

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 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
Kirk E. Breed, Executive Director
Jacqueline Wagner, Assistant Executive Director

WEEK 3-Sunday, July 28, 2013-Saturday, Aug 3, 2013

SUNDAY
07/28/13¹

A. M. DECLARATIONS

1st race - #5 Colonel Joan (Vet-sick)
Refund of \$1,916.25
3rd race - #2 Chumash (Vet-sick)
Refund of \$1,081.10
7th race - #11 Broken Sword (Also eligible)
Refund of \$1,622.40
10th race - #11 Midnight Casanova (Also eligible)
#12 Money Machine (Also eligible)
#13 Angel Charge (Also eligible)
Refund of \$1,471.90

07/28/13²

MISSING RIDER APPEARS

Garrett Gomez, who last rode at Hollywood Park on July 14, 2013, appeared in the Stewards' office this morning seeking permission to be allowed to name on horses. He said that on the evening after he rode, family pressures caused him to relapse and he started drinking again. After two days of drinking, he realized he was in trouble and checked himself into a hospital/rehabilitation center to get help. He was released yesterday, but did not produce any documentation which validated he was able to return to riding. Mr. Gomez further stated that he was on medication for anxiety and mood issues. Present at the meeting were Supervising Investigator Rick Amieva,

Leroy Martinez of Winners Foundation, Safety Steward Luis Jauregui, and the Board of Stewards. Mr. Gomez felt that he should be able to name on horses immediately but was advised that a number of issues must be addressed before he would be given permission to resume riding.
A formal hearing will convene on this coming Friday.

07/28/13³

MEDICATION HEARING

Trainer Steve Knapp was in the office this morning in response to a complaint filed against him by the Board for an overage of Phenylbutazone. His horse "Harlington's Rose", the winner of the fifth race at Hollywood Park on June 8, 2013, showed the presence of 3.4 ug/ml of the drug in a post race test. Testimony in the case was recorded by Michelle Derig.

Mr. Knapp, who has an excellent medication compliance record, felt that the problem was caused by the fact that he worked the horse seventy-two hours prior to the race, a departure from his usual training regimen. He gave two Bute pills, each one-gram, prior to and following the work, as is his normal practice. His attending veterinarian then gave an injection 27 hours prior to post time.
A decision will be rendered next week.

07/28/13⁴

APPRENTICE IN

Irving Orozco came to the Stewards' office to explain why he missed yesterday mornings' mandated film review with Safety Steward Luis Jauregui. He was candid, stating that he took a nap after morning training hours and overslept.
A ruling will be forthcoming next week.

07/28/13⁵

STEWARDS' INQUIRY – NO CHANGE

The Stewards posted the inquiry sign after the second race to review an incident near the finish involving the second and third place finishers, #3 Laugh At Life (R. Bejarano) and #2 Humorous (M. Garcia).

After speaking with the riders involved, reviewing video of the stretch run and taking the Patrol Judges' reports into account, the Stewards unanimously voted to make no change to the original order of finish. Review showed that while Garcia steadied his mount in the final strides, the incident took place at a point in the race where his finish position was not affected.

07/28/13⁶

BREAKDOWN

The third race was marred by an injury to #7 Rosies Rascal, who suffered a severe fracture of the left front fetlock while racing in the clear during the stretch run. All involved in attending to the filly performed their duties well and the horse, after being fitted with a Kimsey splint, was removed from the turf by an equine ambulance.

Unfortunately, trainer Dan Blacker's attending veterinarian later euthanized her.

07/28/13⁷

CLAIM VOIDED

The claim of the horse Cherry On the Cake from the ninth race by trainer Keith Craigmyle was voided after the horse showed signs of lameness in the Receiving Barn after the race and was placed on the Veterinarian's List by Official Veterinarian Tim Grande. The former trainer, Art Sherman, was informed of the situation.

07/28/13⁸

DAILY ATTENDANCE & HANDLE

On track	19,259	2,965,115
Off Track	8,361	2,999,525
TVG/Xpress/Youbet	N/A	N/A
Out -of-State	N/A	6,395,409
Total	27,620	12,360,049

WEDNESDAY

07/31/13¹

A.M. DECLARATIONS

4th race - #8 Prime Number(entered back)
#12 Eyesablazin(also eligible)
#13 sun Catcher(also eliglble)
Refund of \$1,785.03
5th race - #3 Little Professor(Vet-injured)
Refer 7-31-13 -9
7th race - #5 Testify Under Oath(Stakes)
Refund of \$644.24
8th raced - #13 Charger Girl(also eligible)
#14 Frannie's spirittoo(also eligible)
Refund of \$918.72

07/31/13²

RULING

DMTD Ruling #013

Apprentice jockey **IRVING OROZCO** is fined **FIVE HUNDRED DOLLARS (\$500.00)*** for violation of California Horse Racing Board rule #1930 (Obedience to Security Officers and Public Safety Officers-failure to attend film review class-3rd offense).
This ruling was issued after a discussion of Orozco's failure to attend the film review session.

07/31/13³

RULING

DMTD Ruling #014

Trainer **Steve Knapp**, who started the horse "Harlington's Rose" in the fifth race at Santa Anita Park on March 14, 2013 is fined **TWO HUNDRED AND FIFTY DOLLARS (\$250.00)*** Pursuant to California Horse Racing Board rules # 1887 (Trainer to Insure Condition of Horse), #1843(a)(d) (Medications, Drugs and Other

Substances) and #1844(c)(1) (Authorized Medication-Phenylbutazone in excess of permitted level -3.4 ug/ml- second offense).

The preceding ruling was issued to finalize the complaint filed against him for an overage of a permitted medication. (Ref 7-28-13-3) As mentioned in the original minute entry regarding the complaint, Mr. Knapp has an enviable medication record. Therefore we went with the minimum fine allowed by rule.

07/31/13⁴

**GAINES PRELIMINARY INJUNCTION REQUESTED DENIED
-TRAINER CHANGE PERMITTED**

The Stewards were in receipt of a court order signed by Judge Luis Lavin in which he denied Ms. Gaines' request for a preliminary injunction for a stay of the Board's decision to suspend her for thirty days and fine her \$2,500 for two medication violations. During her suspension, all horses trained by Ms. Gaines will be transferred to Mr. Jerry Quinn.

Given the circumstances, the Stewards allowed a trainer transfer so that a horse of Ms. Gaines, which is in to race tomorrow, be allowed to start, a departure from the norm. In all but one other instance, once a horse is in the entry box, the trainer transfer is denied. By majority vote, Ward in the minority, the request was honored.

07/31/13⁵

ACUPUNCTURIST IN

Ms. Jenny Hayes was in the office this morning in response to a complaint filed against her by Board investigators charging her with working out of her license category. She currently has an exercise rider's license, but was observed doing acupuncture on one of trainer Leonard Powell's horses. Ms. Hayes was candid, stating that she was unaware that a license was needed to perform the procedures. She has been working on Mr. Powell's horses for approximately eight months and is currently doing her internship after having graduated from school last year. Dr. Dawn Hunkin originally was overseeing Ms. Hayes's work, but the doctor's schedule did not permit her to continue her oversight.

A decision will be rendered shortly.

07/31/13⁶

RULINGS #011 AND #012 (GAINES MATTER)

DMTD Ruling #011

Acting on a report from the University of California, Maddy Analytical Laboratory, the official testing laboratory for the California Horse Racing Board, that urine sample #HP10517, obtained from the filly "A Little Luckier", the second place finisher in the first race at Betfair Hollywood Park on July 14, 2012, was found to contain testosterone (390 ng/ml) in excess of permitted

levels, it is ordered that “A Little Luckier” be disqualified from all purse monies earned in said race in accordance with California Horse Racing Board rule #1859.5 (Disqualification Upon Positive Test Finding).

It is further ordered that the purse money earned in said race (\$10,000.00) be returned by owner Harris Farms, Inc. (\$9,250.00) and by jockey Victor Espinoza (\$400.00), to the Paymaster of Purses at Betfair Hollywood Park by August 31, 2013, for redistribution in accordance with revised order.

The revised order of finish is as follows:

- 1st -Bert’s Altarcation
- 2nd -Tribal Gal
- 3rd -Swiss Bliss
- 4th -Roust ‘Em Bertie
- 5th -Resisting Arrest

DMTD Ruling #012

Acting on a report from the University of California, Maddy Analytical Laboratory, the official testing laboratory for the California Horse Racing Board, that urine sample #DM04380, obtained from the filly “Winding Way”, the first place finisher from the fourth race at Del Mar Thoroughbred Club on July 21, 2012, was found to contain testosterone (193 ng/ml) in excess of permitted levels, it is ordered that “Winding Way” be disqualified from all purse monies earned in said race in accordance with California Horse Racing Board rule #1859.5 (Disqualification Upon Positive Test Finding).

It is further ordered that the purse money earned in said race (\$42,600.00) be returned by owner Spendthrift Farm LLC (\$33,840.00), by trainer Carla Gaines (\$4,260.00) and by jockey Rafael Bejareno (\$4,150.00), to the Paymaster of Purses at Del Mar Thoroughbred Club Race Track by August 31, 2013, for redistribution in accordance with revised order.

The revised order of finish is as follows:

- 1st -Elvies Lane
- 2nd -You Can Dream
- 3rd -Gelila
- 4th -Oulaoulala
- 5th -Lanida

The preceding rulings were issued in accordance with the Board’s decision to adopt the Stewards’ recommendation in the Carla Gaines cases #12DM0051 and 12DM0052.

07/31/13⁷

RULING

DMTD Ruling #015

Jockey **Agapito Delgadillo** is fined **ONE HUNDRED DOLLARS (\$100)*** for failure to make his assigned weight in the second race at Del Mar Thoroughbred Club on July 27, 2013. This constitutes a violation of California Horse Racing Board rule #1682 (Weighing Out).

This ruling was issued after the rider acknowledged that he overindulged at dinner on Friday and could not make his assigned weight the following day.

07/31/13⁸

RULING

DMTD Ruling #016

Jockey **Sal Gonzalez** is fined **ONE HUNDRED DOLLARS (\$100.00)*** for violation of California Horse Racing Board rule #1930 (Obedience to Security Officers and Public Safety Officers-failure to see stewards).

The foregoing ruling was issued after Mr. Gonzalez admitted that he “forgot” about his meeting with us on Sunday.

07/31/13⁹

REFUND

A refund was ordered in the fifth race, as #2 Awesome Okee injured itself during the loading process and was declared on the recommendation of Racing Veterinarian Stead. The refund amounted to \$149,894.45.

07/31/13¹⁰

CLAIM VOIDED

A claim deposited by trainer Melody Conlon for the horse “Almost Better”, which won the fourth race today, was voided as the horse was placed on the Veterinarian’s list following examination in the Receiving Barn after the race. Both Ms. Conlon and the trainer of record, Dean Pederson, were notified.

07/24/13¹¹

DAILY ATTENDANCE & HANDLE

On track	11,998	1,982,091
Off Track	5,262	1,577,313
TVG/Xpress/Youbet	N/A	N/A
Out –of-State	N/A	5,485,463
Total	17,260	9,044,867

THURSDAY

08/01/13¹

A.M. DECLARATIONS

2nd race - #2 Comin Easy (Vet-sick)
Refund of \$802.00

4th race - #10 Insideondoutside (Also eligible)

#12 Skylander (Also eligible)
#13 Innocent Man (Also eligible)
Refund of \$1,277.20

08/01/13²

HEADLEY HEARING

Trainer Gus Headley, accompanied by his attorney, Carlo Fisco, was in the office this morning in response to a complaint filed against him alleging violation of California Horse Racing Board rule #1874(Disorderly Conduct). The complaint stated that Headley used profanity and abusive language toward three people at Santa Anita in the early evening of July 14, 2013.

The investigator on the case, Supervising Investigator Rick Amieva, asked to have his witnesses testify via telephone. Attorney Fisco objected on behalf of his client, with the objection being sustained. Mr. Amieva then requested a continuance, which was again objected to by counsel. This objection was overruled.

Mr. Fisco and Mr. Amieva stepped into the lobby for a discussion and returned with a settlement agreement. Mr. Headley agreed to a fine of \$750.00 without an admission of guilt. The Stewards accepted the agreement and the following ruling was issued:

DMTD Ruling #017

Trainer **GUSTAV (“GUS”) HEADLEY** is fined **SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00)*** for violation of California Horse Racing Board rule #1874 (Disorderly Conduct – argument with Santa Anita security).

08/01/13³

FINANCIAL HEARING

Trainer Angel Rodriguez was in the office this morning in response to a complaint filed against his client, Nathaniel Green, by veterinarian Nicola Hardgrove for veterinarian bills totaling over \$11,000.00. Mr. Rodriguez said the owner did not dispute the bill, but wanted to see a copy of Dr. Hardgrove’s medical record for a particular horse. The doctor will overnight the records to Mr. Green and he will send her a check for the balance.

08/01/13⁴

RULING

DMTD Ruling #022

Jockey **Edwin Maldonado** is fined **FOUR HUNDRED DOLLARS (\$400.00)*** for failure to make his assigned weight in the first race at Del Mar Thoroughbred Club on July 31, 2013. This constitutes a violation of California Horse Racing Board rule #1682 (Weighing Out- 3rd offense).

This ruling was issued after the rider offered no excuses for failing to make his assigned weight in the first race on Thursday’s card.

08/01/13⁵

RULING

DMTD Ruling #018

Jockey **Kevin Krigger** is fined **ONE HUNDRED DOLLARS (\$100)*** for failure to make his assigned weight in the fifth race at Del Mar Thoroughbred Club on July 31, 2013. This constitutes a violation of California Horse Racing Board rule #1682 (Weighing Out).

This ruling was issued after the rider offered no excuses for failing to make his assigned weight in the fifth race on Thursday's card.

08/01/13⁶

VIDEO REVIEW

Jockey Saul Arias was in the office this morning to review the eighth race from Thursday, during which he used his whip on his mount after the horse had achieved its maximum placing. Mr. Arias apologized for his actions and assured us that he would refrain from using the whip in similar circumstances in the future. He received a warning.

08/01/13⁷

ROUTINE RACING

All matters during the course of the racing program were routine.

08/01/13⁸

DAILY ATTENDANCE & HANDLE

On track	9,384	1,355,017
Off Track	5,421	1,543,406
TVG/Xpress/Youbet	N/A	N/A
Out -of-State	N/A	4,281,927
Total	14,805	7,180,350

FRIDAY

08/02/13¹

A.M. DECLARATIONS

1st race - #6 The Mad Hungarian (Vet-sick)

Refund of \$2,484.82

6th race - #7 Tiz a Classy Lady (Vet- sick)

Refund of \$3,030.56

8th race - #14 Di Conti (Also eligible)

Refund of \$789.40

08/02/13²

RULING

DMTD Ruling #019

Groom **Antuliano Quevedo**, having failed to respond to a complaint alleging violation of California Horse Racing Board rules #1902 (Conduct Detrimental to Horse Racing-Possession of Narcotics) and #1489(h) (Grounds for Denial or Refusal of License), is suspended for violation of California Horse Racing Board rule #1547 (Failure to Appear).

During the term of suspension, all licenses and license privileges of **Antuliano Quevedo** are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend or Fine), Mr. Quevedo is denied access to all premises in this jurisdiction.

This ruling was issued after licensee did not appear to address a complaint alleging the use of narcotics.

08/02/13³

RULING

DMTD Ruling #020

Groom **ROXANA ARREOLA**, having failed to respond to a complaint alleging violation of California Horse Racing Board rules #1902 (Conduct Detrimental to Horse Racing-Possession of Narcotics) and #1489(h) (Grounds for Denial or Refusal of License), is suspended for violation of California Horse Racing Board rule #1547 (Failure to Appear).

During the term of suspension, all licenses and license privileges of **ROXANA ARREOLA** are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend or Fine), Ms. Arreola is denied access to all premises in this jurisdiction.

This ruling was issued after licensee did not appear to address a complaint alleging the use of narcotics.

08/02/13⁴

RULING

DMTD Ruling #021

Pony Rider **JENNA KATZBERG**, having failed to respond to a complaint alleging violation of California Horse Racing Board rules #1874(3) (Disorderly Conduct) and #1930 (Obedience to Security Officers and Public Safety Officers), is suspended for violation of California Horse Racing Board rule #1547 (Failure to Appear).

During the term of suspension, all licenses and license privileges of **JENNA KATZBERG** are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend or Fine), Mrs. Katzberg is denied access to all premises in this jurisdiction.

The preceding ruling was issued after Ms. Katzberg failed to respond to a complaint alleging violation of California Horse Racing Board rules #1874(3) (Disorderly Conduct) and #1930 (Obedience to Security Officers and Public Safety Officers).

08/02/13⁵

GOMEZ HEARING

The Stewards held a formal hearing into the complaint filed by the Board against jockey Garrett Gomez for violation of California Horse Racing rule #1872 (Failure to Fulfill Jockey Agreement) and various health related concerns.(Ref. 7-28-13-2)

Present were the Board of Stewards, Safety Steward Luis Jauregui, Supervising Investigator Rick Amieva, Winners Foundation representative Bob Fletcher, Mr. Gomez's sports agent Damien Scott, Mr. Gomez's jockey agent Tony Matos, several media representatives and Ms. Amy Zimmerman.

The first item of business was to address the fact that Mr. Gomez did miss mounts for several days. This charge was not contested by the jockey and he will be fined \$1,000.00 for the violations. Next was the issue of completing a number of items addressed at the previous meeting. Investigator Amieva testified that all were satisfactorily completed. At this point the hearing turned to medication which the rider was taking. Mr. Amieva stated that Mr. Gomez gave him the name of a local physician who examined the rider but his – Amieva's – conversation with the doctor did not result in any recommendation with respect to Mr. Gomez riding while taking the medications.

At this point Mr. Fletcher testified as to his knowledge of the situation, stating that a very well known physician in the field of psychology and addiction, Dr. Daniel Amen, has come on board and will be working closely with Mr. Gomez. Mr. Fletcher then enumerated a comprehensive two-part plan, starting with a consultation with Dr. Amen this coming Monday. Mr. Fletcher thanked the Board, especially the investigators, for taking time on their days off to facilitate getting Mr. Gomez back in the irons. Mr. Gomez will be tested today and should medication levels be under what would be considered "normal", he will be allowed to gallop horses and name on mounts for this coming Wednesday.

08/02/13⁶

INQUIRY INTO START-NO CHANGE

The inquiry sign was posted after the third race as the Stewards reviewed the circumstances which caused #5 Warren's My Queen (Sal Gonzalez, Jr.) to break behind her field. After speaking with the Patrol Judges and reviewing video of the start the Stewards unanimously voted to make the horse a "starter" as it was obvious the horse caused its own problem and was not hindered by the assistant starter.

08/02/13⁷

STEWARDS' INQUIRY INTO STRETCH RUN- NO CHANGE

The inquiry sign was posted following the running of the seventh race as the Stewards looked into an incident approaching the finish which involved the second and third place finishers, #8 Ambitious Brew (M. Smith) and #6 Raised a Secret (G. Stevens). After speaking with the riders involved, taking into account reports from the Patrol Judges and reviewing video of the stretch run the Stewards quickly concluded that while Stevens steadied briefly in the late stages, his finish position was not compromised

08/02/13⁸**DAILY ATTENDANCE & HANDLE**

On track	19,820	2,178,284
Off Track	6,361	2,008,728
TVG/Xpress/Youbet	N/A	N/A
Out –of-State	N/A	5,778,301
Total	26,181	9,965,313

SATURDAY08/03/13¹**A.M. DECLARATION**

1st race - #6 Hold Everything (Vet-sick) Refund of \$1,785.90
 3rd race - #9 Royal F J (Vet-injured) Refund of \$1,874.62
 9th race - #1 Talk the Walk (Vet-sick) Refund of \$845.70
 10th race - #11 Maybe Tuesday (Also eligible)
 #12 Romeo Royale (Also eligible)
 #14 Tebows Big Play (Also eligible) Refund of \$1,091.10

08/03/13²**VIDEO REVIEW**

It was stack parking outside of the Stewards' office this morning as four riders were called in to review video from the Friday card. Mike Smith, Corey Nakatani, Agapito Delgadillo and Victor Espinoza were counseled and warned regarding minor riding infractions. None of the incidents were worthy of a sanction.

08/03/13³**MEETING WITH TOC REPRESENTATIVES**

The Stewards met with TOC President Joe Morris and TOC Board member Mike Wellman to discuss protocol with respect to the posting of the "inquiry" sign. Mr. Wellman was concerned over one race in particular, that being the ninth race on July 21, after which the winning horse was disqualified following a jockey's objection. We explained the dynamics of the Stewards' stand and how we proceed with an inquiry. Hopefully the representatives left with a better understanding of how we work.

08/03/13⁴**CLAIM VOIDED**

A claim deposited in the second race by trainer William E. Morey for the horse East Sky was voided on the advice of Official Veterinarian Grande as he placed the horse on the Veterinarian's list after examination following the race.

08/03/13⁵**DAILY ATTENDANCE & HANDLE**

On track	25,192	3,734,753
Off Track	9,933	3,492,025
TVG/Xpress/Youbet	N/A	N/A
Out –of-State	N/A	9,484,726
Total	35,125	16,711,504

VETERINARIAN REPORT

HORSES ON VET LIST	39
Horses off Vet List	7
Shock Wave Therapy	15
Deceased	1
Medication	6
Claims Voided	3

VETERINARIAN REPORT

Horses on Vet List	43
Horses off Vet List	7
Shock Wave Therapy	19
Deceased	1
Medication	6
Claims Voided	3

Respectfully submitted,

C. Scott Chaney, Steward

Kim Sawyer, Steward

Tom Ward, Steward

Luis Jauregui, Safety Steward