

**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**

HONORABLE EDMUND G. BROWN JR., GOVERNOR  
 HONORABLE CHUCK WINNER, CHAIRMAN  
 HONORABLE RICHARD 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 BAEDER, EXECUTIVE DIRECTOR  
 JACQUELINE WAGNER, ASSISTANT EXECUTIVE DIRECTOR  
 DARREL MCHARGUE, CHIEF STEWARD

Report of the Board of Stewards for the week of February 19th, 2016 through February 21st, 2016.

**FRIDAY**

2/19/2016

**(1) MORNING AND MINUTES DUTY**

Tom Ward was on duty this past Tuesday, Wednesday, and Thursday for entries and scratches and will be writing the minutes for this coming week.

**(2) CAL-BRED REPORT**

There was an omission for Wednesday as the first Cal Bred to fill at the meet. Denim N Diamonds Handicap will go as the eighth race on the card.

**(3) SCRATCHES AND CHANGES**

1<sup>st</sup> Race - #6 La Fortunata – (F. L. Gonzalez) Injured

Refund: \$164.00

3<sup>rd</sup> Race - #2 Tough Annie – (L. Ruiz) Unsound

Refund: \$393.00

5<sup>TH</sup> Race - #5 Protective – (Stewards – entered back)

Refund: \$129.60

Jockey Chester Bonnet was excused from his mounts this evening due to a family emergency, while jockey Gary Boag was excused after riding in the first race due to illness. Replacement riders were named.

**(4) CLENBUTEROL HEARING**

Trainer Gerardo Amescua, testifying via telephone from Mountaineer Park in West Virginia, and Owner Ricardo Sepulveda, who appeared in person, testified as to their knowledge, or lack thereof, of how Clenbuterol could have entered the system of the Amescua trained horses "Truly Censored" and "Balboa Dancer". The post race samples showed the drug in the amount of 207pg/ml in Truly Censored and 125pg/ml in the sample taken from Balboa Dancer. Split samples confirmed the findings of the original laboratory. Investigator Kevin Kitashima presented the cases for the Board, while Michelle Derieg recorded the proceedings.

Both horses shipped in from the ranch of Mr. Sepulveda, with Truly Censored having been at the ranch for about a month while Balboa Dancer merely stopped off and was put on the van the day before the race. The men denied any wrongdoing, stating they do not use the drug.

We will review the record and issue a proposed decision.

(5) MEDICATION HEARING

Trainer Brent Bowman was in the office in response to a complaint filed against him for a Phenylbutazone overage found in one of his horses following a post race test. The horse, JML Cees Firstchoice, the second place finisher in the fifth race on January 2, 2016, was found to have 2.74ug/ml of Phenylbutazone in the sample. Mr. Bowman, who had received a warning the past July for a similar violation, was using a compounded version of the drug and feels that the lack of quality control in the medication may have been the cause of the overage.

(6) VIDEO REVIEW

Jockeys Tony Guymon, Eduardo Aceves and Roberto Hernandez were in the office this evening regarding riding infractions from last Sunday. All were cautioned to make a stronger effort to prevent interference.

Jockey Cheryl Charlton came to the office to review a possible riding infraction and misuse of the whip. With respect to the whip, she admitted her mistake; after review of the incident entering the far turn, she was exonerated as, while her mount drifted in, the horse to her inside changed leads late and stepped out slightly and contributed to the contact. A ruling for the whip violation will be issued.

(7) HORSE EXPIRES AFTER RACE

Following the completion of the first race, #5 Time For Action collapsed and died on the track. Racing Veterinarian Becky Fitzgerald was on the scene immediately but nothing could be done to save the horse. A heart related issue is thought to have been responsible for the horse's demise. The rider, Cheryl Charlton, was not injured.

(8) STEWARDS' INQUIRY – DOUBLE DISQUALIFICATION

The Stewards reviewed the start of the fourth race to determine the extent of the interference shortly after the start suffered by the last placed finisher, #8 Im Jess Baby(S. Mendez). The inquiry sign was not posted as the pari-mutuel payoffs were not affected, however an announcement was made as to the review. After speaking with the riders involved and reviewing video of the incident, the Stewards unanimously voted to disqualify both the fifth and sixth place finishers, #7 RGR Firstdown Dallas (R. Lozano) and #10 Preener(J. Roman), placing them ninth and tenth, respectively. Video showed that RGR Firstdown Dallas broke out rather sharply while #10 Preener broke in sharply, forcing the rider aboard IM Jess Baby to take up sharply and lose all chance for a better placing.

(9) STEWARDS' INQUIRY INTO START – NO CHANGE

The Inquiry sign was posted after the seventh race as the Stewards reviewed the start of #2 She's A Classic(E. Gomez and #3 Kismet(C. Marquez), After speaking with Starter Gary Brinson, the riders involved, and reviewing video of the start, the Stewards unanimously voted to declare the horses as starters. Review showed that She's A Classic simply refused, while Kismet in the air as the field was dispatched.

(10) ATTENDANCE AND HANDLE

On Track Attendance:	747	On Track Handle:	\$116,392.80
Off Track Attendance:	<u>1,784</u>	Off Track Handle:	\$448,540.80
Total:	2,531	Out of State:	<u>\$897,454.00</u>
		Total:	\$1,462,387.60

Advanced Deposit Wagering (ADW) Handle: \$479,360.41

**SATURDAY**

2/20/2016

(1) SCRATCHES AND CHANGES

1st Race - #5 County Hero (K. Castaneda) Injured  
Refund: \$298.00

2<sup>nd</sup> Race - #5 Gambler's Wish (C Dominguez) Sick – See 2/20/16-6

3rd Race - #2 Warren's Vanwinkle (entered back)

#6 Bookworm – (R. Becerra) Sick  
Refund: \$709.00

4<sup>th</sup> Race - #1 Grand Passes (J. Flores) Sick  
Refund: \$1,367.00

5<sup>th</sup> Race - #3 Lockheart (S. Rivera) Sick. Refund: \$341.00

(2) RULINGRULING # 25

TRAINER BRENT BOWMAN WHO STARTED "JML CEES FIRST CHOICE" IN THE FIFTH RACE ON JANUARY 2, 2016 AT LOS ALAMITOS RACE COURSE IS, FINED TWO HUNDRED AND FIFTY DOLLARS (\$250.00)\* PURSUANT TO CALIFORNIA HORSE RACING BOARD RULES #1843 (A,&D) (MEDICATION, DRUGS & OTHER SUBSTANCES), #1843.1 (B) (PROHIBITED DRUG SUBSTANCES) AND #1887 (TRAINER TO INSURE CONDITION OF HORSE) FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1844 (C1) (AUTHORIZED MEDICATION – PHENYLBUTAZONE (CLASS IV) - IN EXCESS OF PERMITTED LEVEL OF 2.0 UG/ML (2.74 UG/ML).

This ruling was issued to finalize the complaint filed against the trainer.(Ref.2-19-2016-3)

(3) RULINGRULING # 26

JOCKEY CHERYL CHARLTON IS FINED TWO HUNDRED DOLLARS (\$200.00)\* FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1688(b)(6) (USE OF RIDING CROP-MORE THAN THREE TIMES IN SUCCESSION WITHOUT GIVING THE HORSE A CHANCE TO RESPOND-SECOND OFFENSE WITHIN THE PREVIOUS 60 DAY PERIOD), DURING THE THIRD RACE AT LOS ALAMITOS RACE COURSE ON FEBRUARY 14, 2016.

The preceding ruling was published following a meeting with the rider last Friday. (Ref.2-19-2016-4)

(4) RULINGRULING # 27

GROOM LUIS FERNANDEZ IS FINED ONE HUNDRED DOLLARS (\$100.00)\* AND PLACED ON PROBATION FOR ONE YEAR FROM THE DATE OF THIS RULING FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULES #1489 (h) (GROUNDS FOR DENIAL OR REFUSAL OF LICENSE – METHAMPHETAMINE/AMPHETAMINE. FURTHERMORE, LUIS FERNANDEZ SHALL SHOW PROOF OF A RECOVERY PROGRAM ACCEPTABLE TO THE STEWARDS AND SIGN A TEST AGREEMENT WITH THE CALIFORNIA HORSE RACING BOARD.

This ruling was issued to finalize a complaint filed against Mr. Fernandez for the use of drugs. He was tested this evening and was negative for all drugs.

(5) RULINGRULING # 28

JOCKEY OSCAR M. PEINADO IS FINED ONE HUNDRED DOLLARS (\$100.00)\* FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1688(b)(6) (USE OF RIDING CROP-MORE THAN THREE TIMES IN SUCCESSION WITHOUT GIVING THE HORSE A CHANCE TO RESPOND-FIRST OFFENSE WITHIN THE PREVIOUS 60 DAY PERIOD), DURING THE FIFTH RACE AT LOS ALAMITOS RACE COURSE ON FEBRUARY 19, 2016.

This ruling was issued as Mr. Peinado offered no excuse for violating the crop rule.

(6) REFUND

A refund was ordered in the second race as Racing Veterinarian Fitzgerald reported that #6 Rockourocky was unsound in the right hind leg during warm up. The refund amounted to \$9,066.00

(7) VOIDED CLAIM

A claim deposited in the fifth race by trainer Elmer January for #7 Battle Jet was voided as Official Veterinarian Gary Back reported that the horse was "off" in the left foreleg during its time in the test barn. The horse was returned to the barn of Jose Avalos.

(8) ATTENDANCE AND HANDLE

On Track Attendance:	983	On Track Handle:	\$ 101,218.70
Off Track Attendance:	<u>1,952</u>	Off Track Handle:	\$ 288,201.60
Total:	2,935	Out of State:	<u>\$ 710,853.22</u>
		Total:	\$1,100,273.52

Advanced Deposit Wagering (ADW) Handle: \$375,930.66

SUNDAY

2/21/2016

(1) EARLY DECLARATIONS

- 2<sup>ND</sup> Race - #3 Mason B (E. January) Sick  
Refund: \$403.00
- 3<sup>rd</sup> Race - #2 Torre Italiana (R.J. Lucas) Injured  
#6 Oinkus (F. I. Gonzalez) Sick  
Refund: \$841.00
- 7<sup>th</sup> Race - #3 Fishin For Gold (E. Sirin) Unsound  
Refund: \$618.00
- 8<sup>th</sup> Race - #1 Runner Rose (Y. Rodriguez) Sick  
Refund: \$618.00

(2) RULINGRULING # 29

GROOM LOURDES SALDIVAR IS SUSPENDED FOR FIFTEEN (15) DAYS FROM THE DATE OF THIS RULING FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE # 1489 (H) (ENGAGED IN THE USE OF DRUGS).

DURING THE TERM OF SUSPENSION ALL LICENSES AND LICENSE PRIVILEGES OF LOURDES SALDIVAR ARE SUSPENDED AND PURSUANT TO CALIFORNIA HORSE RACING BOARD RULE #1528 (JURISDICTION OF STEWARDS TO SUSPEND OR FINE) SUBJECT IS DENIED ACCESS TO ALL PREMISES IN THIS JURISDICTION.

This ruling was issued after Ms.Saldivar tested positive for methamphetamine for the second time. She had tested positive two weeks ago and when asked by the investigator if she used since the first positive test she responded that she would test clean. When she returns, she will have the appropriate conditions placed on her license.

(3) RULINGRULING # 30

TRAINER GUILLERMO MORALES IS FINED FIFTY DOLLARS (\$50.00)\* FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULES #1846 (RACING SOUNDNESS EXAMINATION – FAILURE TO PRESENT HORSES) AND #1894 (DUTIES OF TRAINER).

RULING # 31

TRAINER PATRICIA D. VISSCHER IS FINED FIFTY DOLLARS (\$50.00)\* FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULES #1846 (RACING SOUNDNESS EXAMINATION – FAILURE TO PRESENT HORSES) AND #1894 (DUTIES OF TRAINER).

These rulings were issued as neither trainer made an excuse for failure to have their horses prepared for pre-race examination by Racing Veterinarian Fitzgerald.

(4) RULINGRULING # 32

GROOM LANDELINO QUEVEDO GARCIA IS FINED FIFTY DOLLARS (\$50.00)\* FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1874 (DISORDERLY CONDUCT/FIGHTING).

RULING # 33

GROOM EDY ARNOLDO NAVAS IS FINED FIFTY DOLLARS (\$50.00)\* FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1874 (DISORDERLY CONDUCT/FIGHTING).

RULING # 34

GROOM HAROLDO HERRERA IS FINED ONE HUNDRED DOLLARS (\$100.00)\* FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1874 (DISORDERLY CONDUCT/FIGHTING).

The preceding rulings were published in response to citations issued by backstretch security for fighting. The trio, who all professed to be friends, had been imbibing, culminating with Garcia and Herrera engaging in a fight.

(5) RULINGRULING #35

JOCKEY CESAR SALCEDO IS FINED ONE HUNDRED DOLLARS (\$100.00)\* FOR FAILURE TO FULFILL HIS RIDING ENGAGEMENT AT LOS ALAMITOS RACE COURSE ON SATURDAY, FEBRUARY 20,2016, A VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1872 (FAILURE TO FULFILL JOCKEY AGREEMENT).

This ruling was issued after the rider explained that he could not make his assigned weight this evening.

(6) RULINGRULING # 36

JOCKEY EDDIE GARCIA IS FINED ONE HUNDRED DOLLARS (\$100.00)\* FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1688(b)(6) (USE OF RIDING CROP-MORE THAN THREE TIMES IN SUCCESSION WITHOUT GIVING THE HORSE A CHANCE TO RESPOND-FIRST OFFENSE WITHIN THE PREVIOUS 60 DAY PERIOD), DURING THE FIFTH RACE AT LOS ALAMITOS RACE COURSE ON JANUARY 31, 2016.

The foregoing ruling was issued after Mr. Garcia had viewed the fifth race from January 31<sup>st</sup>. He offered no excuse, claiming that since it was a time trial he lost count.

(7) ATTENDANCE AND HANDLE

On Track Attendance:	664	On Track Handle:	\$101,690.60
Off Track Attendance:	<u>1,943</u>	Off Track Handle:	\$258,944.50
Total:	<u>2,607</u>	Out of State:	<u>\$838,170.96</u>
		Total:	\$1,198,806.06

Advanced Deposit Wagering (ADW) Handle: \$475,124.58

VETERINARIAN RECOMMENDED SCRATCHES

<u>Date</u>	<u>Race</u>	<u>No</u>	<u>Horse</u>	<u>Trainer</u>	<u>Reason</u>	<u>Refund</u>
02/19/16	1	6	La Fortunata	F.L.Gonzalez	Injured	\$164.00
02/19/16	3	2	Tough Annie	L. Ruiz	Unsound	\$393.00
02/20/16	1	5	County Hero	K. Castaneda	Injured	\$298.00
02/20/16	2	5	Gambler's Wish	C. Dominguez	Sick	
02/20/16	3	6	Bookworm	R. Becerra	Sick	\$709.00
02/20/16	4	1	Grand Passes	J. Flores	Sick	\$1,367.00
02/20/16	5	3	Lockheart	S. Rivera	Sick	\$341.00
02/21/16	2	3	Mason B	E. January	Sick	\$403.00
02/21/16	3	2	Torre Italiana	R.J. Lucas	Injured	
02/21/16	3	6	Oinkus	F.L.Gonzalez	Sick	\$841.00
02/21/16	7	3	Fishin For Gold	E.Sirin	Unsound	\$618.00
02/21/16	8	1	Runner Rose	Y. Rodriguez	Sick	\$618.00

**TRACK SAFETY REPORT**

The weekly inspection was conducted on February 21, 2016. One equine death was reported this week due to racing injuries. During this reporting period seventeen horses were added to the Veterinarian's

List as follows: five for soundness, three for injury, six for sickness, one for medication, two for bleeding, and zero for shock wave therapy. Eight horses previously on the Veterinarian's List were examined and removed from the list.

This report was submitted by Steward Tom Ward.

**CALIFORNIA HORSE RACING BOARD  
SUMMARY**

	MON	TUE	WED	THU	FRI 02/19	SAT 02/20	SUN 02/21	WEEK TOTAL	MEET TOTAL
ACCIDENTS	D				0	0	0	0	3
CAL-BRED RACES		A			0	1	0	1	1
CLAIMS			R		2	1	2	5	85
DISQUALIFICATIONS				K	2	0	0	2	5
INQUIRIES	D				2	0	0	2	9
REFUNDS		A			3	5	4	12	62
RULINGS			Y		0	4	8	12	43
VOID CLAIMS					0	1	0	1	3

Stewards' Attendance: Tom Ward, James Dreyer, Randy Winick, and Safety Steward David Nuesch were in attendance during this reporting period.

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Tom Ward (Steward)

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James Dreyer (Steward)

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Randy Winick (Steward)

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David Nuesch (Safety Steward)