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CALIFORNIA HORSE RACING BOARD



SAN JOAQUIN COUNTY FAIR

1650 So. Airport Way
Stockton, California

Report of the Board of Stewards To the California Horse Racing Board

Honorable Arnold Schwarzenegger, Governor
Honorable Richard B. Shapiro, Chairman
Honorable John C. Harris, Vice Chairman
Honorable John Andreini, Member
Honorable Jesse H. Choper, Member
Honorable Bo Derek, Member
Honorable David Israel, Member
Honorable Jerry Moss, Member
Kirk E. Breed, Executive Director
Richard "Bon" Smith, Assistant Executive Director

Report for the period Wednesday, September 10, 2008 through Sunday, September 14, 2008.

Wednesday

09-10-08¹ **RULING NO. 5 – CALVARIO**

Trainer **MANUEL CALVARIO** is fined the sum of two hundred dollars (\$200.00) pursuant to California Horse Racing Board rule #1629 (Penalty for Late Declaration) for violation of California Horse Racing Board rule #1845(e) (Authorized Bleeder Medication) necessitating the late declaration of WARREN'S SASSY CAT from the eighth race on September 3, 2008.

The above ruling was issued after Calvario was contacted and accepted responsibility for the late declaration of WARREN'S SASSY CAT.

09-10-08² **HINES HEARING - CASE # 08GG099** (Refer: 07-28-08³)

A hearing was held today for long time transit barn employee **James Hines**. Testimony was taken from groom **Kathy Zaris** and Stable Superintendent **Anita Ortega**. Hines has a long history of alcohol abuse. He was suspended for failure to appear for a scheduled hearing at Santa Rosa and has been at the Veteran's Hospital from July 18, 2008 to September 9, 2008 with alcohol related issues.

09-10-08³ **UNCOUPLING ALLOWED**

Assistant Executive Director '**Bon' Smith** gave permission to the racing office to uncouple two solid entries in two separate stake races for Saturday. The first race, the *ARABIAN HANDICAP*, ends up with six betting interests. The tenth race, *SWEEPIDA STAKES*, lets eight betting interests participate.

09-10-08⁴ **INQUIRY – DISQUALIFICATION – First Race (Mules)**

The stewards posted the inquiry to review an incident shortly after the start of this 350 yard mule race. #2 **IMA TOP GUN** breaks inward with jockey Javier Gomez, who was unable to straighten #2 before causing major interference. #2, who broke from the six hole, compromised the chances of all five rivals to his inside with #3 BAR JF PARTY GIRL (Jesus Arriaga) taking the worst of the incident. #2 finished first and was placed last (8th) for the interference.

Original order of finish: **(2)** – 2b – 4 – 5 – 6 – 1 – 1a – 3
 Official order of finish: 2b – 4 – 5 – 6 – 1 – 1a – 3 – **(2)**

09-10-08⁵ **LATE SCRATCHES – NO SHOW WAGERING – Eighth Race**

This seven horse field was reduced to four with one horse scratching sick early and two horses scratched lame at the gate. Show wagering was cancelled and extra time was given for the public to adjust their wagers. Show pool refund totaled \$2,253.68.

09-10-08⁶ **DOG PROBLEM - Ninth Race**

Shortly before the start of the ninth race a dog ran onto the track near the ¼ pole. Outrider Nancy Barney was summoned and the dog was run off the track and through the parking lot. A four minute delay was the only repercussion.

09-10-08⁷ **DECLARATIONS – REFUNDS**

6 th race:	#9 RUSTRIDGE BO (Tr. James Fresquez)	sick
	Fitness Veterinarian Don Dooley	REFUND: \$ 371.90
8 th race:	#2 HESASUPERVALENTINE (Tr. Ron White)	lame at gate
	Track Veterinarian Robert Connolly	REFUND: \$12,464.01
	#3 ANDREW'S TURN (Tr. Bruce Dillenbeck)	sick
	Fitness Veterinarian Don Dooley	REFUND: \$ 462.00
	#6 THUNDER ONE (Tr. Elmer January)	lame at gate
	Track Veterinarian Robert Connolly	REFUND: \$24,819.49
9 th race:	#8 NICOLINA U (Tr. A. L. Diaz)	sick
	Fitness Veterinarian Don Dooley	REFUND: \$ 370.16

09-10-08⁸ **ATTENDANCE & HANDLE**

SJCF	1,045	\$ 97,016.50
NCOT	2,201	\$ 730,150.80
SCOT		\$ 265,705.00
Out of State		\$ 595,472.55
TOTAL	3,246	\$1,688,344.85

Thursday09-11-08¹ **RULING NO. 06 – HINES**

In the Matter of Association Employee **JAMES HINES**:

Having now appeared and a hearing having been held, Sonoma County Fair ruling #5, dated July 27, 2008, suspending JAMES HINES for violation of California Horse Racing Board rule #1547 (Failure to Appear), is set aside.

Further, James Hines is suspended one hundred and twenty (120) days, retroactive from July 27, 2008 through November 23, 2008, for violation of California Horse Racing Board rule #1874 (2, 3 and 4) (Disorderly Conduct – Intoxication and abusive behavior) and #1902 (Conduct Detrimental to Racing).

Further, James Hines is ordered to complete a sixty (60) day in house rehabilitation program as approved by the Winners Foundation and the Stewards before being reinstated and shall remain on probation through September 30, 2009. In addition, Mr. Hines must adhere to the counseling program by the Winners Foundation.

During the term of suspension, all licenses and license privileges of James Hines 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 due deliberation over yesterday's hearing. Mr. Hines is in extremely poor health and in serious need of rehabilitation. His attitude toward other licensees and officials when he is drinking is atrocious. A sixty day in house program is hopefully a venue for Mr. Hines to get his life back on track.

09-11-08² **JOCKEY IN**

Jockey **KYLE KAENEL** was in to review his ride aboard #7 MINEZENO in the sixth race yesterday. MINEZENO was bearing out and Kaenel was having difficulty controlling him. Kaenel cuffed the horse under the chin a couple of times with his whip to try and straighten him out. Whipping in the head area is strictly prohibited and Kaenel is aware a ruling will be forthcoming.

09-11-08³ **JOCKEY IN II**

Jockey **JAVIER GOMEZ** appeared and reviewed his ride aboard #2 IMA TOP GUN in yesterday's first race. #2 wiped out 5/8 of the field and was disqualified to last place. Gomez admitted he was very late to react and could have done a better job of straightening up.

09-11-08⁴ **LATE DECLARATIONS – Second Race**

#1 BLUE CHIP CHICK, trained by **Bret Layne**, arrived inside the 24 hour limit and was declared. Mr. Layne is aware a penalty will be forthcoming.

#6 SLINKYS DASHER, trained by **Sandy Torok**, was treated with steroids according to the owners. Torok wished to scratch based on this information. The stewards approved the scratch and a penalty will be forthcoming.

09-11-08⁵ **DECLARATIONS – REFUNDS**

1st race: #1 AL-LEE (Tr. Ruby Thomas) injured
Fitness Veterinarian Don Dooley REFUND: \$ 225.00

2nd race: #2 BLUE CHIP CHICK (Tr. Bret Layne) arrived late
Stewards REFUND: \$ 281.70
#6 SLINKYS DASHER (Tr. Sandy Torok) possible steroids
Stewards REFUND: \$ 83.00

8th race: #3 FLASHY HELMSMAN (Tr. Clifford Delima) sick
Fitness Veterinarian Don Dooley REFUND: \$ 100.00

09-11-08⁶ **ATTENDANCE & HANDLE**

SJCF	836	\$	85,662.50
NCOT	2,359	\$	836,558.90
SCOT		\$	165,466.70
Out of State		\$	313,539.27
TOTAL	3,195	\$	1,401,227.37

Friday09-12-08¹ **RULING NO. 7 – KAENEL** (Refer 09-11-08²)

Jockey **KYLE KAENEL** is fined the sum of three hundred dollars (\$300.00) for violation of California Horse Racing Board rule #1688 (Use of Whips) during the running of the sixth race on Wednesday, September 10, 2008.

The above ruling was issued after Kaenel appeared yesterday and accepted the penalty.

09-12-08² **RULING NO. 8 – GOMEZ** (Refer 09-11-08³)

Jockey **JAVIER GOMEZ**, who rode **IMA TOP GUN** in the first race at the San Joaquin County Fair on Wednesday, September 10, 2008, is suspended three (3) racing days (September 18, 19 and 20, 2008) for failure to make a proper effort to maintain a straight course in mid-stretch and causing interference resulting in the disqualification of his mount from first to eighth; 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 above ruling was issued after Gomez appeared yesterday and accepted the penalty.

09-12-08³ **RULING NO. 9 – TOROK** (Refer 09-11-08⁴)

Trainer **SANDY TOROK** is fined the sum of two hundred dollars (\$200.00) for violation of California Horse Racing Board rule #1629 (Penalty for Late Declaration) for causing the late declaration of **SLINKYS DASHER** from the second race on Thursday, September 11, 2008.

The above ruling was issued after Torok had accepted responsibility for yesterday's late declaration.

09-12-08⁴ **RULING NO. 10 – LAYNE** (Refer 09-11-08⁴)

Trainer **BRET H. LAYNE** is fined the sum of two hundred dollars (\$200.00) pursuant to California Horse Racing Board rule #1629 (Penalty for Late Declaration) for failure to have the horse **BLUE CHIP CHICK** on the grounds twenty four (24) hours prior to post time necessitating a late declaration from the second race on Thursday, September 11, 2008; a violation of California Horse Racing Board rule #1588 (j) (Horse Ineligible to Start in a Race).

The above ruling was issued after Layne accepted responsibility for the late arrival of BLUE CHIP CHICK from the ranch.

09-12-08⁵ **RULING NO. 11 – CASTILLO** (Refer 09-07-08⁶)

Jockey **PABLO CASTILLO** is fined the sum of fifty dollars (\$50.00) for lodging a frivolous claim of foul following the third race on Sunday, September 7, 2008; a violation of California Horse Racing Board rule #1702 (Claim of Interference or Other Foul).

The above ruling was issued after Castillo appeared and admitted to claiming an unwarranted foul.

09-12-08⁶ **HARREL HEARING (Case # 08GG108)**

Trainer **DANNY HARREL** appeared and accepted a five hundred dollar fine for a high Phenylbutazone on the horse STRAW FLY SURPRISE which ran on July 4, 2008 at Pleasanton. The test showed an amount of 5.81 ug/ml which is over the allowed amount of 5.0 ug/ml. Ruling will be posted tomorrow.

09-12-08⁷ **SAHADI PAYS (Case # 08GG073)**

Owner **STEPHEN SAHADI** satisfied a bill owed to trainer **Jerry Hollendorfer** in the amount of \$4,485. Case closed.

09-12-08⁸ **NO SHOW FOR SUNDAY – MULES**

As has been policy for this summer, win wagering only will be offered on Sunday's first race with prohibitive favorite **BAR JF HOT TICKET** in the field. Assistant Executive Director 'Bon' Smith gave approval.

09-12-08⁹ **LATE LASIX – Third Race – LATE DECLARATION**

#3 BERT'S COLORS, trained by **Ed Moger**, arrived at 10:40 a.m. Unfortunately, the lasix shot was due by 9:40 a.m. and the horse had to be scratched. Moger will be contacted for an explanation and possible fine.

09-12-08¹⁰ **OWNERSHIP PROBLEM – Fourth Race**

Shortly before the running of the fourth race, the stewards became aware that #2 **IT'STHEWINETALKING** is owned by **DEBBIE WINICK**, wife of racing official **DANNY WINICK**. Danny was contacted and confirmed the part owner was indeed his wife. Rule 1505 (b) precludes racing officials from owning horses and rule 1402(n) defines 'Owner' as "Owner, part owner and lessee of any horse. An interest only in the earnings of a horse does not constitute ownership. If husband and wife, it is presumed that joint

ownership exists". The stewards declared IT'STHE WINETALKING for violation of the cited rules.

The timing of this late declaration was unfortunate; however, once the stewards became aware of the situation, they were unanimous in their opinion that the participation of this horse is in violation of California Horse Racing Board rules.

09-12-08¹¹ **DECLARATIONS – REFUNDS**

3 rd race:	#2 VEGAS TRAIL Fitness Veterinarian Don Dooley	(Tr. Steve Sherman)	lame REFUND: \$ 435.00
3 rd race:	#3 BERT'S COLORS Stewards	(Tr. Ed Moger, Jr.)	late for lasix REFUND: \$ 277.00
4 th race:	#2 IT'STHEWINETALKING Stewards	(Tr. Allen Rogers)	ownership REFUND: \$ 8,478.18
9 th race:	#5 MY CALL Track Veterinarian Robert Connolly	(Tr. R. L. Martin)	lame at gate REFUND: \$15,001.06
10 th race:	#1 CARELESS CANDIDATE Fitness Veterinarian Don Dooley	(Tr. R. B. Hess)	sick REFUND: \$ 467.60

09-12-08¹² **ATTENDANCE & HANDLE**

SJCF	1,364	\$ 125,769.30
NCOT	2,429	\$ 901,720.40
SCOT		\$ 312,218.00
<u>Out of State</u>		<u>\$ 544,749.58</u>
TOTAL	3,793	\$1,884,457.28

Saturday

09-13-08¹ **RULING NO. 12 – MOGER** (Refer 09-12-08⁹)

Trainer **ED MOGER, JR.** is fined the sum of two hundred dollars (\$200.00)*, pursuant to California Horse Racing Board rule #1629 (Penalty for Late Declaration), for violation of California Horse Racing Board rule #1845(e) (Authorized Bleeder Medication), necessitating the late declaration of BERT'S COLORS from the third race on September 12, 2008.

The above ruling was issued after Moger was contacted and apologized for not giving himself enough time to arrive for lasix administration.

09-13-08² **CRAZY DAY**

Two horses flipped in the paddock, two horses ran away in the post parade and two horses were injured at the gate, all necessitating late declarations.

09-13-08³ **DECLARATIONS – REFUNDS**

1 st race:	#3 IBN OKBA Fitness Veterinarian Don Dooley	(Tr. Leisa Belser)	injured REFUND: \$ 178.88
3 rd race:	#10 ANGELOS LUCK Stewards	(Tr. Danny Harrell)	runaway – post REFUND: \$16,053.24

5 th race:	#7 ROAR'S ROCKETTE (Tr. Lloyd Mason) Track Veterinarian Robert Connolly	injured in paddock REFUND: \$ 1,708.10
6 th race:	#3 SILK CREEK (Tr. Justin Treasure) Fitness Veterinarian Don Dooley	injured REFUND: \$ 35.00
7 th race:	#3 NOBEL PRINCESS (Tr. Steve Sherman) Fitness Veterinarian Don Dooley #7 STORMS WHISPER (Tr. Quinn Howey) Stewards	injured REFUND: \$ 344.00 runaway – post REFUND: \$ 6,033.48
10 th race:	#7 TAIL SPIN TOPPER (Tr. Jerry Hollendorfer) Track Veterinarian Robert Connolly	injured in paddock REFUND: \$ 3,563.92
11 th race:	#6 SWEET SILENCE (Tr. Tim Bellasis) Track Veterinarian Robert Connolly #7 STRONGWIND (Tr. Dennis Hopkins) Track Veterinarian Robert Connolly	injured in gate REFUND: \$99,104.72 injured in gate REFUND: \$12,557.38

09-13-08⁴ **ATTENDANCE & HANDLE**

SJCF	1,986	\$ 214,821.80
NCOT	4,010	\$1,305,711.80
SCOT		\$ 486,905.10
Out of State		\$ 628,332.98
TOTAL	5,996	\$2,635,771.68

Sunday09-14-08¹ **RULING NO. 13 – HARRELL** (Case #08GG108)

Trainer **DANNY L. HARRELL**, who started the horse **STRAW FLY SURPRISE**, the winner of the second race at the Alameda County Fair (Pleasanton) on July 4, 2008, is fined the sum of five hundred dollars (\$500.00) 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: Phenylbutazone, in excess of permitted level – 5.81 ug/ml [Class IV]).

The above ruling was issued following a decision rendered from Friday's hearing

09-14-08² **RULING NO. 14 – GONZALEZ** (Refer 07-13-08²)

Trainer **MIGUEL GONZALEZ** is fined the sum of one thousand dollars (\$1,000.00) pursuant to California Horse Racing Board rule #1629 (Penalty for Late Declaration) for failure to have the horses FIXINTODASH, JUVIE JAZZ, FAME CHICK and DOWN WITH R on the grounds twenty-four (24) hours prior to post time necessitating late declarations from the third race at the Solano County Fair (Vallejo) on July 13, 2008; a violation of California Horse Racing Board rule #1588 (j) (Horse Ineligible to Start in a Race).

The foregoing ruling was issued after Gonzalez appeared and accepted responsibility for the late declarations. The horses were shipped into Vallejo from a ranch on the day of the race without permission. The scratches left a three horse field. The delay in adjudication was due to a companion investigation of possible program training which was dropped by the investigators for lack of evidence.

09-14-08³ **BEAU GENIE SCRATCH – Eleventh Race**

Trainer **Jamey Thomas** contacted State Veterinarian Don Dooley concerning his horse **BEAU GENIE**. Thomas had claimed the horse from trainer **Steve Miyadi** at Sacramento less than two weeks ago and the *Racing Form* had BEAU GENIE listed as one of the horses testing positive for steroids from the Miyadi barn. Dr. Dooley confirmed the positive and could not guarantee the steroids would be cleared. He recommended Thomas be allowed to scratch without penalty. The stewards concurred and allowed the declaration.

09-14-08⁴ **RULING NO. 15 – DE LA TORRE**

Jockey **JULIO DE LA TORRE** is hereby fined the sum of one hundred dollars (\$100.00) for failure to fulfill his riding engagement at San Joaquin County Fair (Stockton) on Sunday, September 14, 2008; a violation of California Horse Racing Board rule #1872 (Failure to Fulfill Jockey Agreement).

The above ruling was issued after De La Torre failed to make his engagement in today's third race. De La Torre is named on several mounts at Los Alamitos tonight and the Los Alamitos stewards were informed of the penalty and will relay the message.

09-14-08⁵ **INQUIRY / ACCIDENT – NO CHANGE – Fourth Race**

As the horses were coming out of the six furlong chute onto the main track, #1 MY LITTLE PIGEON ducked in, unseating jockey Pedro Flores, and proceeded to go the wrong way on the track. Quick thinking outrider Nancy Barney was able to turn #1 back the right way where he was captured near where he started. Both horse and rider were reported uninjured.

09-14-08⁶ **JOCKEY OBJECTION – NO CHANGE – Ninth Race**

Apprentice rider **Reed Saldana**, aboard second place finisher #8 HOOK A HOTTIE, lodged a claim of foul against the winner, #3 COACH WILLY and jockey Pedro Flores, for alleged interference in the stretch. After review and talking to the riders no change was made. The stewards were unanimous in their opinion that young Saldana over re-acted as the winner passed on his outside while coming in slightly.

09-14-08⁷ **DECLARATIONS – REFUNDS**

3 rd race:	#3 BAR MAID POWER	(Tr. Sandy Torok)	Stake
	Stewards		REFUND: \$ 188.84
4 th race:	#2 SEARCHFORTHETRUTH	(Tr. Greg Gilchrist)	injured
	Fitness Veterinarian Don Dooley		REFUND: \$1,451.76
	#4 MANY RIVERS	(Tr. Jerry Hollendorfer)	sick
	Fitness Veterinarian Don Dooley		REFUND: \$ 317.80
11 th race:	#4 BEAU GENIE	(Tr. James Thomas)	medication question
	Fitness Veterinarian Don Dooley		REFUND: \$ 659.86

09-14-08⁸ **ATTENDANCE & HANDLE**

SJCF	2,177	\$ 205,251.00
NCOT	3,427	\$1,264,289.10
SCOT		\$ 482,024.10
<u>Out of State</u>		<u>\$ 523,813.94</u>
TOTAL	5,604	\$2,475,378.14

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
10-Sep	6	9	RUSTRIDGE BO	Fresquez	sick	Dooley	\$371.90
	8	2	HESASUPERVALENTINE	White	lame at gate	Connolly	\$12,464.01
		3	ANDREW'S TURN	Dillenbeck	sick	Dooley	\$462.00
		6	THUNDER ONE	January	lame at gate	Connolly	\$24,819.49
	9	8	NICOLINA U	Diaz	sick	Dooley	\$370.16
11-Sep	1	1	AL-LEE	Thomas	injured	Dooley	\$225.00
	8	3	FLASHY HELMSMAN	Delima	sick	Dooley	\$100.00
12-Sep	3	2	VEGAS TRAIL	Sherman	lame	Dooley	\$435.00
	9	5	MY CALL	Martin	lame at gate	Connolly	\$15,001.06
13-Sep	10	1	CARELESS CANDIDATE	Hess	sick	Dooley	\$467.60
	1	3	IBN OKBA	Belser	injured	Dooley	\$178.88
	5	7	ROAR'S ROCKETTE	Mason	injured in paddock	Connolly	\$1,708.10
	6	3	SILK CREEK	Treasure	injured	Dooley	\$35.00
	7	3	NOBEL PRINCESS	Sherman	injured	Dooley	\$344.00
	10	7	TAIL SPIN TOPPER	Hollendorfer	injured in paddock	Connolly	\$3,563.92
	11	6	SWEET SILENCE	Bellasis	injured in gate	Connolly	\$99,104.72
14-Sep	7		STRONGWIND	Hopkins	injured in gate	Connolly	\$12,557.38
	4	2	SEARCHFORTHETRUTH	Gilchrist	injured	Dooley	\$1,451.76
		4	MANY RIVERS	Dooley	sick	Dooley	\$317.80
	11	4	BEAU GENIE	Thomas	medication	Dooley	\$659.86

VETERINARY REPORT

Euthanized / Died

No horses were euthanized during this period.

Injuries

No reports submitted.

Veterinarian's List

There were twenty-four (24) horses placed on the vet's list:

Sick: 7
Injured: 8
Unsound: 8
Bled: 0
Medication: 1

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

Sick: 10
Injured: 2
Unsound: 5
Bled: 0
Exhausted: 1

Shockwave Therapy: There was no shockwave therapy treatments reported.

WEEKLY ATTENDANCE & HANDLE SUMMARY FOR SATELLITE FACILITIES

Anderson	135	\$30,973.40
Bakersfield	317	\$100,492.20
San Mateo	4089	\$1,304,466.20
Eureka	71	\$25,056.80
Fresno	319	\$139,799.30
Fresno Club One	79	\$29,826.70
Golden Gate	3307	\$1,317,879.40
Monterey	338	\$166,853.90
Pleasanton	1537	\$611,324.50
Sacramento	1429	\$440,701.20
San Jose	1597	\$545,511.00
Santa Rosa	762	\$174,317.00
Tulare	250	\$59,087.10
Turlock	490	\$160,977.40
Vallejo	805	\$246,509.20
So. California		\$1,712,318.90
Out of State		\$2,605,908.42

SUMMARY

	9/10	9/11	9/12	9/13	9/14	Week	Meet
ACCIDENTS	0	0	0	0	1	1	2
CAL-BRED RACES	0	0	0	0	0	0	0
CLAIMS	2	0	0	1	0	3	5
DISQUALIFICATIONS	1	0	0	0	0	1	1
INQUIRIES/OBJECTIONS	1	0	0	0	2	3	5
REFUNDS	5	4	5	9	4	27	40
RULINGS	1	1	5	1	2	10	14

Respectfully submitted,

Will Meyers, Steward

Luis Jauregui, Steward

Dennis Nevin, Steward

WM/BOS:kjk