

CALIFORNIA HORSE RACING BOARD

1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825



REPORT OF THE BOARD OF STEWARDS
HOLLYWOOD PARK RACING ASSOCIATION

Hollywood Park

To the California Horse Racing Board

Honorable Arnold Schwarzenegger, Governor
Honorable John C Harris, Chairman
Honorable David Israel, Vice Chairman
Honorable John Andreini, Member
Honorable Jesse H. Chopper, Member
Honorable Bo Derek, Member
Honorable Jerome S. Moss, Member
Kirk E. Breed, Executive Director
Richard "Bon" Smith, Assistant Executive Director

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MINUTES – ELEVENTH WEEK OF HOLLYWOOD PARK SPRING/SUMMER MEETING
For the period: Wednesday, July 1, 2009 through Sunday, July 5, 2009

WEDNESDAY

07/01/09¹

TALBOT HEARING AND SETTLEMENT

Trainer SHAWN TALBOT appeared in the office this morning in an informal hearing to answer case number 09HP113 which was a financial complaint filed by former employee Rachel Bungert alleging unpaid wages. Ms. Bungert alleged that Mr. Talbot owed her \$7,707.64. Mr. Talbot agreed that he owed Ms. Bungert \$3,651.71. After listening to both parties at length, we ordered Mr. Talbot to pay Ms. Bungert \$4,000.00. Mr. Talbot wrote a check for \$1,800 and will deliver the remainder to the Stewards' office by July 10.

07/01/09²

COUTON AND BLACK RULING

Jockey JULIEN COUTON appeared in the office and exercise rider THERESA BLACK appeared by telephone in an informal hearing to discuss an incident reported to the CHRB by Santa Anita security. Mr. Couton lost his CHRB license and attempted to gain access to the backside with Ms. Black's license. Both parties agreed upon the facts and expressed embarrassment that the incident had occurred. Both accepted the following rulings without objection:

HRT# #064

Jockey JULIEN COUTON is fined **ONE HUNDRED DOLLARS (\$100.00)*** for violation of California Horse Racing Board rule #1922 (Identification Required-use license of another).

HRT# #065

Exercise rider **THERESA BLACK** is fined **ONE HUNDRED DOLLARS (\$100.00)*** for violation of California Horse Racing Board rule #1922 (Identification Required-loan license to another).

07/01/09³

EURTON HEARING AND RULING

A formal hearing was held in the Stewards' office to hear case number 09HP060 which was a complaint filed by the CHRB against trainer PETER EURTON. This complaint was preceded by a hearing regarding disqualification and purse redistribution of the horse "Areutru" for a Clenbuterol overage discovered in the post race blood and urine samples (see 6/18/09⁴). Today's hearing involved a stipulated agreement between the CHRB and Mr. Eurton. After going on the record with the main points enumerated in the agreement, we approved the agreement, and closed the hearing. Ruling to follow.

07/01/09⁴

DAILY ATTENDANCE & HANDLE

On track	401	122,077.90
Satellites	1,323	440,053.80
TVG/Xpress/Youbet	n/a	0.00
Out -of-State	n/a	0.00
Total	1,724	562,131.70

THURSDAY
07/02/09¹

FILM REVIEW

Jockey JOE TALAMO met with the Stewards to discuss his ride in the eighth race (the Beverly Hills Handicap) on Sunday. It was the Stewards' feeling and films confirmed that Mr. Talamo had allowed his horse to drift out during the stretch run. While we did not believe that this action, or more accurately inaction, arose to the level of careless riding, we nevertheless explained to Mr. Talamo that he needed to keep a straighter course in the future.

07/02/09²

VIENNA RULING AND HEARING

Trainer DARRELL VIENNA appeared by telephone to informally discuss case number 09HP0110 which involved an alleged gelding violation (CHRB rule 1865 (Altering Sex of Horse)). Mr. Vienna accepted responsibility for the error on the program. In determining the appropriate penalty we took the fact that Mr. Vienna himself called before wagering began to alert the racing office to the error and the fact that the gelding was performed at a farm as mitigating circumstances:

HRT# #067

Trainer **DARRELL VIENNA** is fined **SEVEN HUNDRED FIFTY DOLLARS (\$750.00)*** for failure to properly report the gelding of his horse "Adam Suances", which ran in the fourth race at Hollywood Park on June 18, 2009. This constitutes a violation of California Horse Racing Board rule #1865 (Altering of Sex of Horse).

07/02/09³

EURTON RULING

Pursuant to the formal hearing held yesterday (see 7/1/09³), the following ruling was issued regarding Mr. Eurton's stipulated agreement:

HRT# #066

Trainer **PETER EURTON**, who started the horse "Areutru" in the twelfth race at Hollywood Park on May 2, 2009, having entered into a stipulated agreement with the California Horse Racing Board is suspended for **THIRTY DAYS (30) (July 7-August 5, 2009)** and is fined **THREE THOUSAND DOLLARS (3,000.00)*** pursuant to California Horse Racing Board rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rules #1843 (Medication, Drugs and Other Substances) and #1844 (Authorized Medication-Clenbuterol in excess of permitted levels).

Pursuant to the terms of the stipulated agreement, twenty five days of suspension (July 12-August 5, 2009), are stayed provided that Mr. Eurton be placed on probation for a period of one year from the date of this ruling and not have any violations for Class 1, 2 or 3 drug substances. During the term of suspension, all licenses and license privileges of Peter Eurton are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend or Fine), Mr. Eurton is denied all access to all premises in this jurisdiction.

07/02/09⁴

GRAYSON DISMISSAL

After careful consideration of case number 09SA0044, which involved a complaint filed against trainer BOBBY GRAYSON for failure to properly register his horse on the authorized bleeder list, the Stewards unanimously voted to dismiss the case. We believed that while the horse was properly scratched for this omission (a penalty in and of itself), the fact that the horse was allowed to run once with lasix while not on the list, absolved Mr. Grayson of much of the responsibility.

07/02/09⁵

DECLARATIONS, CHANGES AND REFUNDS

1st Race #1 Recess- Claimed – D. O'Neill, trainer

#6 Sheza Maneater – Claimed – G. Stute, trainer

2nd Race #7 Kentucky Outing – Claimed – G. Vallejo, trainer

#5 Runaway Cozzene – Vanned off, post race (M. Han, trainer)

3rd Race No changes

4th Race No changes

5th Race #4 Suit Yourself – Late veterinarian scratch, unsound – Dr. Bailey

#7 Raingear – Claimed – G. Sherlock, trainer

Refund \$192,172.70

6th Race No changes; Refund \$97.44

7th Race #1 Winning Vow – Veterinarian scratch, sick – Dr. Bailey

Refund \$897.40

8th Race #2 Delta Magic – Double jock fee – D. Sorenson
 #12 Wait ‘N Sea – Stewards’ scratch, also eligible
 #13 Prima Figlia - Stewards’ scratch, also eligible
 #14 Punctual - Stewards’ scratch, also eligible
 Refund \$338.52

07/02/09⁶

DAILY ATTENDANCE & HANDLE

On track	4,242	1,083,335.40
Satellites	5,852	2,379,395.30
TVG/Xpress/Youbet	n/a	776,091.10
Out –of-State	n/a	3,991,026.36
Total	10,094	\$8,229,848.16

FRIDAY

07/03/09¹

FILM REVIEW

Jockey VICTOR ESPINOZA came to the office to discuss his ride in the third yesterday which his horse won, but drifted in during the stretch run. While his horse demonstrated a tendency to drift in initially, Mr. Espinoza maintained good control until he switched his whip from the right hand to the left hand, putting fellow rider Corey Nakatani in a difficult position. While one could argue that he was marginally clear, we believed that he crossed over prematurely. Mr. Espinoza agreed and pledged to make a better effort in the future.

07/03/09²

RACE DELAY

There was a delay of approximately ten minutes before the running of the eighth race when #4 El Rifle broke through the gate, dropped his rider, and ran off. It took a couple of minutes to catch the loose horse and then took some additional time to get the horse off of the track.

07/03/09³

INQUIRY/NO CHANGE

Following the running of the sixth race, the inquiry sign was illuminated to examine an incident in which #3 Eleventh Hour, while racing on the lead, ducked in sharply and hit the rail at the sixteenth pole. Fortunately, the horse’s rider, Alex Solis, was able to stay on his mount and regain control. Films revealed that while three riders did have to check slightly to avoid the out-of-control horse, all three finished in front of #3 Eleventh Hour, and therefore no change was appropriate.

07/03/09⁴

DECLARATIONS, CHANGES AND REFUNDS

1st Race #3 Trip to the Ranch – Claimed – J. Mullins, trainer
 #6 The Bat Signal – Claimed – J. Mullins, trainer
 Refund \$257.00

2nd Race #4 Tavern – Veterinarian scratch, sick – Dr. Bailey
 #2 Joe Carl – Claimed – D. O’Neill, trainer
 Refund \$621.00

3rd Race #13 Pico Pico – Stewards’ scratch, also eligible
 #2 Gallant Gent – Claimed – C. Lewis, trainer
 Refund \$26.50

4th Race No changes; Refund \$9.00

5th Race #9 Monkey Face – Veterinarian scratch, injured – Dr. Beck
#2 Salty Sarah – Rider change – A. Gryder for G. Gomez
#6 Wood Art – Claimed – B. Troeger, trainer
Refund \$594.30

6th Race Refund \$54.00

7th Race #1 Maid for Music (IRE) – Veterinarian scratch, injured – Dr. Bailey
#9 Pretty Unusual – Stewards' scratch, stake
Refund \$1,080.20

8th Race #4 El Rifle – Late stewards' scratch, broke through gate, ran off
Refund \$87,415.22

07/03/09⁵

DAILY ATTENDANCE & HANDLE

On track	7,156	1,161,088.70
Satellites	7,003	2,334,569.70
TVG/Xpress/Youbet	n/a	1,190,745.20
Out –of-State	n/a	3,392,871.34
Total	14,149	\$8,079,274.94

SATURDAY

07/04/09¹

FILM REVIEW

Apprentice jockey CHRISTIAN SANTIAGO REYES came to the office to review rides in the fifth and eighth races. In both cases, we felt that Mr. Reyes needed to be more aware of his surroundings when making lateral moves. We also cautioned him regarding his use of the whip—particularly the number of strikes in the eighth race. Fortunately, as an apprentice new to California, Mr. Reyes seemed receptive to constructive criticism.

Jockey AARON GRYDER met with the stewards to discuss a ride from the day before he left on his two week sojourn to Hong Kong. This race involved an incident going into the clubhouse turn. While the camera angles were not ideal, we cautioned Mr. Gryder to be more careful when dropping over to the rail.

07/04/09²

LATE DECLARATION

Trainer HERBERT HO was contacted regarding one of his runners that was scratched because he had the improper shoes when he arrived at the receiving barn. The horseshoe inspector was unable to grind them off, necessitating the late declaration. While Mr. Ho seemed to assign the blame to his blacksmith and groom, he accepted the following penalty:

HRT# #068

Trainer **HERBERT HO** is fined **THREE HUNDRED DOLLARS (\$300.00)*** for failure to have his horse properly shod, resulting in a late declaration from the second race on June 28, 2009. This constitutes a violation of California Horse Racing Board rule #1698 (Failure

to Start and Run) pursuant to California Horse Racing Board rule #1629 (Penalty for Late Declaration).

07/04/09³

DECLARATIONS, CHANGES AND REFUNDS

1st Race No changes; Refund \$185.00; Minus Pool \$8,956.76

2nd Race #7 Suziqcutie – Claimed – J. Carava, trainer
Refund \$231.00; Minus Pool \$4.93

3rd Race #2 Hot ‘N Lacey – Veterinarian scratch, sick – Dr. Bailey
Refund \$873.44

4th Race #4 Personality Kid – Veterinarian scratch, injured – Dr. Bailey
Refund \$2,674.92

5th Race #6 Pocosin’s Game Boy – Claimed – J. Carava, trainer

6th Race No changes

7th Race #7 Forest Danz – Late veterinarian scratch, injured in gate - Dr. Bailey
#8 Friendly Half – Late veterinarian scratch, injured in gate – Dr. Bailey
#1 Whatever Whenever – Rider change – V. Espinosa for C. Charlton
Refund \$327,208.30

8th Race No changes

9th Race No changes

07/04/09⁴

DAILY ATTENDANCE & HANDLE

On track	5,189	1,563,689.40
Satellites	8,308	3,348,024.60
TVG/Xpress/Youbet	n/a	1,004,871.10
Out –of-State	n/a	3,841,658.23
Total	13,497	\$9,758,243.33

SUNDAY
07/05/09¹

FILM REVIEW

Jockey RAFAEL BEJARANO appeared for an informal hearing to discuss his ride in the ninth race yesterday in which his horse drifted during the stretch run, and eventually made contact with the horse to his inside. While he did this under right handed whipping, the majority believed that the horse could be blamed for the move and therefore issued a warning to Mr. Bejarano (Steward Chaney voting for a three day suspension).

07/05/09²

VALDEZ RULING

Jockey FELIPE VALDEZ spoke with the Stewards on the telephone regarding an incident that we witnessed during the warm up period prior to the eighth race on Friday night. One of the camera angles showed Mr.Valdez hit his horse with the whip three times. Mr. Valdez’s explanation for the action was that his horse was laying on the pony

accompanying him to the gate. He also claimed that he didn't know that this behavior was in contravention of the rules. Both of these excuses seemed very hollow to this Board and he was therefore issued the following penalty, which was his first for a whip related violation:

HRTH #069

Jockey **FELIPE VALDEZ**, is fined **THREE HUNDRED DOLLARS (\$300.00)*** for violation of California Horse Racing Board rule #1688 (Use of Whips) during the warm up period prior to the eighth race on July 3, 2009.

07/05/09³

CAPESTRO HEARING

Trainer PAULA CAPESTRO appeared before the Stewards in a formal hearing regarding case number 09HP085 which embodied a complaint filed by the CHRB alleging a bute overage in a post workout blood sample taken from one of her horses. The level was 12.63 mcg/ml, which requires an enhanced penalty under the guidelines. Ms. Capestro, represented by attorney Andy Capestro, claimed that she was not given a split sample test for two reasons: (1) the address was wrong on the list of lab choices provided by the CHRB and (2) she was granted an extension beyond the five days permitted to arrange for lab payment under the rules. Decision to follow.

07/05/09⁴

TATCH HEARING

The Stewards held a formal hearing into a complaint (case number 09HP077) filed against owner MARK TATCH alleging disorderly conduct in an incident at San Luis Rey Downs. The hearing started roughly with Mr. Tatch interrupting the Stewards several times. His behavior and attitude finally boiled over when listening to the testimony of his accuser, trainer Cheryl Lankford. After a brief argument, Mr. Tatch approached the Stewards, threw his license down and abruptly left the hearing. We continued with the hearing and obviously, Mr. Tatch failed to present any case on his own behalf. Decision to follow. It should be noted that Mr. Tatch harassed the stewards during the afternoon duties as well and was escorted off the grounds by security.

07/05/09⁵

DECLARATIONS, CHANGES AND REFUNDS

1st Race No changes; Refund \$652.00; Minus Pool \$600.99

2nd Race #1 Cee Bargara (GB) – Veterinarian scratch, sick – Dr. Bailey
#2 My City By the Bay – pulled up post race, vanned off (synthetic)
Refund \$1,108.00

3rd Race #12 Towser – Stewards' scratch, also eligible
Refund \$967.10

4th Race #1 Fear No Evil – Claimed – G. Sherlock, trainer
#7 Lang Field – Claimed – P. Miller, trainer
Refund \$772.64

5th Race #11 Forest National – Stewards' scratch, also eligible
#12 Lookin at Lucky – Stewards' scratch, also eligible
Refund \$1,975.80

6th Race No changes; Refund \$11,480.14

7th Race #11 Scotty's Ladd – Rider change – J. Springer for D. Navarro
#1 Dr. J J – Claimed – E. Moger, trainer
#3 Bad Boy – Claimed – J. Canani, trainer
#6 Self Insured – Claimed – J. Carava, trainer
#7 High Intellect – Claimed – A. Sherman, trainer
Refund \$82.00

8th Race #15 Daylumney (IRE) – Stewards' scratch, also eligible
#16 Wake Me Now (IRE) – Stewards' scratch, also eligible
Refund \$920.70

9th Race No changes; Refund \$187.00

10th Race #2 Bahama Breeze – Stewards' scratch, stake
#4 Liquidity - Stewards' scratch, stake
#7 Monterey Jazz - Stewards' scratch, stake
#12 Silent Soul - Stewards' scratch, stake
Refund \$2,215.06

11th Race #4 A Beauty in Black – Late veterinarian scratch, flipped in paddock – Dr. Bailey
#11 Humane – Rider change – K. Stra for A. Gryder
#14 Misstrailcityzome – Rider change – Sandoval for D. Sorenson
Refund \$17,069.76

07/05/09⁶

DAILY ATTENDANCE & HANDLE

On track	9,340	2,534,241.60
Satellites	9,887	4,244,956.30
TVG/Xpress/Youbet	n/a	2,060,756.80
Out –of-State	n/a	7,333,980.30
Total	19,227	16,173,935.00

ADDITIONS/REMOVALS FROM VET-LIST

Week of: 06-29-09 – 07-05-09

Track: Hollywood

Horses on Vet List: 17
Horses off Vet List: 12
Shockwave Therapy: 30
Deceased: 2
Medication: 7

SUMMARY

	July 1	July 2	July 3	July 4	July 5		Week	Meet
Accidents	0	0	0	0	0		0	3
Cal-Bred Races	0	1	1	1	0		3	56
Claims	0	4	5	2	6		17	82
Disqualifications	0	0	0	0	0		0	5
Inquiries	0	0	1	0	0		1	17
Refunds	0	4	8	5	11		28	257
Rulings	2	2	0	1	1		6	69

Respectfully submitted,

C. Scott Chaney, Steward

Kim Sawyer, Steward

Tom Ward, Steward

KS/dm