

## CALIFORNIA HORSE RACING BOARD

1010 HURLEY WAY, SUITE 300

SACRAMENTO, CA 95825

**REPORT OF THE BOARD OF STEWARDS****LOS ANGELES TURF CLUB, INC.****Santa Anita 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. Choper, Member  
Honorable Bo Derek, Member  
Honorable Jerry Moss, Member  
Kirk E. Breed, Executive Director  
Richard Bon Smith, Assistant Executive Director

For the period: Wednesday, April 8, through Sunday, April, 12, 2009.

MINUTES – SIXTEENTH WEEK of SANTA ANITA

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**WEDNESDAY**04/08/09<sup>1</sup>**FILM REVIEW**

Jockeys DANNY SORENSON and JOY SCOTT met with the stewards to discuss an incident during and after the fifth race on Sunday. Mr. Sorenson lost an iron during the race and needed some help from Ms. Scott. There was some confusion about what had happened and both jockeys said things that they shouldn't have and were frankly embarrassed about. Both agreed that their behavior was unacceptable and pledged to react more calmly in the future.

Jockey GERARDO GAVICA met with stewards to discuss his ride in the fifth race on Sunday. There was an incident going into the far turn that resulted in a horse in very tight quarters with the rail. Several horses were involved and films revealed that Mr. Gavica was at least partly responsible for allowing his horse to drift out and then back in again. He was given a warning.

Jockey JOEL ROSARIO was in to discuss the same incident. Films show that Mr. Rosario allows his horse to drift in and make it very tight for the horse along the fence. While it was debatable whether he was responsible for the proximate cause of the interference, the majority believed that a warning was appropriate (Steward Chaney voting for suspension days).

Jockey IGGY PUGLISI met with the stewards to discuss his ride in the fourth race Sunday in which his mount drifts out as the field crosses the dirt course during a downhill race. Mr. Puglisi's horse is showing a tendency to drift and Mr. Puglisi, for the most part, does a good job in keeping him in. However, he does momentarily allow his horse to make contact with the horse to his outside. For this he was cautioned to make a better effort in the future.

04/08/09<sup>2</sup>**ASSINESI HEARING**

Gene Hull Trucking filed a financial complaint against trainer PAUL ASSINESI for unpaid goods and services, as well as writing a bad check (case 09SA085). Apparently, the shavings company had also pursued the matter independently with the County of Fresno District Attorney, which began collecting money from Mr. Assinesi as restitution in advance of and in place of filing charges. The complaint was therefore dismissed in deference to the court proceedings.

04/08/09<sup>3</sup>**AGUIRRE HEARING**

Gene Hall Trucking also filed a financial complaint (case 09SA086) against trainer PAUL AGUIRRE for unpaid feed and bedding bills. Mr. Aguirre was having some medical issues that prevented his attending the hearing. However, both parties appeared interested in resolving this issue. An agreement should be forthcoming in the days that follow.

04/08/09<sup>4</sup>**NICOMETO HEARING**

Groom ANTHONY NICOMETO participated in an informal hearing to discuss case 09SA088 which alleged a marijuana positive. Mr. Nicometo tested positive after a random testing pursuant to the agreement he signed as required by a ruling last year. The positive, coupled with the fact that Mr. Nicometo had not been attending Winners' Foundation meetings appeared to be both a violation of CHRB rules as well as a previous stewards' ruling (LATS Ruling #181 dated 4 April 2008). Ruling to follow.

04/08/09<sup>5</sup>**DECLARATIONS, CHANGES AND REFUNDS**

1 <sup>st</sup> Race	No changes; Refund \$141.80
2 <sup>nd</sup> Race	No changes; Refund \$116.00
3 <sup>rd</sup> Race	#4 Queen of the I.E. – Veterinarian scratch, injured – Dr.Beck Refund \$1,385.20
4 <sup>th</sup> Race	No changes; Refund \$8.00; Minus Pool \$16.20
5 <sup>th</sup> Race	No changes; Refund \$27.00
6 <sup>th</sup> Race	#7 Stroppey – Veterinarian scratch, injured – Dr. Bailey Refund \$546.90
7 <sup>th</sup> Race	No changes
8 <sup>th</sup> Race	No changes; Refund \$17.00

04/08/09<sup>6</sup>**DAILY ATTENDANCE & HANDLE**

On track	5,316	1,280,229.30
Inter-track	5,671	1,654,646.90
Out of state	n/a	3,145,937.89
Total	10,987	\$6,080,814.09

**THURSDAY**04/09/09<sup>1</sup>**FAZLI AGREEMENT**

In advance of the scheduled hearing regarding a financial complaint (case number 09SA098) filed by the Southern California Equine Foundation, Inc. against owner NAVEED FAZLI, the parties developed a payment schedule in order to satisfy the alleged debt.

04/09/09<sup>2</sup>**NICOMETO RULING**

After considering the Nicometo case, the following ruling was published. This was Mr. Nicometo's third marijuana positive in three years.

**LATS #069**

Pursuant to California Horse Racing Board rule #1900 (Grounds for Suspension or Revocation), Groom ANTHONY NICOMETO is suspended for the term of his license (June 30, 2009), for violation of California Horse Racing Board rule #1489 (h) (Engaged in the use of drugs). Prior to re-instatement, subject must provide documentation of completion of an in-house rehabilitation program.

04/09/09<sup>3</sup>**DeJULIO DISMISSAL**

Case 09SA099 involved a financial complaint filed by the Equine Hospital against owner Bruno DeJulio. Mr. DeJulio paid the debt before the hearing and therefore the case was dismissed.

04/09/09<sup>4</sup>**DECLARATIONS, CHANGES AND REFUNDS**

1 <sup>st</sup> Race	No changes; Refund \$33.00; Minus Pool \$24.48
2 <sup>nd</sup> Race	#8 Mac Nine – Veterinarian scratch, sick – Dr. Bailey Refund \$167.70
3 <sup>rd</sup> Race	No changes; Refund \$118.00
4 <sup>th</sup> Race	No changes; Refund \$110.00; Minus Pool \$5,778.76
5 <sup>th</sup> Race	#1a – El Rapido – Stewards' scratch – also eligible #12 Domestic Slew – Stewards' scratch – also eligible Refund \$382.40
6 <sup>th</sup> Race	No changes; Refund \$288.00
7 <sup>th</sup> Race	No changes; Refund \$129.00
8 <sup>th</sup> Race	#6 Arm Chair QB – Veterinarian scratch, sick – Dr. Bailey #2 Danger Davis – Late veterinarian scratch, injured in gate – Dr. Bailey

#5 Crafty Hombre – Late veterinarian scratch, unsound – Dr. Bailey  
Refund \$106,700.20; Minus Pool \$296.04

04/09/09<sup>5</sup>**DAILY ATTENDANCE & HANDLE**

On track	3,757	1,000,567.00
Inter-track	5,804	1,642,995.30
Out of state	n/a	3,079,914.60
Total	9,561	\$5,723,476.90

**FRIDAY**04/10/09<sup>1</sup>**CONFERENCE CALL**

The stewards held a conference call with the attorneys in the “Wait a While” matter to resolve a request for a continuance. Both attorneys agreed to meet Saturday morning for a preliminary hearing.

04/10/09<sup>2</sup>**GONZALEZ HEARING**

An informal hearing was held to address a financial complaint filed by trainer Ruben Cardenas against owner MICHAEL GONZALEZ for unpaid training fees. This case turned out to be quite complex partly because there were several different bills for multiple horses and because the terms of the parties’ agreement changed on the first of March. We attempted to encourage a compromise between the owner and trainer but were unsuccessful. The matter will now be carefully considered and hopefully resolved in an equitable manner.

04/10/09<sup>3</sup>**INQUIRY – NO CHANGE**

Following the running of the second race, the stewards illuminated the inquiry sign to examine an incident between the first two finishers at the sixteenth pole. Films revealed that the winner #1 Hoist the Sail, ridden by Rafael Bejarano, moved out and brushed the second place finisher #3 Dr Zaentz, ridden by Corey Nakatani. The horses finished one length apart. After speaking with the patrol judges and riders involved, the stewards unanimously determined that the interference did not cost the second place finisher the opportunity at a better placing. Therefore, no change was appropriate.

04/10/09<sup>4</sup>**DECLARATIONS, CHANGES AND REFUNDS**

1 <sup>st</sup> Race	No changes
2 <sup>nd</sup> Race	#1 Hoist the Sail – Claimed – Koriner, trainer Minus Pool \$2.35
3 <sup>rd</sup> Race	#5 Fine Time to Leave – Late veterinarian scratch, flipped behind gate – Dr. Bailey Refund \$274,030.14
4 <sup>th</sup> Race	No changes; Minus Pool \$8,610.70
5 <sup>th</sup> Race	No changes; Refund \$22.00
6 <sup>th</sup> Race	No changes; Refund \$563.00

7<sup>th</sup> Race #4 Catastaire – Veterinarian scratch, sick – Dr. Durenberger  
 #3 Isipingo – Claimed – D. O’Neill, trainer  
 Refund \$979.10

8<sup>th</sup> Race #1a Smokin Stogies – Veterinarian scratch, unsound – Dr. Bailey  
 #4 Mystification – Veterinarian scratch, injured – Dr. Durenberger  
 Refund \$5,840.52

04/10/09<sup>5</sup>**DAILY ATTENDANCE & HANDLE**

On track	6,701	1,289,439.40
Inter-track	6,064	1,730,347.90
Out of state	n/a	3,558,482.03
Total	12,765	\$6,578,269.33

**SATURDAY**04/11/09<sup>1</sup>**WAIT A WHILE CONFERENCE**

Deputy Attorney General Bruce Reynolds and attorney Neil Papiano argued complainant’s motion for a continuance. The disqualification hearing regarding the horse “Wait a While” is currently scheduled for April 15<sup>th</sup>. Complainant had asked for a continuance arguing that they have not received all of the documents requested in discovery. We also took some testimony from Dr. Steven Barker who explained why the additional information related to the blood tests was necessary. We denied the request for a continuance but ordered that the additional information be transmitted to the Complainant on Monday morning.

04/11/09<sup>2</sup>**BELL CONTINUANCE**

Trainer RAY BELL requested a continuance this morning regarding his alleged procaine positive (case number 08DM001) in order to secure witnesses. The CHRB did not oppose the continuance request, which was granted and the hearing was rescheduled for the first week in May.

04/11/09<sup>3</sup>**ROTHBLUM RULING**

Owner STEVE ROTHBLUM was reinstated in the following ruling when he satisfied an old financial responsibility complaint:

**LATS #070**

Trainer STEVE ROTHBLUM, having appeared and satisfied the provisions of California Horse Racing Board rule #1876 (Financial Responsibility), is restored to good standing. LATS Ruling #031, issued at Los Angeles Turf Club on January 30, 1997, is set aside.

04/11/09<sup>4</sup>**DECLARATIONS, CHANGES AND REFUNDS**

1<sup>st</sup> Race #2 Miralo – Veterinarian scratch, sick – Dr. Bailey  
 Refund \$1,502.34; minus Pool 6,113.98

2<sup>nd</sup> Race #4 Continental Dancer – Veterinarian scratch, injured – Dr. Bailey  
 Refund \$118.00; Minus Pool \$13,335.37

3<sup>rd</sup> Race No changes; Refund \$61.00

4<sup>th</sup> Race No changes; Refund \$53.81

- 5<sup>th</sup> Race #7 Capt. Sparrow – Veterinarian scratch, injured – Dr. Durenberger  
Refund \$2,027.31
- 6<sup>th</sup> Race No changes; Refund \$49.62
- 7<sup>th</sup> Race #3 Leedstheway – Stewards’ scratch, stake  
Refund \$1,419.56
- 8<sup>th</sup> Race No changes; Refund \$126.00; Minus Pool \$3,556.98
- 9<sup>th</sup> Race #10 Deo Facente – Stewards’ scratch, dirt only  
Refund \$1,673.24

04/11/09<sup>5</sup>

**DAILY ATTENDANCE & HANDLE**

On track	10,246	2,304,120.70
Inter-track	9,780	3,261,305.60
Out of state	n/a	4,886,607.05
Total	20,026	\$10,452,033.35

**SUNDAY**  
04/12/09<sup>1</sup>

**FILM REVIEW**

Jockey RAFAEL BEJARANO met with the stewards to discuss his ride in the second race on Friday in which his mount was the subject of an inquiry. Films revealed that Mr. Bejarano’s horse drifts under right handed whipping. The majority believed that the behavior did not constitute careless riding and issued a warning whereas Steward Chaney voted for a three day suspension.

04/12/09<sup>2</sup>

**DECLARATIONS, CHANGES AND REFUNDS**

- 1<sup>st</sup> Race No changes; Minus Pool \$4.19
- 2<sup>nd</sup> Race No changes
- 3<sup>rd</sup> Race No changes; Minus Pool \$4.92
- 4<sup>th</sup> Race No changes
- 5<sup>th</sup> Race No changes; Refund \$79.00
- 6<sup>th</sup> Race No changes; Minus Pool 141.00
- 7<sup>th</sup> Race #2 Bel Air Sizzle – Stewards’ scratch, stake  
Refund \$2,855.57; Minus Pool \$2,997.55
- 8<sup>th</sup> Race No changes; Refund \$6.00
- 9<sup>th</sup> Race #7 El Rapido – pulled up past wire, vanned off (turf)  
Refund \$20.00

04/12/09<sup>3</sup>

**DAILY ATTENDANCE & HANDLE**

On track	7,985	1,790,195.80
Inter-track	7,647	2,089,917.20
Out of state	n/a	3,467,600.56
Total	15,632	\$7,347,713.56

**WEEKLY SUMMARY**

**ATTENDANCE REPORT** - The full Board of Stewards was in session each day during this reporting period for both morning business and the afternoon racing program.

**VETERINARIAN'S LIST**

Week of 04/06/09 – 04/12/09

Horses on Vet List	15
Horses off Vet List	14
Shock Wave Therapy	18
Deceased	1
Medication	4

**SUMMARY**

	Wed. 4/08	Thurs. 4/09	Fri. 4/10	Sat. 4/11	Sun. 4/12		Week	Meet
Accidents	0	0	0	0	0		0	8
Cal-Bred Races	3	1	0	2	0		6	61
Claims	0	0	2	0	0		2	172
Disqualifications	0	0	0	0	0		0	1
Inquiries	0	0	0	1	0		1	31
Refunds	7	8	5	9	5		34	373
Rulings	0	1	0	1	0		2	70

Respectfully submitted,

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C. Scott Chaney, Steward

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Tom Ward, Steward

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Albert Christiansen, Steward