

CALIFORNIA HORSE RACING BOARD
1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825
(916) 263-6000
FAX (916) 263-6042



WATCH AND WAGER LLC – CAL EXPO
TO THE CALIFORNIA HORSE RACING BOARD
HONORABLE EDMUND G. BROWN JR., GOVERNOR
HONORABLE DAVID ISRAEL, CHAIRMAN
HONORABLE CHUCK WINNER, VICE CHAIRMAN
HONORABLE STEVE BENETO, MEMBER
HONORABLE JESSE H. CHOPER, MEMBER
HONORABLE BO DEREK, MEMBER
HONORABLE GEORGE KRIKORIAN, MEMBER
HONORABLE RICHARD A. ROSENBERG, MEMBER
JACQUELINE WAGNER, ASSISTANT EXECUTIVE DIRECTOR

Proceedings of the Board of Stewards for the period of Monday, November 11, 2013 through Sunday, November 17, 2013. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

11/11/13 (1) **Entry Day**

The racing office was open today accepting entries for Friday, November 15th. Thirteen (13) races were drawn. Ninety eight (98) horses are scheduled to start.

11/11/13 (2) **Dark Day**

Tuesday

11/12/13 (1) **Scratch Day / Entry Day**

Scratches and changes for Friday, November 15th took place this morning in the racing office. There were no scratches. There were nineteen (19) driver selections/changes made. All of the updated information was disseminated after today's 9:00am deadline.

11/12/13 (2) **Meeting Re: Cal Expo Track Condition [Ref:11/05/13 (5)]**

A meeting was held in the Cal Expo Stewards' office today at noon. In attendance were Safety Stewards McCarthy, Salmon and Oke along with CHRB Official Veterinarian Dr. Robert Goodbary and Dr. Audrey Clifton representing "Backstretch Practicing Veterinarians." Additionally, Duty Steward G. Baker attended. At issue was the ongoing inquiry into the Cal Expo track condition. Dr. Clifton stated that she and the other Veterinarians were of the opinion that there had not been any notable increases in lameness or unsound horses. Dr. Goodbary echoed these same opinions. Immediately following the Safety Stewards met with Ms. Meredith Higgins,

the original complainant in the matter. Ms. Higgins while certainly heartfelt and sincere in her opinions appears to lack facts to support those opinions.

11/12/13 (3) **Dark Day**

Wednesday

11/13/13 (1) **Scratch Day**

Scratches and changes for Saturday, November 16th took place this morning in the racing office. There were no scratches. There were twenty two (22) driver selection/alterations made. All changes were disseminated after today's 9:00am deadline.

11/13/13 (2) **Dark Day**

Thursday

11/14/13 (1) **Frank Petrelli Hearing (Case No. 12-003)**

A formal hearing was held in the steward's office today at Cal Expo. This hearing was held for former Cal Expo based Trainer Frank Petrelli who allegedly violated terms of probation that were agreed upon in a stipulated agreement between the California Horse Racing Board and Frank Petrelli. This stipulated agreement was signed on January 25, 2011. Present at today's hearing was California Deputy Attorney General Kirsten Daily, CHRB employee Sharyn Jolly, CHRB employee Vicki Thornton (observer), the Stewards and CSR Wendy Frazier (Frazier Reporting). Frank Petrelli testified via telephone from Coconut Creek, Florida. Deputy Attorney General Daily presented six (6) documents at this hearing. Information in those documents included in part:

- A. Trainer Petrelli started "Keystone Comotion" at Cal Expo on April 15, 2009
- B. "Keystone Comotion" tested positive for Yohimibine (Class 2) following this race.
- C. CHRB Hearing Officer C. Scott Chaney recommended a one (1) year suspension and a ten thousand (\$10,000) dollars fine in the matter on December 14, 2009. The CHRB issued a penalty following that recommendation.
- D. Petrelli served one hundred ninety four (194) days of the one (1) year suspension and his fine was reduced from ten thousand (\$10,000) dollars to four thousand (\$4,000) dollars. Petrelli wrote a letter to the CHRB prior to this requesting a relief from his original sanction. His original probation (two years) remained in effect until January 25, 2013.
- E. On December 21, 2012, the Frank Petrelli trained "Summer's Overtime" won the sixth race. The post race test was positive for the Class 2 drug Levamisole.
- F. On June, 19, 2013 Hearing Officer Richard P. Margarita imposed a ninety (90) day suspension and a two thousand five hundred (\$2,500) dollars fine in the "Summer's Overtime" matter.
- G. Deputy Attorney General Daily today requested that Frank Petrelli serve the remaining one hundred seventy one (171) suspension days of his

first Class 2 violation for alleged violation of his probation. Decision to follow.

11/14/13 (2) **Dark Day**

Friday

11/15/13 (1) **Tim Maier Film Review [Ref: 11/09/13 (6)]**

Driver Tim Maier appeared in the steward's office to review his drives in the eighth and ninth races on Saturday, November 9th. In the eighth race Driver Maier was aboard #4 "Bugatti Hanover" who finished sixth in the eighth race. Today race replays show #4 "Bugatti Hanover" drift out in mid-stretch while racing near the back of the pack. At this point he hooks the wheels of fifth place finisher #1 "Serious Art" (James Lackey). Driver Maier, at this informal hearing, acknowledged that he could have had better control before the interference (hooking) took place. In a unanimous decision the stewards issued the following ruling:

RULING # 6

DRIVER TIM MAIER, WHO DROVE "BUGATTI HANOVER" IN THE EIGHTH RACE ON SATURDAY NOVEMBER 9, 2013, IS HEREBY FINED THE SUM OF ONE HUNDRED (\$100.00)* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1721 (b) (DRIVING RULES – JOSTLE, STRIKE, HOOK WHEELS, OR INTERFERE WITH ANOTHER HORSE OR DRIVER). INCIDENT OCCURRED IN THE STRETCH.

In the ninth race Driver Maier was aboard third place finisher #3 "Larry Horse" Just before entering the homestretch Driver Maier fails to keep a line-in each hand until the 7/8^{ths} pole. This is in violation of Cal Expo whipping rules which does not allow for one handed whipping until a horse reaches the 7/8 mile marker. The majority of stewards voted for a warning. Steward Baker felt this was worthy of a penalty. Warning issued.

11/15/13 (2) **Sixth Race Inquiry / Disqualification**

The stewards posted the inquiry sign after viewing an incident as the horses were racing down the backside, before the ½ mile marker. #2 "I Can Feel It" (Daniel Maier) who finished tenth was racing in a co-lead position when fourth place finisher #9 "Lonelle Hanover" (Lemoyne Svendsen) veered inward while racing to the outside of fellow leader #2 "I Can Feel It." At this juncture these two (2) rivals "hook wheels" forcing Driver Maier to check his horse "I Can Feel It" who causes him to lose momentum. After reviewing head-on and panoramic views of the incident the stewards, in a unanimous decision, disqualified #9 "Lonelle Hanover" and placed him tenth (last). Driver Lemoyne Svendsen was ordered to film review.

Original order of finish: 3-4-7-**9**-8-6-10-1-5-2

Official order of finish: 3-4-7-8-6-10-1-5-2-**9**

11/15/13 (3) **Program Changes**

1st Race Declaration: #5 "Barbara Nell" – Trainer George Anthrop

Refund:\$93.30

Sick – Robert Goodbary DVM

4th Race Declaration: #7 “Western So” – Trainer George Anthrop
 Refund:\$195.90 Sick – Robert Goodbary DVM
 6th Race Driver Change: #6 “My Roberto” – R. Roesch for M. Jarvis (Sick)
 8th Race Driver Change: #4 “No Mo Parking”– T. Maier for M. Jarvis (Sick)

| | | |
|--------------|-------------------------------------|------------------|
| 11/15/13 (4) | <u>Attendance and Handle</u> | |
| | Attendance | 224 |
| | Total on Track | \$37,876 |
| | Total in State | \$259,654 |
| | <u>Out of State</u> | <u>\$303,407</u> |
| | Total Handle | \$600,937 |

Saturday

11/16/13 (1) **Lemoyne Svendsen Film Review [Ref: 11/15/13 (21)]**

Driver Lemoyne Svendsen appeared in the steward’s office to review his drive in the sixth race last night (November 15). Driver Svendsen was aboard original fourth place finisher #9 “Lonelle Hanover” who was disqualified and place tenth (last) for back stretch interference. During film review the stewards viewed Svendsen urge (whip) his horse twice shortly before the foul was committed before the ½ mile marker. Driver Svendsen felt his horse’s actions were to blame for hooking wheels with #2 “I Can Feel It” (Danny Maier) which led to the disqualification from fourth to tenth place. The stewards felt it was the aggressive actions of Svendsen that led to the interference in a potentially dangerous incident of wheel hooking. This incident follows another interference violation that Svendsen was involved with that resulted in a recent ruling last week. [Ref:Ruling #4 11/09/13]. In a majority decision the following ruling was issued. (Steward Baker voting for two (2) suspension days).

RULING # 7

DRIVER LEMOYNE SVENDSEN, WHO DROVE “LONELLE HANOVER” IN THE SIXTH RACE ON FRIDAY, NOVEMBER 15, 2013, IS HEREBY FINED THE SUM OF THREE HUNDRED (\$300.00)* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE # 1721 (B) (DRIVING RULES – JOSTLE, STRIKE, HOOK WHEELS, OR INTERFERENCE WITH ANOTHER HORSE OR DRIVER). INCIDENT OCCURRED IN THE BACK STRETCH - RESULTING IN A DISQUALIFICATION FROM FOURTH TO TENTH PLACE.

11/16/13 (2) **Qualifying Races**

Three (3) qualifying races were held prior to this evening’s thirteen race pari-mutuel card. Of the sixteen (16) participants thirteen (13) made the grade.

11/16/13 (3) **Official Change**

CHRB Veterinarian Robert Goodbary sustained a minor injury in the stable area prior to this evening’s races. Track Veterinarian Clifford Zucco filled in for Dr. Goodbary this evening.

11/16/13 (4) **No Show Wagering**

Watch and Wager.com LLC cancelled show wagering for tonight's \$10,000 California Sire Stakes, which had five (5) betting interests, morning line choice (odds 4/5) #2 "A Stitch In Time" (Driver Lemoyne Svendsen) won this event which was carded as the third race.

11/16/13 (5) **Ninth Race Inquiry/ Disqualification**

The stewards reviewed this race when original seventh place finisher #4 "Majorley" (Luke Plano) made a break in the stretch and was on a full gallop at the wire. Eighth place finisher #5 "Captain Greg" (Roy Dinges) was 'lapped-on' the hind quarters of #4 "Majorley" at the finish. For violation of CHRB Rule #1723 (Lapped-on Break) #4 "Majorley" was disqualified and placed eighth.

Original order of finish: 9-1-3-7-2-6-~~4~~-5-8

Official order of finish: 9-1-3-7-2-6-5-~~4~~-8

11/16/13 (6) **Program Changes**

1st Race Ownership: #2 "Skyway King"

Should Read – "Toman Enterprises LTD"

5th Race Ownership: #4 "Sky Keeper"

Should Read – "No Trotting Hopples"

8th Race Declaration: #7 "Lovely Report" – Trainer George Anthrop

Refund:\$146.00 Injured – Clifford Zucco DVM

11th Driver Change: #4 "Tarver Hanover"

P. Welence for R. Dinges (Hurt Hand)

11th Ownership: #5 "Bettor's Jackpot"

Should Read – "Toman Enterprises LTD"

12th Race Declaration: #4 "Sure Quarter" – Trainer George Anthrop

Refund:\$32.40 Sick – Clifford Zucco DVM

13th Race Declaration: #11 "Gliding Boheme" – Trainer Mike Jarvis

Refund:\$31.30 Sick – Clifford Zucco DVM

11/16/13 (7) **Attendance and Handle**

| | |
|---------------------|------------------|
| Attendance | 310 |
| Total on Track | \$43,795 |
| Total in State | \$262,029 |
| <u>Out of State</u> | <u>\$284,421</u> |
| Total Handle | \$590,245 |

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-Nov | 1 | 5 | BARBARA NELL | GEORGE ANTHROP | Sick | Goodbary | \$ 93.30 |
| 15-Nov | 4 | 7 | WESTERN SO | GEORGE ANTHROP | Sick | Goodbary | \$ 195.90 |
| 16-Nov | 8 | 7 | LOVELY REPORT | GEORGE ANTHROP | Injured | Zucco | \$ 146.00 |
| 16-Nov | 12 | 4 | SURE QUARTER | GEORGE ANTHROP | Sick | Zucco | \$ 32.40 |
| 16-Nov | 13 | 11 | GLIDING BOHEME | GEORGE ANTHROP | Sick | Zucco | \$ 31.30 |

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

| | | |
|-----------------|----|------------|
| Bakersfield | \$ | - |
| Fresno | \$ | 3,054.30 |
| Fresno Club One | \$ | 950.90 |
| Golden Gate | \$ | 21,684.10 |
| Monterey | \$ | 5,762.60 |
| Pleasanton | \$ | 10,027.10 |
| Sacramento | \$ | 69,334.10 |
| San Jose | \$ | 16,144.80 |
| San Mateo | \$ | 32,720.20 |
| Santa Rosa | \$ | 3,947.50 |
| Stockton | \$ | 9,995.50 |
| Tulare | \$ | - |
| Turlock | \$ | - |
| Vallejo | \$ | 8,616.80 |
| No. California | \$ | - |
| So. California | \$ | 144,835.20 |
| Out of State | \$ | - |

WATCH AND WAGER LLC – CAL EXPO

SUMMARY

2013

| | Mon 11/11 | Tues 11/12 | Wed 11/13 | Thurs 11/14 | Fri 11/15 | Sat 11/16 | Total Week | Total Meet |
|--------------------------|----------------------|-----------------------|----------------------|------------------------|----------------------|----------------------|-----------------------|-----------------------|
| Accidents | D | D | D | D | 0 | 0 | 0 | 0 |
| Cal-Bred Races | A | A | A | A | 0 | 0 | 0 | 0 |
| Claims | R | R | R | R | 1 | 0 | 1 | 2 |
| Disqualifications | K | K | K | K | 1 | 1 | 2 | 4 |
| Inquiries | D | D | D | D | 1 | 1 | 2 | 9 |
| Refunds | A | A | A | A | 2 | 3 | 5 | 22 |
| Rulings | Y | Y | Y | Y | 1 | 1 | 2 | 7 |

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

All drivers submitted to a breath analyzer test.

Grant Baker, Steward

Will Meyers, Steward

Michael W. "Wayne" Oke, Steward