



# RCI BULLETIN

1510 NEWTOWN PIKE, SUITE 210  
LEXINGTON, KY 40511

PHONE: (859) 224-7070 FAX: (859) 224-7071  
EMAIL: SUPPORT@ARCI.COM

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### **KY Panel Approves Out-of-Competition Testing**

September 8, 2010 – The BloodHorse

The Kentucky Horse Racing Commission, operating on a tight schedule, approved a regulation Sept. 7 governing out-of-competition equine drug testing with plans to have it in place in advance of the Nov. 5-6 Breeders' Cup World Championships at Churchill Downs.

The regulation was unanimously approved with a request it be given emergency status, meaning it will take effect when signed by Gov. Steve Beshear. Once signed, the regulation will be legal for six months. During that time, the regulation will go through a legislative vetting process, including public hearings, before a final regulation is adopted.

The regulation was drafted, revised, and debated over the course of several months and sent to the KHRC at the recommendation of the Kentucky Equine Drug Research Council and the commission's rules committee. The penalty schedule for offenders was the most controversial aspect of the regulation.

The KHRC, after some discussion, approved a first-offense license revocation of between five to 10 years and up to a \$50,000 fine. Also, those same penalties would apply to an owner, trainer, or anyone entrusted with a horse's care refusing to permit a horse to be tested. Horses that test positive under the regulations would be barred from racing in the state for 180 days.

Earlier drafts called for a suspension of one to 10 years. At meetings of the joint EDRC and rules committee and in town hall meetings with horsemen, there was also some support for having a mandatory 10-year license revocation for a first-time violator.

The regulation will allow the KHRC to conduct tests on horses regardless of location if there is a likelihood the horse ordered for testing will race in Kentucky. The tests are aimed at detecting prohibited substances, mainly blood-doping agents, that cannot be detected in post-race tests and which are specifically identified in the regulation. KHRC veterinary staff members have said that the substances targeted by the regulation can be detected for only a short period after being administered--meaning they would not show up in regular post-race tests--but can have a lengthy positive effect upon a horse's performance.

The regulation applies to all breeds for which there is racing in the state—Thoroughbred, Standardbred, Quarter Horse, and Arabian.

KHRC member Alan Leavitt, a Standardbred breeder and owner, favored the 10-year penalty, saying it is more in line with regulations in other states and Canada that have out-of-competition testing. He said opposition to a 10-year penalty based on the premise it would be a "lifetime ban" for the violator was without merit because a "death sentence" should be the proper penalty. He also argued that the 10-year penalty would be more consistent and uniform with other states with out-of-competition testing. "Blood-doping is the greatest threat to the existence of harness racing we have ever had," said Leavitt, the only commissioner to discuss the regulation prior to the vote.

KHRC member and rules committee chair Ned Bonnie said it was questionable whether the mandatory 10-year license revocation would withstand a legal challenge. He said the regulation providing a window of between five to 10 years would be more palatable because it would permit regulators to consider mitigating circumstances when meting out the final penalty.

"We believe a flat-out 10-year penalty could readily run into a lawsuit," said Bonnie, an attorney. "The state would be better served by revoking, rather than suspending, the license for five to 10 years...We believe this is in racing's best interests."

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Under the protocol established under the regulation, a licensee would be required to apply to the commission's license review committee upon completion of the revocation period in order to be re-licensed. Also, a horse that tests positive under the regulation would be required to have a negative test before it could resume racing following the 180-day ban from competition.

Any horse that tested positive in a post-race test for the substances for which the out-of-competition regulation is aimed would face the stiffer penalties imposed under out-of-competition regulations.

Marty Maline, executive director of the Kentucky Horsemen's Benevolent and Protective Association, said many of the concerns that owners and trainers had with the regulation were addressed during the drafting of the document. He said, however, that there are still some questions about whether the commission has the right to conduct drug testing on private property over which they have no regulatory authority.

Maline said the KHBPA board would review the new regulation to determine its impact on horsemen.

<http://www.bloodhorse.com/horse-racing/articles/58772/ky-panel-approves-out-of-competition-testing>

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## **Saratoga Gaming and Raceway Launches Interactive Wagering Platform - SaratogaBets**

September 7, 2010 – PRNewswire.com

SARATOGA SPRINGS, N.Y., Sept. 7 -- Today marks the official launch of SaratogaBets, Saratoga Gaming and Raceway's very own advance deposit interactive wagering platform.

SaratogaBets is a free service that allows account holders to wager on pari-mutuel racing over the phone, or online at [saratogabets.com](http://saratogabets.com).

"We are very excited to be able to offer this convenient option to our guests," explains Saratoga Gaming and Raceway Director of Racing Operations, John Matarazzo. "They can now enjoy the flexibility of wagering on tracks across the country from here on property, right in their own home or remotely from wherever they might be."

In conjunction with the launch, SaratogaBets is issuing new customers \$25 when they sign-up and bet their first \$50. Weekly rewards will be directly deposited into the account of players who qualify in a given week. In addition, all wagers made via phone will be fielded by live phone operators and each member will have the ability to customize their personal website settings. Most importantly, customers will never incur a surcharge on winnings.

Racing fans that are interested in this service can find out more and sign-up today online at [SaratogaBets.com](http://SaratogaBets.com), over the phone at 877-782-9994 or at the designated mutuel window located on the Mezzanine at Saratoga Gaming and Raceway.

SaratogaBets from Saratoga Gaming and Raceway is launched in affiliation with eBet Technologies Inc., a leading business-to-business account wagering solutions provider, developing and managing turnkey interactive pari-mutuel gaming platforms.

<http://www.prnewswire.com/news-releases/saratoga-gaming-and-raceway-launches-interactive-wagering-platform---saratogabets-102347434.html>

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## **Centaur will be permitted to sell harness track license**

September 13, 2010 - Beaver County Times

MAHONING TWP. — A company attempting to build a harness racing track and casino in Lawrence County has reached an agreement with its creditors in bankruptcy court to sell the rights to its Pennsylvania racing license.

The state Harness Racing Commission will meet Sept. 3 to vote on a request by Indiana-based Centaur Gaming for a two-year extension of its harness-racing license. If Centaur receives the extension, it appears likely the company will try to sell that license to the highest bidder.

Susan Kilkenny, a spokeswoman for Centaur Gaming, said Thursday that the company, which filed for bankruptcy last year, had reached an agreement with its creditors on the process by which the rights to the license could be sold and that a Delaware bankruptcy court judge could rule on the agreement by early next week.

[http://www.timesonline.com/bct\\_news/news\\_details/article/1504/2010/august/26/centaur-will-be-permitted-to-sell-harness-track-license.html](http://www.timesonline.com/bct_news/news_details/article/1504/2010/august/26/centaur-will-be-permitted-to-sell-harness-track-license.html)

## **Seventh child found in car in Parx Casino lot**

September 3, 2010 – philly.com

At noon Thursday, state and local officials had called a news conference in Bensalem to address ways of ending a recent outbreak of adults leaving children alone in vehicles outside the Parx Casino there. Six such incidents had been reported since June 15, resulting in four arrests.

Less than three hours after the media event ended, a seventh child was found alone in the Parx lot.

This time it was a gambling grandfather who was charged with leaving his 12-year-old grandson in a sweltering SUV on an afternoon when the temperature reached 94 degrees at Philadelphia International Airport. Bensalem police charged Alexander Salter Jr., 60, of Trenton, with endangering the welfare of a child. According to court records, he had left his grandson at 3:05 p.m. for about a half-hour.

"No air was on," Bensalem Public Safety Director Fred Harran said. "No keys in the car. No water."

In the meantime, according to one of the investigators, Sgt. Andrew Aninsman, Salter had won about \$100 playing slots. "That's going to be nowhere near what he's going to need for his lawyer's fees," Aninsman said. "I don't understand it," an incredulous Harran said late Thursday. "It's been all over the media. How people aren't wise to it . . . 24 years I've been doing this job, I can't figure people out."

Salter had been watching his grandson while the boy's mother was at work, Aninsman said. A mechanic, he had arranged to meet a customer at the casino lot. With 20 minutes to kill, he decided to play the slots, parking his car illegally, Aninsman said. That drew the attention of casino security, who discovered the youth and called police.

"This is a hot day. Grandpa was inside, gambling away," said Bucks County District Attorney David W. Heckler, whose office approved the charges against Salter. Salter was arraigned Thursday night via video conference and released on \$25,000 unsecured bail. He refused to comment afterward. "You take any person, sit them in a car with the windows down for a half-hour in 90-plus-degree weather and you tell me how you feel," Aninsman said. "The child is fine . . . Mr. Salter is very upset; he knows he did wrong."

For Parx officials, some of whom had just finished touting new security measures at the news conference, it was another public relations bust. "This is being handled by the police department," Parx spokeswoman Carrie Nork Minelli said in an e-mail. "We are not releasing any personal information - the man has been evicted from the casino and will no longer be admitted at any time."

But for two state legislators from Bensalem - who want such behavior prosecuted as a felony - the arrest aptly underscored the urgency they had declared to reporters. "We were all shocked when we first heard of these incidents," State Sen. Robert M. Tomlinson (R., Bucks) told reporters just hours before Salter's arrest. "When we learned there were several more, we were even more shocked and couldn't believe what we were hearing."

Tomlinson and State Rep. Gene DiGirolamo, a fellow Bucks County Republican, called the news conference to announce plans to boost the penalties for such behavior. They said they intended to introduce legislation making it a third-degree felony to endanger the welfare of a child under 13 by leaving the child in a vehicle unattended by an adult. Under current law, endangering the welfare of a child is a first-degree misdemeanor. The bill would increase the maximum sentence from five years to seven years for anyone leaving a child in a car.

The legislators' proposal would have applied to Thursday's case, and at least five of the other incidents also involved children under 13 - one of them 15 months old - who were left behind while their parents gambled at Parx. None of the children has been seriously harmed, or other charges could have come into play.

Last summer, involuntary manslaughter charges were filed against Rimma Shvartsman, a Penndel day-care owner who fatally forgot a 2-year-old boy in her van. A jury later acquitted her, deciding that the death had not resulted from an intentional criminal act.

Last month, Heckler's office filed first-degree felony neglect charges against a caregiver who left a 20-year-old man for five hours inside a locked van July 24. Bryan Nevins, whose severe autism rendered him unable to escape, died inside the van on a 97-degree afternoon. Heckler called Tomlinson's and DiGirolamo's proposed bill "a rational response" that "doesn't restrict the court's ability to fashion an appropriate sentence in each case. And to the extent that it calls people's attention to the utter unacceptability of this behavior, fine by me."

At the news conference, Thomas Bonner, the casino's general counsel, said Parx supported the legislation. The casino, he said, has erected signs warning against leaving children unattended, and has encouraged patrons to report any children seen there. It also has doubled the number of surveillance cameras in the parking lot and has increased security patrols, particularly during the casino's busiest times.

"One child left unattended is too many," Bonner said. "We want to make sure it doesn't happen again."

<http://www.philly.com/philly/news/local/102131574.html>

## **Tribe sinks \$7M into refurbishing Oklahoma Racetrack**

August 26, 2010 - Indiana Country Today

OKLAHOMA CITY (AP) – A subsidiary of the Chickasaw Nation has spent more than \$7 million in recent months to restore Remington Park, a top official with the track's ownership group said Aug. 17.

Even as horses went through morning workouts on the racetrack, construction workers continued buzzing around the 22-year-old facility to complete the initial stage of renovations before the opening of the track's annual thoroughbred meet Aug. 19.

Remington Park once was considered one of the nation's finest racing facilities, and "it's so gratifying to be able to have the money to restore this place to its former glory," said Scott Wells, the track's president and general manager.

Global Gaming Solutions, a subsidiary of the Ada-based American Indian tribe, bought the track and its on-site casino Dec. 31 for \$80.25 million from bankrupt Magna Entertainment Corp.

Although they'd checked out the track before making the purchase, Global Gaming officials were amazed "how much deferred maintenance there was and how much capital was not invested back into the property," said Greg Pittman, the company's vice president of development projects.

Even with the well-documented struggles of the horse racing industry nationally, Global Gaming saw an opportunity in Remington Park, Pittman said, especially considering the Chickasaws' success in operating two of the state's largest casinos, the Riverwind in Goldsby and the WinStar in Thackerville.

"This was a diamond in the rough," Pittman said. "It just needed some (tender loving care) to bring it back to the glory days of before. ... We look at it as an entertainment venue and we're very good at entertainment venues. When there are areas we don't know about, we bring in smart people to run the operations for us."

Changes are obvious all around the facility. There's new roofing on the paddock and main building, new paint in the paddock, the main building and on balconies and new exterior lighting. The suites have been reworked, with new lighting, flooring, paint and furniture.

On the main level, the public areas were widened and half of the betting-window structure was removed. A new locally based restaurant, Henry Hudson's, is being built. Flat-screen televisions have been installed throughout the facility, with more to come.

Outside, the track's asphalt apron has been redone with pavers, new furniture, two fountains and two planters. A 9-foot waterfall is under construction next to an outdoor patio area. The goal, Pittman said, was "to create a park-like setting" for fans to watch races.

The jockey's quarters received a complete facelift, and in the casino, about 300 of the 750 games have been upgraded or changed out. Even the track's rarely used infield has seen some renovation work and should be accessible to fans more often as a result, Wells said.

"We talked to the customers and figured out the areas where we could have the biggest bang for our buck immediately," Pittman said. "The track level on both sides, we had a lot of customers coming and trying to enjoy the racing under a very bland environment, with outdoor furniture inside. If they were willing to attend under that scenario, it's easy for us to say, if we refurbish the place, put color on the wall, clean it up, put furniture in there, more people would come."

Trainer Donnie Von Hemel, who has run horses at Remington Park since it opened in 1988, said having an Oklahoma-based group own the track is a positive.

"We've always had an absentee landlord here," Von Hemel said. "When the owner has to see his patrons on a regular basis. ... I think there's a better chance they are going to be proud of what they're putting out there for the fans. They have shown they are going to step up to the plate and do a top-notch job."

All the work is about making the entertainment experience better, Pittman said.

More renovations are planned during the coming months, Global Gaming CEO John Elliott said, and during the next three to five years, company officials hope to build a hotel on the grounds. Pittman said he foresees the track and hotel hosting conventions, concerts and other sport-themed events.

<http://www.indiancountrytoday.com/business/Tribe-sinks-7M-into-refurbishing-Okla-racetrack-101391544.html>

## **Harness racing accident injures 5**

September 7, 2010 – Kennebec Journal

WINDSOR -- Five harness racing fans were injured at Windsor Fair on Monday when they were struck by the starting gate just after the beginning of the 13th race.

Three of the fans were taken by ambulance to MaineGeneral Medical Center in Augusta while the other two were treated at the scene. The fans were standing along the rail about 50 yards beyond the starting line when they were struck by the gate as the pickup truck it was mounted upon was leaving the track.

Elaine Bennett of Ashland was one of the spectators treated at the scene. "I was standing here watching the race and all of a sudden it looked like something silver was coming. I turned my head . . . and it hit the side of my face."

Bennett identified one of those taken to the hospital as Gary LaFreniere of Skowhegan. Names of the other two were not released.

"There's Gary's glasses right there," Bennett said, pointing to the side of the race track. "The guy beside Gary was taking pictures I believe and his glasses are down there a ways." Also struck in the accident was Michael King of West Gardiner, who was treated for an injury to his arm. King said he had no time to react.

"I turned my head . . ." he said. "When I saw it, it hit me. It hit my arm and spun me around. I'm OK."

According to Windsor race director Bill McFarland, the retractable gates are made of steel. They are used to hold the horses back until the starting line, then as they retract, the truck veers right toward an exit just off the first turn about 200 yards away. "That is the critical zone, from the start until they get settled down in the first turn," McFarland said.

The truck is traveling 30-35 mph, said McFarland who said he's never seen an accident of this kind at Windsor. The gates are closed manually by the driver of the vehicle. This year the gates were provided by Maine Gate while Penn National contracted for the gates last year at Windsor. "Last year we were able to use a newer gate that wasn't available this year," McFarland said.

Ray Chavarie, director of Windsor Rescue, confirmed three victims were transported to the hospital in three ambulances. There are usually two at the fair, although one of those is exclusively for accidents on the race track.

"If we use that ambulance, the races would have stopped," McFarland said.

The track's rescue vehicle though, was unavailable.

"Unfortunately, the first day of the fair it went kaput and it's been in the repair shop," Chavarie said. "The problem was we required three ambulances to transport people. The first two were here in a short period of time. They got here as soon as they could."

[http://www.kjonline.com/news/harness-racing-accident-injures-5\\_2010-09-06.html](http://www.kjonline.com/news/harness-racing-accident-injures-5_2010-09-06.html)

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## **Churchill Downs purchases Mississippi casino**

September 13, 2010 – Bloomberg Business Week

Churchill Downs will buy Harlow's Casino Resort & Hotel in Mississippi for about \$138 million as it seeks to diversify further, the company said Monday.

The horse race track and casino operator said it will finance the deal with cash and a revolving credit agreement.

Harlow's opened in Greenville, Miss. in November 2007 and is currently owned by Levine Leichtman Capital Partners Inc., Oak Hill Advisors L.P. and private investor Jess M. Ravich.

Churchill Downs Inc. must still obtain a Mississippi gaming license and get regulatory approval. The acquisition is expected to close in the next three to six months and add 27 cents to 31 cents per share to Churchill's earnings in the year immediately following the deal's closing.

<http://www.businessweek.com/ap/financialnews/D9I725000.htm>

## **Tedesco was Del Mar's Man of the Meeting**

September 7, 2010 – Sign On San Diego

**DEL MAR** — On the morning of Aug. 7 at the Del Mar Racetrack, the historic day that [Zenyatta](#) won her 18th straight race, track superintendent Richard Tedesco was scrambling.

Zenyatta's trainer, John Shirreffs, was ready to pull his super mare out of the Clement L. Hirsch Stakes because he didn't believe Del Mar's Polytrack was safe for racing. But Tedesco told Shirreffs, whom he has known since the trainer was a groom, that he had a plan to make the track right.

Earlier that morning, exercise rider Chris Aplin, who works out of trainer Bill Spawr's barn, took a bucketful of the Polytrack mix to Tedesco and showed him what was clumping together and sticking to the horses' hooves. That's when Tedesco got the idea to add water -- lots of water -- to the synthetic surface.

"From that day on, from the day Zenyatta was here, I started a whole new maintenance program for this track, and it has worked," Tedesco said. "I took the sticky stuff and put it under a faucet. I saw what the water did with it. I held everybody up. We doubled the water and turned everything around."

That was just the start. Tedesco then decided to dig deeper during the rototilling sessions on Monday, two days after Zenyatta thrilled 32,536 fans, at the time the biggest crowd ever to see races here on a day that wasn't Opening Day or the Pacific Classic. Tedesco utilized a cultivator to go deeper into the track.

"We went deeper and pulled up the old track that hadn't been used because they never went that deep," Tedesco said. "It was loaded with wax that hadn't been used. It was the Monday after Zenyatta ran. It was sunny and pretty here, and we changed this whole racetrack."

Trainers, jockeys, and most importantly, horses, noticed the difference. Going into today's final day of the 71st meeting, the 37th and last day of racing this year here, fatalities are down significantly from last year's total of 11 on the Polytrack (six in racing, five in training). With one day left there have been four horses euthanized after suffering catastrophic injuries in afternoon races on the Polytrack. One other was lost after breaking down in morning works. The turf had two fatalities, one in morning works, one in afternoon racing.

Tedesco has been praised in every corner of the facility. In the press box, where media members are asked to pick the top horses in each category, including the horse of the meeting, someone suggested that Tedesco be named "Man of the Meeting."

"I think Richard has done an excellent job," said Craig Fravel, president and general manager of the Del Mar Thoroughbred Club. "He has had his crew working as a team together, and after some adjustments early on, they have really gotten the track in great shape as far as safety and for racing. I couldn't be happier."

Asked if Tedesco will be brought back for a second year, Fravel said, "Absolutely. He's coming back."

Tedesco symbolizes the work ethic among those on the backstretch in every way. He figured out how to maintain the track the way the successful trainers like Doug O'Neill, who will be the meeting's top conditioner, and trainer [John Sadler](#) solved it for racing. "Early in the meeting it was inconsistent, but it has gotten much better," Sadler said. "When you train for synthetic, you train for closers. But there at the beginning, it was favoring speed. My thing about tracks has always been about consistency. The horses and trainers will figure it out if we know it's one way. When it goes back and forth, we have trouble."

Trainer Jenine Sahadi, whose warrior mare, Gotta Have Her, won the Grade II, \$150,000 Palomar Handicap Monday on turf, believes the track has been very good, especially the last three weeks.

"You have to adapt," Sahadi said. "That's what we do as trainers. Frankly, I'm a little peeved about all the crying and whining from the guys who are winning all the races. Maybe we should shut our mouths a little bit and be thankful that everyone seems to be enjoying a good meet. I love Del Mar. I think they do a great job. They put on a great show. The attendance down here has been remarkable. I just don't see how anyone can knock this place. Things will happen no matter how hard you try, and no matter what you do, horses are going to get hurt. It's a fact of life. We all try and do the best we can."

Tedesco said Del Mar's Polytrack will be even better and safer next year.

"The plan is for me to come here three, four times before we open next year and work it just like it's a race day," Tedesco said. "I'll be at Santa Anita (where he'll assist in putting in a dirt track), but I'm going to schedule some time here. The big thing we're going to do is add wax to it sometime in April. That will really help this track and have it ready for next year."

<http://www.signonsandiego.com/news/2010/sep/07/tedesco-was-del-mars-man-meeting/>

## **Doug O'Neill's Del Mar training title is marred by accusations**

September 8, 2010 – LA Times

From Del Mar — Here I'm thinking trainer Doug O'Neill is a great guy, friendly as anyone you might meet, a soft spot for the children's hospital I know so well, but now they're telling me he's a horse murderer and cheater.

It takes a lot for me these days to write about horse racing, but really, who is he?

It's the final day of racing at Del Mar on Wednesday and O'Neill finishes as the meet's leading trainer, but of course he does, as some will say, because the California Horse Racing Board is suggesting now he doctors his horses like no one else.

"I swear on my kid's eyes I don't," is O'Neill's response, and my first thought is now I know what it must feel like to be one of Roger Clemens' friends.

I want to believe him, almost have to if he really is the great guy I know, but Dr. Rick Arthur, the equine medical director for the California racing board, is making a case to the contrary.

Arthur says every horse is tested before every race for milkshaking, a way to delay the fatigue a horse might feel while running, probably 40,000 tests given over the last two years, and the only horse to exceed set levels is trained by O'Neill.

I don't know Arthur or the racing industry well enough to know if there are personal agendas or vendettas here at work, O'Neill maybe a victim more than being a cheater.

Maybe that's just wishful thinking, Arthur going on to name the top five trainers in the game, not one of them cited for such a violation the last five years.

"Compare that to the present situation," Arthur says, knowing O'Neill has been cited four times in the last three years.

It's a damning assault on O'Neill's reputation, Wednesday a day to celebrate a training title at Del Mar, but instead he's close to tears.

"I'm fortunate enough that I have some friends who don't think I'm a cheater; there are a few of them left," he says. "There's a cloud overhead, but I'll celebrate the hard work our team has put in this meet and fight this complaint."

"A good Catholic boy," as he describes himself growing up, he's reminded it's mortal sin to lie with a hand on top of a reporter's notebook.

"If I'm doing what they say I'm doing, wouldn't I do it in a bigger race or with some success?" O'Neill says, the results of a test seemingly black and white, but what happens when common sense trumps the facts?

<http://articles.latimes.com/2010/sep/08/sports/la-sp-simers-20100909>

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## **Illinois adjusts account wagering cap**

August 31, 2010 – Thoroughbred Times

Responding to a 47% drop in betting from each of the account wagering providers that do business in Illinois since regulators imposed a 5% cap on out-of-state wagering fees effective July 12, the Illinois Racing Board on Tuesday voted 7-1 to raise the cap to 9%.

The new cap will take effect Thursday, enabling the account wagering customers to bet on tracks—such as Del Mar Thoroughbred Club and Saratoga Race Course—that charge more than 5% for their signals.

"Whatever is necessary to turn these signals back on, that's what we want to do," said Illinois Thoroughbred Horsemen's Association President Mike Campbell. Campbell previously had expressed "support for our fellow horsemen in states that have prime content signals ...

"They believe their signals have significant value and are not willing to undermine that value by selling to a state that imposes a cap that is less than fair market value," he said.

Arlington Park President Roy Arnold joined Campbell in urging the board to adopt the 9% cap.

"We want the ability to honor contracts freely entered into before July 12," Arnold testified. "The problem right now is we have content we want to get and we cannot get it. The 9% cap will allow us to secure the premium content that our customers want. We have serious legal issues with interfering with pre-entered contracts."

Also lending their support were those that had originally supported the 5% cap: Hawthorne Race Course, Fairmount Park, Balmoral Park, Maywood Park, and the Illinois Harness Horsemen's Association.

"I understand the reasoning," said Fairmount President Brian Zander. "I don't see an issue with 9% but my personal preference would have been to have the envelope a little smaller—higher than 5% and less than 9%."

"We have a comfort level this will work out," said Balmoral President John Johnston.

The proponents of the cap had a shared concern that racing conglomerates such as Churchill Downs Inc. and MI Developments Inc. would bundle their tracks and sell the account wagering package at a higher rate. For example, if this were the case, Magna hypothetically could charge the same 9% fee for both Santa Anita Park and Portland Meadows.

"We have no problem paying a higher rate if the signal warrants," said IHHA executive director Anthony Somone, citing Del Mar, "but not for a 'B' track."

The new rule mandates that each track receive individual consideration and creates checks and balances.

"If there's anti-trust activity going on the board can act on it," said the board's general counsel, Shelley Kalita.

The only board member who voted against the 9% cap was Paul Smith, who expressed fears that it would prompt many tracks with non-premium racing to hike their rates.

"We're not compelling anyone to pay 9% for the signal," countered board Chairman Joe Sinopoli. "This is not a requirement. If someone wants 8% and you don't want to pay 8% you don't have to. If a track is asked to pay above the market rates just say 'No, we don't want it.'"

Sinopoli said the Racing Board office was "inundated with calls from account wagering customers complaining" because they were unable to bet on Saratoga or Del Mar.

Bob Dwyer of Naperville, Illinois, a member of Horseplayers Association of North America, testified on behalf of the rule change.

"It was discouraging not to have those tracks available," he said. "We've seen what happens when a regulation is put in that's not consistent with the market. I have confidence in the business acumen of the people who run the ('B') tracks. It's in their best interest to keep fees low."

In other action at Tuesday's meeting, the board approved Hawthorne's request to reduce the racing week to four days, reduce graded stakes purses, and eliminate an ungraded \$100,000 race during its October 1-December 31 meeting.

The Hawthorne Gold Cup (G2) purse was reduced from \$500,000 to \$250,000, the Hawthorne Derby (G3) from \$250,000 to \$150,000 and the Robert F. Carey Memorial Handicap (G3) from \$150,000 to \$100,000. The Indian Maid Handicap was the ungraded race that was removed from the stakes schedule.

Hawthorne Assistant General Manager Jim Miller said the \$500,000 in reductions will bring the purse account to a break-even balance.

"Our intent is to begin the meeting with daily overnight purses no lower than \$125,000, excluding stakes," explained Miller. "We're hoping for an increase the first of November and then another increase the first of December."

Miller pointed out that impact fee money owed the tracks by riverboat casinos through Illinois House bills 1918 and 4758 is currently tied up in court. He said if the funds are released "we'll make an immediate request to the board to raise purses."

Campbell said the ITHA supports the reduction in stakes purses and the elimination of Sunday from the racing week.

"Hawthorne is owed \$2-million in recapture [under the statute that legalized full-card simulcasting in Illinois] and \$1.6-million in overpayment of purses," the Campbell said. "We don't believe Hawthorne should carry us."

<http://www.thoroughbredtimes.com/national-news/2010/August/31/Illinois-adjusts-account-wagering-cap.ASPX>

## **Judge upholds DQ of It's a Bird in Oaklawn Handicap**

September 9, 2010 – Daily Racing Form

A circuit court judge has upheld the Arkansas Racing Commission's decision to disqualify It's a Bird from his 2009 win in the Grade 2, \$500,000 Oaklawn Handicap after he tested positive for the anti-inflammatory naproxen.

Judge Alice Gray of the Pulaski County Circuit Court in Little Rock, Ark., ruled in the case late Thursday afternoon, according to Byron Freeland, an attorney representing the commission.

The decision can be appealed. An attorney representing the connections of It's a Bird did not immediately return a call on Thursday.

It's a Bird won the Oaklawn Handicap by six lengths in April 2009. He then tested positive for naproxen, a non-steroidal anti-inflammatory that is a Class 4 medication violation. A commission hearing in the case was held in July 2009, and the panel disqualified It's a Bird and ordered the winning purse of \$300,000 to be redistributed. The action elevated RunfortheDoe, who was second in the Oaklawn Handicap, to first place. Marty Wolfson, who trained It's a Bird, was fined \$500 by the commission. Arkansas has a zero-tolerance policy on naproxen.

It's a Bird was retired in January. He raced for Edmund Gann, who died in February at the age of 86. The horse's wins included the Sunshine Millions Classic, the Grade 3 Lone Star Park Handicap, and the Grade 3 Spend a Buck Handicap.

<http://www.drform.com/news/judge-upholds-dq-its-bird-oaklawn-handicap>

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## **Saratoga meeting closes with attendance, handle decreases**

September 6, 2010 – Thoroughbred Times

Saratoga Race Course wrapped up its summer meeting on Monday with wagering totals that exceeded New York Racing Association projections heading into the newly expanded 40-day meet.

Daily average all-sources handle, which combines wagers on Saratoga races both on track and from nationwide simulcast outlets, was down 3.4% to \$13,791,518 compared with 2009, when the meet was 36 days. All sources handle for six full weeks compared to last year's six-week numbers showed a 2.6% dip, to \$500,322,977.

"We budgeted all-sources handle—our predominant financial measure—to be down about 5% due to the continued economic downturn and the earlier July start," NYRA President Charles Hayward said. "We are gratified that these final figures beat our expectations."

Daily average attendance for the meet was down 7.4% to 21,957, while daily average on-track handle dropped 7.8% to \$2,867,329 from 2009. Total attendance reached 878,284 for 40 days, with total on-track handle at \$114,693,168.

Fueled by 18 juvenile winners, Todd Pletcher captured his sixth training title and first since 2006 with 36 victories, breaking his own record set in 2003 and matched in 2004, when the meeting was 36 days. Pletcher won eight graded stakes races, including the Spinaway Stakes (G1), Woodward Stakes (G1), King's Bishop Stakes (G1), Ruffian Stakes (G1) and Coaching Club American Oaks (G1). Defending champion Linda Rice finished second in the standings with 20 wins.

"Saratoga is the one place that you really kind of want to win the training title and maybe emphasize this meet more than any other meet," Pletcher said. "It's always worked well, timing-wise, for us because it's kind of when your maiden two-year-olds are starting to get ready. It is something we take pride in and enjoy."

Working as Pletcher's stable rider, John Velazquez claimed his fourth jockey title with 57 wins, the most since Velazquez's record 65 in 2004 and third-highest winning total. Of his nine graded stakes victories, four were in Grade 1 races: the Woodward, King's Bishop, Ruffian, and CCA Oaks.

After going winless from 36 starts during last year's meeting, Mike Repole's Repole Stable finished as the top owner with 13 victories from 46 starters and \$449,680 in purse earnings, winning the High Rock Springs and Vic Ziegel Memorial overnight stakes.

"Going 0-for-36 last year is never easy," Repole said, "but you learn a lesson from everything you do in life. Success doesn't come easy. I told everybody before the meet, I don't want one or two wins, I want to win the meet."

<http://www.thoroughbredtimes.com/national-news/2010/September/06/Saratoga-meeting-closes-with-attendance-handle-decreases.aspx>

## **Average all-sources handle up more than 200 percent at Monmouth meet**

September 7, 2010 – Daily Racing Form

Average daily all-sources handle at Monmouth Park for the New Jersey track's 49-day "Elite Summer Meet" shot up 213 percent over last year, according to figures released by the track Monday night after the meet's final card.

The gain in average handle, from \$2.54 million during last year's 82-day meet to \$7.95 million this year, catapulted Monmouth into the upper echelon of the summer racing season behind Saratoga Race Course in upstate New York (\$13.8 million in average daily handle) and Del Mar Thoroughbred Club near San Diego (\$11.7 million for the first five weeks of the meet). During the meet, Monmouth distributed \$797,079 a day in average purses, tops in the nation.

In total, betting for the 49-day meet was \$389.6 million, an 87 percent gain over total wagering during the 82-day meet last year of \$208.4 million.

Monmouth's owner, the New Jersey Sports and Exposition Authority, and the state's horsemen decided this year to cut the track's summer race meet from five days a week to three days a week while using a \$17 million subsidy from Atlantic City casinos to prop up purses. Provisions in the agreement providing for the subsidy expire this year.

The decision appeared to pay off, at least in the metrics traditionally used to gauge success. With race cards held exclusively on Fridays, weekends, and holidays, average daily attendance rose 47 percent to 10,651, while on-track daily average handle rose 79 percent to \$766,506. Enriched purses had a significant impact on field size, a number that jumped 25 percent to 9.28 horses per race, up from 7.44 last year.

"We were cautiously optimistic that this kind of boutique meet would work," said Dennis Robinson, the president of the authority, in a release accompanying the figures. "But I don't think any of us expected a blockbuster like this. The fans and the horsemen made this a meeting to remember."

The question now is whether the meet's success can be replicated next year. The casinos have indicated that they are not willing to subsidize racing in the state because of their own financial problems, and earlier this summer, a commission put together by Gov. Chris Christie to examine gambling in New Jersey recommended that the state no longer offer financial support to racetracks and consider closing or selling the Meadowlands, a dual-purpose facility also owned by the authority.

According to an earlier report, the authority's racing operations lost \$13 million in 2009, a number disputed by some racing officials in the state but one that has been highlighted by opponents of racing subsidies.

Although the "elite summer meet" closed after Labor Day, Monmouth is scheduled to resume racing on Sept. 11 with a 20-day meet offering \$375,000 a day in average purses through Nov. 11, in lieu of a traditional fall Thoroughbred meet at the Meadowlands. Race cards will only be held on Saturdays, Sundays, and some holidays. Last year during the 82-day meet, purses averaged approximately \$330,000 a day.

<http://www.drf.com/news/average-all-sources-handle-more-200-percent-monmouth-meet>

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## **West Virginia Fire Death Toll Up to 29 Horses**

September 9, 2010 – The BloodHorse

As investigators began to ask questions about the cause of a Labor Day fire that destroyed four barns located near Hollywood Casino at Charles Town Races, the official number of horses that died increased to 29.

Initial reports placed the number of deaths at 27, but two more were added as cleanup began at the scene, the Journal-News in Martinsburg, West Va., reported. The Journal-News reported that investigators were being hampered in their effort to find the cause of the fire because most of the site was cleared by those in charge of removing the horses.

Assistant State Fire Marshal Patrick Barker, who is in charge of the probe, told the newspaper that the horses were to be removed quickly for public health reasons but that in doing so the workers cleared the rest of the debris, impacting the effort to find the cause of the fire.

There were also questions being raised about an apparent time lapse between 4:20 a.m. EDT, the time a bystander said they first saw the blaze, and 4:40 a.m., when it was first reported via a 911 phone call, the newspaper reported. Also, Barker said that although the scene was disturbed, investigators brought in an accelerant-sniffing canine and the dog indicated positive hits. "We got samples that could indicate criminal activity," he said.

<http://www.bloodhorse.com/horse-racing/articles/58788/west-virginia-fire-death-toll-up-to-29-horses>

## **Michigan tells horse racing industry to pay officials' costs**

September 9, 2010 – Detroit Free Press

A funding dispute between state regulators and thoroughbred horse owners could cancel this weekend's races at Pinnacle Race Course in Huron Township.

The [Michigan](#) Gaming Control Board has given the industry until noon Friday to come up with \$57,000 to pay track officials, or face an order to not race.

"We can't spend money we don't have," said Rick Kalm, executive director of the Gaming Control Board, which regulates horseracing in Michigan. "It costs us about \$7,000 per race day to regulate."

There are only five thoroughbred racing days left this year and paying the additional fee would knock 20% off the purses, which are already down, said Gary Tinkle, [executive director](#) of the Michigan Horsemen's Benevolent & Protective Association. "It's a systematic dismantling of the industry," Tinkle said. "You've got horse owners who are already hanging on by their fingernails."

Tinkle said the board of his organization likely would decide today whether to pay the fee.

The [horse racing](#) industry in Michigan has already been shrinking because of changing betting patterns and other factors. This year, there were only 42 race days in Michigan, down from 64 last year. The disputed costs are those paid to track stewards who monitor the races, check stables and enforce state regulations at the track.

Kalm said the Gaming Board staff has tried to be open about its costs, but a recent update showed they were costing more than originally anticipated.

He said it costs about \$7,000 per race day to regulate thoroughbreds, more than the \$5,800 it costs to do the same for harness racing.

The money to pay them comes from a state tax on racing simulcasting, which tracks offer to bring in additional revenue. Tinkle said that fund generates more than enough money to regulate racing, but the Legislature diverts some for other purposes.

<http://www.freep.com/article/20100909/NEWS05/9090371/1007/NEWS05/Michigan-tells-horse-racing-industry-to-pay-officials-costs>

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## **Oak Tree meet including Thursday and Friday night racing approved**

September 10, 2010 – Thoroughbred Times

As expected, the California Horse Racing Board approved the Oak Tree Racing Association's application to conduct a 22-day meet at Hollywood Park beginning Thursday night, September 30.

However, the near-unanimous vote from the seven board members—John Harris abstained—was not a rubber stamp. The favorable vote came after discussion during a teleconference call. A key issue was Oak Tree's plan to run night racing on three Thursdays during the meet, as well as on three Fridays. First post would be 7:05 p.m. PDT.

CHRB Vice Chairman David Israel called the move to more night racing "a worthy experiment and a sign of the future." But two board members from Northern California, Harris and Jesse Choper, said they worried about what the move would do to simulcast wagering at Golden Gate Fields near San Francisco where day racing is scheduled to be run during much of the Oak Tree meet. Harris ended up abstaining.

"It will really hurt us," said Golden Gate Fields General Manager Robert Hartman, who was on the call. "We rely on that complimentary signal."

"I don't want to be the skunk at the picnic; I just don't feel comfortable enough with this to vote in favor of it," Harris said of his abstention.

Friday night racing has been held at Hollywood Park in recent years as a way to attract younger fans and has proved fairly successful. Although Oak Tree's application given to the CHRB did not include details of the plan for night racing, the CHRB granted permission to amend the application. Night racing is a first for Oak Tree, which since 1969 has held its annual meeting at Santa Anita. The Arcadia track has never been equipped for night racing.

<http://www.thoroughbredtimes.com/national-news/2010/September/10/Oak-Tree-meet-including-Thursday-and-Friday-night-racing-approved.aspx>

## **Oklahoma Commission Has 'Major Concerns' About Shine (Mixed Martial Arts) Fights**

September 7, 2010 – MMAFighting.com

After failing to get licensed in Virginia, Shine Fights moved Friday night's mixed martial arts card to the First Council Casino in Newkirk, Oklahoma. That casino is on land owned by the Otoe-Missouria Tribe, and therefore the Oklahoma State Athletic Commission has no authority over the event.

But while Joe Miller, director of the Oklahoma State Athletic Commission, can't stop the event, he can speak his mind about it. "I have some major concerns with it," Miller told MMAFighting.com. "There are probably 15 or 20 events conducted a year in Oklahoma without a commission present. My number one concern is the health and safety of the fighters. There have been events where the fighters were not paid and there was no one there to ensure that they get paid. But my major concern is the health of the fighters. I know of situations where a fighter was knocked out, knocked unconscious, and allowed to fight five days later. The problem I have with that is if a fighter is knocked out, it's mandated under our rules and the Association of Boxing Commissions rules that they take a certain amount of time off. Thirty or 45 or 60 days is normal because if a fighter is knocked out there's a possibility that he has a subdural hematoma -- bleeding on the brain -- and there's the possibility that if he gets hit again there could be serious medical problems."

Shine Fights, which did not respond to messages seeking comment for this story, is planning an eight-man, one-night lightweight tournament that will not be sanctioned by the Oklahoma Commission, and Miller acknowledged that the Oklahoma Commission is powerless to do anything about it. "In Oklahoma we have a large number of tribal trust lands," Miller said. "The state of Oklahoma has absolutely no authority to regulate on those particular pieces of land. In boxing it's a little different because federal law mandates that boxing be regulated by a commission, but mixed martial arts has no such law."

Miller said his only recourse is not to license any fighter who participates in unsanctioned MMA fights for 60 days. "If we know a fighter who has participated in an unsanctioned fight, we won't license them for 60 days," Miller said. "It's not actually a suspension but I won't approve them for a period of 60 days."

But the 60-day provision doesn't mean much. Not every state will honor Oklahoma's decision not to license a fighter, and fighters who aren't licensed can keep fighting on unsanctioned shows on tribal land or overseas. That's exactly what MMA veteran Marcus Aurelio apparently plans to do -- Aurelio is scheduled to fight in the Shine tournament on Friday and then take on Shinya Aoki in Japan on September 25.

"If he gets knocked unconscious in this fight, there's still nothing we can do to keep him from fighting in Japan," Miller said. Miller said he doesn't know whether Shine Fights or the tribe has taken proper precautions regarding the fighters' health and safety, and for that matter doesn't even know if the event will go on as scheduled. He wants to find out what he can about the event, but has no more authority over it than any MMA fan who goes to the casino to watch on Friday night.

"I have no idea," Miller said of what will take place Friday night. "I plan on having one of my inspectors buy a ticket."

Tribes and promoters often work together on fights that are sanctioned by either a state commission or a tribal commission, but Shine Fights and the Otoe-Missouria have chosen not to go that route, Miller said.

"I've attempted on several occasions to get them to do a compact with the state or form their own commission and they've not done so," Miller said. "They have held one or two professional boxing matches at their casino where federal law required them to have a commission, so they contracted with a tribal commission and it went well. But with MMA they don't have to so they're not going to." Miller, a former professional boxer, said he loves MMA and worries that unsanctioned events could damage the sport's reputation and hinder its growth. He speaks from personal experience about what can happen to fighters when there's not a strong athletic commission protecting their best interests.

"I had my first pro fight in the 1970s and I thought I was going to make a certain amount of money and fight a certain opponent," Miller said. "Neither turned out to be true."

Miller said it's not his place to tell the fighters in the Shine Fights tournament whether they should participate, but he hopes they understand that they'll need to do for themselves many of the things that the Oklahoma Commission typically does for fighters in the state.

"That's something that's up to the fighter and his trainer and manager," Miller said. "But the thing I would tell him is that he won't be licensed in the state of Oklahoma for 60 days after this fight. If that doesn't impact you, then you need to ask, is this a reputable organization? Are you going to receive your money? Is there going to be a doctor at ringside? Will an ambulance be on site? Do you have a contract with them that everybody has signed that lays out exactly what will happen?"

Ultimately, Miller said, unless Congress passes a federal law protecting MMA fighters -- like the Muhammad Ali Boxing Reform Act protects boxers -- state commissions will continue to be powerless to regulate MMA fights on tribal land. "It's all about absence of federal law," Miller said. "I've been frustrated for several years about it, but there's nothing -- absolutely nothing -- I can do."

<http://www.mmafighting.com/2010/09/07/oklahoma-commission-has-major-concerns-about-shine-fights/>

## **RCI Forms Committee for Regulatory Attorneys**

September 9, 2010 - The BloodHorse

A special committee of racing regulatory attorneys has been formed by Racing Commissioners International, the trade association of the government regulators of racing and wagering in North America, Mexico, and parts of the Caribbean.

RCI chairman Dan Hartman of Colorado announced the appointment of Susan Speckert of Lexington, as the committee's first chair. Speckert, a former assistant Commonwealth of Kentucky attorney and graduate of Loyola University School of Law, is currently general counsel to the Kentucky Horse Racing Commission.

"This committee will provide a forum where racing regulatory legal issues can be discussed among the various attorneys who support the work of the commissions," Hartman said in a release. "In the coming months we anticipate this committee will assist in creating a library of racing regulatory case decisions which would be available to commission legal staff."

RCI President Ed Martin noted that one of the first tasks the committee will tackle will be to review efforts RCI is currently engaged in with the Racing Medication and Testing Consortium to develop a uniform way in which treatment overages and drug violations are issued and ultimately communicated to the public.

"There is a tremendous amount of misunderstanding that exists when a medication rule infraction is issued," Martin said. "Many accidental treatment overages are perceived by the public as deliberate attempts to cheat. It's time we look at how these matters are handled to see if we can help the fans better understand that there is a major difference between a deliberate attempt to drug a horse for fraudulent gain and an accidental treatment overage of a substance prescribed by a veterinarian for no other reason than to protect a horse's health."

Hartman said would like for the committee to forge a relationship with a law school interested in jointly sponsoring a racing regulatory attorney's conference where racing and wagering issues would be the focus and attendees could earn continuing education credits.

<http://www.bloodhorse.com/horse-racing/articles/58810/rci-forms-committee-for-regulatory-attorneys>

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## **Extra \$8,000 Paid Via Delaware Exacta 'Bonus'**

September 10, 2010 – The BloodHorse

After the first three days of its "exacta bonus" experiment, Delaware Park returned more than \$8,000 to players on track, according to figures released by the track the week of Sept. 6.

Through Nov. 6, when the 2010 meet ends, Delaware Park is effectively reducing pari-mutuel takeout on exactas from 19% to 10% for wagers made on track only. So those who cash exacta tickets get roughly 9% more than they would if the bet had been made off site.

The experiment began Sept. 4, when winning players earned an extra \$3,556. On Sept. 6, they got \$3,411, and Sept. 7, \$1,202. (Most of the daily handle on live races at Delaware Park comes from offtrack sources.)

The largest \$2 exacta payoff over the three days was \$617.80. For those who hit it on track, the payoff was \$686.40, a bonus of \$68.60.

The shortest \$2 exacta payoff over the three days was \$7.60. With an 80-cent bonus, the ontrack return was \$8.40.

Delaware Park officials said they plan to monitor the experiment throughout the rest of the meet and may perhaps offer bonuses for other wagers in 2011.

Meanwhile, the Delaware Lottery, which oversees sports betting at Delaware Park and two harness tracks in the state, is launching a \$100,000 contest that will return \$50,000 to the players who picks the most winners during the NFL season. The cost to play is \$250.

The tracks also offer weekly parlay wagering on NFL games. More than 9% of revenue from sports betting goes to purses at Delaware Park.

The Delaware Thoroughbred Horsemen's Association "Owners' Day" will be held at the track Sept. 11. The program features three stakes, including the grade III Endine, and purses for overnight events have been boosted.

<http://www.bloodhorse.com/horse-racing/articles/58806/extra-8000-paid-via-delaware-exacta-bonus>

## **Breeders' Cup to ban medication violators from World Championships**

September 10, 2010 – Thoroughbred Times

The Breeders' Cup Ltd. Board of directors on Friday unanimously passed a resolution, effective for 2011, that extends its ban on trainers with medication violations to include Class 1 substances in the year prior to when the Breeders' Cup World Championships are held.

The move will prohibit trainers from competing in the Breeders' Cup that have been found in a final determination to be in violation of a racing regulation prohibiting the possession or use of any substance listed under Class 1 of the Association of Racing Commissioners International guidelines at any racing jurisdiction during the 12 months preceding the World Championships.

"The establishment of these new regulations strengthens, on a year-round basis, our top priority of preserving the integrity of our competition and protecting the welfare of our athletes at the World Championships," Breeders' Cup President Greg Avioli said.

In addition, the board approved a new international nominations program and enhancements to the Breeders' Cup Challenge "Win and You're In" series effective for 2011. Additional information on the programs will be unveiled on Monday at Keeneland Race Course.

The board also conducted elections for corporate officers, and Bill Farish was re-elected as chairman; Greg Avioli was re-elected as president; Robert T. Manfuso was re-elected as vice chairman; Matthew Lutz was re-elected as treasurer; and Robert Watt was re-elected as secretary. Each was elected to a one-year term.

<http://www.thoroughbredtimes.com/national-news/2010/September/10/Breeders-Cup-to-ban-medication-violators-from-World-Championships.aspx>

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## **Double-Digit Gambling Revenue Decline in August for Atlantic City Casinos**

September 10, 2010 - Casino Gambling Web

On Friday, the two casino gambling capitals of the world received more bad news regarding their revenue in recent months. While Nevada revenue somewhat stabilized in July, Atlantic City casinos experienced another month of double digit declines in August.

Earlier in the day CGW reported on the almost five percent decrease that Nevada casinos experienced in July. In New Jersey, gambling revenue was down 11.3% in August. The eleven casinos in AC dropped to \$347.5 million, down from \$391.7 million in August of 2009. AC casinos have been hit much harder than Nevada casinos over the past couple of years. Several renovation projects were stalled as the economic recession hit the US, and other projects to bring new casino resorts to the city were completely abandoned. It has left the city and state searching for answers.

Governor Chris Christie has organized a series of gambling summits to attempt to find a way to increase revenue in the state. One idea involves bringing slots to racetracks such as the Meadowland, and that plan has drawn criticism from the AC casinos.

Another problem facing New Jersey casinos is competition. In recent years, Delaware, New York, Maryland, and Pennsylvania have all made strides towards expanding their gambling presence in the Northeast. Delaware added sports betting last year, something that New Jersey lawmakers are also considering.

Pennsylvania has become the biggest competitor to AC casinos. Earlier this year, Pennsylvania lawmakers legalized table games for state casinos. That came after Pennsylvania casinos had higher slot revenue than Atlantic City casinos in December for the first time in history.

[http://www.casinogamblingweb.com/gambling-news/casino-gambling/double\\_digit\\_gambling\\_revenue\\_decline\\_in\\_august\\_for\\_ac\\_casinos\\_55691.html](http://www.casinogamblingweb.com/gambling-news/casino-gambling/double_digit_gambling_revenue_decline_in_august_for_ac_casinos_55691.html)

## **Study Indicates Gambling Problems Linked to Mental Disorders**

September 5, 2010 – Casino Gambling Web

Hong Kong is one of the cities in the world where the largest amounts of gamblers reside. A new study has come out that indicates that most gambling addicts in the city also have some other form of mental disorder.

The Tung Wah Group of Hospitals, the Divisions of Addictions for Harvard Medical School, and the Department of Applied Social Science of Hong Kong Polytechnic University have conducted a joint study in which they spent nine months interviewing and collecting information from 201 gamblers. The subjects all were problem gamblers who sought help for their addiction.

Over sixty percent of the subjects were diagnosed during the time they were studied as having at least one mental disorder. The disorders ranged from depression to anxiety, and have been linked to gambling addiction in the past. The results caused the researchers to push for more mental health help.

"Mental health has long been neglected," said Professor Daniel Shek Tan-lei of Hong Kong Polytechnic University. "but pathological gambling cannot be taken at face value. It is intertwined with psychiatric problems which must be dealt with by professionals."

Problem gambling has reached heightened levels in recent years in Hong Kong thanks to the casino industry in Macau. The Asian gambling center has caused many Hong Kong residents to visit, and these high rollers sometimes fall into a betting pattern that is unhealthy.

All across the world, doctors have been researching what could be the underlying factors that contribute to gambling addiction. Treatment centers have become commonplace in areas where casinos and other forms of gambling are prevalent. In the US, some states even require treatment facilities and educational tools before the casino are built.

The study also concluded what those before it have found, that problem gamblers often are withdrawn from their family and their loved ones. Depression and anxiety are primary causes for the withdrawal, and researchers believe that the gambling addiction only makes the mental disorders stronger.

[http://www.casinogamblingweb.com/gambling-news/casino-gambling/study\\_indicates\\_gambling\\_problems\\_linked\\_to\\_mental\\_disorders\\_55653.html](http://www.casinogamblingweb.com/gambling-news/casino-gambling/study_indicates_gambling_problems_linked_to_mental_disorders_55653.html)

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## **Australian Tabcorp Shifts Focus to Casinos**

August 30, 2010 - Global Gaming Business Magazine

Tabcorp CEO Elmer Funke Kupper was on Australian Sunday television recently, telling the host and the viewing audience that casinos will be more important to the company in the future.

"In Victoria, the license would fall away in 2012," said Kupper, referring to the fact that Tabcorp will no longer be operating non-casino slot machines in the state of Victoria after that time. "That will make gaming a smaller part of our business and at the same time we're making very significant investments in our casinos business. We're doing that because that's where we have the right conditions: long-term licenses, attractive markets and opportunity for growth."

The loss of the Victoria license will leave a serious dent in Tabcorp's top line. In fiscal year 2010, which ended June 30, that business delivered A\$270 million in revenue. Net profit company-wide was A\$469.5 million, down 10 percent from 2009. Normalized net profit, which corrects for the big swings associated with VIP players, was down 3.8 percent to A\$477.3 million.

"So the outcome is that we'll become more of a casino business as a result of the investments that we're making," said Kupper.

The biggest investment is currently A\$860 million being used to raise the facilities of the company's Sydney property, Star City, to the level where Tabcorp hopes it can compete with Crown's Melbourne property—particularly in the area of VIP play. Tabcorp recently announced it is adding A\$285 million to the A\$575 million already earmarked for the Star City upgrade. The new money is primarily going to facilities and amenities for the VIP market. Star City will also be getting a 3,000-seat, multi-use entertainment facility, which Kupper said would generate traffic and establish a brand that would benefit the whole property.

"What we're creating here is not an events center," said Kupper. "What we're creating is an entertainment destination, and if you look at the size of Sydney relative to any other market in this country, it's by far the biggest market, and if you look at what other casinos are investing, an investment of close to a billion dollars actually makes sense."

<http://ggbmagazine.com/issue/vol-9-no-9-september-2010/article/australias-tabcorp-shifts-focus-to-casinos>

## **California OKs Exchange Wagering, Takeout Hike**

September 2, 2010 – The BloodHorse

California legislation that would redirect perhaps as much as \$70 million from winning bets to Thoroughbred purses and make the state the first in the nation to approve head-to-head wagering on horse races gained approval on the final day of the regular legislative session Aug. 31.

It now goes to Gov. Arnold Schwarzenegger, who has expressed support for legislation to bolster the state's struggling racing industry but has not indicated whether he is in favor of this bill.

The California Senate approved the measure, SB 1072 authored by Sen. Ron Calderon (D-Montebello), by a 23-6 vote a day after it cleared the Assembly on a 56-10 count.

The racing industry was not 100% in favor of the legislation, especially the so-called "exchange wagering" portion of it. The originally amended bill, by Assemblyman John Perez (D-Los Angeles) drew heated opposition from MI Developments, which owns Santa Anita Park and Golden Gate Fields; Churchill Downs Inc.; and the California Thoroughbred Trainers.

MID dropped its opposition after Calderon offered a compromise that delayed the implementation of exchange wagering until May 2012.

The delay will give the California Horse Racing Board, potential exchange wagering licensees, tracks, and owners the opportunity to work out details of the new betting scheme, which would not be subject to traditional takeout rates, said Kirk Breed, the CHRB's executive director. "We have to create something here that people will want to play," Breed said. "We have to come up with regulations that make sense but protect the regular wagering public from any wrong-doing."

The Legislature also approved a companion bill that establishes a May 1, 2016 expiration date for exchange wagering unless further action is taken to prolong it. The CHRB would have the power to approve regulations and agreements between tracks, horsemen, and exchange wagering companies, and would decide whether to license applicants.

Exchange wagering allows bettors to wager directly against one another over the outcome of a horse race, establishing their own odds and the amount bet, and could be even applied to races that are in progress. It is supported by TVG, whose owner, Betfair, has had great success with exchange betting in Great Britain, where it was popularized. In particular, Betfair sees such wagers as a way to attract younger customers to the sport, according to a compnay spokesman. The bill approves exchange wagering for Thoroughbred, Quarter Horse, and Standardbred racing.

Less controversial, at least within the racing industry, was the portion of the bill that will bump the takeout rate for exotic wagering on Thoroughbred races, with the additional revenue redirected to purses.

Races involving two betting interests (such as an exacta or double) would be subject to a 2% increase to 22.68%. A 3% hike would be tacked onto exotic wagers involving three or more wagering interests (trifecta, superfecta, Pick 3, Pick 4, Pick 6, etc.), bringing the deduction for those types of wagers to 23.68%. Everyone making such wagers on California races, whether inside the state or out, would be affected.

Higher takeout means less is returned to bettors for winning wagers. The current rate on win, place, and show wagers is 15.43% and 16.77% for the fairs. Those rates would not be affected. If signed into law and approved by the CHRB, the new rates would take effect in time for the opening of the 2010-11 Santa Anita season Dec. 26.

Racing officials said the increase would mean an additional \$30 million in purses annually, which they believe could help attract owners who have left the state for more lucrative returns in other states. A legislative analysis done for the Assembly estimates the addition in purses at closer to \$70 million annually.

"Currently, over \$4 billion is wagered each year in the state on horse races and almost \$800 million is withheld as the takeout to fund such things as horsemen's purses, racetrack operations, state oversight of the industry," the report states. "If an increase in the handle for exotic wagers results in a 2% increase in the takeout it would result in approximately \$70 million in horse racing revenue being redirected toward the industry, rather than provided to bettors as winnings."

Supporters say the increase will stimulate purses, leading to increased field size and more wagering while keeping the traditionally lower takeout rates in California comparable to other major racing states. Horseplayer groups believe increasing the takeout will reduce the amount wagered and therefore will not benefit the industry. A 2009 law intended to give racing associations more flexibility on takeout rates, subject to CHRB approval, caps such deductions at 25%.

The Calderon bill would also set aside some of the takeout increase for promotion of the Breeders' Cup on years it is held in California. Messages to Calderon's office seeking comment were not returned.

<http://www.bloodhorse.com/horse-racing/articles/58675/calif-oks-exchange-wagering-takeout-hike>

## **KY Trainer Mattingly Suspended 90 Days**

September 8, 2010 – The BloodHorse

Stewards at Ellis Park have suspended trainer James E. Mattingly for 90 days after a horse he trained tested positive for two prohibited substances and he was found in possession of syringes and hypodermic needles. Mattingly, who did not appeal the penalty, will be suspended from Sept. 15 through Dec. 15.

According to the rulings from the Kentucky Horse Racing Commission, Theres Always Hope tested positive for Pyrilamine and Norpseudoephedrine, both Class B substances, following the fourth race at Ellis Park on Aug. 8. Sent off as the 7-2 second choice, Theres Always Hope won the \$5,000 claiming event by 1 ½ lengths. The filly was disqualified and placed last following the positive test and Mattingly was suspended 60 days.

Chief state steward John Veitch said a search of Mattingly's barn turned up syringes and hypodermic needles, which led to a 90-day suspension. Because Mattingly did not appeal the rulings, Veitch said stewards decided to let him serve the suspensions concurrently.

According to Equibase, Mattingly has been represented by 69 winners, which is 7% of his 949 starters, since 1994. Theres Always Hope was his only winner from 15 starters for the period from Aug. 8 through Sept. 6.

<http://www.bloodhorse.com/horse-racing/articles/58786/ky-trainer-mattingly-suspended-90-days>

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## **Indian Gambling Standard for Bingo Delayed Until 2011**

September 11, 2010 – Tulsa World

WASHINGTON - The National Indian Gaming Commission announced Friday that it has postponed for a second time controversial standards that had generated warnings of an economic hit on Oklahoma tribes.

The new effective date for the Class II bingo standards is Oct. 13, 2011. In addition, the commission, which has some new members, also clarified that it is committed to reviewing all of its regulations for "effectiveness and relevance" and asked tribes to comment on whether the Class II standards should be amended.

"As a new commission, one of our main priorities is strengthening our government-to-government relationship with tribes," commission Chairwoman Tracie Stevens said. "It's important to us that we work collaboratively with tribes to protect the integrity of the Indian gaming industry."

Stevens said the extension of the deadline for the standards is a direct result of the commission's outreach and communication with tribes and underscores its efforts on a "thorough regulatory review."

U.S. Rep. Tom Cole, R-Okla., welcomed the commission's announcement. "Extending the effective date of these controversial standards is absolutely the right thing to do," he said. "It demonstrates that the ... commission and professional staff at the NIGC have started to consult with the tribes on matters critical to the economic well-being of Indian Country."

He said the extra year of consultation should provide the commission with the information it needs to propose common-sense regulations that don't threaten the Indian gambling industry in Oklahoma and across the country.

David Qualls, chairman of the Oklahoma Indian Gaming Association, said his group is pleased with the postponement, adding that it could allow a clearer direction from tribes on an effective regulatory system and protect the multibillion-dollar benefit that tribes now generate. Jamie Hummingbird, gaming commission director for the Cherokee Nation of Oklahoma, also welcomed the postponement of the Class II Minimum Internal Control Standards. He said the standards need to be more flexible to respond to the advances in technology and changes in the gaming environment.

Hummingbird predicted that the process put in place by the commission will produce significant changes to the standards. Friday's announcement and the positive comments it generated stand in stark contrast to those associated with the previous commission. Former commission Chairman Phil Hogen had launched an effort to draw a "bright line" between bingo-type Class II games and Class III casino-type games.

That effort ended up in a storm of controversy.

[http://www.tulsaworld.com/news/article.aspx?subjectid=16&articleid=20100911\\_16\\_A15\\_WSIGOh97551](http://www.tulsaworld.com/news/article.aspx?subjectid=16&articleid=20100911_16_A15_WSIGOh97551)

## **Scandal rocks Canadian harness racing**

September 4, 2010 – Toronto Sun

The Ontario harness racing world was turned upside down on Friday when it was announced that three of the country's top drivers were fined and suspended for reportedly conspiring to fix races.

Drivers Brad Forward, Gene Piroski and Kevin Wallis are accused of affecting the outcome of horse races at the Windsor Raceway. The charges stem from a complex, six-month investigation, that required the cooperation of both Canadian and American officials.

"The ORC Investigations Unit teamed with the Michigan State Police and the Michigan Gaming Control Board in the investigation of 'races of interest' at Michigan race tracks and Windsor Raceway," Ontario Racing Commission executive director John Blakney wrote in a statement.

"As a result of the professionalism and vigilance of ORC Racing Officials and the Investigations Unit, the public and the racing community can be assured that horse racing in Ontario is fair, and well regulated."

Forward, who led all Canadian drivers with 374 wins this season, received a five-year suspension and a fine of \$5,000. The 39-year-old Woodstock native won the national driving title in 2009 before going on to represent Canada at the world championship later that year.

Piroski, of Cottontail, Ont., received a 10-year suspension and a \$100,000 fine for his alleged role in the scandal. The 37-year-old won 105 races this season and had 1,611 career victories.

Maidstone native Wallis was hit the hardest, though. He received a 12-year suspension and was fined \$100,000. Wallis, 53, ranks 12th on the all-time win list and has made a reported \$42.9 million in earnings over his long career.

He previously was suspended indefinitely on July 2 after the Michigan Gaming Control Board claimed he provided "false and misleading statements" to racing officials. Wallis, though, denied accepting gifts or money in return for insider information about horses and drivers.

"Although Windsor Raceway was disappointed to recently learn certain participants were conspiring to affect the outcome of races at Windsor Raceway ... we are pleased the Ontario Racing Commission announced the suspension of those individuals determined to have been involved," a Windsor Raceway statement said.

"The suspensions announced (Friday) are necessary to protect the sport of harness racing and the betting public from a select few participants. We are grateful the ORC has taken these steps before the resumption of live racing at the Windsor Raceway in the fall."

The three drivers are eligible to appeal the decision before a panel of the ORC in relation to the charges and fines.

<http://www.torontosun.com/sports/othersports/2010/09/04/15250221.html>

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## **South Dakota Gaming Commission on Gaming Gains a New Old Member**

September 8, 2010 - South Dakota Government Blog

Ralph Kemnitz of Philip has rejoined the South Dakota Commission on Gaming. He was appointed by Gov. Mike Rounds to succeed Rita Thompson, whose service ended Aug. 30, the same day that the appointment of Ralph took effect. Rita recently retired from the Harding County school district. The commission oversees pari-mutuel horse and dog racing, live or simulcast, and Deadwood gambling.

This is Ralph Kemnitz's second time around on the commission. He originally was appointed by then-Gov. Bill Janklow to a partial term in November 2002 and subsequently was reappointed by Gov. Rounds to a term that expired in April. One of his strengths on the commission, according to executive secretary Larry Eliason, was his knowledge of horse racing. Another important consideration was that he had good attendance. Ralph's new term runs until April 14, 2013.

<http://my605.com/pierrereview/?p=2625>

## Candy Land

September 7, 2010 – DRF Blog by Jay Hovdey

If the congregation would please turn to the Gospel According to the California Horse Racing Board, Book of Rules, Chapter 1699, Verse (c), and read along as follows:

*"A horse which interferes with another and thereby causes any other horse to lose stride, ground or position, when such other horse is not at fault and when such interference occurs in a part of the race where the horse interfered with loses the opportunity to place where it might, in the opinion of the Stewards, be reasonably expected to finish, may be disqualified and placed behind the horse so interfered with."*

We will now sing "We Shall Gather at the River."

Horseplayers who were under the impression that stewards of the California variety just make it up as they go probably will be surprised to read the above passage. Though thoroughly lawyered with more escape clauses than a oil drilling contract, the particulars of 1699(c) make it fairly clear that the victim in an interference situation must pretty much prove his victimhood if the transgressor is going to suffer any consequences.

The issue arose last Sunday at Del Mar when Twirling Candy, a blinkered, near black, high-spirited son of Candy Ride, took his unsuspecting gray opponent Summer Movie for a tour of the center of the course as the field for the Del Mar Derby turned onto the backstretch of the 9-furlong grass race. It was a wild few moments, clearly lasting longer than either Joel Rosario, on Twirling Candy, or Victor Espinoza, clinging to Summer Movie, would have preferred. As Espinoza noted later, when back safely on the ground, Summer Movie was not only bumped and ushered far off line, he crossed his legs and nearly stumbled. Gasps from the crowd and announcer Trevor Denman could be heard far and wide.

Twirling Candy finally got his act together to cruise home by better than three lengths, with Rosario wrapped up, looking sheepish. Summer Movie was last, trailing the fifth-place finisher by nearly seven lengths. An inquiry ensued, during which the stewards decided that Summer Movie was clearly bothered by Twirling Candy, but that the interference did not cost Summer Movie a placing, per 1699(c). The result stood.

And the boos rained down, a rare sound at laid-back Del Mar, as Denman made the announcement, after repeated showings of the patrol tape video throughout the grandstand and on the infield video board. Denman, speaking for the stewards, was forced to explain that based on what happened to Summer Movie subsequent to the incident, a disqualification of the winner would have been "unjustified."

"I'm sure fans were reacting to the dramatic video," said steward Scott Chaney. "There was clearly interference. But that is not the only standard."

In the parlance of stewards through the ages, there is an officiating philosophy referred to as "a foul is a foul." This hard-line stance was standard policy at many East Coast tracks for many years, holding that any action deemed to have caused interference was automatically punishable by disqualification. It did not matter if a violator won off with clear superiority. A foul was a foul, and he came down. This happened notoriously in the 1971 Woodward Stakes, when Cougar II and Bill Shoemaker were cited for leaning in while on their way to a romping win, and even more notoriously in the 1967 Jersey Derby when an overly enthusiastic Manuel Ycaza, aboard Dr. Fager, squeezed the field from his outside post leaving the gate, before going on to win by a pole. Nowadays, the thinking is more serpentine, sort of "foul, no harm, okay, no foul." In the case of the Del Mar Derby, the stewards did the math and decided that the ground lost by Summer Movie entering the backstretch did not put him close enough for a piece of the purse at the end. They noted that Summer Movie re-engaged Twirling Candy once again on the far turn, and that Espinoza even used the whip a couple of times in the stretch while his mount retreated, the conclusion being that Summer Movie was always going to finish where he finished no matter what.

This, of course, is the kind of magical thinking that stewards must employ from time to time, just to get to the end of the day. Holding the firm conviction that Summer Movie was the same Summer Movie before and after being shivareed into the middle of the course is a difficult trick, and bless them for such Solomonic certainty. There was clearly nothing Rosario could have done differently, outweighed as he was by half a ton of Twirling Candy. The rule, as applied, simply accounts for bad luck. The rub of the green. What if, Chaney was asked, Espinoza had been tossed from the saddle, or if Summer Movie had fallen? The steward replied that, even in the face of overwhelming superiority, there was a "strong likelihood" Twirling Candy would have been disqualified because there would have been no way of knowing where Summer Movie would have eventually placed. Given that, the Twirling Candy folks owe their victory to the ability of Espinoza to hang on and Summer Movie to keep his feet.

There is a worry that failing to penalize such obvious interference with a disqualification encourages rough riding. Not so, Chaney insisted, citing the Cinderella Stakes at Hollywood Park last June when She'll Heir and Rafael Bejarano bulled their way through a tight pack to win drawing off. The result stood, but Bejarano was suspended five days. Later on, we can argue if such a penalty is a deterrent, but it's at least in the ballpark.

Twirling Candy was going to win the Del Mar Derby even if he'd given the rest of them a head start. That's clear. What's also clear is a longing among some horseplayers and horsemen for the simplicity of a zero-tolerance atmosphere of enforcement, with no room for nuance or mitigating circumstance. The current system does not come close to what I like to call the Jerardi Ultimatum (named for colleague Dick Jerardi, its passionate advocate), in which stewards are used only as doorstops and no result is ever over-turned. In the end perhaps it's a good thing that there is room for stewards to maneuver, and to arrive at a final decision that is the least offensive to the most who care. But if enough people don't like rules, the rules eventually will be changed. That's how the game is played. I'm just glad Secretariat held a straight line in the Belmont.

<http://www.drf.com/blogs/candy-land>

## **Did the Del Mar stewards make the right call?**

September 6, 2010 - Pasadena Daily Star

There were boos from many at Del Mar on Sunday when track announcer Trevor Denman announced the stewards were making no change in the \$300,000 Del Mar Derby's order of finish, that Twirling Candy had been declared the official winner despite blatantly fouling Summer Movie around the turn into the backstretch.

Steward Scott Chaney, who met with reporters to explain the judges' decision, said interference doesn't necessarily mean a horse has to come down. He told reporters that to disqualify Twirling Candy and place him last would have been wrong, that there was no way to determine how much the foul cost Summer Movie, who finished last, beaten 6 3/4 lengths by the fifth-place horse.

"To disqualify a horse in any race, let alone a Grade 2, on any sort of guessing game would be highly unusual from a steward's perspective," Chaney said. "Usually when we disqualify a horse, and as you know we disqualify very few here in Southern California, we're fairly certain it cost the horse a specific amount."

While Chaney is correct in the assertion that any effort to determine how many lengths the interference cost Summer Movie is pure speculation, it's also correct to wonder how a horse, no matter how much the best, can interfere with a horse so badly and still have his number stay up. Even after the foul, jockey Victor Espinoza was able to steer Summer Movie back into contention heading into the second turn until the horse lost his steam in the stretch, at which point Espinoza totally wrapped him up and made no effort to coax him through the lane.

After the race, Espinoza wondered if Summer Movie had been injured. Trainer Art Sherman said he had indeed been nicked up a bit and Sherman told the San Diego Union Tribune this morning that the horse had a bad ankle and was generally sore all over less than 24 hours after the race.

We're talking about a fine line here. Whereas Twirling Candy was much the best in his fourth consecutive victory without defeat, it's also true he fouled and injured another horse in the race. Should he get away with that?

Where Chaney and the stewards were totally wrong was making a final decision before talking to Espinoza. Chaney said Espinoza was slow getting to the phone and the stewards were not going to wait any longer, but their job was to call down and make sure he got to the phone. They are the ones in charge and they should have acted accordingly.

A few years ago, New York racing had something known as the "New York Rule," that if a horse fouled another he was automatically disqualified. That has since been amended to allow the stewards more leeway.

I was OK with Sunday's decision because the stewards were going to be criticized no matter what they did, but I can't get over the fact a horse was injured because of the interference and the offending horse's number stayed up.

Yes, it's difficult to determine how much the foul actually cost Summer Movie, and Twirling Candy was much the best and deserved to win the race, but somehow the whole thing just leaves a sour taste in your mouth. There has to be a better way.

<http://www.insidesocal.com/horseracing/2010/09/did-the-del-mar-stewards-make.html>



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