

**California Horse Racing Board**

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**REPORT OF THE BOARD OF STEWARDS****Los Angeles Turf Club, Inc.**

Santa Anita Park, Arcadia, California

**TO THE CALIFORNIA HORSE RACING BOARD**

Honorable Gregory L. Ferraro DVM, Chairman

Honorable Oscar Gonzales, Vice Chairman

Honorable Dennis V. Alfieri, Member

Honorable Damascus Castellanos, Member

Honorable Wendy Mitchell, Member

Honorable Alex Solis, Member

Rick Baedeker, Executive Director

Cynthia Alameda, Assistant Executive Director

Darrel McHargue, Chief Steward

**Report for the Week of Monday, March 9, 2020 through Sunday, March 15, 2020****MONDAY**

3/9/20<sup>1</sup>

**RACING CANCELED**

It was announced today by Santa Anita management that the Friday, March 13, 2020 card was cancelled due to the weather forecast.

3/9/20<sup>2</sup>

**POLANCO FORMAL HEARING CASE 20SA0009**

The CHRB filed a complaint against trainer MARCELO POLANCO for violation of rule 1843(a)(b) &(d) (Medications, Substances and Other Drugs), 1843.1(a) (Prohibited Drug Substances) and 1887(a) (Trainer or Owner to Insure Condition of Horse) and 1866 (Veterinarian's List). Mr. Polanco's trainee, PRINCIPE CARLO who worked out for removal from the Veterinarian's List was post, workout tested by UC Davis. The blood had a level of Phenylbutazone.

Present for the hearing before the BOS were Marcelo Polanco, Investigator Mike Barker and recording the proceedings was court reporter Michelle Derieg.

Mr. Polanco testified he was puzzled that there was there was the presence of the medication in the horse's system as he never administered phenylbutazone to this horse for the workout. He stated his regular groom was on vacation and he had hired a new employee. Also, he testified his medication at the stable is always locked up. The investigative complaint stated the medication was found in the blood or the urine, the official memorandum from CHRB Headquarters (Sacramento) attached to the complaint packet stated it was detected in the blood only. Decision to follow.

3/9/20<sup>3</sup>

**SIERRA FORMAL HEARING CASE 20SA0059**

The CHRB filed a complaint against trainer JAVIER SIERRA for violation of rule 1843(a)(b) & (d) (Medications, Substances and Other Drugs), 1843.1(a) (Prohibited Drug Substances) and

1887(a) (Trainer or Owner to Insure Condition of Horse). Mr. Sierra's runner, ZIYANAIR who competed in the second race at Santa Anita on January 19, 2020, finishing second, was post-race tested by UC Davis. The blood sample contained the medication Dexamethasone. Present for the hearing before the BOS were Javier Sierra, CHRB Investigator Greg Icamen presented the case, CHRB Investigator Mike Barker sat in as an observer and recording the proceedings was court reporter Michelle Derieg.

Mr. Sierra testified his best assessment as to how the overage occurred was a mistake in the feeding of the medication at the barn. He has since adjusted the administration of medication at feed time. Decision to follow.

3/9/20<sup>4</sup>

**NUNEZ FORMAL HEARING CASE 20SA0068**

CHRB filed a complaint against trainer JESUS NUNEZ listing possible violations of rule 1489(a)(6) (Grounds for Denial or Refusal of a License), 1528 (Jurisdiction of Stewards to Suspend or Fine), 1843.3 (l)(1) (Penalties for Medication Violations) and 1900 (Grounds for Suspension or Revocation).

Present for the hearing before the BOS were Jesus Nunez, CHRB Investigator Greg Icamen presented the case and CHRB Investigator Mike Barker sat in as an observer. Mr. Nunez admitted entering the Santa Anita Receiving Barn office while under suspension for a medication violation. On January 26, 2020 and February 6, 2020, he handed in a workout request for a former owner who was in attendance. He stated he knew he could not enter the stable area but did not realize the Receiving Barn office was off limits as well. Decision to follow.

**WEDNESDAY**

3/11/20<sup>1</sup>

**ENTRY DAY**

Steward Baker was available for Saturday's entries that were finalized with an eight-race program.

**THURSDAY**

3/12/20<sup>1</sup>

**ENTRY DAY**

Steward Baker was again available to oversee entries for Sunday and approved program corrections for Saturday that consisted of one declaration, one rider change and one equipment adjustment.

3/12/20<sup>2</sup>

**ATTENDANCE ANOUNCEMENT**

It was publicized today that starting Saturday, March 14, 2020 the grandstand would be closed to the public due to the COVID-19. Only CHRB licensees would be allowed to attend the races. No mutuel windows will be open, and no food facilities will be available.

**FRIDAY**

3/13/20<sup>1</sup>

**PROGRAM CORRECTION**

Steward Baker approved program changes for Sunday that involved a jockey correction.

3/13/20<sup>2</sup>

**RACING CANCELED**

March 9, 2020 it was announced by Santa Anita management the Friday March 13, 2020 card was cancelled due to the weather forecast.

3/13/20<sup>3</sup>

**ZAYAT HEARING CASE 20SA0088**

The CHRB filed a complaint (1876) on behalf of Brian Strong (dba B and S Equine Enterprises-horse transportation) against ZAYAT STABLES for money owed. Attorney Ellen Kennedy representing the "Receivership" for the Zayat debt and Brian Strong were available by telephone. Ms. Kennedy is forwarding documents verifying a new court decision by Fayette Circuit Court, Kentucky as of March 9, 2020. This document is supposed to state that the

“Receivership” is going to distribute available money owed to those who filed after March 9, 2020 before addressing complaints prior to that date. These documents will be forwarded to the CHRB staff counsels for their direction before a decision can be determined. Decision to follow.

3/13/20<sup>4</sup>

**MANAGEMENT MEETING**

VP of Racing, Steve Lym, Executive Assistant, Ami Atkinson, Assistant Racing Secretary, Zachary Soto and Assistant Clerk of Scales Charles McCall met with the BOS to discuss Santa Anita’s policy to eliminate the use of the steam room and the whirlpool in the jockey quarters. Management will notify the Jockey Guild Representative Darrell Haire and other sources to notify the jockey colony.

**SATURDAY**

3/14/20<sup>1</sup>

**SIERRA RULING ref 03-09-20<sup>3</sup>**

The following ruling was issued after the majority agreed upon the amount of the penalty. Steward Baker voted for an increased amount based on MR. SIERRA’S record.

**LATS RULING #055**

Trainer JAVIER SIERRA, who started the horse ZIYANAIR, the second place finisher in the second race at Santa Anita Park on January 19, 2020, is fined FIVE HUNDRED DOLLARS (\$500.00)\* pursuant to California Horse Racing Board rule #1887(a) (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule #1843(a)(b)(d) (Medication, Drugs and Other Substances), #1843.1(b) (Prohibited Drug Substance), and #1844 (f)(4) (Authorized Medication – Dexamethasone).

3/14/20<sup>2</sup>

**POLANCO RULING ref 03-09-20<sup>2</sup>**

The following ruling was issued after all agreed on the amount of the penalty as stated in the ruling.

**LATS RULING #054**

Trainer MARCELO POLANCO, who worked the horse PRINCIPE CARLO, for removal from the Veterinarian’s List on December 18, 2019, is fined FIVE HUNDRED DOLLARS (\$500.00)\* pursuant to rule #1887 (Trainer or Owner to Insure Condition of Horse) and rule #1866(e) (Veterinarian’s List) for violation of California Horse Racing Board rule #1843(a)(b)(d) (Medication, Drugs and Other Substances) and rule #1843.1 (Prohibited Drug Substances – Phenylbutazone [Class 4]).

3/14/20<sup>3</sup>

**NUNEZ RULING**

The following ruling was issued after the majority agreed upon the amount of the penalty. Steward Baker voted for a fifteen-day suspension.

**LATS RULING #056**

Trainer JESUS NUNEZ, is suspended for seven (7) days (April 2, 2020 through April 8, 2020), pursuant to California Horse Racing Board rule #1900 (Grounds for Suspension or Revocation) for violations of California Horse Racing Board rule # 1843.3(l)(1) (Penalties for Medications Violation- entered the premises on two occasions while suspended).

During the term of suspension all licenses and license privileges of JESUS NUNEZ are suspended and pursuant to California Horse Racing Board Rule #1528 (Jurisdiction of Stewards to Suspended or Fine) JESUS NUNEZ is denied access to all premises in this jurisdiction.

3/14/20<sup>4</sup>

**OVIEDO FORMAL HEARING CASE 20SA0065**

The CHRB filed a complaint against trainer PHILLIP OVIEDO for violation of rule 1843(a)(b) & (d) Medications, Substances and Other Drugs), 1843.1(a) (Prohibited Drug Substances), 1844 (f) (Authorized Medication) and 1887(a) (Trainer or Owner to Insure Condition of Horse). The horse MOON JUICE trained by Philip Oviedo, performed a workout to be removed from the Veterinarian’s List on January 22, 2020. The blood sample contained the medications Phenylbutazone and Methocarbamol.

Present for the hearing before the BOS were Phillip Oviedo, CHRB Investigator Mike Barker presented the case and recording the proceedings was court reporter Michelle Derieg.

Mr. Oviedo testified his best assessment as to how the overage occurred was a mistake by his assistant trainer. He also testified he is not usually present for the administration of medications to the horses in his stable or when his practicing veterinarian, Dr. John Araujo examines his trainees. Medication recommendations per Dr. Araujo are relayed to trainer Oviedo by telephone. This is Mr. Oviedo's second medication violation in the last 365 days.

Mr. Oviedo was in violation of 1844(c) (Authorized Medication-double NSAID) and this rule was not attached to the complaint. Decision to follow.

3/14/20<sup>5</sup>

**RAMIREZ HEARING CASE 20SA0096**

The CHRB filed a complaint against assistant trainer AGUSTIN RAMIREZ for violation of rule 1843(a)(b) & (d)(Medications, Substances and Other Drugs), 1843.1(a) (Prohibited Drug Substances) and 1887(a) (Trainer or Owner to Insure Condition of Horse). The trainee, MOON JUICE trained by Philip Oviedo who worked out to be removed from the Veterinarian's List was post-work tested by UC Davis. The blood sample contained the medications, Phenylbutazone and Methocarbamol.

Present for the hearing before the BOS were Agustin Ramirez, CHRB Investigator Mike Barker presented the complaint and court reporter Michelle Derieg documented the proceedings. It is assumed this case was filed by the CHRB against Mr. Ramirez as he is an assistant trainer for Phillip Oviedo. By rule Mr. Oviedo as trainer is responsible for the care of his horses (1887). Mr. Ramirez testified it's possible he did not withdraw the Methocarbamol medication from the feed at the recommended time, he also stated he "did not" administer any Phenylbutazone. It was stated on the record by Investigator Barker that Mr. Ramirez was not afforded his right to a split sample and when asked, in the opinion of Investigator Barker, Mr. Ramirez was not given due process for this case. Decision to follow.

3/14/20<sup>6</sup>

**GOOD RACING**

The eight-race card was conducted without notable incident, also without the presence of the public.

3/14/20<sup>7</sup>

**DECLARATIONS, CHANGES AND REFUNDS**

1st race #4 DONUT GIRL (Tr. M. Chew) claimed by Tr. B. Cunningham  
 #5 TIZ TOFFEE (Tr. R. Trela) Stewards-track condition. Refund \$1,009.64  
 2nd race No Changes; Refund \$0  
 3rd race No Changes; Refund \$231.00  
 4th race No Changes; Refund \$487.00  
 5th race #8 D'S LOVELY SOPHIA (Tr. H. Palma) Veterinarian-sick-Dr. Grande  
 #10 WIN OFTEN (Tr. D. Pedersen) Veterinarian-unsound-Dr. Grande  
 Refund \$5,776.13  
 6th race #6 CZECHMIGHT (Tr. R. Baltas) Veterinarian-sick-Dr. Grande  
 Refund \$1,084.83; Minus Pool \$  
 7th race #5 MOTHER MOTHER (Tr. B. Baffert) Stewards-stake. Refund \$3,682.39  
 8th race No Changes; Refund \$105.00

3/14/20<sup>8</sup>

**DAILY ATTENDANCE & HANDLE**

On track	0	\$0.00
SCOTWinc	3,441	\$1,360,976.72
Out of state + ADW	N/A	\$5,086,862.10
Total	3,441	\$6,447,838.82

**SUNDAY**  
3/15/20<sup>1</sup>

**OVIEDO RULING (ref 03-14-20<sup>4</sup>)**

The following ruling was issued after a decision was made as to the amount of the applicable penalty listed below.

**LATS RULING #057**

Trainer PHILIP OVIEDO, who worked the horse MOON JUICE, for removal from the Veterinarian's List on January 22, 2019, is fined ONE THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$1,250.00)\* pursuant to rule #1887 (Trainer or Owner to Insure Condition of Horse) and rule #1866(e) (Veterinarian's List) for violation of California Horse Racing Board rule #1843(a)(b)(d) (Medication, Drugs and Other Substances) and rule #1843.1 (Prohibited Drug Substances – Phenylbutazone and Methocarbamol [Class 4]).

3/15/20<sup>2</sup>

**RAMIREZ DECISION (ref 03-14-20<sup>5</sup>)**

In a unanimous decision this complaint was dismissed, Mr. Ramirez did not receive due process pertaining to the rule violations alleged in the case filed.

3/15/20<sup>3</sup>

**JOCKEY OBJECION**

Following the running of the race jockey HERIBERTO FIGUEROA aboard #8 GOLDEN MELODIE who finished third lodged a claim of foul against #7 DON'T STOP LOOKIN (Victor Flores 2<sup>nd</sup>) for possible interference in the stretch. After a report from the Patrol Judge and conversation with both jockeys involved in a unanimous decision there was no change in the original order of finish.

The #7 horse did cross in front of #8 causing that one to change direction. This interference did not afford #8 a better placing (3 ½ lengths).

3/15/20<sup>4</sup>

**DECLARATIONS, CHANGES AND REFUNDS**

1st race	#3 NEGOTIATOR (Tr. G. Mandella) Stewards-track condition. Refund \$3,765.70
2nd race	No Changes; Refund \$0; Minus Pool \$39.16
3rd race	No Changes; Refund \$0
4th race	No Changes; Refund \$0
5th race	No Changes; Refund \$0
6th race	No Changes; Refund \$533.99
7th race	No Changes; Refund \$460.44
8th race	#6 DIAMOND OF VALUE (Tr. A. Marquez) Stewards-track condition Refund \$5,412.01

3/15/20<sup>5</sup>

**DAILY ATTENDANCE & HANDLE**

On track	0	\$0.00
SCOTWinc	2,367	\$885,439.05
Out of state + ADW	N/A	\$5,731,174.40
Total	2,367	\$6,616,613.45

**VETERINARIAN REPORT – WEEK OF 3/9/20 TO 3/15/20**

Horses on Vet List	6
Horses off Vet List	17
Shock Wave Therapy	4
Fatalities	0
Medication	0

**SUMMARY**

	<b>Sat 3/14</b>	<b>Sun 3/15</b>	<b>Week</b>	<b>Meet</b>
<b>Accidents</b>	0	0	0	4
<b>Cal-Bred Races</b>	4	0	4	58
<b>Claims</b>	1	0	1	92
<b>Disqualification</b>	0	0	0	7
<b>Inquiries</b>	0	1	1	11
<b>Refunds</b>	7	4	11	181
<b>Rulings</b>	3	1	4	57
<b>Voided Claims</b>	0	0	0	8

Respectfully submitted,

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Kim Sawyer, Steward

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Luis Jauregui, Steward

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Grant W. Baker, Steward

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Ron Church, Safety Steward

BOS:KS:dw