

**REPORT OF THE BOARD OF STEWARDS****DEL MAR THOROUGHBRED CLUB****TO THE CALIFORNIA HORSE RACING BOARD**

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Report of the Board of Stewards for the week of Wednesday July 29, 2009 through Sunday August 2, 2009.

WEDNESDAY

7-29-09

1 VIDEO REVIEW

Jockey Joel Rosario was in the office accompanied by his agent, Vic Stauffer, to review the second race from 7-26, in which his mount drifted in approaching the finish. His mount's actions caused another rider to steady. Rosario said he made an attempt to straighten his mount, but it was not evident in the video. While the ride did not give rise to a suspension, the rider was told that he has to make a stronger effort in the future.

2 MEDICATION VIOLATION

Trainer Paul Aguirre was in the office this morning to address a complaint filed against him for an overage of the permitted medication Phenylbutazone. His horse, Carmel Coffee, finished first in the seventh race at Hollywood Park on June 26, 2009. The post-race sample showed the presence of 6.19 ug/ml of the drug. Mr. Aguirre said that the horse had received a normal administration of Phenylbutazone via injection by his attending veterinarian 24 hours prior to the race. She had received an oral administration four days prior.

3 TOTE BOARD PROBLEM

The Stewards received a call from Pari-mutuel Manager Bill Navarro prior to the first race to the effect that the main totalizator board in the infield was not functioning. Trakus personnel were working on a problem with their equipment when the board went out. The tote system itself was not compromised and wagers could still be accepted. Odds were displayed on television monitors throughout the plant and at satellite locations. The main board was back in operation prior to the fourth race.

4 PROGRAM CHANGES/A. M. DECLARATIONS

5th race - #9 Sunny Peace (Vet-injured) refund of \$ 5,032.14

6th race - #7 Skeet (Vet-sick)

#9 Freedom Star (Vet-sick) refund of \$ 4,863.34

5 ATTENDANCE AND HANDLE

Total Refund: \$9,894.48	Del Mar on Track 14,503	Off Track	\$2,553,151.50
No Minus Pool	Off Track 6,216	Out of State	\$4,795,149.80
	Total Attendance 20,719	Del Mar Total	\$2,036,192.60
		Total	\$9,384,493.90

THURSDAY

7-30-09

1 RULING # 9

Trainer Paul Aguirre, who started the horse “Carmel Coffee” which finished first in the seventh race at Hollywood Park on June 26, 2009, is fined Five hundred dollars* (\$500.00) pursuant to California Horse Racing Board rule #1887 (Trainer to Insure Condition of Horse for violation of California Horse Racing Board rules #1844 (c) (1) (Authorized Medication, Phenylbutazone, in excess of permitted level (6.19 ug/ml)) and #1843 (a) (d) (Medication, Drugs and Other Substances).

This ruling was issued to finalize the complaint against the trainer. (Ref. 7-29-09)

2 JOCKEY MARTIN GARCIA RULING #10

Jockey Martin Garcia, who rode # 8 “Ritzville” in the eighth race at Del Mar Thoroughbred Club on July 29, 2009, is suspended for THREE RACING DAYS (3) (August 6, 7, and 8, 2009) for failure to make the proper effort to maintain a straight course leaving the starting gate. This constitutes a violation of California Horse Racing Board rule # 1699 (d) (Riding Rules – Careless Riding).

Terms of suspension shall not prohibit participation in designated races pursuant to California Horse Racing Board rule # 1766 (Designated Races).

This ruling was issued after Garcia had viewed video of the eighth race from 7-29, during which his mount, #8 Ritzville, was responsible for interference at the start and on the backstretch. Mr. Garcia could offer no plausible excuse for allowing his horse to drift in and make contact with a competing horse.

3 VIDEO REVIEW

Aaron Gryder was in the office to review the start of the third race as his mount floated another horse out shortly after the start. The rider admitted he was a bit late correcting the errant two-year-old filly, but said he had problems with her in her previous race and was reluctant to take too strong of a hold on the inside rein . He will make a better effort in the future.

4 KAENEL IN

Former jockey "Cowboy" Jack Kaenel was in the office today seeking a license as an agent for rider Nate Conde. Kaenel had been suspended for the term of his license (7-07) back in June of 2006, for violating the terms of a ruling issued at Del Mar Thoroughbred Club on August 7, 2004. Kaenel left the state and ended up working at a ranch in Nebraska for the past two years. He said he has not had a drink in approximately fourteen months. He did produce a letter from the Nebraska Racing Commission to the effect that he is eligible to apply for a license in that jurisdiction. On the negative side was the fact that he did not comply with a number of conditions set forth in the original ruling. A decision will be rendered shortly.

5 REFUND

A refund was ordered in the eighth race as #11 Ministerfrommiami unseated jockey Tyler Baze while behind the starting gate and ran off into the 7/8 chute. The horse was declared on the recommendation of Racing Veterinarian Barrie Grant, with the resulting refund amounting to \$249,468.52. Baze was not injured.

6 PROGRAM CHANGES A. M. DECLARATIONS

6th race - #9 Ride Me Fast (AE)

#10 La Swing (AE)

#11 Pure and Simple (AE) refund of \$792.30

8th race - #1a Google Me (AE) no refund –part of entry

7 ATTENDANCE AND HANDLE

Total Refund: \$250,260.82	Del Mar on Track 9,829	Off Track	\$2,611,540.00
No Minus Pool	Off Track 6,839	Out of State	\$4,627,612.27
	Total Attendance 16,668	<u>Del Mar Total</u>	<u>\$1,592,570.30</u>
		Total	\$8,831,722.57

FRIDAY

7-31-09

1 RULING #11

Veterinarian WADE BYRD is fined TWO HUNDRED DOLLARS* (\$200.00) for violation of California Horse Racing Board rule #1845 (e) (Authorized Bleeder Medication – inaccurate Bleeder Treatment Report) at Del Mar Thoroughbred Club on July 29, 2009.

This ruling was issued after Dr. Byrd took responsibility for carelessly marking the wrong time on a lasix administration slip.

2 REFUND

A refund was ordered in the third race as #6 Po'manshoss was off in front during the warm up period and was declared on the recommendation of Racing Veterinarian Barrie Grant. The refund amounted to \$16,668.34

3 STEWARDS' INQUIRY – NO CHANGE

The inquiry sign was posted after the seventh race as #8 Dave's Revenge, ridden by Victor Espinoza, reared at the start and was pulled up shortly thereafter. After speaking with the rider, taking into account the statement of Starter Gary Brinson and reviewing video of the start, the Stewards unanimously voted to declare the horse a "starter". The stall doors opened properly and coincident with those of the other runners. There was a concern that the horse was pulled up quickly but Espinoza stated that the filly hit her head when she reared.

4 JOCKEY OBJECTION AND DISQUALIFICATION

The objection sign was posted after the ninth race as Alonso Quinozez (2nd, #9 Smooth and Savvy) lodged a claim of foul against Michael Baze (1st, #2 Self Insured) for interference during the stretch run. Quinozez claimed that his mount was floated to the inside and thereby cost the win.

After speaking with the riders involved, taking into account reports from the Patrol Judges and reviewing video of the incident the Stewards, by majority decision-Ward dissenting-disqualified Self Insured from first to second place. The majority felt that Baze came in too far and forced Quinonez off of his path.

5 PROGRAM CHANGES /A. M. DECLARATIONS

1st race - #4 Opal Haze (Vet-sick) refund of \$1,646.56

4th race - #12 Frequent Fame (Vet-injured)
#14 Royalty Gone Wild (AE) refund of \$2,312.58

5th race - #6 Steam Iron (Vet-unsound)
#11 Digestivo (AE)
#12 There Goes Gee Gee (AE) refund of \$2,865.68

6th race - #9 Hot Summer Breeze (Vet-injured) refund of \$1,254.54

7th race - #9 Profitability (Vet-injured) refund of \$708.54

8th race - #12 Pams Pompallier (AE) refund of \$998.76

6 ATTENDANCE AND HANDLE

Total Refund: \$26,455.00	Del Mar on Track	21,226	Off Track	\$3,133,108.20
No Minus Pool	<u>Off Track</u>	<u>7,290</u>	Out of State	\$6,696,653.28
	Total Attendance	28,516	<u>Del Mar Total</u>	<u>\$2,147,336.80</u>
			Total	\$11,977,008.28

SATURDAY

8-1-09

1 RULING

DMTD # 12

Having received notice that veterinarian RODNEY JAMES STEWART's suspension issued by Kentucky Horse Racing Authority has been stayed by the Franklin County, Kentucky

Circuit Court, Dr. Stewart's California Horse Racing Board license is restored to good standing. DMTD #65, issued at the Del Mar Thoroughbred Club on August 23, 2007 is set aside.

Furthermore, veterinarian RODNEY JAMES STEWART is fined FIVE HUNDRED DOLLARS* (\$500.00) for violation of California Horse Racing Board rules #1840 (Veterinary Practices and Treatments Restricted) and #1864 (Labeling of Medications).

The preceding ruling was issued after it was learned that Dr. Stewart's suspension in Kentucky was stayed. Although a complaint had been filed for a 2007 violation, the case was put on hold due to his suspension in Kentucky. Dr. Stewart, through his counsel Scott Gailen, agreed to the penalty.

2 RULING

DMTD #13

Jockey MICHAEL BAZE, who rode "SELF INSURED" in the ninth race at Del Mar Thoroughbred Club on July 31, 2009, is suspended for THREE RACING DAYS (3) (August 8, 9, and 12, 2009) for failure to make the proper effort to maintain a straight course in the stretch and causing interference, resulting in the disqualification of his mount from first to second. This constitutes a violation of California Horse Racing Board rule # 1699 (d) (Riding Rules – Careless Riding).

Terms of suspension shall not prohibit participation in designated races pursuant to California Horse Racing Board rule # 1766 (Designated Races).

The foregoing ruling was issued after Baze, in the company of Jockeys' Guild representative Darrell Haire, viewed video of the ninth race from yesterday, after which his mount was disqualified for interference during the stretch run. Michael said he followed Quinonez in as he wanted to keep his mount competitive. The Stewards were unanimous as to the suspension as the rider never made a substantial effort to correct his mount.

3 LASIX PROBLEM

#9 Bombing Two was declared from the tenth race after it was determined that trainer Jose DeLima's veterinarian, Jeff Blea, had administered Lasix to the horse when it was not on the approved list. The refund will be combined with the next minute entry.

4 REFUND

A refund was ordered in the tenth race as #1 Be an Angel hit its head during the saddling procedure and was declared on the recommendation of Racing Veterinarian Grant. The refund amounted to \$31,836.54

5 PROGRAM CHANGES/A. M. DECLARATIONS

7th race - #8 Came Aboard (Vet-injured) refund of \$1,895.14

8th race - #11 Wake Me Now (AE) refund of \$1,276.10

9th race – refund of \$269.68

10 race – refund of \$31,566.86

6 ATTENDANCE AND HANDLE

Total Refund: \$35,007.78	Del Mar on Track	25,281	Off Track	\$5,462,947.20
No Minus Pool	Off Track	11,246	Out of State	\$8,336,761.50
	Total Attendance	36,527	<u>Del Mar Total</u>	<u>\$3,093,245.10</u>
			Total	\$16,892,962.80

SUNDAY
8-2-09

1 AMENDED RULING

DMTD # 2

Trainer PATRICK BIANCONE is fined FIVE HUNDRED DOLLARS (\$500.00)* for violation of California Horse Racing Board rule #1894 (Duties of Trainer) pursuant to California Horse Racing Board 1629 (Penalty for Late Declaration) necessitating the late declaration of Whyprincesswhy from the second race at Del Mar on July 23, 2009.

This ruling was issued after it was learned that Mr. Biancone's filly did not receive Clenbuterol inside of twenty four hours to race time, but actually was medicated shortly after it was entered. (Ref. 7-23-09-5)

2 VIDEO REVIEW

Corey Nakatani was in the office to review two races from Friday in which he permitted his mounts to drift wide coming into the stretch. While neither incident gave rise to a sanction, Corey was cautioned to make a stronger effort to control his mounts.

3 REFUND

A refund was ordered in the sixth race as #2 Ukiah was off in the hind quarters during warm up and was declared on the advice of Racing Veterinarian Grant. The refund amounted to \$208,979.66.

4 STEWARDS' INQUIRY – NO CHANGE

The Stewards posted the inquiry sign after the tenth race in order to review an incident at the ¼ pole involving the second and third place finishers, #2 Ol'dogtown (J. Scott) and #9 True no (F. Valdez).

After speaking with the riders involved, taking into account reports from the Patrol Judges and reviewing video of the incident the Stewards unanimously voted to make no change in the placings. While Valdez did steady when Ms. Scott's horse came in, he was beaten over 4 lengths for second money.

5 PROGRAM CHANGES A. M. DECLARATIONS

3rd race - #4 Midnight Crush (Vet-sick) refund of \$1,382.44

4th race - #1 Global Inspiration (Vet-sick) refund of \$521.96

5th race - #7 Boldnregent (Vet-injured) refund of \$968.96

7th race - #11 Courtly Couture (AE)

#12 Starzig (AE) refund of \$1,161.10

8th race - #3 Allicansayis Wow (Stakes) refund of \$2,897.04

9th race - #4 County Tune (Vet-injured) refund of \$4,113.14

10th race - #5 Objectified (Vet-injured)
 #6 Audie M. (Vet-unsound) refund of \$9,792.88

6 ATTENDANCE AND HANDLE

Total Refund: \$229,817.18	Del Mar on Track 16,392	Off Track \$5,276,517.00
No Minus Pool	<u>Off Track 11,524</u>	Out of State \$7,789,417.54
	Total Attendance 27,916	<u>Del Mar Total \$2,714,273.40</u>
		Total \$15,780,207.94

CALIFORNIA HORSE RACING BOARD
SUMMARY

	Wed 7-29	Thurs 7-30	Fri 7-31	Sat 8-1	Sun 8-2	Week Total	Meet Total
Accidents	0	0	0	0	0	0	1
Cal-Bred Races	3	3	1	1	1	9	15
Claims	6	4	11	10	2	33	60
Inquires	0	0	1	0	1	2	5
Objections	0	0	1	0	0	1	1
Disqualifications	0	0	1	0	0	1	1
Refunds	2	2	7	2	8	21	67
Rulings	0	2	1	2	0	5	13

Respectfully submitted,

Tom Ward (Steward)

C. Scott Chaney (Steward)

Ingrid Fermin (Steward)