

CALIFORNIA HORSE RACING BOARD

1010 Hurley Way, Suite 300

Sacramento, CA 95825

www.chrb.ca.gov

(916) 263-6000 Fax (916) 263-6042



REPORT OF THE BOARD OF STEWARDS
Pacific Racing Association
Golden Gate Fields, Berkeley California
TO THE CALIFORNIA HORSE RACING BOARD

Honorable Gregory L. Ferraro DVM, Chairman

Honorable Oscar Gonzales, Vice Chairman

Honorable Dennis V. Alfieri, Member

Honorable Damascus Castellanos, Member

Honorable Brenda Washington Davis, Member

Honorable Wendy Mitchell, Member

Honorable Alex Solis, Member

C. Scott Chaney, Executive Director

Darrel McHargue, Chief Steward

Report for the Week of Wednesday, February 9, 2022, through Sunday, February 13, 2022.

MONDAY2/7/22¹**ENTRY PANEL**Steward **Grant Baker** took part in a "Zoom" Entry Panel for Friday the 11th.**WEDNESDAY**2/9/22¹**ENTRY DAY**Again, Steward **Baker** was in attendance to oversee entries for Saturday, **El Camino Real Derby Day**.**THURSDAY**2/10/22¹**ENTRY DAY AND HEARINGS**Entries for Sunday were supervised by Steward **Baker**, an eight race card with an adjusted post time of 11:15 for Super Bowl Sunday filled the overnight.2/10/22²**ARI HERBERTSON CHRB (20GG0030)**

The full Board of Stewards were present for California Horse Racing Board Complaint #20GG0030. Court Reporter **Christine Niccoli** was transcribing the proceedings. California Horse Racing Board Investigator **Noe Longoria** presented the case. Counsel **Michael Patricks** is representing **Ari Herbertson** on a limited basis, "request for continuation". Safety Steward **George Yniguez** sat in as an observer.

Upon reconvening, the Stewards asked **Mr. Patricks** if his client was willing to surrender his owners' license.

Mr. Patricks was advised he would have until Thursday, February 17, 2022, to provide a statement signed by **Mr. Herbertson** accepting the conditions required before the Stewards consider a delay in the matter.

2/10/22³

KIM KUHLMANN – AGUSTIN RAYAS COMBINED HEARING

California Horse Racing Board Case #21GG0095 (**Kuhlmann**) and #22GG0004 (**Rayas**) were heard together with both gentlemen agreeing. The full **Board of Stewards** were present along with California Horse Racing Board Investigator **Jerry Smith**. **Christine Niccoli** transcribed the oral presentation. Safety Steward **George Yniguez** sat in as an observer.

Testimony was heard from both parties after **Mr. Smith** presented his cases. **Mr. Rayas** was first to put forth his defense. After detailing the events leading up to the scratching of “**Pour On The Cole**” **Mr. Rayas** asked us to look at a note he submitted dated November 16, 2021, which is contained in the Complaint #22GG0004. Within his note he admits to his error in marking “**Pour On The Cole**” as scratched which led to the unfortunate events resulting in the horse officially being scratched.

Dr. Kuhlmann then gave a detailed account similar to that contained in California Horse Racing Board Complaint #21GG0095. **Dr. Kuhlmann** stated that he was flagged down by **Mr. Rayas** on the road who explained that “**Pour On The Cole**” had been overlooked for Lasix treatment and the time frame for administration was coming to an end. Understanding that the horse would be scratched if not treated, **Dr. Kuhlmann** treated the horse with **Mr. Rayas** observing. **Dr. Kuhlmann** was unaware that third party Administrator **Dr. Cloninger** had been contacted and was on his way. **Dr. Kuhlmann** in the report stated, “had he been informed he would not have provided Lasix treatment”.

Submitting the complaints into evidence and taking testimony into account this hearing was closed at 12:45. A decision will be forthcoming.

FRIDAY
2/11/22¹

PROGRAM CHANGES:

5TH Race #2 **Sting Like A Bee** (Tr. **Dan Franko**) Unsound – DVM **Batten** Refunds \$92.56
6TH Race #1 **Unchaining Melody (GB)** (Tr. **Tim McCanna**) Unsound – DVM **Batten**
#3 **After Sundown** (Tr. **Cliff DeLima**) Sick – DVM **Hassan** Refunds \$181.00
Rolling Super High Five Cancelled.

2/11/22²

CLEAR DAY

Today's nine (9) race card went well as it was free of Steward's inquires and/or Jockey objections.

2/11/22³

DAILY ATTENDANCE & HANDLE

On track	321	\$172,548.20
Out of state	n/a	\$1,450,593.90
SCOTWinc	n/a	\$225,913.00
Total	1,089	\$2,256,550.82

SATURDAY
2/12/22¹

PROGRAM CHANGES:

3RD Race #4 **Kazan (Ire)** (Tr. **Leonard Powell**) Sick – **Casille Batten** DVM Refunds - \$291.16

2/12/22²

RACE 2 LATE SCRATCH

#2 “**Into Bourbon**” flipped in paddock stall getting a leg over divider. Upon **Dr. Batten's** advice the Stewards scratched #2 as injured.

2/12/22³

DAILY ATTENDANCE & HANDLE

On track	946	\$292,370.70
Out of state	n/a	\$2,417,548.12
SCOTWinc	n/a	\$342,312.14
Total	2,119	\$3,693,397.84

SUNDAY
2/13/22¹

PROGRAM CHANGES:

3RD Race #3 **Cheap Cheap Cheap** (Tr. **Jamey Thomas**) Sick – DVM **Karen Hassan**
Refunds \$210.67

5TH Race #6 **Robb Lucky Spirit** (Tr. **Isidro Tamayo**) Sick – DVM **Casille Batten**
Refunds \$317.40

6TH Race #7 **Indio Mo Mo** (Tr. **Jonathan Wong**) Sick – DVM **Casille Batten** Refunds \$330.51

7TH Race #1 **Go Smiley Go** (Tr. **Clifford DeLima**) Sick - DVM **Karen Hassan**
Refunds \$456.83

2/13/22²

RAYAS RULING

Ruling #21

Association Employee **Agustin B. Rayas** is fined the sum of Three Hundred Dollars (\$300.00)* for his involvement in the late Declaration of the gelding **Pour On The Cole** from the eighth race at Golden Gate Fields on Sunday, November 14, 2021; a violation of California Horse Racing Board Rule #1629 (Penalty for Late Declaration).

The above Ruling was issued after this panel reviewed proceedings surrounding California Horse Racing Board Case #22GG0004 (Ref 2/10/22³). During that hearing **Mr. Rayas** admitted to his error which dominoed and resulted in the late scratch of "**Pour On The Cole**".

2/13/22³

KUHLMANN DECISION

Ruling #22

Veterinarian **Kim L. Kuhlmann**, DVM, is fined the sum of One Thousand Five Hundred Dollars (\$1,500.00)* for the unauthorized treatment of Lasix, a violation of California Horse Racing Board Rules #1844 (a) (Authorized Medication) and #1845 (f-1) (Authorized Bleeder Medication) necessitating the late declaration of the gelding **Pour On The Cole** from the eighth race at Golden Gate Fields on Sunday, November 14, 2021; a violation of California Horse Racing Board Rule #1629 (Penalty For Late Declaration).

After taking in consideration testimony and evidence presented in California Horse Racing Board Case #22GG0095 (Ref: 2/10/22³) the above Ruling was published. It was determined that **Dr. Kuhlmann's** treatment directly contributed to the late scratch of "**Pour On The Cole**".

2/13/22⁴

MICHAEL PATRICKS CALL

Michael Patricks, representing **Ari Herbertson** (Ref: 2/10/22²), contacted this Board as agreed to previously. He informed us that he made contact with **Mr. Herbertson** and by Thursday the owners' license will be surrendered by way of written statement.

2/13/22⁵

CLEAR RACING

The eight race Super Bowl Sunday card was completed without any reportable events.

2/13/22⁶

DAILY ATTENDANCE & HANDLE

On track	388	\$155,384.50
Out of state	n/a	\$1,174,215.27
SCOTWinc	n/a	\$219,937.52
Total	1,181	\$1,944,128.49

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
11-Feb	5	2	Sting Like A Bee	D. Franko	Unsound	Dr. Batten	\$92.56
11-Feb	6	1	Unchaining Melody	T. McCanna	Unsound	Dr. Batten	See Below
11-Feb	6	3	After Sundown	C. DeLima	Sick	Dr. Hassan	\$181.00
12-Feb	3	4	Kazan (Ire)	L. Powell	Sick	Dr. Batten	\$291.16
13-Feb	3	3	Cheap Cheap Cheap	J. Thomas	Sick	Dr. Hassan	\$210.67
13-Feb	5	6	Robs Lucky Spirit	I. Tamayo	Sick	Dr. Batten	\$317.40
13-Feb	6	7	Indio Mo Mo	J. Wong	Sick	Dr. Batten	\$330.51
13-Feb	7	1	Go Smiley Go	C. DeLima	Sick	Dr. Hassan	\$456.83

SUMMARY

	Fri 2/11	Sat 2/12	Sun 2/13	Week	Meet
Accidents	0	0	0	0	2
Cal-Bred Races	0	1	1	2	6
Claims	7	2	2	11	90
Disqualifications	0	0	0	0	2
Inquiries	0	0	0	0	5
Refunds	4	3	7	14	131
Rulings	0	0	2	2	22
Voided Claims	0	0	0	0	7

Respectfully submitted,

Richard Lewis, Steward

Dennis Nevin, Steward

Grant Baker, Steward