

## CALIFORNIA HORSE RACING BOARD

1010 HURLEY WAY, SUITE 300

SACRAMENTO, CA 95825

**REPORT OF THE BOARD OF STEWARDS****LOS ANGELES TURF CLUB, INC.****Santa Anita Park****To the California Horse Racing Board**

Honorable Arnold Schwarzenegger, Governor

Honorable John C Harris, Vice Chairman

Honorable John Andreini, Member

Honorable Jesse H. Choper, Member

Honorable Bo Derek, Member

Honorable David Israel, Member

Honorable Jerry Moss, Member

Kirk E. Breed, Executive Director

Richard "Bon" Smith, Assistant Executive Director

For the period: Wednesday, February 11, 2009, through Monday, February 16, 2009.

## MINUTES – EIGHTH WEEK of SANTA ANITA

\* \* \* \* \*

**WEDNESDAY**02/11/09<sup>1</sup>**CAL-BRED REPORT**

The fifth race on today's program is for California-Bred fillies and mares four years old and upward which have never won \$10,000 other than maiden, claiming or starter, or which have never won two races. Seven are scheduled to travel one mile.

02/11/09<sup>2</sup>**OMAR BERRIO APPEARS**

The stewards held a Fitness for License hearing for jockey Omar Berrio, who had been suspended in August for 180 days for illegal substances. He was accompanied at the hearing by Winners' Foundation representatives and his pastor, who spoke on his behalf. Mr. Berrio showed proof of completion of an in-house rehabilitation program, and stated he has been clean for six months. His appearance showed a marked improvement. The stewards indicated he could have his license reinstated upon the conditions stated in the following ruling:

**LATS #032**

Jockey **OMAR BERRIO**, having participated in a fitness for license hearing as required by DMTD Ruling #56 issued on August 13, 2008, is reinstated. Conditions of reinstatement are that Mr. Berrio may not ride in a race for sixty days from the date of this ruling, must sign a drug testing agreement with the California Horse Racing Board whenever licensed in California, and must comply with the guidelines of the contract set forth by the Winner's Foundation. Furthermore, Mr. Berrio's license will be considered probationary for its term.

02/11/09<sup>3</sup> **HARRIS HEARING**  
 The stewards held an informal hearing to address case #09SA032, a financial complaint against trainer Andrew Harris registered by the Southern California Equine Foundation. Mr. Harris signed a financial agreement to pay \$100.00 per month until the debt of \$903.72, for a surgery, is paid in full.

02/11/09<sup>4</sup> **VERGE HEARING**  
 A scheduled hearing to address complaint #09SA037 was unnecessary as Southern California Equine Foundation representative Karen Klawitter advised the stewards that a check for the full amount owed by Mr. Verge had been received.

02/11/09<sup>5</sup> **FILM REVIEW**  
 Jockey Joe Talamo appeared to discuss a race from Sunday where his mount came inward down the stretch, causing a space to tighten where a horse was trying to come through. Mr. Talamo said his horse was lugging out and he may have over compensated. The stewards advised the jockey to try harder to keep a straight course, which he pledged to do in the future.

02/11/09<sup>6</sup> **DECLARATIONS, CHANGES AND REFUNDS**  
 1<sup>st</sup> Race #4 Snow On Christmas – Claimed, Tr. B. Spawr  
 #6 Chicks Rule – Claimed, Tr. J. Wallace  
 3<sup>rd</sup> Race #12 The Firebird (Tr. T.R. Bell, II) Stewards, also-eligible  
 Refund \$359.50  
 5<sup>th</sup> Race #6 Warren’s Appeal (Tr. J. Gutierrez) Veterinarian, sick – Dr. Bailey  
 Refund \$823.00

02/11/09<sup>7</sup> **DAILY ATTENDANCE & HANDLE**

On track	5,144	990,050.70
Inter-track	5,528	1,451,612.90
Out of state	n/a	3,254,564.05
Total	10,672	\$5,696,227.65

**THURSDAY**  
 02/12/09<sup>1</sup> **CAL-BRED REPORT**  
 Two California-Bred races are scheduled for this afternoon. Scheduled as the first event is a maiden allowance race for three year old fillies going one mile with a field of six. The seventh is an optional allowance claiming race for horses four years old and upward which have never won \$10,000, other than maiden, claiming or starter or which have never won two races, or \$25,000 claiming. A field of ten going six furlongs is scheduled to compete.

02/12/09<sup>2</sup> **OFFICE ACTIVITIES**  
 It was a routine morning in the stewards’ office today with licensing, scratches, and upcoming hearings some of the matters addressed.

02/12/09<sup>3</sup>**COLONEL JOHN WORKS BETWEEN RACES**

Between the third and fourth races, the 2008 Santa Anita Derby and Travers winner "Colonel John" worked seven furlongs in 1:25.40, galloping out the mile in 1:37.30 in preparation for the March 7<sup>th</sup> Santa Anita Handicap.

02/12/09<sup>4</sup>**INQUIRY – NO CHANGE**

Following the finish of the fourth race, the stewards posted the inquiry sign to review a bumping incident in deep stretch of the six furlong event. #2 Saugatuck River (1<sup>st</sup> – I. Puglisi) drifted out slightly, making contact with #7 Snooty Gal (2<sup>nd</sup> – C. Nakatani), who also drifted in a bit, brushing with #2. In a majority decision with Randy Winick dissenting, the stewards ruled no change would be made to the original order of finish, as both horses contributed to the contact.

02/12/09<sup>5</sup>**DECLARATIONS, CHANGES AND REFUNDS**

2<sup>nd</sup> Race #3 Tommys Luck – Claimed, Tr. R. Cardenas

3<sup>rd</sup> Race #1 Cobbler's Reef (Tr. M. Casse) stewards, unseated rider ran off  
#1A Mosaic (Tr. M. Casse) stewards, off turf – dirt only  
#6 Robadorable (Tr. M. Pender) veterinarian, sick – Dr. Bailey  
Refund \$66,716.94

5<sup>th</sup> Race #1 Lyphard's Dancer (Tr. D.F. Smith) veterinarian, sick – Dr.  
Refund \$169.60

6<sup>th</sup> Race #6 Hammurabi – Claimed, Tr. J. Sadler

8<sup>th</sup> Race #4 Warren'sgoldengirl (Tr. J. Van Berg) veterinarian, sick – Dr.  
Beck  
Refund \$806.20

02/12/09<sup>6</sup>**DAILY ATTENDANCE & HANDLE**

On track	3,446	924,695.60
Inter-track	6,142	1,676,029.70
Out of state	n/a	3,624,807.54
Total	9,588	\$6,225,532.84

**FRIDAY**02/13/09<sup>1</sup>**BYRD HEARING**

A formal hearing was conducted to address California Horse Racing Board complaint #09SA017, alleging the filing of an incorrect veterinarian report, which is a violation of CHRB rule 1842. The time of lasix administration for the horse "Razor Cut", entered in the sixth race at Santa Anita on January 9, 2009, was not correctly recorded. In addition, "Razor Cut" was scratched due to a late lasix administration.

Senior Investigator Guy Bourgeois presented the case for the CHRB and court reporter Barbara Weinstein recorded the proceedings. Also in attendance were respondent Dr. John Wade Byrd, his counsel Darrell Vienna, the Board of Stewards, Assistant Steward Luis Jauregui, and Dr. Jennifer Durenberger, who was called as a witness.

After testimony was heard from both sides, exhibits marked for identification and entered into evidence, the hearing was closed with a decision to be determined at a later date.

02/13/09<sup>2</sup>**SHIDAKER HEARING**

Trainer Duff Shidaker met with the stewards in an informal hearing to discuss complaint #09SA040, filed against him for failing to have his horse "Ticket to Ride" treated with lasix, resulting in a late stewards' scratch. It was reported by the holding barn that the four hour deadline for treating his horse had elapsed and no veterinarian had appeared to administer the shot. Testimony involved whether Mr. Shidaker had in fact informed his vet to treat the entry. CHRB Veterinarian Dr. William Bell appeared as a witness to state that although this was a clear violation of CHRB rule 1845 and the trainer is responsible for coordinating treatment of his horse, the attending vet has some culpability in this matter. The stewards will take all testimony into account and arrive at a decision in the near future.

02/13/09<sup>3</sup>**NAKATANI REVIEWS FILM**

Jockey Corey Nakatani was in to review the film of the previous days' fourth race Stewards' inquiry in which no change was made. There was an exchange of opinions regarding the events which occurred during the race; stewards and jockey agreed to disagree.

02/13/09<sup>4</sup>**DECLARATIONS, CHANGES AND REFUNDS**

2 <sup>nd</sup> Race	#1 Turk (Tr. B. Baffert) veterinarian, sick – Dr. Bailey #7 Lemonbird (Tr. J. Fanning) veterinarian, injured – Dr. Bailey Refund \$3,570.00
3 <sup>rd</sup> Race	#1 Victorian Prince (Tr. S. Knapp) stewards, off turf #2 Men's Magazine (Tr. R. McAnally) stewards, off turf #7 Asperity (Tr. N. Drysdale) stewards, off turf Refund \$12,931.10
4 <sup>th</sup> Race	#5 Boule D'Or – Claimed, Tr. D. O'Neill #8 South Coast (Tr. M. F. Jones) veterinarian, injured – Dr. Bailey Refund \$7,690.20
5 <sup>th</sup> Race	#9 Betterthanfiction (Tr. I. Hajek) veterinarian, sick – Dr. Durenberger Refund \$1,087.10
6 <sup>th</sup> Race	#5 Rivergrade Boy (Tr. C. Dominguez) stewards, off turf #7 Chevin (Tr. N. Drysdale) stewards, off turf Refund \$9,274.10
7 <sup>th</sup> Race	#6 Tripped the Light (Tr. J. Hollendorfer) veterinarian, sick – Dr. Durenberger Refund \$454.20
8 <sup>th</sup> Race	#13 Topanga Love (Tr. E. Truman) stewards, also-eligible

Refund \$133.00

02/13/09<sup>5</sup>**DAILY ATTENDANCE & HANDLE**

On track	4,768	1,197,872.60
Inter-track	6,544	1,928,429.10
Out of state	n/a	4,255,855.50
Total	11,312	\$7,382,157.20

**SATURDAY**02/14/09<sup>1</sup>**CAL-BRED REPORT**

There are no California-Bred races on today's card.

02/14/09<sup>2</sup>**TYLER BAZE FILM REVIEW**

Jockey Tyler Baze was in to review Friday's fourth race in which the rider, aboard "Boule d'Or" (3<sup>rd</sup>), tried to split two horses approaching the 3/16 pole without sufficient clearance. Mr. Baze thought there was enough room, though he admitted the hole did close after he committed to the decision. The stewards felt this move was risky and could have consequences for both his horse and another. The following ruling was issued:

**LATS #033**

Jockey **TYLER BAZE**, who rode BOULE D'OR (IRE) in the fourth race at Santa Anita on Friday, February 13, 2009, is suspended for THREE (3) racing days (February 21, 22 and 25, 2009) for riding his horse into a space without sufficient clearance and causing interference, which is a violation of California Horse Racing Board rule 1699 (Riding Rules – Careless Riding). Terms of suspension shall not prohibit participation in designated races pursuant to California Horse Racing Board rule 1766 (Designated Races).

02/14/09<sup>3</sup>**PUGLISI FILM REVIEW**

Jockey Iggy Puglisi appeared to review film from Thursday's fourth race in which there was a stewards' inquiry, with no change made. Mr. Puglisi's horse, the winner in a photo, came out in the stretch drive bumping slightly with the second place finisher. The stewards put most of the blame on the horse, but cautioned the jockey to be more aware of keeping a straight course in the future.

02/14/09<sup>4</sup>**FINLEY HEARING**

Dr. Jennifer Finley was in to address CHRB complaint #09SA0028. This hearing was held informally to address Dr. Finley's improperly and incompletely filing veterinary reports. Senior Special Investigator Rick Amieva presented the case. In addition to the Board of Stewards, Dr. Ted Simpson, head of the veterinary group which employs Dr. Finley, and CHRB Veterinarian Dr. Jennifer Durenberger were in attendance.

Both Finley and Simpson testified that it is common practice to report an approximate time on the confidential reports and lasix administration documents, and then actually give the shots at potentially different times due to varying circumstances. In this case it was determined that Dr. Finley's treatment was barely in the window of leeway, but that she has a record of filling out incomplete and tardy reports.

After deliberation on this issue, the stewards thought a warning was appropriate in this matter, but the veterinarian must be more timely, accurate and responsible in the future. Dr. Finley stated she would comply and improve her performance.

The process of reporting the time of lasix shots on confidential reports and actual administration needs to be reviewed with the stewards, the Equine Medical Director, the official and attending veterinarians.

02/14/09<sup>5</sup>**BYRD DECISION (02/13/09<sup>1</sup>)**

A decision to issue a warning to Dr. John "Wade" Byrd was given today by the stewards in case #09SA017. After listening to all testimony, the stewards felt Dr. Byrd was delayed for legitimate circumstances and that the time written on his confidential report was within what he thought was a 15 minute grace period. There is some confusion and misunderstanding about actual post time and scheduled post time. As stated in the previous entry, there are areas of veterinary reporting practices that need to be ironed out and addressed.

02/14/09<sup>6</sup>**STEWARDS INQUIRY, 3<sup>rd</sup> RACE – NO CHANGE**

The stewards called for an inquiry into the start of the third race when #7 "Herecometheirish" (G. Olguin) stumbled and lost the rider. After a review of the tapes, the stewards ruled the race official as finished, noting the incident was caused by the horse alone. Accident report attached.

02/14/09<sup>7</sup>**STEWARDS INQUIRY, 7<sup>th</sup> RACE – NO CHANGE**

Following the finish of the seventh race the inquiry sign was lit to review the breakdown of #5 "Gloriously" (P. Husbands) while leading approaching the finish line. Upon review of the replay it appears that the filly went wrong of her own accord and in the opinion of the stewards, the ensuing spill caused no reason to change the original order of finish.

02/14/09<sup>8</sup>**LATE SCRATCH – SANTA MARIA HANDICAP**

As the field was loading for the feature race, #3 "Country Star" was fractious and flipped in the starting gate, becoming momentarily stuck, which necessitated her being scratched by the stewards upon advice from the track veterinarian.

02/14/09<sup>9</sup>**DECLARATIONS, CHANGES AND REFUNDS**

2 <sup>nd</sup> Race	#2 Omega Minister – Claimed, Tr. J. Carava
	#6 Liturgical (Tr. D. O'Neill) lame past wire, vanned off
3 <sup>rd</sup> Race	#7 Herecometheirish (Tr. B. Abrams) stumbled leaving gate, lost rider (G. Olguin)
5 <sup>th</sup> Race	#5 Unknown Heat (Tr. B. Abrams) O. Vergara replaced G. Olguin, injured
	#6 Coracao Beijo (Tr. J. Sahadi) stewards, off turf
	#9 Princess Quinn (Tr. J. Mendoza) stewards, off turf
	#11 On Approval (Tr. K. Walsh) A. Solis replaced T. Baze, stewards
	Refund \$799.00

- 6<sup>th</sup> Race #8 Mrs. Rocha – Claimed, Tr. S. Knapp
- 7<sup>th</sup> Race #5 Gloriously (Tr. M. Casse) broke down inside 1/16 pole, vanned off
- 9<sup>th</sup> Race #2 Tizfiz (Tr. R. DeLeon) stewards, stake  
#3 Country Star (Tr. R. Frankel) stewards, injured starting gate  
#7 Bsharpsonata (Tr. T. Pletcher) stewards, stake  
Refund \$278,940.08
- 10<sup>th</sup> Race #1 Whizer (Tr. L. Bradvica) veterinarian, injured –Dr. Durenberger  
Refund \$2,832.00

02/14/09<sup>10</sup>**DAILY ATTENDANCE & HANDLE**

On track	7,679	2,400,687.70
Inter-track	9,525	3,071,808.90
Out of state	n/a	6,802,260.64
Total	17,204	\$12,274,757.24

**SUNDAY**02/15/09<sup>1</sup>**CAL-BRED REPORT**

Today's seventh race is for California-Bred maiden special weight three year old fillies, going six and one half furlongs on the Pro-ride main track. Nine sophomore ladies are scheduled to compete.

02/15/09<sup>2</sup>**EQUINE MEDICAL DIRECTOR VISITS STEWARDS**

Dr. Rick Arthur, the California Horse Racing Board Equine Medical Director, was in to talk to the stewards on various topics of concern. Primarily, the discussion centered on practicing veterinary procedures of submitting confidential reports, timeliness of lasix administration in relation to any grace period allowed, the nebulous nature of actual and scheduled post times, the role of the Official Veterinarian in pursuing the possible violation of procedure, penalty guidelines and overall uniformity of statewide implementation.

This meeting seemed to be very useful in getting some clarity on these issues and hopefully improving communication with all parties concerned in the future.

02/15/09<sup>3</sup>**BEJARANO FILM REVIEW**

Rafael Bejarano came in to review the second race from Saturday in which his mount drifted out significantly through the stretch. Mr. Bejarano was counseled to pay more attention to this as it may cost him in future races. The rider was understanding in this assessment and stated that he would make a better effort in the future.

02/15/09<sup>4</sup>**DECLARATIONS, CHANGES AND REFUNDS**

2<sup>nd</sup> Race #6 Air Strike (Tr. M. Casse) J. Rosario replaced P. Husbands (injured)

5<sup>th</sup> Race #9 Lunar City (Tr. M. Chew) A. Gryder replaced P. Husbands

6<sup>th</sup> Race #3 Lullaby Time (Tr. M. Machowsky) veterinarian, sick – Dr. Bailey  
#8 Mini Do – Claimed, Tr. R. Cardenas  
Refund \$573.60

7<sup>th</sup> Race #1 Suances Sweetheart (Tr. D. Vienna) veterinarian, unsound at post – Dr. Bailey  
Refund \$153,099.70

02/15/09<sup>5</sup>**DAILY ATTENDANCE & HANDLE**

On track	7,795	2,269,505.80
Inter-track	9,154	2,742,978.30
Out of state	n/a	5,834,547.48
Total	16,949	\$10,847,031.58

**MONDAY**02/16/09<sup>1</sup>**CAL-BRED REPORT**

There will be no California-Bred races conducted on this holiday Monday.

02/16/09<sup>2</sup>**WINTER STORM CANCELS TURF RACING**

A harsh winter rain storm arrived on this President's Day, forcing the turf program onto the Pro-ride surface. This includes the featured Buena Vista Handicap (Grade II).

02/16/09<sup>3</sup>**GLATT REVIEWS FILM**

Trainer Mark Glatt was in to ask the stewards to review the film of Thursday's fourth race. Mr. Glatt's horse finished second and was involved in an inquiry which resulted in no change to the official order. The trainer felt his horse was interfered with, stating his case to the stewards. Differences of opinion were exchanged, but in the end Mr. Glatt still thought the stewards were wrong.

02/16/09<sup>4</sup>**SHIDAKER RULING (ref. 02/13/09<sup>2</sup>)**

The following ruling was issued to Duff Shidaker after due deliberation of case #09SA040. The stewards took into consideration that Mr. Shidaker had some reasonable expectation that his veterinarian would treat his horse, but ultimately it is the trainer's responsibility that it gets done.

**LATS #034**

Trainer **DUFF SHIDAKER** is fined TWO HUNDRED DOLLARS (\$200.00)\* pursuant to California Horse Racing Board rule #1629 (Penalty for Late Declaration), for failure to have the horse "My Ticket to Ride" treated with lasix in a timely fashion, necessitating a late declaration in the first race on Friday, January 30, 2009, which is a violation of California Horse Racing Board rule #1845 (E) (Authorized Bleeder Medication).

02/16/09<sup>5</sup>**DECLARATIONS, CHANGES AND REFUNDS**

1<sup>st</sup> Race #1 Man to Man (Tr. B. Greely) stewards, off turf  
#7 Vega's Lord (Tr. N. Drysdale) stewards, off turf  
Refund \$4,986.80

2<sup>nd</sup> Race #4 Crimson Star – Claimed, Tr. J. Canani

- 4<sup>th</sup> Race #1 Singita – Claimed, Tr. J. Sadler  
#9 Strapless (Tr. B. Greely) veterinarian, injured – Dr. Bailey  
Refund \$1,534.10
  
- 5<sup>th</sup> Race #3 Quarta Coroa (Tr. A.C. Avila) veterinarian, sick – Dr. Bailey  
#6 Cavanal (Tr. N. Drysdale) stewards, off turf  
#7 Giant Gem (Tr. N. Drysdale) stewards, off turf  
#8 Holy Thunder (Tr. M. Polanco) stewards, off turf  
Refund \$1,875.50
  
- 8<sup>th</sup> Race #2 Jiboom (Tr. R. Frankel) Garrett Gomez replaced Pedro Arambula, stewards  
#3 Belmont Cat (Tr. J. Sadler) stewards, stake  
#5 Miss Singhsix (Tr. P. Gallagher) stewards, stake  
#8 Modern Look ( Tr. R. Frankel) stewards, stake  
#10 Charming Legacy (Tr. R. McAnally) stewards, stake  
#11 Magical Fantasy (Tr. P. Gallagher) stewards, stake  
#12 Bahama Mama (Tr. J. Cassidy) stewards, stake  
Refund \$3,839.00; Minus Pool \$3,008.23
  
- 9<sup>th</sup> Race #9 Spokane Dancer (Tr. F. Lucarelli) veterinarian, injured paddock – Dr. Bailey  
Refund \$29,082.90

02/16/09<sup>6</sup>

**DAILY ATTENDANCE & HANDLE**

On track	10,843	1,782,443.50
Inter-track	6,717	2,157,534.90
Out of state	n/a	5,022,093.98
Total	17,560	\$8,962,072.38

**WEEKLY SUMMARY**

**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'S LIST**

**Week of 02/09/09 - 02/15/09**

- Horses on Vet List 19
- Horses off Vet List **14**
- Shock Wave Therapy 22
- Deceased 2
- Medication 17

**SUMMARY**

	Wed. 11 Feb	Thurs. 12Feb	Fri. 13Feb	Sat. 14Feb	Sun. 15Feb	Mon. 16Feb	<b>Week</b>	<b>Meet</b>
Accidents	0	0	1	2	0	0	<b>3</b>	5
Cal-Bred Races	1	2	0	0	1	0	<b>4</b>	33
Claims	2	2	1	4	2	2	<b>13</b>	105
Disqualifications	0	0	0	0	0	0	<b>0</b>	1
Inquiries	0	1	1	2	0	0	<b>4</b>	17
Refunds	2	3	7	3	2	5	<b>22</b>	169
Rulings	1	0	0	1	0	1	<b>3</b>	34

Respectfully submitted,

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 Randy Winick, Steward

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 Tom Ward, Steward

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 C. Scott Chaney, Steward

attachments  
BOS:RW/dm