

CALIFORNIA HORSE RACING BOARD

1010 HURLEY WAY, SUITE 300

SACRAMENTO, CA 95825



REPORT OF THE BOARD OF STEWARDS

OAK TREE RACING ASSOCIATION

AT

HOLLYWOOD PARK

To the California Horse Racing Board

Honorable Arnold Schwarzenegger, Governor

Honorable Keith Brackpool, Chairman

Honorable David Israel, Vice-Chairman

Honorable Jesse H. Choper, Member

Honorable Bo Derek, Member

Honorable John C. Harris, Member

Honorable Jerome S. Moss, Member

Honorable Richard Rosenberg, Member

Kirk E. Breed, Executive Director

Richard Bon Smith, Assistant Executive Director

For the period: Thursday September 30, 2010 through Sunday October 31, 2010

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WEEK 2-OCTOBER 3, 2010-OCTOBER 10, 2010

SUNDAY

10/03/10¹

STEWARD REPLACEMENT

Safety Steward Luis Jauregui replaced Steward Scott Chaney on Wednesday and Thursday

10/03/10²

FINANCIAL HEARING CASE #10DM031

This complaint was filed by trainer Gus Headley involving a possible violation of CHRB rule 1876 (Financial Responsibility). In attendance were respondents-owners Ken Feher, Al Mizrahie, Dennis Alfieri, while owner Mary DiPietro was unavailable. Mariann Mizrahie sat in as an observer. Attorney Suzanne Porrazzo was available and represented the complainant.

Copies of training bills for the last three months were made available, distributed to the owners and the value of the three horses involved were discussed. The hearing was continued and will be rescheduled after the appropriate time for this information to be assessed by all parties involved.

10/03/10³

CHITRAKAR HEARING CASE #10DM032

April Chitraker DVM reported to the Stewards' office for a formal hearing (requested by respondent) involving a possible violation of CHRB rule 1842 (Veterinarian Report). The complaint alleged that Dr. Chitrakar had inadequately included a treatment on her confidentials that she ultimately didn't perform. Representing the CHRB was Senior Special Investigator Jim Hamilton, also in attendance was Safety Steward Luis Jauregui. The hearing was recorded by Court Reporter Barbara Weinstein. The respondent was sworn in, and testimony was heard. It was in the Steward's opinion that this being Dr. Chitrakars' first offense in accordance with rule 1842 that an official warning was the appropriate penalty.

10/03/10⁴

JAUREGUI SETTLEMENT CASE #10DM008

This financial complaint was filed by Amy Nevens DVM against trainer Osbaldo "OJ" Jauregui with a notice of entry of judgment from the Pomona Court House (small claims case no: POM 10S00615) in the amount of \$1,359.20, court cost included. A financial agreement was signed by both parties and the complaint was withdrawn.

10/03/10⁵

QUINONEZ RULING

The following ruling was issued after Mr. Quinonez rode more than one designated race in California while under suspension.

OTTH #004

Jockey **ALONSO QUINONEZ**, who participated in more than one designated race on October 2, 2010, is suspended for on additional day (October 16, 2010) pursuant to California Horse Racing Board rule #1766 (F)(Designated Races).

10/03/10⁶

DECLARATIONS, CHANGES AND REFUNDS

1st race - #5 Yacht Spotter (Tr. J. Carava) claimed by Tr. J. Metz
Refund \$744.94

2nd race - #1 Subtle Greek (Tr. T.R. Bell) Veterinarian-sick-Dr. Stead
#7 Princess Beau K (Tr. P. Eurton) Steward-medication
Refund \$2,590.18

4th race - #6 Usurp (Tr. J. Carava) claimed by Tr. M. Machowsky

6th race - #10 Plum Pretty (Tr. B. Baffert) Veterinarian-injured-Dr. Bailey
Refund \$1,338.32

7th race – No Changes; Refund \$21.00; Minus Pool \$368.82

9th race - #6 Miss Lulu Justice (Tr. Carl O'Callaghan) Veterinarian-sick-Dr. Stead
Refund \$355.80

10/03/10⁷

DAILY ATTENDANCE & HANDLE

On track	5,047	1,114,522.40
Satellites	6,904	2,404,459.40
TVG/Xpress/Youbet	n/a	1,126,278.10
Out –of-State	n/a	3,453,447.97
Total	11,951	8,098,707.87

WEDNESDAY

10/06/10¹

BROKKEN RULING

OTTH #005

Veterinarian **TODD BROKKEN, DVM** is fined **FIVE HUNDRED DOLLARS (\$500.00)*** for violation of California Horse Racing Board rule #1844 (Authorized Medication-double treatment).

This ruling was issued after practicing veterinarian Todd Brokken admitted he mistakenly treated a horse that had already been medicated to race.

10/06/10²

MILLER HEARINGS CASE #10DM034 AND 10DM035

These two cases were conducted formally and recorded by Court Reporter Barbara Weinstein.

The first was a complaint filed against trainer Peter Miller by Official Veterinarian Jill Bailey, alleging violations of CHRB rules 1874 (Disorderly Conduct) 1854 (Exclusion From Receiving and Detention Barn), and 1930 (Obedience to Security Officers and Public Safety Officers). This case involved allegations of Mr. Miller bringing an alcoholic beverage into the Receiving Barn and becoming uncooperative when directed to leave. Senior Supervising Investigator Jim Hamilton representing the CHRB presented the case and Official Veterinarian Jill Bailey was available for testimony. All parties were sworn in, testimony was heard and the hearing was closed. Decision to follow.

The second case involved a possible violation of CHRB rule 1437 (Conditions of a Race Meeting). This case concerned a Del Mar Turf Club turf shoe policy. Mr. Miller's horse had worked on the turf course in the AM, and it was later discovered the horse had toe grabs on his hind shoes. Mr. Miller stated he had just claimed the horse in question and had checked the front shoes but not the hind shoes prior to the workout. All testimony will be taken into consideration and a decision will follow.

10/06/10³

MILLER HEARING CASE #10OT002

A complaint was filed by Official Veterinarian Jill Bailey for a possible violation CHRB rule 1852 (Reporting to Receiving Barn) and 1894 (Duties of Trainer) against trainer Peter Miller for being late to the Receiving Barn with one of his runners. Mr. Miller was issued a formal warning when the printout of licensee's license history attached to the complaint provided information that was ambiguous regarding a similar violation.

10/06/10⁴

WINICK SETTLEMENT CASE #10PM006

This financial complaint was filed by Amy Nevens DVM against trainer Debbie Winick with a notice of entry of judgment from the Pomona Court House (small claims case no. POM 10S00846) in the amount of \$1,715.22, court cost included. A financial agreement was signed by both parties and the complaint was withdrawn.

10/06/10⁵

RACE DELAY AND CARD CANCELLATION

Due to a torrential downpour of rain this AM the post time for the first race was delayed thirty minutes in order for track maintenance to make sure the cushion surface was in order. Representatives from the jockey colony which included Corey Nakatani, Joe Talamo, Mike Smith and David Flores went to an area on the track across from both gaps near the half mile marker and again near the five eighths pole to inspect the surface. The water run off from the stable area was channeled down the gaps and washed across the track at these two locations. The jockey colony unanimously agreed that the track at this time was unsafe for racing. All departments were notified at 1:45 PM that a cancellation had occurred.

10/06/10⁶

DECLARATIONS, CHANGES AND REFUNDS

1st race - #6 Opinionated (Tr. E. Kruljac) Veterinarian-sick-Dr. Stead
Refund \$115,791.64
2nd race – No Changes; Refund \$16,799.52
3rd race – No Changes; Refund \$38,754.04
4th race – No Changes; Refund \$20,344.42
5th race - OFF TURF; Refund \$70,979.38
6th race – No Changes; Refund \$23,564.62
7th race - OFF TURF
#2 La Nez (Tr. E. Kruljac) Steward-off turf
#6 Sweet Sophia (Tr. G. Mandella) Steward-off turf
Refund \$18,598.84
8th race - #6 Format V. (Tr.V. Cerin) Steward-track condition
Refund \$25,348.66

THURSDAY

10/07/10¹

JENSEN RULING

OTTH #006

Owner **ERIC JENSEN**, having satisfied the provisions of California Horse Racing Board rule #1876 (Financial Responsibility), is restored to good standing. Ruling #91, issued at Los Angeles Turf Club on April 18, 2010, is set aside.

The above ruling was issued after verification that trainer Kathy Walsh had received all monies owed.

10/07/10²

WARNING ISSUED CASE #10DM035 (ref. 10/06/10²)

The Stewards felt an official warning was the proper penalty for the violation of rule 1437, which involved toe grabs on the turf course. This was trainer Peter Miller's first offense of this nature.

10/07/10³

MILLER RULING CASE #10DM034 (ref. 10/06/10²)

OTTH #007

Trainer **PETER MILLER** is fined **TWO HUNDRED DOLLARS (\$200.00)*** for violation of California Horse Racing Board rule #1854 (Exclusion From Receiving and Detention Barn) at Del Mar Thoroughbred Club on August 27, 2010.

This ruling was issued for Mr. Miller's presence in the test barn without having a horse in that location.

10/07/10⁴

GOOD RACING

The afternoon card was conducted without notable mishaps.

10/07/10⁵

DECLARATIONS, CHANGES AND REFUNDS

3rd race - #1 Skellytown (Tr. M. Mitchell) claimed by Tr. L. Espinosa

Refund \$142.99; Minus Pool \$970.82

4th race - #4 Cruzin Topless (Tr. J. Carava) claimed by Tr. A.C. Avila

#5 Cash Queen Anna (Tr. P. Gallagher) claimed by Tr. M. Conlon

Refund \$305.97

5th race - OFF TURF

#5Dextera (GER) (Tr. R.B. Hess) Steward-off turf

#7 Tequila Tonight (Tr. N. Drsysdale) Veterinarian-injured-Dr. Stead

#8 Powerofvoodoo (Tr. B. Abrams) Steward-off turf

#9 Beautiful American (Tr.W.E. Morey) claimed by J. Hollendorfer

Refund \$2,844.82; Minus Pool \$.10

6th race - #1 May Day Rose (Tr. B. Baffert) Veterinarian-sick Dr. Bailey

NO SHOW WAGERING

Refund \$1,316.00; Minus Pool \$1,538.38

7th race - OFF TURF

#2 Otto Von Voom (Tr. J. Hollendorfer) Steward- off turf

#6 Keen Bidder (GB) Steward-off turf

#8 Face And An Ace (Tr. J. P. Gonzalez) Steward-off turf

Refund \$1,718.48

10/07/10⁶

DAILY ATTENDANCE & HANDLE

On track	2,172	498,988.20
Satellites	4,264	1,314,400.30
TVG/Xpress/Youbet	n/a	466,495.30
Out -of-State	n/a	1,957,494.69
Total	6,436	4,237,378.49

FRIDAY

10/08/10¹

ROUTINE MATTERS

Normal business was carried out in the Stewards' office before post time.

10/08/10²

EVENING RACES

Friday night racing was performed without notable incident.

10/08/10³

DECLARATIONS, CHANGES AND REFUNDS

1st race - No Changes; Refund \$66.00

2nd race - #2 Fitz The Cat (Tr. J. Sadler) claimed by Tr. J. Carava

#6 Warren's Payday (Tr. R. Troeger) Veterinarian-unsound-Dr. Bailey

Refund \$429.58; Minus Pool \$.10

3rd race - No Changes; Refund \$30.00

4th race - No Changes; Refund \$63.00

5th race - #1 Spectacular Slew (Tr. B. Baffert) Veterinarian-sick-Dr. Stead

#7 Via Verde (Tr. J. Sadler) jockey Martin Garcia replaced J. Contreras (injured)
 #11 Southern Victory (Tr. M. Pender) Veterinarian-sick-Dr. Stead
 Refund \$887.70
 6th race - #8 De Car Guy (Tr.J. Carava) claimed by R.B. Hess Jr.
 Refund \$20.00
 7th race - #1 Trumpet Player Jay (Tr. M. Glatt) jockey B. Blanc replaced J. Talamo
 (unavailable)
 #4 Cape Truth (Tr. J. Lloyd) jockey C. Nakatani replaced P. Valenzuela
 (unavailable)
 #6 Ryehill Dreamer (IRE) (Tr. J. Canani) first time gelding, announced when
 wagering opened
 Refund \$22.00
 8th race - #4 Pretty Kinzie (Tr. T. West) jockey B. Blanc replaced M. Pedroza (injured)
 #9 Our Bellini Bikini (Tr. D. O'Neill) Veterinarian-sick-Dr. Stead
 Refund \$323.10

10/08/10⁴

DAILY ATTENDANCE & HANDLE

On track	4,368	606,021.00
Satellites	5,194	1,438,617.20
TVG/Xpress/Youbet	n/a	761,228.50
Out –of-State	n/a	2,075,966.66
Total	9,562	4,881,833.36

SATURDAY

10/09/10¹

ZUCKER FORMAL HEARING CASE #10DM020

This case involved an alleged violation of CHRB rules 1843 (a) (d) (Medication, Drugs and Other Substances) and 1887 (Trainer to Insure Condition of Horse). Barbara Weinstein recorded the hearing, Senior Special Investigator Jim Hamilton represented the CHRB and trainer Howard Zucker was present without representation. The respondent was sworn in, he testified that the horse in question had mistakenly received a double dose of the medication (Methocarbamol). The hearing was closed and the following ruling was issued:

OTTH #008

Trainer **HOWARD ZUCKER**, who started the horse “Maui Mark” in the second race at Del Mar Thoroughbred Club on July 29, 2010, is fined **FIVE HUNDRED DOLLARS (\$500.00)*** pursuant to California Horse Racing Board rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule #1843 (a)(d)(Medication, Drugs and Other Substances-Methocarbamol).

10/09/10²

GONZALEZ RULING

Apprentice jockey **ALEX GONZALEZ**, having provided medical documentation of a racing injury which rendered him unable to ride for a period of fifty seven (57) days, is granted an extension of his apprenticeship for a like period with his apprenticeship now ending on December 27, 2010.

The above ruling was issued after Mr. Gonzalez presented the proper documentation.

10/09/10³

SMOOTH SAILING

The nine race afternoon card was run without a ripple.

10/09/10⁴

DECLARATIONS, CHANGES AND REFUNDS

- 1st race - #2 Greely's Ghost (Tr. C. Gaines) claimed by Tr. S. Knapp
Refund \$171.00
- 2nd race - #3 One More Palo (Tr. S. Gonzalez) Veterinarian-sick-Dr. Stead
Refund \$434.28; Minus Pool \$222.51
- 3rd race - #5 Dreamy Kid (Tr. N. Drysdale) Veterinarian-sick-Dr. Stead
Refund \$492.10
- 4th race – No Changes; Refund \$778.00; Minus Pool \$3,679.62
- 5th race - #5 Sidney's Candy (Tr. J. Sadler) Steward-stake
Refund \$5,405.40
- 6th race - #2 River's Chapel (Tr. W. Solis) Veterinarian-unsound-Dr. Bailey
Refund \$397.90
- 7th race – No Changes; Refund \$23.00
- 8th race - #3 Truest Legend (Tr. B. Koriner) Steward-stake. Refund \$360.
- 9th race - #5 The Unusual One (Tr. B. Abrams) jockey B. Blanc replaced
Apprentice Alex Gonzalez (trainer request) CW 124

10/09/10⁵

DAILY ATTENDANCE & HANDLE

On track	5,270	1,259,875.10
Satellites	8,076	2,942,698.20
TVG/Xpress/Youbet	n/a	967,194.40
Out –of-State	n/a	3,698,990.09
Total	13,346	8,868,757.79

SUNDAY

10/10/10¹

FILM REVIEW

Jockey Johnny Gihua met with the Stewards to review an incident in the sixth race yesterday. Mr. Gihua was on the outside of a three horse spread near the half mile marker, drifted inward and applied pressure to horses on his inside. He stated he was unaware of the third horse and pulled off as soon as he knew it was tight, which the video verified. He promised to be more aware in the future.

10/10/10²

GAINES FORMAL HEARING CASE #10DM042

Trainer Carla Gaines met with the Stewards to address a possible violation of CHRB rules 1843 (a) (b) (Medication, Drugs and Other Substances) and 1887 (Trainer to Insure Condition of Horse). Court Reporter Barbara Weinstein was present to record the proceedings and Senior Special Instigator Jim Hamilton presented the case for the CHRB. Ms. Gaines was sworn in and testified that her horse had been treated orally with Hydroxyzine which can metabolite into Cetirizine (class 4). The hearing was closed and the following ruling was issued.

OTTH #010

Trainer **CARLA GAINES**, who started the horse "Missdealornodeal" in the sixth race at Del Mar Thoroughbred Club on August 19, 2010, is fined

FIVE HUNDRED DOLLARS (\$500.00)* pursuant to California Horse Racing Board rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule #1843 (a)(d)(Medication, Drugs and Other Substances-Cetirizine).

10/10/10³ **INQUIRY/ACCIDENT/SIXTH RACE (6 1/2 Furlongs-Cushion)NO CHANGE**

During the running of the race passing the three eighths marker # 6 Purse Luva (J. Garcia) unseated his rider. The inquiry sign was posted and after reviewing the videos it was apparent that no other horses were involved in this incident. The inquiry sign was taken down and the race was made official. Jockey Julio Garcia did inform the Stewards that his mount had propped and ducked out sharply. Accident report attached.

10/10/10⁴ **CAL-BRED REPORT**

There were eight Cal-Bred races used during this reporting period.

10/10/10⁵ **DECLARATIONS, CHANGES AND REFUNDS**

1st race - No Changes; Refund \$21.00; Minus Pool \$257.07

2nd race - #1 Miles Long Gone (Tr. J. Hollendorfer) claimed by Tr. H. Palma
#5 Got Milch (Tr. M. Puype) claimed by Tr. V. Cerin

3rd race - #4 Gab Power (Tr. P. Eurton)C.Nakatani replaced J.V erezuela
5 Joy Boy (Tr. B. Koriner) Veterinarian-injured-Dr. Bailey
Refund \$442.52

4th race - No Changes; Refund \$267.00

5th race - #1 Tamerin (Tr. M. Mitchell) Veterinarian-sick-Dr. Stead
Refund \$2,018.08

7th race - No Changes; Refund \$95.00; Minus Pool \$299.36

8th race - #1 Color of Courage (Tr. J.P. Gonzalez) Veterinarian-sick-Dr. Bailey
#5 Canthavehim (Tr. B. Koriner) Veterinarian-injured-Dr. Bailey
Refund \$817.92

9th race - #10 East Lake Shore (Tr. V. Garcia) Veterinarian-unsound-post parade-Dr. Stead

#12 Candy's Affair (Tr. J. Sadler) Veterinarian-injured paddock-Dr. Stead
Refund \$28,373.76

10/10/10⁶ **DAILY ATTENDANCE & HANDLE**

On track	3,613	897,005.10
Satellites	6,851	2,049,067.90
TVG/Xpress/Youbet	n/a	862,840.70
Out -of-State	n/a	2,714,315.18
Total	10,464	6,523,228.88

WEEKLY SUMMARY

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 10/4/09 – 10/10/09

HORSES ON VET LIST **19**
Horses off Vet List **14**
Shock Wave Therapy 19
Deceased 3
Medication 4

SUMMARY

	Sun. 10/03	Wed. 10/06	Thurs 10/07	Fri 10/08	Sat 10/09	Sun 10/10	Week	Meet
Inquiries	0	0	0	0	0	1	1	1
Disqualifications	0	0	0	0	0	0	0	0
Rulings	1	1	2	0	2	1	7	10
Refunds	4	8	7	4	5	6	34	43
Accidents	0	0	0	0	0	1	1	2
Claims	2	0	4	2	1	3	12	16
Cal-Bred Races	1	0	2	1	2	2	8	12

Respectfully submitted,

Kim Sawyer, Steward

C. Scott Chaney, Steward

Tom Ward, Steward

SUNDAY, OCTOBER 3, 2010 through SUNDAY, OCTOBER 10, 2010

WEEKLY ATTENDANCE & HANDLE FOR SATELLITE FACILITIES

BARONA	1,051	\$247,967.90
CABAZON	695	\$156,034.40
COMMERCE	1,430	\$403,667.60
FAIRPLEX	3,110	\$1,028,973.00
LAKE PERRIS	1,282	\$231,600.60
LANCASTER	1,083	\$272,654.10
LOS ALAMITOS	7,351	\$2,001,217.40
SAN BERNARDINO	2,026	\$431,563.40
SANTA ANITA	8,919	\$2,992,406.40
SANTA BARBARA	0	0.00
SANTA MARIA	272	480,659.20
SHALIMAR	418	\$66,774.30
SURFSIDE	3,353	\$818,004.90
SYCUAN	612	\$100,990.20
VENTURA	1,354	\$389,102.30
VICTORVILLE	591	\$111,465.30
VIEJAS	884	\$162,309.80
<u>SATELLITE TOTAL</u>	<u>34,431</u>	<u>9,495,390.80</u>
NO. CALIFORNIA	N/A	\$1,463,454.50
OUT-OF-STATE	N/A	\$13,122,008.99
ON-TRACK	21,746	\$4,605,688.70
<u>TOTAL</u>	<u>56,177</u>	<u>\$28,686,542.99</u>