

CALIFORNIA HORSE RACING BOARD

1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825



REPORT OF THE BOARD OF STEWARDS
OAK TREE RACING ASSOCIATION
Santa Anita Park

To the California Horse Racing Board

Honorable Arnold Schwarzenegger, Governor
Honorable Richard B. Shapiro, Chairman
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, October 22, 2008, through, Sunday, October 26, 2008.

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WEDNESDAY

10/22/08¹ **BREEDERS' CUP MEETING**

At 9 a.m. this morning, the Stewards attended a pre-Breeders' Cup conference. Present were Oak Tree and Santa Anita management, ABC Television personnel, TVG representatives, ESPN staff, and various veterinary practitioners including CHRB Equine Medical Director Dr. Rick Arthur. Race day procedures, most importantly timing of paddock, post parade and off times, were discussed. A race tomorrow will be used to rehearse procedures for the race days of Breeders' Cup.

10/22/08² **FORMAL HEARING**

A formal hearing to address two alleged complaints against owner / stable agent Richard Hersch were scheduled for today. The Stewards were in receipt of a letter from attorney Jack I. Mann, representing Mr. Hersch, requesting a continuance. This request was denied as there have been previous delays granted in these complaints. The first case, involving NSF checks, was placed on the record. Court reporter Michelle Conception recorded the proceedings. George Bradvica, representing Surfside Race Place, testified that Mr. Hersch owed \$20,000 worth of non-sufficient funds checks to Surfside Race Place. The money had been owed for several months and Mr. Bradvica requested immediate payment. The Stewards are of the opinion the money to cover the NSF checks should have been paid before today.

10/22/08³ **RULINGS #20 AND #21**

OTTS #020

Owner / Stable agent RICHARD HERSCH is suspended for violation of California Horse Racing Board rule 1877 (Checks).

OTTS #021

Owner / Stable agent RICHARD HERSCH, having failed to appear before the Board of Stewards to answer a complaint alleging violation of California Horse Racing Board rule 1489 (Grounds for Denial or Refusal of License), is suspended for violation of California Horse Racing Board rule 1547 (Failure to Appear). During the term of suspension all licenses and license privileges of Richard Hersch are suspended, and pursuant to California Horse Racing Board rule 1527 (Jurisdiction of Stewards to Fine or Suspend), Mr. Hersch is denied access to all premises in this jurisdiction.

These rulings were agreed upon after the conclusion of today's formal hearing.

10/22/08⁴ **JOCKEY REVIEWS INQUIRY**

Jockey Joel Rosario appeared to review Sundays' third race with the Stewards. An inquiry was conducted after the race and no change was warranted as the horse Rosario interfered with was not cost a placing. In reviewing the replays, it was obvious that Rosario's mount suddenly ducked in and the rider reacted as quickly as could be expected.

10/22/08⁵ **NO PROBLEMS**

Eight races were completed without a reportable incident.

10/22/08⁶ **LATE DECLARATIONS**

1st Race #2 Steppin Out Rose (Tr. R. B. Hess, Jr.) unsound, Dr. Bailey
Refund \$2,863.00

4th Race #7 You Lift Me Up (Tr. Jerry Hollendorfer) sick, Dr. Connor
Refund \$3,612.79

7th Race #6 Shake It Off (Tr. Daniel Dunham) sick, Dr. Connor
Refund \$617.80

10/22/08⁷ **DAILY ATTENDANCE & HANDLE**

On track	4,299	1,203,044.00
Inter-track	5,992	1,783,426.70
Out of state	n/a	3,581,553.26
Total	10,291	\$6,568,023.96

THURSDAY

10/23/08¹ **JOCKEY REVIEWS RACE**

Jockey Luis Contreras appeared to review yesterday's third race with the Stewards. Mr. Contreras was advised to switch sticks when riding a horse that is lugging in.

10/23/08² **APPRENTICE APPEARS**

Apprentice jockey Sergio Figueroa, along with his agent Rolando Hevia, was in the office this morning to review the seventh race from Sunday. The young rider was cautioned to make a better effort to maintain a straight course; but he did not seem

to accept the constructive criticism in the spirit it was intended. Mr. Figueroa will need to work on his professionalism as well as his riding.

10/23/08³**JOCKEY APPEARS**

Jockey Rafael Bejarano reviewed yesterday's sixth race with the Stewards. The rider explained that his horse was fractious in the gate and was bearing out through most of the race. Upon viewing films of the run around the turn, Mr. Bejarano was warned to be more vigilant in the future.

10/23/08⁴**JOCKEY OBJECTION – NO CHANGE**

After the finish of the eighth race (six and one half furlongs) the Stewards posted the jockey objection at the request of jockey Martin Pedroza, aboard the third place finisher #2 Kickin' Kongo. Pedroza alleged interference by the second place finisher #4 Asanti (jockey Alonso Quinonez) approaching the quarter pole. After talking with the riders involved, receiving the patrol judges' reports and reviewing the replays, the Stewards unanimously agreed to make no change in the order of finish. Tapes show #4 come out from the rail and pack out #2; however, the incident clearly did not cost the latter a better placing as she was well beaten for second place.

10/23/08⁵**LATE DECLARATIONS**

1st Race #6 Sven Diesel (Tr. Peter Eurton) ran off in post parade, Stewards Refund \$14,179.66

3rd Race #4 Familiar Stranger (Tr. Mike Marlow) unsound, Dr. Bailey Refund \$16,354.70

10/23/08⁶**DAILY ATTENDANCE & HANDLE**

On track	5,556	1,426,658.50
Inter-track	5,111	1,371,273.60
Out of state	n/a	3,857,712.37
Total	10,667	\$6,655,644.47

FRIDAY10/24/08¹**JOCKEY REVIEWS RACE**

Jockey Alonso Quinonez appeared to review yesterday's eighth race inquiry with the Stewards. Films show the rider attempted to make the turn; he was held blameless as the incident was the fault of the horse.

10/24/08²**FIRST DAY OF BREEDERS' CUP**

Five Breeders' Cup races for exclusively for females are included in today's ten race program.

10/24/08³**MEETING IN JOCKS' ROOM**

All four Stewards, including Kim Sawyer, who will be in the paddock for both Breeders' Cup days, ventured to the Jocks' room for a meeting. Addressing the out of town riders was especially important. Issues discussed were quick official procedures, the track veterinarian, the blacksmith at the gate, whipping rules and the usual reminders regarding safety. The riders appeared receptive and eager.

10/24/08⁴**STEWARDS' INQUIRY - DISQUALIFICATION**

After the finish of the second race (six and one half furlongs), the Stewards posted the inquiry sign to review an incident in the stretch. Involved were the fourth place finisher #9 Rare Ribbon (jockey Martin Garcia) and the seventh place horse #1 Masterful Miss (jockey Joel Rosario). After discussion with the aforementioned riders, receiving reports from the patrol judges' and reviewing the replays, the Stewards unanimously agreed to disqualify #9 from fourth and place her seventh, behind #1, for interference in the stretch. Tapes show #1 attempting to get through along the rail as #9 drifts in and shuts her off, causing the former to take up and lose all chance at a better placing.

Original Order of Finish: 4 – 7 – 5 – (9) – 6 – 3 – 1 – 8

Official Order of Finish: 4 – 7 – 5 – 6 – 3 – 1 – (9) – 8

10/24/08⁵**LATE DECLARATIONS**

2nd Race #2 Surfer Girl (Tr. Mike Puype) injured, Dr. Bailey
Refund \$1,581.80

3rd Race #2 Indyanne (Tr. Greg Gilchrist) sick, Dr. Connor
Refund \$2,479.80

8th Race #14 America's Friend (Tr. Barry Abrams) stake, Stewards
Refund \$3,308.68

9th Race #12 Hewitts (Tr. R.B. Hess) out at scratch time, Stewards
Refund \$1,520.95

10/24/08⁶**DAILY ATTENDANCE & HANDLE**

On track	31,257	7,124,120.50
Inter-track	10,877	3,873,686.60
Out of state	n/a	32,322,203.83
Total	42,134	\$43,320,010.83

SATURDAY10/25/08¹**BREEDERS' CUP**

The second day of the Breeders' Cup started with a 10:10 a.m. post time. Nine of the eleven races on the card were Breeders' Cup events, culminating with the \$5,000,000 Classic at one and one quarter miles.

10/25/08²**DISTINGUISHED VISITORS**

Assistant Executive Director for the California Horse Racing Board Richard "Bon" Smith was especially visible and helpful to the Stewards this entire week. Numerous Sacramento staff members were present and contributed to the success of this extravaganza.

10/25/08³**LICENSING BUSY**

Licensing staff was extremely busy all this week with hundreds of applications. Especially difficult was the licensing of about three hundred out-of-state pari-mutuel clerks. All licensing technicians deserve praise for their extra time and efforts.

10/25/08⁴**JOCKS ROOM MEETING**

The Stewards once again held a meeting in the jocks room prior to the Breeders' Cup program. The six and one half furlong turf race down the hill was emphasized. Warming up over the main track transition was suggested, and riders were alerted that horses tend to bear out in this area. The jockeys were reminded of the quick official and whipping procedures, and cautioned to ride their mounts out past the finish. The "Super Hi-5" wager was also discussed.

10/25/08⁵**RULING #22****OTTS #022**

Jockey MARTIN GARCIA, who rode "Rare Ribbon" in the second race at Oak Tree Racing Association on Friday, October 24, 2008 is suspended for five (5) racing days (November 1, 2, 5, 6, and 7, 2008) for failure to keep a straight course in the stretch, causing interference resulting in the disqualification of his mount from fourth to seventh, which is a violation California Horse Racing Board rule #1699 (Riding Rules – Careless Riding). The terms of this suspension shall not prohibit participation in designated races pursuant to California Horse Racing Board rule #1766 (Designated Races).

This ruling was agreed upon after review of yesterday's second race disqualification of Mr. Garcia's mount. Jockey Garcia had phoned yesterday stating he thought he deserved days and declined to be present for today's hearing. The riders' agent, Rogelio Olguin, was informed of this ruling.

10/25/08⁶**GOOD RACING**

The eleven race program was contested without a reportable incident. All nine Breeders' Cup races were completed without any unusual events. Five of the nine contests were won by European based horses, and four of the remaining winners were California based. The first Breeders' Cup run on a synthetic track went perfectly.

10/25/08⁷**LATE DECLARATIONS**

1 st Race	#2 Add Heat (Tr. Barry Abrams) injured, Dr. Connor Refund \$27,468.38
5 th Race	#7 Elusive Bluff (Tr. Eric Guillot) injured, Dr. Connor Refund \$16,781.54
7 th Race	#1 Cost of Freedom (Tr. J. Sadler) unsound, Drs. Connor and Bailey Refund \$102,642.29
10 th Race	#3 D. Double You (Tr. Peter Miller) stake, Stewards #7 Victor's Cry (Tr. E.G. Harty) stake, Stewards #9 Young Joe (Tr. David Hofmans) stake, Stewards Refund \$7,626.22

10/25/08⁶**DAILY ATTENDANCE & HANDLE**

On track	51,321	12,239,629.10
Inter-track	18,334	7,235,481.40
Out of state	n/a	71,129,513.80
Total	69,655	\$90,604,624.30

SUNDAY10/26/08¹**CLOSING DAY**

Today's nine race card completes the 2008 Oak Tree Meeting. The two day Breeders' Cup races were highly successful.

10/26/08²**RULING #23**

This ruling was issued after Mr. O'Brien failed to properly register four horses for bleeder medication on Saturday, October 25, 2008.

OTTS #023

Trainer AIDAN O'BRIEN is fined TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)* for violation of California Horse Racing Board Rule #1845 (Authorized Bleeder Medication) on October 24, 2008, at Oak Tree Racing Association.

10/26/08³**RULING #24**

After winning the Breeders' Cup Classic, the ninth race on the program, jockey Dettori opted not to ride his scheduled mount in the tenth race. Because the public had been wagering for two days on today's races, the Stewards are of the opinion that taking off so close to post time should be discouraged.

OTTS #024

Jockey LANFRANCO DETTORI is fined FIVE HUNDRED DOLLARS (\$500.00)* for violation of California Horse Racing Board Rule #1872 (Failure to Fulfill Jockey Agreement) on October 25, 2008, at Oak Tree Racing Association.

10/26/08⁴**NO PROBLEMS**

Nine races were completed without a reportable incident.

10/26/08⁵**LATE DECLARATIONS**

1st Race #1 Blues Singer (Tr. Kathy Walsh) injured, Dr. Bailey
Refund \$2,110.68

2nd Race #1 Winning Yield (Tr. E.G. Harty) unsound, Dr. Bailey
#3 Seany's Story (Tr. Barry Abrams) unsound, Dr. Bailey
Refund \$5,403.52

3rd Race #6 Driven by Excess (Tr. R.B. Hess, Jr.) injured, Dr. Bailey
Refund \$1,016.70

6th Race #7 Bellingham (Tr. John Sadler) injured, Dr. Connor
Refund \$10,380.90

7th Race #5 Harlene (Tr. Doug O'Neill) sick, Dr. Connor
Refund \$4,555.34

8th Race #3 Briecat (Tr. Vladimir Cerin) stake, Stewards
 #8 Golden Doc A (Tr. Barry Abrams) stake, Stewards
 Refund \$1,671.58

10/26/08⁶**DAILY ATTENDANCE & HANDLE**

On track	21,241	2,292,764.00
Inter-track	7,538	2,195,404.00
Out of state	n/a	4,863,673.88
Total	28,779	\$9,351,841.88

WEEKLY SUMMARY**Week of 10/20/08 – 10/26/08**

Horses on Vet List 17
 Horses off Vet List **11**
 Shock Wave Therapy 29
 Deceased 1
 Medication 5

SUMMARY

	Wed. 10/22	Thurs. 10/23	Fri. 10/24	Sat. 10/25	Sun. 10/26		Week	Meet
Inquiries	0	1	1	0	0		2	13
Disqualifications	0	0	1	0	0		1	3
Rulings	2	0	0	1	2		5	24
Refunds	3	2	4	6	8		23	120
Accidents	0	0	0	0	0		0	2
Claims	2	1	0	0	2		5	50
Cal-Bred Races	0	0	0	0	0		0	31

Respectfully submitted,

 Albert Christiansen, Steward

 Tom Ward, Steward

 C. Scott Chaney, Steward