

## 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

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**Report for the Week of Wednesday, April 19, 2023, Through Sunday, April 23, 2023.****WEDNESDAY**4/19/23<sup>1</sup>**ENTRY DAY**

Racing Secretary **Steve Martinelli** and his staff were on duty today putting together a racing program for Saturday, April 22. A good card of nine (9) races was put together. Seventy – four (74) horses are scheduled to start. Steward **Richard Lewis** was on duty overseeing matters for the CHRB.

4/19/23<sup>2</sup>**POST TIME CHANGE**

Racing Secretary **Steve Martinelli** informed Duty Steward **Richard Lewis** that post time for Friday April 21, 2023, would now be 1:45 p.m. These races were drawn on Saturday April 15 and the post time on the overnight was listed as 1:15 p.m.

4/19/23<sup>3</sup>**ENTRY PANEL**

Steward **Richard Lewis** participated in the Entry Panel for the races on Friday April 21, 2023. Other participants were **Dr. Forrest Franklin**, **Dr. Tim Grande**, and **Dr. Dionne Benson**.

**THURSDAY**4/20/23<sup>1</sup>**RUTILIO MENDEZ – RIVAS COMPLAINTS (23GG0014 & 23GG027)**

A formal hearing was heard today in our office in front of Stewards' **Baker**, **Lewis** and **Nevin**. A hearing was originally scheduled for March 23, 2023 (REF: 3/23/23<sup>(3)</sup>) but groom **Mendez – Rivas** failed to appear and was subsequently suspended for doing so (REF: PRA Ruling #37 – March 24, 2023).

Along with the Stewards and **Mr. Mendez – Rivas**, present today were CHRB Supervising Investigator **Louis Quezada** and Assistant Chaplain **Rob Cochran**, who acted as an Interpreter/Representative at today's hearing. **Christine Niccoli** C.S.R. transcribed the proceedings. The cover page of the complaint packet that Investigator **Quezada** prepared and presented read as follows.

*While serving Groom **Rutilio Mendez – Rivas** with a hearing packet for a previous narcotic use/possession investigation (Case #23GG0014), Groom **Rutilio Mendez – Rivas** was again found to be in possession of marijuana and under the influence of both marijuana and methamphetamine. A Quest Diagnostics urine analysis verified that he was under the influence of both at the time of re-contact. Groom **Mendez – Rivas** has waived his 10-day notice on this case so that both matters can be heard at the same time.*

*The subject failed to appear on the two cases with Golden Gate Fields Board of Stewards issuing #PRTG037 dated March 24, 2023.*

**Mr. Mendez – Rivas** is currently living in the State of Washington and traveled here for today's hearing. He is currently unable to work at Emerald Downs, WA as officials in Washington have reciprocated by enforcing his current California Suspension.

Testimony was given by **Mr. Mendez – Rivas** in what was a lengthy formal hearing. Decision to follow.

4/20/23<sup>2</sup>

**JULIEN COUTON HEARING (CASE NO: 23GG0030)**

A formal hearing was scheduled today for Jockey **Julien Couton** for alleged violation of California Horse Racing Board Rule #1485 (a)(d) (License Subject to Conditions and Agreement) and Rule #1930 (Obedience to Security Officers and Public Safety Officers). The cover page of this complaint reads as follows.

*Jockey **Julien H. Couton** failed to submit to a urine drug test after his name was selected during a Random Jockey Testing. Jockey **Couton** is also on a signed test agreement and refused to submit a sample even after being ordered to do so by CHRB officials per the test agreement.*

Along with Stewards **Baker, Lewis** and **Nevin** present today were CHRB Investigator **Jerry Smith** and Court Reporter **Christine Niccoli**. The record was opened for this hearing chaired by Steward **Nevin**, and it was memorialized that Jockey **Couton** was not in attendance. More to follow.

**FRIDAY**  
4/21/23<sup>1</sup>

**POST TIME CHANGE**

Post time for today's first race has been altered to 1:45 p.m. When the racing office completed the overnight on Wednesday April 19, the first post time was listed as 1:15 p.m.

4/21/23<sup>2</sup>

**STEWARD LINEUP**

CHRB Chief Steward **Darrel McHargue** is the Safety Steward. **Richard Lewis** is filling in for Steward **Will Meyers** who is off this week (medical).

4/21/23<sup>3</sup>

**JULIEN COUTON RULING (REF: 4/20/23<sup>(2)</sup>)**

Jockey **Julien Couton** failed to appear for a hearing here yesterday at Golden Gate Fields. In a unanimous decision the following ruling was issued.

### **GGF RULING #48**

Jockey **JULIEN HUBERT COUTON** having failed to respond to written notice to appear before the Board of Stewards at Golden Gate Fields on April 20, 2023, 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 #1485 (a)&(d) (License Subject to Conditions and Agreements) and #1930 (Obedience to Security Officers and Public Safety Officers).

During the term of this suspension all licenses and license privileges of **JULIEN HUBERT COUTON** are suspended and pursuant to California Horse Racing Board Rule #1528 (Jurisdiction of Stewards) subject is denied access to all premises in this jurisdiction.

4/21/23<sup>4</sup>

#### **GOOD RACING**

Today's eight (8) race card went well as it was free of Stewards Inquiries and/or Jockey Objections.

4/21/23<sup>5</sup>

#### **DECLARATIONS, CHANGES & REFUNDS**

1<sup>ST</sup> Race Declaration #2 **Sparka (IRE)** (Tr. **M. Badilla**) Injured – **Casille Batten DVM**  
Refund: \$283.44

1<sup>ST</sup> Race Wagering Cancel \$1 Rolling Super High Five

3<sup>RD</sup> Race #5 **La Vikina** (Tr. **I. Tamayo**) claimed, **A. Mathis**, trainer

5<sup>TH</sup> Race #1 **Sync (J. Bonde)** claimed, **I. Tamayo**, trainer

5<sup>TH</sup> Race #6 **Safe Combination (R. France)** claimed, **E. Moger**, trainer

6<sup>TH</sup> Race Declaration # 6 **Mendham Mill** (Tr. **M. Badilla**) Sick – **Casille Batten DVM**  
Refund: \$191.74

6<sup>TH</sup> Race #5 **Hot Rageous** (Tr. **E. Moger Jr.**) claimed, **S. Calvario**, trainer

7<sup>TH</sup> Race Declaration #5 **A Dime for Me** (Tr. **J. Wong**) Sick – **Casille Batten DVM**  
Refund: \$445.17

8<sup>TH</sup> Race Declaration #4 **My Legal Bet** (Tr. **J. Thomas**) Sick – **Casille Batten DVM**  
Refund: \$526.19

4/21/23<sup>6</sup>

#### **DAILY ATTENDANCE & HANDLE**

On track	369	\$179,518.10
SCOTWinc	0,000	\$1,460,568.15
Out of state + ADW	N/A	\$181,009.18
Total	1,055	\$2,216,089.09

### **SATURDAY**

4/22/23<sup>1</sup>

#### **VOIDED CLAIM – RACE 1**

CHRB Veterinarian **Forrest Franklin** informed us that #6 **Hans Gruber** was unsound following the first race. We subsequently voided the claim, and this horse returned to the barn of his original trainer **Reid France**.

4/22/23<sup>2</sup>

#### **SMOOTH CARD**

Today's nine (9) race card went well as it was free of Stewards Inquires and/or Jockey Objections.

4/22/23<sup>3</sup>

#### **DECLARATIONS CHANGES & REFUNDS**

1<sup>ST</sup> Race Declaration #1 **Shangolden** (Tr. **I. Tamayo**) Sick – **Casille Batten DVM**  
Refund: \$291.65

1<sup>ST</sup> Race #4 **Sugar Beets** (Tr.**M. Meier**) claimed, **J. Steiner**, trainer  
 2<sup>ND</sup> Race #7 **Sparkle Sweetly** (Tr.D.W Baker) Sick – **Casille Batten DVM**  
 Refund: \$210.01  
 3<sup>RD</sup> Race Declarations #1 **My Man Stan** (Tr. **M. Ramirez**) Injured – **Karen Hassan DVM**  
 3<sup>RD</sup> Race #6 **Bobbed n Lured** (Tr. **M. Stortz**) Unsound – **Casille Batten DVM**  
 Refund Total: \$340.62  
 3<sup>RD</sup> Race **Never Has I Ever** (Tr, **J. Ramos**) claimed, **J. Wong**, trainer  
 4<sup>TH</sup> Race Declaration #4 **Rivendell** (Tr. **N. Drysdale**) Unsound – **Karen Hassan DVM**  
 Refund: \$279.05  
 7<sup>TH</sup> Race Declarations #2 **Agent Zero** (Tr. **M. Meier**) Sick – **Karen Hassan DVM**  
 7<sup>TH</sup> Race # 3 **Walking Boss** (Tr, **A. Ordonez**) Injured – **Mike Parker DVM**  
 Refund Total: \$336.83  
 7<sup>TH</sup> Race #5 **Luck is Golden** (Tr, **M. Meier**) claimed, **J. Wong**, trainer  
 7<sup>TH</sup> Race **Auspicious Style** (Tr. **R. France**) claimed, **J. Steiner**, trainer  
 8<sup>TH</sup> Race #7 **Roister** (Tr. **T. McCanna**) claimed, **R. France** trainer

4/22/23<sup>4</sup>

**DAILY ATTENDANCE & HANDLE**

On track	642	\$316,297.10
SCOTWinc	0,000	\$1,869,129.99
Out of state + ADW	N/A	\$307,079.17
Total	1,766	\$3,169,834.89

**SUNDAY**

4/23/23<sup>1</sup>

**RUTILIO MENDEZ-RIVAS RULING (REF: 4/20/23<sup>(1)</sup>)**

**GGF RULING #49**

Groom **RUTILIO MENDEZ – RIVAS**, having now appeared and a hearing being held, the license privileges of **RUTILIO MENDEZ – RIVAS** are restored to good standing and Pacific Racing Association Ruling number thirty-seven (37) issued March 24, 2023, is set aside.

Furthermore, Groom **RUTILIO MENDEZ – RIVAS** is hereby suspended thirty (30) days, April 24, 2023 through May 23, 2023, and placed on probation for the term of his license for violation of California Horse Racing Board Rule #1874 (Disorderly Conduct – Under the influence of Methamphetamine and Marijuana) and Rule #1890 (a) (Possession of Contraband – Marijuana).

The conditions of probation are that **Mr. MENDEZ – RIVAS** must complete an in-house rehabilitation program acceptable to the Board of Stewards, sign a contract with the Winners Foundation and sign a testing agreement with the California Horse Racing Board. Failure to comply with the terms of probation will be grounds for action against **Mr. MENDEZ – RIVAS'** license privileges.

During the term of suspension all licenses and license privileges of **RUTILIO MENDEZ – RIVAS** are suspended and pursuant to California Horse Racing Board Rule #1528 (Jurisdiction of Stewards) he is denied access to all premises in this jurisdiction.

The ruling above was issued today, in what was a unanimous decision CHRB **Noe Longoria** explained the details of the ruling to Groom **Mendez- Rivas** in the Spanish language.

**Ms. Jody Peetz**, who is a horse owner in the State of Washington, called the **Stewards** and told us she paid for an airline ticket for **Mr. Mendez-Rivas** to fly from Washington State to Oakland to appear for his hearing here on April 20.

At the formal hearing last week Groom **Mendez – Rivas** told us he has been using marijuana for the last thirty-three (33) years. He said he started smoking it at the age of five (5) in his

native country of El Salvador. He told us his methamphetamine use is rare and his longest time without marijuana in the last thirty-three (33) years, is six (6) days. He also stated that he sends some money to his mother in his native country every month.

The Stewards spoke to **Darrin Scharer** of the Winners' Foundation. He said his organization will try to Assist **Mr. Mendez-Rivas** with his rehabilitation efforts as much as possible.

4/23/23<sup>2</sup>

**POST TIME CHANGE**

Post time for today's first race is 1:45 p.m.

4/23/23<sup>3</sup>

**VOIDED CLAIM – RACE 8**

CHRB Veterinarian **Forrest Franklin** informed the Stewards that #9 **Zabava** was declared lame following her 4<sup>TH</sup> place finish. This \$8,000 claim is now void and this mare returns to trainer **Samuel Calvario**.

4/23/23<sup>4</sup>

**DECLARATIONS, CHANGES & REFUNDS**

6<sup>TH</sup> Race Declaration #4 **Stay Lit** (Tr. **T. Johnson**) Sick – **Mike Parker DVM**

Refund: \$127.75

7<sup>TH</sup> Race Declaration #4 **I'm a Lucky Man** (Tr. **J. Thomas**) Sick – **Casille Batten DVM**

Refund: \$309.60

8<sup>TH</sup> Race Declarations #1 **Can'thelpfallin (IRE)** (Tr. **R. France**) Injured – **Casille Batten DVM**

8<sup>TH</sup> Race Declarations #3 **Team Concept** (Tr. **S. Paldanius**) Unsound – **Karen Hassan DVM**

8<sup>TH</sup> Race Declarations #5 **Class Code** (Tr. **D. Franko**) Re-enter – **Stewards**

Refund Total: \$635.30

9<sup>TH</sup> Race Declaration #3 **Brazenly** (Tr. **D. Azcarate**) Sick – **Casille Batten DVM**

Refund: \$138.70

4/23/23<sup>5</sup>

**DAILY ATTENDANCE & HANDLE**

On track	670	\$251,864.18
SCOTWinc	0,000	\$2,036,590.59
Out of state + ADW	N/A	\$345,954.12
Total	1,549	\$3,135,698.99

**SUMMARY**

	Wed 4/19	Thurs 4/20	Fri 4/21	Sat 4/22	Sun 4/23	Week	Meet
<b>Accidents</b>	0	0	0	0	0	0	3
<b>Cal-Bred Races</b>	0	0	0	0	0	0	0
<b>Claims</b>	0	0	4	6	0	10	149
<b>Disqualifications</b>	0	0	0	0	0	0	3
<b>Inquiries</b>	0	0	0	0	0	0	10
<b>Refunds</b>	0	0	4	7	6	17	199
<b>Rulings</b>	0	0	1	0	1	2	45
<b>Voided Claims</b>	0	0	0	0	1	1	29

## **VETERINARIAN RECOMMENDED SCRATCHES**

<b>Date</b>	<b>Race</b>	<b>No.</b>	<b>Horse</b>	<b>Trainer</b>	<b>Reason</b>	<b>Vet</b>	<b>Refund</b>
21-Apr	1	2	Sparka (IRE)	M. Badilla	Injured	Batten	\$283.44
21-Apr	6	6	Mendham Mill	M. Badilla	Sick	Batten	\$191.74
21-Apr	7	5	A Dime for Me	J. Wong	Sick	Batten	\$445.17
21-Apr	8	4	My Legal Bet	J. Thomas	Sick	Batten	\$526.19
22-Apr	1	1	Shanagolden	I.Tamayo	Sick	Batten	\$291.65
22-Apr	2	7	Sparkle Sweetly	D.W. Baker	Sick	Batten	\$210.01
22-Apr	3	1	My Man Stan	M. Ramirez	Injured	Hassan	See Below
22-Apr	3	6	Bobbed n Lured	M. Stortz	Unsound	Batten	\$340.62
22-Apr	4	4	Rivendell	N. Drysdale	Unsound	Hassan	\$279.05
22-Apr	7	2	Agent Zero	M. Meier	Sick	Hassan	See Below
22-Apr	7	3	Walking Boss	A.Ordonez	Injured	Parker	\$336.83
23-Apr	6	4	Stay Lit	T.Johnson	Sick	Parker	\$1.00
23-Apr	7	4	I'm a Lucky Man	J.Thomas	Sick	Batten	\$309.60
23-Apr	8	1	Can'thelpfallin(IRE)	R. France	Injured	Batten	See Below
23-Apr	8	3	Team Concept	S. Paldanius	Unsound	Hassan	See Below
23-Apr	8	5	Class Code	D. Franko	Re-Enter	Stewards	\$635.30
23-Apr	9	3	Brazenly	D. Azcarate	Sick	Batten	\$138.70

Respectfully submitted,

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Grant Baker, Steward

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Dennis Nevin, Steward

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Richard Lewis, Steward

BOS:GB:lw