

**LOUISIANA STATE RACING COMMISSION**  
**MINUTES – October 30, 2023 Meeting**  
*As transcribed by Mary E. Lee DiLeo, Certified Court Reporter*

**COMMISSIONERS IN ATTENDANCE**

Benjamin J. Guilbeau, Jr., *Chairman*  
Louis Reine, *First Vice Chair*  
Dr. Patrick Bernard, *Second Vice Chair*  
Leslie M. Bouie  
Thomas B. Calvert  
Lane T. Cortez  
Donald "Don" Cravins  
Eddie J. Delahoussaye  
K. R. "Ron" Finkelstein, O.D.  
Mike R. McHalfey  
Ravi K. Sangisetty

**ABSENT**

Roy Griggs  
Deano Thornton

The meeting of the Louisiana State Racing Commission (LSRC) was called to order by the Chairman on Monday, October 30, 2023 at 10:00 AM in the Queen Anne Ballroom of the Monteleone Hotel, 214 Royal Street, New Orleans, Louisiana. Roll call was taken; a quorum was present.

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Commissioner Reine motions to approve the June 23, 2023 Meeting Minutes; Commissioners Cravins and McHalfey second; motion carries.

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Mr. Charles Gardiner III, Executive Director of LSRC, informs that Industrial Laboratories, Inc. is LSRC's new Equine Drug Testing Lab and introduces its president, Mr. Seth Wong and its Head Chemist, Ms. Petra Hartmann.

**I. ADJUDICATIONS**

**A. VIOLATIONS OF LAC 35:V.7901 (Careless Riding)**

1. **Rene Hernandez, Jockey.** *(Adjudication Appealed)*  
Ruling#DD25349 of 06/16/23 - Careless Riding

*Appeal Withdrawn;* Commissioners remand to Stewards; Mr. Hernandez is suspended 7 calendar days, November 10, 2023 to November 16, 2023; if he participates in a designated race day not subject to suspension, he shall be required to make up the suspension day on the first race day after the designated day of racing.

2. **Juan Garcia, Jr., Jockey.** *(Adjudication Appealed)*  
Ruling#DD25352 of 06/17/23 - Careless Riding

*Appeal Withdrawn;* Commissioners remand to Stewards; Mr. Garcia is suspended 7 calendar days, November 10, 2023 to November 16, 2023; if he participates in a designated race day not subject to suspension, he shall be required to make up the suspension day on the first race day after the designated day of racing.

3. **Guadalupe Lucio, Jr., Jockey.** (*Adjudication Appealed*)  
 Ruling#DD25387 of 07/16/23 - Careless Riding

*Appeal Withdrawn*; Commissioners remand to Stewards; Mr. Lucio is suspended 7 calendar days, November 10, 2023 to November 16, 2023. If jockey participates in a designated race day not subject to suspension, he shall be required to make up the suspension day on the first race day after the designated day of racing.

4. **Charles McMahon, Jockey.** (*Adjudications Appealed*)  
 Ruling#LD25075 of 09/13/23 - Careless Riding

*Appeal Withdrawn*; Commissioners remand to Stewards; Mr. McMahon is suspended 7 calendar days, November 5, 2023 to November 11, 2023. If jockey participates in a designated race day not subject to suspension, he shall be required to make up the suspension day on the first race day after the designated day of racing.

**B. VIOLATIONS OF LAC 35:I.1797 (Equine Positives)**

1. **Joy I. Marlin, Trainer.** (*Adjudication Appealed*)  
 Ruling#LD25040 of 09/03/22 - *Theophylline (ARCI Category III)*  
 Attorney - Vanessa Motta, Esq.

*Continued from January 31, 2023, April 17<sup>th</sup>, 2023, & August 28, 2023 Commission Meeting*

Commissioner Reine motions to uphold Stewards' Ruling, fine Ms. Marlin \$1,000, and redistribute the purse; Commissioner Cortez seconds; Poll Vote conducted by Mr. Charles Gardiner, Executive Director of LSRC, in which Yea means to approve the motion and Nay means to oppose the motion; 6 – Yea, 5 – Nay; motion carries.

2. **Kenneth L. Roberts, Sr., Trainer.** (*Adjudication Referred*)  
 Ruling#LD25274 of 03/28/23 – *Albuterol (ARCI Category III)*  
 Ruling#LD25276 of 03/28/23 – *Albuterol (ARCI Category III)*  
 Ruling#LD25277 of 03/28/23 – *Albuterol (ARCI Category III)*  
 Attorney – John L. Duvieilh, Esq.

*Continued from April 17, 2023 & August 28, 2023 Commission Meetings*

Commissioner Cortez motions to accept plea that upholds Stewards' Rulings #LD25274, #LD25276, and #LD25277, amend Mr. Roberts' suspension from 60 days for rulings #LD25274 and #LD25276 to be served concurrently and 60 days for ruling #LD25277 to be served consecutively, to 90 days total effective December 17, 2023 to March 15, 2024. He will be denied access to all racetracks, off track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Commissioner Cravins seconds; motion carries with sole opposition from Commissioner Calvert.

- 3. **Timothy Martin, Trainer.** *(Adjudication Appealed)*  
 Ruling#DD25306 of 05/17/23 – TCO2 (ARCI Category III)  
*(Adjudication Appealed & Referred)*  
 Ruling#DD25308 of 05/17/23 – TCO2 (ARCI Category III)  
 Attorney – Eddie Guidry, Esq.

Commissioner Reine motions to accept plea that would fine Mr. Martin \$1,000 for each ruling (\$2,000 total), redistribute the purses, suspended him for 45 days for each ruling, to be run concurrently, with credit for time served beginning October 1, 2023, suspension effective October 1, 2023 to November 14, 2023, and deny him access to all racetracks, off track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; waiver of any right to appeal; Commissioner Bernard seconds; motion carries with sole opposition from Commissioner Calvert.

- 4. **Benjamin J. Zeno, Trainer.** *(Adjudications Appealed)*  
 Ruling #ED25287 of 04/13/23 – Phenylbutazone & Flunixin (ARCI Category IV)

Commissioner Reine motions to accept plea that would uphold Stewards' Ruling, fined Mr. Zeno \$1,000, and redistribute the purse; waiver of any right to appeal; Commissioner Sangisetty seconds; motion carries.

- 5. **Mario A. Trujillo, Jr., Trainer.** *(Adjudications Referred)*  
 Ruling#DD25428 of 08/11/23 – Zilpaterol (ARCI Category II)  
 Ruling#DD25430 of 08/11/23 – Zilpaterol (ARCI Category II)  
 Ruling#DD25063 of 09/04/23 – Zilpaterol (ARCI Category II)  
*(Adjudication Referred & Appealed)*  
 Ruling#DD25429 of 08/11/23 – Zilpaterol (ARCI Category II)

Commissioner Calvert motions to fine Mr. Trujillo \$4,000 and suspend him for two years; motion does not carry.

Commission Reine makes a substitute motion to uphold Stewards' Rulings, fine Mr. Trujillo \$4,000 (\$1,000 for each ruling), suspend him for 6 months per ruling to be served consecutively for 2 years total beginning November 4, 2023 through November 3, 2025, plus 2 years' probation beginning November 4, 2025 where any medication violation imposes suspension for the remainder of the probation term, redistribute the purses and deny him access to all racetracks, off track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Commissioner Calvert seconds; motion carries.

- 6. **Dale Z. Keith, Trainer.** *(Adjudication Appealed)*  
 Ruling#DD25440 of 08/18/23 – Albuterol (ARCI Category III)

Case Continued to next Commission Meeting.

**C. SUSPENSION OF LICENSE DUE TO FAILURE TO PAY CHILD SUPPORT  
(La. R.S. 9:315.45)**

- 1. **Bethany L. Taylor, Jockey.** (*Adjudication Appealed*)  
Ruling#DD25061 of 10/06/22

Commissioner Reine motions to suspend Ms. Taylor’s license pending receipt of notice from court or Louisiana Department of Children and Family Services (DCFS) that her license is to be reinstated; Commissioner Bouie seconds; motion carries.

**II. LICENSE SCANNING**

- A. **Presentation on Scanning LSRC Licenses, via Barcodes or Chips**  
*Leroy Hollins II, LSRC Information Technology Director*

See Meeting Transcript for Mr. Hollins’ presentation and follow-up discussion.

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A 15-minute recess is taken.

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**III. ASSOCIATION REQUESTS**

- A. **BOYD RACING, LLC d/b/a DELTA DOWNS RACETRACK, CASINO & HOTEL**  
1. **PROGRESS REPORT**

Mr. Steve Kuypers, Vice President and General Manager of Delta Downs, introduces Mr. John Simon, who will replace Chris Warren as Director of Racing at Delta Downs. Mr. Simon informs that Delta Downs’ 61-day 2023 Quarter Horse Meet ended on July 15<sup>th</sup>. He says that handle was up 8.6%, including for the transferred Fair Grounds race days. He states that Delta Downs’ 76-day 2023-2024 Thoroughbred Meet is currently down 5.7% handle.

See Meeting Transcript for discussion about Delta Downs’ post time, racetrack surface, work on backside barns, and the Delta Miles Stakes.

**2023-2024 THOROUGHBRED MEET**

- 2. **STEWARDS, OFFICIALS & MANAGEMENT**

- a. **Ratification** of officials for 2023-2024 thoroughbred meet as provided in Meeting Agenda.

Commissioner Reine motions to approve; Commissioner McHalfey seconds; motion carries.

- B. **THE OLD EVANGELINE DOWNS, LLC**  
d/b/a **EVANGELINE DOWNS RACETRACK & CASINO**  
1. **PROGRESS REPORT**

Mr. Kuypers introduces Ms. Tracey Coonce, who will replace Chris Warren as Director of Racing at Evangeline Downs. Ms. Coonce informs that Evangeline Downs’ 61-day 2023 Thoroughbred Meet ended in August with handle up 59%. She states that Evangeline Downs’ 46-day 2023 Quarter Horse Meet started on September 29<sup>th</sup>. She says that handle is up 4% and the field size has increased to 8.27 from 7.89 last year.

See Meeting Transcript for discussion about Evangeline Downs’ futurity trials, racetrack surfaces, handle, throughbred breakdown numbers, and infrastructure projects.

**2023 QUARTER HORSE MEET**

**2. STEWARDS, OFFICIALS, & MANAGEMENT**

- a. Ratification** of additional officials for 2023 quarter horse meet as provided in Meeting Agenda.

Commissioner Reine motions to approve; Commissioner Cravins seconds; motion carries.

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

**1. PROGRESS REPORT**

Mr. Jason Boulet, Director of Racing for Fair Grounds, informs that horses moved in October 15<sup>th</sup> and training started on October 17<sup>th</sup> for the Fair Grounds' 76-day 2023-2024 Thoroughbred Meet. He says that the first race day will be November 17<sup>th</sup>.

See Meeting Transcript for discussion about Fair Grounds' horse population, stall allotment, barn construction, turf track condition, OTB operations, community, social media.

Mr. Ed Fenasci, Executive Director of Louisiana Horsemen's Benevolent & Protective Association (LaHBPA), requests that the Commission approve transfer of the three Champion Day's quarter horse races and the associated \$300,000 purse money from Fair Grounds to Evangeline Downs.

Commissioner Reine motions to approve Mr. Fenasci's requested transfer; Commissioner Cravins seconds; motion carries.

**2023-2024 THOROUGHBRED MEET**

**2. RACES**

- a. Approval** of first condition book for 2023-2024 thoroughbred meet.

**3. STEWARDS, OFFICIALS, & MANAGEMENT**

- a. Approval** of Officials for 2023-2024 thoroughbred meet as provided in Meeting Agenda.

Commissioner Reine motions to approve Items #2 & #3; Commissioner McHalfey seconds; motion carries.

**D. LOUISIANA DOWNS INVESTMENT COMPANY, LLC  
d/b/a LOUISIANA DOWNS CASINO & RACETRACK**

**1. PROGRESS REPORT**

Mr. Matt Crawford, Director of Racing for Louisiana Downs, informs that Louisiana Downs' 61-day 2023 Thoroughbred Meet ended on September 12<sup>th</sup>. He says that they had 8.1 starters per race, an increase from the previous year. He states that on-track handle was up 26% and total handle was up 13%.

- a. Update** on lighting improvements.

See Meeting Transcript for discussion about Louisiana Downs' horse population, stall rent, off-season training, track lighting, and purse overpayments.

The Chairman requests to receive written reports from Louisiana Downs and LaHBPA to update the Commission about the purse overpayment situation.

**2024 QUARTER HORSE MEET**

- 2. **REQUEST BY LOUISIANA DOWNS INVESTMENT COMPANY, LLC TO AMEND RACING DATES APPROVED ON AUGUST 28<sup>TH</sup> 2023 (R.S. 4:158A) TO ADD 16 RACE DAYS AND REMOVE 21 RACE DAYS AS PROVIDED IN MEETING AGENDA.**

Mr. Fenasci states that the LaHBPA supports the requested changes. Mr. Bruce Salard, Executive Director of the Louisiana Quarter Horse Breeders Association (LQHBA), states that LQHBA does not support this request to reduce total number of race days.

Commissioner Reine motions to approve with the proviso that the extra purse dollars from the total reduction of race days will go to overnight purses; Commissioner Bernard seconds; motion carries.

**3. STEWARDS, OFFICIALS, & MANAGEMENT**

- a. **Approval** of officials for 2024 Quarter Horse meet as provided in Meeting Agenda.
- b. **Approval** of Roy Wood Jr., to serve as State Steward for 2024 quarter horse meet.

Commissioner Reine motions to approve; Commissioner Bernard seconds; motion carries.

**IV. BREEDER UPDATES**

**A. LOUISIANA THOROUGHBRED BREEDERS ASSOCIATION (LTBA)**

**1. PROGRESS REPORT**

See Meeting Transcript for report from Mr. Roger Heitzmann, Executive Director of LTBA, about the recent horse sale and the upcoming Champion’s Day.

**B. LOUISIANA QUARTER HORSE BREEDERS ASSOCIATION (LQHBA)**

**1. PROGRESS REPORT**

See Meeting Transcript for report from Mr. Salard about the American Quarter Horse Association’s Racing Committee Meeting, hair testing program, and stakes races as well as an update about purse money transfers from Mr. Fenasci.

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A 10-minute recess is taken.

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**V. COMMITTEE REPORTS**

**A. MEDICATION COMMITTEE, by Committee Chair Patrick Bernard**

No Report.

**B. RULES COMMITTEE, by Committee Chair Lane T. Cortez**

No Report.

**C. LEGAL COMMITTEE, by Committee Chair Thomas B. Calvert**

No Report.

**D. SECURITY COMMITTEE, by Committee Chair Louis Reine**

No Report.

**E. RACETRACK/HBPA LIAISON COMMITTEE**, by *Committee Chair Donald "Don" Cravins*  
No Report.

**F. FINANCE COMMITTEE**, by *Committee Chair Leslie Bouie*  
No Report.

**G. RACING DAYS COMMITTEE**, by *Committee Chair Mike R. McHalfey*  
No Report.

**H. INFRASTRUCTURE COMPLIANCE COMMITTEE**, by *Committee Chair Louis Reine*  
Commissioner Reine requests Mr. Kuypers to update the Commission on the timelines for Delta Downs' infrastructure plan projects.

See Meeting Transcript for Mr. Kuypers' updates about Delta Downs' infrastructure plan timelines and discussion.

**VI. OTHER**

**A. DEAN OLIVER GARDEN OF LSU VETERINARY SCHOOL**  
1. LSU Equine Health and Sports Performance Center of Excellence  
Dean Garden gives a presentation about the new performance center.

**B. CONDUCT LESS THAN 80 DAYS**  
1. Association requests pursuant to La. R.S. 27:353(4) as provided in Meeting Agenda.  
Mr. Brett Bonin, Attorney for LSRC, informs the Commission about La. R.S. 27:353(4).  
See Meeting Transcript for discussion about La. R.S. 27:353(4).  
Commissioner Reine motions to allow all associations to run less than 80 race days as approved by the Commission consistent with state statute; Commissioner Cortez seconds; motion carries.

**C. ORDER TO SHOW CAUSE**  
1. Churchill Downs Louisiana Horse Racing Company, LLC, is ordered to show cause as provided in Meeting Agenda.  
See Meeting Transcript for discussion about Fair Grounds' HHR fees and interpretation of statute.  
The Chairman informs that the Commission will table any action pending additional investigation with the offices and counsel of the Division of Administration and the Legislative Auditor within the next 30 days.

**D. HORSE SENSOR PROGRAM**

1. **Approval** of Cooperative Endeavor Agreement between the LSRC and Churchill Downs Louisiana Horseracing Company, LLC, for a Horse Sensor Program during Fair Grounds' 2023-2024 Thoroughbred Meet.

Commissioner Reine motions to give the Chairman the authority on behalf of the Commission, due to the timing of the meet, to execute approval of a Cooperative Endeavor Agreement for a Horse Sensor Program during Fair Grounds' 2023-2024 Thoroughbred Meet; Commissioner Bernard seconds; motion carries.

**VII. RULES**

**A. NOTICES OF INTENT:**

1. LAC 35:I Chapter 3 – General Rules
  - §321. Commission Ineligible for Open Meetings Via Electronic Means [NEW]
  - §322. Disability Accommodations [NEW]
2. LAC 35:III Chapter 57
  - §5773. Association Annual Plan of Operation Report [AMEND]

Commissioner Reine motions to approve the above for Notices of Intent; Commissioner Bernard seconds; motion carries.

**VIII. ADJOURNMENT**

Commissioner Bernard motion to adjourn; Commissioners second; motion carries.



Charles A. Gardiner III  
Executive Director