

CALIFORNIA HORSE RACING BOARD  
1010 HURLEY WAY, SUITE 300  
SACRAMENTO, CA 95825  
(916) 263-6000  
FAX (916) 263-6042



## REGULAR MEETING

of the **California Horse Racing Board** will be held on, **Thursday, April 22, 2004**, commencing at **9:30 a.m.**, at the **Hollywood Park Race Course, Turf Club Sunset Room (4<sup>th</sup> floor)**, 1050 South Prairie Avenue, **Inglewood, California**.

### AGENDA

#### Action Items

1. **Presentation of California Horse Racing Board Resolution to Alan Landsburg.**
2. Discussion and action by the Board on the **matter of Capitol Racing's (LLC) failure to post bond with the California Horse Racing Board.**
3. Discussion and action by the Board on the **Application for License to Conduct a Horse Racing Meeting of the San Joaquin Fair (F), from June 16 through June 27, 2004, inclusive.**
4. Discussion and action by the Board on the **Application for License to Conduct a Horse Racing Meeting of the Alameda County Fair (F), from June 30 through July 11, 2004, inclusive.**
5. Discussion and action by the Board on the **Application for License to Conduct ADW by Youbet.com (ADW), from June 6, 2004 through June 5, 2006, inclusive.**
6. Presentation by TVG regarding their **updated programming for television coverage of horse racing.**
7. Report from the California Jockeys on the **formation of a Riders Committee and the progress in working with the Jockey's Guild** to achieve the type of health and welfare programs that the California riders desire.

#### Committee Reports

8. Report of the **Race Dates Committee**  
Commissioner Sheryl Granzella, Chairperson  
Commissioner Marie Moretti, Member

**Other Business**

9. **General Business:** Communications, reports, requests for future action of the Board.
10. **Old Business:** Issues that may be raised for discussion purposes only, which have already been brought before the Board.
11. **Executive Session:** For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by Section 11126 of the Government Code.
  - A. Personnel.
  - B. Board may convene an Executive Session to consider any of the attached pending litigation.
  - C. The Board may also convene an Executive Session to consider any of the attached pending administrative licensing and disciplinary hearings.

Additional information regarding this meeting may be obtained from Roy Minami, at the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. A copy of this notice can be located on the CHRB website at [www.chrb.ca.gov](http://www.chrb.ca.gov). \*Information for requesting disability related accommodation for persons with a disability who requires aids or services in order to participate in this public meeting, should contact Roy Minami.

**CALIFORNIA HORSE RACING BOARD**

John C. Harris, Chairman  
Roger H. Licht, Vice Chairman  
William A. Bianco, Member  
Sheryl L. Granzella, Member  
Marie G. Moretti, Member  
Jerry Moss, Member  
John C. Sperry, Member  
Roy C. Wood, Jr., Executive Director

**Date of Notice:** April 12, 2004

## CALIFORNIA HORSE RACING BOARD

**M e m o r a n d u m**

**Date** : April 8, 2004

**To** : **California Horse Racing Board**  
John C. Harris, Chairman  
Roger H. Licht, Vice Chairman  
William A. Bianco, Member  
Sheryl L. Granzella, Member  
Marie G. Moretti, Member  
Jerry Moss, Member  
John C. Sperry, Member

**From** : Sharyn S. Jolly  
Administrative Hearings Unit

**Subject** : PROPOSED DECISIONS SCHEDULED FOR ACTION-EXECUTIVE SESSION

The following Proposed Decisions and Administrative Proceedings may be reviewed for action:

**ROBERTS, Donald**  
SAC 04-033  
Respondent

Accusation

1010 Hurley Way, Suite 300, Sacramento, CA 95825

Phone: (916) 263-6000 • FAX: (916) 263-6042

**CALIFORNIA HORSE RACING BOARD**  
1010 HURLEY WAY, SUITE 300  
SACRAMENTO, CA 95825  
(916) 263-6000  
FAX (916) 263-6042



**PENDING LITIGATION**  
**APRIL 2004**

**CASE**

**CASE NUMBER**

**MARTIN, JOHN v.**  
California Horse Racing Board

Sacramento County Superior Court  
No. 98CS00952

**BURNETT-NUTTER, LAURIE v.**  
California Horse Racing Board

Riverside County Superior Court  
No. RIC 382077

**DUFFY, NORMA v.**  
California Horse Racing Board  
and Pacific Racing Association

Hayward Superior Court  
No. VG03079504

**LONG, GREGORY ALLEN v.**  
California Horse Racing Board

Los Angeles County Superior Court  
No. BS082483

**CALIFORNIA HARNESS HORSEMEN'S  
ASSOCIATION and CAPITOL RACING,  
LLC, v.**  
California Horse Racing Board

Sacramento County Superior Court  
No. 03CS01033

BEFORE THE  
CALIFORNIA HORSE RACING BOARD  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

DONALD ROBERTS,

License No. 01895

Respondent.

Case No. 01BM208

OAH No. N2003120172

**PROPOSED DECISION**

This matter was heard before Administrative Law Judge Jonathan Lew, State of California, Office of Administrative Hearings on January 27, 2004, in Oakland, California.

Shari B. Posner, Deputy Attorney General, appeared on behalf of the California Horse Racing Board.

Donald Roberts was present and represented himself.

This case was submitted for decision on January 27, 2004.

**FACTUAL FINDINGS**

1. Enforcement proceedings before the California Horse Racing Board (Board) that allege the use of a prohibited substance shall be referred directly to the Office of Administrative Hearings for administrative adjudication and preparation of a proposed decision for action by the Board, unless both the licensee and the Board waive that referral. (Bus. & Prof. Code, § 19517.5.) In bringing this action the Board contends that Donald Roberts (respondent), the trainer of the horse Spanish Prisoner, violated Board Rules 1843 and 1887 relating to the presence of prohibited drug substances in the horse's system in an amount exceeding authorized levels.<sup>1</sup>

---

<sup>1</sup> California Horse Racing Board Rules correspond to sections under title 4 of the California Code of Regulations.

2. On August 31, 2001, the horse Spanish Prisoner finished second in the first race at Bay Meadows Racecourse, San Mateo, California. Spanish Prisoner was entered in the race by respondent, the trainer of the horse. The horse was sent to the receiving barn for post-race testing, and was assigned the test number L65466. Urine and blood samples were taken and results of the urine test showed the presence of the prohibited substance Albuterol.

Albuterol is a bronchodilator. Albuterol and its metabolites are Class 3 drug substances, and under Board rules a horse's post-race urine sample may contain Albuterol in an amount no more than 1 nanogram per milliliter. (Rule 1844(e).) Urine test results for Spanish Prisoner showed the presence of 65.28 nanograms per milliliter. A split sample from Spanish Prisoner, tested by an independent laboratory at respondent's request, was also found to contain Albuterol in an amount greater than the Board's permitted level.

It was established that the horse Spanish Prisoner participated in a race at a time that it carried in its body Albuterol in an amount in excess of that permitted.

3. On September 13, 2001, Board investigators and the official veterinarian searched respondent's barn. During the course of the search the investigators found three plastic bottles, all labeled Albuterol. Two of the bottles were empty and one bottle was partially filled. Two of the bottles had "Spanish Prisoner" handwritten on them. Instructions on the bottles stated "Discontinue use 7 days prior to race entry." The bottles were all dispensed by Equine Veterinary Services, Inc. There was no individual veterinarian named, no name of the person to which the medication was dispensed or mention of the purpose for which it was dispensed.

4. Respondent notes that it has been almost three years from the incident and that he has had no medication violations over this period. The Albuterol was prescribed by his veterinarian for use by Spanish Prisoner. He denies any intention of using the medication to enhance the horse's performance and he avers that the medication was withdrawn seven days prior to racing per instructions. More recently, he obtained three different opinions from veterinarians on the appropriate withdrawal times for Albuterol and he believes veterinarians, and not trainers, should assume responsibility for positive drug test results.

Respondent does not challenge the test findings. Rather, he contends that it is unfair for trainers to be saddled with the responsibility for absolutely insuring the condition of horses entered in a race. He also believes the allowable levels set for Albuterol are arbitrary and unfair, pointing out that somewhat different rules have been adopted for related drug substances such as clenbuterol when top trainers in racing with more influence had their say on the issue.

Respondent has worked with horses since the 1970s. He was licensed as a trainer in 1986 and he has worked full time in this capacity. He has no other source of income. Respondent avers that he has never done anything to horses that harmed them or that was detrimental to racing.

5. Scott Stanley, Ph.D., is an Associate Professor at the University of California, Davis (UCD). He holds a doctorate in analytical toxicology and specializes in equine chemistry. He works at the UCD Equine Analytical Chemistry Laboratory, directing the laboratory since 1997. The permitted level of Albuterol (1 ng/mL) is based upon studies where the drug substance is removed from the animal 48 hours before testing. The amount found in Spanish Prisoner (65.28 ng/mL) was far in excess of amounts reasonably expected if the drug was withdrawn seven days previous. Dr. Stanley took into account the relatively slow absorption of the drug in solid pill form and he also allowed for any drug residual that may have been in the horse's feed bin. Respondent crushed solid pills of Albuterol and added it to the horse's bucket of feed, but these buckets were emptied daily. There is no reasonable explanation why Albuterol was found at the levels measured and respondent has not demonstrated that he took all reasonable efforts to ensure that the drug substance was not administered to the horse prior to the race. Three bottles of Albuterol, two that referenced Spanish Prisoner, were found in respondent's barn. There was no evidence of any third party administering the drug to the horse. It does appear that the Albuterol could only have been deliberately administered to Spanish Prisoner while the horse was under the care and control of respondent.

Matters in aggravation include respondent's history of five previous medication violations, the most recently having been fined \$300 on August 12, 2001, for the prohibited drug substance Methocarbamol in the horse Storm and Silence, in the tenth race on July 20, 2001.

## LEGAL CONCLUSIONS

1. Rule 1843(a) provides: "No horse participating in a race shall carry in its body any drug substance or its metabolites or analogues, foreign to the horse except as hereinafter expressly provided." Albuterol is a Class 3 prohibited drug substance under Rules 1843.1 and 1843.2. Official urine test samples may not contain Albuterol in excess of 1 nanogram per milliliter. (Rule 1844(e)(4).) Here, the official test sample and the split sample showed the presence of Albuterol in amounts exceeding the allowable level. (Finding 2.)

2. The Board grants trainers' licenses under the authority of Business and Professions Code section 19520. Licenses are subject to suspension or revocation where the Board has reason to believe that any condition regarding it has not been complied with or that any law or any rule or regulation of the Board affecting it has been violated. (Bus. & Prof. Code, § 19461.) Rule 1887(a) provides:

The trainer is the absolute insurer of and responsible for the condition of the horses entered in a race, regardless of the acts of third parties, except as otherwise provided in this article. If the chemical or other analysis of urine or blood test samples or other tests, prove positive showing the presence of any prohibited drug substance defined in Rule 1843.1 of this division, the trainer of the horse may be fined, his/her license suspended or revoked, or be ruled off.

Rule 1887 imposes mandatory liability on a trainer, regardless of fault, when a horse tests positive for a prohibited drug substance. The rule makes the trainer the absolute insurer of the condition of the horse entered in a race. (*Sandstrom v. California Horse Racing Board* (1948) 31 Cal.2d 401, 408; *Vienna v. California Horse Racing Board* (1982) 133 Cal.App.3d 387, 394.) In *Sandstrom*, the California Supreme Court recognized that the trainer-insurer rule at first appears harsh but reasoned:

That the public are entitled to protection against the practice of drugging race horses is not disputed; that the trainer who has charge of a horse, who undertakes to condition it for a race and who actually enters it in the race and permits it to compete shall be charged with absolute responsibility for its condition seems within the bounds of moral reason and legislative power. Contrary to the suggestion which has been made in argument the trainer is not defenselessly liable to punishment for the act of another person; he is liable only for his own act or omission; i.e., causing or permitting a horse warranted by him to be free from drugs to participate in a race while drugged. The trainer can protect himself by protecting the horse and by checking its condition at the last reasonably possible moment before the race.

(*Sandstrom v. California Horse Racing Board, supra*, 31 Cal.2d at 413.)

3. Cause exists for disciplinary action against respondent's license under Rules 1843(a) and 1887, by reason of the matters set forth in Finding 2.

It was also established that respondent was in possession of Albuterol bottles that were not properly labeled in violation of Rule 1843(c), by reason of the matters set forth in Finding 3. Under this rule no person other than a licensed veterinarian or animal health technician shall have in his/her possession any drug substance which can be administered to a horse unless it is prescribed by a licensed veterinarian for a specific existing condition of a horse and which is properly labeled. Under Rule 1864 proper labeling requires "specifying the name of the dispensing veterinarian, the name

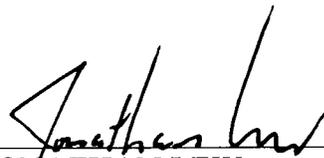
of the horse or the purpose for which the said preparation or medication is dispensed, and the name of the person to which dispensed, or is otherwise labeled as required by law.” The bottles were not properly labeled in this case.

4. The Association of Racing Commission International, Inc. (ARCI) has adopted Uniform Classification Guidelines for Foreign Substances and Recommended Penalties. The ARCI recommends, for a Class 3 violation in the absence of mitigating circumstances, a suspension of sixty days to six months and a \$1,500 to \$2,500 fine and loss of purse. The Board is requesting a \$3,000 fine and a suspension of 30 days. The matters set forth in Findings 4 and 5 have also been considered in determining the appropriate discipline. The fine should be set at the midpoint of ARCI guidelines, or \$2,000. The requested 30 day suspension is not unreasonable.

#### ORDER

Trainer License Number 01895 issued by the California Horse Racing Board to Donald Roberts is suspended for thirty (30) days. Respondent shall also pay to the Board a fine in the amount of \$2,000.

DATED: February 9, 2004

  
\_\_\_\_\_  
JONATHAN LEW  
Administrative Law Judge  
Office of Administrative Hearings

**ITEM 1**

**CALIFORNIA HORSE RACING BOARD**

**April 22, 2004, Regular Board Meeting**

There is no board package material for this item.

Information to be presented at the board meeting.

STAFF ANALYSIS  
CAPITOL RACING LLC.  
Regular Board Meeting  
April 22, 2004

## BACKGROUND

At the February 19, 2004 regular meeting, the Board approved the license application for Capitol Racing LLC. The Board's action to approve the license to conduct a harness meeting was made on the condition that Capitol Racing LLC. agreed to certain conditions. One such condition was that Capitol Racing LLC would post a \$1 million bond with the CHRB, pending the final disposition of litigation. Capitol Racing has complied with all other conditions.

To date, Capitol Racing LLC. has not complied with the agreed condition, as the Board has not received the \$1 million bond. During this period, the staff has made numerous requests and demands to obtain the bond, but Capitol Racing has still not complied. As a result, this matter is submitted to the Board for discussion and action

## RECOMMENDATION

In the event that Capitol Racing LLC continues its failure to provide the \$1 million bond to the Board, the following are options for Board action:

1. Establish a specific date for submittal of the bond;
2. Assess a daily or lump-sum fine up to \$100,000;
3. Rescind or suspend Capitol Racing's license to conduct the harness meeting until the bond is provided.

STAFF ANALYSIS  
April 22, 2004

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE SAN JOAQUIN FAIR AT STOCKTON JUNE 16, 2004 THROUGH JUNE 27, 2004.

San Joaquin Fair filed its application to conduct a horse racing meeting at Stockton:

- June 16 through June 27, 2004, or 10 days, the same as 2003. The fair proposes to race a total of 104 races, the same as 2002.

June - 2004						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

- Racing 5 days per week, Wednesday through Sunday, with 10 races per day the first week. Second week will have 10 races Wednesday through Friday and 12 Saturday and Sunday.
  - Number of horses available determines the number of daily races programmed by breed.
  - No racing Monday, June 21 and Tuesday, June 22.
  - June 16 through 20 the fair will race concurrently with Bay Meadows.
- First post 12:45 p.m. daily and 3:15 p.m. on Fridays.
  - During the overlap with Bay Meadows the post time will move up seven minutes and/or be adjusted to accommodate multiple signals.
- Specific changes from the 2003 license application:
  - Danny Winick replaces Chris Lapham as placing judge.
- Request Darrell Sparks be appointed horse identifier pursuant to CHRB Rule 1525.
- Track safety requirements have been fulfilled.
- Wagering program will use CHRB rules.
  - Request the option of a \$1.00 wager on all exactas and trifectas.
  - Early wagering will not be offered.
- Simulcasting conducted with other out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.
- Inspection of backstretch worker housing completed.

Specific information **still needed** to complete this application includes:

FROM THE FAIR:

1. Fire clearance.
2. Name of the horseshoe inspector.

FROM CARF:

1. Horsemen's agreements.

RECOMMENDATION:

Staff recommends the Board approve the application conditioned upon receiving the additional information necessary to conduct the racing meeting.

STATE OF CALIFORNIA  
 CALIFORNIA HORSE RACING BOARD  
 APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF A CALIFORNIA FAIR  
 CHRB-18 (Rev. 7/01)

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting of a California fair as authorized by Article 6.5 of the California Business and Professions (B&P) Code, Chapter 4, Division 8, Horse Racing Law, and in accordance with applicable provisions and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

**1. APPLICANT FAIR ASSOCIATION**

A. Name, mailing address, telephone and fax numbers of fair:

**San Joaquin Fair 1658 S. Airport Way, Stockton, CA 95206  
 (209) 466-5041 Fax # (209) 466-5739**

B. Fair association is a:  District Fair  County Fair  Citrus Fruit Fair  
 California Exposition and State Fair  Other Qualified Fair

NOTICE TO APPLICANT Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

**2. DATES OF MEETING**

A. Inclusive dates for the entire meeting: **June 16-27, 2004**

B. Actual dates racing will be held: **June 16, 17, 18, 19, 20, 23, 24, 25, 26, & 27<sup>th</sup>, 2004**

C. Dates racing will NOT be held: **June 21 & 22, 2004**

D. Total number of days or nights of racing: **10 days**

E. Number of days or nights of racing per week: **5 days**

**3. RACING PROGRAM**

A. Total number of races: **104**

B. Number of races by breed:

<input type="text" value="72"/>	Thoroughbreds	<input type="text" value="8"/>	Quarter Horses	<input type="text" value="8"/>	Appaloosas
<input type="text" value="8"/>	Arabians	<input type="text" value="0"/>	Paints	<input type="text" value="8"/>	Mules

**CHRB CERTIFICATION**

Application received: *3/17/04*  
 Reviewed: *PN*

Hearing date: *4/22/04*  
 Approved date:  
 License number:

C. Number of races for each day or night:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Thoroughbred	7 (8)			7	7	7	7 (8)
Other Breeds	3 (4)			3	3	3	3 (4)
Total	10 (12)			10	10	10	10 (12)

**Week #1 10 races/day Week #2 10 races/day Wed-Fri, and 12 races/day Sat-Sun**

D. Total number of stakes races by breed:

<input type="text" value="0"/>	Thoroughbreds	<input type="text" value="1"/>	Quarter Horses	<input type="text" value="0"/>	Appaloosas
<input type="text" value="0"/>	Arabians	<input type="text" value="0"/>	Paints	<input type="text" value="0"/>	Mules

E. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. **Attached**

F. Will provisions be made for owners and trainers to use their own registered colors?

Yes  No If no, what racing colors are to be used:

G. List all post times for the daily racing program:

**POST TIMES FOR PROPOSED DAILY RACING PROGRAM:**

	Wednesday through	Friday
Race #1	Sunday 12:45 PM	3:15 PM
Race #2	1:15 PM	3:45 PM
Race #3	1:45 PM	4:15 PM
Race #4	2:15 PM	4:45 PM
Race #5	2:45 PM	5:12 PM
Race #6	3:15 PM	5:39 PM
Race #7	3:45 PM	6:06 PM
Race #8	4:15 PM	6:33 PM
Race #9	4:45 PM	7:00 PM
Race #10	5:15 PM	7:30 PM
Race #11	5:45 PM	
Race #12	6:15 PM	

Note: The post times listed above are for days when no overlap is in place. During overlap with Bay Meadows, post times will be moved up by seven (7) minutes and/or adjusted to accommodate multiple signals.

**NOTICE TO APPLICANT** Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813.

**4. FAIR ASSOCIATION**

A. Names of the fair directors:

- |  |                            |
|--|----------------------------|
| <b>Floyd Weaver – President</b>            | <b>Mitch Slater</b>        |
| <b>Gregory A. O-Leary – Vice President</b> | <b>Dr. Thomas Streeter</b> |
| <b>Arthur Perry</b>                        | <b>Karylene J. Mann</b>    |
| <b>Wayne Watanabe</b>                      | <b>Edmond Rishwain</b>     |
| <b>Nanette Martin</b>                      |                            |

**SATURDAY, JUNE 26th**

**QUARTER HORSE STAKES 2004**

Stockton Derby – Quarterhorse (9<sup>th</sup> running)

\$10,000 guaranteed for three-year-olds  
350 yards

- B. Names of the directors serving on the Racing Committee or otherwise responsible for the conduct of the racing program:

**Dr. Thomas Streeter                      Edmond Rishwain**

- C. Name and title of the fair manager or executive officer and the names and titles of all department managers and fair staff, **other than those listed in 9B**, who will be listed in the official program:

<b>Forrest J. White</b>	-	<b>Chief Executive Officer</b>
<b>Debbie Cook</b>	-	<b>Deputy Manager II</b>
<b>George Vidak</b>	-	<b>Pari-mutuel Manager</b>
<b>John McGary</b>	-	<b>Announcer &amp; Morning Line Maker</b>
<b>Mike Chapman</b>	-	<b>Maintenance Supervisor</b>
<b>Jack Hatch</b>	-	<b>Stable Superintendent</b>
<b>Tammy McDuffie</b>	-	<b>Stewards' Aide</b>
<b>Steve McCollum</b>	-	<b>Satellite Supervisor</b>

**5. PURSE PROGRAM**

- A. Estimated purse distribution:

1. All races other than stakes: **\$990,000.**
2. Overnight stakes: **0**
3. Non-overnight stakes: **\$10,000**

- B. Estimated purse distribution for all **stakes** races: **\$10,000**

- C. Estimated funds to be generated for all California-bred incentive awards **\$66,589**

- D. Estimated amount of payment to each recognized horsemen's organization contracting with the fair and the name(s) of the organization(s):

Recognized Horsemen's Organization	Estimated Payment
<b>CTT</b>	<b>\$ 2,522</b>
<b>TOC</b>	<b>5,044</b>
<b>PCQHA</b>	<b>1,568</b>
<b>CWAR</b>	<b>2,812</b>
<b>ARAC</b>	<b>5,700</b>
<b>AMAR</b>	<b>5,581</b>
<b>CHBPAPEN</b>	<b>7,565</b>
<b>NTRA</b>	<b>7,041</b>
<b>CTHF</b>	<b><u>7,565</u></b>
<b>TOTAL</b>	<b>\$45,398</b>

- E. Total estimated amount from **all sources** to be distributed at the meeting in the form of purses or other benefits to horsemen: **\$1,111,987**

- F. Estimated purse funds to be generated from on-track handle and intrastate off-track handle: **\$741,607**

- G. Estimated purse funds to be generated from interstate handle: **\$86,585**

- H. Bank or depository for the Paymaster of Purses' purse account and the account number:  
**West American Bank - Account #601064512**
- I. Name, address and telephone number of the pari-mutuel audit firm engaged for the meeting:  
**Edward D. Roland & Associates**  
**1755 North Community Drive #208**  
**Anaheim, CA 92806 (714) 986-9183**

**NOTICE TO APPLICANT** All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the fair and **shall** within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt into such liability account. In the event the fair is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the fair shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The fair is entitled thereafter to recover such transferred funds from the Paymaster of Purses' account and if insufficient funds remain in the account at the conclusion of the meeting, the fair is entitled to carry forward the deficit to its next succeeding meeting as provided by B&P Code Section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the fair may carry forward the surplus amount to its next succeeding meeting; provided however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

## 6. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held:  
**695 permanent stalls plus 100 portable stalls**
- B. Minimum number of stalls believed necessary for the meeting: **1795**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **2084**
- D. Name or location of each off-site stabling area and the number of stalls to be maintained at each site:  
**Alameda County Fair 684      Golden Gate Fields 1400**
- E. Attach each contract or agreement between the fair and the person(s) furnishing off-site stabling accommodations for eligible racehorses which cannot be provided stabling on-site.  
**Northern California Stabling and Vanning Fund**

Complete subsections F through I if the fair will request reimbursement for off-site stabling as provided by B&P Code Sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, skip to Section 7.

- F. Total number of usable stalls made available **on-site** for the **1986** meeting:  
**695 permanent plus 200 portable**

- G. Estimated cost to provide **off-site stalls** for this meeting:  
**Northern California Stabling and Vanning Fund**
- H. Estimated cost to provide **vanning** from off-site stalls for this meeting. Show fees to be paid for vanning **per-horse: 0**
- I. Total estimated cost for off-site stabling and vanning for this meeting. Show cost per-day **per-stall: Northern California Stabling and Vanning Fund**

**7. PARI-MUTUEL WAGERING PROGRAM**

- A. Pursuant to B&P Code Section 19599, and with the approval of the CHRB, fairs may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each:

Use DD for daily double, E for exacta (special quinella), LS for limited sweepstakes (pick 6), PK3 for pick three, PK4 for select four, PK6 for pick 6 one pool, PK7 for pick seven, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for Superfecta, SS1 for special sweepstakes (pick 6) alternate 1, SS2 for special sweepstakes (pick 6) alternate 2, SS3 for special sweepstakes (pick 6) alternate 3, SRUS for special reserved unlimited sweepstakes (pick 9), SUS for special unlimited sweepstakes (pick 9), TRI for trifecta, and US for unlimited sweepstakes (pick 9).

	TYPE OF WAGERS	APPLICABLE RULES
Example Race	\$1 E; \$2 Twin Trifecta	CHRB #1959; RCI #VP
Race #1:	\$1E, \$1PK3, \$1TRI, \$2Q, \$2DD, \$1SF	CHRB#1959, 1977, 1979, 1958, 1957, 1979.1
Race #2:	\$1E, \$1PK3, \$1TRI, \$2Q, \$2DD, \$1SF	CHRB#1959, 1977, 1979, 1958, 1957, 1979.1
Race #3:	\$1E, \$1PK3, \$1TRI, \$2Q, \$2DD, \$1SF	CHRB#1959, 1977, 1979, 1958, 1957, 1979.1
Race #4:	\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$1SF, \$2PNP*	CHRB#1959, 1977, 1979, 1958, 1957, 1979.1, 1976.9
Race #5:	\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$1 SF, \$2PNP*	CHRB#1959, 1977, 1979, 1958, 1957, 1979.1, 1976.9
Race #6:	\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$1 SF, \$2PNP*	CHRB#1959, 1977, 1979, 1958, 1957, 1979.1, 1976.9
Race #7:	\$1E, \$1PK3, \$1PK4*, \$1TRI, \$2Q, \$2DD, \$1 SF, \$2PNP*	CHRB#1959, 1977, 1978, 1979, 1958, 1957, 1979.1, 1976.9
Race #8:	\$1E, \$1PK3, \$1PK4*, \$1TRI, \$2Q, \$2DD, \$1 SF, \$2PNP*	CHRB#1959, 1977, 1978, 1979, 1958, 1957, 1979.1, 1976.9
Race #9:	\$1E, \$1PK3, \$1PK4*, \$1TRI, \$2Q, \$2DD, \$1 SF, \$2PNP*	CHRB#1959, 1977, 1978, 1979, 1958, 1957, 1979.1, 1976.9

Race #10: \$1E, \$1PK3, \$1PK4\*, \$1TRI, \$2Q, \$2DD, \$1 SF                      CHRB#1959, 1977, 1978, 1979, 1958, 1957, 1979.1

Race #11: \$1E, \$1TRI, \$2Q, \$DD, \$1SF                      CHRB#1959, 1979, 1958, 1957, 1979.1

Race #12: \$1E, \$1TRI, \$2Q, \$2DD, \$1SF                      CHRB#1959, 1979, 1958, 1957, 1979.1

**\*\$1PK4\* on last 4 thoroughbred races**  
**\$2PNP\* pick 6 on last 6 thoroughbred races**

- B. The maximum carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool: **Last day of meet – June 27, 2004**
- C. List any options requested with regard to exotic wagering:  
**Request the option of \$1.00 wager on all exactas and trifectas**
- D. Will "advance" or "early bird" wagering be offered?  Yes  No  
 If yes, when will such wagering begin:
- E. Type(s) of pari-mutuel or totalizator equipment to be used by the fair and the simulcast organization, the name of the person(s) supplying equipment, and expiration date of the service contract:  
**Autotote – September 30, 2004**  
**Equipment description on file with the Board**

## 8. SIMULCAST WAGERING PROGRAM

- A. Simulcast organization engaged by the fair to conduct simulcast wagering:  
**California Authority of Racing Fairs**  
**Northern California Off-Track Wagering Inc. (NOTWINC)**
- B. Attach the agreement between the fair and simulcast organization permitting the organization to use the fair's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.
- C. California simulcast facilities the fair proposes to offer its live audiovisual signal:  
**All California facilities authorized to accept the signal.**
- D. Out-of-state wagering systems the fair proposes to offer its live audiovisual signal:
- E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the fair:

**8. SIMULCASTING WAGERING PROGRAM**

D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal.

Refer to E

E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association.

**Commingled Pools**

Acoma Pueblo, NM  
 American Tab - OH  
 Arapahoe Park, CO  
 Arlington International Race Course, IL  
 Atlantic City Casino Assn., NJ  
 Atlantic City Race Course, NJ  
 Atokad Downs, NE  
 Attheraces, England  
 Balmoral Park, IL  
 Batavia Downs, NY  
 Bettor Racing OTB, SD  
 Beulah Park, OH  
 Birmingham Race Course, AL  
 Blue Ribbon Downs, OK  
 Bluff's Run, IA  
 Boyd Gaming d/b/a Delta Downs-LA  
 Buffalo Trotting Association, NY  
 Calder Race Course, FL  
 Canterbury Park, MN  
 Capital District OTB, NY  
 Catskill Off-Track Betting, NY  
 Charles Town Races, WV  
 Choctaw Racing Services, L.L.C., OK  
 Churchill Downs, KY  
 Churchill Downs Trackside (Spectrum), KY  
 Citizen Band Potawatomi Indians, IA  
 Coeur d'lene Hotel & Casino (ADW), ID  
 Coeur d'lene Hotel & Casino, ID  
 Colonial Downs, VA  
 Columbus Races, NE  
 Connecticut OTB, CT  
 Corpus Christi Greyhound Track, TX  
 Dairyland Greyhound Park, WI  
 Delaware Park, DE  
 Delta Downs, LA  
 Dover Downs, DE  
 Downs at Albuquerque, NM  
 Ellis Park, KY  
 Emerald Downs, WA  
 Eureka Downs, KS  
 Evangeline Downs, LA  
 Excelsior Hotel (S&A), MD  
 Fair Grounds, LA  
 Fair Meadows, IL  
 Fairmount Park, IL  
 Finger Lakes Race Track, NY  
 Fonner Park, NE  
 Freehold Raceway, NJ  
 Geneva Lakes Kennel Club, WI  
 Great Lakes Downs, MI  
 Greentrack, AL  
 Gulfstream Park, FL  
 Harrington Raceway & Simulcast Facility, DE  
 Hawthorne Race Course, IL  
 Hazel Park, MI  
 Hinsdale Greyhound Park, NH  
 Hoosier Park, IN  
 Horsemen's Atokad Park, NE  
 Horsemen's Park, NE  
 Indiana Downs, IN  
 Jackson Harness Raceway, MI  
 Juarez, TX  
 Keeneland, KY

Kentucky Downs, KY  
 Kentucky OTB, KY  
 Las Vegas Dissemination Services, NV  
 Comanche Tribe, OK  
 Cities of Gold Sports Bar, NM  
 Fire Lakes Entertainment, OK  
 Foxwoods Resorts Casino, CT  
 Holiday Beach, Cuaraco  
 Meskwaki Bingo & Casino, IW  
 The Stables, OK  
 Tonkawa Bingo, OK  
 Lebanon Trotting Club, OH  
 Les Bois Park, ID  
 Lewiston OTB, ME  
 Lien Games, ND  
 Lincoln Park, RI  
 Lincoln State Fair, NE  
 Lone Star Race Park, TX  
 Louisiana Downs, LA  
 Manor Downs, TX  
 Maryland Jockey Club, MD  
 Maywood Park, IL  
 Mobile Greyhound Park, AL  
 Monmouth Park, NJ  
 Montana Simulcast Partners (IMS), MT  
 Monticello Raceway, NY  
 Mountaineer Park, WV  
 Mt. Pleasant Meadows, MI  
 Multnomah Greyhound Park, OR  
 Nassau Downs Regional OTB, NY  
 Nebraska State Fair Park, NE  
 Nevada Pari-Mutuel Association, NV  
 New Jersey Sports & Exposition, NJ  
 New Mexico State Fair, NM  
 New York City Off-Track Betting, NY  
 New York Racing Association, NY  
 Newport Jai Alai, RI  
 Northfield Park, OH  
 Northville Downs, MI  
 Northville Racing Corp., MI  
 Oaklawn Park, AR  
 Ocean Downs, MD  
 Penn National Race Course, PA  
 Penn National, PA Telebet, Dial-A-Bet, PA  
 Philadelphia Park, PA  
 Philadelphia Park, (PhoneBet), PA  
 Plainridge Racecourse, MA  
 Playfair Race Course, WA  
 Pocono Downs, PA  
 Portland Meadows, OR  
 Prairie Meadows, IA  
 Raceway Park, OH  
 Racing & Gaming Services (RGS), W.I  
 Randall Doc James (St.Croix) (S&A)  
 Remington Park, OK  
 Retama Park, TX  
 Rillito Park, AZ  
 River Downs, OH  
 Rockingham Park, NH  
 Rockingham Park (ADW), NH  
 Rosecroft Raceway, NY  
 Ruidoso Downs, NM  
 Saginaw Harness, MI  
 Sam Houston Park, TX  
 Saratoga Raceway, NY

Scarborough Downs, ME  
 Schenectady OTB, NY  
 Scioto Downs, OH  
 Southland Greyhound Park-AR  
 Sports Creek Raceway, MI  
 Sportsman's Park, IL  
 St. Croix Greyhound Park, WI  
 Suffolk Downs, MA  
 Sunland Park Racetrack, NM  
 SunRay Park and Casino, NM  
 Tampa Bay Downs, FL  
 The Meadows, PA  
 The Meadows (ADW), PA  
 The Racing Channel, OR  
 The Texas Hub (Gulf Greyhound), TX  
 Thistledown Racing Club, OH  
 Tri-State Greyhound, WV  
 TRN International  
 Tucson Greyhound Park, AZ  
 Turfway Park, KY  
 Turf Paradise, AZ  
 Turning Stone Casino, NY  
 US Offtrack d/b/a Greyhound Channel-OR  
 Valley Race Park, TX  
 Vernon Downs, NY  
 Western Regional OTB, NY  
 Wichita Greyhound Park, KS  
 Will Rogers Downs, OK  
 Wonderland Greyhound Park, MA  
 Woodlands, KS  
 Wyoming OTB, WY  
 Yavapai Downs, AZ  
 Yonkers Raceway, NY  
 Youbet

**Separate Pools**

Assiniboia Downs, CAN  
 Caliente (Hipodromo De Agua Caliente), MEX  
 Caymanas Park, JA  
 Edmonton Northlands, AL, CAN  
 Elmira Raceway, ON, CAN  
 Flamboro Downs, ON, CAN  
 Fraser Downs, BC, CAN  
 Hiawatha Downs, ON, CAN  
 Hipodromo d'Aylmer, QU, CAN  
 Hipodromo Presidente Remon, PA  
 Juarez, MEX  
 Las Vegas Dissemination Co., NV  
 l' Hippodrome de Montreal, ML, CAN  
 Marquis Downs, SA, CA  
 Ontario Jockey Club, ON, CAN  
 Pacific Racing Association, BC, CAN  
 Queensbury Downs, SA, CAN  
 Rideau Carlton, ON, CAN  
 Stampede Park, AL, CAN  
 Stevenson & Associates, MD  
 Western Fair, ON, CAN  
 Windsor Raceway, ON, CAN

- F. List the host tracks from which the fair proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held and whether or not a full card will be accepted. If the full card will not be imported, state “selected feature and/or stakes races”:

**NOTICE TO APPLICANT** B&P Code Section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 23 imported thoroughbred races statewide. The limitation of 23 imported thoroughbred races per day statewide does not apply to those races specified in B&P Code Section 19596.2(a)(1), (2), (3) and (4).

**THOROUGHBRED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
Examples:		
Calder Race Course	1/1 & 1/2/99	Full Card
Fair Grounds	3/14/99	Selected Feature and/or Stakes Races

- G. List imported simulcast races the fair plans to receive during the racing meeting which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported:

**OTHER BREED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
Examples:			
Meadowlands	H	8/7/99	1
Ruidoso Downs	QH	9/6/99	3

- H. If any out-of-state or out-of-country races will commence outside of the time constraints set forth in B&P Code Section 19596.2(d), attach a copy showing agreement by the appropriate racing association(s).

**NOTICE TO APPLICANT** All interstate wagering to be conducted by a fair is subject to the provisions of Title 15, United States Codes, which require specific **written** approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by a fair is subject to the provisions of B&P Code Sections 19596, 19596.1, 19596.2, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every fair shall pay to the simulcast organization within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vaning deductions. Every fair shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. **(See Notice to Applicant, Section 5.)**

- F. For **THOROUGHBRED** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
Arlington Park	5/14-9/19/04	Full or Partial Cards
Calder	4/26-12/31/04	Full or Partial Cards
Canterbury Park	5/14-9/6/04	Full or Partial Cards
Churchill Downs	4/24-7/5/04	Full or Partial Cards
Delaware Park	4/24-10/31/04	Full or Partial Cards
Ellis Park	7/7-9/6/04	Full or Partial Cards
Emerald Downs	4/17-9/20/04	Full or Partial Cards
Hastings Park	4/17-11/28/04	Full or Partial Cards
Hawthorne Park	9/24-12/31	Full or Partial Cards
Hoosier Park	9/2-11/21/04	Full or Partial Cards
Laurel Park	7/22-8/27/04	Full or Partial Cards
Lone Star Park	4/15-7/11	Full or Partial Cards
Louisiana Downs	5/14-10/31	Full or Partial Cards
Meadowlands	9/6-12/11/04	Full or Partial Cards
Monmouth Park	5/29-9/5/04	Full or Partial Cards
NYRA	5/5-10/24/04	Full or Partial Cards
Penn National	1/1-12/31/04	Full or Partial Cards
Philadelphia Park	1/1-12/31/04	Full or Partial Cards
Pimlico	3/31-10/3/04	Full or Partial Cards
Prairie Meadows	4/16-7/4/04	Full or Partial Cards
Remington Park	7/30-11/28/04	Full or Partial Cards
River Downs	4/10-9/6/04	Full or Partial Cards
Suffolk Downs	5/1-11/30/04	Full or Partial Cards
Thistledown	4/8-12/31/04	Full or Partial Cards
Woodbine	4/17-12/12/04	Full or Partial Cards

Additional cards and/or races pending negotiations

**9. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT**

**A. Racing Officials nominated:**

- 1. Associate Judges (if applicable) ..... N/A**
- 2. Association Veterinarian(s) .....Henry Cook – D.V.M. & Fitness Track**
- 3. Clerk of Scales ..... Fred Alexander**  
**Assistant Clerk of Scales..... Gary Lawless**
- 4. Clerk of the Course (if applicable).. Dawn Schmid - Throughbreds**  
**Dolores Collins – Emerging Breeds**
- 5. Horse Identifier ..... Darrell Sparks**
- 6. Horseshoe Inspector ..... TBA**
- 7. Paddock Judge ..... Joe Gibson**
- 8. Patrol Judges ..... Joe Gibson**  
**Cheryl White**
- 9. Placing Judges ..... Danny Winick**  
**Mathew Nichols**
- 10. Starter ..... Robert Mooneyhan**
- 11. Timer ..... Melody Truitt**

**B. Management officials in the racing department:**

<b>Director of Racing</b>	<b>Forrest J. White</b>
<b>Racing Secretary</b>	<b>Bob Moreno</b>
<b>Assistant Racing Secretary</b>	<b>Zachary Soto</b>
<b>Paymaster of Purses</b>	<b>Anna Hamilton</b>
<b>Others (identify by name and title)</b>	

**C. Name, address and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:**

**Kelly Girl (209) 823-9356**  
**723 N. Main Street**  
**Manteca, CA 95336**

**D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:**

**Plusmic Corporation USA – Bill O’Brien – December 7, 2007**

- E. Photopatrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract:  
**Pegasus Communications Inc., (Jim Porep) April 30, 2008**  
**Equipment description on file with the Board**
- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:  
**Permanently installed system – Laser**  
**Pegasus Communications Inc., (Jim Porep) April 30, 2008**

#### 10. SECURITY CONTROLS AND EMERGENCY SERVICES

- A. Name and title of the person responsible for security controls on the premises:  
**Forrest J. White – Chief Executive Officer**
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis. Describe the electronic security system:  

<b>Stable Area gate persons-7</b>	<b>Grandstand has a complete electronic</b>
<b>Stable area patrol-2</b>	<b>system including cameras, motion and</b>
<b>Grandstand Security Guards-8</b>	<b>contact security measures.</b>
- C. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races:  

<b>American Medical Response</b>	<b>(209) 948-5136</b>
<b>888 E. Lindsay Street</b>	
<b>Stockton, CA 95202</b>	
- D. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:  

<b>Alameda County Fair</b>	<b>Golden Gate Fields</b>
<b>American Medical Response</b>	<b>Turf Rescue LLC</b>
<b>640 – 143<sup>rd</sup> Ave.</b>	<b>19615 Barclay Road</b>
<b>San Leandro, CA 94577</b>	<b>Castro Valley, CA 94546</b>
<b>(510) 895-7600</b>	<b>(510) 581-8470</b>
- E. Attach a fire clearance from the fire authority having jurisdiction over the premises.  
**State Fire Marshal will forward a fire clearance prior to the opening of the Fair and after installation of portable stalls.**
- F. Name of the workers' compensation insurance carrier for the fair and the number of the insurance policy (if self-insured, provide details):  
**California Fairs Service Authority (916) 921-2213**  
**Workers Compensation Claims**  
**P.O. Box 15518**  
**Sacramento, CA 95852-2213**

- G. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance which secures the liability of the fair for payment of workers' compensation. **Attached**

**11. CONCESSIONAIRES AND SERVICE CONTRACTORS**

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

**Ovations/FanFare LP  
2031 San Ramon Valley Blvd.  
San Ramon, CA 94583**

**Food, Alcoholic & Non-alcoholic  
beverages vendor.**

**Patricia Visco  
3015 E. Bayshore Freeway #422  
Redwood City, CA 94603**

**Winner's Circle Photos**

**Speeda Sound  
3279 W. Susset Way  
Fresno, CA 93772**

**Racing Grandstand sound system**

**Lorene Dutton  
3262 Vineyard Avenue  
Pleasanton, CA 94566**

**Jockeys' Laundry**

**NCOTWIC Contract**

**Armored Car Service**

**Daily Racing Form  
100 Broadway  
New York, NY 10005**

**Program Printing & Delivery**

**United/Puett Start Gate Co.  
(Michael Costello)  
1 Soundview Loop  
South Salem, NY 10590**

**Starting Gate**

**Silver Bar Leasing  
Albert Foote, President  
3445 S. Fruit  
Fresno, CA 93706**

**Portable Stalls**

**Nikki's Secrets  
Jan Reed  
P.O. Box 70207  
Pt. Richmond, CA 94807-0207**

**Tip Sheets**



March 29, 2004

To: California Horse Racing Board (CHRB)  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

Re: San Joaquin County Fair/2nd DAA  
1658 S. Airport Way  
Stockton, CA 95206

Please be advised that the San Joaquin County Fair/2nd DAA is a member of the California Fair Services Authority (CFSA), and participates in the following self-insurance and loss pooling programs which are administered by CFSA:

#### I. COMPREHENSIVE GENERAL LIABILITY PROGRAM

Limit \$10 million CSL per occurrence  
Coverage continuous until cancelled

#### II. WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY

- A. Primary Coverage \$500,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled
- B. Excess Coverage (a) Workers' Compensation: \$50,000,000 in excess of \$500,000  
(b) Employers' Liability: \$10,000,000 in excess of \$500,000  
Coverage provided by California Public Entity Insurance Authority  
Term: 07/01/2003 to 07/01/2004

CFSA represents to CHRB that within the above limits, terms and provisions of the coverage stated, to the extent provided by law, CFSA will provide defense, payment, and indemnification on loss funding in accordance with the terms of the contractual assumption of the San Joaquin County Fair/2nd DAA as set forth in CHRB's "Insurance Requirements".

You will be given at least thirty (30) days notice of any change in the foregoing information. We trust that this commitment will satisfy your insurance requirements.

Please feel free to contact this office on all matters including possible claims.

Sincerely,

Lianne Lewellen  
Risk Analyst

**12. SCHEDULE OF CHARGES**

A. Proposed charges for admissions, seating or boxes, parking and programs. Note any changes from previous year:

Admission (general)	<b>\$8.00 Adult</b>	<b>\$5.00 Child</b>
Admission (clubhouse)	N/A	
Reserved seating (general)	N/A	
Reserved seating (clubhouse)	N/A	
Parking (general)	<b>\$5.00</b>	
Parking (preferred)	<b>\$7.00</b>	
Parking (valet)	N/A	
Programs (on-track)	<b>\$1.00</b>	
(off-track)	<b>\$2.00</b>	

B. Describe any "Season Boxes" or other special accommodation fees: **All box seats are sold out in advance.**

C. Describe any "package" plans such as combined parking, admission and program: **None**

**13. JOCKEYS' QUARTERS**

A. Check the applicable amenities available in the jockeys' quarters:

<input type="checkbox"/>	Corners (lockers and cubicles)	How many?	<input type="text" value="25"/>
<input checked="" type="checkbox"/>	Showers	<input checked="" type="checkbox"/>	Steam room, sauna or steam cabinets
<input checked="" type="checkbox"/>	Masseur	<input checked="" type="checkbox"/>	Lounge area
<input checked="" type="checkbox"/>	Food/beverage service	<input checked="" type="checkbox"/>	Certified platform scale

B. Describe the quarters to be used for female jockeys: **14' x 30' modular facility with three dressing stalls, three showers, two toilets, lounge area, one steam bath, three sinks, plus lounge trailer with masseuse.**

**14. BACKSTRETCH EMPLOYEE HOUSING**

A. Attach written certification that an inspection of the backstretch employee housing has been conducted by a lead agency designated by the CHRB and the applicant is not aware of any known violations of the local housing ordinances. **Inspection completed.**

B. Number of rooms used for housing on the backstretch of the racetrack: **36**

C. Number of restrooms available on the backstretch of the racetrack: **5 R/R facilities containing toilets and showers**

D. Estimated ratio of restrooms to the number of backstretch personnel: **1 R/R facility per 100 people (each R/R contains 4 toilets)**

## 15. TRACK SAFETY

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line: 

5280
------

 feet.
- B. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course. **Outer rail comprised of 3" aluminum posts with 3" aluminum railing on top at a height of 40" (a portion of the outside rail is chain link fence). A new Sterline inner rail is made up of offset galvanized posts with extended aluminum railing on top at a height of 42" with an overhang of 24".**
- C. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Track Masters (Steve Wood)**
- D. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474.
- E. If the fair is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing.

## 16. DECLARATIONS

- A. All labor agreements, concession and service contracts, and other agreements necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state): **Horsemen Agreements Pending**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044. **Negotiations Pending**
- C. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state): **No Exceptions**
- D. Absent natural disasters or causes beyond the control of the fair, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the fair except as follows (if no exceptions, so state): **No Exceptions**

**NOTICE TO APPLICANT** Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

**17. CERTIFICATION BY APPLICANT**

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the fair to attest to this application on its behalf.

FORREST J. WHITE  
Print Name

F. J. White  
Signature

C.E.O.  
Print Title

3-16-04  
Date

STAFF ANALYSIS  
April 22, 2004

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE ALAMEDA COUNTY FAIR AT PLEASANTON JUNE 30, 2004 THROUGH JULY 11, 2004.

Alameda County Fair filed its application to conduct a horse racing meeting at Pleasanton:

- June 30 through July 11, 2004, or 11 days, the same as 2003. The fair proposes to race a total of 120 races, the same as 2003.

June - 2004						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July - 2004						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

- Racing Wednesday through Monday the first week and Wednesday through Sunday the second week. 10 races per day Wednesday, Thursday and Friday and 12 Monday, Saturday and Sunday.
  - Number of horses available determines the number of daily races programmed by breed.
  - No racing Tuesday, July 6.
- First post 12:15 p.m.
- Specific changes from the 2003 license application:
  - Rick Pickering replaces Greg Brent as director of racing.
- Request Patrick Kealy be appointed horse identifier pursuant to CHRB Rule 1525.
- Track safety requirements have been fulfilled.
- Wagering program will use CHRB rules.
  - Early wagering will not be offered.
- Simulcasting conducted with other out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.
- Inspection of backstretch worker housing completed.

Specific information **still needed** to complete this application includes:

FROM THE FAIR:

1. Fire clearance.
2. Name of the fitness veterinarian.

FROM CARF:

1. Horsemen's agreements.

RECOMMENDATION:

Staff recommends the Board approve the application conditioned upon receiving the additional information necessary to conduct the racing meeting.

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting of a California fair as authorized by Article 6.5 of the California Business and Professions (B&P) Code, Chapter 4, Division 8, Horse Racing Law, and in accordance with applicable provisions and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

**1. APPLICANT FAIR ASSOCIATION**

A. Name, mailing address, telephone and fax numbers of fair:

*Alameda County Fair Association*  
*4501 Pleasanton Avenue, Pleasanton, CA 94566*  
*925-426-7600 925-426-7699 (Fax)*

B. Fair association is a:  District Fair  County Fair  Citrus Fruit Fair  
 California Exposition and State Fair  Other qualified fair

**NOTICE TO APPLICANT** Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

**2. DATES OF MEETING**

A. Inclusive dates for the entire meeting: *June 30, 2004– July 11, 2004*  
 B. Actual dates racing will be held: *June 30, 2004– July 11, 2004 (excluding, July 6)*  
 C. Dates racing will NOT be held: *July 6, 2004*  
 D. Total number of days or nights of racing: *11*  
 E. Number of days or nights of racing per week: *June 30 – July 4, 2004 – 5 days*  
*July 5– July 11, 2004 – 6 days (July 6 Dark Day)*

**3. RACING PROGRAM**

A. Total number of races: *120*

B. Number of races by breed:

Thoroughbreds  Quarter Horses  Appaloosas  
 Arabians  Paints  Mules

C. Number of races for each day or night:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Thoroughbred	9	9	-	7	7	7	9
Other Breeds	3	3	-	3	3	3	3
Total	12	12	-	10	10	10	12

**Note:** Above races subject to availability of horses and mules with permission to substitute if or when races do not fill.

Application received: <i>4/1/04 VP</i> Reviewed: <i>PN</i>	<b>CHRB CERTIFICATION</b>  Hearing date: <i>4/22/04</i> Approved date: License number:
---	--

D. Total number of stakes races by breed:

5	Thoroughbreds	2	Quarter Horses	2	Appaloosas
2	Arabians	0	Paints	0	Mules

E. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each.

**ALAMEDA COUNTY FAIR ASSOCIATION PROPOSED 2004 STAKES SCHEDULE  
2004 ALAMEDA COUNTY FAIR STAKES RACES PROPOSED**

THOROUGHBRED:

<i>Alameda County Fillies and Mares Handicap – 36<sup>th</sup> Running Fillies and Mares 3 years old and upward – 1 1/16 Miles</i>	<i>\$50,000 Guar.</i>	<i>Mon. July 5</i>
<i>Sam J. Whiting Memorial Handicap – 42<sup>nd</sup> Running 3-year olds and upward – 6 Furlongs</i>	<i>\$50,000 Guar.</i>	<i>Sat. July 10</i>
<i>Alamedan Handicap – 39<sup>th</sup> Running 3-year olds and upward 1 1/16 Miles</i>	<i>\$50,000 Guar.</i>	<i>Sun. July 11</i>

*The rest of the proposed stakes will be overnight stakes.*

QUARTER HORSE:

<i>P.C.Q.H.R.A. Handicap – 35<sup>th</sup> Running 3-year olds and upward, 350 yards</i>	<i>\$10,000 Guar.</i>	<i>Sat. July 3</i>
<i>Jack Robinson Handicap – 31<sup>st</sup> Running 3-year olds and upward, 870 yards</i>	<i>\$10,000 Guar.</i>	<i>Sun. July 11</i>

APPALOOSA:

<i>Pleasanton Appaloosa Handicap – 26<sup>th</sup> Running 3-year olds and upward, 5 Furlongs</i>	<i>\$10,000 Guar.</i>	<i>Sun. July 4</i>
<i>Appaloosa Cal-Bred Derby – 26<sup>th</sup> Running 3-year olds bred in California, 4 ½ Furlongs</i>	<i>\$10,000 Guar.</i>	<i>Sat. July 10</i>

ARABIAN:

<i>Pleasanton Arabian Distaff – 5<sup>th</sup> Running Fillies and Mares 3- years old and upward – 5 ½ Furlongs</i>	<i>\$10,000 Guar.</i>	<i>Mon. July 5</i>
<i>Pleasanton Arabian Handicap – 9<sup>th</sup> Running 3-years old and upward – 5 ½ Furlongs</i>	<i>\$10,000 Guar.</i>	<i>Sat. July 10</i>

THOROUGHBRED OVERNIGHT STAKES

<i>Juan Gonzalez Memorial Stakes – 26<sup>th</sup> Running Fillies 2-years old – 5 Furlongs</i>	<i>\$40,000 Added (Plus up to \$12,000 for Cal-Breds)</i>	<i>Sat. July 3</i>
<i>Everett Nevin Alameda County Futurity – 43<sup>rd</sup> Running 2-year olds bred in California – 5 Furlongs</i>	<i>\$50,000 Added (Inc. \$10,000 from Cal-Bred Race Fund)</i>	<i>Sun. July 4</i>

F. Will provisions be made for owners and trainers to use their own registered colors?

Yes  No      If no, what racing colors are to be used:

G. List all post times for the daily racing program:

**POST TIMES FOR PROPOSED DAILY RACING PROGRAM**

*Approximate post times for June 30, 2004 – July 11, 2004 excluding Tuesday, July 6, 2004*

Race Number	Weekdays	Weekends & July 5th
Race # 1	12:15 p.m.	12:15 p.m.
Race # 2	12:47 p.m.	12:47 p.m.
Race # 3	1:20 p.m.	1:17 p.m.
Race # 4	1:52 p.m.	1:49 p.m.
Race # 5	2:24 p.m.	2:20 p.m.
Race # 6	2:56 p.m.	2:50 p.m.
Race # 7	3:35 p.m.	3:22 p.m.
Race # 8	4:04 p.m.	3:52 p.m.
Race # 9	4:32 p.m.	4:22 p.m.
Race # 10	5:02 p.m.	4:52 p.m.
Race # 11		5:25 p.m.
Race # 12		5:48 p.m.

- *As much as possible, we intend to align our post times to compliment the Hollywood Park post times*

NOTICE TO APPLICANT Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813.

**4. FAIR ASSOCIATION**

A. Names of the Fair Directors:

<i>Arnerich, Lil</i>	<i>Ising, Patricia</i>	<i>Pegram, Anthony</i>	<i>Sealana, Richard</i>	<i>Wilson, Dewitt</i>
<i>Blach, Sherman</i>	<i>Johnson, Evelyn</i>	<i>Penna, John</i>	<i>Sherwood, Billie</i>	<i>Ysit, Ario</i>
<i>Barnett, Nell</i>	<i>Koopmann, Tim</i>	<i>Ruggeri, Pete</i>	<i>Snyder, Pete</i>	
<i>Coelho, Jim</i>	<i>Macchiano, Tony</i>	<i>Saia, Tracy</i>	<i>Varni, Anthony</i>	
<i>Courtright, Jackie</i>	<i>McDermott, Geo</i>	<i>Santana, Celia</i>	<i>Walker, Hugh</i>	<i>Kitayama, Tom</i>
<i>Innes, John</i>	<i>O'Brien, Patrick</i>	<i>Scott, Arthur</i>	<i>Wallace, Naomi</i>	<i>Redeker, Clark</i>

B. Names of the directors serving on the Racing Committee or otherwise responsible for the conduct of the racing program:

<i>Coelho, Jim</i>	<i>Ising, Patricia</i>	<i>Macchiano, Tony</i>	<i>Saia, Tracy</i>	<i>Wilson, Dewitt</i>
<i>Innes, John</i>	<i>Johnson, Evelyn</i>	<i>McDermott, Geo</i>	<i>Sherwood, Billie</i>	<i>Ysit, Ario</i>

C. Name and title of the fair manager or executive officer and the names and titles of all department managers and fair staff, **other than those listed in 9B**, who will be listed in the official program:

Name	Title
<i>Rick K. Pickering</i>	<i>C.E.O. and Director of Racing</i>
<i>Greg Brent</i>	<i>Racing Secretary</i>
<i>Ted Holder</i>	<i>C.F.O.</i>
<i>Tim Koopmann</i>	<i>President, Board of Directors</i>
<i>Dewitt Wilson</i>	<i>Chairman, Satellite/Racing Committee</i>
<i>Jeanne Wasserman</i>	<i>Satellite Manager</i>

<i>Paul Wayt</i>	<i>Racetrack Superintendent/Maintenance</i>
<i>Bryan Wayte</i>	<i>Mutual Manager</i>
<i>John McGary</i>	<i>Announcer</i>

**5. PURSE PROGRAM**

- A. Estimated purse distribution:
  - 1. All races other than stakes: **\$1,372,717**
  - 2. Overnight stakes: **\$ 90,000 (Includes \$10,000 from C.T.B.A.)**
  - 3. Non-overnight stakes: **\$ 210,000**
- B. Estimated purse distribution for all stakes races: **\$300,000 (Includes \$10,000 from C.T.B.A.)**
- C. Estimated funds to be generated for all California-bred incentive awards: **\$131,667**
- D. Estimated amount of payment to each recognized horsemen's organization contracting with the fair and the name(s) of the organization(s):

Recognized Horsemen's Organization	Estimated Payment
<i>American Mule Racing Association (A.M.R.A.)</i>	\$ 5,752.
<i>Arabian Racing Assoc. of California (A.R.A.C)</i>	\$ 5,730.
<i>Cal-Western Appaloosa, Inc</i>	\$ 1,232.
<i>C.H.B.P.A.PEN.</i>	\$15,594.
<i>C.T.H.F.</i>	\$15,594.
<i>California Thoroughbred Trainers (C.T.T.)</i>	\$ 5,198.
<i>National Thoroughbred Racing Association (N.T.R.A.)</i>	\$21,230.
<i>Pacific Coast Quarter Horse Racing Assoc.</i>	\$ 1,180.
<i>Thoroughbred Owners of California (T.O.C.)</i>	\$10,396.
<b>Total</b>	<b>\$81,906.</b>

- E. Total estimated amount from **all sources** to be distributed at the meeting in the form of purses or other benefits to horsemen:  
**\$1,886,290. plus performance purses\***  
*\*(Amount dependent on number of starters and amount paid per starter)*
- F. Estimated purse funds to be generated from on-track handle and intrastate off-track handle:  
**\$983,292.**
- G. Estimated purse funds to be generated from interstate handle: **\$197,368.**
- H. Bank or depository for the Paymaster of Purses' purse account and the account number:  
**WestAmerica Bank (C.A.R.F.) Account No: 0601064512**
- I. Name, address and telephone number of the pari-mutuel audit firm engaged for the meeting:  
**Ed Roland, 1755 North Community Drive #208, Anaheim, CA 92806, 714-986-9183**

NOTICE TO APPLICANT All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, shall not be deemed as income to the fair and shall, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering

which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt into such liability account. In the event the fair is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the fair shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The fair is entitled thereafter to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the fair is entitled to carry forward the deficit to its next succeeding meeting as provided by B&P Code Section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the fair may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

**6. STABLE ACCOMMODATIONS**

- A. Number of usable stalls available for racehorses at the track where the meeting is held:  
**684 –(Portables also available if needed)**
- B. Minimum number of stalls believed necessary for the meeting: **3,500**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **3,000**
- D. Name or location of each off-site stabling area and the number of stalls to be maintained at each site:

<i>Bay Meadows, San Mateo, California</i>	<i>700 stalls</i>
<i>Golden Gate Fields, Albany, California</i>	<i>1,400 stalls</i>
<i>Solano County Fair, Vallejo, California</i>	<i>900 stalls</i>

- E. Attach each contract or agreement between the fair and the person(s) furnishing off-site stabling accommodations for eligible racehorses, which cannot be provided stabling on-site.  
*Northern California Stabling and Vanning Fund*

Complete subsections F through I if the fair will request reimbursement for off-site stabling as provided by B&P Code Sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, skip to Section 7.

- F. Total number of usable stalls made available **on-site** for the **1986** meeting: **884**
- G. Estimated cost to provide **off-site** stalls for this meeting:  
*Northern California Stabling and Vanning Fund*
- H. Estimated cost to provide **vanning** from off-site stalls for this meeting. Show fees to be paid for vanning **per-horse**: *None*
- I. Total estimated cost for off-site stabling and vanning for this meeting. Show cost per-day **per-stall**:  
*Northern California Stabling and Vanning Fund*

**7. PARI-MUTUEL WAGERING PROGRAM**

- A. Pursuant to B&P Code Section 19599, and with the approval of the CHRB, fairs may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each:

Use DD for daily double, E for exacta (special quinella), LS for limited sweepstakes (pick 6), PK3 for pick three, PK4 for select four, PK6 for pick 6 one pool, PK7 for pick seven, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for Superfecta, SS1 for special sweepstakes (pick 6) alternate 1, SS2 for special sweepstakes (pick 6) alternate 2, SS3 for special sweepstakes (pick 6) alternate 3, SRUS for special reserved unlimited sweepstakes (pick 9), SUS for special unlimited sweepstakes (pick 9), TRI for trifecta, and US for unlimited sweepstakes (pick 9).

	<u>TYPE OF WAGERS</u>	<u>APPLICABLE RULES</u>
Example Race	<i>\$1 E; \$2 Twin Trifecta</i>	<i>CHRB #1959; RCI #VP</i>
Race #1	<i>\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$1 SF, \$1PPN%</i>	<i>CHRB #1959, CHRB #1977, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.8</i>
Race #2	<i>\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$1 SF, \$1PPN%</i>	<i>CHRB #1959, CHRB #1977, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.8</i>
Race #3	<i>\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$1 SF, \$1PPN%</i>	<i>CHRB #1959, CHRB #1977, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.8</i>
Race #4	<i>\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$1 SF, \$1PPN%</i>	<i>CHRB #1959, CHRB #1977, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.8</i>
Race #5	<i>\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$1 SF, \$2PNP@, \$1PPN%</i>	<i>CHRB #1959, CHRB #1977, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8</i>
Race #6	<i>\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$1 SF, \$2PNP@, \$1PPN%</i>	<i>CHRB #1959, CHRB #1977, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8</i>
Race #7	<i>\$1E, \$1PK3, \$1PK4*, \$1TRI, \$2Q \$2DD, \$1 SF, \$2PNP@, \$1PPN%</i>	<i>CHRB #1959, CHRB #1977, CHRB #1978, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8</i>
Race #8	<i>\$1E, \$1PK3, \$1PK4*, \$1TRI, \$2Q \$2DD, \$1 SF, \$2PNP@, \$1PPN%</i>	<i>CHRB #1959, CHRB #1977, CHRB #1978, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8</i>
Race #9	<i>\$1E, \$1PK3, \$1PK4*, \$1TRI, \$2Q \$2DD, \$1 SF, \$2PNP@, \$1PPN%</i>	<i>CHRB #1959, CHRB #1977, CHRB #1978, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8</i>
Race #10	<i>\$1E, \$1PK3, \$1PK4*, \$1TRI, \$2Q \$2DD, \$1 SF, \$2PNP@, \$1PPN%</i>	<i>CHRB #1959, CHRB #1977, CHRB #1978, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8</i>
Race #11	<i>\$1E, \$1TRI, \$2Q, \$1PK4* \$2DD, \$1 SF, \$2PNP@, \$1PPN%</i>	<i>CHRB #1959, CHRB #1979, CHRB #1958, CHRB #1978 CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8</i>



**8. SIMULCASTING WAGERING PROGRAM**

D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal.  
Refer to E

E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association.

**Commingled Pools**

Acoma Pueblo, NM  
 American Tab - OH  
 Arapahoe Park, CO  
 Arlington International Race Course, IL  
 Atlantic City Casino Assn., NJ  
 Atlantic City Race Course, NJ  
 Atokad Downs, NE  
 Athteraces, England  
 Balmoral Park, IL  
 Batavia Downs, NY  
 Bettor Racing OTB, SD  
 Beulah Park, OH  
 Birmingham Race Course, AL  
 Blue Ribbon Downs, OK  
 Bluff's Run, IA  
 Boyd Gaming d/b/a Delta Downs-LA  
 Buffalo Trotting Association, NY  
 Calder Race Course, FL  
 Canterbury Park, MN  
 Capital District OTB, NY  
 Catskill Off-Track Betting, NY  
 Charles Town Races, WV  
 Choctaw Racing Services, L.L.C., OK  
 Churchill Downs, KY  
 Churchill Downs Trackside (Spectrum), KY  
 Citizen Band Potawatomi Indians, IA  
 Coeur d'Leone Hotel & Casino (ADW), ID  
 Coeur d'Leone Hotel & Casino, ID  
 Colonial Downs, VA  
 Columbus Races, NE  
 Connecticut OTB, CT  
 Corpus Christi Greyhound Track, TX  
 Dairyland Greyhound Park, WI  
 Delaware Park, DE  
 Delta Downs, LA  
 Dover Downs, DE  
 Downs at Albuquerque, NM  
 Ellis Park, KY  
 Emerald Downs, WA  
 Eureka Downs, KS  
 Evangeline Downs, LA  
 Excelsior Hotel (S&A), MD  
 Fair Grounds, LA  
 Fair Meadows, IL  
 Fairmount Park, IL  
 Finger Lakes Race Track, NY  
 Fonner Park, NE  
 Freehold Raceway, NJ  
 Geneva Lakes Kennel Club, WI  
 Great Lakes Downs, MI  
 Greentrack, AL  
 Gulfstream Park, FL  
 Harrington Raceway & Simulcast Facility, DE  
 Hawthorne Race Course, IL  
 Hazel Park, MI  
 Hinsdale Greyhound Park, NH  
 Hoosier Park, IN  
 Horsemen's Atokad Park, NE  
 Horsemen's Park, NE  
 Indiana Downs, IN  
 Jackson Harness Raceway, MI  
 Juarez, TX  
 Keeneland, KY

Kentucky Downs, KY  
 Kentucky OTB, KY  
 Las Vegas Dissemination Services, NV  
 Comanche Tribe, OK  
 Cities of Gold Sports Bar, NM  
 Fire Lakes Entertainment, OK  
 Foxwoods Resorts Casino, CT  
 Holiday Beach, Cuaraco  
 Meskwaki Bingo & Casino, IW  
 The Stables, OK  
 Tonkawa Bingo, OK  
 Lebanon Trotting Club, OH  
 Les Bois Park, ID  
 Lewiston OTB, ME  
 Lien Games, ND  
 Lincoln Park, RI  
 Lincoln State Fair, NE  
 Lone Star Race Park, TX  
 Louisiana Downs, LA  
 Manor Downs, TX  
 Maryland Jockey Club, MD  
 Maywood Park, IL  
 Mobile Greyhound Park, AL  
 Monmouth Park, NJ  
 Montana Simulcast Partners (IMS), MT  
 Monticello Raceway, NY  
 Mountaineer Park, WV  
 Mt. Pleasant Meadows, MI  
 Multnomah Greyhound Park, OR  
 Nassau Downs Regional OTB, NY  
 Nebraska State Fair Park, NE  
 Nevada Pari-Mutuel Association, NV  
 New Jersey Sports & Exposition, NJ  
 New Mexico State Fair, NM  
 New York City Off-Track Betting, NY  
 New York Racing Association, NY  
 Newport Jai Alai, RI  
 Northfield Park, OH  
 Northville Downs, MI  
 Northville Racing Corp., MI  
 Oaklawn Park, AR  
 Ocean Downs, MD  
 Penn National Race Course, PA  
 Penn National, PA Telebet, Dial-A-Bet, PA  
 Philadelphia Park, PA  
 Philadelphia Park, (PhoneBet), PA  
 Plainridge Racecourse, MA  
 Playfair Race Course, WA  
 Pocono Downs, PA  
 Portland Meadows, OR  
 Prairie Meadows, IA  
 Raceway Park, OH  
 Racing & Gaming Services (RGS), W.I  
 Randall Doc James (St.Croix) (S&A)  
 Remington Park, OK  
 Retama Park, TX  
 Rillito Park, AZ  
 River Downs, OH  
 Rockingham Park, NH  
 Rockingham Park (ADW), NH  
 Rosecroft Raceway, NY  
 Ruidoso Downs, NM  
 Saginaw Harness, MI  
 Sam Houston Park, TX  
 Saratoga Raceway, NY

Scarborough Downs, ME  
 Schenectady OTB, NY  
 Scioto Downs, OH  
 Southland Greyhound Park-AR  
 Sports Creek Raceway, MI  
 Sportsman's Park, IL  
 St. Croix Greyhound Park, WI  
 Suffolk Downs, MA  
 Sunland Park Racetrack, NM  
 SunRay Park and Casino, NM  
 Tampa Bay Downs, FL  
 The Meadows, PA  
 The Meadows (ADW), PA  
 The Racing Channel, OR  
 The Texas Hub (Gulf Greyhound), TX  
 Thistledown Racing Club, OH  
 Tri-State Greyhound, WV  
 TRN International  
 Tucson Greyhound Park, AZ  
 Turfway Park, KY  
 Turf Paradise, AZ  
 Turning Stone Casino, NY  
 US Offtrack d/b/a Greyhound Channel-OR  
 Valley Race Park, TX  
 Vernon Downs, NY  
 Western Regional OTB, NY  
 Wichita Greyhound Park, KS  
 Will Rogers Downs, OK  
 Wonderland Greyhound Park, MA  
 Woodlands, KS  
 Wyoming OTB, WY  
 Yavapai Downs, AZ  
 Yonkers Raceway, NY  
 Youbet

**Separate Pools**

Assiniboia Downs, CAN  
 Caliente (Hipodromo De Agua Caliente), MEX  
 Caymanas Park, JA  
 Edmonton Northlands, AL, CAN  
 Elmira Raceway, ON, CAN  
 Flamboro Downs, ON, CAN  
 Fraser Downs, BC, CAN  
 Hiawatha Downs, ON, CAN  
 Hipodromo d'Aylmer, QU, CAN  
 Hipodromo Presidente Remon, PA  
 Juarez, MEX  
 Las Vegas Dissemination Co., NV  
 l' Hippodrome de Montreal, ML, CAN  
 Marquis Downs, SA, CA  
 Ontario Jockey Club, ON, CAN  
 Pacific Racing Association, BC, CAN  
 Queensbury Downs, SA, CAN  
 Rideau Carlton, ON, CAN  
 Stampede Park, AL, CAN  
 Stevenson & Associates, MD  
 Western Fair, ON, CAN  
 Windsor Raceway, ON, CAN

- F. For **THOROUGHBRED** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

**THOROUGHBRED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
Arlington Park	5/14-9/19/04	Full or Partial Cards
Calder	4/26-12/31/04	Full or Partial Cards
Canterbury Park	5/14-9/6/04	Full or Partial Cards
Churchill Downs	4/24-7/5/04	Full or Partial Cards
Delaware Park	4/24-10/31/04	Full or Partial Cards
Ellis Park	7/7-9/6/04	Full or Partial Cards
Emerald Downs	4/17-9/20/04	Full or Partial Cards
Hastings Park	4/17-11/28/04	Full or Partial Cards
Hawthorne Park	9/24-12/31	Full or Partial Cards
Hoosier Park	9/2-11/21/04	Full or Partial Cards
Laurel Park	7/22-8/27/04	Full or Partial Cards
Lone Star Park	4/15-7/11	Full or Partial Cards
Louisiana Downs	5/14-10/31	Full or Partial Cards
Meadowlands	9/6-12/11/04	Full or Partial Cards
Monmouth Park	5/29-9/5/04	Full or Partial Cards
NYRA	5/5-10/24/04	Full or Partial Cards
Penn National	1/1-12/31/04	Full or Partial Cards
Philadelphia Park	1/1-12/31/04	Full or Partial Cards
Pimlico	3/31-10/3/04	Full or Partial Cards
Prairie Meadows	4/16-7/4/04	Full or Partial Cards
Remington Park	7/30-11/28/04	Full or Partial Cards
River Downs	4/10-9/6/04	Full or Partial Cards
Suffolk Downs	5/1-11/30/04	Full or Partial Cards
Thistledown	4/8-12/31/04	Full or Partial Cards
Woodbine	4/17-12/12/04	Full or Partial Cards

Additional cards and/or races pending negotiations

Calder Race Course	1/1 & 1/2/99	Full Card
Fair Grounds	3/14/99	Selected Feature and/or Stakes Races

- G. List imported simulcast races the fair plans to receive during the racing meeting which use breeds other than the breed of the majority of horses racing at its live horseracing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported:  
*N/A*

**OTHER BREED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
Examples:			
Meadowlands	H	8/7/99	1
Ruidoso Downs	QH	9/6/99	3

- H. If any out-of-state or out-of-country races will commence outside of the time constraints set forth in B&P Code Section 19596.2(d), attach a copy showing agreement by the appropriate racing association(s).

**NOTICE TO APPLICANT** All interstate wagering to be conducted by a fair is subject to the provisions of Title 15, United States Codes, which require specific written approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by a fair is subject to the provisions of B&P Code Sections 19596, 19596.1, 19596.2, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every fair shall pay to the simulcast organization within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every fair shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 5.)

**9. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT**

- A. Racing Officials nominated:
- |                                    |   |
|------------------------------------|---|
| Associate Judge.....               | <i>N/A</i>  |
| Association Veterinarian(s).....   | <i>Robert Connelley (Track)</i><br><i>T.B.A (Fitness)</i> |
| Clerk of Scales.....               | <i>Fred Alexander</i>                                     |
| Assistant Clerk of Scales.....     | <i>Gary Lawless</i>                                       |
| Clerk of the Course.....           | <i>Dolores Collins (E-Breeds)</i>                         |
| Clerk of the Course .....          | <i>Anne Daftary (Thoroughbreds)</i>                       |
| Assistant Clerk of the Course..... | <i>Tina Walker</i>  |
| Horse Identifier.....              | <i>Patrick Kealy</i>                                      |
| Horseshoe Inspector.....           | <i>Jack Hammonds</i>                                      |
| Paddock Judge.....                 | <i>Joe Gibson</i>   |
| Patrol Judges.....                 | <i>James Dreyer (Film Analyst)</i><br><i>Paul Nicolo</i>  |
| Placing Judges.....                | <i>Kenneth Sjoldal</i><br><i>Ella Robinson</i>            |
| Starter.....                       | <i>Robert Mooneyhan</i>                                   |
| Timer.....                         | <i>Melody Trutt</i>                                       |

- B. Management officials in the racing department:
  - Director of Racing.....**Rick K. Pickering**
  - Racing Secretary..... **Greg Brent**
  - Assistant Racing Secretary.....**Linda Anderson**
  - Paymaster of Purses.....**Anna Hamilton (C.A.R.F.)**
  - Others (identify by name and title)
  
- C. Name, address and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:
  - Secretary, Alameda County Agricultural Fair Association**
  - 4501 Pleasanton Avenue, Pleasanton, CA 94566, 925-426-7600**
  
- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:
  - Plusmic Corp., USA – Bill O’Brien (Expires 12/7/07)**
  
- E. Photopatrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract:
  - Pegasus Communication, Inc. (Jim Porep) (Expires April 30, 2008)**
  
- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:
  - Pegasus Communications, Inc. (Jim Porep) (Expires April 30, 2008)**

**10. SECURITY CONTROLS AND EMERGENCY SERVICES**

- A. Name and title of the person responsible for security controls on the premises:
  - Racetrack/Grandstand: Alameda County Sheriff Chief in Charge**
  - Barn Area: David Rezendes, President, Security Eye Patrol, Inc.**
  
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis. Describe the electronic security system:
  - Racetrack/Grandstand: 8 Sheriff’s Deputies**
  - Barn Area: 5 Security Officers, 2 Security Rovers, 3 Licensed Gatemen based on 8/hour shifts.**
  - Monitored electronic surveillance of key areas by the Sheriff’s Department.**
  
- C. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races:
  - American Medical Response (A.M.R.), 640 143<sup>rd</sup> Avenue, San Leandro, CA 94577, 510-895-7600**
  
- D. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:
 

<b>Solano County Fair</b>	<b>Bay Meadows</b>	<b>Golden Gate Fields</b>
<b>Medic Ambulance</b>	<b>Bayshore Ambulance</b>	<b>Turf Rescue LLC</b>
<b>506 Couch</b>	<b>P.O. Box 4622</b>	<b>19615 Barclay Road</b>
<b>Vallejo, CA 94590</b>	<b>Foster City, CA 94404</b>	<b>Castro Valley, CA 94546</b>
<b>707-644-8989</b>	<b>650-525-9700</b>	<b>510-581-8470</b>

- E. Attach a fire clearance from the fire authority having jurisdiction over the premises.
- F. Name of the workers' compensation insurance carrier for the fair and the number of the insurance policy (if self-insured, provide details):
- G. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance which secures the liability of the fair for payment of workers' compensation.

**11. CONCESSIONAIRES AND SERVICE CONTRACTORS**

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

CONCESSION/SERVICE	COMPANY	OWNER	ADDRESS
<i>Food &amp; Beverage (Non-Alcoholic)</i>	<i>Golf Associates</i>	<i>Tom Pera</i>	<i>2350 Weston, Scotts Valley, CA 95066</i>
<i>Food Service</i>	<i>Ovations Fanfare</i>	<i>Charlie Neary Nick Nicora</i>	<i>4501 Pleasanton Ave, Pleasanton, CA 94566</i>
<i>Food &amp; Beverage (Alcoholic &amp; Non)</i>	<i>Ovations Fanfare</i>	<i>Charlie Neary Nick Nicora</i>	<i>4501 Pleasanton Ave, Pleasanton, CA 94566</i>
<i>Tip Sheets</i>	<i>Nikki's Secrets</i>	<i>Jan Reed</i>	<i>P.O. Box 70207, Point Richmond, CA 94807</i>
<i>Tip Sheets</i>	<i>Jack's Blue Card</i>	<i>Lisa Wasserman</i>	<i>127 Sun Avenue, San Leandro, CA 94544</i>
<i>Race Program Printing</i>	<i>Daily Racing Form</i>		<i>100 Broadway, New York, NY 10005</i>
<i>Winners Circle Pictures</i>		<i>Patricia Visco</i>	<i>3015 E. Bayshore Rd. #422, Redwood City, CA 94063</i>
<i>Jockey Laundry Service</i>	<i>Bailey Mobile Laundry</i>	<i>Lorene Dutton</i>	<i>3263 Vineyard Ave. #35, Pleasanton, CA 94566</i>
<i>Starting Gate</i>	<i>United/Puett Start Gate</i>	<i>Michael Costello</i>	<i>1 Soundview Loop, S. Salem, N.Y. 10590</i>
<i>Sound System</i>	<i>Speeda Sound</i>	<i>Mike King</i>	<i>5617W. San Madele, Fresno, CA 93722</i>
<i>Armor Car Service</i>	<i>Loomis/Fargo Co.</i>	<i>Alan Smith</i>	<i>1 Kaiser Plaza, Suite 765, Oakland, CA 94612</i>

**12. SCHEDULE OF CHARGES**

- A. Proposed charges for admissions, seating or boxes, parking and programs. Note any changes from previous year:

General Admission/Grand Stand	<i>Free with Fair Admission</i>
Fair Admission/ Adults (13 & older)	<i>\$ 9.00</i>
Fair Admission/Children (6-12)	<i>\$ 6.00</i>
Fair Admission/ Seniors	<i>\$ 7.00 (Free on Wednesdays)</i>
Fair Admission/V.I.P. Discount	<i>\$ 5.00</i>
Admission (clubhouse)	<i>N/A</i>
Reserved Seating (general)	<i>\$ 3.00</i>
Reserved seating (clubhouse)	<i>N/A</i>
Parking (general)	<i>\$ 8.00</i>
Parking/Western Pacific Lot	<i>\$ 13.00</i>
Parking (preferred)	<i>\$ 13.00</i>
Parking (valet)	<i>N/A</i>
Programs/on track	<i>\$ 1.00</i>
Programs/off track	<i>\$ 2.00</i>

- B. Describe any "Season Boxes" or other special accommodation fees:

*Daily box seat sales - \$3.50 (if available). All box seats usually sell out 30-60 days in advance.*

March 29, 2004

To: California Horse Racing Board (CHRB)  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

Re: Alameda County Fair  
4501 Pleasanton Avenue  
Pleasanton, CA 94566

Please be advised that the Alameda County Fair is a member of the California Fair Services Authority (CFSA), and participates in the following self-insurance and loss pooling programs which are administered by CFSA:

#### I. COMPREHENSIVE GENERAL LIABILITY PROGRAM

Limit \$10 million CSL per occurrence  
Coverage continuous until cancelled

#### II. WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY

- A. Primary Coverage \$500,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled
- B. Excess Coverage (a) Workers' Compensation: \$50,000,000 in excess of \$500,000  
(b) Employers' Liability: \$10,000,000 in excess of \$500,000  
Coverage provided by California Public Entity Insurance Authority  
Term: 07/01/2003 to 07/01/2004

CFSA represents to CHRB that within the above limits, terms and provisions of the coverage stated, to the extent provided by law, CFSA will provide defense, payment, and indemnification on loss funding in accordance with the terms of the contractual assumption of the Alameda County Fair as set forth in CHRB's "Insurance Requirements".

You will be given at least thirty (30) days notice of any change in the foregoing information. We trust that this commitment will satisfy your insurance requirements.

Please feel free to contact this office on all matters including possible claims.

Sincerely,



Lianne Lewellen  
Risk Analyst

C. Describe any "package" plans such as combined parking, admission and program:

***Family Pack***  
***1 General Parking,***  
***2 Adult Admissions, 2 Child Admissions,***  
***Coupon-redeem for Carnival Rides, 2/1 drink coupons for Midway***

**13. JOCKEYS' QUARTERS**

A. Check the applicable amenities available in the jockeys' quarters:

<input checked="" type="checkbox"/>	Corners (lockers and cubicles)	How many	<input type="text" value="40"/>
<input checked="" type="checkbox"/>	Showers	<input checked="" type="checkbox"/>	Steam room, sauna or steam cabinets
<input checked="" type="checkbox"/>	Masseur	<input checked="" type="checkbox"/>	Food/beverage service
		<input checked="" type="checkbox"/>	Lounge area
		<input checked="" type="checkbox"/>	Certified platform scale

B. Describe the quarters to be used for female jockeys: ***Separate area containing an office, lounge area, sauna, showers, restroom facilities, lockers, & bunks. Jockeys & jockettes share the scale.***

**14. BACKSTRETCH EMPLOYEE HOUSING**

A. Attach written certification that an inspection of the backstretch employee housing has been conducted by a lead agency designated by the CHRB and the applicant is not aware of any known violations of the local housing ordinances. ***Inspection Completed***

B. Number of rooms used for housing on the backstretch of the racetrack: ***60 Rooms***

C. Number of restrooms available on the backstretch of the racetrack: ***7 Restrooms***

D. Estimated ratio of restrooms to the number of backstretch personnel: ***11 to 1***

**15. TRACK SAFETY**

A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line:  feet.

B. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.

***Inner rail: Fontana Safety Rail***  
***Outer rail: Aluminum gooseneck supports with aluminum top rail.***  
***Inner rail height at:***  
     ***¼ mile – 42"***  
     ***½ mile – 40.5"***  
     ***¾ mile – 40"***  
     ***1 mile – 42" (finish line)***

C. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: ***Paul Wayt, Maintenance & Racetrack Superintendent***

D. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474.

- E. If the fair is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing.

**16. DECLARATIONS**

- A. All labor agreements, concession and service contracts, and other agreements necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state):

*Horsemen's Agreement Pending.*

- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.
- C. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state):

**No exceptions**

- D. Absent natural disasters or causes beyond the control of the fair, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the fair except as follows (if no exceptions, so state):

*No exceptions*

**NOTICE TO APPLICANT** Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

**17. CERTIFICATION BY APPLICANT**

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the fair to attest to this application on its behalf.

RICK K. PICKERING

Print Name

C.E.O./DIRECTOR OF RACING

Print Title

Signature

Date

*Rick K. Pickering*  
3-30-04

STAFF ANALYSIS

April 22, 2004

1111-5

ISSUE: APPLICATION FOR IN-STATE LICENSE TO CONDUCT ADVANCE DEPOSIT WAGERING OF YOUBET.COM (Youbet).

Youbet filed its application as a CA Multi-jurisdictional Wagering Hub to provide advance deposit wagering.

- Dates of operation will be June 6, 2004 through June 5, 2006, 16 hours a day 7 days a week with hours of operation approximately 7:00 a.m. to 11:00 p.m. Pacific Time.
- They will provide service for the following associations on the dates listed:
  - Churchill Downs Incorporated at Hollywood Park.  
June 6 through July 18, 2004  
November 3 through December 20, 2004
  - Del Mar Thoroughbred Club at Del Mar.  
July 21 through September 8, 2004
  - Oak Tree Racing Association at Santa Anita Park.  
September 29 through October 31, 2004
  - Los Alamitos Racing Association at Los Alamitos Race Course.  
June 6 through December 19, 2004
  - Capitol Racing LLC at Cal Expo Race Course.  
June 6 through July 31, 2004  
October 7 through December 24, 2004
  - Pacific Racing Association at Golden Gate Fields.  
November 10 through December 20, 2004  
December 26 through December 31, 2004
  - California Authority of Racing Fairs (CARF).  
Fair circuit runs from June 16 through October 17, 2004
  - Los Angeles Turf Club, Incorporated at Santa Anita Park.  
2004 meet ends prior to the expiration of Youbet's current license.

Items **still needed** to complete this application:

1. Thoroughbred horsemen's approval.
2. Horsemen's approval for CARF fairs.

RECOMMENDATION:

Staff recommends the Board approve the application conditioned upon receiving the information necessary to complete the application.

STATE OF CALIFORNIA  
CALIFORNIA HORSE RACING BOARD (CHRB)  
APPLICATION FOR LICENSE TO CONDUCT ADVANCE DEPOSIT WAGERING  
CHRB-132 (New 9/01)

Application is made to the CHRB for a license to conduct Advance Deposit Wagering in accordance with the California Business and Professions (B&P) Code and CHRB Rules and Regulations (Rule) and the provisions of the Interstate Horseracing Act, 15 U.S.C. 3001 to 3007.

Application must be filed not later than 90 days in advance of the date scheduled to conduct Advance Deposit Wagering and must be accompanied by a bond from a surety company admitted in the state of California or other form of financial security in the amount of \$500,000.

**1. APPLICANT**

- A.  Racing Association (Licensee)  Racing Fair (Licensee)  
 Betting System  CA Multi-jurisdictional Wagering Hub (CA Hub)

B. Name, mailing address, telephone and fax numbers:

Youbet.com, Inc.  
5901 De Soto Avenue  
Woodland Hills, California 91367  
(818) 668-2100 Telephone  
(818) 668-2101 Fax

C. Names and titles of all management personnel:

David Marshall, Vice Chairman & Co-Founder, CHRB 277543  
Charles Champion Chairman, President and Chief Executive Officer, CHRB 267111  
Gary Sproule, Chief Financial Officer and Senior Vice President of Operations  
Michael Vietch, Chief Marketing Officer  
Michael Stark, Vice President, Engineering  
Victor Gallo, General Counsel  
Arcelia Padilla, Vice President of Human Resources and Administration, CHRB 267113

**NOTICE** – All management personnel must be CHRB licensed.

D. Racing Fairs are not required to complete Section 3, Business Structure.

**CHRB CERTIFICATION**

Application received: 3/23/04  
Reviewed: PN  
Hearing date: 4/22/04

Approval date:  
License number:

- E. Betting Systems and CA Hubs - attach the contract with the Licensee and the required horsemen's approval under the Interstate Horseracing Act that permits you to provide Advance Deposit Wagering services and identify the amount of the market access fee to be paid to the Licensee for access to the California market for wagering purposes.

In May 2001 Youbet.com entered in to an agreement with Television Games Network ("TVG") that gave Youbet.com a license to utilize TVG's patents. The agreement can be found under Attachment 1. The systems, software and processes are owned and operated by Youbet.com. In addition to the license for the patents, the agreement grants Youbet.com a license to the right to video stream and accept online pari-mutuel wagers on horse racing from virtually all of TVG's exclusive partner racetracks. The California race tracks included under this agreement are as follows: Del Mar, Hollywood Park, Los Alamitos, Oak Tree at Santa Anita and Fairplex. The market access fees are defined in the TVG contract with the California racetracks and signed consents can be found under **ATTACHMENT 2**.

Letter of agreements with the TOC can be found under **ATTACHMENT 3**.

Letter of consent with PQRA can found under **ATTACHMENT 4**.

Simulcast Agreement with Cal-Expo, harness horsemen's consent and the Co-Marketing Access Agreement with California Authority of Racing Fairs ("CARF") can be found under **ATTACHMENT 5**.

Simulcast Agreement with Santa Anita and Golden Gate Fields can be found under **ATTACHMENT 6**.

## 2. DATES OF OPERATION

- A. Dates Advance Deposit Wagering will be conducted:

June 6, 2004 – June 5, 2006

- B. Hours Advance Deposit Wagering will be conducted:

The Youbet service is currently available 16 hours a day 7 days a week with hours of operation being approximately 7:00 a.m. – 11:00 p.m. PSD

## 3. BUSINESS STRUCTURE

- A.  Corporation (complete subsection B)  
 LLC (complete subsection C)  
 Other (specify, and complete subsection D)

Complete the applicable subsection

B. CORPORATION

1. Registered name of the corporation:\

Youbet.com, Inc.

2. State where incorporated:

Delaware

3. Registry or file number for the corporation:

95-4627253 – Federal ID Number

4. Name of all officers and directors, titles, and number of shares of the corporation held by each:

Name	Title	# of Shares Owned
David M. Marshall	Vice Chairman, Co-Founder	1,897,887
Charles F. Champion	Chairman, President and Chief Executive Officer	1,477,500
James Edgar	Director	65,000
Gary Adelson	Director	43,750
Guy Chipparoni	Director	71,250
Joseph Barletta	Director	47,500
Gary Sproule	Chief Financial Officer and Executive Vice President of Operations	75,000
Michael Vietch	Chief Marketing Officer	380,647

5. Names (true names) of all persons, **other than the officers and directors listed above**, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each:

ODS Technologies, LP dba TVG                      25,492,499 held beneficially  
 Coghill Capital Management, L.L.C.              1,812,293

6. Number of outstanding shares in the corporation:

As of December 31, 2003, there were 28,377,443 shares of common stock outstanding.

7. Are the shares listed for public trading?       Yes       No  
 If yes, on what exchange and how is the stock listed:

Youbet.com, Inc. is listed on NASDAQ under the ticker symbol UBET.

8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation:

American Stock Transfer and Trust Company

9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:

ODS Technologies, LP dba TVG                      25,492,499 held beneficially

10. Attach the most recent annual financial statement for the corporation, including balance sheet and profit and loss statement, and a copy of a report made during the preceding 12 months to shareholders in the corporation and/or the Securities and Exchange Commission and/or the California Corporations Commission.

**ATTACHMENT 7                      2003 Annual Report (SEC Form 10K)**

11. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the license.

**ATTACHMENT 8                      Confidential Proprietary Information**

C. LLC

1. Registered name of the LLC:
2. State where articles of organization are filed:
3. Registry or file number for the LLC:
4. Names of all officers and directors, titles, and the number of shares of the LLC held by each:
5. Names (true names) of all members, **other than the officers and directors listed above**, that hold 5% or more of the outstanding shares in the LLC and the number of shares held by each:
6. Are the shares listed for public trading?                       Yes     No  
If yes, on what exchange and how is the stock listed:
7. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
8. Attach the most recent annual financial statement for the LLC, including balance sheet and profit and loss statement, and a copy of a report made during the preceding 12 months to shareholders in the LLC and/or the Securities and Exchange Commission and/or the California Corporations Commission.
9. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the license.

## D. OTHER

1. Name(s) of partners/sole proprietor:
2. If a partnership, attach partnership agreement.
3. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the license.

4. **ESTABLISHING ADVANCE DEPOSIT WAGERING ACCOUNTS** – must comply with Rule 2074.

## A. List the procedures to establish an Account:

An interested individual must complete several steps in order to become a Youbet.com subscriber and to open a wagering account. Youbet.com complies with the CHRB Rule 2075.

Verifying the customer's qualifications to become a subscriber is an integral part of the Youbet.com sign-up process. Youbet.com is concerned with two major issues; state of residence and age. To become a Youbet.com Network subscriber, an applicant must be a resident in one of the 39 jurisdictions (**ATTACHMENT 9**) in which Youbet.com provides service and must be 21 years old or older. Accounts may be established by phone, mail or the Youbet.com website. Youbet.com reserves the right to close or to refuse to open an account.

The account holder must provide the following information:

- Full legal name
- Principal place of residence
- Telephone number
- Social Security Number
- Proper identification or certification the account holder is at least 21 years of age

Youbet.com, using the verification services of Equifax Credit Reporting, validates the information provided by the account holder. This information will be subject to electronic verification through Equifax, and should a discrepancy be found during verification, the account holder will be contacted to provide satisfactory supporting documentation to establish identity and residence. After the validation process is complete a wager account is established and the customer is now permitted to fund the account. At that point, the applicant is considered a "subscriber" to the Youbet Express.

For more operational details see **ATTACHMENT 10**

## B. If an application form is used to establish an Account attach a copy of the form.

**ATTACHMENT 11**

- C. Name and address of the third party you will use to verify identity, residence and age verification:

Equifax Credit Information Systems, Inc.  
P.O. Box 740006  
Atlanta, GA 30374

**5. OPERATION OF ADVANCE DEPOSIT WAGERING ACCOUNTS – must comply with Rule 2073.**

- A. Submit a copy of your plan for operation.

**ATTACHMENT 10**

- B. List the type of deposits you will accept:

Credit card, electronic check, stored value, check, money order, wire transfer. See Operation Plan for detail of velocity limits and overall policies for depositing funds into a wagering account (**ATTACHMENT 10**).

- C. Identify any fees or transaction-related charges and the amount that will be assessed:

Certain customers are charged \$7.95 per month for up to ten hours of live video per month or \$14.95 for unlimited video per month.

**6. SECURITY ACCESS**

- A. Attach your security access policy and safeguards pursuant to B&P Section 19604 (c) (2). Policy must include the following:

1. Description of the technology to ensure identity, residence, and age verification when an Account is established:

Youbet.com uses the services from Equifax Credit Information Services, Inc.

The customer's Social Security number is used to search Equifax's consumer credit database. As a secondary search, the customer's driver's license number is used to search against a nationwide database. Together these searches provide Youbet with a match or no match indication. If a match is returned, Youbet verifies the customer is of a legal age and in a legal state. In addition, if a customer submits a post office box as an address, the customer is contacted for a residential address that is used to verify the customer's residential address. If the customer submits a second address but requests to use the post office box as the mailing address, Youbet stores the residential address as the address of record and the post office box as the mailing address. Further, both addresses must be in the same state.

Customers must supply the following information:

- First Name
- Last Name
- Residence Address
- Date of Birth
- Social Security Number

2. Description of the technology to ensure confidentiality of the Means of Personal Identification:

All sensitive data is stored in an encrypted state in Youbet's database. The data is only decrypted when used by internal secure applications. The customer's Social Security Number, Driver's License Number and password/PIN are encrypted and cannot be viewed by non-authorized Youbet personnel.

The following data is encrypted:

- Password
- Social Security Number
- Credit Card Numbers
- Checking Account Number

In addition these other steps are taken to insure security of the PIN:

- The customer's PIN must differ from their Handle or User ID
- The customer's PIN must be four (4) digits in length
- The customer's account is locked on the consecutive third unsuccessful attempt to log in. The customer must contact Youbet customer support and provide appropriate identification to have the account unlocked.
- If the customer forgets their password, they must supply their Handle/User ID, date of birth and registered email address to obtain the password.
- The password memory feature of Microsoft's operating system and browser are disabled for all Youbet products and web sites.

3. Methods and locations available for Account Holders to withdraw funds from their Account:

Youbet customers must mail or fax a signed withdrawal slip to Youbet's office.

4. If the Advance Deposit Wagering records will be maintained at a site other than the applicants provide the name, address, telephone and fax numbers and the hours of operation:

All records are maintained at Youbet.com. The following entities also store certain information:

Youbet Oregon, Inc. – 19545 NW Von Neumann Drive, Suite 225, Beaverton, OR 97006,  
*Telephone: (503)748-3694, Fax: (503)748-3693*

Youbet.com, Inc. – 5901 De Soto Avenue, Woodland Hills, CA 91367

Amtote International, Inc. – 11200 Pepper Road, Huntvalley, MD 21031, *Telephone: (410) 771-8700, Fax: (410) 785-5273*

Autotote – 750 Lexington Avenue, 25<sup>th</sup> Floor, New York, NY 10022, *Telephone: (212) 754-2233, Fax: (212) 754-2372*

## 7. PARI-MUTUEL

A. Name, address and telephone number of the pari-mutuel audit firm:

BDO Seidman, 1900 Avenue of the Stars, 11<sup>th</sup> Floor, Los Angeles, CA 90067  
*Telephone: (310) 557-0300*

B. Type(s) of pari-mutuel or totalizator equipment to be used and the simulcast organization, name of the entity supplying equipment, and expiration date of the service contract:

Totalizer equipment: Amtote Spectrum System, 3-year term through June 30, 2004

Simulcast organization: Youbet ITSP is provided by Robertson Communication, 3-year term through June 30, 2004

C. List the locations of the racing venues on which Advance Deposit Wagering will be accepted:

- |                                      |                              |
|--------------------------------------|------------------------------|
| ◆ Australia                          | ◆ Harrington (DE)            |
| ◆ Arapahoe Park (CO)                 | ◆ Hastings Park (BC)         |
| ◆ Aqueduct (NY)                      | ◆ Hawthorne (IL)             |
| ◆ Arlington (IL)                     | ◆ Hazel Park (MI)            |
| ◆ Breeder's Cup                      | ◆ Hollywood Park (CA)        |
| ◆ Bay Meadows (CA)                   | ◆ Hoosier Park (IN)          |
| ◆ Belmont (NY)                       | ◆ Keeneland (KY)             |
| ◆ Beulah Park (OH)                   | ◆ Kentucky Downs (KY)        |
| ◆ Cal Expo (CA)                      | ◆ Lebanon (OH)               |
| ◆ Calder (FL)                        | ◆ Longchamps Racecourse (FR) |
| ◆ California Authority of Fairs (CA) | ◆ Los Alamitos (CA)          |
| ◆ Canterbury (MN)                    | ◆ Louisiana Downs (LA)       |
| ◆ Churchill Downs (KY)               | ◆ Indiana Downs (IN)         |
| ◆ Charles Town                       | ◆ Meadowlands (NJ)           |
| ◆ Colonial Downs (VA)                | ◆ Mohawk (ON)                |
| ◆ Delaware County Fair (OH)          | ◆ Monmouth Park (NJ)         |
| ◆ Delaware Park (DE)                 | ◆ Monticello (NY)            |
| ◆ Del Mar (CA)                       | ◆ Mountaineer Park (WV)      |
| ◆ Delta Downs (LA)                   | ◆ Northfield (OH)            |
| ◆ Emerald Downs (WA)                 | ◆ Northville (MI)            |
| ◆ Dover Downs (DE)                   | ◆ Oaklawn (AR)               |

- ◆ Ellis Park (KY)
- ◆ Elmira Raceway (ON)
- ◆ Evangeline Downs (LA)
- ◆ Fairplex (CA)
- ◆ Fort Erie (ON)
- ◆ Fraser Downs (BC)
- ◆ Freehold Raceway (NJ)
- ◆ Golden Gate Fields (CA)
- ◆ Ocean Downs (MD)
- ◆ River Downs (OH)
- ◆ Rockingham (NH)
- ◆ Rosecroft Raceway (MD)
- ◆ Ruidoso Downs (NM)
- ◆ Sam Houston (TX)
- ◆ Santa Anita Park (CA)
- ◆ Saratoga (NY)
- ◆ Scioto Downs (OH)
- ◆ Sportman's Park (IL)
- ◆ United Arab Emirates
- ◆ Raceway Park (OH)
- ◆ Vernon Downs (NY)
- ◆ Oak Tree @ Santa Anita (CA)
- ◆ Penn National (PA)
- ◆ Philadelphia Park (PA)
- ◆ Plainridge (MA)
- ◆ Pocono Downs (PA)
- ◆ Pompano Park (FL)
- ◆ Red Mile (KY)
- ◆ Retama Park (TX)
- ◆ Suffolk Downs (MA)
- ◆ Sunland (NM)
- ◆ Tampa Bay Downs (FL)
- ◆ The Meadows (PA)
- ◆ Turfway Park (KY)
- ◆ Turf Paradise (AZ)
- ◆ Western Fair (ON)
- ◆ Woodbine (ON)
- ◆ Windsor (ON)
- ◆ South Africa
- ◆ Prairie Meadows (IA)
- ◆ Timonium (MD)

**NOTICE** – The pari-mutuel system used must use a device or combination of devices authorized and operated exclusively for placing, receiving, or otherwise making a wager and by which a person must subscribe to in order to place, receive or otherwise make a wager; an effective customer and age verification system and the appropriate data security standards to prevent unauthorized access by any person who has not subscribed or who is under the age of 18.

## 8. CONTRACTS AND AGREEMENTS

- A. List name and address of all organizations you will contract with to facilitate Advance Deposit Wagering that are not provided in other sections of this application:

Robertson Communications Network, Inc., 4175 Cameron Street, Suite B-10, Las Vegas, NV 89103

- B. List each contract or agreement to facilitate Advance Deposit Wagering that is not finalized and signed:

**NOTICE** – Pursuant to B&P Section 19604 (c) (1) you must contract with the bona fide labor organization that has historically represented the same or similar classifications of employees at the nearest horse racing meeting.

**9. ADVERTISING**

Name and address of the advertising agency you will use:

Youbet.com has an internal advertising group.

**NOTICE** – Pursuant to Rule 2071 (h) all advertisements shall contain a statement that persons under 18 are not allowed to open or have access to Accounts. All advertisements shall contain contact information for a recognized problem-gambling support organization. Additionally, pursuant to B&P Section 19604 (D) (3) advertisements shall not be deceptive to the public.

**10. CERTIFICATION**

I hereby certify under penalty of perjury that I have examined this Application, that all of the foregoing statements in this Application are true and correct, and that I am authorized to attest to this Application.

VICTOR GALLO  
Print Name  
General Counsel  
Print Title

  
Signature  
5/18/04  
Date

**ITEM 6**

**CALIFORNIA HORSE RACING BOARD**

**April 22, 2004, Regular Board Meeting**

There is no board package material for this item.

Information to be presented at the board meeting.

**STAFF ANALYSIS**  
**UPDATE REGARDING JOCKEYS HEALTH AND WELFARE**

**REGULAR BOARD MEETING**  
**APRIL 22, 2004**

**Background:**

At the January 2004 Board meeting an agenda item regarding the annual allocation of uncashed refunds to the Jockey's Health and Welfare Fund was approved with some discussion. The Board asked that some of the items raised in the discussion be updated at a later time. This item is to provide that time for the Guild and the California jockeys to address those issues and update the Board as to the status of the audits of the Health and Welfare Fund for June 30, 2003 and December 31, 2003 as well as the progress of the newly formed Riders Committee. Representatives of the Guild and the California Riders Committee will be present to speak to the Board.

**Recommendation:**

This item is for information and discussion.