

CALIFORNIA HORSE RACING BOARD
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WATCH AND WAGER HARNESS ASSOCIATION

TO THE CALIFORNIA HORSE RACING BOARD
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Proceedings of the Board of Stewards for the period of Monday, October 29, 2012 through Sunday, November 4, 2012. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

Monday

10/29/12 (1) **Entry Day**

The race office was open this morning accepting entries for the opening week of the "Watch and Wager LLC" Harness Meet November 2-3, 2012.

10/29/12 (2) **Clerical Functions**

The usual start-up issues were dealt with; trainer and horse transfers, licensing, etc.

10/29/12 (3) **Issue Re: CHRB Rule #1588 (J)**

The Duty Steward was approached by management relating to the process necessary to obtain a waiver of this rule. The information was provided to the effect "a written request should be forwarded to the Executive Director requesting a waiver".

This rule states "In addition to any other valid ground or reason, a horse is ineligible to start in any race if:

(J) When except with prior approval of the stewards, such horse has not been on the ground of the association or its approved auxiliary stable area for at least twenty four (24) hours prior to the time the race is to be run.

10/29/12 (4) **Dark Day**

Tuesday

10/30/12 (1) **Draw For Friday and Saturday Cards**

At the 9:30am draw for Friday's card one hundred and seven (107) head were drawn to compete in fourteen (14) overnight events. Immediately following ninety-nine (99) head were drawn to compete in thirteen (13) races for Saturday's card. Scratch time for both cards is tomorrow (Wednesday) at 9:00am.

10/30/12 (2) **Dark Day**

Wednesday

10/31/12 (1) **Scratch Time for Friday and Saturday Cards**

At scratch time for Friday's card there were eleven (11) driver corrections, one (1) gelding correction and two (2) trainer corrections.

For Saturday's card there were fourteen (14) driver corrections and four (4) claiming price corrections.

10/31/12 (2) **Dark Day**

Thursday

11/01/12 (1) **Dark Day**

Friday

11/02/12 (1) **Qualifying Entries**

The race office was open this morning accepting entries for qualifying races to be conducted this afternoon at 3:30pm. The resultant "qualifying sheet" showed thirty five (35) head participating in six (6) qualifying races.

11/02/12 (2) **Informal Hearing Re: CHRB Complaint Case: 12SW0063**

This complaint involved a financial responsibility issue filed against trainer James Wilkinson Jr. by Groom Alberto Pacheco involving past wages. Trainer Wilkinson appeared and presented Pacheco with a check in the amount of sixteen hundred (\$1600) dollars which Pacheco accepted as payment in full. Case closed.

11/02/12 (3) **Scratch CHRB Rule #1588 (J)**

At approximately 3:00pm the Board of Stewards were informed by Investigator Carol Nolan that the Horse "Franky Provolone" owned by Robin Clements trained by Vickie Desomer had not arrived at the track until 9:20am today.

In light of this information the stewards unanimously concluded that the horse would be scratched. Trainer Desomer was requested to meet with the stewards tomorrow (Saturday) to further discuss the situation. More to follow.

11/02/12 (4) **Qualifying Races**

Qualifying races were conducted today commencing at 3:30pm in these events twenty-one (21) of thirty (30) participants were successful in their qualifying races.

11/02/12 (5) **Horsemen/Horsewoman Meeting**

A meeting was held in the paddock prior to the evening's first race in order to introduce the new management team as well as give the Board of Stewards an

opportunity to review their expectations for the upcoming race meet. At the conclusion of the meeting those in attendance were treated to a buffet courtesy of Watch and Wager LLC and Golden Bear Raceway.

11/02/12 (6) **Track Conditions**

At the conclusion of sixth race the stewards were contacted by several interested parties including Trainer/Driver Rocky Stidham, CHHA Executive Director Alan Horowitz, Race Secretary Fred Kuebler and Track Superintendent J.R. Williams concerning the condition of the race track. The unanimous contention was that the track was not “fast” at the start of the card and had deteriorated considerably during the course of the evening.

After considerable discussion the Board of Stewards by unanimous decision changed the track condition to “slow” for the remainder of the card. The Board of Stewards will consider a request to change the track conditions relative to races one through six at a later time.

11/02/12 (7) **Clean Card**

With the exception of the previous notation the card was conducted with no problems.

11/02/12 (8) **Trainers Summoned**

Trainer Dario Solares was requested to meet with the stewards concerning the scratch of #4 “Dreaming of Amy” from the eleventh race. Solares was requested to come to the stewards tomorrow afternoon for further discussion. More to follow.

11/02/12 (9) **Program Changes**

3rd Race Declaration - #5 “Franky Provolone” –Trainer Vickie Desomer
Refund:\$64
4th Race Declaration - #5 “Shoot The Works” –Trainer Tim Brown
Refund:\$255.30 Injured – Robert Goodbary, DVM
9th Race Declaration - #7 “The Tappan Zee” – Trainer George Reider
Refund:\$42.40 Injured – Robert Goodbary, DVM
9th Race Declaration - #8 “Dynamite Express” – Trainer Tim Brown
Refund:\$42.40 Injured – Robert Goodbary, DVM
10th Race Declaration - #3 “Stretch Artist” –Trainer Tim Brown
Refund:\$87.30 Injured – Robert Goodbary, DVM
11th Race Declaration - #4 “Dreaming of Amy” – Trainer Dario Solares
Refund:\$93.10 Treated – Robert Goodbary, DVM
11th Race Declaration - #8 “Bobby Baccala” –Trainer George Reider
Refund:\$93.10 Injured – Robert Goodbary, DVM

11/02/12 (10) **Attendance and Handle**

Attendance	
Live Handle (On Track)	\$48,856
Handle (In State)	\$288,874
Handle (Out of State)	<u>\$334,904</u>
Total Handle	\$672,624

Saturday**11/03/12 (1) Trainer and Owner In [REF: 11/02/12 (8)]**

Trainer Dario Solares and Owner Matias Ruiz appeared as requested in order to discuss the circumstances surrounding the “Steward Scratch” of #4 “Dreaming of Amy” from Friday’s fifth race. Owner Ruiz had inquired earlier in the week concerning withdrawal times for the drug “clenbuterol” with the concern being the horse had shipped from the east coast and could have possibly created a problem.

It was noted that the information was not provided prior to the scratch time and when it was discovered the recommended withdrawal time was twenty-one (21) days, a late scratch was requested. The stewards determined unanimously that there would be no penalty but caution in further entries was advised. It was also noted that animals with questionable history could be tested by arranging same with the Official Veterinarian.

11/03/12 (2) Track Conditions Race #1-6 Re: 11/02/12 (6)

The Board of Stewards reviewed the circumstances concerning the track conditions on Friday, November 2, and by majority vote (Steward Baker dissenting) felt that the interests of the wagering public would be better served in assessing the past performance lines on future cards by changing the track conditions to “slow” for the entire card. The Duty Steward will contact the United States Trotting Association and implement the change.

11/03/12 (3) Trainer In [REF: 11/02/12 (3)]

Trainer Vickie Desomer appeared as requested to discuss the “Stewards Scratch” of #5 “Franky Provolone” from Friday’s third race pursuant to CHRB Rule #1588 (J). At issue was the fact the horse did not arrive on the grounds until 9:20am on Friday.

Trainer Desomer provided the Board of Stewards with a written chronological summary of the events leading up to this action. This summary reflected the Board of Stewards understanding as to the events that transpired resulting in the scratch. Principally that Owner Robin Clements had been advised by the Race Secretary Fred Kuebler that shipping on Friday would be acceptable.

After reviewing the facts available to the Board of Stewards it was unanimously concluded that due to the mitigation of the “mixed message” concerning this issue that scratching of the horse was penalty enough in the matter. Trainer Desomer was advised of the decision.

11/03/12 (4) Ship In Request

The Board of Stewards received two (2) written requests for a waiver of Rule #1588 (J); one from Owner Robin Clements and another from Trainer Pierre Girard. After considering the requests the Stewards unanimously granted a waiver to Trainer Girard for horses he trains and a waiver to trainer Vicki Desomer for horses owned by Robin Clements that

are housed and trained at Desomer Farm in Wilton, CA. Both Trainers were advised of the decision.

11/03/12 (5) **Track Condition**

After consultation with Track Superintendent J.R. Williams the Board of Stewards list the track condition as “slow” for the evening’s card.

11/03/12 (6) **Third Race No Show Wagering**

After scratches of #5 “Zander Massimo” (Veterinarian/Injury) and #6 “Whipped Dreams” (Stewards/Track Condition) the Board of Stewards cancelled “Show Wagering” on the race.

11/03/12 (7) **Eighth Race Inquiry – No Change**

The “inquiry” sign was posted in order to review the actions of #9 “El Azteca” (Marcos Rios) in the stretch. After reviewing video the stewards unanimously concluded that while #9 broke stride in the stretch there was no violation of the breaking rule thus no change.

11/03/12 (8) **Tenth Race Inquiry – Change**

The “inquiry” sign was posted in order to review the actions of #4 “AJ’s Little One” (George Luster) while “offstride” in the stretch. After reviewing video the stewards unanimously concluded that #4 interfered with #1 “Twice The Ruckus” (Tim Maier) and #8 “Tokyo Oklahoma” (Rocky Stidham) thus #4 was disqualified and placed last for interference while “offstride”. Drive Luster was held blameless in the incident.

Original Order of Finish: 2-6-9-5-7-8-3-~~4~~-1

Official Order of Finish: 2-6-9-5-7-8-3-1-~~4~~

11/03/12 (4) **Program Changes**

3rd Race Declaration - #5 “Zander Massimo” –Trainer Dario Solares

Refund:\$39.5 Injured – Robert Goodbary, DVM

3rd Race Declaration - #6 “Whipped Dreams” –Trainer James Wilkinson

Refund:\$39.5 Track Condition – Stewards

11/03/12 (5) **Attendance and Handle**

Attendance

Live Handle (On Track) \$50,799

Handle (In State) \$241,940

Handle (Out of State) \$368,567

Total Handle \$661,306

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
2-Nov	4	5	SHOOT THE WORKS	TIM BROWN	Injured	Goodbary	\$ 255.30
2-Nov	9	7	THE TAPPAN ZEE	GEORGE REIDER	Injured	Goodbary	\$ 42.40
2-Nov	9	8	DYNAMITE EXPRESS	TIM BROWN	Injured	Goodbary	\$ 42.40
2-Nov	10	3	STRETCH ARTIST	TIM BROWN	Injured	Goodbary	\$ 87.30
2-Nov	11	8	BOBBY BACCALA	GEORGE REIDER	Injured	Goodbary	\$ 93.10
3-Nov	3	5	ZANDER MASSIMO	DARIO SOLARES	Injured	Goodbary	\$ 39.50

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	3,971.80
Fresno	\$	2,216.10
Fresno Club One	\$	1,912.90
Golden Gate	\$	27,610.30
Monterey	\$	4,791.60
Pleasanton	\$	14,219.40
Sacramento	\$	86,375.80
San Jose	\$	18,844.10
San Mateo	\$	35,184.00
Santa Rosa	\$	5,473.90
Stockton	\$	12,546.10
Tulare	\$	45.60
Turlock	\$	-
Vallejo	\$	11,292.00
No. California	\$	-
So. California	\$	227,920.40
Out of State	\$	-

WATCH AND WAGER HARNESS ASSOCIATION**SUMMARY 2012**

	Mon 10/29	Tues 10/30	Wed 10/31	Thurs 11/01	Fri 11/02	Sat 11/03	Total Week	Total Meet
Accidents	D	D	D	D	0	0	0	0
Cal-Bred Races	A	A	A	A	0	0	0	0
Claims	R	R	R	R	1	0	1	1
Disqualifications	K	K	K	K	0	1	1	1
Inquiries	D	D	D	D	0	2	2	2
Refunds	A	A	A	A	7	2	9	9
Rulings	Y	Y	Y	Y	0	0	0	0

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

All drivers submitted to a breath analyzer test.

Michael W. "Wayne" Oke, Steward

Will Meyers, Steward

Grant Baker, Steward