



REPORT OF THE BOARD OF STEWARDS

DEL MAR FALL MEET DEL MAR THOROUGHBRED CLUB

To the California Horse Racing Board

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ROBERT B. MILLER, CHIEF COUNSEL CHRB

WEEK 3 - Sunday, November 08, 2015 through Saturday, November 14, 2015.

SUNDAY
11/08/15¹

FILM REVIEW

Jockey Kent Desormeaux came to the office as directed to review his ride in the fourth race yesterday during which there were some indications that he may not have given his best efforts to win the race. His horse finished second by the smallest of margins. He explained that his horse was difficult to ride, that the horse had been making unpredictable moves throughout the race, and that if anything, he had over-ridden the horse. Video also appeared to show that there were two strides nearing the wire in which Mr. Desormeaux paused in his urging and then upon seeing his rival on the TV screen in the infield began urging his horse anew. The majority agreed that the horse was difficult to manage and doubted that his actions cost his horse the win. Steward Chaney believed that a penalty was appropriate.

11/08/15²

IVORY HEARING

We held an informal hearing into a case number 15SA0290 which was a financial complaint filed by veterinarian Nolton Pattio alleging an unpaid bill by trainer JOHN IVORY. After a brief discussion/negotiation, Mr. Ivory agreed that he owed a portion of the bill and wrote a check to Dr. Pattio for that amount. Withdrawn.

11/08/15³

MOULTON HEARING

We held an informal hearing into case number 15DM112 which was a financial complaint filed against owner ROBERT MOULTON by Paso Robles Equine alleging unpaid veterinary bills. After hearing the evidence, we believed that Mr. Moulton owed the amount alleged on the complaint. Although he disagreed, Mr. Moulton immediately produced a check for the amount.

11/08/15⁴

DECLARATIONS, CHANGES AND REFUNDS

1 st Race	No changes
2 nd Race	No changes
3 rd Race	No changes
4 th Race	#2 Great Lou – Claimed – E. Gray, trainer Refund \$77.00

5th Race #4 I'm Zonin – Claimed – R. Baltas, trainer
 #5 El Monterey – Claimed – G. Stute, trainer
 #5 El Monterey – Claim VOIDED – returns to L. Wicker, trainer
 Refund \$235.00

6th Race #1 The Topester – Veterinarian scratch, sick – Dr. Stead
 Refund \$2,247.40

7th Race #3 Kill Shot – Veterinarian scratch, sick – Dr. Grant
 #8 Golden Atlantic – Veterinarian scratch, sick – Dr. Grant
 #9 Guy Code – Veterinarian scratch, sick – Dr. Stead
 #5 Oligarch – Claimed—J. Hollendorfer, trainer
 Refund \$4,720.40

8th Race No changes; Refund \$284.00

9th Race #1 Wise Tale – Veterinarian scratch, sick – Dr. Stead
 #10 San Dimas – Veterinarian scratch, sick – Dr. Stead
 Refund \$4,207.20

11/08/15⁵

DAILY ATTENDANCE & HANDLE

On track	5,947	\$803,052.00
Off Track	7,287	\$4,314,836.00
Out –of-State	N/A	\$6,121,353.15
Total	13,234	\$11,239,241.15

THURSDAY

11/12/15¹

FILM REVIEW

Jockey SANTIAGO GONZALEZ came to the office to review his ride in the third race on Sunday. During the two turn race, video revealed that after leaving the gate, he angled his horse to the inside fence as the field entered the turn and in so doing, crossed in front of a rival who clipped heels. He explained that he didn't see the other horse, which is part of the reason we unanimously voted to issue the following ruling:

DFTD Ruling #007

Jockey SANTIAGO GONZALEZ who rode Exactamente in the third race at Del Mar Thoroughbred Club on November 8, 2015, is suspended for THREE (3) RACING DAYS (November 22, 26 and 27, 2015), for crossing over without sufficient clearance, causing interference entering the first turn. This constitutes a violation of California Horse Racing Board rule #1699 (Riding Rules - careless riding). Pursuant to California Horse Racing Board rule #1766 (Designated Races), the term of suspension shall not prohibit participation in designated races.

11/12/15²

FINANCIAL COMPLAINT WITHDRAWALS

Equine Massage Therapist Alina Milan withdrew financial complaints against owners LARRY SPITCAUFISKY (case number 15SA307) and MICHAEL SCOTT DUNCAN (case number 15SA305) when both alleged were paid.

11/12/15³

RACE DELAY

As the field for the fourth race was entering the track, a pony accompanying one of the entrants, stumbled and fell under the inside rail. In an effort to get up, the pony hit its head and died. There was a delay of approximately 8 minutes before the race started.

11/12/15⁴

INQUIRY/DISQUALIFICATION

Following the running of the seventh race, we posted the inquiry sign to examine the backstretch run of #6 Di Giorgio (ARG) (jockey Felipe Valdez) during the 5 furlong turf race. Video revealed that he angled over while not clear of the rivals to his inside forcing three horses to drift in, steady sharply, and in one case make contact with the inside fence. After speaking with the patrol judges and riders involved, in an unanimous decision, #6 Di Giorgio was disqualified and placed last.

Original order of finish: 8-2-4-5-(6)-3-7-1

Corrected order of finish: 8-2-4-5-3-7-1-(2)

11/12/15⁵

DECLARATIONS, CHANGES AND REFUNDS

- 1st Race No changes; Refund \$111.00
- 2nd Race #5 No Tricks for Jack – Claimed – J. Sierra, trainer
#6 Tell Her Yes – Claimed – J. Periban, trainer
Refund \$44.00
- 3rd Race #4 Charlie My Love – Veterinarian scratch, sick – Dr. Grant
#7 Sweet Invention – Claimed – J. Sadler, trainer
#8 Edgy Girl – Claimed – D. O’Neill, trainer
Refund \$782.00
- 4th Race #4 Greyson and John – Claimed – A. Sherman, trainer
#5 Courageous Dave – Claimed – R. Baltas, trainer
- 5th Race #1 Asian Sun – eased, walked off
- 6th Race No changes; Refund \$7.00
- 7th Race No changes; Refund \$105.00
- 8th Race No changes; Refund \$486.40

11/12/15⁶

DAILY ATTENDANCE & HANDLE

On track	3,044	\$475,981.80
Off Track	4,112	\$1,816,060.90
Out –of-State	N/A	\$3,235,641.25
Total	7,156	\$5,527,683.95

FRIDAY

11/13/15¹

FILM REVIEW

Jockey FELIPE VALDEZ came to the office to review his ride in the seventh race yesterday, after which his mount was disqualified for interference. He explained that when he crossed over in front of the horse to his inside, he thought he was clear and additionally that he hadn’t crossed all the way over to the inside fence. While it is true that he did not cross over to the inside fence, he was not clear of the horse to his inside, and caused three horses to shift and steady sharply. He further caused the horse on the inside to make significant contact with the fence. We viewed this action as particularly careless bordering on willful because he moved so far laterally, didn’t look to his inside and caused so much damage including injuries to two of the three horses. We therefore issued the following ruling:

DFTD #008

Jockey FELIPE VALDEZ, who rode DI GIORGIO in the seventh race at Del Mar Thoroughbred Club on November 12, 2015, is suspended for SEVEN (7) RACING DAYS (November 19, 20, 21, 22, 26, 27 and 28, 2015), for crossing over without sufficient clearance, causing severe interference during the run down the backstretch which resulted in the disqualification of his mount. This constitutes a violation of California Horse Racing Board rule #1699 (Riding Rules - careless riding). Pursuant to California Horse Racing Board rule #1766 (Designated Races), the term of suspension shall not prohibit participation in designated races.

11/13/15²

WATERMAN AGREEMENT

Veterinarian Amy Seim withdrew her complaint against trainer STANLEY WATERMAN when they reached a signed financial agreement to satisfy the alleged vet bills in case number 15SA0309.

11/13/15³

HERRICK HEARING

We held a formal hearing into case number 15DM102 which was a complaint filed by the CHRB against trainer JOE HERRICK alleging a phenylbutazone overage uncovered in one of his runners. The level was 4.74 for the horse “Everlovin Woman” which ran in the seventh race at Del Mar on August 23, 2015. Mr. Herrick was uncertain about how the overage occurred. The CHRB recommended a warning based on Mr. Herrick’s record and the overage amount. That recommendation was accepted and issued.

11/13/15⁴

NAVARRO HEARING

We held an informal hearing into case number 15SA303 which was another piece of the Ramon Garcia program training matter. The CHRB alleged that trainer ELOY NAVARRO solicited trainer Garcia to run a horse at Los Alamitos in his name because he was not permitted to do so by Los Alamitos management. Mr. Navarro disputed this and said that he transferred the horse to Mr. Garcia permanently and not solely for the purposes of running. Decision to follow.

11/13/15⁵

INQUIRY/NO CHANGE

Following the running of the sixth race, we posted the inquiry sign to examine several incidents leaving the gate and down the backstretch of this five furlong turf event. #3 E Storm (K. John) broke out and then drifted in interfering with at least two rivals. #6 Sturdy One (C. Nakatani) angled down and influenced the horses to his inside. #5 Dial a Date (T. Baze), which was lugging in, shied away from #6 and squeezed #1 Rockport Harbor to his inside. After speaking with the patrol judges and riders involved, we unanimously voted to make no change to the original order of finish. We felt that there were several horses involved, no one horse could be blamed for all of the interference and therefore it was impossible to determine if a horse was cost the opportunity for a better placing.

11/13/15⁶

INQUIRY/STARTER

Following the running of the eighth race, we posted the inquiry to examine the start of #8 Filly on Fire (B. Blanc) who broke slowly. Video revealed that when the gates opened, the horse stumbled behind and therefore broke slowly. The rider also lost his inside iron. The gate functioned properly and the assistant starter released the horse in a timely manner. Therefore we unanimously determined the horse to be a starter.

11/13/15⁷

DAILY ATTENDANCE & HANDLE

On track	3,084	\$529,572.20
Off Track	4,456	\$2,226,368.00
Out –of-State	N/A	\$4,321,406.98
Total	7,540	\$7,077,347.18

SATURDAY

11/14/15¹

FILM REVIEW

Jockeys TYLER BAZE and COREY NAKATANI came to the office to review their respective rides in the sixth race yesterday. Mr. Baze’s mount was clearly difficult to control and shying away from other horses. He was therefore excused without penalty. Mr. Nakatani angled his horse to the inside and made it tight on his rivals to the inside. We felt he could have relieved some of the pressure and therefore issued a warning.

Jockey KERWIN JOHN was not able to come to the office as directed and did not send a representative as he had committed to do. Nevertheless, video revealed that his horse in the sixth race yesterday broke out sharply and he was very slow to correct. Then a few strides later, he angled down toward the rail causing another rival to steady and check sharply. We therefore issued the following ruling:

DFTD #010

Jockey KERWIN JOHN, who rode E STORM in the sixth race at Del Mar Thoroughbred Club on November 13, 2015, is suspended for THREE (3) RACING DAYS (November 20, 21 and 22, 2015), for failure to make the proper effort to maintain a straight course in the early stages of the race, causing interference. This constitutes a violation of California Horse Racing Board rule #1699 (Riding Rules - careless riding). Pursuant to California Horse Racing Board rule #1766 (Designated Races), the term of suspension shall not prohibit participation in designated races.

11/14/15²

SADLER HEARING

We held a formal hearing into case number 15LT009 which alleged a bute overage uncovered in one of trainer JOHN SADLER’s runners. On August 30, 2015, the horse “Stellar Wind” finished first in the third race at Del Mar but had a phenylbutazone level of 2.49 ug/ml. Assistant trainer Larry Benavidez represented Mr. Sadler and a record was made of the hearing. The CHRB recommended a warning based on Mr. Sadler’s record and the bute level. We therefore issued the warning.

11/14/15³

NAVARRO RULING

We issued the following ruling regarding the program training allegation involving trainer ELOY NAVARRO:

DFTD Ruling #009

Trainer ELOY NAVARRO is fined FIVE HUNDRED DOLLARS (\$500.00)* for violation of California Horse Racing Board rule #1894 (Duties of Trainer – sublet duties as a trainer).

11/14/15⁴

PENDER WITHDRAWAL

Equine Body Worker Alina Milan withdrew her financial complaint (case number 15DM106) against trainer MIKE PENDER when the alleged debt was paid in full.

11/14/15⁵

PAST MINUTES EXPLANATION/ADDENDUM

On March 26, 2015 our minutes from Santa Anita included an entry (1) describing the disposition of case number 15SA0081 which was a financial complaint filed by trainer Walther Solis against owner Terry Lovingier alleging unpaid training bills. The previous week we fully described the case including the fact that Mr. Lovingier requested that a cross complaint be heard regarding money that he alleged Mr. Solis owed him. We heard all evidence and rendered a decision on both complaints on the March 26. Since then, a civil matter has been filed which may have issues in common with the CHRB complaints. Therefore, to more accurately describe the adjudication in our matter an addendum is necessary here. We dismissed both complaints and found that neither party owed the alleged debts. We took no position on a disagreement regarding a stallion issue because it was outside the scope of our regulation. We informed both Mr. Solis and Mr. Lovingier of our decision by telephone.

11/14/15⁶

DECLARATIONS, CHANGES AND REFUNDS

- 1st Race #3 Unusual Taste – Claimed – C. Dollase, trainer
#3 Unusual Taste – Claim VOIDED – returns to A. Mathis, trainer
Refund \$200.00
- 2nd Race #2 Lets Get Frisky – Veterinarian scratch, sick – Dr. Stead
Refund \$977.90
- 3rd Race No changes; Refund \$184.00
- 4th Race #9 Purrfecta Diva – Stewards’ scratch, also eligible
#11 Not too Shiny – Stewards’ scratch, also eligible
Refund \$2,806.40
- 5th Race No changes; Refund \$229.00
- 6th Race #11 Carnival Lights -- Stewards’ scratch, also eligible
#12 Bijoux – Stewards’ scratch, also eligible
Refund \$2,378.00
- 7th Race #5 Better Bet – Veterinarian’s scratch, unsound – Dr. Stead
Refund \$1,306.10
- 8th Race No changes; Refund \$76.00
- 9th Race No changes; Refund \$717.00

11/14/15⁷

DAILY ATTENDANCE & HANDLE

On track	15,201	\$1,443,820.60
Off Track	7,432	\$3,784,503.30
Out –of-State	N/A	\$6,158,683.78
Total	22,633	\$11,387,007.68

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 REPORT – WEEK OF 11-02-15 TO 11-08-15

Horses on Vet List 28
Horses off Vet List 3
Shock Wave Therapy 18
Deceased 5

SUMMARY

	Sun 11/08	Thurs 11/12	Fri 11/13	Sat 11/14	Week	Meet
Accidents	0	0	0	0	0	1
Cal-Bred Races	2	2	0	1	5	16
Claims	3	6	4	0	13	31
Disqualifications	0	1	0	0	1	1
Inquiries	0	1	2	0	3	6
Refunds	6	6	7	9	28	54
Rulings	0	1	1	2	4	10
Voided Claims	1	0	0	1	2	6

Respectfully submitted,

C. Scott Chaney, Steward

Tom Ward, Steward

Kim Sawyer, Steward

David Nuesch, Safety Steward

BOS:CSC:dw