

**CALIFORNIA HORSE RACING BOARD**  
**1010 HURLEY WAY, SUITE 300**  
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**CAL-EXPO HARNESS ASSOCIATION**

**TO THE CALIFORNIA HORSE RACING BOARD**

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**KIRK E. BREED, EXECUTIVE DIRECTOR**  
**RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR**

Proceedings of the Board of Stewards for the period of Monday, April 26, 2010 through Sunday, May 02, 2010. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

**Monday**

**04/26/10 (1) Entry Day and Scratch Time**

The racing office was open today accepting entries for Friday, April 30. fifteen (15) races were drawn today. One hundred thirteen (113) horses are scheduled to start.

Scratch time for Wednesday, April 28 took place this morning in the racing office. Seventeen (17) driver changes were activated following the 9:00 a.m. deadline. No scratches took place.

**04/26/10 (2) Dark Day**

**Tuesday**

**04/27/10 (1) Entry Day and Scratch Time**

The racing office was open today accepting entries for Saturday, May 1. Fourteen (14) races were drawn today. One hundred eleven (111) horses were scheduled to start.

Scratch time for Saturday, May 1 was held today in the racing office. One (1) driver change took place following the 12:00 p.m. deadline.

**04/27/10 (2) Dark Day**

**Wednesday**

04/28/10 (1)

**Gretchen Smith Ruling****Ruling # 63**

*Trainer Gretchen Smith, who started “Music Of Lodi” in the Fifth Race on Wednesday, April 21, 2010, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Failure to Have Horse Properly Equipped Necessitating Return to Paddock).*

The ruling above was issued after “Music Of Lodi” returned to the paddock to add racing equipment.

04/28/10 (2)

**Luke Plano Film Review**

Driver Luke Plano appeared in the steward’s office to review his drives in the eighth and tenth races on April 24.

In race eight, Driver Plano sat behind third place finisher #1 “Von Stauffenberg”. Midway through the homestretch Driver Plano dropped a driving line and #1 “Von Stauffenberg”, subsequently veered sharply to the left. At this juncture #1 “Von Stauffenberg” runs immediately into the path of #2 “Steady As A Rock” (David Siegel), who was forced off the course and also inside track pylons. For this drive the stewards unanimously voted to issue the following ruling:

**Ruling # 64**

*Driver Luke Plano, who drove “Von Stauffenberg” in the Eighth Race on Saturday, April 24, 2010, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1721 (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). This incident occurred midstretch.*

Tenth race film review shows Driver Plano sitting behind #5 “El Grande Real” who finished third. In this race “El Grande Real” shifted out slightly, impeding three (3) rivals. Driver Plano stated he thought there was a ‘slow pace’ being set by the leader before the 1/4 mile pole. He stated he shifted outward to avoid interference (being struck) from rivals racing behind him. The stewards took no action for this drive.

04/28/10 (3)

**First Race – Accident/Inquiry**

The stewards posted the inquiry sign after viewing an accident past the 1/2 mile pole. At this point #3 “Heartland Express” (Steve Wiseman) went off stride while racing in mid-pack. Shortly after going off stride, contact is made from behind when #1 “RW Island Spirit” (Kennedy Lindsey) strikes the race bike of #3 “Heartland Express”. This incident unseated Driver Steve Wiseman only.

After film review the stewards unanimously voted to make ‘no change’ in the order of finish.

California Horse Racing Board Veterinarian Robert Goodbary reported that both horses were in 'good condition' following this race. Driver Wiseman was cleared to drive his remaining eight (8) mounts by Cal Expo human ambulance attendants. No change was made in the order of finish. An accident report is attached with these minutes.

04/28/10 (4) **Sixth Race – Late Scratch**

The stewards were informed with two (2) minutes to post time that Driver Richard Bertrand was not present to drive his assigned mount #4 "Mighty Kicker". Driver Tony Succarotte entered the racetrack sitting behind "Mighty Kicker". The stewards then unanimously agreed to activate "Mighty Kicker" as a late scratch due to confusion over who was driving the horse so close to race time. Paddock Judge Walter Petersen will meet with the stewards April 30 to give details of an apparent snafu.

04/28/10 (5) **Program Changes**

2<sup>nd</sup> Race Declaration - #3 "Charter Ridge" – Trainer Rick Cisco  
Refund: \$30                      Tied up – Henry Cook, D.V.M.

4<sup>th</sup> Race Declaration - #1 "See Through It" – Trainer Gilbert Garcia Herrera  
Refund: \$142                      Injured – Robert Goodbary, D.V.M.

6<sup>th</sup> Race Declaration - #4 "Mighty Kicker" – Trainer Robert Bell  
Refund: \$646                      Driver no show – Stewards

7<sup>th</sup> Race Declaration - #3 "Haggin Oaks" – Trainer James Kennedy  
Refund: \$242                      Track Condition – Stewards

8<sup>th</sup> Race Declaration - #1 "Red Star Ruffles" – Trainer Robley Johnson  
Track Condition – Stewards  
#3 "Stanza" – Trainer James Kennedy  
Refund Total: \$380

9<sup>th</sup> Race Declaration - #3 "Split The Bill" – Trainer Keith Willey  
Injured – Robert Goodbary, D.V.M.  
#5 "Tillie Vic" – Trainer Earl Kennedy  
Refund Total: \$156

10<sup>th</sup> Race Declaration - #1 "Vest's Connection" – Trainer Lester Smith  
Track Condition – Stewards  
#7 "Charmer" – Trainer James Kennedy  
Refund Total: \$467      Track Condition – Stewards

11<sup>th</sup> Race Declaration - #3 "Letter of Intent" – Trainer Earl Kennedy  
Track Condition – Stewards  
#9 "Mudflap" – Trainer Richard Bertrand  
Refund Total: \$65      Track Condition – Stewards

04/28/10 (6) **Attendance and Handle**

|                              |                  |
|------------------------------|------------------|
| Attendance                   | 174              |
| Live Handle (On Track)       | \$28,272         |
| Handle (In State)            | \$198,086        |
| <u>Handle (Out of State)</u> | <u>\$194,694</u> |
| Total Handle                 | \$421,052        |

**Thursday**

04/29/10 (1) **Dark Day**

**Friday****04/30/10 (1) Qualifying Races**

Four (4) qualifying races were held prior to this evening's fifteen (15) race pari-mutuel card. Of the twenty two (22) participants, eighteen (18) made the grade.

**04/30/10 (2) Richard Bertrand Ruling****Ruling # 65**

*Driver Richard Bertrand is fined the sum of Fifty (\$50) Dollars for failure to fulfill his driving engagement on "Mighty Kicker" in the Sixth Race on Wednesday, April 28, 2010 at Cal Expo, California. A Violation of California Horse Racing Board Rule #1872 (Failure to Fulfill Jockey (Driver) Agreement).*

Driver Richard Bertrand met with the stewards today concerning a matter in which he missed a driving engagement last Wednesday (April 28) [Ref: 04/28/10 (5)]. Bertrand had scratched a horse that he trained earlier Wednesday and said he had forgotten he had a 'catch driving' assignment on "Mighty Kicker" in the sixth race. He was issued the penalty stated in the ruling above.

**04/30/10 (3) Executive Director**

California Horse Racing Board Executive Director Kirk Breed visited the judge's stand during this evening's card. California horseracing current events were discussed.

**04/30/10 (4) Five Win Night**

Leading driver Luke Plano continued his dominance in the driver's standings here at Cal Expo this evening. Driver Plano recorded five (5) winning drives tonight, extending his lead over second leading driver Steve Wiseman by nearly thirty (30) wins.

**04/30/10 (5) Second Race – Inquiry**

The stewards posted the inquiry sign immediately following this race to check if three (3) horses that made breaks complied with California Horse Racing Board Rule #1722 (Breaking).

The three (3) horses in question were third place finisher #2 "Phipps" (Tim Maier), fifth place finisher #4 "Twice The Ruckus" (James Kennedy) and sixth (last) place finisher #5 "Putoneonnetformom" (Rocky Stidham). After film review it was unanimously ruled that all horses complied with the 'breaking rule' and that no interference took place. No change was made in the order of finish.

**04/30/10 (6) Third Race – Inquiry/Disqualification**

The stewards posted the inquiry sign after viewing two (2) horses make 'breaks' in the final one hundred (100) yards. Fourth place finisher #4 "Online Charger" (Steve Wiseman) made a 'break' in the stretch and the stewards ruled he complied with the breaking rule.

In a second incident, first place finisher #3 “Franky Provolone” (Luke Plano) goes on a ‘break’ only ten (10) to fifteen (15) yards before the finish line. While ‘on a break’ at the finish line, #3 “Franky Provolone” was ‘lapped-on’ by both second place finisher #9 “C Miracle Mary” (Richard Bertrand) and third place finisher #7 “Goli Tie” (Pierre Girard).

For violation of California Horse Racing Board Rule #1723 (Lapped-on Break) the stewards unanimously ruled to disqualify #3 “Franky Provolone” and place him third.

Original order of finish: 3-9-7-4-5-1-6-8-2

Official order of finish: 9-7-3-4-5-1-6-8-2

04/30/10 (7) **Fourth Race – Inquiry**

The stewards posted the inquiry sign after viewing sixth place finisher #6 “Red Star Wild One” (Tim Maier) go on a break in the stretch and at the finish. Seventh place finisher #5 “Titan Seelster” (Tony Succarotte) was ‘lapped-on’ this rival at the finish.

For violation of California Horse Racing Board Rule #1723 (Lapped-on Break) #6 “Red Star Wild One” was disqualified and placed seventh (last).

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

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

04/30/10 (8) **Tenth Race – Inquiry**

The stewards posted the inquiry sign following this race to review the start. Race replays showed second place finisher #5 “Martha My Dear” (Ruel Goodblood Jr.) break stride before the start and subsequently makes slight contact with eventual winner #6 “Perfect Hanover” (Rick Plano). Ninth place finisher #7 “Firing Line” (John Chappell) was slightly bothered by this incident and went on to finish a well beaten ninth (beaten 24 lengths).

After film review of several angles of the start, the stewards ruled to make ‘no change’ in the order of finish.

04/30/10 (9) **Fourteenth Race – Inquiry**

The stewards posted the inquiry sign following this trotting race after viewing three (3) of the nine (9) participants make breaks. Second place finisher #7 “Lodi Cooper” (Luke Plano), eighth place finisher #3 “Dani California” (Tim Maier) and ninth place finisher #4 “Franks Best” (James Lackey) all made ‘breaks’ in the race.

After film review the stewards unanimously ruled that all three (3) of these horses complied with California Horse Racing Board Rule #1722 (Breaking). No change was made in the order of finish.

04/30/10 (10) **Program Changes**

3<sup>rd</sup> Race Program Correction - #2 “Lily of Lodi”  
should read ‘regular lasix’

7<sup>th</sup> Race Program Correction - #7 “One Hot Tamale”  
should read ‘first time lasix’

04/30/10 (11) **Attendance and Handle**

|                              |                  |
|------------------------------|------------------|
| Attendance                   | 530              |
| Live Handle (On Track)       | \$62,579         |
| Handle (In State)            | \$475,829        |
| <u>Handle (Out of State)</u> | <u>\$323,565</u> |
| Total Handle                 | \$861,973        |

**Saturday**05/01/10 (1) **Christopher Conrad Hearing (Case No: 09SW-0216)**

A telephonic hearing was held today for Trainer Christopher Conrad who was scheduled to start the horse "Taco Hanover" in the ninth race on December 19, 2009. This complaint was filed by California Horse Racing Board Supervising Investigator I (Sacramento Division) Greg Fabbri. Along with the stewards present at today's hearing were Investigator Fabbri, CHRB Veterinarian Robert Goodbary and Wendy Frazier (Frazier Reporting). Trainer Christopher Conrad testified from the state of Ohio via telephone. Steward Wayne Oke chaired the hearing.

Trainer Conrad was observed on the evening of December 19, 2009, by Investigator Fabbri, in the restricted area of the Cal Expo backside. The complaint states he (Conrad) was allegedly in possession of contraband (syringe with attached needle). Conrad was allegedly seen administering an injection of some unknown substance to the horse "Taco Hanover" who was in his stall and scheduled to run in the ninth race of the Cal Expo Harness race meet. This observation was reported to the Board of Stewards causing the horse "Taco Hanover" to be declared (scratched) from the race [Ref: 12/19/09 (1)].

This complaint charges Trainer Conrad with violation of California Horse Racing Board Rule #1489 (J) (Grounds for Denial or Refusal of License), Rule #1629 (Penalty for Late Declaration), Rule #1840 (Veterinarian Practices and Treatments Restricted), Rule #1843 (B) Medication, Drugs and Other Substances), Rule #1844 (A,B) (Authorized Medication), Rule #1890 (Possession of Contraband) and Rule #1902 (Conduct Detrimental to Horse Racing).

Investigator Fabbri prepared a comprehensive twenty five (25) page complaint packet which was submitted into evidence at this hearing. Heather Knych, D.V.M. (Ken Maddy Equine Analytical Chemistry Laboratory – U.C. Davis) stated in a report that no prohibited drugs were detected in the syringe that was analyzed. She stated in her report that 'the substances all appear to be related to vitamin compounds or amino acids'. Urine and blood analysis also indicated no prohibited drugs.

Following the scratch of "Taco Hanover" (December 19, 2010), Investigator Fabbri interviewed Conrad in his office at Cal Expo. Conrad gave mostly one word answers ("yep" – "nope") during questioning. Conrad responded "Don't know them" when asked who gave him the needle and syringe. When asked if he had any idea what substance(s) could be in the seized needle and syringe; he said "nope".

Conrad was also vague with his responses when questioned during the telephonic live hearing held today by the Board of Stewards. He did tell the stewards he purchased the syringe from a 'tack shop' in Ohio. He did not recall the name of the tack shop. Decision to follow.

05/01/10 (2) **Ralph Silvestri III Hearing – (Case No: 10SW-0034)**

A hearing was held today for Trainer Ralph Silvestri III. He is being charged with alleged violation of California Horse Racing Board Rule #1843 (D) (Medications, Drugs or Other Substances) and Rule #1887 (Trainer to Insure Condition of Horse). Trainer Silvestri won the first race here at Cal Expo on January 30, 2010 with the horse "Magicality". U.C. Davis laboratories reported the urine sample of "Magicality" contained Dexamethasone. Supervising Investigator I (Sacramento Division) Greg Fabbri prepared a seventeen (17) page complaint packet for this case.

Along with the stewards and Investigator Fabbri present at today's hearing was California Horse Racing Board Veterinarian Robert Goodbary. Wendy Frazier (Frazier Reporting) transcribed the proceedings. Steward Will Meyers chaired the hearing

Trainer Silvestri stated he hadn't heard of the drug (Dexamethasone) and had 'no idea' how this medication got into the system of "Magicality". This is the first alleged medication violation in the relatively short (less than one year) training career of Ralph Silvestri III. Decision to follow.

05/01/10 (3) **First Race – Inquiry**

The stewards posted the inquiry sign after viewing second place finisher #1 "TK Diehard" (Luke Plano) race inside a trackside pylon at the 3/4 pole. After film review it was unanimously determined that #1 "TK Diehard" did not violate Cal Expo pylon rules. No change was made in the order of finish.

05/01/10 (4) **Thirteenth Race – Inquiry**

The stewards posted the inquiry sign after viewing sixth place finisher #5 "Fast N Furious" (Tony Succarotte) 'cross over' in front of eventual winner #3 "Quick On My Feet" (Chris Hernandez) at the midway point of the first turn. There appeared to be contact at this point, forcing Driver Chris Hernandez to 'check' his mount. The stewards spoke with both drivers following this incident. #3 "Quick On My Feet" recovered and went on to finish first. No change was made in the order of finish.

Driver Succarotte was ordered to film review.

05/01/10 (5) **Program Changes**

2<sup>nd</sup> Race Program Correction - #4 "Game Peter"

should read 'races with trotting hobbles

6<sup>th</sup> Race Program Correction - #8 "Freedom Art"

should read 'no lasix'

13<sup>th</sup> Race Declaration - #8 "Cheyne's Train" – Trainer Nick Casale

Refund: \$18

Injured – Robert Goodbary, D.V.M.

|              |                                     |                  |
|--------------|-------------------------------------|------------------|
| 05/01/10 (6) | <b><u>Attendance and Handle</u></b> |                  |
|              | Attendance                          | 432              |
|              | Live Handle (On Track)              | \$63,528         |
|              | Handle (In State)                   | \$508,001        |
|              | <u>Handle (Out of State)</u>        | <u>\$315,204</u> |
|              | Total Handle                        | \$886,733        |

#### RULINGS ISSUED THIS WEEK

- 04/28/10      63      Trainer Gretchen Smith, who started "Music Of Lodi" in the Fifth Race on Wednesday, April 21, 2010, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Failure to Have Horse Properly Equipped Necessitating Return to Paddock).
- 04/28/10      64      Driver Luke Plano, who drove "Von Stauffenberg" in the Eighth Race on Saturday, April 24, 2010, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1721 (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). This incident occurred midstretch.
- 04/30/10      65      Driver Richard Bertrand is fined the sum of Fifty (\$50) Dollars for failure to fulfill his driving engagement on "Mighty Kicker" in the Sixth Race on Wednesday April 28, 2010 at Cal Expo, California. A Violation of California Horse Racing Board Rule #1872 (Failure to Fulfill Jockey (Driver) Agreement).

## **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**

| <b>Date</b> | <b>Race</b> | <b>No.</b> | <b>Horse</b>   | <b>Trainer</b> | <b>Reason</b> | <b>Vet</b> | <b>Refund</b> |
|-------------|-------------|------------|----------------|----------------|---------------|------------|---------------|
| 28-Apr      | 2           | 3          | CHARTER RIDGE  | CISCO          | Injured       | Cook       | \$30.00       |
|             | 4           | 1          | SEE THROUGH IT | HERRERA        | Injured       | Goodbary   | \$142.00      |
|             | 9           | 3          | SPLIT THE BILL | WILLEY         | Injured       | Goodbary   | \$96.00       |
| 1-May       | 13          | 8          | CHEYNE'S TRAIN | CASALE         | Injured       | Goodbary   | \$18.00       |

**WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES**

|                 |    |            |
|-----------------|----|------------|
| Bakersfield     | \$ | 6,897.00   |
| Fresno          | \$ | 6,680.30   |
| Fresno Club One | \$ | 2,096.40   |
| Golden Gate     | \$ | 46,973.20  |
| Monterey        | \$ | 10,431.40  |
| Pleasanton      | \$ | 29,666.70  |
| Sacramento      | \$ | 106,542.80 |
| San Jose        | \$ | 35,140.90  |
| San Mateo       | \$ | 54,656.50  |
| Santa Rosa      | \$ | 9,239.60   |
| Stockton        | \$ | 21,688.80  |
| Vallejo         | \$ | 12,774.20  |
| So. California  | \$ | 429,571.90 |
| Out of State    | \$ | 833,462.62 |

**CAL-EXPO HARNESS ASSOCIATION  
SUMMARY  
2010**

|                          | <b>Mon<br/>04/26</b> | <b>Tues<br/>04/27</b> | <b>Wed<br/>04/28</b> | <b>Thurs<br/>04/29</b> | <b>Fri<br/>04/30</b> | <b>Sat<br/>05/01</b> | <b>Total<br/>Week</b> | <b>Total<br/>Meet</b> |
|--------------------------|----------------------|-----------------------|----------------------|------------------------|----------------------|----------------------|-----------------------|-----------------------|
| <b>Accidents</b>         | <b>D</b>             | <b>D</b>              | <b>1</b>             | <b>D</b>               | <b>0</b>             | <b>0</b>             | <b>1</b>              | <b>6</b>              |
| <b>Cal-Bred Races</b>    | <b>A</b>             | <b>A</b>              | <b>1</b>             | <b>A</b>               | <b>1</b>             | <b>0</b>             | <b>2</b>              | <b>10</b>             |
| <b>Claims</b>            | <b>R</b>             | <b>R</b>              | <b>0</b>             | <b>R</b>               | <b>1</b>             | <b>1</b>             | <b>2</b>              | <b>15</b>             |
| <b>Disqualifications</b> | <b>K</b>             | <b>K</b>              | <b>0</b>             | <b>K</b>               | <b>2</b>             | <b>0</b>             | <b>2</b>              | <b>38</b>             |
| <b>Inquiries</b>         | <b>D</b>             | <b>D</b>              | <b>1</b>             | <b>D</b>               | <b>5</b>             | <b>2</b>             | <b>8</b>              | <b>100</b>            |
| <b>Refunds</b>           | <b>A</b>             | <b>A</b>              | <b>12</b>            | <b>A</b>               | <b>0</b>             | <b>1</b>             | <b>13</b>             | <b>335</b>            |
| <b>Rulings</b>           | <b>Y</b>             | <b>Y</b>              | <b>2</b>             | <b>Y</b>               | <b>1</b>             | <b>0</b>             | <b>3</b>              | <b>65</b>             |

**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**