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CHRB NEWS RELEASE

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**WEEKLY UPDATE**

SACRAMENTO, CA – This is the California Horse Racing Board’s weekly update of complaints, accusations, stewards rulings, and Board decisions involving Class 1, 2, and 3 medication violations and other significant matters.

The CHRB filed a complaint against trainer Paulo Lobo for violation of CHRB Rules 1843 (d), 1844, and 1887 after a horse in his care, Right Special, exceeded the regulatory threshold for clenbuterol. Clenbuterol is a beta-2 agonist bronchodilator commonly used in horses. This is a Class 3 violation. Right Special finished first in the third race at Hollywood Park on April 26, 2007. A hearing has not been scheduled.

The CHRB filed a complaint against trainer Mike Pender for violation of CHRB Rules 1843 (a) (d) and 1887 after a horse in his care, Asian Eyes, exceeded the regulatory threshold for clenbuterol, a Class 3 violation. Asian Eyes finished second in the fifth race at Hollywood Park on May 6, 2007. A hearing has not been scheduled.

The proposed decision by Administrative Law Judge Daniel Juarez not to sanction trainer Mike Mitchell in connection with a 2-hydroxyethyl-promazine positive was “deemed adopted” when the Board declined to accept and act on the proposed decision within the required 100 days. Under the ALJ decision, Kool Suggestion was disqualified from second in the seventh race at Oak Tree on October 12, 2005, and the purse redistributed after the horse tested positive for 2-hydroxyethyl-promazine, the predominate metabolite of Acepromazine, a Class 2 violation. Acepromazine is a commonly used tranquilizer in horses. Under the decision, “respondent Mike Mitchell’s trainer’s license shall not suffer discipline.” The Board did not act on the March 15, 2007, proposed decision within 100 days, so under Government Code Section 11517, the proposed decision was “deemed adopted.”

Jockey Carlos Bautista obtained a temporary restraining order in Orange County Superior Court staying imposition of a ruling by the stewards at Los Alamitos. In that ruling, the stewards ordered Bautista to serve a one-year suspension from July 5, 2007, through July 4, 2008. This followed an action by the Board to adopt a proposed decision sustaining the October 28, 2006, ruling of the Oak Tree stewards imposing a one-year suspension for possession of contraband under CHRB Rule 1890. The October ruling followed a two-day hearing on a complaint filed by the CHRB alleging Bautista used an electrical device to shock a horse during the warm-up period prior to the start of the second race at Fairplex Park on September 24, 2006. There was no allegation that

Bautista used an electrical device during the actual race on the horse, Royal Medallion, which finished third.

The stewards at Hollywood Park disqualified North Fleet Street, the winner of the 12<sup>th</sup> race at the Los Angeles County Fair on September 25, 2006, under Rule 1859.5, and ordered a redistribution of the purse after the horse tested positive for norpseudoephedrine and phenylpropanolamine, a Class 3 violation. Norpseudoephedrine and phenylpropanolamine can be found in urine samples after the ingestion of herbal products containing ephedra and in several over-the-counter products for both horse and human respiratory conditions. A hearing on the complaint against the trainer of record, Vladimir Cerin, is still pending.

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