

**CALIFORNIA HORSE RACING BOARD**  
**1010 HURLEY WAY, SUITE 300**  
**SACRAMENTO, CA 95825**



**REPORT OF THE BOARD OF STEWARDS**  
**DEL MAR THOROUGHBRED CLUB**  
**TO THE CALIFORNIA HORSE RACING BOARD**

Honorable Edmund G. Brown Jr. Governor  
Honorable Keith Brackpool, Chairman  
Honorable David Israel, Vice-Chairman  
Honorable Steve Beneto, Member  
Honorable Jesse H. Choper, Member  
Honorable Bo Derek, Member  
Honorable Richard A. Rosenberg, Member  
Honorable Chuck Winner, Member  
Kirk E. Breed, Executive Director  
Jacqueline Wagner, Assistant Executive Director

**Week 2: Sunday, July 22, 2012, through Saturday, July 29, 2012.**

**SUNDAY**  
07/22/12<sup>1</sup>

**ENTRY ISSUE**

Racing Secretary Tom Robbins met with the Stewards to discuss allowing trainers to enter into both Stake races and Overnight Stake races at the same time on different days. The two races involved were the California Dreamin' Handicap (\$100,00.00 paid nomination-entry fee). The other race was the Wickerr Stakes (\$85,000.00, free nomination-entry fee). Mr. Robbins stated that for several years Del Mar has allowed this procedure and considered both types of races, as "stakes" races. There were differences of opinions of this procedure, pursuant to rule 1581.1(a). It is a normal practice to allow a trainer, when the horse is needed by the Racing Office, to enter from a lesser race into a similar or stronger condition race, but not enter "down" into a lesser condition race. It is also considered, if an owner pays to run in a race, they should be able to declare out without a penalty. A resolution will follow shortly.

07/22/12<sup>2</sup>

**WILSON HEARING CASE #12HP072**

Racing Veterinarian Dana Stead filed a complaint against trainer Lance Wilson for an alleged violation of CHRB rule 1581 (Racing Secretary to Establish Conditions) and 1437 (Conditions of a Race Meeting). Although Mr. Wilson was one hour late arriving on the grounds, the horse was medicated within the required guidelines. Mr. Wilson stated his trailer lights weren't working due to vandalism. He produced proof of his purchase of new "plugs" bought to fix his trailer lights before he could

travel. Mr. Wilson was informed he should have notified the Stewards and the receiving barn and explained his dilemma. Decision to follow.

07/22/12<sup>3</sup>

**LOPEZ FORMAL HEARING CASE #12HP075**

The CHRB filed a complaint against jockey Lorenzo Lopez for an alleged violation of CHRB rules 1489 (h) (Grounds for Denial or Refusal of License) and 1890 (Possession of Contraband). Investigator Rick Amieva represented the CHRB and Safety Steward Luis Jauregui translated for Mr. Lopez. Mr. Lopez was sworn in and testified that he had tried marijuana for the pain in his shoulder due to old riding injuries. The hearing was continued until Mr. Lopez could meet with Winners Foundation and find a local doctor to evaluate his physical condition and his capabilities to work under CHRB rules.

07/22/12<sup>4</sup>

**CLERK OF SCALES REPLACEMENT**

Assistant Clerk of Scales Charles McCaul replaced Clerk of Scales Ruben Hernandez for the afternoon duties. Mr. Hernandez was relieved of his duties due to violation of DMTC personnel policy. The matter was referred to the CHRB investigative staff.

07/22/12<sup>5</sup>

**INQUIRY FIRST RACE (5 ½ furlongs)/NO CHANGE**

After the finish of the race the inquiry sign was posted to review an incident approaching the 1/16 marker. Involved were # 7 Spring Rocks (1st J. Talamo) and # 5 Buds Pal (2nd E. Flores). As # 7 passed # 5 he drifted slightly inward causing # 5 to change its direction. After conversation with the Patrol Judges and both jockeys involved it was a unanimous decision to let the original order of finish stand. It was the Stewards opinion that # 5 was not compromised the opportunity of a better placing and the race was made official. Mr. Talamo will meet with the Stewards Wednesday morning to discuss the race.

07/22/12<sup>6</sup>

**DECLARATIONS, CHANGES AND REFUNDS**

1<sup>st</sup> race - No Changes

2<sup>nd</sup> race - No Changes; Refund \$8.00

3<sup>rd</sup> race - No Changes; Refund \$12.00

4<sup>th</sup> race - #4 Gnarley Dude (Tr. K. Mulhall) claimed by Tr. W.E. Morey

#5 Stacy's Hope (Tr. J. Sadler) claimed by Tr. R.B. Hess, Jr.

#9 Why Not Be Perfect (Tr. K. Desomeaux) Veterinarian-sick-Dr. Stead  
Refund \$575.20

5<sup>th</sup> race - #4 Smokey Lonesome (Tr. A. Sherman) claimed by Tr. R. Ellis

#5 Quail Hill (Tr. R. Diodoro) claimed by Tr. D. O'Neill

#6 Special Kid (Tr. B. Spawr) Claimed by Tr. C. Autrey

#8 Huntingman (Tr. J. Sadler) claimed by Tr. P. Miller

Refund \$152.00

6<sup>th</sup> race - No Changes; Refund \$18,594.80

7<sup>th</sup> race - No Changes; Refund \$1,805.96

8<sup>th</sup> race - No Changes; Refund \$1,018.90

9<sup>th</sup> race - #1 Bernster (Tr. B. Baffert) Veterinarian-sick-Dr. Stead

#4 Scorpion Warrior (Tr. K. Mulhall) Veterinarian-injured-Dr. Grande

Refund \$10,413.84

07/22/12<sup>7</sup>

**DAILY ATTENDANCE & HANDLE**

On track	18,084	\$2,139,400.40
Off Track	8,920	\$1,856,769.90
TVG/Xpress/Youbet	n/a	n/a
Out -of-State	n/a	\$6,924,122.03
Total	27,004	\$10,920,292.33

**WEDNESDAY**

07/25/12<sup>1</sup>

**HERNANDEZ MEETING**

After it was suspected that the Clerk of Scales, Ruben Hernandez, might be intoxicated on Sunday, he was required to blow into a Breathalyzer (.09). We held a meeting with Southern Chief Investigator Bill Westermann, Investigator Rick Amieva, V.P. Human Resources Ann Hall, Winners Foundation representative Bob Fletcher, Safety Steward Luis Jauregui and Clerk of Scales Ruben Hernandez and discussed matters pertaining to this issue. The Stewards and DMTC jointly agreed to relieve Mr. Hernandez of his duties pending a hearing.

07/25/12<sup>2</sup>

**FILM REVIEW**

Jockey Joe Talamo met with the Stewards to review the first race on Sunday. He left the office with a warning to stay straight and not to cross over without sufficient clearance. He agreed to be more aware.

07/25/12<sup>3</sup>

**INQUIRY FIFTH RACE (1 mile-polytrack)/NO CHANGE**

After the finish of the race the inquiry sign was posted to review the start. Involved was #8 Magic Fire (M. Pedroza). Simultaneously to the starting gate doors opening #8 reared up, and the rider stepped off of the fractious horse. After a review of the videos and talking to the Starter and the Patrol Judge it was unanimous to declare the horse a starter and the race was made official.

07/25/12<sup>4</sup>

**JOCKEY OBJECTION SEVENTH RACE (1 mile-turf)/NO CHANGE**

After the finish of the race jockey Martin Garcia who rode # 9 Calimonco (2<sup>nd</sup>) lodged a claim of foul against #2 Suggestive Boy (ARG) (1<sup>st</sup> J. Talamo) for alleged interference in the stretch. After a review of the videos and conversation with the Patrol Judges and both jockeys it was a unanimous decision to make the original order of finish official. The #7 Key Decision (ARG) (3<sup>rd</sup> V. Espinoza) was on the inside of the three horse spread and initiated the pressure which was applied to #2 the winner and this tipped #9. No change was applicable because #7 ran third.

07/25/12<sup>5</sup>

**DECLARATIONS, CHANGES AND REFUNDS**

1<sup>st</sup> race - NO SHOW WAGERING

#1 Cassandra Lynne (Tr. D. Hofmans) Veterinarian-unsound-Dr. Stead

#4 Valedora (Tr. D. Dunham) Veterinarian-sick-Dr. Grande

Refund \$948.54

2<sup>nd</sup> race - #4 Fraudulentfootnote (Tr. M. Puype) claimed by Tr. C. Autrey

#6 Serious (Tr. P. Miller) claimed by Tr. B. Koriner

- 3<sup>rd</sup> race - #2 My Friend Gail (Tr. D. Keen) claimed by Tr. D. O'Neill  
 #3 Belle Gallantey (Tr. D. O'Neill) claimed by Tr. B. Hess, Jr.  
 #5 Inner Groove (Tr. J. Bonde) claimed by Tr. J. Carava
- 4<sup>th</sup> race - No Changes
- 5<sup>th</sup> race - #8 Magic Fire (Tr. M. Puype) M. Pedroza replaced C. Nakatani (sick)  
 Refund \$12.00
- 6<sup>th</sup> race - #11 Sunshine High (Tr. G. Piccioni) J. Hernandez replaced C. Nakatani (sick)  
 #12 Hout Bay (Tr. V. Belvoir) claimed by Tr. J. Carava  
 Refund \$146.94
- 7<sup>th</sup> race - #4 Rauschenberg (Tr. M. Jones) Veterinarian-sick-Dr. Stead  
 #8 El Gato Malo (Tr. C. Dollase) D. Flores replaced C. Nakatani (sick)  
 Refund \$1,302.29
- 8<sup>th</sup> race - #7 Run'n On Residuals (Tr. P. Miller) E. Maldonado replaced C. Nakatani (sick)  
 #6 Awesome Year (Tr. P. Capestro) Veterinarian-sick-Dr. Stead  
 Refund \$1,753.43

07/25/12<sup>6</sup>

**DAILY ATTENDANCE & HANDLE**

On track	14,976	\$1,477,461.30
Satellites	4,742	\$836,964.90
TVG/Xpress/Youbet	n/a	n/a
Out -of-State	n/a	\$3,781,755.33
Total	19,718	\$6,096,181.53

**THURSDAY**

07/26/12<sup>1</sup>

**ROUTINE MORNING**

The morning hours were conducted without notable incidents.

07/26/12<sup>2</sup>

**GOOD RACING**

Thursday afternoon racing was performed without notable mishaps other than declarations listed below.

07/26/12<sup>3</sup>

**DECLARATIONS, CHANGES AND REFUNDS**

- 1<sup>st</sup> race - #4 Trapper's Reward (Tr. G. Lopez) claimed by Tr. T. Knight  
 #6 Ambitones (Tr. W. Morey) claimed M. Glatt Refund \$622.00
- 2<sup>nd</sup> race - #8 Four Better (Tr. D. O'Neill) Veterinarian-unsound post parade-Dr. Stead  
 Refund \$67,729.84
- 3<sup>rd</sup> race - #1 Flamboyance (Tr. B. Baffert) claimed by Tr. P. Miller  
 Refund \$8.30
- 4<sup>th</sup> race - #2 Stirred Up (Tr. B. Baffert) claimed by Tr. J.B. Vargas  
 #3 Aragorn Sword (Tr. D. Hendricks) claimed by Tr. K. Craigmyle  
 # 8 Apply (Tr. P. Gallagher) claimed by Tr. V. Belvoir  
 Refund \$66.00
- 5<sup>th</sup> race - No Changes; Refund \$106.00
- 6<sup>th</sup> race - #3 Grace for Grace (Tr. T. McCauley) Steward-not bonafide entry  
 #9 Conjure the Spirit (Tr. A. Barba) Veterinarian-sick-Dr. Stead  
 Refund \$2,367.42
- 7<sup>th</sup> race - #4 Comma to the Top (Tr. P. Miller) Steward-enter back  
 Refund \$2,618.88
- 8<sup>th</sup> race - #3 Ever Alert (Tr. A. Kitchingman) Veterinarian-injured-Dr. Stead  
 Refund \$2,533.52

**FRIDAY**  
07/27/12<sup>1</sup>

**FILM REVIEW**

Jockey Kevin Krigger met with the Stewards to review the second race yesterday. Mr. Krigger was warned to be more aware to correct his mounts when they drift. His lack of action was not worthy of a penalty and he stated he would do better in the future.

07/27/12<sup>2</sup>

**RANDOM DRUG TESTING**

CHRB rule 1500.1 (Random Drug Testing) was enacted before the late afternoon race card. Investigators' Bill Westermann and Rick Amieva notified Western Regional Manager of the Jockey Guild Darrell Haire. Representative for the Jockey Guild jockey Garrett Gomez was available to witness the proceedings along with the Stewards. Mr. Westermann conducted the drawing of the names of nine jockeys who were scheduled to ride Friday's program. The jockeys drawn will be tested once throughout the Del Mar meet.

07/27/12<sup>3</sup>

**APPEAL HEARING**

Steward Tom Ward attended the appeal hearing of apprentice jockey Eswan Flores. The hearing officer has thirty days to propose a decision to the California Horse Racing Board of the appeal of HRTM ruling # 033.

07/27/12<sup>4</sup>

**INQUIRY FOURTH RACE (6 furlongs polytrack)/NO CHANGE**

After the finish of the race the inquiry sign was posted to review an incident near the 3/16 marker. Involved were #1 Candy Waltz (1<sup>st</sup> M. Garcia), #5 Qatar's Pearl (2<sup>nd</sup> E. Flores), #6 Johan (8<sup>th</sup> Y. Fukunaga), #7 Speargun (7<sup>th</sup> C. Nakatani) and #9 Our Merv (9<sup>th</sup> J. Talamo). After a review of the videos and conversation with the Patrol Judges and all jockeys involved it was a unanimous decision to let the original order of finish stand. It was the Stewards' decision that #1 did force his way out causing a chain reaction involving all of the above horses that were to his outside, but none of them were cost the opportunity of a better placing.

07/27/12<sup>5</sup>

**DECLARATIONS, CHANGES AND REFUNDS**

- 1<sup>st</sup> race - #3 Manewal (Tr. P. Miller) claimed by Tr. C. Autrey  
#7 Disarm (Tr. J. Bruner) claimed by Tr. J. Sadler  
#8 Billy Win (Tr. A. Sherman) Veterinarian-unsound-Dr. Stead  
Refund \$359.18
- 2<sup>nd</sup> race - #1 Huntington Harbour (Tr. B. Spawr) claimed by Tr. B. Koriner  
#3 Cee's the Year (Tr. R. Ellis) claimed by Tr. R. Becerra  
#7 Katie's Ten (Tr. D. O'Neill) DNF ambulance removed (one mile-Poly)  
Refund \$88.97
- 3<sup>rd</sup> race - #4 Arrabiatta (Tr. M. Machowsky) ambulance removed (5/8 turf)  
Refund \$1,319.88
- 4<sup>th</sup> race - #2 Dashing Ash (Tr. D. Velasquez) Veterinarian-unsound-Dr. Stead  
#4 Mucho Macho Man (Tr. K. Mulhall) claimed by Tr. D. O'Neill  
Refund \$252.60
- 5<sup>th</sup> race - #1 Evening Island (Tr. J. Mullins) claimed by Tr. C. Autrey  
#3 Domonation (Tr. J. Sadler) claimed by Tr. R. DeLeon  
#5 Format (Tr. V. Cerin) claimed by Tr. D. Pederson  
#9 Circle Drive (Tr. R.B. Hess) claimed by Tr. J. Mullins

#10 Kajiwara (Tr. D. Keen) Veterinarian-injured-Dr. Grande  
 Refund \$685.00  
 6<sup>th</sup> race - No Changes; Refund \$451.02  
 7<sup>th</sup> race - No Changes; Refund \$575.00  
 8<sup>th</sup> race - #2 Mel's Game (Tr. M. Mitchell) Veterinarian-unsound-Dr. Stead  
 #7 Native Plan (Tr. M. Chew) V. Bednar replaced M. Pedroza (sick)  
 Refund \$3,547.74

07/27/12<sup>6</sup>

**DAILY ATTENDANCE & HANDLE**

On track	15,180	\$1,563,813.70
Off Track	5,886	\$1,166,473.70
TVG/Xpress/Youbet	n/a	n/a
Out –of-State	n/a	\$5,318,194.08
Total	21,066	\$8,048,481.48

**SATURDAY**

07/28/12<sup>1</sup>

**WARNINGS ISSUED**

Case #12HP078 was dismissed after talking with trainer Victor Fernandez for his tardiness to the Receiving barn on July 6, 2012 at Hollywood Park. This was his first offense of this violation and he received a warning. He was told next time there would be a penalty and he stated he understood.

Case # 12HP072 ref. 07-22-12

A majority vote decided to issue Mr. Wilson a warning for the case heard on July 22, 2012. Steward Chaney felt a penalty was appropriate.

07/28/12<sup>2</sup>

**HERNANDEZ RULING**

The following ruling was issued after an informal hearing with jockey Juan Hernandez, his agent Ramon Silva also attended. The videos were reviewed and discussed. Mr. Hernandez said he used his whip on the horse's head to prevent the horse from lugging out. He was informed that this riding style was a violation of a CHRB rule. Mr. Hernandez stated he now understands and it will not happen again.

**DMTD #003**

Jockey **JUAN HERNANDEZ** is fined **THREE HUNDRED DOLLARS (\$300.00)\*** for violation of California Horse Racing Board rule #1688(b)(1) (Use of Whips-strike horse about the head) during the running of the first race at Del Mar Thoroughbred Club on July 26, 2012.

07/28/12<sup>3</sup>

**McCAULEY RULING**

The following ruling was issued after Mr. McCauley made the decision to not prepare his horse to race after he had entered it.

**DMTD #004**

Trainer **TEVIS McCAULEY** is fined **FOUR HUNDRED DOLLARS (\$400.00)\*** for failure to have the horse "Grace for Grace" prepared to start in the sixth race at Del Mar Thoroughbred Club on July 26, 2012,

resulting in a late declaration. This constitutes a violation of California Horse Racing Board rule #1629(Penalty for Late Declaration).

07/28/12<sup>4</sup>

**SANDERS FORMAL HEARING CONTINUANCE CASE #12SA116(ref.7/19/12)**

Another continuation of the financial complaint resulted in a negotiated settlement; on the record, promises were made to present a final payment and all requested documents to be filed on Thursday, August 2, 2012 in the Steward's office. Present were the same parties as before, with the addition of Ms. Sanders' mother, Mitzi E. Winks. Stipulations from both counsels were agreed upon and the record was closed.

07/28/12<sup>5</sup>

**FILM REVIEW**

Jockey Modesto Linares met with the Stewards to review the third race yesterday. Mr. Linares veered out near the wire causing horses to his outside to shift out. He acknowledged his mistake and left the office with a warning.

07/28/12<sup>6</sup>

**CAL-BRED REPORT**

Nine cal-bred races were used during this reporting period.

07/28/12<sup>7</sup>

**DECLARATIONS, CHANGES AND REFUNDS**

- 1<sup>st</sup> race - #2 Cameo Appearance (Tr. B. Baffert) Veterinarian-injured-Dr. Grande  
#3 Buckleberry Grey (Tr. D. Hofmans) Veterinarian-sick-Dr. Grande  
#7 Urgent Matter (Tr. M.K. Cho) Veterinarian-unsound-Dr. Stead  
Refund \$3,097.69
- 2<sup>nd</sup> race - #1 Kalk Bay (Tr. C. Dominguez) claimed by Tr. P. Miller  
#2 Hip (Tr. D. Keen) claimed by Tr. M. Bellocq  
#4 Blue Samurai (Tr. G. Sherlock) claimed by Tr. J. Mullins  
#7 No Afillyation (Tr .J. Sadler) claimed by Tr. R.B. Hess  
#8 Roman Charity (Tr. K. Craigmyle) claimed by Tr. J. Canani  
Refund \$198.00
- 3<sup>rd</sup> race - #5 Maddog Maddie (Tr. M.Glatt)  
Refund \$2,061.27
- 4<sup>th</sup> race - #1 God Of War (Tr. A.C. Avila) claimed by Tr. W. Morey  
#6 Derby Prince (Tr. R. Gomez) Steward-medication  
Refund \$771.58
- 5<sup>th</sup> race - No Changes; Refund \$117.00
- 6<sup>th</sup> race - #8 Madoffwiththemoney (Tr. S. Miyadi) Steward-stake  
Refund \$767.10
- 7<sup>th</sup> race - No Changes; Refund \$958.52
- 8<sup>th</sup> race - No Changes; Refund \$84.00
- 9<sup>th</sup> race - No Changes; Refund \$99.98
- 10<sup>th</sup> race - No Changes; Refund \$1,789.73

07/28/12<sup>8</sup>

**DAILY ATTENDANCE & HANDLE**

On track	25,087	\$2,739,254.10
Off Track	9,537	\$2,050,514.50
TVG/Xpress/Youbet	n/a	n/a
Out -of-State	n/a	\$7,804,623.36
Total	34,624	\$12,594,391.96

**SUMMARY**

	Sun 07/22	Wed 07/25	Thu 07/26	Fri 07/27	Sat 7/28	Week	Meet
Inquiries	1	2	0	1	0	4	7
Disqualifications	0	0	0	0	0	0	0
Rulings	1	0	0	0	1	2	3
Refunds	3	4	5	4	6	22	40
Accidents	0	0	0	0	0	0	2
Claims	6	6	8	9	6	35	76
Cal-Bred Races	1	1	1	2	3	8	15

**VETERINARIAN REPORT** – WEEK OF 07/18/12-07/22/12

Horses on Vet List    23  
Horses off Vet List    **10**  
Shock Wave Therapy 25  
Deceased                3  
Medication             5

Respectfully submitted,

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Kim Sawyer, Steward

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C Scott Chaney, Steward

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Tom Ward, Steward

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Luis Jauregui, Safety Steward