

During the regular meeting of the California Horse Racing Board on November 17, 2009, the Board approved an amendment to the minutes for the meeting held May 25, 2006, as requested by Commissioner Jerry Moss in the following letter:

September 21, 2009

Mr. Kirk Breed
Executive Director
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Dear Kirk,

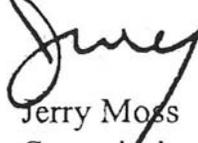
I recently had occasion to revisit the CHRB official transcript from 2006 relating to the adoption of the amendment to Rule 1433. As you know, this was the amendment that produced the Board's mandate for synthetic racing surfaces to be used on all major race tracks in California. I've enclosed a copy of the last remarks taken from that discussion and the vote that followed.

As you are also most probably aware, this was a vote the Board took from which I "Abstained." Though I didn't vote "No," I most certainly did not vote "Aye." Though I did not correct Chairman Shapiro at the time on his method of characterizing the Board's vote, I would appreciate, for now and posterity, to have the record accurately reflect my position on this all important issue.

Therefore, would you please have inserted, for the record, my position on this clearly noticed as "Abstained."

Thank you for your consideration in this matter.

Yours sincerely,



Jerry Moss

Commissioner, CHRB