



The advertisement features a screenshot of a TrueNicks software interface on the left, showing a 'HYPOTHETICAL Mating Report' with various data fields. To the right, the text reads: 'Broodmare Owners: Find the right stallion with Hypothetical Mating Reports from TrueNicks.' The TrueNicks logo, featuring a silhouette of a horse and rider, is on the far right with the tagline 'Do more than just hope for the best'.

## Voiding Claims Possible Under CHRB Proposal

by Jack Shinar

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Claiming a horse would no longer be a blanket "buyer beware" scenario under a rule amendment approved for a 45-day public comment period by the California Horse Racing Board Oct. 15.

The CHRB, falling in line with a proposed model rule from the Association of Racing Commissioners International, passed on for review an amendment that would require stewards to void the claim of a horse that due to injury or distress, is unable to return to the designated unsaddling area after the finish of a race. The claimant, however, could still take the horse if he wants to.

Dr. Rick Arthur, the CHRB's equine medical director, told the board -- which met in the ballroom of chairman John Harris' inn and restaurant off Interstate 5 in Coalinga, Calif. -- that the rule would "take the incentive away" for trainers to drop unsound horses to far below their claiming level ability in order to rid themselves of an unsound animal.

He cited one instance of a trainer and owner at Hollywood Park last fall "high-fiving" in front of the horse ambulance after a horse that had been claimed from them broke down in a race.

Current rule transfers title to a horse that has been claimed to the new owner from the time the field is dispatched from the starting gate, regardless of the horse's condition. After receiving comments, the board should be able to take action on the amendment at its December meeting, around the same time ARCI is expected to consider the change when it meets in Tucson, Ariz.

Under the current claiming rule, Arthur told the board, "the horse is the loser in the end."

Charles Dougherty, representing the California Thoroughbred Trainers, said his organization supports the rule change.

Ron Charles, president of Santa Anita Park, warned that in the wording of the rule there is potential for "shenanigans," for instance, if a trainer or owner doesn't want to lose his horse to a claim. "I just think this is something that really needs to be looked at," he urged.

The board decided against proceeding with a second part of the ARCI model rule that would require stewards to void a claim in the event the horse tested positive for prohibited substances or revealed injury in other tests as approved by the official track veterinarian.

Arthur agreed with the board's stance, noting that in a state such as California where claiming horses is popular, track receiving barns may not be large enough to handle the number of horses that could require testing.

Harris also questioned, in the event of a positive test for drugs or injury, how the transfer of a horse back to his former barn would work in practice if the test results take the usual 21 calendar days. Arthur said he would check further with racing jurisdictions elsewhere to see how they handle such procedural issues.

In other action, the board approved for 45-day public comment periods several upgrades in the standards for vests and helmets worn by jockeys, drivers, exercise riders and other mounted personnel involved in training and racing on California tracks. They also want to extend the helmet requirement to trainers who are on horseback, and to grooms and starter assistants. Also approved for the 45-day review is a revision of standards for horse whips to require the use of the so-called "poppers" that are made of softer materials that are kinder to horses. The new whips have been in use under house rules at California tracks for the past several months.

The board approved the Pacific Racing Association's request to conduct a horse meeting at Golden Gate Fields from Oct. 21 through Dec. 20 after receiving assurances from all parties that bankrupt Magna Entertainment Corp., with PRA acting as a "debtor in possession," will make proper payment of all funds generated from wagering. A dispute has arisen as a result of the bankruptcy over payments to satellite wagering facilities that were not made prior to the filing of the company's petition and is the subject of a lawsuit against MEC.

An application by Hollywood Park to operate its fall meet from Nov. 11 to Dec. 20 also was approved. The 27-day meet will be 13 days shorter than in 2008. Originally approved for 31 days, Hollywood received permission to delete its Dec. 21 date and to be open for simulcasting only on Nov. 11-12 and Dec. 16. The changes were accepted by the Thoroughbred Owners of California and the CTT.

The board also received a bit of good news from the California Retirement Management Account, set up 18 months ago by the TOC to help with the care of retired Thoroughbreds. Madeline Auerbach, founder and chairman of CARMA, told the board that as of December 2008, the organization had distributed about \$150,000 to seven Thoroughbred facilities in the past six months and have helped care for 177 horses. She said that 80% of owners in the state had agreed to allow a deduction of .3% of net purses through the paymaster rather than opt out of the program.

In addition, Mace Siegel had donated \$200,000 to CARMA, Scientific Games kicked in \$50,000 and a fundraising poker tournament raised \$100,000, Auerbach said.

"I'm very proud of us," Auerbach told the board. "We always talk about problems, but very few of us actually do anything about them. I want to thank you for allowing us to get this done."

Lobbyist Rod Blonien reported that the mini-satellite wagering facility established at the California Commerce Club casino, which opened with Del Mar this summer, was so popular that a second area had to be opened in order to handle the crowd. He said the club handled an average of \$80,000 a day in wagers during the Del Mar meet and is still averaging \$60,000 a day since Del Mar closed. He said satellite wagering officials are actively looking to expand the mini-satellite program in Southern California at a time when the traditional satellite facilities in the state are being hard hit by the recession and the popularity of account wagering.

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