

**CALIFORNIA HORSE RACING BOARD**1010 HURLEY WAY, SUITE 300  
SACRAMENTO, CA 95825**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 14, 2009, through, Sunday, October 18, 2009.**

**WEDNESDAY**10/14/09<sup>1</sup>**A.M. DECLARATIONS**

1<sup>st</sup> race - #3 Nine to Dine (Veterinarian-unsound) refund of \$1,612.24

2<sup>nd</sup> race - #1 Chatty Lula (Veterinarian-unsound)  
#6 Hayley's Halo (Veterinarian-sick) refund of \$1,367.00

5<sup>th</sup> race - #1 Uffizi (Off Turf) refund of \$1,955.10

6<sup>th</sup> race - #10 Fiery Trippi (Veterinarian-sick) refund of \$1,874.55

10/14/09<sup>2</sup>**WARNING ISSUED**

Trainer Ron Ellis was issued a warning regarding the test findings from his horse "Differentkindagreat", the winner of the first race at Del Mar Thoroughbred Club on September 4, 2009. The horse showed the presence of 5.44 ug/ml of Phenylbutazone in the blood sample. Mr. Ellis thought the problem was the likely result of an administration of Bute paste three days out and an injection twenty four hours prior to the race. Since he has not had a Phenylbutazone coverage in the past three years, a warning was issued in accordance with medication penalty guidelines.

10/14/09<sup>3</sup>**GELDING COMPLAINT**

Trainer Adam Kitchingman was in the office to address a complaint filed against him for failing to notify authorities that his horse "Northrop N Down" had been gelded since his last start. Kitchingman said he was out of town when the horse ran and entrusted his assistant with informing the Racing Office staff of the change. He questioned the man and was assured the change had been made.

Leonard Duncan, ranch manager for Midnight Racing, who co-owned the horse, accompanied Kitchingman and said that he noticed the error when reading the Daily Racing Form the evening prior to the race. He went to the Racing Office the next morning and informed the Clerk of the Scales of the error. He also contacted the Official Veterinarian and alerted her as to the discrepancy. An announcement was made as to the change of sex. A decision will be rendered shortly.

10/14/09<sup>4</sup>

**MINUS POOLS**

Two minus pools were registered during the eighth race card. The first took place in the opening event, when #2 Ultra Awesome, at odds of 4/5, came home in front. The minus pool amounted to \$1,366.95. The second race produced a negative pool of \$5,448.44 as #5 Sam's Special, the overwhelming choice at 1/5, finished in the Place spot.

10/14/09<sup>5</sup>

**DAILY ATTENDANCE & HANDLE**

|              |       |              |
|--------------|-------|--------------|
| On track     | 1,913 | 511,253.30   |
| Inter-track  | 4,141 | 1,086,149.50 |
| Out of state | n/a   | 2,327,835.94 |
| Total        | 6,054 | 3,925,238.74 |

**THURSDAY**

10/15/09<sup>1</sup>

**A.M. DECLARATIONS**

2<sup>nd</sup> race - #5 Zagora's Pride (Veterinarian-sick)

#7 Bustana I (Veterinarian-sick) see 10-15-09<sup>4</sup>

4<sup>th</sup> race - #4 Private Valentine (Veterinarian-sick) refund of \$2,001.30

5<sup>th</sup> race - #1 Saxophone (Veterinarian-sick) refund of \$1978.60

6<sup>th</sup> race - #7 Rough Idea (Veterinarian-injured) refund of \$1,744.28

7<sup>th</sup> race - #6 Mama Rosa (Veterinarian-sick) refund of \$1,128.04

8<sup>th</sup> race - #3 Tizbalashi (entered back)

#9 Lucks Mine (entered back) refund of \$7,250.66

10/15/09<sup>2</sup>

**NEW APPRENTICE**

Carlos Diaz, an apprentice entitled to a seven pound weight allowance, was in the office seeking approval for a license. The twenty five year old native of Panama recently arrived in this country, having ridden six winners from sixty eight mounts. The rider can tack 105 lbs. and will be represented by former trainer Dean Greenman. An apprentice certificate was issued.

10/15/09<sup>3</sup>

**RULING OTTS #011**

Owner **TERRENCE DEKRETSER** is suspended for violation of California Horse Racing Board rule #1876 (Financial Responsibility-trainer Ted West \$3,000.00).

During the term of suspension, all licenses and license privileges of **TERRENCE DEKRETSER** are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend or Fine), Mr. Dekretser is denied access to all premises in this jurisdiction.

The foregoing ruling was issued after the owner failed to make payments to his former trainer, Ted West.

10/15/09<sup>4</sup>

**REFUND**

A refund was ordered in the second race as #2 Overhead was off in the right foreleg during warm up and was declared on the recommendation of Racing Veterinarian Stead. The scratch reduced the field to four wagering interests, prompting the cancellation of Show wagering. The refund amounted to \$42,425.01

10/15/09<sup>5</sup>

**STEWARDS' INQUIRY AND DISQUALIFICATION**

The Stewards posted the inquiry sign after the fourth race to review an incident inside the one eighth pole involving the third and fifth place finishers, #2 Rose S.(M. Pedroza), and #3 Cougarette(M. Garcia). After speaking with the riders involved, taking into account reports from the Patrol Judges and reviewing video of the stretch run, the Stewards unanimously voted to disqualify Rose S. from third to fifth position. Video shows the horse coming in to take the path of Cougarette, forcing that horse's rider to take up sharply. This cost Cougarette both position and momentum. It was the Stewards' position that Garcia and his mount were denied the opportunity for a better placing.

10/15/09<sup>6</sup>

**DAILY ATTENDANCE & HANDLE**

|              |       |              |
|--------------|-------|--------------|
| On track     | 2,931 | 611,339.30   |
| Inter-track  | 5,078 | 1,225,699.60 |
| Out of state | n/a   | 2,604,175.01 |
| Total        | 8,009 | 4,441,213.91 |

**FRIDAY**

10/16/09<sup>1</sup>

**A.M. DECLARATIONS**

2<sup>nd</sup> race - #5 One Hot Topper (Veterinarian-sick) refund of \$498.30

7<sup>th</sup> race - #9 Toro Bonito (Veterinarian-injured) refund of \$3,450.62

10/16/09<sup>2</sup>

**RIDER EXCUSED**

Corey Nakatani was excused from his mounts this afternoon due to a recurring problem with his neck. Replacement riders were named.

10/16/09<sup>3</sup>

**AASE HEADLEY HEARING**

A formal hearing into charges filed against owner Aase Headley was held this morning. The complaint alleged a violation of California Horse Racing Board rule #1902(Conduct Detrimental to Horse Racing) in that Mrs. Headley sent a letter to California Horse Racing Board Executive Director Kirk Breed in April of this year detailing potential violations committed by three licensees. The letter somehow fell into the hands of others and was distributed to those mentioned in the letter. They, in turn, requested an investigation.

Present at the hearing were the Board of Stewards, the charged party, Aase Headley, who was represented by attorney Robert Forgnone, Safety Steward Luis Jauregui, and several observers. Barbara Weinstein recorded the proceedings. Trainers Mike Mitchell, Jeff Mullins, and veterinarian Melinda Blue, who were mentioned in Mrs. Headley's letter, testified at the hearing. All denied the charges outlined. Dr. Blue felt the undocumented allegation against her has resulted in the loss of clients but did not specify a monetary figure. Mr. Mullins said he experienced a decline in business but could not say it was because of the letter. Mr. Mitchell said he has not lost any clients.

Mrs. Headley testified on her behalf, stating that her letter was not about any individual, but rather a lack of aggressive policing by California Horse Racing

Board investigators on the backstretch. She said that the statements in her letter were gleaned from newspaper and magazine articles she had read. Mr. Forgnone, in his closing statement, brought the constitutional argument of free speech into the equation. He said that rather than investigate the issues raised, the Board investigators chose to investigate the person who raised the issues. A decision will be rendered shortly

10/16/09<sup>4</sup> All other matters during the course of the racing program were routine.

10/16/09<sup>5</sup> **DAILY ATTENDANCE & HANDLE**

|              |        |              |
|--------------|--------|--------------|
| On track     | 5,047  | 856,738.30   |
| Inter-track  | 5,353  | 1,508,302.60 |
| Out of state | n/a    | 3,708,939.58 |
| Total        | 10,400 | 6,073,980.48 |

**SATURDAY**

10/17/09<sup>1</sup> **A.M. DECLARATIONS**

1<sup>st</sup> race - #1 Tuscan Princess (Veterinarian-injured) refund of \$3,046.56

2<sup>nd</sup> race - #3 Game A. P. (Veterinarian-sick) refund of \$492.80

4<sup>th</sup> race – Fandino (Veterinarian-sick) refund of \$514.00

7<sup>th</sup> race - #4 Bev's EX (Veterinarian-injured) refund of \$868.30

8<sup>th</sup> race - #11 Flashover (Stakes) refund of \$945.86

10/17/09<sup>2</sup> **RIDER EXCUSED**

Corey Nakatani was once again excused from his mounts today, likely due to the neck problem which required him to excuse himself yesterday. Replacement riders were named.

10/17/09<sup>3</sup> **RULING OTTS #012**

Jockey **VICTOR ESPINOZA** is fined **FIVE HUNDRED DOLLARS (\$500.00)\*** for violation of California Horse Racing Board rule #1688(Use of Whips-causing welts or break in the skin) during the running of the third race at Del Mar Thoroughbred Club on September 4, 2009.

This ruling was issued after Mr.Espinoza offered no excuse for cutting his mount in the flank area. He did say, however, that the cut occurred even though he was using a European cushion whip. Obviously, where a horse is struck is much more important than the kind of whip used.

10/17/09<sup>4</sup> **RULING OTTS #013**

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

This ruling was issued after a discussion regarding the complaint filed against the trainer for violation of rule #1865(Alteration of Sex of Horse).

10/17/09<sup>5</sup>

**COMPLAINT DISMISSED**

A complaint filed against trainer Paco Gonzalez for violation of California Horse Racing Board rule #1865 was heard this morning. Present were Gonzalez and his attending veterinarian, Vince Baker. Dr. Baker explained that the horse, Ever So Humble was gelded at a ranch by one of the veterinarians in his practice, Chuck Jenkins, on January 17, 2009. As is his routine, Dr. Baker reported the castration via the prescribed form on January 19, 2009. Mr. Gonzalez explained that when he entered the horse he noted that it was a gelding. The complaint had a copy of the original entry blank, which noted the sex of the horse as a gelding. Since the horse was a first-time-starter, there was no need for a first time gelding notation. By majority vote (Steward Sawyer dissenting) the complaint against the trainer was dismissed.

10/17/09<sup>6</sup>

**VIDEO REVIEW**

Martin Pedroza viewed video of the fourth race from October 15, in which his mount was disqualified for interference during the stretch run. It was the opinion of the Stewards that while Pedroza's mount came in; the rider on the horse which was bothered had told Pedroza to go for the hole. Unfortunately, Garcia's mount took hold of the bit and pulled him on to heels.

10/17/09<sup>7</sup>

**STEWARDS' INQUIRY**

The Stewards posted the inquiry sign after the fourth race to review an incident nearing the 1/16<sup>th</sup> pole involving the first and fifth place finishers, #5 Via Verde(J. Rosario) and #6 Lucks Mine(T. Baze). Baze also wished to lodge an objection. Observation during the race indicated the possibility that Baze had been shut off by the winner, who had been lugging in severely. After speaking with the riders involved, taking into account reports from the Patrol Judges and reviewing video of the stretch run, the Stewards unanimously voted to dismiss the inquiry/objection and make no change to the original placings. The Stewards concluded that while close quarters did exist, there was always sufficient room for Baze and his mount. Complicating the issue was the fact that Lucks Mine stepped out from the rail and in doing so clipped the heels of the winner.

10/17/09<sup>8</sup>

**DAILY ATTENDANCE & HANDLE**

|              |        |              |
|--------------|--------|--------------|
| On track     | 9,008  | 1,393,507.40 |
| Inter-track  | 7,699  | 1,909,014.40 |
| Out of state | n/a    | 4,051,680.02 |
| Total        | 16,707 | 7,354,201.82 |

**SUNDAY**

10/18/09<sup>1</sup>

**A.M. DECLARATIONS**

3<sup>rd</sup> race - #1 Crash Landing (Veterinarian-unsound) refund of \$1,300.56

4<sup>th</sup> race - #4 Licoricewhip (Veterinarian-sick) refund of \$2,298.40

10/18/09<sup>2</sup>

**TRAINERS IN**

Several trainers were in the Stewards' office today at the request of Santa Anita Turf Club management in order to resolve financial issues. A number of checks had been returned and the executive staff wanted to have financial agreements in place.

10/18/09<sup>3</sup>

**RIDER A NO SHOW**

Victor Espinoza failed to arrive at the Jockeys' Room in time to fulfill his commitment in the first race. He was named on the horse at scratch time so it is

presumed that there was a miscommunication between the rider and his agent. A replacement rider was named.

10/18/09<sup>4</sup>

**REFUND**

A refund was ordered in the second race when #3 Fleet Fugitive unseated the rider, Cosme Rivera, shortly after entering the racetrack and ran off into the stable area. The refund amounted to \$4,373.02.

10/18/09<sup>5</sup>

**MINUS POOLS**

Two minus pools occurred during the racing card this afternoon. The first came in the second race when #5 Tizbalashi proved an easy winner at odds of 2/5. The negative pool totaled \$4,048.16. The second minus pool took place in the following event, when #4 Royal Punisher got the money at the not-so-generous price of 3/5. A total of \$1,068.74

10/18/09<sup>6</sup>

**DAILY ATTENDANCE & HANDLE**

|              |        |              |
|--------------|--------|--------------|
| On track     | 9,703  | 1,390,879.70 |
| Inter-track  | 6,966  | 1,497,050.60 |
| Out of state | n/a    | 3,452,769.28 |
| Total        | 16,669 | 6,340,699.58 |

**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 REPORT** - WEEK of 10/12/09 – 10/18/09

Horses on Vet List 24  
Horses off Vet List 13  
Shock Wave Therapy 22  
Deceased 1  
Medication 8

**SUMMARY**

|                   | Wed.<br>10/14 | Thurs.<br>10/15 | Fri.<br>10/16 | Sat.<br>10/17 | Sun.<br>10/18 | Week | Meet |
|-------------------|---------------|-----------------|---------------|---------------|---------------|------|------|
| Inquiries         | 0             | 1               | 0             | 1             | 0             | 2    | 10   |
| Disqualifications | 0             | 1               | 0             | 0             | 0             | 1    | 1    |
| Rulings           | 0             | 1               | 0             | 2             | 0             | 3    | 13   |
| Refunds           | 4             | 6               | 2             | 5             | 2             | 19   | 80   |
| Accidents         | 0             | 0               | 0             | 0             | 0             | 0    | 4    |
| Claims            | 0             | 0               | 1             | 0             | 3             | 4    | 23   |
| Cal-Bred Races    | 0             | 1               | 0             | 2             | 0             | 3    | 17   |

Respectfully submitted,

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Tom Ward, Steward

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Kim Sawyer, Steward

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C. Scott Chaney, Steward