

CALIFORNIA HORSE RACING BOARD
1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825



CALIFORNIA EXPOSITION & STATE FAIR

1600 Exposition Boulevard
Sacramento, California 95815

Report of the Board of Stewards

To the California Horse Racing Board

Honorable Jerry Brown, Governor
Honorable Keith Brackpool, Chairman
Honorable David Israel, Vice Chairman
Honorable Jesse H. Choper, Member
Honorable Bo Derek, Member
Honorable John C. Harris, Member
Honorable Jerome S. Moss, Member
Honorable Richard A. Rosenberg, Member
Kirk E. Breed, Executive Director

Report for the period Wednesday, July 20, 2011 through Sunday, July 24, 2011.

Wednesday

07-20-11¹ **CAL-BRED REPORT**

The Cal-bred race for maiden fillies and mares, claiming price \$12,500, five and one half furlongs, three years old and older was used open with seven starters.

07-20-11² **DECLARATIONS – REFUNDS**

2nd race: #3 SCORPION KING (Tr. Hector Sanchez) wrong horse
Stewards REFUND: \$221.40
4th race: #4 FOURTEENKARATRITA (Tr. Jamey Thomas) sick
Fitness Veterinarian Audrey Clifton REFUND: \$514.40
5th race: #2 FREE ACTION (Tr. Bud Klokstad) unsound
Fitness Veterinarian Audrey Clifton REFUND: \$766.10
6th race: #6 IRISH LION HEART (Tr. Quinn Howey) injured
CHRB Veterinarian Don Dooley REFUND: \$640.20

07-20-11³ **WENDELL L. McDANIEL** (#11GG0172)

A formal hearing was held for owner/trainer **WENDELL L. McDANIEL**, who has been charged with alleged violation of California Horse Racing Board rules #1843 (Medication, Drugs and Other Substances), #1844 (e) (4) (Authorized Medication), #1887 (Trainer to Insure Condition of Horse) and #1859.5 (Disqualification Upon Positive Test Finding).

According to the complaint, "On 5-29-11 the horse TAPIT SO LIGHTLY ran in the 8th race

at Golden Gate Fields, finishing 4th. The post race official urine sample #GG12106 was reported by Dr. Scott Stanley of U.C. Davis to contain albuterol in the amount of 16.7 ng/ml; a Class 3 violation.”

CHRB Investigator Gabe Palomar presented the case and C.S.R. Wendy Frazier recorded the proceedings.

After hearing testimony and receiving documents, the matter was submitted for decision.

07-20-11⁴ **RENE AMESCUA** (#11GG121) (Refer PRA 04-10-11⁵)

Trainer **RENE AMESCUA** appeared before the Board of Stewards as directed for consideration of a settlement agreement with the California Horse Racing Board for resolution of a Class 3 medication (Trenbolone) violation.

CHRB Investigator Barbara Chimero represented the California Horse Racing Board and C.S.R. Wendy Frazier recorded the proceedings.

Mr. Amescua’s horse, **FOXY JADE** (Owners Patrick Harney and Charles Reilly) was disqualified and deemed unplaced in Pacific Racing Association ruling #57, issued on April 10, 2011.

07-20-11⁵ **RULING NO. 07 – CEDILLO** (Refer 07-17-11⁵)

Jockey **ABEL CEDILLO**, who rode **VALLEY NEWS** in the eighth race at the California State Faire (Sacramento) on Sunday, July 17, 2011, is suspended three (3) racing days (July 27, 28 and 29, 2011) for failure to make the proper effort to maintain a straight course in the stretch and causing interference resulting in the disqualification of his mount from first to second; a violation of California Horse Racing Board rule #1699 (d) & (f) (Riding Rules – careless riding).

The term of this suspension shall not prohibit participation in designated races in California.

The foregoing ruling was issued after Mr. Cedillo and the stewards reviewed the video of the eighth race from Sunday, July 17, 2011.

Mr. Cedillo’s mount, **VALLEY NEWS**, was disqualified from a dead heat win and placed second for interference in the stretch.

Mr. Cedillo offered no excuse for failing to put the whip away, or switch to the other hand, as his mount bore out and bumped **LIFE’S A THRILL** three times in the stretch.

07-20-11⁶ **ATTENDANCE & HANDLE**

CSF	2,403	\$ 170,546.10
NCOT	1,704	\$ 572,446.40
SCOT		\$ 204,903.60
Out of State		\$ 449,948.00
TOTAL	4,107	\$1,397,844.10

Thursday

07-21-11¹ **CAL-BRED REPORT**

The Cal-bred race for three year olds and older, claiming price \$7,000 - \$8,000, one mile and one sixteenth, failed to fill.

07-21-11² **DECLARATIONS – REFUNDS**

1st race: #2 RACE TRACKING (Tr. Art Riesgo) injured
Fitness Veterinarian Audrey Clifton REFUND: \$ 90.70
3rd race: #1 THE SPADE RULES (Tr. Sherry Stanley) unsound
Fitness Veterinarian Audrey Clifton REFUND: \$21,829.51
5th race: #7 FIVE STAR FORTUNE (Tr. Andy Mathis) unsound
Fitness Veterinarian Audrey Clifton REFUND: \$ 1,765.90
6th race: #3 KNIGHTSEN (Tr. James Twinn) sick
Fitness Veterinarian Audrey Clifton REFUND: \$ 5,556.34

07-21-11³ **DELAY – Seventh Race**

There was a nine minute delay in the post time for the seventh race as the track crew neglected to harrow the ¼ mile chute for this one and one quarter mile race.

07-21-11⁴ **ATTENDANCE & HANDLE**

CSF	2,712	\$ 166,485.50
NCOT	2,257	\$ 640,080.30
SCOT		\$ 279,294.00
<u>Out of State</u>		<u>\$ 858,141.22</u>
TOTAL	4,969	\$1,944,001.02

Friday

07-22-11¹ **CAL-BRED REPORT**

The Cal-bred race for three year olds and other, claiming price \$12,500, failed to fill.

07-22-11² **DECLARATIONS – REFUNDS**

1st race: #1 VIRDEUCE (Tr. Sandy Torok) sick
Fitness Veterinarian Audrey Clifton REFUND: \$ 327.90
5th race: #7 OUR FAIR MAN (Tr. Bennie Webb) sick
Fitness Veterinarian Audrey Clifton REFUND: \$ 245.35
8th race: #4 STARCAST (Tr. Art Riesgo) unsound
Fitness Veterinarian Audrey Clifton REFUND: \$ 164.30

07-22-11³ **RICHARD BERTRAND** (Case #11SW0036)

A formal hearing was held for harness driver Richard Bertrand, who was charged with alleged violation of California Horse Racing Board rule #1902.5 (Animal Welfare).

Present for the hearing, in addition to the Board of Stewards, were CHRB Investigator Carol Nolan, who presented the case, and C.S.R. Wendy Frazier recorded the proceedings.

Mr. Bertrand is accused of mistreating his horse, FOX VALLEY SLY, following the running of the ninth race at Cal Expo on June 17, 2011.

After the stewards heard testimony from CHRB employee Cynde Neal, groom Tama Hernandez and Robert Goodbary, D.V.M., the hearing was closed and submitted for decision.

07-22-11⁴ **RULING NO. 8 – AMESCUA** (Refer: 07-20-11⁴)

Acting upon a Settlement Agreement and Mutual Release (Case #11GG121) signed by trainer Rene Amescua and the California Horse Racing Board and agreed upon by both parties, the following ruling is issued:

Owner / Trainer **RENE AMESCUA**, who started the horse **FOXY JADE**, third place finisher in the fifth race on November 11, 2010 at Golden Gate Fields, is hereby fined three thousand dollars (\$3,000.00) and suspended for thirty days. Said suspension shall be stayed for twenty (20) days and the three thousand dollars (\$3,000.00) fine shall also be stayed with the provision that Mr. Amescua be placed on probation for one (1) year. Rene Amescua stipulates to violation of California Horse Racing Board rule #1843 (a) & (d) (Medications, Drugs and Other Substances: Trenbolone [Class 3]) and rule #1887 (a) (Trainer to Insure Condition of Horse).

Mr. Amescua shall serve a ten (10) day suspension commencing July 25, 2011 through August 3, 2011. The one (1) year probation period shall also commence on July 25, 2011.

During the term of probation Mr. Amescua must not be in violation of California Horse Racing Board Rules and Regulations, Section #1843, #1843.6 and #1887 regarding Class 1, Class 2 or Class 3 drug substances.

During the term of suspension, all licenses and license privileges of RENE AMESCUA are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards), subject is denied access to all premises in this jurisdiction.

The foregoing ruling was issued after Mr. Amescua and CHRB Investigator Barbara Chimero met with the stewards for approval of a stipulated agreement.

07-22-11⁵ **RULING NO. 9 – TAPIT SO LIGHTLY**

Acting on a report from the University of California at Davis, an official testing laboratory of the California Horse Racing Board that blood and urine sample #GG12106, taken from the horse **TAPIT SO LIGHTLY**, the fourth place finisher in the eighth race at Golden Gate Fields on May 29, 2011, tested positive for albuterol (Class 3) in excess of the permitted level. It is hereby ordered that TAPIT SO LIGHTLY 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 all purse monies (\$1,860.00) earned or awarded to owner/trainer Wendell McDaniel and jockey Inole Beato (\$85.00) be returned to the Paymaster of Purses at Golden Gate Fields

by August 5, 2011 for re-distribution pursuant to California Horse Racing Board rule #1760 (Purse Award or Prize to be Withheld).

The revised order of finish as follows:

- 1st - BLENDARA
- 2nd - DEMANDING DIVA
- 3rd - HARD WAY TEN
- 4th - BLUE MOON HIGH
- 5th - ANNIVERSARY GIRL

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.

RULING NO. 10 – McDANIEL (11GG0172)

Owner/Trainer **WENDELL 'Wink' McDANIEL**, who started **TAPIT SO LIGHTLY** in the eighth race on May 29, 2011 at Golden Gate Fields, is hereby suspended thirty (30) days (July 28 through August 26, 2011) and fined two thousand dollars (\$2,000.00) pursuant to California Horse Racing Board rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule #1843 (a) & (d) (Medication, Drugs and Other Substances – Albuterol – 16.7 ng/ml [Class 3]).

During the term of suspension, all licenses and license privileges of WENDELL 'Wink' McDANIEL are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards), subject is denied access to all premises in this jurisdiction.

The above rulings were issued following the formal hearing held on July 20, 2011. (Refer: 07-20-11³)

Mr. McDaniel acknowledged he used an albuterol syrup in TAPIT SO LIGHTLY's feed five days prior to race day. The veteran trainer stated the albuterol was prescribed by Kim Kuhlmann, D.V.M.

More damaging was Mr. McDaniel's admission that he used an inhaler (Salbutamol), intended for human consumption, forty eight hours prior to the race. He further testified that he purchased the product through the internet.

07-22-11⁶ **INQUIRY – NON-STARTER – Second Race – REFUND**

The stewards posted the inquiry sign immediately following the second race for a review of the start.

After consulting with starter Robert Mooneyhan and a thorough review of the start, the stewards decided by majority decision (Baker dissenting) to declare #3 BAR JF PARTY GIRL (Jockey Anthony Ayala) a non-starter.

The video shows #3 BAR JF PARTY GIRL broke through the starting gate prematurely and was restrained by the assistant starter just as the field was dispatched.

The mule was clearly denied a fair start and in the wagering public's interest she was declared a non-starter. The refund totaled \$13,599.76.

07-22-11⁷ **OBJECTION – Fourth Race – NO CHANGE**

The stewards posted the objection sign following the fourth race at the request of jockey David Lopez, who finished second on #2 CRÈME RINSE.

Jockey Lopez lodged a claim of foul against #3 NOTORIOUS NIKKI (Inoel Beato), the winner, alleging interference in the stretch.

After considering the patrol judges' report, interviewing the riders involved and reviewing the video, the stewards decided unanimously to make no change in the original order of finish. The video shows nothing to warrant a disqualification.

07-22-11⁸ **ATTENDANCE & HANDLE**

CSF	3,241	\$ 179,806.50
NCOT	2,766	\$ 863,688.60
SCOT		\$ 232,925.00
<u>Out of State</u>		<u>\$ 398,692.83</u>
TOTAL	6,007	\$1,675,112.93

Saturday

07-23-11¹ **CAL-BRED REPORT**

The Cal-bred race for fillies and mares, three year olds and older, claiming price \$4,000, one mile, failed to fill.

07-23-11² **DECLARATIONS – REFUNDS**

5th race: #2 MISS TRIPLE PLAY (Tr. Brian Pitnick) sick
Fitness Veterinarian Audrey Clifton REFUND: \$ 425.90

6th race: #3 CHARMING BESS (Tr. Frances Henderson) enter back
Stewards REFUND: \$ 97.40

7th race: #6 JANE PICKLES (Tr. Terry Knight) injured
Fitness Veterinarian Audrey Clifton REFUND: \$5,317.30

8th race: #3 TRIBAL LORE (Tr. Tom Valenzuela) sick
Fitness Veterinarian Audrey Clifton REFUND: \$ 329.50

07-23-11³ **RULING NO. 11 – BERTRAND** (Refer: 07-22-11³)

Driver/Owner/Trainer **RICHARD BERTRAND**, who drove **FOX VALLEY SLY** in the ninth race on June 17, 2011 at Cal Expo (Sacramento, CA), is hereby fined three hundred dollars (\$300.00) for violation of California Horse Racing Board rule 1902.5 (Animal Welfare – mistreatment – jabbing horse with whip) following the running of the race.

The above ruling was issued following the formal hearing held on July 22, 2011.

07-23-11⁴ **RIDER REPLACED**
Jockey **HECTOR ROMERO**, who failed to appear this morning as directed for being late to the jockeys' room twice this week, was late to the room again today.

Mr. Romero, who is on a testing agreement was asked to provide a urine sample and as he was unable to provide one prior to race time he was removed from his mount and replaced by Abel Cedillo.

CHRB Investigator Barbara Chimero later in the day reported that Mr. Romero submitted a negative urine sample that was witnessed by safety steward Wayne Oke.

Once again Mr. Romero was directed to meet with the Board of Stewards tomorrow (07-24-11).

07-23-11⁵ **ATTENDANCE & HANDLE**

CSF	7,041	\$ 292,425.00
NCOT	3,814	\$1,342,356.50
SCOT		\$ 471,756.20
Out of State		\$ 579,801.92
TOTAL	10,855	\$2,686,339.62

Sunday

07-24-11¹ **CAL-BRED REPORT**
The Cal-bred race for three year olds, claiming price \$20,000 at six furlongs failed to fill with one horse entered.

07-24-11² **DECLARATIONS – REFUNDS**

2 nd race:	#1 TIZ O' GOLD	(Tr. Genaro Vallejo)	sick
	Fitness Veterinarian Audrey Clifton	REFUND:	\$ 212.50
3 rd race:	#1 SAN DARINO	(Tr. Phil Oviedo)	sick
	Fitness Veterinarian Audrey Clifton	REFUND:	\$ 663.20
	#6 SURFER DAVE	(Tr. Quinn Howey)	sick
	Fitness Veterinarian Audrey Clifton	REFUND:	\$ 139.10
6 th race:	#8 SUPERCABRAS	(Tr. Quentin Miller)	unsound
	Fitness Veterinarian Audrey Clifton	REFUND:	\$ 704.90
8 th race:	#5 SKATTLE SEATTLE	(Tr. Jerry Weaver)	injured in paddock
	Fitness Veterinarian Audrey Clifton	REFUND:	\$ 849.60
9 th race:	#3 PRIMARY NOTICE	(Tr. Rene Amescua)	sick
	Fitness Veterinarian Audrey Clifton	REFUND:	\$ 168.10

07-24-11³ **RULING NO. 12 – WILKINSON** (11SW0037)
Owner/Trainer **JAMES W. WILKINSON**, having failed to respond to written notice to appear before the Board of Stewards at the California State Fair (Sacramento) on or before Saturday, June 23, 2011, is hereby suspended for violation of California Horse Racing Board rule #1547 (Failure to Appear) pending an appearance at a hearing before the Board of Stewards to answer charges alleging violation of California Horse Racing Board rule #1876 (Financial Responsibility – Board bills owed to Kim Leonard).

During the term of suspension, all licenses and license privileges of

JAMES W. WILKINSON are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards, Subject is denied access to all premises in this jurisdiction.

The above ruling was issued after harness owner/trainer Wilkinson failed to appear at yesterday's hearing. Complainant **Kim Leonard** was here ready to testify.

07-24-11⁴ **RULING NO. 13 – RUSSELL**

Jockey **CHRIS RUSSELL**, who was scheduled to ride **UNIVERSITY** in the seventh race at the California State Fair (Sacramento) on Saturday, July 23, 2011, is hereby fined the sum of one hundred dollars (\$100.00) for violation of California Horse Racing Board rule #1872 (Failure to Fulfill Jockey Agreement) causing a late rider change.

The above ruling was issued after Russell failed to make his first mount of the day.

07-24-11⁵ **RULING NO. 14 – VILLALOBOS**

Jockey **CARLOS VILLALOBOS**, who rode **MY GIRL SANDY** in the second race at the California State Fair (Sacramento) on Saturday, July 23, 2011, is hereby fined three hundred dollars (\$300.00) for violation of California Horse Racing Board rule #1688 (b,2) (Use of Whip During Post Parade).

The above ruling was issued after Villalobos appeared and reviewed the film which clearly shows him whip the mule before the loading process. He was not happy with the amount of the fine.

07-24-11⁶ **RULING NO. 15 – ROMERO** (Refer 7-23-11⁴)

Jockey **HECTOR ROMERO** is fined the sum of one hundred dollars (\$100.00) for violations of California Horse Racing Board rule #1680 (Jockeys and Drivers to Report) on Thursday, July 21, 2011 and Saturday, July 23, 2011.

The above ruling was issued after Romero appeared and apologized for failing to appear twice when ordered. He tested clean yesterday so the only issue was his not appearing.

07-24-11⁷ **JOCKEY WARNING**

Jockey **PABLO FLORES** was in to review yesterday's effort in the seventh race. Flores was warned to make a better effort to keep his mounts straighter at the start. He agreed that he could have made a better effort.

07-24-11⁸ **DELAY – First Race – MULES**

During the loading process #3 OKIE BARBIE flipped in the gate, unseating jockey Carlos Villalobos. #3 was deemed uninjured by track veterinarian Audrey Clifton and re-loaded into the gate. As #3 was being re-loaded, prohibitive 2 to 5 favorite, #7 BAR JF HOT TICKET, also flipped unseating jockey Anthony Ayala. #7 was also deemed uninjured by track veterinarian Audrey Clifton. #7 was acting reluctant when the assistant starters attempted to re-load her and the process took an

extra couple of minutes. #7 finished second to her strongest rival #2 BAR JF RED TICKET, who is her full sister.

07-24-11⁹ **INQUIRY (Mule) ACCIDENT – First Race – NO CHANGE**
 #1 IMA TOP GUN took a left turn at the start, hurdling the temporary rail extension (“dogs”) and unseating jockey James Wooten, Jr. Both mule and rider appeared unhurt at the time but jockey Wooten complained of a stiff back later in the card and was excused by the track doctor. An accident report is attached.

07-24-11¹⁰ **JOCKEY CHANGES**
 5th race - Chris Russell for David Essman – sick
 6th race - Diego Sanchez for Barrington Harvey – injured
 7th race - Billy Lewis for Barrington Harvey – injured
 8th race - Russell Baze for James Wooten, Jr. – sore
 9th race - Kevin Krigger for Aaron Gryder – injured
 10th race - Diego Sanchez for Barrington Harvey - injured

07-24-11¹¹ **ATTENDANCE & HANDLE**

CSF	6,403	\$ 260,118.20
NCOT	3,547	\$1,185,596.10
SCOT		\$ 409,638.50
Out of State		\$ 589,214.99
TOTAL	9,950	\$2,444,567.79

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

ATTENDANCE REPORT - The full Board of Stewards was in attendance each racing 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
20-Jul	4	4	FOURTEENKARATRITA	Thomas	sick	Clifton	\$ 514.40
	5	2	FREE ACTION	Klokstad	unsound	Clifton	\$ 766.10
	6	6	IRISH LION HEART	Howey	injured	Dooley	\$ 640.20
21-Jul	1	2	RACE TRACKING	Riesgo	injured	Clifton	\$ 90.70
	3	1	THE SPADE RULES	Stanley	unsound	Clifton	\$ 21,829.51
	5	7	FIVE STAR FORTUNE	Mathis	unsound	Clifton	\$ 1,765.90
22-Jul	6	3	KNIGHTSEN	Twinn	sick	Clifton	\$ 5,556.34
	1	1	VIRDEUCE	Torok	sick	Clifton	\$ 327.90
	5	7	OUR FAIR MAN	Webb	sick	Clifton	\$ 245.35
23-Jul	8	4	STARCAST	Riesgo	unsound	Clifton	\$ 164.30
	5	2	MISS TRIPLE PLAY	Pitnick	sick	Clifton	\$ 425.90
	7	6	JANE PICKLES	Knight	injured	Clifton	\$ 5,317.30
24-Jul	8	3	TRIBAL LORE	Valenzuela	sick	Clifton	\$ 329.50
	2	1	TIZ O' GOLD	Vallejo	sick	Clifton	\$ 212.50
	3	1	SAN DARINO	Oviedo	sick	Clifton	\$ 663.20
		6	SURFER DAVE	Howey	sick	Clifton	\$ 139.10
	6	8	SUPERCABRAS	Miller	unsound	Clifton	\$ 704.90
	8	5	SKATTLE SEATTLE	Weaver	injured	Clifton	\$ 849.60
9	3	PRIMARY NOTICE	Amescua	sick	Clifton	\$ 168.10	

VETERINARY REPORT

Euthanized / Died

07-23-11 Briar Brookes Pride (Tr. Wm J Morey) fractured pelvis – training (GGF)

Veterinarian's List

There were nineteen (19) horses placed on the vet's list:

- Sick: 10
- Injured: 4
- Unsound: 5

There were eighteen (18) horses removed from the vet's list:

- Sick: 10
- Injured: 3
- Unsound: 5

WEEKLY ATTENDANCE & HANDLE SUMMARY FOR SATELLITE FACILITIES

Anderson	85	\$29,644.70
Bakersfield	428	\$112,947.40
Fresno	309	\$65,125.60
Fresno Club One	88	\$52,274.70
Golden Gate	2973	\$996,916.40
Monterey	358	\$128,319.70
Pleasanton	1791	\$600,767.30
San Jose	1906	\$549,235.90
San Mateo	3143	\$1,187,732.50
Santa Rosa	758	\$171,936.20
Stockton	865	\$247,777.20
Tulare	206	\$70,321.00
Turlock	398	\$130,164.30
Vallejo	780	\$261,205.00
So. California		\$1,598,516.70
Out of State		\$2,875,798.96

	7/20	7/21	7/22	7/23	7/24	Week	Meet
ACCIDENTS	0	0	0	0	1	1	2
CAL-BRED RACES	0	0	0	0	0	0	1
CLAIMS	1	4	0	0	3	8	14
DISQUALIFICATIONS	0	0	0	0	0	0	1
INQUIRIES/OBJECTIONS	0	0	2	0	1	3	5
REFUNDS	4	4	3	4	6	21	36
RULINGS	1	0	3	1	4	9	15

Respectfully submitted,

Dennis Nevin, Steward

Will Meyers, Steward

Grant Baker, Steward

DN/BOS: kjk