

CALIFORNIA HORSE RACING BOARD
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**CAL-EXPO HARNESS ASSOCIATION
TO THE CALIFORNIA HORSE RACING BOARD**

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RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR**

Proceedings of the Board of Stewards for the period of Monday, October 12, 2009 through Sunday, October 18, 2009. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

Monday

10/12/09 (1) **Entries and Draw for Thursday 10/15/09**
Entries were taken and a draw conducted for Thursday's card. At the 12:30 p.m. draw eighty-nine (89) head were drawn to compete in eleven (11) events.

10/12/09 (2) **Dark Day**

Tuesday

10/13/09 (1) **Scratch Time for Thursday 10/15/09**
At scratch time there were eight (8) driver corrections, two (2) claiming price corrections and one (1) injured scratch.

10/13/09 (2) **Entries and Double Draw for Friday 10/16/09 & Saturday 10/17/09**
Entries were taken and a double draw conducted for Friday's and Saturday's cards. At the 12:30 p.m. draw, one hundred twenty-six (126) horses were drawn to compete in fifteen (15) races on Friday's card. Immediately following, one hundred twenty-nine (129) head were drawn to compete in Saturday's fifteen (15) race card.

Scratch time for both cards is tomorrow at 9:00 a.m.

10/13/09 (3) **Dark Day**

Wednesday

10/14/09 (1)

Scratch Time – Friday 10/16/09 and Saturday 10/17/09

At scratch time for Friday's card there were eleven (11) driver corrections and no other changes.

At scratch time for Saturday's card there were twenty seven (27) driver corrections and one (1) injured scratch.

10/14/09 (2)

"Super High 5" Field Size Increase

Management and the horseman's organization have agreed on a plan to increase the field size to twelve (12) for the Eighth Race on each night's card. This race will be the basis for the "Super High 5" wager on each program.

10/14/09 (3)

Substantial Increase in Entries

With the arrival of several new and returning stables to the barn area (John Chappell, Larry Hastings, Quentin Schneider and Gretchen Smith), the number of horses in the box each day has risen substantially again, raising the possibility of a fourth racing day each week.

10/14/09 (4)

Dark Day**Thursday**

10/15/09 (1)

Qualifying Entries and Sheet

Entries were taken and a qualifying sheet produced for nine (9) qualifying races to be conducted this afternoon, commencing at 4:00 p.m.

10/15/09 (2)

Qualifying Races

Nine (9) qualifying races were held today under the supervision of Stewards Baker and Meyers. Of the fifty three (53) participants, forty (40) were successful in their qualifying efforts.

10/15/09 (3)

Camera and Timer Problems

In the wake of Tuesday's severe rainstorm, we experienced a litany of electric and other related problems.

The 1/2 mile timer was non operational for the qualifiers until the ninth event. The head-on in the stretch, the wide pan and the 1/4 pole shot were not available for races 1 through 3.

Plusmic management was notified of the problems by Steward Will Meyers. More to follow.

10/15/09 (4)

First Race – Slow Quarter

Driver Jason Ricco, the driver of #1 "Ciera Rose" was contacted by the stewards following the first race to seek an explanation for the exceedingly slow time of 35¹ in the second quarter while Driver Ricco was in control of the race. Driver Ricco could offer no viable explanation. Subsequently, Driver Ricco was ordered to film review.

10/15/09 (5) **Fourth Race – Inquiry/Disqualification**

The stewards posted the ‘inquiry sign’ to investigate an incident approaching the 3/4 mile marker when #6 “The Godfather” (Luke Plano), who was leading the race, appeared to spot a leaf on the track and slowed and stepped to the right, causing confusion among the trailing horses and caused them to take evasive action.

After reviewing film and speaking to the drivers involved, the stewards unanimously concluded that #6, the eventual second (2nd) place finisher, had cost the remainder of the field ‘a chance at a better placing’. Thus #6 was disqualified and placed last. Driver Luke Plano was held blameless in the incident.

Original order of finish: 4-6-5-1-7-2-3

Official order of finish: 4-5-1-7-2-3-6

10/15/09 (6) **Eleventh Race – Inquiry/No Change**

The stewards posted the ‘inquiry’ to investigate an incident prior to the finish when #1 “Charmer” (James Kennedy), while on the lead and under strong urging, broke stride and continued offstride through the finish while finishing second (2nd).

After reviewing film, the stewards unanimously concluded that #1 “Charmer”, who had a commanding lead prior to breaking stride, had complied with the breaking rule, thus no change. Driver James Kennedy was ordered to film review.

10/15/09 (7) **Program Changes**

2nd Race Declaration - #5 “Hi Ho Serenade” – Trainer Matias Ruiz

Refund: \$106 Injured – Dr. Robert Goodbary

6th Race Declaration- #4 “Artilda” – Trainer Vickie Desomer

Refund: \$32 Injured – Dr. Robert Goodbary

10th Race Driver Change - #6 “Sweetie of Lodi”

T. Maier for programmed driver K. Lindsey

10/15/09 (8) **Attendance and Handle**

Attendance	232
Live Handle (On Track)	\$33,505
Handle (In State)	\$241,896
Handle (Out of State)	<u>\$196,318</u>
Total Handle	\$471,719

Friday

10/16/09 (1) **Informal Hearing – Trainer Robley Johnson/**

Re: CHRB Case #09SW-0153 & CHRB Case # 09SW-0154

Trainer Robley Johnson met with the Board of Stewards along with Supervising Special Investigator Greg Fabbri and California Horse Racing Board Veterinarian Robert Goodbary to discuss Case #09SW-0153 (Post Race Test for “Flunixin” in Excess of Permitted Levels) and Case #09SW-0154 (Presence of the Class IV Prohibited Substance “Methocarbamol”).

Both tests were on the same horse (“Fishy’s Sushi”) after her start on July 24, 2009 at Cal Expo.

Information was exchanged and the matter taken under consideration by the Board of Stewards. More to follow.

10/16/09 (2) **Film Review – Jason Ricco**

Driver Jason Ricco, who had been ordered to film review to discuss his drive in Thursday’s first race, contacted the stewards by phone and waived his right to a hearing, thus the stewards issued the following ruling:

Ruling # 11

Driver Jason Ricco, who drove #1 “Ciera Rose” in the First Race on Thursday, October 15, 2009, is hereby fined the sum of One Hundred Dollars (\$100) for violation of California Horse Racing Board Rule # 1721 (L) (Driving Rules – Drive or Cause to be Driven any Unreasonably Slow Quarters or Fractions).

10/16/09 (3) **Eleventh Race – Late to Paddock**

The stewards were notified by Identifier Carl Sobey that the horse “Fast N Furious”, trained by Brian Marchand, was late arriving to the paddock. Action on this information, the stewards issued the following ruling:

Ruling # 12

Trainer Brian Marchand, who had “Fast N Furious” programmed to start in the Eleventh Race on Friday, October 16, 2009, is hereby fined the sum of Fifty Dollars (\$50) for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Late Arriving in Paddock).

10/16/09 (4) **Thirteenth Race – Claim**

#3 “Leadmeastray” was claimed by Brandi Were for Six Thousand (\$6,000) Dollars. The new trainer will be Rick Plano.

10/16/09 (5) **Fifteenth Race – Film Review**

At the conclusion of Race #15 the stewards ordered Driver Chris Hernandez to film review to discuss his actions in the stretch drive for the aforementioned race.

10/16/09 (6) **Program Changes**

1st Race Declaration - #1 “Alias Jones” – Trainer Ralph Silvestri III

Refund: \$294 Injured – Dr. Robert Goodbary

3rd Race Declaration - #5 “Mudflap” – Trainer Richard Bertrand

Refund: \$252 Injured – Dr. Robert Goodbary

14th Race Declaration- #7 “Inconvenient Truth” – Trainer Rick Plano

Refund: \$302 Injured – Dr. Robert Goodbary

15th Race Declaration - #9 “Bronte Anas Boy” – Trainer Jason Ricco

Refund: \$21 Injured – Dr. Robert Goodbary

10/16/09 (7)	<u>Attendance and Handle</u>	
	Attendance	345
	Live Handle (On Track)	\$45,018
	Handle (In State)	\$406,837
	Handle (Out of State)	<u>\$261,180</u>
	Total Handle	\$713,035

Saturday10/17/09 (1) **Kennedy Ruling****Ruling # 13**

Driver James Kennedy, who drove "Charmer" in the Eleventh Race on Thursday, October 15, 2009, is hereby fined the sum of Three Hundred (\$300) Dollars for violation of California Horse Racing Board Rule #1734 (Whipping – No Driver Shall Use Unreasonable or Unnecessary Force in the Whipping of a Horse).

The above ruling was issued after Kennedy appeared and reviewed the race in question. "Charmer" was 4 or 5 lengths in front, down the stretch and Kennedy was overly aggressive with his whip, which in the steward's opinion, caused his mount to break stride and end up second. Kennedy understood and accepted the penalty.

10/17/09 (2) **Hernandez Review – 15th Race**

Driver/Trainer Chris Hernandez was in to review his drive aboard #3 "On Eagles Wings" in last night's 15th Race. Hernandez also trained eventual winner #4 "Quick On My Feet". Hernandez's horse tires in the stretch and it appears Hernandez becomes more concerned where his other horse is rather than paying attention to his own mount. He looks around continuously down the stretch rather than drive his horse. No interference occurred, but Hernandez drove carelessly. Disposition to follow.

10/17/09 (3) **Clean Program**

Tonight's fifteen (15) race program was conducted without incident.

10/17/09 (4) **Program Changes**

8th Race Declaration - #10 "Rama Hanover" – Trainer Lisa Van Tassel
 Refund: \$19 Injured – Dr. Robert Goodbary
 10th Race Declaration - #2 "General Jag" – Trainer Ralph Silvestri III
 Refund: \$96 Injured – Dr. Robert Goodbary
 15th Race – Driver Rick Plano for Quentin Schneider
 Trainer Request – Fined

10/17/09 (5) **Attendance and Handle**

	Attendance	415
	Live Handle (On Track)	\$45,898
	Handle (In State)	\$395,434
	Handle (Out of State)	<u>\$245,129</u>
	Total Handle	\$686,461

RULINGS ISSUED THIS WEEK

- 10/16/09 10 Trainer Kennedy Lindsey, who started “Sweetie Of Lodi” in the Tenth Race on Thursday, October 15, 2009, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Failure to Name the Proper Driver by the Prescribed Time Necessitating a Late Driver Change).
- 10/16/09 11 Driver Jason Ricco, who drove #1 “Ciera Rose” in the First Race on Thursday, October 15, 2009, is hereby fined the sum of One Hundred Dollars (\$100) for violation of California Horse Racing Board Rule # 1721 (L) (Driving Rules – Drive or Cause to be Driven any Unreasonably Slow Quarters or Fractions).
- 10/17/09 12 Trainer Brian Marchand, who had “Fast N Furious” programmed to start in the Eleventh Race on Friday, October 16, 2009, is hereby fined the sum of Fifty Dollars (\$50) for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Late Arriving in Paddock).
- 10/17/09 13 Driver James Kennedy, who drove “Charmer” in the Eleventh Race on Thursday, October 15, 2009, is hereby fined the sum of Three Hundred (\$300) Dollars for violation of California Horse Racing Board Rule #1734 (Whipping – No Driver Shall Use Unreasonable or Unnecessary Force in the Whipping of a Horse).

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
15-Oct	2	5	HI HO SERENADE	RUIZ	Injured	Goodbary	\$106.00
	6	4	ARTILDA	DESOMER	Injured	Goodbary	\$32.00
16-Oct	1	1	ALIAS JONES	SILVESTRI III	Injured	Goodbary	\$294.00
	3	5	MUDFLAP	BERTRAND	Injured	Goodbary	\$252.00
	14	7	INCONVENIENT TRUTH	PLANO	Injured	Goodbary	\$302.00
	15	9	BRONTE ANAS BOY	RICCO	Injured	Goodbary	\$21.00
17-Oct	8	10	RAMA HANOVER	VAN TASSEL	Injured	Goodbary	\$19.00
	10	2	GENERAL JAG	SILVESTRI III	Injured	Goodbary	\$96.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	5,399.20
Fresno	\$	7,788.90
Fresno Club One	\$	1,684.90
Golden Gate	\$	45,485.50
Monterey	\$	7,378.70
Pleasanton	\$	25,411.50
Sacramento	\$	110,493.50
San Jose	\$	33,741.60
San Mateo	\$	67,447.80
Santa Rosa	\$	10,462.60
Stockton	\$	19,240.50
Tulare	\$	10.00
Vallejo	\$	21,833.50
So. California	\$	491,538.00
Out of State	\$	702,626.98

**CAL-EXPO HARNESS ASSOCIATION
SUMMARY
2009**

	Mon 10/12	Tues 10/13	Wed 10/14	Thurs 10/15	Fri 10/16	Sat 10/17	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	1
Cal-Bred Races	A	A	A	0	0	0	0	0
Claims	R	R	R	0	1	1	2	4
Disqualifications	K	K	K	1	0	0	1	8
Inquiries	D	D	D	2	0	0	2	15
Refunds	A	A	A	2	4	2	8	26
Rulings	Y	Y	Y	0	2	2	4	13

**Stewards Attendance: Stewards Oke, Baker and Meyers were in attendance.
All drivers submitted to a breath analyzer test.**

Michael W. "Wayne" Oke, Steward

Grant Baker, Steward

Will Meyers, Steward