

CALIFORNIA HORSE RACING BOARD
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REPORT OF THE BOARD OF STEWARDS

Del Mar Thoroughbred Club

To the California Horse Racing Board

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RICHARD "BON" SMITH, ASSIST. EXECUTIVE DIRECTOR

Report of the Board of Stewards for the week of Wednesday, August 12, 2009 through Sunday, August 16, 2009.

WEDNESDAY
AUGUST 12, 2009

1 FILM REVIEW

Apprentice jockey CHRISTIAN SANTIAGO REYES appeared in the office with his valet/interpreter this morning to discuss his ride in the first yesterday in which he and jockey Garrett Gomez made some contact around the turn and entering the stretch. It is clear from the films that Mr. Reyes is very aggressive in trying to secure running room for his horse. It is also clear that Mr. Gomez is very aggressive in trying to hold his position. Given Mr. Reyes' history in his short time here in Southern California, we wanted to make it clear that this kind of riding would not be acceptable. As has also been the case, Mr. Reyes did not accept the criticism well and it is unclear whether he will be able to change his behavior in the future.

2 BLINCOE HEARING AND RULING

Trainer TOM BLINCOE met with the stewards regarding case number 09HP157 which alleged a bute in excess of the permitted level discovered in a post workout blood taken from one of his trainees. Mr. Blincoe was unclear as to how this could have happened, but the fact that the horse was given bute paste the afternoon before a morning work seems to indicate how the level was over that which is permitted. He accepted the following ruling:

DMTD Ruling #24

Trainer Thomas Hess "Tom" Blincoe, who started the horse "Sir Bell" which worked for removal from the Veterinarian's List at Hollywood Park on July 10, 2009, is fined Five Hundred Dollars * (\$500.00) pursuant to California Horse Racing Board rules 1866 (Veterinarian's List) and 1844 (c)(1) (Authorized Medication, Phenylbutazone, in excess of permitted level (7.07 ug/ml)).

3 JACK KAENEL MEETING

JACK KAENEL came to the office this morning to discuss his fitness for license hearing held last week. This Board of Stewards decided that Mr. Kaenel should not be granted a jockey’s agent license at this time. It is our belief that the ruling that Mr. Kaenel received here in California was very strict and outlined ten conditions for licensure. From the hearing it became clear that Mr. Kaenel complied with very few of the conditions before leaving the state. To make matters worse, Mr. Kaenel had very little information with respect to what he has been doing regarding sobriety over the last couple of years. We instructed Mr. Kaenel that we would not consider granting a license until he could provide a minimum of six months of consistent evidence of sobriety. He asked if we would consider a groom’s license instead, which we took under consideration.

4 HARTMAN RULING

Trainer CHRIS HARTMAN was contacted by telephone regarding a trainee that came to the receiving barn with toe grabs on his shoes over the allowable quarter inch. This length is not permitted for racing or training at Del Mar. We therefore issued the following ruling:

DMTD Ruling #25

Chris Hartman, the trainer of the horse “Wait in Line” which ran in the first race at Del Mar on August 1, 2009 is fined two hundred dollars * (\$200.00) for violation of California Horse Racing Board rule # 1437 (Conditions of a Race Meeting - House rule for shoe regulations).

5 DEUTSCH HEARING

Trainer JANICE DEUTSCH appeared by telephone in response to a complaint filed by the CHRB (case number 09DM021) on behalf of groom Andres Perez that alleged unpaid wages in the amount of \$1,682.00. The hearing was conducted informally and the evidence was somewhat convoluted. Neither had adequate documentary evidence detailing which payments were made and when, so the stewards requested additional information from each party before we could make a decision. Decision to follow.

6 YOUNG HEARING

The stewards informally heard a financial complaint (case number 09DM040) filed by groom Miguel Rodriguez against trainer STACY YOUNG. There seemed to be some confusion about what dates that Mr. Rodriguez actually worked and therefore we requested some additional information. After receiving this evidence, we will render a decision.

7 VETERINARIAN CHANGE

For the next two weeks of racing, racetrack veterinarian Dr. Barrie Grant will be on vacation. Dr. Jill Bailey will move from the official veterinarian position to the racetrack and Dr. Gary Beck will take over the official veterinarian duties.

8 DECLARATIONS, CHANGES, AND REFUNDS

- 1st Race No changes
- 2nd Race No changes
- 3rd Race No changes; Refund \$86.00
- 4th Race #2 Too Much Heat – Claimed – B. Abrams, trainer

#4 Sax – Claimed – Claimed – R. Becerra, trainer
Refund \$257.00

5th Race #8 Molly McFast – Stewards’ scratch, also eligible
#9 Gold Goddess- Stewards’ scratch, also eligible
#10 She’s Very Rare - Stewards’ scratch, also eligible
#11 Kami D B C - Stewards’ scratch, also eligible
Refund \$1,468.04

6th Race #2 Ghost Shadow – Veterinarian scratch, unsound – Dr. Beck
#9 Shine’n Time – Veterinarian scratch, sick – Dr. Beck
#1 Dark Dolores – Late stewards’ scratch, dropped jockey, ran off
Refund \$19,510.67

7th Race #6 Respecttheofficer – Veterinarian scratch, sick – Dr. Beck
#9 Catch Candy – Rider change – M. Garcia for A. Gryder (injured)
#3 Dances with Tigers – Claimed – J. Mullins, trainer
#9 Catch Candy – Late veterinarian scratch, unsound – Dr. Bailey
Refund \$25,781.31

8th Race No changes

9th Race #12 El Rifle – Late stewards’ scratch, ran off
Refund \$138,622.38

9 ATTENDANCE AND HANDLE

Total Refund: \$185,725.40	Del Mar on Track 13,690	Off Track	\$2,742,397.70
No Minus Pool	<u>Off Track 6,355</u>	Out of State	\$3,980,791.47
	Total Attendance 20,045	<u>Del Mar Total</u>	<u>\$1,691,882.20</u>
		Total	\$8,415,071.37

THURSDAY
AUGUST 13, 2009

1 AGUIRRE MEDIATION

Trainer Paul Aguirre and Gene Hull from Gene Hull Trucking met with the stewards to discuss a financial complaint (case number 09SA086) which has lingered without resolution. The BOS had given both parties an opportunity to settle the case and unable to do so the stewards set up a mediation session in order to come to some resolution. Fortunately, we were able to complete a financial agreement that was amendable to both parties. The agreement was signed and the matter resolved.

2 KAENEL TELEPHONE CALL

Jack Kaenel contacted the stewards to inquire about his request to obtain a grooms license. For the reasons outlined in 8/12/09³, Mr. Kaenel was denied a groom’s license. This ruling will be noted in Mr. Kaenel’s license history.

3 DOLLASE AND LEWIS HEARINGS

Trainers CRAIG DOLLASE (case numbers 09DM024 and 09DM019) and LISA LEWIS (case number 09DM025) each contacted the Board of Stewards to discuss their respective complaints for being late to the receiving barn. Given their clean histories, each was given a warning.

4 INQUIRY/DISQUALIFICATION

Following the running of the seventh race, the stewards posted the inquiry sign to examine an incident between the first two finishers. Films showed that the winner #2 Cape of Bradford ridden by Christian Santiago Reyes ducks out rather sharply at the sixteenth pole on the turf course causing the second place finisher #4 Empressive Lady, ridden by Aaron Gryder, to check and move off of her path. #4 Empressive Lady re-rallies and finishes second by half of a length. After speaking with the patrol judges and riders involved, the stewards unanimously voted to disqualify the winner and place her second.

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

Corrected order of finish: 4-(2)-5-1-6-3

5 DECLARATIONS, CHANGES, AND REFUNDS

1st Race #2 Desert Eagle (IRE) – Veterinarian scratch, sick – Dr. Bailey
#7 Defense King – Veterinarian scratch, sick – Dr. Beck
#4 Joe Carl – Claimed – B. Spawr, trainer
Refund \$4,035.64

2nd Race #1 Abandoned Gold – Veterinarian scratch, injured – Dr. Bailey
#9 Dixie Dot Chance – Late veterinarian scratch, unsound – Dr. Bailey
Refund \$15,503.68

3rd Race #3 Autocue (GB) – Veterinarian scratch, sick – Dr. Bailey
#5 Brian the Bold – Veterinarian scratch, sick – Dr. Bailey
#8 Droumeragh (GB) – Claimed – B. Hess, trainer
Refund \$2,040.85

4th Race #5 U Turn Me Crazy – Claimed – B. Koriner, trainer
Refund \$163.50

5th Race #12 Stormy Game – Stewards scratch, also eligible
#13 Bling Star Dreams - Stewards scratch, also eligible
Refund \$847.60

6th Race #3 Ishmael – Claimed – J. Sadler, trainer
#8 Mytigersnosissy – Veterinarian scratch, sick – Dr. Beck
#19 Uzziah – Stewards’ scratch, no show at receiving barn
Refund \$9,264.44

7th Race No changes; Refund \$189.00

8th Race #4 Ann’s Seven – Veterinarian scratch, sick – Dr. Bailey

#8 Melbisha – Veterinarian scratch, sick – Dr. Bailey
Refund \$3,211.07

6 ATTENDANCE AND HANDLE

Total Refund: \$35,255.78	Del Mar on Track	10,323	Off Track	\$2,652,517.20
No Minus Pool	<u>Off Track</u>	<u>6,764</u>	Out of State	\$3,906,982.78
	Total Attendance	17,087	<u>Del Mar Total</u>	<u>\$1,598,415.20</u>
			Total	\$8,157,915.18

FRIDAY

AUGUST 14, 2009

1 FILM REVIEW

Apprentice jockey CHRISTIAN SANTIAGO REYES met with the stewards to review the incident described in minute's entry 8/13/09⁴ in which his horse was disqualified from first to second for interference. It is clear from the films that the horse is running somewhat erratically through the stretch. At the point of interference, Mr. Reyes' horse ducked out sharply and was then corrected by his rider. Although we explained that given the erratic nature of the horse, we would have preferred to have seen less use of the whip and felt that Mr. Reyes could have corrected his mount a little faster, we did not feel that it warranted a suspension, and instead issued a warning.

Trainer CHRIS HARTMAN met with the stewards to review the seventh race from yesterday in which his mount was disqualified. He wanted an explanation behind the change and wanted to express his views about the inquiry. After watching the incident many times from all angles, Mr. Hartman didn't agree with our decision but appeared to understand the basis on which it was made.

2 STEWARD SUBSTITUTE

Safety steward Luis Jauregui will replace steward Scott Chaney for the last half of the card this afternoon and for the entire days of Saturday and Sunday.

3 DECLARATIONS, CHANGES, AND REFUNDS

- 1st Race #5 Bitterbutsweet – Veterinarian scratch, sick – Dr. Bailey
#3 Cato Major- Claimed – A. Sherman, trainer
Refund \$2,216.84
- 2nd Race No changes; Refund \$322.00
- 3rd Race #1a – New York Baby – Veterinarian scratch, sick – Dr. Beck
Refund \$2,408.52
- 4th Race No changes; Refund \$147.00
- 5th Race #1 Public Image - Claimed - W.E. Morey, trainer
#3 Tontine Too- Late Veterinarian scratch, unsound - Dr. Bailey
Refund \$94,141.02
- 6th Race #8 Ministerfrommiami - Claimed - A. Sherman, trainer

#9 Bobby's N Paradise - Veterinarian scratch, unsound - Dr. Bailey
 #13 Scuffling Summer - Stewards' scratch, also eligible
 Refund \$654.20

7th Race No Changes; Refund \$35.00

8th Race #6 Dolordolrbillyall- Stewards' scratch, stake
 Refund \$657.62

9th Race #10 Daniella Roth - A. Gryder for A. Delgadillo, sick
 Refund \$219.60

4 ATTENDANCE AND HANDLE

Total Refund: \$100,801.80	Del Mar on Track	15,824	Off Track	\$3,393,640.40
No Minus Pool	<u>Off Track</u>	<u>7,395</u>	Out of State	\$6,127,993.98
	Total Attendance	23,219	<u>Del Mar Total</u>	<u>\$2,328,735.50</u>
			Total	\$11,850,369.88

SATURDAY
 AUGUST 15, 2009

1 URI RAFAELI COMPLAINT

Trainer Uri Rafaeli contacted the Board of Stewards to address case number 09DM0055 for violation of CHRB rule 1481 (b) (11). (Occupational licenses and fees). Mr. Rafaeli was observed shoeing a horse by Fairplex security on August 1, 2009 at Fairplex Racetrack. Mr. Rafaeli was trying to work off a previous debt. Through his counsel Bryon Hallons, Mr. Rafaeli accepted his penalty.

DMTD #26

Trainer Uri Rafaeli is fined TWO HUNDRED DOLLARS * (\$200.00) for violation of California Horse Racing Board rule # 141 (b) (11) (Occupational Licenses and Fees – must procure appropriate license - Horsehoer).

2 NEIL FRENCH

Trainer Neil French contacted the Board of Stewards via telephone to discuss why his horse "Uzziah" did not make it to the receiving barn. "Uzziah" was entered in the sixth race on August 13, 2009. Mr. French explained that his groom thought they were running in the seventh race. The trainer expressed his embarrassment and was very apologetic, and accepted the following ruling:

DMTD #27

Neil French, the trainer of Uzziah, which was entered in the sixth race at Del Mar on August 13, 2009, is fined TWO HUNDRED DOLLARS * (\$200) for violation of California Horse Racing Board rule #1629 (Penalty for Late Declaration).

3 GUS HEADLEY

Trainer Gus Headley was in to discuss a financial complaint (case#09DM020) that was filed by pony rider Martin Hernandez for the amount of \$300.00. Although Mr. Headley offered his work charts, they did not accurately describe who was ponying the horses. The stewards felt the sum of \$200 should satisfy the debt.

4 GOOD RACING

The 10 races went off without a reportable incident.

5 DECLARATIONS, CHANGES AND REFUNDS

- 1st Race No Changes; Refund \$625.00
- 2nd Race #10 La Swing - Stewards' scratch, also eligible
#11 Mission Viejo Halo – Stewards' scratch, also eligible
Refund \$997.00
- 3rd Race #2 Joshua's Dream - Veterinarian scratch, Dr. Bailey, sick
#7 Sensational Score - Claimed D. O'Neill, trainer
Refunds \$ 1,616.12
- 4th Race No Changes
- 5th Race No Changes; Refund \$25.00
- 6th Race #1 Ballistic Heat - Claimed - P Schiewe, trainer
#3 Roar of Eagles - Claimed - A. Sherman, trainer
#13 County Tune – Stewards' scratch, also eligible
Refund \$186.20
- 7th Race No Changes; Refund \$23.30
- 8th Race No Changes; Refund \$166.00
- 9th Race No Changes; Refund \$109.00
- 10 Race No Changes; Refund \$1,721.40

6 ATTENDANCE AND HANDLE

Total Refund \$5,469.12	Del Mar on Track	28,087	Off Track	\$5,233,943.90
No Minus Pool	<u>Off Track</u>	<u>11,449</u>	Out of State	\$7,459,178.14
	Total Attendance	39,536	<u>Del Mar Total</u>	<u>\$2,966,581.00</u>
			Total	\$15,659,703.04

SUNDAY
AUGUST 16, 2009

1 WARNING ISSUED

Trainers Frank J. Monteleone, Ron Ellis and Bob Hess Jr. were all issued warnings for violation of CHRB rules 1852 & 1894(Late to Receiving Barn).

2 INQUIRY /DISQUALIFICATION

Following the running of the first race, the stewards posted the inquiry sign to examine the stretch run in which the fourth place finisher steadied at the eighth pole on the main track. A review of the video tapes revealed that the second place horse #5 Martini Mixer (ridden by Tyler Baze) drifted in mid-stretch, resulting in hard contact with the fourth place horse #7 Crystal Empire R N (ridden by Joel Rosario) causing him to steady. After speaking with the patrol judges and riders involved, the stewards unanimously determined that #5 Martini Mixer should be disqualified from second and placed fourth.

Original order of finish: 1-(5)-6-7-3

Corrected order of finish: 1-6-7-(5)-3

3 LATE DECLARATIONS/NO SHOW WAGERING

The late veterinarian scratch of "So Long Sonoma" (Tr. Bruce Headley) reduced the field size of the second race to four entries. Per California Horse Racing Board rule #1954, show wagering was cancelled for this event.

4 TRAINER'S OBJECTION/ NO CHANGE

Following the running of the seventh race, Vladimir Cerin, trainer of the third place horse #9 Bet on Victor (ridden by Corey Nakatani) claimed foul against the second place horse #10 Spirit of Cochise (ridden by Joel Rosario) for interference in the stretch run. After reviewing the films and speaking with both jockeys as well as the patrol judges, the stewards unanimously decided to leave the original order of finish alone. In the stewards' opinion, both horses contributed to the contact.

5 DECLARATIONS, CHANGES AND REFUNDS

1st Race #2 Cactus Flyer- Veterinarian scratch, injured- Dr. Beck
#4 Love to Fish Kona-Veterinarian scratch- Dr. Bailey
#5 Martini Mixer- Claimed - J. Carava, trainer
Refund \$4,616.37

2nd Race #1 So Long Sonoma- Late veterinarian scratch, injured in gate- Dr. Bailey
Refund \$166,889.05

3rd Race #5 Mark S the Cooler-Veterinarian scratch, injured- Dr. Bailey
Refund \$6,717.46

4th Race No Changes; Refund \$94.00

5th Race #10 Leesider- Veterinarian scratch, sick- Dr. Bailey
Refund \$929.93

6th Race #13 Objectified- Stewards' scratch, also eligible
#14 Ol'dogtown-Stewards' scratch, also eligible
Refund \$361.30

7th Race No Changes; Refund \$66.00

8th Race #10 Lethal Heat- Stewards' scratch, stake
Refund \$952.50

9th Race #9 Bob Benoit- Claimed - R.Becerra, trainer
#10 Victory Joe- Veterinarian scratch, unsound- Dr. Beck
#13 Guiding Hand-Stewards' scratch, also eligible
#14 Trevor's Clever- Stewards' scratch, also eligible
Refund \$832.52

10th Race #14 Screen Gem-Stewards' scratch, also eligible
Refund \$322.30

6 ATTENDANCE AND HANDLE

Total Refund: \$181,781.43	Del Mar on Track 18,791	Off Track \$5,017,639.90
No Minus Pool	<u>Off Track 10,450</u>	Out of State \$6,784,446.11
	Total Attendance 29,241	<u>Del Mar Total \$2,545,485.60</u>
		Total \$14,347,571.61

CALIFORNIA HORSE RACING BOARD

SUMMARY

	Wed 8-12	Thurs 8-13	Fri 8-14	Sat 8-15	Sun 8-16	Week Total	Meet Total
Accidents	0	0	0	0	0	0	2
Cal-Bred Races	2	3	2	1	0	8	29
Claims	3	4	3	3	2	15	91
Inquires	0	1	0	0	1	2	11
Objections	0	0	0	0	1	1	3
Disqualifications	0	1	0	0	1	2	4
Refunds	6	8	9	9	10	42	146
Rulings	2	0	0	2	0	4	27

Respectfully submitted,

Luis Jauregui (Steward)

C. Scott Chaney (Steward)

Tom Ward (Steward)

Ingrid Fermin (Steward)