

CALIFORNIA HORSE RACING BOARD  
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## REGULAR MEETING

of the **California Horse Racing Board** will be held on **Wednesday, January 16, 2008**, commencing at **10:00 a.m.**, at the **Arcadia City Hall**, 240 West Huntington Drive, Arcadia, California.

### AGENDA

#### Action Items:

1. Approval of the **minutes of the regular meeting** of November 29, 2007.
2. Approval of the **minutes of the regular meeting** of December 14, 2007.
3. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the Bay Meadows Racing Association (T) at Bay Meadows**, commencing February 4, 2008 through May 11, 2008, inclusive.
4. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the Sacramento Harness Association (H) at Cal-Expo**, commencing January 24, 2008 through August 2, 2008, inclusive.
5. Discussion and possible action by the Board of **options to conduct harness racing in California in 2008**.
6. Discussion and action by the Board regarding the **proposed addition of CHRB Rule 1843.3, Penalties for Medication Violations** and the **proposed amendment to CHRB Rule 1843.2, Classification of Drug Substances**.
7. Discussion and action by the Board regarding the **feasibility of amending CHRB Rule 1606, Coupling of Horses, to allow an owner with partial interest in two horses with different partners, to run uncoupled in thoroughbred races if they are trained by different trainers**.
8. Discussion and action by the Board regarding **mandating the use of safety reins at California racetracks**.
9. Report and update from the Jockeys' Guild regarding **the use of the alternate whip**.

10. Report and update from representatives of the **Pacific Coast Quarter Horse Racing Association and the University of California at Davis** regarding the status of the **quarter horse toe grab study**.
11. Report and update from Santa Anita regarding **the drainage issue at the Santa Anita racetrack**.
12. Discussion and action by the Board on the **distribution of race day charity proceeds of the Del Mar Thoroughbred Club in the amount of \$181,380 to 20 beneficiaries**.
13. Discussion and action by the Board on the **distribution of race day charity proceeds of the Hollywood Park Racing Association in the amount of \$180,000 to 21 beneficiaries**.
14. Discussion and action by the Board **to grant CHR B staff person(s) with authority to carry out and execute the duties of the CHR B executive director until a replacement executive director is appointed and assumes the executive director position**.
15. Staff report on the following concluded race meets:
  - A. **Bay Meadows Racing Association** at Bay Meadows from February 14, 2007 through November 4, 2007.
  - B. **Oak Tree Racing Association** at Santa Anita from September 26, 2007 through November 4, 2007.
  - C. **Sacramento Harness Association** at Cal Expo from December 28, 2006 through July 28, 2007.
16. **Public Comment:** Communications, reports, requests for future actions of the Board.  
**Note:** Persons addressing the Board under this item will be restricted to **three (3) minutes** for their presentation.
17. **Closed 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. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," as authorized by Government Code section 11126(e).
  - B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).
  - C. The Board may convene a Closed Session for the purposes of considering applicants for, and action to appoint, an Executive Director for the California Horse Racing Board. Closed session authorized by Government Code section 11126, subdivision (a).

Additional information regarding this meeting may be obtained from the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. This notice is 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 require aid or services in order to participate in this public meeting, should contact Jacqueline Wagner.

**CALIFORNIA HORSE RACING BOARD**

Richard B. Shapiro, Chairman

John C. Harris, Vice Chairman

John W. Amerman, Member

John Andreini, Member

Jesse H. Choper, Member

Marie G. Moretti, Member

Jerry Moss, Member

**PROCEEDINGS** of the Regular Meeting of the **California Horse Racing Board** held at the **I.M. Gary Gourley Laboratory, Room 1002, University of California, Davis, Davis California, on November 29, 2007.**

Present: Richard B. Shapiro, Chairman  
John C. Harris, Vice-Chairman  
John W. Amerman, Member  
John Andreini, Member  
Jesse H. Choper, Member  
Marie G. Moretti, Member  
Jerry Moss, Member  
Ingrid J. Fermin, Executive Director  
Derry L. Knight, Deputy Attorney General

**MINUTES**

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Chairman Shapiro asked for approval of the minutes of the regular meeting of October 18, 2007. Commissioner Amerman **motioned** to approve the minutes. Commissioner Moretti **seconded** the motion, which was **unanimously carried**. Chairman Shapiro asked for approval of the minutes of the regular meeting of September 27, 2007. Commissioner Amerman **motioned** to approve the minutes. Commissioner Andreini **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE LOS ANGELES TURF CLUB (T) AT SANTA ANITA, COMMENCING DECEMBER 26, 2007 THROUGH FEBRUARY 3, 2008, INCLUSIVE.**

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Richard "Bon" Smith, CHRB staff, said the Los Angeles Turf Club (LATC) proposed to run 85 days, the same number of days as in 2007, for a total of 720 races. The first post time would be 1:00 p.m. weekdays and 12:30 p.m. weekends and holidays. LATC would conduct wagering using CHRB and Association of Racing Commissioners International regulations.

The advance deposit wagering (ADW) providers were Youbet, TVG, XpressBet and Churchill Downs, Inc. dba Twinpires; Winticket.com; Brisbet.com and Tsnbet.com. Mr. Smith commented LATC would offer a new wager, which was a "pentafecta," in which one must correctly designate the first five finishers in a single race. He stated LATC was proposing a move to a Thursday through Monday racing schedule. Ron Charles of LATC said his organization decided to change its racing week due to its inability to attract customers to the racetrack on Wednesday, Thursday and Friday. After conducting a survey, the idea of racing Thursday through Monday was brought forward. Mr. Charles explained how LATC planned to market the new race week, and added LATC felt the change was worth a try. Commissioner Amerman asked if LATC knew of other tracks that ran a similar schedule. Mr. Charles stated there were some tracks that ran on Mondays, but they primarily had six-day weeks. LATC was going to be in uncharted territory, but with increased promotions perhaps new fans could be attracted to the live race meeting. Vice-Chairman Harris asked if LATC considered how the new schedule would affect simulcasting, especially on the Monday race day. Mr. Charles said LACT carefully reviewed the issue, and talked to other racetracks. There were several tracks that would also run on Mondays, so there would be a strong simulcasting schedule. Vice-Chairman Harris asked if LATC had any statistics or projections that demonstrated the change in race days would be an improvement. Mr. Charles stated LATC did not have such data, but it would heavily promote the new schedule to ensure fans were aware of the change. Chairman Shapiro said TVG would be accepting wagers on LATC races for the first time. He asked if LATC made any allowances in its purse program for the new wagering. Mr. Charles said the LATC application pre-dated the ADW changes, so no

**Proceedings of the Regular Board Meeting of November 29, 2007**

allowances were made. However, if there were an increase in the handle, LATC would adjust its purses. Chairman Shapiro asked if the number of stalls reported on the application was correct. Mr. Charles said the number of stalls was correct. Chairman Shapiro commented some of the numbers of stalls reported on applications submitted by other associations did not seem accurate. He stated he would like to see more accurate counts so the Board knew what the stall population was at each venue. Chairman Shapiro asked about the racetrack drainage issue at LATC. Mr. Charles stated it rained at LATC's last meeting, and it became evident that some areas of the track were not draining. LATC worked to fix the track, but was not successful, so the work was ongoing. Mr. Charles said there was a combination of issues, as drainage was problematic on the surface and subsurface. Commissioner Amerman said Hollywood Park also had a Cushion Track. He asked if there was any difference between the Hollywood Park and the LATC subsurface. Mr. Charles stated the LATC track was installed with the knowledge that a warmer climate needed to be addressed. So, for LATC, Cushion Track used a more heat-resistant wax and different sand. In addition, Hollywood Park had a felt base and coarser rubber particles. Allen Guterman of LATC discussed the marketing plans for the race meeting. He stated LATC wanted to provide compelling reasons for fans to return to the live race meeting, so the advertising budget would be approximately \$1 million a month. Among the promotions was Mondays with free admission and free upgrade to the clubhouse for Thoroughbred members, a meet-long handicapping contest, and a new wager called the "Santa Anita High Five" which would be sold as a \$1 wager. The Santa Anita High Five required the selection of all five finishers in the final race in the exact order of finish, or the pool could carry over to the following day. There would also be a promotion centered on the

pick-six wager. LATC was also declaring 2008 the year of the jockey. The jockey colony would be promoted in the media, and through other events and giveaways. Commissioner Amerman said LATC did a good job of promoting its events – large and small. He asked what increases it built into its plan for the upside versus the pervious year. Mr. Gutterman said LATC always wanted to improve its numbers. Over the past year it was up one percent over the previous year, and he hoped LATC would be up again. That was why LATC was trying its new racing schedule, which included Mondays. Chairman Shapiro asked if all ADW and horsemen's agreements were in place, and if there were there any issues that could result in a problem with any agreements. Mr. Charles said there were none to his knowledge. Chairman Shapiro asked how the barn area repairs were progressing. George Haines of LATC said the repairs were continuing and would probably be completed in January or February 2008. Mr. Haines added the rodent problem was also under control. Richard Castro of the Pari-Mutuel Employees Guild (Guild) stated his organization supported the application; however, he wanted LATC and the entire industry to remember that labor was an important part of the new ADW legislation, and the Guild wanted those negotiations to go forward. Commissioner Moretti **motioned** to approve the application for license to conduct a horse racing meeting of LATC. Vice-Chairman Harris **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION TO CONDUCT A HORSE RACING MEETING OF THE PACIFIC RACING ASSOCIATION (T) AT GOLDEN GATE FIELDS, COMMENCING DECEMBER 26, 2007 THROUGH FEBRUARY 3, 2008, INCLUSIVE.**

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Richard "Bon" Smith, CHRB staff, said the Pacific Racing Association (PRA) proposed to run 30 days, for a total of 258 races. PRA proposed to run on the same schedule as Los Angeles

Turf Club, which would be Thursday through Monday. PRA also requested the option of changing its post times to coordinate north/south signals. The advance deposit wagering (ADW) providers were XpressBet, and Churchill Downs dba Twinspires.com, Winticket.com, Brisbet.com and Tsnbet.com. Mr. Smith added the horsemen's agreement was missing. Drew Couto of Thoroughbred Owners of California (TOC) stated the horsemen's agreement was completed, but not signed. Robert Hartman of PRA said the parties agreed in principal on all issues except scratches. He stated the parties would soon meet regarding the issue. Scratches were not previously a term of the agreements, so it was not known – until recently – that there was no consistency between north and south regarding scratches. Mr. Hartman said there was no dispute, and the parties would sign the document. Peter Tunney of PRA stated the issue highlighted good news in that the new synthetic surface was attracting more horses. That was what caused scratches to become an issue. Mr. Hartman said the new surface was exceeding PRA's expectations. There were still a few maintenance issues, but they were only a matter of learning what worked best under various conditions. PRA was currently averaging field sizes of 8.5 horses per race versus 6.6 per race at Bay Meadows' recently concluded meeting. PRA used to have problems with small fields; however, the current problem was too many 12-horse fields. Chairman Shapiro asked if PRA would accept TVG wagers. Mr. Hartman said PRA would accept wagers from all ADW providers. Commissioner Amerman asked why the advertising budget was less than the previous meeting, and what PRA was doing to compensate for less spending on promotions. Mr. Hartman stated the presidential primary made media rates prohibitive, so PRA cut back on television. PRA would conduct more direct mailings and use other media such as print and radio. In addition, the spring 2007-2008 meeting would

almost be a continuation of the 2007 fall meeting, so PRA did not need as much of an initial television push as in the previous year. Commissioner Choper asked if PRA did any testing on dollar days to determine if the handle was up in proportion to the number of fans. Mr. Hartman said the handle was up on dollar days, but on a per capita basis it was down because many of the fans were new. He added food and beverage sales were up on dollar days because more people were buying items. If PRA could get persons who attended dollar days on its mailing list it was able to track them. Mr. Hartman added dollar days were working well with university students. Chairman Shapiro said if dollar days were working, why not let fans in for free, or have a dollar day every week? Mr. Hartman stated there could be more dollar days, but letting fans in for free devalued the product. There could not be a dollar day if fans could get in for free because dollar days were contingent on there being a higher price for admission. PRA issued a lot of free passes that worked well, as there was a perceived higher value in admission. Turf Club admissions were normally \$15 on weekends, so if a fan had two free passes, he would feel like he had a \$30 value. Commissioner Amerman asked what PRA was doing to attract Bay Meadows fans once that facility closed. Mr. Hartman said he hoped Bay Meadows would give PRA its mailing and group sales lists, so the Northern California industry could move forward. Commissioner Amerman asked if PRA thought of offering free transportation to its facility for Bay Meadows fans. Mr. Hartman stated PRA offered its facility for the 2008 San Mateo County Fair, which would involve free shuttle services, but that was still undecided. Commissioner Choper **motioned** to approve the application for license to conduct a horse racing meeting of PRA contingent of the completion

of the horsemen's agreement. Commissioner Amerman **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE LOS ALAMITOS QUARTER HORSE RACING ASSOCIATION (Q) AT LOS ALAMITOS, COMMENCING DECEMBER 27, 2007 THROUGH DECEMBER 21, 2008, INCLUSIVE.**

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Richard "Bon" Smith, CHRB staff, said the Los Alamitos Quarter Horse Racing Association (LAQHRA) proposed to run 204 days for a total of 2,087 races. The first post time would be 7:15 p.m. Thursday and Friday, 7:00 p.m. Saturday and 5:50 p.m. Sunday. The wagering program would use CHRB regulations and the advance deposit wagering (ADW) providers were TVG and YouBet. Chairman Shapiro stated the application indicated as many as 15 races per night would be run. He asked if that many live races were really run each night. Rod Blonien, representing LAQHRA, said the number of races could include simulcast races. Mr. Blonien added the horsemen's agreement was completed and signed. Commissioner Amerman asked what was LAQHRA's average attendance per night, and what plans did LAQHRA have to improve the number. Mr. Blonien said the number of fans on-track ranged from roughly 500 to 1,500 – depending on the night of the week. Mr. Blonien stated over the years many promotional gimmicks were tried, but they did not materially affect attendance. He said LAQHRA advertised in newspapers and on television, but getting fans to the track was difficult. Vice Chairman Harris **motioned** to approve the application for license to conduct a horse racing meeting of LAQHRA. Commissioner Moretti **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION TO CONDUCT A HORSE RACING MEETING OF THE SACRAMENTO HARNESS ASSOCIATION (H) AT CAL-EXPO, COMMENCING DECEMBER 27, 2007 THROUGH JULY 31, 2008, INCLUSIVE.**

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Chairman Shapiro said the item was **deferred**.

**REPORT OF THE PARI-MUTUEL/ADW AND SIMULCAST COMMITTEE.**

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Commissioner Moss said the Pari-Mutuel/ADW and Simulcast Committee (committee) met on October 19, 2007, at Santa Anita. The committee discussed late odds changes, which have been virtually eliminated in California. A recent study at Del Mar demonstrated 99.5 percent of the money wagered was consistently in the system and posted on the infield tote within ten seconds of the start of the race. To achieve 100 percent the industry would need to spend a lot of money on new equipment and finish developing a new wagering protocol. The committee also heard a report on California simulcast facilities. Commissioner Moss said Ron Charles arranged for an inspection of all 33 satellite wagering facilities in California. The purpose of the inspection was to assess each facility and make suggestions for improvements. Commissioner Moss stated California Authority of Racing Fairs would work with the Board and the industry to address the report. Assembly Bill 241, which authorized wagering facilities in under-served areas, was also discussed. Ultimately, the industry should have improved existing satellite wagering facilities and modern new facilities. The committee heard a proposal to lower the number of starters required for the Trifecta and Superfecta wagers. Ron Charles reported that the fans committee also discussed the idea and was solidly against lowering the required number of starters. There are tracks in other states that had a lower required number of starters. Mr. Charles agreed to look into the issue and make a report. The

committee also discussed a proposal to lower the price of a Pick Six wager to one dollar. The theory behind the change was that it would allow smaller bettors to use more horses. Those who opposed such a change stated the Pick Six worked precisely because it was difficult to hit. Additionally, a large number of small bettors have hit big Pick Sixes on small tickets. The committee decided not to change the Pick Six. The committee heard from the Pari-Mutuel Employees Guild (Guild) regarding changes in the law and problems the ten-cent Superfecta was causing some pari-mutuel clerks. George Haines, of Santa Anita, volunteered to work with the Guild to solve the problem. Finally, the committee heard from Scientific Games regarding technical problems with the implementation of proposed amendments to the Pick Four and Pick Six wagers. Scientific Games initially told the committee the amendments could go forward, but it has since discovered it could not program the changes, so the proposed amendments could not be implemented.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1865, ALTERING OF SEX OF HORSE, TO PROVIDE THAT A HORSE BE SCRATCHED IF THE TRUE SEX OF THE HORSE IS NOT REPORTED TO THE RACING OFFICE BY SCRATCH TIME FOR THE RACE IN WHICH THE HORSE IS ENTERED.**

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Chairman Shapiro stated the failure to report, or late reporting of the altering of the sex of a horse was a continuing issue. At the October 2007 Regular Board Meeting a proposed amendment to Rule 1865, Altering of Sex of Horse, was discussed wherein if the trainer did not report the altering of the sex of a horse in a timely manner, the stewards would scratch the horse at scratch time for the race in which it was entered. Executive Director Ingrid Fermin stated the stewards discussed the issue and recommended increases in sanctions for violation of

the current rule before going forward with an amendment that required scratching the horse. Vice-Chairman Harris said that suggestion was noted; however, if a gelding or castration was not reported until after the start of wagering, the fans were defrauded because they wagered without full knowledge of the condition of the horse. The proposed amendment would ensure trainers would report the altering of the sex of a horse. Commissioner Choper asked if losing the purse once wagering started would work. Vice-Chairman Harris said that would penalize the wrong party. The fans needed all the correct information at hand before wagering started or the horse needed to be scratched. Commissioner Choper asked if there was currently a prescribed penalty. Vice-Chairman Harris said there was, but the issue was disclosure. The Board was not trying to impose a hardship on anyone. Scratching the horse was common sense – in the same vein as a horse that had not had its Lasix or bute. Commissioner Moss said earlier in the year the number of late gelding reports was 44. He asked if the incidence of late reports had diminished. CHRB Equine Medical Director Dr. Rick Arthur said there were 44 late reports of geldings between July 1, 2006 and June 30, 2007. He stated part of the problem was that the industry did not take the issue as seriously as the Board. The stewards were sometimes unsure regarding who was actually responsible for a late reporting, because there were several instances where it was the fault of the racing office, and there could be other mistakes, as several people might be involved in the process. Commissioner Amerman said the important issue was the perception of wagering fans. If a fan wagered on a horse and it lost, some fans would blame failure to report the gelding rather than their own judgment. Chairman Shapiro stated fans who placed wagers should be getting all the facts. The proposed amendment should be put out to notice, and in the interim the industry could determine if

increased fines or sanctions would cause a decrease in the number of unreported geldings. Commissioner Amerman **motioned** to notice for public comment the proposed amendment to Board Rule 1865. Vice-Chairman Harris **seconded** the motion. Michael Power, a horse owner, spoke about his concerns regarding the proposed amendment. The motion was **unanimously carried**.

#### REPORT OF THE MEDICATION COMMITTEE.

Dr. Rick Arthur, CHRB Equine Medical Director, said the Medication Committee (committee) discussed technical changes to Rule 1890, Possession of Contraband. The committee also discussed the possibility of allowing unshod horses to run in a race. The committee then heard a presentation regarding Equine Herpesvirus research, and a California emergency preparedness program that included biosecurity relative to Equine Herpesvirus. University of California Davis staff gave presentations regarding the necropsy program and research on injuries. A discussion followed regarding the need to coordinate all of the various efforts and information so informed decisions could be made to protect equine athletes.

#### DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1844, AUTHORIZED MEDICATION, TO ESTABLISH LEVELS AND ADD STANAZOLOL, NANDROLONE, BOLDENONE AND TESTOSTERONE TO THE LIST OF DRUG SUBSTANCES, ONE OF WHICH MAY BE PERMITTED IN THE OFFICIAL URINE TEST SAMPLE.

Dr. Rick Arthur, CHRB Equine Medical Director, said the proposed amendment to Rule 1844, Authorized Medication, recognized there were four anabolic steroids that in residue levels may be permissible under certain circumstances. Dr. Arthur said the proposed amendment to Rule

1844 would allow stanazolol at a level of one nanograms per milliliter in the official test sample; nandrolone at a level of 45 nanograms per milliliter for males other than geldings and one nanograms per milliliter in fillies and geldings; boldenone at 15 nanograms per milliliter in males other than geldings; and testosterone at 20 nanograms per milliliter in geldings and 15 nanograms per milliliter in fillies or mares. Testosterone at any level in males other than geldings would not be a violation of the regulation. Dr. Arthur stated the goal was to have the regulation in place in advance of the Breeders' Cup at Oak Tree in October 2008. Chairman Shapiro stated he supported the proposed amendment. He said the Medication Committee also discussed extending the prohibition to include two year-old in-training sales so horses would be sold in California at the highest level of integrity. Commissioner Moss said it seemed the proposed amendment was adding rather than eliminating steroids. Dr. Arthur said the proposed amendment actually eliminated steroids. The proposed levels guaranteed that if steroids were used, their administration would be so far out, any anabolic effects would no longer be in play. So, the drugs could be used for therapeutic purposes, but not for competitive purposes. Dr. Scott Stanley of University of California Davis stated the proposed rule would not mean California was the only jurisdiction to regulate anabolic steroids. The Racing Commissioners International would soon have a national model rule with plasma thresholds for anabolic steroids. Other horse racing jurisdictions and drug sales companies would use the national model rule. However, California would be the first to fully implement such regulations, and other jurisdictions would follow. Vice-Chairman Harris stated the industry should be informed regarding the proposed regulation so trainers could change regimens two or three weeks out. Commissioner Amerman asked when similar prohibitions

would be applicable for horse sales. Dr. Arthur stated they could be in place for the Barretts Equine Limited (Barretts) 2009 sale. Vice-Chairman Harris said there would be problems getting 300 two-year-olds to give urine samples. Such testing would have to be done with blood. Dr. Stanley said experimental testing of blood would take place at the Keeneland January 2008 sale and the Fasig-Tipton February 2008 sale. The tests would look for anabolic steroids that were not natural to the horse. Chairman Shapiro asked if such testing could commence in 2008 in California. Dr. Stanley said if the Board desired, something could be worked out for 2008, and a fully implemented plan would be in place by 2009. Commissioner Choper **motioned** to direct staff to initiate a 45-day public comment period for the proposed amendment to Board Rule 1844. Commissioner Moretti **seconded** the motion. Michael Power, a horse owner, spoke about his concerns regarding the proposed amendment to Board Rule 1844. Jim Henwood of the Los Angeles County Fair Association, the owners of Barretts, stated his organization was in favor of the proposed amendment. The motion was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE PROPOSED AMENDMENT TO  
CHRB RULE 1632, JOCKEY'S RIDING FEE, TO REVISE THE JOCKEY RIDING FEE  
STRUCTURE TO COMPLY WITH AB 649, STATUTES OF 2007.**

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Chairman Shapiro said the item would be **deferred** so it could be presented as an emergency regulation. Barry Broad, representing the Jockey's Guild, suggested changes to the text of the proposed regulation.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST FOR APPROVAL FROM SOUTHERN CALIFORNIA OFF-TRACK WAGERING, INC. TO CHANGE THE CURRENT 1.06 PERCENT OF OFF-SITE STABLING AND VANNING FUND TAKEOUT UP TO THE MAXIMUM 1.25 PERCENT PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 19607.1(F).**

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Chairman Shapiro said the item was **deferred**.

**DISCUSSION AND ACTION BY THE BOARD TO APPROVE PROPOSALS FROM THE THOROUGHBRED OWNERS OF CALIFORNIA AND THE JOCKEY GUILD THAT WOULD ESTABLISH THE CALIFORNIA JOCKEYS TRUST AND PROVIDE HEALTH, SAFETY AND WELFARE BENEFITS TO CALIFORNIA LICENSED JOCKEYS, FORMER CALIFORNIA LICENSED JOCKEYS AND THEIR DEPENDENTS.**

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Richard "Bon" Smith, CHRB staff, said he worked with Thoroughbred Owners of California (TOC), the Jockey's Guild (Guild) and interested parties to develop a third-party insurance plan for licensed California jockeys, former California licensed jockeys, and their dependents. The proposed California Jockeys Trust (CJT) would provide a level of support equal to or better than the current plan and would set a standard that would apply for many years. Drew Couto of TOC stated he wanted to recognize Ron Warren, a retired California Jockey, for the work he did in formulating the proposed CJT. Mr. Couto stated the CJT trustees would be two representatives appointed by the Guild, two representatives appointed by TOC and a fifth representative appointed by the Board. The CJT would allocate the funds set aside by statute to the insurers that would provide the coverage. The CJT would contract with other parties to provide administrative services to run the health and welfare programs. Barry Broad of the Guild stated the CJT offered more choice to participants and there would be no break in coverage. The old insurance would phase out on December 31, 2007, and the new plan would go into effect on January 1, 2008. Vice-Chairman Harris asked if the source of funding was

still uncashed tickets – at about a million dollars a year. Chairman Shapiro said that was correct. He added the funding would shrink as advance deposit wagering grew, so the issue would be ongoing. Chairman Shapiro **motioned** to approve the establishment of the CJT. Commissioner Moretti **seconded** the motion. Commissioner Choper asked if there was anything in writing regarding the CJT, and had the Board considered such writings? Chairman Shapiro said there were documents, but the Board had not seen them. Commissioner Amerman asked if it was possible to postpone the matter until the Board could review the documents. Chairman Shapiro said the Board could move to form the CJT, and later ratify the approval. Mr. Broad said he was concerned about a possible lapse in coverage if the Board did not at least approve the trust. He stated the Board could then return and approve the agreement between the Guild and TOC. Commissioner Choper **motioned** to authorize the Chairman and the Vice-Chairman to take any action necessary that would avoid a gap in the insurance coverage. Deputy Attorney General (DAG) Derry Knight said the statute required the Board to approve the agreement between TOC and the Guild. That was the limit of the Board's role. Commissioner Amerman **seconded** Commissioner Choper's motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING (ADW) OF CHURCHILL DOWNS TECHNOLOGY INITIATIVES COMPANY DBA TWINSPIRES.COM, WINTICKET.COM, BRISBET.COM AND TSNBET.COM FOR AN OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB, FOR A PERIOD OF UP TO BUT NOT EXCEEDING TWO YEARS.**

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Richard "Bon" Smith, CHRB staff, said Churchill Downs Technology Initiatives Company (CDTIC) proposed to conduct advance deposit wagering (ADW) under the names

Twinspires.com, Brisbet.com, TSNbet.com and Winticket.com. CDTIC would act as an out-of-state, multi-jurisdictional wagering hub for a two-year period commencing January 1, 2008. Mr. Smith stated there were unresolved issues regarding an agreement with labor organizations and the hub agreement. Chairman Shapiro said he understood CDTIC would consolidate and operate only under the name "Twinspires.com." Brad Blackwell of CDTIC that was correct. Chairman Shapiro stated the new ADW law required a hub agreement. Mr. Blackwell stated CDTIC agreed in principal on a hub agreement, but the document was not signed. Drew Couto of Thoroughbred Owners of California (TOC) said his organization prepared a master hub agreement for all the ADW providers. That document circulated in the industry until one ADW provider indicated it would sign separately with the racetracks. TOC withdrew the master hub agreement and rewrote it as individual ADW hub agreements. Those documents were forwarded to the ADW providers for comment. The final revisions were returned and the documents simply needed to be printed. Chairman Shapiro stated as a condition of approval the agreement needed to be executed. He said another provision of the new ADW law was an agreement with a labor organization. Barry Broad, representing the Pari-Mutuel Employees Guild (Guild), stated labor negotiations were being conducted. He said the Guild requested that if there were no other impediments the Board approve the application on the condition that a card check agreement be in place by December 31. Mr. Broad explained what constituted a card check agreement, and which employees would be covered by such an agreement. Commissioner Choper asked if all the ADW providers agreed to enter into the card check agreements. Mr. Broad said they all agreed. Commissioner Choper stated then the issue was not the Board's. He said his understanding was CDTIC had a facility in Oregon,

and it agreed to abide by the card check agreement. Mr. Blackwell stated CDTIC contracted with a third party to take wagers. CDTIC sent a letter to the union that addressed the labor provisions in the new ADW legislation. The union commented on the letter, and CDTIC accepted the comments. A signed copy of the agreement was forwarded to the union, but the agreement was not completed, and there would be further meetings between the parties. Vice-Chairman Harris asked if CDTIC believed the Oregon employees were covered by the card check mechanism. Mr. Blackwell stated the employees in Oregon did not work for CDTIC. Mr. Broad said the issue would be part of the ongoing discussions. He did not know if the Guild would agree that an ADW provider could contract out its responsibility, but the issue would be resolved. Chairman Shapiro asked if CDTIC could comply with the labor provisions by the end of 2007. Mr. Blackwell said CDTIC would definitely comply. Commissioner Choper asked if the company with whom CDTIC contracted in Oregon was in touch with the Guild. Mr. Blackwell stated the company had not been in touch with the Guild, and its employees were not unionized. Commissioner Choper asked if CDTIC believed the company it contracted with in Oregon was ready to recognize a union. Mr. Blackwell said the union would be recognized once an acceptable proposal was presented to the company. Commissioner Choper asked if the Guild agreed that if no one challenged the validity of the California statute, and was willing to go along with the statute, the Board's obligations with respect to the labor issue were ended. Mr. Broad said that was correct. He added his comments were applicable to all ADW providers. Chairman Shapiro asked if CDTIC would comply with the California Racing Information Management System (CRIMS) reporting requirements. Mr. Blackwell said CDTIC would comply with CRIMS reporting requirements.

Chairman Shapiro recommended that all the ADW applications be approved for one year versus two years. The new ADW law was just enacted, and it made sense for the Board to wait and see how it would work. Chairman Shapiro **motioned** to approve the application by CDTIC to act as an out-of-state wagering hub for a period of one year, conditioned on completion of the hub and labor agreements. Commissioner Amerman **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING (ADW) OF ODS TECHNOLOGIES, L.P., DBA TVG, FOR AN OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB, FOR A PERIOD OF UP TO BUT NOT EXCEEDING TWO YEARS.**

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Richard "Bon" Smith, CHRB staff, said the application by ODS Technologies dba TVG (TVG) was for approval to act as an out-of-state multi-jurisdictional wagering hub. Chairman Shapiro asked if TVG had a hub agreement in place. David Nathanson of TVG said his organization had a hub agreement with Hollywood Park. Chairman Shapiro asked if the horsemen had any objections to the agreement. Drew Couto of Thoroughbred Owners of California (TOC) stated his organization had not signed the agreement. Chairman Shapiro said the Board did not want any surprises after hearing that an agreement was in place, and the horsemen accepted it, but later had problems. Mr. Couto said under the new ADW legislation every party did not have to sign the hub agreement. The parties merely had to agree to the terms. TOC consented to the terms of the hub agreement between TVG and Hollywood Park per the new statute. Mr. Nathanson said for licensing the new law only required the ADW provider to have an agreement with a thoroughbred track that ran five weeks or more. It did

not require an agreement with the horsemen's organization. However, to accept wagers, the ADW provider did need an agreement with the horsemen. So, regarding licensing, TVG had an agreement with Hollywood Park, and was in full compliance with the law. Chairman Shapiro asked if TVG complied with the labor requirements of the statute. Mr. Nathan said TVG was working with the union and expected to execute an agreement. He added TVG's hub was in Oregon, but it did not offer live operator wagering. Vice-Chairman Harris asked with which tracks TVG would have an exclusive media agreement. Mr. Nathanson stated TVG had exclusive television agreements in place with Hollywood Park; Bay Meadows; Oak Tree; Los Alamitos and Del Mar. He added TVG would provide video streaming on all California tracks and accept wagers on all California thoroughbred tracks. Commissioner Moss asked how many states TVG covered. Mr. Nathanson said TVG broadcasted to all 50 states. Commissioner Amerman **motioned** to approve the application for approval by TVG to act as an out-of-state multi-jurisdictional wagering hub for a period of one year conditioned on completion of the hub and labor agreements. Commissioner Moretti **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING (ADW) OF YUBET.COM, INC. FOR A CALIFORNIA MULTI-JURISDICTIONAL WAGERING HUB AND APPROVAL FOR AN OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB, FOR A PERIOD OF UP TO BUT NOT EXCEEDING TWO YEARS.**

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Chairman Shapiro asked if YouBet.Com (YouBet) had a hub agreement. Chuck Champion of YouBet said his organization had a hub agreement that was signed. He stated YouBet would receive a new agreement due to the Thoroughbred Owners of California changing the

document from a ten-party agreement to a single party agreement. Mr. Champion said YouBet was prepared to sign the new agreement. Chairman Shapiro asked if YouBet had a labor agreement. Mr. Champion said YouBet was in talks with the union. Commissioner Moretti asked how many employees YouBet had in California. Mr. Champion stated YouBet had almost 80 employees in California, some of which were telephone jobs. He added those jobs would move to YouBet's hub facility in Oregon. Vice-Chairman Harris asked if YouBet would cover every track in California. Mr. Champion said that was correct. Commissioner Moss asked if YouBet was still unable to promote California racing because of inhibiting fees. Mr. Champion said that was no longer true. New agreements were in place that afforded YouBet more profit, so YouBet could reinvest in California. Commissioner Moss asked in how many states YouBet accepted wagers. Mr. Champion said YouBet accepted wagers in 36 racing jurisdictions. Vice-Chairman Harris **motioned** to approve the YouBet application for license to conduct advance deposit wagering as a California multi-jurisdictional wagering hub and approval for an out-of-state multi-jurisdictional wagering hub for a period of one year conditioned on completion of the hub and labor agreements. Commissioner Moretti **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT ADVANCE DEPOSIT WAGERING (ADW) OF XPRESSBET, INC., FOR A CALIFORNIA MULTI-JURISDICTIONAL WAGERING HUB, FOR A PERIOD OF UP TO BUT NOT EXCEEDING TWO YEARS.**

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Chairman Shapiro asked if XpressBet had a hub agreement. Gregg Scoggins of XpressBet said his organization had agreed to Thoroughbred Owners of California's ten party document. Chairman Shapiro asked if XpressBet had a labor agreement. Mr. Scoggins stated XpressBet

had telephone tellers employed in Oregon. Any pari-mutuel clerks XpressBet utilized at the racetracks were members of the Pari-Mutuel Employees Guild (Guild) and employees of the racetrack. XpressBet reimbursed the track for those employees' time. XpressBet submitted a labor agreement to the Guild for its consideration and the final agreement should be in place before January 1, 2008. Chairman Shapiro said the Board did not want to create any negotiating leverage for either party, but it expected the agreements to be in place as a condition of license. Commissioner Amerman **motioned** to approve the application for license to conduct advance deposit wagering of XpressBet as a California multi-jurisdictional wagering hub for a period of one year conditioned on completion of the hub and labor agreements. Commissioner Moretti **seconded** the motion, which was **unanimously carried**.

**PRESENTATION OF THE CALIFORNIA HORSE RACING BOARD RESOLUTION TO WILLIAM BIANCO.**

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Chairman Shapiro said the item was **deferred**.

**ELECTION OF BOARD CHAIRMAN AND VICE-CHAIRMAN.**

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Chairman Shapiro said the item was **deferred**.

**DISCUSSION AND ACTION BY THE BOARD PERTAINING TO RECRUITMENT FOR EXECUTIVE DIRECTOR FOR THE CHRB, INCLUDING MATTERS SUCH AS BOARD'S EXPECTATIONS CONCERNING ROLES AND RESPONSIBILITIES, DESIRABLE QUALIFICATIONS, SALARY, OFFICE LOCATION, SCOPE OF SEARCH, TIMING, SCREENING OF APPLICANTS, ROLE(S) OF STAFF, ROLE(S) OF COMMISSIONERS AND ROLE(S) OF THE BOARD ITSELF.**

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Chairman Shapiro said the job description for the Executive Director position was not available, so there would be a brief discussion regarding the item. He stated the process was public and the Board had to craft the announcement for publication. Chairman Shapiro said any Commissioner who wished to be on the selection committee should inform him of their desire. Deputy Attorney General Derry Knight explained the process the Board would use to hire an Executive Director. Vice-Chairman Harris said the process should start as soon as possible so a good field of applicants could be developed. Chairman Shapiro stated one requirement he hoped the Board would make was that the position would work out of the Sacramento main office. He said he would like Executive Director Ingrid Fermin to review the job announcement to make any suggestions she might have. Commissioner Choper asked if there were any adjustments to the salary since 2004. Chairman Shapiro stated there had been some inflationary adjustments. The salary was approximately \$116,000 and if the Board wished to increase the salary, it would have to demonstrate a need. Chairman Shapiro said staff had initiated the process to justify an increase.

**PUBLIC COMMENT.**

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Vice-Chairman Harris asked if a regulation would be written to allow horses to run unshod. Dr. Rick Arthur, CHRB Equine Medical Director, said the Medication Committee would look at methods to change the rule to allow horses to run unshod. He stated the proposal came from

the California Thoroughbred Trainers and that organization should let the Board know how it thought the rule should be written.

**MEETING ADJOURNED AT 1:06 P.M.**

A full and complete transcript of the aforesaid proceedings are on file at the office of the California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, California, and therefore made a part hereof.

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Chairman

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Executive Director

**PROCEEDINGS** of the Regular Meeting of the **California Horse Racing Board** held at the **Hollywood Park Casino**, 3883 West Century Boulevard, Inglewood, California, on **December 14, 2007**.

Present:       Richard B. Shapiro, Chairman  
                  John C. Harris, Vice-Chairman  
                  John W. Amerman, Member  
                  John Andreini, Member  
                  Jesse H. Choper, Member  
                  Jerry Moss, Member  
                  Ingrid J. Fermin, Executive Director  
                  Derry L. Knight, Deputy Attorney General

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION TO CONDUCT A HORSE RACING MEETING OF THE SACRAMENTO HARNESS ASSOCIATION (H) AT CAL-EXPO, COMMENCING DECEMBER 27, 2007 THROUGH JULY 31, 2008, INCLUSIVE.**

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Jacqueline Wagner, CHRB staff, said the Sacramento Harness Association (SHA) proposed to run 121 nights for 1,674 races. The first post time would be 5:35 p.m. Thursday and Sunday, and 6:20 p.m. Friday and Saturday. Ms. Wagner commented the audited financial statement, fire clearance and description of the first-aid facility were missing from the application. Chairman Shapiro said he reviewed SHA's financial statement and was concerned about its financial stability. He stated the un-audited financial statement, which SHA supplied, demonstrated it had a net worth of approximately \$180,000. However, in addition to its business expenses, SHA had a lease agreement with Cal-Expo that required payments totaling approximately \$2.1 million annually. Chairman Shapiro said he was not sure SHA could afford such payments. He stated he spoke with SHA management to determine ways in which it might gain the financial security required by the Board. Previously, the Board required SHA to post a \$500,000 bond or letter of credit as security, and to provide audited financial statements, but that had not been done. Ralph Scurfield of SHA said his organization was

attempting to get a rent abatement of \$300,000. In addition, Dr. Edward Allred of Los Alamitos indicated he would sign a letter of credit for \$400,000, which would provide additional financing to satisfy the Board's requirements. However, the Cal-Expo board was not able to meet with a quorum, so the rent abatement was still in process. Chairman Shapiro said he spoke with Dr. Allred who stated he was willing to sign a \$400,000 letter of credit, subject to a rent concession from Cal-Expo. The rent concession had to go before the full Cal-Expo board, which left a timing problem; as the SHA meeting was due to commence in January 2008. Chairman Shapiro stated under the current conditions he could not support a license for the period of the application. He recommended the Board extend the current SHA license, or grant a new license through the date of the next Regular Meeting of the CHRB. That would give SHA and Cal-Expo time to make an agreement that would provide financial security. Deputy Attorney General Derry Knight said the Board could grant a new SHA license for a short term. Chairman Shapiro **motioned** to grant a license to conduct a horse racing meeting of SHA through January 20, 2008. The license would be conditioned on the resolution of outstanding issues as outlined in the staff analysis, and with the requirement that SHA appear at the January 2008 Regular Meeting of the CHRB with a satisfactory financial plan. Vice-Chairman Harris said SHA should also be able to demonstrate enough equity in the association to make it viable. SHA was essentially bankrupt, and needed an infusion of cash. Vice-Chairman Harris commented the Board had some responsibility in the financial health of racing associations, as the effect of a bankruptcy would be felt throughout the industry. Chairman Shapiro said he agreed. The Board had an interest in the economic health of its licensees. The origin of SHA was an attempt to keep harness racing alive in California, and

that was appreciated, but the Board had to see that it was financially sound. Commissioner Andreini **seconded** the motion, which was **unanimously carried**. Mr. Scurfield said the 2006 financials were submitted with the application. Those financials showed considerably more debt than assets. However, that was not currently the case, and SHA hoped it would confirm that in the audited financial statement that would be submitted prior to the January 2008 Regular Meeting of the CHRB. Chairman Shapiro said he received the audited financial statement and he recognized that SHA paid down its debt and lowered its over-payment. However, there was not enough capitalization, and certain assets were carried at questionable values. Chairman Shapiro stated SHA must return with a capitalization plan that demonstrated financial soundness.

#### REPORT OF THE SECURITY AND LICENSING COMMITTEE.

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Jacqueline Wagner, CHRB staff, said the Security and Licensing Committee (committee) met in October 2008. The committee discussed a proposal to allow licensing of stable name groups, which would be a new license classification that would encourage new owners to come into horse racing. The committee voted to recommend the amendment of Board Rule 1481, Occupational Licenses and Fees; Rule 1783, Registration of Stable Names; and Rule 1784, Registration to Disclose all Partners. Ms. Wagner stated the amendments would create a separate license classification for stable name groups, which would be based on the business model of Little Red Feather (LRF) and West Point stables. A stable name group would allow multiple entities to run under one stable name. Each entity would be comprised of a unique set of investors, and each would own one or more horses. Any Board licensed horse owner,

including horse owners with registered stable names, could invest in a stable name group. The stable name groups would be able to determine which investor is licensed as a horse owner. However, the committee recommended a 10 percent ownership interest benchmark before an investor would be required to be licensed as a horse owner. In addition, the 10 percent benchmark would apply to coupling for horses under the stable name group. A stable name group horse would not have to be coupled if an owner owned less than 10 percent of the horse, and all or part of another horse entered in the same race. Ms. Wagner said the committee would recommend the Board direct staff to initiate a 45-day public comment period regarding the proposed amendment to rules 1481, 1783 and 1784. Vice-Chairman Harris said there were advantages to multiple ownerships, and they got fans more involved in the sport. The proposal was complicated, so it would be good to have a public comment period. Chairman Shapiro said it was important for groups like LRF and West Point to demonstrate their ability to choose quality racehorses, so it was necessary to show success. Billy Koch of LRF said that was part of his organization's concern. He stated LRF's business model did not fit well with the Board's stable name registration requirements. LRF had a stable name group, within which could be five different horses, each having five or six different owners. In essence, each would be a different corporate entity. Additionally, LRF was a brand, and once the entities were labeled LRF1, LRF2 and LRF3, the brand LRF lost its credit for purse earnings because each was different. Commissioner Shapiro asked if the entities were limited liability companies (LLC) or partnerships. Mr. Koch said they were LLCs. Chairman Shapiro stated the terminology of the regulations needed to be looked at, as there were no limited partners in LLCs. Ms. Wagner said the committee discussed the issue and it would be addressed. Vice-

Chairman Harris stated he understood a person with 10 percent or less ownership did not have to be licensed. Ms. Wagner said that was true. She added the stable name groups would still have to disclose 100 percent of the ownership of a horse, regardless of the owners' licensing status. Additionally, if a person who owned less than 10 percent of a horse wished to be licensed, they could apply and obtain an owner's license if otherwise qualified. An extended discussion regarding licensing in other horse racing jurisdictions, and California's participation in the Racing Commissioners International National Licensing Compact ensued. Deputy Attorney General Derry Knight explained that California law allowed participation in the National Licensing Compact, but it also provided that persons who participate must also meet the California licensing requirements. Chairman Shapiro **motioned** to direct staff to initiate a 45-day public comment period for the proposed amendment of Rule 1481, 1783 and 1784. Commissioner Amerman **seconded** the motion, which was **unanimously carried**. Karen Klawitter, of the Southern California Equine Foundation, expressed her concerns regarding the proposed amendments. Jerry Jamgotchian, a horse owner spoke regarding the proposed amendments.

**PUBLIC HEARING AND ACTION BY THE BOARD ON THE ADOPTION OF THE PROPOSED AMENDMENT TO CHRB RULE 1467, PAYMASTER OF PURSES, TO AUTHORIZE THE PAYMASTER TO DEDUCT 0.3 PERCENT OF THE NET PURSE EARNED BY ANY THOROUGHBRED HORSE AT A THOROUGHBRED RACE MEETING OR RACING FAIR FOR DEPOSIT INTO THE CALIFORNIA RETIREMENT MANAGEMENT ACCOUNT (CARMA) TO BE USED TO BENEFIT RETIRED THOROUGHBRED RACEHORSES.**

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Jacqueline Wagner, CHRB staff, said the proposed amendment to Board Rule 1467, Paymaster of Purses, would direct the paymaster of purses to deduct 0.3 percent of the net purse earned

by any thoroughbred horse at a thoroughbred race meeting, or a fair meeting, which would be deposited into the California Retirement Management Account (CARMA). The Thoroughbred Owners of California (TOC) established CARMA as a charitable trust for the benefit of California thoroughbred retirement facilities. Ms. Wagner stated the proposed amendment was noticed for a 45-day public comment period. Staff received a number of comments in opposition to the proposal, as well as supportive comments. Ms. Wagner reviewed the positions of persons in opposition and those who supported the proposed amendment. She stated staff also received comments from the paymaster of purses at Golden Gate Fields, who was concerned about deducting monies directly from owners' accounts, and who stated the rest of the industry should also support the equine retirement fund. Vice-Chairman Harris stated he was not opposed to funding racehorse retirement facilities, as it was a recognized need. He commented he personally spent at least 5 percent of his purse earnings on retired horses at his farm. However, Vice-Chairman Harris said the assessment should be voluntary, or "opt-in." The proposed amendment required owners to "opt-out" and would require a lot of confusing paperwork. In addition, Vice-Chairman Harris stated the 0.3 percent was a token amount. Owners should be able to contribute a greater amount of purse winnings with the minimum being 0.3 percent. Also, the initiative should be an industry effort, and not just affect owners. Vice-Chairman Harris stated when the issue was first raised he asked TOC for numbers to quantify the total scope of the problem. California's industry needed to know the extent of the need before it endorsed a plan that simply collected money to distribute. If there was going to be a mandated program there clearly needed to be more reporting and audit requirements. Marsha Naify of TOC stated an informational pamphlet would be passed out that listed data

recently collected by TOC. The first page had numbers of thoroughbreds that made their last start in California in the years 2003 through 2005. According to the Jockey Club Information Service there were just over 2,000 thoroughbred horses that made their last start in California in a given year. Ms. Naify said that was the scope of the horses leaving racing in California on an annual basis. The CARMA would not deal with that number of horses, as many of them went on to productive careers as performance horses or pets. The horses that would benefit from CARMA were unwanted or unsuitable for second careers. TOC did know the approximate number of such horses at California retirement facilities was 300, although many such horses were turned away each year. Commissioner Choper said if not all the 2,000 thoroughbreds that retired each year were qualified for the CARMA funds, what was the relationship between the statistics and the plan? Drew Couto of TOC said the statistics were in response to questions raised earlier by Vice-Chairman Harris. He asked what was the scope of the problem, or the total number of horses that ceased racing in California each year. Commissioner Choper stated TOC did not even know how many of the retired horses would qualify for the retirement farms to be subsidized by the CARMA funds. Mr. Couto stated TOC was not trying to identify each horse that qualified; it was trying to identify facilities that would maintain qualified horses based on criteria established by TOC. Chairman Shapiro asked if TOC was trying to demonstrate a need based on the numbers. Mr. Couto stated the question was raised regarding the numbers of racehorses that retired in California annually. He stated TOC provided an estimate that was better than speculation. The numbers represented horses that made their last start in California and did not appear to race anywhere else. It could be demonstrated that annually at least 2,000 thoroughbreds made their last start

in California, and at least 300 retired horses were maintained by California retirement facilities. So, the number of horses in need was somewhere between 300 and 2,000. Vice-Chairman Harris stated the statistics seemed to project an annual number. He asked if there was a projected annual cost. Mr. Couto said the estimated annual cost per horse was \$5,700. He added the numbers were not definitive, but they only gave an idea of the scope of the problem. Commissioner Amerman said it was clear racehorse retirement farms were needed, and it appeared TOC was attempting to provide them with supplemental income. The question was if the proposed plan was enough to make a difference. The numbers provided by TOC indicated the CARMA fund would only generate \$200,000 – which against the annual expenses was not very much. Commissioner Amerman asked what were TOC's plans with regards to generating more funds and expanding its program for future needs? Madeline Auerbach of TOC said there was no dispute that there was a need for racehorse retirement funding. She stated TOC's focus with CARMA was multi-faceted. TOC would aggressively and actively raise money for the fund. The fundraising activity would include approaching other facets of the industry to convince them to join in the effort. TOC would also approach horseracing publications, horseracing transportation and the feed industry for help. Ms. Auerbach said TOC would also attempt to provide more education to its members regarding responsible horse ownership. She stated TOC recognized that owners alone could not bear the responsibility, but the effort to do something concrete had to start somewhere. The CARMA proposal was a base that would grow to include every segment of the industry. Vice-Chairman Harris said a lot of owners and breeders were currently taking care of retired racehorses. Ms. Auerbach said she conducted a private survey and the Board would be shocked at some of the farms in California

that did not have any charity cases. She stated she was not about to point fingers at anyone; she just wanted to get the industry to attempt to address the problem. Vice-Chairman Harris stated there were also a great many in the industry who did take care of retired horses. He was concerned that a governmental program that mandated payments could have an unintended effect. An owner that was already paying for retired horses might not want to pay twice. Chairman Shapiro said that was why the program offered an opt-out provision. There were a large number of small owners who simply did not know where to turn when their horses retired. The TOC program could provide education so such owners would at least have resources. Priscilla Clark of Tranquility Farm said certain racehorses did engender owner loyalty that extended into retirement. However, any race card was full of horses that did not inspire such emotions in their owners to where they would be willing to make an investment beyond their utility as a racehorse. The CARMA program was designed to serve such "bread and butter" horses, the horses that pulled the weight in the industry. The CARMA was not designed to serve the superstars and breeding stock. Ms. Clark stated Tranquility Farm served approximately 100 horses per year with a turn over of up to 50 percent. The farm was funded almost entirely on private philanthropy and fundraising efforts. However, it could do more and better serve the industry. Tranquility Farm had the infrastructure to address a greater share of the problem, but was prevented by funding constraints. The CARMA might not raise an optimum amount of funds, but if it helped increase the number of horses taken in by Tranquility Farm by 20 or 30 percent, it would positively impact the problem. Commissioner Amerman said he was impressed, but he was also concerned the CARMA could evolve into a program like the New York Racing Association (NYRA) program. In its first year the NYRA

program raised \$36,000, which was divided between a number of farms, but did not go very far. Commissioner Amerman stated he wanted to see TOC find an answer that would truly generate funds to make a difference. All he saw were numbers, which were good, but which could also raise a lot of questions. While TOC was projecting 50 percent participation in CARMA, the NYRA indicated few owners wished to participate in its program. Drew Couto said the NYRA program was an "opt-in" program, while the CARMA was "opt-out." TOC believed it would have a high number of participants. He added at its last meeting over 90 percent of TOC members in attendance indicated they would participate. In addition, at 0.3 percent, the deduction was basically invisible to owners, and it would be a charitable deduction based on the trust. Commissioner Amerman said he thought TOC should be given a chance to implement the CARMA. It was the right thing to do, and it made sense for California's thoroughbred industry. Vice-Chairman Harris said he liked the concept, but the opt-in provision, the amount deducted from the purses, and the concept of including other facets of the industry needed attention. Why not "fix" the proposal before noticing it to the public? Chairman Shapiro stated the concept might never get off the ground if the Board did not act. There was no downside if the Board started with the current proposal, and let it grow. Commissioner Moss **motioned** to adopt the amendment to Board Rule 1467, Paymaster of Purses. Commissioner Amerman **seconded** the motion. Jerry Jamgotchian, a horse owner, spoke about his concerns regarding the proposed amendment. The **motion carried** with Vice-Chairman Harris and Commissioner Andreini voting "**no.**"

**REPORT AND UPDATE ON THE PROPOSED AMENDMENT OF CHRB RULE 1632, JOCKEY'S RIDING FEE, TO REVISE THE JOCKEY RIDING FEE STRUCTURE TO COMPLY WITH AB 649, STATUTES OF 2007.**

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Jacqueline Wagner, CHRB staff, said a Section 100 Rulemaking file to revise the jockey riding fee structure to comply with Assembly Bill 649, Statutes of 2007, was submitted to the Office of Administrative Law (OAL) on December 7, 2007. If OAL approved the file, the regulation would become effective on January 20, 2007. Commissioner Amerman **motioned** to approve the Section 100 rulemaking file. Commissioner Moss **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST FOR APPROVAL FROM SOUTHERN CALIFORNIA OFF-TRACK WAGERING, INC. TO INCREASE THE CURRENT 1.06 PERCENT OFF-SITE STABLING AND VANNING FUND TAKEOUT UP TO THE MAXIMUM 1.25 PERCENT PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 19607.1(F).**

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Roberto Zavala, CHRB staff, said the proposal would increase the current rate of stabling and vanning from 1.06 percent to 1.25 percent. Drew Couto of Thoroughbred Owners of California (TOC) stated the request was an increase to 1.25 percent, subject to the unanimous consent of the Southern California Off-track Wagering, Inc. (SCOTWINC) board. Mr. Couto stated there was currently a surplus of \$700,000, but at the current takeout rate of 1.06 percent a deficit of over 1.3 million was projected at the end of 2008. Chairman Shapiro said there was some confusion as to whether SCOTWINC needed to raise the rate. Mr. Couto stated that would depend on the refund from AIG insurance, which should come in March of 2008. SCOTWINC funded some of the costs of the industry-run worker's compensation insurance subsidy program. To the extent that premiums exceeded claims, there would be a refund to the

industry. A refund of \$1.8 million was received in 2007. After current obligations SCOTWINC would have year-end balance of \$700,000. In 2008 there was a projected deficit of \$1.3 million. Chairman Shapiro stated he would like to see the money trail clearly laid out so the Board could understand the issue and act in a timely manner. Jack Liebau of Hollywood Park said if the AIG insurance refunds were paid as expected there would be a \$1.8 million surplus at the end of 2008. In addition, the CHRB was the entity with authority to increase the rate, and it could not delegate that authority to SCOTWINC. He said there was no harm in the Board postponing the item until it received a clear accounting of the numbers involved. Mr. Liebau suggested the Board put the item over to its next meeting, or that no action be taken. Tom Varela of SCOTWINC said it was true that if the expected refund were received, there would be a surplus of \$1.8 million at the end of 2008. Mr. Liebau stated he believed the refund would last through at least through 2009. Chairman Shapiro stated the item would be **deferred.**

**DISCUSSION AND ACTION BY THE BOARD TO APPROVE THE THOROUGHBRED OWNERS OF CALIFORNIA AND THE JOCKEY GUILD AGREEMENT THAT WOULD ESTABLISH THE CALIFORNIA JOCKEYS TRUST TO PROVIDE HEALTH, SAFETY, AND WELFARE BENEFITS TO CALIFORNIA LICENSED JOCKEYS, FORMER CALIFORNIA LICENSED JOCKEYS AND THEIR DEPENDENTS.**

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Chairman Shapiro stated the item was discussed at the November 2007 Regular Meeting. However, the Board had not seen the documents relating to the agreement that would establish the California Jockeys Trust, so the item was put over until such time as the agreement was forwarded to the Board. Richard "Bon" Smith, CHRB staff, said the current insurance plan would be funded through December 31, 2007. Upon approval of the agreement by the Board,

funding would be provided for the new plan, which would go into effect January 1, 2008. Mr. Smith said an up-front payment for the new plan would be made on December 15, 2007. In addition, jockeys in Northern and Southern California were signing up for the program. Drew Couto of Thoroughbred Owners of California (TOC) explained how the California Jockey's Trust was set up, and how the trust would work. He also explained how a jockey would qualify as a California licensed jockey to be eligible for benefits. Mr. Couto said the TOC believed the trust was a good mechanism for delivering jockey health and welfare benefits, and it asked the Board to approve the agreement. Chairman Shapiro **motioned** to approve the agreement that would establish the California Jockey's Trust. Commissioner Amerman **seconded** the motion, which was **unanimously carried**.

#### REPORT AND UPDATE FROM SANTA ANITA AND CUSHION TRACK REPRESENTATIVES REGARDING THE DRAINAGE ISSUE AT THE SANTA ANITA RACETRACK.

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Chairman Shapiro said following the 2007 Oak Tree meeting at Santa Anita (SA) issues with the drainage of the Cushion Track (CT) racing surface at SA were discovered. He stated he had seen the problem and he understood SA was going to great lengths to ensure the racing surface was safe. In the meantime SA and CT were working to fix the drainage problem. Chairman Shapiro said the State of California and the entire thoroughbred industry had a huge concern that the track was fixed and in good shape by December 26, 2007. Paul Harper of CT stated his organization believed the drainage problem at SA involved the tarmac foundation. It was caused by the installation of the track in extreme heat. The tarmac allowed the racing surface to stick to it, and that caused an impermeable layer. In addition, the heat caused a mat

underneath that was also impermeable. Mr. Harper said the CT racing surface at SA was modified from the Hollywood surface to accommodate the 20-degree difference in temperature that exists between the two locations. The wax, and the grain size and grade range of the sand were modified, so the track would work for the Oak Tree meeting. Mr. Harper commented CT was told SA did not want a slow track, and it was able to fulfill the request, but that may have compromised the drainage. To fix the drainage problem CT took off the racing surface and washed the tarmac to make it porous again. The next step was to fine-tune the racing surface to ensure it would cope with the rain. Chairman Shapiro asked if CT could assure the Board it had the expertise, materials and manpower to complete the job in a timely manner. Mr. Harper said CT and SA were working closely together to guarantee the track would drain properly. Ron Charles of SA stated there was a problem getting water to the asphalt, but the parties were trying different combinations of sand, wax and rubber, and they felt they were getting close to a solution. Chairman Shapiro said it sounded as if Mr. Harper explained the problem as the surface causing an impermeable barrier on asphalt, but Mr. Charles stated there was a problem getting water to the asphalt. If that were the case, was the water sitting in the track surface material? Mr. Harper said the impermeable layer was removed from the asphalt tarmac foundation and the parties were currently working with the track surface material to arrive at a formula that would work. Chairman Shapiro asked if he dropped a cup of coffee on the track surface, would it drain through the surface and the asphalt like the surface at Hollywood Park and Golden Gate Fields? Mr. Harper said it would drain. The parties were simply fine-tuning the mixture. Commissioner Amerman asked if there was a contingency plan if the track did not work by December 26. Mr. Charles said he did not think that would

happen. The problem only existed during periods of rain. SA would change the maintenance of the track. Mr. Harper said it was supposed to rain on December 22, which would be a good test of the surface. He stated everything should be in place by that date. Chairman Shapiro asked if the horsemen and owners were being informed regarding the condition of the track. Mr. Charles said the horsemen and owners were informed about when they could commence training on the track and what type of track they would have. In addition, they would be allowed to inspect the track prior to its opening.

**DISCUSSION AND ACTION BY THE BOARD ON THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE OAK TREE CHARITABLE FOUNDATION IN THE AMOUNT OF \$66,800 TO 25 BENEFICIARIES.**

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Chairman Shapiro said the item was **deferred**.

**DISCUSSION AND ACTION BY THE BOARD ON THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE PACIFIC RACING ASSOCIATION IN THE AMOUNT OF \$142,173 TO 12 BENEFICIARIES.**

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Roberto Zavala, CHRB staff, said the request to distribute race day charity proceeds of the Pacific Racing Association was in order. He said staff noted 90 percent of the proceeds would go to horseracing related charities. Staff recommended the Board approve the request. Vice-Chairman Harris **motioned** to approve the request. Commissioner Amerman **seconded** the motion, which was **unanimously carried**.

**STAFF REPORT ON THE FOLLOWING CONCLUDED RACE MEETS:**

**DEL MAR THOROUGHBRED CLUB AT DEL MAR FROM JULY 18, 2007 THROUGH SEPTEMBER 5, 2007.**

**SAN MATEO COUNTY FAIR AT BAY MEADOWS FROM AUGUST 8, 2007 THROUGH AUGUST 19, 2007.**

**HUMBOLDT COUNTY FAIR AT FERNDALE FROM AUGUST 9, 2007 THROUGH AUGUST 19, 2007.**

**LOS ANGELES COUNTY FAIR AT FAIRPLEX FROM SEPTEMBER 7, 2007 THROUGH SEPTEMBER 24, 2007.**

**FRESNO COUNTY FAIR AT FRESNO FROM OCTOBER 3, 2007 THROUGH OCTOBER 14, 2007.**

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Roberto Zavala, CHRB staff, said the Del Mar meeting, which ran from July 18 through September 5, 2007, had an increase in average daily handle of 8.5 percent. Mr. Zavala commented every racing association included in the item had an increase in advance deposit wagering (ADW) handle. The highlight was the Humboldt County Fair, which had a healthy increase in 2007. Dan White of the Big Fresno Fair spoke about the challenges of the fair meeting, as well as its many successes.

**ELECTION OF BOARD CHAIRMAN AND VICE-CHAIRMAN.**

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Chairman Shapiro said the item was **deferred**.

**PUBLIC COMMENT.**

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Jerry Jamgotchian, a horse owner, spoke about his concerns regarding horseracing related issues. Commissioner Amerman said he noted several items from past agendas were still pending. He asked if the Board could be reminded of items that needed resolution.

**MEETING ADJOURNED AT 11:45 A.M.**

A full and complete transcript of the aforesaid proceedings are on file at the office of the California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, California, and therefore made a part hereof.

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Chairman

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Executive Director

STAFF ANALYSIS  
January 16, 2008

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE BAY MEADOWS RACING ASSOCIATION AT BAY MEADOWS FEBRUARY 4, 2008 THROUGH MAY 11, 2008.

Bay Meadows Racing Association filed its application to conduct a thoroughbred horse racing meeting at Bay Meadows:

- February 4 through May 11, 2008, or 70 days. The association proposes to race a total of 593 races, or 8.47 per day. In 2007 they raced 48 days from February 14 through April 22 racing 8.46 races per day with an average of 6.75 runners per race. The (actual) average daily purse for the fall 2007 meet was \$170,556. The (estimated) average daily purse for this meet is \$173,389.
- The proposed race dates modifies the race schedule to Thursday through Mondays to coincide with Santa Anita's race schedule. Wednesday through Sunday while Hollywood Park is conducting live racing.

| February - 2008 |     |     |     |     |     |     |
|-----------------|-----|-----|-----|-----|-----|-----|
| 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  |     |
|                 |     |     |     |     |     |     |

| March - 2008 |     |     |     |     |     |     |
|--------------|-----|-----|-----|-----|-----|-----|
| 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           | 31  |     |     |     |     |     |

| April - 2008 |     |     |     |     |     |     |
|--------------|-----|-----|-----|-----|-----|-----|
| 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  |     |     |     |
|              |     |     |     |     |     |     |

| May - 2008 |     |     |     |     |     |     |
|------------|-----|-----|-----|-----|-----|-----|
| 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  | 31  |

- Racing 5 days per week, Thursday through Monday, with 8 races weekdays and 9 or 10 weekends, holidays and days of special interest.
- First post 12:45 p.m. daily with a 7:20 p.m. post April 4, 11, 18, 25 and May 9.
  - Post times to be adjusted as necessary to coordinate with post times at other California tracks. Special post times for Kentucky Derby day, Saturday, May 3, 2008 to be determined.
- Request Patrick Kealy be appointed horse identifier pursuant to CHRB Rule 1525.
- Track safety requirements have been fulfilled.

- Wagering program will use all CHRB rules.
  - Advance day wagering on Kentucky Derby Future Pools on dates to be determined.
- The Advance Deposit Wagering (ADW) providers are **TVG, YouBet, XpressBet & Twinspires.com**.
- Simulcasting conducted with 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:

1. Horsemen's agreement – in negotiation with Thoroughbred Owners of California.

**RECOMMENDATION:**

Staff recommends that the application for license not be heard until the Horsemen's agreement is received.

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

**1. APPLICANT ASSOCIATION**

- A. Name, mailing address, telephone and fax numbers of association:  
**Bay Meadows Racing Association** Phone: (650) 573-4505  
2600 South Delaware Street, San Mateo, CA 94402 Fax: (650) 573-4671
- B. Breed of horse:  TB  QH  H
- C. Racetrack name: **Bay Meadows**
- D. Attach a certified check payable to the Treasurer of the State of California in the amount of \$10,000 as deposit for license fees pursuant to B&P Code Section 19490. **On file**

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: **February 4, 2008 through May 11, 2008**
- B. Actual dates racing will be held: **2/4, 2/7-2/11, 2/14-2/18, 2/21-2/25, 2/28-3/3, 3/6-3/10, 3/13-3/17, 3/20-3/24, 3/27-3/31, 4/3-4/7, 4/10-4/14, 4/17-4/20, 4/23-4/27, 4/30-5/4, 5/7-5/11**

Note: Should Santa Anita abandon its Thursday through Monday race week, Bay Meadows will follow suit.

- C. Total number of days or nights of racing: **70**
- D. Days or nights of the week races will be held:  
 Wed - Sun  Tues - Sat  Other (specify)

**Thursday through Monday during the time frame in which Santa Anita conducts live racing, Wednesday through Sunday during the time frame in Hollywood Park conducts live racing**

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

**3. RACING PROGRAM**

- A. Total number of races: **593**
- B. Number of races for each day or night: **We propose to conduct 8 races on weekdays, 9 races on Saturdays and Sundays, and 10 races on four special promotional days.**

**CHRB CERTIFICATION**

Application received: **11/6/07**  
Deposit received: **on file**  
Reviewed: **(signature)**

Hearing date: **1/16/08**  
Approved date:  
License number:

- C. Total number of stakes races: **15**
- D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses. **Attached**
- E. 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:
- F. List all post times for the daily racing program:

| Race | Daytime Cards | Friday Night Cards         |
|------|---------------|----------------------------|
|      |               | 4/4, 4/11, 4/18, 4/25, 5/9 |
| 1    | 12:45         | 7:20                       |
| 2    | 1:15          | 7:49                       |
| 3    | 1:45          | 8:18                       |
| 4    | 2:15          | 8:47                       |
| 5    | 2:45          | 9:16                       |
| 6    | 3:15          | 9:45                       |
| 7    | 3:45          | 10:14                      |
| 8    | 4:15          | 10:43                      |
| 9    | 4:45          |                            |

Post times will be adjusted as necessary to coordinate with post times at other California tracks  
 Special post times for Kentucky Derby day to be determined

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. For thoroughbred and quarter horse meetings, the total amount distributed for California-bred stakes races from the purse account, including overnight stakes, shall not be less than 10% of the total amount distributed for all stakes races pursuant to B&P Code Section 19568(b).

**4. RACING ASSOCIATION**

- A. Association is a:  Corporation (complete subsection C)  
 LLC (complete subsection D)  
 Other (specify, and complete subsection E)
- B. Complete the applicable subsection and attached Addendum, Background Information and Ownership.

**C. CORPORATION**

- 1. Registered name of the corporation: **Bay Meadows Racing Association**
- 2. State where incorporated: **Delaware**
- 3. Registry or file number for the corporation: **37818008100040226127**
- 4. Names of all officers and directors, titles, and the number of shares of the corporation held by each: **Terrence Fancher, Chairman and Director**  
**Kristin Gardner, Director and Secretary**  
**Charlene Kiley, Director**

Saturday, February 9, 2008-Overnight Handicap

**Princess Stake - \$55,000 Added**  
**(Plus up to \$16,500 to Cal-Breds)**

Fillies, Three Year Olds                      Six Furlongs

Saturday, February 16, 2008-Overnight Stake

**Sophomore Sprint - \$55,000 Added**  
**(Plus up to \$16,500 to Cal-Breds)**

Three Year Olds                                  Six Furlongs

Monday, February 18, 2008-Overnight Stake

**Presidents' Day Mile - \$55,000 Added**  
**(Plus up to \$16,500 to Cal-Breds)**

Four Year Olds & Upward                      One Mile

Saturday, February 23, 2008-Overnight Stake

**Bay Meadows Distaff Sprint - \$55,000 Added**  
**(Plus up to \$16,500 to Cal-Breds)**

Fillies & Mares, Four Year Olds & Upward      Six Furlongs

Saturday, March 1, 2008-Overnight Stake

**Foster City Handicap - \$65,000 Added**  
**(Includes \$10,000 from Cal-Bred Race Fund)**

Fillies & Mares, Four Year Olds & Upward, Bred in California      One Mile

Saturday, March 8, 2008

**El Camino Real Derby Grade III - \$150,000 Guaranteed**

Three Year Olds                      One Mile and One Sixteenth

Saturday, March 15, 2008

**Bay Meadows Sprint Grade III - \$100,000 Guaranteed**

Four Year Olds & Upward                      Six Furlongs

Saturday, March 22, 2008-Overnight Handicap

**March Madness Handicap - \$55,000 Added**  
**(Plus up to \$16,500 to Cal-Breds)**

Four Year Olds & Upward                      One Mile (Turf)

Saturday, March 29, 2008-Overnight Stake

**Hillsborough - \$55,000 Added**  
**(Plus up to \$16,500 to Cal-Breds)**

Fillies & Mares, Four Year Olds & Upward                      One Mile (Turf)

Saturday, April 5, 2008

**California Turf Sprint - \$100,000 Guaranteed\***

**\*(Includes \$20,000 from Cal-Bred Race Fund)**

Four Year Olds & Upward, Bred In California      Five Furlongs (Turf)

Saturday, April 12, 2008

**Bay Meadows Oaks - \$75,000 Guaranteed**

Fillies, Three Year Olds      One Mile and One Sixteenth

Saturday, April 19, 2008-Overnight Handicap

**Monterey Handicap - \$55,000 Added**

**(Plus up to \$16,500 to Cal-Breds)**

Fillies & Mares, Four Year Olds & Upward      Five Furlongs (Turf)

Saturday, April 26, 2008

**Bay Meadows Handicap - \$75,000 Guaranteed**

Three Year Olds & Upward      One Mile and One Sixteenth (Turf)

Sunday, May 10, 2008-Overnight Stake

**Triple Play Starter Stake - \$50,000 Added**

**(Plus up to \$15,000 to Cal-Breds)**

Four Year Olds & Upward      One Mile and One Quarter

Sunday, May 11, 2008-Overnight Handicap

**Mothers' Day Handicap - \$55,000 Added**

**(Plus up to \$16,500 to Cal-Breds)**

Fillies & Mares, Four Year Olds & Upward      One Mile and One Sixteenth (Turf)

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:  
**Bay Meadows Main Track Investors, LLC**
6. Number of outstanding shares in the corporation: **2,000,000**
7. Are the shares listed for public trading?  Yes  No  
If yes, on what exchange and how is the stock listed:
8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation: **Kristin Gardner**
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:  
**Bay Meadows Main Track Investors, LLC**
10. Attach the most recent audited annual financial statement for the licensee, 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. The licensee may submit the audited consolidated annual financial statements of its parent owner if the parent owner is a publicly traded company and guarantees the obligations of the licensee. **On file**

## D. 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 audited annual financial statement for the licensee, 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.

## E. OTHER

1. Name(s) of partners/sole proprietor:
2. If a partnership, attach partnership agreement.

## F. Management and Staff

1. Name and title of the managing officer and/or general manager of the association and the name and title of all department managers and staff, other than those listed in 10B, who will be listed in the official program:

**F. Jack Liebau, President**  
**Bernie Thurman, Vice President and General Manager-Administration**  
**Michael Ziegler, Vice President and General Manager-Operations**

Michael Scalzo, Vice President Operations and Security  
 Dyan Grealish, Vice President and Director of Sales  
 Barbara Helm, Vice President, Finance  
 Bryan Wayte, Mutuel Manager  
 Kay Webb, Simulcast Coordinator  
 Michael Wrona, Announcer  
 Jim Fetter, Director of Video Operations

2. Name and title of the person(s) authorized to receive notices on behalf of the association and the mailing address of such person(s) if other than the mailing address of the association:

**F. Jack Liebau, President**

## 5. PURSE PROGRAM

### A. Purse distribution:

**Please note that the prior meet included 48 live days plus 2 simulcast only days, compared to 70 live days and no simulcast only days for the current meet. Purse estimates do not include starter purses per Section 19605.75 of B & P Code.**

1. All races other than stakes:
- |                        |                  |
|------------------------|------------------|
| Current meet estimate: | <b>9,709,638</b> |
| Prior meet actual:     | <b>6,459,384</b> |

Average Daily Purse (5A1 ÷ number of days):

|                        |                |
|------------------------|----------------|
| Current meet estimate: | <b>138,709</b> |
| Prior meet actual:     | <b>134,571</b> |

2. Overnight stakes:
- |                        |                |
|------------------------|----------------|
| Current meet estimate: | <b>555,000</b> |
| Prior meet actual:     | <b>259,375</b> |

Average Daily Purse (5A2 ÷ number of days):

|                        |              |
|------------------------|--------------|
| Current meet estimate: | <b>7,929</b> |
| Prior meet actual:     | <b>5,404</b> |

3. Non-overnight stakes:
- |                        |                |
|------------------------|----------------|
| Current meet estimate: | <b>500,000</b> |
| Prior meet actual:     | <b>500,000</b> |

Average Daily Purse (5A3 ÷ number of days):

|                        |               |
|------------------------|---------------|
| Current meet estimate: | <b>7,143</b>  |
| Prior meet actual:     | <b>10,417</b> |

### B. Stakes races:

1. Purse distribution for all stakes races:
- |                        |                  |
|------------------------|------------------|
| Current meet estimate: | <b>1,055,000</b> |
| Prior meet actual:     | <b>759,375</b>   |

Average Daily Purse (5B1 ÷ number of days):

Current meet estimate: 15,071

Prior meet actual: 15,820

2. Percentage of the purse distribution for all stakes races that will be distributed for California-bred stakes races:

Current meet estimate: 15.6%

Prior meet actual: 13%

Average Daily Purse (5B2 ÷ number of days):

Current meet estimate: .22%

Prior meet actual: .27%

- C. Funds to be generated for all California-bred incentive awards:

Current meet estimate: 1,033,569

Prior meet actual: 725,949

- D. Payment to each recognized horsemen's organization contracting with the association and the name(s) of the organization(s):

Recognized Horsemen's Organization

|                    | Current meet estimate: | Prior meet actual: |
|--------------------|------------------------|--------------------|
| CTT Pension        | 107,476                | 75,670             |
| CTT Administration | 53,738                 | 37,835             |
| TOC                | 107,476                | 75,670             |
| NTRA               | 70,317                 | 52,824             |
| Total              | 339,007                | Total 241,998      |

- E. Amount from all sources to be distributed in the form of purses or other benefits to horsemen (5A+5C+5D): Does not include starter purses per Section 19605.75 of B & P Code.

Current meet estimate: 12,137,214

Prior meet actual: 8,186,706

Average Daily Purse (5E ÷ number of days):

Current meet estimate: 173,389

Prior meet actual: 170,556

- F. Purse funds to be generated from on-track handle and intrastate off-track handle:

Current meet estimate: 8,786,324

Prior meet actual: 6,180,313

Average Daily Purse (5F ÷ number of days): 125,519

Current meet estimate: 128,757

Prior meet actual:

- G. Purse funds to be generated from interstate handle:

Current meet estimate: 1,961,322

Prior meet actual: 1,368,522

Average Daily Purse (5G ÷ number of days):  
 Current meet estimate: **28,019**  
 Prior meet actual: **28,511**

H. Bank and account number for the Paymaster of Purses' purse account:

**Wells Fargo--# On File**

I. Name, address and telephone number of the pari-mutuel audit firm engaged for the meeting:

**Bowen McBeth, 10722 Arrow Route, Suite #110, Rancho Cucamonga, CA 91730, (909) 944-6465**

**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 association; **shall not** be transferred to a parent corporation outside the State of California; 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 association 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 association 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 association is entitled 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 association 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 association 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: **900**
- B. Minimum number of stalls believed necessary for the meeting: **2,400**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **1,500**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site: **Golden Gate Fields-1,300, Pleasanton-assume 200 of the 684 stalls will be utilized**
- E. Attach each contract or agreement between the association and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.

### **Northern California Vanning and Stabling Agreement**

Complete subsections F through H if the association 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: **1,534**

- G. Estimated cost to provide off-site stalls for this meeting. **\$1,017,390** Show cost per day per stall: **\$7.07**
- H. Estimated cost to provide vanning from off-site stalls for this meeting. **\$177,100** Show fees to be paid for vanning per-horse: **\$115 per horse from Golden Gate to Bay Meadows**

**7. PARI-MUTUEL WAGERING PROGRAM**

- A. Pursuant to B&P Code Section 19599, and with the approval of the CHRB, associations 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), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

|               | TYPE OF WAGERS  | APPLICABLE RULES  |
|---------------|---|---|
| Example Race: | \$1 E; \$1 Double   | CHRB #1959; RCI #VE   |
| Race #1       | \$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF, \$1PPN, \$1PNP (P4)** | CHRB #1959, #1958, #1979, #1977, #1957, #1979.1, #1976.8, #1976.9 |
| Race #2       | \$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF                        | CHRB #1959, #1958, #1979, #1977, #1957, #1979.1                   |
| Race #3       | \$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF, \$2PNP (P6)*          | CHRB #1959, #1958, #1979, #1977, #1957, #1979.1, #1976.9          |
| Race #4       | \$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF                        | CHRB #1959, #1958, #1979, #1977, #1957, #1979.1                   |
| Race #5       | \$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF, \$1PNP (P4)**         | CHRB #1959, #1958, #1979, #1977, #1957, #1979.1, #1976.9          |
| Race #6       | \$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF                        | CHRB #1959, #1958, #1979, #1977, #1957, #1979.1                   |
| Race #7       | \$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF                        | CHRB #1959, #1958, #1979, #1977, #1957, #1979.1                   |
| Race #8       | \$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF                        | CHRB #1959, #1958, #1979, #1977, #1957, #1979.1                   |
| Race #9       | \$1E, \$2Q, \$1TRI, \$2DD, \$.10SF                                | CHRB #1959, #1958, #1979, #1957, #1979.1                          |
| Race #10      | \$1E, \$2Q, \$1TRI, \$.10SF                                       | CHRB #1959, #1958, #1979, #1979.1                                 |

- B. Maximum carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool: **Closing day, May 11, 2008**
- C. List any options requested with regard to exotic wagering:

**\*\$2 Pick (n) Pool (Pick 6) will be offered on the final six races of each card, with 70% to the major pool or carryover, and 30% to the minor pool.**

**\*\*\$1 PNP-4 will be offered on the first four and final four races of each card.**

**\*\*\*\$1 PPN (Place Pick (n) Pool will be offered on the first ten races of each card.**

Additional deduction provided by subdivision (a) of Section 19611.5 will be made.

- D. Will "advance" or "early bird" wagering be offered?  Yes  No  
 If yes, when will such wagering begin:

Advance/future pool wagering will be offered on the Kentucky Derby on dates TBD

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

Scientific Games-Terry McWilliams. Current contract expires 2012.

**8. ADVANCE DEPOSIT WAGERING (ADW)**

- A. Identify the ADW provider(s) to be used by the association for this race meeting:  
 TVG, YouBet, XpressBet & Twinspires.com

**9. SIMULCAST WAGERING PROGRAM**

- A. Simulcast organization engaged by the association to conduct simulcast wagering: **NCOTWINC**
- B. Attach the agreement between the association and simulcast organization permitting the organization to use the association'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. **On file**
- C. California simulcast facilities the association proposes to offer its live audiovisual signal:

**NORTHERN CALIFORNIA**

Alameda County Fair, Pleasanton  
 Bay Meadows, San Mateo  
 Big Fresno Fair, Fresno  
 California State Fair & Exposition, Sacramento  
 Club One, Fresno  
 Golden Gate Fields, Albany  
 Kern County Fair, Bakersfield  
 Monterey County Fair, Monterey  
 Redwood Acres Fair, Eureka  
 San Joaquin County Fair, Stockton  
 Santa Clara County Fair, San Jose  
 Shasta District Fair, Anderson  
 Solano County Fair, Vallejo  
 Sonoma County Fair, Santa Rosa  
 Stanislaus County Fair, Turlock  
 Tulare County Fair, Tulare

**SOUTHERN CALIFORNIA**

Barona Casino, Lakeside  
 Fantasy Springs Casino (Cabazon), Indio  
 Del Mar Thoroughbred Club, Del Mar  
 Hollywood Park, Inglewood  
 Desert Expo Centre, Indio  
 The Farmers Fair, Perris  
 Antelope Valley Fair, Lancaster  
 Santa Barbara County Fair, Santa Maria  
 Los Alamitos Racecourse, Los Alamitos  
 Mid-State Fair, Paso Robles  
 National Orange Show, San Bernardino  
 Fairplex Park, Pomona  
 Santa Anita, Arcadia  
 Viejas Casino & Turf Club, Alpine  
 Earl Warren Showgrounds, Santa Barbara  
 Sycuan Gaming Center, El Cajon  
 Ventura County Fair, Ventura  
 San Bernardino County Fair, Victorville

- D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal: **Attached**
- E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association:  
**Attached**

Bay Meadows Racing Association

2008 Out-of-State Export Locations

11/3/2007

| Common Pool Locations                      | Common Pool Locations                | Common Pool Locations                   |
|--|--------------------------------------|---|
| AmWest Entertainment                       | Hinsdale Greyhound Park              | Portland Meadows                        |
| Cypress Bayou Casino (LA)                  | Hinsdale Greyhound Park ADW          | Prairie Meadows                         |
| Rider's Up OTB (SD)                        | Horsemen's Park                      | Presque Isle Downs                      |
| Time Out Lounge (SD)                       | Hoosier Park @ Anderson              | Raceway Park                            |
| Triple Crown OTB (SD)                      | Horsemen's Park                      | Racing World                            |
| Arapahoe Park                              | Indiana Downs                        | Racing US                               |
| Arima Race Club                            | Evansville OTB                       | Victor Chandler                         |
| Arlington Park                             | Clarksville OTB                      | Raynham Taunton Greyhound               |
| Atlantic City Race Course                  | IRG                                  | Raynham Taunton Greyhound ADW (MA only) |
| Atokad Downs                               | Jackson Harness Raceway              | Remington Park                          |
| Balmoral Park/Maywood Park                 | Keeneland                            | Retama Park                             |
| Bangor Historic Track/Millers OTB          | Kentucky Downs                       | RGS                                     |
| Beulah Park                                | Lebanon Raceway                      | River Downs                             |
| Birmingham Race Course                     | Les Bois Park                        | Rockingham Park                         |
| Blue Ribbon Downs                          | Lewiston Raceway                     | Rockingham Park ADW (NH only)           |
| Bluff's Run Greyhound                      | Lien Games                           | Seabrook Greyhound                      |
| Buffalo Raceway                            | Chips Lounge and Casino              | Rosecroft Raceway                       |
| Calder Race Course                         | El Rancho Motor Hotel OTB            | Royal River Racing                      |
| Canadian Associations                      | Idaho Falls Racing OTB               | Ruidoso Downs                           |
| Canterbury Park                            | North Dakota Horse Park              | Sam Houston Race Park                   |
| Capital District OTB                       | Rumors OTB                           | Valley Greyhound Park                   |
| Catskill Regional OTB                      | Aberdeen Racing OTB                  | Saratoga Raceway                        |
| Charles Town Race Course                   | Mitch's Grandstand OTB               | Scarborough Downs                       |
| Choctaw Racing Services                    | Clubhouse Lounge @ ND Horse Park     | Scioto Downs                            |
| Oneida Bingo                               | Skydancer Casino OTB                 | Southland Greyhound                     |
| Comanche Nation Games                      | Lincoln Greyhound Park               | Sports Creek Raceway                    |
| Churchill Downs                            | Lone Star Park                       | Suffolk Downs                           |
| Churchill Downs Technology Initiatives-ADW | Louisiana Downs                      | Pat's Pizza OTB (ME)                    |
| Coeur d'Alene Casino & Acct. Wagering      | LVDC                                 | Suffolk Regional OTB                    |
| Colonial Downs                             | Atlantis Paradise Island Casino      | Sunland Park                            |
| Colonial Downs ADW (VA only)               | Cities of Gold/Pojoaque              | SunRay Park                             |
| Columbus Races                             | Elite Turf Club                      | The Greyhound Park @ Post Falls         |
| Connecticut OTB                            | Elite Turf Club #2                   | The Lodge @ Belmont                     |
| Divi Carina Bay Casino                     | Elite Turf Club #3                   | The Lodge @ Belmont ADW (NH only)       |
| Ho-Chunk Casino                            | Elite Turf Club #4                   | The Meadows                             |
| John Martin's Manor                        | Foxwoods Resort and Casino           | Thisledown                              |
| Mohegan Sun Casino                         | Meskwaki Bingo & Casino              | Tioga Downs                             |
| Pony Bar Simulcast Center                  | Stables, The                         | Tri-State Greyhound                     |
| Randall James Racetrack                    | Manor Downs                          | TRN (US)                                |
| Royal Beach Casino                         | Maryland Jockey Club                 | TRNI (INTL)                             |
| Shoreline Star Greyhound                   | Meadowlands/Monmouth                 | Turf Paradise                           |
| Tole Investment Racing Service             | Meadowlands/Monmouth ADW (NJ only)   | Turfway Park                            |
| Corpus Christi Greyhound                   | Montana Simulcast Partners           | TVG                                     |
| Dairyland Greyhound Park                   | Monticello Raceway                   | Vernon Downs                            |
| Delaware Park                              | Mountaineer Park                     | Western Region OTB                      |
| Delta Downs                                | Mount Pleasant Meadows               | Wheeling Downs                          |
| Dover Downs                                | Nassau Regional OTB                  | Wichita Greyhound                       |
| Downs @ Albuquerque                        | Nebraska State Fair Park             | Will Rogers Downs                       |
| Ellis Park                                 | Nevada Pari-Mutuel Association       | Wonderland Greyhound                    |
| Emerald Downs                              | New Jersey Casinos                   | Woodlands                               |
| Evangeline Downs                           | Newport Jai-Alai                     | Wyoming OTB                             |
| Fair Grounds                               | New York City OTB                    | XpressBet                               |
| Fair Meadows                               | New York Racing Association          | Yavapai Downs                           |
| Finger Lakes                               | Northfield Park                      | Yonkers Raceway                         |
| Fonner Park                                | Cedar Downs OTB                      | Youbet                                  |
| Freehold Raceway                           | Northville Downs                     | Zia Park                                |
| Gillespie County Fair                      | Oaklawn Park                         |   |
| Global Wagering Solutions (MEC Intl.)      | Ocean Downs                          |   |
| MagnaBet                                   | Penn National                        |   |
| Great Lakes Downs                          | Penn National ADW (PA only)          |   |
| Greenetrack                                | Philadelphia Park                    |   |
| Gulf Greyhound Park                        | Philadelphia Park ADW (PA only)      |   |
| Harrath's Chester Downs                    | Plainridge Race Course               |   |
| Harrington Raceway                         | Plainridge Race Course ADW (MA only) |   |
| Hawthorne Race Course                      | Pocono Downs                         |   |
| Hazel Park                                 | Pocono Downs ADW (PA only)           |   |
|  |                                      | <b>Separate Pool Locations</b>          |
|  |                                      | Hipodromo Presidente Remon              |
|  |                                      | LV Disseminator (NV)                    |
|  |                                      | MIR/Caliente                            |

- 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":

**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 |
|--------------------|---------------------------|---|
| Arlington Park     | 04/02/08 through 05/11/08 | Full or Partial Cards                             |
| Calder             | 04/23/08 through 05/11/08 | Full or Partial Cards                             |
| Churchill Downs    | 04/26/08 through 05/11/08 | Full or Partial Cards                             |
| Fairgrounds        | 02/04/08 through 03/23/08 | Full or Partial Cards                             |
| Gulfstream         | 02/04/08 through 04/20/08 | Full or Partial Cards                             |
| Hastings           | 04/26/08 through 05/11/08 | Full or Partial Cards                             |
| Hawthorne          | 03/07/08 through 04/28/08 | Full or Partial Cards                             |
| Keeneland          | 04/04/08 through 04/25/08 | Full or Partial Cards                             |
| Laurel             | 02/04/08 through 04/16/08 | Full or Partial Cards                             |
| Lone Star          | 04/10/08 through 05/11/08 | Full or Partial Cards                             |
| NYRA               | 02/04/08 through 05/11/08 | Full or Partial Cards                             |
| Oaklawn            | 02/07/08 through 05/11/08 | Full or Partial Cards                             |
| Pimlico            | 04/17/08 through 05/11/08 | Full or Partial Cards                             |
| Tampa Bay          | 02/07/08 through 04/04/08 | Full or Partial Cards                             |
| Turf Paradise      | 02/04/08 through 05/04/08 | Full or Partial Cards                             |
| Turfway Park       | 02/04/08 through 04/03/08 | Full or Partial Cards                             |
| Woodbine           | 03/28/08 through 05/11/08 | Full or Partial Cards                             |

Additional cards and/or races pending negotiations

- G. For **QUARTER HORSE** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country quarter horse 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":

**QUARTER HORSE SIMULCAST RACES TO BE IMPORTED**

| Name of Host Track | Race Dates | Full Card or Selected Feature and/or Stakes Races |
|--------------------|------------|---|
|--------------------|------------|---|

**Wagering will be offered on all races conducted or imported by Los Alamitos**

- H. For **STANDARD BRED** racing associations, list the host tracks from which the association proposes to import out-of-state and/or out-of-country harness 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":

**HARNESS SIMULCAST RACES TO BE IMPORTED**

Name of Host Track      Race Dates      Full Card or Selected Feature and/or Stakes Races

**Wagering will be offered on all races conducted or imported by Sacramento Harness Association**

- I. For **ALL** racing associations, list imported simulcast races the association plans to receive 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

- J. For **ALL** racing associations, if any out-of-state or out-of-country races will commence outside of the time constraints set forth in B&P Code Sections 19596.2 and 19596.3, attach a copy showing the agreement by the appropriate racing association(s). **n/a**

**NOTICE TO APPLICANT:** All interstate wagering to be conducted by an association 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 an association is subject to the provision of B&P Code Sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every association shall pay over to the simulcast organization within 3 calendar days following the closing of wagering for any day or night 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 association shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each day or night 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.)

**10. CHARITY RACING DAYS**

- A. Name and address of the distributing agent (charity foundation) for the net proceeds from charity racing days held by the association: **Bay Meadows Racing Association shall act as its own distributing agent in conformity with Section 19554(e)**
- B. Names and addresses of the trustees or directors of the distributing agent: **See 9A above**
- C. Dates the association will conduct races as charity racing days OR:
- D. Will the association pay the distributing agent an amount equal to the maximum required under B&P Code Section 19550(b)?  Yes

**NOTICE TO APPLICANT:** Net proceeds from charity racing days shall be paid to the designated and approved distributing agent within 180 days following the conclusion of the association's race meeting in accordance with the provisions of B&P Code Section 19555. Thereafter, the distributing agent shall distribute not less than 90% of the aggregate proceeds from such charity racing days within 12 calendar months after the last day of the meeting during which the charity racing days were conducted and shall distribute the remaining funds as soon thereafter as is practicable. At least 20% of the distribution shall be made to charities associated with the horse racing industry in accordance with the provisions of B&P Code Section 19556(b).

## 11. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

## A. Racing officials nominated:

|                             |  |
|-----------------------------|--|
| Association Veterinarian(s) | Forrest Franklin, Track Veterinarian<br>Diane Isbell, Examining Veterinarian |
| Clerk of Scales             | Ken Sjordal  |
| Clerk of the Course         | Tina Walker  |
| Film Specialist             | Ken Sjordal  |
| Horse Identifier            | Patrick Kealy  |
| Horseshoe Inspector         | Jack Hammonds  |
| Paddock Judge               | Ella Robinson  |
| Patrol Judges               | Ella Robinson, Myra Truitt   |
| Placing Judges              | Steve Martinelli, Greg Brent   |
| Starter                     | Chuck Burkes   |
| Timer                       | Richard Somers   |

## B. Management officials in the racing department:

|                            |                            |
|----------------------------|----------------------------|
| Director of Racing         | Richard Lewis              |
| Racing Secretary           | Tom Doutrich               |
| Assistant Racing Secretary | Greg Brent, Linda Anderson |
| Paymaster of Purses        | Peggy Morsi                |

## Others (identify by name and title)

|                            |                   |
|----------------------------|-------------------|
| Asst Clerk of Scales       | Bob McGrath       |
| Main Track Superintendent  | Robert Turman     |
| Turf Track Superintendent  | Bernie Eastridge  |
| Price Maker                | Richard Somers    |
| Stable Area Superintendent | Jerry Lynn Hunter |

C. Name, address and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards: **Christine Niccoli, Niccoli Reporting Associates, 619 Pilgrim Drive, Foster City, CA 94404 (650) 573-9339**

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), 12/31/08**

## E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.

**Bay Meadows Video Department, led by Jim Fetter, supplies the video equipment to record all races. Seven color cameras, twenty-one videotape recorders, and nine video monitors are utilized.**

**Cameras for dirt and turf tracks include:**

**Pan camera #1 (tight pan) aligned with finish lines, just above photo finish camera on grandstand roof**

**Pan camera #2 (wide pan) located next to tight pan camera**

**3/8 tower camera aligned with backstretch of dirt track**

**1/4 tower camera aligned with front stretch of turf course (rear view)**

**7/8 tower camera aligned with front stretch of dirt track**

**7/8 pan/tilt/zoom remote controlled camera aligned with turf course front stretch (head on)**

**5/16 pan/tilt/zoom remote controlled camera**

**Highlight camera follows lead horses down the stretch from near-ground level**

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: **Electronic timer, installed and maintained by Bay Meadows personnel**

## 12. SECURITY CONTROLS

A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. **Michael Scalzo, VP Operations & Security. Organizational chart & list of security personnel attached**

B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis:

|                               |           |
|-------------------------------|-----------|
| <b>Uniformed guards</b>       | <b>21</b> |
| <b>Plain clothesmen</b>       | <b>2</b>  |
| <b>Stable gate attendants</b> | <b>5</b>  |

1. Attach a written plan for enhanced security for graded/stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention barns. **Attached**

2. Detention Barns:

A. Attach a plan for use of graded stakes or overnight races. **Attached**

B. Number of security guards in the detention barn area during a 24-hour period. **4**

C. Describe number and location of surveillance cameras in detention barn area. **Attached**

3. TCO2 Testing:

A. Number of races to be tested, and number of horses entered in each race to be tested.

**Applicant will follow CHRB staff directives to insure compliance with CHRB Rule 1843.6**

B. Plan for enhanced surveillance for trainers with high-test results.

**Applicant will follow CHRB staff directives to insure compliance with CHRB Rule 1843.6**

C. Plan for detention barns for repeat offenders.

**Applicant will follow CHRB staff directives to insure compliance with CHRB Rule 1843.6**

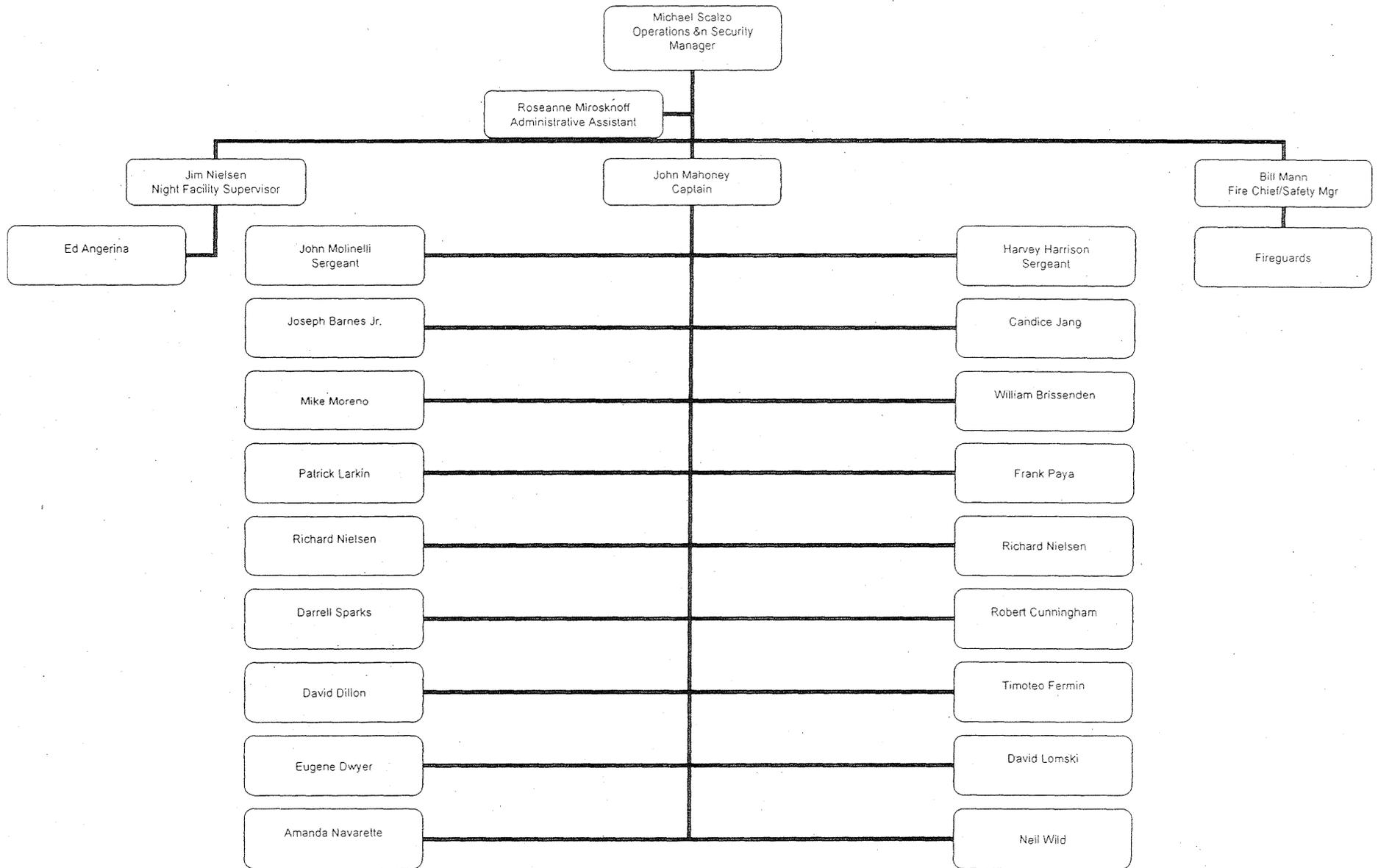
D. Number of security personnel assigned to the TCO2 program.

**As needed per direction of CHRB staff**

C. Describe the electronic security system:

**Security alarm systems, including cameras, motion and contact sensors, monitored by Hue & Cry, cover the administrative offices, mutuel, catering and operations money rooms. Surveillance systems with time-lapse recorders monitor key locations throughout the plant and parking lot.**

# Bay Meadows – Security Department Organizational Structure



**Bay Meadows – 2008 Security Personnel**

Security Office Phone #           (650) 573-4535  
Stable Gate Phone #               (650) 573-4577

Scalzo, Michael, VP Operations and Security  
Office# (650) 573-4540  
Cell # (650) 222-8153

Staff Members:

Nielsen, James  
Angerina, Ed  
Barnes Jr, Joseph  
Bottari, Robert  
Brissenden, William  
Cook, Robert  
Cunningham, Robert  
Dillon, David  
Dwyer, Eugene  
Eitel, Calvin  
Ferman, Tomoteo  
Harrison, Harvey  
Hart, Gregory  
Jang, Candace  
Larkin, Patrick  
Lomski, David  
Mahoney, John  
Mann, Bill  
Mirosnkoff, Roseanne  
Molinelli, John  
Moreno, Michael  
Navarrete, Amanda  
Nielsen, Richard  
Paya, Frank  
Plunkett, Todd  
Sparks, Darrell  
Wild, Neil

Attachment to BMRA License Application**12. SECURITY CONTROLS**

B-1, B-2 and C-1

Plan for Graded Stakes/Races of \$100,000 or more

When a Graded Stakes Race or race with a purse of \$100,000 or more is conducted at Bay Meadows, the following procedures are implemented to enhance security:

- Richard Lewis, Director of Racing, provides a list of starters to Michael Scalzo, VP Operations and Security. The list, which is compared to the day's official racing program, contains the following information:
  1. Name of Horse
  2. Name of Trainer or Substitute Trainer
  3. Name of Groom
  4. Name of Veterinarian
  5. Barn number where horse is stabled
  6. Stall number in barn where horse is stabled
  
- To supplement the normal security staff assigned to the barn area, "Special security" personnel are assigned to each horse's stall and surveillance begins six (6) hours before the official start of the race. The number of special security personnel is dependent upon the number of entrants in the race.
  
- The special security people attend an instructional meeting early in the morning of the race; instructions include:
  1. The specific assignment details for the individual horse assigned each guard.
  2. A briefing on race day medication rules, provided by a California Horse Racing Board representative.
  3. A briefing on the dynamics of horse racing and racing operations by Richard Lewis, Coordinator of Racing Operations.
  4. A briefing on general operations procedures as they relate specifically to the Bay Meadows Racecourse.
  5. Each guard is given a packet which includes an official racing program and a form provided by the CHRB which is to be signed by the attending veterinarian at the time of the administration of furosemide or estrogens for all horses registered as bleeders. The form notes the name of the Horse, Trainer, Veterinarian, Race Number, Barn Number, Stall Number, Official Post Time, Administered Time of Bleeder Medication and Number of injections/syringes.
  6. Each individual is given a video camera to record any and all activity involving individuals entering and exiting their assigned horse's stall. Guards are instructed to first direct their camera recording to the posted number of the stall to confirm that the video is directed at the assigned runner. Guards are instructed to videotape the attending veterinarian at the time of his or her administering the furosemide and/or estrogen shot for those horses registered as bleeders.
  7. Each guard is instructed to monitor any suspicious activity or activity they don't understand, and to contact the VP of Operations and Security if and when suspicious activities may take place.

8. Guards are instructed to station themselves as close to the assigned horses' stall as possible, without jeopardizing safety, and are to remain in view of the horses' stall.
  9. Each guard is instructed to follow, on foot, the horse and handlers to the receiving barn before the race is run.
  10. Each guard is instructed to meet the VP of Operations & Security at the receiving barn, where he or she will return the video camera and any notes he/she may have taken pertaining to the day's surveillance. At this time, there will be a discussion with all guards relating to the day's activities.
- Video surveillance tapes are saved until all test results have been determined to be negative.
  - CHRB investigators coordinate with the BMRA special surveillance team. Investigators are encouraged to visit the location of all participating horses in the graded/stakes race(s) of the day.

Detention Barn Plan & Number and Location of surveillance cameras in detention barn area:

In January, 2005, a new surveillance system was installed in Barn One, which is the barn mostly frequently utilized by horses shipping in to run at Bay Meadows. Barn One is 360' long by 180' wide, and has ten exits and entrances. It contains approximately 162 stalls, and houses the receiving barn area, transit and detention stalls. Surveillance equipment includes a 16 camera, 180 GB digital recording system. The installation of surveillance equipment in Barn One enables the company to better monitor the activity of horses and persons entering and exiting Barn One and the stable gate area, which is roughly fifty feet away.

One camera has been strategically placed to monitor the stable gate entrance, two cameras monitor designated detention stalls, and the balance have been placed to provide surveillance of the entrances and exits to the barn.

The recorder is kept in a secure housing in a locked communications room in the Barn building. A password is required before any action can be taken on the recording system.

The cameras are powered from a common power supply located, with the recorder, in the communications room. The entire system is powered with a UPS power back-up, and will continue to operate during a power failure.

All cameras generate their own infra-red light source, so they provide a viewable image even in "total" darkness. They operate in color during the day, and convert to black-and-white in dark lighting conditions.

The digital recorder records all cameras at full frame. Recording options include resolution quality and motion detection. In motion detection mode, video frame recording commences only when motion is detected within selected areas, which saves on hard-drive storage space. The amount of time that can be stored before re-recording over existing material occurs is dependant upon the amount of barn activity. If all cameras recorded 24 hours a day, 7 days a week, at the highest resolution setting, the 180 GB drive would begin re-writing over existing data within about 48 hours. With standard resolution and motion detection engaged, recording time falls between 5 and 10 days before re-writing begins.

1. Location and number of video surveillance cameras for the detention barn and stable gate.  
**Attached**

- D. For night racing associations. Describe emergency lighting system:  
**Bay Meadows has five diesel electric generators that power backup lighting systems. Normally, the generators are run only in the case of a PG & E failure. On nights during which evening cards are conducted, the generator connected to the twenty-four 1,500 watt metal halide lights on the roof is turned on in order to insure that there is no transfer lag time should there be a PG & E failure. Three portable 4-lamp, 1,000 watt metal halide generator sets, one in the corporation yard, one at the quarter chute entrance, and one in the south parking lot adjacent to the jockeys room, are also utilized. The emergency lighting system provides power not only to the track lights, but to key areas such as totalizator, computer, phone, and money rooms, public address systems, and public areas in the grandstand and parking lots. Additionally, each barn is equipped with battery powered emergency lighting. To insure reliability, the generators are serviced bi-annually and are run for at least one hour each month.**

### 13. EMERGENCY SERVICES

- A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races:

**Bayshore Ambulance, Box 4622, Foster City, CA 94404 (650) 525-9700**

- B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:

|                                |                                      |
|--------------------------------|--------------------------------------|
| <b>Golden Gate Fields:</b>     | <b>Alameda County Fair:</b>          |
| <b>Turf Rescue, LLC</b>        | <b>American Medical Response</b>     |
| <b>19615 Barclay Road</b>      | <b>640 – 143<sup>rd</sup> Avenue</b> |
| <b>Castro Valley, CA 94546</b> | <b>San Leandro, CA 94577</b>         |
| <b>(510) 581-8470</b>          | <b>(510) 895-7600</b>                |

- C. Describe the on-track first aid facility, including equipment and medical staffing: **Attached**

- D. Name and emergency telephone number of the licensed physician on duty during the race meeting:  
**(If quarter horse racing association see D(1)):**

1. Name address and emergency telephone number of hospital located within 1.5 miles of the racetrack, which whom an agreement is in place to provide emergency medical services:

- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:

|                        |  |                       |
|------------------------|--|-----------------------|
| <b>Stanford</b>        | <b>300 Pasteur Drive, Palo Alto, CA 94305</b>      | <b>(650) 723-5111</b> |
| <b>Mills Peninsula</b> | <b>101 S. San Mateo Drive, San Mateo, CA 94401</b> | <b>(650) 696-4000</b> |

- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey: **Attached**

## Bay Meadows Racecourse Emergency Care and Medical Facilities

Bay Meadows has a comprehensive set of complementary human and physical resources that provide both a preventive and acute care safety net for its jockeys, track staff and allied personnel.

### Staffing

- **Board Certified Internist and Sport Medicine Practitioner** who provides rapid, context-sensitive patient care at the on-track urgent care center which is located in the same building as is the jockey's room. The physician is on duty from one hour prior to the first post until one hour after the last post, and is also available after hours for urgent consultations, care continuation and follow-up for special needs
- **Paramedic/Fire Guard** that provides ancillary support to the physician in the care of emergent patients with a special emphasis on jockeys that are injured on-track. The paramedic is responsible for transporting the physician together with resuscitative equipment in a lightweight four-wheel drive fire truck to the scene of the on-track accident
- **Safety Director**, a former Fire Chief for Woodside, CA, augments these resources by providing the third set of hands on the scene of an accident and managing emergency vehicle traffic to the most appropriate patient pick-up point.
- **Two Emergency Medical Technicians** from Bayshore Ambulance Company staff an on-track ambulance that follows at a safe distance the horses racing during each race. This ambulance and crew are present whenever horses are on the track (during both racing and training hours) and are responsible for initiating basic life support measures until the physician and paramedic arrive on the scene and can assume responsibility for directing care.

During live racing, this ambulance carries a comprehensive advanced cardiac life support suitcase (*Banyan 700*) that contains resuscitation, airways, and IV equipment, and scheduled medications that are used by the physician as needed at the scene of a track accident.

### Description of Medical Clinic:

The medical clinic comprises a group of rooms adjacent to the jockey's area in the building located just south of the Club House. The 950 square foot suite of rooms includes a reception area, private exam room, doctors' office, paramedic's office and restroom.

### Physical Resources

In addition to the ambulance and emergency response vehicle (a stand-by fire truck), Bay Meadows has a well equipped medical clinic that contains a wide range of equipment and commonly required medications and orthopedic supplies. These include:

#### **Diagnostic Equipment:**

- Otoscope
- Ophthalmoscope
- Telemedical cart (*CyberMDx TeleCart*) with 128-bit high resolution abdominal and cardiac ultrasound, 12 lead EKG and lung function testing. Tests can be sent immediately via high speed internet for specialist review and confirmation 24 hours a day. Ultrasound capabilities have life-saving utility in the screening and assessment of potential internal trauma – from pericardial tamponade (bleeding around the heart) to ruptured spleens and damaged kidneys. After the scan is done, the data can be sent via internet to the radiologist for definitive reading. The interpretive 12-lead ECG and echocardiography capability enables quick, comfortable and accurate initial evaluation of a range of potential heart problems, including myocardial bleeding and contusion due to chest wall trauma.

- Asthma is a very common and serious problem in the racing community. Having an integrated, full-fledged electronic spirometer at the bedside significantly improves the physicians' ability to rapidly measure patients baseline lung function and also evaluate the effectiveness of medical treatment
- Peak flow meter
- Stethoscope
- Blood pressure cuffs

**Therapeutic Equipment:**

- Electric vacuum suction pump to clear clogged airways. Heavy duty nebulizer for albuterol administration in cases of asthma and bronchitis
- Automatic cardiac debrillators – 2 units strategically positioned
- Anti-asthmatic – albuterol nebulizer and aerosol, solucortef IV and IM
- Intravenous fluid, including normal saline, normal saline with dextrose and Ringer's lactate
- Trauma bandages in a full set of sizes and shapes
- Wrist, arm, leg and ankle splints, arm slings for collar bone fractures
- Cervical collars for neck stabilization, back boards for spinal injuries
- Anti-emetics – metoclopramide, meclizine
- Anti-diarrheals – loperamine
- Anti-allergics – prednisone, diphenhydramine, loratidine
- Antihyperuricemics – indocid, allopurinol
- Analgesics and Antiinflammatories – acetaminophen, ibuprofen, naproxen, hydrocodone
- Antacids – bismuth subsalicylate, aluminum hydroxide, calcium carbonate, famotidine
- Anti-psychotics – procloperazine
- Anxiolytics – lorazepam, diazepam
- Anti-depressants – fluoxetine
- Electrolyte replacement – combined potassium, magnesium and calcium supplementation
- Anti-hypertensives – atenolol, hydrochlorothiazide, lisinopril, clonidine, diovan
- Endotracheal tubes of various sizes
- Antibiotics – amoxicillin, doxycycline, septrad, cephalexin
- Suture trays
- Sterile scalpels and sutures
- Fracture casting wool and tape
- Magnifying procedure lamps
- High flow ventilation fans for treatment of heat exhaustion
- Instant cold packs
- Adrenaline, atropine for cardiac arrest and acute anaphylactic reaction treatment
- Tetanus toxoid
- PPD for TB testing
- Pneumovax, and seasonally, influenza vaccination
- Phlebotomy supplies for CBC, comprehensive metabolic panel, lipid profile, coagulation profile, hepatitis profile, thyroid profile and STD testing

**Preventive Care Emphasized**

- Preventive care services are performed on an ongoing basis with an emphasis on improved jockey physical and mental health, nutritional optimization and avoidance of substance abuse.

Attachment to BMRA License Application - Section 13 F-1 in EnglishBay Meadows Racing Accident Response Procedures

In case of an accident on the racetrack, the following procedures are to be implemented.

Track Physician:

1. The track physician shall view all live races and shall report to the accident scene using the most expedient means available, normally utilizing the track's emergency response vehicle.
2. The track physician is responsible for the determination as to whether a "911" activation is necessary. If "911" activation is necessary, the fireguard/EMT will radio the Security Office, and the person then staffing the Security Office will be responsible for making the appropriate call to "911" over a land line.
3. The track physician and track ambulance crew will assume triage and patient care responsibilities.
4. It is wholly in the track physician's discretion as to whether or not an injured person shall be moved from the racetrack or whether "911" emergency vehicles or personnel should be brought to the scene of the accident.
5. If transport to a hospital is deemed necessary, the track physician will signify to those manning the "911" ambulance as to when his "patient care" has terminated.

Track Fireguard/EMT ("FEMT"):

1. The FEMT is responsible for insuring that the track's emergency vehicle is parked in the designated area (in close proximity to the jock's room). The track's emergency vehicle is to be utilized to facilitate the track physician's safe and timely arrival at the accident scene.
2. Whenever feasible, the FEMT shall position himself in the track physician's office just prior to and during the running of all races.
3. The FEMT shall utilize the track's emergency vehicle to chauffeur the track physician to the scene of the accident if the scene is not within walking distance. If the FEMT is attending to another emergency, the assistant clerk of scales shall chauffeur the track physician to the accident scene, and the FEMT shall proceed to the scene of the accident as soon as possible. The FEMT shall confirm that the ambulance has responded appropriately.
4. Upon arrival at the scene of the accident, the FEMT will assume the role of scene manager, and will coordinate all incident related activities.
5. The FEMT shall act as a liaison between track physician and any municipal fire department/emergency services.
6. The FEMT will determine the best way for county emergency vehicles to reach the accident scene. The scene manager will confirm security escorts and the entry/rendezvous point.
7. Following communication with emergency services, the FEMT shall assist track physician and track ambulance crew in treatment of injured persons.
8. If any municipal fire department/emergency service provider is called to the scene, the FEMT shall deliver medical demographic information to the emergency responders. Such information shall be maintained in the track physician's office.
9. As soon as reasonably possible, the FEMT shall communicate to a member of the senior management team the perceived number of injured persons and horses, the severity of their injuries, the hospital to which any jockey is being transported, and the estimated time until the track can be reopened.

Security:

1. The Security Office is responsible for making the land line phone call to the appropriate party upon direction to do so from the track physician or FEMT.
2. As soon as possible, a member of the track security staff shall report to the scene of the accident and thereafter take direction from the FEMT responsible for the accident scene management. The track security representative shall be responsible for keeping bystanders away from the accident scene.
3. A member of the track security staff shall proceed to the Jockey's Room to secure the ambulance transfer area and prevent visitation from bystanders/unnecessary people.
4. A member of the track security staff shall be responsible for escorting emergency vehicles from the Delaware Street entrance to the correct rendezvous site.
5. The security staff shall be responsible for all "crowd control" activities.

Bay Meadows Racing Accident Response Procedures (continued)Racing Staff/Track Veterinarian:

1. Upon arrival at the scene, the Outrider should hold the injured horse in order to prevent further harm to people, horses and property.
2. Horses with severe injuries should be transported off the track via the horse ambulance whenever it is practical to do so.
3. The track vet, (or the vet representing the trainer of the horse if he or she is at the scene), shall make the decision as to the necessity of euthanasia on the track.
4. Should a horse require euthanasia on the track, whenever feasible, the screen blocking the public's view of the injured horse shall be set-up prior to the euthanasia procedure.
5. Outriders are responsible for the removal of any debris from the racetrack following removal of injured person or injured horse from the track.

Plant Staff:

1. The Horse Ambulance should travel immediately to the scene of an accident whenever it appears that a horse will require transport.
2. Members of the plant department who are near the accident site shall assist in screening accident scene from public view and shall take direction from the FEMT that is responsible for the management of the accident scene.
3. Members of the plant department shall assess the need to repair fence, gates, etc., and take appropriate corrective action.

Announcer:

1. The announcer shall make riders aware of the details of the situation (such as the location of a loose horse, the necessity to pull up, etc.), enabling them to take the necessary steps to mitigate additional problems.

Senior Management:

1. A senior management representative should quickly proceed to the location on the racetrack where the accident has occurred. The manager should report to other members of management team as to the accident status.
2. An additional member of the management team should report to the video department in order to monitor the scene, and access the extent of video coverage to be transmitted to the public.
3. A member of the management team should provide input as to announcements to be made by the track announcer.
4. A member of the senior management team should be responsible for seeing that information regarding the accident is communicated to family members of the injured. Efforts need to be made to escort family members to the hospital, if necessary. In this regard, a current compilation as to who should be notified in the case of an injured jockey is kept on file.
5. All public address announcements and responses to press inquiries are within the sole purview of the senior member of the management team then available.

All Department Heads:

1. All Department heads shall communicate to their employees that, although intentions are good, the treatment of injured rider must be left up to trained personnel, and all other employees must stay away from the scene of an accident.

### Procedimiento en caso de Accidente en Bay Meadows

De ocurrir un accidente en el hipódromo, se debe hacer lo siguiente:

#### Médico del hipódromo:

1. Debe ver todas las carreras en vivo y acudir al lugar del accidente usando el medio de transporte más rápido que esté disponible, en la mayoría de los casos es el vehículo de emergencia del hipódromo.
2. Deberá decidir si se llama al 911. De ser necesario, entonces el fireguard llamará por radio al Oficial de Seguridad y el guardia que esté encargado en ese momento de la Oficina de Seguridad será responsable de hacer la llamada al 911 desde un teléfono.
3. El médico del hipódromo y el personal de la ambulancia harán lo necesario para tratar a la(s) víctima(s).
4. Es decisión del médico del hipódromo trasladar o no a la persona herida fuera del hipódromo o de lo contrario que el personal y el vehículo del 911 vaya al lugar del accidente.
5. Si se necesita un transporte al hospital entonces el médico del hipódromo les dirá a aquellos que están encargados de la ambulancia cuándo su responsabilidad por el cuidado del paciente termina.

#### Guardia contra incendios/Paramédicos/EMT

1. Son responsables de que el vehículo de emergencia del hipódromo esté estacionado en el área designada (cerca del cuarto de los jinetes/jockeys). El vehículo de emergencia del hipódromo debe ser usado para facilitar la llegada segura y a tiempo del médico al lugar del accidente.
2. Cuando sea posible, el Guardia/Paramédico deberá estar en la oficina del médico del hipódromo antes y durante todas las carreras.
3. El Guardia/Paramédico deberá usar el vehículo de emergencia del hipódromo para transportar al médico al lugar del accidente, si es que no se puede llegar caminando. Si el Guardia/Paramédico está atendiendo otra emergencia, el assistant clerk of scales tendrá que llevar al médico al lugar del accidente, y después el Guardia/Paramédico irá tan pronto como le sea posible. El Guardia/Paramédico deberá confirmar que la ambulancia ha respondido adecuadamente al llamado.
4. El Guardia/Paramédico apenas llegan al lugar del accidente, tienen que ser responsables de la coordinación de todo lo que sea necesario con respecto al incidente.
5. El Guardia/Paramédico serán el nexo entre el médico del hipódromo y el departamento de bomberos o emergencias.
6. El Guardia/Paramédico determina la mejor forma para que los vehículos de emergencia del condado puedan llegar al lugar del accidente. La persona a cargo en el lugar de los hechos confirmará la presencia de escoltas y el punto de entrada o de reunión.
7. Después de haberse comunicado con los servicios de emergencia, el Guardia/Paramédico deberá ayudar al médico y al personal de emergencia del hipódromo en el tratamiento de los accidentados.
8. Si se ha llamado al departamento de bomberos/emergencia para que acudan al lugar del accidente, el Guardia/Paramédico les deberá proporcionar toda la información médica pertinente. Dicha información deberá guardarse en la oficina del médico del hipódromo.
9. Tan pronto como sea posible, el Guardia/Paramédico deberá comunicar a la gerencia el número de personas o caballos accidentados, la severidad de sus lesiones, el nombre del hospital al que se ha trasladado al jockey, y el tiempo estimado para que se vuelva a abrir la pista.

#### Seguridad:

1. La Oficina de Seguridad es responsable de realizar la llamada telefónica a la parte correspondiente, una vez que haya recibido tal instrucción del médico o del Guardia/Paramédico del hipódromo.
2. Tan pronto como sea posible, un miembro de seguridad del hipódromo deberá reportarse al lugar del accidente y desde ahí recibir las instrucciones del Guardia/Paramédico responsable del lugar del accidente. El miembro de seguridad será responsable de mantener a los transeúntes fuera del lugar del accidente.
3. Un miembro del departamento de seguridad del hipódromo se acercará al cuarto del jockey para asegurar el área donde la ambulancia estará y prevenir que transeúntes y personas ajenas se acerquen.
4. Un miembro de seguridad del hipódromo será responsable de escoltar a los vehículos de emergencia desde la entrada Delaware Street hasta el lugar correcto de encuentro.
5. Los miembros de seguridad serán responsables de controlar a la multitud.

Personal de Carreras/Veterinario del Hipódromo:

1. Una vez en el lugar del accidente, el Outrider/escolta deberá sujetar al caballo herido para evitar que lastime a la gente, a otros caballos o a la propiedad.
2. Los caballos muy mal heridos deberán ser sacados de la pista con la ambulancia para caballos, siempre que sea posible hacerlo de esa manera.
3. El veterinario del hipódromo (o el veterinario que representa al entrenador del caballo, si está presente en el lugar del accidente) deberá decidir si se sacrifica al caballo en la pista.
4. Si el caballo necesita ser sacrificado en la pista, siempre y cuando sea posible hacerlo, se debe colocar la pantalla/screen para tapar la vista al público, antes de iniciar el procedimiento de sacrificio del animal.
5. Los Outriders son responsables de remover cualquier desecho en la pista después de que la persona o caballo accidentado haya sido trasladado del lugar.

Personal de Planta/Plant Staff:

1. La Ambulancia de Caballos deberá trasladarse inmediatamente al lugar del accidente siempre que un caballo esté severamente lesionado y necesite transporte.
2. Los miembros del departamento de planta que estén cerca del accidente deberán ayudar a tapar el lugar para que el público no pueda ver lo que sucede, además deberán recibir instrucciones del Guardia/Paramédico responsable del lugar del accidente.
3. Los miembros del departamento de planta deberán evaluar si es necesario reparar cercas, puertas, etc. y hacer lo que sea necesario.

Locutor:

1. El locutor deberá informar a los jinetes acerca de los detalles de la situación (como la ubicación del caballo suelto, la necesidad de adelantar, etc.) para que puedan hacer lo necesario y mitigar otros problemas.

Gerencia:

1. Un representante de la gerencia se apersonará rápidamente al lugar del accidente en el hipódromo. El gerente informará a los otros gerentes sobre las lesiones sufridas.
2. Otro representante de la gerencia deberá informar al departamento de video para monitorear la escena y ver la cobertura de video que será transmitida al público.
3. Un miembro de la gerencia deberá aportar con información sobre los anuncios que deberá hacer el locutor.
4. Un miembro de la gerencia será responsable de ver que la información con respecto al accidente sea dada a los familiares de los heridos. Se debe hacer lo necesario para acompañar a los familiares a los hospitales, de ser el caso. Al respecto, es necesario tener un registro de la persona a quien se debe comunicar en caso de que un jockey sufra un accidente.
5. Todos los anuncios públicos y respuestas a la prensa las realiza únicamente el funcionario de gerencia de alto nivel que se encuentre disponible en ese momento.

Todos los Jefes de Departamento:

1. Todos los Jefes de Departamento deben comunicar a sus empleados que, a pesar de que las intenciones sean buenas, el tratamiento de un jinete/jockey herido debe ser realizado por el personal calificado para ello, y todos los demás empleados deben permanecer lejos del lugar del accidente.

- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to B& P Code 19481.3(d):  
**Bill Mann, Safety Manager**  
**Richard Lewis, Director of Racing**
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises. **Attached**
- I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details): **AIG WC - On File**
- J. 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 that secures the liability of the association for payment of workers' compensation. **On file**

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall pursuant to B&P Code 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in Section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

#### 14. 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:

Tip Sheets: Jacqueline Wasserman/Jack's Blue Card, 127 Sun Avenue, Hayward, CA 94544  
 Armored Car: Loomis Armored Car. P. O. Box 44196, San Francisco, CA 94104  
 Program Printing: Del Mar Graphics, c/o Golden Gate Fields., 1100 Eastshore H-way, Albany, CA 94706  
 Track Photographer: Vassar Photography, 1167 Sapphire Drive, Livermore, CA 94550  
 Jockey's Laundry: F. Lorene Dutton/Bailey's Mobile Laundry, 3263 Vineyard Ave., Pleasanton, CA 94566  
 Starting Gate: Mike Costello/United/Puett Starting Gate Co., P. O. Box 18, S. Salem, NY 10590

#### 15. ON-TRACK ATTENDANCE/FAN DEVELOPMENT

- A. Describe any promotional plans: **Attached**
- B. Number of hosts and hostesses employed for meeting:  
**Seven group sales hosts and hostesses, one "handicapping 101" staffer, two tour guides, two greeters, (one located next to the general admission program seller and one located in the clubhouse lobby area), ten mutuel customer service aides, four mutuel information windows and five marketing aides.**

# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

Page 1 of 2

12/20/2007

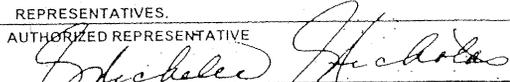
|  |  |   |   |
|--|--|---|---|
| PRODUCER<br>Willis North America, Inc.<br>26 Century Blvd.<br>P. O. Box 305191<br>Nashville, TN 372305191                                |  | 877-945-7378  | THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. |
| INSURED<br>Bay Meadows Racing Association<br>C/C Hollywood Park<br>ATTN: Teresa Kallman<br>1050 S. Prairie Avenue<br>Ingelwood, CA 90301 |  | INSURERS AFFORDING COVERAGE<br>INSURER A: New Hampshire Insurance Co.<br>INSURER B:<br>INSURER C:<br>INSURER D:<br>INSURER E: | NAIC#<br>23841-100  |

**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | ADD'L INSRD | TYPE OF INSURANCE   | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS   |  |
|----------|-------------|---|---------------|----------------------------------|-----------------------------------|--|--|
|          |             | GENERAL LIABILITY<br><input type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC |               |                                  |                                   | EACH OCCURRENCE \$<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$<br>MED EXP (Any one person) \$<br>PERSONAL & ADV INJURY \$<br>GENERAL AGGREGATE \$<br>PRODUCTS - COMP/OP AGG \$ |  |
|          |             | AUTOMOBILE LIABILITY<br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> ALL OWNED AUTOS<br><input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> HIRED AUTOS<br><input type="checkbox"/> NON-OWNED AUTOS   |               |                                  |                                   | COMBINED SINGLE LIMIT (Ea accident) \$<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$                                    |  |
|          |             | GARAGE LIABILITY<br><input type="checkbox"/> ANY AUTO   |               |                                  |                                   | AUTO ONLY - EA ACCIDENT \$<br>OTHER THAN AUTO ONLY: EAACC \$<br>AGG \$   |  |
|          |             | EXCESS/UMBRELLA LIABILITY<br><input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE<br>DEDUCTIBLE<br>RETENTION \$  |               |                                  |                                   | EACH OCCURRENCE \$<br>AGGREGATE \$<br>\$<br>\$   |  |
| A        |             | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?<br>If yes, describe under SPECIAL PROVISIONS below<br>OTHER  |               | 1/1/2008                         | 1/1/2009                          | <input checked="" type="checkbox"/> WC STATU-TORY LIMITS<br><input type="checkbox"/> OTH-ER  | E.L. EACH ACCIDENT \$ 1,000,000<br>E.L. DISEASE - EA EMPLOYEE \$ 1,000,000<br>E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS  
 THIS VOIDS AND REPLACES PREVIOUSLY ISSUED CERTIFICATE DATED: 12/18/2007 WITH ID:

|  |  |
|--|--|
| <b>CERTIFICATE HOLDER</b><br><br>California Horse Racing Board<br>ATTN: John Reagan<br>1010 Hurley Way, Suite #300<br>Sacramento, CA 95825 | <b>CANCELLATION</b><br>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.<br>AUTHORIZED REPRESENTATIVE<br> |
|--|--|

## Section 15 A – Promotional Plans

Activities and promotions throughout the season will highlight the storied history of Bay Meadows. A centerpiece of the plan is the Sunday Fan Appreciation Day program. As detailed below, on most Sundays, a portion of the Bay Meadows Winner's Circle list will be invited to attend the races, in the Turf Club, completely free of charge, with lunch included. This program is intended as a thank-you to loyal fans for years of attendance. A similar program conducted during the recently completed Fall Meet proved to be hugely popular, with many fans sending thank you notes to track management to show their appreciation.

Following is the promotion plan for the Winter/Spring 2008 Meet, and an outline of the advertising that will be utilized to promote the plan.

Monday, February 4 – Opening Day – A coupon for free general admission will be included in the first direct mail piece, which will be sent to approximately 35,000 people who have previously signed up for the mailing list.

Thursday, February 7 – Every Thursday, there will be free General Admission for Winner's Circle Club Members. Membership to the Winner's Circle is free and members receive benefits such as free daily admission and points for wagers. February 7th is Chinese New Year, and we will offer a coupon promotion advertised in Asian Week Newspaper; readers of the newspaper will be able to redeem a coupon at the racetrack for a free lucky red envelope, which will contain a mystery mutuel voucher.

Saturday, February 9 – Giveaway #1 – The first promotional giveaway for the Meet will be a hooded sweatshirt. This high quality item is similar to one given away at Hollywood Park in December of 2007.

Sunday, February 10 (and each subsequent Sunday, with the exception of Easter Sunday and Mothers' Day) – Fan Appreciation Sunday. As a way to say thanks to loyal fans, approximately 1,000 of Bay Meadows' best customers will receive invitations to attend the races as our guests in the Turf Club. The package will include free admission and a free buffet for two.

Monday, February 11 (and each subsequent Monday) – Double Winner's Circle Points

Thursday, February 14 – Free Admission for Winner's Circle Club Members

Saturday, February 16 – Free Day on Us #1 – 12,000 of the top Bay Meadows customers will receive coupons inviting them to enjoy a free day at the races. This package includes free Club House admission, a free program and a free Daily Racing Form for each customer.

Sunday, February 17 – Fan Appreciation Sunday

Monday, February 18 (Presidents' Day) – Giveaway #2 – A Bay Meadows Windbreaker Shirt will be given away to all fans, with paid admission. Satellite facilities are invited to participate in the promotion. Double Points to Winner's Circle Members.

Thursday, February 21 – Free Admission for Winner's Circle Club Members

Saturday, February 23 – Snow Meadows Family Day – The Infield Park will be transformed into a winter wonderland, including a snow mountain for sledding and a play area for Snowman making. Admission for children 17 and under, accompanied by an adult, is free.

Sunday, February 24 – Fan Appreciation Sunday

Monday, February 25 – Double points to Winner's Circle Members.

Thursday, February 28 – Free Admission for Winner's Circle Club Members

Saturday, March 1 – Simulcast of Big 'Cap from Santa Anita – Mystery Mutuel Voucher #1 – All customers on the Bay Meadows mailing list will receive a Mystery Mutuel Voucher worth anywhere from \$2 to \$5,000. Redemption will also be available at participating satellite wagering facilities.

Sunday, March 2 – Fan Appreciation Sunday

Monday, March 3 – Double Points to Winner's Circle Members

Thursday, March 6 – Free Admission for Winner's Circle Club Members

Saturday, March 8 – El Camino Real Derby – T-Shirt Giveaway (#3)

Sunday, March 9 – Fan Appreciation Sunday

Monday, March 10 – Double Points to Winner's Circle Members

Thursday, March 13 – Free Admission for Winner's Circle Members

Saturday, March 15 – Free Day on Us #2

Sunday, March 16 – Fan Appreciation Sunday

Monday, March 17 – St. Patrick's Day – Food and Drink specials (Corned Beef and Cabbage, \$1 Green Beers). Double Points to Winner's Circle Members

Thursday, March 20 – Free Admission for Winner's Circle Members

Friday, March 21 – Good Friday

Sunday, March 23 – Easter Brunch/Easter Family Day featuring an Easter egg/candy hunt; free admission for children when accompanied by an adult.

Monday, March 24 – Double Points to Winner's Circle Members.

Thursday, March 27 – Free Admission for Winner's Circle Members

Sunday, March 30 – Fan Appreciation Sunday

Monday, March 31 – Double Points to Winner's Circle Members

Thursday, April 3 – Free Admission for Winner's Circle Members

Friday, April 4 – Friday's Alive #1 – Friday's Alive features live racing, live music between races, \$1 Hot Dogs, sodas, and beers (until 8:00 PM).

Saturday, April 5 – Santa Anita Derby – Mystery Mutuel Voucher #2

Sunday, April 7 – Fan Appreciation Sunday

Monday, April 8 – Double Points to Winner's Circle Members

Thursday, April 10 – Free Admission for Winner's Circle Members

Friday, April 11 – Friday's Alive #2

Saturday, April 12 – Messenger Bag Giveaway #4– with Mystery Mutuel Vouchers in a select number.

Sunday, April 13 – Fan Appreciation Sunday

Monday, April 14 – Double Points to Winner's Circle Members

Thursday, April 17 – Free Admission for Winner's Circle Members

Friday, April 18 – Friday's Alive #3

Saturday, April 19 – Bay Meadows/Daily Racing Form NTRA Handicapping Tournament

Sunday, April 20 – Fan Appreciation Sunday

Thursday, April 24 – Free Admission for Winner's Circle Members

Friday, April 25 – Friday's Alive #4

Saturday, April 26 – Day on Us #3

Sunday, April 27 – Fan Appreciation Sunday

Thursday, May 1 – Free Admission for Winner's Circle Members

Friday, May 2 – Kentucky Oaks Day – Day Racing

Saturday, May 3 – Kentucky Derby Day

Sunday, May 4 – Fan Appreciation Sunday

Thursday, May 8 – Free Admission for Winner's Circle Members

Friday, May 9 – Friday's Alive #5

Saturday, May 10 – Grab Bag Giveaway

Sunday, May 11 – Closing Day – Mothers' Day Brunch

New for the Meet:

Since the majority of Kentucky Derby prep races, and the Kentucky Derby itself, will run during this Meet, a meet-long promotion where fans will be able to select and back their Kentucky Derby horse will be conducted. Each week during which a Derby prep race takes place, fans will receive an entry form when they enter the track. Fans will attempt to select the winner of each prep race for a weekly prize and will attempt to select the winner of the Derby to participate in a Grand Prize drawing on Kentucky Derby Day. The intent of the contest is to spark interest in the most exciting time of the year in racing – the road to the Derby.

Advertising Plan:

**Print Media** – Print advertising will be used to promote all major events and activities. Creative for print ads will be designed by Suzette O'Dell, an independent contractor who has been utilized by Bay Meadows for more than 15 years.

Print advertisements will be placed as follows:

- San Francisco Chronicle: 3 col. X 8" Ads will be placed four times throughout each of the following weeks: Opening Week/Giveaway; Presidents' Day Week/Giveaway; Week of March 3 (Promoting El Camino Real Derby and T-Shirt Giveaway); Week of April 28 (Promoting Kentucky Derby); Week of May 5 (Promoting Closing Weekend).
- San Francisco Examiner: Half Page Ads will be placed three times throughout each of the following weeks: Opening Week/Giveaway; Presidents' Day Week/Giveaway; Week of February 18 (Promoting Snow Meadows); Week of March 3 (Promoting El Camino Real Derby and T-Shirt Giveaway); Week of April 8 (Promoting Messenger Bag Giveaway); Week of April 28 (Promoting Kentucky Derby); Week of May 5 (Promoting Closing Weekend). Ads will also be placed promoting each of the five Friday's Alive events.
- San Mateo Daily News: Half Page Ads will be placed three times throughout each of the following weeks: Opening Week/Giveaway; Presidents' Day Week/Giveaway; Week of February 18 (Promoting Snow Meadows); Week of March 3 (Promoting El Camino Real Derby and T-Shirt Giveaway); Week of April 8 (Promoting Messenger Bag Giveaway); Week of April 28 (Promoting Kentucky Derby); Week of May 5 (Promoting Closing Weekend). Ads will also be placed promoting each of the five Friday's Alive events.

- Asian Week: Quarter Page Ads will be placed each of the following weeks: Opening Week/Giveaway/Chinese New Year Coupon; Presidents' Day Week/Giveaway; Week of February 18 (Promoting Snow Meadows); Week of March 3 (Promoting El Camino Real Derby and T-Shirt Giveaway); Week of April 7 (Promoting Messenger Bag Giveaway); Week of April 28 (Promoting Kentucky Derby); Week of May 5 (Promoting Closing Weekend).
- College Newspapers (The Santa Clara, The Stanford Daily, The Spartan Daily, SF State Golden Gate Xpress): Each Friday's Alive and the week of March 24 (six insertions) – ¼ page.

**Radio Media** – Radio will be used, for the most part, to promote Friday's Alive. Radio stations will be selected based upon matching the musical format of the bands hired to perform. Promotional support from each station is required to augment the schedules. Further, a radio campaign with KNBR, the Bay Area's top sports station will be scheduled to promote races of interest and other promotions.

- KFOG: Schedules for each of the five Friday's Alive – One of the top-rated FM station for adults 25-54
- KNBR: Schedules to run weekly for Bay Meadows updates; Schedules to run for giveaways.
- Sam Spear Show: Weekly racing radio-show sponsorship.

**Television Media** – The television advertising will be placed by MediaDex, an ad agency in Southern California who successfully purchased advertising in the Fall 2007 Meet. MediaDex uses an aggressive buying style which maximizes the number of spots broadcasted. The television creative that will be used is the "Las Vegas" spots that were successfully utilized throughout the Fall Meet.

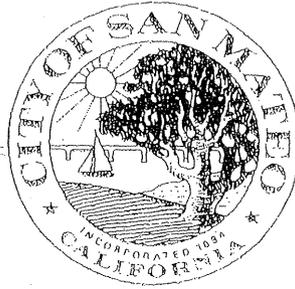
Flights will be run promoting each of the following activities:

- Opening Week and Hooded Sweatshirt Giveaway
- Week of February 11 (Promoting Presidents' Day and Windbreaker Giveaway)
- Week of March 3 (Promoting El Camino Real Derby and T-Shirt Giveaway)

**Direct Mail Advertising** – Direct Mail is an extremely cost-effective means to reach current fans, whose names have been gathered through years of effort. The direct mail plan for the Meet is as follows:

- Direct Mail Piece #1 (sent to 40,000 members of mailing list). Will include brochure detailing events of the first half of the meet and coupons redeemable at the races.

- Sunday Fan Appreciation Day Mailing – Every Sunday of the meet (except Easter and Mothers' Day), a segment of the Bay Meadows database will be invited to the Turf Club as a means of saying thanks you for patronage.
- Free Day on Us #1 – A Mailing to 12,000 of the best customers will be sent out with coupons redeemable on Saturday, February 16. The package will include Club House admission, a free program and a free Daily Racing Form.
- Mystery Mutuel Voucher #1 – A letter featuring a Mystery Mutuel Voucher redeemable on Big 'Cap day, Saturday, March 1, will be sent to the 40,000 members of the mailing list.
- Free Day on Us #2 – Coupons will be redeemable on Saturday, March 15.
- Direct Mail Piece #2 – The second direct mail package will be sent to reach homes just before Easter. Included in this mail piece will be information about the second half of the Meet as well as a Mystery Mutuel Voucher redeemable on Santa Anita Derby Day, Saturday, April 4<sup>th</sup>.
- Free Day on Us #3 – Coupons will be redeemable on Saturday, April 26.



**FIRE DEPARTMENT**  
Bureau of Fire Protection and Life Safety  
[www.cityofsanmateo.org](http://www.cityofsanmateo.org)

1900 O'Farrell, Suite 140  
San Mateo, California 94403-1382  
(650) 522-7940  
FAX: (650) 522-7941  
TDD: (650) 522-7047

September 17, 2007

Ms. Burnie Thurman  
Bay Meadows Land Company  
2600 S. Delaware St.  
San Mateo, California 94403

Dear Ms. Thurman:

This letter is to serve as the San Mateo Fire Department Fire Clearance for Bay Meadows Land Company at 2600 S. Delaware Street, San Mateo, California. The Fire Clearance is in effect starting to February 2008 until December 2008.

Your staff's continued attention to correcting the listed fire code violations is greatly appreciated. As long as these efforts show progress, this Fire Clearance will remain valid through December 31, 2008. All fire and life safety issues are to be brought to compliance and/or stay in compliance to assure public safety.

Should you have any questions, please feel free to contact me at the above telephone number.

Sincerely,

Michael Leong  
Fire Marshal

Gary Devincenzi

*Gary Devincenzi*  
Fire Inspector

## C. Describe facilities set aside for new fans:

Handicapping 101 Center/Winners Circle Booth

A large information area on the mainline has been designated as a "Handicapping 101" center. The area features a large banner, and is staffed by knowledgeable and friendly marketing aides trained to answer questions raised by newcomers, including how to read the program, how to calculate payoffs, explain odds and payoffs, provide directions, etc.

Winners Circle Booth

A large informational booth in the upper Clubhouse has been designated as a Winners Circle Booth. The booth is staffed by friendly and knowledgeable marketing aides trained to answer questions from any and all fans, including how to read the program, understanding odds and payoffs, providing directions, etc.

Newcomer Mutuel Windows

Located in the mainline, mezzanine, clubhouse and Turf Terrace areas, betting windows designated as "Newcomers Welcome" are staffed with friendly and helpful mutuel clerks trained to accommodate the needs of novice fans.

Web Site/Behind the Scenes Tours

New fans can log on to the Bay Meadows web site, [www.baymeadows.com](http://www.baymeadows.com), to learn about Bay Meadows in a unique manner. From the homepage, fans who have never attended the races can sign up for a personalized tour of the facility. The special tour includes free admission and programs, a look at the entire facility, and seating in the Clubhouse boxes which overlook the outside paddock and finish line. Fans arrange for their tours at their convenience. Newcomers are met in front of the facility, at the admission entrances, and receive an explanation as to how they would return to the races on their own. The tour includes trips to various areas of the plant, from the mainline to the Turf Club, and attendees are familiarized with where to buy a program or Form, where to purchase reserved seats, etc., during the tour. At the end of the tour, attendees are escorted to a seating area reserved for newcomers which overlooks the finish line. The tour guide walks them through a few simple handicapping techniques and visits them occasionally throughout the remainder of the day to make sure they are comfortable. Behind the scenes tours, featuring visits to the barn area, are offered to groups of ten or more.

## D. Describe any improvements to the physical facility in advance of the meeting that directly benefit:

1. Horsemen
2. Fans -Color, programmable infield message board LED indicators for infield tote board
3. Facilities in the restricted areas

**16. SCHEDULE OF CHARGES**

## A. Proposed charges, note any changes from the previous year:

|                                   |         |
|-----------------------------------|---------|
| Admission (general)               | \$3.00  |
| Admission (clubhouse)             | \$6.00  |
| Admission (turf club on weekdays) | \$10.00 |
| Admission (turf club on weekends) | \$15.00 |
| Reserved seating (general)        | \$3.00  |
| Reserved seating (clubhouse)      | \$3.00  |
| Parking (general)                 | \$4.00  |
| Parking (preferred)               | \$7.00  |

|                      |        |
|----------------------|--------|
| Parking (valet)      | \$7.00 |
| Programs (on-track)  | \$2.25 |
| Programs (off-track) | \$2.25 |

B. Describe any "Season Boxes" and "Turf Club Membership" fees:

Bay Meadows Jockey Club:

|                                      |          |
|--------------------------------------|----------|
| Single Membership                    | \$ 600   |
| Double Membership                    | \$ 1,000 |
| Full Season (6 seat table)           | \$ 2,400 |
| Full Season (4 seat table)           | \$ 2,000 |
| Weekday Membership (4 seats)         | \$ 600   |
| Weekend/Holiday Membership (4 seats) | \$ 1,500 |

Bay Meadows Reserved Box Seating:

|                          |          |
|--------------------------|----------|
| Clubhouse Box (6 seats)  | \$ 1,000 |
| Special Horsemen's Rate  | \$ 700   |
| Grandstand Box (6 seats) | \$ 1,350 |
| Special Horsemen's Rate  | \$ 900   |
| Grandstand Box (4 seats) | \$ 1,100 |
| Special Horsemen's Rate  | \$ 800   |

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

**17. JOCKEYS/DRIVERS' QUARTERS**

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

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

B. Describe the quarters to be used for female jockeys/drivers: **Fifteen by seventeen foot room with a private entrance hall; room has windows TV, heating unit, bunk beds, and a single stall shower. Attached to the room is a private sink and toilet.**

**18. BACKSTRETCH EMPLOYEE HOUSING**

- A. Inspection of backstretch housing will be completed before meet begins.
- B. Number of rooms used for housing on the backstretch of the racetrack: **69 rooms in the barn area, plus 53 in the dormitory for a total of 122 rooms**
- C. Number of restrooms available on the backstretch of the racetrack: **Barn area has 10 restrooms with 35 toilets & 26 showers, dorm area has**
- D. Estimated ratio of restroom facilities to the number of backstretch personnel: **1 to 7**

**19. TRACK SAFETY**

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line: 5,290 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 is a metal gooseneck Fontana safety rail, 42" in height from track to top of rail. Outer rail is a metal rounded pipe rail.**
- C. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Bob Turman**
- D. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **Attached**
- E. If the association 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. **n/a**

**20. DECLARATIONS**

- A. All labor and lease agreements and concession and service contracts necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state): **No exceptions. Operating under prior agreement with HERE (Local 2)**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044. **To be submitted under separate cover**
- C. Attach a lease agreement permitting the association to occupy the racing facility during the entire term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made). **On file**
- D. 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**
- E. Absent natural disasters or causes beyond the control of the association, 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 association 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.

21. 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 association to attest to this application on its behalf.

BERNIE THURMAN

Print Name

VICE PRESIDENT

Print Title

B.T.

Signature

11/5/07

Date

STAFF ANALYSIS  
January 16, 2008

ISSUE: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE SACRAMENTO HARNESS ASSOCIATION AT CAL EXPO JANUARY 24, 2008 THROUGH AUGUST 2, 2008.

Sacramento Harness Association filed its application to conduct a harness horse racing meeting at Cal Expo:

- January 24 through August 2, 2008. The association proposes to race 108 nights with 1328 races. The (actual) average daily purse for the 2007 meet was \$48,190. The (estimated) average daily purse for this meet is \$47,591.
- Sacramento Harness was allocated 124 race days for 2008. The proposed race dates deletes Wednesday race days and adds Sundays running 108 race days for 2008.

| December - 2007 |     |      |     |     |     |     |
|-----------------|-----|------|-----|-----|-----|-----|
| 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 H | 26  | 27  | 28  | 29  |
| 30              | 31  |      |     |     |     |     |

| January - 2008 |     |     |     |     |     |     |
|----------------|-----|-----|-----|-----|-----|-----|
| Sun            | Mon | Tue | Wed | Thu | Fri | Sat |
|                |     | 1 H | 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  |     |     |

| February - 2008 |      |      |     |     |     |     |
|-----------------|------|------|-----|-----|-----|-----|
| Sun             | Mon  | Tue  | Wed | Thu | Fri | Sat |
|                 |      |      |     |     | 1   | 2   |
| 3               | 4    | 5    | 6   | 7   | 8   | 9   |
| 10              | 11   | 12 H | 13  | 14  | 15  | 16  |
| 17              | 18 H | 19   | 20  | 21  | 22  | 23  |
| 24              | 25   | 26   | 27  | 28  | 29  |     |

| March - 2008 |     |     |     |     |     |     |
|--------------|-----|-----|-----|-----|-----|-----|
| 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           | 31  |     |     |     |     |     |

| April - 2008 |     |     |     |     |     |     |
|--------------|-----|-----|-----|-----|-----|-----|
| 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  |     |     |     |

| May - 2008 |     |     |     |     |     |     |
|------------|-----|-----|-----|-----|-----|-----|
| 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  | 31  |

| June - 2008 |     |     |     |     |     |     |
|-------------|-----|-----|-----|-----|-----|-----|
| 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 - 2008 |     |     |     |     |     |     |
|-------------|-----|-----|-----|-----|-----|-----|
| Sun         | Mon | Tue | Wed | Thu | Fri | Sat |
|             |     | 1   | 2   | 3   | 4 H | 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  |     |     |

| August - 2008 |     |     |     |     |     |     |
|---------------|-----|-----|-----|-----|-----|-----|
| 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  |
| 24/31         | 25  | 26  | 27  | 28  | 29  | 30  |

- Racing Thursday through Sunday.
- Request permission to petition the CHRB to substitute Monday for Sunday in February if the switch from Wednesday to Sunday proves detrimental or if Hollywood Park returns to a Wednesday-Sunday schedule.
- First post 5:35 p.m. Thursday through Sunday.
- Will coordinate post times with Los Alamitos Quarter Horse races, thoroughbred twilight and evening races and all racing fairs.

- Request Carl Sobey be appointed horse identifier pursuant to CHRB Rule 1525.
- Track safety requirements have been fulfilled.
- Inspection of backstretch worker housing completed.
  
- Wagering program will use CHRB rules.
  - Early wagering 11:00 a.m. to 5:00 p.m.
  - The early pick four and the late pick four will have a guaranteed pool of \$10,000 dollars.
  - Request to continue Bal-Cal Pick-Four, and pursue other multi-track wagering opportunities. Specific permission will be requested.
  
- The Advance Deposit Wagering (ADW) providers are TVG, YouBet, XpressBet, Twin Spires.
  
- Simulcasting conducted with out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.

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

1. Audited Financials.
2. Fire Clearance.
3. Description Of On-Track First Aid Facility.

RECOMMENDATION:

Staff recommends that the application for license not be heard unless the missing information is provided.

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

**1. APPLICANT ASSOCIATION**

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

**Sacramento Harness Association**  
**2335 American River Drive, Suite 406**  
**Sacramento, CA 95825**  
**916-239-4040**  
**916-239-4048 (fax)**

B. Breed of horse:  TB  QH  H

C. Racetrack name: **California Exposition & State Fair Race Course, (Cal Expo)**

D. Attach a certified check payable to the Treasurer of the State of California in the amount of \$10,000 as deposit for license fees pursuant to B&P Code Section 19490. **On File**

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: **January 24, 2008 – August 2, 2008**

B. Actual dates racing will be held: **See Schedule 1-2008 Racing Calendar**

C. Total number of days or nights of racing: **108 Nights**

D. Days or nights of the week races will be held:

Wed - Sun  Tues - Sat  Other (specify) **Thursday thru Sunday nights,**  
**Except Dark: 2/3, 3/23, 7/4**

**If the switch from Wednesday to Sunday proves detrimental, SHA reserves the right to petition the CHRB to substitute Monday for Sunday in February. If Hollywood Park returns to a Wednesday-Sunday schedule, SHA reserves the right to petition the CHRB for a Wednesday-Saturday schedule beginning in April.**

E. Number of days or nights of racing per week: **4 (four) nights**

**3. RACING PROGRAM**

A. Total number of races: **1,328**

**CHRB CERTIFICATION**

Application received: *12/18/07*  
Deposit received: *on file*  
Reviewed: *[Signature]*

Hearing date: *1/16/08*  
Approved date:  
License number:

Schedule 1  
**SACRAMENTO HARNESS ASSOCIATION**  
**2008 Racing Calendar**  
 January 24, 2008 thru August 2, 2008  
 108 Racing Days

| January 2008   |    |    |    |                |                |                |
|----------------|----|----|----|----------------|----------------|----------------|
| S              | M  | T  | W  | TH             | F              | S              |
|                |    | 1  | 2  | 3              | 4              | 5              |
| 6              | 7  | 8  | 9  | 10             | 11             | 12             |
| 13             | 14 | 15 | 16 | 17             | 18             | 19             |
| 20             | 21 | 22 | 23 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
|                |    |    |    | 24             | 25             | 26             |
| <del>CAL</del> | 28 | 29 | 30 | <del>CAL</del> |                |                |
| 27             |    |    |    | 31             |                |                |

| February 2008  |    |    |    |                |                |                |
|----------------|----|----|----|----------------|----------------|----------------|
| S              | M  | T  | W  | TH             | F              | S              |
|                |    |    |    |                | <del>CAL</del> | <del>CAL</del> |
|                |    |    |    |                | 1              | 2              |
| 3              | 4  | 5  | 6  | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
|                |    |    |    | 7              | 8              | 9              |
| <del>CAL</del> | 11 | 12 | 13 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 10             |    |    |    | 14             | 15             | 16             |
| <del>CAL</del> | 18 | 19 | 20 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 17             |    |    |    | 21             | 22             | 23             |
| <del>CAL</del> | 25 | 26 | 27 | <del>CAL</del> | <del>CAL</del> |                |
| 24             |    |    |    | 28             | 29             |                |

| March 2008     |    |    |    |                |                |                |
|----------------|----|----|----|----------------|----------------|----------------|
| S              | M  | T  | W  | TH             | F              | S              |
|                |    |    |    |                |                | <del>CAL</del> |
|                |    |    |    |                |                | 1              |
| <del>CAL</del> | 3  | 4  | 5  | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 2              |    |    |    | 6              | 7              | 8              |
| <del>CAL</del> | 10 | 11 | 12 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 9              |    |    |    | 13             | 14             | 15             |
| <del>CAL</del> | 17 | 18 | 19 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 16             |    |    |    | 20             | 21             | 22             |
| 23             | 24 | 25 | 26 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
|                |    |    |    | 27             | 28             | 29             |
| <del>CAL</del> | 31 |    |    |                |                |                |
| 30             |    |    |    |                |                |                |

| April 2008     |    |    |    |                |                |                |
|----------------|----|----|----|----------------|----------------|----------------|
| S              | M  | T  | W  | TH             | F              | S              |
|                |    | 1  | 2  | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
|                |    |    |    | 3              | 4              | 5              |
| <del>CAL</del> | 7  | 8  | 9  | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 6              |    |    |    | 10             | 11             | 12             |
| <del>CAL</del> | 14 | 15 | 16 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 13             |    |    |    | 17             | 18             | 19             |
| <del>CAL</del> | 21 | 22 | 23 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 20             |    |    |    | 24             | 25             | 26             |
| <del>CAL</del> | 28 | 29 | 30 |                |                |                |
| 27             |    |    |    |                |                |                |

| May 2008       |    |    |    |                |                |                |
|----------------|----|----|----|----------------|----------------|----------------|
| S              | M  | T  | W  | TH             | F              | S              |
|                |    |    |    | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
|                |    |    |    | 1              | 2              | 3              |
| <del>CAL</del> | 5  | 6  | 7  | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 4              |    |    |    | 8              | 9              | 10             |
| <del>CAL</del> | 12 | 13 | 14 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 11             |    |    |    | 15             | 16             | 17             |
| <del>CAL</del> | 19 | 20 | 21 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 18             |    |    |    | 22             | 23             | 24             |
| <del>CAL</del> | 26 | 27 | 28 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 25             |    |    |    | 29             | 30             | 31             |

| June 2008      |    |    |    |                |                |                |
|----------------|----|----|----|----------------|----------------|----------------|
| S              | M  | T  | W  | TH             | F              | S              |
| <del>CAL</del> | 2  | 3  | 4  | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 1              |    |    |    | 5              | 6              | 7              |
| <del>CAL</del> | 9  | 10 | 11 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 8              |    |    |    | 12             | 13             | 14             |
| <del>CAL</del> | 16 | 17 | 18 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 15             |    |    |    | 19             | 20             | 21             |
| <del>CAL</del> | 23 | 24 | 25 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 22             |    |    |    | 26             | 27             | 28             |
| <del>CAL</del> | 30 |    |    |                |                |                |
| 29             |    |    |    |                |                |                |

| July 2008      |    |    |    |                |                |                |
|----------------|----|----|----|----------------|----------------|----------------|
| S              | M  | T  | W  | TH             | F              | S              |
|                |    | 1  | 2  | <del>CAL</del> | 4              | <del>CAL</del> |
|                |    |    |    | 3              |                | 5              |
| <del>CAL</del> | 7  | 8  | 9  | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 6              |    |    |    | 10             | 11             | 12             |
| <del>CAL</del> | 14 | 15 | 16 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 13             |    |    |    | 17             | 18             | 19             |
| <del>CAL</del> | 21 | 22 | 23 | <del>CAL</del> | <del>CAL</del> | <del>CAL</del> |
| 20             |    |    |    | 24             | 25             | 26             |
| <del>CAL</del> | 28 | 29 | 30 | <del>CAL</del> |                |                |
| 27             |    |    |    | 31             |                |                |

| August 2008 |    |    |    |    |                |                |
|-------------|----|----|----|----|----------------|----------------|
| S           | M  | T  | W  | TH | F              | S              |
|             |    |    |    |    | <del>CAL</del> | <del>CAL</del> |
|             |    |    |    |    | 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             |
| 31          |    |    |    |    |                |                |

- B. Number of races for each day or night: **Thursday and Sunday up to 12 races per night  
Friday and Saturday up to 15 races per night**
- C. Total number of stakes races: **32**
- D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses.  
**See attached Schedule II-Stakes Races**
- E. 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: **Driver's Colors**
- F. List all post times for the daily racing program: **5:35 pm All Thursdays and Sundays  
5:35pm Fridays and Saturdays  
See attached Schedule III**

**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. For thoroughbred and quarter horse meetings, the total amount distributed for California-bred stakes races from the purse account, including overnight stakes, shall not be less than 10% of the total amount distributed for all stakes races pursuant to B&P Code Section 19568(b).

**4. RACING ASSOCIATION**

- A. Association is a:  Corporation (complete subsection C)  
 LLC (complete subsection D)  
 Other (specify, and complete subsection E)
- B. Complete the applicable subsection and attached Addendum, Background Information and Ownership. **On File**
- C. CORPORATION
1. Registered name of the corporation: **Sacramento Harness Association**
  2. State where incorporated: **California**
  3. Registry or file number for the corporation: **#C2716543**
  4. Names of all officers and directors, titles, and the number of shares of the corporation held by each:

|                        |                  |                          |                       |
|------------------------|------------------|--------------------------|-----------------------|
| <b>Ralph Scurfield</b> | <b>President</b> | <b>Jack Coffey</b>       | <b>Vice-President</b> |
| <b>Vickie Desomer</b>  | <b>Secretary</b> | <b>Lou Blanas</b>        | <b>Director</b>       |
| <b>James Kouretas</b>  | <b>Director</b>  | <b>R. Burnett Miller</b> | <b>Director</b>       |
| <b>Ivan Axelrod</b>    | <b>Director</b>  | <b>Herb Jackson</b>      | <b>Director</b>       |
  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:  
**None**
  6. Number of outstanding shares in the corporation: **None**
  7. Are the shares listed for public trading?  Yes  No  
If yes, on what exchange and how is the stock listed:
  8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings

**Sacramento Harness Association**  
January 24, 2008 through August 2, 2008

**Stakes Schedule**

|          |                                     |  |          |
|----------|-------------------------------------|--|----------|
| March 28 | California Standardbred Sires Stake | 3-year-old Trotting Fillies .....        | \$20,000 |
| March 28 | California Standardbred Sires Stake | 3-year-old Trotting Colts/Geldings ..... | \$20,000 |
| March 29 | California Standardbred Sires Stake | 3-year-old Pacing Fillies .....          | \$20,000 |
| March 29 | California Standardbred Sires Stake | 3-year-old Pacing Colts/Geldings .....   | \$20,000 |
| April 11 | California Standardbred Sires Stake | 3-year-old Trotting Fillies .....        | \$20,000 |
| April 11 | California Standardbred Sires Stake | 3-year-old Trotting Colts/Geldings ..... | \$20,000 |
| April 12 | California Standardbred Sires Stake | 3-year-old Pacing Fillies .....          | \$20,000 |
| April 12 | California Standardbred Sires Stake | 3-year-old Pacing Colts/Geldings .....   | \$20,000 |
| April 25 | California Standardbred Sires Stake | 3-year-old Trotting Fillies .....        | \$20,000 |
| April 25 | California Standardbred Sires Stake | 3-year-old Trotting Colts/Geldings ..... | \$20,000 |
| April 26 | California Standardbred Sires Stake | 3-year-old Pacing Fillies .....          | \$20,000 |
| April 26 | California Standardbred Sires Stake | 3-year-old Pacing Colts/Geldings .....   | \$20,000 |
| May 3    | CA Stndbrd Sires Stake Championship | 3-year-old Trotting Fillies .....        | \$30,000 |
| May 3    | CA Stndbrd Sires Stake Championship | 3-year-old Trotting Colts/Geldings ..... | \$30,000 |
| May 3    | CA Stndbrd Sires Stake Championship | 3-year-old Pacing Fillies .....          | \$30,000 |
| May 3    | CA Stndbrd Sires Stake Championship | 3-year-old Pacing Colts/Geldings .....   | \$30,000 |
| July 11  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Trotting Fillies .....        | \$15,000 |
| July 11  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Trotting Colts/Geldings ..... | \$15,000 |
| July 12  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Pacing Fillies .....          | \$15,000 |
| July 12  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Pacing Colts/Geldings .....   | \$15,000 |
| July 18  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Trotting Fillies .....        | \$15,000 |
| July 18  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Trotting Colts/Geldings ..... | \$15,000 |
| July 19  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Pacing Fillies .....          | \$15,000 |
| July 19  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Pacing Colts/Geldings .....   | \$15,000 |
| July 25  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Trotting Fillies .....        | \$15,000 |
| July 25  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Trotting Colts/Geldings ..... | \$15,000 |
| July 26  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Pacing Fillies .....          | \$15,000 |
| July 26  | CA Stndbrd Sires Stake Sires Stake  | 2-year-old Pacing Colts/Geldings .....   | \$15,000 |
| August 2 | CA Stndbrd Sires Stake Championship | 2-year-old Trotting Fillies .....        | \$20,000 |
| August 2 | CA Stndbrd Sires Stake Championship | 2-year-old Trotting Colts/Geldings ..... | \$20,000 |
| August 2 | CA Stndbrd Sires Stake Championship | 2-year-old Pacing Fillies .....          | \$20,000 |
| August 2 | CA Stndbrd Sires Stake Championship | 2-year-old Pacing Colts/Geldings .....   | \$20,000 |

### SCHEDULE III

**Sacramento Harness Association**  
January 24, 2008 to August 2, 2008

#### Post Time Schedule

| Thursday   | Friday      | Saturday    | Sunday     |
|------------|-------------|-------------|------------|
| 1 5:35 pm  | 1 5:35 pm   | 1 5:35 pm   | 1 5:35 pm  |
| 2 5:58 pm  | 2 6:00 pm   | 2 6:00 pm   | 2 5:57 pm  |
| 3 6:21 pm  | 3 6:20 pm   | 3 6:20 pm   | 3 6:19 pm  |
| 4 6:46 pm  | 4 6:45 pm   | 4 6:45 pm   | 4 6:41 pm  |
| 5 7:07 pm  | 5 7:08 pm   | 5 7:11 pm   | 5 7:03 pm  |
| 6 7:30 pm  | 6 7:30 pm   | 6 7:39 pm   | 6 7:25 pm  |
| 7 7:54 pm  | 7 7:54 pm   | 7 8:02 pm   | 7 7:47 pm  |
| 8 8:18 pm  | 8 8:18 pm   | 8 8:26 pm   | 8 8:09 pm  |
| 9 8:42 pm  | 9 8:44 pm   | 9 8:50 pm   | 9 8:30 pm  |
| 10 9:06 pm | 10 9:08 pm  | 10 9:14 pm  | 10 8:51 pm |
| 11 9:31 pm | 11 9:34 pm  | 11 9:38 pm  | 11 9:14 pm |
| 12 9:57 pm | 12 10:00 pm | 12 10:02 pm | 12 9:38 pm |
|            | 13 10:24 pm | 13 10:26 pm |            |
|            | 14 10:48 pm | 14 10:52 pm |            |
|            | 15 11:09 pm | 15 11:13 pm |            |

#### Post Time Notes:

- ◆ Cal Expo will coordinate post times with Los Alamitos Quarter Horse Racing
- ◆ Cal Expo will coordinate with thoroughbred twilight and evening thoroughbred racing.
- ◆ Cal Expo will coordinate post times with all racing fairs.

of the corporation: N/A

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: N/A
10. Attach the most recent audited annual financial statement for the licensee, 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. The licensee may submit the audited consolidated annual financial statements of its parent owner if the parent owner is a publicly traded company and guarantees the obligations of the licensee.

The final report submitted by the Sacramento Harness Association (SHA) does not represent audited financial statements. Instead, the report represents a review, which is less in scope than an audit, of the SHA financial statements. Therefore, the auditor did not express an opinion on the financial statements in accordance with generally accepted auditing standards. Section 19440.5 of the California Horse Racing Law states, "An annual audit shall be conducted of the financial books and records of the horsemen's organizations..."

D. 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 audited annual financial statement for the licensee, 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.

E. OTHER

1. Name(s) of partners/sole proprietor:
2. If a partnership, attach partnership agreement.

F. Management and Staff

1. Name and title of the managing officer and/or general manager of the association and the name and title of all department managers and staff, other than those listed in 10B, who will be listed in the official program:

**Richard Feinberg**  
**Wayne Short**  
**J. R. Williams**  
**Steve Carpenito**  
**Marty Bridges**  
**Scott Ehrlich**

**General Manager**  
**Director Backstretch Operations**  
**Track Superintendent**  
**Director of Marketing**  
**Program Director**  
**Announcer/Director of Publicity**

**Sandee Baker**  
**Gary Gelfand**  
**Donna Newman**  
**Glen Harris**

**Group Sales Director/Owner Relations**  
**Anchor/TV Host**  
**Controller/Paymaster**  
**Mutuel Manager/Paymaster**

2. Name and title of the person(s) authorized to receive notices on behalf of the association and the mailing address of such person(s) if other than the mailing address of the association:

**Richard Feinberg**

**General Manager**

## 5. PURSE PROGRAM

### A. Purse distribution:

1. All races other than stakes:

Current meet estimate: **4,170,800**

Prior meet actual: **4,715,000**

Average Daily Purse (5A1 ÷ number of days):

Current meet estimate: **38,618**

Prior meet actual: **39,960**

2. Overnight stakes:

Current meet estimate: **0**

Prior meet actual: **0**

Average Daily Purse (5A2 ÷ number of days):

Current meet estimate: **0**

Prior meet actual: **0**

3. Non-overnight stakes:

Current meet estimate: **\$620,000 – California Sires Stakes**

Prior meet actual: **\$612,500 – California Sires Stakes**

Average Daily Purse (5A3 ÷ number of days):

Current meet estimate: **\$5,740**

Prior meet actual: **\$5,200**

### B. Stakes races:

1. Purse distribution for all stakes races:

Current meet estimate: **\$620,000 – California Sires Stakes**

Prior meet actual: **\$612,500 – California Sires Stakes**

Average Daily Purse (5B1 ÷ number of days):

Current meet estimate: **\$5,740**

Prior meet actual: **\$5,200**

2. Percentage of the purse distribution for all stakes races that will be distributed for California-bred stakes races:

Current meet estimate: **100%**

Prior meet actual: 100%

Average Daily Purse (5B2 ÷ number of days):

Current meet estimate:

Prior meet actual:

C. Funds to be generated for all California-bred incentive awards:

Current meet estimate: **\$65,720**

Prior meet actual: **\$76,100**

D. Payment to each recognized horsemen's organization contracting with the association and the name(s) of the organization(s): **California Harness Horsemen's Association**

Recognized Horsemen's Organization

Current meet estimate: **\$283,400**

Prior meet actual: **\$282,900**

E. Amount from all sources to be distributed in the form of purses or other benefits to horsemen (5A+5C+5D):

Current meet estimate: **\$5,139,920**

Prior meet actual: **\$5,686,500**

Average Daily Purse (5E ÷ number of days):

Current meet estimate: **\$47,591**

Prior meet actual: **\$48,190**

F. Purse funds to be generated from on-track handle and intrastate off-track handle:

Current meet estimate: **\$3,830,200**

Prior meet actual: **\$4,758,500**

Average Daily Purse (5F ÷ number of days):

Current meet estimate: **\$ 35,464**

Prior meet actual: **\$ 40,326**

G. Purse funds to be generated from interstate handle:

Current meet estimate: **\$ 704,900**

Prior meet actual: **\$ 928,000**

Average Daily Purse (5G ÷ number of days):

Current meet estimate: **\$ 6,526**

Prior meet actual: **\$ 7,860**

H. Bank and account number for the Paymaster of Purses' purse account:

**Stockmans Bank Account number On File**

I. Name, address and telephone number of the pari-mutuel audit firm engaged for the meeting:

**Disher Accountancy Corp., 1816 Maryal Drive, Sacramento, CA 95864 916-482-4224, fax 916/482-4225**

**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 association; **shall not** be

transferred to a parent corporation outside the State of California; 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 association 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 association 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 association is entitled 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 association 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 association 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: **1016**
- B. Minimum number of stalls believed necessary for the meeting: **1016**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **None**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site: **None**
- E. Attach each contract or agreement between the association and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site. **N/A**

Complete subsections F through H if the association 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:
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per day per stall: **N/A**
- H. Estimated cost to provide vaning from off-site stalls for this meeting. Show fees to be paid for vaning per-horse: **N/A**

## 7. PARI-MUTUEL WAGERING PROGRAM

- A. Pursuant to B&P Code Section 19599, and with the approval of the CHRB, associations 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), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

## SCHEDULE IV

### Sacramento Harness Association January 24, 2008 through August 2, 2008 Proposed Wagering Format

The following CHRB wagering rules will be in affect during the 2008 Sacramento Harness meeting.

| Type         |       | Rule Number |
|--------------|-------|-------------|
| Exacta       | (E)   | 1959        |
| Trifecta     | (TRI) | 1979        |
| Daily Double | (DD)  | 1957        |
| Superfecta   | (SF)  | 1979.1      |
| PK 3         |       | 1977        |
| PK 4         | (PNP) | 1976.9      |
| PK 6         |       | 1976.       |

| Wednesday                   | Thursday                    | Friday & Saturday           |
|-----------------------------|-----------------------------|-----------------------------|
| Race 1: 1E, 1TRI, 1DD       | Race 1: 1E, 1TRI, 1DD       | Race 1: 1E, 1TRI, 1DD       |
| Race 2: 1E, 1TRI, 1PK4      | Race 2: 1E, 1TRI, 1PK4      | Race 2: 1E, 1TRI, 1PK4      |
| Race 3: 1E, 1TRI, 1SF       | Race 3: 1E, 1TRI, 1SF       | Race 3: 1E, 1TRI, 1SF       |
| Race 4: 1E, 1TRI, 2PK6      | Race 4: 1E, 1TRI, 2PK5      | Race 4: 1E, 1TRI, 2PK5      |
| Race 5: 1E, 1TRI, 1PK3      | Race 5: 1E, 1TRI, 1PK3      | Race 5: 1E, 1TRI, 1PK3      |
| Race 6: 1E, 1TRI, 1PK3      | Race 6: 1E, 1TRI, 1PK3      | Race 6: 1E, 1TRI, 1PK3      |
| Race 7: 1E, 1TRI, 1PK3      | Race 7: 1E, 1TRI, 1PK4      | Race 7: 1E, 1TRI, 1PK3      |
| Race 8: 1E, 1TRI, 1PK3, 1SF | Race 8: 1E, 1TRI, 1PK3, 1SF | Race 8: 1E, 1TRI, 1PK3, 1SF |
| Race 9: 1E, 1TRI, 1PK3      | Race 9: 1E, 1TRI, 1PK4      | Race 9: 1E, 1TRI, 1PK4      |
| Race 10: 1E, 1TRI, 1SF      | Race 10: 1E, 1TRI, 1PK3     | Race 10: 1E, 1TRI, 1PK3     |
| Race 11: 1E, 1TRI, 1SF      | Race 11: 1E, 1TRI, 1SF      | Race 11: 1E, 1TRI, 1PK3     |
| *Race 12: 1E, 1TRI, 1PK3    | Race 12: 1E, 1TRI, 1SF      | Race 12: 1E, 1TRI, 1PK3     |
| *Race 13: 1E, 1TRI, 1SF     |                             | Race 13: 1E, 1TRI, 1SF      |
| *Race 14: 1E, 1TRI, 1SF     |                             | Race 14: 1E, 1TRI, 1SF      |

#### Wagering Notes:

\$1PK4 (CHRB 1976.9) If no ticket correctly selects all four winners, 25% of net pool paid to winner(s) correctly selecting the most winners, 75% carryover to next pick four wager.

\$2PK6 (CHRB 1976.9) If no ticket correctly selects all five winners, 25% of net pool paid to winner(s) correctly selecting the most winners, 75% carryover to the next racing program.

Every night the early pick four, and the late pick four will have a guaranteed pool of \$10,000 dollars.

|               | TYPE OF WAGERS    | APPLICABLE RULES    |
|---------------|-------------------|---------------------|
| Example Race: | \$1 E; \$1 Double | CHRB #1959; RCI #VE |

**See Schedule IV – Types of Wagers**

- B. Maximum carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool: **Final night of race meet (August 2<sup>nd</sup>)**
- C. List any options requested with regard to exotic wagering:  
**Every night the early pick four, and the late pick four will have a guaranteed pool of \$10,000 dollars.**

**Request permission to continue the Bal-Cal Pick-Four, and pursue other multi track wagering opportunities. Specific permission will be requested.**

- D. Will "advance" or "early bird" wagering be offered?  Yes  No  
 If yes, when will such wagering begin: **11:00 am to 5:00 pm**

- E. Type(s) of pari-mutuel or totalizator equipment to be used by the association and the simulcast organization, name of the person(s) supplying equipment, and expiration date of the service contract:  
**Scientific Games, Inc., Terry McWilliams, equipment on file with Board, contract thru 9/08 on file**

**8. ADVANCE DEPOSIT WAGERING (ADW)**

- A. Identify the ADW provider(s) to be used by the association for this race meeting:  
**TVG, YouBet, XpressBet, Twin Spires**

**9. SIMULCAST WAGERING PROGRAM**

- A. Simulcast organization engaged by the association to conduct simulcast wagering: **Southern California Off Track Wagering Inc. (SCOTWInc)**
- B. Attach the agreement between the association and simulcast organization permitting the organization to use the association'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. **On File**
- C. California simulcast facilities the association proposes to offer its live audiovisual signal: **All Licensed California simulcast locations**
- D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal: **See Schedule V- Simulcast Locations**
- E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association: **All**
- 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

## Schedule V

### OUT OF STATE SIMULCAST WAGERING LOCATIONS

|   |   |
|---|---|
| American Tab, Oregon                    | New Jersey Casinos, New Jersey          |
| Atlantic City, New Jersey               | New York City OTB, New York             |
| Balmoral Park, Illinois                 | Northfield Park, Ohio                   |
| Capitol District OTB, New York          | Northlands Park, BC, CAN                |
| Catskill Region OTB, New York           | Northville Downs, Michigan              |
| Connecticut OTB, Connecticut            | Ocean Downs, Maryland                   |
| Diaryland Greyhound, Wisconsin          | Penn National Gaming, Pennsylvania      |
| Downs at Albuquerque, New Mexico        | Philadelphia Park, Pennsylvania         |
| ExpressBet, California                  | Plainridge Racecourse, Massachusetts    |
| Euro Off Track, NA                      | Pompano Park, Florida                   |
| European Wagering Services, LTD. Oregon | Racing Channel, Oregon                  |
| Fire Lake Casino, Oklahoma              | Raceway Park, Ohio                      |
| Foxwoods Casino, Connecticut            | Racing & Gaming Services, St. Kitts     |
| Fraser Downs, BC, CAN                   | Rosecroft Raceway, Maryland             |
| Freehold Raceway, New Jersey            | Sam Houston Park, Texas                 |
| Harrington Raceway, Delaware            | Saratoga Harness, New York              |
| Hastings Park, BC, CAN                  | Scioto Downs, Ohio                      |
| Hawthorne Racecourse, Illinois          | Southland Greyhound, Arkansas           |
| Hazel Park, Indiana                     | Sports Creek Raceway, Michigan          |
| Hippodrome de Montreal, QUE, CAN        | Suffolk Downs, MA                       |
| Hoosier Park, Indiana                   | Suffolk Regional OTB, New York          |
| Illinois OTB, Illinois                  | Sunland Park, New Mexico                |
| Indianapolis Downs, Indiana             | Television Games Network (TVG)          |
| International Racing Group, Curacao     | Thistledown, Ohio                       |
| Ladbrokes at Meadows, Pennsylvania      | The Downs at Albuquerque, New Mexico    |
| Las Vegas Dissemination, Nevada         | The Red Mile, Kentucky                  |
| Les Bois Park, Idaho                    | Tri-State Greyhound, WV                 |
| Lone Star Park, Texas                   | Western Fair, ONT, CAN                  |
| Maywood Park, Illinois                  | Western Region OTB, New York            |
| Meadowlands Race Track, New Jersey      | Windsor Raceway, ONT, CAN               |
| Mesquaki Casino, Iowa                   | Woodbine Entertainment. Group, ONT, CAN |
| Mohawk Racetrack, ONT, CAN              | Yonkers Raceway, New York               |
| Nassau Region OTB, New York             | YouBet.com, Inc., California            |
| Nevada Pari-mutuel Association, Nevada  | YouBet, Oregon                          |

“selected feature and/or stakes races”: N/A

**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 |
|--------------------|------------|---|

- G. For **QUARTER HORSE** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country quarter horse 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”: N/A

**QUARTER HORSE SIMULCAST RACES TO BE IMPORTED**

|                    |            |   |
|--------------------|------------|---|
| Name of Host Track | Race Dates | Full Card or Selected Feature and/or Stakes Races |
|--------------------|------------|---|

- H. For **STANDARD BRED** racing associations, list the host tracks from which the association proposes to import out-of-state and/or out-of-country harness 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”:

**HARNESS SIMULCAST RACES TO BE IMPORTED**

|                    |            |   |
|--------------------|------------|---|
| Name of Host Track | Race Dates | Full Card or Selected Feature and/or Stakes Races |
|--------------------|------------|---|

**Six (6) out-of-state harness or quarter horse races per live racing program on nights with QH overlap; twelve (12) out-of-state harness or quarter horse races on nights without QH overlap, with races predominantly from harness tracks in Illinois, Ohio, Kentucky, and New Jersey, but also may include selected events from tracks in other CHRB approved jurisdictions. A full card of simulcast races to be imported on North America Cup night, Meadowlands Pace night, Breeders Crown, and Hambletonian Day.**

- I. For **ALL** racing associations, list imported simulcast races the association plans to receive 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: **On occasion quarter horse races may be imported from approved CHRB jurisdictions.**

**OTHER BREED SIMULCAST RACES TO BE IMPORTED**

|                    |                |            |                                |
|--------------------|----------------|------------|--------------------------------|
| Name of Host Track | Breed of Horse | Race Dates | Number of Races to be Imported |
|--------------------|----------------|------------|--------------------------------|

- J. For **ALL** racing associations, if any out-of-state or out-of-country races will commence outside of the time constraints set forth in B&P Code Sections 19596.2 and 19596.3, attach a copy showing the agreement by the appropriate racing association(s).

**NOTICE TO APPLICANT:** All interstate wagering to be conducted by an association 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 an association is subject to the provision of B&P Code Sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every association shall pay over to the simulcast organization within 3 calendar days following the closing of wagering for any day or night 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 association shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each day or night 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.)

## 10. CHARITY RACING DAYS

- A. Name and address of the distributing agent (charity foundation) for the net proceeds from charity racing days held by the association: **Susan B. Komen Foundation, 5005 LBJ Freeway, Suite 250, Dallas, TX 75244; Cup with Love, 5050 Laguna Blvd, Suite 112 PMB 614, Elk Grove, CA 95758; Schriners Hospital, 2900 Rocky Point Drive, Tampa, FL 33607-1460**
- B. Names and addresses of the trustees or directors of the distributing agent:  
**2008 Board of Directors for all charities attached**
- C. Dates the association will conduct races as charity racing days OR:
- D. Will the association pay the distributing agent an amount equal to the maximum required under B&P Code Section 19550(b)?  Yes

**NOTICE TO APPLICANT:** Net proceeds from charity racing days shall be paid to the designated and approved distributing agent within 180 days following the conclusion of the association's race meeting in accordance with the provisions of B&P Code Section 19555. Thereafter, the distributing agent shall distribute not less than 90% of the aggregate proceeds from such charity racing days within 12 calendar months after the last day of the meeting during which the charity racing days were conducted and shall distribute the remaining funds as soon thereafter as is practicable. At least 20% of the distribution shall be made to charities associated with the horse racing industry in accordance with the provisions of B&P Code Section 19556(b).

## 11. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

- A. Racing officials nominated:
- |                             |                                  |
|-----------------------------|----------------------------------|
| Association Veterinarian(s) | <b>Dr. Henry Cook</b>            |
| Clerk of Scales             | <b>N/A</b>                       |
| Clerk of the Course         | <b>Patricia Petersen</b>         |
| Film Specialist             | <b>Kathy Poor</b>                |
| Horse Identifier            | <b>Carl Sobey</b>                |
| Horseshoe Inspector         | <b>John Walker</b>               |
| Paddock Judge               | <b>Jack Williams/Wayne Short</b> |
| Patrol Judges               | <b>Bill Vallandingham</b>        |
| Placing Judges              | <b>Kathy Poor</b>                |
| Starter                     | <b>Bill Vallandingham</b>        |
| Timer                       | <b>Kathy Poor</b>                |
- B. Management officials in the racing department:
- |                                     |                                 |
|-------------------------------------|---------------------------------|
| Director of Racing                  | <b>N/A</b>                      |
| Racing Secretary                    | <b>Fred Kuebler</b>             |
| Assistant Racing Secretary          | <b>Joe Nefsky/Brent Bridges</b> |
| Paymaster of Purses                 | <b>Glen Harris/Donna Newman</b> |
| Others (identify by name and title) |                                 |

2008 BOARD OF DIRECTORS  
ATTACHMENT

|                   |                |
|-------------------|----------------|
| Ralph Scurfield   | President      |
| Jack Coffey       | Vice-President |
| Vickie Desomer    | Secretary      |
| James Kouretas    | Director       |
| R. Burnett Miller | Director       |
| Ivan Axelrod      | Director       |
| Lou Blanas        | Director       |
| Herb Jackson      | Director       |

## SUSAN G. KOMEN BREAST CANCER FOUNDATION, INC.

BOARD OF DIRECTORS:NAMES:ADDRESSES:

|                 |  |
|-----------------|--|
| Ken Bentsen     | 5005 LBJ Freeway, Suite 250,<br>Dallas, TX 75244 |
| Norman Brinker  | 5005 LBJ Freeway, Suite 250,<br>Dallas, TX 75244 |
| Linda Custard   | 5005 LBJ Freeway, Suite 250<br>Dallas, TX 75244  |
| Aimee DiCicco   | 5005 LBJ Freeway, Suite 250<br>Dallas, TX 75244  |
| Alexine Jackson | 5005 LBJ Freeway, Suite 250,<br>Dallas, TX 75244 |
| Cheryl Jernigan | 5005 LBJ Freeway, Suite 250<br>Dallas, TX 75244  |
| Clifton Leaf    | 5005 LBJ Freeway, Suite 250<br>Dallas, TX 75244  |
| Connie O'Neill  | 5005 LBJ Freeway, Suite 250<br>Dallas, TX 75244  |
| Robert Taylor   | 5005 LBJ Freeway, Suite 250<br>Dallas, TX 75244  |



Sacramento Valley Affiliate  
2443 Fair Oaks Boulevard, PMB 223, Sacramento, CA 95825  
916-492-6474 / FAX: 916-941-7896  
Helpline 1-800 I'M AWARE / [www.komensacramento.org](http://www.komensacramento.org)

Susan G. Komen for the Cure, Sacramento Affiliate  
BOARD OF DIRECTORS

Pattie Bastian, Recording Secretary  
1335 Berry Creek Road  
West Sacramento, CA 95709  
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[pattie.bastian@boe.ca.gov](mailto:pattie.bastian@boe.ca.gov)

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[esoup21@hotmail.com](mailto:esoup21@hotmail.com)

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Folsom, CA 95630  
916-983-6685  
[carolscase@comcast.net](mailto:carolscase@comcast.net)

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2045 Oxford St.  
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[njmallory@aol.com](mailto:njmallory@aol.com)

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Antelope, CA 95843  
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[blkynexec@aol.com](mailto:blkynexec@aol.com)

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Sacramento, CA 95864  
916-445-3723  
[trecianienow@aol.com](mailto:trecianienow@aol.com)

Diane Pearson-Brown, Treasurer  
6313 Date Palm Way  
Carmichael, CA 95608  
916-375-7604, xt. 1012  
[dianebrn@surewest.net](mailto:dianebrn@surewest.net)

Patti Teale, Director  
1642 38<sup>th</sup> St.  
Sacramento, CA 95816  
916-689-7580  
[pteale@pacbell.net](mailto:pteale@pacbell.net)

The greatest risk factors for  
breast cancer are being female  
and growing older

*THE CUP WITH LOVE PROJECT*

5050 Laguna Blvd, Suite 112 PMB 614  
Elk Grove, CA 95758  
916.691-2199 or 916.690.5491

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November 15, 2007

Mr. Steven Carpenito  
Marketing director  
Sacramento Harness Association  
2335 American River Drive, suite 406  
Sacramento, CA 95825

Dear Mr. Carpenito:

Per your request, listed below are our newly elected Cup With Love Project board members for 2007-08 and their addresses.

Ms. Molly Ximenez, Founder & President  
3629 Grand Point Lane  
Elk Grove, CA 95758

Ms. Gloria Torres, Vice President  
6801 Kilconell Drive  
Elk Grove, CA 95758

Ms. Sandra P. Poole, Secretary  
P.O. Box 22178  
Sacramento, CA 95822

Mr. Paul Gacutan, Treasurer  
8945 Paulhaus Way  
Elk Grove, CA 95758

Colleen Edson, Board Director  
1120 Brookline Circle  
Roseville, CA 95747

Should you need any additional information, please feel free to contact me at (916) 691-2199 or by cellular at (916) 690-5617.

(1 of 2)

Page 2  
Sacramento Harness Association

As the new year approaches we look forward in collaborating with you in outreaching to cancer patients and survivors in the greater Sacramento area.

Shriners Hospital for Children  
International Office  
2900 Rocky Point Drive  
Tampa Florida 33607-1460

Board of Trustees

Ralph W Semb -Chairman

Bernard J Lemieux MD -Vice Chairman

Frank J Roth, Trustee

W. Brandt Bede MD, Trustee

Charles A Claypool, Trustee

Bob Smith, Trustee

Timothy E Morris, Trustee

Raoul L Frevel, Sr. Trustee

- C. Name, address and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards: **Esther Schwartz, Capitol Reporters, 1300 Ethan Way, Suite 225, Sacramento, CA 95825, 916/923-5447**
- 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 – CDV – 210 System – Bill O’Brien – contract through 8/08**
- E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks. **Pegasus Communications – Jim Porep, President Contract thru 8/08**  
**Upper Pan Camera, Lower Pan Camera, 1/8 Pole Tower Camera, 5/8 Pole Tower Camera, Infield Warm Up Camera, Paddock Camera, Winners Circle/Finish Line Ground Level Camera. Seven (7)**
- 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:

## 12. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. **Attached**
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis: **18**
1. Attach a written plan for enhanced security for graded/stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention barns. **N/A**
  2. Detention Barns: **All Items Attached**
    - A. Attach a plan for use of graded stakes or overnight races.
    - B. Number of security guards in the detention barn area during a 24-hour period.
    - C. Describe number and location of surveillance cameras in detention barn area.
  3. TCO2 Testing: **All Items Attached**
    - A. Number of races to be tested, and number of horses entered in each race to be tested.
    - B. Plan for enhanced surveillance for trainers with high-test results.
    - C. Plan for detention barns for repeat offenders.
    - D. Number of security personnel assigned to the TCO2 program.



## 12. Security Controls

### A. & B.

#### Cal Expo Police Department

The Cal Expo Police Department is headed up by Chief Robert Craft. Chief Craft is a retired captain of the Sacramento Sheriffs Department and is one of the highest decorated officers in the history of the department. The Cal Expo police department enjoys a great working and professional relationship with the CHR B staff.

The grandstand and backstretch areas of the Cal Expo facility will be served by our police department. A minimum of 6 police officers, 2 mobile patrol units, 1 armed officer in the detention barn and 4 gatemen will be assigned exclusively to the racetrack, grandstand, and backstretch areas. Our backstretch and detention barn will also be served by unarmed Cal Expo Security Guards.

An organizational chart of our police department is attached and the contact phone numbers are: 916-263-3050 and 916-263-3120

### 2. Detention Barn-

Sacramento Harness has constructed a new detention barn. All California Sire Stake races and Overnight Stake races with purse of \$15,000 will be a detention barn race. All horses in those races must report for detention by 12 noon. Those horses will be in detention from then until race time.

Each horse in the detention barn will be limited to two caretakers (one groom and trainer) at a time and each person will be identified by CHR B license, checked, and all equipment will be checked. All functions in the detention barn will be documented and the documentation will be securely filed.

In addition, trainers having high TCO2 test(s) will be required to race all of their horses out of the detention barn for thirty days. Those horses must also report by 12 noon.

### 3. TCO2 Testing

Sacramento Harness will adhere to all CHR B guidelines in conjunction with TCO2 testing. In addition, horses that have previously tested high will be detained and placed under surveillance cameras each race day for no less than 30 days. The number of security personnel assigned to the TCO2 program will be determined on a day-to-day basis.

### C. Describe the electronic security system:

1. Location and number of video surveillance cameras for the detention barn and stable gate. Surveillance cameras on all stalls for detained horses with prior TCO2 offenses.

D. For night racing associations: Describe emergency lighting system

Sacramento Harness Association will employ the use of four generators that will be strategically placed in locations around the racetrack and be turned on continuously while night racing is occurring. In the event of a racetrack light failure, the generators will provide enough light to ensure the safety of all participants. Also, the patrol judge in the starter's car that tracks each race will illuminate the racetrack with their headlights.

## Detention Barn Policies & Procedures

1. All horses must report to the detention barn by 12:00 noon race day. Horses late for detention will be requested to be scratched by the Stewards and CHRB.
2. A valid CHRB license is required for detention barn admission. License must be displayed to detention barn security prior to admittance.
3. Only the licensed trainer and the assigned licensed groom are permitted in the detention barn enclosure.
4. CHRB licensed veterinarians will be permitted within the enclosure for lasix administration. Vet must be accompanied by trainer or assigned groom for lasix administration.
5. No therapeutic aids are permitted in the detention barn enclosure.
6. Warmups are permitted on both the front and back track. Horses must return directly to the detention barn or to the paddock following warmup. Horses warming up on back track must use main road only. Violation of any of the above will result in request for scratch.

**These policies have been agreed to by contract between the Sacramento Harness Association & California Harness Horseman Association.**

C. Describe the electronic security system:

1. Location and number of video surveillance cameras for the detention barn and stable gate.

D. For night racing associations. Describe emergency lighting system:

### 13. EMERGENCY SERVICES

A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races: **American Medical Response, 1779 Tribute Road, Sacramento, CA 95815, Contact Steve Guicy, 916/563-0600**

B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites: **N/A**

C. Describe the on-track first aid facility, including equipment and medical staffing:

D. Name and emergency telephone number of the licensed physician on duty during the race meeting:  
**(If quarter horse racing association see D(1): TBD**

Name, address and emergency telephone number of hospital located within 1.5 miles of the racetrack, which whom an agreement is in place to provide emergency medical services:  
**American Medical Response, 1779 Tribute Road, Sacramento, CA 95815, Contact Steve Guicy, 916/563-0600**

E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey: **Mercy Hospital, 4001 J Street, Sacramento, CA (916) 453-4553**

F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey: **Attached**

G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to B& P Code 19481.3(d): **Wayne Short, Health and Safety Manger; Rick Cisco, Assistant Health and Safety Manger**

H. Attach a fire clearance from the fire authority having jurisdiction over the premises. **Pending**

I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details): **State Fund Compensation, Policy # on file Expiration 4/1/2008**

J. 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 that secures the liability of the association for payment of workers' compensation.  
**Attached**

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall pursuant to B&P Code 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack

# EMERGENCY MEDICAL PROCEDURES FOR ON-TRACK INJURY TO DRIVERS

## *"FIRST RESPONSE"*

- In the event of an accident, the Starter, Outrider, and/or Ambulance shall respond immediately.
- The American Medical Response Ambulance will stop on the track and assess the driver(s) need.
- The attending medical professions shall be equipped with advanced cardiac life support (ACLS) and other necessary acute medical treatment equipment & supplies;
- An "on-site evaluation" of injuries to the driver(s) shall be made.

## *"ON-SITE EVALUATION"*

- Based on the Emergency Medical Response (EMT) team on the American Medical Response Ambulance an "on-site evaluation" of injuries, a decision shall be made to either treat the injured driver(s) on-site or to request emergency medical transport for off-site treatment at a hospital trauma center;
  - If on-site treatment is deemed sufficient, the American Medical Response shall treat the injured driver(s); or,
  - If off-site treatment is deemed necessary, a back up ambulance from American Medical Response will be summoned to take over the duties at the track and the original ambulance will transport the injured driver(s).

## *"INJURY TREATMENT"*

- If the injured driver(s) is treated by the EMT on the American Medical Response Ambulance, they will be the primary care provider.
- If a back up ambulance is requested, the injured driver(s) shall be transported to the local hospital.

## PRECUDIOS DE EMERGENCIA PARA MANEJADORES

### “PRIMERA RESPUESTA”

- En caso de un accidente, respondera la ambulancia, el poniador, o, el carrode comensar.
- La Ambulancia respondera par aver lo necesario.
- La Ambulancia tiene el equipo necesario para accidentes.
- Se hara una evaluacion de acuerdo al accidente.

### “EVALUACION AL INSTANTE”

- Basandose al (EMT) Emergencia Medica Responsable. Que es la ambulancia. Ellos Aran Una evaluacion al instante. Para ver si se puede tartar al momento o ser transportado, al hospital.

### “ATENCION AL ACSIDENTADO”

- El accidentado sera tratado de inmediato por (EMT).
- Sies demaciado grabe el accidente sera transportado por ambulancia al hospital.

En caso de algun corredor accidentado se hara un reporte complete por los encargados del tracke.

**ACORD CERTIFICATE OF LIABILITY INSURANCE** 10-26-07

PRODUCER (916) 988-0214 FAX: (916) 989-4719  
 Albano-Dale-Dunn & Lewis, Inc  
 9197 Greenback Lane Suite E  
 P. O. Box 2470 Lic#0442296  
 Orangevale CA 95662

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED  
 Sacramento Harness Association  
 2335 American River Drive,  
 Suite 406  
 Sacramento CA 95825

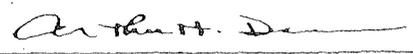
|                                |        |
|--------------------------------|--------|
| INSURERS AFFORDING COVERAGE    | NAIC # |
| INSURER A: Lexington Insurance |        |
| INSURER B: Progressive         |        |
| INSURER C: State Compensation  |        |
| INSURER D:                     |        |
| INSURER E:                     |        |

**COVERAGES**  
 THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | ADD'L INSRD | TYPE OF INSURANCE  | POLICY NUMBER      | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS   |
|----------|-------------|--|--------------------|----------------------------------|-----------------------------------|--|
| A        |             | GENERAL LIABILITY<br><input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | AIP-00002235253-01 | 9-18-07                          | 9-18-08                           | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000<br>MEDEXP (Any one person) \$ EXCLUDED<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| B        |             | AUTOMOBILE LIABILITY<br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> ALL OWNED AUTOS<br><input checked="" type="checkbox"/> SCHEDULED AUTOS<br><input checked="" type="checkbox"/> HIRED AUTOS<br><input checked="" type="checkbox"/> NON-OWNED AUTOS   | 03441742-1         | 3/20/2007                        | 3/20/2008                         | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$  |
|          |             | GARAGE LIABILITY<br><input type="checkbox"/> ANY AUTO  |                    |                                  |                                   | AUTO ONLY - EA ACCIDENT \$<br>OTHER THAN AUTO ONLY: EA ACC AGG \$  |
| A        |             | EXCESS/UMBRELLA LIABILITY<br><input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE<br>DEDUCTIBLE \$<br>RETENTION \$   | AIX-00002235254-01 | 9-18-07                          | 9-18-08                           | EACH OCCURRENCE \$ 2,000,000<br>AGGREGATE \$ 2,000,000   |
| C        |             | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?<br>If yes, describe under SPECIAL PROVISIONS below  | 1829531-07         | 4/1/2007                         | 4/1/2008                          | <input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER<br>E.L. EACH ACCIDENT \$ 1,000,000<br>E.L. DISEASE - EA EMPLOYEE \$ 1,000,000<br>E.L. DISEASE - POLICY LIMIT \$ 1,000,000                         |
|          |             | OTHER  |                    |                                  |                                   |  |

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS  
 \*10 Days notice of cancellation applies for non-payment of premium.

**CERTIFICATE HOLDER**  
 California Horse Racing Board  
 1010 Hurley Way Suite 210  
 Sacramento, CA 95825

**CANCELLATION**  
 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL \*30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.  
 AUTHORIZED REPRESENTATIVE  
 Arthur Dunn/JODY 



- B. Describe any "Season Boxes" and "Turf Club Membership" fees: N/A
- C. Describe any "package" plans such as combined parking, admission and program: N/A

#### 17. JOCKEYS/DRIVERS' QUARTERS

- A. Check the applicable amenities available in the jockeys/drivers' quarters:
- |                                     |                                |                                     |                                     |                                     |                          |
|-------------------------------------|--------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | Corners (lockers and cubicles) | How many                            | <input type="checkbox"/>            | 46                                  |                          |
| <input checked="" type="checkbox"/> | Showers                        | <input checked="" type="checkbox"/> | Steam room, sauna or steam cabinets | <input checked="" type="checkbox"/> | Lounge area              |
| <input type="checkbox"/>            | Masseur                        | <input checked="" type="checkbox"/> | Food/beverage service               | <input type="checkbox"/>            | Certified platform scale |
- B. Describe the quarters to be used for female jockeys/drivers: **same type, separated quarters**

#### 18. BACKSTRETCH EMPLOYEE HOUSING

- A. Inspection of backstretch housing was completed by (name) **Investigator Martin Snezek** on (date) **June 12, 2007**.
- B. Number of rooms used for housing on the backstretch of the racetrack: **92**
- C. Number of restrooms available on the backstretch of the racetrack: **8**
- D. Estimated ratio of restroom facilities to the number of backstretch personnel: **8/160**

#### 19. TRACK SAFETY

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line: **One Mile** 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. **Pylons are to be used instead of inner hub rail, an Aluminum Seriline Racing Rail, in full compliance of track safety regulation.**
- C. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Wayne Short, Director Backstretch Operations & J. R. Williams, and Track Superintendent**
- D. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On file**
- E. If the association is requesting approval to implement alternate methodologies to the provisions of

# ACORD CERTIFICATE OF LIABILITY INSURANCE

10-26-07

PRODUCER (916) 988-0214 FAX: (916) 989-4719  
 Albano-Dale-Dunn & Lewis, Inc  
 9197 Greenback Lane Suite E  
 P. O. Box 2470 Lic#0442296  
 Orangevale CA 95662

INSURED  
 Sacramento Harness Association  
 2335 American River Drive,  
 Suite 406  
 Sacramento CA 95825

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC #

INSURER A: Lexington Insurance

INSURER B: Progressive

INSURER C: State Compensation

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR ADD'L LTR | INSRD | TYPE OF INSURANCE   | POLICY NUMBER      | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS   |              |
|----------------|-------|---|--------------------|----------------------------------|-----------------------------------|--|--------------|
| A              |       | GENERAL LIABILITY   | AIP-00002235253-01 | 9-18-07                          | 9-18-08                           | EACH OCCURRENCE  | \$ 1,000,000 |
|                |       | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY  |                    |                                  |                                   | DAMAGE TO RENTED PREMISES (Ea occurrence)                | \$ 300,000   |
|                |       | <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR                            |                    |                                  |                                   | MED EXP (Any one person)                                 | \$ EXCLUDED  |
|                |       | GEN'L AGGREGATE LIMIT APPLIES PER:  |                    |                                  |                                   | PERSONAL & ADV INJURY                                    | \$ 1,000,000 |
|                |       | <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC |                    |                                  |                                   | GENERAL AGGREGATE  | \$ 2,000,000 |
| B              |       | AUTOMOBILE LIABILITY  | 03441742-1         | 3/20/2007                        | 3/20/2008                         | COMBINED SINGLE LIMIT (Ea accident)                      | \$ 1,000,000 |
|                |       | <input type="checkbox"/> ANY AUTO   |                    |                                  |                                   | BODILY INJURY (Per person)                               | \$           |
|                |       | <input checked="" type="checkbox"/> ALL OWNED AUTOS   |                    |                                  |                                   | BODILY INJURY (Per accident)                             | \$           |
|                |       | <input checked="" type="checkbox"/> SCHEDULED AUTOS   |                    |                                  |                                   | PROPERTY DAMAGE (Per accident)                           | \$           |
|                |       | <input checked="" type="checkbox"/> HIRED AUTOS   |                    |                                  |                                   | AUTO ONLY - Ea ACCIDENT                                  | \$           |
|                |       | <input checked="" type="checkbox"/> NON-OWNED AUTOS   |                    |                                  |                                   | OTHER THAN AUTO ONLY: EA ACC                             | \$           |
|                |       | GARAGE LIABILITY:   |                    |                                  |                                   | AGG  | \$           |
|                |       | <input type="checkbox"/> ANY AUTO   |                    |                                  |                                   |  |              |
| A              |       | EXCESS/UMBRELLA LIABILITY   | AIX-00002235254-01 | 9-18-07                          | 9-18-08                           | EACH OCCURRENCE  | \$ 2,000,000 |
|                |       | <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE                            |                    |                                  |                                   | AGGREGATE  | \$ 2,000,000 |
|                |       | <input type="checkbox"/> DEDUCTIBLE   |                    |                                  |                                   |  | \$           |
|                |       | <input type="checkbox"/> RETENTION \$   |                    |                                  |                                   |  | \$           |
| C              |       | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY   | 1829531-07         | 4/1/2007                         | 4/1/2008                          | <input checked="" type="checkbox"/> WC STATU-TORY LIMITS | OTH-ER       |
|                |       | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?   |                    |                                  |                                   | E.I. EACH ACCIDENT                                       | \$ 1,000,000 |
|                |       | If yes, describe under SPECIAL PROVISIONS below   |                    |                                  |                                   | E.I. DISEASE - EA EMPLOYEE                               | \$ 1,000,000 |
|                |       | OTHER   |                    |                                  |                                   | E.I. DISEASE - POLICY LIMIT                              | \$ 1,000,000 |

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

\*10 Days notice of cancellation applies for non-payment of premium.

CERTIFICATE HOLDER

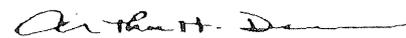
California Horse Racing Board  
 1010 Hurley Way Suite 210  
 Sacramento, CA 95825

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL \*30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Arthur Dunn/JODY



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. **Attached**

**20. DECLARATIONS**

- A. All labor and lease agreements and concession and service contracts necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state): **No Exceptions**
- B. Attach each horseman's agreement pursuant to CHRB Rule 2044. **On File**
- C. Attach a lease agreement permitting the association to occupy the racing facility during the entire term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made). **On File**
- D. 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**
- E. Absent natural disasters or causes beyond the control of the association, 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 association 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.

**21. 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 association to attest to this application on its behalf.

Donna Newmar  
Print Name

Donna Newmar  
Signature

Controller  
Print Title

12/31/07  
Date

**CALIFORNIA HORSE RACING BOARD**

**JANUARY 16, 2008**  
**REGULAR BOARD MEETING**

**There is no board package material for item 5**

STAFF ANALYSIS  
PROPOSED AMENDMENT OF  
RULE 1843.2, CLASSIFICATION OF DRUG SUBSTANCES  
AND  
PROPOSED ADDITION OF  
RULE 1843.3, PENALTIES FOR MEDICATION VIOLATIONS

Regular Board Meeting  
January 16, 2008

BACKGROUND

Business and Professions Code section 19440 specifies that the Board shall have all powers, including but not limited to adopting rules and regulations for the protection of the public and the control of horseracing and pari-mutuel wagering. Business and Professions Code section 19580 states that the Board shall adopt regulations to establish policies, guidelines and penalties relating to equine medication to preserve and enhance the integrity of horse racing in this State. Section 19581 of the Business and Professions Code specifies that no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. Business and Professions Code section 19582 provides that violations of section 19581, as determined by the Board, are punishable in regulations adopted by the Board, and that the Board may classify violations based upon each class of prohibited drug substances, prior violations within the previous three years and prior violations within the violator's lifetime. The Board may provide for suspensions of not more than 3 years. Effective January 1, 2008, the monetary penalties were changed from not more than \$50,000 to not more than \$1000,000 dollars. The Board may also provide for disqualification from purses, except for a third violation during the lifetime of the licensee, for a drug substance determined to be class 1 or class 2, which shall result in the permanent revocation of the person's license. The punishment for second and subsequent violations of Business and Professions Code section 19581 shall be greater than for first violations for violations of each class of prohibited drug substance.

At the April 2007 Regular Board Meeting an amendment to Rule 1843.2, Classification of Drug Substances, and the addition of Rule 1843.3, Penalties for Medication Violations, were adopted. The rulemaking was submitted to the Office of Administrative Law (OAL) in May 2007. During the 30-day OAL review several questions were raised regarding the texts. Rather than have the rulemaking disapproved outright, it was withdrawn to address the issues raised by OAL. The texts of the regulations were modified in accordance with OAL's concerns and noticed for an additional 15-day public comment period. The proposed amendment was readopted by the Board and resubmitted to OAL for review.

On December 4, 2007, OAL disapproved the proposed rulemaking. The disapproval was based on four reasons: 1) compliance with the Consistency standard of Government Code section 11349.1; 2) compliance with the Clarity standard of Government Code section 11349.1; 3) application of correct Administrative Procedures Act (APA) procedures; and 4) inadequate response to a comment made regarding the proposed action.

Government Code section 11349.1 defines Consistency as "...being in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or other provisions of law." The OAL disapproval stated there were a number of areas in the proposed regulations that were in conflict with existing law, and cited examples.

Government Code section 11349.1 defines Clarity as "...written or displayed so that the meaning of regulations will be easily understood by those persons directly affected by them." The OAL disapproval stated the regulations proposed to establish a complex penalty system, which needed to be understood by those affected by them, and cited several areas where the Clarity standard was not met.

The OAL disapproval letter contained examples of issues that caused the disapproval, *but OAL stated the examples were not exhaustive*. OAL warned that the regulations required significant redrafting, so it *reserved the right to conduct a complete APA review for compliance with the procedural requirements of the APA and for compliance with the substantive standards set forth in Government Code section 11349.1 when the regulations were resubmitted*. This means that OAL may review the resubmitted rulemaking in its totality, and find additional issues that could result in its disapproval.

On December 20, 2007, staff met with the OAL attorney who reviewed and disapproved the rulemaking. The OAL attorney and staff conducted a point-by-point review of the disapproval letter and the proposed texts. The texts of the proposed regulations were subsequently modified according to the issues discussed in the disapproval letter and the issues raised in discussion with the OAL attorney.

## ANALYSIS

The OAL disapproval cited Consistency as an issue in the proposed rulemaking. Among the Consistency issues it cited were:

An amendment to Business and Professions Code section 19517.5 that allows the respondent in an enforcement proceeding to elect to have the matter referred either to a Board of Stewards of a hearing office appointed by the Board from a pool jointly developed by a list of interested parties. This amendment, which was effective January 1, 2008, was not reflected in the proposed rulemaking. In response, the texts of rules 1843.2 and 1843.3 were changed to include the boards of stewards, the hearing officer and the administrative law judge. (See page 1 of both texts)

Business and Professions Code section 19582 provides that the permanent revocation of a license is reserved for a third violation of a class I or class II penalty. However, the proposed Rule 1843.3 provided that the penalty against a trainer for a *second* lifetime offense of a Class “A” penalty – with the presence of aggravating factors – could be a maximum of license revocation with no reapplication for a three-year period. This penalty was changed to impose a maximum of a three-year suspension. (See page 4 of Rule 1843.3)

Business and Professions Code section 19582.5 states that on disqualification of a horse that tests positive upon a finding of a prohibited drug substance in an official test sample taken in connection with the race in which it competed, *any purse, prize, award, or record for that race shall be forfeited*. However, in Rule 1843.3 the owners’ category “B” first and second offense penalties allowed for “loss of purse *in the absence of mitigating circumstances*.” OAL stated Business and Professions Code section 19582.5 authorized the consideration of mitigating circumstances in relation to disqualification of the horse; it did not provide for mitigating circumstances with regards to forfeiture of the purse. This was addressed by removing the phrase: “in the absence of mitigating circumstances” from the text. (See page 5 of Rule 1843.3) In addition, where the phrase “in the absence of mitigating circumstances” was used, the placement was revised to clarify that the mitigating circumstances applied to the issuance of a fine. (See pages 4 & 6 of Rule 1843.3)

Among the Clarity issues cited by the OAL decision were:

OAL stated section 1843.3(i)(l) was not clear in that it was not clear if the regulation sought to discipline a veterinarian for “the administration of any drug” or “the *unauthorized* administration of any drug.” In addition, permanent revocation of a veterinarian’s license would be inconsistent with Business and Professions Code section 19582, which allowed for permanent revocation for a third violation. These issues were addressed by including the phrase: “any drug substance resulting in a positive test.” The prohibition against practicing at any California racetrack indefinitely was also removed. (See page 9 of Rule 1843.3)

The proposed section 1843.3(j) provided that any licensee found to be in violation of state criminal statutes may be referred to the appropriate law enforcement agency. OAL stated the Board does not have jurisdiction to make findings concerning criminal statutes. The subsection was removed. (See page 10 of Rule 1843.3)

Other issues relating to Clarity included terminology, and references to organizations and jurisdictions (i.e. “RCI” versus “ARCI”). The issues were addressed by deleting references where appropriate, by spelling out or defining acronyms and by consistency in use of acronyms.

RECOMMENDATION

Staff recommends the Board direct staff to initiate a 15-day public comment period regarding the proposed amendment of Board Rule 1843.2, and the proposed addition of Board Rule 1843.3.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
PROPOSED AMENDMENT  
OF  
RULE 1843.2. CLASSIFICATION OF DRUG SUBSTANCES

Regular Board Meeting  
January 16, 2008

Single Underlined and Single Strikethrough text represent the original language adopted at the April 19, 2007 Regulatory Hearing.

Deletions to the adopted text appear as ~~Double Strikethrough~~ and new and revised text appears as *Italicized Double Underlined* as noticed August 27, 2007 through September 12, 2007, and adopted at the September 27, 2007 Regulatory Hearing.

Subsequent deletions to adopted text appear as ~~Bold Double Strikethrough~~ and new and revised text appears as ***Bold Italicized Double Underlined*** as proposed for notice for 15-day notice for proposed adoption at the February 2008 Regular Meeting of the Board.

1843.2. Classification of Drug Substances.

The ~~Board stewards~~, *the board of stewards, the hearing officer, or the administrative law judge*, when adjudicating a hearing for the finding of a drug substance(s) in a test sample taken from a horse participating in a race, shall consider the classification level of the substance as ~~established~~ referenced in the California Horse Racing Board (CHRB) Penalty ~~Category~~ *Categories* Listing By Classification (~~12/07 Revised 01/08~~), hereby incorporated by reference, which is based on the Association of Racing Commissioners International (ARCI) Uniform Classification Guidelines for Foreign Substances (4/05). below:

~~CLASS 1: Drug substances not approved by the Food and Drug Administration (FDA) for use or sale in the United States, and drug substances both medicinal and non-medicinal which have high abuse potential. These drug substances include, but are not limited to, stimulant and depressant drug substances, including opiates, opium derivatives, synthetic opioids, psychoactive~~

~~drugs, amphetamines, and Drug Enforcement Agency Schedule I and Schedule II drugs, listed in Title 21 Code of Federal Regulations, Section 1308.11 and Section 1308.12, respectively, which is hereby incorporated by reference.~~

~~CLASS 2: Drug substances which are pharmacologically active in altering consciousness or the psychic state, or therapeutic drug substances with potential for abuse. These drug substances include, but are not limited to:~~

- ~~a. Opiate partial agonists, or agonist-antagonists.~~
- ~~b. Non-opiate psychotropic drugs.~~
- ~~c. Drug substances which have as their major pharmacological effect stimulation of the central nervous system.~~
- ~~d. Drug substances which have as their major pharmacological effect depression of the central nervous system.~~
- ~~e. Antidepressant and antipsychotic drugs.~~
- ~~f. Neuromuscular blocking agents.~~
- ~~g. Parenteral local anesthetics, excluding procaine.~~
- ~~h. Snake venoms and other biologic substances that may be used as nerve blocking agents.~~

~~CLASS 3: Drug substances whose major pharmacological effects are on the cardiovascular, respiratory and/or autonomic nervous systems. These drug substances include but are not limited to:~~

- ~~a. Bronchodilators.~~
- ~~b. Procaine.~~

~~e. Antihistamines that exert an excitatory or depressant action on the central nervous system.~~

~~d. Primary vasodilators or hypotensive agents.~~

~~e. Cardiac glycosides and antiarrhythmics:~~

~~1. Cardiac glycosides.~~

~~2. Antiarrhythmic agents (exclusive of lidocaine, bretylium and propranolol).~~

~~f. Topical Anesthetics agents not available in injectable formulations.~~

~~CLASS 4: Drug substances which are approved by the FDA for human use, or used under extra-label guidelines as defined by the FDA. These drug substances include, but are not limited to, human-labeled non-steroidal anti-inflammatory agents, antihistamines, and some analgesics.~~

~~a. Non-opiate drug substances which have a mild central analgesic effect.~~

~~b. Drug substances pharmacologically active on the autonomic nervous system, not affecting the central nervous system, cardiovascular, or respiratory systems.~~

~~1. Drug substances used solely as topical vasoconstrictors or decongestants.~~

~~2. Drug substances used as gastrointestinal antispasmodics.~~

~~3. High ceiling and loop diuretics other than those authorized by the CHRB and carbonic anhydrase inhibitors.~~

~~4. Drug substances which have a major pharmacological effect on the central nervous system vasculature or smooth muscle of visceral organs.~~

~~c. Antihistamines whose pharmacological action is mediated by H1 receptors.~~

~~CLASS 5: Drug substances which have accepted therapeutic use in the horse. These drug substances include, but are not limited to, non-steroidal anti-inflammatory agents approved for equine veterinary use by the FDA, but not authorized by the CHRB.~~

~~a. Expectorants with minimal other pharmacologic action.~~

~~b. Non-steroidal anti-inflammatory drug substances (NSAIDs) approved for veterinary use in the United States, but not authorized by the CHRB.~~

~~CLASS 6: Drug substances which are therapeutically used in the maintenance of the health care of the horse. These drug substances include, but are not limited to, skeletal muscle relaxants, mucolytic agents, glucocorticoids, mineralocorticoids, osmotic and thiazide diuretics, anabolic and androgenic steroids, and specific peripheral vasodilators appearing in official test samples, as well as authorized medication exceeding the CHRB's authorized levels as established in Rule 1844(c)(1-4) of this division.~~

~~CLASS 7: Drug substances which are routinely used therapeutically to maintain the health of the horse. These drug substances include, but are not limited to, anthelmintic agents other than phenothiazine derivatives, oral adsorbent antidiarrheal agents, antihistamines whose pharmacological action is mediated by H<sub>2</sub> receptors, antimicrobial such as sulfonamides, tetracyclines, and anti-fungal agents.~~

Authority: Sections 19580, 19581 and 19582,  
Business and Professions Code.

Reference: Sections 19580, 19581 and 19582,  
Business and Professions Code.

# California Horse Racing Board (CHRB)

## Penalty Categories

### Listing by Classification

**Class 1:** Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apmorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.)

| Drug                      | Trade Name       | ARCI Class | Penalty Class | Drug                                     | Trade Name       | ARCI Class | Penalty Class |
|---------------------------|------------------|------------|---------------|--|------------------|------------|---------------|
| Alfentanil                | Alfenta          | 1          | A             | Metaraminol                              | Aramine          | 1          | A             |
| Amphetamine               |                  | 1          | A             | Methadone                                | Dolophine        | 1          | A             |
| Anileridine               | Leritine         | 1          | A             | Methamphetamine                          | Desoxyn          | 1          | A             |
| Apomorphine               |                  | 1          | A             | Methaqualone                             | Quaalude         | 1          | A             |
| Benzylpiperazine (BZP)    |                  | 1          | A             | Methylphenidate                          | Ritalin          | 1          | A             |
| Carfentanil               |                  | 1          | A             | Metopon<br>(methyldihydromorphinone)     |                  | 1          | A             |
| Cocaine                   |                  | 1          | B             | Morphine                                 |                  | 1          | B             |
| <u>Darb-erythropoetin</u> |                  | 1          | A             |  |                  |            |               |
| Dextromoramide            | Palfium, Narcolo | 1          | A             | Nikethamide                              | Coramine         | 1          | A             |
| Diamorphine               |                  | 1          | A             | Oxycodone                                | Percodan         | 1          | A             |
| Endorphins                |                  | 1          | A             | Oxymorphone                              | Numorphan        | 1          | A             |
| Enkephalins               |                  | 1          | A             | Pemoline                                 | Cylert           | 1          | A             |
| Ethylmorphine             | Dionin           | 1          | A             | Pentylenetetrazol                        | Metrazol, Nioric | 1          | A             |
| Etorphine HCl             | M99              | 1          | A             | Phenazocine                              | Narphen          | 1          | A             |
| Fentanyl                  | Sublimaze        | 1          | A             | Phencyclidine (PCP)                      | Sernylan         | 1          | A             |
| Hydromorphone             | Dilaudid         | 1          | A             | Phendimetrazine                          | Bontril, etc.    | 1          | A             |
| Hydroxyamphetamine        | Paradrine        | 1          | A             | Phenmetrazine                            | Preludin         | 1          | A             |
| Levorphanol               | Levo-Dremoran    | 1          | A             | Picrotoxin                               |                  | 1          | A             |
| Lofentanil                |                  | 1          | A             | Piritramide                              |                  | 1          | A             |
|                           |                  |            |               | <u>Recombinant equine-Growth Hormone</u> |                  | 1          | A             |
|                           |                  |            |               | <u>Recombinant human-Growth Hormone</u>  |                  | 1          | A             |
| Mazindol                  | Sanorex          | 1          | A             | Remifentanil                             | Ultiva           | 1          | A             |
|                           |                  |            |               | <u>Rh-erythropoetin</u>                  |                  | 1          | A             |
| Meperidine                | Demerol          | 1          | A             | Strychnine                               |                  | 1          | B             |
| Mephentermine             |                  | 1          | A             | Sufentanil                               | Sufenta          | 1          | A             |

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

| Drug           | Trade Name                                   | ARCI Class | Penalty Class | Drug                               | Trade Name              | ARCI Class | Penalty Class |
|----------------|--|------------|---------------|------------------------------------|-------------------------|------------|---------------|
| Acecarbromal   |  | 2          | A             | Benzazepam                         | Tiadipona               | 2          | A             |
| Acetophenazine | Tindal                                       | 2          | A             | Benzactizine                       | Deprol, Bronchodiletten | 2          | A             |
| Adinazolam     |  | 2          | A             | Benzocetamine                      |                         | 2          | A             |
| Alclofenac     |  | 2          | B             |                                    |                         |            |               |
| Alcuronium     | Alloferin                                    | 2          | A             | Benzphetamine                      | Didrex                  | 2          | A             |
| Alphaprodine   | Nisentil                                     | 2          | A             | Benztropine                        | Cogentin                | 2          | A             |
| Alpidem        | Anaxyl                                       | 2          | A             | Biriperone                         |                         | 2          | A             |
| Alprazolam     | Xanax  | 2          | A             | Bromazepam                         | Lexotan, Lectopam       | 2          | A             |
| Althesin       | Saffan                                       | 2          | A             | Bromisovalum                       | Diffucord, etc.         | 2          | A             |
| Amisulpride    | Solian                                       | 2          | A             | Bromocriptine                      | Parlodol                | 2          | A             |
| Amitriptyline  | Elavil, Amitril, Endep                       | 2          | A             | Bromperidol                        | Bromidol                | 2          | A             |
| Amobarbital    | Amytal                                       | 2          | A             | Brotizolam                         | Brotocol                | 2          | A             |
| Amoxapine      | Asendin                                      | 2          | A             | Bupivacaine                        | Marcaine                | 2          | A             |
| Amperozide     |  | 2          | A             | Buprenorphine                      | Temgesic                | 2          | A             |
| Anilopam       | Anisine                                      | 2          | A             | Buspirone                          | Buspar                  | 2          | A             |
| Aprobarbital   | Alurate                                      | 2          | A             | Buspropion                         | Wellbutrin              | 2          | A             |
| Azacylonol     | Frenque                                      | 2          | A             | Butabarbital<br>(Secbutobarbitone) | Butacaps, Butasol, etc. | 2          | A             |
| Azaperone      | Stresnil, Suicalm,<br>Fentaz (with Fentanyl) | 2          | A             | Butalbital (Talbutal)              | Fiorinal                | 2          | A             |
| Barbital       | Veronal                                      | 2          | A             | Butanilcaine                       | Hostacain               | 2          | A             |
| Bemegrade      | Megimide, Mikedimide                         | 2          | A             | Butaperazine                       | Repoise                 | 2          | A             |
| Benoxaprofen   |  | 2          | B             |                                    |                         |            |               |
| Benperidol     |  | 2          | A             | Butoctamide                        | Listomin                | 2          | A             |

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

| Drug                          | Trade Name            | ARCI Class | Penalty Class | Drug               | Trade Name                | ARCI Class | Penalty Class |
|-------------------------------|-----------------------|------------|---------------|--------------------|---------------------------|------------|---------------|
| Caffeine                      |                       | 2          | B             | Clocapramine       |                           | 2          | A             |
| Camazepam                     | Paxor                 | 2          | A             | Clomethiazole      |                           | 2          | A             |
| Captodiame                    | Covatine              | 2          | A             | Clomipramine       | Anafranil                 | 2          | A             |
| Carbidopa + levodopa          | Sinemet               | 2          | A             | Clonazepam         | Klonopin                  | 2          | A             |
| Carbromol                     | Mifudorm              | 2          | A             | Clorazepate        | Tranxene                  | 2          | A             |
| Carphenazine                  | Proketazine           | 2          | A             | Clothiapine        | Entermin                  | 2          | A             |
| Carpipramine                  | Prazinil              | 2          | A             | Clotiazepam        | Trecalmo, Rize            | 2          | A             |
| Chloralose (Alpha-Chloralose) |                       | 2          | A             | Cloxazolam         | Enadel, Sepazon, Tolestan | 2          | A             |
| Chloral betaine               | Beta-Chlor            | 2          | A             | Clozapine          | Clozaril, Leponex         | 2          | A             |
| Chloral hydrate               | Nactec, Oidrate, etc. | 2          | A             | Codeine            |                           | 2          | B             |
| Chloraldehyde (chloral)       |                       | 2          | A             | Conorphone         |                           | 2          | A             |
| Chlordiazepoxide              | Librium               | 2          | A             | Corticaine         | Ultracain                 | 2          | A             |
| Chlormezanone                 | Trancopal             | 2          | A             | Crotetamide        |                           | 2          | A             |
| Chloroform                    |                       | 2          | A             | Cyamemazine        | Tercian                   | 2          | A             |
| Chlorhexidol                  |                       | 2          | A             | Cyclobarbital      | Phanodorm                 | 2          | A             |
| Chloroprocaine                | Nesacaine             | 2          | A             | Decamethonium      | Syncurine                 | 2          | A             |
| Chlorproethazine              | Newiplege             | 2          | A             | Demoxepam          |                           | 2          | A             |
| Chlorpromazine                | Thorazine, Largactil  | 2          | A             | Desipramine        | Norpromine, Pertofrane    | 2          | A             |
| Chlorprothixene               | Taractan              | 2          | A             | Dezocine           | Dalgan®                   | 2          | A             |
| Citalopram                    | Celex                 | 2          | A             | Diazepam           | Valium                    | 2          | B             |
| Clobazam                      | Urbanyl               | 2          | A             | Dichloralphenazone | Febenol, Isocom           | 2          | A             |

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

| Drug                 | Trade Name                                       | <u>ARCI</u><br>Class | Penalty<br>Class | Drug                  | Trade Name                             | <u>ARCI</u><br>Class | Penalty<br>Class |
|----------------------|--|----------------------|------------------|-----------------------|--|----------------------|------------------|
| Diethylpropion       | Tepanil, etc.                                    | 2                    | A                | Ethylisobutrazine     | Diquel                                 | 2                    | A                |
| Diethylthiambutene   | Themalon   | 2                    | A                | Etidocaine            | Duranest                               | 2                    | A                |
| Dihydrocodeine       | Parcodin   | 2                    | A                | Etifoxin              | Stresam                                | 2                    | A                |
| Dilorazepam          | Briantum   | 2                    | A                | Etizolam              | Depas, Pasaden                         | 2                    | A                |
| Diprenorphine        | M50/50   | 2                    | A                | Etodroxizine          | Indunox                                | 2                    | A                |
| Dixyrazine           | Esucos   | 2                    | A                | Etomidate             |  | 2                    | A                |
| Dopamine             | Intropin   | 2                    | A                | Fenarbamate           | Tymium                                 | 2                    | A                |
|                      |  |                      |                  | <u>Fenclozic acid</u> | <u>Myalex</u>                          | <u>2</u>             | <u>B</u>         |
| Doxapram             | Dopram   | 2                    | A                | Fenfluramine          | Pondimin                               | 2                    | A                |
| Doxefazepam          | Doxans   | 2                    | A                | Fluanisone            | Sedalande                              | 2                    | A                |
| Doxepin              | Adapin, Sinequan                                 | 2                    | A                | Fludiazepam           | Erispam                                | 2                    | A                |
| Droperidol           | Inapsine, Droleptan, Innovar-Vet (with Fentanyl) | 2                    | A                | Flunitrazepam         | Rohypnol, Narcozep, Darkene, Hypnodorm | 2                    | A                |
| Enciprazine          |  | 2                    | A                | Fluopromazine         | Psyquil, Siquil                        | 2                    | A                |
| Ephedrine            |  | 2                    | A                | Fluoresone            | Caducid                                | 2                    | A                |
| <u>Epibatidine</u>   |  | <u>2</u>             | <u>A</u>         | Fluoxetine            | Prozac                                 | 2                    | A                |
| Epinephrine          |  | 2                    | A                | Flupenthixol          | Depixol, Fluaxol                       | 2                    | A                |
| Erythropoietin (EPO) | Epogen, Procrit, etc.                            | 2                    | A                | Fluphenazine          | Prolixin, Permitil, Anatensol          | 2                    | B                |
| Estazolam            | Domnamid, Eurodin, Nuctalon                      | 2                    | A                | Flurazepam            | Dalmane                                | 2                    | A                |
| Ethamivan            |  | 2                    | A                | Fluspirilene          | Imap, Redeptin                         | 2                    | A                |
| <u>Ethanol</u>       |  | <u>2</u>             | <u>B</u>         | Flutoprazepam         | Restas                                 | 2                    | A                |
| Ethchlorvynol        | Placidyl   | 2                    | A                | Fluvoxamine           | Dumirox, Faverin, etc.                 | 2                    | A                |
| Ethinamate           | Valmid   | 2                    | A                | Gallamine             | Flaxedil                               | 2                    | A                |
| Ethopropazine        | Parsidol   | 2                    | A                | Gepirone              |  | 2                    | A                |

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

| Drug                              | Trade Name                          | <u>ARCI</u><br>Class | Penalty<br>Class | Drug                                   | Trade Name                | <u>ARCI</u><br>Class | Penalty<br>Class |
|-----------------------------------|-------------------------------------|----------------------|------------------|--|---------------------------|----------------------|------------------|
| Glutethimide                      | Doriden                             | 2                    | A                | Lithium                                | Lithizine, Duralith, etc. | 2                    | A                |
| Halazepam                         | Paxipam                             | 2                    | A                | Lobeline                               |                           | 2                    | A                |
| Haloperidol                       | Haldol                              | 2                    | A                | Loflazepate, Ethyl                     | Victan                    | 2                    | A                |
|                                   |                                     |                      |                  | <u>Loperamide</u>                      | <u>Imodium</u>            | <u>2</u>             | <u>B</u>         |
| Haloxazolam                       | Somelin                             | 2                    | A                | Loprazolam                             | Dormonort, Havlane        | 2                    | A                |
| Hemoglobin glutamers              | Oxyglobin, Hemopure                 | 2                    | A                | Lorazepam                              | Ativan                    | 2                    | A                |
| Hexafluorenium                    | Myalexen                            | 2                    | A                | Lormetazepam                           | Noctamid                  | 2                    | A                |
| Hexobarbital                      | Evipal                              | 2                    | A                | Loxapine                               | Laxitane                  | 2                    | A                |
| Homophenazine                     | Pelvichthol                         | 2                    | A                | Maprotiline                            | Ludiomil                  | 2                    | A                |
| Hydrocodone<br>(dihydrocodeinone) | Hycodan                             | 2                    | A                | Mebutamate                             | Axiten, Dormate, Capla    | 2                    | A                |
| Hydroxyzine                       | Atarax                              | 2                    | B                | Meclofenoxate                          | Lucidril, etc.            | 2                    | A                |
| Ibomal                            | Noctal                              | 2                    | A                | Medazepam                              | Nobrium, etc.             | 2                    | A                |
| Imipramine                        | Imavate, Presamine, Tofranil        | 2                    | A                | Melperone                              | Eunerpan                  | 2                    | A                |
| Isapirone                         |                                     | 2                    | A                | Meparfynol                             | Oblivon                   | 2                    | A                |
| Isocarboxazid                     | Marplan                             | 2                    | A                | Mepazine                               | Pacatal                   | 2                    | A                |
| Isomethadone                      |                                     | 2                    | A                | Mephenoxalone                          | Control, etc.             | 2                    | A                |
| Isoproterenol                     | Isoprel                             | 2                    | A                | Mephenytoin                            | Mesantoin                 | 2                    | A                |
| <u>Isoxicam</u>                   | <u>Maxicam</u>                      | <u>2</u>             | <u>B</u>         |  |                           |                      |                  |
| Ketamine                          | Ketalar, Ketaset,<br>Vetalar        | 2                    | B                | Mephobarbital<br>(Methylphenobarbital) | Mebaral                   | 2                    | A                |
| Ketazolam                         | Anxon, Lafram,<br>Solatran, Loftran | 2                    | A                | Mepivacaine                            | Carbocaine                | 2                    | B                |
| Lenperone                         | Elanone-V                           | 2                    | A                | Meprobamate                            | Equanil, Miltown          | 2                    | B                |
| Levomethorphan                    |                                     | 2                    | A                | Mesoridazine                           | Serentil                  | 2                    | A                |
| Lidocaine                         | Xylocaine                           | 2                    | B                | Metaclazepam                           | Talis                     | 2                    | A                |

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

| Drug              | Trade Name                | ARCI Class | Penalty Class | Drug          | Trade Name           | ARCI Class | Penalty Class |
|-------------------|---------------------------|------------|---------------|---------------|----------------------|------------|---------------|
| Metazocine        |                           | 2          | A             | Nortriptyline | Aventyl, Pamelor     | 2          | A             |
| Metharbital       | Gemonil                   | 2          | A             | Olanzapine    | Zyprexa              | 2          | A             |
| Methohexital      | Brevital                  | 2          | A             | Oxazepam      | Serax                | 2          | A             |
| Methotrimeprazine | Levoprome, Neurocil, etc. | 2          | A             | Oxazolam      | Serenal              | 2          | A             |
| Methyprylon       | Noludar                   | 2          | A             | Oxyperitine   | Forit, Integrin      | 2          | A             |
| Metocurine        | Metubine                  | 2          | A             | Pancuronium   | Pavulon              | 2          | A             |
| Metomidate        | Hypnodil                  | 2          | A             | Paraldehyde   | Paral                | 2          | A             |
| Mexazolam         | Melex                     | 2          | A             | Paroxetine    | Paxil, Seroxat       | 2          | A             |
| Midazolam         | Versed                    | 2          | A             | Penfluridol   | Cyperon              | 2          | A             |
| Mirtazepine       | Remeron                   | 2          | A             | Pentobarbital | Nembutal             | 2          | A             |
| Modafinil         | Provigil                  | 2          | A             | Perazine      | Taxilan              | 2          | A             |
| Molindone         | Moban                     | 2          | A             | Periciazine   | Alodept, etc.        | 2          | A             |
| Moperone          | Luvatren                  | 2          | A             | Perlazine     | Hypnodin             | 2          | A             |
| Mosaprimine       |                           | 2          | A             | Perphenazine  | Trilafon             | 2          | A             |
| Nalbuphine        | Nubain                    | 2          | A             | Phenaglycodol | Acalo, Alcamid, etc. | 2          | A             |
| Nalorphine        | Nalline, Lethidrone       | 2          | A             | Phenelzine    | Nardelzine, Nardil   | 2          | A             |
| Nefazodone        | Serzone                   | 2          | A             | Phenobarbital | Luminal              | 2          | A             |
| Nimetazepam       | Erimin                    | 2          | A             | Phentermine   | Iomamin              | 2          | A             |
| Nitrazepam        | Mogadon                   | 2          | A             | Piminodine    | Alvodine, Cimadon    | 2          | A             |
| Nordiazepam       | Calmday, Nordaz, etc.     | 2          | A             | Pimozide      | Orap                 | 2          | A             |
| Norepinephrine    |                           | 2          | A             | Pinazepam     | Domar                | 2          | A             |

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

| Drug               | Trade Name              | <u>ARCI</u><br>Class | Penalty<br>Class | Drug                              | Trade Name              | <u>ARCI</u><br>Class | Penalty<br>Class |
|--------------------|-------------------------|----------------------|------------------|-----------------------------------|-------------------------|----------------------|------------------|
| Pipamperone        | Dipiperon               | 2                    | A                | Quetiapine                        | Seroquel                | 2                    | A                |
| Pipequaline        |                         | 2                    | A                | Racemethorphan                    |                         | 2                    | A                |
| Piperacetazine     | Psymod, Quide           | 2                    | A                | Racemorphan                       |                         | 2                    | A                |
| Piperocaine        | Metycaine               | 2                    | A                | Raclopride                        |                         | 2                    | A                |
| Pipotiazine        | Lonseren, Piportil      | 2                    | A                | Remoxipride                       | Roxiam                  | 2                    | A                |
| Pipradrol          | Dataril, Gerondyl, etc. | 2                    | A                | Reserpine                         | Serpasil                | 2                    | B                |
| Piquindone         |                         | 2                    | A                | Rilmazafone                       |                         | 2                    | A                |
| Prazepam           | Verstran, Centrax       | 2                    | A                | Risperidone                       |                         | 2                    | A                |
| Prilocaine         | Citanest                | 2                    | A                | Ritanserin                        |                         | 2                    | A                |
| Prochlorperazine   | Darbazine, Compazine    | 2                    | A                | Rivastigmine                      | Exelon                  | 2                    | A                |
|                    |                         |                      |                  | Rofecoxib                         | Vioxx                   | 2                    | B                |
| Propanidid         |                         | 2                    | A                | Romifidine                        | Sedivet                 | 2                    | B                |
| Propiomazine       | Largon                  | 2                    | A                | Ropivacaine                       | Naropin                 | 2                    | A                |
| Propionylpromazine | Tranvet                 | 2                    | B                | Secobarbital<br>(Quinalbarbitone) | Seconal                 | 2                    | A                |
| Propiram           |                         | 2                    | A                | Selegiline                        | Eldepryl, Jumex         | 2                    | A                |
| Propofol           | Diprivan, Disoprivan    | 2                    | A                | Sertraline                        | Lustral, Zoloft         | 2                    | A                |
| Propoxycaine       | Ravocaine               | 2                    | A                | Snake Venoms                      |                         | 2                    | A                |
| Prothipendyl       | Dominal                 | 2                    | A                | Spiclomazine                      |                         | 2                    | A                |
| Protriptyline      | Concordin, Triptil      | 2                    | A                | Spiperone                         |                         | 2                    | A                |
| Proxibarbitol      | Axeen, Centralgol       | 2                    | A                | Succinylcholine                   | Sucostrin, Quelin, etc. | 2                    | A                |
| Pyrithyldione      | Hybersulfan, Sonodor    | 2                    | A                | Sulfondiethylmethane              |                         | 2                    | A                |
| Quazipam           | Doral                   | 2                    | A                | Sulfonmethane                     |                         | 2                    | A                |

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

| Drug             | Trade Name              | ARCI Class | Penalty Class | Drug                      | Trade Name              | ARCI Class | Penalty Class |
|------------------|-------------------------|------------|---------------|---------------------------|-------------------------|------------|---------------|
| Sulforidazine    | Inofal                  | 2          | A             | Tribromethanol            |                         | 2          | A             |
| Sulpiride        | Aiglonyl, Sulpitil      | 2          | A             | Tricaine methanesulfonate | Finquel                 | 2          | A             |
| Sultopride       | Barnetil                | 2          | A             | Trichloroethanol          |                         | 2          | A             |
| Talbutal         | Lotusate                | 2          | A             | Trichloroethylene         | Trilene, Trimar         | 2          | A             |
| Tandospirone     |                         | 2          | A             | Triclofos                 | Triclos                 | 2          | A             |
| Temazepam        | Restoril                | 2          | A             | Trifluomeprazine          | Nortran                 | 2          | A             |
| Tetrabenazine    | Nitoman                 | 2          | A             | Trifluoperazine           | Stelazine               | 2          | A             |
| Tetracaine       | Pontocaine              | 2          | B             | Trifluoperidol            | Triperidol              | 2          | A             |
| Tetrazepam       | Musaril, Myolastin      | 2          | A             | Triflupromazine           | Vetame, Vesprin         | 2          | A             |
| Thebaine         |                         | 2          | A             | Trimipramine              | Surmontil               | 2          | A             |
| Thialbarbital    | Kemithal                | 2          | A             | Tubocurarine (Curare)     | Metubin                 | 2          | A             |
| Thiamylal        | Surital                 | 2          | A             | Tybamate                  | Benvil, Nospan, etc.    | 2          | A             |
| Thiethylperazine | Torecan                 | 2          | A             | Urethane                  |                         | 2          | A             |
| Thiopental       | Pentothal               | 2          | A             | Valdecoxib                |                         | 2          | B             |
| Thiopropazate    | Dartal                  | 2          | A             | Valnoctamide              | Nirvanyl                | 2          | A             |
| Thiopropazine    | Majeptil                | 2          | A             | Venlafaxine               | Efflexor                | 2          | A             |
| Thioridazine     | Mellaril                | 2          | A             | Veralipride               | Accional, Veralipril    | 2          | A             |
| Thiothixene      | Navane                  | 2          | A             | Vercuronium               | Norcuron                | 2          | A             |
| Tiapride         | Italprid, Luxoben, etc. | 2          | A             | Viloxazine                | Catatrol, Vivalan, etc. | 2          | A             |
| Tiletamine       | Component of Telazol    | 2          | A             | Vinbarbital               | Delvinol                | 2          | A             |
| Timiperone       | Tolopelon               | 2          | A             | Vinylbital                | Optanox, Speda          | 2          | A             |
| Tofisopam        | Grandaxain, Seriel      | 2          | A             | Yohimbine                 |                         | 2          | A             |
| Topirimate       | Topamax                 | 2          | A             | Zolazepam                 |                         | 2          | A             |
| Tramadol         | Ultram                  | 2          | A             | Zolpidem                  | Ambien, Stilnox         | 2          | A             |
|                  |                         |            |               | Zomepirac                 | Zomax                   | 2          | B             |
| Tranylcypromine  | Parnate                 | 2          | A             | Zopiclone                 | Imovan                  | 2          | A             |
| Trazodone        | Desyrel                 | 2          | A             | Zotepine                  | Lodopin                 | 2          | A             |
| Triazolam        | Halcion                 | 2          | A             | Zuclopenthixol            | Ciatyl, Cesordinol      | 2          | A             |

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

| Drug                         | Trade Name                  | <u>ARCI</u><br>Class | Penalty<br>Class | Drug   | Trade Name          | <u>ARCI</u><br>Class | Penalty<br>Class |
|------------------------------|-----------------------------|----------------------|------------------|--|---------------------|----------------------|------------------|
| <u>19-Norandrostenediol</u>  |                             | 3                    | B                | Bumetanide                                   | Bumex               | 3                    | B                |
| <u>19-Norandrostenedione</u> |                             | 3                    | B                | Butorphanol                                  | Stadol, Torbugesic  | 3                    | B                |
| <u>4-Hydroxytestosterone</u> |                             | 3                    | B                | Candesartan                                  | Atacand             | 3                    | B                |
| Acebutolol                   | Sectral                     | 3                    | B                | Captopril                                    | Capolen             | 3                    | B                |
| Acepromazine                 | Atrovet, Notensil, PromAce® | 3                    | B                | Carazolol                                    | Carbacel, Conducton | 3                    | A                |
| Albuterol (Salbutamol)       | Proventil, Ventolin         | 3                    | B                | Carbachol                                    | Lentin, Doryl       | 3                    | B                |
| Alprenolol                   |                             | 3                    | A                | Carbamezapine                                | Tegretol            | 3                    | B                |
| Ambenonium                   | Mytelase, Myeuran           | 3                    | B                | Carbinoxamine                                | Clistin             | 3                    | B                |
| Aminophylline                | Aminophyllin, etc.          | 3                    | B                | Carteolol                                    | Cartrol             | 3                    | B                |
| Amlodipine                   | Norvasc                     | 3                    | A                | Carvedilol                                   | Coreg               | 3                    | B                |
|                              |                             |                      |                  | <u>Celecoxib</u>                             | <u>Celebrex</u>     | 3                    | B                |
|                              |                             |                      |                  | <u>Clausterone</u>                           | <u>Methosorb</u>    | 3                    | B                |
| Amyl nitrite                 |                             | 3                    | A                | <u>Clostebol</u>                             |                     | 3                    | B                |
| Arecoline                    |                             | 3                    | A                | Cimeterol                                    |                     | 3                    | A                |
| Atenolol                     | Tenormin                    | 3                    | B                | Clenbuterol                                  | Ventipulmin         | 3                    | B                |
| Atropine                     |                             | 3                    | B                | Clonidine                                    | Catapres            | 3                    | B                |
| Betaxolol                    | Kerlone                     | 3                    | B                | Cyclandelate                                 | Cyclospasmol        | 3                    | A                |
| Bethanidine                  | Esbatol                     | 3                    | A                | Cycrimine                                    | Pagitane            | 3                    | B                |
|                              |                             |                      |                  | <u>Danazol</u>                               | <u>Danocrine</u>    | 3                    | B                |
| Biperiden                    | Akineton                    | 3                    | A                | <u>Dehydrochloromethyl-<br/>testosterone</u> |                     | 3                    | B                |
|                              |                             |                      |                  | <u>Deracoxib<sup>2</sup></u>                 |                     | 3                    | C                |
| Bisoprolol                   | Zebeta, Bisobloc, etc.      | 3                    | B                | <u>Desoxymethyl-<br/>testosterone</u>        |                     | 3                    | B                |
| Bitolterol                   | Effectin                    | 3                    | B                | Detomidine                                   | Dormosedan          | 3                    | B                |
| <u>Bolasterone</u>           |                             | 3                    | B                | Dextropropoxyphene                           | Darvon              | 3                    | B                |
| <u>Boldione</u>              |                             | 3                    | B                | Diazoxide                                    | Proglycem           | 3                    | B                |
|                              |                             |                      |                  | <u>Diflunisal</u>                            |                     | 3                    | C                |
| Bretylium                    | Bretylol                    | 3                    | B                | Dimeflin                                     |                     | 3                    | A                |
| Brimonidine                  | Alphagan                    | 3                    | B                | Diphenhydramine                              | Benadryl            | 3                    | B                |

|                      |        |   |   |              |            |   |   |
|----------------------|--------|---|---|--------------|------------|---|---|
| Bromfenac            | Duract | 3 | A | Dipyridamole | Persantine | 3 | B |
| Bromodiphenhydramine |        | 3 | B | Dobutamine   | Dobutrex   | 3 | B |
| Bufexamac            |        | 3 | B |              |            |   |   |

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

| Drug                               | Trade Name                | ARCI Class | Penalty Class | Drug                  | Trade Name        | ARCI Class | Penalty Class |
|------------------------------------|---------------------------|------------|---------------|-----------------------|-------------------|------------|---------------|
| Doxylamine                         | Decapryn                  | 3          | B             | Irbesarten            | Avapro            | 3          | A             |
| Dyphylline                         |                           | 3          | B             | Isoetharine           | Bronkosol         | 3          | B             |
| Edrophonium                        | Tensilon                  | 3          | B             | Isosorbide dinitrate  | Isordil           | 3          | B             |
| Enalapril (metabolite enalaprilat) | Vasotec                   | 3          | B             | <u>Kebuzone</u>       |                   | 3          | B             |
| <u>Ergoloid mesylates</u>          |                           | 3          | C             | Ketorolac             | Toradol           | 3          | B             |
| Erthryl tetranitrate               | Cardilate                 | 3          | A             | Labetalol             | Normodyne         | 3          | B             |
| Esmolol                            | Brevibloc                 | 3          | B             | Losartan              | Hyzaar            | 3          | B             |
| <u>Ethylestrenol</u>               | <u>Maxibolin, Organon</u> | 3          | B             |                       |                   |            |               |
| Etamiphylline                      |                           | 3          | B             | Mabuterol             |                   | 3          | A             |
| Ethacrynic acid                    | Edecrin                   | 3          | B             | Mecamylamine          | Inversine         | 3          | B             |
| Ethylnorepinephrine                | Bronkephrine              | 3          | A             | Medetomidine          | Domitor           | 3          | B             |
| <u>Etodolac</u>                    | <u>Lodine</u>             | 3          | C             | <u>Mefenamic acid</u> | <u>Ponstel</u>    | 3          | B             |
| <u>Fenbufen</u>                    | <u>Gincopal</u>           | 3          | B             |                       |                   |            |               |
| Fenoldopam                         | Corlopam                  | 3          | B             | <u>Mestanolone</u>    |                   | 3          | B             |
| <u>Fenoprofen</u>                  | <u>Nalfon</u>             | 3          | B             |                       |                   |            |               |
| Fenoterol                          | Berotec                   | 3          | B             | <u>Mesterolone</u>    |                   | 3          | B             |
| Fenspiride                         | Respiride, Respan, etc    | 3          | B             | Metaproterenol        | Alupent, Metaprel | 3          | B             |
| <u>Fentiazac</u>                   |                           | 3          | B             | <u>Metenolone</u>     |                   | 3          | B             |
| <u>Flufenamic acid</u>             |                           | 3          | B             |                       |                   |            |               |
| <u>Fluoxymesterone</u>             | <u>Halotestin</u>         | 3          | B             |                       |                   |            |               |
| Flupirtine                         | Katadolone                | 3          | A             | Methacholine          |                   | 3          | A             |
| <u>Flurbiprofen</u>                | <u>Froben</u>             | 3          | B             | Methandienone         |                   | 3          | B             |
| <u>Formebolone</u>                 |                           | 3          | B             | <u>Methandriol</u>    | <u>Probolic</u>   | 3          | B             |
| Formoterol                         | Altram                    | 3          | B             | <u>Methasterone</u>   |                   | 3          | B             |
| <u>Furazabol</u>                   |                           | 3          | B             | Methixene             | Trest             | 3          | A             |
| Gabapentin                         | Neurontin                 | 3          | B             | Methoxamine           | Vasoxyl           | 3          | A             |
| <u>Gestrinone</u>                  |                           | 3          | B             | Methoxyphenamine      | Orthoxide         | 3          | A             |

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|                |            |   |   |                       |           |   |   |
|----------------|------------|---|---|-----------------------|-----------|---|---|
| Glycopyrrolate | Robinul    | 3 | B | Methyl-1-testosterone |           | 3 | B |
| Guanadrel      | Hylorel    | 3 | A | Methylatropine        |           | 3 | B |
| Guanethidine   | Ismelin    | 3 | A | Methyldienolone       |           | 3 | B |
| Guanabenz      | Wytenzin   | 3 | B | Methyldopa            | Aldomet   | 3 | A |
| Heptaminol     | Corofundol | 3 | B | Methylnortestosterone |           | 3 | B |
| Homatropine    | Homapin    | 3 | B | Methyltestosterone    | Metandren | 3 | B |
| Hydralazine    | Apresoline | 3 | B | Metolazone            |           | 3 | B |
| Indomethacin   | Indocin    | 3 | B | Metoprolol            | Lopressor | 3 | B |
| Ipratropium    |            | 3 | B | Mibefradil            | Posicor   | 3 | B |

### Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

| Drug                               | Trade Name                              | ARCI Class | Penalty Class | Drug                | Trade Name     | ARCI Class | Penalty Class |
|------------------------------------|---|------------|---------------|---------------------|----------------|------------|---------------|
| <u>Mibolerone</u>                  |   | 3          | B             | Phenylpropanolamine | Propadrine     | 3          | B             |
| Midodrine                          | Pro-Amiline                             | 3          | B             | Physostigmine       | Eserine        | 3          | A             |
| Minoxidil                          | Loniten                                 | 3          | B             | Pindolol            | Viskin         | 3          | B             |
| Moexipril (metabolite moexiprilat) | Uniretic                                | 3          | B             | Pirbuterol          | Maxair         | 3          | B             |
| Muscarine                          |   | 3          | A             | Piretanide          | Arelix, Tauliz | 3          | B             |
| <u>Nabumetone</u>                  | <u>Anthraxan, Relafen, Relifex</u>      | 3          | B             | <u>Piroxicam</u>    | <u>Feldene</u> | 3          | B             |
| Nadolol                            | Corgard                                 | 3          | B             | Prazosin            | Minipress      | 3          | B             |
| <u>Nandrolone</u>                  | <u>Nandrolin, Laurabolin, Durabolin</u> | 3          | D             |                     |                |            |               |
| Naratriptan                        | Amerge                                  | 3          | B             | Primidone           | Mysoline       | 3          | B             |
| Nefopam                            |   | 3          | A             | Procaine            |                | 3          | B             |
| Neostigmine                        | Prostigmine                             | 3          | B             | Procaterol          | Pro Air        | 3          | A             |
| <u>Niflumic acid</u>               | <u>Nifluril</u>                         | 3          | B             |                     |                |            |               |
| <u>Nimesulide</u>                  |   | 3          | B             |                     |                |            |               |
| Nitroglycerin                      |   | 3          | B             | Procyclidine        | Kemadrin       | 3          | B             |
| <u>Norbolethone</u>                |   | 3          | B             | Promazine           | Sparine        | 3          | B             |
| <u>Norclostebol</u>                |   | 3          | B             | Promethazine        | Phenergan      | 3          | B             |
| <u>Norethandrolone</u>             |   | 3          | B             | Propentophylline    | Karsivan       | 3          | B             |
| <u>Oxabolone</u>                   |   | 3          | B             | Propranolol         | Inderal        | 3          | B             |
| <u>Oxandrolone</u>                 | <u>Anavar</u>                           | 3          | B             |                     |                |            |               |

(Revised 011/0708)

|                              |                          |   |   |                        |                       |   |   |
|------------------------------|--------------------------|---|---|------------------------|-----------------------|---|---|
| Oxprenolol                   | Trasicor                 | 3 | B | <u>Prostanazol</u>     |                       | 3 | B |
| Oxymesterone                 |                          | 3 | B | Protokylol             | Ventaire              | 3 | A |
| Oxymetholone                 | <u>Adroyd, Andarol</u>   | 3 | B |                        |                       |   |   |
| Papaverine                   | Pavagen, etc.            | 3 | A | Pseudoephedrine        | Cenafed, Novafed      | 3 | B |
| Paramethadione               | Paradione                | 3 | A | Pyridostigmine         | Mestinon, Regonol     | 3 | B |
| Pargyline                    | Eutonyl                  | 3 | A | Pyrilamine             | Neoantergan, Equihist | 3 | B |
| Penbutolol                   | Levitol                  | 3 | B | <u>Quinbolone</u>      |                       | 3 | B |
| Pentaerythritol tetranitrate | Duotrate                 | 3 | A | Ractopamine            | Raylean               | 3 | B |
| Pentazocine                  | Talwin                   | 3 | B | Ritodrine              | Yutopar               | 3 | B |
| Phenoxybenzamine             | Dibenzyline              | 3 | B | Rizatriptan            | Maxalt                | 3 | B |
| Phentolamine                 | Regitine                 | 3 | B | Salmeterol             |                       | 3 | B |
| Phenylephrine                | Isophrin, Neo-Synephrine | 3 | B | Scopolamine (Hyoscine) | Triptone              | 3 | B |

### Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

| Drug  | Trade Name           | <u>ARCI</u><br>Class | Penalty<br>Class |
|---|----------------------|----------------------|------------------|
| Sibutramine                                   | Meridia              | 3                    | B                |
| Sotalol                                       | Betapace, Sotacor    | 3                    | B                |
| <u>Stenbolone</u>                             |                      | 3                    | B                |
| <u>Sulindac</u>                               | <u>Clinoril</u>      | 3                    | B                |
| Sumatriptan                                   | Imitrex              | 3                    | B                |
| Telmisartan                                   | Micardis             | 3                    | B                |
| <u>Tenoxicam</u>                              | <u>Alganex, etc.</u> | 3                    | B                |
| <u>Tepoxalin</u>                              |                      | 3                    | C                |
| Terbutaline                                   | Brethine, Bricanyl   | 3                    | B                |
| Testolactone                                  | Teslac               | 3                    | B                |
| <u>Tetrahydrogestrinone</u>                   |                      | 3                    | B                |
| Theophylline                                  | Aqualphyllin, etc.   | 3                    | B                |
| <u>Tiaprofenic acid</u>                       | <u>Surgam</u>        | 3                    | B                |
| Timolol                                       | Blocardrin           | 3                    | B                |
| Tolazoline                                    | Priscoline           | 3                    | B                |
| <u>Tolmetin</u>                               | <u>Tolectin</u>      | 3                    | B                |
| Torsemide (Torasemide)                        | Demadex              | 3                    | B                |
| Trandolapril (and metabolite, Trandolaprilat) | Tarka                | 3                    | B                |
| <u>Trenbolone</u>                             | <u>Finoplix</u>      | 3                    | B                |
| Trihexylphenidyl                              | Artane               | 3                    | A                |
| Trimethadione                                 | Tridione             | 3                    | B                |
| Trimethaphan                                  | Arfonad              | 3                    | A                |
| Tripelennamine                                | PBZ                  | 3                    | B                |

|                                  |                     |          |          |
|----------------------------------|---------------------|----------|----------|
| <u>Valerenic acid</u>            |                     | <u>3</u> | <u>C</u> |
| Valsartan                        | Diovan              | 3        | B        |
| Xylazine                         | Rompun, Bay Va 1470 | 3        | B        |
| Zolmitriptan                     | Zomig               | 3        | B        |
| <u>Δ-1-androstene-3,17-diol</u>  |                     | <u>3</u> | <u>B</u> |
| <u>Δ-1-androstene-3,17-dione</u> |                     | <u>3</u> | <u>B</u> |
| <u>Δ-1-dihydrotestosterone</u>   |                     | <u>3</u> | <u>B</u> |
| Zonisamide                       | Zonegran            | 3        | B        |

### Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

| Drug                           | Trade Name                 | <u>ARCI Class</u> | <u>Penalty Class</u> | Drug                           | Trade Name           | <u>ARCI Class</u> | <u>Penalty Class</u> |
|--------------------------------|----------------------------|-------------------|----------------------|--------------------------------|----------------------|-------------------|----------------------|
| Acetaminophen (Paracetamol)    | Tylenol, Tempra, etc.      | 4                 | C                    | Baclofen                       | Lioresal             | 4                 | B                    |
| Acetanilid                     |                            | 4                 | B                    | Beclomethasone                 | Propaderm            | 4                 | C                    |
| Acetazolamide                  | Diamox, Vetamox            | 4                 | B                    | Benazepril                     | Lotrel               | 4                 | B                    |
| Acetophenetidin (Phenacetin)   |                            | 4                 | B                    | Bendroflumethiazide            | Naturetin            | 4                 | B                    |
| Acetylsalicylic acid (Aspirin) |                            | 4                 | C                    | <del>Benoxaprofen</del>        |                      | 4                 | B                    |
| <del>Aiclofenac</del>          |                            | 4                 | B                    | Benoxinate                     | Dorsacaine           | 4                 | C                    |
| Aclomethasone                  | Aclovate                   | 4                 | C                    | Benzocaine                     |                      | 4                 | C                    |
| Aldosterone                    | Aldocortin, Electro cortin | 4                 | B                    | Benzthiazide                   |                      | 4                 | B                    |
| Ambroxol                       | Ambriol, etc.              | 4                 | B                    | Bepidil                        | Bepadin              | 4                 | B                    |
| Amcinonide                     | Cyclocort                  | 4                 | C                    | Betamethasone                  | Betasone, etc.       | 4                 | C                    |
| Aminocaproic acid              | Amicar, Caprocid           | 4                 | C                    | Bethanechol                    | Urecholine, Duvold   | 4                 | C                    |
| Aminodarone                    |                            | 4                 | B                    | Boldenone                      | Equipoise            | 4                 | D                    |
| 2-Aminoheptaine                | Tuamine                    | 4                 | B                    | Bromhexine                     | Oletor, etc.         | 4                 | C                    |
| Aminopyrine                    |                            | 4                 | B                    | Brompheniramine                | Dimetane, Disomer    | 4                 | B                    |
| Amisometradine                 | Rolictron                  | 4                 | B                    | Budesonide                     | Pulmacort, Rhinocort | 4                 | C                    |
| Amlopidine                     | Norvasc, Ammivin           | 4                 | B                    | Butacaine                      | Butyn                | 4                 | B                    |
| Amrinone                       |                            | 4                 | B                    | Butamben (butyl aminobenzoate) | Butesin              | 4                 | C                    |

|                        |         |   |   |              |            |   |   |
|------------------------|---------|---|---|--------------|------------|---|---|
| Anisotropine           | Valpin  | 4 | B | Butoxycaine  | Stadacain  | 4 | B |
| Antipyrine             |         | 4 | B | Calusterone  | Methosorb  | 4 | B |
| Apazone (Azapropazone) | Rheumox | 4 | B | Camphor      |            | 4 | C |
| Aprindine              |         | 4 | B | Carisoprodol | Relo, Soma | 2 | B |

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

| Drug             | Trade Name              | ARCI Class | Penalty Class | Drug                   | Trade Name                             | ARCI Class | Penalty Class |
|------------------|-------------------------|------------|---------------|------------------------|--|------------|---------------|
| Carprofen        |                         | 4          | C             | Cyproheptadine         | Periactin                              | 4          | C             |
| Celecoxib        | Celebrex                | 4          | B             | Danazol                | Danocrine                              | 4          | B             |
| Chlormerodrin    | Neohydrin               | 4          | B             | Dantrolene             | Dantrium                               | 4          | C             |
| Chlorophenesin   | Maolate                 | 4          | C             | Dembroxol (Dembrexine) | Sputolysin                             | 4          | C             |
| Chloroquine      | Avloclor                | 4          | C             | Deoxycorticosterone    | Percortin, DOCA, Descotone, Dorcostrin | 4          | C             |
| Chlorothiazide   | Diuril                  | 4          | B             | Deracoxib <sup>2</sup> |  | 4          | C             |
| Chlorpheniramine | Chlorotrimeton, etc.    | 4          | B             | Desonite               | Des Owen                               | 4          | C             |
| Chlorthalidone   | Hydroton                | 4          | B             | Desoximetasone         | Topicort                               | 4          | C             |
| Chlorzoxazone    | Paraflex                | 4          | B             | Dexamethasone          | Azium, etc.                            | 4          | C             |
| Cinchocaine      | Nupercaine              | 4          | C             | Dextromethorphan       |  | 4          | C             |
| Clanobutin       |                         | 4          | C             |                        |  |            |               |
| Clibucaine       | Batrax                  | 4          | C             | Dibucaine              | Nupercainal, Cinchocaine               | 4          | C             |
| Clidinium        | Quarezan, Clindex, etc. | 4          | B             | Dichlorphenamide       | Daramide                               | 4          | C             |
| Clobetasol       | Temovate                | 4          | C             | Diclofenac             | Voltaren, Voltarol                     | 4          | C             |
| Clocortolone     | Cloderm                 | 4          | C             | Diflorasone            | Florone, Maxiflor                      | 4          | C             |
| Clofenamide      |                         | 4          | B             | Diflucortolone         | Flu-Cortinest, etc.                    | 4          | C             |
| Clormecaine      | Placacid                | 4          | C             | Diflunisal             |  | 4          | C             |
| Colchicine       |                         | 4          | B             | Digitoxin              | Crystodigin                            | 4          | B             |
| Cortisone        | Cortone, etc.           | 4          | C             | Digoxin                | Lanoxin                                | 4          | B             |
| Cyclizine        | Merazine                | 4          | B             | Dihydroergotamine      |  | 4          | C             |
| Cyclobenzaprine  | Flexeril                | 4          | B             | Diltiazem              | Cardizem                               | 4          | B             |
| Cyclomethylcaine | Surfacaine              | 4          | C             | Dimethisoquin          | Quotane                                | 4          | B             |
| Cyclothiazide    | Anhydron, Renazide      | 4          | B             | Diphenoxylate          | Difenoxin, Lomotil                     | 4          | B             |

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

| Drug                            | Trade Name               | ARCI Class | Penalty Class | Drug                              | Trade Name         | ARCI Class | Penalty Class |
|---------------------------------|--------------------------|------------|---------------|-----------------------------------|--------------------|------------|---------------|
| Dipyron                         | Novin, Methampyrone      | 4          | C             | Floctafenine                      | Idalon, Idarac     | 4          | B             |
| Disopyramide                    | Norpace                  | 4          | B             | Flucinolone                       | Synalar, etc.      | 4          | C             |
| Dromostanolone                  | Drolban                  | 4          | C             | Fludrocortisone                   | Alforone, etc.     | 4          | C             |
| Dyclonine                       | Dyclone                  | 4          | C             | Flufenamic acid                   |                    | 4          | B             |
| Eltanac                         |                          | 4          | C             | Flumethasone                      | Flucort, etc.      | 4          | C             |
| Ergonovine                      | Ergotrate                | 4          | C             | Flumethiazide                     | Ademol             | 4          | B             |
| Ergotamine                      | Gynergen, Cafergot, etc. | 4          | C             | Flunarizine                       | Sibelium           | 4          | B             |
| Etanercept                      | Enbrel                   | 4          | B             | Flunisolide                       | Bronilide, etc.    | 4          | C             |
| Ethoheptazine                   | Zactane                  | 4          | B             | Flunixin                          | Banamine           | 4          | C             |
| Ethosuximide                    | Zarontin                 | 4          | B             | Fluocinolone                      | Synalar            | 4          | C             |
| Ethotoin                        | Peganone                 | 4          | B             | Fluocinonide                      | Licon, Lidex       | 4          | C             |
| Ethoxzalamide                   | Cardrase, Ethamide       | 4          | C             | Fluoroprednisolone                | Predef-2X          | 4          | C             |
| Ethylaminobenzoate (Benzocaine) | Semets, etc.             | 4          | C             | Fluoxymesterone                   | Halotestin         | 4          | B             |
| Ethylestrenol                   | Maxibolin, Organon       | 4          | B             | Fluprednisolone                   | Alphadrol          | 4          | C             |
| Etodolac                        | Lodine                   | 4          | C             | Flurandrenolide                   | Cordran            | 4          | C             |
| Felodipine                      | Plendil                  | 4          | B             | Flurbiprofen                      | Froben             | 4          | B             |
| Fenbufen                        | Cincopal                 | 4          | B             | Fluticasone                       | Flixonase, Flutide | 4          | C             |
| Fenclozic acid                  | Myalex                   | 4          | B             | Guaifenesin (glycerol guiacolate) | Gecolate           | 4          | C             |
| Fenoprofen                      | Nalfon                   | 4          | B             | Halcinonide                       | Halog              | 4          | C             |
| Fexofenadine                    | Allegra                  | 4          | C             | Halobetasol                       | Ultravate          | 4          | C             |
| Firocoxib                       |                          | 4          | C             | Hexocyclium                       | Tral               | 4          | B             |
| Flecainide                      | Idalon                   | 4          | B             |                                   |                    |            |               |

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

| Drug                      | Trade Name                  | ARCI Class | Penalty Class | Drug                | Trade Name          | ARCI Class | Penalty Class |
|---------------------------|-----------------------------|------------|---------------|---------------------|---------------------|------------|---------------|
| Hexylcaine                | Cyclaine                    | 4          | C             | Meloxicam           | Mobic               | 4          | C             |
| Hydrochlorothiazide       | Hydrodiuril                 | 4          | C             | Mepenzolate         | Cantil              | 4          | B             |
| Hydrocortisone (Cortisol) | Cortef, etc.                | 4          | C             | Mephenesin          | Tolserol            | 4          | B             |
| Hydroflumethiazide        | Saluron                     | 4          | B             | Meralluride         | Mercuryhydrin       | 4          | B             |
| Ibuprofen                 | Motrin, Advil, Nurpin, etc. | 4          | B or C        | Merbaphen           | Novasural           | 4          | B             |
| Indomethacin              | Indocin                     | 4          | B             | Mercaptomerin       | Thiomerin           | 4          | B             |
| Infliximab                | Remicade                    | 4          | B             | Mercumalilin        | Cumertilin          | 4          | B             |
| Isoflupredone             | Predef                      | 4          | C             | Mersalyl            | Salyrgan            | 4          | B             |
| Isometheptene             | Octin, Octon                | 4          | B             | Metaxalone          | Skelaxin            | 4          | B             |
| Isopropamide              | Darbid                      | 4          | B             | Methandriol         | Probolie            | 4          | B             |
| Isoxicam                  | Maxicam                     | 4          | B             | Methandrostenolone  | Dianabol            | 4          | C             |
| Isoxsuprine               | Vasodilan                   | 4          | C             | Methantheline       | Banthine            | 4          | B             |
| Isradipine                | DynaCirc                    | 4          | B             | Methapyrilene       | Histadyl, etc.      | 4          | B             |
| Ketoprofen                | Orudis                      | 4          | C             | Methazolamide       | Naptazane           | 4          | C             |
| Letosteine                | Viscotiol, Visiotal         | 4          | C             | Methdilazine        | Tacaryl             | 4          | B             |
| Loperamide                | Imodium                     | 4          | B             | Methocarbamol       | Robaxin             | 4          | C             |
| Loratidine                | Claritin                    | 4          | B             | Methotrexate        | Folex, Nexate, etc. | 4          | B             |
| Meclizine                 | Antivert, Bonine            | 4          | B             | Methscopolamine     | Pamine              | 4          | B             |
| Meclofenamic acid         | Arquel                      | 4          | C             | Methsuximide        | Celontin            | 4          | B             |
| Medrysone                 | Medriusar, etc.             | 4          | C             | Methylchlorthiazide | Enduron             | 4          | B             |
| Mefenamic acid            | Ponstel                     | 4          | B             | Methandrostenolone  | Dianabol            | 4          | C             |

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

| Drug                          | Trade Name                              | ARCI Class | Penalty Class | Drug                    | Trade Name         | ARCI Class | Penalty Class |
|-------------------------------|---|------------|---------------|-------------------------|--------------------|------------|---------------|
| Methylergonovine              | Methergine                              | 4          | C             | Orphenadrine            | Norfex             | 4          | B             |
| Methylprednisolone            | Medrol                                  | 4          | C             | <del>Oxandrolone</del>  | Anavar             | 4          | B             |
| <del>Methyltestosterone</del> | <del>Metandren</del>                    | 4          | B             | Oxaprozin               | Daypro, Deflam     | 4          | C             |
| Methysergide                  | Sansert                                 | 4          | B             | Oxymetazoline           | Afrin              | 4          | B             |
| Metiamide                     |   | 4          | B             | <del>Oxymetholone</del> | Adroyd, Anadrol    | 4          | B             |
| Metoclopramide                | Reglan                                  | 4          | C             | Oxyphenbutazone         | Tandearil          | 4          | C             |
| Mexilitine                    | Mexilil                                 | 4          | B             | Oxyphenyclimine         | Daricon            | 4          | B             |
| Milrinone                     |   | 4          | B             | Oxyphenonium            | Antrenyl           | 4          | B             |
| Mometasone                    | Elocon                                  | 4          | C             | Paramethasone           | Haldrone           | 4          | C             |
| Montelukast                   | Singulair                               | 4          | C             | Pentoxifylline          | Trental, Vazofirin | 4          | C             |
| <del>Nabumetone</del>         | <del>Anthraxan, Relafen, Reliflex</del> | 4          | B             | Phenacemide             | Phenurone          | 4          | B             |
| Naepaine                      | Amylsine                                | 4          | C             | Phensuximide            | Milontin           | 4          | B             |
| Nandrolone                    | Nandrolin, Laurabolin,<br>Durabolin     | 4          | D             | <u>Phenylbutazone</u>   |                    | 4          | C             |
| Naphazoline                   | Privine                                 | 4          | B             | Phenytoin               | Dilantin           | 4          | B             |
| Naproxen                      | Equiproxen, Naprosyn                    | 4          | C             | <del>Piroxicam</del>    | <del>Feldene</del> | 4          | B             |
| Nicardipine                   | Cardine                                 | 4          | B             | Polythiazide            | Renese             | 4          | B             |
| Nifedipine                    | Procardia                               | 4          | B             | Pramoxine               | Tronothaine        | 4          | C             |
| Niflumic acid                 | Nifluril                                | 4          | B             | Prednisolone            | Delta-Cortef, etc. | 4          | C             |
| Nimesulide                    |   | 4          | B             | Prednisone              | Meticorten, etc.   | 4          | C             |
| Nimodipine                    | Nemotop                                 | 4          | B             | Probenecid              |                    | 4          | C             |
| Norethandrone                 |   | 4          | C             | Procainamide            | Pronestyl          | 4          | B             |
| Nortestosterone               |   | 4          | C             |                         |                    |            |               |

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

| Drug             | Trade Name             | ARCI Class | Penalty Class | Drug               | Trade Name       | ARCI Class | Penalty Class |
|------------------|------------------------|------------|---------------|--------------------|------------------|------------|---------------|
| Propafenone      | Rythmol                | 4          | B             | Tocainide          | Tonocard         | 4          | B             |
| Proprantheine    | Pro-Banthine           | 4          | B             | Tolmetin           | Tolectin         | 4          | B             |
| Proparacaine     | Ophthaine              | 4          | C             | Tranexamic acid    |                  | 4          | C             |
| Propylhexedrine  | Benzedrex              | 4          | B             | Trenbolone         | Fineplix         | 4          | B             |
| Quinidine        | Quinidex, Quinicardine | 4          | B             | Triamcinolone      | Vetalog, etc.    | 4          | C             |
| Refecoxib        | Vioux                  | 4          | B             | Triamterene        | Dyrenium         | 4          | B             |
| Salicylamide     |                        | 4          | C             | Trichlormethiazide | Naqua, Naquasone | 4          | C             |
| Salicylate       |                        | 4          | C             | Tolmetin           | Tolectin         | 4          | B             |
| Spironalactone   | Aldactone              | 4          | B             | Tridihexethyl      | Pathilon         | 4          | B             |
| Stanozolol       | Winstrol-V             | 4          | D             | Trimeprazine       | Temaril          | 4          | B             |
| Sulfasalazine    | Azulfidine, Azaline    | 4          | C             | Tripolidine        | Actidil          | 4          | B             |
| Sulindac         | Clinoril               | 4          | B             | Tuaminoheptane     | Tuamine          | 4          | C             |
| Tenoxicam        | Alganex, etc.          | 4          | B             | Vedaprofen         |                  | 4          | C             |
| Terfenadine      | Seldane, Triludan      | 4          | B             | Verapamil          | Calan, Isoptin   | 4          | B             |
| Testosterone     |                        | 4          | D             | Xylometazoline     | Otrivin          | 4          | B             |
| Tetrahydrozoline | Tyzine                 | 4          | B             | Zafirlukast        | Accolate         | 4          | C             |
| Theobromine      |                        | 4          | C             | Zeranol            | Ralgro           | 4          | C             |
| Thiosalicylate   |                        | 4          | C             | Zileuton           | Zyflo            | 4          | C             |
| Thiphenamil      | Trocinate              | 4          | B             | Zomepirac          | Zomax            | 4          | B             |
| Tiaprofenic acid | Surgam                 | 4          | B             |                    |                  |            |               |

## Listing by Classification

**Class 5:** This class includes the following ~~those~~ therapeutic medications for which concentration limits have been established, ~~by the racing jurisdictions as well as certain miscellaneous agents such as DMSO and other medications as described by the regulatory bodies.~~

| Drug                     | Trade Name         | ARCI Class | Penalty Class |
|--------------------------|--------------------|------------|---------------|
| Anisindione              |                    | 5          | D             |
| Cilostazol               | Pletal             | 5          | D             |
| Cimetidine               | Tagamet            | 5          | D             |
| Cromolyn                 | Intel              | 5          | D             |
| Dicumarol                | Dicumarol          | 5          | D             |
| Dimethylsulfoxide (DMSO) | Domoso             | 5          | D             |
| Dimethylsulphone (MSM)   |                    | 5          | D             |
| Diphenadione             |                    | 5          | D             |
| Famotidine               | Gaster, etc.       | 5          | D             |
| Lansoprazole             |                    | 5          | D             |
| Misoprostel              | Cytotec            | 5          | D             |
| Nedocromil               | Tilade             | 5          | D             |
| Nizatidine               | Axid               | 5          | D             |
| Omeprozole               | Prilosec, Losec    | 5          | D             |
| Phenindione              | Hedulin            | 5          | D             |
| Phenprocoumon            | Liquamar           | 5          | D             |
| Pirenzapine              | Gastrozepin        | 5          | D             |
| Ranitidine               | Zantac             | 5          | D             |
| Warfarin                 | Coumadin, Coufarin | 5          | D             |

CALIFORNIA HORSE RACING BOARD  
TITLE 4, CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15, VETERINARY PRACTICES  
PROPOSED ADDITION OF  
RULE 1843.3. PENALTIES FOR MEDICATION VIOLATIONS

Regular Board Meeting  
January 16, 2008

Single Underlined text represents the original language adopted at the April 19, 2007 Regulatory Hearing.

Deletions to the adopted text appear as ~~Double Strikethrough~~ and new and revised text appears as *Italicized Double Underlined* as noticed August 27, 2007 through September 12, 2007 and adopted at the September 27, 2007 Regulatory Hearing.

Subsequent deletions to the adopted text appear as ~~Bold Double Strikethrough~~ and new and revised text appears as ***Bold Italicized Double Underlined*** as proposed for 15-day notice for proposed adoption at the February 2008 Regular Meeting of the Board.

1843.3. Penalties for Medication Violations.

(a) In reaching a decision on a penalty for a violation of Business and Professions ~~(B&P)~~ Code ~~S~~ section 19581, the Board, the board of stewards, ~~or~~ the hearing officer *or the administrative law judge* shall consider the penalties set forth in ~~S~~subsections (e) and (f) of this Rule ~~including~~ *and any* aggravating and mitigating circumstances. Deviation from these penalties is appropriate where the facts of the particular case warrant such a deviation, for example: there may be mitigating circumstances for which a lesser or no penalty is appropriate, and aggravating factors, ~~which may~~ increase the penalties beyond the minimum.

(b) Mitigating circumstances and aggravating factors, which must be considered, include but are not limited to:

- (1) The past record of the licensee ~~in drug cases~~ *regarding violations of Business and Professions Code section 19581;*
- (2) The potential of the drug(s) to influence a horse's racing performance;
- (3) The legal availability of the drug;

(4) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;

(5) The steps taken by the trainer to safeguard the horse;

(6) The steps taken by an owner to safeguard against subsequent **medication** violations including, but not limited to, the transfer of the horse(s) to an unaffiliated trainer;

(A) For the purpose of this regulation "unaffiliated trainer" means a trainer or an assistant trainer who is not related by blood, marriage or domestic partnership, or who is not or was never employed by the trainer from whose care such horse(s) were transferred.

(7) The probability of environmental contamination or inadvertent exposure due to human drug use or other factors;

(8) The purse of the race;

(9) Whether the drug found **to be present in the official test sample** was one for which the horse was receiving treatment as determined by a **California Horse Racing Board Confidential** Veterinarian Report ~~Form~~ **CHRB-24** as described in Rule 1842 of this division;

(10) Whether there was any suspicious wagering pattern on the race;

(11) Whether the licensed trainer was acting under the advice of a licensed veterinarian.

~~(c) For purposes of this regulation, the Board shall, upon determination that an official pre or post-race test sample from a horse participating in any race contained any drug substance, medication, metabolites or analogues thereof foreign to the horse, whose use is not expressly authorized in this division, or any drug substance, medication or chemical authorized by this article in excess of the authorized level or other restrictions as set forth in this article, consider the classification of the drug substances as referred to in Rule 1843.2 of this division and the California Horse Racing Board's (CHRB) Penalty Categories Listing by Classification, (1/07) hereby incorporated by reference.~~

(c) For the purposes of this regulation, the Board shall consider the classification of a drug substance as ~~referred~~ referred to in Rule 1843.2 of this division and the California Horse Racing Board (CHRB) Penalty Categories Listing By Classification, (~~1/07~~ 1/08), which is hereby incorporated by reference, if a determination is made that an official ~~pre or post-race~~ test sample from a horse ~~that participated in any race~~ contained:

(1) Any drug substance, medication, metabolites or analogues thereof foreign to the horse, whose use is not expressly authorized in this division, or

(2) Any drug substance, medication or chemical authorized by this article in excess of the authorized level or other restrictions as set forth in the article.

~~(d) If a penalty is administered, it shall be greater than the last penalty administered to the licensee for a violation concerning the same class of drug substance pursuant to B& P Code Section 19582(a) (4).~~

(e d) Penalties for violation of each classification level are as follows:

**CATEGORY "A" PENALTIES**

Penalties for violations due to the presence of a drug substance in an official ~~pre- or post-race test~~ sample, which CHRB drug classification is categorized as warranting a Category A penalty are as follows:

| <b>LICENSED TRAINER:</b>  |  |   |
|---|--|---|
| <p><b>1<sup>st</sup> offense</b></p> <ul style="list-style-type: none"> <li>◦ <u>Minimum one - year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension.</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>Minimum fine of \$10,000 or 10% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$25,000 or 25% of purse (greater of the two).</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>May be referred to the Board for any further action deemed necessary by the Board.</u></li> </ul> | <p><b>2<sup>nd</sup> LIFETIME offense</b></p> <ul style="list-style-type: none"> <li>◦ <u>Minimum <del>three two</del>-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of <del>a license revocation with no reapplication for a three-year suspension period.</del></u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>Minimum fine of \$20,000 or 25% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of <del>\$50,000</del> <u>\$100,000</u> or 50% of purse (greater of the two).</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>May be referred to the Board for any further action deemed necessary by the Board.</u></li> </ul> | <p><b>3<sup>rd</sup> LIFETIME offense</b></p> <ul style="list-style-type: none"> <li>◦ <u>Minimum three -year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of permanent license revocation.</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>Minimum fine of \$25,000 or 50% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of <del>\$50,000</del> <u>\$100,000</u> or 100% of purse (greater of the two).</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>May be referred to the Board for any further action deemed necessary by the Board.</u></li> </ul>  |
| <b>LICENSED OWNER:</b>  |  |   |
| <p><b>1<sup>st</sup> offense</b></p> <ul style="list-style-type: none"> <li>◦ <u>Disqualification of horse and loss of purse.</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>Horse may be placed on the veterinarian's list for up to 90 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</u></li> </ul>  | <p><b>2<sup>nd</sup> LIFETIME offense in owner's stable</b></p> <ul style="list-style-type: none"> <li>◦ <u>Disqualification of horse and loss of purse.</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>Horse shall-be placed on the veterinarian's list for up to 120 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</u></li> </ul>   | <p><b>3<sup>rd</sup> LIFETIME offense in owner's stable</b></p> <ul style="list-style-type: none"> <li>◦ <u>Disqualification of horse, loss of purse and <del>absent mitigating circumstances</del>, minimum fine of \$10,000 <del>absent mitigating circumstances</del>. The presence of aggravating factors could be used to impose a maximum <del>fine</del> of \$50,000.</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>Horse shall be placed on the veterinarian's list for up to 180 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</u></li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ <u>Referral to the Board with a recommendation of a suspension of owners license for a minimum of 90 days.</u></li> </ul> |

**CATEGORY "B" PENALTIES**

Penalties for violations due to the presence of a drug substance in an official ~~pre or post-race~~ test sample, which CHRB drug classification is categorized as warranting a Category B penalty are as follows:

| <b>LICENSED TRAINER:</b>   |  |   |
|--|--|---|
| <b><u>1<sup>st</sup> offense</u></b>   | <b><u>2<sup>nd</sup> offense (365-day period)</u></b>  | <b><u>3<sup>rd</sup> offense (365-day period)</u></b>   |
| <ul style="list-style-type: none"> <li>◦ <u>Minimum 30 -day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension.</u><br/><b><u>AND/OR</u></b></li> <li>◦ <u>Minimum fine of \$500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000.</u></li> </ul>   | <ul style="list-style-type: none"> <li>◦ <u>Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension.</u><br/><b><u>AND/OR</u></b></li> <li>◦ <u>Minimum fine of \$1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$20,000.</u></li> </ul>   | <ul style="list-style-type: none"> <li>◦ <u>Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension.</u><br/><b><u>AND/OR</u></b></li> <li>◦ <u>Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$50,000 or 10% of purse (greater of the two).</u><br/><b><u>AND</u></b></li> <li>◦ <u>May be referred to the Board for any further action deemed necessary by the Board.</u></li> </ul>   |
| <b>LICENSED OWNER:</b>   |  |   |
| <b><u>1<sup>st</sup> offense</u></b>   | <b><u>2<sup>nd</sup> offense in stable (365-day period)</u></b>  | <b><u>3<sup>rd</sup> offense in stable (365-day period)</u></b>   |
| <ul style="list-style-type: none"> <li>◦ <u>Disqualification of horse and loss of purse <del>in the absence of mitigating circumstances.</del></u><br/><b><u>AND</u></b></li> <li>◦ <u>Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u><br/><b><u>AND</u></b></li> <li>◦ <u>Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</u></li> </ul> | <ul style="list-style-type: none"> <li>◦ <u>Disqualification of horse and loss of purse <del>in the absence of mitigating circumstances.</del></u><br/><b><u>AND</u></b></li> <li>◦ <u>Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u><br/><b><u>AND</u></b></li> <li>◦ <u>Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</u></li> </ul> | <ul style="list-style-type: none"> <li>◦ <u>Disqualification of horse, loss of purse and <del>absent mitigating circumstances</del> minimum fine of \$5,000 <del>absent mitigating circumstances.</del> The presence of aggravating factors could be used to impose a maximum <del>fine</del> of \$20,000.</u><br/><b><u>AND</u></b></li> <li>◦ <u>Horse shall be placed on the veterinarian's list for up to 45 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u><br/><b><u>AND</u></b></li> <li>◦ <u>Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</u></li> </ul> |

**CATEGORY "B" PENALTIES FOR RULE 1843.6 TOTAL CARBON DIOXIDE (TCO<sub>2</sub>) TESTING**

Penalties for violations due to exceeding permitted levels of TCO<sub>2</sub> as defined in Rule 1843.6 are as set forth below. All concentrations are for measurements in serum or plasma.

|  |   |  |
|--|---|--|
| <b>LICENSED TRAINER:</b>   |   |  |
| <b>1<sup>st</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq \geq</math> 37.0mm/l/&lt;39mm/l)</b>  | <b>2<sup>nd</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq \geq</math> 37.0mm/l/&lt;39mm/l)</b>   | <b>3<sup>rd</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq \geq</math> 37.0mm/l/&lt;39mm/l)</b>  |
| <ul style="list-style-type: none"> <li>Up to a 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$1500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$5,000.</li> </ul>   | <ul style="list-style-type: none"> <li>Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a <del>60</del> 120-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000.</li> </ul> | <ul style="list-style-type: none"> <li>Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$5000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$15,000.</li> </ul>   |
| <b>LICENSED OWNER:</b>   |   |  |
| <b>1<sup>st</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq \geq</math> 37.0mm/l/&lt;39mm/l)</b>  | <b>2<sup>nd</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq \geq</math> 37.0mm/l/&lt;39mm/l)</b>   | <b>3<sup>rd</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq \geq</math> 37.0mm/l/&lt;39mm/l)</b>  |
| <ul style="list-style-type: none"> <li>Disqualification of horse and loss of purse.</li> </ul>   | <ul style="list-style-type: none"> <li>Disqualification of horse and loss of purse.</li> </ul>  | <ul style="list-style-type: none"> <li>Disqualification of horse, loss of purse and <i>in the absence of mitigating circumstances</i>, \$2,500 fine <del>in the absence of mitigating circumstances</del>.</li> </ul>  |
| <b>LICENSED TRAINER:</b>   |   |  |
| <b>1<sup>st</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq</math> 9.0mm/l)</b>   | <b>2<sup>nd</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq</math> 39.0mm/l)</b>   | <b>3<sup>rd</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq</math> 39.0mm/l)</b>  |
| <ul style="list-style-type: none"> <li>Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000.</li> </ul> | <ul style="list-style-type: none"> <li>Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$15,000.</li> </ul>               | <ul style="list-style-type: none"> <li>Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 365-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$10,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$25,000.</li> </ul> |
| <b>LICENSED OWNER:</b>   |   |  |
| <b>1<sup>st</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq</math> 9.0mm/l)</b>   | <b>2<sup>nd</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq</math> 39.0mm/l)</b>   | <b>3<sup>rd</sup> offense <del>Total</del> TCO<sub>2</sub> (<math>\geq</math> 39.0mm/l)</b>  |
| <ul style="list-style-type: none"> <li>Disqualification of horse and loss of purse.</li> </ul>   | <ul style="list-style-type: none"> <li>Disqualification of horse and loss of purse.</li> </ul>  | <ul style="list-style-type: none"> <li>Disqualification of horse, loss of purse and a fine ranging from a minimum of \$5,000, up to a maximum of \$20,000.</li> </ul>  |

**CATEGORY "C" PENALTIES**

Penalties for violations due to the presence of a drug substance in an official ~~pre-or-post-race test~~ sample, which CHRB drug classification is categorized as warranting a Category C penalty and for the presence of more than one non-steroidal anti-inflammatory (NSAID) in a plasma/serum sample, as defined in Rule 1844 of this division, and furosemide as defined in Rule 1845 of this division in an official ~~pre-or-post-race test~~ samples are as set forth below. All concentrations are for measurements in serum or plasma.

| <b><u>LICENSED TRAINER:</u></b>  |   |  |
|--|---|--|
| <b><u>1<sup>st</sup> offense</u></b>   | <b><u>2<sup>nd</sup> offense (365-day period)</u></b>   | <b><u>3<sup>rd</sup> offense (365-day period)</u></b>  |
| <ul style="list-style-type: none"> <li>◦ <u>Minimum fine of \$500 to a maximum fine of \$1,000 absent mitigating circumstances.</u></li> </ul> | <ul style="list-style-type: none"> <li>◦ <u>Minimum fine of \$1,000 to a maximum fine of \$2,500, and up to a 15 - day suspension absent mitigating circumstances.</u></li> </ul> | <ul style="list-style-type: none"> <li>◦ <u>Minimum fine of \$2,500 and up to a 30 - day suspension absent mitigating circumstances</u></li> </ul> |

**CATEGORY "C" PENALTIES FOR RULE 1844, AUTHORIZED MEDICATION (C) (1), (2), (3)**

Penalties for violations due to overages for permitted non-steroidal anti-inflammatory drug substances (NSAIDs) as defined in Rule 1844 (c) (1), (2), ~~and (3) of this division~~. All concentrations are for measurements in serum or plasma.

The official veterinarian shall consult with the treating veterinarian in all violations of 1844 (c). ~~After consultation with and~~ With permission of the official veterinarian the trainer may elect to pay the minimum fine in lieu of a steward's hearing. If the trainer has not had an 1844 (c) violation within the previous three years, the official veterinarian or the board of stewards may issue a warning in lieu of a fine for violations of 1844 (c)(1), phenylbutazone, provided the reported level is below 7.5mcg/ml.

|  |   |  |
|--|---|--|
| <b>LICENSED TRAINER:</b>   | <b>Phenylbutazone (5.1-&lt;10.0mcg/ml)</b><br><b>Flunixin (50-100 ng/ml)</b><br><b>Ketoprofen (11-49 ng/ml)</b>   | <b>Phenylbutazone (5.1-&lt;10.0mcg/ml)</b><br><b>Flunixin (50-100 ng/ml)</b><br><b>Ketoprofen (11-49 ng/ml)</b>  |
| <b>1<sup>st</sup> offense</b>  | <b>2<sup>nd</sup> offense (365-day period)</b>  | <b>3<sup>rd</sup> offense (365-day period)</b>   |
| ◦ Minimum fine of \$500 to a maximum fine of \$1,000.  | ◦ Minimum fine of \$1,000 to a maximum fine of \$2,500.   | ◦ Minimum fine of \$2,500 to a maximum fine of \$5,000. <del>The official veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 30 days.</del>   |
| <b>LICENSED OWNER:</b>   | <b>Phenylbutazone (5.1-&lt;10.0mcg/ml)</b><br><b>Flunixin (50-100 ng/ml)</b><br><b>Ketoprofen (11-49 ng/ml)</b>   | <b>Phenylbutazone (5.1-&lt;10.0mcg/ml)</b><br><b>Flunixin (50-100 ng/ml)</b><br><b>Ketoprofen (11-49 ng/ml)</b>  |
| <b>1<sup>st</sup> offense</b>  | <b>2<sup>nd</sup> offense (365-day period)</b>  | <b>3<sup>rd</sup> offense (365-day period)</b>   |
| No penalty administered.   | No penalty administered.  | No penalty administered.   |
| <b>LICENSED TRAINER:</b>   | <b>Phenylbutazone (≥ 10.0 mcg/ml)</b><br><b>Flunixin (&gt; 100 ng/ml)</b><br><b>Ketoprofen (≥ 50 ng/ml)</b>   | <b>Phenylbutazone (≥ 10.0 mcg/ml)</b><br><b>Flunixin (&gt; 100 ng/ml)</b><br><b>Ketoprofen (≥ 50 ng/ml)</b>  |
| <b>1<sup>st</sup> offense</b>  | <b>2<sup>nd</sup> offense (365-day period)</b>  | <b>3<sup>rd</sup> offense (365-day period)</b>   |
| ◦ Minimum fine of \$1,000 to a maximum fine of \$2,500.  | ◦ Minimum fine of \$2,500 to a maximum fine of \$5,000. <del>The official veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 30 days.</del>  | ◦ Minimum fine of \$5,000 to a maximum fine of \$10,000. <del>The official veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 60 days.</del>  |
| <b>LICENSED OWNER:</b>   | <b>Phenylbutazone (≥ 10.0 mcg/ml)</b><br><b>Flunixin (&gt; 100 ng/ml)</b><br><b>Ketoprofen (≥ 50 ng/ml)</b>   | <b>Phenylbutazone (≥ 10.0 mcg/ml)</b><br><b>Flunixin (&gt; 100 ng/ml)</b><br><b>Ketoprofen (≥ 50 ng/ml)</b>  |
| <b>1<sup>st</sup> offense</b>  | <b>2<sup>nd</sup> offense (365-day period)</b>  | <b>3<sup>rd</sup> offense (365-day period)</b>   |
| ◦ Horse must pass Board-approved examination pursuant to Rule 1846 before being eligible to run. | ◦ <u>Disqualification of horse and</u> <del>loss</del> loss of purse. If same horse, placed on veterinarian's list for up to 45-days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run. <del>The official veterinarian shall withdraw permission for the trainer to use any NSAID for a period of up to 60 days.</del> | ◦ <u>Disqualification of horse and</u> <del>loss</del> loss of purse. Minimum \$5,000 fine. If same horse, placed on veterinarian's list for 60 days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run. <del>The official veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 120 days.</del> |

~~(f)~~ Penalties for Violations due to the presence of a drug substance in an official ~~pre or post race~~ ~~test~~ sample, which CHRB drug classification is categorized as warranting a Category “D” penalty, may result in a written warning to the licensed trainer and owner. *A Category “D” penalty is a written warning to the licensed trainer or owner.*

~~(g)~~ Any drug or *its* metabolite *or analogue* thereof found to be present in an official ~~pre or post race~~ ~~test~~ sample that is not classified in Rule 1843.2 of this division shall be classified as a Class 1 substance and a Category “A” penalty until classified by the Board.

~~(h)~~ The administration of a drug substance to a race horse must be documented by the treating veterinarian through the filing of a *California Horse Racing Board Confidential* Veterinarian Report *Confidential CHRB -24 form* as described in Rule 1842 of this division.

~~(i)~~ Any ~~licensed veterinarian, owner or other~~ licensee found to be responsible for the administration of any drug *substance* resulting in a positive test may be subject to the same penalties set forth for the licensed trainer and his presence may be required at any and all hearings relative to the case. ~~For purposes of this regulation owner means the individual owner (s) or entity that owns the horse from which the official pre or post race test sample was taken. Any penalty for a violation will be imposed upon the entity owning the horse.~~

(1) Any veterinarian found to be involved in the administration of any drug *substance resulting in a positive test* in Penalty Category “A” shall be referred to the California Veterinary Medical Board (CVMB) for consideration of further disciplinary action ~~and not be allowed to practice at any California racetrack, indefinitely.~~

(2) Any veterinarian found to be involved in the administration of any drug *substance resulting in a positive test* in Penalty Category “B” or “C” may be referred to the CVMB for consideration of further disciplinary action upon the recommendation of the Equine Medical Director, *the board of stewards* or hearing officers.

~~(i) Any licensee found to be in violation of state criminal statutes may be referred to the appropriate law enforcement agency.~~

~~(# i) A licensed trainer licensee who is suspended, or whose license is revoked, because of a medication violation is not able to benefit financially during the period of suspension or revocation for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.~~

~~(# j) For the purpose of this regulation "licensed family members" means any person who holds an occupational licenses issued by the CHRB and who is related to the suspended licensee trainer, or the licensee whose license is revoked, by blood, or by marriage or domestic partnership, or who is related by blood to the spouse or domestic partner of such licensee trainer.~~

(l) For the purposes of this regulation section, licensed trainers suspended 60 days or more, or whose license is revoked, shall be banned from all inclosures under the jurisdiction of the CHRB. In addition, during the period of suspension, or revocation, such ~~the suspended~~ trainer shall forfeit all assigned stall space assigned them and shall remove from the inclosures all signage, advertisements, training-related equipment, tack, office equipment, and any other property.

Authority: Sections 19440, 19461, and 19580 19581 & 19582,  
Business and Professions Code.

Reference: Sections 19461, 19580, 19581 & and 19582,  
Business and Professions Code.

Section 11425.50,  
Government Code.

STAFF ANALYSIS  
DISCUSSION REGARDING FEASIBILITY OF ALLOWING  
AN OWNER WITH PARTIAL INTEREST IN TWO HORSES  
WITH DIFFERENT PARTNERS  
TO RUN UNCOUPLED IN THOROUGHBRED RACES  
IF  
THE HORSES ARE TRAINED BY DIFFERENT TRAINERS

Regular Board Meeting  
January 16, 2008

## BACKGROUND

Business and Professions (B&P) Code Section 19420 provides that the Board shall have jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings. B&P Code Section 19440 states the Board shall have all powers necessary and proper to enable it to carry out the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. B&P Code Section 19562 provides the Board may prescribe rules, regulations, and conditions under which all horse races with wagering on their results shall be conducted in this State. B&P Code Section 19703 states the Board shall adopt rules governing, permitting and regulating mule racing and wagering on the races under the pari-mutuel system.

Board Rule 1606, Coupling of Horses, currently provides that – excepting quarter horses - two or more horses shall be coupled as a single wagering interest and as an entry when the same person or persons own such horses in whole or in part. This provision may result in the coupling of horses that are owned by partnerships – because as few as one partner may own a portion of both horses.

## ANALYSIS

The increasing number of partnerships often results in instances where horses that are owned by partnerships are coupled because one person has an ownership interest in both horses. Staff has received a proposal to consider amending Board Rule 1606 to allow the uncoupling of thoroughbred horses where the ownership of the horses is not an exact match. One owner could have partial interest in two horses, but the horses would not be coupled if there were different partners involved in each horse. A further provision of such an amendment could be a requirement that different trainers must train the horses owned in common by one partner. The proposal could result in more wagering interests in a given race. In considering the proposal the Board may wish to consider the percentage of ownership a partner may have before uncoupling is triggered.

## RECOMMENDATION

This item is presented for discussion and action by the Board.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 6. ENTRIES AND DECLARATIONS  
RULE 1606. COUPLING OF HORSES

Regular Board Meeting  
January 16, 2008

1606. Coupling of Horses.

(a) Two or more horses shall be coupled as a single wagering interest and as an entry when such horses are owned in whole or in part by the same person or persons.

(b) Quarter horse races are exempt from subsection (a) of this regulation.

Authority: Sections 19420, 19440 and 19590,  
Business and Professions Code.

Reference: Section 19401,  
Business and Professions Code.

STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING MANDATING THE USE  
OF  
SAFETY REINS AT CALIFORNIA RACETRACKS

Regular Board Meeting  
January 16, 2008

BACKGROUND

Business and Professions Code Section 19504 provides that the Board shall determine whether the use of safety reins would provide jockeys and exercise riders greater protection from accidents and injuries than conventional reins. If the Board determines safety reins provide greater protection, it shall adopt a regulation mandating the use of approved safety reins whenever a racehorse is ridden at a racetrack. The Board shall approve any model of mandatory safety rein, if required, in use at a racetrack. Under Business and Professions Code Section 19504(d), safety reins are defined as: "...a type of rein that is reinforced with a wire cable, nylon strap, or other safety device or material that is attached to the bit and designed to maintain control of the horse should the rein break."

Safety reins are essentially a rein within a rein. Typical reins are made of leather or nylon and attach to the bit. Reins provide jockeys and drivers with control of the horse; when reins break, control is lost. With safety reins, a nylon cord is stitched into the traditional leather or nylon reins during the manufacturing process, and the safety cord attaches to the bit independently of the conventional reins. Should the outer leather or nylon reins break, the safety reins allow the jockey or driver to maintain control. However, the safety feature is intended to break if a horse or rider should become entangled in the dangling ends. This is the reason nylon is used instead of wire. Additionally, the nylon only goes as far back as the end of the grip for the same reason. Arthur Gray designed the Sure Lines safety reins. Sure Line reins have a nylon cord that emerges from the outer reins and attaches to the bit using a metal clasp. Brian and Lisa Peck designed a second (loop) type of safety rein. The "Peck" safety reins have a nylon cord that remains inside of the outer reins throughout and can be seen. Both the nylon and outer reins are looped around the bit. It should be noted that while the safety rein designers can provide supporting materials, including laboratory reports on the testing of their reins, there are currently no safety standards established for safety reins.

Mandating the use of safety reins was last discussed at the June 2007 Regular Board Meeting. At that time the Board was informed that the California Horsemen's Safety Alliance (CHSA), which oversees the workers' compensation program at California thoroughbred racetracks, had ordered Sure Line and Peck safety reins to distribute to horsemen to use voluntarily as an experiment to determine their effectiveness and to identify any problems. The Jockey's Guild endorsed a CHSA request that the Board delay mandating safety reins until after the experiment was completed and evaluated.

The CHSA distributed 209 safety reins to 105 CHSA thoroughbred trainer participants. During the experiment the CHSA received feedback from trainers, which resulted in the modification of the grip and the overall length of the reins. The CHSA has reported the response to the reins has been positive. The CHSA also reported it was working to establish ASTM International (ASTM) standards for safety reins. This goes a step beyond the Business and Profession Code Section 19504 definition of safety reins, and will provide a standard by which all manufacturers of safety reins may be judged.

#### RECOMMENDATION

This item is presented for discussion and action by the Board. The Board may wish to hear from Jockey Guild and CHSA representatives.

STAFF ANALYSIS  
REPORT AND UPDATE FROM THE  
JOCKEY'S GUILD  
REGARDING THE USE OF THE ALTERNATE WHIP

Regular Board Meeting  
January 16, 2008

BACKGROUND

Business and Professions (B&P) Code Section 19520 provides that the Board shall have jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings. B&P Code Section 19440 states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of Chapter 4, B&P Code. Responsibilities of the Board shall include, but not be limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. B&P Code Section 19481 provides that in performing its responsibilities, the Board shall establish safety standards governing equipment for horse and rider.

Board Rule 1685, Equipment Required, sets the weight; type of "popper;" and length of whips authorized for use by jockeys. At its July 2007 Regular Meeting the Board heard a proposal to amend Rule 1685 to allow for the use of an alternative, "kinder," whip. The Board determined it would temporarily suspend Rule 1685's limit on authorized whips, expressly to allow the immediate use of the alternative whip. The waiver authorizes whips with a narrower tip, or popper, than the traditional whips that are authorized by Rule 1685. In addition to the whips described in Rule 1685, the temporary rule suspension allows use of whips with a tip made of a soft material with soft padding underneath. The alternative whip must, as compared to the whips authorized by Rule 1685, have a narrower tip or popper, be made of softer material, and have padding to make the tip nearly round in configuration (eliminating hard edges on the sides). The authorized alternative whip must also have a longer popper than those authorized by Rule 1685, extending as far up as the handle on some models. For these alternative whips with poppers six inches or greater in length, feathers or loose leather strips are not required.

Several jockeys have used the alternative whip since the adoption of the rule waiver. While the ability to use the alternative whip has been favorable, there have been some problems with the whip, particularly the availability and the tendency of breakdown of the materials used to make the whip.

RECOMMENDATION

The Jockey's Guild is prepared to make a presentation regarding the alternative whip.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 8. RUNNING THE RACE  
RULE 1685. EQUIPMENT REQUIRED

Regular Board Meeting  
January 16, 2008

1685. Equipment Requirement.

No bridle shall weigh more than two (2) pounds, nor shall any whip weigh more than one-half (1/2) pound. No whip shall be used unless it has affixed to the end a looped "popper" made of leather or other material approved by the stewards, not less than one and one-quarter (1 1/4) inches in width, and not over three (3) inches in length, and be "feathered" above the "popper" with not less than three (3) rows of "feathers" made of leather or other material approved by the stewards, each feather not less than one (1) inch in length. No whip shall exceed thirty-one (31) inches in length. All whips are subject to inspection and approval by the stewards.

Authority: Sections 19420 and 19440,  
Business and Professions Code.

Reference: Sections 19441.2 and 19481,  
Business and Professions Code.

**CALIFORNIA HORSE RACING BOARD**

**JANUARY 16, 2008**  
**REGULAR BOARD MEETING**

**There is no board package material for item 10**

**CALIFORNIA HORSE RACING BOARD**

**JANUARY 16, 2008**  
**REGULAR BOARD MEETING**

**There is no board package material for item 11**

STAFF ANALYSIS  
REQUEST OF DEL MAR THOROGBRED CLUB  
TO DISTRIBUTE CHARITY DAY RACING PROCEEDS

Regular Board Meeting  
January 16, 2008

BACKGROUND

Business and Professions (B&P) Code Section 19550 states the Board shall require each licensed racing association that conducts 14 or less weeks of racing to designate three racing days, and each licensed racing association that conducts more than 14 weeks of racing to designate five racing days during any one meeting, to be conducted as charity days by the licensee for the purpose of distribution of the net proceeds therefrom to beneficiaries through the distribution agent. B&P Code 19556 provides that the distributing agent shall make the distribution to beneficiaries qualified under this article. At least 50 percent of the distribution shall be made to charities associated with the horse racing industry.

ANALYSIS

The Del Mar Thoroughbred Club is requesting approval to distribute proceeds from charity day races conducted at Del Mar during its 2007 race meeting from July 18, 2007 through September 5, 2007. The net proceeds from the charity days totaled \$181,380. The list of organizations selected and amount to be distributed is listed on the attached. Staff notes that 82% of the proceeds will be given to racing related organizations.

RECOMMENDATION

Staff recommends that the Board approve this request.



2007 DEC 19 PM 2:29

Michael R. Ernst  
Senior Vice President and  
Chief Financial Officer

December 14, 2007

Mr. Francisco Gonzales  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

Dear Mr. Gonzales:

The Del Mar Thoroughbred Club Board of Directors has allocated charity day proceeds as set forth below.

|  |                  |
|--|------------------|
| Disabled Jockeys*                                    | \$36,280         |
| California Center for Equine Health and Performance* | 25,000           |
| Racing and Medication Testing Consortium*            | 15,000           |
| University of Arizona Racetrack Industry Program*    | 10,000           |
| Winners Foundation*                                  | 10,000           |
| Edwin J. Gregson Foundation*                         | 10,000           |
| California Thoroughbreds Horsemen's Foundation*      | 9,100            |
| Don MacBeth Memorial Jockey Fund*                    | 9,000            |
| California Equine Retirement Foundation *            | 7,500            |
| Grayson-Jockey Club Research Foundation*             | 5,000            |
| The Country Friends                                  | 5,000            |
| Children's Hospital of San Diego                     | 5,000            |
| California Thoroughbreds Breeders Association*       | 5,000            |
| Don Diego Scholarship Fund                           | 5,000            |
| Tranquility Farms*                                   | 5,000            |
| Junior League of San Diego                           | 5,000            |
| Las Patronas   | 5,000            |
| San Diego Hospice                                    | 4,000            |
| San Dieguito Boys & Girls Club                       | 3,000            |
| Shoemaker Foundation*                                | 2,500            |
| <b>TOTAL:</b>  | <b>\$181,380</b> |
| Equine Related Charities*                            | 149,380          |
| Non - Equine Related                                 | 32,000           |
| Percentage of Equine Related Charities               | 82.3%            |

Thank you for your attention to this matter and I look forward to hearing from you soon. If you need further information, please call me.

Very truly yours,

Michael R. Ernst

STAFF ANALYSIS  
REQUEST OF HOLLYWOOD PARK RACING ASSOCIATION  
TO DISTRIBUTE CHARITY DAY RACING PROCEEDS

Regular Board Meeting  
January 16, 2008

BACKGROUND

Business and Professions (B&P) Code Section 19550 states the Board shall require each licensed racing association that conducts 14 or less weeks of racing to designate three racing days, and each licensed racing association that conducts more than 14 weeks of racing to designate five racing days during any one meeting, to be conducted as charity days by the licensee for the purpose of distribution of the net proceeds therefrom to beneficiaries through the distribution agent. B&P Code 19556 provides that the distributing agent shall make the distribution to beneficiaries qualified under this article. At least 50 percent of the distribution shall be made to charities associated with the horse racing industry.

ANALYSIS

The Hollywood Park Racing Association is requesting approval to distribute proceeds from charity day races conducted at Hollywood Park during its 2007 spring race meetings from April 25, 2007 through July 16, 2007. The net proceeds from the charity days totaled \$180,000. The list of organizations selected and amount to be distributed is listed on the attached. Staff notes that approximately 59% of the proceeds will be given to racing related organizations.

RECOMMENDATION

Staff recommends that the Board approve this request.

**Hollywood Park Racing Charities, Inc.**

1050 South Prairie Avenue  
Inglewood, California 90301

**Mailing Address:**

P.O. Box 369  
Inglewood, California 90306

(310) 419-1500

**President and Chairman:**

Tirso Del Junco, M.D.

**Secretary:**

Barbara Richardson Knight

**Treasurer:**

Angie Dickinson

**Vice Presidents:**

Willie D. Davis  
Alvin Segel, Esq.

2007 DEC 14 PM 4:17

December 14, 2007

Mr. Roberto Zavala  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, California 95825

Fax # (916) 263-6042

Re: HOLLYWOOD PARK RACING CHARITIES 2007 GRANTS

This is our list of the 2007 Grants from the Hollywood Park Racing Charities, Inc. Please include these in the next available meeting.

Any questions or corrections, please contact me at (909) 394-0440 or fax (909) 592-6062.

Sincerely,



Julie Hale  
Administrative Secretary

jh

Hollywood Park Racing Charities, Inc. - 2007 GrantsEducation

|                          |          |
|--------------------------|----------|
| Inglewood Education Fund | \$15,000 |
|--------------------------|----------|

Health

|                                    |          |
|------------------------------------|----------|
| Inglewood Children's Dental Center | \$ 3,500 |
|------------------------------------|----------|

Miscellaneous

|                   |          |
|-------------------|----------|
| Los Angeles NAACP | \$ 7,500 |
|-------------------|----------|

|                          |                 |
|--------------------------|-----------------|
| Los Angeles Urban League | <u>\$ 7,500</u> |
|--------------------------|-----------------|

|  |          |
|--|----------|
|  | \$15,000 |
|--|----------|

Racing

|   |          |
|---|----------|
| California Equine Retirement Foundation | \$ 5,000 |
|---|----------|

|   |          |
|---|----------|
| California Thoroughbred Horsemen's Foundation | \$20,000 |
|---|----------|

|                            |          |
|----------------------------|----------|
| Disabled Jockeys Endowment | \$36,000 |
|----------------------------|----------|

|                          |          |
|--------------------------|----------|
| Edwin Gregson Foundation | \$ 5,000 |
|--------------------------|----------|

|                                  |          |
|----------------------------------|----------|
| Don MacBeth Memorial Jockey Fund | \$10,000 |
|----------------------------------|----------|

|                                 |          |
|---------------------------------|----------|
| Racetrack Chaplaincy of America | \$10,000 |
|---------------------------------|----------|

|                                       |          |
|---------------------------------------|----------|
| Southern California Equine Foundation | \$ 5,000 |
|---------------------------------------|----------|

|                    |                 |
|--------------------|-----------------|
| Winners Foundation | <u>\$15,000</u> |
|--------------------|-----------------|

|  |           |
|--|-----------|
|  | \$106,000 |
|--|-----------|

Social Services

|   |          |
|---|----------|
| Centinela Valley Juvenile Diversion Project | \$ 5,000 |
|---|----------|

|                                     |          |
|-------------------------------------|----------|
| Children's Bureau of So. California | \$ 5,000 |
|-------------------------------------|----------|

|                                |          |
|--------------------------------|----------|
| Inglewood After School Program | \$ 2,500 |
|--------------------------------|----------|

|                                 |          |
|---------------------------------|----------|
| Inglewood Recreation Department | \$ 3,000 |
|---------------------------------|----------|

|                                  |          |
|----------------------------------|----------|
| Inglewood Senior Citizens Center | \$ 5,000 |
|----------------------------------|----------|

|                             |          |
|-----------------------------|----------|
| International Life Services | \$ 5,000 |
|-----------------------------|----------|

|                         |          |
|-------------------------|----------|
| Saint Margaret's Center | \$ 5,000 |
|-------------------------|----------|

|                            |          |
|----------------------------|----------|
| Salesian Boys & Girls Club | \$ 5,000 |
|----------------------------|----------|

|                                     |                 |
|-------------------------------------|-----------------|
| Watts/Willowbrook Boys & Girls Club | <u>\$ 5,000</u> |
|-------------------------------------|-----------------|

|  |          |
|--|----------|
|  | \$40,500 |
|--|----------|

TOTAL \$180,000

**CALIFORNIA HORSE RACING BOARD**

**JANUARY 16, 2008**  
**REGULAR BOARD MEETING**

**There is no board package material for item 14**

