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CALIFORNIA HORSE RACING BOARD**PACIFIC RACING ASSOCIATION**

Golden Gate Fields
Albany, California

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

Honorable Edmund G. Brown Jr., Governor
Honorable Charles Winner, Chairman
Honorable Richard A. Rosenberg, Vice Chair
Honorable Madeline Auerbach, Member
Honorable Steve Beneto, Member
Honorable Jesse H. Choper, Member
Honorable George Krikorian, Member
Honorable Alex Solis, Member
Rick Baedeker, Executive Director
Jacqueline Wagner, Assistant Executive Director
Darrel McHargue, Chief Steward
Robert B. Miller, Chief Counsel CHRB

Report for the period Thursday, April 28, 2016 through Sunday, May 1, 2016

THURSDAY

04-28-2016¹

DUTY STEWARDS

Steward John Herbuveaux was present to supervise entries and declarations.

04-28-2016²

FORMAL HEARING: JONATHAN A. WONG (15GG0038)**ARI F. HERBERTSON (15GG0051)**

A formal hearing was held today for Trainer Jonathan A. Wong and Owner/Groom Ari F. Herbertson, who have been charged with violating numerous California Horse Racing Board rules (#1530, 1874.4, #1902, #1489 (j) and #1900). Mr. Wong was also charged with violating California Horse Racing Board rule #1437.

Present, in addition to the Board of Stewards, were Deputy Attorney General Mary Cain-Simon, California State Counsel Phil Laird and California Horse Racing board Investigator Louis Quesada. Mr. Wong and Mr. Herbertson consented to a joint hearing, as the facts of this case revolve around the same incident and they were willing to proceed without counsel.

Witnesses included Groom Logan Emily Bearden, Jockey Agent Fernando Navarro and Investigator Quesada. According to the complaint, "Trainer Jonathan Wong and Stable employee Ari Herbertson surreptitiously videotaped a female groom as she was in a state of partial undress, tending to her injuries after she had been severely kicked by a horse. She informed them that she did not want to be videotaped at which time they electronically transferred the video to others without her consent. During the course of the investigation, both subjects lied about their participation and obstructed and delayed the investigation."

The Stewards will consider the evidence and testimony presented and arrive at their decision at a later date.

FRIDAY04-29-2016¹ **CAL-BRED REPORT**

The Cal-bred race for three year olds and older, claiming \$10,500.00-\$12,000.00, six furlongs, failed to fill.

04-29-2016²**DECLARATIONS:**

5th Race: #6 Fancy Terrace (Trainer Sheldon Paldanius)

Injured-DVM Sporer

5th Race: #8 Speedy Puig (Trainer Joshua Stein)

Sick-DVM Sporer

8th Race: #1 Greely Awesome (Trainer William Spawr)

Unsound-DVM Sporer

8th Race: #11 Bird E House (Trainer Michael Pender)

Also eligible-Stewards

REFUNDS

See below

\$271.00

See below

\$16,276.24

04-29-2016³**HORSES PULLED UP**

In the second race #7 Lucky Trail (Trainer Ryan Kenney) was pulled up near the ½ mile pole by Jockey William Antongeorgi. Track Veterinarian Sara Sporer DVM, reported she could not pinpoint a specific ailment and the three year old colt was walked off the track. Lucky Trail will be placed on the Steward's List.

In the seventh race #4 Format V. (Trainer William Delia) went wrong near the 3/8 marker and was pulled up by Jockey William Antongeorgi. Track Veterinarian Sara Sporer, DVM reported the nine year old gelding was unsound in the right foreleg and given a ride home in the horse ambulance. Format V. will be placed on the Veterinarian's List.

04-29-2016⁴**HANDLE-ATTENDANCE**

GGF	933	\$238,331.50
NCOT	1727	\$564,333.50
SCOT		\$235,928.80
OUT OF STATE		<u>\$829,180.04</u>
TOTAL		\$1,867,773.80

SATURDAY04-30-2016¹ **CAL-BRED REPORT**

Two Cal-bred races were used on this card.

1-Maiden fillies and mares, three years old and older, one mile and one sixteenth on the turf was used with eight entries.

2-Maiden three years old and older, one mile and one sixteenth on the turf was used with twelve entries.

04-30-2016²**DECLARATIONS:**

2nd Race: #1 So Good To Go (Trainer Efrain Miranda)

Sick-DVM Sporer

3rd Race: #6 Fast And Foxy (Trainer Holly Evans)

Sick-DVM Sporer

4th Race: #3 Preachingatsagoi (Trainer Jamey Thomas)

Sick-DVM Sporer

6th Race: #1 Compratore (Trainer John Martin)

Sick-DVM Sporer

8th Race: #2 Home Run Kitten (Trainer David Hoffmans)

Stake-Stewards

9th Race: #1 Son Of A Royal (Trainer Daniel Azcarate)

Injured-DVM Sporer

REFUNDS

\$398.99

\$573.00

\$236.32

\$1,535.34

\$1,753.96

\$444.96

04-30-2016³ **RULING #91-ARI F. HERBERTSON (Case #15GG0051)**

#91

Groom/Owner **Ari F. Herbertson** is hereby fined the sum of One Thousand Dollars (\$1,000.00)* pursuant to California Horse Racing Board rule #1530 (Cases Not Covered by Rules and Regulations) for inappropriate behavior and unprofessional conduct toward another licensee.

#92

Trainer **Jonathan A. Wong** is hereby fined the sum of One Thousand Dollars (\$1,000.00)* pursuant to California Horse Racing Board rule #1530 (Cases Not Covered by Rules and Regulations) for inappropriate behavior and unprofessional conduct toward another licensee.

The foregoing rulings were issued following the hearing held before this Board of Stewards on April 28, 2016.

The incident that led to the complaint occurred in mid-February, 2015. The undisputed facts are that Logan Emily Beardon began working for Trainer Jonathan Wong on January 21, 2015 as a groom. During the third week of employment Ms. Beardon was kicked on the rear upper left thigh while handling a horse trained by Mr. Wong. While in the shed row, she lowered her jeans, in the presence of Mr. Wong, Mr. Herbertson and Jockey Agent Fernando Navarro, to look at her injury. At some point she asked Wong to take a picture. What occurred after that gets cloudy. Mr. Wong contends he took a picture while Mr. Herbertson admits he took a nine second video and the video was played back for those present, including Ms. Beardon. Mr. Wong asked Ms. Beardon if she wanted medical attention and she declined.

Ms. Beardon and Mr. Navarro testified that Mr. Wong took the video. The video has been deleted from the phones, although a copy of the video was presented as evidence.

While we were unable to conclude with any certainty who actually took the video, which caused embarrassment to Ms. Beardon, we held both (Wong & Herbertson) equally responsible for inappropriate behavior.

04-30-2016⁴ **HORSE PULLED UP – 10TH RACE**

#9 Prince Of Prague (Trainer Steve Sherman) was pulled up near ¾ pole by Jockey Ricardo Gonzalez. Track Veterinarian Sara Sporer reported the four year old gelding was unsound behind, but was able to walk off the track. Prince Of Prague will go on the Veterinarian's List.

04-30-2016⁵ **HANDLE-ATTENDANCE**

GGF	2073	\$464,599.80
NCOT	2790	\$1,012,745.00
SCOT		\$580,661.20
<u>OUT OF STATE</u>		<u>\$1,502,980.37</u>
TOTAL		\$3,560,986.30

SUNDAY

05-01-2016¹ **CAL-BRED REPORT**

Four Cal-bred races were used today, including the \$100,000.00 Silky Sullivan, for three year olds, one mile on the turf (nine starters) and the \$100,000.00 Campanile for three year old fillies, one mile on the turf (eleven starters). Also on the card, fillies and mares, three years old and older, allowance, one mile and one sixteenth on the turf (eight starters). For the boys, three year olds and older, allowance, one mile one sixteenth on the turf (eight starters).

05-01-2016 ²	<u>DECLARATIONS:</u>	<u>REFUNDS</u>
	1 st Race: #6 Rose Among Thorns (Trainer John Martin)	
	Sick-DVM Sporer	\$75,066.44
	4 th Race: #9 Scathing (Trainer Steve Miyadi)	
	Stake-Stewards	\$208.88
	6 th Race: #5 Rye (Trainer William Morey)	
	Stake-Stewards	\$662.30
	9 th Race: #5 I Am The Colonel (Trainer Jerry Hollendorfer)	
	Unsound-DVM Sporer	\$10,620.18

05-01-2016³ **INQUIRY-DISQUALIFICATION – 8TH RACE**

The Stewards conducted an inquiry following the eighth race for a review of an incident inside the 1/16 pole involving #11 Patriotic diamond (Bruno Panicucci) third and #6 Hacktivism (Mario Gutierrez) Sixth.

After considering the patrol judges report, interviewing the riders involved and reviewing the video, the Stewards decided unanimously to disqualify #11 patriotic Diamond from third to sixth.

The video shows #11 Patriotic Diamond drifts out into the path of #6 Hacktivism, causing the latter to clip heels and lose all chance of a better placing.

Original order of finish: 3-8-(11)-9-4-6-5-10-7-1-2
 Official order of finish: 3-8-9-4-6-(11)-5-10-7-1-2

05-01-2016⁴ **INQUIRY-DISQUALIFICATION-9TH RACE**

The Stewards posted the inquiry sign following the ninth race to review an incident near the finish involving #2 Active (Kayla Star) second and #11 Alamo Pint ado (Abel Cedilla) third.

After interviewing the riders involved, the Patrol Judges and reviewing the video, the Stewards decided unanimously to disqualify #2 Active from second to third for drifting out, bumping and impeding #11 Alamo Pint ado, preventing the latter the opportunity for a better placing.

Original order of finish: 4-(2)-11-10-7-1-9-6-3-8
 Official order of finish: 4-11-(2)-10-7-1-9-6-3-8

05-01-2016⁵ **HANDLE-ATTENDANCE**

GGF	10835	\$645,173.50
NCOT	2206	\$826,744.00
SCOT		\$624,226.20
<u>OUT OF STATE</u>		<u>\$1,455,224.44</u>
TOTAL		\$3,551,368.10

W E E K L Y S U 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.

VETRINARIAN'S LIST:

There were Thirteen (13) horses placed on the vet's list:

Injured: 1 Sick: 6
 Unsound: 3 Shockwave: 3

There were Twenty-seven (27) horses removed from the vet's list:

Sick: 18 Injured: 6
 Unsound: 1 Medication: 1
 Exhausted: 1

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

VETERINARIAN RECOMMENDED SCRATCHES

DATE	RACE	NO	HORSE	TRAINER	REASON	REFUND
04-29-16	5	6	Fancy Terrace	Paldanius	Inj	See Below
04-29-16	5	8	Speedy Puig	Stein	Sick	<u>271.00</u>
04-29-16	8	1	Greely Awesome	Spawr	Unsound	See Below
04-29-16	8	11	Bird E House	Pender	Stews	<u>\$16,276.24</u>
04-30-16	2	1	So Good To Go	Miranda	Sick	\$398.99
04-30-16	3	6	Fast And Foxy	Evans	Sick	\$573.00
04-30-16	4	3	Preachingatsagoi	Thomas	Sick	\$236.32
04-30-16	6	1	Compratore	Martin	Sick	\$1,535.34
04-30-16	8	2	Home Run Kitten	Hoffmans	Sick	\$1,753.96
04-30-16	9	1	Son Of A Royal	Azcarate	Inj	\$444.96
05-01-16	1	6	Rose Among Thorns	Martin	Sick	\$75,066.44
05-01-16	4	9	Scathing	Miyadi	Sick	\$208.88
05-01-16	6	5	Rye	Morey	Stews	\$662.30
05-01-16	9	5	I Am The Colonel	Hollendorf	Unsound	\$10,620.18

	04/28	04/29	04/30	05/01	TOTAL	Meet
ACCIDENTS	0	0	0	0	0	13
CAL-BRED RACES	0	0	2	4	6	9
CLAIMS	0	3	4	0	7	243
DISQUALIFICATIONS	0	0	0	1	1	14
INQUIRIES/OBJECTIONS	0	0	0	1	1	27
REFUNDS	0	3	6	4	13	218
RULINGS	0	0	2	0	2	94
CLAIMS VOID	0	0	0	1	1	123

WEEKLY ATTENDANCE & HANDLE SUMMARY FOR SATELLITE FACILITIES

Anderson	66	\$19,854.00
Bankers Casino	61	\$17,249.60
Fresno	248	\$94,450.50
Fresno Club One	53	\$41,637.30
Monterey	184	\$56,097.20
Pleasanton	937	\$349,849.30
Sacramento	766	\$252,517.90
San Jose	1026	\$354,126.20
San Mateo	1775	\$758,922.40
Santa Rosa	457	\$92,622.20
Stockton	516	\$148,429.30
Turlock	198	\$69,039.50
Vallejo	436	\$149,027.10
So. California	0	\$1,440,816.20
Out of State	0	\$3,787,384.70

Respectfully submitted,

Dennis Nevin, Steward

John Herbuveaux, Steward

Will Meyers, Steward