

**CALIFORNIA HORSE RACING BOARD**  
**1010 HURLEY WAY, SUITE 300**  
**SACRAMENTO, CA 95825**  
**(916) 263-6000**  
**FAX (916) 263-6042**



**WATCH AND WAGER LLC – CAL EXPO**  
TO THE CALIFORNIA HORSE RACING BOARD

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**JACQUELINE WAGNER, ASSISTANT EXECUTIVE DIRECTOR**  
**ROBERT B. MILLER, CHIEF COUNSEL CHRB**

Proceedings of the Board of Stewards for the period of Monday, January 19, 2015 through Sunday, January 25, 2015. Steward William Meyers was the Reporting and Duty Steward for the enclosed period.

**Monday**

01/19/15 (1) **Dark Day**

**Tuesday**

01/20/15 (1) **Entries for the Week, The Draw for Friday and Saturday**

Friday's ten (10) race program has sixty nine (69) horses entered. No Cal-bred races were used. Saturday's ten (10) race card has seventy four (74) horses entered. No Cal-bred races were carded.

01/20/15 (2) **Dark Day**

**Wednesday**

01/21/15 (1) **Scratches for Friday and Saturday**

One (1) scratch and numerous driver changes were taken for Friday. One (1) scratch and a few driver changes were accepted for Saturday.

01/21/15 (2) **The Draw for Sunday**

Sunday's ten (10) races have seventy two (72) horses scheduled to compete. No Cal-bred races were used.

01/21/15 (3) **Dark Day**

**Thursday**

01/22/15 (1) **Scratches for Sunday**

A few driver changes were taken for Sunday. No scratches were submitted.

01/22/15 (2) **Dark Day**

**Friday****01/23/15 (1) Jose Gomez – Lepe Hearing Case: 15SW0002**

A formal hearing was held today for Owner Jose Gomez-Lepe concerning alleged violations of CHRB Rules 1874 – Disorderly conduct and 1890 (Possession of Contraband). Deputy Chief Dan Dailey presented the case for the CHRB. Others present were Respondent Gomez-Lepe, CHRB Employee Yannet Gonzalez-De Garcia (acting as interpreter), and Nora Lee of Winners Foundation. Mr. Gomez-Lepe was offered his rights and wished to proceed. Testimony was taken from Safety Steward Tom McCarthy and Investigator Duane Tadlock. The Board of Stewards Grant Baker (Chair), Will Meyers and Wayne Oke presided with Wendy Frazier handling court reporter duties. The evidence consisted of two (2) bottles of injectable vitamins, two (2) syringes and also various paraphernalia involved in the smoking of or ingesting illegal human drugs. Mr. Gomez-Lepe tested positive in the field on two (2) occasions for methamphetamine and amphetamine which was confirmed by Quest Diagnostic Laboratories. All testimony was taken and evidence submitted on the record which was then closed. Disposition to follow.

**01/23/15 (2) First Race/ No Show Wagering**

With the late scratch of #4 “Rhi’s Western Star” the field was reduced to four (4) wagering interest. Show wagering was cancelled in accordance with CHRB Rule 1954 (Pari-mutuel pools).

**01/23/15 (3) Third Race Inquiry/ Disqualification**

The inquiry sign was posted to review the stretch drive of tonight’s third race. #4 “Its Not Over” driven by James Lackey shifts out in the stretch on his way to victory. In the process #5 “El Azteca” was closing strongly to #4’s outside. #4 shifts slightly and in the majority opinion (Meyers dissenting) #4 was cost a chance at a better placing.

**01/23/15 (4) Fog Delay**

Steward Grant Baker rode in the starting car from the seventh race on due to fog. Following the seventh the Stewards ordered a delay in the hopes the fog would lift. After forty (40) minutes it was decided to go on with the last three (3) races. The eighth was difficult, but the fog let up for races nine (9) and ten (10).

**01/23/15 (5) Program Scratches**

1 <sup>st</sup> Race Declaration: #4 “Rhi’s Western Star” – Trainer Kennedy Lindsey	
Refund:\$417.80	Injured – Clifford Zucco DVM
10 <sup>th</sup> Race Declarations: #8 “Holy Frijoles” – Trainer James Wilkinson	
	Injured – Clifford Zucco DVM
#9 “Shotgun Rider” – Trainer Bob Johnson	
Total Refunds:\$441.60	Injured – Clifford Zucco DVM

**01/09/15 (8) Attendance and Handle**

Attendance	196
Live Handle (On Track)	\$36,892
Handle (In State)	\$244,892
<u>Handle (Out of State)</u>	<u>\$403,977</u>
Total Handle	\$685,761

**Saturday**01/24/15 (1) **Galbraith Ruling [Ref: 01/18/15 (1)]****RULING # 15**

PROVISIONAL DRIVER **PATRICK GALBRAITH** , WHO DROVE “**JUDGEMENTAL**” IN THE FIRST RACE ON JANUARY 17, 2015, IS HEREBY FINED THE SUM OF ONE HUNDRED (**\$100.00**)\* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #**1530** (CASES NOT COVERED – VIOLATION OF ‘CAL-EXPO HOUSE WHIPPING RULE’ – (4)(A) ANY BLATANT OR EXAGGERATED MOVEMENTS OF THE WHIPPING ARM WHICH WILL RESULT FROM RAISING THE ELBOW ABOVE THE DRIVER’S SHOULDER HEIGHT AND/OR ALLOWING THE HAND HOLDING THE WHIP TO REACH BEHIND THE DRIVER DURING THE USE OF THE WHIP).

The above ruling was issued as a result of last Sunday’s hearing.

01/24/15 (2) **Herrera Ruling****RULING # 16**

DRIVER **HAROLD HERRERA**, WHO DROVE “**BLUE GEM**” IN THE EIGHTH RACE ON SATURDAY JANUARY 17, 2015, IS HEREBY FINED FIFTY (**\$50.00**)\* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #**1731 (G)** (DRIVER INFRACTIONS – FAIL TO COME UP INTO POSITION).

The above ruling was issued after Herrera was contacted and accepted the penalty without hearing. Herrera agreed he could have made a better effort.

01/24/15 (3) **Terrance Essex Merriam/ Re-instated [Ref: 01/17/15 (1)]****RULING # 17**

GROOM/STABLE EMPLOYEE **TERRANCE ESSEX MERRIAM** HAVING APPEARED AND SETTLED HIS FINANCIAL OBLIGATION TO THE CALIFORNIA EXPOSITION AND STATE FAIR IN ACCORDANCE WITH CASE 14SW0049 IS HEREBY RESTORED TO GOOD STANDING. RULING #**14** ISSUED AT WATCH AND WAGER LLC – CAL EXPO ON JANUARY 17, 2015 IS HEREBY SET ASIDE.

The above ruling was issued after the Stewards were informed in writing by Cal-Expo Assistant General Manager Marcia Shell that Mr. Merriam paid the bill to satisfy his obligation.

01/24/15 (4) **Carrera Ruling [Ref: 01/05/15 (1)]****RULING #18**

OWNER **OSMIN CARRERA**, IS HEREBY SUSPENDED FOR THE TERM OF HIS LICENSE (07/2016) AND FINED \*ONE THOUSAND DOLLARS (**\$1,000.00**) FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULES #**1846.5** (POSTMORTEM EXAMINATION –

EVADING NECROPSY OF “NUTMEG’S DAVEY”) AND **1890** (POSSESSION OF CONTRABAND – HYPODERMIC NEEDLE).

FURTHER **OSMIN CARRERA** SHALL UNDERGO A FITNESS HEARING PRIOR TO CONSIDERATION OF FUTURE LICENSING BY THE CALIFORNIA HORSE RACING BOARD.

DURING THE TERM OF SUSPENSION ALL LICENSES AND LICENSE PRIVILEGES OF **OSMIN CARRERA** 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.

The above ruling was issued following deliberation by this Board of Stewards. The severity of blatant disregard for CHRB rules concerning the mandate for necropsies to be performed on racetrack fatalities cannot be overlooked. When the owner of a horse is involved in the covert transportation of a deceased animal, severe penalty is warranted.

01/24/15 (5) **Succarotte Ruling [Ref: 01/18/15 (6)]**

#### **RULING # 19**

DRIVER **ANTHONY SUCCAROTTE**, WHO DROVE “**HELLO SEVENS**” IN THE TENTH RACE ON SUNDAY JANUARY 18, 2015, IS HEREBY FINED THE SUM OF TWO HUNDRED (**\$200.00**)\* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE **#1721 (B)** (DRIVER RULES – JOSTLE, STRIKE, HOOK WHEELS OR INTERFERE WITH ANOTHER HORSE OR DRIVER) AND **1721 (I)** (DRIVING RULES – COMMIT ANY ACT WHICH SHALL IMPEDE THE PROGRESS OF ANOTHER HORSE OR CAUSE HIM TO BREAK) RESULTING IN A DISQUALIFICATION FROM FIRST TO THIRD.

The above ruling was issued after Succarotte accepted the penalty without argument.

01/24/15 (6) **Lackey Ruling [Ref: 01/23/15 (3)]**

#### **RULING # 20**

DRIVER **JAMES LACKEY**, WHO DROVE “**ITS NOT OVER**” IN THE THIRD RACE ON FRIDAY JANUARY 23, 2015, IS HEREBY FINED THE SUM OF TWO HUNDRED (**\$200.00**)\* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE **#1721 (J)** (DRIVING RULES – CHANGE COURSE AFTER SELECTING A POSITION IN THE HOMESTRETCH, OR BEAR IN OR OUT IN SUCH A MANNER AS TO INTERFERE WITH ANOTHER HORSE OR CAUSE HIM TO CHANGE STRIDE OR BREAK). INCIDENT OCCURRED IN THE STRETCH – RESULTING IN A DISQUALIFICATION.

The above ruling was issued after Lackey appeared and reviewed tapes of yesterday’s third race in which his mount was disqualified. Mr. Lackey felt that even though he allowed his horse to shift in the stretch that the action did not cost another horse a placing. Although he was not convinced he accepted the penalty.

- 01/24/15 (7) **Qualifiers**  
Nineteen of twenty made the grade in tonight's four qualifying races.
- 01/24/15 (8) **Racing Good**  
Tonight's ten race card was conducted without incident.
- 01/24/15 (9) **Program Changes**  
2<sup>nd</sup> Race Declaration: #4 "Rhi's Acus That's Y" – Trainer Kennedy Lindsey  
Refund:\$61.40 Injured – Clifford Zucco DVM  
6<sup>th</sup> Race Declaration: #2 "Rhaps Odys Star" – Trainer Daniel Gassien  
Refund:\$168.90 Injured – Clifford Zucco DVM
- 01/24/15 (8) **Attendance and Handle**
- |                        |           |
|------------------------|-----------|
| Attendance             | 209       |
| Live Handle (On Track) | \$48,417  |
| Handle (In State)      | \$260,546 |
| Handle (Out of State)  | \$368,304 |
| Total Handle           | \$677,267 |

**Sunday**

- 01/25/15 (1) **Denise Maier Ruling**

**RULING # 21**

TRAINER DENISE MAIER, WHO STARTED "FRISKIE BY DESIGN" IN THE SECOND RACE ON SATURDAY JANUARY 24, 2015, IS HEREBY FINED FIFTY (\$50.00)\* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1894 (DUTIES OF TRAINER – HORSE LATE TO PADDOCK).

The above ruling was issued after "Friskie By Design" arrived late to the paddock with no excuse.

- 01/25/15 (2) **Second Race Inquiry/ Disqualification**  
The inquiry sign was posted to review an incident in the stretch involving fourth place finisher #7 "Marion Miss Julie" (George Luster) and fifth place finisher #4 "Snoops Electric" (Daniel Gassien). Tapes show #7 come out in mid-stretch booking wheels with #4. The action cost #4 a change at a better placing in an unanimous opinion of the Stewards. #7 was disqualified and placed fifth.
- 01/25/15 (3) **Program Changes**  
2<sup>nd</sup> Race Declaration: #2 "Panama Lady" – Trainer Keith Willey  
Refund:\$170.40 Injured – Clifford Zucco DVM  
2<sup>nd</sup> Race Driver Change: Lemoyne Svendsen for Steve Desomer – Sick
- 01/25/15 (4) **Attendance and Handle**
- |                        |           |
|------------------------|-----------|
| Attendance             | 108       |
| Live Handle (On Track) | \$35,079  |
| Handle (In State)      | \$156,646 |
| Handle (Out of State)  | \$472,280 |
| Total Handle           | \$664,005 |

**VETERINARIAN RECOMMENDED SCRATCHES**

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
23-Jan	1	4	RHI'S WESTERN STAR	LINDSEY	Injured	Zucco	\$ 417.80
23-Jan	10	8	HOLY FRIJOLIES	WILKINSON	Injured	Zucco	\$ 220.80
23-Jan	10	9	SHOTGUN RIDER	JOHNSON	Injured	Zucco	\$ 220.80
24-Jan	2	4	RHI'S ACUS THAT'S Y	LINDSEY	Injured	Zucco	\$ 61.40
24-Jan	6	2	RHAPS ODYS STAR	GASSIEN	Injured	Zucco	\$ 168.90
25-Jan	2	2	PANAMA LADY	WILLEY	Injured	Zucco	\$ 170.40

**WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES**

Fresno	\$	2,400.00
Fresno Club One	\$	768.60
Golden Gate	\$	24,719.20
Monterey	\$	6,192.60
Pleasanton	\$	9,843.90
Sacramento	\$	95,712.30
San Jose	\$	17,430.60
San Mateo	\$	27,898.90
Santa Rosa	\$	4,430.70
Stockton	\$	9,005.90
Vallejo	\$	10,906.00
So. California	\$	1,395.10

**WATCH AND WAGER LLC – CAL EXPO  
SUMMARY 2015**

	Mon 01/19	Tues 01/20	Wed 01/21	Thurs 01/22	Fri 01/23	Sat 01/24	Sun 01/25	Total Week	Total Meet
<b>Accidents</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Cal-Bred Races</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Claims</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>5</b>	<b>15</b>
<b>Disqualifications</b>	<b>K</b>	<b>K</b>	<b>K</b>	<b>K</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>7</b>
<b>Inquiries</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>12</b>
<b>Refunds</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>6</b>	<b>39</b>
<b>Rulings</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>0</b>	<b>6</b>	<b>1</b>	<b>7</b>	<b>21</b>

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

\_\_\_\_\_  
**Will Meyers, Steward**

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**Grant Baker, Steward**

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**Michael W. "Wayne" Oke, Steward**