

CALIFORNIA HORSE RACING BOARD
1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825



REPORT OF THE BOARD OF STEWARDS
HOLLYWOOD PARK RACING ASSOCIATION

Hollywood Park

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. Chopper, Member
Honorable Bo Derek, Member
Honorable Jerome S. Moss, Member
Kirk E. Breed, Executive Director
Richard "Bon" Smith, Assistant Executive Director

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MINUTES – EIGHTH WEEK OF HOLLYWOOD PARK SPRING/SUMMER MEETING
For the period: Wednesday, June 10, 2009 through Sunday, June 14, 2009

WEDNESDAY
06/10/09¹

KRULJAC RULING

Trainer ERIC KRULJAC accepted the following penalty when he informed the Stewards that he had neglected to put his horse running last Sunday on the bleeder's list in California. To protect the welfare of the horse, we allowed the horse to run on lasix but issued the following ruling for the violation:

HRT# #039

Trainer **J. ERIC KRULJAC** is fined **THREE HUNDRED DOLLARS (\$300.00)*** for violation of California Horse Racing Board rule #1845 (Authorized Bleeder Medication) on June 07, 2009 at Hollywood Park.

06/10/09²

BECERRA RULING

Trainer RAFAEL BECERRA contacted the Stewards by telephone to discuss case number 09HP069 which alleged that one of the horses under his care was late to the receiving barn. Mr. Becerra admitted the error and accepted the following penalty:

HRT# #040

Trainer **RAFAEL BECERRA** is fined **ONE HUNDRED DOLLARS (\$100.00)*** for violation of California Horse Racing Board rules #1852 (Reporting to Receiving Barn-Late) and #1894 (Duties of Trainer) with his horse "Major Smoke" in the fifth race on May 24, 2009.

06/10/09³

MILLER RULING

After careful consideration, trainer PETER MILLER was issued the following ruling regarding the late declaration described in the minutes last week (see 5/31/09²). This case (09HP058) involved a veterinarian treating an in-today horse with bute instead of lasix. While Mr. Miller blamed the veterinarian for the mistake, the following ruling was nevertheless issued:

HRTH #041

Trainer **PETER MILLER** is fined **THREE HUNDRED DOLLARS (\$300.00)*** for violation of California Horse Racing Board rule # 1844 (b) (Authorized Medication) pursuant to California Horse Racing Board rule # 1629 (Penalty for Late Declaration) necessitating the late declaration of his horse "Justalittletipsy" from the fourth race on May 15, 2009.

06/10/09⁴

MILLER RULING

After careful consideration, trainer PETER MILLER was issued a ruling regarding his failure to report a gelding (case number 09HP078). Pursuant to rule 1865 (Altering Sex of Horse) which sets the penalty at \$1,000.00 absent mitigating circumstances, this BOS believed the following penalty was appropriate, given that the gelding was a first time starter gelded at the farm:

HRTH #042

Trainer **PETER MILLER** is fined **SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00)*** for failure to properly report the gelding of the horse "Trade Master", which ran in the eighth race at Hollywood Park Race Track on May 29, 2009. This constitutes a violation of California Horse Racing Board rule #1865 (Altering of Sex of Horse).

06/10/09⁵

CERIN RULING

Trainer VLADIMIR CERIN contacted the Stewards by telephone to discuss case number 09HP067 which alleged that one of the horses under his care was late to the receiving barn. Mr. Cerin admitted the error and accepted the following penalty:

HRTH #043

Trainer **VLADIMIR CERIN** is fined **ONE HUNDRED DOLLARS (\$100.00)*** for violation of California Horse Racing Board rules #1852 (Reporting to Receiving Barn-Late) and #1894 (Duties of Trainer) with his horse "Afleet's Picasso" in the third race on May 24, 2009.

06/10/09⁶

WALKER REINSTATEMENT

Owner/trainer PAUL WALKER was reinstated when we received evidence that he had satisfied his financial obligations to MOC Insurance Company:

HRTH#044

Owner/Trainer **PAUL WALKER**, having satisfied his financial obligations under the provisions of California Horse Racing Board rule #1876 (Financial Responsibility), is restored to good standing. DMTD Ruling #005, issued at Del Mar on July 22, 2006, is set aside.

THURSDAY
06/11/09¹

VICTORVILLE DISMISSAL

This Board of Stewards voted to dismiss case number 09SA107 which involved a complaint filed by the CHRB against OTB Victorville. The CHRB complaint alleged that OTB Victorville violated CHRB Rule 2057 (Initial Application and Approval of a Simulcast Facility) which, in part, provides that “no guest association. . . may discontinue its operation nor conduct any activity which would cause interruption of the signal without giving the Board and the host association prior written notice within fifteen (15) calendar days. . .” Evidence revealed that there was no fifteen day notice, but also revealed that the OTB was an hour late in opening while a dispute was being resolved with their host association Santa Anita. We believed that this did not constitute violation of the CHRB for four reasons: (1) opening and closing times are determined by the OTB itself; (2) the OTB opened in time to take wagers from Santa Anita’s entire card; (3) the dispute had arisen from the fact that the OTB had not been paid by their host association for three consecutive weeks; and (4) host associations who have called off entire cards have not been penalized under this rule. The complaint was therefore unanimously dismissed.

06/11/09²

DELIMA COMPLAINT

Trainer JOSE DELIMA contacted the Stewards by telephone to discuss case number 09HP053 which involved a complaint filed by the CHRB alleging that Mr. Delima’s horse arrived late to Hollywood Park on race day. Fortunately, the horse did arrive in time for timely pre-race veterinary inspection and lasix and was therefore permitted to run. It appears that the van company was partly to blame for the incident so a warning was issued to Mr. Delima.

06/11/09³

ROSARIO COMPLAINT AND RULING

Jockey JOEL ROSARIO met with the Stewards informally to discuss a complaint (case number 09HP056) filed by the CHRB that alleged violation of the whip rules, in that one of Mr. Rosario’s mounts returned from a race with a break in the skin, presumably caused by his whip. Mr. Rosario did not have an explanation for the cut, other than his overzealousness to win the race. He was warned that repeated violations of this type resulted in particularly onerous penalties and was issued the following ruling:

HRTH #045

Jockey **JOEL ROSARIO**, is fined **THREE HUNDRED DOLLARS (\$300.00)*** for violation of California Horse Racing Board rule #1688 (3) (Use of Whip-causing welts or breaks in the skin) in the ninth race on May 16, 2009 at Hollywood Park.

06/11/09⁴

MCEWIN DISMISSAL

Case number 09HP076 which was a financial complaint filed by trainer Mike Marlow against owner DILLON MCEWIN for unpaid training expenses was dismissed when Mr. Marlow informed us that the debt was paid in full.

06/11/09⁵

DECLARATIONS, CHANGES AND REFUNDS

1 st Race	No changes; Refund \$484.00
2 nd Race	#4 Dixie Meister – Veterinarian scratch, sick – Dr. Bailey Refund \$651.20
3 rd Race	#6 Jana Gail – Veterinarian scratch, unsound – Dr. Bailey Refund \$309.20

- 4th Race No changes; Refund \$259.60; Minus Pool \$4.56
- 5th Race #4 Paddy the Pro (IRE) – Veterinarian scratch, sick – Dr. Bailey
 #10 Cleisthenes – Veterinarian scratch, sick – Dr. Bailey
 Refund \$4,306.60
- 6th Race #1 Jayden’s Hope – Claimed – B. Spawr, trainer
- 7th Race No changes; Refund \$4.00
- 8th Race #11 Bye Bye Hollywood – Late veterinarian scratch, unsound – Dr. Grant
 Refund \$94,041.60

06/11/09⁶

DAILY ATTENDANCE & HANDLE

On track	4,184	986,862.10
Satellites	5,746	2,035,585.00
TVG/Xpress/Youbet	n/a	706,856.60
Out –of-State	n/a	3,134,498.60
Total	9,930	\$6,863,802.30

FRIDAY

06/12/09¹

FILM REVIEW

Jockey MARTIN GARCIA came to the office in order to review his ride in the seventh race. Specifically, Mr. Garcia allowed his horse to run up on the heels of a tiring horse, when his horse took evasive action to avoid clipping heels but in doing so, came out into the path of a rival. While we did not believe that days were in order because part of the incident was circumstantial and part could be blamed on the horse, Mr. Garcia was warned that he must anticipate that horses will tire in the latter stages of races and that he should adjust accordingly.

06/12/09²

HOLMES RULING

After careful consideration of case 09HP063 involving exercise rider Joe Holmes Sr. (see 06/03/09²) the following ruling was issued:

HRTH#046

Exercise rider **JOE HOLMES, Sr.** is suspended for **FIFTEEN (15) DAYS** (June 12, 2009, thru June 26, 2009) and fined **TWO HUNDRED DOLLARS* (\$200.00)** for violation of California Horse Racing Board rule #1874 (Disorderly Conduct). The suspension will be stayed provided that Mr. Holmes, Sr. remain on probation for the term of his license (October 31, 2010), sign a testing agreement with the California Horse Racing Board, and participate in the Winners Foundation program.

06/12/09³

SHIRREFFS COMPLAINT AND RULING

Trainer JOHN SHIRREFFS appeared before the stewards to discuss case number 09HP068 which alleged that one of the horses under his care was late to the receiving barn. Mr. Shirreffs admitted the error and grudgingly accepted the following penalty:

HRTH #047

Trainer **JOHN SHIRREFFS** is fined **ONE HUNDRED DOLLARS (\$100.00)*** for violation of California Horse Racing Board rules #1852 (Reporting to Receiving Barn-Late) and #1894 (Duties of Trainer) with his horse "Sabina Fay" in the third race on May 24, 2009.

06/12/09⁴

MOGER RULING

Trainer ED MOGER's assistant trainer appeared before the Stewards to discuss case number 09HP081 which alleged that one of the horses under his care was late to the receiving barn. The barn admitted the error and accepted the following penalty:

HRT# #048

Trainer **ED MOGER, Jr** is fined **ONE HUNDRED DOLLARS (\$100.00)*** for violation of California Horse Racing Board rules #1852 (Reporting to Receiving Barn-Late) and #1894 (Duties of Trainer) with his horse "Hard Woman" in the first race on May 30, 2009.

06/12/09⁵

DECLARATIONS, CHANGES AND REFUNDS

- 1st Race No changes; Refund \$12.00; Minus Pool \$1.91
- 2nd Race #1a Skimming Skipper – Stewards' scratch, also eligible
#3 Pierre Bear – Claimed – J. Mullins, trainer
Refund \$108.60
- 3rd Race #1 Isipingo – Claimed – M. Mitchell, trainer
#4 Rumba Along – Claimed – E. Kruljac, trainer
- 4th Race No changes; Refund \$135.00
- 5th Race #2 Desired Rose – Late veterinarian scratch, unsound – Dr. Bailey
Refund \$10,718.65
- 6th Race #8 Goldroad – Veterinarian scratch, injured – Dr. Bailey
Refund \$2,270.30
- 7th Race #6 Grey Lassie – Veterinarian scratch, sick – Dr. Bailey
Refund \$769.10
- 8th Race No changes; Refund \$44.70

06/12/09⁶

DAILY ATTENDANCE & HANDLE

On track	6,312	934,868.70
Satellites	6,128	1,886,205.50
TVG/Xpress/Youbet	n/a	1,067,098.40
Out –of-State	n/a	2,679,991.66
Total	12,440	6,568,164.26

SATURDAY

06/13/09¹

SMITH HEARING AND DISMISSAL

Trainer DONALD SMITH contacted the Stewards' office by telephone to discuss case number 09HP083 which embodied a complaint filed by the CHRB alleging that one of Mr.

Smith's trainees reported late to the Hollywood Park grounds on race day. The Stewards' office was somewhat involved on the day of the race when Mr. Smith's jockey took off for health reasons and Mr. Smith was saddled with the burden of finding a rider for a long shot in the last race on Friday night. Given this uncertainty, he was a bit delayed in shipping his horse because he preferred not to go to the expense in the event that substitute rider could not be secured. Under these circumstances, we felt that a warning was appropriate.

06/13/09²

YOUNG COMPLAINT

Exerciser rider Saqueo Catalan filed a financial complaint against trainer STACY YOUNG (case number 09HP079) for unpaid wages in the amount of \$90.00. Ms. Young contacted the Stewards by telephone and agreed to pay then full amount. The complaint was therefore dismissed.

06/13/09³

OBJECTION/NO CHANGE

Following the running of the fourth race, jockey Tyler Baze, aboard second place finisher #4 Star Redeemer, claimed foul against the winner #1 Teamwork, ridden by Joel Rosario, for interference around the far turn and during the early stretch run. Mr. Baze asserted that Mr. Rosario, in attempting to secure running room for his mount, came out and bumped Mr. Baze's mount at several points around the turn and into the stretch. After reviewing the films, and speaking with the patrol judges and both riders, the Stewards unanimously concluded that although the contact did occur, it did not constitute interference and therefore no change was required.

06/13/09⁴

INQUIRY/DISQUALIFICATION

Following the running of the sixth race, the inquiry sign was illuminated in order to examine an incident in the stretch involving the third, fourth and fifth place finishers. Films showed that third place finisher #3 Digestivo, ridden by Rafael Bejarano, drifts out in mid-stretch, into the paths of fifth place finisher #8 Miss Bodine and fourth place finisher #9 Sparks Flying. While #3 Digestivo appears to be clear of #8, the rider of #9 Sparks Flying, Joe Talamo, is forced to check sharply. #9 Sparks Flying was beaten a length and a quarter for third. After speaking with the patrol judges and riders involved, the stewards unanimously determined that #3 Digestivo should be disqualified from third and placed fourth.

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

Corrected order of finish: 1-5-9-(3)-8-2-4-7

06/13/09⁵

DECLARATIONS, CHANGES AND REFUNDS

1st Race No changes

2nd Race No changes

3rd Race No changes; Minus Pool \$621.72

4th Race #7 Rented Cop – Rider change – M. Smith for C. Nakatani (sick)

5th Race #7 Russian Liquor – Claimed – J. Sadler, trainer
Refund \$130.67

- 6th Race #1 Hudler – Rider change – MC Baze for C. Nakatani
 #3 Digestivo – Claimed – D. O’Neill, trainer
 #6 Twoformeoneforyou – pulled up, vanned off – minor injury (synthetic)
 Refund \$203.56
- 7th Race #6 Mayapple Court – Veterinarian scratch, unsound – Dr. Durenberger
 Refund \$2,912.01; Minus Pool \$489.06
- 8th Race No changes; Refund \$171.00
- 9th Race #2 Mast Track – Stewards’ scratch, stake
 #5 Ukiah – Rider change – J. Rosario for C. Nakatani
 Refund \$3,049.76
- 10th Race #2 Xtraordinary – Rider change – MC Baze for C. Nakatani

06/13/09⁶

DAILY ATTENDANCE & HANDLE

On track	5,344	1,704,111.90
Satellites	7,881	3,458,370.10
TVG/Xpress/Youbet	n/a	1,649,908.70
Out –of–State	n/a	5,565,263.03
Total	13,225	\$12,377,653.73

SUNDAY
 06/14/09¹

BEJARANO HEARING AND RULING

Jockey RAFAEL BEJARANO met with the stewards to review the sixth race from yesterday in which his horse was disqualified. Films revealed that Mr. Bejarano’s horse was drifting out during the stretch run, while Mr. Bejarano used his whip one time on the right side. Films also revealed that his horse drifted out about two paths and finally angled back in after Mr. Bejarano made the correction. It was the unanimous position of the stewards that Mr. Bejarano be suspended in the following ruling:

HRTH#049

Jockey **RAFAEL BEJARANO**, who rode #3 Digestivo in the sixth race at Hollywood Park on June 13, 2009, is suspended for **THREE RACING DAYS (3) (June 21, 25 and 26, 2009)** for failure to make the proper effort to maintain a straight course in the stretch and causing interference which resulted in the disqualification of his mount from third to fourth position. This is a violation of California Horse Racing Board rule #1699 (Riding Rules-careless riding). Term of suspension shall not prohibit participation in designated races.

06/14/09²

DECLARATIONS, CHANGES AND REFUNDS

- 1st Race #1 Ribald – Veterinarian scratch, unsound – Dr. Bailey
 #6 Pat’s Legacy – Veterinarian scratch, injured – Dr. Durenberger
 Refund of \$2,722.13
- 2nd Race #3 Terra Bella – Stewards’ scratch, no jockey
 #12 Lady Alex – Claimed – J. Sadler, trainer

Refund of \$2,496.74

3rd Race #6 Bread 'N Water – Stewards' scratch, injured – Dr. Durenberger
Refund of \$685.40

4th Race No changes
Refund of \$95.00

5th Race No changes
Refund of 60.70

6th Race No changes

7th Race No changes

8th Race No changes
Refund of \$188.00

9th Race No changes
Refund of \$193.30

10th Race #2 Continental Dancer – Veterinarian scratch, unsound – Dr. Bailey
#5 Spirited Lady – Veterinarian scratch, injured – Dr. Bailey
#10 Justalittletipsy – Claimed – J. Delima, trainer
Refund of \$3,615.70

06/14/09³

DAILY ATTENDANCE & HANDLE

On track	5,151	1,409,018.20
Satellites	7,202	2,882,781.70
TVG/Xpress/Youbet	n/a	1,315,781.60
Out –of-State	n/a	4,216,240.44
Total	12,853	9,823,821.94

ADDITIONS/REMOVALS FROM VET-LIST

Week of: 06-08-09 – 06-14-09

Track: Hollywood

Horses on Vet List: 15
Horses off Vet List: 13
Shockwave Therapy: 24
Deceased: 2
Medication: 9

SUMMARY

	Jun 10	Jun 11	Jun 12	Jun 13	Jun 14		Week	Meet
Accidents	0	0	0	0	0		0	3
Cal-Bred Races	0	0	1	2	1		4	43
Claims	0	1	3	2	2		8	40
Disqualifications	0	0	0	1	0		1	4
Inquiries	0	0	0	2	0		2	14
Refunds	0	7	7	5	8		27	193
Rulings	6	1	3	0	1		11	46

Respectfully submitted,

C. Scott Chaney, Steward

Kim Sawyer, Steward

Tom Ward, Steward

KS/dm