



PTHA NEWS

Pennsylvania Thoroughbred Horsemen's Association Newsletter

We ARE Pennsylvania Racing

Volume 1, 2010

New Parx Casino Opens to Big Business

The much anticipated opening of the new *parx* casino on December 18 was not hindered by the frigid temperatures and snowy weather, as crowds lined up outside the \$250 million stand alone casino starting as early as 6 a.m. At 260,000 square feet, the exciting new facility is the most uniquely designed venue in the state of Pennsylvania, and is surely to become the “destination” place that William Hogwood, CEO of Philadelphia Park, has anticipated since its planning stages over four years ago.

“The opening exceeded our expectations,” said Hogwood. “We were up 20% over where we were a year ago, and the crowd seemed very pleased with the atmosphere and the new look.”

Just weeks ago, nearly 3,000 slot machines were removed from Philadelphia Park Racetrack’s grandstand area, and those plus an additional 374 were installed in the 120,000 square feet area designated for gaming.

There is much more than slots at *parx*, however, as *360*, a nightclub which features an LED lava-lit dance floor and an elevated stage surrounded by a bar, includes a schedule of live music, shows

and DJs. According to Hogwood, over 500 people filled the area on opening night.

Three large, eye-catching halogen pod chandeliers of colorful blown glass, which were made for \$1 million each at Belle Mead Hot Glass in Hillsborough, NJ, are centered above a sports bar in the middle of the gaming floor. Other design details include glass ceilings, and intricate glass shapes embedded into walls and windows.

Of the three eating establishments in *parx*, the steakhouse offers

the private atmosphere of an exclusive restaurant, with a unique fireplace covering the entire width of the back wall.

Foodie’s, a food court area, also offers table service, and Chickie’s and Pete’s will open at a later date.

“We are still a work in progress,” said Hogwood.

Three large screens, viewed easily from

Street Road, will eventually show a constant stream of other events, including horseracing, and plans are to build a tree-lined walkway from the casino to the racetrack, adding a shuttle service as well, so guests can enjoy both venues. **(More photos, page 2)**



(l to r) Bands and other top performers will provide entertainment at *parx*’ *360*, which features a dance floor, and an art deco bar surrounding a stage. Million dollar blown glass chandeliers priced at \$1 million each are the ceiling centerpieces over a sports bar and may soon be an area for table games. The brightly colored glass theme is carried out in the ceiling of *xclub*, the walls of the steak house, and in details scattered throughout the entire building



Parx features a vast array of eateries, including an upscale steakhouse with a sensational fireplace, subdued lighting, and colorful glass walls and chandeliers.



The casino's racebook was a popular area on a cold winter day, and features comfortable seating and international racing.



There is a great variety of slot machines throughout parx, something for everyone (left and below); View of valet parking area (bottom photo)



TAX TIPS FOR HORSEMEN

Michael Colucci, CPA

The other day I could not help but overhear a conversation between two horsemen. Apparently one recently had a horse claimed resulting in a nice profit. Apparently this was a "windfall" for this particular horseman as the conversation was about how money was going to be spent. Getting caught up on some bills, fixing up "long put" off repairs around the house and a vacation in Florida. Nothing really extravagant. However, as an accountant with many years in dealing with "Race Track" people, I could not resist asking if the horseman had considered the income tax that might be due, in part, because of this windfall. The next estimated income tax payments will be due January 15, 2010. Unfortunately, potential income taxes were never considered. I suggested a meeting with the horseman's tax advisor, sooner rather than later.

Here are some other things to make a note of and pass along to who ever prepares your 2009 income tax returns:

1. If you bought a new car, light truck, motor home or motorcycle, you can deduct the sales tax even if you don't itemize your deductions. The deduction is available to new vehicles (you are the first owner) purchased from February 17, 2009 through December 31, 2009. Limits on the purchase price is \$49,500 and there may be reductions of the amount claimed based on your modified adjusted gross income.
2. If you purchase a horse or other business property and place it in service in 2009, you can expense up to \$250,000 of the cost. This applies to horses, farm equipment and most other depreciable property. There is a phase out once purchases of eligible property reaches \$800,000.
3. NOL Carrybacks have been extended to 5 years back and 20 years forward after the loss. If you had a bad year in 2009 or 2008, you can look back 5 years and recapture any federal tax you may have paid. (You used to be limited to looking back 2 years). Again, talk to your tax advisor.
4. The first \$2,400 of unemployment benefits are tax free in 2009.
5. First time Home Buyers Credit has been extended. Under the old law, first time home buyers could get a credit of up to \$7,500 (which had to be paid back over 15 years). Under new law signed in November, 2009, the credit is increased to \$8,000 and does not have to be paid back as long as it remains the taxpayers principal residence for three years. A taxpayer must buy or enter into a binding contract to buy, a principal residence on or before April 20, 2010 and settle on the home prior to June 30, 2010. And, under the new law, a first time home buyer is defined as a buyer who has not owned a primary residence during the three years up to the date of the purchase.
6. Energy Efficiency and Renewable Energy Incentives. The new law increases the energy credit for homeowners who make energy efficient improvements to their existing homes. The new law increases the credit rate to 30% up to a maximum of \$1,500 for improvements placed in service in 2009 and 2010.

There are more credits and tax incentives passed this year. The idea is to make sure to touch base with your tax advisor to see what you qualify for and how much you could expect.

Oh, and by the way, when a horse is claimed from you, a profit or loss normally results which the seller must report on his or her income tax return. The profit or loss may qualify for long-term capital gain or loss. The period of time you have held that race horse will determine if you qualify. And the rate at which you are taxed can vary depending on your tax bracket

Michael Colucci has been a CPA for 40 years and handles the accounting for the PTHA. He and his wife, Sandy, a dentist, live in Horsham, PA.

From the Desk of the Executive Director...

Michael P. Ballezzi



PTHA ANNOUNCES PENSION PLAN FOR PHILADELPHIA PARK TRAINERS

Recently, I was able to announce to the general membership the details of the new pension plan for trainers based at Philadelphia Park. This new plan is made possible through Act 71, which is also known as the Racehorse Development and Gaming Act which was passed in 2006. Aside from slot machine revenue vastly increasing our purses, the Act also requires 4% of the revenue that is earmarked for horseracing to be set aside for health care and pensions for the horsemen.

I am proud to say that after a year and a half of research and due diligence, we have come up with a plan that will give our horsemen who race and support our program at Philadelphia Park a pension that is as good as any in the country. Because the PTHA and the trainers do not have a typical employer-employee relationship, the program is considered a 'case of first instance' pension, totally new and created by combining the best parts of other pension plans.

There are three types of eligibility requirements in order for a trainer to qualify:

- 1) Trainers who have a minimum of 20 starts at Philadelphia Park, with at least 2/3 of their total starts at Philadelphia, and are stabled at Philadelphia Park;
- 2) Trainers who occupy an entire barn;
- 3) Trainers who are stabled at Philadelphia Park and have at least 150 starts at Philadelphia Park.

A designated amount of money per start (\$30/start for 2009) will be contributed on a yearly basis.

We have also instated a "senior bonus catch-up plan" that would help those born in 1954 or earlier and would add \$1,000 into the pension fund for every year of eligibility retroactive until 1975. The average age of our trainers is 53 and we appreciate that these men and women have supported us in the lean years. It is important that the PTHA wants to make sure something is given back to our senior people who have supported Philadelphia Park during its "lean" years."

BACKSTRETCH RENOVATION PROJECT MOVES AHEAD WITH ADDED FEATURES

Those of you who have horses here at Philadelphia Park or who have shipped in to race here may be wondering why all of a sudden, the progress in the barn area, particularly the barn renovation, has seemingly come to a halt after the first four barns have been built and are filled.



In late Fall, new plans were drawn up by track management, with our input, to comply with new rules for barn water runoff. Accordingly, the remaining old barns will now be entirely rebuilt, including new stalls, and all will feature three wash stalls inside on the street end. Horsemen, then, will no longer be allowed to bathe horses outside the barns on the pavement, where the manure and water can run into streams. The new drainage in the wash stalls will empty into the Bensalem sewer system.

Along with the new barns, new four-sided manure containers for removal of straw and shavings will replace the old three-sided cement pits, and at that time, we hope to better police the barn area, fining trainers, if we must, who do not dispose of dirty bedding properly. We are sure these extra efforts, along with the new barns and eventual repaving of the roads and area between the barns will go far in making the Philadelphia Park backstretch an area in which we can all be proud. It has been a long time coming, and I want to assure all horsemen that Philadelphia Park management is planning on restarting barn construction in early Spring.

GRANDSTAND RETURNS TO HORSEMEN

On Sunday, December 13, the removal of 3,000 slot machines from the Philadelphia Park first floor to **parx**, the new casino, was the first step towards returning the grandstand to the horsemen. Between now and Kentucky Derby 2010, changes will be made to create a better-than-ever area for trainers, owners and fans alike.

The new plans that I reviewed with COO Joe Wilson a few weeks ago convinced me that racing is still a very important part of the "destination place" plan that Greenwood has for the track and new casino. The new first floor will once again have a sit-down eating area with waitress service near the paddock, and the whole new look will be modern and clean. Some "facelifting" will also be made to the fifth floor and the dining and seating area where many of our owners and trainers spend the afternoon.

GOVERNOR SIGNS LEGISLATION FOR TABLE GAMES

Thursday, January 7, Governor Ed Rendell signed the 2009-2010 state budget for Pennsylvania, which included legislation for approval of table games. Hopefully, this will be an added benefit to our racing program at Philadelphia Park.



All slot machines were removed from the grandstand on December 13



Barbara Weidl/EQUI-PHOTO

ARISTONE SCORES WIN 1,000!

Trainer Phil Aristone (fifth from left) celebrated a major milestone on December 8 when Delta Miner won the 10th race at Philadelphia Park, Victor Molina up.

Aristone is currently among the top five trainers at the Bensalem track. His involvement with horses comes naturally, as his family-owned Indian Mills Stock Farm in New Jersey was built by his father, the late Roland Aristone.

His brother, Menotti, was a jockey, and another brother, Roland, Jr., currently oversees the farm operation. Aristone initially worked as an assistant to Ben Perkins from 1974, until he took over family's string of horses in 1980 when Perkins opened up a public stable.

MARK THIS DATE

FOR THE 31ST ANNUAL

PTHA HORSEMEN'S AWARDS BANQUET

FEBRUARY 24, 2010

**6:00 P.M.
CELEBRATIONS
GALLOWAY ROAD
BENSALEM, PA**

**DEADLINE FOR NOMINATION SUGGESTIONS FEB. 1
CALL THE PTHA OFFICE FOR TICKETS AND INFORMATION**

GULF STORM

STORM CAT -- MISS TURKANA, by TURKOMAN



Louise Reinagel

#2 LEADING THIRD CROP SIRE IN THE SOUTHEAST by SWs

Sire of Champion 3yo GULF CITY, Raging Hale (G1),

2010 SW **CATEGORY SEVEN**

Stakes-class son of a GSW family

2yos have sold for \$170,000, \$120,000, \$90,000 etc.

2010 FEE: \$1,000 LFG or \$350 Booking Fee

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Louise Reinagel

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68% lifetime winners from starters

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2010 FEE: \$1,000 LFG or \$350 Booking Fee

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Jim McCue

Target Sighted, 3YO winner of the \$125,000 Maryland Million Turf S. at Laurel on 9/26. Owned by The Maltese Cross II partnership and trained by Francis Campitelli.



Lolibop, 2YO winner in her debut at Charles Town on 9/13! Owned and bred by Folly Quarter Stables and trained by Jeff Runco.



Cappiwin, dazzling 10 3/4-length 2YO winner at first asking on 9/25 at Laurel. Owned by ZWP Stable and trained by Gary Capuano.



Bellflower, 2 y.o. MSW winner on 9/30 by 1-3/4 lengths (2nd in her racing debut on 8/29 only one month after leaving Merryland). Owned and bred by Arrowwood Farm, trained by Bernie Houghton.

B & D Photography

Congratulations to the connections of these horses, who were all started at Merryland. Under the tutelage of farm trainer J.R. Walsh, they received a great foundation that allowed them to excel when they got to the race track.

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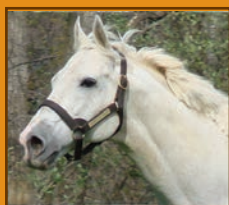
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CAPITANO

BELOG TO ME--HEAVENLY CAT, by TABASCO CAT
 Capitalize both on the track and in the sales ring!
 In 2009, dam sold for \$750,000 and 1/2 sister for \$576,000

2010 FEE \$1,500 (LFSN)

**Let us help you take advantage of the LUCRATIVE
 PA Bred breeding and racing incentive programs**



RUBIYAT

RUBIANO--BLUSHING MADAME, by BLUSHING GROOM

Twice G2 placed: Peter Pan & Withers S.
 Sire of 2009 Parfaiment Stakes runner-up Khayyam

2010 FEE \$1,000 (LFSN)



SMART GUY

SMARTEN--ROYAL TALI, by TALC

G3 Pennsylvania Derby winner
 Sire of MSW Secret Intelligence

2010 FEE \$1,000 (LFSN)

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PHILADELPHIA PARK CHRISTMAS CHEER 2009



The PTHA, Chaplain Jack Cordell, and Ron's Backstretch Cafe all made sure everyone on the backstretch had a Happy Holiday with Santa and plenty of good food topping off the festivities!



Speed • Performance • Pedigree

Pennsylvania's Finest Stallion Collection for 2010

ALBERT THE GREAT

Go For Gin–Bright Feather, by Fappiano



- Sire of **ALBERTUS MAXIMUS**, multiple G1 winner–TVG Breeders' Cup Dirt Mile for \$1 million (2008) and Donn H. (2009)
- Sire of 2007 Wood Memorial S. (G1) winner, **NOBIZ LIKE SHOWBIZ** (\$1.5 million lifetime)
- 2008 and 2009 annual progeny earnings over \$1.4 million
- Four Grade/Group 1 winners in first two crops
- 2007 top five Kentucky 3rd crop sire with \$2.85 million in progeny earnings
- Grade 1 winner **ALBERT THE GREAT** (\$3,012, 490) won or placed in 12 graded stakes; defeated **TIZNOW**, **LEMON DROP KID**, etc.
- Holds the fastest 1 1/4 miles (1:59.24) run by a 3yo in New York

2010 Fee: \$3,500 live foal

COASTAL STORM

Storm Cat–Pearl City, by Carson City



- Sire of MSW **COASTAL SOLACE** (\$362,310), PHBA Distaff S. and Robellino S.
- Sire of \$100,000-plus stakes winners **EAGLE SPEED** and **FANCY DAN**
- A 2008 Top-20 sire of PA-breds, with winners of \$2-million in his first 3 crops
- Sire of the one-two finishers in the \$100,000 W. V. Vincent Moscarelli Memorial Breeders' Cup Classic
- Pennsylvania's Leading Freshman Sire of 2005, Leading 2nd Crop Sire of 2006, and Leading 3rd Crop Sire of 2007
- Progeny earnings for 2009–\$660,00 (\$2.3 million lifetime)
- Three-quarter brother to leading sire, **HENNESSY**

2010 Fee: \$2,500 live foal

FUSILLADE

A. P. Indy–Ring of Fire, by Nureyev



- Son of Champion Three Year Old and Horse of the Year, A. P. Indy–Leading Sire by 2008 Grade 1 Winners; North America's #1 General Sire in 2006 and 2003, and #1 Sire of GSWs in 2007 and 2005
- Out of unraced Ring of Fire, sister to multiple GSW **SPINNING WORLD** (\$1.7 million lifetime), winner of the Breeders' Cup Mile S. (G1)
- Fusillade broke his maiden first time out, winning Maiden Special Weight at Pimlico by 10 1/4 lengths with a 94 Beyer
- Fusillade was a \$800,000 yearling.

2010 Fee: \$1,500

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LITE THE FUSE

Buckaroo–Annie's Dream, by Droll Role



- Top 5 Leading PA Sire in 2009 and 2008; 3-Time Leading PA Sire (2006, '05, '04) with \$1-million in 2009 progeny earnings; \$20.1 million lifetime
- Sire of \$500,000 Super Derby (G2) winner, **GOING BALLISTIC** (\$1.1 million lifetime) and Canadian Classic winner, **ABLO** (\$565,823)
- Sire of fifty 2008 winners, including two-time Saratoga SW and G1-placed **FEROCIOUS FIRES** (\$368,767) and **I CAN'T REFUSE** (\$321,561).
- Sired SWs from 5 1/2 f to 1 3/16 mile on all surfaces with 12% lifetime stakes horses from starters; \$62,182 average earnings per starter

2010 Fee: \$3,500 live foal

MORE SMOKE

Smoke Glacken–Saunter, by Strolling Along



- By Champion Sprinter **SMOKE GLACKEN**, sire of 41 stakes winners; From the female family of Kentucky Derby/Preakness winner, **BIG BROWN**
- Won Keeneland's Lafayette S.-G3 wire-to-wire, winning by 14 1/2 lengths, posting a 112 Beyer Speed Figure
- Set all the pace to win Pimlico's Dancing Count S. by 3 3/4 lengths and Monmouth's Select S. by five lengths
- Third to Champion Sprinter **LOST IN THE FOG** in Gulfstream Park's \$150,000 Swale S.-G2
- First crop will race in 2011

2010 Fee: \$3,500 live foal

SIPHON (Brz)

Itajara–Ebreá, by Kublai Khan



- Pennsylvania's leading sire by 2008 GSWs
- Sire of 8 GSW and 14 SW, including champion **SIPHONICA**, 2008 winners **Z FORTUNE** (G3) and **DELOSVIENTOS** (G2) and 2009 SW **HURLEY'S WAY**
- Sire of a GSW in each of his first five crops, including G1 winners **SIPHONIC**, **I'M THE TIGER**, **SIPHON CITY**, and **SIPHONIZER**
- Progeny earnings over \$525,000 in 2009 (\$16.3 million lifetime)
- Multiple graded stakes winning sire with earnings over \$3 million
- Sire of 36 lifetime winners of \$100,000+ with SWs on dirt and turf from 6f to 1 1/2 miles

2010 Fee: \$3,500 live foal

YOU SHOULD BE GRATEFUL

By Dr. Steve McBride
Eastern Thoroughbred Racing Associates

We hear a lot these days during the Holiday Season. You should be grateful. It's usually referenced around the fact the economy is sinking, but purses at Philly are higher than ever. I'm sure you have all heard it. I'm also sure most if not all of you would add an "except for" at the end. Large purses, while obviously both coveted and appreciated, brought with them many changes. And few people are comfortable with the uncertainty that accompanies change.

However, one of the changes that has come with this prosperity, and one you should be extremely grateful for is the Turning For Home Thoroughbred horse rescue. In these tough economic times, finding homes for retired race horses is more complicated than ever. And make no mistake, ALL race horses will need to find new homes at some point. None can race into old age. The average age of the horses on the grounds at Philly Park is, in my opinion, around four years old. Since most horses live to an average age of 20 years or more, each horse will need a new home for more than $\frac{3}{4}$ of its life. With more than 1400 horses on the grounds at Philly, in ten years, that is an enormous number of horses.

While it is easier to find a home for a sound, gentle, well-trained horse, it is still not easy. But what of the injured horse that will never run, jump fences nor be sound enough to compete in the show ring? Finding a home for these horses is a daunting task, but one that is extremely important to the health of our sport. In this age of political correctness, it is paramount that the public feels the racing industry takes care of its former athletes.

Anyone who knows me, knows I am neither political, nor "correct." But even I am acutely aware that the public perception has become a pivotal point in our sport's continued existence. The horse is the very foundation of our sport. These magnificent animals will give everything they have, running themselves into the ground if we ask. We owe it to them to provide a long and comfortable life after racing. How well and completely we do this will go a long way in winning over the public.

I spend an enormous amount of time on the backside. I travel the entirety of the barn area, going into most, if not all barns. At times, there

seems to be a lot of impatience to quickly move a retiree out, so the stall can be used for the next horse. Doesn't the horse in that stall, that pushed itself hard enough to seriously injure itself, deserve more consideration than that? I certainly hope so.

Finding homes for these horses takes an enormous amount of time and effort. Most need four, six, or even eight weeks of stall rest. Turning For Home, like all rescues, has a finite number of stalls, and must have on hand some horses that are ready to be adopted.

Turning For Home has rescued 310 horses from Philly Park since May, 2008. That number of horses would fill more than SIX BARNS on the backside. It is obvious that they are not sitting around, working to find new homes for these horses only when it suits them.

The trainers and owners at Philly Park need to be patient. We ALL understand the economics involved in the racing industry. But the horse in the stall at the track deserves the time it takes for the dedicated people of Turning For Home to find him a new stall.

With the economy turning around at glacial speed, it will be harder and harder to find homes for these horses. Unwanted horses are turning up at an alarming rate. I'm sure all of you have heard the stories and seen the news reports of truly disturbing instances of neglected horses. Horses that run for nothing more than hay and oats. Individuals who have become like family. Our friends in fur coats.

So next time you are frustrated with the time it takes to get a horse out of your stall, remember the people of Turning For Home are moving as fast as they can. And doing a very important, demanding and thankless job for us, as well as helping us to get good publicity at the same time. Thank them before you curse them. Or come see me. I'll help you see the light.

Dr. McBride is the veterinary advisor for Turning For Home, Inc. He and his associate, Dr. Jaime Arias, have donated hours of their time, energy, and services to the PTHA's racehorse retirement program at Philadelphia Park.



Las Olas Tori and her adopter, champion polocrosse player, Sara Cifelli.

Tori was adopted by Sara last Fall and is her team mate on and off the polo field!



TD Bank Affinity Program

Joining TD Bank's Affinity Program **costs you nothing** but helps hundreds of Philadelphia Park's retired racehorses.

TD Bank will donate a percentage of the annual balance in every PTHA member's account from its own funds to **Turning For Home**.

NO MONEY IS TAKEN FROM YOUR ACCOUNT!

Open an account today, or call if you already bank with TD. Let them know you want to be linked to **Turning For Home's Affinity Program**.

Bensalem Branch 215-245-7929

TURNING FOR HOME PAGE... NEWS & NOTES FROM THE PTHA'S RACEHORSE RETIREMENT PROGRAM

RECENT TURNING FOR HOME GRADUATES



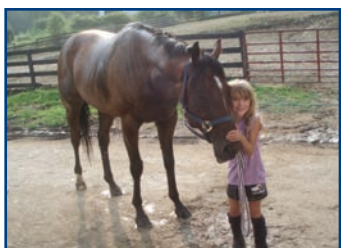
Hot Wheels Girl (aka Danica) now lives in Clemmons, NC, along with **Western Rubin**, **Bald Island**, **Tea Jay Sea**, and **Joan's Jet**. She will compete in the hunter ring, and produce Oldenburg foals for her adopter.



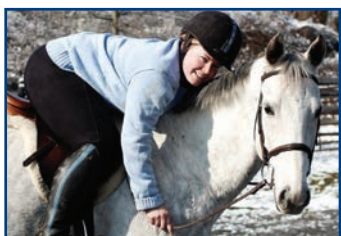
Sgt. Friday (aka Sarge) who retired last summer with a double bow, is well loved by a 10-year-old girl in Unionville. The tiny PA-bred began his career at Oaklawn Park, but retired just months after his Philadelphia Park debut.



Flowing Water (aka Sadie) prefers jumping, rather than racing! Winless in 21 starts, this daughter of Wekiva Springs seems to have found her calling.



Western Illusion (aka Carter), gets a hug from his new friend, Julia. As a 4yo, the gelding had surgery to repair a cracked cannon bone, going on to win three more races before retiring last summer.



Tri My Style (aka Tristan) happy in his new home. The PA-bred 9yo gelding earned nearly \$200,000--most of it at Philadelphia Park.

SPECIAL THANKS TO:
Mike Repole, Repole Stables
for our brand new run-in shed!



The horsemen at Philadelphia Park have done it!

With your \$10 donation per start, and the jockeys' \$10/ win and \$5/second, sponsorship from the PTHA and support from track management, Turning For Home has been able to find safe haven for 315 horses, all from the Philadelphia Park backside, since we opened our doors in May, 2008.

We have made a national statement that Philadelphia Park horses do not end their lives at slaughter when they are finished racing.

FACTS & FIGURES ABOUT US

Did you know we are the only track in the United States that can honestly say that we take care of our own?

No other racetrack completely supports a program that is administered by its own horsemen's organization, and 100% supported by its owners and jockeys.

Did you know that an average of four horses per week are entered into the Turning For Home program?

Trainers fill out paperwork, sign over foal papers, and submit veterinary records in the form of xrays or ultrasounds to me every week for fillies and geldings that need new homes.

Did you know that Turning For Home does NOT sell these retirees?

Instead, we spend up to \$2,500 per horse to give each one the care, rehabilitation, and retraining he or she needs in order to move on to a new career with approved adopters.

These horses can be resold by their adopters only after they have signed a "No Adoption/Right of First Refusal Contract" which allows TFH and its affiliated non-profit groups to approve of every sale, and to be apprised of where the horse is living.

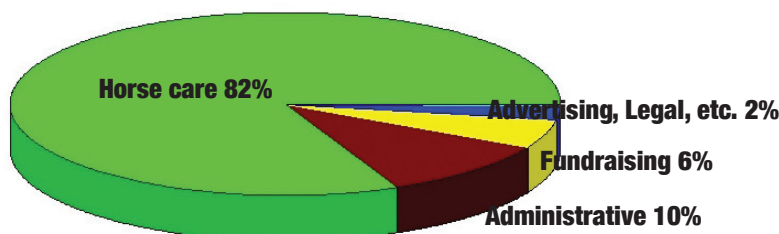
Did you know that Turning For Home has spent over \$20,000 in veterinary care in 2009 alone?

We do not turn any horse down due to unsoundness issues -- we take any and all -- unless Dr. Steven McBride, our program veterinary advisor, suggests euthanasia due to the catastrophic nature of the horse's injury. Many need surgery to mend bones, lengthy stall rest or turnout to heal, gain weight, or to just adjust to life off of the track in order to become adoptable.

Did you know that if every owner donated \$100 to TFH for each winning race in addition to \$10/start, that would allow us to move 10 - 12 more horses a month, almost eliminating any kind of long waiting list?

Talk to the horsemen's bookkeeper if you'd like to donate an extra \$100 when you win a race. Whether you choose to donate only once, or for every win, it all goes to helping our equine athletes.

Did you know that we are a registered non-profit organization, subject to guidelines regarding the allotment of our donations? (See pie chart below)



At Philadelphia Park, We're Proud to Take Care of Our Own!

Did you know that PTHA members could save hundreds of dollars a year on auto insurance?



Did you know that Pennsylvania Thoroughbred Horseman's Association members can get a special group discount on auto insurance through Liberty Mutual's Group Savings Plus® program? In addition, Group Savings Plus offers many other discounts on both auto and home insurance. In fact, you could save hundreds of dollars a year on auto insurance alone. And you could save even more by insuring your home as well. To learn more about all the valuable savings and benefits available through Group Savings Plus, contact me today.

Contact **Brian Sanfratello**, Prudential Agent at **215-672-4022**.

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Ed. 05/2009 IFS-126082



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PA-BRED FOAL REGISTRATION REQUIREMENTS

- For foals of 2008 and thereafter, the dam of the foal resided continuously in Pennsylvania since October 1 of the year of conception through foaling.
- The dam of the foal was purchased at a public sale after October 1 of the year of conception and brought into Pennsylvania within 14 days of the date of purchase and remained continuously through foaling. During the year of foaling, the foal or its dam spent at least ninety (90) days in the state.
- The dam of the foal was bred to a stallion standing in Pennsylvania which was registered with the Pennsylvania Horse Breeders Association as a Pennsylvania stallion during the breeding season of the year of foaling, and said dam of the foal remained in the state for at least the next ninety (90) days after foaling.

Breeders/owners of foals not made eligible by July 31st of a foal's yearling year must pay a nonrefundable \$500 registration fee with a thirty (30) day mandatory waiting period.



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Lobeline: A Cautionary Tale

Gary D. Fry, Esquire, and Patrick J. Doran, Esquire
Archer & Greiner, P.C.



***Lobelia inflata*, or “Indian Tobacco” is a flowering plant indigenous to Pennsylvania. When ingested by horses, trace amounts of respiratory stimulant lobeline can be found. Lobeline is a prohibited Category 2 controlled substance.**

In May, 2009, a horse at Presque Isle tested positive after a race for Lobeline, a drug which can be used as a respiratory stimulant in horses (more commonly in Europe than the United States), and a prohibited Category 2 controlled substance. As far as anyone in the racing industry was aware, this was the first Lobeline positive ever called in Pennsylvania or any other Mid-Atlantic state. After a stewards’ hearing, the trainer of the horse was assessed a \$1,000 fine and 90 day suspension, notwithstanding the lack of any evidence that the trainer was personally responsible for the positive, or even any suggestion of how the horse was exposed to Lobeline.

In the following months, scores of Lobeline positives were reported at tracks -- both thoroughbred and harness -- throughout the Commonwealth. Trainers who had never had a positive result in careers spanning decades were implicated, and at least one trainer had a second Lobeline positive several weeks after his initial Lobeline positive. This epidemic of Lobeline positives threatened dozens of horsemen with substantial fines and lengthy suspensions, and placed holds on purse distributions.

The “out-of-the-blue” explosion of Lobeline positives quickly raised concerns that there might likely be a benign explanation...

We write to review the resolution of the Lobeline situation and, perhaps more importantly, as a reminder of the serious consequences of

any positive which should give horsemen pause to consider how best to handle such a situation.

The “out-of-the-blue” explosion of Lobeline positives quickly raised concerns that there might likely be a benign explanation, and that Pennsylvania horsemen might be facing a situation like the one several years ago involving Aminorex (or that involving Scopolamine positives in California), which resulted in costly, unnecessary and unjust prosecutions of innocent horsemen. The unprecedented number of positive tests for the amphetamine, Aminorex, in Pennsylvania and other states in 2007 was ultimately linked by some researchers to a commercially available worming medication. Al-

though there was an issue as to whether the Pennsylvania Aminorex positives resulted from that medication, the Pennsylvania State Horse Racing Commission, at the urging of the PTHA, took the position that disciplinary proceedings would not be pursued if researchers concluded that environmental contamination was the culprit.

Similarly, the PTHA, working together with the Pennsylvania HBPA at Penn National and Presque Isle, aggressively investigated and pursued the Lobeline issue, both through the science and the law, in an effort to protect innocent horsemen. Research suggested strong arguments that horsemen were not doping horses with Lobeline. Lobeline is a natural alkaloid substance found in several species of the flowering plant genus *Lobelia* which are indigenous to Pennsylvania, including “Indian tobacco” (*Lobelia inflata*). Horses could test positive for trace amounts of Lobeline as a result of ingesting Indian tobacco or other species of *Lobelia*, or through other environmental exposures. Moreover, the detected concentrations in the positives reported at Pennsylvania tracks -- in most cases 3-5 picograms -- were not consistent with the conclusion that Lobeline was administered to the horses, particularly since the standard recommended therapeutic dosage is substantial, and Lobeline produces only short-acting responses.

Armed with research supported by respected experts, PTHA and PHBPA jointly requested that the Commission place a hold on any

...the Commission found that horses which had grazed in fields at New Bolton tested positive for Lobeline...

disciplinary action against horsemen for Lobeline positives. While Stewards’ Hearings continued to be held for positives, the Commission did agree to defer any Com-

mission Hearings or the imposition of penalties until the Commission completed its own investigation and medical research. Recently, the Commission concluded that the Lobeline positives had resulted from environmental exposure to Indian tobacco, just as PTHA and PHBPA had predicted. In fact, it is our understanding that the Commission found that horses which had grazed in fields at New Bolton tested positive for Lobeline, and subsequently found *Lobelia inflata* growing wild in those fields and mixed in hay. As a result, all affected horsemen were exonerated and the purses restored. Additionally, the Commission agreed to reimburse the horsemen for the costs of split-sample testing.

The most important lesson taught by the Lobeline controversy is that a positive can happen to anyone at any time, without any readily apparent explanation. Horsemen should already be aware that the Commission’s policy with respect to “foreign” substances is clear and unforgiving. “Zero Tolerance” and “No Fault” are appropriate descriptions. As the Commission’s own Guidelines for Medications in Racehorses states, “[n]o horse participating in a race shall carry in its body any substance or its metabolites which are foreign to the

Horsemen should already be aware that the Commission’s policy with respect to “foreign” substances is clear and unforgiving.

natural horse, except as otherwise provided for in the rules and regulations of this Commission.” Stewards (and ultimately the Commis-

sion) will impose penalties as a matter of course for any positive, even trace concentrations, when consistent with regulations. (With respect to Lobeline, for example, there was no regulated threshold concentration for a positive, thus resulting in positives being called for even very small concentrations.)

(continued on next page)

(Lobeline, cont. from p.13)

Penalties will be imposed without any evidence that a horseman was personally responsible and, even worse, without any evidence that explains the positive. The very fact of a positive is all that is necessary ("Zero Tolerance"), and the Commission holds trainers strictly liable for any positive for a horse in that trainer's care ("No Fault"). We recently were consulted in a case involving a positive for Oxycontin, which was credibly explained by a groom who had a prescription for the medication and likely caused environmental exposure for the horse through routine handling (or possibly urination in the vicinity of the barn). This was no defense against the penalties imposed on the "innocent" trainer.

In addition to substantial monetary fines, penalties may include lengthy license suspensions...

In addition to substantial monetary fines, penalties may include lengthy license suspensions even for substances which are not classified in the most serious category (note the 90 days suspension imposed for the first Lobeline positive). In this regard, the Racing Medication and Testing Consortium ("RMTC") and the Association of Racing Commissioners International ("ARCI") have developed model rules with respect to prohibited medication practices as well as uniform classification guidelines for foreign substances and recommended penalties. The model penalty structure generally focuses on the drug classification of the foreign substance and any prior history of medication infractions of the offending trainer or owner. Although not bound by the model penalties, the Commission's (then temporary) 2008 regulations addressing anabolic and androgenic steroids was generally consistent with the RMTC and ARCI model rules and penalties.

Accordingly, horsemen should consider any positive test result to be a serious legal matter worth fighting, without regard to whether there is an obvious explanation for the positive. The cost to obtain a split sample test may prove a wise investment, even for less serious positives. For example, several positives were called earlier this year for Robaxin (methocarbamol), a muscle relaxant and Class 4 substance. Ultimately, the Commission exonerated those horsemen who challenged the positives, after it was learned that the positives resulted from the fact that, after a patent expired, Robaxin was being

formulated without proper controls, and sometimes with higher than expected active dosages. Several horsemen who were

Horsemen should consider retaining an attorney in the earliest stages of the process...

among the first Robaxin positives chose to pay \$500 fines and accept purse forfeitures. They likely could have avoided those results, as did those horsemen who challenged the positives.

In addition to obtaining a split-sample and challenging any positive from the outset, horseman should consider retaining an attorney at the earliest stages of the process, even in connection with the Stewards' Hearing. There may be evidence and arguments which, if not raised before the Stewards, may be compromised if an appeal to the Commission is necessary. There are deadlines which must be followed. Certainly, any steps in the process beyond the Stewards' Hearing -- appeals to the Commission and, if necessary, the Courts, require counsel to ensure that rights are fully protected throughout the legal process.

Both Gary Fry and Patrick Doran are partners in Archer & Greiner, P.C., and work from the Philadelphia office. Fry works in equine law and has handled matters before the Pennsylvania State Horse Racing Commission and the Pennsylvania Gaming Control Board, while Doran specializes in labor and employment services.

Backstretch Views

CONDOLENCES:

To the family of JANE G. BAKER, of Collingswood, NJ, who passed away suddenly on December 6 at the age of 87. Wife of the late Thomas. W Baker, Mrs. Baker was a proud member of both the Pennsylvania and New Jersey Horse Breeders' Associations, and a long time breeder of Thoroughbreds.

NEWS

Trainer Jimmy Howard (third from left) joined in the 57th annual re-enactment of George Washington's 1776 Crossing of the Delaware on December 25. Thousands of fans lined both sides of the Delaware as cannon fire accompanied three boats from Pennsylvania to New Jersey.



Howard plays an aide to Washington. Howard became involved in re-enacting through his friend, Bob Gerenza, who played the role of George

Washington in previous years. Howard is involved in many other community projects in the New Hope area.

Exercise rider Nathan Rolle is feeling much better after a serious illness, and visited the PTHA office recently to express his thanks to the horsemen for donations towards his medical care. We wish him a quick recovery, and are glad to see him up and about.

Kim and Bob Swentkowski are the proud parents of Brian, who holds a Black Belt in martial arts, age 10, and Sean, 6, who won their respective grappling divisions in a tournament on December 13, 2009. Sean also finished second in the kickboxing division.

The boys train two or three times a week at the Tiger Schulman Martial Arts School in Feasterville.

"When Brian was 8, he became the youngest student ever to achieve Black Belt status from the school, and has served as a mentor to his younger brother," said Bob Swentkowski.

He will be trying for his second degree Black Belt this fall, while Sean was just promoted to Yellow Belt on January 7.



Chaplain's Corner

It is December 17, 2009 as I write this note of introduction for myself. I am busy, busy, busy celebrating Advent, Christmas, and getting to know the job of the Chaplain at Philadelphia Park. A million thanks to Chaplain Jack Cordell for answering about a million questions and introducing me to about a million people. So far, it has been great because I am used to being busy, and I like being busy.

I have been a parish Pastor for about the last 22 years, and much of that time I have also been a Principal at a Faith Based School. Before that, I was a US Army officer for eight years. During most all of this, I have been going to school as well.

I enjoy reading and studying and I hope that has prepared me to be a good and helpful Chaplain for the Racetrack community. I also enjoy camping, backpacking, hiking, biking, and riding horses! There is nothing better than finding a pond or stream after a long trek into the woods and going swimming – another of the things I like to do.

I have a wife and two daughters and they all like these same things. I look forward to getting to know about your interests in 2010 and beyond.

It has been great already being with some of you at the Christmas party and Chapels. I look forward to celebrating many holidays throughout the coming year and worshipping with you on Wednesday nights at 6:30 in the Chapel at the Recreation Hall.

I am sure the future holds challenges as well. I will be there too, and together with God we will get better and better – stronger and stronger. I am ready, willing and able to help you with many 'life events'. The celebrations, the challenges, and all the times in between are all better when they are shared with the Lord our God and Maker.

The most important thing I have learned throughout all my life is that God never lets me down. He loves me, He loves you, and He never disappoints. Those times when He says, "No" it is because He has something better. The Scriptures tell us that God's desires for us "are exceedingly abundantly above all that we ask or think." My prayer for you is that you will know this more deeply in 2010.

A Blessed New Year,
Chaplain Rick Bunker



(l to r) Head table with Rev. Christine Holcomb offering the Benediction; Nick Salios and Chaplain Cordell; Rey Roque; Chaplain Cordell, and his wife, Janet

Chaplain Cordell's Retirement Luncheon Dec. 5, 2009 Hosted by the Race Track Chaplaincy of America, PA Division



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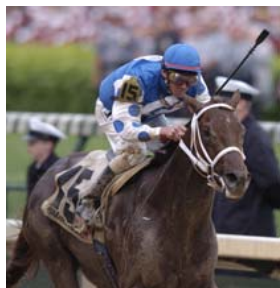
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