

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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ROBERT B. MILLER, CHIEF COUNSEL CHRB

Proceedings of the Board of Stewards for the period of Monday, December 15, 2014 through Sunday, December 21, 2014. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

Monday

12/15/14 (1) **Dark Day**

Tuesday

12/16/14 (1) **Entries for Saturday and Sunday (12/20/14 and 12/21/14)**

The race office was open this morning accepting entries for Saturday, December 20th and Sunday, December 21st.

12/16/14 (2) **Draw for Saturday 12/20/14**

At the 3:00PM draw for Saturday's card one hundred twenty three (123) head were drawn to compete in fourteen (14) overnight events. Scratch time is tomorrow (Wednesday) at 9:00AM.

12/16/14 (3) **Dark Day**

Wednesday

12/17/14 (1) **Scratch Time for Saturday**

At scratch time for Saturday's card there were numerous driver corrections and no other changes.

12/17/14 (2) **Draw for Sunday 12/21/14**

At the 10:00AM draw for Wednesday's card one hundred seven (107) head were drawn to compete in thirteen (13) overnight events. Scratch time is tomorrow (Thursday) at 9:00AM.

12/17/14 (3) **Dark Day**

Thursday12/18/14 (1) **Scratch Time for Sunday's Card**

At scratch time for Sunday's card there were numerous driver corrections, one (1) Stewards scratch (horse not eligible) and one (1) injured scratch.

12/18/14 (2) **Dark Day****Friday**12/19/14 (1) **Dark Day****Saturday**12/20/14 (1) **Qualifying Entries**

The race office was open this morning accepting entries for qualifying races to be conducted prior to this evening's pari-mutuel program. The resultant qualifying sheet showed twenty four (24) head participating in four (4) qualifying races. Post time was set for 4:30PM.

12/20/14 (2) **Film Review/ Driver James Kennedy**

Driver James Kennedy appeared as requested in order to review his drive in last Sunday's second race aboard #6 "Red Star Wild One." At issue was #6's failure to "come into position" behind the mobile starting gate. After reviewing video of the start and talking with Driver Kennedy the Stewards were of the unanimous opinion that Driver Kennedy made an acceptable effort, but was cautioned and committed to a better effort. In light of Driver Kennedy's record the Stewards felt a warning was sufficient.

12/20/14 (3) **Urine Stall in Paddock Area**

The Duty Steward was contacted by CHHA Horseman's Representative Robin Clements concerning the placing of a "urine stall" within the restricted area in the paddock. An agreement had been reached with Watch and Wager management as to location and they needed permission of the Board of Stewards in order to proceed. The Board of Stewards discussed the request and permission was granted.

12/20/14 (4) **Qualifying Race**

Four (4) qualifying races were conducted this evening with twenty (20) of twenty three (23) participants successful in their qualifying effort.

12/20/14 (5) **First Race/Trainer Sanction**

The Stewards were contacted by the identifier Carl Sobey to inform that #7 "Legality" trained by Stephen Farrell Jr. was late to the paddock. As Trainer Farrell Jr. could offer no viable explanation for the tardiness thus the following ruling was issued.

RULING # 23

TRAINER STEPHEN FARRELL, WHO TRAINED "LEGALITY" IN THE FIRST RACE ON SATURDAY DECEMBER 20, 2014, IS HEREBY FINED THE SUM OF FIFTY (\$50.00)* DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1530 (CASES NOT

COVERED BY RULES AND REGULATIONS – HORSE LATE REPORTING TO PADDOCK).

12/20/14 (6) **Eleventh Race Inquiry/ Disqualification**

The “inquiry sign” was posted in order to review two (2) incidents which occurred during the running of the race. In the first instance #7 “Artsbred Camotion” (Luke Plano) the eventual fourth place finisher was observed “off stride” before the start. After reviewing video the Stewards unanimous concluded that #7 complied with the “breaking rule” thus no change. In the second incident #6 “Pamsfoolishterror” (Steve Wiseman) broke stride at the ¾ mile marker and while off stride interfered with #1 “Cowboy Cold” (David Siegel). As a result #6 was disqualified and placed behind #1 in the official order of finish. Driver Wiseman was held blameless in the incident.

Original order of finish: 8,2,5,7,9,**6**,3,10,1

Official order of finish: 8,2,5,7,9,3,10,1,**6**

12/20/14 (7) **Twelfth Race/ Recall**

Starter Ken Fowler flashed the “recall lights” when #2 “Nottin To Much” (David Siegel) suffered broken equipment (head pole) prior to the start. After repair a second attempt at a start was successful. The situation resulted in approximately five (5) minute delay.

12/20/14 (8) **Program Changes**

11th Race Declaration: #4 “Me Tarzan” – Trainer Gordon Graham

Refund:\$38.95

Injured – Clifford Zucco DVM

12/20/14 (9) **Attendance and Handle**

Attendance	194
Live Handle (On Track)	\$44,395
Handle (In State)	\$296,675
<u>Handle (Out of State)</u>	<u>\$527,305</u>
Total Handle	\$868,375

Sunday

12/21/14 (1) **Informal Hearing Re: CHRB Complaint #14SW0049**

An informal hearing was convened relative to the aforementioned complaint. In attendance was Respondent Essex Merriam (although rather tardily), Marsha Schell representing Cal Expo, and the Cal Expo Board of Stewards including Safety Steward Tom McCarthy. At issue was past due lot rent payments in the horsemen’s trailer park in an amended total of thirty three hundred thirty dollars (\$3,300.00). Licensee Merriam acknowledged his indebtedness and stated quite simply that he was “broke.” Ms. Schell took the position that the situation could be partly rectified by Merriam vacating the lot and stopping the monthly fee. After some discussion an agreement was reached whereby Merriam would remove his trailer from the premises on or before January 1, 2015 and would pay two hundred dollars (\$200.00) per month commencing on January 15, 2015 in order to satisfy the outstanding balance. The agreement was memorialized and Merriam was advised that failure to abide by the terms of this agreement could result in the suspension of his license privileges. A point of interest is the fact

that licensee Merriam was upset with the misconception that a financial complaint filed with the investigative staff had not received the same priority as the current complaint. Licensee Merriam was made aware that his complaint was not brought before the Board of Stewards therefore that body could not act on same.

12/21/14 (2) **Third Race/ Recall**

Starter Ken Fowler flashed the “recall lights” prior to the start of the third race when #4 “Emmaroseofhangtown” (Mike Jarvis) suffered broken equipment. After a delay of approximately five (5) minutes a second attempt at a start was successful. #4 who broke stride before the start on the second attempt at a start was placed on the “Stewards list” and must re-qualify before allowed to start in an overnight event.

12/21/14(3) **Tenth Race/ Drivers Contacted**

After the tenth race was declared official Starter Ken Fowler contacted the Stewards and informed that the driver of #7 “Free Girl” (David Siegel) was being sanctioned for “failure to come up into position” behind the mobile starting gate. Driver Siegel waived his right to a hearing and the following ruling was issued.

RULING # 25

DRIVER **DAVID SIEGEL**, WHO DROVE “**FREE GIRL**” IN THE TENTH RACE ON DECEMBER 21, 2014, IS HEREBY FINED THE SUM OF FIFTY **(\$50.00)*** DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE #1731 (G) (DRIVER INFRACTIONS – FAIL TO COME UP INTO POSITION).

At the same time Driver Luke Plano “Im Fasterthanu” was summoned to film review in order to examine his actions during the stretch drive. More to follow.

12/21/14 (4) **Program Changes**

2 nd Race Declaration #4 “Lady’s Art” – Trainer James Wilkinson	
Refund:\$252.85	Injured – Clifford Zucco DVM
3 rd Race Declaration: #1 “Little Cher Amio” – Trainer George Reider	
Refund:\$90.70	Injured – Clifford Zucco DVM
5 th Race Declarations: #6 “Van Donk” – Trainer Bob Johnson	
	Injured – Clifford Zucco DVM
#7 “L S Orchardwinner” – Trainer Lester Smith	
Total Refunds:\$186.50	Injured – Clifford Zucco DVM

12/21/14 (5) **Attendance and Handle**

Attendance	163
Live Handle (On Track)	\$47,798
Handle (In State)	\$215,280
<u>Handle (Out of State)</u>	<u>\$552,582</u>
Total Handle	\$813,660

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
20-Dec	11	4	ME TARZAN	GRAHAM	Injured	Zucco	\$ 38.95
21-Dec	2	4	LADY'S ART	WILKINSON	Injured	Zucco	\$ 252.85
21-Dec	3	1	LITTLE CHER AMIO	REIDER	Injured	Zucco	\$ 90.70
21-Dec	5	6	VAN DONK	JOHNSON	Injured	Zucco	\$ 93.25
21-Dec	5	7	L S ORCHARDWINNER	SMITH	Injured	Zucco	\$ 93.25

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Fresno	\$	3,623.30
Fresno Club One	\$	906.60
Golden Gate	\$	22,372.20
Monterey	\$	3,648.90
Pleasanton	\$	12,201.00
Sacramento	\$	82,317.10
San Jose	\$	16,662.20
San Mateo	\$	23,497.90
Santa Rosa	\$	3,602.10
Stockton	\$	6,896.10
Vallejo	\$	7,540.60
So. California	\$	1,526.10

WATCH AND WAGER LLC – CAL EXPO
SUMMARY 2014

	Mon 12/15	Tues 12/16	Wed 12/17	Thurs 12/18	Fri 12/19	Sat 12/20	Sun 12/21	Total Week	Total Meet
Accidents	D	D	D	D	D	0	0	0	0
Cal-Bred Races	A	A	A	A	A	0	0	0	3
Claims	R	R	R	R	R	1	0	1	21
Disqualifications	K	K	K	K	K	1	0	1	19
Inquiries	D	D	D	D	D	1	0	1	29
Refunds	A	A	A	A	A	1	4	5	52
Rulings	Y	Y	Y	Y	Y	0	2	2	24

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

Michael W. "Wayne" Oke, Steward

Will Meyers, Steward

Grant Baker, Steward