



**CALIFORNIA HORSE RACING BOARD**

1010 Hurley Way, Suite 300  
Sacramento CA 95825  
(916) 263-6042

REPORT OF THE BOARD OF STEWARDS

**LOS ANGELES COUNTY FAIR**

FAIRPLEX PARK

TO THE CALIFORNIA HORSE RACING BOARD

Honorable Edmund G. Brown Jr., Governor  
Honorable Keith Brackpool, Chairman  
Honorable David Israel, Vice Chairman  
Honorable Steve Beneto, Member  
Honorable Jesse Choper, Member  
Honorable Bo Derek, Member  
Honorable Richard Rosenberg, Member  
Honorable Chuck Winner, Member  
Kirk E. Breed, Executive Director  
Jacqueline Wagner, Assistant Executive Director

**SECOND WEEK:** Wednesday, September 12, 2012, through Sunday, September 16, 2012.

**WEDNESDAY** **A. M. DECLARATIONS**

|                      |   |                    |
|----------------------|---|--------------------|
| 9/12/12 <sup>1</sup> | 4 <sup>th</sup> race - #10 HELLO WALLS (Also eligible) see Minute entry of 9-12-12 <sup>4</sup> |                    |
|                      | 8 <sup>th</sup> race - #1 PRIDE OF WILSHIRE (Vet-injured)                                       | Refund of \$287.34 |
|                      | 10 <sup>th</sup> race - #11 BADGETT CAT (Also eligible)   | Refund of \$231.44 |

9/12/12<sup>2</sup> **STARTING GATE PLACEMENT PROBLEM**

During the morning hours between the end of training and shortly before the starting gate was to be set for the first race (about 4 furlongs), some unknown idiot parked a van in the corner of the chute, preventing the gate from being set at the proper distance. Efforts to locate the person proved fruitless and the van could not be moved. The Stewards made the decision that since the race was advertised at an "about" distance, the gate was moved approximately ten feet forward and the race went on without incident. There were two other races later in the card run in the same manner. Ultimately, a tow truck was called and the vehicle was removed.

9/12/12<sup>3</sup> **ACCIDENT/INQUIRY/NO CHANGE**

The Inquiry sign was posted after the third race (6 ½ furlongs) as the Stewards reviewed an incident shortly after the start involving #1 SEA OF DESIRE, ridden by JORGE CARRENO. After taking into account reports from the Patrol Judges and reviewing video of the incident, the Stewards voted unanimously to make no change in the placings. Review showed the horse ducking into the temporary railing, unseating the rider in the process. The loose horse caused no problems for the other starters. CARRENO was excused from his next mount while being examined by the track physician, but completed his remaining engagements. Accident report attached.

9/12/12<sup>4</sup> **REFUND**

A refund was ordered in the fourth race when #6 GHOSTLY FEVER flipped in the saddling paddock and was declared on the recommendation of Racing Veterinarian STEAD. The refund amounted to \$5,853.84. Jockey OSWALDO MACIAS was not injured.

9/12/12<sup>5</sup>**ACCIDENT/ INQUIRY/NO CHANGE**

The Inquiry sign was posted after the seventh race to review circumstances which resulted in jockey MARTIN PEDROZA being unseated from his mount, #7 WARREN'S TYLER S., in the first turn of the six furlong event. After speaking with the Patrol Judges and reviewing video of the race, the Stewards made no change to the original order of finish. The accident was caused as PEDROZA's mount bore out on the turn and got its right foreleg tangled up with the left front leg of the horse to its outside, #8 SLIPPERY SLEWP. This resulted in WARREN'S TYLER S. stumbling sharply, tossing PEDROZA to the track. He was removed by the paramedic unit and transported to Pomona Valley Medical Center for observation. Replacement riders were named.

9/12/12<sup>6</sup>**SATELLITE ATTENDANCE**

|                      |       |
|----------------------|-------|
| Barona               | 100   |
| Cabazon              | 40    |
| Commerce Casino      | 210   |
| Hollywood Park       | 1,110 |
| Lake Perris          | 75    |
| Lancaster            | 80    |
| Los Alamitos         | 658   |
| Orange County Tavern | 84    |
| San Bernardino       | 246   |
| Santa Anita          | 674   |
| Santa Clarita Lanes  | 130   |
| Santa Maria          | 20    |
| Shalimar             | 58    |
| Surfside (IDel Mar)  | 304   |
| Sycuan               | 49    |
| Ventura              | 178   |
| Victorville          | 58    |
| Viejas               | 92    |

9/12/12<sup>7</sup>**ATTENDANCE & HANDLE**

|              |       |                |
|--------------|-------|----------------|
| On Track     | 3,053 | \$ 458,095.00  |
| ITW          | 4,166 | \$1,587,833.00 |
| Barrett's    | 250   |                |
| Out of State |       | \$3,428,359.00 |
| Total        | 7,469 | \$5,474,287.00 |

**THURSDAY**9/13/12<sup>1</sup>**A.M. DECLARATIONS**

1<sup>st</sup> race - #5 TAK THE LIMIT (Vet – sick) Refund of \$222.90  
 2<sup>nd</sup> race - #10 WE BE GOOD (Also eligible)  
                   #11 WARREN'S BIG GOLD (Also eligible)  
                   #12 HEAVY HANDED (Also eligible) Refund of \$868.16

8<sup>th</sup> race - #6 AMAZINGLY (Vet – sick)

Refund of \$96.10

9/13/12<sup>2</sup>**RIDER EXCUSED**

Jockey MARTIN PEDROZA, who was involved in a spill in the seventh race yesterday (9/12/12<sup>5</sup>), was excused from eight mounts this afternoon as he was suffering the effects of the accident. Replacement riders were named.

9/13/12<sup>3</sup>**RULING – LAFP #001**

Owner EVELYN UNGARO, having failed to appear to respond to a complaint alleging violation of California Horse Racing Board rule #1876 (Financial Responsibility – Von Bluecher, Blea, Hunkin, Inc., \$8,508.95) 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 EVELYN UNGARO are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend or Fine), Ms. UNGARO is denied access to all premises in this jurisdiction.

This ruling was issued after Ms. UNGARO failed to appear for a hearing regarding a complaint filed against her for unpaid veterinary bills.

9/13/12<sup>4</sup>**MEETING WITH PARAMEDICS**

The Stewards held a meeting with the paramedic crew regarding the two spills which took place yesterday and the manner in which they responded. Of particular concern was the seemingly long response time for the first spill, which occurred at the six furlong gap. The rider was in a position on the track which would have required the race be called off if he could not have been moved. The assistant starters ultimately moved the rider and only then was he attended to by the paramedics. We stressed the importance of a quick response, not only for the health of the jockey, but also should the race have to be cancelled.

9/13/12<sup>5</sup>

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

9/13/12<sup>6</sup>**SATELLITE ATTENDANCE**

|                      |     |
|----------------------|-----|
| Barona               | 85  |
| Cabazon              | 70  |
| Commerce Casino      | 180 |
| Hollywood Park       | 928 |
| Lake Perris          | 107 |
| Lancaster            | 40  |
| Los Alamitos         | 547 |
| Orange County Tavern | 82  |
| San Bernardino       | 182 |
| Santa Anita          | 632 |
| Santa Clarita Lanes  | 70  |
| Santa Maria          | 40  |
| Shalimar             | 42  |
| Surfside (IDel Mar)  | 296 |

|             |     |
|-------------|-----|
| Sycuan      | 53  |
| Ventura     | 162 |
| Victorville | 67  |
| Viejas      | 58  |

9/13/12<sup>7</sup>**ATTENDANCE & HANDLE**

|              |       |                |
|--------------|-------|----------------|
| On Track     | 2,197 | \$ 245,732.00  |
| Barretts     | 129   |                |
| ITW          | 3,641 | \$1,251,261.00 |
| Out of State |       | \$1,670,592.00 |
| Total        | 5,967 | \$3,167,585.00 |

**FRIDAY**9/14/12<sup>1</sup>**A.M. DECLARATIONS**

|   |                    |
|---|--------------------|
| 1 <sup>st</sup> race - #3 LENA HOT PHILLY (Vet – unsound) | Refund of \$359.00 |
| 2 <sup>nd</sup> race - #9 MINDELLA (Also eligible)        |                    |
| -#10 SHE'S A TOWNEE (Also eligible)                       | Refund of \$802.52 |
| 8 <sup>th</sup> race - #6 AMAZINGLY (Vet – sick)          | No refund          |

9/14/12<sup>2</sup>

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

9/14/12<sup>3</sup>**SATELLITE ATTENDANCE**

|                      |     |
|----------------------|-----|
| Barona               | 98  |
| Cabazon              | 80  |
| Commerce Casino      | 250 |
| Hollywood Park       | 938 |
| Lake Perris          | 106 |
| Lancaster            | 106 |
| Los Alamitos         | 725 |
| Orange County Tavern | 112 |
| San Bernardino       | 278 |
| Santa Anita          | 555 |
| Santa Clarita Lanes  | 60  |
| Santa Maria          | 35  |
| Shalimar             | 65  |
| Surfside (IDel Mar)  | 327 |
| Sycuan               | 59  |
| Ventura              | 113 |
| Victorville          | 60  |
| Viejas               | 81  |

9/14/12<sup>4</sup>**ATTENDANCE & HANDLE**

|              |       |                |
|--------------|-------|----------------|
| On Track     | 2,365 | \$ 333,435.00  |
| Barretts     | 269   |                |
| ITW          | 4,048 | \$1,718,250.00 |
| Out of State |       | \$2,204,627.00 |
| Total        | 6,682 | \$4,256,312.00 |

**SATURDAY**

9/15/12<sup>1</sup>**A. M. DECLARATIONS**

|   |                      |
|---|----------------------|
| 2 <sup>nd</sup> race - #9 MIL ESTRELLAS (Also eligible)       | Refund of \$1,219.30 |
| 6 <sup>th</sup> race - #4 BENJY'S PRIDE (Vet-injured)         | Refund of \$326.70   |
| 8 <sup>th</sup> race - #10 OL'DOGTOWN (Also eligible)         | Refund of \$832.60   |
| 9 <sup>th</sup> race - #2 DAYLIGHT MAGIC (Vet-sick)           | Refund of \$764.30   |
| 10 <sup>th</sup> race - #11 WASTED AT MIDNIGHT(Also eligible) | Refund of \$633.60   |

9/15/12<sup>2</sup>**FORMAL HEARING – ESWAN FLORES**

A formal hearing was held this morning into a complaint filed against Apprentice Jockey ESWAN FLORES for violation of California Horse Racing Board rule #1500.1 (Random Drug Testing) in that he tested positive for a metabolite of cocaine during a random drug test on August 23, 2012 at Del Mar. The original sample, tested by Quest Diagnostic Laboratory, indicated the presence of 2,460 ng/ml of cocaine metabolites. The split sample requested by Mr. FLORES was tested at Pharmatech Laboratories and confirmed the original findings although there was no quantification noted. Present at the hearing were the Board of Stewards, Mr. ESWAN FLORES who was represented by attorney ROGER LICHT, and Deputy Attorney PATRICIA NEVONEN, counsel for the Board. BARBARA WEINSTEIN recorded the proceedings.

Investigator RICK AMIEVA testified as to how the selection process worked and showed those in attendance just how the chain of custody was maintained. He also explained the procedure to Mr. FLORES in a step by step manner.

Mr. TED JOHNSON, the custodian of records for Quest Diagnostics, testified as to the findings and the methodology behind the testing. He also testified that the second test requested by Mr. FLORES' counsel was below the cutoff level of 300 ng/ml and thereby technically "negative," although there was a small amount of the drug in that sample as well.

Mr. ESWAN FLORES testified in his defense and stated that he did not knowingly use cocaine during the Del Mar meeting. He did state, however, that he used "pills" for weight control obtained from a "friend of a friend" which were procured in Tijuana, Mexico. He did not know the ingredients contained in the pills. He thinks the pills might have contained Lasix but was not certain. He said each bottle contained fifty pills but did not recall how many of the bottles he used. Finally, he testified that he still has the pills in his possession but is no longer using them.

In closing, Ms. NEVONEN said that opposing counsel did not argue the findings of either laboratory and that Mr. FLORES' ignorance of the law or the contents of the pills he was using was no excuse.

Mr. LICHT felt that his client had suffered an enormous penalty already in that he has not been allowed to ride since August 25, 2012, while being in contention for the Eclipse Award for leading apprentice jockey. He said the nineteen-year-old is not a threat to horse racing, is remorseful, is working on his weight without resorting to medication, and will test daily at his own expense. He also requested that the Stewards extend Mr. FLORES' apprenticeship for a like number of days that he has been denied the privilege of riding.

A decision will be rendered shortly.

9/15/12<sup>3</sup>**FINANCIAL COMPLAINT SETTLED**

A financial complaint in the amount of \$1,735.00, filed by exercise rider PEDRO ZAVALETA against trainer NICOLAS ACUNA, was settled today as Mr. ACUNA agreed to a payment plan.

9/15/12<sup>4</sup>**STEWARDS' INQUIRY AND DISQUALIFICATION**

The Stewards posted the Inquiry sign after the first race to review an incident at mid-stretch between the first two finishers, #4 BOCA BAY (J. Hernandez), and #3 GO TO THE PULPIT (M. Pedroza). After speaking with the riders involved, taking into account reports from the Patrol Judges and reviewing video of the incident, the Stewards voted unanimously to disqualify BOCA BAY from first to second position. Video shows that horse ducking out after being hit with left-hand whip, taking the path of GO TO THE PULPIT and forcing jockey PEDROZA to alter his course. PEDROZA's horse continued to close strongly after the incident and was beaten a "head" for the win. It was the Stewards' opinion that GO TO THE PULPIT was denied the win by the actions of the original winner.

9/15/12<sup>5</sup>**REFUND**

A refund was ordered in the seventh race as #2 MIDNIGHT PRAYER unseated the rider, VINNIE BEDNAR, and ran off into the stable area. The refund from the scratch amounted to \$10,059.76.

NOTE: We later learned that this was the third time the horse has pulled the same stunt and has yet to make it to the starting gate. The filly will be barred from racing in this jurisdiction.

9/15/12<sup>6</sup>**REFUND**

The Stewards ordered a refund in the last race of the day when Racing Veterinarian STEAD recommended that #6 DESTINO be declared for being unsound during the warm up period. There was a total of \$14,818.34 refunded to the players.

9/15/12<sup>7</sup>**SATELLITE ATTENDANCE**

|                      |       |
|----------------------|-------|
| Barona               | 187   |
| Cabazon              | 150   |
| Commerce Casino      | 280   |
| Hollywood Park       | 1,497 |
| Lake Perris          | 161   |
| Lancaster            | 127   |
| Los Alamitos         | 1,150 |
| Orange County Tavern | 122   |
| San Bernardino       | 293   |
| Santa Anita          | 1,244 |
| Santa Clarita Lanes  | 130   |
| Santa Maria          | 60    |
| Shalimar             | 74    |
| Surfside (IDel Mar)  | 561   |
| Sycuan               | 103   |
| Ventura              | 235   |
| Victorville          | 80    |
| Viejas               | 155   |

9/15/12<sup>8</sup>**ATTENDANCE & HANDLE**

|              |        |                |
|--------------|--------|----------------|
| On Track     | 3,660  | \$ 499,833.00  |
| Barretts     | 381    |                |
| ITW          | 6,609  | \$3,009,366.00 |
| Out of State |        | \$2,462,409.00 |
| Total        | 10,650 | \$5,969,608.00 |

**SUNDAY**9/16/12<sup>1</sup>**A.M. DECLARATIONS**

|  |                      |
|--|----------------------|
| 4 <sup>th</sup> race - #5 GOGO JOHNNY GO (Entered back)      | Refund of \$528.10   |
| 6 <sup>th</sup> race - #2 YOU BETTOR BEWARE (Could not load) | Refund of \$811.70   |
| 11 <sup>th</sup> race-#1 NO CHEESE (Vet – sick)              |                      |
| #8 MISS PEANUT (Stewards – deceased)                         | Refund of \$1,480.00 |

9/16/12<sup>2</sup>**VIDEO REVIEW**

Jockeys JUAN HERNANDEZ, RAMON GUCE, and CHERYL CHARLTON were in the office to review video of previous races. While none of their mistakes were worthy of a sanction, all were warned to react sooner in order to prevent interference.

9/16/12<sup>3</sup>**RULING – LAFP #002**

Apprentice jockey ESWAN FLORES is suspended for sixty (60) calendar days, from August 25, 2012 to October 23, 2012, pursuant to California Horse Racing Board rule 1500.1 (Random Drug Testing – positive test for cocaine metabolites) on August 23, 2012 at Del Mar Race Track. Prior to the reinstatement of Mr. FLORES' license, he must sign a testing agreement with the California Horse Racing Board, arrange a consultation with the Winners' Foundation and abide by their recommendations. Lastly, Mr. FLORES is not eligible for an extension to his apprentice license based on the suspension described herein.

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

This ruling was issued after the Stewards discussed the merits of the case against the rider.

9/16/12<sup>4</sup>

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

9/16/12<sup>5</sup>**SATELLITE ATTENDANCE**

|                      |       |
|----------------------|-------|
| Barona               | 210   |
| Cabazon              | 125   |
| Commerce Casino      | 270   |
| Hollywood Park       | 1,386 |
| Lake Perris          | 140   |
| Lancaster            | 155   |
| Los Alamitos         | 1,116 |
| Orange County Tavern | 106   |
| San Bernardino       | 289   |
| Santa Anita          | 1,371 |
| Santa Clarita Lanes  | 120   |
| Santa Maria          | 60    |

|                     |     |
|---------------------|-----|
| Shalimar            | 55  |
| Surfside (IDel Mar) | 533 |
| Sycuan              | 102 |
| Ventura             | 182 |
| Victorville         | 56  |
| Viejas              | 113 |

9/16/12<sup>6</sup>**ATTENDANCE & HANDLE**

|              |        |                |
|--------------|--------|----------------|
| On Track     | 3,416  | \$ 443,339.00  |
| Barretts     | 378    |                |
| ITW          | 6,389  | \$2,662,718.00 |
| Out of State |        | \$2,187,671.00 |
| Total        | 10,183 | \$5,293,728.00 |

**ADDITIONS/REMOVALS FROM VET LIST**

Week of 9/10/12 – 9/16/12

|                     |    |
|---------------------|----|
| Horses on Vet List  | 15 |
| Horses off Vet List | 16 |
| Shockwave therapy   | 24 |
| Deceased            | 3  |
| Medication          | 2  |

The full Board of Stewards was in attendance each day of this reporting period.

**SUMMARY**

|                   | Wed.<br>9/12/12 | Thur.<br>9/13/12 | Fri.<br>9/14/12 | Sat.<br>9/15/12 | Sun.<br>9/16/12 | Week | Meet |
|-------------------|-----------------|------------------|-----------------|-----------------|-----------------|------|------|
| Accidents         | 2               | 0                | 0               | 0               | 0               | 2    | 4    |
| Cal-Bred Races    | 1               | 2                | 0               | 2               | 1               | 6    | 8    |
| Claims            | 6               | 2                | 4               | 3               | 4               | 19   | 32   |
| Inquires          | 2               | 0                | 0               | 1               | 0               | 3    | 4    |
| Disqualifications | 0               | 0                | 0               | 1               | 0               | 1    | 1    |
| Refunds           | 3               | 3                | 3               | 5               | 3               | 17   | 45   |
| Rulings           | 0               | 1                | 0               | 0               | 1               | 2    | 2    |

Respectfully submitted

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 Luis Jauregui, Steward

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 C. Scott Chaney, Steward

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 Tom Ward, Steward

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 Kim Sawyer, Safety Steward

State of California

JOCKEY/DRIVER ACCIDENT REPORT  
 CHRB-201(Rev. 05/10)  
 BOARD

CALIFORNIA HORSE RACING

## JOCKEY/DRIVER ACCIDENT REPORT

Business and Professions Code Section 19481.3(e) provides that the Stewards shall investigate and prepare a report regarding all on-track accidents involving jockeys that occur during the performance of their duties. The investigation shall commence no later than the next live racing day and shall be completed expeditiously. Board Rule 1536, Stewards' Minutes, includes drivers in this requirement. **Upon completion of the report it shall immediately be sent by facsimile or electronic mail to the Jockey's Guild or California Harness Horsemen's Association; the jockey/driver or his representative; the racing association; the owner; and the trainer of the horse the jockey/driver was riding/driving at the time of the accident.**

Name of jockey/driver & CHRB License No.: Jorge Carreno 270786

Name of horse owner & CHRB License No.: B G Stable or Palma 287841 / 088676

Name of Trainer & CHRB License No.: Hector O. Palma 066436

Name of horse & Tattoo No.: SEA OF DESIRE Tattoo #M06483

Date/time/location of accident: Sept. 12, 2010 – 4:50 p.m. Fairplex Park

### DESCRIPTION OF ACCIDENT

Include circumstances of accident, likely causes and the extent of the injury to jockey/driver, if any. Complete one Jockey/Driver Accident Report for each jockey/driver involved in an accident. In addition to the distribution described above, a copy of each report shall be attached to the Stewards' minutes in accordance with Rule 1536, Stewards' Minutes.

Shortly after leaving the gate in the third race, #1 SEA OF DESIRE ducked in sharply (six furlong chute) and unseated jockey Jorge Carreno. Mr. Carreno was transported to First Aid where he was examined by the track physician and cleared to ride later in the card. He did not ride his mount in the fourth race.

Jockey/Driver condition: Cleared to ride.

Horse condition: Uninjured

C. Scott Chaney - Steward  
 Prepared by

\_\_\_\_\_  
 Signature  
 State of California

September 13, 2012  
 Date report completed

JOCKEY/DRIVER ACCIDENT REPORT  
 CHRB-201(Rev. 05/10)  
 BOARD

CALIFORNIA HORSE RACING

## JOCKEY/DRIVER ACCIDENT REPORT

Business and Professions Code Section 19481.3(e) provides that the Stewards shall investigate and prepare a report regarding all on-track accidents involving jockeys that occur during the performance of their duties. The investigation shall commence no later than the next live racing day and shall be completed expeditiously. Board Rule 1536, Stewards' Minutes, includes drivers in this requirement. **Upon completion of the report it shall immediately be sent by facsimile or electronic mail to the Jockey's Guild or California Harness Horsemen's Association; the jockey/driver or his representative; the racing association; the owner; and the trainer of the horse the jockey/driver was riding/driving at the time of the accident.**

Name of jockey/driver & CHRB License No.: Martin Pedroza 104121

Name of horse owner & CHRB License No.: Benjamin C. Warren 208704

Name of Trainer & CHRB License No.: Jorge Gutierrez 241392

Name of horse & Tattoo No.: WARREN'S TYLER S. Tattoo #N09843

Date/time/location of accident: Sept. 12, 2012 – 6:30 p.m. Fairplex Park

### DESCRIPTION OF ACCIDENT

Include circumstances of accident, likely causes and the extent of the injury to jockey/driver, if any. Complete one Jockey/Driver Accident Report for each jockey/driver involved in an accident. In addition to the distribution described above, a copy of each report shall be attached to the Stewards' minutes in accordance with Rule 1536, Stewards' Minutes.

Going into the first turn (six furlongs), Mr. Pedroza's mount, #7 WARREN'S TYLER S. drifted out, clipped heels, stumbled badly, and unseated his rider. Mr. Pedroza was transported to First Aid after which he was sent to Pomona Valley Hospital for precautionary X-rays. He was excused from his remaining mounts.

Jockey/Driver condition: Reportedly sore but no major injuries.

Horse condition: Uninjured

C. Scott Chaney - Steward  
 Prepared by

Signature

September 13, 2012  
 Date report completed