



The Horsemen's Newsletter

December 2010

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Rosecroft Raceway bankruptcy proceeds

Concluding that there was no potential for a reorganization under current management and upon a Motion by the United States Trustee's Office, United States Bankruptcy Judge Paul Mannes ordered that a Trustee be appointed to oversee either the reorganization or liquidation of Rosecroft Raceway.

On October 20, the United States Trustee appointed James Murphy as the Rosecroft Trustee.

Mr. Murphy replaces the management at Rosecroft and has the option of pursuing a plan of reorganization, selling the assets or liquidation.

He will also have the authority to resolve the numerous lawsuits that Rosecroft's previous management filed.

See *Rosecroft*, page 2

Jail time for claimed horses remains in effect

State regulations prohibit horses claimed at Maryland tracks from racing in other states during the 60-day period following the claim.

After Laurel Park's meet ends on December 18, a horse who has been claimed within the last 60 days will not be permitted to race out of state unless there has been no live racing in Maryland for 15 days. The day after the claim day counts as Day 1.

Industry battles for survival *MJC seeks drastic reduction in live racing*

With Maryland's racing dates for 2011 still undetermined, the MTHA continues to press for a total of 146 live racing days, following the same pattern as 2010.

"Anything less than 146 days, at this point, threatens the continuation of Maryland's racing industry," said MTHA President Richard Hoffberger. "Horsemen, whether they want to or not, would be forced to relocate to other states because Maryland would simply not offer adequate opportunities to race."

The future of live racing in Maryland became a critical concern following the November 2 referendum in Anne Arundel County, when voters overwhelmingly endorsed zoning for a major slots casino at Arundel Mills Mall.

Maryland Jockey Club owners MI Developments Inc. and Penn National Gaming Inc. had warned of dire cutbacks if the Mall casino was approved.



MTHA president Richard Hoffberger (left) and Counsel Alan Foreman testified at the Maryland Racing Commission's hearing on November 29.

On November 29, the Maryland Racing Commission conducted a hearing on what was supposed to be the MJC's operating plan for 2011. Hundreds of people, primarily horsemen, attended the two-hour session at Laurel Park.

Ignoring the Commission's requirement for an actual operating plan, the MJC presented a live racing schedule

See *Racing days*, page 2

Bidding to resume for slots site in Baltimore city

The slots site in Baltimore City is once again open for bids.

Progress on the construction of the facility—designated as the state's second-largest, authorized for as many as 3,750 machines—has been stalled for nearly two years.

Maryland's Video Lottery Facility Location Commission, chaired by Donald Fry, several months ago rejected the application from the Baltimore City Enter-

tainment Group (BCEG), which failed to submit a \$22.5 million deposit, despite numerous promises.

The Maryland State Board of Contract Appeals supported the Location Commission's decision in a ruling issued in early December, stating that regulators "bent over backwards" to make it possible for BCEG to move forward with the project.

See *Baltimore slots*, page 2



MTHA office at Laurel Park

Following the end of the Laurel Park meet on December 18, the MTHA Office at Laurel Park will be open from 10 a.m. to 1 p.m. on the following dates:

December 21, 22 and 23 (Tuesday, Wednesday, Thursday) and December 28, 29 and 30 (Tuesday, Wednesday, Thursday).

Committee bulletins

Thanksgiving dinners

Rich Meyer, Chairman of the MTHA's Health and Welfare Committee, reports that hundreds of Thanksgiving dinners were served in the track kitchens at Bowie and Laurel.

The Thanksgiving Day feast for backstretch employees is a tradition that the MTHA proudly sponsors each year.

Bowie

Linda Gaudet, Backstretch Committee Co-chairman, reported:

- The racing network is now up and running in the track kitchen.
- The race track is in good condition.
- Water draining onto roadways creates icy patches that are a hazard to horses and humans. Please avoid running hoses and emptying buckets on or near roads.

Baltimore slots, from page 1

BCEG and the city remain embroiled in a separate legal dispute over the leasing of an 11-acre parcel of land near M&T Bank Stadium that was proposed as BCEG's slots site.

The constitutional amendment approved by voters in the 2008 referendum calls for the Baltimore casino to be situated in a non-residential area within a half-mile of Maryland Route 295 on property owned by the city.

The Baltimore Sun reported that Mr. Fry and other members of the commission intend to "talk with city officials and the Baltimore Development Corp. to identify all of the city-owned sites in the approved slots area, in order to put together 'the most competitive bid.'"

During the upcoming legislative session, lawmakers may seek changes to enhance the viability of the two sites that have yet to attract qualified bidders—Baltimore City and Allegany County.

Racing Office announcements

From Georganne Hale, Maryland Jockey Club's Director of Racing

- Gate schooling will continue after live racing ends on December 18. The schedule from December 18 through December 31 is as follows:
 - Laurel: Tuesday through Saturday, 7 a.m. to 10 a.m. (except Christmas Day)
 - Bowie: Tuesday through Saturday, 8:30 a.m. to 10:30 a.m. (except Christmas Day)
- Both race tracks will be closed for training on Christmas Day.
- Contact Frank Saumell for tattooing: (410) 419-5872.
- The racing office and jocks' room will not be open after December 18.

Happy holidays to all horsemen from the Racing Office

Jockey insurance fee: best bargain in Maryland racing

The fee that each Maryland owner and trainer pays to provide jockeys' workers' compensation coverage will remain at \$50 in 2011.

Coverage is provided through a non-profit corporation known as the Maryland Jockey Injury Compensation Fund, Inc., managed by the Maryland Racing Commission.

The fee is set on an annual basis, and is determined by a number of factors.

Numbers and types of claims against

the Fund affect the yearly cost of the policy—and, fortunately, in recent years there have been relatively few race-related accidents.

Maryland has been a pioneer in providing workers' compensation coverage for jockeys, and eliminating liability for owners and trainers.

For more information call the Racing Commission's Executive Director, Mike Hopkins, at (410) 853-1672.

Racing days, from page 1

consisting of 17 days at Laurel Park in January and 30 days at Pimlico in April and May, concluding with the Preakness. No schedule was submitted for live racing beyond the first five months of the year.

Commission member David Hayden was among the first to respond, expressing outrage: "You guys [meaning the MJC] just flat-out don't give a damn."

The Commission heard testimony from groups and individuals, including the MTHA, which was represented by President Richard Hoffberger, Counsel Alan Foreman and Executive Secretary Wayne Wright.

Mr. Wright called the proposal "a dagger to our heart. . . offering no opportunity at all," while Mr. Hoffberger derided a situation under which local

horsemen bear the sacrifice "so that out-of-state companies can come in and make money off of the Preakness."

Ultimately, the Commission voted unanimously (8 to 0) to reject Penn National Gaming's application to own 49 percent of the MJC's assets. That action, which drew enthusiastic support from many in the audience, left Maryland without a racing schedule for 2011.

Since then, the MJC has said it plans to request 77 racing days for the first five months of next year, a schedule identical to 2010. But live racing in the summer and fall remains an open question.

A schedule of some sort is expected to be considered at the Maryland Racing Commission meeting to be held on December 21 at 12:30 p.m. at Laurel Park.

Rosecroft, from page 1

against the Maryland Thoroughbred industry and numerous other tracks and individuals as part of its "scorched earth" strategy to kill the 2006 Cross-Breed Agreement and receive Thoroughbred signals at Rosecroft without

having to compensate the Maryland Thoroughbred industry.

Rosecroft had operated as an off-track betting site since 2008, until surrendering its license to the Maryland Racing Commission earlier this year.



Recreation report

From Dan Mangum, MTHA Recreation Director. For information or to sign up for programs, call Mr. Mangum at (410) 802-5798.

Basketball

The MTHA basketball league will start on Sunday, January 9 at Meade High School in Laurel. If you are interested please call Dan Mangum (at number above) or sign up in the track kitchens.

Bowling

Plans are underway for a bowling tournament at Laurel Fairlanes on Monday, January 31. Call Dan Mangum or sign up in the track kitchens.

Donations

The following generous people recently donated clothing, reading material and/or other items for distribution on the backstretch: Gene Gilhooly, John Marshall, Taking Risks Stable, Susan Tatum and Howard Wolfendale.

IN MEMORIAM

Donald P. Townsend, 61, a longtime owner/trainer/breeder, died on November 29.

Kenneth A. "Kenny" Field, a prominent trainer in the 1960s through the mid-1980s, died on November 20 at the age of 79.

Hall of Fame trainer **Mackenzie "Mack" Miller** died on December 11. He was 89. Mr. Miller trained more than 70 stakes winners, including 1993 Kentucky Derby winner Sea Hero.

The Horsemen's Newsletter

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The Horsemen's Newsletter
reports on issues and events of interest to owners and trainers in Maryland.
Your suggestions are welcome.

Hoofprints

AHC posts job opening

The American Horse Council has an opening for a new director of administration, to succeed someone who been employed by the organization for more than 35 years.

For more information go to www.horsecouncil.org or call (202) 296-4031.

Voting underway for NTRA "Moment of the Year"

Voting is underway at the National Thoroughbred Racing Association Web site, www.ntra.com/moment, for the 12th annual "NTRA Moment of the Year."

Voters can choose from among 12

images, drawn from the year's events. The winning Moment will be recognized on January 17 at the Eclipse Awards ceremony in Miami Beach, and those selecting the winning image automatically will be entered in a random drawing for a \$100 gift certificate to the NTRA.com Online Memorabilia Store.

Entries must be received by 11:59 p.m. (ET) on Monday, January 3.

Unwanted Horse Coalition can help

The Unwanted Horse Coalition offers a variety of resources for owners no longer able to provide for their horses. Call (202) 296-4031 or visit www.unwantedhorsecoalition.org.

Marion duPont Scott Equine Medical Center's Tuesday Talks

Virginia Tech's Marion duPont Scott Equine Medical Center is once again offering its Tuesday Talks, a series of free lectures designed to provide horsemen and others with practical advice related to an array of equine health care topics.

Faculty from the equine medical center and the Middleburg Agricultural Research and Extension (MARE) Center will discuss developments in regenerative medicine, lameness, performance and dentistry.

January 11: "The Curse of Foot Lameness," Dr. Nat White, DVM, MS, Dipl. ACVS, Jean Ellen Shehan Professor, and director of the Marion duPont Scott Equine Medical Center.

February 8: "Breeding to Win: The Genetics of Equine Performance," Rebecca Splan, Ph.D, MS, associate professor of equine science at the MARE Center.

March 8: "Performance Horse Dentistry: New Concepts in Oral Equilibration," Dr. James Brown, BVSc, MS, Dipl. ACT, and clinical assistant professor in equine surgery and emergency care at the Marion duPont Scott Equine Medical Center.

Lectures will be held at 7 p.m. in the Medical Center's library. No fee is charged for attending but seating is limited and pre-registration is required. To register, e-mail Amy Troppmann at aht1@vt.edu or call (703) 771-6843. For more information, go to www.vetmed.vt.edu/emc.

Virginia Tech's Marion duPont Scott Equine Medical Center is one of three campuses that comprise the Virginia-Maryland Regional College of Veterinary Medicine.

Horsemen's calendar

RACING

Laurel Park, Pimlico To be determined

FASIG-TIPTON MIDLANTIC AUCTION AT TIMONIUM (410) 392-5555

Two-Year-Olds in Training May 23, 24
(Entries close Feb. 14)

OUT-OF-STATE AUCTIONS

Keeneland January Horses of All Ages, Lexington, Ky. (800) 456-3412 . . Jan. 10-15

Ocala Breeders' Sales Co., Winter Mixed, Ocala, Fla. (352) 237-2154 . . Jan. 18, 19

Fasig-Tipton Kentucky Winter Mixed, Lexington, Ky. (859) 255-1555 Feb. 7

Fasig-Tipton Florida Selected Two-Year-Olds in Training, Boynton Beach, Fla. (859) 255-1555 March 3

Ocala Breeders' Sales Company Selected Two-Year-Olds in Training, Ocala, Fla. (352) 237-2154 . . March 15, 16

Keeneland Two-Year-Olds in Training, Lexington, Ky. (800) 456-3412 . . April 11

Ocala Breeders' Sales Company Spring Two-Year-Olds in Training, Ocala, Fla. (352) 237-2154 . . April 18-21



Slots facility at Ocean Downs race track set for January 4 opening

Ocean Downs, a harness race track neighboring Maryland's ocean beach resorts, will begin its new life as a racino on January 4.

Governor Martin O'Malley is set to participate in the ribbon-cutting ceremonies to be held on that date.

Casino at Ocean Downs will feature 700 video lottery terminals (slot machines), with nearly 34,000 square feet of gaming space.

It is reportedly providing jobs to more than 200 new employees, most of whom live in the immediate area.

Ocean Downs, owned by William M. Rickman Jr. and his family, is the only track eligible to operate a slots facility in Maryland.



Launching of its slots site has been delayed several times by construction problems and bad weather.

"We were impressed with the plans for the site and are confident that this world-class entertainment facility will be a

tremendous asset to the Eastern Shore and the entire state of Maryland," said Donald Fry, chairman of the Video Lottery Facility Location Commission.

Casino at Ocean Downs is Maryland's second slots facility to begin operation, joining Hollywood Casino at Perryville, which opened in late September. Ocean Downs is located just off Route 50 in Berlin. For more information and driving directions, go to www.oceandowns.com.



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Thoughts and comment

Apparently, some people were surprised when the Maryland Jockey Club tried to jettison its live racing program for 2011 (see article on page 1).

That in itself is surprising, because anyone who understood the situation knew it was all but inevitable.

Unlike some of our colleagues, the MTHA never believed the Maryland Jockey Club was bluffing when it described what would happen if zoning were approved for a major casino at Arundel Mills Mall.

Now MTHA representatives, along with other industry leaders, are working day and night to come up with alternatives that will allow us to maintain at

least 146 live racing days in 2011, and beyond.

We are in a fight for our life.

Various plans are under consideration. The goal is a win-win-win situation, under which horsemen will have a viable schedule of racing opportunities, the tracks will operate without financial losses, and the state will not be pressed for a bail-out.

It's a tall order, especially under the time constraints that we are facing. But we remain hopeful that an acceptable agreement can be put forth at the Maryland Racing Commission's December 21 meeting.

/Richard J. Hoffberger, MTHA President

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