

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

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Proceedings of the Board of Stewards for the period of Monday, April 05, 2010 through Sunday, April 11, 2010. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

04/05/10 (1) **Entry Day**

The racing office was open today accepting entries for Thursday, April 8, 2010. A total of eleven (11) races were drawn. Eighty one (81) horses are scheduled to start.

04/05/10 (2) **Dark Day**

Tuesday

04/06/10 (1) **Double Entry Day & Scratch Times**

The racing office was open today and entries were being accepted for Friday April 9 and Saturday April 10. Sixteen (16) races were drawn for Friday April 9th. One (1) of those races was a non-wagering event that is scheduled to be held before the pari-mutuel card. One hundred twenty (120) horses are scheduled to start.

Scratch time for Thursday, April 8 was held this morning in the racing office. Twelve (12) driver changes and one (1) scratch were activated at the 9:00 a.m. deadline.

Fifteen (15) races were drawn for Saturday, April 10. One hundred fourteen (114) horses are scheduled to start. Today's double draw was completed at 2:30 p.m.

Scratch times for Fridays and Saturdays have been changed from Wednesdays to Tuesdays at 3:00 p.m. No changes took place for either Friday, April 9 or Saturday, April 10.

04/06/10 (2) **Dark Day**

Wednesday

04/07/10 (1) **Drew Anderson Hearing (Case No: 10SW-0013)**

A hearing was held today in the Cal Expo steward's office regarding a high Flunixin blood sample obtained (2,110 ng/ml) from the Drew Anderson trained "Titan Seelster". This horse finished first in the 8th Race on January 01, 2010. Trainer Anderson is being charged with alleged violation of California Horse Racing Board Rule #1843(D) Medications, Drugs and Other Substances), Rule #1844c-2 (Authorized Medication) and Rule #1887 (Trainer to Insure Condition of Horse).

Along with the stewards, present at today's hearing were California Horse Racing Board Veterinarian Robert Goodbary and California Horse Racing Board Supervising Investigator I (Sacramento Division) Greg Fabbri. Wendy Frazier (Frazier Reporting) transcribed the proceedings.

Trainer Anderson had no explanation for the extremely high Flunixin levels in this case that were confirmed by U.C. Davis laboratories. These levels were over forty (40) times the legal limit. Trainer Anderson stated that his horses have not raced on medication for the last two (2) or three (3) months.

State Veterinarian Goodbary testified that he thought the administration of the Flunixin would have to have been inside of four (4) hour before post time to have returned with such a high reading. Decision to follow.

04/07/10 (2) **Raul Escobedo Hearing (Case No: 10SW-0027)**

Frank Petrelli Hearing (Case No: 10SW-0028)

A combined hearing was held today in the Cal Expo steward's office to hear a matter involving an altercation between Trainer Frank Petrelli and Trainer Raul Escobedo. These two (2) trainers were waiting outside the steward's office for a hearing on another matter on January 20, 2010 when an altercation ensued.

Along with the stewards, present at today's hearing were California Horse Racing Board Supervising Investigator I Greg Fabbri, Senior Special Investigator Gabe Palomar, Trainer Frank Petrelli, Trainer Raul Escobedo and Wendy Frazier (Frazier Reporters). The California Horse Racing Board and California State Fair Police put forward reports that were submitted into evidence. Neither party wanted to press criminal charges in this matter.

This matter started when Trainer Petrelli made comments to Trainer Escobedo about a former trainee of his ("JoJo In A Jiffy") that has since deceased. Alleged name calling led to a physical altercation between the two (2) men. Neither party was significantly injured in this fight. Both parties gave their version of the events of January 20. Investigator Fabbri,

who also witnessed a portion of this event, entered a sixteen (16) page complaint packet onto the record. Decision to follow.

04/07/10 (3) **Dark Day**

Thursday

04/08/10 (1) **Rick Plano Film Review**

Driver Rick Plano appeared in the steward's office to view two (2) races from Saturday, April 3. The stewards wanted to review the second race (#5 "Frankyluvsmeatballs" – winner) and the third race (#3 "Bobby Baccala" – fifth place). In both races Driver Plano failed to have his horses 'up on gate' at the start. Driver Plano's horse in the third race ("Bobby Baccala") was 'off the gate' over five lengths at the start. The stewards unanimously agreed to issue the following ruling:

Ruling # 51

Driver Rick Plano, who drove "Bobby Baccala" in the Third Race on Saturday, April 03, 2010, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1731 (D) (Driving Rules – Failure To Come Up Into Position).

04/08/10 (2) **Qualifying Races**

Three (3) qualifying races were held prior to tonight's eleven (11) race pari-mutuel card. Out of the seventeen (17) participants, fourteen (14) made the grade.

04/08/10 (3) **Frank Petrelli Ruling (Case No: 10SW-0028)**

Ruling # 52

Trainer Frank Petrelli, who was involved in a physical altercation with Raul Escobedo on Wednesday, January 20, 2010, is hereby fined the sum of One Hundred Dollars (\$100) for violation of California Horse Racing Board Rule # 1874 (Disorderly Conduct).

The stewards issued the ruling above after deliberating following a hearing held yesterday April 7th (Ref: 04/07/10 [2]). The majority voted for the penalty above while the minority (Baker) felt Petrelli's level of provocation in the altercation and license history warranted a more significant fine.

04/08/10 (4) **Raul Escobedo Ruling (Case No: 10SW-0027)**

Ruling # 53

Trainer Raul Escobedo, who was involved in a physical altercation with Frank Petrelli on Wednesday, January 20, 2010, is hereby fined the sum of One Hundred Dollars (\$100) for violation of California Horse Racing Board Rule # 1874 (Disorderly Conduct).

The stewards unanimously voted to issue the ruling above following a hearing held yesterday at Cal Expo (Ref: 04/07/10 [2]).

04/08/10 (5) **Ray Thomas Ruling (Case No: 09GG-263)****Ruling # 54**

Trainer Ray Thomas, who started the horse “Namhawk” in the First Race at The Alameda County Fair on July 15 2009, is hereby fined One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1482 (Employment of Unlicensed Person) and #1895 (Trainer’s Duty to Insure Licensed Participation Unlicensed Groom Paddocked Horse).

The ruling above was issued after the stewards conducted hearings on two (2) separate days (Ref: 04/02/10[3]). The stewards unanimously ruled Trainer Thomas violated California Horse Racing Board Rules #1482 (Employment of Unlicensed Person) and 1895 (Trainer’s Duty to Insure Licensed Participant) by having an unlicensed groom paddock his horse at the Alameda County Fair on July 15, 2009.

The stewards unanimously dismissed charges filed against Trainer Thomas for Rule #1437 (Conditions of a Race Meeting), Rule #1588 (Ineligible Horse to Start in a Race) and Rule #1588 (J) (Ineligible Horse to Start in a Race). Trainer Thomas said he personally transported the horse “Namhawk” from Stockton to Pleasanton on June 29, 2010 and brought invoices charging for that shipping. The stewards dismissed violations of Rule #1437 and Rule #1588 due to lack of evidence.

04/08/10 (6) **First Race – Inquiry/Disqualification**

The stewards posted the inquiry sign to investigate two (2) incidents following this race. The ‘recall lights’ on the starting gate were flashing as the starter’s car came down the stretch prior to the start. Starter Bill Vallandingham was contacted and said that he “didn’t realize the lights were on”. After film review the stewards felt that the start was not compromised as all horses and drivers were participating as would be normally expected. No drivers appeared to realize the lights were flashing.

In the second incident, third place finisher #1 “Whatgoesaround” (Tony Succarotte) goes on a ‘break’ before the quarter mile marker. Following this break, #1 leaves the race course and races inside at least eight track (8) pylons. The stewards unanimously ruled that this incident violated Cal-Expo pylon rules. The stewards disqualified #1 “Whatgoesaround” and placed him eighth (last).

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

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

04/08/10 (7) **Fourth Race – Inquiry/Disqualification**

The stewards posted the inquiry sign after viewing #4 “Stick Up” (David Siegel) drift out in the final one hundred (100) yards. Race replays show third place finisher #6 “Persuade Me” (James Lackey) check from between horses while racing alongside second place finisher #7 “Wicked

Beach” (James Kennedy). In the unanimous opinion of the stewards #6 “Persuade Me” was cost an opportunity at a better placing. #4 “Stick Up” was disqualified and placed third. Driver David Siegel was ordered to film review.

Original order of finish: 4-7-6-1A-DH1-DH2-3

Official order of finish: 7-6-4-1A-DH1-DH2-3

04/08/10 (8)

Program Changes

3rd Race Declaration - #10 “Phoebe Buffet” – Trainer Gretchen Smith

Refund: \$14 Injured – Robert Goodbary, D.V.M.

5th Race Driver Change - #2 “Irish Whiskey”

James Kennedy for programmed driver Ralph Silvestri III (Stewards)

10th Race Declaration - #3 “Fishy’s Sushi” – Trainer Robley Johnson

Refund: \$69 Injured – Robert Goodbary, D.V.M.

11th Race Declaration - #5 “Agirlthing” – Trainer Gretchen Smith

Refund: \$19 Injured – Robert Goodbary, D.V.M.

04/08/10 (9)

Attendance and Handle

Attendance	223
Live Handle (On Track)	\$42,418
Handle (In State)	\$364,423
<u>Handle (Out of State)</u>	<u>\$204,487</u>
Total Handle	\$611,328

Friday

04/09/10 (1)

David Gullian Meeting

Trainer David Gullian met with the stewards along with Assistant Trainer Frank Petrelli. The stewards were inquiring why the Gullian trained “Bit of Lavec” (April 8–5th Race) was late to the post parade last night.

After researching the matter, it was determined that equipment problems in the paddock led to the nearly two (2) minute delay. Warning issued.

04/09/10 (2)

Drew Anderson Ruling (Case No: 10SW-0013)

Ruling # 55

Trainer Drew Anderson, who started the horse “Titan Seelster” in the Eighth Race at Cal Expo on January 01, 2010, is hereby fined the sum of One Thousand (\$1,000) 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 – Flunixin (2,110 ng/ml) in excess of permitted level) Class IV that carries a Class C penalty.

The stewards issued the ruling above after deliberating following a hearing held on April 7, 2010 (Ref: 04/07/10 [1]). Trainer Anderson could not explain why his trainee “Titan Seelster” was reported with an extremely high overage of Flunixin following his race on January 1, 2010. Trainer Anderson, at times, is away from his barn in order to ‘trailer’ horses to venues outside the state. He has no prior medication violations.

- 04/09/10 (3) **David Siegel Film Review**
 Driver David Siegel appeared in the steward's office to review his drive in the fourth race last night, Thursday April 8 (Ref: 04/08/10 [7]). Driver Siegel's mount #4 "Stick Up" finished first, but was disqualified and placed third for drifting out continuously in the homestretch. Driver Siegel was candid during film review and agreed with last evening's disqualification. He told the stewards he would make a better effort to keep his horse straight in the future. The stewards unanimously voted to issue the following ruling:
Ruling # 56
Driver David Siegel, who drove "Stick Up" in the Fourth Race on Thursday, April 08, 2010, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (J) (Driving Rules – Change Course Causing Interference). The incident occurred in the stretch/finish—resulting in a disqualification.
- 04/09/10 (4) **First Race – Inquiry**
 The steward's posted the inquiry sign after viewing three (3) horses make breaks in this one mile event. #2 "Mudflap" (2nd place – Richard Bertrand), #8 "London Calling (6th place – David Siegel) and #4 "Mighty Kicker" (7th place – Mitchell Walker) all complied with California Horse Racing Board Rule #1722 (Breaking), it was determined by the stewards. No change.
- 04/09/10 (5) **Fourteenth Race – Recall**
 Starter Bill Vallandingham flashed his recall lights prior to the fourteenth race after #3 "SA Sunset" (Chris Hernandez) became unmanageable prior to coming to the gate. The second attempt at a start went off without a hitch.
- 04/09/10 (6) **Fifteenth Race – Inquiry**
 The stewards posted the inquiry sign after viewing first place finisher #5 "Groovin Hi" (Luke Plano) become 'rough gaited' in the final one hundred (100) yards. It was unanimously determined "Groovin Hi" maintained his pacing gait throughout the race. No change.
- 04/09/10 (7) **Program Changes**
 3rd Race Declaration - #4 "Emile Agnus" – Trainer George Reider
 Refund: \$99 Sick – Robert Goodbary, D.V.M.
 4th Race Declaration - #2 "Blue Note" – Trainer Rick Cisco
 Refund: \$73 Injured – Robert Goodbary, D.V.M.
 5th Race Declaration - #5 "Bob Lee" – Trainer Jason Maier
 Refund: \$62 Injured – Robert Goodbary, D.V.M.
- 04/09/10 (8) **Attendance and Handle**
- | | |
|------------------------------|------------------|
| Attendance | 405 |
| Live Handle (On Track) | \$55,326 |
| Handle (In State) | \$434,365 |
| <u>Handle (Out of State)</u> | <u>\$291,949</u> |
| Total Handle | \$781,640 |

Saturday

04/10/10 (1)

Luke Plano – Film Review

Driver Luke Plano appeared in the steward's office to review his drive in the sixth race last night, April 9, 2010 (#2 "Stop Wine'n"). Driver Plano was shown making contact with his left foot in order to urge his horse down most of the homestretch. The stewards unanimously voted to issue the following ruling:

Ruling # 57

Driver Luke Plano, who drove "Stop Wine'N" in the Sixth Race on Friday, April 09, 2010, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Driving With Foot Out of Stirrup/Urging by Contact).

04/10/10 (2)

Ralph Silvestri III – Film Review

Provisional Driver Ralph Silvestri III appeared in the steward's office to review his drive on #2 "Drama Princess" in last night's (April 9) fifteenth race. Race replays show #2 "Drama Princess" (third place) shift outward into the path of a fast closing #4 "Cute Move" (David Siegel – second place). There was a photo finish for the 'win' in this race, so the traffic problems of #4 "Cute Move" were not without significance.

Provisional Driver Silvestri appeared to understand the importance of clearance before shifting outward in front of rivals. The stewards unanimously ruled to issue the following ruling:

Ruling # 58

Provisional Driver Ralph Silvestri III, who drove "Drama Princess" in the Fifteenth Race on Friday, April 09, 2010, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1721 (Driving Rules – Change Course After Selecting A Position In The Homestretch, Or Bear In Or Out In Such A Manner As To Interfere With Another Horse Or Cause Him To Change Stride Or Break). This Incident Occurred Midstretch.

04/10/10 (3)

James Lackey Ruling

Driver James Lackey was issued the ruling below for having his mount #5 "My Sierra Doll" (sixth place) well off the gate prior to the third race last night (April 9th). Driver Lackey was spoken to about being 'off the gate' Friday April 2nd (seventh race). The stewards issued the following ruling:

Ruling # 59

Driver James Lackey, who drove "My Sierra Doll" in the Third Race on Friday, April 09, 2010, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1731 (Driving Rules – Failure To Come Up Into Position).

04/10/10 (4)

Meeting with Amateur Drivers

This weekend marks another edition of the East/West Amateur Drivers Series. Eight (8) races are being contested during Friday (April 9) and

Saturday (April 10). Four (4) drivers from the east coast were welcomed by the stewards to California. The short meeting in the driver's room examined what the steward's considered to be reasonable driving here at Cal Expo.

04/10/10 (5) **Fourth Race – Inquiry**

The stewards posted the inquiry sign to see if all 'breaking horses' complied with California Horse Racing Board Rule #1722 (Breaking). Fourth place finisher #2 "Online Charge" (Steve Wiseman), fifth place finisher #4 "The Write Stuff" (Rocky Stidham) and sixth (last) place finisher #6 "Proxy" (Tim Maier) all complied with the 'breaking rule'. No change.

04/10/10 (6) **Seventh Race – Inquiry/Objection/Disqualification**

The stewards posted the inquiry sign and Provisional Driver Robert Stepien lodged an objection following this race. Race replays show first place finisher #6 "Drive By Scooter" (Tony Verruso) 'pull late' past the quarter mile pole, forcing second place finisher #8 "Apache Red" (Robert Stepien) to lose much ground and race in a three (3) wide position down the backstretch. There was a 'tight' margin in the 'win' photo finish for this race.

For costing #8 "Apache Red" an opportunity for a better placing, the stewards unanimously voted to disqualify #6 "Drive By Scooter" and place him second.

In a second incident, the stewards determined fourth place finisher #4 "Badger Warrior" (David Siegel) struck, but did not go inside, track pylons in the stretch. No action was taken here.

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

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

04/10/10 (7) **Thirteenth Race – Inquiry**

The stewards posted the inquiry sign after viewing third place finisher #2 "Vinny's Dance" (Rick Plano) break stride before the 3/4 pole. Race replays show Driver Plano comply with the breaking rule by 'losing ground' after the break. Also, no interference of any kind was noted by the stewards. No change.

04/10/10 (8) **Program Changes**

4th Race Program Change - #2 "Online Charger"

Program should read 'off lasix'

6th Race Declaration - #6 "Dirty Dog" – Trainer Gene Vallandingham

Refund: \$83 Injured – Robert Goodbary, D.V.M.

8th Race Declaration - #1 "Crystalcreekclyde" – Trainer Rick Plano

Refund: \$85 Injured – Robert Goodbary, D.V.M.

13th Race Declaration - #5 "Forever Bachelor" – Trainer Rick Plano

Refund: \$53 Injured – Robert Goodbary, D.V.M.

04/10/10 (9)	<u>Attendance and Handle</u>	
	Attendance	475
	Live Handle (On Track)	\$59,694
	Handle (In State)	\$501,647
	<u>Handle (Out of State)</u>	<u>\$284,609</u>
	Total Handle	\$845,950

RULINGS ISSUED THIS WEEK

- 04/08/10 51 Driver Rick Plano, who drove “Bobby Baccala” in the Third Race on Saturday, April 03, 2010, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1731 (D) (Driving Rules – Failure To Come Up Into Position).
- 04/08/10 52 Trainer Frank Petrelli, who was involved in a physical altercation with Raul Escobedo on Wednesday, January 20, 2010, is hereby fined the sum of One Hundred Dollars (\$100) for violation of California Horse Racing Board Rule # 1874 (Disorderly Conduct).
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- 04/08/10 59 Driver James Lackey, who drove "My Sierra Doll" in the Third Race on Friday, April 09, 2010, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1731 (Driving Rules – Failure To Come Up Into Position).

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>
8-Apr	3	10	PHOEBE BUFFET	SMITH	Injured	Goodbary	\$14.00
	10	3	FISHY'S SUSHI	JOHNSON	Injured	Goodbary	\$69.00
	11	5	AGIRLTHING	SMITH	Injured	Goodbary	\$19.00
9-Apr	3	4	EMILE AGNUS	REIDER	Sick	Goodbary	\$99.00
	4	2	BLUE NOTE	CISCO	Injured	Goodbary	\$73.00
	5	5	BOB LEE	MAIER	Injured	Goodbary	\$62.00
10-Apr	6	6	DIRTY DOG	VALLANDINGHAM	Injured	Goodbary	\$83.00
	8	1	CRYSTALCREEKCLYDE	PLANO	Injured	Goodbary	\$85.00
	13	5	FOREVER BACHELOR	PLANO	Injured	Goodbary	\$53.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	6,605.00
Fresno	\$	4,863.30
Fresno Club One	\$	1,731.00
Golden Gate	\$	49,373.50
Monterey	\$	5,698.50
Pleasanton	\$	26,707.40
Sacramento	\$	117,093.50
San Jose	\$	36,333.20
San Mateo	\$	56,937.40
Santa Rosa	\$	8,940.40
Stockton	\$	18,160.10
Tulare	\$	-
Turlock	\$	-
Vallejo	\$	14,985.60
So. California	\$	466,840.00
Out of State	\$	781,044.38

**CAL-EXPO HARNESS ASSOCIATION
SUMMARY
2010**

	Mon 04/05	Tues 04/06	Wed 04/07	Thurs 04/08	Fri 04/09	Sat 04/10	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	5
Cal-Bred Races	A	A	A	0	2	2	4	4
Claims	R	R	R	1	0	0	1	12
Disqualifications	K	K	K	2	0	1	3	32
Inquiries	D	D	D	2	2	3	7	85
Refunds	A	A	A	3	3	3	9	205
Rulings	Y	Y	Y	4	2	3	9	59

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

All drivers submitted to a breath analyzer test.

Grant Baker, Steward

Will Meyers, Steward

Michael W. "Wayne" Oke, Steward