

State of California California Horse Racing Board Investigation Division INVESTIGATIONS FILE

	CASE NUMBER: 19DM0035	
90	REFER TO:	

DATE:	INVESTIGATOR	8:		1	VIOLATI	ON CODE	SCTODI	C)· ·		
08-16-2019	Angelica Merz		1843(a)(b)&(d) Medication, Drugs, & Other S 1843.1(a) Prohibited Drug Substances, and 18 Trainer Responsibility				ner Substa d 1887(a)	ınces		
COMPLAINANT,	T/INFORMANT(LN,F	N,MN):	CI	HRB NUM			Ī	SEE REPOR	RT FOR M	ORE
SUBJECT OF IN Baffert, Robert	N,MN):	I		RB NUMBER, EXP YR: 698-01/2022			SEE REPORT FOR MOR PERSONS			
race at Del Mar	d sample #DM15198 t Phenylbutazone (2.88 finishing 4th. The tra blation is a Class 4 dru	ner of re	cord is Do	pie was on bort Doffo	tained fro					JC t
					⊠ F6 REPC	ORMAL PRT		☐ NO FOR REPORT ATTACHMI		LY
DATE COMPLETED: 11-24-19	⊠ ADMIN FILING	☐ CRI FILINO	MINAL	UNF	OUNDED		MPLAI DRAW		11	FO
HEARING WITH (DT/TM): 11-16-19 @10:00:		TRACK Del Ma			FION CO	DES: 843.1(a), a	and 188	7(a)	ON	NLY
CRIMINAL FILIN	NG DATE:	С	OURT:					ARRAIGNMENT DATE:		
FELONY	MISD	v	VIOLATION CODES:							
COPIES TO / DAT	ΓE:	☐ A.H ☐ D. A ☐ S. V				☐ ОТН. ☐ ОТН. ☐ ОТН.	/			
DISPOSITION/CO On 11-23-19, DFT	OMMENTS: FD#017-Fined \$1500.0	00/Rule #	1532 added	d by BOS						
COMPUTER ENT ☐ RULING ADD ☐ CASE ADD:	RIES(DATE/BY WHO : 11-24-19 AM 11-24-19 AM	DM):			TATUS C	ODE: K ENTRY:				
CASE DEACTIVA ANGELICA MER		1250000	DATE 11-24-	: .	APPROV	ED BY:		11.	DATE:	 _a

Complaint and Notice to Appear CHRB - 65 (REV. 11/03)

1010 Hurley Way, Suite 300 Sacramento, CA 95825

COMPLAINT

CASE NUMBER: 19DM0035

The CHRB hereby files a complaint against Baffert, Robert for violation of CHRB Rule 1843(a)(b)&(d),

1843.1(a), and 1887(a). The person named in this complaint holds a license as a TRAINER, license number 087698-01/2022. The offense alleged occurred on or about August 03,2019 and

is as follows:

The official blood sample #DM15198 taken on August 03, 2019, was reported by Ben Moeller of the Maddy EACL at UC Davis to contain Phenylbutazone (2.88 ug/ML). This sample was obtained from the horse "Eclair" which ran in the 1st race at Del Mar finishing 4th. The trainer of record is Robert Baffert. A split analysis at Texas Veterinary Medical Diagnostic Laboratory confirmed the violation. This violation is a Class 4 drug with a penalty category Class C.

Pursuant to Business and Professions Code Section 19420, 19440, and CHRB Rules, the stewards are empowered to impose penalties for violation of any provision of the CHRB Rules. Such penalties may consist of suspension of any license, fines, and exclusion from all racing enclosures under the jurisdiction of the Board or by any combination of these penalties.

Date :08/16/2019	Complainant :CHRB

NOTICE TO APPEAR

To BAFFERT, ROBERT you are hereby notified to appear before the Board of Stewards at the below listed location, date, and time.

Location: Santa Anita	Date: October 19,2019	Time: 11:00

You are entitled to reasonable notice of the hearing and reasonable time to prepare for the hearing. If you need additional time to prepare for the hearing, you must contact the Board of Stewards within 72 hours of receipt of this notice. All requests for a continuance must be in writing. You should be prepared to justify your request for additional time. Granting or denial of a request for additional time is within the sound discretion of the stewards. The hearing will be conducted in accordance with the GOVERNING PROCEDURES FOR HEARING BEFORE THE BOARD OF STEWARDS, a copy of which is attached to this Complaint and Notice to Appear.

Investigator	Date	
A. Merz	9-29-19	
Rick M Digitally signed by Rick M Arthur, DVM Date: 2019.09.29	COPY DA	PROVED
DVM 12:38:33 -07'00'		10-01-19

DISPOSITION OF CASE

The stewards have taken the following action on CASE NUMBER: 19DM0035

Rulin	#17 Fine #1,500 henylbutazone 365 Days henylbutazone 365 Days henylbutazone 365 Days Pro Fine Rule #1843 (A)(B)(O) Rule #1843.1
Swith Rapee	11/23/19
Am Cons	Date
Steward	Date
Steward Steward	11-23-19

Date

California Horse Racing Board

1010 Hurley Way, Suite 300 Sacramento, CA 95825 (916) 263 – 6000 (916) 263 – 6042 Fax



Official Ruling

of the Board of Stewards

Del Mar Thoroughbred Club

(Association)

November 23, 2019
(Date)
DFTD #017

Trainer ROBERT BAFFERT, who started the horse ECLAIR, fourth place finisher in the first race at Del Mar Race Track on August 3, 2019, is fined ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)* pursuant to #1887 (Trainer or Owner to Insure Condition of Horse) for violation of California Horse Racing Board rule #1843(a)(b)(d) (Medication, Drugs and Other Substances), for violation of #1843.1 (Prohibited Drug Substances – Phenylbutazone (Class 4) second offense in 365 days).

*Rule #1532. Fine shall be paid to the Paymaster within seven calendar days from the date of this ruling, or the license of the person upon whom the fine has been imposed shall be suspended.

DOB: (

LIC: #087698 exp. 01/2022

CASE: #19DM0035

Steward

Scout W Baker

Steward

Steward

GOVERNING PROCEDURE FOR DISCIPLINARY HEARING BEFORE BOARD OF STEWARDS

- The CHRB will provide you notice and an opportunity to be heard, including the opportunity to present and 1. rebut evidence. (Government Code § 11425.10(a)(1))
- Every person who is called to testify before the stewards is entitled to have counsel or an observer of his 2. choosing present at the hearing, provided, however, that such counsel or observer shall only participate under such conditions or in such manner as the stewards may direct. (4 CCR 1539)
- The hearing shall be open to the public as provided in Government Code § 11425.20, which states: 3.
 - (a) Nothing in this subdivision limits the authority of the presiding officer to order closure of a hearing or make other protective orders to the extent necessary or proper for any of the following
 - (1) To satisfy the United States Constitution, the California Constitution, federal or state statute, or other law, including but not limited to laws protecting privileged, confidential, or other protected information.
 - (2) To ensure a fair hearing in the circumstances of the particular case.
 - (3) To conduct the hearing, including the manner of examining witnesses, in a way that is appropriate to protect a minor witness or a witness with a developmental disability, as defined in Section 4512 of the Welfare and Institutions Code, from intimidation or other harm, taking into account the rights of all persons.
 - (b) To the extent a hearing is conducted by telephone, television, or other electronic means, subdivision (a) is satisfied if members of the public have an opportunity to do both of the
 - (1) At reasonable times, hear or inspect the agency's record, and inspect any transcript
 - (2) Be physically present at the place where the presiding officer is conducting the hearing.
 - (c) This section does not apply to a prehearing conference, settlement conference, or proceedings for alternative dispute resolution other than binding arbitration.
- The presiding officer is subject to disqualification for bias, prejudice, or interest as provided in Government 4.
 - (a) The presiding officer is subject to disqualification for bias, prejudice, or interest in the
 - (b) It is not alone or in itself grounds for disqualification, without further evidence of bias,
 - (1) Is or is not a member of a racial, ethnic, religious, sexual, or similar group and the
 - (2) Has experience, technical competence, or specialized knowledge of, or has in any capacity expressed a view on, a legal, factual, or policy issue presented in the proceeding.
 - (3) Has as a lawyer or public official participated in the drafting of laws or regulations or in the effort to pass or defeat laws or regulations, the meaning, effect, or application of
 - (c) The provisions of this section governing disqualification of the presiding officer also govern disqualification of the agency head or other person or body to which the power to hear or decide in the proceeding is delegated.

- (d) An agency that conducts an adjudicative proceeding may provide by regulation for
- Ex parte communications shall be restricted as provided in Government Code §§ 11430.10 through 5.
 - (a) While the proceeding is pending there shall be no communication, direct or indirect, regarding any issue in the proceeding, to the presiding officer from an employee or representative of an agency that is a party or from an interested person outside the agency, without notice and opportunity for all parties to participate in the communication.

(b) Nothing in this section precludes a communication, including a communication from an employee or representative of an agency that is a party, made on the record at the hearing.

(c) For the purpose of this section, a proceeding is pending from the issuance of the agency's pleading, or from an application for an agency decision, whichever is earlier. (Government Code § 114230.10)

- The board, its executive director, or the stewards, may issue subpoenas for the attendance of witnesses or 6. the production of any records, books, memoranda, documents, or other papers or things, as is necessary to enable any of them to effectually discharge their duties, and may administer oaths or affirmations as necessary in connection therewith. (Business and Professions Code § 19435)
- The stewards may refer any matter within their jurisdiction to the Board when the penalty the stewards have 7. jurisdiction to impose is insufficient when a hearing cannot be held under the conditions or in the manner prescribed, when a hearing is impractical due to conclusion of the meeting, or for other good and sufficient cause, and they may order the suspension of the licensee pending further Order of the Board. In such event, the Board shall accept the matter for hearing and adjudication or such other action as the Board deems to be
- A verbatim record shall be made of all hearings before the stewards in any matter other than those relating 8. solely to riding infractions where the penalty imposed by the stewards is ten (10) days or less suspension, or those relating to license application recommendations. Notwithstanding the previous sentence, and at the stewards' discretion, the racing association shall provide either a certified court reporter or electronic recording equipment to record all hearings. Such recording equipment shall include, but not be limited to, tape recorder(s), at least three (3) microphones and a sufficient supply of recording tapes. The cost of such reporter and recording equipment shall be assumed be the racing association conducting the racing meeting. The taped recording(s) shall be stored and maintained by the Board for a minimum of sixty (60) days after the initial hearing or in the event an appeal is filed, a minimum of sixty (60) days after an appeal is heard and decided by the Board. Upon the request of the Executive Director or his/her designee, the racing association shall furnish an original and two copies of the hearing transcript to the Executive Director. (4 9.
- The decision shall be in writing, be based on the record, and include a statement of the factual and legal basis of the decision as provided in Government Code section 11425.50. (Government Code § 10.
- From every decision of the stewards, except a decision concerning the disqualification of a horse due to a foul or a riding or driving infraction, an appeal may be made to the Board. Appeals shall be made in writing, stating the reason or reasons for the appeal, and shall be signed by the appellant, appellant's attorney, or appellant's representative. Appeals shall be received by a Board employee at any of its offices, not later than seventy-two (72) hours from the date of the decision of the stewards unless the Board for

good cause extends the time for filing. An appeal shall not affect a decision of the stewards until the appeal has been sustained or dismissed or a stay order issued by the Chairman. (4 CCR 1761)

- The Board shall notify the appellant, the stewards and all licensees or other persons affected by decision 11. under appeal of the date, time and location of its hearing in the matter. The burden shall be on the appellant to prove the facts necessary to sustain the appeal. (4 CCR 1764)
- The Board, upon due consideration, may overrule any steward's decision other than a decision to disqualify 12. a horse due to a foul or a riding or driving infraction in a race, if a preponderance of the evidence indicates (1) The steward mistakenly interpreted the law.

(2) New evidence of a convincing nature is produced.

(3) The best interests of racing and the state may be better served. However, any decision pertaining to the finish of a race, as used for purposes of parimutuel fund distribution to winning ticketholders, may not be overruled. Furthermore, any decision pertaining to the distribution of purses may be changed only if a claim is made in writing to the board by one of the involved owners or trainers, and a preponderance of the evidence clearly indicates to the board that one or more of the grounds for protest, as outlined in regulations adopted by the board, has been substantiated. The chairperson of the board may issue a stay of execution pending appeal from a steward's decision if the facts justify the action. (Business and Professions Code § 19517)

- The Board shall issue its decision upon any appeal in writing and such decision is subject to review by the 13 14.
- Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code is not applicable to this proceeding.

DRUG DESCRIPTION

Phenylbutazone (Bute)

Phenylbutazone is a nonsteroidal anti-inflammatory drug (NSAID) and cyclooxygenase inhibitor. It is a potent pain reliever, antipyretic, and anti-inflammatory. In the horse, it is used commonly for lameness, resulting from soft-tissue injury, muscle soreness, bone and joint problems, and laminitis. NSAIDs work by inhibiting the body's production of prostaglandins, thromboxane, and other inflammatory mediators. Some of these actions may be dose-dependent. Phenylbutazone can be given intravenously or orally; pain relief and fever reduction usually starts within one to two hours.

California Code of Regulations Růles and Regulations

Title 4, Division 4

Article 15

§1843(a)(d) - Medication, Drugs and Other Substances

- (a) No horse participating in a race shall carry in its body any drug substance or its metabolites or analogues, foreign to the horse except as hereinafter expressly provided.
- (d) A finding by an official chemist that a test sample taken from a horse contains a drug substance or its metabolites or analogues which has not been approved by the Board, or a finding of more than one approved non-steroidal, anti-inflammatory drug substance or a finding of a drug substance in excess of the limits established by the Board for its use shall be prima facie evidence that the trainer and his/her agents responsible for the care for the horse has/have been negligent in the care of the horse and is prima facie evidence that the drug substance has been administered to the horse.

§1843.1 (b) - Prohibited Drug-Substances

For purposes of this division, prohibited drug substance means:

(b) any drug, substance, medication or chemical authorized by this article in excess of the authorized level or other restrictions as set forth in this article.

§1844(c) - Authorized Medication

Consistent with the intent of these rules, drug substances and medications authorized by the Board for use may be administered to safeguard the health of the horse entered to race provided that:

(c) Not more than one approved non-steroidal anti-inflammatory drug substance (NSAID) may be administered to a horse that is entered to race and shall be only one of the following authorized drug substances:

(1) Phenylbutazone in a dosage amount that the test sample shall contain not more than 2 micrograms of the drug substance per milliliter

of blood plasma or serum

§1887(a) - Trainer or Owner to Insure Condition of Horse

(a) The trainer is the absolute insurer of and responsible for the condition of the horses entered in a race, regardless of the acts of third parties, except as otherwise provided in this article. If the chemical or other analysis of urine or blood test samples or other tests, prove positive showing the presence of any prohibited drug substance defined in Rule 1843.1 of this division, the trainer of the horse may be fined, his/her license suspended or revoked, or be ruled off. In addition, the owner of the horse, foreman in charge of the horse, groom, and any other person shown to have had the care or attendance of the horse, may be fined, his/her license suspended, revoked, or be ruled off. The owner of a ship-in horse is the joint-absolute insurer of and is equally responsible for the condition of the horse entered in a race.



State of California California Horse Racing Board

REPORT of INVESTIGATION

FILE NUMBER:	19DM0035

CHRB-209 (NEW 12/07)
DATE: INVESTIGATOR:
08-16-2019 Merz, Angelica

TRACK/LOCATION: OTHER OFFICERS:

INVESTIGATION:

Medication Violation

REPORT RE:

On August 16, 2019, I received this medication violation report. The official blood sample #DM15198 taken on August 03, 2019, was reported by Ben Moeller of the Maddy EACL at UC Davis to contain Phenylbutazone (2.88 ug/ML). This sample was obtained from the horse "Eclair" which ran in the 1st race at Del Mar finishing 4th. The trainer of record is Robert Baffert. A split analysis was requested in accordance to 1859.25. This violation is a Class 4 drug with a penalty category Class C.

On August 16, 2019 at 1500 hours, I conducted a barn inspection of Trainer Baffert's barn FF 21-40 & GG 1-21. He has 50 horses & 12 pens. Shed row and feed bins were in good condition. He has 30 employees. There is a night watchman. They have 25 different kinds of medications that are not properly labeled and expired. There is no lock on the medication cabinet, however the tack room door has lock capabilities. Dr. Vince Baker advised he would be taking care of the situation. I did locate Phenylbutazone in paste form in the medication cabinet. Picture attached to report.

On August 16, 2019 at 1542 hours, I obtained a statement from Dr. Baker. Dr. Baker stated he is the only Veterinarian that gives Bute to the horses. Dr. Baker said he gives Bute by syringe only and does not know how Eclair tested positive for Bute.

On August 17, 2019, Baffert came into the CHRB Office and signed the Positive Test Notification (PTN) document. I provided Baffert with a copy of the PTN and attached documents. Baffert requested for a split sample to be analyzed. Baffert also stated that he did not know why the horse Eclair tested positive for Bute. Baffert stated he thinks someone is intentionally giving Bute to his horses and mentioned that he would be offering a reward to help solve this case.

On August 17, 2019, I emailed the signed PTN to Deborah Dugally. I also picked up the employee worklist from Del Mar Security. I also received copies of Dr. Baker's Confidentials from Vicki Cronk at the Del Mar receiving barn. The confidentials indicated that the horse Éclair received Bute which Dr. Baker administered on August 02, 2019 at approximately 1025 hours. Dr. Baker also administered to be administered.

On August 18, 2019, Investigator Jennifer Tolman emailed the Split Sample request form to Deborah Dugally and Travis P. Mays (Section head at Texas A&M Veterinary Medical Diagnostic Laboratory).

On September 05, 2019, I received the split sample Positive Letter from the Texas A&M Veterinarian Medical Diagnostic Laboratory (TVMDL) confirming Phenylbutazone was detected in the sample (2.62 + 0.15 micrograms per milliliter).

On Spetember 12, 2019, I obtained a copy of Baffert's worklist from Del Mar Security.

On September 14, 2019 at 0800 hours, I provided the 1844C Report to Dr. Grande.

I received the 1844C report back from Dr. Grande with his recommendations.

The CHRIS history for the last (3) years indicated there was (3) class 4 medication violations.

Baffert has had 1844(c) violations within thirty-six (36) months. On August 5th 2019, Baffert had a Phenylbutazone (510 ng/ml) positive-Case status pending. On October 22, 2017, ruling#LATC028 was issued on case#17LT0003. Baffert was fined \$1,000.00 for Phenylbutazone (3.19 ug/ml). On January 15, 2017, ruling#LATS030 was issued on case#16SA0243. Bafert was fined \$250.00 for Phenylbutazone (2.69).

Baffert is in violation of the following CHRB Rules:

1843(a,b, &d)- Medication, Drugs, and other Substances 1843.1(a)- Prohibited Drug Substances 1887- Trainer to Insure Condition of Horse

INVESTIGATOR'S NAME: A. Merz		APPROVED BY (SUPERVISING INVEST MIYAZAKI, PHILLIP	IGATOR'S NAME):
INVESTIGATOR'S SIGNATURE:	DATE:	APPROVAL SIGNATURE:	DATE:
	9:29:19	- I ful	10-01-19



State of California California Horse Racing Board Investigation Division INVESTIGATIONS FILE

CASE NUMBER	: 19DM0	036	
REFER TO:			

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08/16/2019		A.MERZ		:		1530-E	Barn	Inspections	JPIC): :			
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Baffert, Robert					087608	01/2022	CAP	YK:	☐ SE	E REPO	RT FO	OR MORE
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SUMMARY:				·			. 2					
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however the tac	ck roon	n door has lock	canabiliti	D . 1	/: D	l expired. I ker advisor	here	e is no lock or	the me	dication	cabin	et,
search conduct	ed due	to a Bute positi	ve case# 1	DM003	35.	KCI AUVISEL	ı ne	would be taki	ng care	of the si	tuatio	n. Barn
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Inspection Report CHRB - 52 (REV. 11/01)

1010 Hurley Way, Suite 300 Sacramento, CA 95825

INSPECTION REPORT

Trainer Name (Print) Baffert, Robert	· ::	Inspect 1445	ion Time	Date 08/16/2019	
and the state of t	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1		License Number 3-01/2022	Case No. 19DM0036	1-35-W(1) - W(
Race Track Location Del Mar		Barn No FF 21-4	umber I0 GG 1-21		
Subject(s) Involved Baffert, Robert		1	License Number(s 087698-01/2022)	
	15 E	i.	•		
See attached worklist	4.	1			
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An unannounced inspection was performed at the above listed location, date and time, in accordance with Board Rule 1929, EXAMINAMION OF PERSONAL EFFECTS.

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norses & 12 pens. Shed row at	nd feed bins were in g ent kinds of medication	on of Trainer Baffert's barn FF 21-40 & GG 1-21. He has 50 good condition. He has 30 employees. There is a night ons that are not properly labeled and expired. There is no om door has lock capabilities.
		2
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	6.	
Issuing Officers Name	1: 1	Title ·
A. Merz	* \$ 5	INVESTIGATOR
1		13
Approved By	; · .	Date Approved
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" // ml		(08-11-2011

Barn Inspection Report CHRB - 16 (REV.11/01) 1010 Hurley Way, Suite 300 Sacramento, CA 95825

Barn Inspection Report

	25	·+.	CASE N 19DM0	
Medications				
		<u> </u>	YES	NO
Under lock and key				\boxtimes
Properly labeled		i	\boxtimes	
How many people have access to barn?: 30		How many peop	ole have access to n	nedication?:
Names: Trainer, Grooms, Exercise Riders, &	Vet	Names: All personnel		27
Security			YES	NO
References obtained prior to hi	ring			
Nightwatch person employed			$\overline{\boxtimes}$	
Office situated for high visibili	ty .	* 1	X	
Employees at barn 24 hours	•		X	
No visitor or similar signs post	ed	1		
New employees drug tested				
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COMMENT

No violation

Application for Credentials for Stable Employees

(Grooms, Ex-Riders, Hot Walkers, Pony Riders, Foremen, Watchman, Etc.)

To: All Trainers

Will you please complete this form and return it to the Stable Office as soon as possible so that windshield stickers and admission credentials may be issued to your employees.

The California Horse Racing Board requires all Trainers to furnish an accurate list of all employees and to report immediately any terminations or changes.

The Board of Stewards requires all Tráiners or Authorized Stable Representatives to report to the Stable Office any change in personnel and to pick up and turn in to Stable Office the admission credentials of terminated employees.

personnel and to pick up an	(PLEASE TYPE	PE OR PRINT CLE	ARLY)	examinants
Employee Name	C.H.R.B.	Validated	Job Classification	Date Terminate
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MRCHAL KLUYH			ASSISTANT	
MAYRACHIPIX STABLEDA			FOLOMAN	
JALLY MANGE	The rest of the 1997 of the 19	ESC	El liver	
MANNY AVICA			i	
JUST- METZ				
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tite Cenjugers				
LUY MCCALANY	-0.00		Piny Pausen	
MANO LAMIREZ			brown	
RODULFUSIUA DILLA			Y	
ENVILLE ALFOREZ	794.18		PINT/EXICITE	
THE TEST STERNA	19)		Green	-
LIKAN LANDELUS			CECIT	
KILANIZ CEUZ				
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SILLESTIE GALCIA	Name of the same			
Ron G. CALCID				
ASSISTANT TRAINER'S NAME & PHONE NI	JMBER		I CERTIFY THAT THE ABO	OVE IS CORRECT
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FOREMAN'S NAME & PHONE NUMBER	3		Print /	
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CASE OF AN EMERGENCY WITH YOUR HOR OVIDE VETERINARIAN NAME & PHONE NUMBER.	RSES PLEASE	16+5		
YL VINUE MAN			PHONE NUMB	FR
<i>yy</i>		Poro Numb		
PASSEDT		Barn Number		

Los Angeles Turf (), Inc., Santa Anita Park, A lia, California

Application for Credentials for Stable Employees

(Grooms, Ex-Riders, Hot Walkers, Pony Riders, Foremen, Watchman, Etc.)

To: All Trainers

Will you please complete this form and return it to the Stable Office as soon as possible so that windshield stickers and admission credentials may be issued to your employees.

The California Horse Racing Board requires all Trainers to furnish an accurate list of all employees and to report immediately any terminations or changes.

The Board of Stewards requires all Trainers or Authorized Stable Representatives to report to the Stable Office any change in personnel and to pick up and turn in to Stable Office the admission credentials of terminated employees.

E 31		E OR PRINT CLEA	edentials of terminated employees		
Employee Name	C.H.R.B.	Validated	Job Classification	Date Terminated	
MADRICAMPUZAND			brown		
LUCELIE LUNA			T. I		
HUGUSTIN LACA			ER. 21062		
BULLARDE LUNA	272564	9/12/19	GLOSM		
JOUIN NAME LOPEZ	,				
WILLEST ENGINEER	TOTAL CONTRACTOR CONTRACTOR				
BLUAUS C. SARRAL					
ABUTAMIN HERWANDE	2		1		
TIN. A PHULM			Howaren	-	
GOVIA AMBELZ					
FEBRUSCE A MAGANA			brown		
MINULLUP CHMPUSTAN			HOT WALCEL		
DEMINE SHLIMBE			EKUM		
AR RESE			HOWHEREN		
CORPLAND HERCHANDE			·		
TECK CLIND					
WILTHEA CECHNIES		+/			
DUMBE CALOR			+		
ASSISTANT TRAINER'S NAME & PHONE	NUMBER		I CERTIFY THAT THE ABOVE IS CORRECT		
			TRAINER'S N	AME	
	1,00		Sign: Print: PACASIT		
FOREMAN'S NAME & PHONE NUMB	ER		PAREIG		
		Number of Horses	STREET ADD	RESS	
CASE OF AN EMERGENCY WITH YOUR HO					
a none now			PHONE NUME	3ER	
		Barn Number			
A.D. ELEMI					

Los Angeles Turf Jo, Inc., Santa Anita Park, A ilia, California

Application for Credentials for Stable Employees

(Grooms, Ex-Riders, Hot Walkers, Pony Riders, Foremen, Watchman, Etc.)

To: All Trainers

Will you please complete this form and return it to the Stable Office as soon as possible so that windshield stickers and admission credentials may be issued to your employees.

The California Horse Racing Board requires all Trainers to furnish an accurate list of all employees and to report immediately any terminations or changes.

The Board of Stewards requires all Trainers or Authorized Stable Representatives to report to the Stable Office any change in personnel and to pick up and turn in to Stable Office the admission credentials of terminated employees.

	(PLEASE TYPE OR PRINT CLEARLY)				
Employee Name	C.H.R.B.	Validated	Job Classification	Date Terminated	
Kish ember			Hor Winner		
ACRISO SILVA			The state of		
		7			
ASSISTANT TRAINER'S NAME & PHONE	NUMBER		I CERTIFY THAT THE AB	OVE IS CORRECT	
		-	TRAINER'S I	NAME	
			Sign:	327	
FOREMAN'S NAME & PHONE NUMBER			- WILLE		
		Number of Horses	STREET ADD	RESS	
CASE OF AN EMERGENCY WITH YOUR ROVIDE VETERINARIAN NAME & PHONE NUMBER					
TO THE VET ENGINEER HOME & PHONE NOW	J. I.		PHONE NUM	IBER	
		Barn Number			
MARTETOT		·		10 pt 10 mg	

Mark Bet Slips South Track \$1 Exacta / \$2 Quinella / 50 cent Trifecta / \$2 Rolling Double \$1 Place Pick All / 50 cent min. Rolling Pick Three 50 cent Early Pick 5 / \$2 WPS Parlay



08/03/2019 Race 1

DEL MAR - August 3, 2019 - Race 1

MAIDEN SPECIAL WEIGHT - Thoroughbred

FOR MAIDENS, FILLIES TWO YEARS OLD. Weight, 120 lbs.

Six Furlongs On The Dirt Track Record: (King of Cricket - 1:07.60 - August 22, 1973)

Purse: \$61,000

Plus: \$18,300 CBOIF - California Bred Owner Fund

Available Money: \$79,300

Value of Race: \$61,000 1st \$36,600, 2nd \$12,200, 3rd \$7,320, 4th \$3,660, 5th \$1,220

Weather: Cloudy Track: Fast Off at: 2:00 Start: Good for all Video Race Replay

EQUIBASE

Last Raced	Pgm	Horse Name (Jockey)	Wa	t M/E	PP	Start	1/4	1/2	C4-			
2.77	5	Lazy Daisy (Bejarano, Rafael)	120					22 1/2	Str	Fin	Odds	Comments
4Jul19 ⁶ ELP ²	4	Greg's Diva (Arroyo, Jr., Norberto)	10.500.00	Lb		3	3 ⁴	32 1/2	2 ^{Head}	11/2	3.50	3wd into str,led late
	2	Bristol Bayou (Espinoza, Victor)	120		4	1 5	2'	43	1 ²	2 ^{2 3/4} 3 ^{3 1/4}		led into str,worn down
 20Jul19 ⁹ DMR ²	3	Eclair (Van Dyke, Drayden)		Lb	3	8	11	11/2	a ¹ 1/2	_		broke in bit, steadied
20Jul 19 DMR-	1	Gold Included (Desormeaux, Kent)	120	Lb	1	4	4Head	5	5	4 ²		inside,dueled,wkened
Fractional Time	es: 22.	48 46.47 59.15	Final Tin	ne: 1:1	2.51			3. - 3	J	3	13.60	3wd into str,no rally

Split Times: (23:99) (12:68) (13:36)

Run-Up: 45 feet

Winner: Lazy Daisy, Bay Filly, by Paynter out of Romantic Intention, by Suave. Foaled Apr 21, 2017 in Kentucky. Breeder: John Elder & Paynter Syndicate.

Winning Owner: ERJ Racing, LLC, Great Friends Stable, LLC and Mansor, Tom

Total WPS Pool: \$221,064

Pgm	Horse
5	Lazy Daisy
4	Greg's Diva
2	Bristol Bayou

9.00	4.40 3.80	3.40 3.00 4.60	Wager Type \$1.00 Exacta \$2.00 Quinella \$0.50 Trifecta	Winning Numbers 5-4 4-5 5-4-2	Payoff 13.10 12.60 33.00	Pool 85,108 4,759 63,053
------	--------------	----------------------	---	---	-----------------------------------	-----------------------------------

Past Performance Running Line Preview Pgm Horse Name Start 1/4 1/2 Str Fin 5 Lazy Daisy 32 3² 22 11/2 Greg's Diva 21/2 21/2 2 Bristol Bayou 56 44 1/2 43 1/2 5 33 1/4 11/2 3 Eclair 2 32 46 1/2 Gold Included 4 57 1/2 58 1/2

Trainers: 5 - O'Neill, Doug; 4 - D'Amato, Philip; 2 - Shirreffs, John; 3 - Baffert, Bob; 1 - Brinkerhoff, Val

Owners: 5 - ERJ Racing, LLC, Great Friends Stable, LLC and Mansor, Tom; 4 - Michael House; 2 - West Point Thoroughbreds, Hudson, E. J., Ingordo, David, Ingordo, Dorothy and Shapiro, Thomas A.; 3 - Kelly, Sarah and Wiltz, Jane; 1 - Caraman, Michael and Walker, Mark;

Footnotes

LAZY DAISY had speed three deep then stalked off the rail, came three wide into the stretch and finished steadily under urging to gain the lead in deep stretch and proved best. GREG'S DIVA between horses early, pressed the pace outside a rival then stalked just off the rail, bid again outside that one leaving the turn, took the lead into the stretch, inched away under urging in midstretch, fought back in deep stretch but could not quite match the winner late. BRISTOL BAYOU broke in a bit and was steadied, pulled and drifted out some early then angled in and saved ground chasing the pace, cut the corner into the stretch, came out in midstretch, went around a rival in deep stretch and picked up the show. ECLAIR had speed inside to set a pressured pace, inched away a half mile out, dueled along the fence on the turn and into the stretch and weakened in the final furlong. GOLD INCLUDED came off the rail past the gap, chased off the inside, was three wide into the stretch and lacked a further response.

Denotes a Keeneland Sales Graduate

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CALIFORNIA HORSE RACING BOARD



Memorandum

Date

August 16, 2019

To

Rick Baedeker

Executive Director

From

Deborah Dugally

Split Sample Custodian

Subject:

CHRB Official Test Sample # DM15198

The official blood sample # DM15198 taken on August 3, 2019 at Del Mar was reported by Ben Moeller, PhD of UC Davis Laboratories to contain Phenylbutazone. This sample was obtained from the horse Eclair which ran in the 1st race at Del Mar finishing 4th. The trainer of record is Bob Baffert.

The undersigned have reviewed the laboratory report and subject to CHRB Regulations, this sample # DM15198 is considered to be a prohibited drug substance. 4/C

The CHRB Investigations Unit is advised to proceed with its investigative process, and offer the owner / trainer the opportunity to have the corresponding split sample tested at a CHRB approved split sample laboratory.

Rick Baedeker

Executive Director, CHRB

Rick M

Digitally signed by Rick M

Arthur, DVM

Arthur, DVM Date: 2019.08.16

08:46:34 -07'00'

Rick Arthur, D.V.M. Equine Medical Director

UNIVERSITY OF CALIFORNIA, DAVIS

BERKELEY · DAVIS · IRVINE · LOS ANGELES · RIVERSIDE · SAN DIEGO · SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

CALIFORNIA ANIMAL HEALTH & FOOD SAFETY LABORATORY SYSTEM P.O. BOX 1770 DAVIS, CALIFORNIA 95617

PHONE:

(530) 752-8700 (530) 752-6253

Aug 15, 2019

Certificate of Analysis: CA-POS-015453

CHRB

CALIFORNIA HORSE RACING BOARD

1010 HURLEY WAY

SUITE 300

SACRAMENTO, CA 95825

Laboratory Number: 190806-392378

Sample Number:

DM15198

Delivery Date

Aug 06, 2019

Sample Date

Aug 03, 2019

Racetrack

Del Mar

Attention: Deborah Dugally

Blood sample number DM15198 taken on Aug 03, 2019 at Del Mar was found to contain Phenylbutazone.

Detection, identification and confirmation were performed utilizing liquid chromatography - mass spectrometry.

Respectfully, **Equine Analytical Chemistry Laboratory**

Ben Moeller, PhD Assistant Professor

> **Equine Analytical Chemistry Laboratory** ISO/IEC 17025:2005

Testing Laboratory - Certificate #2205-01 ACCREDITED



REQUEST FOR SPLIT SAMPLE ANALYSIS

Laboratory response is due by _____



DATE OF PROMEST					
DATE OF REQUEST:					
RACING AUTHORITY:	California Horse Racing	g Board (#DM15198)			
RACING AUTHORITY CONTACT:	Name: Deborah Dugally e-mail: dldugally@chrb.ca.gov				
DRUG / ANALYTE FOR ANALYSIS:					
ANALYSIS REQUESTED:	Qualitative (no concentration reported)	Quantitative (estimated concentration reported)			
REGULATORY THRESHOLD: (If applicable)	CHRB no longer has an authorize	zed threshold for Phenylbutazone.			
ESTIMATED CONCENTRATION:	2.88 ug/mL				
MATRIX TO BE ANALYZED: (Indicate all to be submitted for analysis)	Blood-Plasma Blood-Serum	Urine Other			
HYDROLYSIS USED IN PRIMARY ANALYSIS:	YES 🗸	NO			
SAMPLE CONDITION:	Refrigerated ✓ Fro	ozen Other			
SAMPLE AGE: (interval post-collection)	< 60 days 🗸 61-12	0 days >120 days			
PARTY RESPONSIBLE FOR PAYMENT:	Trainer / Owner Racing A	Authority Other			
TO BE COMPLETED BY RESPONDING LABO	RATORY				
LABORATORY:					
LABORATORY CONTACT:	Name: e-mail:				
LABORATORY RESPONSE:	Decline AGREE	DECLINE UESTED ANALYSIS			
Justification, if declined:	- TO LINGUIN ALQ	OLSTED ANALYSIS			
TO BE COMPLETED BY LABORATORIES AGREEING TO PERFORM ANALYSIS:					
PRICING AND REMITTANCE INSTRUCTIONS:					
PROJECTED TURN-AROUND-TIME:					
SAMPLE VOLUME REQUIRED:	mls serum/plasma	mla usina			
SHIPPING ADDRESS AND INSTRUCTIONS:	corainy plasma	mls urine			

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SANTA BARBARA • SANTA CRUZ

PHONE: FAX: (530) 752-8700 (530) 752-6253

CALIFORNIA ANIMAL HEALTH & FOOD SAFETY LABORATORY SYSTEM P.O. BOX 1770 DAVIS, CALIFORNIA 95617

Final Report

. . .

CHRB CALIFORNIA HORSE RACING BOARD 1010 HURLEY WAY SUITE 300 SACRAMENTO, CA 95825

Sample Delivery Group CHRB-190806-5 **Delivery Date** Sample Date **Number of Samples**

2019-08-06 2019-08-03 21

Racetrack Veterinarian

Del Mar William Farmer

	External Reference	Sample Type	Screen Result	Lasix	Blood	Results	External Reference
**	DM15197	Blood & Urine	Pass	X	PBZ	<loq< td=""><td>DM15197</td></loq<>	DM15197
**	DM15198	Blood & Urine	Fail	X	PBZ	2.88	DM15198
市市	DM15199	Blood & Urine	Pass	X	PBZ	<loq< td=""><td>DM15199</td></loq<>	DM15199
林林	DM15200	Blood & Urine	Pass	X	PBZ	<loq< td=""><td>DM15200</td></loq<>	DM15200
ńź	DM15201	Blood & Urine	Pass	X	PBZ	<loq< td=""><td>DM15201</td></loq<>	DM15201
**	DM15202	Blood & Urine	Pass	x	PBZ	<loq< td=""><td>DM15202</td></loq<>	DM15202
**	DM15203	Blood & Urine	Pass .	x	PBZ	<loq< td=""><td>DM15203</td></loq<>	DM15203
**	DM15204	Blood & Urine	Pass	X	PBZ	<loq< td=""><td>DM15204</td></loq<>	DM15204
**	DM15205	Blood & Urine	Pass	×	PBZ	<loq< td=""><td>DM15204</td></loq<>	DM15204
**	DM15206	Blood & Urine	Pass	X	PBZ	<loq< td=""><td>DM15206</td></loq<>	DM15206
**	DM15207	Blood & Urine	Pass	x	PBZ	<loq< td=""><td>DM15207</td></loq<>	DM15207
**	DM15208	Blood & Urine	Pass	X	PBZ	<loq <loq< td=""><td>DM15207</td></loq<></loq 	DM15207
**	DM15209	Blood & Urine	Pass	x	PBZ	<loq <loq< td=""><td>DM15208</td></loq<></loq 	DM15208
##	DM15210	Blood & Urine	Pass	x	PBZ	<loq< td=""><td>DM15210</td></loq<>	DM15210
**	DM15211	Blood & Urine	Pass	x	PBZ	<loq< td=""><td>DM15211</td></loq<>	DM15211
内体	DM15212	Blood & Urine	Pass	x	PBZ	<loq< td=""><td>DM15217</td></loq<>	DM15217
井京	DM15213	Blood & Urine	Pass	X	PBZ		DM15212
**	DM15214	Blood & Urine	Pass	x	PBZ	<loq< td=""><td>DM15213</td></loq<>	DM15213
**	DM15215	Blood & Urine	Pass	×	PBZ	<loq< td=""><td>DM15214 DM15215</td></loq<>	DM15214 DM15215
##	DM15216	Blood & Urine	Pass	X		<loq< td=""><td></td></loq<>	
ikk	DM15217	Blood	Pass	۸	PBZ PBZ	<loq <loq< td=""><td>DM15216 DM15217</td></loq<></loq 	DM15216 DM15217

Approved by **Chief Chemist**

Equine Analytical Chemistry Laboratory ISO/IEC 17025:2005





CALIFORNIA HORSE RACING BOARD

OFFICIAL VETERINARIAN'S REPORT

CHRB-37 (REV. 6-98)

DATE:	August/3/2019
D/111.	

_____DAY OF MEET AT__

Del Mar RACE TRACK

CAMPI E NO				
SAMPLE NO.	HORSE	RACE	FINISH	TRAINER
DM15197	LAZY DAISY	1 L	1	DOUG O'NEILL
DM15198	ECLAIR	1 L	4	BOB BAFFERT
DM15199	WHATSITTOYA	2 L	1	R. B. HESS, JR.
DM15200	CONQUEST SMARTEE	2 L	2	JOHN SADLER
DM15201	LEGENDS OF WAR	3 L	1	DOUG O'NEILL
DM15202	ESKIMO ROSES	3 L	7	SHELBE RUIS
DM15203	RIDING WITH DINO	4 L	1	ANDY MATHIS
DM15204	FLY THE SKY	4 L	6	STEVEN MIYADI
DM15205	AMALFI SUNRISE	5 L	1	SIMON CALLAGHAN
DM15206	POWERFULATTRACTION	5 L	2	PETER EURTON
DM15207	SHEDARESTHEDEVIL	5 L	3	SIMON CALLAGHAN
DM15208	CASTLE	6 L	1	ANDY MATHIS
DM15209	MIDNIGHT MING	6 L	9	TIM McCANNA
DM15210	DUNBOW ROAD	7 L	1	TIM YAKTEEN
DM15211	ROLINGA	7 L	3	EDWARD FREEMAN
DM15212	BEAU RECALL (IRE)	8 L	1	BRAD H. COX
DM15213	STORM THE HILL	8 L	2	PHILIP D' AMATO
DM15214	VASILIKA	8 L	3	JERRY HOLLENDORFER
M15215	MADAME VESTAL	9 L	1 .	J. ERIC KRULJAC
M15216	EQUAL MEASURE	10 L	1	R.B. HESS, JR.

REMARKS: Page 1 of 2		
	B	

OFFICIAL VETERINARIAN

CALIFORNIA HORSE RACING BOARD

OFFICIAL VETERINARIAN'S REPORT

CHRB-37 (REV. 6-98)

14

OKI	DATE:	3/2019
	Establishment of the control of the	
DAY OF MEET AT	Del Mar	
DAI OF WIED! AT		DACE TO ACT

SAMPLE NO.	HORSE.	RACE	FINISH	TRAINER
DM15217	FASHION ISLAND	10 L	3	RICHARD BALTAS
	į			
	5 -			
				W
	i			1
	7 % 1			
	i			
e-vicinatives-				
	* 1			
			•3	
	1,0			

REMARKS: Page 2 of 2	
¥ 8	 OFFICIAL VETERINARIAN

TEST SAMPLE SHIPPING INVOICE

SECUR	ITY TAG NO.:		***	<u> </u>	·	DATE '
PACKE	Sergio Chavez D BY:#10777	1 100000000000000000000000000000000000			7/31/2019	
SHIPPI	ED FROM:	Del Mar		FOR	Wednesda	AN OUNESPECIAL OF
REMA	HORSEMEN'S SPLITS	I I		L	Page 2 of 3	
	DM15209 DM15210				DM15229 DM15230	
	OM15208				DM15228	
	DM15207			1	O DM15227	
2.	DM15205 DM15206		∴	4	U	-
	<u> </u>				(U)	
	DM15204				DM15223	
DM15202 DM15203				DIVI15222		
	DM15201				OM15221	
	①	•			Û	
	DM15300				DM15219 DM15220	
	DM15199				DM15218	
ile.	DM15197 DM15198				DM15217	BLOOD ONLY
1.	DM15196			3 .	DM15216	
,	OM15195			-	DM15215	
	DM15194				DM15214	
	(Ú)				(<u>)</u> DM15213	
	DM15192	- 1 h			DM15212	
	DM15101			,	OM15211	
	BLOOD AND Urine samples included:	*				

CALIFORNIA HORSE RACING BOARD ACKNOWLEDGEMENT OF TEST SAMPLE

acknowledge that I was	s present when	a urine and blood	sample was	taken from	
Horse EClair /	Rob Ra	ffert .	20		
Tattoo Number	Name of Horse 8/	Taken on	8/3	3/2019	
At		Del Mar	Date	Sample was	82
	Race	TOWY5198		Janiple was	
registered in my presence	e as number	DIMIT2139			
1-6		_		•	
2-1	4.dala	1-00/10			_
00000	Signate	ire of Witness		7,0	
2:08 P.1	1. 314	173 MIRTAL	A ORAN	ITES 119	,
Time of Arrival	License	Number ,		1	/
300 P.M	AI	Fredo	MORGEN		
Sample Obtained	Signati	ire of Assistant to Veterinarian			
AFFIX SAMPLE LABEL ON	REVERSE. SU	BMIT WITH OFFICIA	L VETERINARI	AN REPORT.	
CHRB - 14 (Rev. 4/89) 3-B100	1d5 2:5	3 P.M.	(OSP 07 101408	
	-, -, -, -,	J 13 7 V ()			

CALIFORNIA HORSE RACING BOARD

1010 Hurley Way, Suite 300 Sacramento, CA 95825 www.chrb.ca.gov (916) 263-6000 Fax (916) 263-6042

(REV. 07-25-2013 dat)



POSITIVE TEST NOTIFICATION

Date: <u>08/16/2019</u>				
I Robert Baffert		(Owner/Tr	ainer) acknowledge	that I have been
confidentially notified of a positive	test finding for	or Phenylhutazo	ne	in
the California Horse Racing Board the horse "ECLAIR	(CHRB) offic	ial test sample #	DM15198	from
		on the above date	by CHRB Investig	ator
Merz				
I understand that I have 72 hours fi (CHRB-56), requesting a split sam	pie analysis iro	om the CHRB ap	proved laboratory.	
I further understand that to request laboratory from the list provided an other form of payment is acceptabl send the payment to the respective (\$35.00) to the CHRB for split same	e) for said testi	nake payment <u>by</u> ing within 72 hou	money order or casl	nier's check (no
I also understand that the CHRB ap the event that the laboratory selecte laboratory from the CHRB approve	a does not acc	ory selected is neept my sample, I	ot obligated to accep will have 72 hours t	ot my sample. In so select another
Failure to comply with the above in sample tested. I also understand that notification, a hearing on this matter.	t II no split san	nnle analysis is re	eiture of my rights to equested within 72 h	o have the split nours after this
I acknowledge that I have read and	understand the	ahova instruction		
Ko Killat	understand the	A . A	ns.	
(Owner/Trainer)		(CHRB Repres	sentative)	
(Date) 8-17-19		9:09 (Time)		P .M.
Original: CHRB				
Duplicate: Horseman	i i			
- F Caro Trotochian				

REQUEST TO RELEASE EVIDENCE (CONFIDENTIAL)

To:

CALIFORNIA HORSE RACING BOARD Attn: SPLIT SAMPLE PROGRAM 1010 Hurley Way, Suite 300 Sacramento, CA 95825

I am requesting the California Horse Racing Board (CHRB) to release to a Board approved laboratory the **blood** split sample identified as # **DM15198** which has been detected to contain **Phenylbutazone**. I fully understand that I am responsible for all costs incurred by the transporting and testing of split sample identified as # **DM15198** to the laboratory I have chosen:

Laboratory Name and Address

I have enclosed payment of \$ 35.00 to cover costs of materials, packing, shipping, and handling.

I have selected and will make payment to the designated laboratory named above, to test the split sample.

I understand that verification of payment for all shipping and laboratory fees must be received by the CHRB within five (5) working days from the date of this form. If such verification of payment is not received, I understand that the split sample will not be released or shipped to the above laboratory and a hearing will be held based on the original confirmation report from the official testing laboratory.

Owner/Trainer Signature

Date

Telephone No.

Original:

Laboratory

Duplicate:

California Horse Racing Board

SPLIT SAMPLE RESPONSIBILITIES & DEADLINES CHECKLIST

Pursuant to CHRB Rule	1859.25, in o	rder to have your sp	lit sample tested
YOU are responsible for	taking the follo	owing actions:	
. /	**	•	
will accept your sp	lit sample for ar sitive test findir	e list provided, and valued and v	drug and amount
it along with \$35.0 within 72 hours fro	00 for sample pom receiving th	est to Release Evide processing and mailing positive test notification of the following met	ng to the CHRB <u>cation.</u> You may
2		T	
	ie \$35.00 fee a vestigator;	and completed Form OR	56 directly to a
B Send a \$	35.00 check ar	nd completed Form	56 via overnicht
shipping s	service to the fo	llowing address. Plea	ase note that the
		pe received at CHR	
	72 hour deadli		
	Attn: Split 1010 Hurl	Horse Racing Board Sample Unit ey Way, Suite 300 to, CA 95825	
Pay the split samp	le lab you have	chosen for the test w	vithin 5 business
days of submitting	the completed	Form 56. Payment to fore the split sample	split sample lab
	#/2		

DOLLARS



BOB BAFFERT RACING STABLES, INC.

Wells Fargo Bank, N.A. California

SHOWER BY

16-24/1220

PAY TO THE ORDER OF_

California Horse Racing Board

**35.00

8/17/2019

California Horse Racing Board

\$ 通品 圆 色

AUTHORIZED SIGNATURE

MEMO

DM15198

BOB BAFFERT RACING STABLES, INC.

California Horse Racing Board Licenses and Permits

split sample

8/17/2019

20693

35.00

Wells Fargo A/P

DM15198

35.00

REQUEST FOR SPLIT SAMPLE ANALYSIS

Laboratory response is due by ______



The application of the second and the second of the second			
DATE OF REQUEST:			
RACING AUTHORITY:	California Horse Racing Board (#DM15198)		
RACING AUTHORITY CONTACT:	Name: Deborah Dugally e-mail: dldugally@chrb.ca.gov		
DRUG / ANALYTE FOR ANALYSIS:	g ,		
ANALYSIS REQUESTED:	Qualitative Quantitative (estimated concentration reported)		
REGULATORY THRESHOLD: (If applicable)	CHRB no longer has an authorized threshold for Phenylbutazone		
ESTIMATED CONCENTRATION:	2.88 ug/mL		
MATRIX TO BE ANALYZED: (Indicate all to be submitted for analysis)	Blood-Plasma Blood-Serum Urine Other		
HYDROLYSIS USED IN PRIMARY ANALYSIS:	YES V NO		
SAMPLE CONDITION:	Refrigerated ✓ Frozen Other		
SAMPLE AGE: (interval post-collection)	< 60 days 61-120 days >120 days		
PARTY RESPONSIBLE FOR PAYMENT:	Trainer / Owner Racing Authority Other		
TO BE COMPLETED BY RESPONDING LABO	RATORY		
LABORATORY:			
LABORATORY CONTACT:	e-mail: TMAYS@TVMDL, TAMU, EDU		
LABORATORY RESPONSE:	Dealine AGDEE DECLINE		
Justification, if declined:			
TO BE COMPLETED BY LABORATORIES AGREEING TO PERFORM ANALYSIS:			
PRICING AND REMITTANCE INSTRUCTIONS:			
PROJECTED TURN-AROUND-TIME:			
SAMPLE VOLUME REQUIRED:	mls serum/plasma mls urine		
SHIPPING ADDRESS AND INSTRUCTIONS:			

CALIFORNIA HORSE RACING BOARD



Memorandum

Date

September 5, 2019

To

Commissioners

California Horse Racing Board

From

Rick Baedeker

Executive Director

Subject :

Split Sample of the CHRB Official Test Sample # DM15198

Subject to CHRB Regulation 1859.25, the blood split sample # DM15198 has been tested at the request of the owner and/or trainer by the CHRB approved laboratory Texas Veterinary Medical Diagnostic Laboratory. The laboratory analysis has confirmed the original finding of the drug substance Phenylbutazone, as reported by CHRB's official laboratory. The sample was collected from the horse Eclair which ran in the 1st race at Del Mar on August 3, 2019 and finished 4th. The trainer of record was Bob Baffert. The CHRB Investigations Unit will issue a complaint and a hearing will be scheduled.

1010 Hurley Way, Suite 300, Sacramento, CA 95825 Phone: (916) 263-6000 FAX: (916) 263-6042

COLLEGE STATION LABORATORY



POSITIVE LETTER

September 5, 2019

California Horse Racing Board 1010 Hurley Way Suite 300 Sacramento, CA 95825 916-263-6000

RE: #DM15198

Received:

August 27, 2019

Laboratory No.:

C192390622

Sample No.:

DM15198

INVESTIGATION:

Phenylbutazone in serum

The serum sample submitted was received in good condition. Testing began on August 28, 2019.

The sample was subjected to instrumental analysis for the presence of Phenylbutazone. Detection, identification, and quantitation were performed utilizing liquid chromatography – tandem mass spectrometry (LC-MS/MS). Phenylbutazone was detected in the sample by LC-MS/MS at a concentration of 2.62 ± 0.15 micrograms per milliliter. No further testing has been assigned.

The remainder of the sample will be stored frozen and disposed of after 1 year. Records associated with this case will be disposed of after 2 years.

If you have any questions or require additional information, please don't hesitate to contact me.

Sincerely,

Travis Mays, MS, PhD

Section Head

Analytical Chemistry

(Drug Testing & Toxicology)

TVMDL

PO Drawer 3040 College Station, TX 77841-3040

483 Agronomy Rd, TAMU 4471 College Station, TX 7784(L487)

> Tel. 979.845.3414 Fax. 979.458.3260 http://tvmdl.tamu.edu

STATE OF CALIFORNIA

CALIFORNIA HORSE RACING BOARD

VETERINARIAN REPORT

CONFIDENTIAL

Date St. 10 Bate Det Mark

Check If Racing Today												RONE			
Medication Administered, Prescribed or Dispensed	6:50 SEDIVET	SEDIVET	8,35 (becive (STAT)	8150 SEDIVET.	9! co Doen trock	9:40 DISP I NAR PASTE	CK Shampso	10:15 DORN HORB ") with	Bute I'm ADERLYAN	X-RAY BOTH FRONT ANKLES (12)	IN ADÉQUAN MEDOON PROCESTERONÉ	I M ADERUAN		
Time	05:9	8,15	8,35	8:50	9,00	9.40.	9:65	10:16	10) 25 But						
Name of Trainer								-	Carreer						
Name of Horse									FULLIA						,

STATE OF CALIFORNIA

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ATTOPIO ANTINESTINATINATIONALINA MATTA		Check If Racing Today				Browdall				
BOARD 8-2-19 RT Date	Race Track	Medication Administered, Prescribed or Dispensed	Surpuss Coan	5. Co. 1/2 -	120 ROBBINA	Tetracucture, 2 Fulvicin Pastes		ant, 50 Kebarn	ocgine (stut)	# CX
VETERINARIAN REPORT	CONFIDENTIAL	Name of Trainer Time	150 tent 1100 5	2		7	_	2 2 7	0621	
Veteriuarian Signature	No.	of Horse				2.7.2				-

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图到 0SP 16 13B768

STATE OF CALIFORNIA

-Geeffcraha-Worge-haging-board-Veterinarian report

CONFIDENTIAL

Veterinhrian Signature

Bate DEL MAR
Race Track

Check If Racing Today															
Medication Administered, Prescribed or Dispensed	But	Bure	Burk	Burk	Surge	الطافح	Jan State of the S	Burg	Cate	الإللار					
Time		7	·	7		9	100	(W)	85	9	7.3	•		·	
Name of Trainer	BAFFERE														
Name of Horse				, n					,	7				,	

OSP 18 138788

ANIMAL HEALTH NDC #11695-4851-1



California Horse Racing Board **VIOLATION** OF 1844 (c)

CHR	B-210 (NEW 12/07)						A.WERZ		
B	RAINER: affert, Robert					201 201 201 201			
L	NJ FOXWOODS/JUN	GLE RACING/NE	XUS RACIN	(G	LICENSE N	IUMBER:			
V	ATTENDING VETERI ince Baker The veterinarian who adminis	La transfer market	IAID involved in	Al	LICENSE NUMBER: 209155-08/2021				
H	ORSE: CLAIR	are processing and the	ALD IIIVOIVEG III	RACE:	DATE: 8/03/2019		FINISH:		
			VIO]	LATIC	N				
	☐ 1844 (c): MULT	PLE APPROVI	ED NSAID	'S:					
L	Phenylbutazone(P): mcg/m	l. Flu	nixin(F):	ng/ml.	K	etoprofen(K):	ng/m	
D	☑ 1844 (c) (1) Phen	ylbutazone in ex	cess of 5 m	ncg/ml: 2	.88 mcg/ml.				
] 1844 (c) (2) Fluni	xin in excess of 5	50 ng/ml:		ng/ml.				
] 1844 (c) (3) Ketop	profen in excess	of 10 ng/m	l:	ng/ml.				
SP	LIT SAMPLE:								
	DECLINED	☐ NOT REQUES	TED	⊠ REQU	ESTED D		-17-2019		
	LIT SAMPLE LAB: xas Veterinarian Medi	cal Diagnostic Lab			MPLE RESUL	TS:	2 ± 0.15 Micrograms po	er	
PR	EVIOUS VIOLATION	NS:							
\boxtimes	YES NO R	ule 1844 (c) viola	tions in p	revious <u>36 i</u>	nonths fron	n date o	f this race?		
								s race	
#1	DATE: 10-22-2017	□ 1 □ 2 □ 3 □ MORE Rule 1844 (c) violations in previous 12 months from date of this TE: 10-22-2017 NSAID: □ P □ F □ K REPORTED LEVEL: 3.19 ug/ml PENALTY: \$1,000.00 Fine							
#2	DATE: 07-27-2019	NSAID: ⊠ P □	F□K	REPORTED LEVEL: 510 ng/ml			NALTY: Pending		
#3	DATE:	NSAID: P	F□K	REPORTED	LEVEL:	PEN	NALTY:	<u></u>	
#4	DATE:	NSAID: P	F□K	REPORTED LEVEL:			PENALTY:		

1844 (d): If the official chemist reports that a blood test sample contains an authorized NSAID in excess of the limit for that drug substance under this rule, the Official Veterinarian shall, in conjunction with the Veterinarian who administered or prescribed the authorized drug substance, establish a dosage amount or time of administration of the drug substance that will comply with the limits under this rule; or the Official Veterinarian may, if in his/her judgment no such reduced dosage amount or amendment to time of administration will result in a test sample level within the limits of this rule, withdraw authorization for the use of any one NSAID.

OFFICIAL VETERINARIAN	: Timothy GRANDE, DVM	*DATE: 09/14/19 *(Date submitted to Official Veterinar)
in this violation.	4(d), I have discussed the case with, n who administered or prescribed th atisfied, that corrective action will be	
I have discussed the case was I am ⊠ satisfied ☐ not so violations.	vith the trainer. atisfied, that corrective action will be	taken to avoid future
I have kare not, Phenylbutazone, Flunixin,		trainer/horse to use
I make the following recon	mendations or comments on this cas	e:
per attending reterencies Dr. - treats all runners in BBed 2 days before race - did treat other Baffert no but about not believe he For trainer Bob Baffert + ass - have Buse pills in bern; - Buste pills are not une post-surgical cases Buste post-op - all Buste pre-race done b	Vince Baker: Part bern w/ 2g IV phenybulations no last inadvertently treated 'Ellair' by mist the trainers Jim Bames and Pasqual Rive there are kept in a secured of lacked for training; typically they are used where the surgeon prescribes a contract of all all and the surgeon prescribes a contract of all all all all all all all all all al	for then 10:30am y (Aug 2, 2019) ake ra: d area d for
OFFICE		
OFFICIAL VETERINARIAN: (SIGNATURE)	7L,ovm	DATE:

HRD901A Licensee/Rulings Inquiry RBMERZ 09/08/2019 Name: BAKER, VINCENT ALLAN DOB: ID No./State: CA FPrint: V Home: Bus: --- License Information ---Has Photo ID Licen#-MM/YYYY DV CLS SPC Status Fee Sticker Renewal Issued On Since 08/30/2018 08/03/1989 150 Number: 10350 Expires: 08/31/2020 --- 50 Rulings on file --- 50 cases on file ---Date Trk/RL# Text of Ruling 09/01/16 DMTD000 16DM0064/1845E/SYRINGE COLLECT NO VIOLATIONS Entered 07/13/16 LATS000 16SA0155/1845E/SYRINGE COLLECT NO VIOLATIONS 09/02/16 07/12/16 LATS000 16SA0162/1845E/SYRINGE COLLECT NO VIOLATIONS 07/13/16 07/11/16 LATS000 16SA0160/1845E/SYRINGE COLLECT NO VIOLATIONS 07/13/16 06/30/16 LATS000 16SA0145/1845E/SYRINGE COLLECT NO VIOLATIONS 07/13/16 06/23/16 LATS000 16SA0137/1845E/SYRINGE COLLECT NO VIOLATIONS 06/30/16 Press ENTER to continue or enter next option: __ (M=Main menu, X=exit) or, enter License Number for License Inquiry:

HORSE REGISTRY INQUIRY

OWNER: KELLY, SARAH S

MO: Y TRAINER: BAFFERT, ROBERT ANTHONY "

HORSE: ECLAIR
SIRE: BERNARDINI

DAM: ELBE

SREEDER: DON ALBERTO CORP

DIV: T TATTOO #: U15781 HSC: 00000

EXT

--- OWNERS --
* KELLY, SARAH S
WILTZ, JANE SCROGHAM

MO: Y TRAINER: BAFFERT, ROBERT ANTHONY "

CERT #: 1715781 DESCR: B F 2017 KY

DIV: T TATTOO #: U15781 HSC: 00000

EXP
INT LIC # MMYY
239407 1220
268162 0421

ERESS RETURN TO CONTINUE OR ENTER NEXT OPTION: OR
ENTER OWNER NAME FOR OWNER INQUIRY
ENTER TRAINER NAME FOR TRAINER INQUIRY
A=MAIN MENU, 1-10=QUERIES, X=EXIT)

ERD204

Horse History Inquiry RBMERZ 08/17/2019

Horse Name: ECLAIR

Div: T Cert #: 1715781 Tattoo #: U15781

Descr: B F 2017 KY

Sirë: BERNARDINI Dam: ELBE

--- Registry and Medical History ---

Owner: KELLY, SARAH S

Trainer: BAFFERT, ROBERT ANTHONY "

07/31/19 DMTD ON LASIX ::-

HRD901A Licensee/Rulings Inquiry RBMERZ 09/15/2019 Name: BAFFERT, ROBERT ANTHONY "BOB" DOB: ID No./State: CA FPrint: V SSN: Home: Bus: --- License Information ---NO Photo ID Licen#-MM/YYYY DV CLS SPC Status r Renewal Issued On Since 12/28/2018 01/21/1986 Total WARNINGS on Excessive Permitted Medication IS: 2 In past 90 days: 0 --- 118 Rulings on file --- 58 cases on file ---Trk/RL# Text of Ruling Penalty Date 08/17/19 DMTD000 19DM0036/1929/BARN INSPECTION NO VIOLATIONS Entered 08/10/19 DMTD000 19DM0023/BARN INSPECTION NO VIOLATION 08/17/19 08/10/19 06/26/19 INSLAQL PTSIG SP4060751 EXP 010121 06/26/19 12/20/18 INSLAQL PTSIG 2018EPP00471 EXP 070119 05/08/18 LATS000 18SA0111/ BARN INSPECTION NO VIOLATIONS 12/20/18 05/08/18 12/28/17 INSLAQL PTSIG 2018EPP00442 EXP 010119 _____ Press ENTER to continue or enter next option: __ (M=Main menu, X=exit) or, enter License Number for License Inquiry:

HRD901A Licensee/Rulings Inquiry RBMERZ 09/15/2019 Name: BAFFERT, ROBERT ANTHONY "BOB" DOB: ID No./State: CA FPrint: V SSN: Home: Bus: --- License Information ---NO Photo ID Licen#-MM/YYYY DV CLS SPC Status Fee Sticker Renewal Issued On Since 12/28/2018 01/21/1986 Total WARNINGS on Excessive Permitted Medication IS: 2 In past 90 days: 0 --- 118 Rulings on file --- 58 cases on file ---Trk/RL# Text of Ruling Penalty 10/22/17 LATC028 17LT0003/1844C1/BUTE 3.19UG/ML FINED \$1,000 PAID 10/25/17 06/25/17 LATS000 17SA180/ BARN INSPECTION NO VIOLATIONS 06/25/17 01/15/17 LATS030 16SA243/PHENYLBUTAZONE(2.69) \$250 FINE PAID 01/16/17 01/12/17 LAQL000 17LA0015/BARN INSPECTION NO VIOLATION 12/21/16 INSLAQL PTSIG 2016EPP00425 EXP 010118 01/13/17 11/02/16 LATCOOO 16SA252/ BARN INSPECTION NO VIOLATIONS 12/21/16 ______ 11/02/16 Press ENTER to continue or enter next option: __ (M=Main menu, X=exit)

or, enter License Number for License Inquiry:

HRD901A Licensee/Rulings Inquiry RBMERZ 09/15/2019 Name: BAFFERT, ROBERT ANTHONY "BOB" DOB: ID No./State: CA FPrint: V SSN: Home: Bus: --- License Information ---NO Photo ID Licen#-MM/YYYY DV CLS SPC Status Fee Sticker Renewal Issued On Since 12/28/2018 01/21/1986 Total WARNINGS on Excessive Permitted Medication IS: 2 In past 90 days: 0 --- 118 Rulings on file --- 58 cases on file ---Trk/RL# Text of Ruling Penalty Entered 03/25/16 LAQL000 16LA0100/BARN INSPECTION NO VIOLATION 03/25/16 02/05/16 LATS000 16SA018/PHENYLBUTAZONE (2.56) WARNING 02/05/16 12/29/15 INSLAQL FLSIG WC2016EPP329 EXP 010117 12/29/15 04/09/15 LAQL000 15LA0079/BARN INSPECTION NO VIOLATION 04/09/15 12/30/14 INSLAQL FLSIG WC215EPP329 EXP 010116 12/30/14 10/10/14 LATCOOO 14SA234/1692/INSTRUCT JOCKEY CASE CLOSED

Press ENTER to continue or enter next option: __ (M=Main menu, X=exit)

or, enter License Number for License Inquiry:

10/10/14

Licensee/Rulings Inquiry RBMERZ 11/24/2019 Name: BAFFERT, ROBERT ANTHONY "BOB" DOB: ID No./State: A3058912 CA FPrint: V SSN: Home: Bus: --- License Information ---NO Photo ID Licen#-MM/YYYY DV CLS SPC Status Fee Sticker Renewal Issued On Since 12/28/2018 01/21/1986 Has 2 unpaid Ruling Fine(s) --- 120 Rulings on file --- 60 cases on file ---Trk/RL# Text of Ruling Penalty Entered 11/24/19 DFTD017 19DM0035/1843,1843.1,1887,1532 FINED \$1500.00 *DUE 11/24/19 11/24/19 DFTD016 19DM0022/1843,1887,1843.1/FINE FINED \$500.00 *DUE 11/24/19 08/17/19 DMTD000 19DM0036/1929/BARN INSPECTION NO VIOLATIONS 08/17/19 08/10/19 DMTD000 19DM0023/BARN INSPECTION NO VIOLATION 08/10/19 06/26/19 INSLAQL PTSIG SP4060751 EXP 010121 06/26/19 12/20/18 INSLAQL PTSIG 2018EPP00471 EXP 070119 12/20/18 -----Press ENTER to continue or enter next option: __ (M=Main menu, X=exit) or, enter License Number for License Inquiry:

NAME:

```
BAFFERT, ROBERT ANTHONY " SSN:
          087698-0122 CLASS: C (TRAINER)
CASE FILE# 19DM0035 CHRIS CASE# CASE STATUS C
CASE TYPE M (COMPLAINT - MISCELLANEOUS)
PRE-HRG ACTION: F (CASE FINAL)
FILING DATE: 11/24/2019 HEARING DATE:
                                       HEARING TIME:
SENT TO COMM:
                      EFF. DATE: 11/24/2019 SENT TO RESPONDENT:
SENT TO D.A.:
                      INVESTIGATOR: ANGELICA M. MERZ
CASE DETAILS AND DECISION
                           7 LINES TOTAL
                                                    LINES 1
                                                               THROUGH 10
< 19DM0035/The official blood sample #DM15198 taken on August 03, 2019, repor >
< ted by Ben Moeller of the Maddy EACL at UC Davis to contain Phenylbutazone
< (2.88 ug/ML). This sample was obtained from the horse Eclair which ran
< in the 1st race at Del Mar finishing 4th. The trainer of record is Robert
< Baffert. A split analysis at Texas Veterinary Medical Diagnostic Lab
< confirmed the violation.On 11-16-19, DFTD#017 "Fined $1500.00" Rule #1532
< added by BOS.
                                                                          >
<
                                                                          >
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Press enter to continue, or enter next OPTION: __ (M=main menu, X=exit)