



REPORT OF THE BOARD OF STEWARDS

DEL MAR FALL MEET DEL MAR THOROUGHBRED CLUB

To the California Horse Racing Board

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ROBERT B. MILLER, CHIEF COUNSEL CHRB

WEEK 4 - Sunday, November 15, 2015 through Saturday, November 21, 2015.

SUNDAY

11/15/15¹

TAUB HEARING CASE 15SA0301

A complaint was filed by the CHRB against owner Stephen Taub for a possible violation of CHRB rule 1930 (Obedience to Security Officers and Public Safety Officers), 1902 (Conduct Detrimental to Horse Racing) and 1890 (Possession of Contraband). Present were Supervising Investigator Rick Amieva and Steve Melen, owner and partner with Mr. Taub. Attached to the complaint was a Santa Anita Security Department Incident Report which stated Mr. Taub was smoking marijuana in the grandstand on the Mezz level, section 5-upper grandstand and refused to cooperate with Security. Mr. Taub testified he is guilty of possessing and smoking marijuana and was uncooperative with Security because the guard did not identify himself when he was first approached. There was some disagreement with respect to when Mr. Taub became cooperative. Decision to follow.

11/15/15²

JOCKEY FILM REVIEW

Apprentice David Lopez met with the Stewards as directed to review the fourth race in which he drifted out near the wire. The incident was not penalty worthy and Mr. Lopez was cautioned to be more aware in the future. He stated he would do so.

11/15/15³

INQUIRY DISQUALIFICATION 1 MILE (dirt)

After the race the inquiry sign was posted to review an incident in deep stretch. Involved were #7 Urlacher (J. Graham 1st) and #9 Sorryaboutnothing (C. Nakatani 2nd). After a review of the videos, conversation with the Patrol Judges and both jockeys involved it was a unanimous decision to disqualify #7 and place it second. Approaching the 1/16 marker #7 under a vigorous ride, drifted out into the path of #9 causing the latter to take up and shift out costing it the opportunity of a better placing (neck).

ORIGINAL ORDER (7)-9-4-6-5-2-1-8-3

OFFICIAL ORDER 9-(7)-4-6-5-2-1-8-3

11/15/15⁴

DECLARATIONS, CHANGES AND REFUNDS

1st race	No Changes. Refund \$0
2nd race	No Changes. Refund \$0
3rd race	#2 Carlot Cowboy (Tr. B. Spawr) claimed by Tr. S. Knapp

#4 Warren's Joe T. (Tr. J. Brocklebank) claimed by Tr. Tr. G. Greiner
 #7 Can't Do the Danse (Tr. J. Wong) claimed by Tr. J. Bonde
 Refund \$0

4th race No Changes. Refund \$108.00

5th race #8 Anthony's got game (Tr. D. O'Neill) claimed by Tr. M. Glatt
 Refund \$118.00

6th race No Changes. Refund \$1,709.00

7th race #2 Daring Darling (Tr. J. Hollendorfer) Veterinarian-sick-Dr. Stead
 Refund \$359.70

8th race #4 Patriotic Diamond (Tr. P. Biancone) Steward-stake
 #5 Imflat out sweet (Tr. J. Hollendorfer) Steward-stake
 Refund \$565.80

9th race No Changes. Refund \$57.00

11/15/15⁵

DAILY ATTENDANCE & HANDLE

On track	4,637	\$1,045,880.00
Off Track	7,245	\$4,580,770.30
Out -of-State	N/A	\$6,624,137.74
Total	11,882	\$12,250,788.04

THURSDAY

11/19/15¹

VAN DYKE RULING

The following ruling was issued and after verification that Mr. Van Dyke was listed to ride out of state.

RULING DFTD #011

Jockey DRAYDEN VANDYKE having ridden a designated race in another jurisdiction while under suspension (DFTD Ruling #006 dated November 7, 2015), is assigned an additional suspension day on Saturday, November 21, 2015 pursuant to California Horse Racing Board rule 1766 (Designated Races).

11/19/15²

FINANCIALS WITHDRAWN

The following complaints were withdrawn after confirmation all had been paid.

CASE: 12SA0029 Moonlight Farms, Inc paid Blea, Hunkin, Inc. \$5,369.24
 CASE: 15SA0288 George Castanares paid Nolton Pattio \$660.00
 CASE: 15SA0287 John Brocklebank paid Notlon Pattio \$1,594.79
 CASE: 15SA0291 Duncan/Moonlight Racing Stables paid Nolton Pattio \$3,448.48
 CASE: 15SA0293 Emily Mode paid Nolton Pattio \$100.00
 CASE: 15SA0308 Judy Fischer paid Amy Seim \$100.00

11/19/15³

MARQUEZ FORMAL HEARING CASE #15LT0012

A complaint was filed by the CHRB against trainer Alfredo Marquez for a violation of CHRB rules 1843 (a)(d) 1843.1(b) 1844(c) (1) 1887 (a). Representing the CHRB was Investigator Phil Miyazaki and recording the proceedings was court reporter Michell Derieg. Mr. Marquez's entrant Tiz Pleasant who raced and finished second at Del Mar race track on September 2, 2015 tested a 3.31 level of phenylbutazone. Mr. Marquez stated that the filly does not train on this medication and the only time she was treated with it was for the race by his practicing veterinarian. Decision to follow.

11/19/15⁴

JOCKEY FILM REVIEW ref 11-15-15 (3)

James Graham met with the Stewards to review the fourth race Sunday in which his mount was disqualified from first to second place for a drift late in the stretch. The majority felt Mr. Graham made an adequate effort to maintain a straight course, Steward Sawyer felt Mr. Graham should have guided the horse with the left rein and not his body weight (leaning to the left) to correct the drift and a three day suspension was appropriate. He left with a warning.

11/19/15⁵

GOOD RACING

The afternoon card was performed without notable incidents, any changes are listed below.

11/19/15⁶**DECLARATIONS, CHANGES AND REFUNDS**

1st race #3 Just a Gem (Tr. C. Stutts) Veterinarian-sick-Dr. Grant
Refund \$307.23

2nd race No Changes. Refund \$0

3rd race #3 Lost Bus (Tr. B. Heap) claimed by Tr. G. Sherlock. Refund \$3.00

4th race #7 Derby Glass (Tr. D. O'Neill) claimed by Tr. V. Garcia
Refund \$74.30

5th race No Changes. Refund \$82.00

6th race No Changes. Refund \$303.00

7th race No Changes. Refund \$1,665.44

8th race #2 Sharp Holiday (Tr. B. Koriner) Veterinarian-sick-Dr. Stead
#7 Some Caan Job (Tr. E. Freeman) S. Gonzalez replaced C. Nakatani (sick)
Refund \$214.80

11/19/15⁷**DAILY ATTENDANCE & HANDLE**

On track	3,034	\$455,121.90
Off Track	4,070	\$1,983,695.20
Out –of-State	N/A	\$3,333,634.57
Total	7,104	\$5,772,451.67

FRIDAY11/20/15¹**PAPAPRODROMOU HEARING CASE #15DM114**

A complaint was filed against trainer George Papaprodromou for a violation of CHRB rule 1852 (Reporting to Receiving Barn). His trainee was late to the receiving barn for the fifth race at Del Mar on November 14, 2015. Mr. Papaprodromou explained there were some issues at the barn which caused the delay of his arrival time to the receiving barn. He has not violated this rule in the past and an official warning was issued.

11/20/15²**PENDER/ FIHN HEARING CASE #15DM109**

A complaint (1876, financial) was filed by Alina Milan for services rendered pertaining to horse massage therapy in the amount of \$1,100.00 against Pender Racing / Joel Fihn. After confirmation the bill was paid and the complaint was withdrawn.

11/20/15³**URBINA HEARING CASE #15DM097**

The CHRB filed a complaint against exercise rider Thomas Urbina for a possible violation of CHRB rule 1874(3) (Disorderly Conduct). Present for the hearing along with Mr. Urbina were witnesses, Dennis Flowers (horse ambulance driver), maintenance worker, John Carbajal (attendant with horse in ambulance) and representing the CHRB, Investigator Jim Hamilton. Mr. Urbina was accused of impeding the duties of the horse ambulance driver while delivering an injured horse to a stable in the barn area. Mr. Flowers was certain that Mr. Urbina was the driver who blocked his way. Mr. Carbajal stated he heard parts of the conversation and briefly saw Mr. Urbina in his red truck. Mr. Urbina stated there was plenty of room for the ambulance to pass, but then claimed that he was working in the valet parking lot at the time of the incident. Due to the time factor and the absence of one witness this hearing was continued. More to follow.

11/20/15⁴**VAN DYKE RULING CORRECTION**

Having learned that jockey Drayden Van Dyke, despite being named on the program, did not ride a designated race in Kentucky, we issued the following ruling:

RULING DFTD #012

Having received additional information regarding jockey DRAYDEN VANDYKE riding a designated race, DFTD Ruling #011 dated November 7, 2015, is rescinded.

11/20/15⁵

BALTHAZAR RULING CASE #15SA0126

After verification that Darwin Balthazar paid the debt owed to Dr. Nolton Pattio the following ruling was issued.

RULING DFTD #013

Owner DARWIN BALTHAZAR, having complied with the provisions of California Horse Racing Board rule #1876 (Financial Responsibility--\$837.00 to Nolton Pattio) is restored to good standing. LATS Ruling #107 dated May 5, 2015 is set aside.

11/20/15⁶

VOIDED CLAIMS

After a soundness exam of #4 Classic Gent in the second race, Official Veterinarian Barrie Grant placed the horse on the Veterinarian's List and the claim was voided. The horse returned to trainer P. Miller.

Also in the seventh race #6 Lucky Student claimed by trainer Mark Glatt, failed the Veterinarian post race examination, was placed on the Veterinarian's List which voided the claim and the horse returned to trainer Adam Kitchingman.

11/20/15⁷

DECLARATIONS, CHANGES AND REFUNDS

1st race	No Changes. Refund \$328.00
2nd race	#3 Bandido Too (Tr. A. Kitchingman)-sick-Dr. Stead #4 Classic Gent (Tr. P. Miller) claimed by Tr. A. Sherman VOID #7 Bluegrass Sight (Tr. R. B. Hess) claimed by Tr. F. Meza Refund \$706.50
3rd race	#4 John's Success (Tr. D. O'Neill) claimed by Tr. P. D'Amato #5 Lovenseek (Tr. P. Miller) claimed by Tr. D. O'Neill Refund \$0
4th race	#8 Mr. Cartagena (Tr. A. Kitchingman) claimed by Tr. R. Diodoro Refund \$9.00
5th race	No Changes. Refund \$303.20
6th race	#3 Go Long (Tr. K. Desormeaux) J. Graham replaced K. Desormeaux (travel) Refund \$47.00
7th race	#6 Lucky Student (Tr. A. Kitchingman) claimed by Tr. M. Glatt VOID #7 Sawyer's Jet (Tr. G. Mandella) Veterinarian-unsound-Dr. Stead Refund \$627.40
8th race	No Changes. Refund \$185.70

11/20/15⁸

DAILY ATTENDANCE & HANDLE

On track	3,045	\$440,619.90
Off Track	4,436	\$2,403,508.00
Out -of-State	N/A	\$3,951,364.95
Total	7,481	\$6,795,492.85

SATURDAY

11/21/15¹

TAUB RULING ref 11-15-15(1); MARQUEZ RULING ref 11-19-15 (3)

The following two rulings was issued after decisions were made pertaining to the hearings conducted for both cases.

RULING DFTD#014

Owner STEVE TAUB is fined FIVE HUNDRED DOLLARS (\$500.00)* for violation of California Horse Racing Board rules #1930 (Obedience to Security Officers and Public Safety Officers) and #1890(a) (Possession of Contraband – marijuana).

RULING DFTD#015

Trainer ALFREDO MARQUEZ, who started the horse "TIZ PLEASANT", the second place finisher in the 1st race at Del Mar Thoroughbred Club on September 4, 2015, is fined TWO HUNDRED FIFTY DOLLARS (\$250.00)* for violation of California Horse Racing Board rules #1844(c)(1) (Authorized Medication – Phenylbutazone in excess of permitted level (3.31ug/mL) second offense), #1843.1(b) (Prohibited Drug Substances), #1843(A)(D) (Medication, Drugs and Other Substances), pursuant to California Horse Racing Board rule #1887 (Trainer to Insure Condition of Horse).

11/21/15²

RUIS HEARING CASE #15DM108

A financial complaint (1876) was filed by Alina Milan for services rendered for horse massage therapy in the amount of \$1,215.00 against owner Shelbie Ruis. Ms. Milan was available, Ms. Ruis did not appear, but after a third party contacted her, she called and promised to deliver a check tomorrow. The complaint will not be signed off until the check is received.

11/21/15³

MILLER HEARING CASE #15SA0302

A complaint was filed by trainer Dan Azcarate against trainer Quinten Miller for a possible violation of CHRB rule 1876 (Financial Responsibility). Mr. Miller telephoned three days prior to the hearing, stated he had sent a check to the Stewards and requested Mr. Azcarate fill out a 1099 form before he receives the payment owed. More to follow.

11/21/15⁴

RUVALCABA HEARING FOR FITNESS CASE # 13SA0186 ref 5-31-14(2), 6-14-14(5)

This hearing involved groom Martin Ruvalcaba's eligibility to hold a CHRB license. Mr. Ruvalcaba was originally arrested by the Monrovia Police Department on October 16, 2013 for a warrant issued when he failed to appear in court for a progress report pertaining to an under the influence arrest (marijuana). In a ruling issued June 14, 2014, Mr. Ruvalcaba was required to sign a testing agreement and not be eligible to be relicensed for six months after testing positive for marijuana. Mr. Ruvalcaba stated he is now cleared with the courts after meeting their requirements. He stated he has a marijuana card for medical reasons, but he was informed this does not allow him to have the drug in his possession when on the grounds of any race track. It was verified that he will be employed by trainer Jorge Periban. The following ruling was issued.

RULING DFTD #016

Groom MARTIN RUVALCABA, having participated in a fitness for license hearing, is granted a groom's license. Mr. Ruvalcaba is required to sign a testing agreement with the California Horse Racing Board and enter into a contract with the Winners' Foundation and abide by its terms. Additionally, Mr. Ruvalcaba must participate in a fitness for license hearing if he applies for licensure in a category other than that of groom.

11/21/15⁵

JOCKEY OBJECTION NO CHANGE EIGHTH RACE (1 mile 3/8 turf)

Following the running of the race jockey Victor Espinoza who finished second on #9 Elektrum (IRE) lodged an objection against #11 Rusty Slipper (S. de Sousa 1st). The incident occurred about an eighth of a mile after the start of the race. As the four horse spread formed, #11 on the outside, #9 to its inside, and a rank horse #3 Tiz Kissable two off the fence, the space became tight and #9 had to take up. The video was inconclusive as to which horse was accountable for the incident. After a review of the videos, conversation with the Patrol Judges and jockeys involved, it was a unanimous decision to make no change and the race was made official.

11/21/15⁶

VOIDED CLAIM

After an examination by Official Veterinarian Barrie Grant of #5 Pepnic in the ninth race the horse was found to be unsound, placed on the Veterinarian's List and the claim was voided. The horse was returned to the stable of trainer Bill Spawr.

11/21/15⁷

DECLARATIONS, CHANGES AND REFUNDS

1st race	No Changes. Refund \$0
2nd race	No Changes. Refund \$0
3rd race	No Changes. Refund \$0
4th race	No Changes. Refund \$115.00
5th race	No Changes. Refund \$78.00
6th race	No Changes. Refund \$861.50
7th race	No Changes. Refund \$3.00
8th race	No Change. Refund \$383.90
9th race	#1 Ferocious (Tr. R. Ellis) claimed by Tr. V. Belvoir
	#4 Newfound Gold (Tr. J Sierra) claimed by Tr. W. Ward
	#5 Pepnic (Tr. B. Spawr) claimed by Tr. E. Moger VOID
	#7 Apollo Ten (Tr. J. Carava) claimed by Tr. R. B. Hess. Refund \$0

11/21/15⁸

DAILY ATTENDANCE & HANDLE

On track	15,402	\$986,530.10
Off Track	7,263	\$3,910,760.50
Out –of-State	N/A	\$5,787,992.36
Total	22,665	\$10,685,282.96

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 REPORT – WEEK OF 10-19-15 TO 10-26-15

Horses on Vet List 8
Horses off Vet List 12
Shock Wave Therapy 21
Deceased 2

SUMMARY

	Sun 11/15	Thurs 11/19	Fri 11/20	Sat 11/21	Week	Meet
Accidents	0	0	0	0	0	1
Cal-Bred Races	2	1	2	1	6	22
Claims	4	4	4	4	16	47
Disqualifications	1	0	0	0	1	2
Inquiries	1	0	0	1	2	8
Refunds	3	1	2	0	6	60
Rulings	0	1	2	3	6	16
Voided Claims	0	0	2	1	3	9

Respectfully submitted,

Kim Sawyer, Steward

Tom Ward, Steward

C. Scott Chaney, Steward

David Nuesch, Safety Steward

BOS:KS:dw