



# RCI Bulletin

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### **Suffolk Downs begins zero-tolerance slaughter policy**

Suffolk Downs has established a new policy holding trainers accountable when their horses are sold for slaughter.

Sam Elliott, the track's vice president for racing, has informed the leadership of the New England Horsemen's Benevolent and Protective Association that any trainer found to have sold a horse for slaughter will have his stalls revoked and be denied stalls at any time in the future.

Elliott said the plan has the complete backing of Richard Fields, the real estate and casino developer who purchased a controlling interest in Suffolk Downs last year.

"If a horse goes from here to the slaughterhouse, that's completely unacceptable," Elliott said. "That trainer won't be here. I don't think that's anybody we'd want to have around. Mr. Fields is a strong believer in retirement idea. He's a big backer of it. The two are incompatible."

Elliott commended local horsemen and several local Thoroughbred retirement organizations for offering several options for retiring racehorses.

"I think it's become a non-issue," Elliott said. "The best way to make it a real non-issue is to have this kind of sanction in place. That's our policy. My hope is we never have to use it."

Elliott intends to address horsemen at a general meeting within the next two weeks.

"They would have our backing," said Al Balestra, president of the New England HBPA. "It's not the proper thing to do, not with all the options they have. There's no reason why that should happen nowadays. There shouldn't be any horses going to killers. It's a different era in racing, it just shouldn't happen."

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Michael Blowen, president of Old Friends Farm in Georgetown, Kentucky, and an outspoken advocate for Thoroughbred retirement issues, said the new Suffolk Downs policy is the best news he has heard in years.

“That’s great. I’ve never heard of it before. You don’t know how many horses this is going to help,” Blowen said. “Just the threat of knowing that if they ever found out that you sold a horse for slaughter you could lose your stalls may prevent a lot of this from going on in the first place. The other tracks will start looking at that.”

Blowen noted that it may be difficult to prove a direct link between a trainer and a horse that winds up in a slaughter pen.

“It is hard, it’s a nasty circuitous trail, and of course anybody that does it doesn’t want to get caught,” he said.

Blowen, who worked as a hot walker at Suffolk Downs in the late 1990s, said he remembers gut-wrenching scenes in the track’s stable area of horses being loaded onto trucks bound for slaughterhouses.

“I still think it’s an issue,” he said. “It’s a problem with every track. Since the fairs have been closed in Massachusetts, it’s not as big a problem. It’s not that hard to do a better job. All we have to do is find people that are willing to play by the rules.”

Diana Baker, a former Thoroughbred Retirement Fund board member who has been involved with several high profile cases, said the new policy is a positive step but that she believes there are still some horses going from the track to slaughterhouses.

“I hope it’s not just lip service,” Baker said. “It would be a breath of fresh air to have someone in racing actually protect the horses.”

She agreed that it may be difficult to make a direct connection between a trainer and a horse sold for slaughter.

“That’s a tough call, it will be interesting to see how it plays out,” she said. “It’s an open secret how these horses get from point ‘A’ to point ‘B.’ The trainers always say they don’t know. When you’re pulling horses that were trained or owned by the same people over and over again, it doesn’t add up, it doesn’t make sense.”

Source: Thoroughbred Times.

### **Sadinsky report says government should support track**

The long-awaited Sadinsky report on the horse racing and breeding industry in Ontario was released Monday and encourages the provincial government to consider providing support to the Fort Erie Race Track, as long as the proposed \$300-million development for the track and the surrounding area makes economic sense.

In chapter 10 of the 80-page report commissioned in July 2007 by then-Minister of Government and Consumer Services Gerry Phillips, the panel chaired by Stanley Sadinsky, former chair of the Ontario Racing Commission, takes a look at the special problems facing border race tracks, including Windsor Raceway as well as Fort Erie.

"If diversification at Fort Erie Race Track leads to stability of the racing enterprise, that will surely inure to the benefit of horse racing," reads the report. "If these plans are likely to go forward, we encourage the provincial government to provide a level of interim subsidization for Fort Erie unconnected to slot revenue in order to keep the track 'alive' in the interim."

One of the 11 recommendations in the report is the establishment of a Gaming Secretariat, whose responsibilities would include the development and implementation of a comprehensive gaming strategy for the province, which includes the horse racing and breeding industry.

"The Gaming Secretariat can oversee the situations of both Windsor Raceway and Fort Erie Race Track and make decisions as to how Ontario's other gaming facilities might assist," says the report.

It goes on to talk about the two commercial casinos in Niagara Falls playing a role in assisting Fort Erie.

"If gaming in these two areas of the province was considered a whole rather than by facility by facility, a great deal could be accomplished by enhancing individual operations and making adjustments that could support the objective of sustaining jobs, particularly in the agricultural sector, rather than simply maximizing provincial revenue," reads the report.

In the executive summary of the report, it says the horse racing and breeding industry in Ontario support about 55,000 full- and part-time jobs, many in the province's agricultural sector, which would be difficult to replace.

Another recommendation in the report is to reconstitute and revamp the Ontario Horse Racing Industry Association (OHRIA), rename it Horse Racing Ontario (HRO) and have it perform a much broader role which would include the ultimate structure and administration of programs recommended in the Sadinsky Report.

"The ability of the HRO's new board to come together and work in the best interests of the industry as a whole is perhaps the single most important element for the future success of the horse racing and breeding industry in Ontario," says the report.

The panel fully supports the continuation of the Slots at Racetracks Program at a minimum level of 20 per cent of the revenue generated from slot machines at the tracks.

It does recommend, however, that the program be adjusted to better meet the objectives of enhancing wagering on Ontario product and enhancing the breeding of Ontario race horses.

"It is recommended that when the New Slots Program can be implemented, the annual slot revenue be pooled and distributed on the following basis: 25 per cent of the slot revenue generated at each race track would be paid to the racetrack and 25 per cent would be paid to that race track's respective horse people for purses," says the report. Jim Thibert, general manager of the Fort Erie Economic

Development and Tourism Corporation and one of the driving forces behind the Save Our Track campaign, was up bright and early Tuesday morning to read the report and was pleased with its contents.

"We are glad it's over and the report has been tendered," said Thibert. "We are moving forward and typically people will hold off making any sort of decision about what we're doing until they find out what the ultimate plan is for the horse industry."

Thibert added that he thinks the report validates what Fort Erie is doing.

"They are literally saying that the horse racing industry is worth saving and they want to do that and the way to do that is to subsidize it to the extent that we can change things and get things working. As well, they are encouraging us at the border tracks to move forward with economic initiatives such as we are doing.

"This is like third party, provincial endorsement for us and who would have guessed?"

Source: Niagara This Week.

### Hearing Shows Racing at Critical Point



#### **Members of the Horseracing community testify at Congressional Hearing.**

Photo: David Snyder

Drugged equines, grisly catastrophic breakdowns, greedy breeders, damaged racehorses with nowhere to go, inaction and confusion, and industry leaders more concerned with holding onto power than doing the right thing—a congressional subcommittee heard it all June 19 during a hearing in Washington, D.C.

An observer easily could come to the following conclusion: Blow it up and attempt to rebuild it from scratch.

That's not going to happen. But the prospect of federal regulation of the horseracing industry looms larger today than it did even a few months ago if comments by members of the Subcommittee on Commerce, Trade, and Consumer Protection under the House Committee on Energy and Commerce are any indication.

In addition, witnesses called to testify, including prominent owners and breeders, said they believe the time has come for federal intervention given the fact horse racing continues to struggle with issues that should have been corrected almost 30 years ago. Others, however, don't agree, and want more time for the industry to make the necessary changes.

The hearing, titled "Breeding, Drugs, and Breakdowns: The State of Thoroughbred Horseracing and the Welfare of the Thoroughbred," came less than two months after the filly Eight Belles broke down and was euthanized as she galloped out after the Kentucky Derby Presented by Yum! Brands (gr. I)

at Churchill Downs. There could be another hearing, members of Congress said, but it remains to be seen whether they will result in legislative action.

“This hearing is a wake-up call for you,” said Florida Congressman Cliff Stearns, a member of the subcommittee. “There is abuse in your industry, but you would know better than I. We want you to regulate yourself, but we do have jurisdiction here.”

The “stick,” as some called it, is the Interstate Horseracing Act, which governs simulcasts across state lines, including account wagering. Proposals to reopen the document strikes fear in some racing quarters because it gives consent rights for the transmission of signals.

Members of Congress have discussed using the IHA as a means to make the racing industry comply with reforms; for instance, ban steroids or lose your simulcast rights. Also, ideas have been floated to dedicate percentages of revenue from handle to fund drug testing, insurance for jockeys and backstretch workers, and other projects.

“This is the only industry allowed by Congress to conduct interstate gambling to the tune of more than \$15 billion a year,” said Congressman Joseph Pitts of Pennsylvania. “That’s a tremendous amount of money for an industry with little or no accountability.”

### **To intervene or not to intervene?**

Kentucky Congressman Ed Whitfield, long a proponent for revisiting the IHA, reminded the racing industry it came to Congress to enact the IHA and later amend it. He said “greed has trumped” important aspects of the sport such as safety of jockeys, strength of the breed, and integrity.

“Just when Congress looks at the horse racing act as a vehicle to improve the sport, you run away and say, ‘The federal government shouldn’t be involved,’ ” Whitfield said. “We have a responsibility to set minimum standards.”

A poll of the first round of industry witnesses produced interesting results on the subject of federal regulation. Most said it’s needed.

Alan Marzelli, president of The Jockey Club, whose Thoroughbred Safety Committee issued recommendations June 17, said he would like to see an industry-led central body for racing, not federal intervention. Whitfield questioned his position.

“What I have heard from the rest of the testimony is these kinds of efforts have failed,” Whitfield said. “Why do you think it would succeed this time?”

“I’m an optimist,” Marzelli said. “We certainly do make it difficult on ourselves. But I have seen a lot of support for our recommendations. I would like to see if we can get them implemented.”

Longtime owner/breeder Arthur Hancock was blunt in his assessment. He said the industry is a “conglomeration of different entities, each of which has its own function and its own agenda.” He rattled off a list of alphabet-soup organizations and said: “All of these fiefdoms have their own Nero-like CEOs, and each of them envisions himself as the savior of racing. Most of them don’t even own a horse.”

Hancock said he supports congressional action given the fact racing has failed to mandate changes. “It never happened, and it never will unless you mandate it through the Interstate Horseracing Act,” Hancock told lawmakers.

Owner/breeder Jess Jackson, often at odds with some in the industry because of his positions on transparency in horse sales, told subcommittee members owners need to take back the game. He suggested removing two words—“and trainers”—from the IHA to give owners the right to negotiate on matters such as revenue from wagering and purses.

“Why give power to an agent?” Jackson said of the IHA. “The IHA needs to be amended. Trainers are under the thumb of the racetracks. We need a national organization to represent owners. Owners will unite themselves as a group and come together voluntarily and cure problems if you just let them.”

### **Were all sides represented?**

Jackson made no reference to the Thoroughbred Owners and Breeders Association, the national owners’ group, or the National Horsemen’s Benevolent and Protective Association, which contends many of its members own and train. Neither group was asked to testify at the June 19 hearing, something some officials believe skewed the result.

“Noticeably absent were all the groups being criticized,” Alex Waldrop, president and chief executive officer of the National Thoroughbred Racing Association, said after the hearing ended. “We should have had (representatives from about 20 other groups) here today. We got one side of a very complicated but reasonable debate in our industry.”

Waldrop was called to testify, and in his remarks outlined the current landscape. He said the pari-mutuel racing industry partners with state government for regulation, which makes enactment of uniform rules a challenge. Still, he said the industry has made strides in the areas of race-day medication and equine health and safety.

“Some are questioning whether our industry has the governing structure necessary to effect change,” Waldrop said. “I can’t speak to the distant past, but I can tell you that recently this industry has been making great strides toward uniformity at a national level, and the NTRA has been an important catalyst for change.”

Waldrop said the “last thing this industry needs is another level of bureaucracy.”

### **Drug issue stalking industry**

The hearing began with comments from Illinois Congresswoman Jan Schakowsky, vice chair of the subcommittee who filled in for chairman Bobby Rush of Illinois. They weren’t pretty.

Schakowsky, in describing the horseracing industry, said “horses are doped-up,” and “almost no one pays attention to what they’re lives are like after they retire. It seems greed has trumped the health of horses, the safety of jockeys, and the integrity of the sport.”

“Work with us to clean up your sport,” she told the industry witnesses. “Work with us to save Thoroughbred racehorses from destruction on the track.”

Trainer Jack Van Berg, one of the witnesses, advocates using a small percentage of simulcast revenue to fund drug testing throughout the country. He said there is no place for race-day drugs in horses.

“You’ve got to have the money to do the finest testing possible,” Van Berg said. “You need to abolish all medications, with no race-day thresholds. The current rule has compromised the integrity of horse racing.”

Hancock reiterated his calls for a drug ban. He said “there will be more frequent and severe catastrophic injuries in the future, and these will do us irreparable harm regardless of track surface. It is a vicious cycle. Chemical horses produce chemical babies. Drugs must be banned if we are going to survive as an industry, and if Thoroughbreds are going to survive as a robust breed.

“Believe me, we are in peril.”

The hearing was held to only discuss Thoroughbred racing issues. However, any effort to alter the IHA would impact other racing breeds, such as Standardbreds and Quarter Horses. It would appear based on lawmakers’ comments they, too, would have to comply with prospective mandates.

A second panel discussed equine health and safety issues. One of the witnesses, Dr. Larry Soma of the University of Pennsylvania, said furosemide, now called Salix, doesn’t prevent bleeding in racehorses, improves performance, and dilutes other drugs in urine samples.

Most horses now race on Salix; there have been no serious recent discussions about banning the drug on race-day.

### **Reaction to the proceedings**

The hearing drew a standing-room-only crowd to a room in the Rayburn House Office Building. When it ended, most attendees indicated they weren’t surprised at the developments—and they wouldn’t anticipate what comes next.

“I’ve learned never to handicap Congress,” said Ed Martin, the president of the Association of Racing Commissioners International who supplied preliminary statistics to the subcommittee but wasn’t asked to testify. “Certainly the issues need solutions, and this hearing can start a dialogue.

“I do think there was some misinformation here in regard to performance-enhancers on race day. California is comparable to most major jurisdictions. They do a very good job, as do a number of states.”

Martin spoke in reference to testimony by California Horse Racing Board chairman Richard Shapiro, who said California tests more and is “more vigilant than other states.” No statistics were offered to that effect.

“My fear is this could result in duplication, inefficiency, and a potentially chaotic situation,” Martin said of federal intervention. He said if something is proposed, it “must be workable, make sense, and channel the needed resources to the integrity issues this sport faces.”

Robert Colton, a jockey who recently came out of retirement and who is active in jockey health and safety issues in Delaware, where he currently rides, said he hopes for progress.

"It's disappointing the jockeys had no representation here," said Colton, who attended similar hearings into jockey health issues a few years ago. "Some of those in the industry who suffer the greatest should have a voice. I hope this is not another (effort) that has nothing happen. It's past due, and hopefully a good start."

Holly Hazard, chief innovations officer for the Humane Society of the United States, said the HSUS supports congressional oversight of horse racing. The group has floated the concept of a National Racing Commission.

"It's the only path to reform, and everyone agrees reform is necessary," Hazard said.

Roy and Gretchen Jackson, who bred and owned 2006 Kentucky Derby winner Barbaro, were on hand for the hearing. Barbaro injured himself in the Preakness Stakes (gr. I) that year and succumbed the following winter after months of treatment and rehabilitation.

Gretchen Jackson said she's an optimist when it comes to horse racing. "I'm excited, because they were issues that have been tormenting all horses for quite some time," she said. "It looked like everyone was pretty much in agreement. Hopefully, the (issues) will be dealt with soon."

Roy Jackson said that since the Barbaro incident, things have come to the surface in the racing industry. "An awful lot of people are tired of committees and talk," he said.

Greg Means of The Alpine Group, the NTRA's Washington, D.C., lobbyist, said the chances of legislation being introduced to address racing reform is "strong, but exactly what it will be like, we don't know." Means said if a bill is introduced, its chances of passage are "slim because of a number of factors."

Waldrop called on the industry to act—and fast.

"This is a wake-up call," said Waldrop, who months ago predicted at least one congressional hearing would be held. "We cannot afford to wait another day. I see a will to act that I've never seen in this industry.

"But it's time to call people out. Who's on board, and who's not?"

Source: Bloodhorse.

### **House panel hears testimony on Thoroughbred industry woes**

Some of the leading names in Thoroughbred racing gathered Thursday before members of the United States House of Representatives Subcommittee on Commerce, Trade and Consumer Protection and asked for congressional help to remedy problems of on-track deaths of horses, medication, and breeding that plague the industry.

The twin themes of the hearing in Washington were racing's inability to execute uniform policy across its 38 governing jurisdictions as well as a sport overrun by damaging drug use in horses.

"If you raise a point on one thing in the industry, someone else will oppose it," said prominent owner-breeder Jess Jackson, majority owner of 2007 Horse of the Year Curlin. "We always say we can do it ourselves...we need to study it more. ...We are experts at delay."

In his testimony before the subcommittee, Jackson pointed to what he called "root causes: the lack of a national and responsible horse owners' organization; the lack of transparency in industry practices; the lack of uniform standards; and, most importantly, the lack of accountability and enforceability."

"It is clear to me that most of the industry's present ills stem from the fact that we are a national, or international, sport that has no competent central regulating body or federal authority mandating uniformity in the United States," Jackson said.

U.S. Representative Cliff Stearns (R-Florida) said that a bill leading to the creation of a national horse racing commission likely would be submitted in the House Committee on Energy and Commerce.

Stearns, who represents the Ocala district, said the bill would also mandate a national database for the tracking of horses and causes of death.

"We would have some type of commission like in the [National Basketball Association] or [National Football League] that would bridge all 50 states," he said. "This is all to get [the industry] to move. If they don't do something, we will."

Stearns and Representative Edward Whitfield (R-Kentucky) both pointed toward federal laws that can be used like "a hammer or a stick" to promote change.

With approximately 88% of the \$14.7-billion wagered on racing last year coming from off-track sources, the simulcasting rights provided by the Interstate Horse Racing Act and the exemptions for racing in the Unlawful Internet Gambling Enforcement Act of 2006 are critical components of the sport that can be withdrawn if problems plaguing the industry are not addressed.

"If the federal government provides the vehicle for the revenue — simulcasting — we have an obligation to ensure the integrity of the sport," Whitfield said.

The first panel featured Jockey Club President Alan Marzelli, California Horse Racing Board Chairman Richard Shapiro, owner-breeder Arthur Hancock, Jackson, ESPN racing analyst Randy Moss, and Racing Hall of Fame trainer Jack Van Berg.

Richard Dutrow Jr., trainer of Kentucky Derby Presented by Yum! Brands (G1) and Preakness Stakes (G1) winner Big Brown was scheduled to appear, but decided against it late Wednesday, citing a virus he has had for several days.

A second panel featured University of California-Davis veterinarian Sue Stover, University of Pennsylvania veterinarian Larry Soma, track statistician Mary Scollay D.V.M., veterinary orthopedic surgeon Wayne McIlwraith, and National Thoroughbred Racing Association President Alex Waldrop.

Shapiro called for a national regulatory charter for racing but said federal intervention should only be a “last resort.”

Marzelli and Waldrop both told the subcommittee they believe the industry is capable of undertaking change without government help. Marzelli pointed to the steroid ban called for this week by the Jockey Club’s Thoroughbred Safety Committee. The committee also called for new whip rules and barring toe-grab shoes.

Whitfield, however, said the Jockey Club is powerless to enact those changes.

When the subcommittee asked the panelists about the use of drugs in horses, Van Berg said, “It’s like chemical warfare.”

Soma said the majority of reports indicate that furosemide — or Salix — does not prevent exercise-induced pulmonary hemorrhaging in horses yet can have performance-enhancing effects.

Hancock, lamenting vet bills that run as high as \$2,000 a month, said, “A couple years ago, I was at Keeneland and I told a vet, ‘I don’t want my horses to get anything unless they’re sick,’ and he said, ‘Arthur, you want to win, don’t you?’ I got the picture.”

When asked who was to blame for the rampant use of drugs in the sport—vets, owners, or trainers—most panelists said all three.

Source: Thoroughbred Times.

### **PETA releases a statement in response to yesterday’s two horse deaths**

The following statement is from PETA President Ingrid E. Newkirk in response to the two horse deaths yesterday at Churchill Downs.

The catastrophic injury and destruction of two more horses Saturday at Churchill Downs—just weeks after Eight Belles died on the same track at the Kentucky Derby and Big Brown finished last at the Belmont after criticism of his constant doping—demonstrate that it is time for the thoroughbred racing industry to stop talking about reforms and act immediately to stop the death toll.

PETA is renewing its call for racing officials to mandate an end to all drug use in the week before a race, require that horses cannot be raced until after their third birthday, mandate the use of turf or synthetic tracks at every race course, and ban whipping. Because speed and money are all that counts to in the racing industry, Vinstar and Naughty Fu Peg are the latest in long string of broken, dead horses—a trend that will not end until reforms are made.

“Churchill Downs and other race tracks are death traps for horses,” says PETA President Ingrid E. Newkirk. “The Jockey Club and the NTRA are doing a lot of talking, but change can’t wait—it’s a matter of life and death for horses.”

Last week, PETA representatives attended Churchill Downs’ shareholder meeting and called for these reforms, and PETA’s testimony urging the implementation of these reforms was accepted by

the House Subcommittee on Commerce during the hearings on racing abuse. A copy of the testimony is available upon request.

Source: WHAS.com.

### **Ex-harness racing horse found alone on highway Getaway Hall may have been abandoned by his owner**

Just a few years ago, Getaway Hall was a standardbred harness racer not to be taken lightly by other horses or horsemen on the track.

In the home stretch at Dover Downs, Harrington Raceway or Pocono Downs, he was always a threat and frequently finished in the money.

That's why Townsend horseman Will Kirkwood, 75, can't understand how the now 13-year-old gelding came to be wandering along Del. 71 near Middletown last Friday. Or why his owner has not come forward, even though he or she surely must realize the horse has been missing for a week.

But others can.

Abandonment of former racehorses is "a big, big problem," said Nicolette Montgomery, an instructor at C Line Stables in Odessa. There are 60 to 70 horses in the barns at C Line, and many of them are retired racers, she said.

Tony Domino, who keeps 10 racehorses at his Domino Barn in Port Penn and remembers Getaway Hall as a stalwart contender, lamented the unfortunate fate that sometimes befalls racehorses that suffer injuries or grow too old to earn money for their owners.

"They're athletes is what they are. They race their heart out for us, and it's disgraceful what can sometimes happen," he said.

This horse tale has a happy ending, though, thanks to a trainer named Adrian Wisher. Wisher, who remembered Getaway Hall's racing days, heard about the animal's plight and Kirkwood's dilemma in keeping the unclaimed horse.

By noon Friday, Getaway Hall was romping in a field in Galena, Md., where Wisher is training seven other horses.

Getaway Hall's ordeal began late in the afternoon June 20, when Kirkwood heard about a horse on the loose near the VFW Post on Del. 71.

Kirkwood arrived at the site to find the animal grazing along the highway. The horse was unshod but "in decent shape," wearing a halter with a leadrope dangling from it.

Delaware State Police from Troop 9 in Odessa responded and advised Kirkwood to notify the Society for the Prevention of Cruelty to Animals, according to spokesman Cpl. Jeff Whitmarsh.

The SPCA has authority to enforce laws on wildlife running at large, according to state law. However, the racehorse was not "at large," because Kirkwood agreed to board the animal at his Wilshire Farm until the owner could be found.

Looking at a tattoo inside the horse's lip -- every racehorse has one, bearing a unique number to identify it -- Kirkwood learned the horse was none other than well-known racer Getaway Hall, who earned more than \$700,000 during a 10-year racing career.

Getaway Hall has long been a fixture at Delaware harness tracks such as Dover Downs and Harrington Raceway. The horse also raced in New Jersey, New York, Maryland, Pennsylvania, and even Canada.

According to Getaway Hall's performance report with the United States Trotting Association, he raced 248 times between 1997 and 2007, winning 49 races, finishing second 39 times and third 19 times.

His best single year was 2002, when he won more than \$156,000.

But by 2007, the aging horse's career was over. He earned only \$856 that year, running just one race -- his last -- on May 31.

According to Jason Turner of the United States Trotting Association, Getaway Hall's most recent owner is Marcos Ameralis of Bergenfield, N.J. A phone in Ameralis' name was disconnected.

Turner said the horse's most recent trainer is listed as John Narnarou of Cranfield, N.J. There was no answer at the trainer's number.

Kirkwood tried to reach both men repeatedly and was unsuccessful, he said.

"It seems to me that this animal has been abandoned here," Kirkwood said. "The people responsible for this horse should be held accountable."

Bill and Maggie Brooks, who live near Dover, owned Getaway Hall from 2000 to 2005. They remember the horse and were mortified to learn of his recent ordeal.

"He was a loving gentleman," Maggie Brooks said. "He was our favorite horse. I've got chills up my spine. He was such a sweetie pie."

"He was easy to get along with," Bill Brooks said. "This hurts me. He didn't deserve to be treated like that."

Source: DelawareOnline.com.

**STATEMENT OF LISA UNDERWOOD, EXECUTIVE DIRECTOR,  
KENTUCKY HORSE RACING AUTHORITY**

The Kentucky Horse Racing Authority appreciates the interest of the House Energy and Commerce Committee's commerce, trade and consumer protection subcommittee in issues related to thoroughbred horse racing. Our industry faces several notable challenges, and we welcome the input of organizations and individuals who share our motivation of strengthening racing throughout the United States.

Through the course of today's hearing in Washington, two issues have emerged. One is whether a national authority should govern racing. The other surrounds the use of medications used in race horses.

As to the first issue, it appears that the rationale for such a federal racing authority is built upon the perception that state racing regulators have failed to deal with health and safety issues such as the use of anabolic steroids. This perception is flawed. State regulators have engaged in ongoing efforts to make racing safer. For example, in recent years, many states have adopted model rules for the use of such drugs, and leading industry organizations such as the Racing and Medication Testing Consortium are actively examining medications issues. Racing Commissioners International, of which the KHRA is a member, proposes model rules on a variety of issues involving safety on a continuing basis. The KHRA believes that several questions must be answered before we would support a concept such as a federal racing authority. Moreover, good government dictates that we not burden an already struggling industry with unnecessary regulation.

As for KHRA, we adopted the uniform medication rule in 2005, we participate in the national injury reporting system, we conduct a pre-race examination of **every** thoroughbred horse entered in a race, and we constantly review proposals concerning the safety of the horse.

Even with these measures, we are moving forward. KHRA Chairman Bob Beck announced in May the formation of an Equine Safety and Welfare Committee. This panel will review issues relating to the health and welfare of the horse. At our June meeting, the safety committee was charged with making recommendations on riding crops, shoes and track surfaces, as well as other safety and welfare issues.

Until the concept of a national authority is fleshed out by a specific proposal in Congress, and until we can carefully examine such a proposal to ensure that such an authority will result in a safer racing environment in Kentucky, we view such a concept with some degree of skepticism.

As to the second issue raised today, KHRA believes that the use of medications in race horses should continually be reviewed. Even after we adopted the model rule on medication in 2005, we have re-examined our policies in this area.

As an indication of our commitment, KHRA hired a leading authority, Dr. Mary Scollay, to serve as our first-ever equine medical director. She will start work in July.

Anabolic steroid use has been the subject of intense discussion and examination in Kentucky for some time. A committee was formed last month, headed by Dr. Jim Smith, to provide a recommendation to the Kentucky Equine Drug Research Council on anabolic steroids. This committee has already met and is gathering pertinent information. Committee members are expected to report back to the council in early July.

Meanwhile, both the Kentucky Equine Safety and Welfare Committee and the Kentucky Equine Drug Research Council will review and consider the Jockey Club recommendations in connection with promulgating regulations.

Source: KHRA Press Release.

### **Veterinarians need a voice in racing crisis**

Two more horses broke down and were euthanized at Churchill Downs on Saturday, bringing the track's total this year to six, and keeping the heat setting on thoroughbred racing at "high."

But as leaders in the sport begin to move toward action on racehorse safety, I wonder if the right voices will be heeded.

National media outlets have been blaring about a steroid controversy in the wake of the post-Kentucky Derby death of Eight Belles, who was not found to be on any steroid.

The U.S. House Subcommittee on Commerce, Trade and Consumer Protection heard testimony from various industry figures last week, with several committee members promising action.

The national media and Congress. Why do I suspect that this discussion could stray off course?

Here's one reason. Four respected veterinarians testified before Congress last week. A NEXIS search showed that only two newspapers in the nation quoted any of them in their next day coverage -- The Courier-Journal and the Lexington Herald-Leader.

**Trainer Rick Dutrow's** empty chair got more ink than the medical professionals. The Associated Press later used some of their testimony in a follow-up steroid story by Louisville-based reporter Will Graves.

"A lot of times (the media) avoids us, because we don't make very good interviewees," Kentucky veterinarian Foster Northrop told me recently. "And we don't support some of these huge claims."

Moreover, their suggestions aren't easy to distill into simple bits, and perhaps worse, they cost more money than the sport has available.

But more than anyone right now, the medical community needs to be heard. Even on scant funding, more racehorse research has been done in recent years than ever, and while results don't come overnight, those insights -- and not feel-good reactions -- should guide the industry.

**Among some interesting ideas** advanced by medical professionals:

A key in preventing catastrophic injury that few in the national discussion are talking about would be more bone-scanning equipment to detect "microdamage" -- the smaller, repetitive-use injuries that lead to fractures, which are the leading cause of racing deaths.

The effects of steroids on horse performance are not known. An Oklahoma State University study in 2007 was inconclusive and reported that "there is little evidence" that steroids improve performance. Behavior changes, though, have been demonstrated.

Delaying the beginning of a horse's racing career does not appear to lengthen its career. Not counting races at age 2, the average thoroughbred that begins racing at age 2 makes 21.04 starts the rest of its life. For those who start at age 3, the total number of career starts drops to 8.66. For horses that begin at 4 and up, the average is 12.32 starts. Colorado State University's Dr. Wayne McIlwraith, who provided those findings to Congress, also cited a New Zealand study that showed correct, early training can decrease the risk of long-term injury.

**Those are just a start.** Horses broke down long before the sport's current crisis, and they will break down no matter what actions the industry takes now, no matter how good the proposals. And there are many.

That's why if the coming actions don't, first, follow the advice of the medical profession and, second, provide significant funding for further research, they'll be nothing but more betting-window dressing.

Source: Louisville Courier Journal.

### **Horsemen's groups, RCI left out of congressional hearing**



HBPA CHAIRMAN JOE SANTANNA

Horsemen's organizations were among several industry factions whose representatives were surprised and concerned that they did not have a voice in the congressional hearing on drugs and horse racing on Thursday in Washington, D.C.

The Association of Racing Commissioners International also did not receive a place at the table among 13 witnesses who were invited to testify in the House Subcommittee on Commerce, Trade and Consumer Protection's hearing titled "Breeding, Drugs and Breakdowns"

With trainer Richard Dutrow Jr. absent due to an illness, a dozen witnesses testified, and a majority of them agreed that the racing industry needs a national governing body. Members of the committee indicated that legislation would be proposed this year for some form of federal regulation on the industry.

“Unfortunately, we watched it on C-SPAN,” said Joe Santanna, chairman of the National Horsemen’s Benevolent and Protective Association. “Unfortunately, we weren’t there to indicate that there’s proof positive that well before [Eight Belles’s fatal breakdown in the Kentucky Derby Presented by Yum! Brands (G1)] there was already the self-regulation of medication issues, which is an ongoing process, in place. Maybe we just didn’t do a very good job of announcing that. I can’t explain why we didn’t get an opportunity to express that in the public forum that occurred this week.”

Santanna cited the recent adoption of steroid regulations in 11 states as evidence that the industry has been moving forward on its own.

“I understand the public reaction to Eight Belles, and I believe as a horse owner that it was tragic, but we have been working on it,” Santanna said. “It’s not as if we’ve been asleep at the wheel. Those things do tend to accentuate the issues.”

Jim Gallagher, executive director of the New York Thoroughbred Horsemen’s Association, said he was disappointed that the hearing lacked context on the issue of therapeutic medications.

“When we’re talking about therapeutic medications that are routinely given to horses, there’s got to be a distinction made on that front,” Gallagher said. “I don’t hear anyone saying exactly what illegal drugs are being used. People just throw it out there like it’s gospel. We need a lot more informed opinion as opposed to getting people up there, and then the people doing the questioning are pontificating when they’re actually pretty clueless on the state of the game.”

The subcommittee submitted a letter to Ed Martin, president of the Association of Racing Commissioners International, asking for, among other things, statistics on drug infractions and on-track injuries. Martin submitted a detailed answer, but he was not invited to testify. He was surprised.

“They have not run any ideas past us, and we would encourage them to widen the circle that they’re talking to,” Martin said. “I think people have a false impression that if you create one central authority the state racing commissions will go away. They will not. So the danger here is that you could take a situation and make it worse. You can make it better by being cognizant of the problems the state racing commissions face. One of them is funding. For drug testing, for wagering security, those are the two main challenges that state racing commissions face. I don’t know of a racing commission in the country that is not under the gun when it comes to state budget processes.

“As far as what a central regulatory scheme would look like, we already have that in the RCI model rules. You also really needed to have the practicing equine veterinarians get up there and tell Congress why they insist on using certain substances in the course of normal equine care. They were not there. The panel was incomplete.”

Source: Thoroughbred Times.

## Asmussen facing lengthy suspension for drug violation



STEVE ASMUSSEN  
NTRA photo

Top trainer Steve Asmussen, who conditions reigning Horse of the Year Curlin, faces the possibility of a long suspension after an alleged drug positive in Texas.

The Texas Racing Commission said Asmussen starter Timber Trick tested positive for lidocaine after winning the third race on May 10 at Lone Star Park. The commission informed Asmussen of the positive on Thursday and set a stewards' hearing for July 18.

Asmussen exercised his right to have a split sample tested at a commission-approved laboratory.

For such a violation, Texas rules call for a suspension between six and 12 months and a fine between \$1,500 and \$2,500, along with the usual forfeiture of purse money.

The test follows on the heels of well-publicized positive drug tests for prominent trainers Richard Dutrow Jr. in Kentucky and Larry Jones in Delaware. Asmussen served concurrent six-month suspensions in 2006 through January 10, 2007 for a mepivacaine infraction at Evangeline Downs and an acepromazine violation at Sunland Park.

Timber Trick won the May 10 maiden race at Lone Star by seven lengths for owner Gainesway Stable. Since then, the filly registered a second-place finish in an allowance race at Lone Star on June 6.

Asmussen, 42, currently ranks first in earnings by a North American trainer, which counting his victory with Curlin in the Emirates Airline Dubai World Cup (UAE-G1) are at \$15,256,333 this year. Asmussen lives in Arlington, Texas, and typically trains many of his top young horses at Sam Houston Race Park. He earned his 4,000th career win earlier this season and won his tenth straight Lone Star training title.

During Asmussen's 2006 suspension, assistant Scott Blasi took over his stable. Blasi earned six graded stakes wins and 35 total stakes victories during that stretch.

Source: Thoroughbred Times.

## Dutrow Responds to Suspension



**Trainer Rick Dutrow Jr.**

Photo: Anne M. Eberhardt

Trainer Rick Dutrow Jr. addressed the media at his own request June 27 outside his Aqueduct barn to set the record straight on his 15-day ban in Kentucky for an overage of the bronchial dilator, clenbuterol, in Salute the Count, the runner-up of the Aegon Turf Sprint (gr.III) at Churchill Downs May 2.

Dutrow was joined by Salute the Count's owner, Michael Dubb, who fully stands behind his trainer. Dutrow has appealed the 15-day suspension because he said he cannot afford to take the days at this time of the year with his stable full-swing in stakes.

believe it helps the horses, and is good for the horses. The other reason is because they want to cheat or think it gives the horse some kind of edge. Rick Dutrow does not cheat. Rick Dutrow is all about his horses. He cares for his horses immensely.

"In my humble estimation, there are two reasons people use medication for horses," said Dubb, who has about two dozen horses with Dutrow. "One is because they firmly

"Apparently, what happened with Salute the Count, Rick administered a legal, and I reiterate legal, medication too close to race day. It was during Big Brown mania. No doubt an honest mistake. Rick never does anything that isn't in the best interest of the horse. Rick is a tremendous horseman, but a poor administrator, and this is how (the clenbuterol overage) occurred."

Dutrow called the press conference because he has become weary of the flood of phone calls he has received, particularly after the clenbuterol overage was reported earlier this week. He said he was also tired of the negative press the incident has generated. Dutrow has been on the hot seat for several weeks. First he came under fire for telling the media he injected his horses monthly, including Big Brown, with the anabolic steroid, Winstrol, which is legal in each of the three states the Triple Crown races are run. After Big Brown was pulled up in the Belmont Stakes (gr.I) and lost his bid to win the Triple Crown, Dutrow was second-guessed about everything from his reported discontinuation of the use of Winstrol with Big Brown since April, and running Big Brown with the quarter crack he sustained about a week after winning the Preakness Stakes (gr.I).

Dutrow also came under fire for not attending the congressional hearings earlier this month in Washington D.C., concerning the use of medication in racing. Dutrow, who was asked to attend the hearings, did provide written testimony.

The clenbuterol overage came on the heels of Big Brown's co-owner, Michael Iavarone of IEAH Stable, proclaiming all of his horses will no longer race with medication, with the exception of Lasix, beginning Oct. 1.

"I'm just getting flooded with everybody calling me all the time about negative stuff," Dutrow said. "I would really wish that would stop. I don't know the last time I had a clenbuterol overage, six or seven

years ago. I can't imagine that it hasn't happened before because I'm just not concentrating on those kind of things like I should be. So it's a miracle to me it hasn't happened before Salute the Count. I can see it happening, even though I was there all week long with (assistant trainer and exercise rider) Michelle (Nevin), and I know I had told the proper people to take him off on time. But it is just a mistake in the barn. I don't have any issues with my help because I'm in trouble over it; it's my responsibility, but it's not my fault. I do know that I take my horses off clenbuterol when it is time to race, so it is just a mistake that happened. To me it is just not as big a deal as everyone is trying to make it. The last time I got a clenbuterol (positive) on some filly, nobody cared, nobody asked me. It's not a big deal for a horse to come up with an overage for clenbuterol."

Dutrow said clenbuterol "clears out (a horse's) system. It helps them in a lot of different ways. I like clenbuterol. I've been using it for a number of top horses. And it was just a mistake that it happened. It happened at a bad time; just like everything with me."

In the June 27 editions of the New York Post, Lavarone aired his displeasure about Dutrow's clenbuterol overage, and having to find out through media reports.

"We had serious thoughts of taking all the horses out of the barn," Lavarone told the New York Post. "But IEAH has won over 400 races since its inception and Rick has won over 200 of them. Plus, we have only had one positive test in our career, A One Rocket with trainer Greg Martin in 2003.

"We never had a positive with Rick as our trainer."

Dutrow responded to Lavarone's comments by saying: "Mike is kind of upset because he came out with a thing the other day that his horses as of Oct. 1 (wouldn't run on medication). I should have said something then because I knew the clenbuterol penalty was coming. When he called me and told me he was going to make an announcement, I should have said something, but I'm just not up on things like that. I'm just not smart enough to say, "Hey, Mike, I've got a clenbuterol coming up. If it was one of his horses, I would have said something to him. I don't think I even told (Dubb). He heard it from (someone else).

"I talked to Mike Lavarone (June 26), and it seemed like everything was beautiful, and I talked to him this morning, and it seems like everything is beautiful. I'm sorry I didn't say anything to him when he was making this announcement, and that is what I think he is mostly upset about. The conversations we had yesterday and today, (Lavarone) is behind me one-million percent."

Dutrow said Big Brown would return to galloping, for the first time since before the Belmont, this weekend, and have his shoes put back on June 30. He indicated Big Brown possibly could work next week.

"Once we gallop him, I'll be feeling very good, if Michelle (Nevin) tells me he is great," Dutrow said. "Once we breeze him, I will be feeling very good if (Michelle) says he is the same horse. He still has these tests to pass. I don't see an issue with the horse. Until he gallops and breezes, I won't know for definite (how he is)."

The target remains the Haskell (gr. I) at Monmouth Park Aug. 3, and Dutrow remarked he would like to also target the Travers (gr. I) at Saratoga Aug. 23.

"In a perfect world, I would like to see him win the Haskell and Travers," he said. "That's a perfect world, but especially my world, it's not perfect."

For now, Dutrow would just like for the media to give him a break.

"I think I did an unbelievable job with Big Brown," Dutrow said of getting the relatively unseasoned Big Brown to win the Kentucky Derby and Preakness. "But everybody is, 'What about the clenbuterol? What about the Winstrol?' It got nothing to do with what we have done with Big Brown. Nobody is saying anything about the good things. They are just pounding on the Winstrol and clenbuterol: just the things that look like they might be bad. I've done a great job with this horse, you all, and you guys should be thinking about that, and writing about that."

Source: Bloodhorse.

### **Michelle's Power stripped of O'Brien Award**

Standardbred Canada is reporting that at their Board of Directors meeting held on Tuesday, June 25, the Board voted to revoke the 2007 O'Brien Award presented to 3-year-old pacing filly Michelle's Power.

Back in April, the Ontario Racing Commission announced that Michelle's Power had tested positive for darbepoetin-alfa (dpo) on August 29, 2007.

According to a story on the Standardbred Canada Web site, the decision was recommended by the O'Brien Awards Committee and adopted by the Board, in compliance with an O'Brien Award policy that states: Any horse that receives a positive test for a Class I, II, or III drug during the calendar year or at any time prior to the presentation of the Awards is not eligible for an O'Brien Award. Outstanding appeals and/or stays do not alter the conditions of eligibility for O'Brien Award consideration.

The 3-year-old pacing filly award for 2007 will now go to Hana Hanover, who received the most votes of all eligible horses in the category.

Source: USTA.

### **John Clay: These penalties won't deter trainers**

Fifteen days.

That'll show him.

That'll make Rick Dutrow think twice the next time he attempts to stretch his consecutive-year streak of drug suspensions/fines to 10 straight. That'll make Big Brown's outspoken trainer more careful around the barn when it comes to hypodermics and syrup bottles and which horse (wink) should get which dosage (wink) on race day.

Right, babe?

The sad truth about racing's newest twin set of black eyes isn't so much that the sport's two hottest trainers, Dutrow and Steve Asmussen, are both accused of doping, but the inconsistent rules, hypocritical rule-makers and laughable punishments that lead the public to believe, as ESPN's Scott Van Pelt put it on radio this week, that racing is "a dirty sport."

It is difficult for the public to think otherwise when, subject to appeal, another of Dutrow's horses has tested above the legal limit of a drug — Salute the Count's dosage of Clenbuterol after finishing second in a turf race on Kentucky Oaks Day.

Now add, subject to appeal, Asmussen, trainer of Horse of the Year Curlin, who is facing a suspension of six months to one year after his horse Timber Trick tested positive for Lidocaine after winning a May 10 race at Lone Star Park.

The Asmussen revelation came a week after Curlin's owner Jess Jackson, a leading voice for race reform, testified before Congress about cleaning up the sport.

Is anyone in racing clean anymore?

Or is the more legitimate question: Does racing even want to be clean?

Take the Dutrow case. Because this is his first offense in Kentucky, the Salute the Count coverage does not trigger the state's multiple-offense guidelines. Thus, the mild 15-day suspension, scheduled for July 6-20, that Dutrow is now appealing.

Apologists, and racing is full of those, argue that this particular infraction had more to do with sloppiness than intent to cheat. Dutrow was focusing on Big Brown the week before the Derby and might not have been paying close attention to the other horses in his stable. Salute the Count's co-owner Michael Dubb told the Courier-Journal that he thought Dutrow was a great horse person, "he's just a lousy administrator."

Dutrow certainly has the track record to prove it. A search of his New York barn in 2000 produced the existence of a forbidden, injectable vitamin. In 2001, he gave too much Lasix. In 2002, he "failed to follow Lasix procedures." In 2003, he had a horse test positive for Mepivacaine. Since 2004, he has received citations for the misuse of Lasix, Clenbuterol, Phenylbutazone and Oxyphenbutazone.

In 2005, Dutrow served a 60-day suspension when two of his horses tested positive for banned substances. Last year, Dutrow had to serve an additional 14 days and pay \$25,000 when it became known that he did not follow the terms of his 2005 suspension.

Yet because none of those priors occurred in Kentucky, history has no bearing on Dutrow's case here. Kentucky is just one of 38 states that has rules and guidelines, most without regard to those of other racing authorities.

Now toss in Asmussen, himself a possible repeat offender. Asmussen served concurrent six-month suspensions from August 2006 through January 2007 after his filly No End in Sight tested positive for the local anesthetic Mepivacaine at Evangeline Downs in New Orleans at about the same time another of Asmussen's horses tested positive for acepromazine in New Mexico.

Six months might sound stiff until you compare it to the lifetime bans issued to athletes who test positive for illegal drugs in cycling and track and field. And those are humans making their own decisions, not defenseless animals without the option of just saying no.

This is "not as big a deal as everyone is making it out to be," Dutrow told the media on Friday at Aqueduct, where he held an impromptu news conference.

He's right. It's only 15 days.

Source: Lexington Herald Leader.

### **10-Year Suspension, \$40,000 Fine For Elliott**

Following an additional investigation, the Director has issued a Notice of Proposed Order to suspend the licence of owner/driver/trainer William Elliott of Caledonia, Ontario for a period of 10 years, and ordered a \$40,000 fine. As well, the Director issued Standardbred Ruling Number 99/2008 ordering that purse monies and all trainer and driver fees earned by the horse MICHELLES POWER during a period ruled ineligible to race shall be returned and redistributed.

As a result of the presence of darbepoetin-alpha (DPO) found in the blood sample taken on August 29, 2007 and the known long lasting effect of DPO, in accordance with Rule 1.09, the horse MICHELLES POWER is hereby determined to be ineligible to race between August 29, 2007 and November 24, 2007 inclusive.

In accordance with Rule 18.08.01, any purse monies earned during the period of August 29, 2007 and November 24, 2007 inclusive, shall be redistributed; and that all trainer and driver fees shall also be returned and redistributed.

At the end of April 2008, the Director considered it necessary in the public interest to take action, and ordered the immediate suspension of the licence of William Elliott.

Intents to appeal these orders have been received by the ORC.

The presence of darbepoetin-alfa (DPO) is considered a serious violation. Evidence presented at ORC hearings over the past months have confirmed that EPO/DPO has no legitimate use for a horse that is racing. It not only places the horse at risk, it imperils the future of the horse racing industry.

These additional penalties confirm the seriousness of the ORC's medication control efforts. Through its support of the industry-funded Equine Medication Control and Drug Task Force, the horse racing community is clearly behind the efforts of the ORC to reinforce the message that the acquisition, possession and administration of illegal and non-therapeutic drugs will not be tolerated.

John L. Blakney  
Executive Director

(Source; Ontario Racing Commission as reported on Standardbred Canada.)

## California's ADW Truce Endangered



Photo: Benoit

California's advance deposit wagering truce may be coming to an end.

An experiment to gauge the effects of terminating racetrack exclusivity agreements for taking bets among the state's ADW companies has increased overall handle and impressed most of the industry's stake holders. But as the eight-month trial period that began with last fall's Hollywood Park meeting nears its July 13 cutoff, TVG, the biggest of the four account wagering providers, could be opting out.

far as exclusive California content is concerned, is the Magna Entertainment-owned Golden Gate Fields stand this fall.

TVG has exclusive agreements with the three remaining major Thoroughbred meets in the southern half of the state -- Del Mar, Fairplex and Oak Tree. All that's left, as

John Hindman, TVG's general counsel, told the California Horse Racing Board June 27 that in order to continue the arrangement, his company needs a better exchange of ADW content at fair prices.

The current experiment is to end with the conclusion of Hollywood Park's spring/summer meet. Coming up next is Del Mar, which ranks among the nation's biggest meets in overall handle and fan interest. The 2008 Breeders' Cup will be contested at Oak Tree, another big ticket event for the account wagering provider.

That's quite a bit to give away, commission chairman Richard Shapiro acknowledged.

Shapiro, noting that the CHRB has no standing to require TVG to abrogate its exclusive contracts, requested that ADW stake holders meet in the week following the July 4 weekend to see if it can come to a resolution before the Del Mar summer meet begins. While there was general enthusiasm for that, Hindman had left the meeting at the Alameda County Fairgrounds simulcast facility by the time the suggestion was made.

Before he departed, Hindman said he was disappointed in the results of the trial. He noted that while wagering had increased at about 8% over the comparable time period of a year ago, it had grown by even more than that, at 10.8%, in the preceding year. Likewise, he said, out-of-state wagering has increased 9.6% during the experiment, but had jumped by 12.5% in the same time frame during 2006-07.

"Since it has increased every year, ADW growth is not the real question," he said. "The question is: Did it grow more?"

"People thought that with shared content, it would grow a lot," Hindman added. "We weren't as sure, but we thought it would grow more than it did. We were disappointed."

Hindman explained TVG's position succinctly. "What we've seen so far is robbing Peter to pay Paul," he said. "For the first 3 1/2 months (of the trial period), we were Paul. Now we're Peter."

California totals showed that all the state's major Thoroughbred tracks have enjoyed ADW growth during the non-exclusive period, but none more so than Santa Anita Park, which jumped 48.15% in average daily handle over the 2006-07 meet. The Arcadia track has consistently lagged behind Hollywood and Del Mar because Xpressbet previously held the exclusive rights to its home betting contract, and it is less popular with bettors than TVG and its partner, Youbet.com.

With the additional providers taking wagers during the recent 77-day winter/spring stand, Santa Anita's ADW numbers jumped from \$1,163,282 per day to \$1,723,436.

That figure approached the current spring/summer Hollywood Park daily average ADW handle of \$1,942,250, according to the state's most recent numbers. That represented a 12.98% increase in daily handle over the corresponding period a year ago for the track, which was previously exclusive to TVG.

Hindman noted, though, that "our inability to televise Santa Anita and Golden Gate minimized the impact that we could deliver."

Xpressbet, as part of Magna Entertainment along with HRTV, holds the rights to Santa Anita and Golden Gate. The experiment covered only wagering exclusivity and did not extend to broadcasting rights.

During the trial period, according to figures provided by CHRB staff, the Hollywood Park fall meet increased 12.06% in total average daily ADW handle to \$1,615,336. Golden Gate Fields was up 5.5% to \$486,372. Even Bay Meadows, which already had a non-exclusive agreement with all licensed providers in the state, was up 10.63% to \$535,245 per day.

Representatives from TVG's rivals, Xpressbet and TrackNet Media (Twin Spires), said they were quite pleased with the results and gave the board assurances that they would like to see shared wagering content agreements continue into the future. They argued that it was for the good of the industry and popular with fans, since it made it no longer necessary for bettors to hold multiple accounts in order to wager on all California races.

TrackNet Media's wagering platforms are part of the Churchill Downs Incorporated network.

Hollywood Park president Jack Liebau, speaking for Youbet.com, said that while he agreed with TVG that the non-exclusive arrangement yielded somewhat disappointing results, he would like to see shared wagering content continue.

"It was successful, but not as successful as we would have liked," he said. "Santa Anita did very well by TVG coming on board. They were probably the biggest beneficiaries."

Representatives from Del Mar, Oak Tree, Santa Anita and Golden Gate Fields spoke strongly in support, as did the president of Thoroughbred Owners of California.

"As far as I can tell, there are no losers in this deal," said Craig Fravel, executive vice president of the Del Mar Thoroughbred Club. "TVG may not have had as large a margin as they would have liked. But I've been watching their press releases and they seem to be doing pretty good."

Fravel said he would like to see the non-exclusive arrangement extended not only through the end of this year, but through 2009 as well.

Added Ron Charles, representing MEC, "If you heard from the fans, you'd hear 100 percent that they want this to continue. They are speaking with their wagering dollars."

The TOC's Couto summed up by saying that the trial period saw increases in total ADW handle, track commissions, purses and ADW company revenue, creating happy fans and horsemen while improving access to race signals.

He warned that if the arrangement does not continue, ADW companies would be required to negotiate with the Thoroughbred Horsemen Group, the national consortium of 18 horsemen associations, for any future interstate signal agreements for California.

"What we have concluded is that this experiment was an unqualified success if you look at it for the good of the industry," Couto said.

Source: Bloodhorse.

### **BACK TO THE FUTURE by Dan Leibman**

Trainer Jack Van Berg is a member of the National Museum of Racing and Hall of Fame, as is his late father, Marion Van Berg.

If there were a section of the Hall of Fame for breeders, Arthur B. Hancock III would be a member, as would his father, the late A.B. "Bull" Hancock Jr.

These two men from prominent racing families have been outspoken critics of the current state of the Thoroughbred industry, so they were easy selections to be among those chosen to testify before Congress June 19.

Just look at the title of the session held by The House Subcommittee on Commerce, Trade, and Consumer Protection: "Breeding, Drugs, and Breakdowns: The State of Thoroughbred Horseracing and the Welfare of the Thoroughbred Racehorse."

Van Berg's sound bite from his testimony was this: racing is "chemical warfare." Hancock's best line was that the industry is a "rudderless ship."

Though some testified progress has been made, it really was impossible for any of the witnesses to completely defend the sport.

Now everyone knows what the industry's participants have known: Thoroughbred racing is like a dysfunctional family. Just a few of our family's problems are we allow the use of too many drugs, too many corrective surgeries on young foals, and too much leakage of our handle.

There are dozens of groups with a vested interest, and Hancock was right when he said what often

gets in the way of progress or consensus is “ego.”

It has been said that if the leaders of racing were selected to conduct a firing squad, they would get in a circle and start shooting. True, that may also apply to Congress, but the fact a House subcommittee has racing on its radar screen should serve as a wake-up call to everyone connected to racing and breeding.

Even the threat of federal intervention should be enough to make racing’s various organizations agree to sit around a table and discuss what must be done. Some groups expressed displeasure with not being invited to testify before Congress, so it will take a very large table and those in attendance must be willing to check, as Hancock might say, “their egos at the door.”

Congress has only one real bargaining chip to hold over racing’s head, but it is a huge chip—the Interstate Horseracing Act. The last Triple Crown winner is not the only thing that happened in 1978. That year, racing asked for, and received from Congress, the law that governs the simulcast of races across state lines.

Thirty years ago, simulcasting accounted for a small percentage of the dollars wagered on horse races. And account wagering did not exist. Today, it is estimated that 90% of dollars are wagered through such means.

If Congress decides to tinker with the legislation, then horse racing hangs in the balance. Going back to the days of wagering only on track is not going to happen.

But racing can go back to the days of using fewer medications. Racing can go back to the days of breeding more for racing than for selling. Racing can go back to the days of letting nature and genetics decide the conformation of a horse.

To do so, racing will need to present a plan and timeline to Congress for making such things happen. It will take the cooperation of owners, breeders, consignors, buyers, trainers, jockeys, and veterinarians. It will require the buy-in of racetracks, horsemen’s groups, racing commissions, and state agencies.

It will not happen overnight, but it can happen over many years. It can happen to save a vital industry.

This is not the same industry as when Marion Van Berg and Bull Hancock were alive. We’re not returning to that era.

But together, we can create a new era.

Source: Bloodhorse.

### **Legal web around Curlin; next race uncertain**

The racing options for the 2007 Horse of the Year, Curlin, have become increasingly complex because of the legal problems surrounding the colt's minority owner, Midnight Cry Stable, jeopardizing Curlin's ability to enter races in Illinois, New York, and France.

Curlin's trainer, Steve Asmussen, has mentioned the July 12 Arlington Handicap at Arlington Park outside of Chicago as a possibility for the 4-year-old colt's next stop and first grass race, but Illinois racing rules may disqualify Midnight Cry from an owner's license there. Similar rules are in place in other states, such as New York, where the July 12 Man o' War, also on grass, would seem to be an option.

In addition, the resolution of the legal problems surrounding Midnight Cry's owners could affect the ability of Curlin to race anywhere in the United States or abroad, racing officials said. Curlin's owners have said they are considering a start this year in the Oct. 5 Prix de l'Arc de Triomphe on the grass at Longchamp in France.

Midnight Cry is owned by William Gallion and Shirley Cunningham Jr., two Lexington lawyers who are in jail awaiting a federal jury's verdict in a criminal trial that ended Monday in Covington, Ky. Midnight Cry holds a 20 percent share in Curlin, with the remainder held by Jess Jackson's Stonestreet Stables.

The jury is considering whether Gallion, Cunningham, and another Lexington lawyer, Melbourne Mills Jr., defrauded their clients in the 2002 settlement of a class-action lawsuit against the manufacturer of the diet-drug combination phen-fen.

Gallion, Cunningham, and Mills have already lost a civil court judgment that the three lawyers illegally retained tens of millions of dollars from the \$200 million settlement that should have gone to their clients. Although the judge in that case, Roger Crittenden, has ruled that the former clients are entitled to take possession of certain assets held by the lawyers - including the share in Curlin - he has not yet issued an order that would transfer those assets to the clients.

"When he will, it's anyone's guess," said Angela Ford, the attorney for the former clients, on Friday.

Because of the civil judgment, Crittenden assigned a receiver to manage Midnight Cry's earnings, and that revenue has been placed in escrow.

Curlin's most recent start was a victory in the June 14 Stephen Foster Handicap at Churchill Downs in Kentucky. Though Midnight Cry is not licensed in the state, the Kentucky Horse Racing Authority granted a license to Midnight Cry's leaseholder: Shirley Cunningham's wife, Patricia. Unlike Kentucky, many states do not allow for the licensing of a leaseholder separate from the owner.

John Veitch, the chief state steward of Kentucky, said that Kentucky law allows for the licensing of a leaseholder without a license from the owner if the arrangement meets specific criteria. Veitch specifically referenced the receivership that has prevented Midnight Cry and Patricia Cunningham from receiving earnings from the horse.

"We don't have any reason under the law to deny her a license," Veitch said. Veitch said that if the jury returned a criminal verdict against Gallion and Cunningham, then the Kentucky Horse Racing Authority would likely review the license of Patricia Cunningham.

Marc Laino, the executive director of the Illinois Racing Board, said on Thursday that Midnight Cry does not have an owner's license in Illinois and that the group has yet to apply for a license. Patricia

Cunningham is licensed as an owner in Illinois, but Shelley Kalita, the state racing board's legal counsel, said that license may not be adequate in Curlin's case because of the lease arrangement.

Laino and Kalita both said that they were unable to make a determination as to whether Curlin could race in Illinois until Midnight Cry applied for a license. Also, Kalita pointed out that it would be difficult to give an opinion one way or another while a criminal verdict had not yet been rendered. The jury in the criminal case is expected to reach a verdict within the next week, but it could take longer.

"The whole situation is kind of a mess," Kalita said.

Ed Martin, the executive director of the Association of Racing Commissioners International, an umbrella group for racing regulators, said that a criminal conviction would almost certainly disqualify Midnight Cry from a license in any state. As a result, Midnight Cry would be ineligible for a license in France as well.

"I've never seen a case like this," Martin said. "But if you look at it from a standpoint of an international owner who has been convicted of a felony seeking a license in the U.S., in 99 percent of the cases he would not be eligible for a license here."

However, a criminal conviction could set in motion the formal transfer of Midnight Cry's assets to the plaintiffs in the civil case. If that were to happen, then an executor would likely be appointed to manage the assets, and that executor could then be licensed in accordance with state rules, racing regulators said.

Already, Midnight Cry's legal difficulties have affected the career of another stakes-winning horse the company owns, Einstein. The horse was being pointed to the Grade 1, \$400,000, Manhattan Handicap at Belmont Park on June 7, but the horse was never shipped from Kentucky to New York after Shirley Cunningham decided to withdraw his license application. Under New York rules, both an owner and a lessee must be licensed.

Veitch said that the Kentucky Horse Racing Authority is deliberating whether to change the rules regarding lessees to reflect New York's dual-requirement for licensing in lease arrangements.

Source: ESPN.com.

### **Greyhounds Racing To Find New Homes *Facility Ends Season Early***

Colorado's only greyhound-racing facility ended its racing season on Sunday, and now the track's owners say they need to find homes for 200 dogs.

Mile High Racing and Entertainment in Commerce City must get rid of the dogs in 45 days. The dogs must either be transported to other states to continue racing, used for breeding or adopted out of the sport and retired.

The dog owners wanted to race year-round, but the track operator only wanted to race part of the year. Mile High Racing and Entertainment told 7NEWS they tried a full season of racing in 2007 and

lost \$700,000. Because the two sides could not reach an agreement, the Colorado Racing Commission withdrew the rest of the dates for the racing season.

"Most of our dogs will go to Iowa and West Memphis," said Keith Legg, trainer of Legg Kennels.

But not every kennel can afford to send their dogs out of state to race. Some are having to close down their operations, said Rocky Mountain Greyhound Adoption.

For now, RMGA said the dogs currently at Mile High will be transferred to a facility in Pueblo.

"I don't think there is concern we are going to see massive greyhound deaths," said Jan Woll, with Rocky Mountain Greyhound Adoption. "We are concerned about how long they are going to be there and what the conditions might be."

It's estimated around 200 dogs will need to be adopted out or placed into foster homes.

There are five greyhound rescue organizations in Colorado. All of them are looking for help, financially and for families willing to take in some of these greyhounds.

Source: The Denver Channel.com

### **Delaware, Philadelphia Parks experience temporary tote failures**

Wagering at Delaware Park and Philadelphia Park racetracks grinded to a halt for several races on Saturday due to problems at Scientific Games Corp.'s Mount Laurel, New Jersey, headquarters.

The trouble was rectified following the fifth race of Delaware's ten-race card, which allowed wagering on the multi-state Sixty Minute Six wager to move forward. Delaware Park in Stanton, Delaware, and Philadelphia Park in Bensalem, Pennsylvania, are participating tracks in the new multi-state wager that is in its second weekend.

Wagering was restored in time for the sixth race on Delaware's ten-race card after the first five races were contested for purse money only. Philadelphia Park also restored wagering for its sixth race after the track's tote system failed for the fifth race, the track's media relations director, Keith Jones, said.

Chris Sobocinski, racing information coordinator at Delaware Park, said the main and backup systems for the track's mutuel system simultaneously crashed Saturday afternoon. Sobocinski said the problem originated at the Scientific Games New Jersey data center.

Officials from Scientific Games Network were not immediately available for comment Saturday.

Source: Thoroughbred Times.

## MEC Reorganization Vote Postponed



The parent company of Magna Entertainment Corp. has called off a scheduled July 24 shareholder meeting to vote on a complex reorganization plan that has raised the ire of some large stakeholders.

MI Developments Inc., which operates MEC as a subsidiary of auto parts giant Magna International Inc., said without explanation in a three-paragraph news release June 27 it would postpone the shareholders meeting indefinitely.

The proposed plan, which in part would have transferred about \$150 million in cash and \$250 million in debt from financially-troubled MEC to a separate company headed

by Frank Stronach – the chairman of all three involved Magna companies – has been blasted by at least two large stakeholders in MID.

It is believed that because they each control at least 10% of MID's stock, the two dissident shareholders – Greenlight Capital and Hotchkis & Wiley Capital Management – have the ability to block the plan in its current form through dissent rights. Greenlight Capital in the past has sued MID in Canadian court for shareholder oppression.

“The implementation of the reorganization proposal would be subject to applicable shareholder, court and regulatory approvals and certain other material conditions, some of which are beyond MID's control,” the news release said. “There can be no assurance that the transaction contemplated by the reorganization proposal, either as currently structured or in an amended form, or any other transaction, will be completed.”

The news release said a MID special committee hasn't made “any decisions or recommendations with respect to the reorganization proposal,” and could further postpone or cancel the meeting.

The maturity date for a \$40-million loan from Bank of Montreal, which has been extended at least four times since the beginning of the year, is scheduled for July 30. But the due date on that loan, which is secured in part by Golden Gate Fields and Santa Anita Park, can be accelerated to 14 days from the time MID officially announces the reorganization plan will not go forward, according to documents previously filed with the Securities and Exchange Commission.

MEC has lost more than \$520 million since 2002 and is currently trying sell off several of its racetrack properties in a way to reduce debt.

Source: Bloodhorse.

## **New Jersey officials do out-of-competition testing on Levine barn**

The New Jersey Racing Commission drew blood samples from more than 40 horses in the barn of Monmouth Park leading trainer Bruce Levine this week as part of its random out-of-competition testing program.

Frank Zanzuccki, the commission's executive director, said the testing of Levine's horses was planned about two weeks ago and was performed on a random basis.

"We do some testing based on information and intelligence we receive, but this was done as a random sampling," Zanzuccki said. "We have other trainers based at Monmouth Park whose horses will be tested in a similar fashion in the near future."

Zanzuccki said Levine was the first trainer to have been tested during Monmouth Park's current meeting.

Levine leads the trainer standings with 27 wins from 56 starts while his closest competitor, Edwin Broome, has 13 victories from 49. Levine also has six second- and six third-place finishes for a 69.6% in-the-money mark.

The commission's out-of-competition testing program was launched late last year following adoption of a new rule expanding its ability to test horses for illegal substances by authorizing testing at any time at racetracks and farms. The commission previously had been authorized to conduct blood sample testing of horses only on race day and only at the state's four racetracks.

The New York-based Levine said he feels his hot start at the Oceanport, New Jersey track's 99-day meeting might have prompted the random testing of his string.

"I would imagine that's the case," said Levine, who was in New York at the time the blood samples were taken. "I'm not really worried about [a positive test result] at all. I didn't get a reason for the testing and by law they don't have to give me one."

Zanzuccki said the testing program is necessary to detect the improper administration of blood doping agents, including human EPO—which improves a horse's performance by increasing red blood cells and oxygen consumption during a race.

The commission's out-of-competition procedures garnered their first positives in May at Meadowlands Racetrack, where six harness horses trained by Ernest Adam and owned by Stephen C. Slender, D.V.M., tested positive for EPO.

Both Adam and Slender were suspended for ten years and fined \$50,000.

Source: Thoroughbred Times.

## **New Limerick greyhound stadium deal gets stamp of approval**

A "HUGELY significant" step was taken this week towards the realisation of Limerick's new multi-million euro Greyhound Stadium, as the Irish Greyhound Board and Limerick Race Company Plc signed documents for the acquisition and development of the Old Greenpark Racecourse.

The IGB are hopeful that Limerick City Council will give final approval to the development plan for the Dock Road site this Monday. The board would then be able to proceed with the detailed construction and procurement phase of the €18m stadium.

CEO of the IGB, Adrian Neilan said he was delighted that the stadium development had reached this advanced stage.

"Limerick has waited long enough for this and it's great to have this track in the same city as our head offices. Site filling in Greenpark will begin straight away and the construction of the stadium will be put out for tender in the next two or three weeks. We would look to be having our first customers coming through the turnstiles by the first quarter of 2010," said Mr Neilan.

The new 500m track and state-of-the-art stadium will be the centre-piece of the 16-acre development, which also includes plans for kennel blocks, shop storage areas and office buildings. The stand in the new stadium will feature viewing and dining areas and several bars.

The development will also entail the construction of a car park with space for 510 cars, 54 greyhound trainer vehicles and three coach parking spaces.

The stadium plans have been designed by Derry-based Hamilton Architects, who have been contracted by the IGB to design all their new developments.

Source: Limerick Leader, Ireland.

## **Ballot drive to end dog racing rounds another corner**

Supporters of a statewide ban on greyhound racing completed one important step Tuesday, turning in more than four times the voter signatures needed to get a binding referendum placed on the November election ballot.

The question, if approved by voters, would outlaw greyhound racing in Massachusetts by 2010, closing two longtime dog tracks - Raynham-Taunton Greyhound Park in Raynham and Wonderland Greyhound Park in Revere.

The Committee to Protect Dogs, the group behind the Greyhound Protection Act, turned in 45,000 signatures Tuesday, more than four times the 11,099 needed.

That number, added to an initial 104,000 signatures the group gathered when it began its effort late last fall, puts the collected total at nearly 150,000.

According to spokesman Brian Adams, who represents the Massachusetts Society for the Prevention of Cruelty to Animals-Angell, more than 2,000 volunteers were involved in the signature drive. "And

they come from every single community in the state," he said, which demonstrates the initiative's broad base of support.

A potential obstacle to the question's inclusion on the fall ballot remains. A suit, filed by Raynham-Taunton Greyhound Park owner George Carney in the state Supreme Judicial Court, claims state Attorney General Martha Coakley should not have certified the petition for the Greyhound Protection Act as acceptable for the ballot when it was initially submitted several months ago.

In the complaint, Carney's attorney, Lee Kozol, contends the ballot initiative doesn't meet state requirements for such questions because "it would operate only in particular districts or localities." The issue is now awaiting a ruling by the Supreme Judicial Court.

Carney was successful in keeping a similar ban off the state election ballot in 2006, through a complaint that argued the ban proposed that year was too broad. The justices agreed.

Kozol said that proposal called for the abolition of dog racing along with several amendments related to dog fighting and police dogs. "The Supreme Judicial Court found in that case the initiative contained unrelated subjects, and it must contain only related subjects," Kozol said.

Backers of this latest ban are looking for quick action by the high court on Carney's complaint, because they want information on the ballot question included in the election guide that will be mailed to all voters in the state in early fall.

"The SJC is under orders to expedite the decision by the first or second week in July," Adams said. "That should coincide with the signatures all being certified [as belonging to registered voters] and the printing of the voters' guide."

A month ago, the greyhound initiative suffered a blow when the state Joint Committee on Consumer Protection and Professional Licensure overwhelmingly came down on the side of the dog tracks. In its majority report, legislators cited the 70-year history of dog racing, and noted the industry provides much-needed jobs as well as entertainment. Members voted 11 to 1 against recommending the act to the full Legislature.

Donald Jordan, research director for the Joint Committee, said the Greyhound Protection Act is one of the first petitions submitted that is exclusionary. "It would take a business that's been here for 70 years and say 'Let's do away with it,' " Jordan said.

"Track owners have been pounding this as a job-loss issue," Adams said. "But the figures being passed around for jobs are greatly inflated. They say there are 650 part-time and full-time employees with benefits. That number is closer to 250, according to the census."

Carney says that's wrong. "I'm sticking with the 650," he said Tuesday. "And jobs are more important now than they have ever been."

In 2000, activists were successful in placing a similar proposed ban on commercial dog racing before Massachusetts voters. It was narrowly defeated, with 46.7 percent in favor of the ban and 48.5 percent opposed.

The backers of the ban say the issue has gained public interest over the last several years, and they predict a victory this fall.

"The public is increasingly sensitive to the needs and well-being of animals, and protecting dogs from needless suffering is a priority concern," said Wayne Pacelle, president and chief executive officer of the Humane Society of the United States. That organization supports the Massachusetts initiative.

Carney, meanwhile, said he's willing to place his fate in the hands of voters.

"If it goes to the voters, it doesn't faze me one iota," Carney said. "I think they will do the same thing they did eight years ago."

Source: Boston Globe.

### **County Considers Wichita Greyhound Park's Future**

Higher gas prices, a new county courtroom, and possibly a new jail in the works. With a mounting debt, Sedgwick County is looking for anyway to earn money.

For one commissioner, that means turning a profit off the Wichita Greyhound Park. And that could mean turning the park into something else.

Weed choked parking lots, algae covered ponds, locked gates, chairs stacked in an empty room. Wednesday, it looked like the Wichita Greyhound Park ran it's last race -- and lost.

"It does look abandoned. There's a lot of grass growing in the pavement," says Thomas Stokes. He lives down the road from the park. "They need to do something with it. I don't know, it's just like, taking up space."

The county owns the land where greyhound park sits. Ruffin Enterprises, which owns the Greyhound Park, leases the land for \$75,000 a year.

"It brings back old memories. It's so sad that this has happened," says Sedgwick County Commissioner Gwen Welshimer. She is trying to clean up the area - and the county's debt at the same time.

"You know, we could do some dirt track racing," she suggested. "We could do a golf training facility. There's just many things that can be done with that site. It just all depends on how much land we have, and what we have to work with.

She's willing to lease the land to someone else, put it up for sale, speak with developers, or anything else that would get revenue coming into the county.

"It's going to take all of us together, to do the best we can for the tax payers," says Welshimer. "They're the owners of that area, and right now. We need to make a change."

A change that would turn the park, or at least the land it sits on - into a profit.

The owner of the Greyhound Park, Phil Ruffin, did not return our call. His five year lease on the property is up in a year and a half.

Source: KWCH.

### **New harness track has big plans**

The first race would not start for 90 minutes and Peg Hoffman, Barb Smith and Joyce Goodson had staked out a table alongside the windows overlooking the home stretch at Running Aces Harness Park.

Only a couple of tables are in the large room referred to as the "inner apron," and a group of horseplayers would have to arrive early to beat out this intrepid trio.

The 33rd night of racing in the track's history was held Friday. Smith of White Bear Lake and Goodson of North Branch continued their perfect attendance. Hoffman admits to three absences because of Lions Club duties.

Goodson's interest in harness racing goes back to the half-hearted attempt by Canterbury Downs to establish its presence in the mid-'80s. Smith and her husband, Ted, raise Friesians, a breed that travels in front of a buggy but not for racing.

Hoffman? She's both a horse lover and a booster of Columbus, her hometown and the location for this new business venture. Her enthusiasm for the track and for the animals is such that she brings carrots on a nightly basis.

"I feed them to the outrider horses," she said. "I'm on the rail for every race, no matter how lousy the weather."

There's been plenty of that since Running Aces opened April 11. Most dramatically, the tornado that ripped through Hugo could be seen from the roof of the grandstand.

It's no secret that the harness track opened in early spring to hasten the day when the owners could open the card room. The legislation approving the Running Aces operation included a provision that 50 days of harness racing must be held before poker and blackjack dealing could start.

Southwest Casino and MTR (Mountaineer) Gaming Group are the owners. Jeff Halpern, a vice president with Southwest Casino, said the investment was "between \$62 and \$63 million from ground up to opening."

The 50 days of racing will be complete at the end of this month. The plan is to open the card room at midnight July 1, the earliest possible moment.

The first harness meeting will end July 6. The tentative plan for 2009 is 50 days of harness racing from the first weekend in May until the end of July.

The people involved with Running Aces -- management or north suburban boosters -- get upset when they hear a suggestion that the racing is simply what it took politically to open a card room.

"We have had great support from the horsemen in order to get underway, and those people aren't going to be forgotten," Halpern said. "Next year, when we have the card room operating, we will increase purses. I hope we can double the purses."

Halpern said the daily average has been roughly \$20,000. The small handles have caused management to basically supplement the entire purse structure. For instance: The first two races Friday contained six pacers running for purses of \$2,000. According to the tote board, \$336 was in the first-race win pool and \$471 in the second.

Yet, more people were around the new track than anticipated. The simulcast area sits behind a bar and holds maybe 150. It was crowded Friday afternoon, with the customers handicapping the thoroughbreds at such tracks as Churchill Downs and Arlington Park.

Brothers James and Steve Snow, from the Blaine area, used to drive to Canterbury Park for simulcast wagering.

"This is so much closer; we're coming here most of the time," Steve said.

A start-up operation isn't without glitches. The Snows have joined the nationwide trend of betting 10-cent superfectas. On Friday, the Running Aces betting machines suddenly balked at taking those wagers for a couple of tracks.

At whatever track the Snows choose today, Running Aces or Canterbury, there will be a crowd -- what with simulcast wagering at both tracks on Big Brown's attempt at a Triple Crown.

"I love that horse," Hoffman said. "I just want to have a winning ticket as a souvenir."

And the fact such a ticket comes from her hometown track -- a facility she lobbied for at the Legislature -- would give greater meaning to that souvenir.

Source: Minneapolis Star-Tribune.

## **NYRA may emerge from bankruptcy before July 13**

The New York State Legislature on Tuesday approved technical amendments to the New York Racing Association's franchise legislation that helps clear the way for NYRA to get out of bankruptcy before its temporary extension expires on July 13.

The Senate bill (S-8709) was approved shortly before members headed home for the summer, on the last day of business for 2008. The Assembly bill (A-11502) is matching legislation introduced by Assemblyman Gary Pretlow (D-Yonkers), who serves as chairman of the lower chamber's Racing, Gaming and Wagering Committee. The Assembly is expected to have another day or two of work before wrapping things up for the year.

"Both bills provided the technical clean-up that NYRA required to go forward," NYRA President and Chief Executive Officer Charles Hayward said. "The bankruptcy plan of reorganization was approved on April 28 subject to the state and NYRA reaching a franchise agreement, a settlement agreement, and leases for the three tracks. The court asked that these agreements be reached by June 30."

Each of these agreements is an addition to the technical amendments approved Tuesday.

"We are still working hard with the state to get these agreements done," Hayward said. "However, we have a franchise extension through July 13 so that if the documents cannot get finalized by June 30, we will ask the court to allow us to get them done by July 13."

The legislature on February 13 approved giving NYRA a new 25-year contract to run Saratoga Race Course, Belmont Park, and Aqueduct, but the franchise does not become official until NYRA emerges from Chapter 11 protection. NYRA filed for bankruptcy in early November 2006 and shortly afterward filed a lawsuit against the state that was never activated.

The required franchise agreement is a legal contract mirroring the February 13 legislation, which includes NYRA's relinquishing ownership of the tracks to the state.

The settlement agreement would resolve the outstanding lawsuit.

Lease agreements are needed for NYRA to run the tracks.

In each case, however, the state must first name a gaming operator to run Aqueduct Racetrack's proposed racino because that firm's input and involvement is critical to each of NYRA's issues.

For example, NYRA will be leasing its tracks from the state and the gaming firm's Aqueduct plans will weigh heavily in how that contract is shaped.

Paul Post is a New York-based Thoroughbred Times correspondent

Source: Thoroughbred Times.

## Nebraska Hall of Fame member Williams dies

F. Dean Williams, a retired chart caller for Daily Racing Form who along with his son Robert is a member of the Nebraska Horse Racing Hall of Fame, died on Tuesday in Elkhorn, Nebraska. He was 80.

Dean Williams started working for Daily Racing Form in 1947 and spent almost 50 years following racing on the Arizona and Nebraska circuits. He was inducted into the Nebraska Horse Racing Hall of Fame in 1995, 12 years before his son Robert received the same honor.

Robert Williams began his career as a jockey in 1976 and has won more than 4,200 races. Robert Williams began working as a steward this year, and is currently based at State Fair Park in Lincoln, Nebraska.

Dylan Williams, Robert's son and Dean's grandson, is a jockey at Prairie Meadows Racetrack in Altoona, Iowa.

Dean Williams worked a variety of jobs during his lengthy career on the Nebraska circuit. While regularly traveling from track to track, he also served as a racing secretary and morning clocker, and even announced races.

Dean Williams was the announcer when Fonner Park in Grand Island, Nebraska, ran its first live card on April 29, 1954.

"I was trying to call horses and it was cold and snowy out," Dean Williams said in a 2003 interview. "The windows would steam over. You really couldn't see out. So you had to call with the windows open.

"I wound up with a bad throat and toughed it out."

Dean Williams was also the announcer when his son Robert set a track record at State Fair Park by winning eight races on September 29, 1984.

"I have a tape of the races that day," Robert Williams said in 2003. "When I won the eighth race, he was kind of choked up."

Dean Williams was born in Harrison, Nebraska, on August 12, 1927, and learned his horsemanship from his father Floyd, a former trainer who served as Robert's first agent. Dean Williams pursued a degree in agricultural engineering before deciding to make his living in horse racing.

A private family service will be held for Dean Williams, who is survived by his wife of 54 years, Sheila, and four children. In lieu of flowers, the family asks that donations be made to Life Care Center of Elkhorn, 20275 Hopper Street, Elkhorn, Nebraska, 68022.

Heafey-Heafey-Hoffman-Dworak-Cutler Funeral Chapel in Omaha, Nebraska, is handling the arrangements.

Source: Thoroughbred Times.

## Tucson Greyhound Park sues racing-foe blogger

Karyn Zoldan would like to see Tucson Greyhound Park boarded up and greyhound racing ended.

It's not much of a secret. Just check the Internet.

For several years, Zoldan has been an outspoken critic of the track and of greyhound racing, speaking out about how the dogs are treated and the problems that arise when they are retired and no one wants them.

Finally, last fall, fed up with the track, Zoldan took to the Web, putting up a blog at [www.endtucsongreyhoundracing.com](http://www.endtucsongreyhoundracing.com). There she railed against the track, saying, among other things, that "tens of thousands of dogs have died at Tucson Greyhound Park during its 60-year tradition of racing."

That got the track's attention, and Zoldan now finds herself the target of a defamation lawsuit in Pima County Superior Court. Those statements, Tucson Greyhound Park claims, have damaged the track's reputation.

"You can imagine how one would feel reading that tens of thousands of dogs had died at your track," said John Munger, an attorney representing the track. "That just isn't true."

Zoldan, who writes food reviews for the Tucson Weekly and has also in the past freelanced real estate advertisements for Tucson Newspapers, has since taken down that comment and other inflammatory statements, although the site remains up and running.

The suit, said her attorney, Chris Wencker, is frivolous and is simply designed to chill free speech and stop criticism of the track. The burden of proof is on the track.

"They are a highly regulated industry, and so they are already in the public eye," Wencker said. "And it's not as though Karyn and her little Web site with who knows what kind of readership came along and thrust them into the public eye."

Because of the small purses it offers, Tucson Greyhound Park is widely regarded as an "end of the line" destination where greyhounds finish their racing careers.

That distinction has led to a glut of retired racers and incidents of greyhound abandonment and disappearance. Two years ago, more than 140 dogs disappeared after they were supposed to have been taken to adoption groups. A number of other incidents also have made headlines. And for that reason alone, Wencker said, he doesn't see how Zoldan could have damaged the track's reputation.

The suit comes at a time of rapid evolution for free speech on the Internet.

While he wouldn't comment on the lawsuit, Kevin Kemper, a University of Arizona journalism professor who focuses on free-speech issues, said more and more often, speech on the Web is being held to the same standards as speech in print or broadcast media.

### Did you know

Tucson Greyhound Park was built in 1944 and is one of three tracks in the state. It is owned by Joseph Zappala and Robert Consolo Jr.

Source: Star Archives

"If it's defamatory, you can be liable," Kemper said. "That doesn't change because of the Internet. In fact, the Internet accentuates that," because you can potentially reach a wider audience.

Kemper said a number of people assume that because they are writing on the Internet and not a traditional setting, they can write pretty much whatever they want.

"That's not true," Kemper said. "My big concern is that even though we do have a lot of freedom of speech on the Internet, the abuse of that freedom could lead to more regulation."

For the most part, the suit against Zoldan makes small but potentially significant distinctions about posts.

For example, on her original Web site, Zoldan referenced the disappearance of more than 150 dogs from the track two years ago. But, in fact, the dogs actually disappeared while in the hands of a third party, whom the track hired to move the dogs.

The track does not own the dogs that race there.

How far the suit goes is debatable. It originally included Susan Netboy, of the California-based Greyhound Protection League, and a handful of others, including a dead woman. The case against Netboy was recently dismissed because she had nothing to do with Zoldan's site, and Netboy characterized the suit as nothing more than an attack on free speech.

"I think the idea of a multimillion-dollar corporation suing individuals who are just trying to save dogs and hold the track accountable on public-policy issues doesn't sit well for most people," Netboy said. "I think, actually, all they've accomplished is generated bad will and resentment. I think all of us will be soldiering on."

The case stands as a warning to those who write or post comments on the Internet: They can be held accountable.

"It's essential that free speech on the Internet be preserved," Kemper said. "It is also essential that people who create content and publish it on the Internet, in any form, are aware of their First Amendment rights and responsibilities."

**Source: Arizona Daily Star**

### Rain doesn't dampen new track opening at Horse Park

A quick late morning rainstorm may have kept Mississippi Horse Park officials from cutting the ribbon on the facility's new 5/8-mile all-weather track outdoors, but that didn't stop them from celebrating its opening on Friday.

The rainfall meant city, county and Mississippi State officials and local business leaders held the ribbon cutting inside the Horse Park's indoor arena.

The renovated harness track was part of an \$800,000 expansion project at the Horse Park that involved removal of the hill that was once located at the center of the track — a total of 65,000 cubic yards of dirt.

The dirt from the center of the track was dispersed around the Horse Park grounds and will provide the foundation for a future barn and bathhouse.

"We want this facility to become the premier facility for events in the state, and we're well under way to achieving that," said Interim MSU President Vance Watson on Friday. "Everyone who comes here tell me how much they enjoy themselves."

The all-weather track is perfect for harness racing and other similar events, said Horse Park Manager Bricklee Miller. The removal of the hill and renovation of the track will actually enhance the racing events, she said.

"The racers and spectators will now be able to see around the entire track and can adequately clock times. We've created a new opportunity to facilitate sanctioned harness racing on what has been referred to as the best track in the state of Mississippi," Miller said.

Melissa Mixon, interim vice president for agriculture, forestry and veterinary medicine at MSU, agreed.

"This facility is just immaculate. We look forward to a lot of new opportunities here," Mixon said. The Horse Park annually hosts a variety of equestrian events, including barrel racing competitions, roping events and horse shows. Multiple rodeos, bull riding, motorcross and other events — including the recent Carson and Barnes Big Top Circus — are also a staple.

The Horse Park complex also boasts 150 recreational vehicle sites with water and electricity connections at each site. The RV sites will also open up new opportunities for events at the facility, Miller said.

Source: Starkville, MS Times.

### **Strangles quarantine is lifted at Pompano Park**

Track management announced this morning that animal health officials from the United States Department of Agriculture have removed the *Streptococcus equi* (Strangles) quarantine on the stable area at Pompano Park Harness Track.

Track management and the horsemen and women in the backstretch were commended by the USDA health officials for complying with all the special bio-safety and quarantine procedures that helped prevent the disease from spreading to any of the other 450 horses stabled on the grounds.

Source: USTA.

## Yonkers Raceway to offer free weddings

Empire City at Yonkers Raceway is offering a complimentary wedding to the first eight couples, as well as six guests, who want to get married on August 8, 2008. The numbers 8-8-8 are considered to be lucky in numerology.

"It's a date that only hits the calendar once a century, so we want to make sure that couples have the opportunity to start a long, healthy, and prosperous life together right here at Empire City," Empire City general manager Bob Galterio said.

A justice of the peace will perform the wedding ceremony. Those interested should call 212-972-5337 or 914-260-7436.

Source: LoHud.com

## Track serves up taste of bayou in a quiet corner off race pace

The thing about having a meal at a racetrack or a casino is: Do you want to hear the tense buzz of the scene, or do you want to escape from it while you dine? I don't relax much in a cavernous, stadium-style building humming with 300 video poker machines, so the new Bourbon Street Steakhouse-Grill, tucked into a glass-walled corner behind the Kennel Club at the Southland Greyhound Park in West Memphis, was an oasis of peace and comfort.

The 20-ounce ribeye at Bourbon Street Steakhouse at Southland is cut and frenched at the restaurant. Photos by Ben Fant/Special to The Commercial Appeal

The Bourbon Street Steakhouse inside Southland Greyhound Park provides a refuge from hectic sounds of the gaming floor, but the racetrack is still in view.

The place is cozy: It has mushroom-colored walls, muted lighting and a herringbone-patterned carpet. The glass walls deaden sound while offering a long view to the dog track.

We went to the Saturday afternoon races, a diverting spectacle even if you're just an animal lover and not a gambler. If you go outside and stand by the track, an earnest, athletic pack of dogs will pound by a few feet away from you every 15 minutes or so. The 17 matinee races began at 12:45 p.m. and ended about 4:45 p.m. -- we arrived at Bourbon Street Steakhouse when it opened at 5.

The staff has a super-warm-and-friendly Southern style, and a gift of a mini-hurricane arrives soon after you're seated.

The Bayou Teche-style crawfish appetizer we ordered first was an unqualified success -- morsels of fish tail beside fried-green tomatoes in a thin batter with a spicy Hollandaise, which was rich and creamy but not dense. The Ragin' Cajun Pasta -- we had the combo with shrimp and pungent Andouille sausage -- was quite good. I know New Orleans cuisine is all about indulgence, but I wouldn't have minded less oil in that dish.

We had to have the alligator, since it was on the menu. You may be familiar with the comparisons people who've eaten alligator make to chicken and veal: Our medallions were pale, but there was a

tinge of game on the tongue and the meat we got was fatter than I expected it to be. I much preferred the excellent pork and beef tenderloins that came with the mixed-grill plate.

Another night, we started with barbecued shrimp in remoulade sauce -- a faultless rendition of the dish -- and blue-crab cakes, which were thick but bland.

The chop chop salad -- a simple, classic, platter-sized version with hearts of Romaine, chopped tomatoes, cucumbers, red onions and lots of bleu cheese -- was so good we ate it all, and without dressing.

We ordered the seared blackened red drum fish, a sweet fish that takes well to spice, but since it's firm and low in fat, it can dry when cooked, and ours did. The beef filet we had was flavorful and tender, but oddly cut -- the server told us cutting is done in-house -- so the searing process had an uneven effect on the interior doneness.

The restaurant serves Erath Pinot Noir by the glass, which crossed over well from a fish appetizer to a grilled entree.

We shared Bananas Foster -- a Brennan's Restaurant invention -- for dessert one night, which made our charming server happy, since she got to perform the tableside flambé show: The rum-and-brown-sugar sauce and the vanilla ice cream were delicious, but the bananas were chewy. The Bourbon Street cheesecake is the dessert to order here. It is unapologetically lush, and achieves the perfect, seemingly contradictory, dense-but-airy consistency.

The restaurant just opened in May, but the staff already seems to be a fairly fluid working team, which they demonstrated late on a Wednesday night when dealing with the Drunk Guy at the Corner Table. This guest in shorts and a Hawaiian shirt must have had a great day at the races. There was a Champagne-shaped bottle on his table. His head was on the table sometimes, too; other times he was talking loudly to himself. Social skills were required, and they arrived in the form of a man in a dark jacket who was solidly built, but also kindly. He asked the guest if he was ready to go. No, he answered, he was not. A smiling server joined the group. Fresh air was suggested. The guest said he couldn't drive; he was assured no one wanted him to do that. He rose and meandered toward the door. Everyone on the staff smiled and said good night as he passed them, and he was smiling, too.

Source: [Commercialappeal.com](http://Commercialappeal.com) (Memphis, TN).



## **THANK YOU 2008 RCI ASSOCIATE MEMBERS!**

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