

CALIFORNIA HORSE RACING BOARD
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REPORT OF THE BOARD OF STEWARDS
LOS ALAMITOS QUARTER HORSE RACING ASSOCIATION

TO THE CALIFORNIA HORSE RACING BOARD

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Report of the Board of Stewards for the week of July 13, 2010 through July 18, 2010.

TUESDAY

07/13/2010 (1) DUTY STEWARD

Steward Randy Winick will attend to the morning office matters and record the minutes of this week's activities.

(2) ENTRIES AND DRAW

Friday evening's draw commenced at 12:45 p.m. and the ten race card is a mix of one Thoroughbred and nine Quarter Horse contests. The Governor's Cup Derby Trials were split into two divisions of eight which will go as the eighth and ninth races.

WEDNESDAY

07/14/2010 (1) SCRATCHES

The official scratch time at 9:00 a.m. resulted in three rider changes.

(2) ENTRIES AND DRAW

The draw for Saturday evening's program was conducted at 11:15 a.m. and the ten race card is highlighted by seven divisions of the Governor's Cup Futurity Trials for two year old state breds going 350 yards. The remaining three races on the card are two Quarter Horse and one Thoroughbred event.

THURSDAY

07/15/2010 (1) SCRATCHES

The official 9:00 a.m. scratch time was completed without a change or declaration.

(2) ENTRIES AND DRAW

Entries for Sunday were drawn at 12:45 p.m. and the program will consist of ten races composed of half Quarter Horse and half Thoroughbreds.

FRIDAY

07/16/2010 (1) SCRATCHES

Scratches were taken at the 9:00 a.m. deadline and resulted in only three rider adjustments.

(2) CAL-BRED REPORT

Two races for California-breds were scheduled for tonight's card. The first race in the condition book is for California-bred two year old maidens for a claiming price of \$4,000 at 300 yards. It failed to fill Cal-Bred but went open and split with sixteen, eight in each half. The eighth race in the book is the Governor's Cup Derby Trial for California-bred three year olds at a distance of 400 yards. This race attracted sixteen runners and was divided into two divisions of eight California-bred runners.

(3) FILM REVIEW

Jockey Adrian Loza appeared for a film review of Sunday evening's sixth race where his mount was disqualified from first to fifth for interference out of the starting gate. Jockey Baltazar Contreras was along as Mr. Loza's interpreter. The taped replay clearly shows the interference, however in the opinion of the Stewards the horse was heading to his right immediately out of the gate and that Adrian could have done very little to prevent his awkward motion. He was however told to react as quickly as possible in all future races were this happens. No sanction was given.

(4) DE LA TORRE COMPLAINT (CASE #09LA0226)

A formal hearing was conducted in the Stewards' office at Los Alamitos Race Course to address the above referenced case (#09LA0226) filed against owner/ trainer Jose M. De La Torre for a positive test finding of the class III drug substance Clenbuterol in the official blood and urine sample from the horse "Luzoom," who finished fifth in the seventh race at Los Alamitos Race Course on September 10, 2009.

Present at the hearing were the respondent, trainer Jose M. De La Torre, his attorney Neil Papiano and legal assistant Richard Moore, Deputy Attorney General Dana T. Cartozian, representing the California Horse Racing Board, Supervising Special Investigator Ken Lady, Senior Special Investigator Tom Blake, Court Reporter Barbara Weinstein, and the Board of Stewards, Albert Christiansen, Randy Winick, and Ruben Moreno.

Steward Christiansen opened the proceedings by going on the record and introducing the participants and discussing procedure. It was noted that these proceedings would begin without Mr. Papiano initially and that the respondent would be represented by legal assistant Richard Moore, due to Mr. Papiano being delayed by a previous commitment and traffic. Steward Christiansen asks both sides if there are any witnesses that need to be sworn in and both sides say that there are none at this time.

Deputy Attorney General Cartozian makes his opening statements and introduces six exhibits that he would like to enter into the record, which is duly noted. Legal assistant Richard Moore begins his opening by submitting two documents into the record that illustrate previous violations and rulings against trainer's in the state of California over the last eight years regarding class I, II, and III offenses.

Attorney Papiano now arrives and the hearing momentarily goes off and then on the record. Neil Papiano's entire discussion is primarily concerning the penalty phase of this hearing and not disputing Mr. De La Torre's guilt, to which they conceed. Mr. Papiano states the case for Jose De La Torre's penalty to be fair and equitable and not out of line with previous, similar offenses. Deputy Attorney General Cartozian now gives his closing argument for a harsher penalty due to Mr. De La Torre's previous transgressions and that he has not learned his lesson.

The hearing goes off the record and Steward Christiansen tells all parties concerned that a decision will be forthcoming after due deliberation.

(5) RACING PROGRAM

The evening's racing went smoothly with no reportable incidents.

(6) DECLARATIONS, CHANGES AND REFUNDS

1st Race - # 3 EI Rancho (Tr. A. Soto) Stewards – jockey Genaro Tapia sick, no available replacement.
Refund: \$1,416.00

- 2nd Race - # 2 Cheque (Tr. J. Badilla, Jr.) veterinarian – sick, Dr. Beck.
Refund: \$1,385.00.
- 10th Race - # 1 Primm Nevada (Tr. C. Treece) veterinarian – sick, Dr. Hackathorn.
Refund: \$480.00.
- # 2 La Chiquita Rhythm (Tr. J. Romo, Jr.) jockey Adrian Loza replaced jockey Pablo Huerta (sick).

(7) ATTENDANCE AND HANDLE

On Track Attendance:	1,507	On Track Handle:	\$157,531.80
Off Track Attendance:	<u>3,467</u>	Off Track Handle:	\$374,897.40
Total:	4,974	Out of State:	<u>\$710,863.16</u>
		Total:	\$1,243,292.36

Advanced Deposit Wagering (ADW) Handle: \$358,896.54

SATURDAY

07/17/2010

(1) CAL-BRED REPORT

This evening's scheduled California-bred race is the Governor's Cup Futurity Trials which attracted fifty-six horses and was split into seven divisions.

(2) FILM REVIEW

Jockey Wilberth Morales was in to review Friday evening's third race, where his mount broke outward leaving the starting gate. This session was basically a meet and greet with jockey Morales and to let him know that we expect a better effort when his mounts stray off the path. Wilberth was cooperative in this critique.

(3) SECURITY VIOLATION

Trainer Bobby Mirghafouri was given an official warning to not park his car within the backside enclosure overnight. Mr. Mirghafouri was unaware of Los Alamitos' parking regulations and said he would comply with this issue in the future.

(4) NAVARRO COMPLAINT (CASE #10LA0131 – REFER 06/18/10 (3))

This is a formal hearing for California Horse Racing Board case #10LA0131 for an alleged violation of rule #1551 (Entries) against jockey agent Leslie Navarro that has been rescheduled from June 18, 2010 due to a request by the respondent to have a court record.

Present at the hearing were the respondent, jockey agent Leslie Navarro, who chose to represent herself, witnesses for the complainant, trainer Jesus Enriquez and owner Jose Avalos, Senior Special Investigator Tom Blake, Court Reporter Barbara Weinstein and the Board of Stewards, Albert Christiansen, Randy Winick, and Ruben Moreno.

Investigator Blake opens by reading the complaint which charged that jockey agent Leslie Navarro entered a horse without the owner's and trainer's permission that ultimately had to be scratched due to unsoundness. Investigator Blake questioned both witnesses (owner and trainer) as to whether they gave agent Navarro permission to enter their horse, "Epic Rule," to which they both answered no.

Leslie Navarro now has an opportunity to question the witnesses and chooses instead to make a statement in her defense. Mrs. Navarro states that a person representing himself as the owner called and told her to enter "Epic Rule" and several other horses the night before entries. Leslie entered the horses having thought she had permission to do so. She said she never intentionally would enter a horse to fill a race, that was unsound or without the correct permission. This case has now turned into your basic "he-said, she-said" from the two different parties.

Investigator Blake gives his final statement stating that Mrs. Navarro violated the entry rule by entering a horse without permission. The hearing was closed and taken off the record for a decision to follow after deliberation by the Stewards.

(5) FORMAL HEARING – DISQUALIFICATION/ PURSE REDISTRIBUTION (CASE# 10LA0125)

A formal hearing was conducted for the disqualification and purse redistribution concerning the horse "Manitamanita," (trainer Juan Aleman) for violation of California Horse Racing Board rule #1859.5 (Disqualification Upon Positive Test Finding). Blood and urine sample #14995 contained Clenbuterol above the authorized levels.

Present at the hearing were Senior Special Investigator Tom Blake, who presented the case, Court Reporter Barbara Weinstein and the Board of Stewards, Albert Christiansen, Randy Winick and Ruben Moreno. Trainer of Record Juan Aleman chose not to appear.

After Steward Christiansen opened the hearing and went on the record, Investigator Blake presented the case by reading the text of the complaint containing the facts of the positive test finding. It was noted that a split sample was taken and that it confirmed the positive test. The hearing was concluded and the record was closed.

The following ruling was issued for a disqualification and purse redistribution concerning case #10LA0125.

RULING #71

ACTING UPON A REPORT FROM THE UNIVERSITY OF CALIFORNIA DAVIS, AN OFFICIAL TESTING LABORATORY OF THE CALIFORNIA HORSE RACING BOARD, THAT URINE SAMPLE# LA14999, TAKEN FROM THE HORSE "MANITAMANITA," WHICH RAN SECOND IN THE FOURTH RACE AT LOS ALAMITOS RACE COURSE ON APRIL 18, 2010, TESTED POSITIVE FOR CLENBUTEROL (CLASS III) IN EXCESS OF PERMITTED LEVELS. IT IS ORDERED THAT "MANITAMANITA" BE DISQUALIFIED FROM ALL PURSE MONIES EARNED IN SAID RACE IN ACCORDANCE WITH THE CALIFORNIA HORSE RACING BOARD RULE #1859.5 (DISQUALIFICATION UPON POSITIVE TEST).

IT IS FURTHER ORDERED THAT ALL PURSE MONIES (\$1,102) EARNED BY OWNER WILLARD J. CAPPS, TRAINER JUAN G. ALEMAN, AND JOCKEY JUAN P. ANDRADE BE RETURNED TO THE PAYMASTER OF PURSES AT LOS ALAMITOS RACE COURSE BY AUGUST 17, 2010 FOR REDISTRIBUTION PURSUANT TO CALIFORNIA HORSE RACING BOARD RULE #1760 (PURSE AWARD OR PRIZE TO BE WITH HELD)

REVISED ORDER OF FINISH IS AS FOLLOWS:

2ND AZTAC
3RD DRAGON RIDER
4TH EYE OF GODDESS

ALL RECORDS ARE ORDERED TO REFLECT THIS RULING IN ACCORDANCE WITH CALIFORNIA HORSE RACING BOARD RULE #1956 (RACE DECLARED OFFICIAL), THIS RULING SHALL NOT AFFECT THE PARI-MUTUEL PAYOFFS.

(6) RACING PROGRAM

Tonight's card was conducted without incident.

(7) DECLARATIONS, CHANGES AND REFUNDS

1st Race - # 2 Sailable (Tr. R. Martinez) jockey Joel Cruz replaced jockey Genaro Tapia.
5 Swiss Alpine claimed, Tr. C. Robertson.

(8) ATTENDANCE AND HANDLE

On Track Attendance:	1,446	On Track Handle:	\$167,440.10
Off Track Attendance:	<u>2,736</u>	Off Track Handle:	\$281,716.00
Total:	4,182	Out of State:	<u>\$706,691.40</u>
		Total:	\$1,155,847.50

Advanced Deposit Wagering (ADW) Handle: \$365,603

SUNDAY

07/18/2010 (1)**CAL-BRED REPORT**

The California-bred race offered Sunday evening, for California-bred maidens, three years old and upward with a claiming price of \$5,000 at a distance of 300 yards, failed to fill and was called off.

(2)**TAPIA RULING**

RULING #72

APPRENTICE JOCKEY GENARO TAPIA IS FINED ONE HUNDRED DOLLARS (\$100.00)* FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE # 1872 (FAILURE TO FULFILL JOCKEY AGREEMENT) ON SATURDAY, JULY 17, 2010.

The above ruling was issued to jockey Genaro Tapia for not notifying the Stewards that he was sick and could not ride for the evening, necessitating a late rider change. Genaro told the Stewards he thought since he took off the previous evening for sickness it would carry over to tonight. Mr. Tapia was informed that this was not the case and that he must inform the Stewards any time he needs to take off his mounts.

(3)**FOURTH RACE – DELAY**

There was a five minute delay to the start of the fourth race due to #3 "Choice Streaker" (A. Bautista) acting up and getting down and stuck in his stall, which prompted Track Veterinarian Dr. Tom Hackathorn to recommend he be scratched. Jockey Alex Bautista came back to the Jockey's Quarters and reported that he injured his wrist and requested to be taken off for the remainder of the evening. (Accident report attached).

(4)**DECLARATIONS, CHANGES AND REFUNDS**

- 1st Race - # 2 Kenneth's Warrior claimed, Tr. R. D. Jackson.
- 2nd Race - # 6 Lionly claimed, Tr. S. Mendez.
- 3rd Race - # 2 Downtown Banker (Tr. K. Craigmyle) veterinarian-injured in gate, Dr. Refund: \$36,516.00 Hackathorn.
6 Fun's Top Hit (Tr. F. Vallejo) Stewards – rider refused. Refund: \$1,793.00.
- 4th Race - # 7 Benjy's Pride claimed, Tr. C. Treece.
3 Choice Streaker (Tr. J. L. Cooper) veterinarian – injured in gate, Dr. Refund: \$4,372.00 Hackathorn.
5 Fall For It claimed, Tr. J. Hanson.
7 Willish (Tr. M. Casselman) veterinarian – sick, Dr. Hackathorn. Refund: \$238.00.
- 5th Race - # 3 Blue Moon Dancer claimed, Tr. V. Farris.
4 Mark Of A Star claimed, Tr. J. Hanson.
5 Warren's Dancer (Tr. U. De La Torre) jockey Joel Cruz replaced jockey Alex Bautista (injured).
- 6th Race - # 1 Last Chance Bobby (Tr. R. Allen) jockey Genaro Tapia replaced jockey Alex Bautista (injured).
4 Parian claimed, Tr. C. Treece.
- 9th Race - # 5 Little Stormer (Tr. S. Willoughby) jockey Eulices Gomez replaced jockey Alex Bautista (injured).
6 Porto claimed, Tr. J. Flores.
- 10th Race - # 1 Paradigm Hawk claimed, Tr. L. Hernandez.
5 Streakin O Conner claimed, Tr. A. Farris.
7 Thinking Out Loud (Tr. S. Willoughby) jockey Jay Conklin replaced jockey Alex Bautista (injured).

(5)**ATTENDANCE AND HANDLE**

On Track Attendance:	893	On Track Handle:	\$133,016.00
Off Track Attendance:	<u>2,178</u>	Off Track Handle:	\$303,793.40
Total:	3,071	Out of State:	<u>\$774,481.80</u>
		Total:	\$1,211,291.20

Advanced Deposit Wagering (ADW) Handle: \$384,963

VETERINARIAN RECOMMENDED SCRATCHES

<u>Date</u>	<u>Race</u>	<u>No</u>	<u>Horse</u>	<u>Trainer</u>	<u>Reason</u>	<u>Vet</u>	<u>Refund</u>
7/16/2010	2	2	Cheque	J. Badilla, Jr.	Sick	Beck	\$1,385
	10	1	Primm Nevada	C. Treece	Sick	Hackathorn	\$480
7/18/2010	3	2	Downtown Banker	K. Craigmyle	Injured in gate	Hackathorn	\$36,516
	4	3	Choice Streaker	J. L. Cooper	Injured in gate	Hackathorn	\$4,372
	4	7	Willish	M. Casselman	Sick	Hackathorn	\$238

TRACK SAFETY REPORT

The weekly inspection was conducted on July 19, 2010.

No equine deaths were reported this week due to racing injuries.

During this reporting period nine horses were added to the Veterinarian's

List as follows: two for soundness, two for injury,

three for sickness, none for medication, one for bleeding,

and one for shock wave therapy.

Twenty-five horses previously on the Veterinarian's List were examined and

removed from the list.

This report was submitted by Steward Randy Winick.

**CALIFORNIA HORSE RACING BOARD
SUMMARY**

	MON	TUE	WED	FRI 07/16	SAT 07/17	SUN 07/18	WEEK TOTAL	MEET TOTAL
ACCIDENTS	D			0	0	0	0	23
CAL-BRED RACES		A		2	7	0	9	10
CLAIMS			R	0	1	8	9	362
DISQUALIFICATIONS		K		0	0	0	0	30
INQUIRIES	D			0	0	0	0	62
REFUNDS		A		3	0	4	7	244
RULINGS			Y	0	1	1	2	72

Stewards' Attendance: Randy Winick, Ruben Moreno, and Albert Christiansen were in daily attendance during this reporting period.

Randy Winick (Steward)

Ruben Moreno (Steward)

Albert Christiansen (Steward)