

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 24, 2008 through Sunday, November 30, 2008. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

11/24/08 (1) **Entry Day**

The racing office was open this morning accepting entries for Friday, November 28th. A total of fifteen (15) races are slated. One hundred twenty seven (127) horses are scheduled to start.

11/24/08 (2) **Dark Day**

Tuesday

11/25/08 (1) **Racing Office Open**

Scratch time for Friday, November 28th took place at 9:00 a.m. this morning in the racing office. Thirteen (13) driver changes, one (1) purse correction and two (2) scratches were activated at the morning deadline.

Once again, a total of fifteen (15) races were filled for a card on Saturday, November 29th. One hundred fifteen (115) horses are scheduled to start. Four (4) of the first five (5) races on the card are California Sire Stakes Finals, each with a purse of \$25,000.

11/25/08 (2) **Dark Day**

Wednesday

11/26/08 (1)

Scratch Time

All changes off the overnight for November 29, 2008 were made this morning in the racing office. One (1) scratch and five (5) driver changes were activated at the 9:00 a.m. deadline.

11/26/08 (2)

Qualifying Races

Two (2) qualifying races were held tonight prior to tonight's fourteen (14) race pari-mutuel card. Out of twelve (12) starters, eleven (11) made the grade.

11/26/08 (3)

Lou Pena Ruling**Ruling # 44**

Driver Lou Pena, who drove "Carl Lewis N" in the Fifth Race at Cal-Expo on Saturday, November 22, 2008, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1731(G) (Starting Rules – Failure to Come Up into Position).

Driver Lou Pena waived his right to a hearing over the telephone and accepted the penalty listed above. Driver Pena's pacer, #9 "Carl Lewis N", was several lengths off the gate at the start, going off as the 2/1 post time favorite.

11/26/08 (4)

Bruce Clarke Ruling**Ruling # 45**

Driver Bruce Clarke, who drove "Giles L S Hanover" in the Thirteenth Race at Cal-Expo on Saturday, November 22, 2008, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1731(G) (Starting Rules – Failure to Come Up into Position).

Driver Bruce Clarke was sanctioned \$100 for having his horse "Giles L S Hanover" 'off the gate' prior to the thirteenth race on November 22nd. Driver Clarke told the stewards that he was "interfered with", prior to the start, by eventual winner #4 "Stu On Top" (David Siegel).

The stewards viewed race replays of the start of the race. The stewards did not observe any obstruction from Driver Clarke's rivals prior to the start.

11/26/08 (5)

Tim Clevenger Ruling**Ruling # 46**

Trainer Tim Clevenger is hereby fined the sum of Three Hundred (\$300) Dollars for failing to start "Air Ivy" (November 21, 2008 – Eighth Race), "Photo Delight" (November 22, 2008 - Thirteenth Race), and "Trishie Mae" (November 22, 2008 - Fourteenth Race). Violations of California Horse Racing Board Rule #1629 (Penalty for Late Declaration).

The stewards issued the ruling above after meeting informally with Trainer Tim Clevenger and Owner Sherry Kirk. Trainer Clevenger and Owner Kirk got into a disagreement over the billing of Ms. Kirk's horses. Trainer

Clevenger ordered Ms. Kirk to remove her horses from his barn at once. He made this command to Ms. Kirk without considering the ramifications of scratching three (3) 'in today' horses. The stewards, based on past practice, could have issued a stiffer penalty in this matter. Purses in the races involved were \$2,100, \$3,000 and \$3,800. The stewards issued a penalty that was less severe following mitigation. The stewards felt this penalty is fair to all parties, including Cal-Expo Harness Association, who lost three (3) starters due to Trainer Clevenger's actions.

11/26/08 (6) **Track Sloppy**

Intermittent rains throughout the day led to the third or fourth 'off track' in the last seven (7) months.

11/26/08 (7) **Ninth Race – Inquiry**

The stewards posted the inquiry sign after viewing second place finisher #3 "Algebra" go on a short break after the start. Driver Lemoyne Svendsen quickly complied with California Horse Racing Board Rule #1722 (Breaking) by losing ground after the incident. No change was made in the order of finish.

11/26/08 (8) **Tenth Race – Inquiry**

The inquiry sign was posted after fourth place finisher #3 "Camelot Cavalier" (James Kennedy) made a brief break in the homestretch. Driver Kennedy was found to have complied with the 'breaking rule' after steward's film review. No change was made on the order of finish.

11/26/08 (9) **New Wager**

The Super High 5 wager made its debut tonight at Cal Expo. Horseplayer's attempt to select the first five (5) finishers of a race. No one was successful cashing a ticket in tonight's new wager. Over \$3,600 will be 'carried over' to the wager on Friday, November 28th.

11/26/08 (10) **Program Changes**

1st Race Declaration - #6 "Ms KMC" – Trainer Lou Pena
 Refund: \$13 Injured – Robert Goodbary, D.V.M.
 3rd Race Declaration - #1 "Powergaitordotcom" – Trainer Tim Maier
 Injured – Robert Goodbary, D.V.M.
 #4 "The Magic" – Trainer Lou Pena
 Injured – Robert Goodbary, D.V.M.
 #6 "Margarita" – Trainer Gilbert Herrera
 Injured – Robert Goodbary, D.V.M.
 #7 "Sweetie Of Lodi" – Trainer Kennedy Lindsey
 Refund Total: \$40 Injured – Robert Goodbary, D.V.M.
 4th Race Declaration - #7 "Mudflap" – Trainer Richard Bertrand
 Refund: \$0 Injured – Robert Goodbary, D.V.M.
 5th Race Declaration - #2 "Jade's Crown" – Trainer Tim Maier
 Refund: \$3 Injured – Robert Goodbary, D.V.M.
 6th Race Declaration - #1 "The Ridge" – Trainer Tim Maier
 Injured – Robert Goodbary, D.V.M.
 #5 "Deano's Hi Ho" – Trainer James Covemaker

Injured – Robert Goodbary, D.V.M.
 #6 “Mid Night Flyer” – Trainer Gilbert Herrera
 Injured – Robert Goodbary, D.V.M.
 #7 “Lady Tulane” – Trainer Matias Ruiz
 Injured – Robert Goodbary, D.V.M.
 #8 “The Chazz Guy” – Trainer Lou Pena
 Refund Total: \$14 Injured – Robert Goodbary, D.V.M.
 8th Race Declaration - #2 “Festive King” – Trainer Brian Solden
 Refund: \$2 Track Condition - Stewards
 9th Race Declaration - #1 “Laissez Faire” – Trainer Tim Maier
 Injured – Robert Goodbary, D.V.M.
 #2 “Charmer” – Trainer Tim Maier
 Injured – Robert Goodbary, D.V.M.
 #8 “Vest’s Connection” – Trainer Lester Smith
 Refund Total: \$9 Injured – Robert Goodbary, D.V.M.
 12th Race Declaration - #7 “Lodi Gambler” – Trainer Lester Smith
 Track Condition – Stewards
 #8 “Party Bunny” – Trainer Brian Solden
 Refund Total: \$5 Injured – Robert Goodbary, D.V.M.

11/26/08 (11) **Attendance and Handle**

Attendance	187
Live Handle (On Track)	\$47,961
Handle (In State)	\$366,709
<u>Handle (Out of State)</u>	<u>\$251,038</u>
Total Handle	\$665,708

Friday

11/28/08 (1) **Tom Wine Ruling**

Ruling # 47

Trainer Tom Wine, who raced #6 “Be Like Sadie” in the Twelfth Race on November 26, 2008, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1894 (Duties of Trainer – Failure to Have Horse Properly Equipped When Leaving Paddock – No Mud Fenders).

The ruling above was issued after the stewards observed “Be Like Sadie” racing without mud fenders. All trainers were ordered to equip their sulkies with ‘mud fenders’ due to the sloppy track conditions Friday, November 26th.

11/28/08 (2) **Gene Vallandingham Meeting**

Driver Gene Vallandingham appeared as ordered to review the start of the fifth race Friday, November 28th. Driver Vallandingham’s horse was off the gate two (2) to three (3) lengths before the start of this race. This is Vallandingham’s third violation of California Horse Racing Board Rule #1731 (G) (Starting Rules) since October 24, 2008.

Driver Vallandingham comprehended the reasoning behind the following ruling:

Ruling # 48

Driver Gene Vallandingham, who drove “Big Gun” in the Fifth Race at Cal-Expo on Friday, November 28, 2008, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1731(G) (Starting Rules – Failure to Come Up into Position).

11/28/08 (3) **Smooth Card**

Tonight’s fifteen (15) race card went well, as it was free from steward’s inquiries and/or driver objections.

11/28/08 (4) **Scratch Refund Totals**

Mutuel Manager Glen Harris informed the stewards that starting tonight; scratch refund totals will be comprised of amounts from all wagering locations throughout North America. Previously only ‘on track’ refunds have been reported.

11/28/08 (5) **Program Changes**

1st Race Declaration - #2 “Coal Younger” – Trainer Tom Wine II
Refund: \$86 Injured – Robert Goodbary, D.V.M.
2nd Race Declaration - #1 “Silver Rocket” – Trainer Gene Vallandingham
Refund: \$105 Injured – Robert Goodbary, D.V.M.
3rd Race Declaration - #2 “Hydropedes” – Trainer Lou Pena
Refund: \$33 Injured – Robert Goodbary, D.V.M.
6th Race Declaration - #3 “Meringue” – Trainer Hans Rynningen
Refund: \$103 Injured – Robert Goodbary, D.V.M.
7th Race Declaration - #3 “Hoosier Wildcat” – Trainer Jason Ricco
Refund: \$55 Injured – Robert Goodbary, D.V.M.
8th Race Declaration - #4 “K D Rowdy One” – Trainer Rocky Stidham
Refund: \$478 Injured – Robert Goodbary, D.V.M.
9th Race Declaration - #4 “Grey Frier” – Trainer Nathalie Tremblay
Refund: \$150 Injured – Robert Goodbary, D.V.M.
11th Race Declaration - #1 “Stu On Top” – Trainer Lou Pena
Refund: \$713 Sick – Henry Cook, D.V.M.
14th Race Declaration - #8 “Stand Up And Shout” – Trainer Robert Ritchie
Refund: \$49 Sick – Henry Cook, D.V.M.
15th Race Declaration - #2 “Little Rooster” – Trainer Lisa Van Tassell
Refund: \$215 Injured – Robert Goodbary, D.V.M.

11/28/08 (5) **Attendance and Handle**

Attendance	357
Live Handle (On Track)	\$59,933
Handle (In State)	\$561,170
<u>Handle (Out of State)</u>	<u>\$368,364</u>
Total Handle	\$989,467

Saturday11/29/08 (1) **Stewards Call Meeting**

At the request of the stewards, an informal meeting was called and conducted today in the steward’s office. The topic of the meeting could have been

labeled 'Practicing Veterinarians Claiming Racehorses-Perception and Ethics'.

The horse "Art's Clown" finished first and was claimed for \$3,750 out of the first race Saturday, November 22nd. Frank Petrelli was the winning trainer and his horse was claimed by the partnership of Trainer Rocky Stidham, Cliff Shurman, and Hot Flash Racing. Private standardbred veterinarian Audrey Clifton is the sole entity of the stable name "Hot Flash Racing". Dr. Clifton was the track veterinarian last summer for the 2008 California State Fair.

Trainer Frank Petrelli phoned the stewards in a somewhat enraged state following the claim November 22nd. He subsequently filed a protest (California Horse Racing Board Rule #1755) with California Horse Racing Board Supervising Investigator Greg Fabbri. Before the stewards finished their conversation with Petrelli, he stated that Dr. Clifton (Hot Flash Racing) personally examined "Art's Clown" at one time. The protest disputing the claim was subsequently dropped early the following week.

The meeting in the steward's office included Audrey Clifton, D.V.M. (Hot Flash Racing), Trainer Rocky Stidham and California Horse Racing Board Veterinarian Robert Goodbary. Dr. Clifton categorically denied having ever examined the horse "Art's Clown". Dr. Clifton said she performed only limited work for Trainer Petrelli in the past. The stewards told Dr. Clifton there was no rule against veterinarians owning racehorses, however in this Board of Steward's experience; we don't recall veterinarians claiming horses.

A protest hearing in this matter could have been interesting as to what constitutes an 'unfair advantage' in the claiming of racehorses. The stewards and California Horse Racing Board Veterinarian Goodbary went over written and unwritten rules regarding professionalism and the real or perceived occasional paranoia surrounding the 'claiming game'. The stewards don't anticipate matters related to these in the foreseeable future.

11/29/08 (2) **Sires Stakes Finals**

Four (4) California Sires Stake Finals were contested on tonight's fifteen (15) race card. Two (2) year old pacing and trotting divisions for colts and fillies all carried purses of \$25,000.

11/29/08 (3) **Third Race – Inquiry**

The stewards posted the inquiry sign immediately following this race to observe individual 'breaks' made by third place finisher #5 "Lodi Cooper" (Lemoyne Svendsen) and fourth place finisher #1 "Try This" (Gilbert Garcia-Herrera).

Race replays show both #5 "Lodi Cooper" and #1 "Try This" 'lose ground' following their individual breaks. This complies with California Horse Racing Board Rule #1722 (Breaking). No change was made in the order of finish.

11/29/08 (4) **Program Changes**

- 1st Race Declaration - #7 "Castle Oaks" – Trainer Tim Maier
Refund: \$20 Sick – Robert Goodbary, D.V.M.
- 2nd Race Declaration - #1A "Cherry Tree Nicole" – Trainer Tim Maier
No Refund Sick – Robert Goodbary, D.V.M.
- 5th Race Declaration - #3 "The deadliest catch" – Trainer Mark Anderson
Refund: \$17 Sick – Robert Goodbary, D.V.M.
- #7 "The Chazz Guy" – Trainer Lou Pena
Refund: \$12 Sick – Robert Goodbary, D.V.M.
- 6th Race Declaration - #7 "Cat Burgler" – Trainer Vickie Desomer
Refund: \$75 Injured – Robert Goodbary, D.V.M.
- 7th Race Declaration - #4 "Thatsmyson" – Trainer Frank Petrelli
Refund: \$10 Injured – Robert Goodbary, D.V.M.
- 10th Race Declaration - #7 "Davbro Bromac N" – Trainer Rick Plano
Refund: \$166 Injured – Robert Goodbary, D.V.M.
- 11th Race Declaration - #7 "Paul The Powerful" – Trainer Gilbert Herrera
Refund: \$9 Sick – Robert Goodbary, D.V.M.
- 13th Race Declaration - #3 "Check Raisin" – Trainer Steve Hyman
Refund: \$99 Sick – Robert Goodbary, D.V.M.
- 14th Race Declaration - #8 "Looking At You" – Trainer Lou Pena
Refund: \$169 Sick – Robert Goodbary, D.V.M.
- 14th Race Driver Change - #9 "Little Box Out"
S. Wiseman for Programmed Driver L. Smith (Hurt Arm A.M.)
- 15th Race Declaration - #3 "Kings Whisper" – Trainer Larry Alterman
Refund: \$11 Sick – Robert Goodbary, D.V.M.

11/29/08 (5) **Attendance and Handle**

Attendance	459
Live Handle (On Track)	\$74,061
Handle (In State)	\$635,432
<u>Handle (Out of State)</u>	<u>\$298,112</u>
Total Handle	\$1,007,605

RULINGS ISSUED THIS WEEK

- 11/26/08 44 Driver Lou Pena, who drove "Carl Lewis N" in the Fifth Race at Cal-Expo on Saturday, November 22, 2008; is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1731(G) (Starting Rules – Failure to Come Up into Position).
- 11/26/08 45 Driver Bruce Clarke, who drove "Giles L S Hanover" in the Thirteenth Race at Cal-Expo on Saturday, November 22, 2008; is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1731(G) (Starting Rules – Failure to Come Up into Position).

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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
26-Nov	1	6	MS KMC	PENA	Injured	Goodbary	\$13.00
	3	1	POWERGAITORDOTCOM	MAIER	Injured	Goodbary	\$12.00
	3	4	THE MAGIC	PENA	Injured	Goodbary	\$9.00
	3	6	MALGARITA	HERRERA	Injured	Goodbary	\$7.00
	3	7	SWEETIE OF LODI	LINDSEY	Injured	Goodbary	\$12.00
	4	7	MUDFLAP	BERTRAND	Injured	Goodbary	\$0.00
	5	2	JADE'S CROWN	MAIER	Injured	Goodbary	\$3.00
	6	1	THE RIDGE	MAIER	Injured	Goodbary	\$2.00
	6	5	DEANO'S HI HO	COVEMAKER	Injured	Goodbary	\$0.00
	6	6	MID NIGHT FLYER	HERRERA	Injured	Goodbary	\$6.00
	6	7	LADY TLANE	RUIZ	Injured	Goodbary	\$4.00
	6	8	THE CHAZZ GUY	PENA	Injured	Goodbary	\$2.00
	9	1	LASSEZ FAIRE	MAIER	Injured	Goodbary	\$8.00
	9	2	CHARMER	MAIER	Injured	Goodbary	\$1.00
	9	8	VEST'S CONNECTION	SMITH	Injured	Goodbary	\$0.00
28-Nov	12	7	LODI GAMBLER	SMITH	Injured	Goodbary	\$5.00
	1	2	COAL YOUNGER	WINE II	Injured	Goodbary	\$86.00
	2	1	SILVER ROCKET	VALANDINGHAM	Injured	Goodbary	\$105.00
	3	2	HYDROPEDES	PENA	Injured	Goodbary	\$33.00
	6	3	MERINGUE	RYNNINGEN	Injured	Goodbary	\$103.00
	7	3	HOOSIER WILDCAT	RICCO	Injured	Goodbary	\$55.00
	8	4	K D ROWDY ONE	STIDHAM	Injured	Goodbary	\$478.00
	9	4	GREY FRIER	TREMBLAY	Injured	Goodbary	\$150.00
	11	1	STU ON TOP	PENA	Injured	Goodbary	\$713.00
	14	8	STAND UP AND SHOUT	RITCHIE	Sick	Cook	\$49.00
	15	2	LITTLE ROOSTER	VAN TASSELL	Injured	Goodbary	\$215.00

29-Nov	1	7	CASTLE OAKS	MAIER	Sick	Goodbary	\$20.00
	2	1A	CHERRY TREE NICOLE	MAIER	Sick	Goodbary	\$0.00
	5	3	THE DEADLIEST CATCH	ANDERSON	Sick	Goodbary	\$17.00
	5	7	THE CHAZZ GUY	PENA	Sick	Goodbary	\$12.00
	6	7	CAT BURGLER	DESOMER	Injured	Goodbary	\$75.00
	7	4	THATSMYSON	PETRELLI	Injured	Goodbary	\$10.00
	10	7	DAVBRO BROMAC N	PLANO	Injured	Goodbary	\$166.00
	11	7	PAUL THE POWERFUL	HERRERA	Sick	Goodbary	\$9.00
	13	3	CHECK RAISIN	HYMAN	Sick	Goodbary	\$99.00
	14	8	LOOKING AT YOU	PENA	Sick	Goodbary	\$169.00
	15	3	KINGS WHISPER	ALTERMAN	Sick	Goodbary	\$11.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	8,382.60
Fresno Club One	\$	1,744.40
Golden Gate	\$	54,851.80
Monterey	\$	10,125.60
Pleasanton	\$	31,537.10
Sacramento	\$	135,173.90
San Jose	\$	47,249.40
San Mateo	\$	76,640.00
Santa Rosa	\$	13,548.10
Stockton	\$	28,401.80
Tulare	\$	508.60
Vallejo	\$	32,142.00
Racing Fairs	\$	-
Out of State	\$	917,513.95

CAL-EXPO HARNESS ASSOCIATION

SUMMARY

2008

	Mon 11/24	Tues 11/25	Wed 11/26	Thurs 11/27	Fri 11/28	Sat 11/29	Total Week	Total Meet
Accidents	D	D	0	D	0	0	0	1
Cal-Bred Races	A	A	0	A	0	0	0	16
Claims	R	R	1	R	2	0	3	21
Disqualifications	K	K	0	K	0	0	0	16
Inquiries	D	D	2	D	0	1	3	42
Refunds	A	A	18	A	11	10	39	117
Rulings	Y	Y	3	Y	1	1	5	48

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

All drivers submitted to a breath analyzer test.

Grant Baker, Steward

Brent McLaren, Steward

Michael W. "Wayne" Oke, Steward