

**CALIFORNIA HORSE RACING BOARD**  
**1010 HURLEY WAY, SUITE 300**  
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**PACIFIC RACING ASSOCIATION**

A Magna Entertainment Facility  
 Golden Gate Fields  
 Albany, California

**Report of the Board of Stewards**  
To the California Horse Racing Board

Honorable Arnold Schwarzenegger, Governor  
 Honorable Keith Brackpool, Chairman  
 Honorable David Israel, Vice Chairman  
 Honorable Jesse H. Choper, Member  
 Honorable Bo Derek, Member  
 Honorable John C. Harris, Member  
 Honorable Jerry Moss, Member  
 Honorable Richard A. Rosenberg, Member  
 Kirk E. Breed, Executive Director  
 Richard Bon Smith, Assistant Executive Director

Report for the period Wednesday, March 17, 2010 through Sunday, March 21, 2010.

**Wednesday**

03-17-10 **DUTY STEWARD**

Steward Dennis Nevin was on duty to handle entries and declarations today and for the remainder of this reporting period.

**Thursday**

03-18-10<sup>1</sup> **EARLY DECLARATION – REFUND**

5<sup>th</sup> race: #8 MUGS QUEST (Tr. William Delia) sick  
 Examining Veterinarian Sara Sporer REFUND: \$ 206.50

03-18-10<sup>2</sup> **ABSENT VETERINARIAN**

During this week Heather Kerr, D.V.M. and Sara Sporer, D.V.M. will be filling in for the absent examining veterinarian Diane Isbell, who is attending a seminar.

03-18-10<sup>3</sup> **LATE SCRATCH – Second Race – REFUND**

#3 GREY CHATELAINE, trained by O. J. Jauregui, was scratched on the recommendation of track veterinarian Heather Kerr, D.V.M. as the field neared the starting gate when she diagnosed the filly as off in the right front. On Vet's List. The refund amounted to \$27,863.40.

03-18-10<sup>4</sup> **STEWARDS' INQUIRY – Second Race – NO CHANGE**

The stewards posted the inquiry sign to evaluate the stretch run of the winner, #6 NIPSYS REAL JOY, ridden by Michael Martinez, and the place horse, #4 TRIPPED THE LIGHT, with William Antongeorgi in the saddle. After a thorough review the stewards, by majority vote, made no change to the order of finish.

Tapes showed that there was minor contact when TRIPPED THE LIGHT came out and brushed NIPSYS REAL JOY near the 1/16 and major contact when NIPSYS REAL JOY

came in and bumped TRIPPED THE LIGHT just before the finish line. The majority opinion held that NIPSYS REAL JOY was passing TRIPPED THE LIGHT at the time of the bump and the placings were not compromised. Steward Nevin dissented feeling the incident warranted a disqualification. Both riders will view the tapes of the race with the stewards in the morning.

03-18-10<sup>5</sup> **ATTENDANCE & HANDLE**

|                     |              |           |                     |
|---------------------|--------------|-----------|---------------------|
| GGF                 | 1,088        | \$        | 284,820.20          |
| NCOT                | 1,868        | \$        | 606,451.70          |
| SCOT                |              | \$        | 344,189.20          |
| <u>Out of State</u> |              | \$        | <u>1,117,799.94</u> |
| <b>TOTAL</b>        | <b>2,956</b> | <b>\$</b> | <b>2,353,261.04</b> |

**Friday**03-19-10<sup>1</sup> **EARLY DECLARATIONS – REFUNDS**

1<sup>st</sup> race: #3 LEWIZZY (Tr. Alex Sywak) sick  
Examining / Track Veterinarian Heather Kerr REFUND: \$ 192.00

6<sup>th</sup> race: #6 RACHEL RACCOON (Tr. John Anderson) sick  
Examining / Track Veterinarian Heather Kerr REFUND: \$ 244.70

7<sup>th</sup> race: #3 MOON QUIST ROSE (Tr. William E. Morey) injured  
Examining / Track Veterinarian Heather Kerr REFUND: \$ 230.20

03-19-10<sup>2</sup> **FILM REVIEW**

Jockey William Antongeorgi viewed the tapes of yesterday's second race in which his horse was the subject of an inquiry. Antongeorgi's part in the incident was minor in that he came out to a rival and allowed his mount to brush that competitor.

Jockey Michael Martinez also appeared as his mount was the other horse involved in the second race inquiry. Martinez' horse came in and bumped Antongeorgi's mount causing interference. The only reason his horse was not disqualified was because the placings were not affected by the interference.

A review of the tapes showed that Martinez had time to react to prevent the contact but did not make any effort to do so. Martinez acknowledged the error of omission and accepted the following penalty:

**RULING NO. 50**

Jockey **MICHAEL MARTINEZ**, who rode NIPSYS REAL JOY in the second race at Golden Gate Fields on Thursday, March 18, 2010, is suspended three (3) racing days (March 26, 27 and 28, 2010) for failure to make a proper effort to maintain a straight course in the stretch and causing interference; a violation of California Horse Racing Board rule #1699 (d) & (f) (Riding Rules – careless riding).

The term of this suspension shall not prohibit participation in designated races in California.

03-19-10<sup>3</sup> **LATE SCRATCH – First Race – REFUND**

#2 RISING ABOVE, trained by Frances Henderson, was scratched on the recommendation of Dr. Kerr approximately five minutes to post when she diagnosed the horse as off in the right front. On Vet's List. The refund totaled \$5,426.62.

The late declaration reduced a four horse field to three and eliminated the place pool along with the show pool. The additional refund amounted to \$1,595.34.

03-19-10<sup>4</sup> **STEWARDS' INQUIRY – Fourth Race – NO CHANGE**

The stewards posted the inquiry sign to review the start of #1 MASTERPLANNER, ridden by Julien Couton, after the horse broke poorly. Following a thorough review, the stewards determined that no action was warranted. Although MASTERPLANNER broke slowly the starting gate stall doors opened properly and the horse was deemed a starter.

03-19-10<sup>5</sup> **ATTENDANCE & HANDLE**

|                     |              |           |                     |
|---------------------|--------------|-----------|---------------------|
| GGF                 | 951          | \$        | 279,575.20          |
| NCOT                | 2,165        | \$        | 694,236.50          |
| SCOT                |              | \$        | 295,538.40          |
| <u>Out of State</u> |              | \$        | <u>819,964.50</u>   |
| <b>TOTAL</b>        | <b>3,116</b> | <b>\$</b> | <b>2,089,314.60</b> |

**Saturday**03-20-10<sup>1</sup> **CAL-BRED REPORT**

Today's eighth race was the Work The Crowd Stakes, an overnight stake race for California bred or sired fillies and mares, four year olds and upward, racing 1 1/16 miles for a purse of \$50,000 and six ladies paraded postward.

03-20-10<sup>2</sup> **EARLY DECLARATIONS – REFUNDS**

|                       |   |                        |                   |
|-----------------------|---|------------------------|-------------------|
| 7 <sup>th</sup> race: | #3 OUR BONANZA                              | (Tr. Eddie Rich)       | sick              |
|                       | Examining / Track Veterinarian Heather Kerr |                        | REFUND: \$ 125.20 |
| 9 <sup>th</sup> race: | #1 CLASSIC JETT                             | (Tr. Bruce Dillenbeck) | injured           |
|                       | Examining / Track Veterinarian Heather Kerr |                        | REFUND: \$ 48.00  |
|                       | #5 JAKE OF ROME                             | (Tr. Steve Miyadi)     | sick              |
|                       | Examining / Track Veterinarian Heather Kerr |                        | REFUND: \$ 229.00 |

03-20-10<sup>3</sup> **LEWIS HEARING** (Case #10LA0010)

A formal hearing was conducted for assistant trainer **BILLY G. LEWIS** who was the subject of a complaint alleging violation of California Horse Racing Board rules #1484 (Evidence of Unfitness of License) and #1489 (h) (Grounds for Denial or Refusal of License). The complaint alleged Lewis' trainer's license is currently under suspension in Texas for testing positive for cocaine back in 2005.

Present at the hearing were Lewis and the stewards. The case was presented by CHRB senior investigator Charles Smith. Lewis waived his right to an attorney and Christine Niccoli, C.S.R. recorded the hearing. Evidence and testimony were submitted on the record. The matter was deemed submitted and the stewards will render a decision in the very near future.

03-20-10<sup>4</sup> **HENDERSON – KERR CONVERSATION**

Trainer Frances Henderson and track veterinarian Heather Kerr met with the stewards to clarify the circumstances surrounding the late scratch of Henderson's horse, RISING ABOVE, from the first race on yesterday's program. Dr. Kerr examined the horse three times yesterday, twice in the morning and again on the track, as she was filling in for examining veterinarian Diane Isbell who is attending a seminar. On all occasions Kerr felt the filly was not quite right but wanted the horse to let the horse warm up prior to the race before making a final decision.

Henderson didn't think her horse was incapable of competing and took exception to Kerr's pre-race communication with Henderson's jockey, Alex Gonzalez, concerning the soundness of RISING ABOVE. Kerr acknowledged that such communication was unusual and probably unnecessary but it had no bearing on the filly's condition which, in Kerr's opinion, would prevent the horse from giving her best effort.

03-20-10<sup>5</sup> **SEMI-OBJECTION – Ninth Race – NO CHANGE**

While pulling up following the running of the ninth race jockey Alex Gonzalez, aboard the show horse #3 SOVEREIGN ROAD, lodged a claim of foul against the fourth place horse #6 ALPHABET ACADEMY, ridden by Hector Romero, for alleged interference between the 3/8 and 5/16. The stewards informed Gonzalez when he reached the phone that he out-finished the horse who supposedly bothered him so the objection would be dismissed.

The stewards reviewed the tapes around the turn despite the dismissal to determine if SOVEREIGN ROAD had suffered interference from ALPHABET ACADEMY and concluded that Gonzalez' mount caused his own problems by getting out around the turn while racing in close quarters.

03-20-10<sup>6</sup> **ATTENDANCE & HANDLE**

|              |              |                       |
|--------------|--------------|-----------------------|
| GGF          | 2,522        | \$ 598,339.60         |
| NCOT         | 3,393        | \$1,248,508.00        |
| SCOT         |              | \$ 512,099.80         |
| Out of State |              | \$1,074,696.80        |
| <b>TOTAL</b> | <b>5,915</b> | <b>\$3,433,644.20</b> |

**Sunday**

03-21-10<sup>1</sup> **CAL-BRED REPORT**

For the four day race week one race for California bred or sired horses filled and was carded in the program.

03-21-10<sup>2</sup> **EARLY DECLARATIONS – REFUNDS**

|                       |                                |                      |                   |
|-----------------------|--------------------------------|----------------------|-------------------|
| 4 <sup>th</sup> race: | #3 BREWHA BABY                 | (Tr. Steve Sherman)  | sick              |
|                       | Examining / Track Veterinarian | Heather Kerr         | REFUND: \$ 572.40 |
|                       | #5 GOOD THOUGHTS               | (Tr. Richard Miller) | sick              |
|                       | Examining / Track Veterinarian | Heather Kerr         | REFUND: \$ 192.20 |

03-21-10<sup>3</sup> **LEWIS DECISION – RULING NO. 51**

Assistant Trainer **BILLY G. LEWIS**, who is currently under suspension in the state of Texas for a substance abuse violation (cocaine), is hereby suspended pending re-instatement of his license privileges or being restored to good standing in that jurisdiction, pursuant to California Horse Racing Board rule #1484 (Evidence of Unfitness for License).

During the term of suspension, all licenses and license privileges of BILLY G. LEWIS are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards), subject is denied access to all premises in this jurisdiction.

The above ruling was issued following yesterday's formal hearing. Facts in the case proved that Lewis' license has been under suspension in Texas since January of 2005 for a substance abuse violation (cocaine) in that state.

Lewis was given a thirty day suspension in 2005 for admitted use of cocaine and, according to the Texas ruling, "Reinstatement is contingent upon satisfactory evaluation by the Texas Racing Commission medical review officer, providing a negative sample and compliance with any rehabilitation, aftercare or further testing required." Lewis testified he never complied with the conditions necessary for the reinstatement of his license privileges in Texas.

In January of this year the Texas Racing Commission notified CHRB investigator Tom Blake that Lewis was currently under suspension in that jurisdiction which led to the filing of the instant complaint.

03-21-10<sup>4</sup> **STEWARDS' INQUIRY – First Race – NO CHANGE**

The stewards illuminated the inquiry sign to review the actions of #2 CHERIG (2<sup>nd</sup>, David Lopez) shortly after the start. After a thorough review, the stewards affirmed the original order of finish. Tapes showed that CHERIG ducked in after the start and bumped #1 COUNTRY RHYTHM (6<sup>th</sup>, Enrique Gonzalez) who was knocked off stride. The stewards were unconvinced that the contact cost COUNTY RHYTHM a better placing as he was five lengths behind the fifth place horse.

03-21-10<sup>5</sup> **ATTENDANCE & HANDLE**

|              |              |                       |
|--------------|--------------|-----------------------|
| GGF          | 4,814        | \$ 603,399.30         |
| NCOT         | 2,876        | \$ 937,425.10         |
| SCOT         |              | \$ 670,741.90         |
| Out of State |              | \$1,752,495.04        |
| <b>TOTAL</b> | <b>7,690</b> | <b>\$3,964,061.34</b> |

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

**ATTENDANCE REPORT** – The full Board of Stewards was in attendance each racing day during this reporting period for both morning business and the afternoon racing program. Steward Nevin was on duty Wednesday (3/17) for entries and scratches.

**VETERINARIAN RECOMMENDED SCRATCHES**

| Date   | Race | No. | Horse           | Trainer    | Reason  | Vet    | Refund             |
|--------|------|-----|-----------------|------------|---------|--------|--------------------|
| 18-Mar | 2    | 3   | GREY CHATELAINE | Jauregui   | unsound | Kerr   | <b>\$27,863.40</b> |
|        | 5    | 8   | MUQS QUEST      | Delia      | sick    | Sporer | <b>\$206.50</b>    |
| 19-Mar | 1    | 2   | RISING ABOVE    | Henderson  | unsound | Kerr   | <b>\$5,426.62</b>  |
|        |      | 3   | LEWIZZY         | Sywak      | sick    | Kerr   | <b>\$192.00</b>    |
|        | 6    | 6   | RACHEL RACCOON  | Anderson   | sick    | Kerr   | <b>\$244.70</b>    |
|        | 7    | 3   | MOON QUIST ROSE | Morey      | injured | Kerr   | <b>\$230.20</b>    |
| 20-Mar | 7    | 3   | OUR BONANZA     | Rich       | sick    | Kerr   | <b>\$125.20</b>    |
|        | 9    | 1   | CLASSIC JETT    | Dillenbeck | injured | Kerr   | <b>\$48.00</b>     |
|        |      | 5   | JAKE OF ROME    | Miyadi     | sick    | Kerr   | <b>\$229.00</b>    |
| 21-Feb | 4    | 3   | BREWHA BABY     | Sherman    | sick    | Kerr   | <b>\$572.40</b>    |
|        |      | 5   | GOOD THOUGHTS   | Miller     | sick    | Kerr   | <b>\$192.20</b>    |

**VETERINARY REPORT****Euthanized / Died**

3-18-10 Carly Appeal (Tr. Steve Sherman) pleural pneumonia (Pleasanton)  
 3-18-10 My Catherinemarie (Tr. Lloyd Mason) fractured left humerus;  
 Tapeta, racing  
 3-19-10 Charm Doll (Tr. Larry Martinez) fractured right carpus; Tapeta, racing

**Veterinarian's List**

There were fourteen (14) horses placed on the Vet's List:

Sick: 6  
 Injured: 2  
 Unsound: 6

There were fourteen (14) horses removed from the Vet's List:

Sick: 10  
 Injured: 2  
 Medication: 2

**Shockwave Therapy:** There were no shockwave therapy treatments reported.

**WEEKLY ATTENDANCE & HANDLE SUMMARY FOR SATELLITE FACILITIES**

|                 |      |                |
|-----------------|------|----------------|
| Anderson        | 111  | \$48,594.30    |
| Bakersfield     | 411  | \$105,600.50   |
| Eureka          | 0    | \$0.00         |
| Fresno          | 293  | \$92,668.10    |
| Fresno Club One | 97   | \$49,395.30    |
| Monterey        | 320  | \$91,681.50    |
| Pleasanton      | 1670 | \$667,395.40   |
| Sacramento      | 1285 | \$370,858.10   |
| San Jose        | 1585 | \$488,664.90   |
| San Mateo       | 3253 | \$1,254,259.70 |
| Santa Rosa      | 720  | \$185,276.20   |
| Stockton        | 941  | \$269,351.10   |
| Tulare          | 222  | \$70,166.10    |
| Turlock         | 414  | \$119,980.20   |
| Vallejo         | 748  | \$240,116.10   |
| So. California  |      | \$1,822,569.30 |
| Out of State    |      | \$4,770,909.08 |

|                      | 18-<br>Mar | 19-<br>Mar | 20-<br>Mar | 21-<br>Mar | WEEK | Meet |
|----------------------|------------|------------|------------|------------|------|------|
| ACCIDENTS            | 0          | 0          | 0          | 0          | 0    | 3    |
| CAL-BRED RACES       | 0          | 0          | 1          | 0          | 1    | 5    |
| CLAIMS               | 1          | 2          | 1          | 1          | 5    | 66   |
| DISQUALIFICATIONS    | 0          | 0          | 0          | 0          | 0    | 10   |
| INQUIRIES/OBJECTIONS | 1          | 1          | 1          | 1          | 4    | 27   |
| REFUNDS              | 2          | 4          | 3          | 2          | 11   | 159  |
| RULINGS              | 0          | 1          | 0          | 1          | 2    | 51   |

Respectfully submitted,

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**John B. Herbuveaux, Steward**

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**Darrel McHargue, Steward**

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**Dennis Nevin, Steward**

JBH/BOS: kjk