

CALIFORNIA HORSE RACING BOARD
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WATCH AND WAGER LLC – CAL EXPO

TO THE CALIFORNIA HORSE RACING BOARD

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ROBERT B. MILLER, CHIEF COUNSEL CHRB

Proceedings of the Board of Stewards for the period of Monday, February 16, 2015 through Sunday, February 22, 2015. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

Monday

02/16/15 (1) **Dark Day**

Tuesday

02/17/15 (1) **Entries for Friday, Saturday & Sunday Draw**

The racing office was open this morning accepting entries for this week's three (3) racing programs (02/20, 02/21 and 02/22). At the 3:00PM draw for Friday's card seventy (70) head were drawn to compete in a ten (10) race card. Immediately following a draw was conducted for Saturday's card with seventy (70) head programmed to start in ten (10) races. Scratch time for both cards is tomorrow (Wednesday) at 9:00AM.

02/17/15 (2) **Dark Day**

Wednesday

02/18/15 (1) **Scratch Time for Friday & Saturday Cards**

At scratch time for Friday's card there were numerous driver corrections and no other changes or corrections. At scratch time for Saturday's card there were numerous driver corrections and one (1) lasix update.

02/18/15 (2) **Draw for Sunday's Card**

A draw was conducted for Sunday's card with sixty three (63) head drawn to contest nine (9) races. Scratch time is tomorrow (Thursday) at 9:00AM.

02/18/15 (3) **Dark Day**

Thursday**02/19/15 (1) Scratch Time for Sunday's Card**

At scratch time for Sunday's program there were numerous driver corrections and no other changes. No Cal-sired or Cal-bred races were used this week.

02/19/15 (2) Dark Day**Friday****02/20/15 (1) Informal Hearing (Re: CHRB Complaint Case No: 15SW0004)**

This complaint involved a Phenylbutazone overage (2.61 ug/ml) on the horse "Peruvian Paradise" who participated in a qualifying race on December 20, 2014. In attendance were the Cal-Expo Board of Stewards Baker, Meyers and Oke, State Veterinarian Clifford Zucco, Safety Steward Tom McCarthy and Investigator Duane Tadlock, along with the Respondent Steve Nichols.

Trainer Nichols explained that through a series of miscommunications the horse was medicated and subsequently entered to qualify on December 20, 2014. This was Trainer Nichols first 1844 (c) violation in over three (3) years. Based on this fact and upon a recommendation from Dr. Zucco and Equine Medical Director Rick Arthur Trainer Nichols was issued a "formal warning" in the matter. Trainer Nichols was also reminded that the clock starts now with reference to a two (2) year eligibility for a warning and any further violations of 1844 (c) would result in further sanctions.

02/20/15 (2) Informal Hearing (Re: CHRB Complaint Case No: 15SW0003)

This complaint involved a Phenylbutazone overage (3.33 ug/ml) on the horse "La Madawna De Rosa" who competed in the first race on December 20, 2014 finishing first. Attending the hearing was the Cal Expo Board of Stewards Baker, Meyers and Oke, State Veterinarian Clifford Zucco, Safety Steward Tom McCarthy and Investigator Duane Tadlock, along with the Respondent Lester Smith.

Trainer Smith explained that second Trainer (his brother) Leon Smith had administered three (3) "bute" pills to the horse at noon on December 19, 2014. Dr. Zucco explained the proper dosage would be two (2) pills or two (2) grams and this situation would cause the overage. This was Trainer Lester Smith's first 1844 (c) violation in over three (3) years. Based on this fact and the recommendation of Dr. Zucco and Equine Medical Director Rick Arthur Trainer Smith was issued a "formal warning" in the matter. Trainer Smith was also reminded that the clock starts now with regard to the two (2) year eligibility for a warning and any further violations of 1844 (c) would result in further sanctions.

02/20/15 (3) Film Review Driver Steve Wiseman

Driver Steve Wiseman appeared as requested to review his drive in last Sunday's ninth race aboard #1 "Majestic Lass" the eventual second place finisher. At issue was the actions of #1 in the first turn when #5 "Windsun T Bird" (Tim Maier) the eventual race winner was allowed access to the two (2) hole prior to the ¼ mile marker. Driver Wiseman accepted the Stewards assessment of the incident and accepted the following penalty.

Attendance	206
Live Handle (On Track)	\$40,186
Handle (In State)	\$259,266
Handle (Out of State)	\$410,368
Total Handle	\$709,820

Saturday

- 02/21/15 (1) **Qualifying Entries**
The race office was open this morning accepting entries for qualifying races to be contested this evening. The resulting qualifying sheet showed thirty two (32) head competing in five (5) qualifying events with first post at 5:00PM.
- 02/21/15 (2) **Meeting with Trainers and Race Secretary**
The Stewards met with Trainers Denise Maier and Tim Clevenger concerning the late scratches of “Friskie By Design” (Maier) and “Thetoadandme” (Clevenger) from the tenth race on Friday, February 20, 2015. At issue was the fact that neither horse was eligible to the condition that they were entered. This fact was overlooked by the race office resulting in late scratches. Both trainers stated that these horses had both raced in the same condition in their previous start. However, an additional condition (added this week) made both horses ineligible necessitating the scratches. Race Secretary Robin Schadt also attended in order to discuss the matter, and was quite candid in her response and took full responsibility for the error and the circumstances which created the situation. The Stewards advised all concerned that they would take the current situation under advisement and all parties would be advised of any further actions. (More to follow)
- 02/21/15 (3) **Film Review/ Provisional Driver Patrick Galbraith**
Provisional driver appeared as requested in order to review his drive in last evening’s fourth race. At issue was an incident at the 5/8 mile marker when in the opinion of the Stewards Galbraith pulled late forcing eventual race winner #5 “Geevil” (James Kennedy) three (3) wide at that point in the race. Galbraith explained that his horse was slow to respond to his attempt to move out thus creating the situation in question. The Stewards accepted Driver Galbraith’s explanation, but cautioned against any further occurrences of incidents of this nature. Warning issued.
- 02/21/15 (4) **Qualifying Races**
Five (5) qualifying races commencing at 5:00PM in these events twenty six (26) of thirty two (32) participants were successful in their qualifying effort.
- 02/21/15 (5) **Sixth Race Recall**
Starter Ken Fowler signaled a recall when #2 “J K Journey” (Gerald Longo) broke his left line during the start. Quick action by Outrider Billy Don Wainscott and Driver Gerald Longo defused a potentially dangerous situation. After a delay of approximately eight (8) minutes a second attempt at a start went off with no problem.
- 02/21/15 (6) **Program Changes**
5th Race Declaration: #6 “Alligator Falls” – Trainer Salvador Wenceslao
Refund:\$51.59 Injured – Clifford Zucco DVM
8th Race Declaration: #10 “Get Down Tonight” – Trainer James Kennedy
Refund:\$223.70 Injured – Clifford Zucco DVM

02/21/15 (7)	<u>Attendance and Handle</u>	
	Attendance	206
	Live Handle (On Track)	\$27,716
	Handle (In State)	\$178,598
	Handle (Out of State)	\$423,373
		\$629,687

Sunday

02/22/15 (1) **Formal Hearing CHRB Complaint 15SW0005**

This hearing involved a possible violation of CHRB Rule 1874 “Disorderly Conduct.” In attendance were the Cal Expo Board of Stewards (Baker, Meyers and Oke) CHRB Investigator Duane Tadlock and Safety Steward Tom McCarthy. The proceedings were recorded by Wendy Frazier of Frazier Reporting. The hearing was opened and it was quickly realized that Respondent Herrera “could not” or “would not” understand the proceedings. After a short recess the proceeding went back “on the record” and the hearing was recessed until Friday, March 13th at 10:00AM. At which time Respondent Herrera will be provided with an interpreter. (More to follow)

02/22/15 (2) **Decision Regarding Incorrect Entries [Ref: 02/21/15 (2)]**

After some discussion it was decided to take no further action in this matter.

02/22/15 (3) **Sixth Race Inquiry/ No Change**

The inquiry sign was posted in order to review the actions of #6 “Silverlode” (Steve Desomer) the original second place finisher. At issue was the observation that #2 had been ‘inside’ one (1) pylon in the final turn. After reviewing video the Stewards unanimously concluded that #6 gained no advantage thus no change. Driver Desomer was ordered to film review. (More to follow)

02/22/15 (4) **Program Changes**

4th Race Declaration: #2 “Someislandsomewhere” – Trainer Gene Vallandingham
 Refund:\$180.18 Injured – Clifford Zucco DVM
 8th Race Declaration: #7 “Mighty Fine Hi Ho” – Trainer Tim Brown
 Refund:\$79.96 Injured – Clifford Zucco DVM

02/22/15 (5) **Attendance and Handle**

Attendance	142
Live Handle (On Track)	\$28,629
Handle (In State)	\$172,770
Handle (Out of State)	\$394,073
	\$595,472

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
20-Feb	10	2	HOLME BASE	DUNNEBACK	Injured	Zucco	\$ 337.23
20-Feb	10	5	FRISKIE BY DESIGN	MAIER	Not eligible	Stewards	\$ 337.23
20-Feb	10	6	THETOADANDME	CLEVENGER	Not eligible	Stewards	\$ 337.23
21-Feb	5	6	ALLIGATOR FALLS	WENCESLAO	Injured	Zucco	\$ 51.59
21-Feb	8	10	GET DOWN TONIGHT	KENNEDY	Injured	Zucco	\$ 223.70
22-Feb	4	2	SOMEISLANDSOMWHERE	VALLANDINGHAM	Injured	Zucco	\$ 180.18
22-Feb	8	7	MIGHTY FINE HI HO	BROWN	Injured	Zucco	\$ 79.96

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Fresno	\$	3,072.30
Fresno Club One	\$	988.10
Golden Gate	\$	26,641.20
Monterey	\$	5,877.90
Pleasanton	\$	11,492.40
Sacramento	\$	83,455.30
San Jose	\$	20,003.90
San Mateo	\$	32,977.40
Santa Rosa	\$	4,819.20
Stockton	\$	11,608.70
Vallejo	\$	6,169.00
So. California	\$	1,435.00

WATCH AND WAGER LLC – CAL EXPO
SUMMARY 2015

	Mon 02/16	Tues 02/17	Wed 02/18	Thurs 02/19	Fri 02/20	Sat 02/21	Sun 02/22	Total Week	Total Meet
Accidents	D	D	D	D	0	0	0	0	7
Cal-Bred Races	A	A	A	A	0	0	0	0	8
Claims	R	R	R	R	2	1	0	3	26
Disqualifications	K	K	K	K	0	0	0	0	7
Inquiries	D	D	D	D	0	0	1	1	17
Refunds	A	A	A	A	3	2	2	7	70
Rulings	Y	Y	Y	Y	2	0	0	2	30

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

Michael W. "Wayne" Oke, Steward

Will Meyers, Steward

Grant Baker, Steward