

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



**CAL-EXPO HARNESS ASSOCIATION
 TO THE CALIFORNIA HORSE RACING BOARD**

HONORABLE ARNOLD SCHWARZENEGGER, GOVERNOR

HONORABLE JOHN C. HARRIS, CHAIRMAN
 HONORABLE DAVID ISRAEL, VICE CHAIRMAN
 HONORABLE KEITH BRACKPOOL, MEMBER
 HONORABLE JESSE H. CHOPER, MEMBER
 HONORABLE BO DEREK, MEMBER
 HONORABLE JERRY MOSS, MEMBER
 HONORABLE RICHARD A. ROSENBERG, MEMBER
 KIRK E. BREED, EXECUTIVE DIRECTOR
 RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR

Proceedings of the Board of Stewards for the period of Monday, December 07, 2009 through Sunday, December 13, 2009. Steward Will Meyers was the Reporting and Duty Steward for the enclosed period.

Monday

12/07/09 (1)

Entries for Thursday & Friday

Ten (10) races are on tap for Thursday. Seventy five (75) horses are scheduled to compete. No Cal-Bred races were used. One hundred four (104) horses were drawn into Friday's fourteen (14) race card. Note: Due to possibility of inclement weather, only nine (9) horses will start in the first tier until further notice. Ten (10) and above will be started in the second tier.

12/07/09 (2)

Dark Day

Tuesday

12/08/09 (1)

Scratches for Thursday & Friday

Numerous driver changes and a few claiming price corrections were taken at scratch time. No scratches were submitted.

12/08/09 (2)

Entries for Saturday & Sunday

Fifteen (15) wagering and three (3) non-wagering sire stakes are on tap for Saturday. One hundred thirty six (136) total horses are scheduled to start. Three (3) Cal-Bred sire stakes are on tap.

Ten (10) races are scheduled for Sunday. A total of seventy eight (78) horses are in to go.

12/08/09 (3)

Dark Day

Wednesday

12/09/09 (1)

Scratches for Saturday and Sunday

Numerous driver changes were taken for Saturday and Sunday. No scratches were submitted.

12/09/09 (2)

Dark Day**Thursday**

12/10/09 (1)

Lupul Ruling [Ref: 12/06/09 (2)]**Ruling # 40**

Driver Darren Lupul, who drove "Strikes N Charges" in the Tenth Race on Friday, December 04, 2009, is hereby fined the sum of One Hundred Dollars (\$100) for violation of California Horse Racing Board Rule #1721(F) (Driving Rules – Carry a Horse Out). This incident occurred before the 1/2 mile marker.

The above ruling was issued after Lupul was informed a penalty would be assessed. He accepted the penalty.

12/10/09 (2)

Senclair Ruling**Ruling # 41**

Groom Pam Senclair, is hereby Suspended for failure to pay the fine assessed in Ruling #93 dated July 24, 2009. A violation of California Horse Racing Board Rule #1532 (Payment of Fines).

The above ruling was issued after Investigator Greg Fabbri informed the stewards that the fine issued to Senclair was not paid.

12/10/09 (3)

Veterinarian Meeting [Ref: 12/05/09 (2)]

The stewards met with State Veterinarian Robert Goodbary and Track Veterinarian Henry Cook to review and solidify the chain of custody on work (qualifier) blood samples.

Starting with today's qualifiers, all blood samples will be handled exactly like regular race bloods. The horses will be officially identified at the test barn and the acknowledgement of test sample forms will require a signature by the veterinarian taking the blood and the trainer or his representative.

12/10/09 (4)

First Race – Tote Problems

The tote board was inoperative for tonight's first race. Television monitors had the correct wagering information for the public and patrons were able to wager as usual. Announcements were made and the race was held without incident. The board was up and running for the second race.

12/10/09 (5)

Program Changes

5th Race Declaration - #1 "The Situation" – Trainer Gilbert Herrera
Refund: \$0 Injured – Dr. Robert Goodbary

7th Race Declaration - #3 “Nikoleta” – Trainer Tom Wine II
 Refund: \$29 Injured – Dr. Robert Goodbary
 8th Race Declaration - #1 “Nextopmodel” – Trainer Marco Rios
 Refund: \$181 Injured – Dr. Robert Goodbary

12/10/09 (6) **Attendance and Handle**
 Attendance 206
 Live Handle (On Track) \$33,730
 Handle (In State) \$192,975
Handle (Out of State) \$158,145
 Total Handle \$384,850

Friday

12/11/09 (1) **Inclement Weather**
 Tonight’s racing will be conducted on a sloppy racetrack.

12/11/09 (2) **Wine Hearing – Case # 09SW-0178**
 A hearing was held today on a high Bute reading of 8.12 ug/ml for the horse “Frankies’ Pride” who is trained by Tom Wine II.

Gregg Fabbri presented the case for the State. Tom Wine, Assistant Trainer Jill Wine, and State Veterinarian Robert Goodbary were all present and gave testimony on the matter. Wendy Frazier of Frazier Reporting recorded the proceedings. Mr. Wine testified that his wife Jill was in charge of all medications in the barn. Ms. Wine testified that Phenylbutazone powder was placed in the hoses feed tubs over twenty four (24) hours out from the race. However, Ms. Wine also testified that the feed tubs were never pulled from the stalls and there was no way to know if the horse ate all the Bute outside the time limit.

Exhibits were entered and testimony taken and concluded. The matter will be discussed and a decision will follow shortly.

12/11/09 (3) **Sloppy**
 Tonight’s program will be conducted on a sloppy racetrack in rainy weather.

12/11/09 (4) **Thirteenth Race – Inquiry/No Change**
 The stewards posted the inquiry sign to review possible interference involving the winner #4 “London Calling (Tim Maier) and second (2nd) place finisher #1 “S A Sunset” (Lemoyne Svendsen) in deep stretch. After review it was determined that #4 came out in a tight squeeze to gain racing room but did not foul #1. No change.

12/11/09 (5) **Fourteenth Race – Inquiry/No Change**
 #1 “Groovin Hi” (Luke Plano) went off stride in deep stretch and finished third (3rd). The inquiry sign was posted to assure compliance with the breaking rule. Both driver and horse complied. No change.

12/11/09 (6) **Program Changes**
 7th Race Declaration - #4 “R W Island Spirit” – Trainer Kennedy Lindsey

Refund: \$32	Injured – Dr. Robert Goodbary #8 “Attitude Counts” – Trainer Darren Lupul
Refund: \$75	Injured – Dr. Robert Goodbary
11 th Race Declaration - #4	“Polishedperfection” – Trainer Bruce Clarke
Refund: \$164	Track Condition – Stewards
12 th Race Declaration - #1	“Princess Joy” – Trainer Lemoyne Svendsen
Refund: \$81	Injured – Dr. Robert Goodbary
13 th Race Declaration- #2	“Cherry Tree Rojo” – Trainer Jason Maier
Refund: \$72	Track Condition – Stewards
	#5 “Tillie Vic” – Trainer Earl Kennedy
Refund: \$46	Track Condition – Stewards

12/11/09 (7) **Attendance and Handle**

Attendance	281
Live Handle (On Track)	\$31,825
Handle (In State)	\$374,983
Handle (Out of State)	\$244,090
Total Handle	\$650,898

Saturday

12/12/09 (1) **Wine Ruling [Ref: 12/11/09 (2)]**

Ruling # 42

Trainer Tom Wine II, who started the horse “Frankies’ Pride” in the Eighth Race at Cal Expo on October 30, 2009, is hereby fined the sum of One Thousand Five Hundred (\$1,500) Dollars pursuant to California Horse Racing Board Rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board Rule #1843 (D) (Medications, Drugs and Other Substances – Phenylbutazone (8.12 ug/ml) in Excess of Permitted Level – 2nd offense in 365 day period - Class IV).

The above ruling was issued after deliberation over yesterday’s hearing. Testimony indicated that better precautions could have been taken by the Wine barn to prevent the overage.

12/12/09 (2) **Rain Again**

Tonight’s racing was conducted on a sloppy racetrack in the rain.

12/12/09 (3) **Fourth Race – Inquiry/Disqualification**

The stewards posted the inquiry to review an incident in the stretch involving second (2nd) place finisher #5 “Davbro Bromac N” (Rick Plano) and third (3rd) place finisher #1 “Jessalilpeace” (Steve Wiseman). Tapes show #5 drift out, taking the path of #1, causing that rival to race wide and be cost a chance at a better placing. In a two to one vote (Steward Oke dissenting), #5 was disqualified from second (2nd) to third (3rd).

12/12/09 (4) **Fourteenth Race – Inquiry/No Change**

#4 “Red Star Billy” (Jason Maier) went momentarily off stride at the start and ended up finishing second (2nd). The inquiry sign was posted to

assure no interference occurred and compliance with the breaking rule. No interference – full compliance, no change.

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

1st Race Declaration - #3 “Jojo In A Jiffy” – Trainer Raul Escobedo
 Refund: \$723 No Show – Stewards
 4th Race Declaration - #6 “Sadies Storm Cat” – Trainer Tom Wine II
 Refund: \$40 Track Condition – Stewards
 6th Race Declaration - #9 “On Eagles Wings N” – Trainer Chris Hernandez
 Refund: \$5 Track Condition – Stewards
 7th Race Declaration - #4 “Fitness Freak” – Trainer James Kennedy
 Refund: \$79 Track Condition – Stewards
 8th Race Declaration - #9 “Mac Jonathan VP” – Trainer Brian Solden
 Refund: \$29 Track Condition – Stewards
 9th Race Declaration - #2 “Yougotwhatyouwant” – Trainer Lemoyne Svendsen
 Refund: \$41 Track Condition – Stewards
 14th Race Driver Change - #4 “Red Star Billy”
 John Chappell for programmed driver Tim Maier
 14th Race Declaration - #6 “AZ Mutanto” – Trainer Chris Hernandez
 Refund: \$104 Track Condition – Stewards
 15th Race Declaration - #3 “Pirate Hall” – Trainer Chris Hernandez
 Refund: \$83 Track Condition – Stewards

12/12/09 (6) **Horse Reported Deceased**

The stewards received a late report that “Jojo In A Jiffy”, who was scheduled to race in the first race tonight, expired at the barn. Investigator Gregg Fabbri and State Veterinarian Robert Goodbary will look into the matter.

12/12/09 (7) **Attendance and Handle**

Attendance	306
Live Handle (On Track)	\$35,710
Handle (In State)	\$378,356
Handle (Out of State)	\$300,372
Total Handle	\$714,438

Sunday

12/13/09 (1) **Plano Ruling [Ref: 12/12/09 (3)]**

Ruling # 43

Driver Rick Plano, who drove “Davbro Bromac N” in the Fourth Race on Saturday, December 12, 2009, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1721 (J) (Driving Rules – Change Course After Selecting a Position In The Home Stretch – Bore Out In the Stretch) Taking the path of #1 “Jessalilpeace” resulting in a disqualification.

The above ruling was issued after Plano accepted the penalty, apologizing for letting his horse drift in the stretch.

12/13/09 (2) **Senclair Reinstatement [Ref: 12/10/09 (2)]****Ruling # 44**

Groom Pam Senclair, having paid the fine assessed in Ruling #93 dated July 24, 2009, Ruling #41 issued by Cal Expo Harness Association Board of Stewards, dated December 10, 2009, suspending Licensee Pam Senclair is hereby set aside, restoring her to good standing.

The above ruling was issued after Senclair suddenly acquired the money to pay her fine following her suspension.

12/13/09 (3) **Sloppy Track**

For the third day in a row, the track was listed as sloppy.

12/13/09 (4) **Fifth Race – Inquiry/Disqualification**

#7 “Fox Harbor” (James Lackey) went offstride in the stretch, finishing seventh (7th) while failing to lose ground to eighth (8th) place finisher #2 “High Jacked” (Dan O’Mara). #7 was placed eighth (last) for the violation.

12/13/09 (5) **Program Changes**

1 st Race Declaration - #7 “Yes I’ll Fly” – Trainer Frank Petrelli	
Refund: \$86	Track Condition – Stewards
2 nd Race Declaration - #3 “Pacific Playboy” – Trainer Gilbert Herrera	
Refund: \$28	Track Condition- Stewards
	#4 “Above Timberline” – Trainer Troyce Thomas
Refund: \$39	Track Condition- Stewards
3 rd Race Declaration - #6 “Carl Lewis N” – Trainer Lester Smith	
Refund: \$58	Track Condition- Stewards
6 th Race Declaration - #8 “Steady Goin” – Trainer Troyce Thomas	
Refund: \$4	Track Condition- Stewards
7 th Race Declaration - #1 “L S Orchardwinner” – Trainer Jason Ricco	
Refund: \$128	Track Condition- Stewards
	#3 Max’s Illusion” – Trainer Nick Casale
Refund: \$132	Injured – Dr. Robert Goodbary
10 th Race Declaration - #4 “Walterwalterwalter” – Trainer Frank Petrelli	
Refund: \$107	Track Condition- Stewards
	#6 “Mighty Fella” – Trainer Jason Ricco
Refund: \$89	Track Condition- Stewards
	#8 “Loaded Paradise” – Trainer James Wilkinson
Refund: \$98	Track Condition- Stewards

12/13/09 (6) **Attendance and Handle**

Attendance	176
Live Handle (On Track)	\$20,182
Handle (In State)	\$159,815
Handle (Out of State)	\$207,877
Total Handle	\$387,874

RULINGS ISSUED THIS WEEK

- 12/10/09 40 Driver Darren Lupul, who drove "Strikes N Charges" in the Tenth Race on Friday, December 04, 2009, is hereby fined the sum of One Hundred Dollars (\$100) for violation of California Horse Racing Board Rule #1721(F) (Driving Rules – Carry a Horse Out). This incident occurred before the 1/2 mile marker.
- 12/10/09 41 Groom Pam Senclair, is hereby Suspended for failure to pay the fine assessed in Ruling #93 dated July 24, 2009. A violation of California Horse Racing Board Rule #1532 (Payment of Fines).
- 12/12/09 42 Trainer Tom Wine II, who started the horse "Frankies' Pride" in the Eighth Race at Cal Expo on October 30, 2009, is hereby fined the sum of One Thousand Five Hundred (\$1,500) Dollars pursuant to California Horse Racing Board Rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board Rule #1843 (D) (Medications, Drugs and Other Substances – Phenylbutazone (8.12 ug/ml) in Excess of Permitted Level – 2nd offense in 365 day period - Class IV).
- 12/13/09 43 Driver Rick Plano, who drove "Davbro Bromac N" in the Fourth Race on Saturday, December 12, 2009, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1721 (J) (Driving Rules – Change Course After Selecting a Position In The Home Stretch – Bore Out In the Stretch) Taking the path of #1 "Jessalilpeace" resulting in a disqualification.
- 12/13/09 44 Groom Pam Senclair, having paid the fine assessed in Ruling #93 dated July 24, 2009, Ruling #41 issued by Cal Expo Harness Association Board of Stewards, dated December 10, 2009, suspending Licensee Pam Senclair is hereby set aside, restoring her to good standing.

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
10-Dec	5	1	THE SITUATION	HERRERA	Injured	Goodbary	\$0.00
	7	3	NIKOLETA	WINE II	Injured	Goodbary	\$29.00
	8	1	NEXTOPMODEL	RIOS	Injured	Goodbary	\$181.00
11-Dec	7	4	R W ISLAND SPIRIT	LINDSEY	Injured	Goodbary	\$32.00
	7	8	ATTITUDE COUNTS	LUPUL	Injured	Goodbary	\$75.00
	12	1	PRINCESS JOY	SVENDSEN	Injured	Goodbary	\$81.00
13-Dec	7	3	MAX'S ILLUSION	CASALE	Injured	Goodbary	\$132.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	11,419.80
Fresno	\$	4,697.10
Fresno Club One	\$	2,150.30
Golden Gate	\$	51,077.10
Monterey	\$	8,084.10
Pleasanton	\$	30,267.40
Sacramento	\$	103,015.50
San Jose	\$	36,997.00
San Mateo	\$	64,632.60
Santa Rosa	\$	15,225.60
Stockton	\$	20,426.40
Tulare	\$	-
Turlock	\$	-
Vallejo	\$	18,595.00
So. California	\$	506,902.00
Out of State	\$	910,484.81

CAL-EXPO RACING ASSOCIATION**SUMMARY****2009**

	Mon 12/07	Tues 12/08	Wed 12/09	Thurs 12/10	Fri 12/11	Sat 12/12	Sun 12/13	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	0	1
Cal-Bred Races	A	A	A	0	0	4	0	4	29
Claims	R	R	R	0	0	0	0	0	15
Disqualification's	K	K	K	0	0	1	1	2	23
Inquiries	D	D	D	0	2	2	1	5	44
Refunds	A	A	A	3	7	8	10	28	150
Rulings	Y	Y	Y	2	0	1	2	5	44

**Stewards Attendance: Stewards Meyers, Oke and Baker were in attendance.
All drivers submitted to a breath analyzer test.**

Will Meyers, Steward

Michael W. "Wayne" Oke, Steward

Grant Baker, Steward