

LOUISIANA STATE RACING COMMISSION

MINUTES – November 14, 2011 Meeting

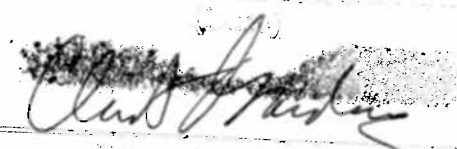
As transcribed by Mary Lee DiLeo, Certified Court Reporter

COMMISSIONERS IN ATTENDANCE

Jerry F. Meaux, *Chairman*
Payton R. Covington, *First Vice Chairman*
Bob F. Wright, *Second Vice Chairman*
Kevin S. Delahoussaye
Benjamin J. Guilbeau, Jr.
Richard M. "Dick" Hollier, Jr.
David E. Roberts
Judy W. Wagner
Dion Young

ABSENT

Keith W. Babb
William A. Robinson
Kenneth "Kenu" Romero

APPROVED
2-27-12

Chris Warren
Louisiana State Racing Commission

The meeting of the Louisiana State Racing Commission was called to order by the Chairman on Monday, November 14, 2011 at 9:00 AM in the Vieux Carré Room of the Monteleone Hotel, 214 Royal Street, New Orleans, Louisiana. Roll call was taken; a quorum was present.

Mr. Gardiner asks the commissioners for approval of the meeting minutes from the previous meeting; Mr. Covington motions to approve; Mr. Wright seconds; motion carries.

I. ASSOCIATION REQUESTS

A. BOYD RACING, LLC d/b/a DELTA DOWNS RACETRACK, CASINO & HOTEL

1. **PROGRESS REPORT**, by *Mr. Chris Warren*. Mr. Warren informs Delta Downs 2011-2012 thoroughbred meet began on October 19th. He informs, so far, the live handle is down 4%, the simulcast handle is down 10% and the bet-in handle is up 13%. He mentions the numbers are skewed compared to last year because the Delta Jackpot handle is not reflected in the report. Mr. Warren informs Delta Downs is trying to increase the live handle with direct mail outs, but the simulcast handle is an ongoing battle due to stay at home betting with Twin Spires and TVG available in the market. Mr. Warren informs Delta Downs hired Sports View as their TV department's new broadcast company. He informs a new timing system has been installed. All races are now hand-timed, plus electronically-timed by computer. Mr. Warren informs Delta Downs worked a deal with TVG at the start of the thoroughbred meet and Delta Downs also met with the horsemen. Mr. Warren very briefly explains their negotiations with TVG (cost issues) and asks the commission to call him for further information. Mr. Warren states he will provide an update at the next meeting. Mr. Warren informs Saturday, November 19th is Delta Jackpot day. Mr. Covington asks Mr. Warren about the

winner of the Jackpot race insofar as the Kentucky Derby. Mr. Warren responds, the winner of that race has enough earnings to go to the Derby. Mr. Warren mentions that Delta Downs is seeking to get a Grade II status in the future. Mr. Meaux asks Mr. Warren to further explain the TVG telecast schedule. Mr. Warren states there are no guarantees from TVG to show Delta Downs' races since Delta Downs is considered a non-exclusive track. TVG shows only a couple of Delta Downs' races on weekends. He informs the rates are better on weekdays, and they try to show more Delta Downs races because of the limited number of tracks racing during the week. Mr. Gardiner asks Mr. Warren if Delta Downs is seeking to recapture some of the local market for the local customers since state legislation allows for Louisiana race tracks to become their own ADW operators. Mr. Warren states Delta Downs will look into this after the 1st of the year and a presentation will be made at the next meeting. Mr. Gardiner asks Mr. Warren to explain the importance of having two graded races. Mr. Warren informs it provides great exposure for Delta Downs. He informs management is in favor of keeping graded races, but it is not as important to the local horsemen since a lot of the big purses end-up going to horses shipped-in from out-of-town.

2011/2012 THOROUGHBRED MEET

2. RACES

a. **Ratification** of designated races for the 2011-2012 thoroughbred meet.

10/22/11	My Trusty Cat
10/22/11	Jean Lafitte
11/5/11	Magnolia
11/5/11	Gold Cup
11/19/11	Treasure Chest
11/19/11	Boyd Gaming's Delta Jackpot (G3)
11/19/11	Boyd Gaming's Delta Princess (G3)
11/19/11	Delta Mile
11/19/11	Louisiana Legacy
11/19/11	Louisiana Jewel
2/4/12	Premier Night Starlet, La. Bred
2/4/12	Premier Night Prince, La. Bred
2/4/12	Premier Night Matron, La. Bred
2/4/12	Premier Night Sprint, La. Bred
2/4/12	Premier Night Distaff, La. Bred
2/4/12	Premier Night Championship, La. Bred

Mr. Hollier motions to approve; Mr. Roberts seconds; motion carries.

B. EVANGELINE DOWNS RACETRACK & CASINO

1. **PROGRESS REPORT**, by Mr. Steve Darbonne. Mr. Darbonne informs Evangeline Downs is halfway through the 2011 quarter-horse meet. He states Evangeline Downs is definitely a night track based on the overall number comparisons. He informs the on-track handle is up 15% compared to last year and the total handle is up 68%. Mr. Darbonne informs Evangeline Downs is working with Dr. Peterson and will continue to test and send out samples from the track. Also, they are looking at different aspects of improving the track surface besides the mixtures and chemical breakdowns. He informs there was an ADW meeting a few weeks ago. It is now at the corporate level and he believes contract negotiations are under way. An ADW agreement will be presented to the commission in the near future. Mr. Gardiner asks Mr. Darbonne about the expected impact ADW would have economically to the track, to the horsemen and to the purses. Mr. Darbonne expects ADW will bring extra money back to everybody associated with racing in Louisiana, including the Racing Commission.

**C. CHURCHILL DOWNS LOUISIANA HORSERACING COMPANY, LLC
d/b/a FAIR GROUNDS RACE COURSE & SLOTS**

- 1. PROGRESS REPORT**, by *Mr. Eric Halstrom*. Mr. Halstrom informs the Fair Grounds 2011 quarter-horse meet concluded in September after running 12 days. He states the meet was a success and hosting the Quarter-Horse Breeder's futurity helped with the increases in crowd and total handle. He states the handle was up 25% and had the highest one day handle of \$600,000 and averaged \$300,000 overall. He informs the quarter-horse meet ended on September 24th and the Fair Grounds held their first street fair derby on that day. The street fair had local food truck vendors which attracted an estimated 3,000 to 4,000 people to the track. Mr. Halstrom informs the Fair Grounds currently has 1,400 horses on the backside for the highly anticipated thoroughbred meet. They received 3,200 stall applications and have only 1,800 stalls. He commends Jason Boulet and his staff for doing a good job with assigning stalls. Mr. Halstrom informs the Gambit newspaper printed a 24-page color insert featuring the Fair Grounds and the upcoming thoroughbred meet. Mr. Halstrom informs the Fair Grounds has put a considerable amount of work on the track's surface over the summer and the quarter-horse horsemen have been giving favorable reviews. He informs the Fair Grounds has spent about \$75,000 for improvements to the turf course. He informs the LSU School of Horticulture provided a plan to bring the surface back to its pre-Hurricane Katrina condition. Mr. Halstrom informs the 2011-2012 thoroughbred meet starts on Thanksgiving Day with an early post-time. He informs the clubhouse is sold-out and the black/gold room will be sold-out as well. He informs the 2nd weekend of the meet the Fair Grounds will have the Claiming Crown which is almost a national championship for claiming horses. Mr. Halstrom informs there will be 6 evening cards for the thoroughbred meet (2 in January, 2 in February and 2 in March). The first one is January 6th, which is the Friday before the BCS National Championship game. He informs the closing weekend will provide another Friday night event followed by the Fair Grounds Oaks on Saturday and the Louisiana Derby on Sunday to closeout the meet. Mr. Halstrom briefly summarizes and thanks the commission for adding the wagering rules to the agenda which will be up for approval later in the meeting.

2011/2012 THOROUGHBRED MEET

2. RACES

- a. Approval** of first condition book for 2011/2012 thoroughbred meet.

Mr. Delahoussaye motions to approve; Mr. Roberts seconds; motion carries.

- b. Approval** of designated races for the 2011/2012 thoroughbred meet:

12/03/11	Claiming Crown Iron Horse
12/03/11	Claiming Crown Express
12/03/11	Claiming Crown Glass Slipper
12/03/11	Claiming Crown Rapid Transit
12/03/11	Claiming Crown Emerald
12/03/11	Claiming Crown Jewel
12/10/11	Quarter-Horse Juvenile
12/10/11	Quarter-Horse Derby
12/10/11	Quarter-Horse Classic
12/10/11	Starter
12/10/11	Juvenile
12/10/11	Lassie
12/10/11	Sprint
12/10/11	Ladies Sprint

12/10/11 Turf
 12/10/11 Ladies
 12/10/11 Classic
 12/31/11 Louisiana Futurity - Colts & Geldings
 12/31/11 Louisiana Futurity - Fillies
 01/21/12 Pan Zareta Stakes
 01/21/12 F.W. Gaudin Memorial Stakes
 01/21/12 Louisiana Handicap
 01/21/12 Col. E. R. Bradley Handicap (Gr. III)
 01/21/12 Silverbulletday Stakes
 01/21/12 Lecomte Stakes (Gr. III)
 02/25/12 Gentilly Stakes
 02/25/12 Colonel Power Stakes
 02/25/12 Fair Grounds Handicap (Gr. III)
 02/25/12 Mineshaft Handicap (Gr. III)
 02/25/12 Rachel Alexandra Stakes (Gr. III)
 02/25/12 Risen Star Stakes (Gr. II)
 03/17/12 New Orleans Ladies Stakes
 03/31/12 Red Camelia Stakes
 03/31/12 Crescent City Oaks
 03/31/12 Bayou Handicap
 03/31/12 Fair Grounds Oaks (Gr. II)
 04/01/12 Costa Rising Stakes
 04/01/12 Bayou St. John Stakes
 04/01/12 Crescent City Derby
 04/01/12 Duncan F. Kenner Stakes
 04/01/12 Mervin H. Muniz Jr. Memorial Handicap (Gr. II)
 04/01/12 New Orleans Handicap (Gr. II)
 04/01/12 Louisiana Derby (Gr. II)

Mr. Delahoussaye motions to approve; Mr. Hollier seconds; motion carries.

3. STEWARDS, OFFICIALS & MANAGEMENT

a. Approval of racing officials for the 2011/2012 thoroughbred meet:

Jason Boulet - Racing Secretary
 Roy Wood - State Steward
 Peter Kosiba, Jr. and Brook Hawkins - Association Stewards
 Harvey Lourd, III - Assistant Racing Secretary
 Frank Comberrel, Jr. - Starter
 Scott Jones - Stakes Coordinator
 Barbara Comberrel - Program Director
 Ramon Muniz - Paddock Judge
 Gary Palmisano, Sr. - Paddock Judge/Clocker
 Joe Peluso, Amber Fontenot, George Graham, Gary Palmisano, Jr. and *Ryan Seewald
 - Placing/Patrol Judges
 Kerry Dubuc, Mike Diliberto, Billy Pettingill - Clockers
 Nelson Menard - Clerk of Scales
 Jed Babin - Horse Identifier
 Mario Torres - Stall Superintendent
 Craig Daligian - Jockey Room Custodian
 Steve Worsley - Claims Clerk
 Robert Mayer, Darren Cain and *Alan Love, Jr., Scott Cole (Alternate) - Outriders
 Sean Worsley - Silks Coordinator
 *new official

Mr. Delahoussaye motions to approve; Mr. Guilbeau seconds; motion carries.

**D. HARRAH'S BOSSIER CITY INVESTMENT COMPANY, LLC
d/b/a HARRAH'S LOUISIANA DOWNS**

1. **PROGRESS REPORT**, by *Ms. Vicky Walker*. Ms. Walker informs Louisiana Downs concluded their 2011 thoroughbred meet on September 25th. She informs the handle was up 1%. She informs of a new horse player's lounge, 265 new TVs and an increased database marketing program. She states the Super Derby Day handle was up 22% due to higher quality horses and full fields. She states wagering on the Breeder's Cup across the U.S. was down 6%, but Louisiana Downs Breeder's Cup Day was up 6%. Ms. Walker informs the new Holiday Inn Express Hotel will be completed by mid-January and will be located in Louisiana Downs' parking lot. The hotel will have 87 rooms and suites with HD flat screen TVs in all guest rooms and suites. The facility will be 100% non-smoking and it is pet friendly. In addition, a complimentary hot breakfast buffet will be provided to all guests. There will be a health fitness center on site, free parking and approximately 600 square feet of meeting space. All rooms will have microwaves, refrigerators and coffee makers. Also, there will be a business center and an outdoor pool (opened seasonally). A Comfort Inn Suites & Hotel will be built in 2012. Ms. Walker states both hotels will bring business to Louisiana Downs.

II. COMMITTEE REPORTS

A. MEDICATION COMMITTEE, by *Committee Chairman Payton R. Covington*

Medication Committee Report made by Committee Member Benjamin J. Guilbeau, Jr.

Mr. Guilbeau reports on issues that were presented to the Medication Committee on November 13, 2011. He informs recommendations for medication changes have been supported by multiple national organizations and have been passed or in the mode to be considered to be passed in multiple race jurisdictions across the country, including Florida and California. He states a formal discussion should take place in future meetings.

Dr. David addresses the Commission and informs there are a few more items that were not included in the Medication Committee Report.

He informs of the issue of not having a practicing veterinarian on the backside during night racing as well as not having one present in the morning when the track opens. He states Penn National and Evangeline Downs experienced problems because a veterinarian was not available on site when a horse was catastrophically injured. He states the Medication Committee discussed instituting a new rule which would require a veterinarian on the grounds during racing or training.

Dr. David informs the Medication Committee discussed the issue of multiple drugs being reported as a single violation. An example was given, such as two corticosteroids being reported on one report as a positive, but many times being treated as a single violation by the stewards. He states, because the drugs may be in the same drug class that does not mean it should be considered one violation. Dr. David informs the Medication Committee concluded that there should be 2 violations issued.

Dr. David informs the Medication Committee discussed taking a more in-depth view and look at how catastrophic injuries are handled. The Medication Committee discussed having hearings with the stewards, the regulatory veterinarian, the practicing veterinarian and the

trainer. The Medication Committee also discussed the possibility of looking at veterinarian records and history to see if there is a pattern involved or if the catastrophic injury could have been prevented.

Mr. Meaux asks the racetrack representatives if they have any input regarding having a practicing veterinarian on the backside at all times. Mr. Warren thinks it will be difficult, but agrees the issue needs to be addressed and agrees to work on a solution with Dr. David.

B. RULES COMMITTEE, by Committee Chairman Keith W. Babb

Mr. Babb was absent. Mr. Gardiner reports for the Rules Committee after Dr. David speaks about the proposed changes to LAC 35:I.1304 "Mandatory Health Screening."

Dr. David informs several states have changed their piroplasmosis testing as it appears that testing for both strains is unnecessary due to an extremely low incidence of *Babesia caballi*. He informs the current rule requires testing for both *Theileria equi* and *Babesia caballi*. Dr. David recommends to continue testing for only *Theileria equi*. Mr. Gardiner asks Dr. David about the cost. Dr. David responds the cost per test should be cut nearly in half depending on the laboratory.

Mr. Delahoussaye motions to approve LAC 35:I.1304 "Mandatory Health Screening" as an Emergency Rule/Notice of Intent, Mr. Guilbeau seconds; motion carries.

Mr. Gardiner explains Rule LAC 35:I.1505 "Nonsteroidal and/or Anti-Inflammatory Medication." He informs the Thoroughbred Owners and Breeders Association (TOBA) has mandated that all 2012 stakes races must be run under lower medication levels. He also informs of the threshold levels.

Mr. Stanley Seelig, Executive Director of the Louisiana HBPA, states a majority of TOBA's members are involved in the breeders side of the business. He states there may be some legal challenges from the horse groups and challenges from race tracks on this issue. He states that this is not an issue for the Racing Commission to oversee. He states it should be up to the individual track to decide if they want to lower its medication threshold levels. He informs the national HBPA no longer has a seat on the TOBA Board over protest of this issue.

Ms. Rhea Loney, Assistant Attorney General, explains the medication level changes and states the deadline to comply with TOBA is January 1, 2012. Mr. Halstrom stresses the importance of the Fair Grounds having graded stakes races. He states his track is in no position to set medication levels since they do not have the expertise to do so.

Mr. Meaux asks Mr. Halstrom what would happen if Fair Grounds lost their graded stakes races. Mr. Halstrom replies it would be a problem regarding purses and the quality of horses on the card.

Mr. Warren states he sees both sides of the issue, but Delta Downs has only two graded races.

Ms. Wagner states it would be disastrous for Louisiana racing to lose graded stakes. Mr. Seelig concurs with Ms. Wagner, but states it should still be up to the individual track to decide and not the commission.

Mr. Meaux, Mr. Wright and Mr. Seelig discuss the legal issues of the rule. Mr. Gardiner states because of the timing of TOBA's mandate and the nearness of the graded stakes at Fair Grounds, the Commission must adopt this rule as an emergency. He informs there is another TOBA mandate which will eliminate Lasix in two-year-olds in graded races only and those will not affect Louisiana until the end of 2012.

Dr. David states RCI, RMTC, Jockey Club, and AAEP are all looking to lower the levels of nonsteroidals in racing today. He informs it is the decision of the commission to make this change.

Mr. Guilbeau motions to accept the recommendation of the Medication Committee and approve LAC 35:I.1505 "Nonsteroidal and/or Anti-Inflammatory Medication" as an Emergency Rule/Notice of Intent, Ms. Wagner seconds; motion carries. Emergency Rule is effective January 1, 2012.

Mr. Gardiner explains Rule LAC 35:XIII.10501 "Maximum Daily Doubles per Race Card" as an Emergency Rule/Notice of Intent. Ms. Wagner motions to approve; Mr. Delahoussaye seconds; motion carries. Emergency Rule is effective November 14, 2011.

Mr. Gardiner explains Rule LAC 35: XIII.10901 "Super Six" as an Emergency Rule/Notice of Intent. Mr. Guilbeau motions to approve; Mr. Hollier seconds; motion carries. Emergency Rule is effective November 14, 2011.

Mr. Gardiner explains Rule LAC 35:XIII.11001 "Pick Five" as an Emergency Rule/Notice of Intent. Ms. Loney explains the substance of the rule. Ms. Wagner asks questions regarding the wager and then motions to approve; Mr. Roberts seconds; motion carries.

C. LEGAL COMMITTEE, by *Committee Chairman Bob F. Wright*

No report.

D. SECURITY COMMITTEE, by *Committee Chairman Kenneth "Kenu" Romero*

Mr. Romero was absent. Mr. Gardiner reports for the Security Committee. Mr. Gardiner reminds commissioners Colonel Mike Edmundson made a presentation before the Racing Commission at the last meeting (August 29, 2011) regarding the use of the State Police in the form of backstretch security. Mr. Gardiner introduces Captain Bobby Osborne who will be in charge of the unit. Mr. Gardiner informs Captain Osborne will be inspecting the racetracks statewide to prepare an action plan. Mr. Gardiner informs the Louisiana State Troopers will begin having a presence at the start of the Fair Grounds thoroughbred meet. There will be an in-depth report with up-to-date results of the pilot program at the next meeting.

E. RACETRACK/HBPA LIAISON COMMITTEE

No report.

F. COMPLIANCE COMMITTEE

No report.

III. OTHER

A. New Directive:

1. Approval of Directive No. 2011-01 regarding the reduction of the maximum test result levels for flunixin in blood for graded stakes races from 50 ng/mL to 20 ng/mL pursuant to TOBA requirements.

Mr. Gardiner reports the matters regarding the above directive have been discussed and will be done by directive to the LSU laboratory.

B. Discussion:

1. Request by HBPA to discuss collections of delinquent worker's compensation payments.

Mr. Ed Fenasci of the Louisiana HBPA addresses the commission. He informs their goal is to create an additional step in the collection procedures of Worker's Compensation and asks for the Racing Commission's endorsement. He explains the HBPA currently warns delinquent account holders and then proceeds to cancel their insurance. He informs cancelling insurance is complicated and time consuming. He proposes a procedure which would notify a trainer of the delinquency then give a seven day window to bring their account to good standing. If the requirement isn't met 100% then they would be prevented from entering any of their horses. Mr. Fenasci informs 5%-10% of the policies are delinquent and there are only a few habitual offenders (around 15-20 trainers). A lengthy discussion ensued between Mr. Seelig, Mr. Fenasci, Commissioners, Ms. Loney and Mr. Gardiner. Mr. Seelig states their goal is to avoid canceling policies and wants to work with the commission in order to solve the delinquency issues. Ms. Loney asks Mr. Seelig if they are asking the commission to write a rule on the issue. Mr. Seelig states he is not asking for a rule. He informs their goal is to introduce a new step which would allow an improvement of the current policy. Mr. Roberts, Mr. Guilbeau, Mr. Wright and Mr. Seelig have a discussion on whether another step can be legally inserted in the current policy. Mr. Wright requests a legal opinion from the HBPA attorney. Ms. Wagner asks Mr. Seelig how many insurance certificates have been pulled within the last year. Mr. Seelig states he's not aware of any. Mr. Hollier, Ms. Wagner, Mr. Roberts and Mr. Fenasci further discuss the number of delinquent accounts and the amounts due. Mr. Meaux and Mr. Seelig discuss tracking out-of-state trainers. Mr. Delahoussaye, Mr. Meaux and Mr. Seelig have a discussion of the amount of days (grace period) the HBPA is proposing for trainers to become non-delinquent. Mr. Roberts asks Mr. Seelig to submit a written policy and procedure on how HBPA would like to see the track interact on this issue and the Commission will forward it to the Racing Commission's Legal Committee. Mr. Seelig agrees. Ms. Loney asks for a copy of HBPA's current policy as well.

A recess was taken.

Dr. David makes a presentation which is a continuation of the Medication Committee. (See Medication Committee Report pages 5 & 6)

IV. RULES

A. Emergency Rules/Notices of Intent: (See Rules Committee Report pages 6 & 7)

- 1. LAC 35: I. Chapter 15 – Permitted Medication [Amend]
§1505. Nonsteroidal and/or Anti-Inflammatory Medication
- 2. LAC 35: XIII. Chapter 105 – Daily Double [Amend]
§10501. Maximum Daily Doubles per Race Card
- 3. LAC 35: XIII. Chapter 109 – Super Six [Amend]
§10901. Super Six
- 4. LAC 35: XIII. Chapter 110 – Pick 5 [New]
§11001. Pick Five
- 5. LAC 35:I. Chapter 13 – Health Rules [Amend]
§1304 “Mandatory Health Screening”

A recess was taken.

V. LICENSES

(In order heard)

License Approval Requests [LA.REV.STAT. 4:150(B)(2)]

Donovan Ladner, Exercise rider. Convicted felon. Mr. Wright motions to approve for licensing; Mr. Guilbeau seconds; motion carries.

Jimmy J. Segura, aka, Johnson J. Segura, Owner. Convicted felon. Mr. Covington motions to approve for licensing; Mr. Guilbeau seconds; motion carries.

VI. ADJUDICATIONS

(In order heard)

Adjudications Referred (LA. REV. STAT. 4:172)

Kenneth L. Roberts, Sr., Owner/Trainer. (Representated by Don Kelly, Esq.) Ruling#ED18990 of 11/2/11 – *Triamcinolone Acetonide (ARCI Category IV, severity level I) (3rd offense within a 12-month period).* Mr. Covington motions to uphold stewards’ ruling; no additional penalty; violation reduced to 2nd offense; Mr. Young seconds: Poll vote: 8-yes, 0-no; motion carries.

Shemire D. Guillory, Assistant Starter/Valet. Ruling#ED18917 of 9/10/11 – *Attempting to manipulate a Human Drug Test.* Mr. Guilbeau motions to uphold stewards’ ruling; suspend 6 months effective 7/16/11 thru 1/15/12 (credit for time served). Denied access to all race tracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission. Must provide negative hair test before being eligible for licensing; Mr. Delahoussaye seconds; motion carries.

Michael S. Zingelmann, Owner/Trainer. Ruling#ED18989 of 11/2/11 – *Phenylbutazone & Flunixin (ARCI Category IV, severity level I) (3rd offense within a 12-month period)*. Mr. Covington motions to uphold the stewards' ruling; suspend 60 calendar days effective 11-20-11 thru 1-18-12; fine an additional \$500 (\$1,500 total); purse redistributed. Denied access to all race tracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Mr. Hollier seconds; motion carries.

Appeal/Referred (LA. REV. STAT. 4:154, 4:172)

Michael A. Chaney, Jockey. Ruling#ED18962 of 10/15/11 – *Human Drug Testing (3rd offense)*. Ms. Wagner motions to uphold the stewards' ruling and suspend for 5 years; Mr. Covington seconds. Poll vote: 2-yes, 4-no; motion fails. Mr. Wright asks Ms. Wagner if she will accept a substitute motion of a 3 year suspension; Ms. Wagner informs she would; but expresses her concerns; commissioners discuss prior penalties; no second. Ms. Wagner motions to uphold the stewards' ruling; suspend 5 years effective 11/14/11 thru 11/13/16. Denied access to all race tracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission. May apply for a reduction in sentence after 1 year of suspension, with proper rehabilitation documentation, including negative drug test; Mr. Young seconds; motion carries.

Commissioners request more detailed information on violations and penalties for future human drug testing cases.

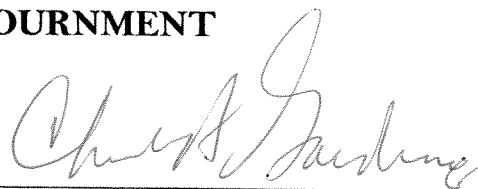
Appeals (LA. REV. STAT. 4:154)

Trevino Clark, Jockey. (Representated by Harry E. Cantrell, Jr., Esq.) Ruling#ED19002 of 11/4/11 – *Conduct detrimental to racing*. Mr. Covington motions to uphold stewards' ruling; suspend effective 11/4/11 thru 12/27/11. Denied access to all race tracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Mr. Hollier seconds; motion carries.

Elisa Lopez, Assistant Trainer. Ruling#ED19004 of 11/4/11 – *Conduct detrimental to racing*. Mr. Covington motions to uphold stewards' ruling; suspend effective 11/4/11 thru 12/27/11. Denied access to all race tracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Mr. Hollier seconds; motion carries.

VII. ADJOURNMENT

Mr. Meaux adjourns the meeting.



Charles A. Gardiner III
Executive Director