



REPORT OF THE BOARD OF STEWARDS

OAK TREE RACING ASSOCIATION

Santa Anita Park

To the California Horse Racing Board

Honorable Arnold Schwarzenegger, Governor
Honorable John C Harris, Chairman
Honorable David Israel, Vice-Chairman
Honorable Keith Brackpool, Member
Honorable Jesse H. Choper, Member
Honorable Bo Derek, Member
Honorable Jerry Moss, Member
Honorable Richard A. Rosenberg, Member
Kirk E. Breed, Executive Director
Richard "Bon" Smith, Assistant Executive Director

For the period: Wednesday, October 7, 2009, through, Monday, October 12, 2009.

WEDNESDAY

10/07/09¹

REDISTRIBUTION RULING

The following ruling was issued pursuant to the disqualification/redistribution hearing held last Sunday (see 10/04/09¹):

OTTS #003

Based upon a report from the University of California, Davis Laboratories, an official laboratory for the California Horse Racing Board, that urine sample #DM02590, obtained from the horse CHAMPAGNE D'ORO, the first place finisher in the sixth race at Del Mar Thoroughbred Club on August 9, 2009, contained the drug Trenbolone (Class 3), it is ordered that CHAMPAGNE D'ORO be disqualified from all purse monies earned in said race, in accordance with California Horse Racing Board rule 1859.5 (Disqualification Upon Positive Finding).

It is further ordered that the purse money earned in said race (\$30,600.00) be returned by owner Michael Moreno (dba Southern Equine Stables LLC-\$27,540.00) and jockey Martin Garcia (\$3,060.00) to the Paymaster at Del Mar Thoroughbred Club by November 7, 2009 for redistribution in accordance with the revised order of finish.

The revised order of finish is as follows:

1 st	Softly Singing
2 nd	Stockings
3 rd	Saint Isabelle
4 th	Pure Class
5 th	Hondo's Way

10/07/09²

MONDULICK RULING

The following ruling was issued after careful consideration of case number 09DM120 referenced in minutes entry 10/04/09²:

OTTS #004

Exercise rider Jana Nicole Mondulick is fined **TWO HUNDRED (\$200.00)* DOLLARS** for violation of California Horse Racing Board Rule #1489(h)(Grounds for Denial and Refusal of License-under influence of controlled substance).

Furthermore, Ms. Mondulick has signed a testing agreement and will be placed on probation for the term of her license.

10/07/09³

MUNOZ HEARING

We held an informal hearing this morning regarding case number 09PM022 which involved a complaint filed by the CHRB against groom ANGEL MUNOZ for alleged violation of CHRB rule 1874 (Disorderly Conduct). CHRB Investigator Phil Miyazaki presented the case which included testimony from Mr. Munoz, his ex-girlfriend, her friend as well as Pomona security officer Eugene Holcomb. Simply put, this disturbance seemed to have arisen from alcohol and relationship issues. The Stewards believed that a warning was appropriate but spoke with all parties involved and explained that any further incidents would lead to a license suspension.

10/07/09⁴

STEWARD SUBSTITUTION

Safety Steward Luis Jauregui filled in for Steward Tom Ward today.

10/07/09⁵

HRTV SEGMENT

Steward Scott Chaney restarted the weekly "Hold All Tickets" segment this morning in which Oak Tree stewards discuss inquiries from the week and other issues (Wednesdays 9:15 a.m.).

10/07/09⁶

DECLARATIONS, CHANGES AND REFUNDS

1st Race #7 Lt. Anne – Late veterinarian scratch, unsound – Dr. Stead
#8 Miss Celebration – Claimed – C. Lewis, trainer
Refund \$79,894.92

2nd Race #2 Date With Fate – Claimed – J. Hollendorfer
Refund \$1.00

3rd Race #2 Push Over – should be listed as a gelding (reported to
CHRB investigators)
#9 Fondue- Rider change – C. Nakatani for J. Rosario (sick)

4th Race #6 Madeline Ruby – Rider change – C. Nakatani for J. Rosario

5th Race #6 Yodelady O – Rider change – A. Quinonez for J. Rosario
Refund \$168.00

6th Race #13 Sir Ben – Rider change – MC Baze for J. Rosario
Refund \$368.98

7th Race #4 Man to Man – Veterinarian scratch, sick – Dr. Bailey
#9 Sartorial – Stewards' scratch, also eligible
#1 Pleasure to Ride – Rider change – A. Solis for J. Rosario
Refund \$2,610.44

8th Race #8 Luberon – Rider change – C. Santiago-Reyes for J. Rosario
Refund \$13.60

10/07/09⁷

DAILY ATTENDANCE & HANDLE

On track	2,853	765,117.80
Inter-track	5,178	1,453,348.20
Out of state	n/a	3,050,595.56
Total	8,031	5,269,061.56

THURSDAY

10/08/09¹

NTRA SAFETY CERTIFICATION

NTRA personnel STAN BOWKER stopped by the office to interview the Board of Stewards as part of the NTRA Safety certification as requested by Santa Anita. For the most part, Mr. Bowker was complimentary in explaining that California, and in this case Santa Anita, does a better job vis a vis safety than other places in the country. However, he did mention three things that we took note of and thought worth mentioning (and that the California Horse Racing Board should consider incorporating by rule): (1) pony personnel should be required to wear safety vests, (2) trainers should be required to wear helmets when on horseback and (3) a breathalyzer test should be part of the daily procedure for jockeys, outriders, and possibly racing officials.

10/08/09²

FALLON APPLICATION

Jockey KIEREN FALLON met with the stewards to discuss his application for a jockey's license in California. After receiving information that he had been re-licensed in England and France (where he had been previously suspended), we granted him a license.

10/08/09³

CERVANTES HEARING AND RULING

Groom HUGO CERVANTES came to the office for an informal hearing to discuss case number 09PM013 which involved a complaint filed by the CHRB alleging that Mr. Cervantes had tested positive for cocaine and other substances. Mr. Cervantes explained that he had in fact used the drugs. Since the incident, he has been involved with the Winner's Foundation. Leroy Martinez accompanied Mr. Cervantes to explain his current state and progress. After taking all of the evidence into account, we issued the following ruling:

OTTS #005

Groom HUGO CERVANTES is fined **TWO HUNDRED (\$200.00)* DOLLARS** for violation of California Horse Racing Board rule #1489(h). Mr. Cervantes is required to continue with the terms set forth by the Winner's Foundation. Mr. Cervantes is further ordered to enter into a testing agreement with the California Horse Racing Board and his license will be considered probationary for its term.

10/08/09⁴

DECLARATIONS, CHANGES AND REFUNDS

- 1st Race #2 Lullabytime – Claimed – J. Carava, trainer
- 2nd Race No changes; Refund \$2.00
- 3rd Race No changes: Refund \$749.00
- 4th Race #11 Reckless Capote – Stewards’ scratch, also eligible
#7 Hockeythehayman – Late stewards’ scratch, lost shoe
Refund \$109,513.76
- 5th Race #6 Suziqcutie – Veterinarian scratch, injured – Dr. Stead
#11 Bewitching Gem – Veterinarian scratch, sick – Dr. Bailey
#7 Angel Before Us – Claimed – V. Garcia, trainer
#8 Subpoena the Dress – Claimed – F. Monteleone, trainer
Refund \$4,639.56
- 6th Race #9 I Swear – Stewards’ scratch, also eligible
#10 Skim Milk – Stewards’ scratch, also eligible
#8 Lovely Catherine – Late stewards’ scratch, dropped jockey, ran off –
serious laceration, vanned off
Refund \$35,891.50
- 7th Race No changes; Refund \$51.00
- 8th Race #3 Ginny Fitz – Veterinarian scratch, sick – Dr. Stead
Refund \$1,526.04

10/08/09⁵

DAILY ATTENDANCE & HANDLE

On track	3,034	583,643.50
Inter-track	5,233	1,150,342.80
Out of state	n/a	3,321,458.44
Total	8,267	5,055,444.74

FRIDAY

10/09/09¹

BRANDENBURG HEARING AND RULING

DR. KRISTIE BRANDENBURG met with the stewards in a formal hearing to address case number 09PM023 which was a complaint filed by Official Veterinarian Dr. Durenberger through the CHRB alleging violation of CHRB rule 1845(e) (Authorized Bleeder Medication). Dr. Durenberger explained that at Pomona, Dr. Brandenburg turned in her Bleeder Treatment report approximately one hour before the race for which she treated the horse. The rule requires that these slips are turned in two hours before post time. Evidence demonstrated that it took a phone call to procure the report, and even then, it was unclear and difficult. Dr. Brandenburg agreed that it was late, but wanted to blame everyone else for the error. We considered the case and issued the following ruling:

OTTS #006

Veterinarian **KRISTIE BRANDENBURG** is fined **FOUR HUNDRED (\$400.00)* DOLLARS** for violation of California Horse Racing Board rule #1845(e)(Authorized Bleeder Medication-Late bleeder treatment report) on September 23, 2009 at Fairplex Park.

10/09/09²

COLLINS HEARING

Trainer DON COLLNS appeared this morning in a formal hearing to answer case number 09PM004 which alleged violation of CHRB rules 1843 (c)(Medication, Drugs, and Other Substances) and 1840 (Veterinary Practices and Treatments Restricted). Evidence showed that during a routine barn inspection, the CHRB investigative staff found unlabeled and expired medications. Specifically, they found an injectable bottle of Ivermax, a wormer, with no prescription label. Not only was the lack of label a potential violation but the fact that it was in injectable form presents a problem. The investigators also found a bottle of Ventipulmin syrup without a label. Mr. Collins acknowledged the mistake and claimed that he was unaware of the rule. His CHRB record is virtually flawless. Ruling to follow.

10/09/09³

JOCKEY OBJECTION/NO CHANGE

Following the running of the fourth race, David Flores, who rode second place finisher #6 Voodoo's Vision, claimed foul against the winner #1 Sindyfromsantacruz, ridden by Christian Santiago-Reyes, for interference in the stretch. Films revealed that Mr. Reyes' horse does drift out during the stretch run, but that Mr. Flores' horse drifts out as well. Additionally there is always a fair amount of space between the rivals and no contact is ever made. After taking this into account as well as reports from the riders and patrol judges, the stewards voted unanimously to make no change to the original order of finish.

10/09/09⁴

DECLARATIONS, CHANGES AND REFUNDS

1 st Race	No changes
2 nd Race	No changes
3 rd Race	No changes; Refund \$106.00
4 th Race	No changes; Refund \$131.00
5 th Race	#6 Dona Amelia (CHI) – Veterinarian scratch, injured – Dr. Durenberger Refund \$781.70
6 th Race	#1 Rocket Kitty – Claimed – K. Mulhall, trainer Refund \$84.40
7 th Race	#5 Cigar Man – Veterinarian scratch, sick – Dr. Durenberger Refund \$703.60
8 th Race	#10 West Ruler – Claimed – J. Sadler, trainer #13 Lucky Lila – pulled up, vanned off, euthanized—hind end injury, G. Sherlock, trainer (synthetic) Refund \$29.10

10/09/09⁵

DAILY ATTENDANCE & HANDLE

On track	5,513	918,629.00
Inter-track	5,257	1,598,500.70
Out of state	n/a	3,593,630.77
Total	10,770	6,110,760.47

SATURDAY

10/10/09¹

KORINER HEARING AND RULING

Trainer BRIAN KORINER appeared this morning to discuss case number 09PM024 which involved allegations of failure to report a first time gelding. Mr. Koriner confirmed that he had not reported the gelding but offered two facts in mitigation of any contemplated penalty: (1) the horse was a first time starter and (2) the horse was gelded at the farm. Taking this into account, we issued the following ruling:

OTTS #007

Trainer **BRIAN J. KORINER** is fined **SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00)*** for failure to properly report the gelding of the horse "STARRY STRIVE", which ran in the sixth race at Fairplex Park on September 24, 2009. This constitutes a violation of California Horse Racing Board rule #1865 (Altering of Sex of Horse).

10/10/09²

JOHNSON HEARING

Trainer EARNEST JOHNSON met with us informally to discuss case number 09PM006 which involved an allegation that Phenylbutazone (NSAID) in excess of the permitted level was discovered in the post workout blood sample of one of his horses. The horse "Young Thomas" was working for the Official Veterinarian for removal from the veterinarian's list when the violation occurred. After a lengthy explanation, Mr. Johnson acknowledged that his barn staff might have erred in giving the horse the medication in a manner that would lead to the positive. Given Mr. Johnson's medication record, we elected to issue a warning as permitted under the penalty guidelines for licensees with no medication violations in the past three years.

10/10/09³

COLLINS RULING

After careful consideration of the facts references in minutes entry 10/09/09², we issued the following ruling:

OTTS #008

Trainer **DON COLLINS**, is fined **FIVE HUNDRED DOLLARS (\$500.00)*** for violation of California Horse Racing Board rules #1843(c)(Medications, Drugs and Other Substances) and #1840(Veterinary Practices and Treatments Restricted-unlabeled prescribed medication).

10/10/09⁴

LOPEZ HEARING

Trainer ANTONIO LOPEZ met informally with us this morning to answer a financial complaint filed by San Luis Rey Downs (case number 09PM012) alleging unpaid stall fees and other charges in the amount of \$32,453.80. Mr. Lopez acknowledged owing the money but explained that he was having financial difficulties and asked if some agreement could be hammered out. We were able to reach a compromise with San Luis Rey Downs' representative, Sandy Moore, in which Mr. Lopez would pay \$1,000.00 per month until the debt is discharged, with the provision that regardless of the amount, the entire debt would be satisfied in twenty four months.

10/10/09⁵

INQUIRY/NO CHANGE

The inquiry sign was posted after the running of the second race to examine an incident in which #5 Imperatriz, ridden by Omar Berrio, ducks in sharply in the stretch on the turf course. Films revealed that the horse stepped in on his own and

that the rider did a nice job in not interfering with other horses. No change was necessary.

10/10/09⁶

DECLARATIONS, CHANGES AND REFUNDS

1st Race #6 Joyful Success – Rider change – J. Valdivia for T. Baze
(mistake)

Refund \$22.00; Minus Pool \$1,420.44

2nd Race #13 Victoria's Thyme – Stewards' scratch, also eligible
(turf) #6 Dixie's Sandals – pulled up post race, vanned off – EG Harty

Refund \$48.60

3rd Race No changes

4th Race No changes; Refund \$162.00; Minus Pool \$10.83

5th Race #8 Tiz Cee's Ballet – Rider change – G. Martin for A. Delgadillo
(sick)

Refund \$147.00

6th Race #1 Times Gone By – Stewards' scratch, stake
Refund \$2,296.60

7th Race No changes; Refund \$54.00

8th Race #2 Sweet and Flawless – Stewards' scratch, stake
Refund \$2,796.15; Minus Pool \$36,447.98

9th Race #8 Fu Peg He Rat – Rider change – R. Migliore for G. Gomez

10th Race #5 Mr Charlie – Rider change – M. Smith for G. Gomez

10/10/09⁷

DAILY ATTENDANCE & HANDLE

On track	20,329	2,740,230.90
Inter-track	9,065	2,988,846.60
Out of state	n/a	6,951,482.36
Total	29,394	12,680,559.86

SUNDAY

10/11/09¹

FILM REVIEW

Jockey MIKE SMITH met with the stewards to discuss his ride in the fourth race yesterday in which his mount drifted in during the stretch run under right handed whipping. While he made only minor contact with the horse to his inside, we warned him that he needed to keep a straighter path in the future.

Apprentice jockey COSME RIVERA met with the stewards regarding his ride in the second race yesterday. Films showed that Mr. Cosme's mount suffers some interference going into the first turn and then gets out badly around the turn, interfering with several rivals. While the initial interference was not his fault, and his horse was difficult to manage, we explained that he could have done a little more to manage the situation. He agreed.

Apprentice jockey CHRISTIAN SANTIAGO-REYES came into the office this morning to review his ride in the fourth race on Friday in which his horse drifted out during the stretch run and was the subject of a jockey's claim of foul. In reviewing the films, it is clear that Mr. Reyes' horse does drift out under left handed whipping, but that he does correct his mount and switches sticks. His mount does continue to drift out a bit under right handed whipping. We explained that he has to make a better effort in the future with the reins in order to keep his mount straight. He was issued a warning. Additionally, Mr. Reyes was informed that he was directed to come to the Stewards' office yesterday, rather than today. This was also a problem at the recently concluded Fairplex meet, therefore he was issued the following ruling:

OTTS #009

Apprentice Jockey CHRISTIAN SANTIAGO REYES is fined **ONE HUNDRED DOLLARS (\$100.00)*** for violation of California Horse Racing Board rule #1930 (Obedience to Security Officers and Public Safety Officers-Failure to appear before Stewards as directed on October 9, 2009).

10/11/09²

DECLARATIONS, CHANGES AND REFUNDS

- 1st Race No changes; Refund \$315.30
- 2nd Race No changes; Refund \$122.50
- 3rd Race #9 Silver Heat – Veterinarian scratch, injured – Dr. Durenberger
#11 Goal Girl Michele – Veterinarian scratch, sick – Dr. Stead
Refund \$1,538.20
- 4th Race No changes
- 5th Race No changes; Refund \$29.45
- 6th Race No changes; Refund \$41.50
- 7th Race #9 Black Astor – Stewards' scratch, stake
Refund \$898.75
- 8th Race #1 Atta Boy Roy – should be listed as a ridgling
- 9th Race #7 Fight On – Claimed – J. Carava, trainer

10/11/09³

DAILY ATTENDANCE & HANDLE

On track	6,376	1,424,815.70
Inter-track	7,377	1,703,064.90
Out of state	n/a	4,166,462.60
Total	13,753	7,294,343.20

MONDAY

10/12/09¹

DELEON RULING

Trainer RAFAEL DELEON stopped by the office last week in advance of his scheduled hearing to discuss case number 09PM027 which alleged a Phenylbutazone overage in one of his runners at Fairplex. Although he didn't have an explanation for the violation, he speculated that the horse running the first race may have contributed to the problem. The following ruling was issued:

OTTS #010

Trainer RAFAEL A. DELEON, who started the horse "FAIR KISSES" which finished second in the first race at Fairplex Park on September 11, 2009, is fined FIVE HUNDRED DOLLARS* (\$500.00) pursuant to California Horse Racing Board rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rules #1844 (c) (1) (Authorized Medication –Phenylbutazone, in excess of permitted level) and #1843 (a) (d) (Medication, Drugs and Other Substances).

10/12/09²

INQUIRY/NO CHANGE

Following the running of the first race, we put up the inquiry sign to examine an incident that occurred shortly before the wire on the turf course. #5 Foxy Games (GB) appeared to break down and unseat her rider Christian Santiago-Reyes (see attached accident report). The inquiry sign was posted in order to examine whether any other horses were involved and whether the horse should be declared a finisher. Films revealed that #5 Foxy Games (GB) had gone wrong while racing in the clear and that her rider had fallen off before the wire. The horse was considered a starter and no change was made to the original order of finish.

10/12/09³

INQUIRY/NO CHANGE

Following the running of the sixth race, we posted the inquiry sign to examine an incident leaving the starting gate in which #2 Mr. Collen, stumbled badly and lost his rider, apprentice jockey Cosme Rivera (see attached accident report). Films revealed that no other horses were involved and therefore no change was required.

10/12/09⁴

DECLARATIONS, CHANGES AND REFUNDS

1 st Race	#7 Bright Moon (GB) – Veterinarian scratch, unsound – Dr. Stead #5 Foxy Games (GB) – broke down at wire, euthanized – J. Periban, trainer (turf)
	Refund \$572.80; minus Pool \$2,992.03
2 nd Race	#4 Form a Posse – Claimed – J. Hollendorfer, trainer
3 rd Race	No changes; Refund \$69.00
4 th Race	No changes; Refund \$89.55
5 th Race	#6 Spinning Yarns – Veterinarian scratch, sick – Dr. Bailey Refund \$609.55; Minus Pool \$2,872.08
6 th Race	No changes; Refund \$9.00
7 th Race	#2 Skim Milk – Stewards' scratch, entered back #9 Classy Attraction – Late veterinarian scratch, unsound – Dr. Stead
	Refund \$47,075.01
8 th Race Dr. Stead	#1 Empressive Lady – Late veterinarian scratch, injured in gate – Refund \$71,613.64; Minus Pool \$1,909.28
9 th Race	#13 Cee's Closing Time – Stewards' scratch, also eligible Refund \$191.85

10/12/09⁵

DAILY ATTENDANCE & HANDLE

On track	8,056	1,998,096.40
Inter-track	7,584	2,182,812.90
Out of state	n/a	5,083,606.00
Total	15,640	9,264,515.30

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, except as otherwise noted.

VETERINARIAN REPORT - WEEK of 10/05/09 – 10/11/09

Horses on Vet List	11
Horses off Vet List	9
Shock Wave Therapy	13
Deceased	2
Medication	7

SUMMARY

	Wed. 10/7	Thurs. 10/8	Fri. 10/9	Sat. 10/10	Sun. 10/11	Mon 10/12	Week	Meet
Inquiries	0	0	1	1	0	2	4	8
Disqualifications	0	0	0	0	0	0	0	0
Rulings	2	1	1	2	1	1	8	10
Refunds	6	7	6	7	6	8	40	61
Accidents	0	0	0	0	0	2	2	4
Claims	2	3	2	0	1	1	9	19
Cal-Bred Races	0	0	0	1	1	1	3	14

Respectfully submitted,

C. Scott Chaney, Steward

Tom Ward, Steward

Kim Sawyer, Steward