

CALIFORNIA HORSE RACING BOARD
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CAL-EXPO HARNESS ASSOCIATION
TO THE CALIFORNIA HORSE RACING BOARD

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Proceedings of the Board of Stewards for the period of Monday, November 09, 2009 through Sunday, November 15, 2009. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

11/09/09 (1) **Entry Day**

The racing office was open today, accepting entries for Friday, November 13 and Saturday, November 14. Seventeen (17) races will held both nights. Two (2) non wagering California Sire Stakes will be contested and fifteen (15) wagering races will be contested on both Friday, November 13 and Saturday, November 14.

One hundred thirty six (136) horses are slated to start on Friday, November 13. One hundred twenty three (123) horses are slated to start Saturday November 14.

11/09/09 (2) **Dark Day**

Tuesday

11/10/09 (1) **Scratch Time/Draw**

Scratch time for Friday, November 13 and Saturday, November 14 was held this morning in the racing office. One (1) scratch and twenty five (25) driver changes were made for Friday, November 13.

No scratches took place for Saturday, November 14, but twenty six (26) driver changes were activated after the 9:00 a.m. deadline.

Ten (10) races were drawn this morning for Sunday, November 15. Ninety one (91) horses are scheduled to start.

11/10/09 (2) **Dark Day**

Wednesday

11/11/09 (1) **Scratch Time**

Scratch time was held this morning in the racing office for the racing card of Sunday, November 15. There were no scratches; however twenty (20) driver changes were activated following the 9:00 a.m. deadline.

11/11/09 (2) **Dark Day**

Thursday

11/12/09 (1) **Dark Day**

Friday

11/13/09 (1) **Twenty Two (22) Races.**

Twenty two (22) races were held this afternoon/evening at Cal Expo. Five (5) qualifying races commenced at 4:00 p.m. Two (2) California Sire Stakes (purse \$15,000) were contested at 5:00 p.m. as non-wagering events. Fifteen (15) pari-mutuel races were then held.

11/13/09 (2) **Qualifying Races**

Five (5) qualifying races were held this afternoon. Of the twenty six (26) participants, twenty (20) made the grade.

11/13/09 (3) **Frank Petrelli Ruling**

Ruling # 27

Trainer Frank Petrelli, who started "Yes I'll Fly" in the Ninth Race on Sunday, November 08, 2009, is hereby fined the sum of Fifty Dollars (\$50) for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Late Arriving in Paddock).

Trainer Frank Petrelli agreed to the terms of the ruling listed above. Horse Identifier Carl Sobey contacted the stewards to report that the Petrelli trained horse was "Yes I'll Fly" 'late to the paddock'.

11/13/09 (4) **Non-Wagering Race - Inquiry/Disqualification**

The stewards posted the inquiry sign following "Early Race Two" (California Sire Stake – Three Year Old Fillies) to investigate an incident just past the 1/4 pole.

Past the 1/4 pole, original second place finisher #4 "Silver Bloom" (Rick Plano) tried to obtain the lead while attempting to clear rival #5, sixth place finisher "Haggin Oaks" (James Kennedy). At this point #4 "Silver Bloom" steps inward, at which time the right foot of #5 "Haggin Oaks" strikes the wheel of "Silver Bloom". This causes #5 "Haggin Oaks" to make a break, at which time she loses all opportunity for a better placing.

After patrol judge report and film review, the stewards unanimously voted to disqualify #4 "Silver Bloom" and place her sixth. Driver Rick Plano was ordered to film review.

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

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

11/13/09 (5) **Twelfth Race – Inquiry**

The stewards flashed the inquiry sign to review two (2) incidents involving first place finisher #7 “Pedal Pad” (John Chappell). In the first incident the stewards viewed #7 “Pedal Pad” strike or possibly go inside three (3) track pylons while rounding the final turn. The majority of the stewards (Meyer’s dissent) felt that this incident did not violate Cal Expo pylon rules and there for no change in order or finish was warranted.

The ‘second incident’ was a review to see if #7 “Pedal Pad” caused third place finisher #2 “Sayitoutloud” (Steve Wiseman) to steady while in tight quarters, about eighty (80) yards before the finish. In this incident the stewards all agreed that #7 “Pedal Pad” raced straight through the stretch and that ‘no change’ was warranted.

11/13/09 (6) **Program Changes**

3rd Race Declaration - #7 “Nirvana Gold” – Trainer Harris Levin
 Refund: \$21 Injured – Robert Goodbary, D.V.M.
 6th Race Declaration - #2 “Power Of Key Largo” – Trainer Matias Ruiz
 Refund: \$40 Injured – Robert Goodbary, D.V.M.
 7th Race Driver Change - #5 “Freedom Art”
 Luke Plano for James Kennedy (trained another horse in race)
 8th Race Declaration - #5 “Well Heeled” – Trainer Robert Johnson
 Refund: \$43 Injured – Robert Goodbary, D.V.M.
 12th Race Declaration - #9 “On Eagles Wings” – Trainer Chris Hernandez
 Refund: \$29 Injured – Robert Goodbary, D.V.M.
 15th Race Declaration - #5 “Groovin Hi” – Trainer Rick Cisco
 Refund: \$39 Injured – Robert Goodbary, D.V.M.

11/13/09 (7) **Attendance and Handle**

Attendance	345
Live Handle (On Track)	\$48,511
Handle (In State)	\$428,286
Handle (Out of State)	<u>\$283,536</u>
Total Handle	\$760,333

Saturday

11/14/09 (1) **Official Change**

Track Veterinarian Henry Cook is off this evening for personal reasons. Robert Norrie, D.V.M. will fill in.

11/14/09 (2) **No Pre-Race Testing**

Cal Expo did not conduct pre-race TCO₂ (Total Carbon Dioxide) testing tonight. A total of seventeen (17) races were contested this evening. Two non-wagering California Sires Stakes commenced at 5:00 p.m., followed by fifteen (15) pari-mutuel races.

11/14/09 (3) **Dario Solares Ruling**

Ruling # 28

Trainer Dario Solares, who started “Lakers R Electric” and “Mac’s Legacy N” in the First Race on Friday, November 13, 2009, is hereby fined the sum of One Hundred Dollars (\$100) for violations of California Horse Racing Board Rule #1530 (Cases Not Covered Late Arriving in Paddock).

Trainer Dario Solares appeared in the steward’s office to give an explanation of why two (2) of his trainees were late reporting to the paddock for the first race on Friday, November 13.

Trainer Solares told the stewards two (2) non-wagering races (5:00 p.m.) held prior to the pari-mutuel card (5:35 p.m.) led to confusion at his barn prior to the race. All other horses for the first race arrived on time

The stewards felt a monetary penalty was fair and even arguably lenient as the stewards could have scratched these horses if they were much later in arriving.

11/14/09 (4) **Rick Plano – Film Review**

Driver Rick Plano reviewed race replays of a disqualification [Ref: 11/13/09 (4)] Early Race No. 2 (non-wagering) with the Board of Stewards. Driver Plano acknowledged that his driving actions led to the incidental contact and interference that led to his disqualification. Driver Plano has had a clean driving record as of late. He understood the steward’s involvement in the disqualification of his mount #4 “Silver Bloom” from second to fourth. The ruling below was issued:

Ruling # 29

Driver Rick Plano, who drove “Silver Bloom” in the Early Non-Betting Race on Friday, November 13, 2009, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (I) (Driving Rules – Commit an Act Which Shall Impede the Progress of Another Horse Causing Him to Break). The incident occurred past the first quarter – resulting in a disqualification).

11/14/09 (5) **Doris Ludwig Financial Hearing (Case No.: 09SW-0151)**

A hearing was scheduled for 4:00 p.m. today in the Cal Expo steward’s office. Trainer Rick Plano alleges in a complaint that Owner Doris Ludwig owes him for \$6,828.59 (including interest) for training of the horse “Spree Guy”. Owner Ludwig was represented by Stephen Grollnek (friend). Trainer Plano was about twenty minutes late for the hearing that was scheduled for 4:00 p.m. The stewards were required ‘on the roof’ to judge the first of seventeen (17) races at 5:00 p.m.

Both parties agreed to address this matter tomorrow at an earlier starting time. More to follow.

11/14/09 (6) **Smooth Card**

Tonight’s seventeen (17) race card (15 pari-mutuel) went well, as it was free of driver objections or steward’s inquiries.

11/14/09 (7) **Program Changes**

1st Race Declaration - #3 "Strikes N Changes" – Trainer Darren Lupul
 Refund: \$109 Injured – Robert Goodbary, D.V.M.
 #6 "Firing Line" – Trainer Rick Plano
 Refund: \$154 Injured – Robert Goodbary, D.V.M.
 2nd Race Declaration - #5 "Dancing Barry" – Trainer Rick Plano
 Refund: \$127 Injured – Robert Goodbary, D.V.M.
 2nd Race Program Correction - #6 "Stanza"
 Should read 'regular lasix'
 3rd Race Declaration - #4 "Proxy" – Trainer Tim Maier
 Refund: \$98 Injured – Robert Goodbary, D.V.M.
 #5 "Lily of Lodi" – Trainer Rick Plano
 Refund: \$117 Injured – Robert Goodbary, D.V.M.
 4th Race Declaration - #6 "Book Of Life" – Trainer Drew Anderson
 Refund: \$117 Injured – Robert Goodbary, D.V.M.
 5th Race Declaration - #4 "Oneout In the Eighth" – Trainer George Reider
 Refund: \$326 Injured – Robert Goodbary, D.V.M.
 7th Race Declaration - #3 "Apache Red" – Trainer Frank Petrelli
 Refund: \$219 Injured – Robert Goodbary, D.V.M.
 11th Race Declaration - #2 "L S Orchardwinner" – Trainer Frank Petrelli
 Refund: \$196 Injured – Robert Goodbary, D.V.M.

11/14/09 (8) **Attendance and Handle**

Attendance	388
Live Handle (On Track)	\$44,473
Handle (In State)	\$358,231
Handle (Out of State)	<u>\$261,611</u>
Total Handle	\$664,315

Sunday

11/15/09 (1) **Official Change**

Steward Wayne Oke was off tonight, traveling to a racing seminar in Louisville, Kentucky. Steward Paul Nicolo will fill in this evening.

11/15/09 (2) **Doris Ludwig Financial Hearing [Ref: Minutes 11/14/09 (4)]**

This hearing was continued from yesterday. In today's continuance Trainer Rick Plano was represented by his bookkeeper/wife who brought training invoices and e-mails sent to and received by Doris Ludwig and her representative Stephen Grollnek.

This was a very convoluted matter in which Representative Grollnek testified that a third party was involved in assigning Trainer Plano to the training of "Spree Guy" and that Doris Ludwig did not owe the total amount of money that was being pursued.

After a lengthy back and forth, a 'Financial Complaint Agreement' was signed by both parties' representatives. Doris Ludwig, on behalf of Representative Stephen Grollnek agrees to pay Trainer Rick Plano \$5,850.00.

11/15/09 (3) **Jason Maier Rulings**

Owner/Driver/Trainer Jason Maier appeared in the steward's office to address two (2) separate matters. The first matter was a late driver change by Trainer Jason Maier where he stated there was a 'racing office error' that led to a "mix up" for the driving assignment on #3 "Cherry Tree Rojo" in the fourth race Friday, November 13th. A further inquiry into the matter indicated that Trainer Maier himself was responsible for the mix up. The stewards issued the following ruling:

Ruling # 30

Trainer Jason Maier, who started "Cherry Tree Rojo" in the Fourth Race on Friday, November 13, 2009, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Failure to Name The Proper Driver by the Prescribed Time Necessitating a Late Driver Change).

In the second matter, prior to the thirteenth race on November 14, Driver Jason Maier was late to 'post parade' his horse. A sanction was issued for a second offense in this matter. The following ruling was issued:

Ruling # 31

Driver Jason Maier, who drove "Carl Lewis" in the Thirteenth Race on Saturday, November 14, 2009, is hereby fined the sum of One Hundred Dollars (\$100) for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Late to Post Parade) – Second Offense.

11/15/09 (4) **Smooth Card**

Tonight's ten (10) race card went well as it was free of steward's inquiries and/or driver objections.

11/15/09 (5) **Program Changes**

1st Race Declaration - #2 "Machilera" – Trainer Nick Casale

Injured – Robert Goodbary, D.V.M.

#6 "Attitude Counts" – Trainer Darren Lupul

Injured – Robert Goodbary, D.V.M.

#8 "Ciera Rose" – Trainer Jason Ricco

Sick – Robert Goodbary, D.V.M.

Refund Total: \$371

2nd Race Declaration - #4 "Armbro Delicate" – Trainer Gene Vallandingham

Refund: \$120 Injured – Robert Goodbary, D.V.M.

5th Race Declaration - #3 "Mary Jo In Heaven" – Trainer Frank Petrelli

Injured – Robert Goodbary, D.V.M.

#8 "Natty Life" – Trainer Rick Plano

Injured – Robert Goodbary, D.V.M.

Refund Total: \$130

8th Race Declaration - #9 "Only In California" – Trainer Tom Wine II

Refund: \$249 Injured – Robert Goodbary, D.V.M.

9th Race Declaration - #2 "Axelrod" – Trainer James Wilkinson

Refund: \$152 Injured – Robert Goodbary, D.V.M.

10th Race Declaration - #3 "O K Shark N" – Trainer Jason Maier

Injured – Robert Goodbary, D.V.M.

#4 "Von Stauffenberg" – Trainer Dario Solares

Fell Post Parade – Henry Cook, D.V.M.
 #11 “I Am Spartacus” – Trainer Rick Plano
 Lane on track – Henry Cook, D.V.M.

Refund Total: \$2,687

11/15/09 (6)	<u>Attendance and Handle</u>	
	Attendance	187
	Live Handle (On Track)	\$26,601
	Handle (In State)	\$225,778
	Handle (Out of State)	<u>\$159,710</u>
	Total Handle	\$412,089

RULINGS ISSUED THIS WEEK

- | | | |
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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
13-Nov	3	7	NIRVANA GOLD	LEVIN	Injured	Goodbary	\$21.00
	6	2	POWER OF KEY LARGO	RUIZ	Injured	Goodbary	\$40.00
	8	5	WELL HEELED	JOHNSON	Injured	Goodbary	\$43.00
	12	9	ON EAGLES WINGS	HERNANDEZ	Injured	Goodbary	\$29.00
	15	5	GROOVIN HI	CISCO	Injured	Goodbary	\$39.00
14-Nov	1	3	STRIKES N CHANGES	LUPUL	Injured	Goodbary	\$109.00
	1	6	FIRING LINE	PLANO	Injured	Goodbary	\$154.00
	2	5	DANCING BARRY	PLANO	Injured	Goodbary	\$127.00
	3	4	PROXY	MAIER	Injured	Goodbary	\$98.00
	3	5	LILY OF LODI	PLANO	Injured	Goodbary	\$117.00
	4	6	BOOK OF LIFE	ANDERSON	Injured	Goodbary	\$117.00
	5	4	ONEOUT IN THE EIGHTH	REIDER	Injured	Goodbary	\$326.00
	7	3	APACHE RED	PETRELLI	Injured	Goodbary	\$219.00
	11	2	L S ORCHARDWINNER	PETRELLI	Injured	Goodbary	\$196.00
	1	2	MACHILERA	CASALE	Injured	Goodbary	\$121.00
15-Nov	1	6	ATTITUDE COUNTS	LUPUL	Injured	Goodbary	\$104.00
	1	8	CIERA ROSE	RICCO	Sick	Goodbary	\$146.00
	2	4	ARMBRO DELICATE	VALLANDINGHAM	Injured	Goodbary	\$120.00
	5	3	MARY JO IN HEAVEN	PETRELLI	Injured	Goodbary	\$78.00
	5	8	NATTY LIFE	PLANO	Injured	Goodbary	\$62.00
	8	9	ONLY IN CALIFORNIA	WINE II	Injured	Goodbary	\$249.00
	9	2	AXELROD	WILKINSON	Injured	Goodbary	\$152.00
	10	3	O K SHARK N	MAIER	Injured	Goodbary	\$2,426.00
	10	4	VON STAUFFENBERG	SOLARES	Fell	Cook	\$158.00
	10	11	I AM SPARTACUS	PLANO	Lame	Cook	\$103.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	7,009.30
Fresno	\$	4,106.50
Fresno Club One	\$	1,957.20
Golden Gate	\$	40,478.80
Monterey	\$	6,917.60
Pleasanton	\$	29,902.00
Sacramento	\$	97,828.60
San Jose	\$	27,547.60
San Mateo	\$	61,885.10
Santa Rosa	\$	12,212.70
Stockton	\$	14,946.90
Tulare	\$	34.60
Turlock	\$	1,651.60
Vallejo	\$	18,940.00
So. California	\$	441,975.70
Out of State	\$	704,858.20

CAL-EXPO RACING ASSOCIATION
SUMMARY
2009

	Mon 11/09	Tues 11/10	Wed 11/11	Thurs 11/12	Fri 11/13	Sat 11/14	Sun 11/15	Total Week	Total Meet
Accidents	D	D	D	D	0	0	0	0	1
Cal-Bred Races	A	A	A	A	3	2	0	5	13
Claims	R	R	R	R	1	1	0	2	11
Disqualifications	K	K	K	K	1	0	0	1	15
Inquiries	D	D	D	D	2	0	0	2	30
Refunds	A	A	A	A	5	9	11	25	79
Rulings	Y	Y	Y	Y	1	2	2	5	31

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

Grant Baker, Steward

Will Meyers, Steward

Michael W. "Wayne" Oke, Steward