

BEFORE THE CALIFORNIA HORSE RACING BOARD
OF THE STATE OF CALIFORNIA

In the Matter of the Complaints Against:

MONTY ARROSSA
Trainer, CHRB License #310200

Respondent

Case Nos. 24LA0280,
24LA0279, 24LA0290, 24LA0289, 24LA0298

DECISION

The attached Proposed Decision is adopted by the California Horse Racing Board as its Decision in the above-entitled matter. Trainer Monty Arrossa is hereby suspended and fined as follows pursuant to CHRB Rule No. 1887 for violation of CHRB Rules 1843(a), (b) and (d), 1843.1, 1867 and 1869, for the presence of carmoterol (a Class 1/A substance) in two post-race urine samples and three out-of-competition urine samples:

A. Penalties for Case No. 24LA0279:

- (1) Three-year suspension;
- (2) \$25,000 fine;
- (3) 6 points pursuant to Rule 1843.4, to expire in 3 years (penalty class A).

B. Penalties for Case No. 24LA0280:

- (1) Three-year suspension;
- (2) \$25,000 fine;
- (3) 6 points pursuant to Rule 1843.4, to expire in 3 years (penalty class A).

C. Penalties for Case No. 24LA0289:

- (1) Three-year suspension;
- (2) \$268,450 fine (25% of \$1,073,800 purse);
- (3) 6 points pursuant to Rule 1843.4, to expire in 3 years (penalty class A).

D. Penalties for Case Nos. 24LA0290:

- (1) Three-year suspension;

- (2) \$198,750 fine (25% of \$795,000 purse);
- (3) 6 points pursuant to Rule 1843.4, to expire in 3 years (penalty class A).

E. Penalties for Case Nos. 24LA0298:

- (1) Three-year suspension;
- (2) \$50,000 fine;
- (3) 6 points pursuant to Rule 1843.4, to expire in 3 years (penalty class A).

Suspensions are to run consecutively, for a total suspension period of fifteen years.

This Decision is hereby remanded to the Board of Stewards to issue a ruling reflecting this decision.

IT IS SO ORDERED ON September 11, 2026.

CALIFORNIA HORSE RACING BOARD
Gregory L. Ferraro, DVM, Chairman

Scott Chaney
Executive Director

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7 **BEFORE THE CALIFORNIA HORSE RACING BOARD**

8 **STATE OF CALIFORNIA**

9
10 In the Matter of the Complaints against:) Case Nos. **24LA0280, 24LA0279,**
11) **24LA0290, 24LA0289,**
12) **24LA0298**

13 **MONTY ARROSSA, Trainer, CHRB License**)
14 **No. 310200,**)

PROPOSED DECISION

15 **Respondent.**)

Hearing Dates: Dec. 2, 2025;
March 4-5, 2026

16)
17)
18)
19 **PROPOSED DECISION**

20 This matter was heard on December 2, 2025, March 4 and March 5, 2026 by Shauna Weeks
21 Avrith, a Hearing Officer designated under California Horse Racing Board Rule 1414
22 (Appointment of Referee) remotely via Microsoft Teams audio and videoconference.

23 The Respondent Monty Arrossa (hereinafter “Arrossa” or “Respondent”) appeared and was
24 represented by counsel Howard L. Jacobs and Katy Freeman of the Law Offices of Howard L.
25 Jacobs.

26 The California Horse Racing Board (hereinafter “CHRB” or the “Board”) was represented
27 by Deputy Attorney General Katharine Tremblay.

1 The proceedings were recorded by court reporter Kimberly Uhles of Weinstein Court
2 Reporters, LLC.

3 **PROCEDURAL BACKGROUND**

4 This matter arises from five complaints filed by the CHRB against Monty Arrossa, all of
5 which charge Arrossa with the violation of various CHRB rules based on the presence of the
6 prohibited substance Carmoterol (Class 1 / Penalty Class A) in urine samples taken from horses
7 trained by him.

8 **APPLICABLE LAWS AND REGULATIONS**

9 **Cal. Bus. & Prof. Code §19581**

10 No substance of any kind shall be administered by any means to a horse after it
11 has been entered to race in a horse race, unless the board has, by regulation,
12 specifically authorized the use of the substance and the quantity and composition
13 thereof. The board may require that the official veterinarian approve, in writing,
14 the administration of those substances in accordance with the regulations of the
15 board. Any medication or equipment used to dispense medication that is located
16 within the inclosure is subject to search and inspection at the request of any board
17 official.

18 19 **CHRB Rule 1843 – Medication, Drugs and Other Substances.**

20 It shall be the intent of these rules to protect the integrity of horse racing, to guard
21 the health of the horse, and to safeguard the interests of the public and the racing
22 participants through the prohibition or control of all drugs, medications and drug
23 substances foreign to the horse. In this context:

24 (a) No horse participating in a race shall carry in its body any drug substance or its
25 metabolites or analogues, foreign to the horse except as hereinafter expressly
26 provided.

(b) No drug substance shall be administered to a horse which is entered to compete in a race to be run in this State except for approved and authorized drug substances as provided in these rules.

...

(d) A finding by an official chemist that a test sample taken from a horse contains a drug substance or its metabolites or analogues which has not been approved by the Board, or a finding of more than one approved non-steroidal, anti-inflammatory drug substance or a finding of a drug substance in excess of the limits established by the Board for its use shall be prima facie evidence that the trainer and his/her agents responsible for the care of the horse has/have been negligent in the care of the horse and is prima facie evidence that the drug substance has been administered to the horse.

CHRB Rule 1843.1 – Prohibited Drug Substances

For purposes of this division, prohibited drug substance means:

(a) any drug, substance, medication or chemical foreign to the horse, whether natural or synthetic, or a metabolite or analog thereof, whose use is not expressly authorized in this article.

CHRB Rule 1843.3 – Penalties for Medication Violations

(a) In reaching a decision on a penalty for a violation of Business and Professions Code section 19581, the Board, the board of stewards, the hearing officer or the administrative law judge shall consider the penalties set forth in subsections (d) and (e) of this Rule and any aggravating and mitigating circumstances. Deviation from these penalties is appropriate where the facts of the particular case warrant such a deviation, for example: there may be mitigating circumstances for which a lesser or no penalty is appropriate, and aggravating factors for which a greater penalty is appropriate. . .

(b) Mitigating circumstances and aggravating factors, which must be considered, include but are not limited to:

(1) The past record of the licensee regarding violations of Business and Professions Code section 19581;

(2) The potential of the drug(s) to influence a horse's racing performance and the amount of the drug present;

(3) The legal availability of the drug and whether the drug was prescribed to the horse by a California Horse Racing Board (CHRB) licensed veterinarian;

(4) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;

(5) The steps taken by the trainer to safeguard the horse;

(6) The steps taken by an owner to safeguard against subsequent medication violations including, but not limited to, the transfer of the horse(s) to an unaffiliated trainer;

(A) "Unaffiliated trainer" means a trainer or an assistant trainer who is not related by blood, marriage or domestic partnership, or who is not or was never employed by the trainer from whose care such horse(s) were transferred.

(7) The probability of environmental contamination or inadvertent exposure due to human drug use or other factors;

(8) The purse of the race;

(9) Whether the drug found to be present in the official test sample was one for which the horse was receiving treatment as determined and documented through the process described in Rule 1842 of this division;

(1) Whether there was any suspicious wagering pattern on the race;

(11) Whether the licensed trainer was acting under the advice of a CHRB licensed veterinarian.

(c) The Board shall consider the classification of a drug substance as referred to in Rule 1843.2 of this division and the California Horse Racing Board (CHRB)

Penalty Categories Listing by Classification (Rev. 02/21), which is hereby incorporated by reference, if a determination is made that an official sample from a horse contained:

(1) Any drug substance, medication, metabolites or analogues thereof foreign to the horse, whose use is not expressly authorized in this division, or

(2) Any drug substance, medication or chemical authorized by this article in excess of the authorized level or other restrictions as set forth in the article.

(d) Penalties for violation of each classification level are as follows:

...

CATEGORY "A" PENALTIES

LICENSED TRAINER:		
1 st offense	2 nd LIFETIME offense	3 rd LIFETIME offense
• Minimum one - year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. AND • Minimum fine of \$10,000 or 10% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$25,000 or 25% of purse (greater of the two). AND • May be referred to the Board for any further action deemed necessary by the Board.	• Minimum two-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. AND • Minimum fine of \$20,000 or 25% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$50,000 or 50% of purse (greater of the two). AND • May be referred to the Board for any further action deemed necessary by the Board.	• Minimum three-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of permanent license revocation. AND • Minimum fine of \$25,000 or 50% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$100,000 or 100% of purse (greater of the two). AND • May be referred to the Board for any further action deemed necessary by the Board.

(h) Any drug or its metabolite or analogue thereof found to be present in an official test sample that is not classified in Rule 1843.2 of this division shall be classified as a Class 1 substance and a Category "A" penalty until classified by the Board.

CHRB Rule 1843.4 – Multiple Medication Violations (MMV)

(a) A trainer who receives a penalty for a medication violation based upon a horse testing positive for a Class 1-5 medication with Penalty Class A-D, pursuant to

1 Business and Professions Code section 19581 and Rule 1843.3, shall be assigned
2 points as follows:

3 . . .

4 [Penalty Class A Points if Non-Controlled Substance: 6]

5
6 **CHRB Rule 1867 – Prohibited Veterinary Practices**

7 For purposes of this division, prohibited veterinary practices means:

8 . . .

9 (b) The possession and/or use on the premises of a facility under the jurisdiction
10 of the Board of any drug, substance or medication that has not been approved by
11 the United States Food and Drug Administration (FDA) for use in the United
12 States.

13 . . .

14 (d) The presence of any drug, substance or medication described in . . . subsection
15 (b) of this regulation in any test sample obtained consistent with Rules 1858,
16 1859, 1859.1 and 1859.25 of this article, and the provisions of this article, shall
17 apply to such sample in the same manner as if the horse were entered to race.
18 (See Title 4, California Code of Regulations, section 1843.3.)

19
20 **CHRB Rule 1869 – Prohibited Drug Substances in Out-of-Competition**

21 **Testing.**

22 (a) In addition to those drugs, substances, doping agents, and medications
23 described in rule 1867(a), the following substances are prohibited from being
24 present in any official out-of-competition test sample collected in accordance with
25 Rules 1859, 1859.1 and 1859.25:

26 . . .

27 (7) Beta-2 agonists, including all optical isomers [except clenbuterol and
28 albuterol pursuant to veterinary prescription]

1 . . .

2 (c) A finding by the official laboratory that an official out-of-competition test
3 sample taken from a horse contains a drug substance or its metabolites or
4 analogues which is prohibited under this regulation shall be prima facie evidence
5 the drug substance has been administered to the horse.

6 . . .

7 (2) If the official out-of-competition test sample was obtained inside a
8 licensed enclosure, the trainer is the absolute insurer of and responsible for
9 the condition of the horses under his or her care, regardless of the acts of
10 third parties, excepts as otherwise provided in this article, and may be
11 fined, and/or have his or her license suspended or revoked.

12 (3) The defenses described in Rule 1888 shall be available to any person
13 charged with a violation of this regulation.

14 (d) The Board, the board of stewards, the hearing officer, or the administrative
15 law judge shall assess a penalty for violation of this section based upon the
16 classifications and penalties set forth in Rules 1843.2 and 1843.3

17
18 **CHRB Rule 1887 – Trainer or Owner to Insure Condition of Horse**

19 (a) The trainer is the absolute insurer of and responsible for the condition of the
20 horses entered in a race, regardless of the acts of third parties, except as otherwise
21 provided in this article. If the chemical or other analysis of urine or blood test
22 samples or other tests, prove positive showing the presence of any prohibited drug
23 substance defined in Rule 1843.1 of this division, the trainer of the horse may be
24 fined, his/her license suspended or revoked, or be ruled off. . .

25 (b) A ship-in horse is defined as any horse entered to race that has not been in the
26 care of a Board-licensed trainer for seven consecutive calendar days prior to the
27 day of the race for which it is entered.

(c) Notwithstanding the above, if the Board or its agents fail to notify a trainer or the owner of a ship-in horse of a potential positive test within 21 calendar days from the date the sample was taken, the trainer or the owner of a ship-in horse shall not be deemed responsible under this rule unless it is shown by the preponderance of the evidence that the trainer or the owner of a ship-in horse administered the drug or other prohibited substance defined in rule 1843.1 of this division, caused the administration or had knowledge of the administration.

LIST OF EXHIBITS

The following exhibits were admitted into evidence:

Arrossa Exhibits

- Exhibit 101: Complaint Packet for Case No. 24LA0289 (AMERICAN DREAMIN)
- Exhibit 102: Complaint Packet for Case No. 24LA0280 (AMERICAN DREAMIN)
- Exhibit 103: Complaint Packet for Case No. 24LA0298 (AMERICAN DREAMIN)
- Exhibit 104: Complaint Packet for Case No. 24LA0279 (BLOOD VIPER)
- Exhibit 105: Positive Test Notification Packet for Case No. 24LA0290 (erroneously identified as Complaint Packet for Case No. 24LA0290; see CHRB Ex. B) (AB SEIS CORAZONES)
- Exhibit 106: UC Davis Maddy Lab Report re Sample **NC38924** (Case No. 24LA0280; AMERICAN DREAMIN sample taken October 20, 2024)
- Exhibit 107: UC Davis Maddy Lab Report re Sample **NC38927** (Case No. 24LA0279; BLOOD VIPER sample taken October 20, 2024)
- Exhibit 108: UC Davis Maddy Lab Report re Sample **PR01266** (Case No. 24LA0289; AMERICAN DREAMIN sample taken October 27, 2024)
- Exhibit 109: UC Davis Maddy Lab Report re Sample **PR03049** (Case No. 24LA0290; AB SEIS CORAZONES sample taken November 10, 2024)
- Exhibit 110: UC Davis Maddy Lab Report re Sample **NC51816** (Case No. 24LA0298; AMERICAN DREAMIN sample taken November 30, 2024)

- Exhibit 111: Industrial Lab Documentation re Sample **NC38924** (Case No. 24LA0280; AMERICAN DREAMIN sample taken October 20, 2024)
- Exhibit 112: Industrial Lab Documentation re Sample **NC38927** (Case No. 24LA0279; BLOOD VIPER sample taken October 20, 2024)
- Exhibit 113: Industrial Lab Documentation re Sample **PR01266** (Case No. 24LA0289; AMERICAN DREAMIN sample taken October 27, 2024)
- Exhibit 114: Industrial Lab Documentation re Sample **PR03049** (Case No. 24LA0290; AB SEIS CORAZONES sample taken November 10, 2024)
- Exhibit 115: Industrial Lab Documentation re Sample **NC51816** (Case No. 24LA0298; AMERICAN DREAMIN sample taken November 30, 2024)
- Exhibit 116: UC Davis Subpoena
- Exhibit 117: UC Davis Subpoena Response (pages 147-148, 252-256, 340-341, 374-387 (see March 5, 2026 hearing transcript at 117:3-9, 15-20)]
- Exhibit 118: UC Davis Method Validation Data
- Exhibit 119: UC Davis Confirmation Validation Data
- Exhibit 120: Industrial Lab Subpoena
- Exhibit 121: UC Davis Documentation re Sample **NC63786** (blood) (sample taken October 20, 2024)
- Exhibit 122: UC Davis Documentation re Sample **NC63788** (blood) (sample taken October 20, 2024)
- Exhibit 123: UC Davis Documentation re Sample **PR01266** (blood) (AMERICAN DREAMIN sample taken October 27, 2024)
- Exhibit 124: Ohio Lab Documentation re Sample **NC63770** (blood); Sample **NC63786** (blood); Sample **NC63788** (blood); Sample **PR01266** (blood) (AMERICAN DREAMIN sample taken October 27, 2024)

CHRB Exhibits

- Exhibit A: Official Ruling of the Board of Stewards, Los Alamitos Quarter Horse Racing Association, March 22, 2025, Rule #31 (disqualifying AB Seis Corazones, the

second place finisher in the ninth race at Los Alamitos Race Course on November 10, 2024 due to the presence of Carmoterol in a post-race urine sample)

Exhibit B: Complaint Packet for Case No.24LA0290 (AB SEIS CORAZONES)

LIST OF WITNESSES

CHRB Licensed Trainer Monty Arrossa

CHRB Licensed Owner Matthew Dunn

CHRB Licensed Owner Bendi Dunn

Dr. Jeffrey Blea, Equine Medical Director for UC Davis School of Medicine

Dr. Benjamin Moeller, section head of Kenneth L. Maddy Equine Analytical Chemistry Laboratory at UC Davis.

Defense Expert Paul Scott, CEO of Avrok Biosciences

FACTUAL FINDINGS

I.

Case No. 24LA0279 (filed on February 26, 2025): On **October 20, 2024**, an Out-of-Competition urine sample, #NC38927, was taken from the horse **BLOOD VIPER**. Arrossa was the trainer of record of the horse. Sample #NC38927 was tested by the CHRB official lab and was found to contain Carmoterol. Arrossa was notified of the positive finding on November 9, 2024. At Arrossa's request, a split sample was tested by Industrial Laboratory, who confirmed the presence of Carmoterol. (Exs. 104, 107, 112; Testimony of Dr. Moeller [March 4, 2026 at 202:23-203:6]; Testimony of Paul Scott [March 5, 2026 at 190:24-182:2]. The Complaint alleges that Arrossa violated CHRB Rules 1843(d), 1843.1(a), 1843.4, 1869(a)(7) and 1887.

II.

Case No. 24LA0280 (filed on February 26, 2025): On **October 20, 2024**, an Out-of-Competition urine sample, #NC38924, was taken from the horse **AMERICAN DREAMIN**. Arrossa was the trainer of record of the horse. Sample #NC38924 was tested by the CHRB official

1 lab and was found to contain Carmoterol. Arrossa was notified of the positive finding on
2 November 9, 2024. At Arrossa's request, a split sample was tested by Industrial Laboratory, who
3 confirmed the presence of Carmoterol. (Exs. 102, 106, 111; Testimony of Dr. Moeller [March 4,
4 2026 at 196:10-19]; Testimony of Paul Scott [March 5, 2026 at 173:14-25]. The Complaint alleges
5 that Arrossa violated CHRB Rules 1843(d), 1843.1(a), 1843.4, 1869(a)(7) and 1887.

6 III.

7 **Case No. 24LA0289** (filed on February 20, 2025): Arrossa was the trainer of the horse
8 **AMERICAN DREAMIN** which ran in race #10 at Los Alamitos Race Course on **October 27,**
9 **2024** and finished first. A post-race urine sample, **#PR01266**, was tested by the CHRB official lab
10 and was found to contain Carmoterol. Arrossa was notified of the positive finding on November
11 30, 2024. Arrossa requested a split sample; however, because he was notified 34 calendar days
12 after the sample was taken, a split sample was no longer available for testing, having been discarded
13 according to CHRB regular retention policies. As such, the remaining original sample was sent to
14 Industrial Laboratories, who confirmed the CHRB official lab's finding of the presence of
15 Carmoterol. (Exs. 101, 108, 113; Testimony of Dr. Moeller [March 4, 2026 at 192:2-10];
16 Testimony of Paul Scott [March 5, 2026 at 168:12-170:18].) The Complaint alleges that Arrossa
17 violated CHRB Rules 1843(a), (b), and (d), 1843.1(a), 1843.4 and 1887. Arrossa's appeal of the
18 disqualification of **AMERICAN DREAMIN** pursuant to CHRB Rule 1859.5 based on the finding
19 of Carmoterol in the post-race urine sample taken from the horse was denied on March 12, 2026.
20 (See Decision in the matter of Appeal of the Board of Stewards Official Ruling #32, Los Alamitos
21 Quarter Horse Association, Monty Arrossa , Trainer, CHRB Case No. SAC 25-010.)

22 IV.

23 **Case No. 24LA0290** (filed on February 27, 2025): Arrossa was the trainer of the horse **AB**
24 **SEIS CORAZONES** which ran in race 9 at Los Alamitos Race Course on **November 10, 2024** and
25 finished second. A post-race urine sample, **#PR03049**, was tested by the CHRB official lab and
26 was found to contain Carmoterol. Arrossa was notified of the positive finding on November 30,
27 2024. At Arrossa's request, a split sample was tested by Industrial Laboratory, who confirmed the
28 presence of Carmoterol. (Exs. B, 109, 114; Testimony of Dr. Moeller [March 4, 2026 at 205:12-

19]; Testimony of Paul Scott [March 5, 2026 at 182:3-18; 182:19-183:1].) The Complaint alleges that Arrossa violated CHRB Rules 1843(a), (b), and (d), 1843.1(a), 1843.4 and 1887.

V.

Case No. 24LA0298 (filed February 26, 2025): On **November 30, 2024**, an Out-of-Competition urine sample, #NC51816, was taken from the horse **AMERICAN DREAMIN**. Arrossa was the trainer of record of the horse. Sample #NC51816 was tested by the CHRB official lab and was found to contain Carmoterol. Arrossa was notified of the positive finding on December 20, 2024. At Arrossa's request, a split sample was tested by Industrial Laboratory, who confirmed the presence of Carmoterol. (Exs.103, 110, 115; Testimony of Dr. Moeller [March 4, 2026 at 200:13-22]; Testimony of Paul Scott [March 5, 2026 at 178:13-16; 180:17-23].) The Complaint alleges that Arrossa violated CHRB Rules 1843(d), 1843.1(a), 1843.4, 1869(a)(7) and 1887.

VI.

Carmoterol is classified by the CHRB as a Class 1 substance in penalty Category A. (Rule 1843.3(h) [substances not classified in Rule 1843.2 shall be classified as Class 1 substance and a Category "A" penalty until classified by the Board].) It is a bronchodilator and beta-2 agonist with performance enhancing characteristics. It is not approved by the FDA. Administration of Carmoterol to horses has the potential to cause serious side effects, including tachycardia, arrhythmias, myocardial ischemia, tremors, and possibly rhabdomyolysis or "tying up." Administration of Carmoterol could result in cardiac death of a horse. (Testimony of Dr. Blea [March 4, 2026 at 108:20-109:22; 112:11-113:22; 141:6-142:22].)

VII.

BLOOD VIPER, AMERICAN DREAMIN and AB SEIS CORAZONES are, and at all times relevant hereto were, owned by Dunn Ranch, LLC. CHRB licensed owners Matthew and Bendi Dunn are the sole owners of Dunn Ranch, LLC. (Testimony of Matthew Dunn, March 4, 2026 at 75:21-76:2.) No evidence was presented that either Matthew Dunn or Bendi Dunn knew of, directed, authorized, ratified or participated in the administration of Carmoterol to any horse owned by Dunn Ranch, LLC and trained by Monty Arrossa.

VIII.

Ten horses trained by Arrossa were disqualified from races run in 2024 pursuant to CHRB Rule 1859.5 [Disqualification Upon positive Test Finding] due to the presence of Carmoterol in post-race urine samples taken from those horses. (Arrossa Testimony March 4, 2026 at 17:5-23:24; see https://www.chrb.ca.gov/stewards_rulings.aspx.) Arrossa testified that he has appealed these disqualifications. (Arrossa Testimony March 4, 2025 at 19:9-19.) As of the date of this Proposed Decision, one of those appeals has been denied. (See CHRB Decision in SAC 25-010 dated March 12, 2026 [denying appeal of disqualification of **AMERICAN DREAMIN** from race run October 27, 2024].)¹

DISCUSSION OF ISSUES

A. Carmoterol Was Detected in the Five Urine Samples at Issue by the CHRB Official Chemist and the Split Sample Testing Lab.

The CHRB presented substantial evidence of the official chemist's finding of the presence of Carmoterol in the five urine samples at issue here. Although Arrossa challenged that evidence on several grounds, as discussed below, none of the issues he raised was sufficient to cast doubt on the reliability of the findings at issue. In fact, his own expert agreed that both the Maddy Lab and Industrial Lab found Carmoterol in all five samples. As such, Arrossa's claim that the CHRB did not meet its burden of proof under Rule 1843 lacks foundation. (See Arrossa Brief at p. 2 ¶¶1.4-1.4.3.)

For four of these samples, the CHRB was required to demonstrate only that the samples contained the presence of a prohibited drug substance, pursuant to CHRB Rule 1887(a). As the CHRB notes, this is a strict liability standard, pursuant to which the trainer is the absolute insurer of the condition of the horse. (*Vienna v. California Horse Racing Bd.* (1982) 133 Cal.App.3d 387, 399 [fault in the sense of actual administration of the drug or negligent care by the trainer is neither the basis nor an element of liability under the trainer-insurer rule (internal citations omitted)].)

¹ Arrossa argued that these disqualifications are irrelevant to the issues presented by the Complaints at issue here. (Arrossa Brief at p. 24 ¶6.1.) To the contrary, the fact that *all* of these disqualifications resulted from post-race test findings of the presence of Carmoterol – the banned substance at issue here – is highly relevant as circumstantial evidence of a course of conduct.

1 The CHRB acknowledges that it failed to timely notify Arrossa of the positive finding from
2 the post-race sample taken from AMERICAN DREAMIN on October 27, 2024, and that, for this
3 positive finding only, it must demonstrate by the preponderance of the evidence that Arrossa
4 administered the Carmoterol, or caused or had knowledge of the administration, pursuant to CHRB
5 Rule 1887(c). CHRB Rule 1843(d) provides that a finding by an official chemist that a test sample
6 taken from a horse contains a prohibited substance is prima facie evidence that the trainer has been
7 negligent in the care of the horse and that the drug substance was administered to the horse. A
8 trainer's negligence in the care of the horse could include failure to take steps to prevent the
9 administration of prohibited substances to the horse by others without the trainer's knowledge or
10 authorization. As such, the CHRB had the burden of presenting direct or circumstantial evidence
11 sufficient to demonstrate, by a preponderance of the evidence, that Arrossa was at least aware of the
12 administration of Carmoterol to AMERICAN DREAMIN that resulted in the positive test from the
13 October 27, 2024 post-race sample.

14 The CHRB presented substantial evidence that Carmoterol was intentionally administered to
15 Arrossa's horses. Dr. Moeller testified that he had heard persistent rumors that a beta-2 agonist was
16 being used as a performance enhancer. Dr. Moeller identified that substance as Carmoterol after
17 testing a liquid seized as contraband, then developed tests to detect it in blood and urine.
18 (Testimony of Dr. Moeller [March 4, 2024 at 162:9-11; 164:3-11].) Carmoterol is not approved by
19 the FDA and no witness could identify any means by which environmental contamination could
20 result in a Carmoterol positive test. (See Testimony of Dr. Blea [March 4, 2024 at 153:24-154:10];
21 Testimony of Dr. Moeller [March 4, 2024 at 163:25-164:2].) The only reasonable inference to be
22 drawn from a finding of Carmoterol in a test sample is that it was deliberately administered with the
23 intent to enhance the horse's performance.

24 Further, this matter involves five separate positive tests from samples taken on four dates.
25 Three of the five are for the horse AMERICAN DREAMIN, for samples taken in 2024 on October
26 20 (out-of-competition), October 27 (post race - for which late notification was given), and
27 November 30 (out-of competition). Dr. Blea testified that, in his opinion, the difference in quantity
28 of Carmoterol found in AMERICAN DREAMIN's October 20 and October 27, 2024 samples was

1 consistent with intentional administration with the intent to titrate it so that it would not be
2 detectable on race day. (Testimony of Dr. Blea [March 4, 2026 at 149:9-150:23].)² Notably, and
3 consistent with Dr. Blea’s opinion, the first two positive tests at issue here resulted from out-of-
4 competition samples taken on October 20, 2024. (Testimony of Dr. Blea [March 4, 2024 at 107:15-
5 108:19].)

6 Arrossa denied any knowledge of how these three horses – or the other seven he trained who
7 have been disqualified – ended up with Carmoterol in their systems. But in light of the substantial
8 evidence that someone was intentionally doping the horses under his care, and his failure to offer
9 any alternative hypothesis, his testimony is not believable. The persons with most motive to use a
10 prohibited substance to improve a horse’s performance are the trainer and the owner of the horse.
11 The trainer is the one with the most opportunity to administer the substance and the most unfettered
12 access to the horses. No evidence was presented to suggest that owners of these horses – or
13 anybody else for that matter – was involved in the administration of a prohibited substance to any
14 horse in Arrossa’s care.

15 The evidence presented by the CHRB, taken together, permits a reasonable inference that
16 Carmoterol was administered to AMERICAN DREAMIN by Arrossa or at his direction, resulting
17 in the positive test from the October 27, 2024 post-race sample. (See Ev. Code §600.) As such, the
18 CHRB met its burden of proof under Rule 1887(c) with respect to that sample.

19 **B. Arrossa’s Defenses and Challenges to the Evidence.**

20 At the hearing and in his closing brief, Arrossa presented various challenges to the evidence,
21 each of which is addressed below.

22 **1. Failure to Preserve Split Sample for the October 27 Post-Race Sample**

23 It is undisputed that the split sample for the post-race urine sample taken from AMERICAN
24 DREAMIN on October 27, 2024 was destroyed pursuant to CHRB regular retention policies. It

25
26 ² Dr. Moeller testified – and Mr. Scott agreed – that the test employed by Maddy Lab and Industrial Lab was
27 qualitative, not quantitative. That is, it tests for the presence of a particular substance, and does not provide an exact
28 quantification; the amounts stated in the lab data are estimates. (Testimony of Dr. Moeller [March 5, 2026 at 75:14-
76:8].) Mr. Scott also noted that Maddy Lab and Industrial Lab’s estimated amounts of Carmoterol in the samples
differed. (Testimony of Scott [March 5, 2026 at 153:3-17].) However, both labs’ data showed relatively higher levels
of Carmoterol in the October 20, 2024 sample than the October 27, 2024 sample. (See Ex. 102 at p. 19 [3.1 ng/mL];
Ex. 111 at p. 21 [1.87 ng/mL]; Ex. 101 at p. 11 [29 pg/mL]; Ex. 113 at p. 24 [.0162 ng/mL].)

1 also is undisputed that in response to Arrossa's request that a split sample be tested, the CHRB sent
2 the remainder of the original "A" sample to Industrial Labs. (See Ex. 101 at p. 7.) For unknown
3 reasons, Industrial Lab identified this as a "B" sample. Although Arrossa claims that Industrial
4 Labs "falsified the chain of custody documentation for what it tested, and falsely called it the split
5 sample," (See Arrossa Brief at p. 25), this is pure speculation. No evidence was presented to
6 explain Industrial Lab's reason for identifying this sample as a "B" sample. No witness from
7 Industrial Lab testified at the hearing, nor was Arrossa's expert Scott familiar with Industrial Lab's
8 custom and practice with respect to its identification of samples received from official chemists.

9 Arrossa describes the CHRB's failure to preserve a split sample as a flaw in the chain of
10 custody. (Arrossa Brief at p. 23 ¶¶5.13-5.13.1.) But Arrossa does not argue that the CHRB's
11 destruction of the split sample pursuant to its regular retention policies violated any CHRB Rule,
12 nor does he explain how – or if – he was prejudiced by the CHRB's election to send an aliquot from
13 the original test sample to Industrial Labs for confirmatory testing. (See Arrossa Opening Statement
14 [December 2, 2025 at 12:3-13:1; Arrossa Brief at pp. 24-25.) Although Arrossa does suggest that
15 his due process rights are implicated by flaws in the chain of custody documentation (Arrossa Brief
16 at p. 22, ¶5.10), he identifies no evidence to suggest that the samples tested by Maddy Lab and
17 Industrial Lab were not those taken from AMERICAN DREAMIN post race on October 27, 2024,
18 nor does he present any evidence to suggest that the sample had been tampered with at any time.
19 (See *People v. Jiminez* (2008) 165 Cal.App.4th 75 [in the absence of fundamental unfairness, error
20 in admitting evidence over a chain of custody objection is reviewable for abuse of discretion].)

21 **2. Alleged Negative Test Results from October 27, 2024 Post-Race Sample**

22 Arrossa argues that the CHRB withheld two test runs on AMERICAN DREAMIN's
23 October 27, 2024 post-race urine sample that were negative for Carmoterol. (Arrossa Brief p. 18,
24 ¶¶ 5.4-5.4.2.) Dr. Moeller credibly testified that initial tests of both of these tests resulted in
25 presumptive positives for the presence of Carmoterol which were subsequently confirmed by
26 targeted testing. (Testimony of Dr. Moeller [March 5, 2026 at 53:21-56:2; 57:11-58:11].)

27 One of the aliquots, identified as U7, was a blood, not a urine, sample. Dr. Moeller testified
28 that the Maddy Lab's Laboratory Information Management System ("LIMS") sometimes identifies

1 blood aliquots with a “U” prefix. Dr. Moeller offered to provide a screenshot from the LIMS to
2 further explain his testimony; Arrossa did not follow up on this offer. (*See* Testimony of Dr.
3 Moeller [March 5, 2026 at 53:21-56:2].) Although Arrossa’s expert Scott testified that he believed
4 the “U” prefix meant this was a urine sample, this testimony lacked foundation because he did not
5 testify to any familiarity with the Maddy Lab LIMS or how it identifies aliquots. Further, Scott
6 could not testify based on the data he reviewed that U7 represented a urine sample (Testimony of
7 Paul Scott [March 5, 2026 at 138:19-139:20].)

8 Once again, the most fundamental flaw in Arrossa’s claim is Industrial Lab’s independent
9 confirmation of Maddy Lab’s finding of the presence of Carmoterol in the October 27, 2024 post-
10 race sample.

11 **3. Alleged Irregularity in Chain of Custody for Samples Taken on October 20,**
12 **2024**

13 Arrossa identifies a discrepancy in Fed Ex tracking information in the chain of custody
14 evidence for the samples taken on October 20, 2024, and argues this raises “significant chain of
15 custody issues.” (*See* Monty Arrossa Closing Brief (“Arrossa Brief”) at pp. 22-23, ¶¶ 5.11-5.12.3.)
16 However, he also acknowledges Dr. Moeller’s testimony in a related proceeding and exhibits
17 introduced at that hearing demonstrating that the inclusion of the incorrect Fed Ex tracking number
18 in the lab data packets for those samples was a clerical error, and that Dr. Moeller had personally
19 investigated and determined that the correct samples were received from Los Alamitos and tested.
20 (*See* Arrossa Brief at p. 23, ¶5.14.).³ Dr. Moeller’s testimony demonstrates that the samples taken
21 on October 20, 2024 from Arrossa’s horses were received from Los Alamitos, tested by the Maddy
22 Lab, and found to contain Carmoterol. This evidence is bolstered by the fact that Industrial Labs
23 received the split samples for these samples directly from Los Alamitos, and also found them to

24
25 ³ The evidence explaining the clerical error was introduced in the matter of the Complaints Filed Against Dunn Ranch,
26 LC, Matthew Dunn and Bendi Dunn, CHRB License 60158, 326204, 328474, Case No. SAC 26-003, at a hearing
27 before this Hearing Officer on April 14, 2026. (*See* DAG Tremblay’s declaration submitted in support of the CHRB’s
28 Opening Closing Brief dated May 4, 2026 “Tremblay Declaration”). Although the Tremblay Declaration refers to Dr.
Moeller’s testimony from the Dunn Ranch hearing and the related exhibits, she failed to attach either to her declaration.
Nonetheless, counsel for Arrossa was in possession of this evidence, given that they represented the Dunns in the later
hearing, and cited Dr. Moeller’s testimony in the Dunn Ranch hearing in Arrossa’s brief here. (*See* Arrossa Brief at p.
23, ¶5.14.) As such, Arrossa has waived any objection he might have had to introduction of evidence from a later
hearing attended by his counsel but not by him. (*See* Cal. Ev. Code §353.)

1 contain Carmoterol. (Exs 107, 111; Testimony of Dr. Moeller [March 5, 2026 at 16:3-18:5; 18:6-
2 19:19].)

3 **4. Maddy Lab Alleged Failure to Follow Testing SOP**

4 Arrossa argues that Maddy Lab “failed to follow its own SOP on any of the original sample
5 tests because they skipped a step at 10.5 minutes on the mobile phase in each and every single
6 sample tested.” (Arrossa Brief at p. 20, ¶5.3.) But Arrossa’s expert Paul Scott agreed with Dr.
7 Moeller that the inclusion of the 10.5 step in the SOP served no purpose, and was essentially a
8 redundancy. (Testimony of Dr. Moeller [March 5, 2026 at 45:24-46:4; Testimony of Paul Scott
9 [March 5, 2026 at 126:18-22 (“that line is not actually doing anything”); 127:13-128:13
10 (“substantively, since the 10.5 didn’t change conditions, there’s no substantive aspect to not
11 including that”)].) Although Dr. Moeller and Scott agree that SOPs must be followed for a test to
12 be considered valid, Scott acknowledged that the failure to list the 10.5 step by Maddy Lab for the
13 testing at issue had no substantive significance, and did not affect the validity of the test results.
14 (Testimony of Paul Scott [March 5, 2026 at 128:14-18 (“it’s a non-substantive failure . . . to follow
15 the SOP”)].)

16 **5. Sample Results Below Established Limit of Detection**

17 Arrossa contends that two of the positive results reported by Maddy Lab were below its
18 established limit of detection of 50pg/mL, and that as such the results were not appropriately
19 identified, citing the testimony of his expert Paul Scott. (Arrossa Brief at p. 19, ¶¶ 5.5-5.5.3.2.)
20 However, Scott himself testified that the risk of a false negative is more significant than the risk of a
21 false positive when the amount of particular substance in a sample is below the established limit of
22 detection. (Scott Testimony [March 5, 2-26 at 121:6-122:15].) Scott contended that the risk of a
23 false positive result could arise from a matrix component appearing to be a target component. (*Id.*)
24 But Scott did not offer the opinion that either Maddy Lab or Industrial Lab misinterpreted “noise”
25 as signal in identifying the presence of Carmoterol in the samples at issue. Furthermore, Dr.
26 Moeller credibly explained the steps taken in the testing process to ensure that background noise is
27 not misinterpreted as signal. (Testimony of Dr. Moeller [March 5, 2026 at 194:22-198:9].) Further,
28 Industrial Lab also was able to identify the presence of Carmoterol in these samples.

1 **6. Varying Threshold Levels on Industrial Lab Documentation**

2 Arrossa contends that Industrial Labs identified different thresholds for the samples it tested,
3 and that this is “bad science.” (Arrossa Brief at p. 20, ¶¶5.7-5.8.1.) This testimony was utterly
4 lacking in foundation. Arrossa presented no witness from Industrial Lab who could testify
5 regarding the reason why the lab sheets’ reported levels of detection ranged from “TBD” to 10
6 pg/mL to 0. There was no evidence to support Arrossa’s suggestion that “threshold” on the
7 Industrial Lab documents means “established level of detection,” nor did he offer any evidence to
8 suggest that these entries on Industrial Lab’s documents rendered any of its test results suspect.

9 **C. Penalty**

10 The evidence demonstrates that analysis of the five urine samples at issue showed the
11 presence of banned substance Carmoterol.⁴ These findings in themselves are sufficient to meet the
12 CHRB’s burden of proof under Rule 1887(a) with respect to four of those samples. With respect to
13 the fifth, PR01266 taken post-race on October 27, 2024 from AMERICAN DREAMIN, the CHRB
14 was required to show by a preponderance of the evidence that Arrossa administered, or caused or
15 had knowledge of the administration of, Carmoterol to that horse resulting in the positive test. The
16 CHRB met this burden through circumstantial evidence of a pattern of positive tests for a banned
17 substance that is not FDA approved. This substance was not administered by any licensed
18 veterinarian, and could not have ended up in the horses’ urine via environmental contamination.
19 The only reasonable inference from this cluster of positive tests for a banned substance is that
20 someone was administering Carmoterol to these horses with the intent to influence the outcome of
21 races. The person who was legally obligated to oversee the care of these horses, who also had
22 motive, means and opportunity to administer Carmoterol to them, is Arrossa. It is a fair inference
23 from this evidence that Arrossa at the very least was aware of the administration of Carmoterol to
24 his horses.

25
26
27 ⁴ Carmoterol is a Class 1 substance in penalty category A pursuant to CHRB Rule 1843.3(h) because it is not currently
28 included in Rule 1843.2’s Alphabetical Substance List. An amendment to Rule 1843.2 is pending that will change that
by updating the Alphabetical Substance List in keeping with ARCI’s current Uniform Classification Guidelines for
Foreign Substances, which expressly list Carmoterol as Class 1/Penalty A. See ARCI Uniform Classification
Guidelines Version 20.0 at <https://drive.google.com/file/d/1g7OUUnLyAb2Zkz-fenkkKf77IHQjyGdu-/view>.)

1 Rule 1843.3(a) requires the Hearing Officer to consider aggravating and mitigating
2 circumstances in reaching a decision on recommended penalty, and allows deviation from those
3 penalties as warranted under the facts of a particular case. Mitigating and aggravating
4 circumstances include, but are not limited to, those set forth in Rule 1843.3(b):

5 (1) Past record of licensee: Arrossa has only one prior medication violation, for Vetalog.
6 This is a mitigating factor.

7 (2) Potential of drug to influence performance and amount of drug present: Carmoterol is
8 a banned substance only given to attempt to influence performance. Moreover, the CHRB
9 presented credible evidence of an attempt to titrate dosage so that Carmoterol would not be
10 detectable in a post-race sample. This is an aggravating factor.

11 (3) The legal availability of the drug: Carmoterol is not FDA approved and not legally
12 available. This is an aggravating factor.

13 (4) Whether there is reason to believe the responsible party know of the administration of
14 the drug or intentionally administered the drug: As discussed above, it is a reasonable inference
15 from the evidence that Arrossa at least knew of the administration of Carmoterol to the horses under
16 his care. This is an aggravating factor.

17 (5) The steps taken by the trainer to safeguard the horse: Arrossa testified that he installed
18 additional cameras and increased night watch for his horses after being notified of the positive
19 findings. But assuming Arrossa himself administered or directed the administration of Carmoterol,
20 those steps were not sufficient to safeguard the horses under his care. This is an aggravating factor.

21 (6) The steps taken by an owner to safeguard against subsequent medication violations:
22 This factor does not apply.

23 (7) The probability of environmental contamination or inadvertent exposure due to human
24 drug use or other factors: As discussed above, the likelihood of environmental contamination is nil.
25 This is an aggravating factor.

26 (8) The purse of the race: Two of the samples at issue were post race: PR01266 taken
27 from AMERICAN DREAMIN on October 27, 2024 after the horse finished first in the Golden
28 State Million Futurity (Grade I), purse \$1,073,800 (See Exhibit 101 at p. 18), and PR03049 taken

1 from AB SEIS CORAZONES on November 10, 2024 after the horse finished second in the Los
2 Alamitos Super Derby (Grade I), purse \$795,000 (See Ex. B at p. 20). This is an aggravating
3 factor.

4 (9) Whether the drug found was one for which the horse was receiving veterinary
5 treatment: As noted, Carmoterol is a banned substance. This is an aggravating factor.

6 (10) Whether was any suspicious wagering pattern on the race: No evidence of any
7 wagering pattern was presented. This factor is not applicable.

8 (11) Whether the licensed trainer was acting under the advice of a CHRB licensed
9 veterinarian: Arrossa testified that his vet, Dr. Troncatty, did not know what Carmoterol was.
10 There is no evidence she prescribed Carmoterol for any horse. This is an aggravating factor.

11 Overall, aggravating factors far exceed mitigating factors in this case.

12 The CHRB asked that Arrossa's license be revoked in light of the substantial evidence of
13 egregious conduct. However, the CHRB may not revoke a trainer's license unless it complies with
14 the California Administrative Procedure Act's Tier 1 adjudication procedures. (Cal. Bus. & Prof.
15 Code section 19461.) The Complaints in this case, consistent with California law, advise Arrossa
16 that his license may be suspended; he was not informed that revocation was a possible penalty, nor
17 were APA Tier 1 adjudicatory procedures followed. (*See, e.g.*, Ex. 102 at p. 2 [Governing
18 Procedure for Disciplinary Hearing Before Board of Stewards or Hearing Officer Non-Revocation
19 Enforcement Proceedings Alleging Class 1, 2, or 3 Drug Positive Violation at No. 10 [APA Tier 1
20 procedures not applicable *unless revocation is sought*] (emphasis added).)

21 The available penalties for this proceeding include suspension and fines as set forth in Rule
22 1843.3, and the assignment of points pursuant to Rule 1843.4 (Multiple Medication Violations).
23 Rule 1843.4 provides that the CHRB *may* consider multiple positive tests for the same medication
24 prior to delivery of official notice by the Board as a single violation. The CHRB's discretion under
25 this Rule seems best exercised in a case of inadvertent administration or environmental
26 contamination, where the trainer did not have prior notice of the circumstances causing the positive
27 test. Where, as here, the positive tests could *only* result from intentional administration, it is
28 appropriate for the CHRB to consider each positive test result separately.

1 **CONCLUSION / PROPOSED DECISION**

2 Considering all of the evidence and argument, including evidence of mitigating and aggravating
3 factors, it is recommended that the CHRB impose the following penalties on Trainer Monty Arrossa,
4 CHRB License No. 310200:

5 A. Penalties for Case No. 24LA0279:

- 6 (1) Three-year suspension;
7 (2) \$25,000 fine;
8 (3) 6 points pursuant to Rule 1843.4, to expire in 3 years (penalty class A).

9
10 B. Penalties for Case No. 24LA0280:

- 11 (1) Three-year suspension;
12 (2) \$25,000 fine;
13 (3) 6 points pursuant to Rule 1843.4, to expire in 3 years (penalty class A).

14
15 C. Penalties for Case No. 24LA0289:

- 16 (1) Three-year suspension;
17 (2) \$268,450 fine (25% of \$1,073,800 purse);
18 (3) 6 points pursuant to Rule 1843.4, to expire in 3 years (penalty class A).

19
20 D. Penalties for Case Nos. 24LA0290:

- 21 (1) Three-year suspension;
22 (2) \$198,750 fine (25% of \$795,000 purse);
23 (3) 6 points pursuant to Rule 1843.4, to expire in 3 years (penalty class A).

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- E. Penalties for Case Nos. 24LA0298:
- (1) Three-year suspension;
 - (2) \$50,000 fine;
 - (3) 6 points pursuant to Rule 1843.4, to expire in 3 years (penalty class A).

Suspensions are to run consecutively, for a total suspension period of fifteen years.

DATED: July 15, 2026

By 
Shauna Weeks Avrith
Hearing Officer