STATE OF CALIFORNIA **ARNOLD SCHWARZENEGGER, GOVERNOR**

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CAL-EXPO HARNESS ASSOCIATION

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Proceedings of the Board of Stewards for the period of Monday, November 30, 2009 through Sunday, December 06, 2009. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

11/30/09 (1) **Double Draw**

The racing office was open today accepting entries for Thursday, December 3 and Friday, December 4. Ten (10) races were drawn for December 3. Seventy eight (78) horses are scheduled to start.

Fifteen (15) races are slated for December 4. One of these races is 'The California Sire Stakes Two (2) Year Old Trotters'. One hundred seventeen (117) horses are scheduled to start.

11/30/09 (2) **Dark Day**

Tuesday

12/01/09 (1) **Scratch Time/Double Draw**

Scratch time was held this morning in the racing office for December 3 and December 4. Eleven (11) driver changes for December 4 were activated after the 9:00 a.m. deadline.

Entries for Saturday December 5 and Sunday December 6 were taken this morning in the racing office. Sixteen (16) races are scheduled for December 5. One of these races is 'The California Sires Stake – Two Year Old Colts and Gelding Division'. One hundred twenty six (126) horses are slated to start.

Ten (10) races are scheduled for December 6. Eighty (80) horses are scheduled to start.

12/01/09 (2) **Dark Day**

Wednesday

12/02/09 (1) **Scratch Day**

Scratch time for Saturday December 5 and Sunday December 6 was held this morning in the racing office. Eleven (11) driver changes were made for December 6. All these changes were activated shortly after the 9:00 a.m. deadline.

12/02/09 (2) **Dark Day**

Thursday

12/03/09 (1) **Qualifying Races**

Two (2) qualifying races were held prior to tonight's ten (10) race pari-mutual card. Of the fourteen (14) competitors, eleven (11) made the grade.

12/03/09 (2) **Tom and Jill Wine Meeting**

Trainer Tom Wine and his wife/assistant trainer Jill Wine came to the steward's office for an informal meeting. Trainer Tom Wine has a formal hearing scheduled next week (December 11) for an alleged overage of Bute that was reported to be in the system of one of his horses. Assistant Trainer Jill Wine made a request to transfer twenty three (23) horses into her name earlier this week. The duty steward (Baker) recommended that she and her husband meet with all three (3) stewards before the races tonight.

The stewards are inquiring whether any portion of California Horse Racing Board Rule #1843.3 (2i & j) (Medication, Drugs and Other Substances) would be in question by approving the aforementioned trainer transfer. More to follow.

12/03/09 (3) **Frank Petrelli Ruling**

Ruling # 38

Trainer Frank Petrelli, who started "Special Edition N" in the Ninth Race on Sunday, November 29, 2009, is hereby fined the sum of One Hundred Dollars ($100) for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Late Arriving in Paddock – 2nd Offense).

The ruling above was issued after the stewards received a phone call from Horse Identifier Carl Sobey, informing the stewards that the Petrelli trained "Special Edition N" was late to the paddock for the ninth race.

12/03/09 (4) **Third Race – Inquiry/Double Disqualification**

The stewards posted the inquiry sign to view two (2) incidents in the stretch. Second place finisher #4 "My Sierra Doll" (Rick Plano) goes on an extended break in the final 1/16 of a mile. For violation of California Horse Racing Board Rule #1722 (Breaking), the stewards unanimously voted to disqualify #4 "My Sierra Doll" and place him ninth (last).

In a second incident, original fifth place finisher #2 "Manaloha" (Trent Tharps, Jr.) goes on a 'break' in deep stretch and at the finish. Sixth place finisher #6 "Trot on Water" (James Kennedy) was 'lapped' on the hind quarters of #2 "Manaloha", therefore the stewards enforced California Horse Racing Board Rule #1723 (Lapped-on Break), disqualifying #2 "Manaloha" and placing him sixth.

The results of the double disqualification:

Original order of finish: 3-4-9-7-2-6-8-5-1
After 1st Disqualification: 3-9-7-2-6-8-5-1-4
After 2nd Disqualification (official): 3-9-7-6-2-8-5-1-4

12/03/09 (5) **Seventh Race – Inquiry/Disqualification**

The stewards posted the inquiry sign after viewing fourth place finisher #1 "Pussy Cat" (Troyce Thomas) go on an extended break in the final 1/16 of a mile and crossing the wire. Fourth place finisher #6 "Only In California" (Luke Plano) was also 'lapped on' the hind quarters of #1 "Pussy Cat" at the finish.

In a unanimous decision, #1 "Pussy Cat" was disqualified and placed fourth for violation of California Horse Racing Board Rule #1722 (Breaking).

Original order of finish: 3-7-1-6-8-5-4-2
Official order of finish: 3-7-6-8-5-4-1-2

12/03/09 (6) **Driving Milestone**

Veteran Driver Tim Maier recorded win number 2000 in tonight's eighth race. Tim Maier reined and trained #1 "Little Kiera". California Harness Horsemen Association (CHHA) Representative Alan Horowitz was in the winner's circle to present a nice plaque from the Horsemen's Association commemorating this significant milestone.

12/03/09 (7) **Program Changes**

None

12/03/09 (8) **Attendance and Handle**

Attendance	218
Live Handle (On Track)	$35,932
Handle (In State)	$228,547
Handle (Out of State)	$206,442
Total Handle	$470,921

Friday

12/04/09 (1) **Eighth Race – Inquiry**

The stewards posted the inquiry sign after viewing tenth (last) place finisher #8 "Check Raisin" (David Siegel) 'race up' on eight place rival #6 "My Real Love" (Lemoyne Svendsen), making contact on that rival from behind.

This incident also forced ninth place finisher #9 "Aeronaut" (Gilbert Herrera) to race wide down the back side to avert traffic problems.
The stewards spoke to both Drivers Siegel and Svendsen. No change was made due to the fact the offending horse (#8 "Check Raisin") finished last.

Driver David Siegel was ordered to film review with the stewards.

12/04/09 (2) **Twelfth Race – Inquiry/Disqualification**

The stewards posted the inquiry sign after viewing fifth place finisher #2 "Beach Beach Beach" (Lemoyne Svendsen) go on a 'break' about one hundred (100) yards before the finish.

The stewards unanimously ruled that #2 "Beach Beach Beach" failed to abide by California Horse Racing Board Rule #1722 (Breaking) by not losing sufficient ground following the 'break'. For this incident she was disqualified and placed seventh (last).

Original order of finish: 7-5-6-4-2-3-1
Official order of finish: 7-5-6-4-3-1-2

12/04/09 (3) **Thirteenth Race – Inquiry/Disqualification**

The stewards posted the inquiry sign after viewing seventh place finisher #6 "Bangers And Mash" (James Kennedy) go off his trotting gait for the entire one (1) mile race.

For violation of California Horse Racing Board Rule #1722 (Breaking), #6 "Bangers And Mash" was disqualified and placed ninth (last).

Original order of finish: 2-3-4-5-1-7-6-8-9
Official order of finish: 2-3-4-5-1-7-8-9-6

12/04/09 (4) **Program Changes**

1st Race Driver Change #4 "Holls Park Place"
Rick Plano for Ruel Goodblood Jr. (travel problems)
7th Race Declaration - #1 "I Go Blind" - Trainer Greig Watson
Refund: $30 Injured – Robert Goodbary, D.V.M.
7th Race Driver Change - #8 "Inconvenient Truth"
Rick Plano for Ruel Goodblood Jr. (travel problems)
8th Race Driver Change - #5 "Awesome Deal N"
Tim Maier for Ruel Goodblood Jr. (travel problems)
9th Race Declaration - #7 "Alpine Hank" – Trainer Gordon Graham
Refund: $35 Injured – Robert Goodbary, D.V.M.
10th Race Declaration - #3 "Lymmer" – Trainer Drew Anderson
Refund: $410 Injured – Robert Goodbary, D.V.M.
11th Race Declaration - #1 "The Godfather" – Trainer Rick Plano
Refund: $286 Injured – Robert Goodbary, D.V.M.
11th Race Driver Change - #6 "Shoot The Works"
Lemoyne Svendsen for Ruel Goodblood Jr. (travel problems)
12th Race Driver Change - #3 "Ogs Bonnie Scotch"
Tony Succarotte for Ruel Goodblood Jr. (travel problems)

12/04/09 (5) **Attendance and Handle**

Attendance	314
Live Handle (On Track)	$36,995
Handle (In State)	$398,940
Handle (Out of State)	$244,836
Total Handle	$680,771

Saturday

12/05/09 (1) **David Siegel – Film Review**

Driver David Siegel appeared in the steward's office to review his drive in the eighth race last night (December 4). Driver Siegel sat behind tenth (last) place finisher #8 "Check Raisin" in this race.

Race review show Driver Siegel run his horse up on the back of Driver Lemoyne Svendsen, who was aboard eighth place finisher #6 "My Real Love". Driver Siegel stated that he didn't think he made contact with Driver Svendsen. The stewards were of the unanimous opinion that contact did exist in this race before the 1/2 mile marker. Decision to follow.

12/05/09 (2) **Brian Solden Remand Hearing (Case No: 09SW-0172)**

California Horse Racing Board Executive Director Kirk Breed issued an order of remand on November 13, 2009 in the 'Brian Solden matter'. Cal Expo's stewards issued Ruling #25 on November 07, 2009 fining Trainer Brian Solden for violations of California Horse Racing Board Rules #1887 (Trainer to Insure Condition of Horse), Rule #1843 (D) (Medications, Drugs and Other Substances) and Rule #1866 (Veterinarian's List).

On October 8, 2009 Trainer Solden raced his horse "Mac Jonathan VP" in a qualifying race at Cal Expo with the purpose of having that horse removed from the Cal Expo veterinarian's list. U.C. Davis laboratories reported that a blood sample of Phenylbutazone had a level of 8.12 ug/ml in its system. Cal Expo stewards issued a Five Hundred Dollar ($500) penalty in this matter (Ruling #25).

Present at the remand hearing today, along with the stewards, were Trainer Brian Solden, his attorney Penny Caryl Davis, California Horse Racing Board Veterinarian Robert Goodbary, Cal Expo Track Veterinarian Henry Cook, and California Horse Racing Board Supervising Investigator Greg Fabbri. Court Reporter Yvonne Fenner (Frazier Reporting) recorded the proceedings.

Attorney Penny Caryl Davis argued that the chain of custody with the test sample in this matter was not adequate.

Some facts in this matter arose today in the formal hearing that did not surface in the informal hearing on December 5. Additionally, a list of the qualifying races that took place on October 8, 2009 was submitted into evidence at this hearing. Three (3) key points of evidence/testimony were presented today.

A. The 'Acknowledgment of Test Sample' (CHRB-14) was not adequately filled out in this matter.
B. An incorrect trainer was listed on the Official Veterinarian's Report (CHRB-37).
C. The stewards did not agree with the number of horses that were ordered to be tested following the running of 'Qualifying Race Four (4)" on October 8, 2009. These three (3) key factors led the stewards to issue a unanimous decision. Case dismissed. The stewards will schedule a meeting with California Horse Racing Board Veterinarian Robert Goodbary to review testing procedures.

12/05/09 (3) **Second Race – Inquiry**

The stewards posted the inquiry sign following this two year old 'California Sires Stakes' (Purse $15,000). Four (4) horses made breaks in this race. Third place finisher #3 "Online Charger" (Bruce Clarke), fourth place finisher #1 "The Write Stuff" (John Chappell) and sixth place finisher #5 "Bobby Baccala" (Rick Plano).

This was a 'general inquiry' as the stewards wished to research if all horses complied with California Horse Racing Board Rule #1722 (Breaking). All horses complied and no change was made in the order of finish.

12/05/09 (4) **Tote Delay**

There was an eight (8) minute tote delay after the eighth race was declared official. Problems with the calculation of the 'Super High 5' wager was given as the reason for the delay.

12/05/09 (5) **Program Changes**

7th Race Declaration - #6 "Mood Lighting" – Trainer Frank Petrelli
Refund: $222 Injured – Robert Goodbary, D.V.M.
8th Race Declaration - #4 "Fast N Furious" – Trainer Brian Marchand
Refund: $46 Injured – Robert Goodbary, D.V.M.
9th Race - #2 Trainer should read Bernie Wolin (program error)
13th Race Declaration - #8 "Special Edition N" – Trainer Frank Petrelli
Refund: $273 Injured – Robert Goodbary, D.V.M.

12/05/09 (6) **Attendance and Handle**

Attendance	331
Live Handle (On Track)	$49,520
Handle (In State)	$431,150
Handle (Out of State)	$237,970
Total Handle	$718,640

Sunday

12/06/09 (1) **Official Changes**

Steward Grant Baker is off this evening traveling to a racing conference in Tucson, Arizona. Steward Paul Nicolo will fill in.

Track Veterinarian Henry Cook is off tonight attending an AAEP (American Association of Equine Practitioners) convention in Las Vegas, Nevada. Don Dooley, D.V.M. will fill in.

12/06/09 (2) **Darren Lupul Film Review**

Driver Darren Lupul appeared in the steward's office to review his drive in the tenth race on Friday, December 4. Driver Lupul sat behind sixth place finisher #2 "Strikes N Charges". During the running of this race Driver Lupul 'pulled late' approaching the ½ mile pole, forcing eventual winner #1 "Cat Call" (Etienne Desomer) to be impeded.

Driver Lupul accepted responsibility for his questionable judgment concerning this drive. Decision to follow.

12/06/09 (3) **David Siegel Ruling**

Ruling # 39

Driver David Siegel, who drove "Check Raisin" in the Eighth Race on Friday, December 04, 2009, is hereby Suspended Three (3) Racing Days, Thursday, December 10, 2009, Friday, December 11, 2009 and Saturday, December 12, 2009 for violation of California Horse Racing Board Rule #1721(K) (Driving Rules – Drove In a Careless or Reckless Manner).

Driver David Siegel was informed via telephone last night of the ruling above. Driver Siegel appeared for a film review [Ref: 12/05/09 (1)] with the Cal Expo stewards yesterday.

12/06/09 (4) **Program Changes**

5th Race Declaration - #4 "Quick On My Feet" – Trainer Chris Hernandez
Refund: $91 Injured – Robert Goodbary, D.V.M.
6th Race Declarations - #1 "Have A Nice Day" – Trainer Ralph Silvestri III
Injured – Robert Goodbary, D.V.M.
4 "Boss New York N" – Trainer Jason Maier
Refund Total: $84 Injured – Robert Goodbary, D.V.M.
7th Race Declaration - #7 "Jet Tet Tet" – Trainer Nathalie Tremblay
Refund: $268 Injured – Robert Goodbary, D.V.M.
10th Race Declaration - #7 "Rossridgeadventure" – Trainer Larry Hastings
Refund: $0 Lame – Robert Goodbary, D.V.M.

12/06/09 (5) **Attendance and Handle**

Attendance	183
Live Handle (On Track)	$26,975
Handle (In State)	$254,404
Handle (Out of State)	$196,920
Total Handle	$478,299

RULINGS ISSUED THIS WEEK

12/03/09	38	Trainer Frank Petrelli, who started "Special Edition N" in the Ninth Race on Sunday, November 29, 2009, is hereby fined the sum of One Hundred Dollars ($100) for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Late Arriving in Paddock – 2nd Offense).
12/06/09	39	Driver David Siegel, who drove "Check Raisin" in the Eighth Race on Friday, December 04, 2009, is hereby Suspended Three (3)* Racing Days, Thursday, December 10, 2009, Friday, December 11, 2009 and Saturday, December 12, 2009 for violation of California Horse Racing Board Rule #1721(K) (Driving Rules – Drove In a Careless or Reckless Manner).

W E E K L Y S U M M A R Y

ATTENDANCE REPORT - The full Board of Stewards was in session each day during this reporting period for both morning business and the afternoon racing program.

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
4-Dec	7	1	I GO BLIND	WATSON	Injured	Goodbary	$30.00
	9	7	ALPINE HANK	GRAHAM	Injured	Goodbary	$35.00
	10	3	LYMMER	ANDERSON	Injured	Goodbary	$410.00
	11	1	THE GODFATHER	PLANO	Injured	Goodbary	$286.00
5-Dec	7	6	MOOD LIGHTING	PETRELLI	Injured	Goodbary	$222.00
	8	4	FAST N FURIOUS	MARCHAND	Injured	Goodbary	$46.00
	13	8	SPECIAL EDITION N	PETRELLI	Injured	Goodbary	$273.00
6-Dec	5	4	QUICK ON MY FEET	HERNANDEZ	Injured	Goodbary	$91.00
	6	1	HAVE A NICE DAY	SILVESTRI	Injured	Goodbary	$49.00
	6	4	BOSS NEW YORK N	MAIER	Injured	Goodbary	$35.00
	7	7	JET TET TET	TREMBLAY	Injured	Goodbary	$268.00
	8	7	ROSSRIDGEADVENTURE	HASTINGS	Lame	Cook	$0.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	$	13,758.80
Fresno	$	3,428.00
Fresno Club One	$	3,118.70
Golden Gate	$	54,512.30
Monterey	$	9,310.70
Pleasanton	$	32,743.40
Sacramento	$	124,585.70
San Jose	$	36,254.30
San Mateo	$	76,014.00
Santa Rosa	$	16,387.50
Stockton	$	25,079.80
Tulare	$	4.00
Vallejo	$	23,264.60
So. California	$	553,859.50
Out of State	$	886,167.56

CAL-EXPO RACING ASSOCIATION

SUMMARY

2009

	Mon 11/30	Tues 12/01	Wed 12/02	Thurs 12/03	Fri 12/04	Sat 12/05	Sun 12/06	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	0	1
Cal-Bred Races	A	A	A	0	2	2	0	4	25
Claims	R	R	R	0	0	2	0	2	15
Disqualifications	K	K	K	3	2	0	0	5	21
Inquiries	D	D	D	2	3	1	0	6	39
Refunds	A	A	A	0	4	3	5	12	122
Rulings	Y	Y	Y	1	0	0	1	2	39

Stewards Attendance: Stewards Baker, Meyers and Oke were in attendance.

_____
Grant Baker, Steward

_____
Will Meyers, Steward

_____
Michael W. "Wayne" Oke, Steward