

CALIFORNIA HORSE RACING BOARD1010 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 01, 2008, through, Sunday, October 05, 2008.

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WEDNESDAY10/01/08¹**A.M. DECLARATIONS**

2nd Race #5 Splendid Kiss (Tr. Patrick Gallagher) sick – Dr. Bailey
Refund \$3,417.98

4th Race #13 Sierta Nostra (Tr. P.H. Lobo) unsound – Dr Bailey
Refund \$1,951.80

6th Race #4 Julia M (Tr. Janet Armstrong) sick – Dr. Bailey
Refund (ref. 10/02/08⁷)

7th Race #5 Bad Boy (Tr. Marcelo Polanco) enter back – Stewards
Refund \$982.80

10/01/08²**RULING #5**

This ruling was issued after Mr. Enriquez appeared to review Sunday's third race with the Stewards. The rider had hit his mount left handed and was slow in straightening the horse, as he bumped a rival outside of him very hard. Jockey Enriquez stated that he got tangled in the reins. Under the circumstances, the Stewards and the rider share the opinion that the incident was careless.

OTTS #005

Jockey ISAIAS ENRIQUEZ, who rode "Mr. Katz" in the third race at Oak Tree Racing Association on Sunday, September 28, 2008 is suspended for three (3) racing days (October 8, 9, and 10, 2008) for failure to keep a straight course in the stretch and causing interference, 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).

10/01/08³**INFORMAL HEARING**

Trainer Donald Warren appeared to address an “altering of sex” violation. The trainer stated he had no idea when the horse was gelded, as he received the horse from another trainer. The race program, entry card and foal papers all list the horse as a colt. Trainer Warren declared his owner’s secretary always took care of reporting the geldings and changing the papers. More research will be conducted before a decision is reached in the case.

10/01/08⁴**APPRENTICE REVIEWS REPLAY**

Apprentice jockey Brandon Meier appeared to review with the Stewards the ninth race run on Sunday. The rider was cautioned to make a better effort to maintain a straight course; the horse in question was drifting out and difficult to control.

10/01/08⁵**RULING #6**

This ruling was issued when the Stewards were informed that the rider had dropped his appeal of suspension days received during the Del Mar meet.

OTTS #006

Jockey GARRETT GOMEZ, having withdrawn his appeal of DMTC Ruling #59 dated August 14, 2008, is suspended for three (3) racing days (October 9, 10, and 11, 2008) for violation of 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).

10/01/08⁶**GOOD RACING**

Eight races were completed without a reportable incident.

10/01/08⁷**LATE DECLARATIONS**

6th Race #8 Lemon Supreme (Tr. Christopher Paasch) sick, Dr. Connor
Refund \$5,481.42

10/01/08⁸**DAILY ATTENDANCE & HANDLE**

On track	3,490	1,004,018.70
Inter-track	6,051	1,795,867.00
Out of state	n/a	4,598,151.32
Total	9,541	\$7,398,037.02

THURSDAY10/02/08¹**RULING #7**

This ruling was issued after Mr. Scarzone failed to appear to address a financial complaint. The owner is alleged to owe trainer Kristin Mulhall about \$22,000 in training fees.

OTTS #007

Owner JOSEPH SCARZONE, having failed to appear before the Board of Stewards to answer a complaint alleging violation of California Horse Racing Board rule 1876 (Financial Responsibility), 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 Joseph Scarzone are suspended, and pursuant to California Horse Racing Board rule 1527 (Jurisdiction of Stewards to Fine or Suspend), Mr. Scarzone is denied access to all premises in this jurisdiction.

10/02/08²**RULING #8**

Mr. Headley pled guilty to neglecting to report the gelding of the horse in question.

OTTS #008

Trainer BRUCE HEADLEY is fined ONE THOUSAND DOLLARS (\$1,000.00)* for failure to properly report the gelding of the horse "KID POKER" that ran in the ninth race at Fairplex Park on September 14, 2008. This is a violation California Horse Racing Board rule #1865 (Altering of Sex of Horse).

10/02/08³**STEWARDS INQUIRY – NO CHANGE**

After the finish of the second race (one and one sixteenth miles) the Stewards posted the inquiry sign to review an incident at the top of the stretch. Involved were the third place finisher #1 Surprises Welcomed (jockey Michael Baze) and the fourth place filly #2 Tuner (jockey David Flores). After receiving the patrol judges' reports, talking with the aforementioned riders, and reviewing the tape replays, the Stewards unanimously agreed to make no change in the order of finish. Replays show #2 steady briefly approaching the three sixteenths pole as #1 angles out from the rail; however, it appears #1 is clear and the #2 horse is not cost the opportunity at a better placing.

10/02/08⁴**STEWARDS INQUIRY – NO CHANGE**

After the finish of the fourth race (one and one sixteenth miles) the Stewards put up the inquiry sign to review an incident inside the sixteenth pole. The winner #11 Turn to the King (jockey Garrett Gomez) and second place finisher #6 Nasty Gent (jockey Joseph Talamo), were involved. After review of the patrol judges' reports, the replays, and discussion with riders Gomez and Talamo, the Stewards unanimously agreed to let the original order of finish stand. Films show #6, on the outside, initiate contact with #11, to his inside, turning the latter outward and causing further bumping. Therefore it was determined there was no need for a disqualification.

10/02/08⁵**DECLARATIONS, CHANGES AND REFUNDS**

2nd Race #8 Sunny Peace (Tr. Patrick Gallagher) sick, Dr. Connor
Refund \$1,004.00

4th Race #3 Juanca (Tr. Vladimir Cerin) injured, Dr. Bailey
Refund \$27,815.08

5th Race #9 Warren's Devonlane (Tr. Jorge Gutierrez) injured, Dr. Bailey
Refund \$211.78

7th Race #2 Mean Heat (Tr. Roger Stein) enter back, Stewards
Refund \$1,184.10

10/02/08⁶**DAILY ATTENDANCE & HANDLE**

On track	2,975	841,827.20
Inter-track	5,574	1,466,408.80
Out of state	n/a	3,737,969.70
Total	8,549	\$6,048,205.70

FRIDAY10/03/08¹**RULING #9**

Trainer Kenny Black appeared to address a Methocarbamol positive. Mr. Black stated he had withdrawn the muscle relaxant five days prior to the race. However, he administers the drug in the feed tub and the horse was slow to clean up his feed. This was the trainer's first medication violation.

OTTS #009

Trainer KENNETH BLACK, who started the horse "Favorite Meeting", the first place finisher in the fourth race at the Los Angeles County Fair on September 8, 2008, 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 rule 1843 (Medication, Drugs and Other Substances – Methocarbamol).

10/03/08²**INFORMAL HEARING**

An informal hearing was agreed upon by trainer Kenny Black regarding an arrest and guilty plea for possession of a controlled substance. The respondent paid a \$100 fine and was placed on probation for eighteen (18) months by the court. Mr. Black stated the substance in his possession was bute but pled guilty for possession of meth for the sake of his family. The trainer was asked to test today and sign a testing agreement with the C.H.R.B. Decision at a later date, pending the test results.

10/03/08³**LATE DECLARATIONS**

5th Race #4 Rush Rush (Tr. Michael Machowsky) injured, Dr. Connor
Refund \$2,109.00

7th Race #7 Makor's Love (Tr. Herbert Ho) unsound, Dr. Bailey
Refund \$19,260.90

10/03/08⁴**GOOD RACING**

Eight races were completed without a further reportable incident.

10/03/08⁵**DAILY ATTENDANCE & HANDLE**

On track	3,992	1,072,231.50
Inter-track	5,856	1,830,175.40
Out of state	n/a	4,264,651.70
Total	9,848	\$7,167,058.60

SATURDAY10/04/08¹**JOCKEY REVIEWS REPLAY**

Jockey Michael Baze appeared, as requested, to review Thursday's second race, which was the subject of an inquiry. Although it appeared that Baze's horse was clear, the incident was very close and the rider was cautioned to have better control of his mount.

10/04/08²**RULINGS #10 & #11**

These two rulings were issued when neither respondent appeared for their hearing, which was scheduled for this morning. They were alleged to have engaged in a fight in the Fairplex barn area.

OTTS #010

Groom ALFREDO FLORES, having failed to appear before the Board of Stewards to answer a complaint alleging violation of California Horse Racing Board rule 1874 (Disorderly Conduct), 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 Alfredo Flores are suspended, and pursuant to California Horse Racing Board rule 1527 (Jurisdiction of Stewards to Fine or Suspend), Mr. Flores is denied access to all premises in this jurisdiction.

OTTS #011

Exercise rider JOSE FERRER, having failed to appear before the Board of Stewards to answer a complaint alleging violation of California Horse Racing Board rule 1874 (Disorderly Conduct), 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 Jose Ferrer are suspended, and pursuant to California Horse Racing Board rule 1527 (Jurisdiction of Stewards to Fine or Suspend), Mr. Ferrer is denied access to all premises in this jurisdiction.

10/04/08³**CASE CONTINUED**

Groom Fred Peterson, accompanied by trainer Barry Abrams, appeared to address an alleged animal cruelty violation. Court reporter Barbara Weinstein was present to record the proceedings. After the case was opened, trainer Abrams requested a continuance so that Mr. Peterson could obtain an attorney. The next hearing is planned for October 19.

10/04/08⁴**LATE DECLARATIONS**

1st Race #2 Lee's Top Ferrier (Tr. Silverio Martinez) identification, Stewards
Refund \$2,315.80

9th Race #11 Lightmyfirebaby (Tr. Barry Abrams) stake, Stewards
Refund \$1,062.20

10th Race #1 Damage Control (Tr. Richard Mandella) injured, Dr. Bailey
Refund \$70,435.26

10/04/08⁵**PROBLEM FREE**

All matters during the ten race program were routine.

10/04/08⁶**DAILY ATTENDANCE & HANDLE**

On track	8,993	2,044,035.80
Inter-track	8,906	2,970,865.00
Out of state	n/a	5,040,984.27
Total	17,899	\$10,055,885.07

SUNDAY10/05/08¹**CAL-CUP DAY**

Eleven California-bred races, including one maiden special plus ten starter and stakes events, comprised the entire card for today.

10/05/08²**JOCKEY REVIEW RACE**

Jockey Isaias Enriquez appeared to review yesterday's first race with the Stewards. Mr. Enriquez' mount broke out sharply at the start, delivering a hard bump to the rider outside of him. Although most of the blame could be placed on the horse, Enriquez was advised to react more quickly in straightening his mount.

10/05/08³**RULING #12**

This ruling was issued upon documentation which was produced by apprentice jockey Martinez. The rider had been injured on the first day of the Fairplex meet.

OTTS #012

Apprentice jockey MICHAEL MARTINEZ, having provided medical documentation of an injury suffered during a race at the Los Angeles County Fair which rendered him unable to ride for a period of twenty five (25) days, it is ordered that he be granted an extension of his apprenticeship for a like period. The term of apprenticeship for Michael Martinez will now end on March 8, 2009.

10/05/08⁴**LARGE T.V.**

Upon arrival at the Stewards' stand, it was noticed that a large T.V. on a flatbed trailer was located at the top of the stretch of the training track. The immediate concern was that the television was facing the far turn of the turf course. It appeared that the location of this T.V. could possibly interfere with the horses rounding the turn, due to the illumination of the screen. The program for the day included four turf races. Director of Broadcasting Amy Zimmerman was alerted of the situation. Ms. Zimmerman shared the Stewards' unease with the location of the T.V.; therefore Director and Executive Vice-President Sherwood Chillingworth was contacted and advised of the issue.

Mr. Chillingworth stated the television had been used on Cal-Cup day for at least the last few years. Replays of the 2007 event were then viewed, revealing that the T.V. at that time was facing the infield, away from the turf course. Once he received this information, Mr. Chillingworth ordered the transmission to be turned off before the second race, which was on the turf. The television was then dismantled and moved to a safer location upon completion of the third race.

10/05/08⁵**LATE DECLARATIONS**

5th Race #5 Excessive Dreamer (Tr. John Sadler) injured, Dr. Connor
 #7 Steamy Story (Tr. Craig Lewis) sick, Dr. Bailey
 Refund \$2,007.16

7th Race #2 Warrens A P Strike (Tr. Jorge Gutierrez) stake, Stewards
 Refund \$3,172.72

10/05/08⁶**DAILY ATTENDANCE & HANDLE**

On track	20,622	2,773,729.30
Inter-track	8,902	2,742,946.50
Out of state	n/a	5,068,349.20
Total	29,524	\$10,585,025.00

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.

Week of 09/29/08 – 10/05/08

Horses on Vet List	15
Horses off Vet List	13
Shock Wave Therapy	25
Deceased	1
Medication	4

SUMMARY

	Wed. 10/01	Thurs. 10/02	Fri. 10/03	Sat. 10/04	Sun. 10/05		Week	Meet
Inquiries	0	2	0	0	0		2	5
Disqualifications	0	0	0	0	0		0	2
Rulings	2	2	1	2	1		8	12
Refunds	2	2	1	2	1		8	44
Accidents	0	0	0	0	0		0	1
Claims	1	0	1	3	0		5	16
Cal-Bred Races	0	1	0	0	11		12	18

Respectfully submitted,

Albert Christiansen, Steward

Tom Ward, Steward

C. Scott Chaney, Steward