

CALIFORNIA HORSE RACING BOARD
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SACRAMENTO HARNESS ASSOCIATION

TO THE CALIFORNIA HORSE RACING BOARD
HONORABLE ARNOLD SCHWARZENEGGER, GOVERNOR

HON: RICHARD B. SHAPIRO, CHAIRMAN
HON: JOHN C. HARRIS, VICE CHAIRMAN
HON: JOHN AMERMAN, MEMBER
HON: JOHN ANDREINI, MEMBER
HON: JESSE H. CHOPER, MEMBER
HON: MARIE G. MORETTI, MEMBER
HON: JERRY MOSS, MEMBER
INGRID J. FERMIN, EXECUTIVE DIRECTOR
RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR

Proceedings of the Board of Stewards for the period of Monday, October 29, 2007 through Sunday, November 04, 2007. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

Monday

10/29/07 (1) **Dark Day**

Tuesday

10/30/07 (1) **Entries**

The race office was open today accepting entries for Friday, November 02, 2007 and Saturday, November 03, 2007.

10/30/07 (2) **Draw for Friday November 02, 2007**

The draw for post positions for Friday's card was conducted at 2:00 p.m. Ninety-eight (98) horses were drawn in to thirteen (13) events. Scratch time for Friday's program is Wednesday October 31, 2007 at 9:00 a.m.

10/30/07 (3) **Draw for Saturday November 03, 2007**

The draw for post positions for Saturday, November 03, 2007 was conducted immediately after Friday's draw. Ninety-four (94) horses were drawn in to compete in thirteen (13) races. Scratch time is Wednesday, October 31, 2007 at 8:00 p.m.

10/30/07 (4) **Dark Day**

Wednesday

10/31/07 (1)

Scratch Time for Friday November 02, 2007

Scratch time for Friday, November 02, 2007, was at 9:00 a.m. this morning. There were seven (7) driver changes and no scratches.

Additionally, in event #12, the horse "TJ Poker Beach" was programmed as a stallion when in fact he is a 'gelding'. The error was traced to the USTA's (United States Trotting Association) computers. The necessary change and notifications were made; there should be no reoccurrence of this problem relative to this horse.

Also, there were changes to the purses on two events (Races #3 and #12) and header changes to Races #5 and #7.

10/31/07 (2)

Qualifying Races Draw

The race office took entries this morning for qualifying races to be contested at 4:30 p.m. Twenty (20) horses were entered to compete in three (3) qualifying events.

10/31/07 (3)

Qualifying Races Contested

Stewards Baker and Meyers oversaw the contesting of three (3) qualifying races commencing at 4:30 p.m.

In these events sixteen (16) of twenty (20) horses were successful in their qualifying efforts.

10/31/07 (4)

Final Choice/Gilbert Herrera

Owner/Trainer Herrera was in the stewards' office discussing the situation concerning the horse "Final Choice", who is entered to race on November 01, 2007 in event #6. Trainer Herrera contends that he erred in entering, consequently the horse is in an optional claiming event for the base price of twenty thousand (\$20,000) dollars. Trainer Herrera was informed that he would be allowed a steward's scratch. However, the horse would be restricted to racing for a base claiming price of twenty thousand (\$20,000) dollars for a period of thirty (30) days. Trainer Herrera was not at all pleased with the stewards' decision.

10/31/07 (5)

Trainer Tom Wine/Detention

The management of Sacramento Harness have ordered all horses trained by Tom Wine II to race from detention for a period of thirty (30) days effective this date. This action is the result of a TCO² positive on Wine trainee "Mac Jonathan VP" on October 6, 2007.

10/31/07 (6)

Scratches for Saturday November 03, 2007

Scratch time for Saturday, November 03, 2007, was at 8:00 p.m. For this date there were four (4) driver changes and one (1) scratch. Also, there was one purse change and one claiming price change.

10/31/07 (7) **Ninth Race – Accident**

During the running of Race #9, entering the stretch, #9 “Gee Gee Jackpot”, driven by Rick Plano, made a break and swerved sharply to his right into the path of #5 “Life’s Honor”, driven by S. Cisco. In the ensuing confusion, Driver Plano was unseated and fell to the track. The horse was loose for a brief period, but was immediately caught by Outrider Billy Don Wainscott. Driver Plano was examined by paramedics and received clearance to fulfill his driving assignment in the next race (Race #10).

10/31/07 (8) **Program Changes**

5th Race Declaration - #1 “Adora” – Trainer Lou Pena

Refund: \$101 Injured – Dr. Robert Goodbary

8th Race Driver Change - #5 “Frolov” – James Kennedy for Katie Scott
Sick

10/31/07 (9) **Claims**

4th Race - #5 “Sportz Dare” - claimed from Frank Petrelli for \$3,000. The new owner will be Michael Silber and the trainer will be Gene Valandingham.

7th Race - #6 “Reckless Heart” - claimed from Frank Petrelli for \$2,000. The new owner will be Robert Stepien and the trainer will be Robert Stepien.

10/31/07 (10) **Detention Barn**

5th Race - #7 “Must Be Sadie” – Trainer Tom Wine II

#2 “S S Ladro” – Trainer Tom Wine II

#3 “Neil’s Z Tam” – Trainer Tom Wine II

10/31/07 (11) **Attendance and Handle**

| | |
|------------------------|------------------|
| Attendance | 150 |
| Live Handle (On Track) | \$38,190 |
| Handle (In State) | \$288,913 |
| Handle (Out of State) | <u>\$191,453</u> |
| Total Handle | \$517,556 |

Thursday11/01/07 (1) **Fourth Race – Dead Heat – Inquiry/Disqualification**

At the conclusion of Race #4 the stewards posted the photo finish sign and the inquiry sign.

After examining the photo finish the stewards posted a dead heat for place between #2 “Ohoka Jasper N”, driven by Rick Plano and #6 “Desperatehousewife”, driven by Tim Maier.

11/01/07 (1) continued

Subsequent to this action the stewards proceeded to investigate an incident in mid stretch when #6, who was traveling in the two path, appeared to move to her left, closing a hole through which #2 was attempting to pass. After reviewing film and talking to the parties involved, the stewards concluded that #6 had impeded the progress of #2; hence #6 was placed from a dead heat for place to the show position. Driver Maier will review films with the stewards tomorrow, November 02, 2007.

Original order of finish: 3-2(DH)-6(DH)-5-1-4

Official order of finish: 3-2-6-5-1-4

11/01/07 (2) **#10 Post Position Trails**

The management of Sacramento Harness has decreed that effective with today's program, all horses drawing the #10 post position will start from a trailing position (i.e. behind the #1 horse). This action is being taken in anticipation of impending inclement weather. The exception to this policy is that all sire stake races start '10 across'.

11/01/07 (3) **Program Changes**

1st Race Declaration - #6 "Roughingthepasser" – Trainer L. Veon

Refund: \$9 Injured – Dr. Robert Goodbary

2nd Race Declaration - #3 "Franco Botica N" – Trainer Matias Ruiz

Refund: \$0 Injured – Dr. Robert Goodbary

5th Race Driver Change - #1 "New York Doll N" – Scott Cisco for Frank Petrelli
Not Medically Cleared – See Ruing #58

6th Race Declaration - #5 "Final Choice" – Trainer Gilbert Herrera

Refund: \$3 Stewards

6th Race Program Change - #1 "Easter Call" – Trainer Lou Pena
Program should read 'off lasix'

11/01/07 (4) **Detention Barn**

3rd Race - #5 "Summer Splash - Trainer Tom Wine II

5th Race - #3 "Kokorona" - Trainer Tom Wine II

8th Race - #6 "Ann's Nestegg" - Trainer Tom Wine II

8th Race - #8 "Noam N" - Trainer Tom Wine II

11/01/07 (5) **Attendance and Handle**

| | |
|------------------------|------------------|
| Attendance | 249 |
| Live Handle (On Track) | \$44,974 |
| Handle (In State) | \$355,182 |
| Handle (Out of State) | <u>\$255,959</u> |
| Total Handle | \$656,115 |

Friday

11/02/07 (1)

Informal Hearing – Petrelli/Oyarzabal

The stewards convened an informal hearing to address a financial responsibility complaint filed against Trainer Petrelli by Blacksmith Luis Oyarzabal in the amount of Six Thousand Thirty (\$6,030) Dollars. Said amount allegedly due for shoeing services provided between August 25, 2007 and October 06, 2007.

Present were Stewards Baker, Myers and Oke, the parties involved, along with Trainer Lou Pena as interpreter and Steve Wiseman, witness.

The issue revolves around Petrelli's refusal to pay the blacksmith his standard rate. More to follow.

11/02/07 (2)

Gilbert Herrera – Ill

Trainer/Driver Gilbert Herrera contacted the stewards and requested he be excused from his drives for the evening program due to illness. Driver Herrera's request was granted.

11/02/07 (3)

Tim Maier – Film Review

Driver Tim Maier was present in the stewards' office to review films of Race #4 on November 01, 2007. After reviewing films, Driver Maier accepted responsibility for the incident while offering the explanation 'that his horse was reacting to a right handed whip'. Driver Maier stated he would exercise more caution in the future. See ruling #59.

11/02/07 (4)

First Race – Inquiry/Disqualification

The stewards posted the inquiry immediately following the finish of Race #1 to investigate an incident in which #5 "Lodi Governor", who finished third (3rd), appeared to come off the rail, bothering #1 "Indeed Oneill", driven by F. Paquet, Jr., and ultimately causing #1 to break stride. After reviewing films and talking to the parties involved, the judges determined that a violation had occurred and thus #5 was disqualified and placed fifth (5th). Driver Wiseman will review films with the stewards tomorrow November 03, 2007.

Original order of finish: 6-3-5-4-1-2

Official order of finish: 6-3-4-1-5-2

11/02/07 (5)

Program Changes

1st Race Driver Change - #3 "Autumn Tides" – Rick Kuebler for Gilbert Herrera
Sick

2nd Race Driver Change - #1 "Sad Parting" – Rick Kuebler for Gilbert Herrera
Sick

8th Race Declaration - #2 "Red Star Ruffles" – Trainer Robley Johnson
Refund: \$194 Injured – Dr. Robert Goodbary

11/02/07 (6)

Attendance and Handle

| | |
|------------------------|------------------|
| Attendance | 408 |
| Live Handle (On Track) | \$56,280 |
| Handle (In State) | \$570,626 |
| Handle (Out of State) | <u>\$402,319</u> |
| Total Handle | \$1,029,225 |

Saturday

11/03/07 (1)

Driver Steve Wiseman – Disqualification

Driver Wiseman contacted the duty steward Saturday a.m. with reference to the disqualification in Race #1 on Friday, November 02, 2007. Mr. Wiseman took complete responsibility for the incident and stated he would take whatever penalty the stewards imposed. See ruling #60.

11/03/07 (2)

Ninth Race – Inquiry/Disqualification

At the conclusion of Race #9 the stewards posted the inquiry sign to investigate an incident in mid-stretch when #9 “Little Gary Perry”, who finished fourth (4th), appeared to go inside the pylons in order to pass #3 “Cherry Tree Duke”, driven by Steve Hyman. After reviewing films and speaking with parties involved, the stewards disqualified #9 and placed him fifth (5th) for going inside the pylons to improve his position. When contacted by telephone, Driver Maier acknowledged the infraction and accepted his penalty without complaint.

11/03/07 (3)

Program Changes

5th Race Declaration - #1 “Smile If You Can” – Trainer Frank Petrelli

Refund: \$0 Dr. Robert Goodbary

6th Race Driver Change - #1 “Just Hunkey Dory” – Tim Maier for Leon Smith

Injured

8th Race Declaration - #2 “Scotty Rocket” – Trainer Nick Casale

Refund: \$0 Dr. Robert Goodbary

11th Race Declaration - #1A “Colie” – Trainer Frank Petrelli

Refund: \$0 Dr. Robert Goodbary

11/03/07 (4)

Attendance and Handle

| | |
|------------------------|------------------|
| Attendance | 583 |
| Live Handle (On Track) | \$60,370 |
| Handle (In State) | \$544,644 |
| Handle (Out of State) | <u>\$332,334</u> |
| Total Handle | \$937,348 |

RULINGS ISSUED THIS WEEK

- 10/31/07 56 Racing Secretary Fred Kuebler is hereby fined the sum of Three Hundred (\$300) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Failed to Disseminate Proper Program Information Necessitating a Voided Claim on October 5, 2007).
- 11/01/07 57 Driver Lemoyne Svendsen, who drove “Legal Table” in the Sixth Race on Wednesday, October 31, 2007, is hereby fined the sum of Fifty Dollars (\$50) for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Late Leaving Paddock).
- 11/02/07 58 Trainer Frank Petrelli, who started “New York Doll N” in the Fifth Race on Thursday, November 01, 2007, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1894 (Duties Of Trainer – Failure to Name the Proper Driver by the Prescribed Time Necessitating a Late Driver Change).
- 11/02/07 59 Driver Tim Maier, who drove “Desperatehousewife” in the Fourth Race on Thursday, November 01, 2007, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (I) (Driving Rules – Impeded the Progress of Another Horse in the Stretch – Resulting in a Disqualification).
- 11/03/07 60 Driver Steve Wiseman, who drove “Lodi Governor” in the First Race on Friday, November 02, 2007, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (I) (Driving Rules – Impeded the Progress of Another Horse in the Stretch – Resulting in a Disqualification).

W E E K L Y S U M M A R Y

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 RECOMMENDED SCRATCHES

| Date | Race | No. | Horse | Trainer | Reason | Vet | Refund |
|--------|------|-----|-------------------|----------|---------|----------|----------|
| 31-Oct | 5 | 1 | ADORA | PENA | Injured | Goodbary | \$101.00 |
| 1-Nov | 1 | 6 | ROUGHINGTHEPASSER | VEON | Injured | Goodbary | \$9.00 |
| | 2 | 3 | RANCO BOTICA N | RUIZ | Injured | Goodbary | \$0.00 |
| | 6 | 5 | FINAL CHOICE | HERRERA | Injured | Goodbary | \$3.00 |
| | 8 | 2 | RED STAR RUFFLES | JOHNSON | Injured | Goodbary | \$194.00 |
| 2-Nov | 8 | 2 | RED STAR RUFFLES | JOHNSON | Injured | Goodbary | \$194.00 |
| 3-Nov | 5 | 1 | SMILE IF YOU CAN | PETRELLI | Injured | Goodbary | \$0.00 |
| | 8 | 2 | SCOTTY ROCKET | CASALE | Injured | Goodbary | \$0.00 |
| | 11 | 1A | COLIE | PETRELLI | Injured | Goodbary | \$0.00 |

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

| | | |
|-----------------|----|--------------|
| Bakersfield | \$ | 9,683.10 |
| Bay Meadows | \$ | 111,149.40 |
| Eureka | \$ | - |
| Fresno | \$ | 7,742.20 |
| Fresno Club One | \$ | 5,286.30 |
| Golden Gate | \$ | 75,069.30 |
| Monterey | \$ | 9,579.20 |
| Pleasanton | \$ | 46,075.90 |
| Sacramento | \$ | 158,703.20 |
| San Jose | \$ | 57,684.60 |
| Santa Rosa | \$ | 14,273.20 |
| Stockton | \$ | 33,019.80 |
| Tulare | \$ | 2,320.80 |
| Turlock | \$ | - |
| Vallejo | \$ | 24,178.50 |
| Racing Fairs | \$ | - |
| So. California | \$ | - |
| Out of State | \$ | 1,182,064.70 |

CALIFORNIA HORSE RACING BOARD

SUMMARY

2007/2008

| | Mon 10/29 | Tues 10/30 | Wed 10/31 | Thurs 11/01 | Fri 11/02 | Sat 11/03 | Total Week | Total Meet |
|---------------------------|----------------------|-----------------------|----------------------|------------------------|----------------------|----------------------|-----------------------|-------------------|
| Accidents | D | D | 1 | 0 | 0 | 0 | 1 | 2 |
| Cal-Bred Races | A | A | 0 | 0 | 0 | 1 | 1 | 18 |
| Claims | R | R | 2 | 0 | 0 | 0 | 2 | 59 |
| Disqualification's | K | K | 0 | 1 | 1 | 1 | 3 | 20 |
| Inquiries | D | D | 1 | 1 | 1 | 1 | 4 | 58 |
| Refunds | A | A | 1 | 3 | 1 | 0 | 5 | 102 |
| Rulings | Y | Y | 1 | 1 | 2 | 1 | 5 | 60 |

Stewards Attendance: Stewards Oke, Baker and Meyers were in attendance.

All drivers submitted to a breathalyzer test.

Michael W. "Wayne" Oke, Steward

Grant Baker, Steward

Will Meyers, Steward

State of California
Jockey/Driver Accident Report
CHRB-201 (NEW 07/06)

CALIFORNIA HORSE RACING BOARD

JOCKEY/DRIVER ACCIDENT REPORT

Business and Professions Code Section 19481.3(e) provides that the stewards shall investigate and prepare a report regarding all on-track accidents involving jockeys that occur during the performance of their duties. The investigation shall commence no later than the next live racing day and shall be completed expeditiously. Board Rule 1536, Stewards' Minutes, includes drivers in this requirement. **Upon completion of the report it shall immediately be sent by facsimile or electronic mail to the Jockey's Guild or California Harness Horsemen's Association; the jockey/driver or his representative; the racing association; the owner; and the trainer of the horse the jockey/driver was riding/driving at the time of the accident.**

Name of jockey/driver & CHRB License No.: Rick Plano 251893 12/09

Name of horse owner & CHRB License No.: Gerald Gellerman 065884 01/09;
Arlene Gellerman 065883 10/08; Cyril Green 069903 03/08; Lola Green 069904 02/08

Name of trainer & CHRB License No.: Rick Plano 089363 12/09

Name of horse and Tattoo No.: Gee Gee Jackpot 9A997

Date/time/location of accident: 10/31/07 9:00 p.m. Cal Expo

DESCRIPTION OF ACCIDENT

Include circumstances of accident, likely causes and the extent of injury to jockey/driver, if any. Complete one Jockey/Driver Accident Report for each jockey/driver involved in an accident. In addition to the distribution described above, a copy of each report shall be attached to the stewards' minutes in accordance with Rule 1536, Stewards' Minutes.

During the running of Race #9, entering the stretch, #9 "Gee Gee Jackpot", driven by Rick Plano, made a break and swerved sharply to his right into the path of #5 "Life's Honor", driven by S. Cisco. In the ensuing confusion, Driver Plano was unseated and fell to the track. The horse was loose for a brief period, but was immediately caught by Outrider Billy Don Wainscott. Driver Plano was examined by paramedics and received clearance to fulfill his driving assignment in the next race (Race #10).

/s/ signature on file
Signature of Steward

November 02, 2007
Date report completed