

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
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Proceedings of the Board of Stewards for the period of Monday, October 17, 2011 through Sunday, October 23, 2011. Steward Grant Baker was the Reporting and Duty Steward for the enclosed period.

Monday

10/17/11 (1) **Entry Day**

Entries were taken in the racing office for races to be held on Thursday, October 20. This will mark the first three (3) day racing week of this meet (August 26 – December 16).

Nine (9) races were drawn for October 20. Sixty six (66) horses are scheduled to go postward.

Tuesday

10/18/11 (1) **Scratch/Entry Day**

Scratches and changes for Thursday, October 20 took place this morning in the racing office. One (1) scratch and eight (8) driver changes were activated after the 9:00 a.m. deadline.

Fourteen (14) pari-mutuel and one (1) early non-betting race(s) filled for Saturday, October 22. One hundred nine (109) horses are scheduled to go postward.

Wednesday

10/19/11 (1) **Scratch Day**

Scratch time for Friday, October 21 and Saturday, October 22 was held this morning in the racing office. Twenty five (25) driver changes/selections were made for Friday, October 21. No scratches were submitted.

Thirty one (31) driver changes/selections were submitted for Saturday, October 22. Again, no scratches were submitted.

All changes for both of these days were activated after today's 9:00 a.m. deadline.

10/19/11 (2) **Tricia McConnell Hearing (Case No: 11SW0050)**

An informal hearing was held in the steward's office this morning. Groom Roman Herrera filed a complaint against Trainer Trish McConnell for wages earned while working as a caretaker (groom) for Ms. McConnell during June 2011. Groom Herrera is seeking \$300 for his work. Trainer McConnell offered a combination of equipment (saddle, etc.) and cash to be paid in full by November 19, 2011. Both parties signed a financial complaint agreement.

10/19/11 (3) **Robley Johnson Hearing (Case No: 11SW0040 – Ref 09/22/11 [1])**

A formal hearing was held today for Trainer Robley Johnson for an alleged high reading (63 ng/ml) of the drug Flunixin that was reported in the Johnson trained "Spanish Rosey", who finished first in the 8th Race on June 17, 2011 at Cal Expo. The original hearing in this matter commenced on September 22, 2011, at which time Trainer Johnson requested a continuance in order to seek counsel, prior to reconvening in this matter. The stewards gave Johnson twenty seven (27) days to seek counsel. Robley Johnson stated that he did not obtain representation and was ready to proceed at the hearing today.

Along with the stewards and Robley Johnson, present at today's hearing were CHRB Investigator Carol Nolan, CHRB Veterinarian Robert Goodbary and private equine veterinarian Lane Schloeder. Yvonne Fenner (Frazier Reporting) transcribed the proceedings.

A portion of the documents and testimony at today's hearing were:

- 1) This is Trainer Johnson's third alleged high Flunixin reading within the last 365 days.
- 2) Trainer Johnson has had four (4) previous medication positives for Flunixin going back to 2009.
- 3) Lane Schloeder, D.V.M. administered 10cc's of Flunixin (Banamine) via intramuscular injection (IM) at 2:30 p.m. on June 16, 2011, the day prior to race day.
- 4) Trainer Johnson was not present at his barn during the time of the Flunixin administration. Johnson stated he stopped administering 'Banamine Paste' in June 2011.
- 5) Trainer Johnson has been told by CHRB Veterinarian Goodbary that he will not approve the use of Flunixin (Banamine) for his horses until security cameras are installed in his barn.

10/20/11 (4) **Jason Maier – Film Review**

Driver Jason Maier appeared in the steward's office to review his drive aboard #9 "Racetrack Diva", who finished third in the tenth race on Friday, September 30. Driver Maier survived a steward's inquiry in this race for drifting out in the final 1/16th mile of the stretch drive. (Ref: 09/30/11 [5]). Driver Maier was warned to keep a straighter course in the future.

The stewards had two (2) other issues to address with Driver Maier:

A) His 'over and under' whipping style and B) A perceived aloofness following being ordered to the steward's office. Driver Maier was fined

for failing to attend a film review (Ref: Ruling #15) on October 7, 2011 and he failed to show another day. The stewards told Driver Maier a summary suspension of his driver's license was a possibility if future 'failures to appear' take place.

10/20/11 (5) **Wagering Pools Cancelled**

Cal Expo management cancelled the place and show pools in tonight's second race. "Franks Best" (Lemoyne Svendsen), who was sent off at odds of 4/5, finished first in this five (5) horse trotting events.

10/20/11 (6) **Second Race – Disqualification**

In the aforementioned second race, there was a change in the minor placings after the stewards made the race official. After the race the stewards received a call from the driver of the fourth place finisher, Richard Wojcio (#3, "Carpathian Hooray"). This horse was 14 ¼ lengths behind first place finisher #2 "Franks Best" (Lemoyne Svendsen) at the finish in this five (5) horse field.

Driver Wojcio told the stewards his horse was on a 'pacing gait' and not a 'trotting gait', as required. The stewards viewed a replay of the stretch drive an additional time and unanimously confirmed Driver Wojcio's statement. An amended order of finish was announced after the stewards unanimously voted to disqualify original fourth place finisher #3 "Carpathian Hooray" and place him fifth (last) for violation of California Horse Racing Board Rule #1722 (Breaking).

10/20/11 (7) **Sixth Race – Inquiry/Disqualification**

The stewards posted the inquiry sign after viewing third place finisher #2 "Larry Horse" (James Lackey) race inside three (3) consecutive pylons while rounding the final turn (3/4 pole). After film review, the stewards unanimously confirmed that #2 "Larry Horse" did indeed violate the 'Cal Expo Pylon Rules' and should be placed sixth (last). Driver James Lackey was ordered to contact the stewards. More to follow.

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

Official order of finish: 6-4-3-5-2-2

10/20/11 (8) **Ninth Race – Inquiry**

The stewards posted the inquiry sign after viewing second place finisher #3 "King Carver" (Tony Succarotte) break stride while entering the first turn. Driver Succarotte promptly complied with California Horse Racing Board Rule #1722 (Breaking) by 'taking back' with his mount while 'losing ground'.

The stewards unanimously concurred that 'no change' in the order of finish was warranted.

10/20/11 (9) **Program Changes**

9th Race Declaration - #6 "Sun On The Rocks" – Trainer Liberio Pacheco
Refund: \$485 Injured – Robert Goodbary, D.V.M.

10/20/11 (10) <u>Attendance and Handle</u>	
Attendance	151
Live Handle (On Track)	\$23,905
Handle (In State)	\$154,839
<u>Handle (Out of State)</u>	<u>\$189,584</u>
Total Handle	\$368,328

Friday10/21/11 (1) **James Lackey Ruling [Ref: 10/20/11 (7)]****Ruling # 22**

Driver James Lackey, who drove "Larry Horse" in the Sixth Race at Cal-Expo on Thursday, October 20, 2011, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1721(K) (Driving Rules – Careless Driving – Racing Inside Three (3) Pylons – Last Turn – Resulting in a Disqualification).

Driver James Lackey telephoned the stewards and waived his right to a hearing today. The penalty listed above is a result of Jim Lackey's drive in the sixth race last night (October 21) that resulted in a steward's inquiry [Ref: 10/20/11 (7)].

10/21/11 (2) **Fourth Race – Inquiry/Disqualification**

The stewards announced that a 'general inquiry' was being conducted following this race with a primary focus of checking for interference on the first turn.

Race replays show sixth place finisher, #4 "Twentyone Guns" (Richard Wojcio) make a break midway on the 1st turn. This forced seventh (last) place finisher #6 "Brimstone Threat" three (3) wide and cost him a better placing. In a unanimous steward's decision, #4 "Twentyone Guns" was disqualified and placed seventh (last).

10/21/11 (3) **Seventh Race – Recall**

Starter Bill Vallandingham flashed his 'recall lights' prior to the start of the seventh race. #1 "Cash Allowance" (Scott Cisco) had an 'equipment problem' and returned to the paddock for a quick fix. A second attempt at the start went well.

10/21/11 (4) **Program Changes**

11th Race Declaration - #7 "Got The Giggles" – Trainer Robley Johnson

Refund: \$100 Injured – Robert Goodbary, D.V.M.

12th Race Program Correction - #7 "Amcam"

Should read Luis Oyarzabal, Chino Hills, CA

14th Race Declaration - #5 "Seventh Sin" – Trainer Jose Ramirez

Refund: \$106 Injured – Robert Goodbary, D.V.M.

10/21/11 (5) **Attendance and Handle**

Attendance	286
Live Handle (On Track)	\$42,819
Handle (In State)	\$350,435
<u>Handle (Out of State)</u>	<u>\$314,916</u>
Total Handle	\$708,170

Saturday

10/22/11 (1)

Qualifying Races

Three (3) qualifying races were held prior to this evening's fifteen (15) race pari-mutuel cards. Out of the seventeen (17) competitors fourteen (14) made the grade.

10/22/11 (2)

Concerned Trainer

Trainer Mark Anderson visited the stewards shortly after 3:00 p.m. today to voice his unhappiness of events that took place earlier today. Trainer Anderson told the stewards that he entered two (2) of his trainees, "That's A Lie" and "Latino Hall", in 'qualifying races' that were to be held at 4:30 p.m.

Approximately two (2) hours later, according to Anderson, he was told by a member of the racing office that his two (2) entries were being denied. An issue that added to Trainer Anderson's disappointment was the fact that he already loaded his horses and was hauling them from his Willows, California farm/training center when he received the aforementioned phone call.

Anderson told the stewards that Cal Expo Racing Secretary Fred Kuebler, on behalf of Cal Expo management, told Anderson that 'only stake horses' of his were being allowed in the entry box. He also stated he was not given a reason why his entries were being denied. Racing Secretary Kuebler confirmed to the stewards that he was acting on behalf of Cal Expo management. More to follow.

10/22/11 (3)

Robley Johnson Decision [Ref: 10/19/11 (3)]**Ruling # 23**

Trainer Robley Johnson, who started "Spanish Rosey" in the First Race on June 17, 2011, is fined the sum of Three Thousand (\$3,000) Dollars for violation of California Horse Racing Board Rule #1843 (A) (D) (Medications, Drugs and Other Substances – Flunixin in Excess of Permitted Level 63 ng/ml -Third Offense in 365 Day Period) pursuant to California Horse Racing Board Rule #1887 (Trainer to Insure Condition of Horse).

Trainer Robley Johnson was informed this evening of the steward's decision following a formal hearing that was held earlier this week. Prior to this particular complaint regarding the horse "Spanish Rosey", who raced on June 17, 2011, Trainer Johnson has had four (4) previous medication positives for Flunixin, dating back to February 2009.

10/22/11 (4)

First Race – Win Only Wagering

Tonight's first pari-mutuel race was a California Sires Stake for two (2) year old colts and geldings (purse \$15,000).

Place and show wagering was eliminated for this event. #2 "Bloom N Doom" (Lemoyne Svendsen) was victorious in this five (5) horse field and was sent off at odds of 5 to 2.

- 10/22/11 (5) **Second Race – No Show Wagering**
 There was ‘no show wagering’ for tonight’s second race. #2 “Myra’s Hi Ho” (James Lackey) finished first in this five (5) horse pacing event and was sent off at odds of 11 to 1.
 Post time favorite #5 “Shamderock” (Luke Plano) finished fourth as the favorite at odds of 4 to 5.
- 10/22/11 (6) **Sixth Race – Inquiry**
 The stewards posted the inquiry sign after viewing post time favorite (odds 4/5) #4 “Ailene’s Prince” (Luke Plano) make ‘breaks’ before and after the start of this race.
 After film review, the stewards unanimously agreed that “Ailene’s Prince” complied with CHRB Rule #1722 (Breaking) by ‘losing ground’ following these breaks. ‘No change’ was made in the order of finish.
- 10/22/11 (7) **Eleventh Race – Inquiry/Disqualification**
 The stewards posted the inquiry sign after viewing third place finisher #8 “Freedoms My Style” (David Siegel) leave the racetrack while racing inside two (2) pylons approaching the 1/2 mile pole.
 After speaking to Driver Siegel and conducting film review following this race, the stewards made a change in the order of finish. For racing inside two (2) pylons and being ‘lapped on’ at the finish line, #8 “Freedoms My Style” was disqualified and placed fourth. Cal Expo ‘pylon rules’ are clearly ‘spelled out’ on page 12 of this evening’s ‘Night Lines’ program. Driver Dave Siegel was ordered to appear for film review.
- 10/22/11 (8) **Twelfth Race – Inquiry**
 The stewards posted the inquiry sign after viewing seventh (last) place finisher #1 “Jane The Brain” (Susan Boyce) make a break and impede four (4) of her rivals after the 1/4 pole. The four rivals were #3 “Red Star Gilda” (Karen Isbell – third place), #8 “Misty Waters” (Marco Rios – fourth place), #6 “Barona Destiny” (Richard Bertrand – fifth place) and #5 “Cherry Tree Blue” (Richard Dunneback – sixth place). The steward’s made ‘no change’ in the order of finish, as all ‘impeded horses’ out-finished #1 “Jane The Brain”.
- 10/22/11 (9) **Fourteenth Race – Recall**
 Starter Bill Vallandingham flashed his ‘recall lights’ after #6 “Awesome Deal N” (Tony Succarotte) caused interference before the original attempt at a start.
- 10/22/11 (10) **Program Changes**
 6th Race Declaration - #6 “Sad Parting” – Trainer Raul Escobedo
 Refund: \$32 Injured – Robert Goodbary, D.V.M.
 9th Race Driver Change - #4 Scott Cisco Jason Maier (sick)
 15th Race Declaration - #7 “Know The Pro” – Trainer Robley Johnson
 Refund: \$705 Not Eligible – Stewards

10/22/11 (11)	<u>Attendance and Handle</u>	
	Attendance	364
	Live Handle (On Track)	\$40,188
	Handle (In State)	\$305,565
	<u>Handle (Out of State)</u>	<u>\$245,485</u>
	Total Handle	\$591,238

RULINGS ISSUED THIS WEEK

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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>
20-Oct	9	6	SUN ON THE ROCKS	PACHECO	Injured	Goodbary	\$485.00
21-Oct	11	7	GOT THE GIGGLES	JOHNSON	Injured	Goodbary	\$100.00
	14	5	SEVENTH SIN	RAMIREZ	Injured	Goodbary	\$106.00
22-Oct	6	6	SAD PARTING	ESCOBEDO	Injured	Goodbary	\$32.00
	15	7	KNOW THE PRO	JOHNSON	Injured	Goodbary	\$65.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	6,837.30
Fresno	\$	5,201.90
Fresno Club One	\$	1,014.20
Golden Gate	\$	35,236.00
Monterey	\$	6,244.00
Pleasanton	\$	15,419.20
Sacramento	\$	88,133.30
San Jose	\$	31,562.00
San Mateo	\$	49,901.60
Santa Rosa	\$	6,417.40
Stockton	\$	12,414.20
Tulare	\$	566.90
Turlock	\$	11,598.90
Vallejo	\$	749,985.40
So. California	\$	342,981.30
Out of State	\$	1,020,532.30

CAL-EXPO HARNESS ASSOCIATION**SUMMARY 2011**

	Mon 10/17	Tues 10/18	Wed 10/19	Thurs 10/20	Fri 10/21	Sat 10/22	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	2
Cal-Bred Races	A	A	A	0	2	2	4	8
Claims	R	R	R	1	0	4	5	12
Disqualifications	K	K	K	2	1	1	4	9
Inquiries	D	D	D	2	1	3	6	31
Refunds	A	A	A	1	2	3	6	36
Rulings	Y	Y	Y	0	1	1	2	23

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

Grant Baker, Steward

Michael W. "Wayne" Oke, Steward

Will Meyers, Steward