

CALIFORNIA HORSE RACING BOARD
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WATCH AND WAGER LLC – CAL EXPO
TO THE CALIFORNIA HORSE RACING BOARD
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Proceedings of the Board of Stewards for the period of Monday, February 18, 2013 through Sunday, February 24, 2013. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

02/18/13 (1) **Entry Day**

The racing office was open today accepting entries for Friday, February 22nd and Saturday, February 23rd.

02/18/13 (2) **Dark Day**

Tuesday

02/19/13 (1) **Double Draw**

The racing office was open today with races being drawn for Friday, February 22nd and Saturday, February 23rd. Fifteen (15) races will be held on February 22nd. One hundred twenty seven (127) horses are scheduled to start. Fifteen (15) races will be held on February 23rd. One hundred forty one (141) horses are scheduled to start.

02/19/13 (2) **Dark Day**

Wednesday

02/20/13 (1) **Scratch Time**

Scratches and changes for racing on Friday, February 22nd and Saturday, February 23rd were taken this morning in the racing office. There were two (2) scratches and twenty eight (28) driver changes/ selections submitted for February 22nd. There were three (3) scratches and thirty nine (39) driver changes/selections made for February 23rd. All changes were activated after today's 9:00 am deadline.

02/20/13 (2) **Dark Day**

Thursday

02/21/13 (1)

Lemoyne Svendsen Hearing (Case No: 13SW0018)

A formal hearing was heard today in the Cal Expo Steward's office. A complaint was filed against Driver/Trainer Lemoyne Svendsen for alleged violation of CHRB Rule 1500.1 (Random Drug Testing). The complaint read as follows: *During a random test, Driver Lemoyne "Mooney" Svendsen tested positive for the substance Methamphetamine.*

Present at today's hearing were Driver/Trainer Lemoyne Svendsen, CHRB Investigators Carol Ann Nolan and Duane Tadlock, the Board of Stewards and Court Reporter Wendy Frazier (Frazier Reporting). A random drug test was performed on three (3) drivers prior to the races at Cal Expo on February 8, 2013. On February 11, 2013 Quest Diagnostic Laboratory reported to the CHRB that Mr. Svendsen's urine sample contained the substance "Methamphetamine." A second drug sample was taken on February 14th and the results of that testing came back 'negative'. Mr. Svendsen has been allowed to train horses only while the stewards deliberate over the hearing that took place today. He has not been allowed to drive in races. Decision to follow.

02/21/13 (2)

Dark Day**Friday**

02/22/13 (1)

Brevator Creech Decision [Ref: 2/14/13 (1)(Case No. 13SW0001)]**RULING # 19**

OWNER/ DRIVER **BREVATOR CREECH**, IS HEREBY FINED THE SUM OF FIVE HUNDRED (**\$500.00**)* DOLLARS FOR PERFORMING PHYSICAL EXAMINATIONS ON DRIVER'S ON DECEMBER 8, 2012 AT CAL EXPO WITHOUT HOLDING A VALID MEDICAL LICENSE IN THE STATE OF CALIFORNIA. A VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE **#1530** (CASES NOT COVERED).

Owner/Driver Brevator Creech was contacted via telephone and informed of the ruling above. The hearing involving this matter was held on February 14, 2013. The steward's decision in this case was unanimous.

02/22/13 (2)

Fifteenth Race Inquiry – Disqualification

The stewards posted the inquiry sign after viewing original first place finisher #10 "Brady To Moss" (David Siegel) and original fifth place finisher #5 "Wild About Eagle" (Steve Wiseman) who made a break in mid-stretch. Film review shows #10 "Brady To Moss" (David Siegel) drift out with 1/16 of a mile left to race. While drifting out the sulky wheels of #10 "Brady To Moss" struck the legs of #5 "Wild About Eagle" causing that rival to go off-stride and lose all opportunity at a better placing. The stewards spoke with both drivers involved and reviewed all replay angles of the incident. In unanimous decision the stewards disqualified #10 "Brady To Moss" and placed her fifth. Driver David Siegel was ordered to film review with the stewards.

Original order of finish: 10-6-7-3-5-9-11-2-8-1

Official order of finish: 6-7-3-5-10-9-11-2-8-1

- 02/22/13 (3) **Official Change**
 Veteran CARF (California Authority of Racing Fairs) Paymaster Victoria Layne will fill in tonight and tomorrow for Paymaster Glen Harris who is off for personal reasons.
- 02/22/13 (4) **Program Changes**
 1st Race Declaration - #1 "Acapulco Gold" – Trainer Raul Escobedo
 Refund:\$497.20 Injured – Robert Goodbary DVM
 10th Race Declaration - #4 "Cinnamon" – Trainer Rick Cisco
 Refund:\$173.36 Injured – Robert Goodbary DVM
 15th Race Declaration - #4 "Upncoming Prospect" – Trainer Bruce Clarke
 Refund:\$52.60 Injured – Robert Goodbary DVM
- 02/22/13 (5) **Attendance and Handle**
- | | |
|------------------------------|------------------|
| Attendance | 231 |
| Live Handle (On Track) | \$45,078 |
| Handle (In State) | \$230,193 |
| <u>Handle (Out of State)</u> | <u>\$499,201</u> |
| Total Handle | \$774,472 |

Saturday

- 02/23/13 (1) **Richard Schneider Film Review**
 Driver Richard Schneider appeared in the steward's office to review his drive in last night's (February 22) fourteenth race, Schneider sat behind fourth place finisher #3 "Im the Reason." Race replay shows Schneider whip his horse several yards after the finish line. He offered no excuse other than to say he didn't strike the horse very hard. Driver Schneider was called into the stewards office recently [Ref: 2/2/13 (1)] to review use of whip. He received a warning in that matter. In a unanimous decision the following ruling was issued:

RULING # 21

DRIVER RICHARD SCHNEIDER, WHO DROVE "IM THE REASON" IN THE FOURTEENTH RACE ON FEBRUARY 22, 2013 AT CAL EXPO, SACRAMENTO CA. IS HEREBY FINED THE SUM OF ONE HUNDRED (\$100.00)* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE # 1734 (WHIPPING – WHIP AFTER FINISH LINE).

- 02/23/13 (2) **Megan Beauchamp Film Review**
 Provisional Driver Megan Beauchamp appeared in the stewards office to review her drive aboard #3 "Stars And Glides" who finished fourth in the third race last night (February 22). This horse was 'off the gate' approximately seven (7) to eight (8) lengths prior to the start and was a fairly strong finishing fourth. Ms. Beauchamp accepted some responsibility for failure to come up into position, but felt the initial speed of the starting gate was faster than usual. In a unanimous decision the following ruling was issued:

RULING # 20

PROVISIONAL DRIVER **MEGAN BEAUCHAMP**, WHO DROVE “**STARS AND GLIDES**” IN THE THIRD RACE ON FRIDAY FEBRUARY 22, 2013, IS HEREBY FINED THE SUM OF FIFTY HUNDRED (**\$50.00**)* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1731 (G) (DRIVER INFRACTIONS – FAIL TO COME UP INTO POSITION).

02/23/13 (3) **David Siegel Film Review [Ref: 2/22/13 (2)]**

Driver David Siegel appeared in the stewards office to review his drive in the fifteenth race last night (February 22). Siegel was aboard original first place finisher #10 “Brady To Moss” who was disqualified and placed fifth for stretch interference. “Brady to Moss” made contact in mid stretch with original fifth place finisher #5 “Wild About Eagle” (Steve Wiseman) forcing that rival break stride. Driver Siegel and the stewards had a different opinion as to the level of interference that #10 “Brady To Moss” caused in this race. “Brady To Moss” did not maintain a straight course. It was the unanimous opinion of the stewards that Driver Siegel was responsible for his mount drifting out in the stretch and not the horse itself. The following ruling was issued:

RULING # 22

DRIVER **DAVID SIEGEL**, WHO DROVE “**BRADY TO MOSS**” IN THE FIFTEENTH RACE ON FRIDAY FEBRUARY 22, 2013 IS HEREBY FINED TWO HUNDRED (**\$200.00**)* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1721 (I) (COMMIT ANY ACT WHICH SHALL IMPEDE THE PROGRESS OF ANOTHER HORSE). THIS RESULTED IN A DISQUALIFICATION FROM FIRST TO FIFTH.

02/23/13 (4) **Lemojne Svendsen Ruling [Ref: 2/21/13 (1) (Case No.13SW0018)]****RULING # 23**

DRIVER/TRAINER **LEMOYNE SVENDSEN**, IS HEREBY SUSPENDED FOR A PERIOD OF THIRTY (30) **DAYS** COMMENCING FEBRUARY 27, 2013 THROUGH AND INCLUDING MARCH 28, 2013. FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1500.1 – (RANDOM DRUG TESTING – METHAMPHETAMINE).

DURING THE TERM OF SUSPENSION, LEMOYNE SVENDSEN IS DENIED ACCESS TO ANY PREMISES IN THIS JURISDICTION PURSUANT TO CALIFORNIA HORSE RACING BOARD RULE #1527 (GENERAL AUTHORITY OF STEWARDS).

IT IS ORDERED THAT LEMOYNE SVENDSEN ATTEND FIVE MEETINGS A WEEK OF ALCOHOLICS ANONYMOUS AND/OR NARCOTICS ANONYMOUS THROUGH MAY 25TH, 2013.

LEMOYNE SVENDSEN SHALL BE ON A SIGNED TESTING AGREEMENT FOR THE TERM OF ALL LICENSES.

FURTHER, LEMOYNE SVENDSEN IS ORDERED TO APPEAR BEFORE THE BOARD OF STEWARDS TO REVIEW VERIFICATION OF ATTENDANCE AT MEETINGS ON THE FIRST AND THIRD FRIDAYS OF EVERY MONTH.

The Ruling above was issued after deliberation by the stewards. Trainer/ Driver Svendsen was informed of the penalty this evening and told to come to the stewards office on Monday, February 25th to review the specific language and terms of the ruling.

02/23/13 (5) **Qualifying Races**

Three (3) qualifying races were held prior to this evening's fifteen race pari mutuel card. Of the thirteen (13) competitors ten (10) made the grade.

02/23/13 (6) **Claim Voided Twelfth Race**

The stewards voided a claim slip filled out by Trainer Gretchen Smith on behalf of Owner Greg Gardner for the horse "Herzon." According to Interim Paymaster Victoria Layne, filling in for regular paymaster Glen Harris, Trainer Smith signed Greg Gardner's name on the 'claim slip'. Aside from signing someone else's name, Trainer Smith is not licensed as an 'authorized agent' for Owner Greg Gardner. Trainer Smith, later in the evening attempted to submit another claim for the same horse after she felt there could be a 'problem' with the original claim. The stewards refused to accept this claim as once they voided the original claim as they felt that the actions of Trainer Smith be deemed invalid with regards to the horse Herzon. Regular Paymaster Glen Harris will be contacted by the stewards to review his offices' protocol.

02/23/13 (7) **Program Changes**

1st Race Declaration - #5 "High Dollar" – Trainer Vickie Desomer

Injured – Robert Goodbary DVM

#8 "La Cantera" – Trainer Rocky Stidham

Refund Total:\$502.74

Injured – Robert Goodbary DVM

3rd Race Declaration - #2 "Doc's Zippy" – Trainer Earl Kennedy

Refund:\$19.00

Late Arriving on Grounds – Stewards

13th Race Declaration - #9 "Rite After Disbeer" – Trainer James Wilkinson

Refund:\$176.60

Injured – Robert Goodbary DVM

02/22/13 (8) **Attendance and Handle**

| | |
|------------------------------|------------------|
| Attendance | 274 |
| Live Handle (On Track) | \$49,730 |
| Handle (In State) | \$204,449 |
| <u>Handle (Out of State)</u> | <u>\$504,325</u> |
| Total Handle | \$758,504 |

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

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.

VETERINARIAN RECOMMENDED SCRATCHES

| Date | Race | No. | Horse | Trainer | Reason | Vet | Refund |
|--------|------|-----|--------------------|-----------------|---------|----------|----------|
| 22-Feb | 1 | 1 | ACAPULCO GOLD | RAUL ESCOBEDO | Injured | Goodbary | \$497.20 |
| 22-Feb | 10 | 4 | CINNAMON | RICK CISCO | Injured | Goodbary | \$173.36 |
| 22-Feb | 15 | 4 | UPNCOMING PROSPECT | BRUCE CLARKE | Injured | Goodbary | \$52.60 |
| 23-Feb | 1 | 5 | HIGH DOLLAR | VICKIE DESOMER | Injured | Goodbary | \$251.37 |
| 23-Feb | 1 | 8 | LA CANTERA | ROCKY STIDHAM | Injured | Goodbary | \$251.37 |
| 23-Feb | 3 | 2 | DOC'S ZIPPY | EARL KENNEDY | Late | Goodbary | \$19.00 |
| 23-Feb | 13 | 9 | RITE AFTER DISBEER | JAMES WILKINSON | Injured | Goodbary | \$176.60 |

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

| | | |
|-----------------|----|------------|
| Bakersfield | \$ | 3,145.30 |
| Fresno | \$ | 1,921.40 |
| Fresno Club One | \$ | 1,144.60 |
| Golden Gate | \$ | 32,670.40 |
| Monterey | \$ | 4,441.90 |
| Pleasanton | \$ | 12,659.70 |
| Sacramento | \$ | 94,808.30 |
| San Jose | \$ | 19,165.90 |
| San Mateo | \$ | 35,360.00 |
| Santa Rosa | \$ | 5,987.60 |
| Stockton | \$ | 12,132.60 |
| Tulare | \$ | - |
| Turlock | \$ | - |
| Vallejo | \$ | 10,342.20 |
| No. California | \$ | - |
| So. California | \$ | 288,318.10 |
| Out of State | \$ | - |

WATCH AND WAGER LLC – CAL EXPO

SUMMARY

2013

| | Mon 02/18 | Tues 02/19 | Wed 02/20 | Thurs 02/21 | Fri 02/22 | Sat 02/23 | Total Week | Total Meet |
|--------------------------|----------------------|-----------------------|----------------------|------------------------|----------------------|----------------------|-----------------------|-----------------------|
| Accidents | D | D | D | D | 0 | 0 | 0 | 0 |
| Cal-Bred Races | A | A | A | A | 0 | 0 | 0 | 15 |
| Claims | R | R | R | R | 0 | 0 | 0 | 4 |
| Disqualifications | K | K | K | K | 1 | 0 | 1 | 10 |
| Inquiries | D | D | D | D | 1 | 0 | 1 | 34 |
| Refunds | A | A | A | A | 3 | 4 | 7 | 103 |
| Rulings | Y | Y | Y | Y | 1 | 4 | 5 | 28 |

Stewards Attendance: Stewards Baker, Meyers and Oke were in attendance.

All drivers submitted to a breath analyzer test.

Grant Baker, Steward

Will Meyers, Steward

Michael W. "Wayne" Oke, Steward