

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

HONORABLE ARNOLD SCHWARZENEGGER, GOVERNOR

**HONORABLE JOHN C. HARRIS, CHAIRMAN
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RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR**

Proceedings of the Board of Stewards for the period of Monday, December 14, 2009 through Sunday, December 20, 2009. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

Monday

12/14/09 (1) **Entries and Draw for Thursday 12/17/09**

Entries were taken and a draw held for Thursday's card. At the 1:00 p.m. draw one hundred ten (110) head were drawn to compete in twelve (12) events. Scratch time is tomorrow at 9:00 a.m.

12/14/09 (2) **Dark Day**

Tuesday

12/15/09 (1) **Scratch Time for Thursday 12/17/09**

At scratch time there were thirty (30) driver corrections and no other changes.

12/15/09 (2) **Entries and Draw for Friday 12/18/09 & 12/19/09**

Entries were taken and a double draw conducted for Friday and Saturday's cards. At the 1:30 p.m. draw for Friday's card, one hundred thirty three (133) head were drawn to compete in fifteen (15) races. Immediately following, Saturday's card was drawn with one hundred thirty seven (137) head drawn to compete in fifteen (15) pari-mutuel events, plus four (4) California Sire Stake events to be contested as 'non betting' races with first post at 4:00 p.m.

Scratch time for both days is tomorrow at 9:00 a.m.

12/15/09 (3) **Dark Day**

Wednesday

12/16/09 (1) **Scratch Time for Friday 12/18/09 & Saturday 12/19/09**

At scratch time for Friday's card there were eighteen (18) driver corrections and no other changes or corrections.

For Saturday's card there were nineteen (19) driver changes and one (1) injured scratch.

12/16/09 (2) **California Sire Stakes Finals for 2 Year Old Trotters & Pacers**

Prior to Saturday's regular race program, the finals for 2 year old trotters and pacers will be conducted as 'non betting' events.

Events for 2 year old trotters (4), 2 year old colt and gelding trotters (6), 2 year old filly pacers (6) and 2 year old colt and gelding pacers (6), each division competing for a purse of \$25,000.

12/16/09 (3) **Formal Hearing – CHRB Complaint #09SW-0157**

A formal hearing was held in the Cal-Expo steward's office to formalize a stipulated agreement between Owner/Trainer Francisco Chavez and the California Horse Racing Board. Licensee Chavez testified telephonically from Turf Paradise Race Course in Phoenix, Arizona. The hearing was recorded by Wendy Frazier of Frazier Reporting.

The California Horse Racing Board was represented by Supervising Special Investigator Gregg Fabbri.

The stipulated agreement was entered on the record with no objections and the record was closed. The following rulings were issued:

Ruling # 45

Trainer Francisco Chavez, who started the horse "Hold The Peace" in the Eighth Race at The California State Fair on September 6, 2009, having entered into a stipulated agreement with the California Horse Racing Board, is fined Three Thousand (\$3,000) Dollars and Suspended for thirty (30) days (December 28, 2009 through January 26, 2010) pursuant to California Horse Racing Board Rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board Rule #1843 (Medications, Drugs and Other Substances – Ractopamine - Class III).

Pursuant to the terms of the stipulated agreement, fifteen days of the suspension are stayed pending the passage of one year from the date of this agreement, during which time the subject is placed on probation and shall not have any violations for Class I, II, or III substances. Actual days of suspension served will be December 28, 2009 through January 11, 2010.

Ruling # 46

A report from the University of California, Davis Analytical Laboratory, the official laboratory for the California Horse Racing Board, reported that urine sample, #F05767, taken from the horse "Hold the Peace", third place finisher in the Eighth Race at the California State Fair, Sacramento, CA on September 06, 2009 contained the prohibited drugs substance "Ractopamine" (Class III). It is hereby ordered per stipulated agreement

with The California Horse Racing Board dated December 3, 2009 that “Hold The Peace” be disqualified from all purse monies earned and deemed unplaced in accordance with California Horse Racing Board Rule #1859.5 (Disqualification Upon Positive Test Finding).

It is further ordered that all purse monies earned or awarded to Owner/Trainer Francisco Chavez (\$1,425) and Jockey Pablo Flores (\$60) be returned to the C.A.R.F. (California Authority of Racing Fairs) paymaster of purses for redistribution pursuant to California Horse Racing Board Rule #1760 (Purse Award or Prize to be Withheld).

The Revised Order Of Finish Is As Follows:

3rd “Is It Tuesday Yet”

4th “Stars In Heaven”

5th “Bass River”

All records are ordered changed to reflect this ruling. In accordance with California Horse Racing Board Rule #1956 (Race Declared Official), this ruling shall not affect the pari-mutuel payoffs.

12/16/09 (4) **Formal Hearing – CHRB Complaint #09SW-0132**

A formal hearing was held in the Cal-Expo steward’s office to address the disqualification of the horse “Chartleysmonalisa”, owned by Ralph Silvestri III and trained by Frank Petrelli. In addition to the owner and trainer, the hearing was attended by Supervising Special Investigator II Marty Snezek, along with Stewards Baker, Meyers and Oke. The proceedings were recorded by Wendy Frazier of Frazier Reporting. The hearing was opened, information was placed on the record and the following ruling was issued:

Ruling # 47

Acting upon a report from University of California, Davis, an official laboratory for the California Horse Racing Board, that the pre race sample #TC-188247, taken from the horse “Chartleysmonalisa”, the second place finisher in the Fifth Race on July 25, 2009, at Cal-Expo, had a pre race Total Carbon Dioxide (TCO2) reading of 39.0 millimoles per liter of blood, in excess of allowable limits, it is ordered that “Chartleysmonalisa” be disqualified from all purse monies earned in said race, in accordance with California Horse Racing Board Rule #1859.5 (Disqualification Upon Positive Test Finding).

It is further ordered that the owner of “Chartleysmonalisa” (Ralph Silvestri III) return all purse monies (\$540) to the paymaster of purses for redistribution in accordance with California Horse Racing Board Rule #1760 (Purse Award or Prize to be Withheld).

It is further ordered that Driver Steve Wiseman (\$30) and Trainer Frank Petrelli (\$30) return all purse monies to the paymaster of purses for redistribution in accordance with California Horse Racing Board Rule #1760 (Purse Award or Prize to be Withheld).

Revised Order of Finish

- 1st "Santa Rosalia"
 2nd "Sa Sunset"
 3rd "Princess Joy"
 4th "Letter Of Intent"
 5th "Bankers Babe"

All records shall be changed to reflect this ruling, in accordance with California Horse Racing Board Rule #1956 (Race Declared Official), this ruling shall not affect the pari-mutuel payoffs.

12/16/09 (5) **Dark Day**

Thursday

12/17/09 (1) **Qualifying Races Canceled**

Due to a lack of entries, the qualifying races scheduled for this afternoon were cancelled.

12/17/09 (2) **Second Race – Inquiry/Disqualification**

The stewards lit the 'inquiry' sign at the conclusion of Race #2 to investigate an incident in the stretch when the eventual second (2nd) place finisher #4 "Andover Victory" (Rick Plano) was observed to be 'off stride' multiple (3) times during the stretch drive. After reviewing film, the stewards unanimously concluded that #4 was guilty of violating the breaking rule; subsequently #4 was disqualified and placed seventh (7th). Driver Plano was held blameless.

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

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

12/17/09 (3) **Eighth Race – Inquiry/No Change**

The stewards lit the 'inquiry' sign at the conclusion of Race #8 to investigate an incident past the 3/4 mile marker when the eventual race winner #1A "Stanza" (Tim Maier) broke stride. After reviewing films, the stewards unanimously concluded that #1A had complied with the breaking rule, thus no change.

12/17/09 (4) **Program Changes**

3rd Race Declaration - #2 "Water Girl" – Trainer Raul Escobedo

Refund: \$140 Injured – Dr. Robert Goodbary

3rd Race Program Correction - #4 "Desired Result"

Program should read: 1st Time Lasix

4th Race Driver Change - #8 "Berts Pick"

Rocky Stidham for programmed driver John Chappell

10th Race Program Correction - #9 "Ciera Rose"

Program should read: 1st Time Lasix

11th Race Declaration - #6 "Jill's Sooter" – Trainer Matias Ruiz

Refund: \$96 Injured – Dr. Robert Goodbary

12th Race Driver Change - #11 "Ailene's Last"

Tony Succarotte for programmed driver Rick Plano"

12/17/09 (5)	<u>Attendance and Handle</u>	
	Attendance	213
	Live Handle (On Track)	\$29,839
	Handle (In State)	\$227,837
	<u>Handle (Out of State)</u>	<u>\$195,265</u>
	Total Handle	\$452,941

Friday

12/18/09 (1) **Third Race – Inquiry/No Change**

The stewards lit the ‘inquiry’ sign at the conclusion of Race #3 to investigate multiple breakers in the race, most particularly #3 “C Miracle Mary” (Richard Bertrand), the eventual third (3rd) place finisher. After reviewing films, the stewards unanimously concluded that all horses complied with the ‘breaking rule’, thus no change.

12/18/09 (2) **Fifth Race – Ridgeling/Gelding**

As the horses were leaving the paddock for Race #5, the stewards were informed that #6 “Enemy Lines”, trained by Dario Solares, programmed as a ridgeling was in fact a gelding, by Identifier Carl Sobey. The stewards informed the public via the announcer and the TV monitors of the fact and, due to the lateness of this revelation allowed the horse to compete. “Enemy Lines” finished second (2nd) in the event. All information was turned over to Supervising Special Investigator I Gregg Fabbri for review.

12/18/09 (3) **Eighth Race – Inquiry/No Change**

The stewards posted the ‘inquiry’ sign at the conclusion of Race #8 to investigate the start, in particular #10 “Sweetie of Lodi” (James Lackey) and an incident at the 3/4 mile marker involving fifth (5th) place finisher #5 “Doit By The Clock” (Steve Wiseman). In both instances there were no violations, thus no change.

12/18/09 (4) **Tom Wine Hearing – CHRB Case #09SW-0191**

A formal hearing was convened in the Cal Expo steward’s office to address the above referenced case. Present at the hearing were the Cal Expo Board of Stewards, California Horse Racing Board Supervising Special Investigators Gregg Fabbri and Marty Snezek, State Veterinarian Dr. Robert Goodbary and Respondent Tom Wine II. The proceedings were recorded by Wendy Frazier of Frazier Reporting. The record was opened, exhibits were entered on the record, and after a brief discussion, all parties agreed to a \$2,500 fine. Thus the following ruling was issued:

Ruling # 48

Trainer Tom Wine II, who started the horse “Hard On The Heart” in the Ninth Race at Cal Expo on November 08, 2009, is hereby fined the sum of Two Thousand Five Hundred (\$2,500) 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 (13.16 ug/ml) in Excess of Permitted Level – 3rd Offense in 365 Day Period - Class IV).

12/18/09 (5) **Frank Petrelli Hearing – CHR B Case #'s 09SW-130 and 09SW-131**

A formal hearing was convened in the Cal Expo steward's office to formalize a stipulated agreement between the California Horse Racing Board and Licensee Frank Petrelli. In attendance were Stewards Baker, Oke and Nicolo, California Horse Racing Board Supervising Special Investigator I Gregg Fabbri, and Respondent Frank Petrelli. The proceedings were recorded by Wendy Frazier of Frazier Reporting. The record was opened, the pertinent documents were entered as exhibits and the record was closed. Subsequently, the Board of Stewards issued the following ruling:

Ruling # 49

Trainer Frank Petrelli, who started the horse "Chartleysmonalisa" in the Fifth Race at Cal Expo Harness on July 25, 2009, having entered into a stipulated agreement with the California Horse Racing Board, is fined Three Thousand (\$3,000) Dollars and Suspended for thirty (30) days (December 20, 2009 through January 18, 2010) pursuant to California Horse Racing Board Rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board Rules #1843.6 (D-1) (Total Carbon Dioxide – 39.0 millimoles per liter – Exceeds Permitted Level – Class III) and California Horse Racing Board Rule #1890 (Possession of Contraband).

Pursuant to the terms of the stipulated agreement, fifteen days of the suspension are stayed pending the passage of one year from the date of this agreement, during which time the subject is placed on probation and shall not have any violations for Class I, II, or III substances. Actual days of Suspension served will be December 20, 2009 through January 03, 2010.

12/18/09 (6) **Program Changes**

5th Race Program Correction - #5 "Natty Lite"

Program should read: Off Lasix

6th Race Declaration - #9 "Mr Lifeguard" – Trainer Frank Petrelli

Refund: \$55 Injured – Dr. Robert Goodbary

10th Race Program Correction - #6 "Charter Ridge"

Program should read: Off Lasix

12th Race Declaration - #4 "L S Orchardwinner" – Trainer Jason Ricco

Refund: \$210 Injured – Dr. Robert Goodbary

14th Race Declaration - #6 "Garden Gate Admiral" – Trainer Brian Marchand

Refund: \$114 Injured – Dr. Robert Goodbary

12/18/09 (7) **Attendance and Handle**

Attendance	322
Live Handle (On Track)	\$37,980
Handle (In State)	\$394,450
Handle (Out of State)	\$365,971
Total Handle	\$798,401

Saturday

12/19/09 (1)

Investigator Notification/Subsequent Scratch

At approximately 3:30 p.m., the Board of Stewards were contacted by Supervising Special Investigator I Gregg Fabbri and informed of a potential problem at Barn D (Christopher Conrad Stable) involving the horse "Taco Hanover", scheduled to compete in tonight's ninth race. The problem involved medication and contraband violations. "Taco Hanover" was scratched by the stewards.

At approximately 6:30 p.m., the Board of Stewards was contacted by Senior Special Investigator II Marty Snezek to inform the Board of Stewards that he was on-site and would be assisting in the investigation.

Later, the Board of Stewards was informed that Senior Special Investigator II Marty Snezek and Supervising Special Investigator I Gregg Fabbri had gathered evidence and submitted same to the U.C. Davis lab for analysis. All other entrants (4) trained by Christopher Conrad were sent to the test barn as 'specials'. More to follow.

12/19/09 (2)

Clean Card/Late Tote Problems

The nineteen (19) race program (which included four (4) non-betting California Sire Stake events) were conducted with no noteworthy events on the racetrack; A tribute to the skill and professionalism of the Cal-Expo horsemen.

The tote system developed a problem during the 11th Race which resulted in the placing judge being unable to communicate with the infield tote board. The placing judge, with the assistance of Scientific Games personnel, was able to post the results on the tote board.

These problems continued through the final event of the evening. No source or solution to the problem had been identified before the end of the program. More to follow.

12/19/09 (3)

Rocky Stidham Returns

A hearty welcome back to Rocky Stidham who had been out two months with double hip replacement surgery and has made a remarkable recovery.

12/19/09 (4)

Replacement Steward

Steward Will Meyers was off to an early start to the Christmas Holiday. Will was replaced by Steward Paul Nicolo on Friday and Saturday night.

12/19/09 (5)

California Sire Stake 2 Year Old Finals

Saturday saw the finals of the California Stakes for 2 Year Old Trotters and Pacers raced as four (4) non-betting events prior to the regular pari-mutuel card.

12/19/09 (6)

Final Night

Saturday's card was the final event of the Cal-Expo Fall Meet. The Board of Stewards wishes a Happy Holiday Season to all.

12/19/09 (7)

Program Changes

4th Race Driver Change - #5 "Mow Em Down"

Rick Plano for programmed driver Etienne Desomer

7th Race Declaration - #2 “Falcon Forte N” – Trainer Lester Smith
 Refund: \$64 Injured – Dr. Robert Goodbary
 #8 “Yes I’ll Fly” – Trainer Frank Petrelli
 Refund: \$93 Injured – Dr. Robert Goodbary
 8th Race Declaration - #11 “All American Macro” – Trainer Dario Solares
 Refund: \$62 Injured – Dr. Robert Goodbary
 9th Race Declaration - #1 “Taco Hanover” – Trainer Christopher Conrad
 Refund: \$42 Stewards
 11th Race Declaration- #5 “Fullback In Motion” – Trainer Brian Solden
 Refund: \$40 Injured – Dr. Robert Goodbary
 15th Race Driver Change - #6 “Shalana”
 Jason Maier for programmed driver Charles Conrad

12/19/09 (8) **Attendance and Handle**

Attendance	344
Live Handle (On Track)	\$40,699
Handle (In State)	\$331,336
<u>Handle (Out of State)</u>	<u>\$292,850</u>
Total Handle	\$664,885

RULINGS ISSUED THIS WEEK

- 12/17/09 45 Trainer Francisco Chavez, who started the horse “Hold The Peace” in the Eighth Race at The California State Fair on September 6, 2009, having entered into a stipulated agreement with the California Horse Racing Board is fined Three Thousand (\$3,000) Dollars and Suspended for thirty (30) days (December 28, 2009 through January 26, 2010) pursuant to California Horse Racing Board Rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board Rule #1843 (Medications, Drugs and Other Substances – Ractopamine - Class III).
 Pursuant to the terms of the stipulated agreement, fifteen days of the suspension are stayed pending the passage of one year from the date of this agreement, during which time the subject is placed on probation and shall not have any violations for Class I, II, or III substances. Actual days of suspension served will be December 28, 2009 through January 11, 2010.
- 12/17/09 46 A report from the University of California, Davis Analytical Laboratory, the official laboratory for the California Horse Racing Board, reported that urine sample, #F05767, taken from the horse “Hold the Peace”, third place finisher in the Eighth Race at the California State Fair, Sacramento, CA on September 06, 2009 contained the prohibited drugs substance “Ractopamine” (Class III). It is hereby ordered per stipulated agreement with The California Horse Racing Board dated December 3, 2009 that “Hold The Peace” be disqualified from all purse monies earned and deemed unplaced in accordance with California Horse Racing Board Rule #1859.5 (Disqualification Upon Positive Test Finding).

It is further ordered that all purse monies earned or awarded to Owner/Trainer Francisco Chavez (\$1,425) and Jockey Pablo Flores (\$60) be returned to the C.A.R.F. (California Authority of Racing Fairs) paymaster of purses for redistribution pursuant to California Horse Racing Board Rule #1760 (Purse Award or Prize to be Withheld).

The Revised Order Of Finish Is As Follows:

3rd "Is It Tuesday Yet"

4th "Stars In Heaven"

5th "Bass River"

All records are ordered changed to reflect this ruling. In accordance with California Horse Racing Board Rule #1956 (Race Declared Official), this ruling shall not affect the pari-mutuel payoffs.

- 12/17/09 47 Acting upon a report from University of California, Davis, an official laboratory for the California Horse Racing Board, that the pre race sample #TC-188247, taken from the horse "Chartleysmonalisa", the second place finisher in the Fifth Race on July 25, 2009, at Cal-Expo, had a pre race Total Carbon Dioxide (TCO₂) reading of 39.0 millimoles per liter of blood, in excess of allowable limits, it is ordered that "Chartleysmonalisa" be disqualified from all purse monies earned in said race, in accordance with California Horse Racing Board Rule #1859.5 (Disqualification Upon Positive Test Finding).
It is further ordered that the owner of "Chartleysmonalisa" (Ralph Silvestri III) return all purse monies (\$540) to the paymaster of purses for redistribution in accordance with California Horse Racing Board Rule #1760 (Purse Award or Prize to be Withheld).
It is further ordered that Driver Steve Wiseman (\$30) and Trainer Frank Petrelli (\$30) return all purse monies to the paymaster of purses for redistribution in accordance with California Horse Racing Board Rule #1760 (Purse Award or Prize to be Withheld).

Revised Order of Finish

1st "Santa Rosalia"

2nd "Sa Sunset"

3rd "Princess Joy"

4th "Letter Of Intent"

5th "Bankers Babe"

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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 (13.16 ug/ml) in Excess of Permitted Level – 3rd Offense in 365 Day Period - Class IV).

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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

<u>Date</u>	<u>Race</u>	<u>No.</u>	<u>Horse</u>	<u>Trainer</u>	<u>Reason</u>	<u>Vet</u>	<u>Refund</u>
17-Dec	3	2	WATER GIRL	ESCOBEDO	Injured	Goodbary	\$140.00
	11	6	JILL'S SOOTER	RUIZ	Injured	Goodbary	\$96.00
18-Dec	6	9	MR LIFEGUARD	PETRELLI	Injured	Goodbary	\$55.00
	12	4	L S ORCHARDWINNER	RICCO	Injured	Goodbary	\$210.00
	14	6	GARDEN GATE ADMIRAL	MARCHAND	Injured	Goodbary	\$114.00
19-Dec	7	2	FALCON FORTE N	SMITH	Injured	Goodbary	\$64.00
	7	8	YES I'LL FLY	PETRELLI	Injured	Goodbary	\$93.00
	8	11	ALL AMERICAN MACRO	SOLARES	Injured	Goodbary	\$42.00
	11	5	FULLBACK IN MOTION	SOLDEN	Injured	Goodbary	\$40.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	12,495.90
Fresno	\$	6,177.80
Fresno Club One	\$	3,286.40
Golden Gate	\$	40,764.80
Monterey	\$	7,459.70
Pleasanton	\$	25,740.20
Sacramento	\$	96,762.10
San Jose	\$	37,344.50

San Mateo	\$	60,116.50
Santa Rosa	\$	11,036.30
Stockton	\$	12,478.20
Vallejo	\$	18,286.60
So. California	\$	476,483.60
Out of State	\$	854,086.51

**CAL-EXPO HARNESS ASSOCIATION
SUMMARY
2009**

	Mon 12/14	Tues 12/15	Wed 12/16	Thurs 12/17	Fri 12/18	Sat 12/19	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	1
Cal-Bred Races	A	A	A	0	0	4	4	33
Claims	R	R	R	0	0	0	0	15
Disqualifications	K	K	K	1	0	0	1	24
Inquiries	D	D	D	2	2	0	4	48
Refunds	A	A	A	2	3	5	10	160
Rulings	Y	Y	Y	3	0	2	5	49

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

All drivers submitted to a breath analyzer test.

Michael W. "Wayne" Oke, Steward

Grant Baker, Steward

Will Meyers, Steward