

CALIFORNIA HORSE RACING BOARD
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WATCH AND WAGER LLC – CAL EXPO
TO THE CALIFORNIA HORSE RACING BOARD
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Proceedings of the Board of Stewards for the period of Monday, April 22, 2013 through Sunday, April 28, 2013. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

04/22/13 (1) **Entry Day**

The racing office was open today accepting entries for Friday, April 26th and Saturday, April 27th.

04/22/13 (2) **Dark Day**

Tuesday

04/23/13 (1) **Double Draw Day**

The racing office was open today and races were drawn for Friday, April 26th and Saturday, April 27th. One (1) non-betting and fourteen (14) pari-mutuel races are slated for April 26th. One hundred four (104) horses are scheduled to start in the pari-mutuel events. Fourteen (14) races were drawn for April 27th. One hundred three (103) horses are scheduled to start.

04/23/13 (2) **Dark Day**

Wednesday

04/24/13 (1) **Scratch Time**

Scratches and changes for racing on Friday, April 26th and Saturday, April 27th were taken in the racing office. There were twenty (20) driver selections/changes for April 26th. There were nineteen (19) driver changes/selections for April 27th. No scratches were submitted for either day. All changes were activated after today's 9:00 AM deadline.

04/24/13 (2) **Dark Day**

Thursday**04/25/13 (1) Disqualification Hearings [Ref: Case #'s: 13SW0006 and 13SW0043]**

Two (2) disqualification hearings were held today concerning the horse "Feetdon'tfailmenow" who tested positive for the Class 3 drug 'Norpropoxyphene' (Darvon) on January 5, 2013 and January 12, 2013. CHRB Veterinarian Robert Goodbary, CHRB Investigator Carol Ann Nolan and the stewards were present. Wendy Frazier (Frazier Reporting) transcribed the proceedings. Trainer Gretchen Smith was also present. Rulings to follow.

04/25/13 (2) Gretchen Smith Hearings [Case #: 13SW0006 and Case #: 13SW0043]

Two (2) separate complaints were heard as one (1) today in a formal hearing at Cal Expo. This matter involves Trainer Gretchen Smith who trained "Feetdon'tfailmenow" who finished first on January 5, 2013 and second January 12, 2013 at Cal Expo. The official urine sample following both of these races contained the drug, Norpropoxyphene (Darvon) which is a Class 3 drug. These urine test samples were confirmed by U.C. Davis Laboratories. Testimony indicated Trainer Smith was notified of the issue regarding the first (January 5, 2013) urine sample result after the second (January 12, 2013) urine sample was taken. These two (2) separate complaints were presented at the hearing today by California Horse Racing Board Investigator Carl Ann Nolan. Also present today was CHRB Veterinarian Robert Goodbary, the Stewards and Court Report Wendy Frazier (Frazier Reporters). Testimony was given and documents were presented before closing statements were given. The record was closed and the stewards will now deliberate on this matter. More to follow.

04/25/13 (3) Liberio Pacheco Ruling (Case #: 12SW0068) [Ref: 3/07/13 (2)]**RULING # 43**

ACTING UPON A SIGNED STIPULATED SETTLEMENT AGREEMENT BETWEEN THE CALIFORNIA HORSE RACING BOARD (DATED APRIL 24, 2013) AND TRAINER **LIBERIO PACHECO**, THE CAL- EXPO BOARD OF STEWARDS HEREBY SUSPEND TRAINER LIBERIO PACHECO FOR A PERIOD OF THIRTY (30) DAYS (APRIL 26, 2013 THROUGH MAY 25, 2013 INCLUSIVE) AND ISSUE A FINE IN THE AMOUNT OF ONE THOUSAND FIVE HUNDRED (\$1,500.00)* DOLLARS FOR VIOLATION OF CHRB RULE #1840 (VETERINARY PRACTICES AND TREATMENT RESTRICTED), CHRB RULE #1890 (a) (b) (POSSESSION OF CONTRABAND – MEDICATION, NEEDLES AND SYRINGES) AND CHRB RULE #1894 (DUTIES OF TRAINER). TRAINER PACHECO SHALL PAY SAID FINE ON OR BEFORE MAY 3, 2013.

The stewards issued the ruling above in accordance with a Stipulated Settlement Agreement between the California Horse Racing Board and Trainer Liberio Pacheco. The ruling above reflects the terms agreed to by these two (2) parties.

04/25/13 (4) Dark Day

Friday**04/26/13 (1) Disqualification Ruling (#44) (Case #: 13SW0006) [Ref: 4/25/13 (1)]**

The ruling below is the result of a hearing that was held yesterday in the Cal-Expo stewards office.

RULING #44

Acting upon a report from University of California, Davis, an official laboratory for the California Horse Racing Board that the urine sample #CE20215 taken from the horse "Feetdon'tfailmenow" the First Place finisher in the Fourteenth Race at Watch and Wager LLC (Sacramento) on January 5, 2013 tested positive for Norpropoxyphene (Class 3). It is hereby ordered that "Feetdon'tfailmenow" be disqualified from all purse monies earned in said race, in accordance with California Horse Racing Board Rule # 1859.5 (Disqualification Upon Positive Test Finding).

It is further ordered that all purse monies earned or awarded to Owner Gretchen Susanne Smith and Britney L. Dillon (\$945.00) Driver Luke Plano (\$52.50) and Trainer Gretchen Smith (\$52.50) be returned to the Paymaster of Purses by May 11, 2013 for redistribution pursuant to California Horse Racing Board Rule #1760 (Purse Award or Prize to be Withheld).

The Revised Order Of Finish Is As Follows:

- 1st "Cigarchompin Mona"
- 2nd "Silver Bloom"
- 3rd "Colorado Rose"
- 4th "Barona Destiny"
- 5th "Gee Up"

All records are ordered changed to reflect this ruling. In accordance with California Horse Racing Board Rule #1956 (Race Declared Official), this ruling shall not affect the pari-mutuel payoffs.

04/26/13 (2) Disqualification Ruling (#45) (Case #: 13SW0043) [Ref: 4/25/13 (1)]

The ruling below is also the result of a hearing that was held yesterday in the Cal-Exp stewards office.

RULING #45

Acting upon a report from University of California, Davis, an official laboratory for the California Horse Racing Board that the urine sample #CE20281 taken from the horse "Feetdon'tfailmenow" the Second Place finisher in the Second Race at Watch and Wager LLC (Sacramento) on January 12, 2013 tested positive for Norpropoxyphene (Class 3). It is hereby ordered that "Feetdon'tfailmenow" be disqualified from all purse monies earned in said race, in accordance with California Horse Racing Board Rule # 1859.5 (Disqualification Upon Positive Test Finding).

It is further ordered that all purse monies earned or awarded to Owner Gretchen Susanne Smith and Britney L. Dillon (\$540.00) Driver Luke Plano (\$30.00) and Trainer Gretchen Smith (\$30.00) be returned to the Paymaster of Purses by May 11, 2013 for redistribution pursuant to California Horse Racing Board Rule #1760 (Purse Award or Prize to be Withheld).

The Revised Order Of Finish Is As Follows:

- 1st "Juntique"
- 2nd "Sun on the Rocks"
- 3rd "Red Star Penny"
- 4th "Just Plum Lucky"
- 5th "Poorlittlerichgirl"

All records are ordered changed to reflect this ruling. In accordance with California Horse Racing Board Rule #1956 (Race Declared Official), this ruling shall not affect the pari-mutuel payoffs.

04/26/13 (3) **Robert Johnson Meeting**

Trainer Robert Johnson and CHRB Investigator Carol Ann Nolan came into the steward's office at Trainer Johnson's request. A hearing was originally scheduled for May 3, 2013 in order to address Case #: 13SW0042. The complaint reads as follows.

On March 30, 2013, the horse "Igotwhatuneed" races at Cal Expo in the twelfth race, finishing first. The official urine test taken, #CE20844 was sent to the U.C. Davis Maddy Laboratory, where results indicated the presence of Carbazochrome, a prohibited drug substance, Class 4, penalty C.

Johnson is the leading trainer here at Cal-Expo once again this meet and has an uneventful medication history here. Trainer Johnson signed CHRB Form-119 (Optional Waiver of Appearance) thereby waiving his right to a hearing and accepting the penalty that is now being assessed by the stewards in ruling form below:

RULING #46

TRAINER **ROBERT JOHNSON**, WHO STARTED THE HORSE **"IGOTWHATUNEED"** FIRST PLACE FINISHER IN THE TWELFTH RACE AT CAL-EXPO ON MARCH 30, 2013, IS FINED THE SUM OF FIVE HUNDRED **(\$500.00)*** DOLLARS PURSUANT TO CALIFORNIA HORSE RACING BOARD RULE **#1887** (TRAINER TO INSURE CONDITION OF HORSE) FOR VIOLATION OF CHRB RULE #1843 (a) & (b) (MEDICATION, DRUGS AND OTHER SUBSTANCES: UNAPPROVED MEDICATION; CARBAZOCHROME [CLASS 4]).

04/26/13 (4) **Horsemen's Bookkeeper Off**

Barbara Fairchild is filling in as Paymaster of Purses this weekend for Glen Harris who is off for personal reasons.

04/26/13 (5) **No Show Wagering**

Show Wagering was cancelled as requested by Watch and Wager.Com for tonight's second race. This race (California Sires Stake – Purse \$10,000) had five (5) starters. Post time favorite #3 "Show Runner" (odds 4/5) (Driver Tim Maier) went on to win this event.

04/26/13 (6) **Third Race Inquiry**

The stewards posted the inquiry sign after viewing an incident with less than a quarter mile left to race. At this juncture eventual first place finisher #2 "Alpine Hawk" (Richard Wojcio) was racing along the pylons behind the race leader. He then shifts outward, attempting to obtain clearance, and puts 'a wheel under' eventual fifth place finisher #3 "Rich Dessert" (Tim Maier). While this action warranted further review the stewards were not convinced that #3 "Rich Dessert" lost an opportunity for fourth position due to this incident. The stewards reviewed all replay angles. In a unanimous decision 'no change' was made in the order of finish. Driver Richard Wojcio was ordered to film review with the stewards tomorrow.

04/26/13 (7) **Ninth Race Inquiry – Disqualification**

The stewards posted the inquiry sign in order to review the actions of two (2) horses involved in this race's minor placings. Original sixth place finisher #4 "Western Tower" (Robert Roesch) went on a break in deep stretch and across the finish line. Seventh place finisher #3 "Hello Sevens" (David Siegel) was lapped on the hind quarters of this rival at the finish. The stewards enforced CHRB Rule #1723 (Lapped On Break) and disqualified #4 "Western Tower" and place him seventh.

Original order of finish: 8-7-1-2-6-~~4~~-3-5

Official order of finish: 8-7-1-2-6-3-~~4~~-5

04/26/13 (8) **Program Changes**

5th Race - #1 "Kates Beer Bunny" – Delete Lasix

8th Race Declaration - #8 "Devin Hall" – Trainer Richard Dunneback

Refund:\$75.40

Injured – Robert Goodbary DVM

04/26/13 (9) **Attendance and Handle**

Attendance	358
Live Handle (On Track)	\$37,843
Handle (In State)	\$209,796
Handle (Out of State)	<u>\$371,176</u>
Total Handle	\$618,815

Saturday

04/27/13 (1) **Qualifying Races**

Two (2) qualifying races were held prior to tonight's fourteen (14) race pari-mutuel card. Out of the eight (8) participants seven (7) made the grade.

04/27/13 (2) **George Anthrop – Late to Paddock**

RULING # 47

TRAINER **GEORGE ANTHROP**, WHO STARTED THE HORSE **“WESTERN TOWER”** IN THE NINTH RACE ON FRIDAY APRIL 26, 2013, AT CAL EXPO, CA IS HEREBY FINED THE SUM OF ONE HUNDRED **(\$100.00)*** DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE **#1530** (CASES NOT COVERED BY RULES OR REGULATIONS – FAILURE TO HAVE HORSE IN PADDOCK ON TIME).

The ruling above was issued after the stewards were alerted of a situation by Horse Identifier Carol Sobey. Official Sobey informed the steward that the George Anthrop trained “Western Tower” arrived in the paddock when the ‘official sign’ was posted for the eighth race.

04/27/13 (3) **New Track Record**

In tonight’s third race odds on (2/5) favorite #5 “KD Amazin Spirit” (Driver Scott Cisco) set a new track record for ‘aged trotters’. This seven (7) year old Keith Willey trained charge tripped the timer in 1:54 2/5 seconds.

04/27/13 (4) **Richard Wojcio Film Review [Ref: 4/26/13 (1)]**

Driver Richard Wojcio appeared in the stewards office to review his drive aboard first place finisher #2 “Alpine Hawk” who survived a stewards inquiry in the third race last night (Friday, April 26th). Driver Wojcio acknowledged that he used poor judgement before shifting out and putting a wheel under rival #3 “Rich Dessert” in this race. This typically safe veteran driver completely understood the stewards enforcement of CHRB Rule #1721 (B) (Driving Rules) in this matter. In a unanimous vote the stewards issued the following ruling:

RULING # 48

DRIVER **RICHARD WOJCIO**, WHO DROVE **“ALPINE HAWK”** IN THE THIRD RACE ON FRIDAY APRIL 26, 2013, IS HEREBY FINED THE SUM OF ONE HUNDRED **(\$100.00)*** DOLLARS FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULE **#1721 (b)** (DRIVING RULES – JOSTLE, STRIKE, HOOK WHEELS, OR INTERFERE WITH ANOTHER HORSE OR DRIVER). INCIDENT OCCURRED PAST THE ¾ MILE MARKER.

04/27/13 (5) **Third Race Recall**

Starter Bill Vallandingham flashed his recall lights prior to this evenings third race. #4 “Stars and Glides” (Trainer Bruce Clarke) had broken equipment. A second attempt at a start went smoothly.

04/27/13 (6) **Tenth Race – No Show Wagering**

Due to the late program scratch (4:30 PM) of #1 “Old Blue” (Trainer Lemoyne Svendsen) tonight’s third race was reduced to four (4) starters at which time the steward’s cancelled Show Wagering and appropriate refunds were made.

04/27/13 (7) **Twelfth Race Inquiry**

The stewards posted the inquiry sign to check if fifth place finisher #3 “Peppy Jack B” (Lemoyne Svendsen) complied with CHRB Rule #1722 (Breaking) following a break in mid-stretch. Following film review, in a unanimous decision ‘no change’ was made in the order of finish.

04/27/13 (8) **Thirteenth Race Inquiry – Disqualification**

The stewards held a brief inquiry following a break at the finish by sixth place finisher #7 “Alexander Penn” (Gene Vallandingham). The photo at the finish line showed seventh place finisher #6 “Bullet Tooth Tony” (Clint Warrington Jr) was lapped – on this rival. The stewards enforced CHRB Rule #1723 (Lapped – on Break) and #7 “Alexander Penn” was disqualified and placed seventh (last).

Original order of finish: 2-4-1-5-3-~~7~~-6

Official order of finish: 2-4-1-5-3-6-~~7~~

04/27/13 (9) **Program Changes**

10th Race Declaration - #1 “Old Blue” – Trainer Lemoyne Svendsen

Refund:\$60.00

Sick – Robert Goodbary DVM

12th Race Declaration - #7 “Hell N Damination” – Trainer Amanda Fraser

Refund:\$84.40

Injured – Robert Goodbary DVM

04/27/13 (10) **Attendance and Handle**

Attendance	374
Live Handle (On Track)	\$30,600
Handle (In State)	\$175,323
Handle (Out of State)	<u>\$377,552</u>
Total Handle	\$583,475

W E E K L Y S U M M A R Y

ATTENDANCE**REPORT -**

The full Board of Stewards was 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
26-Apr	8	8	DEVIN HALL	RICHARD DUNNEBACK	Injured	Goodbary	\$75.40
27-Apr	10	1	OLD BLUE	LEMOYNE SVENDSEN	Sick	Goodbary	\$60.00
27-Apr	12	7	HELL N DAMINATION	AMANDA FRASER	Injured	Goodbary	\$84.40

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	2,770.80
Fresno	\$	3,872.70
Fresno Club One	\$	906.00
Golden Gate	\$	28,652.60
Monterey	\$	1,533.30
Pleasanton	\$	14,215.80
Sacramento	\$	68,443.70
San Jose	\$	16,727.70
San Mateo	\$	34,496.10
Santa Rosa	\$	5,060.20
Stockton	\$	11,457.70
Tulare	\$	27.90
Turlock	\$	-
Vallejo	\$	10,756.90
No. California	\$	-
So. California	\$	225,251.50
Out of State	\$	-

**WATCH AND WAGER LLC – CAL EXPO
SUMMARY 2013**

	Mon 04/22	Tues 04/23	Wed 04/24	Thurs 04/25	Fri 04/26	Sat 04/27	Total Week	Total Meet
Accidents	D	D	D	D	0	0	0	0
Cal-Bred Races	A	A	A	A	2	1	3	33
Claims	R	R	R	R	1	0	1	7
Disqualifications	K	K	K	K	1	1	2	18
Inquiries	D	D	D	D	2	2	4	158
Refunds	A	A	A	A	1	2	3	154
Rulings	Y	Y	Y	Y	3	2	5	47

**Stewards Attendance: Stewards Baker, Meyers and Oke were in attendance.
All drivers submitted to a breath analyzer test.**

Grant Baker, Steward

Will Meyers, Steward

Michael W. "Wayne" Oke, Steward