

CALIFORNIA HORSE RACING BOARD

**1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825**



**REPORT OF THE BOARD OF STEWARDS
BETFAIR HOLLYWOOD RACING ASSOCIATION**

Hollywood Park

To the California Horse Racing Board

Honorable Edmund G. Brown Jr., Governor
Honorable Keith Brackpool, Chairman
Honorable David Israel, Vice-Chairman
Honorable Steve Beneto, Member
Honorable Jesse H. Choper, Member
Honorable Bo Derek, Member
Honorable Richard A. Rosenberg, Member
Honorable Chuck Winner, Member
Kirk E. Breed, Executive Director
Jacqueline Wagner, Assistant Executive Director

WEEK 6-Sunday, December 9, 2012 - Sunday, December 16, 2012

SUNDAY

12/09/12¹

A.M. DECLARATIONS

3rd race - #6 Run n' On Residuals (Veterinarian-unsound) refund of \$418.30
9th race - #2 Tribal Customs (Stakes) refund of \$192.60

12/09/12²

FORMAL HEARING

Jockey Victor Carrero was in the office this morning responding to a complaint filed against by the Board alleging violation of California Horse Racing board #1874 (Disorderly Conduct) in that he struck jockey agent Derek Lawson in the back with his whip after verbally accosting Lawson over a "call".

Mr. Lawson was called as a witness and testified that Carrero approached him as he stood outside of the Racing Office, yelling that Lawson was "messing with his business". Apparently, Carrero thought Lawson "submarined" him out of a mount he thought he had the "call" on. Lawson said Carrero raised his whip and struck him across the small of his back twice, knocking him to the ground. Carrero then left scene before Lawson could defend himself.

Assistant Racing Secretary Daniel Edison, a witness to the incident, testified as to his recollection of the incident and corroborated Lawson's account.

Respondent Carrero did not deny his part, stating on numerous occasions that he was sorry for his actions. Winners Foundation executive director Bob Fletcher, who accompanied Carrero, testified that the rider had been seeing a therapist for anger management problems earlier in the year, but did not maintain the relationship when he left to ride the northern California fair circuit this past summer. Since the incident, however he has spoken with her on several occasions and will physically meet with her starting this coming week. He said that while the rider is a work in progress he has seen some sign of improvement lately. The matter will be taken under advisement and a decision will be rendered shortly.

12/09/12³

MEDICATION HEARING

Trainer Paul Aguirre testified telephonically in regard to a complaint filed against him when a horse of his came back with an elevated level of Phenylbutazone following a workout for removal from the Veterinarian's list. Mr. Aguirre had an explanation for the finding, stating that a double administration took place due to miscommunication. His veterinarian administered an injection while the barn help gave the horse an oral dose. The resulting findings, 3.89ug/ml, were above the allowable limit of 2.0ug/ml permitted by rule. Since Mr. Aguirre had not had a Phenylbutazone overage since 7-3-2009, he was eligible for a warning.

12/09/12⁴

All matters during the course of the racing program were routine.

12/09/12⁵

DAILY ATTENDANCE & HANDLE

On track	2,948	\$938,179.10
Satellites	6,613	\$2,395,761.40
ADW	n/a	\$1,224,470.60
Out of State	n/a	\$3,973,607.29
Total	9,561	\$8,532,018.39

THURSDAY

12/13/12¹

A.M. DECLARATIONS

3rd - #4 Suances Vixen (Veterinarian-injured) refund of \$1,158.61

5th - #6 Stacy's Hope (main track only) refund of \$1,160.98

6th - #7 Until You (Veterinarian-unsound) refund \$704.80

8th - #10 Achak (Veterinarian-injured) refund \$663.75

12/13/12²

RIDER EXCUSED

Jockey Garrett Gomez was excused from his mounts this afternoon due to illness. Replacement riders were announced.

12/13/12³

MOTION TO COMPEL CONFERENCE

The Stewards held a telephonic meeting with Supervising Deputy Attorney General Jerald Mosley, representing the State, and Darrell Vienna, representing trainer Carla Gaines and owner John Harris, with respect to a decision to compel numerous items of discovery. After discussion, it was ordered that the State turn over the disputed items of discovery on January 11, 2013. On January 18 the two parties will exchange their respective witness lists, and on January 24 we will hold a final pre-hearing conference. Additionally, the subject of mediation was broached. Mr. Vienna seemed amenable to that scenario but Mr. Mosley indicated that he would have to check with the orders before agreeing to mediation. Should that avenue fail, the actual hearing would take place on February 4, 2013.

12/13/12⁴

RULING HRTH #016

Trainer **JOHN SADLER** is fined **TWO HUNDRED DOLLARS (\$200.00)** for violation of California Horse Racing Board rules #1852 (Reporting to Receiving Barn) and #1894 (Duties of Trainer) with the horse "Mentalize" in the ninth race at Betfair Hollywood Park on November 22, 2012.

This ruling was issued after Mr. Sadler accepted responsibility for being late to the Receiving Barn with his horse "Mentalize" on November 22, 2012.

12/13/12⁵

VIDEO REVIEW

Tyler Baze was in the office this morning to review the sixth race from Sunday, during which his mount was responsible for interference in the upper stretch.

After review, it was determined by majority vote (Mr. Chaney strongly dissenting) to issue a warning for the transgression.

Aaron Gryder was also in the office to review the eighth race during which his mount caused a minor interference entering the stretch. Mr. Gryder admitted he could have waited a couple of more strides before filling the hole. He received a warning.

12/13/12⁶

MINUS POOL

A minus pool of \$5,126.61 was created in the first race when #4 Curly Top, the odds on favorite at 4-5, finished in the Place Position.

12/13/12⁷

DAILY ATTENDANCE & HANDLE

On track	2,047	\$483,217.30
Satellites	3,982	\$1,319,424.50
ADW	n/a	\$549,585.60
Out of State	n/a	\$2,607,524.61
Total	6,029	\$4,959,752.01

FRIDAY

12/14/12¹

A.M. DECLARATIONS

3rd race – #9 Catcanscat (Veterinarian-injured) refund of \$809.44

4th race - #1 Richiesgirlgotsoul (Veterinarian-injured) refund of \$333.60

5th race – #7 Xuang Feng (Veterinarian-sick) refund of \$363.33

8th race – #1 Queenie Marini (Veterinarian-injured)

#9 Rossi Reserve (Veterinarian-sick) refund of \$3,755.94

12/14/12²

RIDERS EXCUSED

Garrett Gomez, still suffering the effects of a lingering illness, was once again excused from his mounts this afternoon. Replacement riders will be announced. Jockey Juan Hernandez was also excused due to illness, with replacement riders being named.

12/14/12³

BACKSTRETCH INCIDENT

Owner Jose Gonzalez was in the office this morning in response to a complaint filed against him for disorderly conduct. The complaint alleged that Mr. Gonzalez punched Ruben Gomez following a verbal confrontation over hay. Allegedly, Gomez admonished Gonzalez for taking flakes of hay. Gonzalez admitted taking the hay, but said he saw that one of Gomez's horses had no feed in the stall so he threw a flake to the horse. He further said he had no recollection of hitting Gomez. Gonzalez produced a witness, trainer Frank Martin, Jr., who said he observed the incident but did not see any punches thrown.

Trainer Ruben Gomez testified that there were indeed punches thrown and he was the recipient of them. He said that he confronted Gonzalez and told him to stop feeding his horses. At that point Gonzalez punched him. Gomez was not hurt as he was wearing both helmet and a vest. He then grabbed Gonzalez and pushed him to the ground. After taking all testimony into account the stewards issued the following ruling:

HRT# #017

Owner **JOSE GONZALEZ** is fined **ONE HUNDRED DOLLARS (\$100.00)*** for violation of California Horse Racing Board rule #1874 (Disorderly Conduct-fighting in stable area).

12/14/12⁴

All matters during the course of the racing program were routine.

12/14/12⁵**DAILY ATTENDANCE & HANDLE**

On track	2,005	\$522,852.50
Satellites	4,403	\$1,519,510.60
ADW	n/a	\$667,919.30
Out of State	n/a	\$3,041,702.93
Total	6,428	\$5,751,985.33

SATURDAY12/15/12¹**A.M. DECLARATIONS**

2nd race - #13 Mentalize (Also Eligible)
 #14 Quite Cosmetic (Also Eligible)
 #15 Whilly Pink (Also Eligible)
 #16 Crazy Cozy (Also Eligible) refund of \$699.49
 8th race - #2 Kochees (Veterinarian-sick)
 #5 Hard Play (Veterinarian-sick) see minute entry of 12-15-12⁶
 10th race - #15 Cold Bay (Also Eligible)
 #16 (Run Charlie Run) see minute entry of 12-15-12⁷

12/15/12²**FINANCIAL SETTLED**

A long standing, acrimonious financial dispute between Barbara Kelly and her former trainer, Leonard Powell, was settled this morning following a meeting between the two and Safety Steward Luis Jauregui, who sat in as a mediator. The original bill, in the neighborhood of \$58,000.00 was settled for a total of \$39,000.00.

12/15/12³**RULING HRTH #018**

Jockey **VICTOR CARRERO** is suspended for **THIRTY (30) DAYS (through January 13, 2013)** for violation of California Horse Racing Board rule #1874 (Disorderly Conduct-hitting licensee with whip). Before reinstatement, Mr. Carrero is also required to sign a testing agreement with the California Horse Racing Board, enter into a contract with the Winners' Foundation, attend anger management classes and participate in a fitness for license hearing.

The foregoing ruling was issued in order to finalize the complaint against the rider for disorderly conduct.

12/15/12⁴**ACCIDENT/INQUIRY/NO CHANGE**

The inquiry sign was posted after the running of the first race to review the circumstances which resulted in jockey Tyler Baze, aboard #2 Rock U Up, to be unseated from his mount just after the break. After speaking with Starter Gary Brinson and reviewing video of the start the stewards unanimously voted to make no change to the original order of finish. Video review showed that both stifles on the horse "locked up" in the third stride, causing it to lose its action in the hind end. This caused Mr. Baze to lose his balance and fall. Neither horse nor rider suffered ill effects from the incident. See attached accident report.

12/15/12⁵**LATE DECLARATION/REFUND**

Official Veterinarian Tim Grande called as horses were entering the gate for the third race to inform us that the horses were leaving the Receiving Barn to come over for the fourth race, #3 Eblouissante, a half sister to the great Zenyatta, hit her hip leaving her stall and took off a bit of hide. She was therefore scratched. The resulting refund amounted to \$62,066.96.

12/15/12⁶**REFUND**

A refund was ordered in the eighth race as #10 Footbridge became fractious in the starting gate and injured itself, prompting Racing Veterinarian Stead to recommend that the horse be declared. The refund came to a total of \$76,709.40

12/15/12⁷

REFUND

The Stewards ordered a refund in the tenth race as #1 Riversmith was extremely fractious during the attempted saddling procedure, to a point that it became dangerous for those putting the tack on it. The Stewards ordered the horse scratched in the interest of safety. The refund totaled \$9,508.76.

12/15/12⁸

DAILY ATTENDANCE & HANDLE

On track	7,186	\$1,513,749.70
Satellites	7,243	\$2,895,325.30
ADW	n/a	\$1,469,513.60
Out of State	n/a	\$6,137,916.76
Total	14,429	\$12,016,505.36

SUNDAY

12/16/12¹

A.M. DECLARATIONS

5th race - #2 Sahara Sky (main track only)

#3 Mile High Magic (main track only) refund of \$1,237.41

6th race - #13 Half Moon Gambler (also eligible)

#14 Julio's Gold (also eligible) refund of \$6,560.50

7th race - #6 Bitt A Heat (Veterinarian-sick) refund of \$355.00

8th race - #3 Sammy's A Runnin (Veterinarian-sick) refund of \$233.40

12/16/12²

INFORMAL HEARING

Jockey Mario Gutierrez was in the office this morning to review the ninth race from Saturday, during which he permitted his mount, on two occasions, to drift and cause interference to other runners. While neither incident was serious enough for a sanction, Mr. Gutierrez was cautioned to make a better effort in order to prevent interference.

12/16/12³

DAILY ATTENDANCE & HANDLE

On track	3,514	\$1,056,928.10
Satellites	6,923	\$2,635,137.90
ADW	n/a	\$1,406,255.50
Out of State	n/a	\$5,008,000.07
Total	10,437	\$10,106,321.57

W E E K L Y S U M M A R Y

ATTENDANCE REPORT - The full Board of Stewards was in session each day during this reporting period for both morning business and the afternoon racing program.

VETERINARIAN REPORT - WEEK OF 12/10/12-12/16/12

Horses on Vet List	17
Horses off Vet List	7
Shock Wave Therapy	11
Deceased	0
Medication	7

SUMMARY

	Sun 12/12	Thur 12/13	Fri 12/14	Sat 12/15	Sun 12/16	Week	Meet
Inquiries	0	0	0	1	0	1	10
Disqualifications	0	0	0	0	0	0	0
Rulings	0	1	1	1	0	3	18
Refunds	2	4	4	6	4	20	136
Accidents	0	0	0	1	0	1	6
Claims	4	5	0	1	0	10	55
Cal-Bred Races	2	2	0	0	2	6	34

Respectfully submitted,

Tom Ward, Steward

C. Scott Chaney, Steward

Kim Sawyer, Steward

Luis Jauregui, Safety Steward