

CALIFORNIA HORSE RACING BOARD

1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825



**REPORT OF THE BOARD OF STEWARDS
HOLLYWOOD PARK RACING ASSOCIATION
Hollywood Park**

To the California Horse Racing Board

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

For the period: Wednesday, December 17, 2008, through, Sunday, December 21, 2008.

* * * * *

WEDNESDAY

12/17/08¹

RULING #025

This ruling was agreed upon after receiving a fax from the Hong Kong Jockey Club. Stipendiary Steward Kim Kelly states that jockey Garrett Gomez was suspended for two racing days for careless riding. The Stewards are of the opinion that the Hong Kong ruling shall be honored and the rider is suspended for our next two entry days.

HRTH #025

Acting on reciprocity of a ruling for suspension of two riding days (to expire on Sunday, December 21, 2008) issued by the Hong Kong Jockey Club on December 14, 2008 to jockey **GARRETT GOMEZ** for careless riding at Sha Tin Race Course, the Stewards suspend jockey Gomez for TWO (2) racing days (December 19 and 20, 2008). Terms of this suspension shall not prohibit participation in designated races.

12/17/08²

OFF TURF

The fifth race on the card was taken off the turf due to heavy rain. Four scratches reduced the field to four, with no show wagering offered.

12/17/08³

LATE DECLARATIONS

3rd Race #7 Strapless (Tr. Beau Greely) ran off, Stewards
Refund \$18,933.55

5th Race #1 Swift Demand (Tr. John Sadler) off turf, Stewards
#2 Ginobili (Tr. Roger Stein) off turf, Stewards
#3 Devoted (Tr. Jerry Hollendorfer) off turf, Stewards
#6 Talk Circuit (Tr. Edward Freeman) off turf, Stewards
Refund \$2,877.51

7th Race #5 Nitro Active (Tr. Michael Machowsky) sick, Dr. Bailey
Refund \$1,007.22

12/17/08⁴ **GOOD RACING**
Eight races were completed without a reportable incident.

12/17/08⁵ **DAILY ATTENDANCE & HANDLE**

On track	1,902	482,408.90
Satellites	3,553	1,481,696.10
TVG/Xpress/Youbet	n/a	595,448.00
Out- of - State	n/a	2,862,706.94
Total	5,455	\$5,422,259.94

THURSDAY

12/18/08¹ **RULING #026**

HRTH #026

Trainer **JULIO CANANI**, who started the horse "Basile Premier" which finished fifth in the fifth race at Hollywood Park Race Track on November 9, 2008, is fined FIVE HUNDRED DOLLARS (\$500.00)* pursuant to California Horse Racing Board rule #1887(a) (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule #1843 (a) (d) (Medication, Drugs, and Other Substances –Methocarbamol –Class IV).

This ruling was issued after telephonically conferring with trainer Canani, who could offer no explanation for the positive test. Further, the trainer stated only the barn vet administers robaxin. The veterinarian's report shows the drug was administered two days before the race.

12/18/08² **OFF TURF**
Two races, the fifth and seventh, were taken off the turf due to weather conditions. Both races were scheduled for one mile on the grass but were contested at one mile and one sixteenth on the cushion track, due to the configuration of the Hollywood Park oval.

12/18/08³ **LATE DECLARATIONS**

4th Race #5 Twodollarstowin (Tr. R.B. Hess Jr.) sick, Dr. Bailey
Refund \$1,269.34

5th Race #1 Rare Sparkle (Tr. David Hofmans) sick, Dr. Connor
#10 Michael's Rose (Tr. Neil Drysdale) off turf, Stewards
Refund \$2,243.64; Minus Pool \$1,900.06

6th Race #3 Outrageous Limit (Tr. Mark Glatt) sick, Dr. Connor
#5 Gary's Got Rhythm (Tr. Jack Carava) sick, Dr. Connor
#7 Bave Sun (Tr. Robert Bean) unsound, Dr Bailey
Refund \$4,391.06; Minus Pool \$3,879.64

7th Race #2 Catastaire (Tr. Beau Greely) off turf, Stewards
#5 Cavanal (Tr. Neil Drysdale) off turf, Stewards
Refund \$2,552.38

8th Race #2 Emba U.T.K. (Tr. Herbert Ho) unsound, Dr. Bailey
#3 Warren's Ruby (Tr. Jorge Gutierrez) no rider available, Stewards
Refund \$10,950.32; Minus Pool \$234.73

12/18/08⁴

DAILY ATTENDANCE & HANDLE

On track	2,756	656,184.20
Satellites	4,721	1,768,923.30
TVG/Xpress/Youbet	n/a	609,008.20
Out- of - State	n/a	2,589,502.45
Total	7,477	\$5,623,618.15

FRIDAY

12/19/08¹

OFF TURF AGAIN

The fifth race on the card, at six furlongs, was taken off the turf course and contested on the cushion track.

12/19/08²

FINANCIAL AGREEMENT

Paul Aguirre appeared to address a court judgment declaring he owes K.C. Horse Transport \$10,388.33. Mr. Aguirre agreed to have K.C. Transport’s representative conduct the meeting via telephone, and both parties agreed to sign a financial agreement allowing the debt to be paid in full by January 19, 2009.

12/19/08³

CASE SETTLED

Trainer Stacy Young paid groom Alberto Torres \$350 to satisfy C.H. R. B. case #08HP0103.

12/19/08⁴

NEW RULE ISSUE

A problem with new C.H.R.B. rule #1634 (Claiming Option Entry) came to the attention of the Stewards when trainer Darrell Vienna entered “Arnone” in a claiming race for \$32,000 - \$28,000. The trainer specified a claiming value of \$28,000 for his horse, entitling him to a one pound weight allowance; while simultaneously declaring the horse ineligible to be claimed. “Arnone” had last raced on April 19, 2008 for a claiming price of \$25,000 at Santa Anita.

At issue was whether “Arnone” was allowed both the benefit of the weight reduction bestowed to horses available to be claimed for \$28,000, *as well* as the benefit of running without an actual \$28,000 tag. C.H.R.B. rule #1634 (Claiming Option Entry) states:

Rule No.	Rule Title
1634	Claiming Option Entry.
Rule Text	(a) At the time of entry into a claiming race, the owner may opt to declare a horse ineligible to be claimed provided: (1) The horse has been laid off and has not started for a minimum of 180 days since its last race, and (2) The horse is entered for a claiming price equal to or greater than the price at which it last started. (b) Failure to declare the horse ineligible at the time of entry may not be remedied. (c) Ineligibility shall apply only to the first start following each such layoff. NOTE: Authority cited: Sections 19420 and 19440, Business and Professions Code. Reference: Sections 19408.2 and 19562, Business and Professions Code. HISTORY: 1. New rule filed 8-21-08; effective 9-20-08.

This Board of Stewards believes that Subsection (A) (2) which reads "The horse is entered for a claiming price equal to or greater than the price at which it last started" should rather be worded "The horse is entered in a claiming race of equal or greater value than the race in which it last started". It is our belief that the rule was not intended to allow a horse to enter for a claiming price, while entering not to be claimed. However, the way the current rule (A) (2) is written, Mr. Vienna's horse is eligible for the one pound allowance.

12/19/08⁵**LATE DECLARATIONS**

5th Race #2 Linda Lou (Tr. Richard Mandella) off turf, Stewards
Refund \$1,681.72

8th Race #4 Tricky Brat (Tr. Kathleen Nelson) sick, Dr. Connor
#5 Sun Lord (Tr. Martin Jones) sick, Dr. Bailey
#10 Rojo Lodo (Tr. Kenneth Smith) injured, Dr. Connor
Refund \$1,169.32

12/19/08⁶**NO PROBLEMS**

Eight races were completed without a reportable incident.

12/19/08⁷**DAILY ATTENDANCE & HANDLE**

On track	2,272	593,395.50
Satellites	4,589	1,853,113.40
TVG/Xpress/Youbet	n/a	774,890.00
Out- of - State	n/a	3,329,878.77
Total	6,861	\$6,551,277.67

SATURDAY12/20/08¹**RIDERS REVIEW RACE**

Jockeys Joe Talamo and Michael Baze appeared to review yesterday's eighth race with the Stewards. There was an incident between the riders mounts approaching the quarter pole. Films are inconclusive in determining blame. Each rider thought the other was responsible; the Stewards are of the opinion that both horses contributed to the incident.

12/20/08²**PROTEST OF FINISH**

Trainer Michael Machowsky appeared for a protest hearing regarding the order of finish for the seventh race on December 4, 2008. Before commencing the proceedings, Mr. Machowsky was shown a photo of the finish in question. The trainer expressed the opinion that it seems there are actually different photos. However, after much discussion, he was somewhat convinced that the photo did show his horse was beaten a nose. Mr. Machowsky then stated he would drop the protest.

12/20/08³**OFF TURF**

The third race on the card was taken off the turf and was contested on the cushion track. Two other turf events remained on the grass.

12/20/08⁴**LATE DECLARATIONS**

1st Race #5 Man to Man (Tr. Beau Greely) sick, Dr. Connor
Refund \$1,885.00

- 2nd Race #5 Esperamos (Tr. Doug O'Neill) vet's list, Stewards Refund \$1,864.20
- 3rd Race #6 Broctane (Tr. John Sadler) off turf, Stewards Refund \$955.91
- 6th Race #4 Mr. President (Tr. John Shirreffs) injured, Dr. Connor Refund \$2,810.44
- 7th Race #5 Zetterberg (Tr. Vladimir Cerin) sick, Dr. Bailey Refund \$1,980.10
- 8th Race #10 Mr. Rod (Tr. Dan Hendricks) stake, Stewards Refund \$2,832.90

12/20/08⁵

GOOD RACING

Ten races were contested without a reportable incident.

12/20/08⁶

MINUS POOL

A minus pool of \$18,655.54 was created in the fourth race when "Rail Trip" won easily as an overwhelming favorite.

12/20/08⁷

DAILY ATTENDANCE & HANDLE

On track	9,848	1,685,890.20
Satellites	7,844	3,275,649.20
TVG/Xpress/Youbet	n/a	1,398,700.40
Out- of - State	n/a	5,553,863.47
Total	17,692	\$11,914,103.27

SUNDAY

12/21/08¹

CLOSING DAY

Nine races are carded for closing day of the Autumn Meet.

12/21/08³

RULING #027

HRTH #027

Pari-mutuel employee **JONATHAN BRESLAW**, having failed to appear before the Board of Stewards to answer charges alleging violation of California Horse Racing Board rule #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 Jonathan Breslaw are suspended, and pursuant to California Horse Racing Board rule #1527 (Jurisdiction of Stewards to Fine or Suspend), subject is denied access to all premises in this jurisdiction.

This ruling was issued when the respondent failed to attend the scheduled hearing.

12/21/08³

RULING #028

HRTH #028

Jockey **COREY NAKATANI** is fined FIVE HUNDRED DOLLARS (\$500.00)* for violation of California Horse Racing Board rule #1692 (Requirements for Horse, Trainer and Jockey) not riding his horse out to the finish line in the third race at Hollywood Park on December 20, 2008.

This ruling was agreed upon after jockey Nakatani appeared to review yesterday's third race with the Stewards. Upon review, it appears the rider stands up early, possibly costing his horse third place. Jockey Nakatani explained he was watching an incident inside of him and thought the two horses would come out to him. Also, the rider stated he was cramping up, as he is just returning from a long lay up. Although the situation is serious, the Stewards feel there are mitigating circumstances in arriving at this penalty.

12/21/08⁴

CAL-BRED REPORT

Five races were carded during the week exclusively for Cal-Breds.

12/21/08⁵

STEWARDS' INQUIRY, SIXTH RACE – NO CHANGE

The Stewards posted the inquiry sign after the finish of the 1 1/6 mile turf event to review an incident which took place nearing the wire. The winner #5 Acclamation (jockey Mike Smith) and the fourth place finisher #7 Meteore (jockey Corey Nakatani) were involved. The Stewards unanimously agreed that no change in the result was warranted after viewing the tapes, discussion with the riders, and input from the patrol judges. Replays show #5 drift out nearing the finish; #7 takes up, but #5 is clear of #7 at the time. Also, the rider of #7 stated he took up because his horse was lugging in.

12/21/08⁶

LATE DECLARATIONS

- 4th Race #4 Fortified (Tr. Brian Koriner) injured, Dr. Bailey
- 5th Race #11 Ringmaster (Tr. A.C. Avila) sick, Dr. Connor
- 8th Race #7 Sensational Love (Tr. Neil Drysdale) stake, Stewards
- #8 Valbenny (Tr. Robert Frankel) stake, Stewards
- #12 Storybook (Tr. John Sadler) stake, Stewards

12/21/08⁷

DAILY ATTENDANCE & HANDLE

On track		
Satellites		
TVG/Xpress/Youbet		
Out- of - State		
Total		

WEEKLY SUMMARY

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.

Week of 11/26/08 – 11/30/08

- Horses on Vet List 14
- Horses off Vet List 14
- Shock Wave Therapy 20
- Deceased 4
- Medication 14

SUMMARY

	Wed. 12-17	Thurs. 12-18	Fri. 12-19	Sat. 12/20	Sun. 12/21		Week	Meet
Inquiries	0	0	0	0	1		1	
Disqualifications	0	0	0	0	0		0	
Rulings	1	1	0	0	2		4	
Refunds	6	6	4	8	4		33	
Accidents	0	0	0	0	0		0	
Claims	1	2	2	1	0		6	
Cal-Bred Races	3	0	1	1	0		5	

Respectfully submitted,

 Albert Christiansen, Steward

 Kim Sawyer, Steward

 Randy Winick, Steward

AC/dm