

CALIFORNIA HORSE RACING BOARD
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SENT VIA EMAIL AND REGULAR MAIL
February 14, 2012

Darrell J. Vienna, Esq.
Law Offices of Darrell J. Vienna
Post Office Box 725
Sierra Madre, California 91025-0725

Re: Election for the Board of Directors of the Thoroughbred Owners of California

Dear Mr. Vienna:

This letter will acknowledge receipt of your letter of February 9, 2012, regarding the Thoroughbred Owners of California Board of Directors election. Your letter expressed concerns of the California Thoroughbred Horsemen's Association has to the election procedures to be utilized by the Thoroughbred Owners of California.

As a signatory to the Settlement Agreement between the Thoroughbred Owners of California and the California Thoroughbred Horsemen's Association, the California Horse Racing Board is obligated to ensure the election process is conducted in a fair and impartial manner. The Board understands the Thoroughbred Owners of California has engaged the services of the election auditing firm TrueBallot to conduct the counting of the ballots. We have the utmost faith in the ability of TrueBallot to accurately record and tabulate the results of the election. Additionally, the Chairman of California Horse Racing Board has appointed Commissioner Jesse Choper, former Dean of the University of California, Berkeley, School of Law (Boalt Hall) to oversee the election process. Assisting Commissioner Choper will be Supervising Special Investigator Bill Westermann who is to be physically present at all times when the ballot envelopes are opened, the votes recorded and the results tabulated.

Commissioner Choper and Special Investigator Westermann will have an updated listing of all licensed thoroughbred owners. That list will be compared with the membership records of the Thoroughbred Owners of California. During the tabulation process, Special Investigator Westermann's responsibility will be make sure only licensed thoroughbred owner/members of the Thoroughbred Owners of California are permitted to cast ballots, the members ballots are recorded accurately and the election results are true and correct.

In taking the action described above, the California Horse Racing Board believes the results of the Board of Directors election will be accurate, transparent and above reproach.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk E. Breed".

Kirk E. Breed
Executive Director

cc: Thoroughbred Owners of California