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April 8, 2025

FILE NO. 05016.000

VIA E-MAIL

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

**Re: Proposed Allocation of Racing Dates at Pleasanton (From 6/10/25 – 7/6/25);  
Proposed Issuance of License to a New Party to Conduct/Operate Proposed  
Pleasanton and Ferndale Race Meets**

Dear Mr. Chaney,

We represent Thoroughbred Owners of California (“TOC” or “our client”) and, in that capacity, we are writing to you regarding the proposed racing dates for Pleasanton (from June 10 – July 6, 2025) (the “Proposed Pleasanton Race Dates” or the “Proposed Pleasanton Race Meet”) that we understand the California Horse Racing Board (“CHRB” or the “Board”) will be considering at the upcoming CHRB Meeting to be held on April 17, 2025.

We understand that the last time Racing Dates were awarded to Pleasanton (i.e., last year), the licensee who operated that 2024 Pleasanton Race Meet was the California Association of Racing Fairs (“CARF”). We also understand that CARF is not intending to be the licensee who will be conducting the Proposed Pleasanton Race Meet (from 6/10/25 – 7/6/25); rather, we understand that the Alameda County Fair is intending to contract with a newly formed third party entity, who will act as the licensee of the Proposed Pleasanton Race Meet.

We do not believe that the statutory and regulatory regime governing these types of matters allow for the Proposed Pleasanton Race Dates to be allocated for a race meet to be conducted by a new licensee on such short notice.

In particular, Section 1431 of the CHRB Rules provides as follows:

“Every person who has not held a license to conduct a horseracing meeting in the preceding year who intends to file an application to conduct an authorized race meeting and/or an application for license to conduct a horseracing meeting shall file with the Board a Notice of Intention to file such applications ... no later than **one hundred**

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**twenty (120) days** in advance of the proposed or scheduled date for the commencement of the [race] meeting [in question].... (emphasis added)”

Furthermore, in Section 1 of the CHRB’s “Advisory for Board Meetings” dated October 30, 2024, the CHRB reiterated that “CHRB rules require applications and associated materials to be filed with the Board *at least 90 days* prior to the first day of racing or operation for review, investigation and approval (emphasis added).”

Since the proposed start date for the Proposed Pleasanton Race Meet is June 10, 2025, that proposed start date obviously fails to comply with both the 120-day advance notice period required by the above-cited CHRB Rule 1431 and the minimum 90-day advance notice period referenced in the “Advisory for Board Meetings” that the CHRB issued very recently (i.e., as of October 30, 2024).

We understand that one of the very important reasons for requiring this type of advance notice is so that the CHRB (as well as interested Stakeholders) can have sufficient time to perform due diligence on the proposed licensee by, among other things, investigating the proposed licensee’s financial strength, good character, business plan, marketing plan, and all the other details that go into the ability to operate a clean and successful race meet in California.

Since the time frame between now and the June 10, 2025 proposed start date for the Proposed Pleasanton Race Meet is so short, it appears to us that neither the CHRB nor the various Stakeholders will have sufficient opportunity to conduct the due diligence investigation of the proposed licensee that is so crucial to maintaining the integrity and success of California Horse Race Meetings.

For these reasons, we respectfully request, on behalf of our client, that the CHRB not move forward with allocating the Proposed Pleasanton Race Dates or granting a license to the proposed licensee for the operation of the Proposed Pleasanton Race Meet.

With regard to the proposed racing dates for Humboldt County/Ferndale (August 13 – September 2, 2025), while those racing dates seem to fall within the 120-day statutory/regulatory timeframe, for reasons similar to the underlying rationale for our objections to the Proposed Pleasanton Race Meet, we also respectfully object to the allocation of the proposed racing dates to Humboldt County/Ferndale as well.

In particular, we do not believe the various Stakeholders will have sufficient time to undertake the necessary comprehensive review/analysis of the economic impact to the Industry of that proposed Humboldt County/Ferndale Race Meet. This lack of time is further exacerbated by the fact that it does not appear as if anyone has yet stepped forward to act as the licensee for that proposed Humboldt County/Ferndale Race Meet. Just like with Pleasanton, the CHRB and the Stakeholders will also need sufficient time to perform a full due diligence review on the proposed licensee for that Meet as well.

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These concerns are heavily influenced by what happened last year when we were all rushed, somewhat at the last minute, to move forward with the October 19 – December 18, 2024 Golden State Meet at Pleasanton. Based upon the rushed nature of that Golden State/Pleasanton Application, combined with the “shock to the Industry’s ecosystem” resulting from new race dates at new locations, the Industry ended-up losing millions of dollars last year as a result of that very rushed process. Given the fragile nature of our California Horseracing Industry, we can ill afford another one of those multi-million dollar debacle.

The TOC greatly appreciates the opportunity to have its “voice heard” on these very important matters.

Sincerely,



Eddie Mishow,  
Attorney for the TOC

cc: Client (TOC)