

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, June 22, 2009 through Sunday, June 28, 2009. Steward Paul Nicolo was the Reporting and Duty Steward for the enclosed period.

Monday

- 06/22/09 (1) **Entries For Thursday**
A total of ninety (90) horses were entered in twelve (12) races for Thursday evening.
- 06/22/09 (2) **Dark Day**

Tuesday

- 06/23/09 (1) **Thursday's Scratches**
One driver change was the only change made on Thursday's card.
- 06/23/09 (2) **Double Draw – Friday and Saturday**
A total of two hundred five (205) horses were entered to run in twenty six (26) races.
- Friday's thirteen (13) race card has ninety eight (98) horses scheduled to compete.
- One hundred seven (107) horses were entered in thirteen (13) races for Saturday.
- 06/23/09 (3) **Dark Day**

Wednesday

- 06/24/09 (1) **Scratch Time**
There were no scratches for Friday or Saturday. There were several driver changes on both cards.

06/24/09 (2) **Dark Day**

Thursday

06/25/09 (1) **Entries for Qualifiers**

There were twenty-six (26) horses entered in five (5) qualifying races that start at 4:00 p.m.

06/26/09 (2) **Results of Qualifiers**

Sixteen (16) of the twenty-five (25) horses trying to qualify made the grade.

06/26/09 (3) **Fourth Race – Inquiry/No Change**

The stewards posted the inquiry sign following the running of the 4th Race for a possible pylon violation. The films show #6 “Larry Horse” (Gilbert Herrera) went inside only one (1) pylon. No change was warranted and the race was declared official.

06/26/09 (4) **Ninth Race – Inquiry/Disqualification**

For causing interference while on a break, #5 “Beach Beach Beach” (Lemoyne Svendsen) was disqualified from third (3rd) and placed eighth (8th).

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

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

06/26/09 (5) **Tenth Race – Inquiry/Disqualification**

Following an inquiry for an incident at the top of the stretch, #5 “Stick Up” (Gilbert Herrera) was disqualified from first (1st) and placed fourth (4th). A review of the films show #5 “Stick Up” drift out in the path of #3 “Sadies Desert Fox” (Rick Plano), causing #3 to alter course.

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

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

06/25/09 (6) **Program Changes**

5th Race Declaration - #4 “Vest’s Connection” – Trainer Lester Smith

Refund: \$56 Injured – Henry Cook, DVM

6th Race Declaration - #2 “Apache Red” – Trainer Tom Wine II

Refund: \$535 Injured – Robert Goodbary, DVM

12th Race Declaration - #5 “False Accusations” – Trainer Mark Anderson

Refund: \$76 Injured – Robert Goodbary, DVM

06/25/09 (7) **Attendance and Handle**

Attendance	252
Live Handle (On Track)	\$35,320
Handle (In State)	\$271,308
Handle (Out of State)	<u>\$174,312</u>
Total Handle	\$480,940

Friday

06/26/09 (1) **Film Review**

Drivers Lemoyne Svendsen, Gilbert Herrera, and Frank Petrelli came in as requested to review races with the stewards.

Svendsen's race was Saturday's ninth in which his horse "Rod's Famous Ribs" was disqualified from fifth (5th) and placed last. The tapes clearly show Svendsen's horse go inside three (3) consecutive pylons. Lemoyne offered no excuse and accepted responsibility in a professional manner.

In Herrera's case, Thursday's tenth race was reviewed. Gilbert's horse "Stick Up" was disqualified from first (1st) and placed fourth (4th) for causing interference at the top of the stretch. Though Gilbert agreed that the driver behind him (Rick Plano) altered course, he didn't feel a disqualification was warranted. They rarely do.

Petrelli wanted to watch one of Thursday's qualifiers in which his horse was charged with a break. When he was informed that his horse also failed to make time, he decided not to argue a moot point.

06/26/09 (2)

Rulings

The following rulings were issued after both Lemoyne Svendsen and Gilbert Herrera went over their respective races with the stewards:

Ruling # 80

Driver Lemoyne Svendsen, who drove "Rod's Famous Ribs" in the Ninth Race on Saturday, June 20, 2009 is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule # 1721 (K) (Driving Rules – Careless Driving – Raced Inside Pylon – In the Stretch).

Ruling # 81

Driver Gilbert Garcia-Herrera, who drove #5 "Stick Up" in the Tenth Race on Thursday, June 25, 2009, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1721 (J) (Driving Rules – Change Course After Selecting a Position in the Home Stretch – Bore Out Into #3 "Sadies Desert Fox", Driven by Rick Plano Causing Him to Alter His Course in the Stretch).

06/26/09 (3)

Petrelli Hearing – Case #09SW-0092

A financial responsibility (CHRB Rule #1876) complaint was addressed in a formal hearing today. The proceedings were recorded by Wendy Frazier (Frazier Reports). The case was presented by Supervising Investigator Greg Fabbri.

The complaint was filed by Owner/Trainer Raul Escobedo against Trainer Frank Petrelli, who was acting as authorized agent for Owen Eiler in the sale of "Reckless Heart".

Present before the Board of Stewards, Wayne Oke, Brent McLaren, and Paul Nicolo were the above mentioned. Owen Eiler gave testimony by phone.

The stewards will deliberate over all testimony and documentation presented. A decision is forthcoming.

06/26/09 (4)

Program Changes

4th Race Declaration - #4 "Drama Princess" – Trainer Frank Petrelli
Refund: \$398 Injured – Dr. Henry Cook

7th Race Declaration - #8 "Minnie's Surprize" – Trainer Frank Petrelli
 Refund: \$2 Injured – Dr. Henry Cook
 13th Race Declaration - #9 "White Trash" – Trainer Frank Petrelli
 Refund: \$35 Injured – Dr. Henry Cook

06/26/09 (5) **Quiet Evening**
 This evening's card was run without any noteworthy incidences.

06/26/09 (6) **Attendance and Handle**

Attendance	483
Live Handle (On Track)	\$52,359
Handle (In State)	\$486,535
Handle (Out of State)	<u>\$266,160</u>
Total Handle	\$805,054

Saturday

06/27/09 (1) **Frank Petrelli Ruling**

Ruling # 82

Authorized Agent Frank Petrelli has participated in a formal hearing to address Case Number 09SW-0092 and all documentation/evidence has been entered on the record. Frank Petrelli has now been found in violation of California Horse Racing Board Rule #1876 (Financial Responsibility).

It is further ordered that Frank Petrelli pay a judgment of Seven Hundred Twenty Six Dollars and Twenty Four Cents (\$726.24) to Owner Raul Escobedo. Payment shall be paid in full within seven (7) days of the date of this ruling.

The above ruling was issued following due deliberation of all testimony and documentation presented during Friday's formal hearing.

06/27/09 (2) **Third Race – Inquiry/No Change**
 The stewards posted an inquiry concerning an incident at the top of the stretch. While trying to get through on the inside, it looked like #1 "Western Reality" (Rick Plano) might have hooked wheels with #4 "Sweetie Of Lodi" (Kennedy Lindsey). The films failed to substantiate any contact and the race was declared official.

06/27/09 (3) **Program Changes**
 5th Race Declaration - #4 "Joshua's Jet" – Trainer Frank Petrelli
 Refund: \$175 Injured – Dr. Henry Cook
 6th Race Declaration - #9 "All My Glory N" – Trainer Robley Johnson
 Refund: \$13 Injured – Dr. Henry Cook

06/27/09 (4) **Attendance and Handle**

Attendance	496
Live Handle (On Track)	\$57,243
Handle (In State)	\$492,009
Handle (Out of State)	<u>\$269,678</u>
Total Handle	\$818,931

RULINGS ISSUED THIS WEEK

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It is further ordered that Frank Petrelli pay a judgment of Seven Hundred Twenty Six Dollars and Twenty Four Cents (\$726.24) to Owner Raul Escobedo. Payment shall be paid in full within seven (7) days of the date of this ruling.

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

<u>Date</u>	<u>Race</u>	<u>No.</u>	<u>Horse</u>	<u>Trainer</u>	<u>Reason</u>	<u>Vet</u>	<u>Refund</u>
25-Jun	5	4	VEST'S CONNECTION	SMITH	Injured	Goodbary	\$56.00
	6	2	APACHE RED	WINE	Injured	Goodbary	\$535.00
	12	5	FALSE ACCUSATIONS	ANDERSON	Injured	Goodbary	\$76.00
26-Jun	4	4	DRAMA PRINCESS	PETRELLI	Injured	Cook	\$398.00
	7	8	MINNIE'S SURPRIZE	PETRELLI	Injured	Cook	\$2.00
	13	9	WHITE TRASH	PETRELLI	Injured	Cook	\$35.00
	5	4	JOSHUA'S JET	PETRELLI	Injured	Cook	\$175.00
	6	9	ALL MY GLORY N	JOHNSON	Injured	Cook	\$13.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	11,424.90
Bay Meadows	\$	-
Eureka	\$	-
Fresno	\$	6,406.60
Fresno Club One	\$	1,512.70
Golden Gate	\$	40,402.30
Monterey	\$	-
Pleasanton	\$	30,634.80
Sacramento	\$	120,467.60
San Jose	\$	37,882.90
San Mateo	\$	62,623.70
Santa Rosa	\$	12,383.30
Tulare	\$	293.50
Turlock	\$	1,369.50
Vallejo	\$	24,271.10
Racing Fairs	\$	19,386.90
So. California	\$	531,436.20
Out of State	\$	710,150.13

**CAL-EXPO HARNESS ASSOCIATION
SUMMARY 2009**

	Mon 06/22	Tues 06/23	Wed 06/24	Thurs 06/25	Fri 06/26	Sat 06/27	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	1
Cal-Bred Races	A	A	A	0	0	0	0	17
Claims	R	R	R	0	0	0	0	48
Disqualifications	K	K	K	2	0	0	2	49
Inquiries	D	D	D	3	0	1	4	90
Refunds	A	A	A	3	3	2	8	235
Rulings	Y	Y	Y	0	2	1	3	81

**Stewards Attendance: Stewards Nicolo, McLaren and Oke were in attendance.
All drivers submitted to a breathalyzer test.**

Paul Nicolo, Steward

Brent McLaren, Steward

Michael W. "Wayne" Oke, Steward