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, January 25, 2016 through Sunday, January 31, 2016. Steward Jim Arlt was the Reporting and Duty Steward for the enclosed period.

Monday

01/25/16 (1) **Dark Day**

Tuesday

01/26/16 (1) **Entries for Saturday & Sunday – Saturday's Draw**

The racing office was open for the taking of entries for the January 30th and 31st weekend. Saturday's draw was conducted at approximately 3:30PM with one hundred and five (105) horses drawn into thirteen (13) races. One California bred race was scheduled. Sunday's draw will be conducted tomorrow.

Vendor Julius Stuart Lewis came to the Stewards office to discuss his hiring an unlicensed person. Mr. Lewis advised Steward Oke and Steward Arlt that he would take full responsibility for hiring an unlicensed person. This situation was discovered by the CHRB Investigators while investigating a different incident. This matter will be discussed by the Board of Stewards.

01/26/16 (2) **Dark Day**

Wednesday

01/27/16 (1) **Scratches & Changes for Saturday**

One (1) scratch injured and numerous driver changes were taken for Saturday.

01/27/16 (2) **The Draw for Sunday**

Ninety-nine (99) horses are scheduled to compete in Sunday's twelve (12) race card. One California bred race was scheduled.

01/27/16 (3) **Dark Day**

Thursday

01/28/16 (1) **Scratches & Changes for Sunday**

There were no scratches but there were numerous driver changes made this morning.

01/28/16 (2) **Dark Day**

Friday

01/29/16 (1) **Emergency Hearing**

The Board of Stewards at Watch and Wager LLC-Cal Expo conducted an emergency Ex Parte hearing in the Steward's office at Cal Expo at 1pm. This emergency hearing was requested by the California Horse Racing Board for the purpose of hearing a petition to issue an interim order of suspension of the license of trainer Marissa Tyler under the authority granted by the California Business and Professions Code 494 and was transcribed by a court reporter.

The State of California Horse Racing Board was represented by Deputy Attorney General Michelle Marzahn and also present was Phillip Laird staff attorney for the California Horse Racing Board. Deputy Attorney General Marzahn presented the following items to the Board of Stewards:

(1) An Ex Parte Petition for Interim Suspension Order for Marissa Tyler, Trainer license #320133
(2) A memorandum of Points and Authorities in Support of Ex Parte Petition for Interim Suspension Order.
(3) A Declaration of Michelle A. Marzahn in Support of Ex Parte Petition for Interim Suspension Order
(4) A Declaration of Rick Arthur D.V.M., in Support of Ex Parte Petition for Interim Suspension Order.

Deputy Attorney General Marzahn presented an outline of the case and the exhibits to the Board of Stewards. After all testimony and items of evidence were received, the Board of Stewards ended the hearing to deliberate. After deliberation, the Board of Stewards unanimously concluded that the standards outlined in the California Business and Professions Code #494 (a) (1) and (2) and (b) were present in this case and the Interim Suspension Order would be granted. As such Ruling #13 was issued on January 30th, 2016 which states:

AN EX PARTE HEARING HAVING BEEN CONDUCTED UNDER THE PROVISIONS OF BUSINESS AND PROFESSIONS CODE **#494** ON FRIDAY, JANUARY 29, 2016, AND THE PETITIONERS REQUEST FOR AN INTERIM SUMMARY SUSPENSION HAVING BEEN GRANTED: THE WATCH AND WAGER LLC (CAL EXPO) BOARD OF STEWARDS ISSUE THE FOLLOWNG RULING:

TRAINER **MARISSA TYLER** IS HEREBY ISSUED AN INTERIM SUMMARY SUSPENSION EFFECTIVE IMMEDIATELY (JANUARY 30,

2016) AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL THE FINAL DISPOSITION OF THE COMPLAINTS FILED AGAINST HER.

DURING THE TERM OF THE SUSPENSION ALL LICENSE PRIVILEDGES OF **MARISSA TYLER** SHALL REMAIN SUSPENDED AND PURSUANT TO CALIFORNIA HORSE RACING BOARD RULE #**1528** (JURISDICTION OF STEWARDS) SUBJECT IS DENIED ACCESS TO ALL PREMISES IN THIS JURISDICTION.

ADDITIONALLY, THE RACING PRIVILEDGES OF ALL HORSES OWNED OR TRAINED BY **MS. TYLER** ARE HEREBY SUSPENDED AND THESE HORSES MAY BE SOLD OR TRANSFERRED ONLY WITH THE PERMISSION OF THE BOARD OF STEWARDS

01/29/16 (2) **Dark Day**

Saturday

01/30/16 (1) **Mark Kennedy**

Driver Mark Kennedy came to the Steward's Office for film review of the eleventh race January 23rd in which he had been disqualified for driving inside four (4) pylons past the ¾ mile. After film review Driver Mark Kennedy took full responsibility and the Stewards concurred.

RULING # 12

DRIVER **MARK KENNEDY**, WHO DROVE **#6 "MAJESTIC LASS"** IN THE ELEVENTH RACE ON SATURDAY, JANUARY 23, 2016 IS HEREBY FINED THE SUM OF TWO HUNDRED **($200.00)*** DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE **# 1721 (K)** (DRIVING RULES – CARELESS DRIVING – RACED INSIDE FOUR (4) PYLONS PAST THE ¾ MILE MARKER. RESULTING IN A DISQUALIFICATION FROM SECOND TO TENTH (LAST)).

THIS RULING ISSUED PURSUANT TO THE AUTHORITY GRANTED TO THE BOARD OF STEWARDS UNDER CHRB RULE #**1870** "CONDITIONS OF MEETING BINDING UPON LICENSEES."

01/30/16 (2) **Qualifying Races**

There was one (1) qualifying race held. Three (3) of three (3) entrants were successful in their qualifying effort.

01/30/16 (3) **Track Condition**

The track initially was rated as "Good" but prior to the 8th race the Stewards upgraded the track condition to "Fast".

01/30/16 (4) **Eighth Race Disqualification**

Prior to the start of the eighth race the #10 horse "PLACER," reared up on the track which caused the driver, Steve Desomer, to be dumped off the race bike onto the track and the race bike was bent causing a lengthy delay. Mr. Desomer was examined by the ambulance crew and a different race bike was placed on #10 "PLACER." The horse then reared up numerous times while the outrider attempted to maintain control. The

horse "PLACER" was then scratched from this race for being unmanageable and placed on the Steward's List.

01/30/16 (5) **Program Changes**

1st Race Declaration: #3 "CRUIZE COMMANDER" – Trainer Marissa Tyler
Refund:$149.04 Scratch – Stewards
6th Race Declaration: #7 "GET ZIGGY" – Trainer Marissa Tyler
Refund:$12.70 Scratch - Stewards
7th Race Declaration: #5 "PLAYBOOK" Trainer Stephen Crump
Refund:$163.85 Injured – Clifford Zucco DVM
8th Race Declarations: #5 "BANK OF LODI" Trainer Bob Johnson
Injured – Clifford Zucco DVM
#9 "ORGANIZED CHAOS" – Trainer Marissa Tyler
Total Refunds:$14,026.90 Scratch - Stewards
13th Race Declaration: #10 "HOLY FRIJOLES" – Trainer James Wilkinson
Refund:$13.00 Sick – Clifford Zucco DVM

01/30/16 (6) **Attendance and Handle**

Attendance	264
Live Handle (On Track)	$47,646
Handle (In State)	$310,804
Handle (Out of State)	$527,082
Total Handle	$885,532

Sunday

01/31/16 (1) **Lewis Ruling [Ref: 01/30/16 (4)]**

The Board of Stewards discussed the incident of Julius Stuart Lewis hiring an unlicensed person. The Stewards issued Ruling #14 which states:

VENDOR **JULIUS STUART LEWIS**, IS HEREBY FINED THE SUM OF THREE HUNDRED **($300.00)*** DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE **#1482** (EMPLOYMENT OF UNLICENSED PERSON).

01/31/16 (2) **Pacheco Ruling [Ref: 01/30/16 (4)]**

The Board of Stewards discussed two incidents of Stewards being advised that Owner Jesse L. Pacheco was jogging a horse on the track without having his chin strap fastened. Owner Pacheco did come to the Stewards Office and took responsibility for his actions. The Stewards issued Ruling # 15 which states:

OWNER **JESSE L. PACHECO**, IS HEREBY FINED THE SUM OF FIFTY **($50.00)*** DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE **#1689** (SAFETY HELMET REQUIRED – UNFASTENED CHIN STRAP WHILE EXERCISING HORSE).

01/31/16 (3) **First Race/ Driver Violation**

Driver Tim Clevenger who drove #3 "WHATCHAMACALLUM" the 2nd place finisher was summoned for film review for a possible violation of

having his right foot out of the stirrup. Driver Clevenger elected to not come in for film review. More to follow.

01/31/16 (4) **Second Race/ Driver Violation**

Driver Edward Hernandez who drove #3 "ARIZONA CAPTOR" to a third place finish was summoned to film review on Saturday, February 6th for possible violation of the Cal-Expo whipping rule.

01/31/16 (5) **Eighth Race/ Driver Violation**

The Stewards were advised by the Starter, Kenneth Fowler, that Williams Hernandez should be fined for failure to come up into position at the starting gate. This incident will be reviewed by the Stewards on February 6th, 2016.

01/31/16 (6) **Eighth Race/ Inquiry/No Change**

General Inquiry after the Eighth race to review an incident after the start involving #9 "ROCKVILLE MENTOR" (Patrick Galbraith) going "off stride". The #9 was reported to have broken equipment. The #9 finished last. No change was warranted.

01/31/16 (7) **Program Changes**

1st Race Declaration: #2 "LETS GO PLACES" – Trainer Steve Wiseman
Refund:$89.68 Injured – Clifford Zucco DVM
5th Race Declaration: #8 "IDEAL SMILE" – Trainer Steve Wiseman
Refund:$142.43 Injured – Clifford Zucco DVM
6th Race Declaration: #1 "RASCAL FLATTER" – Trainer Marissa Tyler
Refund:$42.45 Scratch – Stewards
7th Race Declaration: #4 "BIG BAD BAYLEE" – Trainer Marissa Tyler
Refund:$127.50 Scratch - Stewards
9th Race Declarations: #7 "LISLEA BONITA" – Trainer Marissa Tyler
Scratch – Stewards
#8 "PONDA WATTS" – Trainer Marissa Tyler
Total Refunds:$42.02 Scratch – Stewards
10th Race Declaration: #3 "YOUTH GONE WILD" – Trainer James Wilkinson
Refund:$19.09 Scratch – Stewards
11th Race Declaration: #3 "GRAM RULES" – Trainer James Wilkinson
Refund:$73.85 Scratch – Stewards

01/10/16 (8) **Attendance and Handle**

Attendance	164
Live Handle (On Track)	$40,477
Handle (In State)	$225,571
Handle (Out of State)	$553,843
Total Handle	$819,891

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

ATTENDANCE REPORT - The full Board of Stewards were 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
30-Jan	1	3	CRUIZE COMMANDER	TYLER	Scratch	Stewards	$ 149.04
30-Jan	6	7	GET ZIGGY	TYLER	Scratch	Stewards	$ 12.70
30-Jan	7	5	PLAYBOOK	CRUMP	Injured	Zucco	$ 163.85
30-Jan	8	5	BANK OF LODI	JOHNSON	Injured	Zucco	$ 14,026.90
30-Jan	8	9	ORGANIZED CHAOS	TYLER	Scratch	Stewards	
30-Jan	13	10	HOLY FRIJOLES	WILKINSON	Sick	Zucco	$ 13.00
31-Jan	1	3	LETS GO PLACES	WISEMAN	Injured	Zucco	$ 89.68
31-Jan	5	8	IDEAL SMILE	WISEMAN	Injured	Zucco	$ 142.43
31-Jan	6	1	RASCAL FLATTER	TYLER	Scratch	Stewards	$ 42.45
31-Jan	7	4	BIG BAD BAYLEE	TYLER	Scratch	Stewards	$ 127.50
31-Jan	9	7	LISLEA BONITA	TYLER	Scratch	Stewards	$ 42.02
31-Jan	9	8	PONDA WATTS	TYLER	Scratch	Stewards	
31-Jan	10	3	YOUTH GONE WILD	WILKINSON	Scratch	Stewards	$ 19.09
31-Jan	11	3	GRAM RULES	WILKINSON	Scratch	Stewards	$ 73.85

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Fresno	$	1,414.50
Fresno Club One	$	578.80
Golden Gate	$	23,123.20
Monterey	$	4,460.00
Pleasanton	$	10,736.20
Sacramento	$	69,214.10
San Jose	$	13,151.30
San Mateo	$	26,109.90
Santa Rosa	$	4,758.10
Stockton	$	8,150.70
Turlock	$	24.00
Vallejo	$	8,137.60
No. California	$	169,858.40

WATCH AND WAGER LLC – CAL EXPO

SUMMARY 2016

	Mon 01/25	Tues 01/26	Wed 01/27	Thurs 01/28	Fri 01/29	Sat 01/30	Sun 01/31	Total Week	Total Meet
Accidents	D	D	D	D	D	0	0	0	0
Cal-Bred Races	A	A	A	A	A	1	1	2	4
Claims	R	R	R	R	R	0	0	0	2
Disqualifications	K	K	K	K	K	1	0	1	6
Inquiries	D	D	D	D	D	0	1	1	11
Refunds	A	A	A	A	A	6	8	14	44
Rulings	Y	Y	Y	Y	Y	2	2	4	15

Stewards Attendance: Stewards Arlt, Sheward and Oke were in attendance.

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Jim Arlt, Steward

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Renee Sheward, Steward

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Michael W. "Wayne" Oke, Steward