

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 Thomas C. Hudnut, Member

Honorable Wendy Mitchell, Member

C. Scott Chaney, Executive Director

Darrel McHargue, Chief Steward

Report for the Week of Wednesday, November 16, 2022, through Sunday, November 20, 2022.**WEDNESDAY**11/16/22¹**ENTRY DAY**

The racing office was open today accepting entries for Saturday November 19, 2022. Nine (9) races were drawn with, seventy (70) horses are scheduled to start. Steward **Will Meyers** supervised all matters for the California Horse Racing Board.

11/16/22²**ENTRY PANEL**

An 'Entry Panel' was conducted today for the races to be held here on Friday November 18, 2022. Members of the panel were **Dr. Dionne Benson, Dr. Frosty Franklin, Dr. Tim Grande,** and Safety Steward **Richard Lewis**.

THURSDAY11/17/22¹**SAMUEL CALVARIO HEARING (REF: 11/3/22⁽²⁾ CASE #22BM0055)****MARY TUCKER HEARING (CASE #22BM0055) CATALINO MARTINEZ HEARING (CASE #22BM0055)**

Trainer **Samuel Calvario** returned to the Golden Gate Fields Stewards' office to answer an amended complaint. This matter was originally heard on November 3, 2022. On that date CHRB General Counsel **Robert Brodnik** requested to amend this complaint to two additional alleged rule violations.

The Stewards denied **Mr. Brodnik's** request, but those alleged violations were added for today's hearing. The alleged violations for all three (3) complaints today were Rule #1588 (a) (7) (Horse Ineligible to Start in a Race). Rule #1592 (Ineligible Horse to be Disqualified) and Rule #1887

(a)(Trainer or Owner to Insure Condition of Horse). Owner **Mary Tucker** and Jockey **Catalino Martinez** chose not to appear for today's hearing. Present today were Trainer **Samuel Calvario**, CHRB Investigator **Noe Longoria**, CHRB General Counsel **Robert Brodnik** and Stewards **Grant Baker, Will Meyers** and **Dennis Nevin**. Investigator **Longoria** also acted as an interpreter for Trainer **Calvario** at this hearing which was transcribed by Court Reporter Christine Niccoli. The cover page of today's thirty- seven (37) page complaint reads as follows.

The official blood sample #F17744 taken at the Alameda County Fair was reported by Dr. Ben Moeller, PHD of the Maddy EACL at U.C. Davis to contain Furosemide (Lasix). The sample was obtained from the horse "Ultimate Bango" which ran in the 7th race on July 2, 2022, finishing 2nd. The trainer of record is Samuel M. Calvario. A split sample analysis was not requested. The purpose of this complaint is for the Disqualification of the horse and the Redistribution of the Purse.

This was a \$75,000 stake race (Oak Tree Sprint) and under CHRB Rule #1581, (Racing Secretary to Establish Conditions), Lasix was not allowed for any of the horses participating in this race. This race was held on July 2, 2022, at the Alameda County Fair Pleasanton. Decision to follow.

11/17/22²

ARI HERBERTSON HEARING (Case #20GG0030)

This hearing was originally scheduled for February 10, 2022 (Ref: 2/10/22⁽²⁾ & 2/16/2022⁽²⁾). On that date Attorney **Michael Patricks** (Santa Rosa, CA) requested a continuance as he was appearing on behalf of Trainer **Ari Herbertson** who was in custody in Alameda County on this day. The cover page of today's eighty-seven (87) page complaint reads as follow.

*A female licensee reported to Berkeley Police that she had been sexually assaulted after leaving Golden Gate Fields with Trainer **Ari Herbertson** and Exercise Rider **Justin L. Rivera**, in Trainer **Herbertson's** truck. The assault was denied by both men. DNA evidence collected from the victim compared against **Herbertson's** saliva sample resulted in his arrest. Trainer **Herbertson** plead guilty to Assault with a Deadly Weapon – 245 PC(a)(1) – and was sentenced to one (1) year in county jail.*

Today **Ari Herbertson** was present and represented himself. He has been charged with alleged violation of CHRB Rule #1489 (a)(1) & (a)(7) (Grounds for Denial or Refusal of License), Rule #1900 (Grounds for Suspension or Revocation) and Rule #1902 (b) (Conduct Detrimental To Racing).

Along with the Stewards **Baker, Meyers and Nevin**, present today were CHRB General Counsel **Robert Brodnik**, CHRB Investigator **Noe Longoria** and Court Reporter **Christine Niccoli**. Mr. **Herbertson's** trainer license expired on December 31, 2021. He surrendered his owner's license back in February 2022 through Santa Rosa based Attorney **Michael Patricks**.

The Stewards asked **Mr. Herbertson** several questions regarding the incident that took place at the Tom Bates Sports Complex, which is across the street from Golden Gate Fields, on January 12, 2020. Decision to follow.

11/17/22³

ENTRY PANEL

An Entry Panel met (Microsoft Teams) to review the racing card for Sunday, November 20. Members of the 'panel' were The Stronach Group (TSG) Chief Veterinarian **Dionne Benson Frosty Franklin**, (CHRB Chief Official Veterinarian **Dr, Tim Grande** (CHRB Chief Veterinarian) and Safety Steward **Richard Lewis**.

FRIDAY

11/18/22¹

MARGARET M. BARICEVIC (Case #22GG0119)

Trainer **Pablo DeJesus** filed a complaint against Owner **Margaret M. Baricevic** alleging that

Ms. Baricevic owes him \$10,770 for training her racehorses between July 02, 2022, to September 1, 2022.

This matter was originally scheduled for hearing on November 2, 2022. Prior to that date **Ms. Baricevic** requested more time to prepare and was granted a fifteen (15) continuance. **Pablo DeJesus** appeared in our office today. **Ms. Baricevic** called our office before the hearing this morning requested another postponement or telephone hearing, and that request was denied and the hearing was cancelled. More to follow.

11/18/22²

GARY MADDEN RULING (REF: 11/11/22⁽²⁾)

Owner **Gary Madden** was notified via telephone of the ruling below. **Mr. Madden** dropped a claim at the Alameda County Fair (Pleasanton) for the horse "**Refi Now**". **Jonathan Wong** was listed as trainer for this race contested on July 9, 2022. **Mr. Wong** was not aware of this action according to sworn testimony by **Mr. Madden**. His entire Northern California Stable was in Sacramento California at the time. **Mr. Madden** told the Stewards he had "transportation problems" and left the horse in the care of **Jacqui Navarre**, who was the original trainer. The Stewards felt owner **Madden** used poor judgement but that this is not a classic case of a 'protection claim'. The following ruling was issued by unanimous decision.

Ruling #13

Owner **Gary Madden** is fined Five Hundred Dollars (\$500.00) for violation of California Horse Racing Board Rule #1659 (Delivery of Claimed Horse) for allowing the gelding "**Refi Now**" returned to the previous Trainer's barn the day after it was claimed on July 9, 2022, at the Alameda County Fair.

11/18/22³

JACQUI NAVARRE RULING (REF: 11/11/22⁽³⁾ & 11/11/22⁽²⁾)

Trainer **Jacqui Navarre** was called this morning and notified of the following ruling (Case #22BM0031). **Ms. Navarre** started the horse "**Refi Now**" in the first race on July 9, 2022, at the Alameda County Fair (Pleasanton). This horse was claimed (Owner **Gary Madden** – Trainer **Jonathan Wong**) but ended up back in **Ms. Navarre's** barn the following day after Owner **Madden** cited transportation problems getting this horse back to Trainer **Wong's** stable in Sacramento, CA. The Stewards felt Trainer **Navarre** did not use good judgement in this case but was not involved in a classic protection claim. The following ruling was issued by a unanimous decision

Ruling #14

Trainer **Jacqui Navarre** is fined Five Hundred (\$500.00) for violation of California Horse Racing Board Rule #1659 (Delivery of Claimed Horse) – accepting the gelding "**Refi Now**" back to her barn on July 10, 2022, after it was claimed at the Alameda County Fair on July 9, 2022.

11/18/22⁴

JONATHAN WONG DECISION (REF: 11/11/22⁽⁴⁾)

The Stewards issued an official warning in this matter (Case #22BM0038) that was heard on November 11, 2022, at Golden Gate Fields.

11/18/22⁵

FOURTH RACE INQUIRY

The Stewards posted the Inquiry sign after viewing an incident in today's fourth race which was contested at six (6) furlongs. Just inside the 1/8th mile marker #2 **Mister Midas** (5th Race) (Kevin Radke) steadied from between horses. Film review showed first place finisher #4 **In Honor of Autism** (Catalino Martinez) drift in and second place finisher #6 **Dog of Venice** (Assael Espinoza) drift out. After speaking with all jockey's involved and receiving a Patrol Judge Report the Stewards made 'no charge' in the order of finish. The Stewards unanimously felt #2 **Mister Midas** was tiring at the time of the incident. Jockey's **Catalino Martinez** and **Assael Espinoza** were ordered to film review with the Stewards.

11/18/22⁶

EIGHTH RACE INQUIRY/ACCIDENT/DISQUALIFICATION

The Stewards posted the Inquiry sign after viewing an accident around the 3/16th mile marker. #1 **Autism Excellence** (William Antongeorgi III) was racing along the rail, near the lead, just prior to an accident. At this point #1 **Autism Excellence** drifts out slightly before straightening out for the stretch drive #3 **Top Hat Tigress** (Evin Roman) races up and appears to be waiting to go to the outside of #1 **Autism Excellence**, #3 **Top Hat Tigress** then clips heels, bobbles and unseats Jockey **Roman**. #3 **Top Hat Tigress** was unhurt in the incident Jockey **Roman** walked away from the incident with track paramedics. He received x-rays of his wrist following the races. The Stewards spoke with two (2) jockeys after the race, received a patrol judge report and reviewed all camera angles of the incident.

In a unanimous decision #1 **Autism Excellence** was disqualified and declared unplaced. Jockey **William Antongeorgi III** was ordered to film review with the Stewards.

Original Order of finish 8-4-2-6-1-5-3 DNF
 Official Order of finish 8-4-2-6-5-3 DNF- 1 Unplaced

11/18/22⁷

DECLARATIONS, CHARGES & REFUNDS

1ST Race #5 **Cat Gamer** (Tr. **D. Wayne Baker**) Main Track Only – Stewards. Refund: \$262.28
 1ST Race Cancel \$1 Rolling Super High Five
 2ND Race #1 **The Ginger Queen (IRE)** (Tr. **Wong**) claimed – **V. Trujillo** – Void Lane – **Forest Franklin DVM**
 5TH Race #1 **Lookout Point** (Tr. **S. Knapp**) claimed – **V. Trujillo**, Trainer
 6TH Race Declarations #3 **Vandenberg** (Tr. **S. Ledezma**) Panel – Stewards
 7TH Race #7 **Plaisir** (Tr. **S. Sherman**) Unsound – **Karen Hassan DVM** Refund: \$27.00
 6TH Race Wagering Cancel \$1 Rolling Super High Five
 6TH Race #1 **Reservenotmet** (Tr. **B. Wright**) – claimed **J. Wong**, trainer
 8TH Race Declaration #7 **Lisa’s Valentine** (Tr. **E. Moger Jr.**) – Sick – **Casille Batten DVM**
 Refund: \$190.24

11/18/22⁸

DAILY ATTENDANCE & HANDLE

On track	290	\$146,630.20
Out of state	n/a	\$908,924.98
SCOTWinc	n/a	\$142,803.98
Total	290	\$1,535,012.40

Saturday
 11/19/22¹

ASSAEL ESPINOZA FILM REVIEW

Jockey **Assael Espinoza** appeared in the Stewards office to view his involvement in an incident (**REF: 11/18/22⁷**) in yesterday’s fourth race which was contested at Six Furlongs on the main (Tapeta) track. There was a Steward’s Inquiry with no change in the order of finish following this race.

Fifth place finisher #2 **Mister Midas (Kevin Radke)** steadied, from between horses inside the 1/16th mile marker. Jockey **Espinoza** was aboard second place finisher #6 **Doge of Venice**. This horse drifted out slightly in the later stages of the race and played a minor role in the Stewards Inquiry yesterday November 18. In a unanimous decision Jockey **Espinoza** was issued a warning.

11/19/22²

WILLIAM ANTONGEORGI III FILM REVIEW

Jockey **William Antongeorgi III** appeared in the Steward’s office to review his ride in the eighth Race yesterday (**REF: 11/18/22⁸**). Jockey **Antongeorgi** was aboard #1 **Autism Excellence**, who finished fifth and was disqualified and placed unplaced for interference approaching the 3/16 mile pole.

Today’s film review of yesterday’s (November 18) 5 ½ Furlong race shows #1 **Autism Excellence** drift out slightly entering the stretch. #3**Top Hat Tigress (Evin Roman)** closes

along the rail from mid pack. Jockey **Roman** placed his filly in tight quarters, clips heels and falls when #1 **Autism Excellence** drifts out slightly. The Stewards excused Jockey **Antongeorgi** from the informal hearing and deliberated. We unanimously ruled the Jockey **Antongeorgi** was not careless in his actions regardless of the fact that his horse being disqualified in unanimous decision he was excused without penalty.

11/19/22³

CATALINO MARTINEZ FILM REVIEW (REF: 11/18/22⁷)

Jockey **Catalino Martinez** appeared in the Stewards office to review his ride aboard #4 **In Honor of Autism**, who finished first in yesterday's fourth race. Today's film review shows Jockey **Martinez** racing to the lead, along the outside, in the final furlong of this race. Jockey **Martinez** uses his riding crop (right-hand) and drifts in making contact with fourth place finisher #3 **Jerry Jeff Walker (Santos Rivera)**. Fifth place finisher #2 **Master Midas (Kevin Radke)** steadied from between horses during this incident. Second place finisher #6 **Doge of Venice (Assael Espinoza)** was also somewhat responsible albeit on a lesser level.

This was a Steward's Inquiry, with no change in the order of finish in this race. In a majority Decision (**Baker** dissent- 3 day suspension) Jockey **Martinez** was issued a warning.

11/19/22⁴

MARGARET BARICEVIC HEARING (REF: 11/18/22¹)

Owner **Margaret M. Baricevic**, having failed to appear for a scheduled hearing before the Board of Stewards on November 18, 2022, is suspended effective November 26, 2022, 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 charges alleging violation of California Horse Racing Rule #1876 (Financial Responsibility).

During the term of the suspension, all licenses and license privileges of **Margaret M. Baricevic** 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 ruling above was issued after Owner **Margaret Baricevic** failed to appear yesterday November 18, 2022. November 3, 2022 was the original hearing date set for this matter. **Ms. Baricevic** requested that this matter be postponed, and the Stewards granted her a Fifteen (15) day continuance with November 18 as the new hearing date.

11/19/22⁵

GOOD RACING

Today's nine (9) race card went well as it was free of Steward's inquiries and/or jockey objection.

11/19/22⁶

DECLARATION, CHANGES AND REFUNDS

1ST Race Declaration #1 **Mergie Troid** (Tr. **G. Greiner**) Sick – **Jerry Parker DVM**
Refund: \$198.96

1ST Race Jockey Change #2 **A Dime for Me** K. Radke for E. Roman – Injured

1ST Race #3 **Get'em Tiger** (Tr. **J. Gilmour**) claimed, **R. France**, trainer

2ND Race #6 **Quiet Charm** (Tr. **M. Meier**) claimed, **S. Perez**, trainer

3RD Race Declaration #7 **Daredevil Princess** (Tr. **S. Specht**) Sick – **Casille Batten DVM**
Refund: \$317.49

3RD Race Wagering Cancel \$1 Rolling Super High Five

4TH Race #2 **Colormemoney** (Tr. **J. Steiner**) – Injured – **Karen Hassen DVM**
Refund: \$970.15

4TH Race #7 **Autism Blue** (Tr. **B. Wright**) claimed, **S. Calvario**, trainer

5TH Race #4 **Shotgun Express (IRE)** (Tr. **A. Mathis**) claimed, **V. Trujillo**, Trainer
#6 **Berolijean (FR)** (Tr. **A. Mathis**) claimed, **R. France**, Trainer

5TH Race Jockey Change #6 **Berolijean (FR)** **A. Ayuso** for **E. Roman** – Injured

6TH Race Jockey Change #3 **Get My Point W. Antongeorgi III** for **E. Roman** – Injured

7TH Race Jockey Change #3 **Always Seeking C. Herrera** for **E. Roman** – Injured

7TH Race #5 **Shezaghast** (Tr. **S. Sherman**) claimed, **S. Calvario**, trainer
 #8 **Madera Wine** (Tr. **T. McCanna**) claimed, **M. Badilla**, trainer
 8TH Race Declaration #6 **War Games** (Tr. **C. Delima**) – Sick – **Karen Hassen DVM**
 Refund: \$406.40
 9TH Race Declaration #6 **Unconscious Power** (Tr. **P. DeJesus**) – Injured- **Karen Hassen DVM**
 9TH Race **Royal Jester** (Tr. **E. Jackson**) – Sick – **Karen Hassen DVM** Refund: \$ 919.10
 9TH Race #4 **Tiz Vicious** (Tr. **G. Greiner**) claimed, **M. Ramirez** trainer
 #5 **Fly Buddy Fly** (Tr. **S. Miyadi**) claimed, **J. Wong** trainer
 #7 **Class Proof** (Tr. **J. Steiner**) claimed, **J. Wong** trainer. Voided – Unsound **Forest Franklin DVM**

11/19/22⁷

DAILY ATTENDANCE & HANDLE

On track	624	\$238,903.90
Out of state	n/a	\$1,428,261.50
SCOTWinc	n/a	\$345,831.28
Total	624	\$2,613,557.45

SUNDAY

11/20/22¹

LATE JOCKEY

Epifanio Garcia appeared in our office for an informal hearing this morning. Paddock Judge **Linda Anderson** reported Jockey **Garcia** late to the paddock for the Sixth Race on Friday November 18. **Mr. Garcia** failed to appear in our office yesterday (November 19) and told us he had a doctor’s appointment in San Francisco. Through an interpreter **Garcia** said he was “using the bathroom” when riders were called to the walking ring.

After respectfully delivering **Garcia** a ‘crash course’ in jockey pre-race protocol he was excused from our office with a warning.

11/20/22²

SMOOTH CARD

Today’s nine (9) race card went well as it was free of Stewards Inquiries and/or jockey Objections.

11/20/22³

DECLARATIONS, CHANGES AND REFUNDS

2ND Race Declaration #6 **Appreciated** (Tr. **D. O’Neill**) Unsound – **Karen Hassan DVM**
 Refund: \$328.02

3RD Race Jockey Change #5 **Barbarian C. Martinez** for **E. Roman** – Injured

4TH Race Declaration #5 **Awe** (Tr. **J. Bautista**) Unsound – **Dr. Hassen DVM**. Refund: \$141.45

4TH Race #2 **Four on the Cole** (Tr. **J. Thomas**) claimed, **J. Fuentes**, trainer

5TH Race #1 **Windribbon** (Tr. **B. Wright**) claimed, **I. Tamayo**, trainer

#8 **Mr. Mischief** (Tr. **S. Perez**) claimed, **S. Sherman**, trainer. Void- Lamé

6TH Race Jockey Change #3 **Autumn Work A. Espinoza** for **E. Roman** – Injured

7TH Race #3 **Arman Plate** (Tr. **S. Miyadi**) claimed, **J. Gilmour**, trainer

#12 **Holyjazz** (Tr. **J. Steiner**) claimed, **A. Tekos**, trainer

8TH Race Jockey Change #5 **Blazing Jamie J. Couton** for **E. Roman** – Injured

9TH Race Jockey Change #8 **I’m a Lucky Man B. Pena** for **E. Roman** - Injured

11/20/22⁴

DAILY ATTENDANCE & HANDLE

On track	620	\$242,563.20
Out of state	n/a	\$1,745,244.83
SCOTWinc	n/a	\$306,645.08
Total	620	\$2,758,922.32

SUMMARY

	Fri 11/18	Sat 11/19	Sun 11/20	Week	Meet
Accidents	0	1	1	2	3
Cal-Bred Races	0	0	0	0	0
Claims	0	2	4	6	43
Disqualifications	0	1	0	1	1
Inquiries	0	2	0	2	5
Refunds	2	6	2	10	100
Rulings	2	0	0	2	14
Voided Claims	1	0	1	2	8

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
18-Nov	6	3	Vandenberg	S. Ledezma	Panel	Unsound	See Below
18-Nov	6	7	Plaisir	S. Sherman	Unsound	Dr. Hassan	\$27.00
18-Nov	8	7	Lisa's Valentine	E. Moger Jr.	Sick	Dr. Batten	\$190.24
19-Nov	1	1	Mergie Troid	G. Greiner	Sick	Dr. Parker	\$198.96
19-Nov	3	7	Daredevil Princess	S. Specht	Sick	Dr. Batten	\$317.49
19-Nov	4	2	Colormemoney	J. Steiner	Injured	D. Hassan	\$970.15
19-Nov	8	6	War Games	C. DeLima	Sick	Dr. Hassan	\$406.40
19-Nov	9	6	Unconscious Power	P. DeJesus	Injured	Dr. Hassan	See Below
19-Nov	9	9	Royal Jester	E. Jackson	Sick	Dr. Hassen	\$919.10

Respectfully submitted,

Grant Baker, Steward

Dennis Nevin, Steward

Will Meyers, Steward