

## CALIFORNIA HORSE RACING BOARD

1010 HURLEY WAY, SUITE 300

SACRAMENTO, CA 95825

**REPORT OF THE BOARD OF STEWARDS****LOS ANGELES TURF CLUB, INC.****Santa Anita Park****To the California Horse Racing Board**

Honorable Arnold Schwarzenegger, Governor

Honorable Richard B. Shapiro, Chairman

Honorable John C Harris, Vice Chairman

Honorable John W. Amerman, Member

Honorable John Andreini, Member

Honorable Jesse H. Choper, Member

Honorable Jerry Moss, Member

Kirk E. Breed, Executive Director

Richard "Bon" Smith, Assistant Executive Director

For the period: Thursday, April 10, 2008 through Monday, April 14, 2008.

\* \* \* \* \*

**MINUTES – SIXTEENTH WEEK of SANTA ANITA****THURSDAY**04/10/08<sup>1</sup>**A.M. DECLARATIONS**3<sup>rd</sup> race - #9 Princess Susan M. (Vet –sick) refund of \$1,062.504<sup>th</sup> race - #7 Miss Cozy Cat (Vet – sick) refund of \$1,339.807<sup>th</sup> race - #3 Musical High (Vet – sick) no show wagering of \$1,075.4004/10/08<sup>2</sup>**TRAINER IN**

Trainer Art Sherman was in the office this morning to tie up a few loose ends regarding his stipulated settlement with the Board over a positive test for TC02 in amounts exceeding the prescribed limit.

At issue was whether Mr. Sherman could participate as an owner while his trainer's license was suspended. He said that the DAG working on the case saw no problem with that scenario. The stewards informed him that under no circumstances would that be permitted. A speaker phone conversation with Sherman's counsel, Jack DeMeo, also answered questions regarding the penalty.

04/10/08<sup>3</sup>**VIDEO REVIEW**

The Baze boys, Michael and Tyler, were in the office to review the previous days' races. Both were absolved of blame as their horses were the source of the problems.

04/10/08<sup>4</sup>**CLEAR DAY**

The eight race program was completed without incident.

04/10/08<sup>5</sup>**DAILY ATTENDANCE & HANDLE**

On track	4,239	1,165,085.20
Inter-track	6,276	2,109,715.50
Out of state	n/a	3,971,046.56
Total	10,515	\$7,245,847.26

**FRIDAY**04/11/08<sup>1</sup>**A.M. DECLARATIONS**

4<sup>h</sup> race - #5 Excessive Dreamer (Vet- injured) refund of \$2,491.10

04/11/08<sup>2</sup>**RULING****LATS #199**

Owner SCOTT ACETO, having failed to appear before the Board of Stewards to answer a complaint alleging violation of California Horse Racing Board rule #1876 (Financial Responsibility), is suspended pursuant to California Horse Racing Board rule #1547 (Failure to Appear).

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

This ruling was issued after Mr. Aceto failed to appear to address a complaint filed by Dr. Melinda Blue. The stewards were in receipt of correspondence from Aceto's lawyer, Daniel Kodam, indicating that Aceto is in the process of filing for bankruptcy. A mere intention of filing for bankruptcy is not sufficient to forestall a ruling. Once we receive the petition, then Aceto would be in a position to be reinstated.

04/11/08<sup>3</sup>**RULING****LATS #200**

Groom HERIBERTO HERRERA PINONES is fined ONE HUNDRED DOLLARS\* (\$100.00) pursuant to California Horse Racing Board rule 1489(h) (Grounds for Denial or Refusal of License). Mr. Pinones is required to undergo an evaluation by the Winner's Foundation and abide by the terms set forth by that organization. Mr. Pinones is further ordered to enter into a testing agreement with the California Horse Racing Board and his license will be considered probationary for its term.

This ruling was issued after Mr. Pinones appeared in response to a complaint filed against him for possession of marijuana and for a positive test for the same. Pinones was accompanied by LeRoy Martinez of Winners Foundation, who stated that Pinones was enrolled with that organization and has been attending meetings. Sargent Nalbandian, of the Santa Anita security force, testified that Pinones was extremely cooperative and that he would be allowed to remain on the grounds.

04/11/08<sup>4</sup>**RULING****LATS #201**

Jockey EULICES GOMEZ, who rode American Symphony in the first race at the Los Angeles Turf Club on April 06, 2008, is suspended THREE (3) racing days (April 14, 23 and 24, 2008) for failure to make the proper effort to maintain a straight course in the stretch, and causing interference. This constitutes a violation of California Horse Racing Board rule #1699 (d) & (f) (Riding Rules – Careless Riding).

This ruling was issued after Mr. Gomez had viewed the first race from April 6, in which his mount was responsible for interference approaching the finish. Gomez had no excuse for failing to maintain a straight course.

04/11/08<sup>5</sup>**STEWARDS' INQUIRY – NO CHANGE**

The stewards posted the inquiry sign after the seventh race to review an incident in the closing yards involving the third and seventh place finishers, #7 Justinplace (R. Migliore) and #6 Ididn'tdoanything (T. Baze).

After speaking with the riders involved, taking into account reports from the Patrol Judges and reviewing video of the stretch run, the stewards unanimously voted to allow the original placings to stand. While Baze did steady briefly when Justinplace came in, his finish position was not affected.

04/11/08<sup>6</sup>**STEWARDS' INQUIRY – NO CHANGE**

The stewards posted the inquiry sign after the ninth race to review an incident near the ¼ pole which involved the fifth and seventh place finishers, #1 Hoods Up (A. Quinonez), and #2 Mix (J. Talamo).

After speaking with the riders involved, taking into account reports from the patrol judges and reviewing tapes of the incident, the stewards unanimously voted to leave the placings intact. While Talamo did steady, he was beaten three lengths for sixth position. It was the opinion of the stewards that his original finish was not affected by the interference.

04/11/08<sup>7</sup>**DAILY ATTENDANCE & HANDLE**

On track	5,512	1,284,184.60
Inter-track	6,272	1,944,078.70
Out of state	n/a	5,295,369.40
Total	11,784	\$8,523,632.70

**SATURDAY**04/12/08<sup>1</sup>**A.M. DECLARATIONS**

1<sup>st</sup> race - #1 Drastic Tactics (Vet –sick) refund of \$1,460.18

5<sup>th</sup> race - #8 Kissed (Vet – unsound) refund of \$910.68

10<sup>th</sup> race - #2 Nevada Worrier (Stakes)  
 #6 Lucky Honey (Stakes)  
 #11 Phantom Strike (Stakes) refund of \$2,774.38

04/12/08<sup>2</sup>**REDISTRIBUTION HEARING**

All morning hours were devoted to a formal hearing into the results of the test sample obtained from the horse "Queen of the Derby", which finished first in the eighth race at Del Mar Thoroughbred Club on July 25, 2007. The lab report showed the presence of the Class II drug "Guanabenz", a human medication designed to lower blood pressure.

Owner Gary Folgner was present, along with his counsel, Stephen Spiegel. The Board was represented by Deputy Attorney General Ivan Torres, who was accompanied by Investigator James Hamilton. The full Board of Stewards was in attendance, while Barbara Weinstein recorded the proceedings. Exhibits were accepted into the record; oral arguments were heard, along with summations.

The stewards will render a decision shortly.

04/12/08<sup>3</sup>**STEWARDS' INQUIRY AND DISQUALIFICATION**

The stewards posted the inquiry sign after the fourth race to review an incident passing the 1/8 pole involving the third and fourth finishers, #1 Phantom Wildcat (V. Espinoza), and #8 Lucius Antonius (J. Talamo).

After speaking with the riders involved, taking into account reports from the Patrol Judges and reviewing tapes of the incident, the stewards unanimously voted to disqualify Phantom Wildcat from third to fourth position. Video review verified observed interference as Phantom Wildcat came in to take the path of Lucius Antonius, forcing Talamo to take up sharply for several strides. The incident, in the stewards' opinion, cost Talamo and his mount a better placing.

04/12/08<sup>4</sup>**GATE MIXUP**

A five minute delay in the start of the ninth race was necessary as, due to an oversight, the number for stall 3 was left off of the starting gate. Horses which had been loaded were backed out and circled while the corrections were made. Once stall numbers were in place, the field was loaded and the race was run without incident. Starter Jay Slender will be contacted for more details.

04/12/08<sup>5</sup>**DAILY ATTENDANCE & HANDLE**

On track	19,200	2,952,793.50
Inter-track	10,267	3,961,343.90
Out of state	n/a	8,003,431.99
Total	29,467	\$14,917,569.39

**SUNDAY**  
04/13/08<sup>1</sup>

**RULING****LATS #202**

Jockey ALONSO QUINONEZ, who rode HOODS UP in the ninth race at Santa Anita Park on Friday, April 11, 2008, is suspended THREE (3) racing days (April 19, 20, and 23, 2008) for altering course without sufficient clearance and causing interference, which is 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.

This ruling was issued after the rider had viewed video of the ninth race from April 11, in which he was responsible for interference near the ¼ pole. Quinonez thought he was clear when he angled out for room; however, video angles proved otherwise.

04/13/08<sup>2</sup>**RULING****LATS #204**

Jockey VICTOR ESPINOZA, who rode Phantom Wildcat in the fourth race at the Los Angeles Turf Club on April 12, 2008, is suspended THREE (3) racing days (April 20, 23, and 24, 2008) for failure to make the proper effort to maintain a straight course in the stretch, and causing interference, which resulted in the disqualification of his mount from third to fourth position. This constitutes 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.

The preceding ruling was issued after Mr. Espinoza had viewed video of the fourth race from April 12, in which his mount was disqualified for interference in mid-stretch. Victor said his horse, a first-time starter, was extremely tired and he was concerned about his horse's soundness. While this may be true, it does not relieve the rider of the obligation to maintain a straight course.

04/13/08<sup>3</sup>**RULING****LATS #203**

Based upon a report from the University of California, Davis Laboratories, an official laboratory for the California Horse Racing Board, that urine sample #HP01850, obtained from the horse "Black Seventeen", the first place finisher in the fifth race on May 01, 2007, at Hollywood Park, contained procaine (class III) in excess of the authorized decision level, it is ordered that "Black Seventeen" be disqualified from all purse monies earned in said race, in accordance with California Horse Racing Board rule #1859.5 (Disqualification upon Positive Test Finding).

It is further ordered that the purse money earned in said race (\$29,400) be returned by owners Koriner, Lyons and Wind River Stables to the Paymaster of Purses at Hollywood Park by May 13, 2008, for redistribution in accordance with the revised order of finish.

## Revised order of finish:

1 <sup>st</sup>	Temecula Creek
2 <sup>nd</sup>	Street Lights
3 <sup>rd</sup>	Something Sonic
4 <sup>th</sup>	Saintly Son
5 <sup>th</sup>	Sunshine Ridge

All records are ordered changed to reflect this ruling. In accordance with California Horse Racing Board rule #1956 (Race Declared Official), neither the pari-mutuel payoff nor the distribution of any pari-mutuel pool shall be affected.

This ruling was issued to finalize the case of Brian Koriner and the horse "Black Seventeen", which finished first in the fifth race at Hollywood Park on May 01, 2007.

04/13/08<sup>4</sup>**RIDERS EXCUSED**

Rafael Bejarano was excused from his commitments in races one and two, as his flight from Kentucky was delayed. Replacement riders were named.

Martin Pedroza was excused from his mounts this afternoon due to illness. Once again, replacements were named.

Jon Court was excused midway through the card as he was suffering from a migraine headache. Suitable replacements were announced.

04/13/08<sup>5</sup>**STEWARDS' INQUIRY – DISQUALIFICATION**

The stewards posted the inquiry sign after the ninth race in order to review an incident at the dirt crossover which involved the first, second, and fourth place finishers - #2 Bahama Mama (D. Flores), #6 Lightmyfirebaby (A. Solis), and #8 Super Freaky (C. Nakatani).

After speaking with the riders involved, taking into account reports from the Patrol Judges and reviewing video of the incident, the stewards unanimously voted to disqualify Bahama Mama from first to fourth position. Video review showed that Bahama Mama shifted onto her right lead and bore out sharply when she went from turf to dirt. The resulting “fan” forced the two horses to her outside off their paths and cost them considerable ground. Their original finish positions were compromised by the actions of the winner. Flores was not held responsible.

04/13/08<sup>6</sup>**DAILY ATTENDANCE & HANDLE**

On track	12,245	2,214,647.60
Inter-track	8,806	3,143,097.30
Out of state	n/a	6,131,473.45
Total	21,051	\$11,489,218.35

**MONDAY**  
04/14/08<sup>1</sup>

**A.M. DECLARATIONS**

2<sup>nd</sup> race - #5 Holladay Dixie (Vet – sick) refund of \$3,808.30.

04/14/08<sup>2</sup>**RULING****LATS #205**

Trainer WILLIAM SPAWR, who started the horses “Phoebe’s Song”, the first place finisher in the ninth race at Hollywood Park on December 16, 2007, and “Dr. Sinatra”, the third place finisher in the ninth race at Santa Anita Park on January 12, 2008, is fined ONE THOUSAND DOLLARS\* (\$1,000.00) pursuant to California Horse Racing Board rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule #1843 (A) and (D) (Medication, Drugs, and Other Substances – Methocarbamol - Class 6).

This ruling was issued to finalize two cases against the trainer for Robaxin found in the samples taken from two horses in Spawr’s care – Phoebe’s Song and Dr. Sinatra.

The trainer was at a loss to explain the findings, stating that in the case of Phoebe’s Song, who ran in December at Hollywood Park, there was no Robaxin in the Hollywood barn where she was stabled. Spawr said his stable help is very aware of oral medications and he uses two employees to double check any such medication given to the horses in his care. The trainer last had a Robaxin positive back in 2005.

04/14/08<sup>3</sup>**RULING****LATS #206**

Jockey JOEL ROSARIO, who rode Senator Matty in the sixth race at the Los Angeles Turf Club on April 13, 2008, is suspended THREE (3) racing days (April 23, 24, and 25, 2008) for failure to make the proper effort to maintain a straight course in the stretch, and causing interference. This constitutes a violation of California Horse Racing Board rule #1699 (d) & (f) (Riding Rules- Careless Riding).

This ruling was issued after the rider had viewed video of the sixth race from April 13, in which his mount was responsible for interference in the stretch.

Rosario, who in recent days has been in to review races in which he has been close to crossing the line, said he did not think a rider would drive up between his horse and the inside rail. A review of the stretch run, however, showed that there was ample room for Martin Garcia, who was the aggrieved rider in this case, to get through.

04/14/08<sup>4</sup> **ACCIDENT / INQUIRY – NO CHANGE**

The stewards posted the inquiry sign after the sixth race to review the cause of an accident at the start, which resulted in jockey David Flores aboard #6 Lucky Honey, being unseated.

After speaking with the Patrol Judges and reviewing video of the start, the stewards unanimously voted to make no change in the placings and to declare the horse a starter. Review showed the horse stumbling sharply in the opening stride, causing Flores to lose his seat and fall. He was up quickly and found to be uninjured. The loose horse caused no problems for the other runners. See attached report.

04/14/08<sup>5</sup> **DAILY ATTENDANCE & HANDLE**

On track	3,915	1,267,917.70
Inter-track	5,794	1,973,129.50
Out of state	n/a	4,113,503.86
Total	9,709	\$7,354,551.06

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

**ATTENDANCE REPORT** - The full Board of Stewards was in session for the entire week, including Assistant Steward Luis Jauregui.

**VETERINARIAN'S LIST**

**Week of 04/07/08-04/13/08**

Horses on Vet List 10  
 Horses off Vet List **16**  
 Shock Wave Therapy 17  
 Deceased 0

**SUMMARY**

	Thur. 10Apr	Fri. 11Apr	Sat. 12Apr	Sun. 13Apr	Mon. 14Apr	<b>Week</b>	<b>Meet</b>
Accidents	0	0	0	0	1	<b>1</b>	7
Cal-Bred Races	0	0	1	0	0	<b>1</b>	77
Claims	7	5	1	6	2	<b>21</b>	255
Disqualifications	0	0	1	1	0	<b>2</b>	11
Inquiries	0	6	1	1	1	<b>9</b>	47
Refunds	3	1	3	0	1	<b>8</b>	367
Rulings	0	3	0	3	2	<b>8</b>	206

Respectfully submitted,

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Tom Ward, Steward

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C. Scott Chaney, Steward

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Albert Christiansen, Steward

BOS:TW/dm  
attachment