

CALIFORNIA HORSE RACING BOARD

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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 Thomas C. Hudnut, Member

Honorable Wendy Mitchell, Member

C. Scott Chaney, Executive Director

Darrel McHargue, Chief Steward

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

WEDNESDAY

11/9/22¹**ENTRIES FOR SATURDAY – CHANGES FOR FRIDAY**

Steward **Dennis Nevin** handled entry and change duty today. Nine races were drawn for Saturday.

THURSDAY

11/10/22¹**ENTRIES FOR SUNDAY – CHANGES FOR SATURDAY**

Steward **Dennis Nevin** was again on hand to take care of entry and change duty today. Nine races were carded for Sunday.

FRIDAY

11/11/22¹**OROZCO RULING****Ruling #9**

Jockey **Irving Orozco** who rode **Coolcross** in the tenth race at Golden Gate Fields on Sunday, November 6, 2022, is suspended one (1) racing day, Friday, November 18, 2022, and fined Two Hundred and Fifty Dollars (\$250.00) * pursuant to Horseracing Integrity and Safety Authority (HISA) Rule #2282 (Riding Crop Violations and Penalties – Class 3, two (2) over the legal limit) for violation of HISA Rule #2280 (Use of Riding Crop).

Furthermore, Jockey **Irving Orozco** is assigned three (3) violation points that will expire on May 11, 2023, six months from the date of final adjudication pursuant to HISA Rule #2282 (Riding Crop Violations and Penalties). Jockey **Irving Orozco** has now accumulated three (3) points.

The above Ruling was issued after **Mister Orozco** appeared and watched the video of the race in question with the Stewards. He stated that he just lost count and he accepted the penalty.

11/11/22²

MADDEN HEARING CASE 22BM0053

Owner **Gary Madden** was charged with violation of CHRB Rule #1659 (Delivery of Claimed Horse). The complaint reads.

*The horse **REFI NOW** was entered into a Claiming Race at the Alameda County Fair in the 1st race, finishing 1st. The horse was claimed by **Gary J. Madden (Madden Racing)** and assigned to Trainer **Jonathan Wong** for training. Shortly afterwards, the horse was physically transferred back to its original Owner/Trainer, **Jacqui Navarre**. CHRB received an anonymous report that this appeared to be a protected claim, prompting an investigation.*

#1659. Delivery of Claimed Horse – Reads:

A horse which has been claimed shall not be delivered by the original owner to the successful claimant until authorization is given by the stewards, and every horse so claimed shall run for the account of the racing interest in whose name it is entered for such race. No horse claimed out of a claiming race shall remain in the same stable under the management of its former owner or trainer.

Investigator **Noe Longoria** presented the case to the Board of Stewards, **Grant Baker** (chair), **Will Meyers** and **Dennis Nevin**. **Mr. Madden** was present and waived his right to an attorney, the proceeding was recorded by **Christine Niccoli**.

Mr. Madden testified that he claimed the horse “**Refi Now**” from Trainer **Jacqui Navarre** on July 9, 2022, at the Alameda County Fair. **Mr. Madden** contacted his Trainer **Jonathan Wong**, after winning a two way shake for “**Refi Now**” and asked him to train the horse. **Mr. Wong** told his Assistant **Francisco Rodriguez**, who was at **Pleasanton**, to take the horse to **Sacramento** where they were stabling during the summer. Transportation could not be found so the next day Owner **Madden** decided that **Navarre** had done well with the horse and told **Wong** he was just going to leave the gelding with her. **Mr. Madden** testified that he didn’t realize that was against the rules and certainly didn’t want to get **Navarre** or **Wong** in trouble. More to follow.

11/11/22³

NAVARRE HEARING – CASE #22BM0031 (REF: 11/9/2022²)

Trainer **Jacqui Navarre** was charged with violation of CHRB Rule #1659 (Delivery of Claimed Horse). The complaint reads.

*The horse **REFI NOW** was entered into a Claiming Race at the Alameda County Fair in the 1st race, finishing 1st. The horse was claimed by **Gary J. Madden (Madden Racing)** and assigned to Trainer **Jonathan Wong** for training. Shortly afterwards, the horse was physically transferred back to its original owner/trainer, **Jacqui Navarre**. CHRB received an anonymous report that this appeared to be a protected claim, prompting an investigation.*

#1659. Delivery of Claimed Horse – Reads

A horse which has been claimed shall not be delivered by the original owner to the successful claimant until authorization is given by the stewards, and every horse so claimed shall run for the account of the racing interest in whose name it is entered for such race. No horse claimed out of a claiming race shall remain in the same stable under the management of its former owner or trainer.

Investigator **Noe Longoria** presented the case to the Board of Stewards, **Grant Baker** (chair), **Will Meyers** and **Dennis Nevin**. **Ms. Navarre** was present and waived her right to an attorney, the proceeding was recorded by **Christine Niccoli**.

Navarre verified that **Jonathan Wong** claimed the horse **Refi Now** for **Gary Madden**. She testified that she knew **Madden** and did not object to him claiming the horse because she had heard through the rumor mill that another trainer was going to put in a claim as well.

Navarre stated there was a transportation problem, and since she was staying at **Pleasanton** she agreed to care for the horse. The next day it was decided by Owner **Madden** that the horse would go back to **Ms. Navarre** for training as she knows the horse better and has had success with the horse.

Navarre produced bills and canceled checks to verify that **Madden** was indeed the owner, and the horse was not transferred back to her as owner. After the claim on July 9, 2022, the horse did not race back until 8/14/2022 at Santa Rosa under Trainer **Navarre**. More to come.

11/11/22⁴

WONG HEARING CASE #22BM0038 (REF 11/10/22³ & 11/10/22²)

Trainer **Jonathan Wong** was charged with alleged violation of CHRB Rule #1652(d) (Prohibited Actions with Respect to Claims) The Complaint Reads:

*The horse **REFI NOW** was entered into a Claiming Race at the Alameda County Fair in the 1st race, finishing 1st. The horse was claimed by **Gary J. Madden (Madden Racing)** and assigned to Trainer **Jonathan Wong** for training. Shortly afterwards, the horse was physically transferred back to its original owner/trainer, **Jacqui Navarre**. CHRB received an anonymous report that this appeared to be a protected claim, prompting an investigation.*

#1652 Prohibited Actions with Respect to Claims - Reads

No person shall:

(d) Make any agreement with any other person or racing interest for the protection of each other's horses in any claiming race.

Investigator **Noe Longoria** presented the case to the Board of Stewards, **Grant Baker** (chair), **Will Meyers** and **Dennis Nevin**. **Mr. Wong** testified by phone and waived his right to an attorney; the proceeding was recorded by **Christine Niccoli**.

Trainer **Wong** testified that his Owner **Gary Madden** called him on July 9, 2022, after claiming the horse **Refi Now**. **Mr. Wong** stated he tried to make arrangement to ship the horse to his stable at Sacramento that day but was unable to do so. **Mr. Wong** was contacted by **Mr. Madden** the next day and was told he wanted to keep the horse with Trainer **Navarre**. It should be noted **Mr. Wong** was in Southern California at the time this all transpired. **Mr. Wong** emphasized that **Mr. Madden** called him after the horse was claimed and **Mr. Wong** had no previous communication about claiming **Refi Now**. More to follow.

11/11/22⁵

GOOD RACING

This afternoon's racing was conducted without incident.

11/11/22⁶

DECLARATIONS

1ST Race #5 **Regal Patriot** (Tr. **Jack Steiner**) Injured – DVM **Hassan** Refund \$188.75
4TH Race #5 **Respect The Hustle** (Tr. **Bill McLean**) Sick – DVM **Batten** Refund \$185.30
6TH Race #1 **Kit Kat Man** (Tr. **Jonathan Wong**) Sick – DVM **Batten** Refund \$268.65
7TH Race #5 **Sherilinda** (Tr. **Andy Mathis**) Sick – DVM **Batten** Refund \$201.05
8TH Race #3 **After My Own Heart** (Tr. **Bill McLean**) Sick – DVM **Batten** Refund \$113.85

11/11/22⁷

DAILY ATTENDANCE & HANDLE

On track	327	\$156,605.40
Out of state	n/a	\$985,861.08
SCOTWinc	n/a	\$163,065.44
Total	1,085	\$1,687,218.29

SATURDAY

11/12/22¹

RULING #10 WONG

Ruling #10

Trainer **Jonathan Wong** is fined Seven Hundred and Fifty Dollars (\$750.00)* for failure to list the correct sex of the horse **Kit Kat Man** in the program for the sixth (6) race at Golden Gate Fields on Friday, November 11, 2022; a violation of California Horse Racing Board Rule #1865 (Altering of Sex of Horse).

The above Ruling was issued after **Mr. Wong** was contacted and accepted the penalty.

11/12/22²

VOIDED CLAIMS

4TH RACE #3 **Friday's at Shady** claimed by **D.W. Baker**. Declared off in left hind by State Veterinarian **Franklin**. Returned to barn of Trainer **Jonathan Wong**.

5th Race #8 **Stan the Hot Man** claimed by **Jack Steiner**. Reported off in right hind by State Veterinarian **Franklin**. Returned to the barn of **Jonathan Wong**.

11/12/22³

DECLARATIONS

2ND Race #6 **Wart** (Tr. **Blaine Wright**) Sick – DVM **Batten** Refund \$196.41

3RD Race #2 **Naughty Flirt** (Tr. **D. Wayne Baker**) Sick – DVM **Batten**

#3 **Tijera Lee** (Tr. **Jamey Thomas**) Injured – DVM **Batten** Refunds \$323.31

5TH Race #4 **Stay Lit** (Tr. **Terry Johnson**) Sick – DVM **Batten** Refund \$115.01

9TH Race #2 **Gardees World** (Tr. **Michael Lenzini**) Sick – DVM **Batten**

#5 **Senorita Estrella** (Tr. **Samuel Calvario**) Unsound–DVM **Hassan** Refund \$372.51

11/12/22⁴

DAILY ATTENDANCE & HANDLE

On track	674	\$233,737.60
Out of state	n/a	\$1,399,940.24
SCOTWinc	n/a	\$285,874.47
Total	1,849	\$2,543,460.08

SUNDAY

11/13/22¹

RULING #11 COUTINO

Ruling #11

Groom (Expired) **Fernando Coutino** having failed to respond to written notice to appear before the Board of Stewards at Golden Gate Fields on or before November 12, 2022, is 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 to charges alleging violation of California Horse Racing Board Rule #1874 (Disorderly Conduct-Intoxication) and Rule #1930 (Obedience to Security Officers and Public Safety Officers).

During the term of this suspension, all licenses and license privileges of **Fernando Coutino** 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 Groom **Coutino** failed to appear. **Mr. Coutino** has an expired license so this Ruling will appear should he try to renew.

11/13/22²

O'NEILL RULING

Amended Ruling #12

In accordance with a Stipulated Agreement with the California Horse Racing Board Trainer **Doug O'Neill** who started the horse **Worse Read Sanchez**, third place finisher in the fifth race at Golden Gate Fields on May 1, 2022, is suspended Sixty (60) days, and fined the sum of Ten Thousand Dollars (\$10,000.00)*; pursuant to California Horse Racing Board Rule #1887 (a) (Trainer or Owner to Insure Condition of Horse) for violation of California Horse Racing Board Rules #1843 (a) & (d) (Medication, Drugs and Other Substances) Prohibited Substance – Hydroxy – **Lidocaine** [Class 2] and #1843.1 (a) (Prohibited Drug Substances) and placed on probation for one year commencing May 1, 2022 and ending May 1, 2023. For good cause Thirty (30) days of the Sixty (60) day suspension is to be stayed.

Pursuant to the Stipulated Agreement the actual days of suspension commence on November 21, 2022, and terminate on December 20, 2022, provided that during the term of probation, **Mr. O'Neill** is not in violation of California Horse Racing Board Rules #1843, #1843.6 and #1887 regarding class 1, 2, or 3 substances. If **Mr. O'Neill** violates a condition of his probation, the above referenced Thirty (30) days of suspension shall be lifted and the remaining actual suspension shall be imposed after notice and hearing and shall be in addition to any penalty imposed for the underlying rule violation.

The above ruling was issued in a majority vote by the Stewards to approve the settlement agreement and mutual release dated 10/19/22 signed by Board Chairman **Gregory L. Ferraro**, DVM and Executive Director **C. Scott Chaney**, Steward **Dennis Nevin** dissented.

11/13/22³

VOIDED CLAIM 5TH RACE

#6 **Loving Spirit** was claimed by **D.W. Baker**. **Dr. Franklin** reported her off in the right front. Returned to the barn of **Jonathan Wong**.

11/13/22⁴

DECLARATIONS

2ND Race #6 **Eye Candy Randy** (Tr. **Ed Moger Jr.**) Sick – DVM **Batten** Refund \$258.78
 4TH Race #4 **Black Zabat** (Tr. **Manuel Badilla**) Sick – DVM **Batten** Refund \$172.14
 5TH Race #1 **Witches Dance** (Tr. **Reid France**) Sick – DVM **Batten** Refund \$131.80

11/13/22⁵

DAILY ATTENDANCE & HANDLE

On track	676	\$228,088.39
Out of state	n/a	\$1,583,861.88
SCOTWinc	n/a	\$261,738.80
Total	1,641	\$2,523,366.52

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
11-Nov	1	5	Regal Patriot	J. Steiner	Injured	Dr. Hassan	\$188.75
11-Nov	4	5	Respect The Hustle	Bill McLean	Sick	Dr. Batten	\$185.30
11-Nov	6	1	Kit Kat Man	J. Wong	Sick	Dr. Batten	\$268.65
11-Nov	7	5	Sherilinda	A. Mathis	Sick	Dr. Batten	\$201.05
11-Nov	8	3	After My Own Heart	B. McLean	Sick	Dr. Batten	\$113.85
12-Nov	2	6	Wart	B. Wright	Sick	Dr. Batten	\$196.41
12-Nov	3	2	Naughty Flirt	DW Baker	Sick	Dr. Batten	See Below
12-Nov	3	3	Tijera Lee	J. Thomas	Injured	Dr. Batten	\$323.31
12-Nov	5	4	Stay Lit	T. Johnson	Sick	Dr. Batten	\$115.01
12-Nov	9	2	Gardees World	M. Lenzini	Sick	Dr. Batten	See Below
12-Nov	9	5	Senorita Estrella	S. Calvario	Unsound	Dr. Hassan	\$372.51
13-Nov	2	6	Eye Candy Randy	E. Moger	Sick	Dr. Batten	\$258.78
13-Nov	4	4	Black Zabat	M. Badilla	Sick	Dr. Batten	\$172.42
13-Nov	5	1	Witches Dance	R. France	Sick	Dr. Batten	\$131.80

SUMMARY

	Fri 11/11	Sat 11/12	Sun 11/13	Week	Meet
Accidents	0	0	0	0	1
Cal-Bred Races	0	0	0	0	0
Claims	5	4	1	10	37
Disqualifications	0	0	0	0	0
Inquiries	0	0	0	0	3
Refunds	8	8	5	21	88
Rulings	1	1	2	4	12
Voided Claims	2	0	1	3	6

Respectfully submitted,

Will Meyers, Steward

Grant Baker, Steward

Dennis Nevin, Steward