

CALIFORNIA HORSE RACING BOARD

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**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
Jacqueline Wagner, Assistant Executive Director

WEEK 4-Sunday, Aug 4, 2013-Saturday, Aug 10, 2013

SUNDAY

08/04/13¹

KATZBERG RULING

The following ruling was issued after Ms. Katzberg rescheduled her hearing.

RULING #023

Pony rider **JENNA KATZBERG**, having contacted the Board of Stewards and rescheduled a hearing date, is reinstated. DMTD Ruling #021, issued at Del Mar on August 2, 2013 is set aside.

08/04/13²

NICOLAS RULING

The following ruling was issued after Mr. Nicolas met with the Stewards and discussed again what Mr. Nicolas, as an apprentice jockey is required to do. He was informed that the fines would increase if he chooses not to abide by the rules. He stated he now understands and asked for directions to the film room.

RULING #024

Apprentice jockey **Gonzalo Nicolas** 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 attend film review).

08/04/13³

GOMEZ RULING

The following ruling was issued after Mr. Gomez met with the Stewards (ref-07-28-2013² and 08-02-13⁵).

RULING #025

Jockey **Garrett Gomez**, is fined **ONE THOUSAND DOLLARS (\$1,000.00)*** for failure to fulfill his riding engagements at Del Mar Race Track on July 17, 18, 2013. This constitutes a violation of California Horse Racing Board rule #1872 (Failure to Fulfill Jockey Agreement).

Mr. Gomez is required to sign a contract with the Winners' Foundation and abide by its terms. Mr. Gomez is further required to appear before the CHRB Investigative staff on days he rides in California for a period of 45 days from the date of this ruling. Lastly, Mr. Gomez is permitted to resume exercising and riding horses upon clearance from a predetermined physician.

08/04/13⁴

FILM REVIEW

Jockey Patrick Valenzuela met with the Stewards to review the sixth race yesterday. Mr. Valenzuela drifted inward near mid-stretch, causing another horse to take up. Mr. Valenzuela was candid, admitted his mistake and left the office with a warning.

08/04/13⁵

VOIDED CLAIMS

In the ninth race today two claims were voided after Official Veterinarian Tim Grande placed both horses on the Veterinarian's List. The winner of the race, #3 Cloud Hopper trained by Art Sherman and third place finisher, #4 Bluegrass Reward, trained by Ted H. West were both returned to their original trainer's stable.

08/04/13⁶

DECLARATION, CHANGES and REFUNDS

1st race #3 Twitch (Tr. J. Cassidy) Veterinarian-sick-Dr. Grande

Refund \$4,231.22

2nd race No Changes

Refund \$0

3rd race No Changes

Refund \$43.00

4th race No Changes

Refund \$481.00

5th race #5 Where's the Heat (Tr. P. Miller) Veterinarian-sick-Dr. Stead

Refund \$1,272.62

6th race #4 Tribal Spy (Tr. B.D.A. Cecil) Veterinarian-sick-Dr. Grande

Refund \$5,199.28

7th race #1 Jolly Days (Tr. P. Gallagher) Veterinarian-sick-Dr. Stead

#8 Plaza de Indias (CHI) M. Garcia replaced A. Bisono (trainer error) Refund \$3,598.86

8th race #1 Easy Solution (Tr. P. Miller) Steward-stake Refund \$1,745.32
 9th race #3 Cloud Hopper (Tr. A. Sherman) claimed by Tr. E. Mode-
 VOIDED
 #4 Bluegrass Reward (Tr. T. West) claimed by C. O'Callaghan-
 VOIDED
 #6 Keyboard Courage (Tr. P. Miller) claimed by Tr. M. Pender
 Refund \$1.00

08/04/13⁷

DAILY ATTENDANCE & HANDLE

On track	17,615	2,731,860
Off Track	8,540	2,624,504
TVG/Xpress/Youbet	N/A	N/A
Out -of-State	N/A	5,520,360
Total	26,155	10,876,724

WEDNESDAY

08/07/13¹

GOMEZ REMOVAL

Jockey Garrett Gomez was removed from his mounts for Thursday, August 9, 2013. He did not have all the required documents to be cleared to remain on his scheduled mounts.

08/07/13²

NEW APPRENTICE

Apprentice jockey Brayan Pena has joined the California jockey colony. He started in Florida in 2008 and has not won a race as yet. He has been galloping horses for John Sadler and now wants to try the California circuit. The Stewards informed Mr. Pena of the CHRB rules and regulations and current requirements for apprentice jockeys.

08/07/13³

TWITTER MEETING; TALAMO TAKEOVER

Jockey Joe Talamo has been chosen by Del Mar to tweet on the Del Mar twitter account, "a-day-in-the-life" of a rider. Involved in the meeting before the BOS were Investigators Bill Westermann, Rick Amieva, Safety Steward Luis Jauregui and Director of Sponsorship and Digital Media, Walker McBride. After sharing the dos and don'ts of this new concept to promote horse racing, the new program will proceed with the BOS's and the CHRB's approval. Mr. Talamo will not be allowed to tweet from the confines of the Jockey quarters. Mr. McBride assured the BOS if any changes arise he would only proceed with their permission.

08/07/13⁴

GERSON HEARING CASE #13SA071

The CHRB filed a complaint against owner Sean Gerson for a possible violation of CHRB rules 1489(h) (Grounds for Denial or Refusal of License) and 1902 (Conduct Detrimental to Horse Racing). This case was first heard on May 19, 2013 (minutes, ref-05-19-2013³) and was continued until additional information could be obtained. Investigator Phil Miyazaki was not available for this scheduled hearing, creating another continuance.

08/07/13⁵

INQUIRY; DISQUALIFICATION; 2ND RACE (5 1/2 poly)

After the finish of the race the inquiry sign was posted to review an incident inside the sixteenth pole. Involved were #7 Go First (C. Nakatani 1st) and #5 Ashleyluvssugar (A. Bisono 2nd). As #5 was gaining on #7, the latter drifted out into #5 causing that one to duck out and interrupt its momentum (nose margin for the win). After reviews of the race, conversation with the Patrol Judges and both jockeys involved it was a unanimous decision to disqualify #7 for interference and place it second behind #5.

Original Order of Finish (7)-5-2-1-8-9-4-6-3

Official Order of Finish 5-(7)-2-1-8-9-4-6-3

08/07/13⁶

INQUIRY; NO CHANGE; 3RD RACE (6 1/2 poly)

After the finish of the race the inquiry sign was posted to review the start. Involved was #7 Addendum (R. Bejarano 5th). After a review of the video, in a unanimous decision #7 was declared a starter. At the break #7 reared up, missed the break; no other horse or mechanical failure were involved in the incident and the original order of finish was made official.

08/07/13⁷

DECLARATIONS, CHANGES AND REFUNDS

1st race No Changes

Refund \$0

2nd race No Changes

Refund \$139.92

3rd race No Changes

Refund \$341.96

4th race #4 Amy Jane (Tr. P. Miller) Veterinarian-sick-Dr. Grande

Refund \$2,462.28

5th race #5 Wickedly Sassy (Tr. D. Hendricks) Veterinarian-injured starting gate-
Dr. Stead

#7 Take One (Tr. A. Kitchingham) Veterinarian-sick-Dr. Stead

#10 Derek's Girl (Tr. D. Hendricks) claimed by Tr. D. Greenman

Refund \$138,277.77

6th race No Changes

Refund \$0

7th race No Changes

Refund \$0

8th race No Changes

Refund \$26.30

08/07/13⁸

DAILY ATTENDANCE & HANDLE

On track	12,376	2,038,356
Off Track	5,528	1,638,326
TVG/Xpress/Youbet	N/A	N/A
Out -of-State	N/A	5,206,879
Total	17,904	8,883,561

THURSDAY

08/08/13¹

GOMEZ REPLACED

Jockey Garrett Gomez was removed from his mounts for Friday, August 9, 2013 today at scratch time (10:00 AM) as his clearance had not been obtained yet. Around 2:00 PM, the CHRB received confirmation that Mr. Gomez had received the documents needed for his clearance. Mr. Gomez was notified and given permission to work horses Friday morning.

08/08/13²

NAKATANI RULING

The following ruling was issued after Mr. Nakatani met with the BOS and discussed his ride in the second race yesterday (ref 08-07-13⁵). Mr. Nakatani felt he corrected his outward shift to the best of his ability. In a unanimous opinion the BOS felt he should have corrected his drift instead of using his left-handed whip for a third time.

RULING #027

Jockey **Corey Nakatani** who rode "Go First" in the second race at Del Mar Thoroughbred Club on August 7, 2013, is suspended for **THREE RACING DAYS (3) (August 14,15, and 16, 2013)** for failure to make the proper effort to maintain a straight course in the stretch, causing interference which resulted in the disqualification of his mount from first to second position. This constitutes a violation of California Horse Racing Board rule #1699 (Riding Rules).

The term of this suspension shall not prohibit participation in designated races pursuant to California Horse Racing Board rule #1766 (Designated Races).

08/08/13³

BISONO RULING

The following ruling was issued after Mr. Bisono accepted responsibility for reporting the incorrect weight.

RULING #029

Jockey **Alex Bisono** is fined **ONE HUNDRED DOLLARS(\$100)*** for failure to make his assigned weight in the second race at Del Mar Thoroughbred Club on August 7, 2013. This constitutes a violation of California Horse Racing Board rule #1682 (Weighing Out).

08/08/13⁴

KRIGGER RULING

The following ruling was issued after Mr. Krigger accepted responsibility for reporting the incorrect weight.

RULING #030

Jockey **Kevin Krigger** is fined **TWO HUNDRED DOLLARS (\$200)*** for failure to make his assigned weight in the third race at Del Mar Thoroughbred Club on August 7, 2013. This constitutes a violation of California Horse Racing Board rule #1682 (Weighing Out – 2nd offense).

08/08/13⁵

VOIDED CLAIM

A claim was voided in the sixth race; Official Veterinarian Tim Grande placed #6 Justalittleloopy, trained by Steve M. Sherman, on the Veterinarian’s List after a soundness evaluation.

08/08/13⁶

DECLARATIONS, CHANGES and REFUNDS

1st race No Changes

Refund \$519.00

2nd race #2 Sweet G (Tr. G. Sherlock) Steward-medication

#8 Jenneral With a J (Tr. K. Craigmyle) Veterinarian-sick-Dr Grande

Refund \$929.90

3rd race No Changes

Refund \$3,606.14

4th race #2 Awe’ Some Kitten (Tr. P. Miller) claimed by Tr. H. Bacorn

#3 Rolanda (Tr. J. Sadler) claimed by Tr. G. Sherlock

#4 Tebowing (Tr. M. Mitchell) claimed by Tr. J. Canani

Refund \$130.92

5th race #2 Papa Turf (Tr. J. Cassidy) Veterinarian-sick-Dr. Grande

#3 Be You (Tr. M. Cho) Veterinarian-sick-Dr. Stead

Refund \$1,460.48

6th race #1 Joyce and Me (Tr. J. Hollendorfer) claimed by Tr. D. O’Neill

#3 Madoffwiththemoney (Tr. S. Miyadi) claimed by Tr. P. Miller

#4 Sydney’s Darling (Tr. P. Eurton) claimed by Tr. A. Sherman

#6 Justalittleloopy (Tr. S. Sherman) claimed by Tr. A.C. Avila

Refund \$0

7th race No Changes

Refund \$0

8th race #12 Mr. Fitzramathorn (Tr. K. Mulhall) DNF-bolted first turn

Refund \$0

08/08/13⁷

DAILY ATTENDANCE & HANDLE

On track	9,161	1,812,202
Off Track	5,224	1,380,588
TVG/Xpress/Youbet	N/A	N/A
Out –of-State	N/A	3,553,140
Total	14,385	6,743,930

FRIDAY
08/09/13¹

AMENDED SOTO RULING

This ruling was published after the BOS became aware there were two cases filed against Mr. Soto, not one.

DMTD #028 AMENDED

Owner **Herbert Soto** (dba United Stable), having failed to respond to charges alleging violation of California Horse Racing Board rule #1876 (Financial

Responsibility - \$4,016.00 to veterinarian John Araujo and \$32,650.00 to owner Angel Nieves) 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 **Herbert Soto** are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend or Fine), Mr. Soto is denied access to all premises in this jurisdiction.

08/09/13²

PAVLISH RULING

The following ruling was issued after Ms. Pavlish (dba Luch Racing Stable) failed to appear for the scheduled hearing.

RULING #032

Owner **Laura Pavlish (dba Luch Racing Stable)**, having failed to respond to charges alleging violation of California Horse Racing Board rule #1876 (Financial Responsibility - \$9,500.00 to H. E. Sutton Forwarding Co.) 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 **Laura Pavlish** are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend or Fine), Ms. Pavlish is denied access to all premises in this jurisdiction.

08/09/13³

AGNIC RULING

The following ruling was issued after a conversation with Dr. Agnic. She accepted full responsibility for the mistake of treating the wrong horse with Penicillin.

RULING #031

Veterinarian **Heidi Agnic** is fined **FIVE HUNDRED DOLLARS (\$500)*** pursuant to California Horse Racing Board rule #1629 (Penalty for Late Declaration), for violation of California Horse Racing Board rule #1844(h)(3) (Authorized Medication – procaine penicillin injection after entry into race).

08/09/13⁴

TRAINER OBJECTION; NO CHANGE; 1st RACE;(5/8 turf)

Following the running of the race, trainer of #4 G'night (E. Maldonado 7th) Anthony Saavedra, lodged a claim of foul against #7 Toledo Eddie (V. Espinoza 2nd) in mid stretch. In actuality, #5 Free Time (S. Gonzalez, Jr.5th) drifted out slightly, squeezing # 4. After talking to the Patrol Judges and both jockeys involved, and a review of the video, it was a unanimous decision to let the original order of finish stand. The incident did not affect the order of finish.

08/09/13⁵

VOIDED CLAIM

After a report from the Official Veterinarian Tim Grande, in the sixth race, #3 Rockin Girl was placed on the Veterinarian’s List, the claim was voided. The horse returned to the barn of trainer Tim Yakteen.

08/09/13⁶

DECLARATION, CHANGES and REFUNDS

- 1st race #1 Exotic Slew (Tr. E. Moger, Jr.) C. Nakanti replaced R. Bejarano (too late)
Refund \$3,614.54
- 2nd race #3 Stylish Sounds (Tr. J. Cassidy) claimed by Tr. C. Autrey
Refund \$107.00
- 3rd race #1 Deli Dude (Tr. A. Sherman) Veterinarian-sick-Dr. Grande
#7 Znelle (Tr. T. McCanna) claimed by Tr. J. Sadler
#9 Behind the Bossman (Tr. D. O’Neill) claimed by Tr. J. Mullins
Refund \$1,358.30
- 4th race No Changes
Refund \$29.00
- 5th race #1 Toss the Dice (E. Moger, Jr.) claimed by Tr. M. Pender
#2 McKenzies Way (Tr. K. Mulhall) claimed by Tr. M. Glatt
#3 Nextdoorneighbor (Tr. R. Ellis) claimed by Tr. L. Mikus
#6 Gallant Gent (Tr. M. Mitchell) claimed by Tr. J. Carava
Refund \$60.00
- 6th race #3 Rockin Girl (T. Yakteen) claimed by Tr. E. Mode
#12 Tizaflirt (Tr. D. Blacker) claimed by Tr. O.J. Jauregui
Refund \$778.84
- 7th race #8 Disko Dasko (Tr. J. Cassidy) (FR) Veterinarian-sick-Dr. Stead
#9 Twitter Pie (J. Bonde) E. Maldonado replaced C. Nakatani
(2nd call)
Refund \$824.60
- 8th race No Changes
Refund \$636.66

08/09/13⁷

DAILY ATTENDANCE & HANDLE

On track	13,359	1,912,586
Off Track	5,613	1,537,359
TVG/Xpress/Youbet	N/A	N/A
Out –of-State	N/A	5,136,686
Total	18,972	8,586,631

SATURDAY

08/10/13¹

VALENZUELA RULING

The following ruling was issued after Mr. Valenzuela met with the Stewards and accepted responsibility for reporting the wrong weight.

RULING #033

Jockey **Patrick Valenzuela** is fined **ONE HUNDRED DOLLARS (\$100)*** for failure to make his assigned weight in the second race at Del Mar Thoroughbred Club on August 9, 2013. This constitutes a violation of California Horse Racing Board rule #1682 (Weighing Out).

08/10/13²

BEJARANO RULING

The following ruling was issued after Mr. Bejarano met with the BOS to explain his tardiness causing him to miss the first race yesterday. He stated he was playing golf, his regular activity on Friday mornings. But to his surprise traffic backed up ten minutes from the track causing him to miss the first race. He was reminded, that this is Del Mar and one should allow extra time to come and go. He stated he understood.

RULING #034

Jockey **Rafael Bejarano** is fined **TWO HUNDRED DOLLARS (\$200)*** for failure to fulfill his riding obligation in the first race at Del Mar Thoroughbred Club on August 9, 2013. This constitutes a violation of California Horse Racing Board rule #1872 (Failure to Fulfill Jockey Agreement).

08/10/13³

INQUIRY; NON STARTER; 4th RACE (6 1/2-poly)

After the running of the race the inquiry sign was posted to review the start. After a review of the video and conversation with the Patrol Judges, also a report from Starter Gary Brinson that #2 Shining Son (Tr. V. Belvoir) was pinned by the Assistant Starter when the stall doors opened and was not afforded a fair start. Shining Son was declared a non-starter pursuant to CHRB rules 1693 (Control of Horses and Jockeys on Entering the Track), and 1696 (The Start).

08/10/13⁴

INQUIRY; NO CHANGE; 5th RACE (1 1/16 turf)

Following the running of the race the inquiry sign was posted to review a incident approaching the finish line. Involved were #1 Danderek (GB)(R. Bejarano 1st) and #5 Beachcombing (J. Talamo 2nd). Additionally, the jockey of #7 Key Decision (ARG) (V. Espinoza) who finished 3rd, lodged a claim of foul. After a review of the videos, conversation with the Patrol Judges and all jockeys involved, it was a unanimous decision to let the original order of finish stand. #1 did drift out while marginally clear of #5, who drifted out to stay off its heels and this caused #7 to drift out. In the Stewards opinion neither #5 nor #7 were cost the opportunity of a better placing.

08/10/13⁵

CAL-BRED REPORT

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

08/10/13⁶

DECLARATION, CHANGES and REFUNDS

1st race #1 Cha Da Boom (Tr. F. Gonzalez) E. Hernandez replaced D.

Torres (injured)
 #3 Ralphy Girl (Tr. T. Yakteen) claimed by C. O'Callaghan
 #5 She's All Yours (Tr. J. Hollendorfer) claimed by Tr. V. Farris
 #7 Saturday Nite Wish (Tr. T. West) Veterinarian-unsound-Dr. Stead
 #8 Tener Gusto (CHI) (H. Palma) claimed by Tr. P. Miller
 Refund \$948.24
 2nd race No Changes
 Refund \$0
 3rd race #3 Cee's the Year (Tr. R.B. Hess) claimed by Tr. M. Harrington
 #5 Town Belle (Tr. N. Drysdale) claimed by Tr. P. Miller
 Refund \$7.00
 4th race #2 Shining Son (Tr. V. Belvoir) DECLARED NON STARTER
 Refund \$31,244.32
 5th race No Changes
 Refund \$345.80
 6th race No Changes
 Refund \$14.00
 7th race #10 Exclude (Tr. R. Mandella) Veterinarian-sick-Dr. Stead
 Refund \$282.30
 8th race No Changes
 Refund \$41.00
 9th Race No Changes
 Refund \$14.00
 10th Race No Changes
 Refund \$356.04

08/10/13⁷

DAILY ATTENDANCE & HANDLE

On track	25,769	3,027,170
Off Track	9,051	2,946,308
TVG/Xpress/Youbet	N/A	N/A
Out -of-State	N/A	8,398,137
Total	34,820	14,371,615

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

ATTENDANCE REPORT – Except as noted, the full Board of Stewards was in session each day during this reporting period for both morning business and the afternoon racing program.

VETERINARIAN REPORT – WEEK 07/29-13 TO 08/04/13

Horses on Vet List 38
 Horses off Vet List 17
 Shock Wave Therapy 15
 Deceased 1
 Medication 5

SUMMARY

	Sun 08/04	Wed 08/07	Thurs 08/08	Fri 08/09	Sat 08/10	Week	Meet
Inquiries	0	2	0	1	2	5	11
Disqualifications	0	1	0	0	0	1	2
Rulings	3	0	4	2	2	11	34
Refunds	5	3	4	2	2	16	85
Accidents	0	0	0	0	0	0	0
Claims	1	3	8	8	6	26	127
Cal-Bred Races	2	2	1	1	0	6	129
Voided Claims	2	0	1	1	0	4	15

Respectfully submitted,

Kim Sawyer, Steward

C. Scott Chaney, Steward

Tom Ward, Steward

Luis Jauregui, Safety Steward