 09GG394)

Owner **LUIS ANTONIO LIWANAG ASISTIO** (d.b.a. Kalookan Racing, Inc.) having failed to respond to written notice to appear before the Board of Stewards at Golden Gate Fields on or before Wednesday, January 13, 2010, 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 LUIS ANTONIO LIWANAG ASISTIO 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 rulings above were issued today. Owners **Luis Aquino Asistio** and **Luis Antonio Liwanga Asistio** (d.b.a. Kalookan Racing, Inc.) failed to appear (Ref: 1-13-10<sup>1</sup>) at a hearing that was scheduled at 10:00 a.m. yesterday, January 13.

01-14-10<sup>2</sup> **RULING NO. 13 – KOWAL** – (Case 09GG396)

Owner **JOSEPH DOUGLAS KOWAL** (d.b.a. Douglas Kent Racing) having failed to respond to written notice to appear before the Board of Stewards at Golden Gate Fields on or before Wednesday, January 13, 2010, 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 JOSEPH DOUGLAS KOWAL are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards), subject is denied access to all premises in this jurisdiction.

Owner **Joseph Douglas Kowal** (d.b.a. Douglas Ken Racing) failed to appear (Ref: 1-13-10<sup>2</sup>) for a hearing yesterday at Golden Gate Fields. This ruling suspends the licensee privileges of Joseph Douglas Kowal.

01-14-10<sup>3</sup> **RULING NO. 14 – UNGARO** – (Case 09GG397)

Owner **GENARO RINO UNGARO** (d.b.a. Blue White Diamond Stables) having failed to respond to written notice to appear before the Board of Stewards at Golden Gate Fields on or before Wednesday, January 13, 2010, 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 GENARO RINO UNGARO are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards), subject is denied access to all premises in this jurisdiction.

Owner **Genaro Rino Ungaro** (d.b.a. Blue White Diamond Stables) failed to appear (Ref: 1-13-10<sup>3</sup>) for a hearing yesterday at Golden Gate Fields.

01-14-10<sup>4</sup> **RULING NO. 15 – PEREZ** - (Case No. 09GG390)

Trainer **Mag Perez** failed to appear at a hearing that was scheduled January 10, 2010 at Golden Gate Fields (Ref: 1-10-10<sup>3</sup>). Trainer Perez called the stewards at Golden Gate Fields wanting to know what was needed to get reinstated. Trainer Perez deposited \$1,150 in the Hollywood Park's paymaster account today. This money is being transferred to **CARF** (California Authority of Racing Fairs) paymaster of purses Victoria Layne thereby setting aside Pacific Racing Association Ruling No. 10 (January 10, 2010) and restoring trainer Mag Perez to good standing.

In the matter of: Trainer **MAGDALENO 'MAG' PEREZ**

Trainer MAGDALENO 'MAG' PEREZ, having now resolved the outstanding financial obligation to California Authority of Racing Fairs, is hereby restored to good standing and Pacific Racing Association ruling #10, dated January 10, 2010, suspending Mr. Perez for violation of California Horse Racing Board rule #1547 (Failure to Appear) is set aside.

01-14-10<sup>5</sup> **INQUIRY / OBJECTION / DISQUALIFICATION – Seventh Race**

The stewards posted the inquiry sign after viewing an incident inside the 3/16 pole. There was also a jockey objection in this race. Jockey Omar Figueroa (4<sup>th</sup>, #4 GRACIE'S ACTION) claimed foul against first place finisher #2 LOOKN EVEN FINER (Chad Schvaneveldt).

Race replays show #2 LOOKN EVEN FINER racing behind the leader at the 3/16 and shift out for racing room at this juncture. At this point #2, LOOKN EVEN FINER bumps rival #4 GRACIE'S ACTION twice. The second bump was determined by the stewards to be very significant in nature. After speaking with both riders involved and a patrol judge report, the stewards unanimously voted to disqualify #2 LOOKN EVEN FINER and place her fourth. Jockey Chad Schvaneveldt was ordered to film review with stewards.

Original order of finish: **(2)** – 5 – 6 – 3 – 7 – 1

Official order of finish: 5 – 6 – 3 – **(2)** – 7 – 1

01-14-10<sup>6</sup> **DECLARATIONS – REFUNDS**

2<sup>nd</sup> race: #6 GOOD NEWSMAN (Tr. J. B. Josephson)  
Track Veterinarian Heather Kerr

injured  
REFUND: \$ 514.74

4<sup>th</sup> race: #3 WILLIE THE FOX (Tr. William J. Morey) sick  
Track Veterinarian Heather Kerr REFUND: \$ 359.30

7<sup>th</sup> race: #4 GAVIOTA GAL (Tr. Greg James) injured  
Examining Veterinarian Diane Isbell REFUND: \$ 181.00

8<sup>th</sup> race: #5 GRIFFINSTOWN (Tr. John F. Martin) sick  
Examining Veterinarian Diane Isbell REFUND: \$ 526.22

01-14-10<sup>7</sup> **ATTENDANCE & HANDLE**

GGF	1,033	\$ 247,722.60
NCOT	2,203	\$ 617,488.70
SCOT		\$ 379,911.00
Out of State		\$1,167,080.76
<b>TOTAL</b>	<b>3,236</b>	<b>\$2,412,203.06</b>

**Friday**01-15-10<sup>1</sup> **RULING NO. 16 – SCHVANEVELDT**

Jockey **CHAD SCHVANEVELDT**, who rode LOOKN EVEN FINER in the seventh race at Golden Gate Fields on Thursday, January 14, 2010, is suspended three (3) racing days (January 22, 23 and 24, 2010) for altering course without sufficient clearance in the stretch resulting in the disqualification of his mount from first to fourth; a violation of California Horse Racing Board rule #1699 (d) & (f) (Riding Rules – careless riding).

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

Jockey Chad Schvaneveldt appeared in the stewards' office today for film review. Jockey Schvaneveldt and his mount #2 LOOKN EVEN FINER finished first but was disqualified and placed fourth in yesterday's (January 14) seventh race (Ref: 01-14-10<sup>5</sup>).

Jockey Schvaneveldt took responsibility for his actions inside the 3/16 pole for a ride he acknowledged was of poor quality. There was some discussion amongst the stewards of a lengthier suspension due to the severity of the second bump in this race. Jockey Schvaneveldt, however, benefited from his good riding record as of late. The ruling above was issued.

01-15-10<sup>2</sup> **TOTE PROBLEM**

Following the first race, mutuel manager **Bryan Wayte** phoned the stewards to report a tote problem. There was a problem in the state of Maryland. We were told that \$2,111.40, that was bet in Maryland and was not included into the wagering pools. A letter of explanation from Scientific Games Racing – QDC West (Sacramento) operations manager **John Herald** is included with these minutes.

01-15-10<sup>3</sup> **GOOD CARD**

Today's eight (8) race card sent well as it was free of stewards' inquiries and/or jockey objections.

01-15-10<sup>4</sup> **DECLARATIONS – REFUNDS**

1<sup>st</sup> race: #5 SHEEN FALLS (Tr. Frank Lucarelli) workouts  
Stewards REFUND: \$ 187.10

2<sup>nd</sup> race: #2 RAGING ROSE (Tr. Doug Utley) injured  
Examining Veterinarian Diane Isbell REFUND: \$ 305.18

5<sup>th</sup> race: #6 STERLING MISTY (Tr. William Delia) injured  
Examining Veterinarian Diane Isbell REFUND: \$ 235.94

01-15-10<sup>5</sup> **ATTENDANCE & HANDLE**  
GGF 942 \$ 290,336.70  
NCOT 2,172 \$ 687,961.30  
SCOT \$ 406,275.70  
Out of State \$1,209,680.51  
**TOTAL 3,114 \$2,594,254.21**

**Saturday**

01-16-10<sup>1</sup> **KIMBERLY HEMMER MEETING** (Complaint 09GG209)  
Association employee Kimberly Hemmer appeared in the stewards' office to provide recent documentation for the stewards from the Alameda County Superior Court. Ms. Hemmer was found to be in possession of a controlled substance in Berkeley, CA on May 15, 2009. She was eventually placed in a diversion program (Ref: GGF 11/19/09<sup>2</sup>) by the Superior Court.

Ms. Hemmer appeared today with proof of active participation in the Second Chance, Inc. out-patient program located in San Leandro, CA. Following conversation with California Horse Racing Board senior special investigator Carol Ann Nolan and Ms. Hemmer the stewards issued the following ruling:

**RULING NO. 17**

Association Employee **KIMBERLY D. HEMMER** is hereby suspended thirty (30) days, January 16, 2010 through February 14, 2010 and placed on probation through January 10, 2011 pursuant to California Horse Racing Board rule #1900 (Grounds for Suspension or Revocation) for violation of California Horse Racing Board rule #1489(h) (Grounds for Denial or Refusal of License – Possession of Controlled Substance).

For good cause, the thirty (30) day suspension is hereby stayed pending completion of Superior Court, County of Alameda, court ordered diversion program and provided Ms. Hemmer comply with the terms of her probation.

The term of the California Horse Racing Board probation shall run concurrent with the court ordered probation and will include adherence to a testing agreement with the California Horse Racing Board. Any violation of the terms of probation shall be grounds for immediate suspension of Mr. Hemmer's license privileges.

01-16-10<sup>2</sup> **RULING NO. 18 – MIYADI**  
Trainer **STEVE MIYADI** is fined the sum of one hundred dollars (\$100.00) for failure to be in the paddock to supervise the saddling of the horse DESPERATE in the sixth race on Friday, January 15, 2010; a violation of California Horse Racing Board rule #1894 (Duties of Trainer).

Trainer Steve Miyadi failed to be present to saddle his trainee in the paddock yesterday (January 16<sup>th</sup> – 6<sup>th</sup> race). Paddock Judge Linda Anderson informed the stewards that the horse DESPERATE was saddled by association (GGF) valets.

01-16-10<sup>3</sup> **SMOOTH CARD**  
Today's nine (9) race card went smoothly as it was free of stewards' inquiries and/or jockey objections. Today's eighth race was the 95<sup>th</sup> running of the California Derby (\$100,000 purse). This 1 1/8 mile event was won by RANGER HARTLEY. Owners David and Herb Alpert, trainer John Sadler and jockey Julio Garcia enjoyed the victory.

01-16-10<sup>3</sup> **DECLARATIONS – REFUNDS**

1<sup>st</sup> race: #4 PARTNERSHIP PAYOUT (Tr. Valerie Rhoden) injured  
Examining Veterinarian Diane Isbell REFUND: \$ 584.90

5<sup>th</sup> race: #4 DECATUR ISLAND (Tr. Jerry Hollendorfer) sick  
Examining Veterinarian Diane Isbell REFUND: \$ 529.85

01-16-10<sup>4</sup> **ATTENDANCE & HANDLE**

GGF	5,684	\$ 663,295.50
NCOT	3,309	\$1,013,326.30
SCOT		\$ 736,237.30
<u>Out of State</u>		<u>\$1,525,501.96</u>
<b>TOTAL</b>	<b>8,993</b>	<b>\$3,938,361.06</b>

**Sunday**01-17-10<sup>1</sup> **CHAD SCHVANEVELDT FILM REVIEW**

Jockey Chad Schvaneveldt appeared in the stewards' office to review his ride in yesterday's (January 16) seventh race. Schvaneveldt was aboard first place finisher #1a LAPOLLO. At the start of this five and one half furlong event #1a LAPOLLO drifts out into the path of #8 DEVANDETTA (Carlos Nieto) who finished eighth.

The stewards felt this effort fell short of a suspension type ride.

01-17-10<sup>2</sup> **DECLARATIONS – REFUNDS**

2<sup>nd</sup> race: #3 ROAR LORD (Tr. Troy Taylor) sick  
Examining Veterinarian Diane Isbell REFUND: \$ 302.40

3<sup>rd</sup> race: #4 LONGITUDE (Tr. Lloyd Mason) sick  
Examining Veterinarian Diane Isbell REFUND: \$ 131.80

4<sup>th</sup> race: #7 TIZ CEE'S BALLETT (Tr. Sergio Ledezma) sick  
Examining Veterinarian Diane Isbell REFUND: \$ 254.00

8<sup>th</sup> race: #1 MY SIRAH SIRAH (Tr. Bill McLean) injured  
Examining Veterinarian Diane Isbell REFUND: \$ 58.00

#2 DIVA DOLLY (Tr. Steve Sherman) injured  
Examining Veterinarian Diane Isbell REFUND: \$ 237.60

01-17-10<sup>3</sup> **SMOOTH CARD**

Today's nine (9) race card went well as it was free of stewards' inquiries and/or jockey objections.

01-17-10<sup>4</sup> **ATTENDANCE & HANDLE**

GGF	2,897	\$ 491,268.10
NCOT	2,637	\$ 808,172.50
SCOT		\$ 649,381.80
<u>Out of State</u>		<u>\$1,379,112.82</u>
<b>TOTAL</b>	<b>5,534</b>	<b>\$3,327,935.22</b>

**Monday**01-18-10<sup>1</sup> **SMOOTH CARD**

Today's eight (8) race card went well as it was free of stewards' inquiries and/or jockey objections.

01-18-10<sup>2</sup> **DECLARATIONS – REFUNDS**

4<sup>th</sup> race: #4 TRICK SOSO (Tr. Armando Lage) injured  
Examining Veterinarian Diane Isbell REFUND: \$ 397.00

6<sup>th</sup> race: #3 HE DID

(Tr. Efrain Miranda)

sick

Examining Veterinarian Diane Isbell

REFUND: \$ 471.00

01-18-10<sup>3</sup> **ATTENDANCE & HANDLE**

GGF	1,208	\$ 315,446.10
NCOT	2,284	\$ 573,892.60
SCOT		\$ 488,500.80
<u>Out of State</u>		<u>\$1,049,933.22</u>
<b>TOTAL</b>	<b>3,492</b>	<b>\$2,427,772.72</b>

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

**ATTENDANCE REPORT** – The full Board of Stewards was in attendance 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-Jan	2	6	GOOD NEWSMAN	Josephson	injured	Isbell	<b>\$514.74</b>
	4	3	WILLIE THE FOX	Morey, Jr.	sick	Isbell	<b>\$359.30</b>
	7	4	GAVIOTA GAL	James	injured	Isbell	<b>\$181.00</b>
	8	5	GRIFFINSTOWN	Martin	sick	Isbell	<b>\$526.22</b>
15-Jan	2	2	RAGING ROSE	Utlely	injured	Isbell	<b>\$305.18</b>
	5	6	STERLING MISTY	Delia	injured	Isbell	<b>\$235.94</b>
16-Jan	1	4	PARTNERSHIP PAYOUT	Rhoden	injured	Isbell	<b>\$584.90</b>
	5	4	DECATUR ISLAND	Hollendorfer	sick	Isbell	<b>\$529.85</b>
17-Jan	2	3	ROAR LORD	Taylor	sick	Isbell	<b>\$302.40</b>
	3	4	LONGITUDE	Mason	sick	Isbell	<b>\$131.80</b>
	4	7	TIZ CEE'S BALLET	Ledezma	sick	Isbell	<b>\$254.00</b>
	8	1	MY SIRAH SIRAH	McLean	injured	Isbell	<b>\$58.00</b>
		2	DIVA DOLLY	Sherman	injured	Isbell	<b>\$237.60</b>
18-Jan	4	4	TRICK SOSO	Lage	injured	Isbell	<b>\$397.00</b>
	6	2	HE DID	Miranda	sick	Isbell	<b>\$471.00</b>

**VETERINARY REPORT****Euthanized / Died**01-12-10 '05 Foal – *Deb's Magic* (Tr. Ed Moger) intestinal rupture01-13-10 *Silver Dust* (Tr. Ramon Gutierrez) ex- race horse brought in from ranch on 01-11-10 emaciated/ could not get up (Pleasanton)**Veterinarian's List**

There were nineteen (19) horses placed on the vet's list:

Sick: 7

Injured: 9

Unsound: 3

Bled: 0

There were thirteen (13) horses removed from the vet's list:

Sick: 6

Injured: 3

Unsound: 4

Bled: 0

**Shockwave Therapy:** There were no shockwave therapy treatments reported.

**WEEKLY ATTENDANCE & HANDLE SUMMARY FOR SATELLITE FACILITIES**

Anderson	141	\$	46,039.60
Bakersfield	368	\$	100,491.90
Eureka	0	\$	-
Fresno	347	\$	110,970.60
Fresno Club One	144	\$	67,944.20
Monterey	372	\$	102,581.10
Pleasanton	2013	\$	619,002.20
Sacramento	1573	\$	426,052.00
San Jose	2095	\$	522,085.90
San Mateo	3532	\$	1,203,498.60
Santa Rosa	866	\$	188,569.60
Stockton	1153	\$	293,492.90
Tulare	255	\$	61,648.00
Turlock	577	\$	157,019.30
Vallejo	865	\$	255,912.30
So. California		\$	2,660,406.60
Out of State		\$	6,331,309.27

	13-Jan	14-Jan	15-Jan	16-Jan	17-Jan	18-Jan	WEEK	Meet
	<i>D</i>							
ACCIDENTS	<i>A</i>	0	0	0	0	0	<b>0</b>	<i>0</i>
CAL-BRED RACES	<i>R</i>	0	0	0	0	0	<b>0</b>	<i>1</i>
CLAIMS	<i>K</i>	1	1	1	0	1	<b>4</b>	<i>27</i>
DISQUALIFICATIONS		1	0	0	0	0	<b>1</b>	<i>4</i>
INQUIRIES/OBJECTIONS	<i>D</i>	1	0	0	0	0	<b>1</b>	<i>6</i>
REFUNDS	<i>A</i>	4	3	2	5	2	<b>16</b>	<i>63</i>
RULINGS	<i>Y</i>	5	1	2	0	0	<b>8</b>	<i>18</i>

Respectfully submitted,

\_\_\_\_\_  
**Grant Baker, Steward**

\_\_\_\_\_  
**Darrel McHargue, Steward**

\_\_\_\_\_  
**Dennis Nevin, Steward**

GB/BOS:kjk