



# Gaming Commission

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[www.gaming.ny.gov](http://www.gaming.ny.gov)

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## Weekly Track Report

### Aqueduct Racetrack Fall Meet

Week of Tuesday, November 3, 2015 - Monday, November 9, 2015

[View All Race Replays](#)

Tuesday, November 3, 2015

Dark Day

Wednesday, November 4, 2015

**Stewards-** Stephen Lewandowski, Braulio Baeza, Dr. Ted Hill

**Weather-** 70 degrees and Clear

Total Races	Horses Entered	Horses Started	Race 1	Race 2	Race 3	Race 4	Race 5	Race 6	Race 7	Race 8	Race 9
9	80	67	MS 6	C 5	STK 6	MC 8	C 8	A 8	A 8	STK 7	C 11

MS- Maiden Special Weight C- Claiming STK- Stakes MC- Maiden Claiming A- Allowance  
Single Number- Total Starters In Each Race **Green Highlight- Turf Race**

No Inquiries or Incidents Occurred

**Horses Claimed-** Race 2- #6 Old Mexico Claimed by Trainer Rudy Rodriguez for JJ Schwartz Racing LLC; Race 5- #1 Sugar Gold Claimed by Trainer John Toscano, Jr. for Robert Toscano, #6 Stevie's Moonshot Claimed by Trainer Jason Servis for Mr. Amore Stable; Race 9- #5 Lemon Song Claimed by Trainer Abigail Adsit for Marshall K. Gramm, #8 Electro Peg Claimed by Trainer Jason Servis for Jason Servis

**Ruling- Eric Cancel- Apprentice Jockey-** You are here by suspended five NYRA racing days for careless riding during the running of the 6th race at Belmont Park on November 1, 2015, effective from November 8th 2015, November 9th 2015, November 11th 2015, November 12th 2015, November 13th 2015.

[Equibase Full Chart Results 11/4](#)

Thursday, November 5, 2015

**Stewards-** Stephen Lewandowski, Braulio Baeza, Dr. Ted Hill

**Weather-** 67 degrees and Mostly Cloudy

Total Races	Horses Entered	Horses Started	Race 1	Race 2	Race 3	Race 4	Race 5	Race 6	Race 7	Race 8
9	62	57	A 5	MC 6	SA 5	AOC 6	MC 7	MS 9	AOC 7	MS 12

A- Allowance MC- Maiden Claiming SA- Starter Allowance AOC- Allowance Optional Claiming  
MS- Maiden Special Weight Single Number- Total Starters In Each Race **Green Highlight- Turf Race**

No Inquiries or Incidents Occurred

**Horses Claimed-** Race 2- #1 Lightning Buzz Claimed by Trainer Gary Gullo for Fortuna Mia Stable, #2 Ideal Quality Claimed by Trainer Danny Gargan for Midwest Thoroughbreds, Inc.

[Equibase Full Chart Results 11/5](#)

Friday, November 6, 2015

**Stewards-** Carmine Donofrio, Braulio Baeza, Dr. Ted Hill

**Weather-** 69 degrees and Sunny

Total Races	Horses Entered	Horses Started	Race 1	Race 2	Race 3	Race 4	Race 5	Race 6	Race 7	Race 8	Race 9
9	83	76	C 6	MS 8	AOC 5	MC 12	C 9	C 11	MS 8	C 7	MS 10

C- Claiming MS- Maiden Special Weight AOC- Allowance Optional Claiming MC- Maiden Claiming Single Number- Total Starters In Each Race **Green Highlight- Turf Race**

**Stewards Inquiry Race 2-** Inquiry into the start, at the break #5 Paw Annie (Elvis Trujillo) stumbles leaving the gate and #6 Sachopia (Dylan Davis) shifts in making contact with #5 Paw Annie as she bobbles. As a result the jockey of #5 Paw Annie was unseated. After reviewing the race video in the judgment of the Stewards no action was warranted. Decision was unanimous.

**Stewards Inquiry Race 4-** Inquiry into the start, #2 Break Away (Eric Cancel) leaves the gate taking a step out into the #3 Pound Sterling (Angel Arroyo). The rider of #2 Break Away loses his balance after making contact and is unseated. After reviewing the race video in the judgment of the Stewards no action was warranted. Decision was unanimous.

**Stewards Inquiry and Jockey Objection Race 9-** Jockey of third place finisher #1 Subtle Lady (Manuel Franco) lodged an objection against first place finisher #10 Eloweasel (Cornelio Velasquez) for alleged interference in the stretch. In the vicinity of the 3/16 pole #2 Ladys First (Eric Cancel) on the rail shifts out causing #4 Tiffanys Freud (Dylan Davis) to check and shift out into #10 Eloweasel. #10 Eloweasel shifts out reacting to #4 Tiffanys Freud thus causing #1 Subtle Lady to also steady briefly. #4 Tiffanys Freud tires to finish a distant sixth. After reviewing the race video and speaking with all riders involved in the judgment of the Stewards no action was warranted. Decision was unanimous.

**Incident Race 2-** #5 Paw Annie trained by Osvaldo Rojas and ridden by Elvis Trujillo stumbled at the start of the race and unseated her rider.

**Incident Race 4-** #2 Break Away trained by Gary Contessa and ridden by Eric Cancel lost his rider at the start of the race.

**Horses Claimed- Race 1-** #3 Greek Life Claimed by Trainer Steven Asmussen for Steven Asmussen; **Race 4-** #11 Foolish Cause Claimed by Trainer Jena Antonucci for Drawing Away Stable; **Race 5-** #1 Lifes Reward Claimed by Trainer Danny Gargan for Barbara Hopkins, #2 Cosmic Confidence Claimed by Trainer Jason Servis for Mr. Amore Stable LLC, #5 Mach Seven Claimed by Trainer Rudy Rodriguez for La Marca Stable; **Race 8-** #3 The Big Deluxe Claimed by Trainer Rudy Rodriguez for Michael Imperio, #6 Bug Juice Claimed by Trainer Abigail Adsit for Blue Stork Stables

**Rulings- Matthew Pebbles- Owner-Trainer-** You are hereby fined \$1500 for unlicensed participation and having been previously been warned and for having waived you right to appeal fine has been reduced to \$1000.

**Roy Sedlacek- Owner-Trainer-** PLEASE TAKE NOTICE that the occupational licenses of you, Roy Sedlacek, to participate in pari-mutuel thoroughbred racing as an owner, trainer, or otherwise are hereby SUSPENDED IMMEDIATELY pending the disposition by the New York State Gaming Commission ("Commission") of the scheduled hearing before the Commission, or

if you refuse such hearing or default in appearing, SUSPENDED until such time as the Commission in its discretion takes further action, including but not limited to license suspension or revocation or refusal to license.

YOU ARE FURTHER NOTIFIED that a hearing in this matter will be held at 9:00 a.m. on Tuesday, November 10, 2015, at Commission offices located at One Broadway Center, Suite 600, Schenectady, New York, at which time you may be represented by counsel and present evidence and arguments on your own behalf.

This action is taken pursuant to Racing, Pari-Mutuel Wagering and Breeding Law ("Racing Law") §§ 220, 245 and 250; 9 NYCRR §§ 4002.8, 4002.9, 4042.1, 4043.2, 4043.4 and 4043.12, and State Administrative Procedure Act § 401, upon a finding of the Commission that the public safety and welfare imperatively require this emergency action because your continued participation in racing is a potential cause of civil unrest and public harm and further could result in an impairment of the public's confidence in pari-mutuel racing in New York state and have an adverse effect upon substantial State and public revenues and revenues to the industry in general generated by pari-mutuel racing, in that, under the present circumstances you lack the general character and fitness for continued participation in pari-mutuel racing, and your continued participation in pari-mutuel racing is presently inconsistent with the public interest, convenience and necessity and with the best interests of racing generally, based upon the circumstances and charges stated more particularly hereinafter.

The disposition of these matters may result in the revocation or suspension of your license, your exclusion from all racetracks in New York State, and the imposition of fines. In particular, at the scheduled and any adjourned dates of your hearing you are notified to show cause why, pursuant to Racing Law §§ 220 and 250, Article 3 of the State Administrative Procedure Act, and Part 4550 of 9 NYCRR, the Commission should not fine you in an amount not exceeding \$25,000 per violation, suspend and/or revoke your license(s) to participate in pari-mutuel racing, disqualify the horses you owned that raced in violation of Part 4043 from such race(s) and from any share of the purse in such race(s), and exclude you from all New York State racetracks whether as a licensee, participant, or patron pursuant to Section 220(2) of the Racing Law and the applicable Commission rules at 9 NYCRR, in that:

1. The horse "Bossmon," trained by you, ran in the 4th race at Belmont Park on October 11, 2015 with a drug known as AH-7921 (3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]benzamide) having been administered within one week of the scheduled post time of its race, in violation of 9 NYCRR §§ 4043.2(h) and 4043.4;
2. The horse "Literata," trained by you, ran in the 2nd race at Belmont Park on October 18, 2015 with a drug known as AH-7921 (3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]benzamide) having been administered within one week of the scheduled post time of its race, in violation of 9 NYCRR §§ 4043.2(h) and 4043.4;
3. Your character and general fitness are such, based on the foregoing and your history of rule violations, that your participation in pari-mutuel racing is inconsistent with the public interest, convenience and necessity and with the best interests of racing generally, contrary to Racing Law § 220(2) and 9 NYCRR §§ 4002.8 and 4002.9;
4. You should be excluded from all New York race tracks whether as a licensee, participant, or patron, based on the foregoing, because your conduct at a race track in New York and elsewhere has been detrimental to the best interests of racing and you are guilty of improper, corrupt and

fraudulent acts and practices in relation to racing, in violation of Racing Law § 220(2) and 9 NYCRR §§ 4022.12 and 4042.1(f); and

5. The horses that you owned and that were raced in violation of Part 4043, as set forth above, shall be disqualified from each such race and from any share of the purse in such races, and such shares shall be redistributed among the remaining horses in the race entitled to the same, pursuant to the foregoing statutes and rules and 9 NYCRR § 4043.5.

PLEASE TAKE NOTICE that the hearing may be adjourned at the discretion of the Hearing Officer for good cause shown upon the request of any party. Requests for adjournments must be submitted as soon as reasonably possible. Absent a serious emergency matter, no requests for adjournments, except for the initial hearing date of November 10, 2015, will be granted within two (2) business days of the scheduled hearing date. To request an adjournment, you must contact the hearing officer at mhoblock@gmail.com, with concurrent notice to the assigned counsel at rick.goodell@gaming.ny.gov, as soon as possible. Requests for adjournments must be in writing and, after the opposing party has an opportunity to be heard regarding a request for adjournment, approved by the Hearing Officer. If you fail to appear at the hearing, then you will be in default, any appeal you filed and request that you made for a hearing may be deemed withdrawn, and the Commission may proceed in your absence with the hearing. Adjournments on consent of all parties are subject to the approval of the Hearing Officer.

PLEASE TAKE FURTHER NOTICE that, if you do not appear at the hearing and have not been granted an adjournment, then the hearing shall take place as scheduled and a decision, including by default, shall be made on the charges. The decision may result in fines, not to exceed twenty-five thousand dollars (\$25,000) for each violation, imposed against you; the suspension or revocation of your occupational license(s); the expulsion of you from all pari-mutuel race tracks in New York state; and the disqualification of horses from the races and from any share of the purse in the race in which they participated in violation of Part 4043 of 9 NYCRR.

[Equibase Full Chart Results 11/6](#)

Saturday, November 7, 2015

**Stewards-** Carmine Donofrio, Hugh Gallagher, Dr. Ted Hill

**Weather-** 65 degrees and Sunny

Total Races	Horses Entered	Horses Started	Race 1	Race 2	Race 3	Race 4	Race 5	Race 6	Race 7	Race 8	Race 9
9	94	80	SA 5	C 7	A 8	MC 11	MS 11	C 10	A 8	STK 10	MS 10

SA- Starter Allowance C- Claiming A- Allowance MC- Maiden Claiming MS- Maiden Special Weight STK- Stakes Single Number- Total Starters In Each Race **Green Highlight- Turf Race**

No Inquiries or Incidents Occurred

**Horses Claimed-** Race 2- #2 Artie Crasher Claimed by Trainer Philip Serpe for Drawing Away Stable, #8 Changewilldoyagood Claimed by Trainer Joseph Imperio for Flying P Stable; Race 6- #2 Tetradrachm Claimed by Trainer William Mott for William Mott, #7 Bigger Picture Claimed by Trainer Michael Maker for Three Diamonds Farm

**Ruling- Linda Rice- Trainer-** You are hereby fined the sum of \$250.00 for failure to tend to business in a proper manner for violation of rule # 4025.31 (a).

[Equibase Full Chart Results 11/7](#)

Sunday, November 8, 2015

**Stewards-** Carmine Donofrio, Ralph Theroux, Dr. Ted Hill

**Weather-** 57 degrees and Sunny

Total Races	Horses Entered	Horses Started	Race 1	Race 2	Race 3	Race 4	Race 5	Race 6	Race 7	Race 8	Race 9
9	91	78	MC 7	MC 12	C 6	MS 9	SA 8	AOC 7	C 11	A 6	MS 12

MC- Maiden Claiming C- Claiming MS- Maiden Special Weight SA- Starter Allowance AOC- Allowance Optional Claiming A- Allowance Single Number- Total Starters In Each Race **Green Highlight- Turf Race**

No Inquiries Occurred

**Incident Race 4-** #5 Jalsa trained by Kiaran McLaughlin and ridden by Dylan Davis was taken off on the horse ambulance after the finish of the race.

**Incident Race 7-** #11 Little Often Annie trained by Louis Cocelli, Jr. and ridden by Israel Rodriguez was pulled up after the finish and taken off on the horse ambulance.

**Horses Claimed-** Race 1- #2 Congrats Kid Claimed by Trainer Linda Rice for Linda Rice, #5 Zen Papa Claimed by Trainer Rudy Rodriguez for Michael Dubb; Race 3- #2 Son of a General Claimed by Trainer Linda Rice for Black Swan Stable, #5 Integrity Claimed by Trainer Danny Gargan for Midwest Thoroughbreds, Inc.

[Equibase Full Chart Results 11/8](#)

Monday, November 9, 2015

**Stewards-** Carmine Donofrio, Braulio Baeza, Dr. Ted Hill

**Weather-** 56 degrees and Sunny

Total Races	Horses Entered	Horses Started	Race 1	Race 2	Race 3	Race 4	Race 5	Race 6	Race 7	Race 8	Race 9
9	84	70	MC 8	C 7	C 6	MC 7	A 6	C 6	A 12	C 6	MC 12

MC- Maiden Claiming C- Claiming A- Allowance Single Number- Total Starters In Each Race

Green Highlight- Turf Race

**Stewards Inquiry Race 2-** Inquiry into the start, #6 Arana (Christopher DeCarlo) refused at the start. The starting gate doors opened properly and the filly was not impeded. No action was warranted.

**Stewards Inquiry Race 4-** Inquiry into the stretch run, after passing the 1/16 pole #1 Baby Snacks (Gabriel Saez) shifts out under a left handed crop causing #3 Elusive Talmo (John Velazquez) to shift out approximately one path. #3 Elusive Talmo maintains a steady pace without gaining position and continues to finish third beaten a length for second. After reviewing the race video and speaking with the riders involved in the judgment of the Stewards no action was warranted. Decision was unanimous.

**Incident Race 1-** #5 Gate Money trained by Patrick Reynolds and ridden by Silvestre de Sousa was taken off on the horse ambulance after the finish of the race.

**Horses Claimed-** Race 3- #2 Reach for Yield Claimed by Trainer Michelle Nevin for Steven Zoine, #3 Special Agent Claimed by Trainer Danny Gargan for Barbara Hopkins, #5 Finn's Quest Claimed by Trainer Abigail Adsit for Blue Stork Stables; Race 6- #6 Awesome Quick Claimed by Trainer Michael Miceli for Anthony Pontecorvo; Race 8- #1 Regulus Claimed by Trainer Jason Servis for Mr. Amore Stable LLC, #5 Attractive Ride Claimed by Trainer John Toscano, Jr. for Bran Jam Stable, #6 Grandpa Len Claimed by Trainer Michelle Nevin for Vincent S. Scuderi

[Equibase Full Chart Results 11/9](#)

### Full Week Summary

Total Races	Total Horses Entered	Total Scratches	Total NY Breds	Total Claims	Total Jockey Blood Alcohol Tests	Total Drug Samples Taken
53	494	66	14	29	140	470

## Wagering Data

Date	Early Pick 4	Late Pick 4	Pick 5	Pick 6	On-Track Handle	Inter-State Handle
11/3/2015	Dark					
11/4/2015	\$ 94,432	\$ 211,021	\$ 173,257	\$ 25,925	\$ 706,771	\$ 3,930,690
11/5/2015	80,147	167,981	164,718	67,984	602,996	3,907,544
11/6/2015	113,153	255,749	216,143	158,898	755,297	5,301,694
11/7/2015	171,698	420,717	282,768	45,631	1,152,681	7,828,812
11/8/2015	147,776	342,314	248,343	96,547	962,088	5,847,968
11/9/2015	90,901	271,444	151,766	402,745	608,139	4,546,163

## Equine Fatality Data

	Meet	Total Starters	Equine Deaths	Rate /1000	Total Races	Horses Per Race	Total Race Days
2015	Winter Inner Track- AQU	2743	7	2.6	363	7.6	42
2015	Spring Main Track- AQU	990	3	3.0	145	6.8	19
2015	Spring Turf- AQU	208	0	0	26	8	-
2015	Spring Main Track- BEL	1814	1	0.6	263	6.9	54
2015	Spring Turf- BEL	2099	3	1.4	243	8.6	-
2015	SARATOGA	3450	3	0.9	413	8.4	40
2015	Fall Main Track- BEL	1484	0	0	205	7.2	38
2015	Fall Turf- BEL	1467	1	0.7	156	9.4	-
2015	Fall Main Track- AQU	235	0	0	33	7.1	6
2015	Fall Turf- AQU	193	0	0	20	9.7	-
	Totals	14683	18	1.2	1867	7.9	199