



# The Horsemen's Newsletter

July 2010

Volume 20 • Number 7

## Rosecroft Raceway battles on against Thoroughbred industry

Rosecroft Raceway, bankrupt and out of business, continues to battle the Thoroughbred industry.

Rosecroft's parent company, Cloverleaf Enterprises Inc., is continuing to press its lawsuit filed last year against the Maryland Jockey Club, MTHA and several other Thoroughbred groups, alleging that the Thoroughbred industry engineered a "boycott" to prevent Rosecroft from receiving simulcasts of Thoroughbred races.

Meanwhile, state lawmakers from Prince George's County are reportedly considering legislation that would strip the Thoroughbred industry of its share of slots revenue if it fails to return simulcast signals to Rosecroft.

These efforts are being led by Delegate Veronica L. Turner (D, Distr. 26, Prince George's County).

"Rosecroft has gone to extreme lengths to avoid accepting responsibility for its own demise caused by its 'scorched earth' strategy that has failed," said MTHA Counsel Alan Foreman. "The lawsuit is part of CEI's strategy to blow up the 2006 industrywide agreement that established the terms under which Rosecroft is permitted access to Thoroughbred signals. We are confident our side will prevail as the facts become known in court and in Annapolis."

Rosecroft has not conducted live racing for more than two years; the harness track near Oxon Hill, Md., closed operation completely on July 1.

After losing in the first round, the campaign for a voter referendum on slots at Arundel Mills mall emerged victorious.

On July 20, Maryland's Court of Appeals, the state's highest court, ruled that the zoning issue should be placed on the county ballot in the November general election.

The decision overturned the previous month's ruling by Anne Arundel County Circuit Court Judge Ronald A. Silkworth.

Using far-fetched reasoning, Judge Silkworth struck down the ballot referendum on the basis that the legislation that grants zoning rights for Baltimore-based Cordish Cos. to construct a casino on the mall parking lot is part of an ap-

propriations package. State law does not allow appropriations to be put to referendum.

The MTHA, which has consistently supported slots at race tracks, hailed the decision of the Court of Appeals.

"Obviously, more hurdles remain to be overcome," said MTHA President Richard Hoffberger. "But we are headed in the right direction."

If a majority of Anne Arundel County citizens chooses not to have slots at the mall, Laurel Park could regain consideration as a slots site.

But the process is not clear, even to Donald Fry, chairman of the state's Video Lottery Facility Location Commission, which granted the Cordish Cos. a license on the mall parking lot is part of an ap-

See **Referendum**, page 2



Gov. Martin O'Malley supports slots at tracks.

On July 20, Gov. O'Malley issued the following statement:

"Today, the Maryland Court of Appeals affirmed the right for the people of Anne Arundel County to have their

## O'Malley, Ehrlich take differing stands on AA County slots

The two leading candidates for Maryland's gubernatorial election in November—current Governor Martin O'Malley (D) and former Governor Robert L. Ehrlich, Jr. (R)—hold widely different views on the future of slots in Anne Arundel County.

Mr. Ehrlich is a partner in a law firm, Womble Carlyle Sandridge & Rice, that has done considerable work for the prospective Arundel Mills mall site developer in order to bring slots to the mall.

According to WBAL.com, Mr. Ehrlich supports bringing slot machines plus fine dining and live entertainment to the Arundel Mills site.



## Penn National completes purchase of interest in Maryland tracks

MI Developments Inc. (MID) and Penn National Gaming Inc. (Penn) have officially established a joint venture to own and operate Laurel Park, Pimlico Race Course (including the Preakness and related property) and Bowie Training Center.

The Maryland Racing Commission approved the transaction following a hearing on June 28, and closing took place on June 30.

The venture involves a complex corporate structure, with both companies operating through subsidiaries.

But the "bottom line," as explained by Bruce Spizler, Senior Assistant Attorney General and Counsel to the Maryland Racing Commission, splits ownership of racing operations 51-49 percent, respectively, between MID and Penn. The percentage is reversed to 49-51 percent for any future gaming operations.

Penn National Gaming owns and operates the Hollywood Casinos at Charles Town and Penn National and is scheduled to open Maryland's first slots facility, located in Perryville (Cecil County), this fall.

## PAC donors rally to the cause

Special thanks to those who responded to Arnold Heft's article in last month's newsletter and sent contributions to the Thoroughbred Horsemen's Political Action Committee (PAC).

Your donations will serve a vital purpose, supporting election campaigns of state leaders who have demonstrated support for our industry.

Anyone who has not yet made a contribution to the PAC is urged to do so.

Checks should be made payable to Thoroughbred Horsemen's PAC and mailed to MTHA, 6314 Windsor Mill Road, Baltimore, Md. 21207.

By authority Wayne W. Wright, Treasurer

## Timonium to open on Aug. 27 for seven-day meet

### Welfare and Safety Summit

Video files for each public session at the third Welfare and Safety of the Racehorse Summit, held June 28 and 29 at Keeneland, are available for download at [www.jockeyclub.com](http://www.jockeyclub.com).

The summit concluded with the development of objectives in four areas—racing equipment and safety, race track environment and training practices, licensing and continuing education, and transitioning Thoroughbreds to second careers.

## Hoofprints

### Assistance Fund receives grant from TCA

Thoroughbred Charities of America has awarded a \$4,000 grant to the Maryland Horsemen's Assistance Fund, Inc. (MHA), the organization that provides medical care and other benefits for backstretch employees in need.

For more information on the MHA, visit [www.mdhorsemen.com](http://www.mdhorsemen.com) and click on the name on the home page.

## Committee bulletins

### Health Fairs

Rich Meyer, Health and Welfare chairman, reported good results for the Health Fairs held last month at Bowie and Laurel.

"Participation was strong, and as usual many people benefited from the health screening services," said Mr. Meyer.

Health Fairs are sponsored jointly by the MTHA and Maryland Horsemen's Assistance Fund.

### Laurel

Larry Murray, backstretch chairman,

reported that Laurel's racing surface has remained in remarkably good condition throughout the long spell of heat and dry weather.

### Bowie

Phil Capuano, backstretch chairman, said:

- The air conditioner in the track kitchen/recreation area has been repaired.
- The viewing stand remains a work in progress.
- Areas surrounding the manure bins are well maintained.

## Referendum, from page 1

to operate as many as 4,750 slot machines at Arundel Mills. The Cordish Co. will not automatically lose its license if the referendum passes.

"Slots is going to have to be in the county. The state Constitution says that there will be slots in that area," Mr. Fry

told *The Baltimore Sun*. "The voters will have the opportunity to determine whether they agree or disagree with the County Council's zoning decision. Depending on which way they go, our members will sit down and figure out what we want to do."

### Reminder to trainers:

If you are stabled at a Maryland Jockey Club facility, you are expected to support Maryland racing and race your horses here.

## Thoughts, from page 4

particular live racing, are sketchy at best.

Racing never fares well when it operates in direct competition with a casino. Even Arlington Park—a showplace among race tracks—is battling for its life against nearby gambling emporiums.

I've heard the argument that racing and slots draw from different clientele, and there's truth in that. But if casinos didn't draw customers away from the tracks, would New Jersey racing be in its current state of turmoil?

With Arundel Mills just 10 miles down the road, the prospects for Laurel to continue racing, over the long haul, are slim to none.

### IN MEMORIAM

**H. Morton (Morty) Rosen**, a longtime owner/breeder, died on July 6. He was 80. A lawyer who some years ago frequently brought issues before the Maryland Racing Commission, Mr. Rosen, was the proprietor of Benray Farm in Westminster.

**Frank J. Tamberino**, who raced horses in Maryland for many years, died on July 2 at the age of 72.

**Dr. William H. (Bud) Wright**, 95, a once prominent veterinarian on the New York racing circuit who owned, trained and bred horses at Labadie Mill Farm in Chesapeake City, Md., since the 1960s, died on July 10.

### 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.



Laurel Park will become a fully functioning racino in the not too far-off future, its facilities upgraded with matching funds from the Racetrack Facility Renewal Account and its purses boosted to historic levels by the horsemen's share of the slots revenue.

We've waited a long time for this—too long to let the opportunity pass us by.

*/Dale Capuano, MTHA Director,  
Negotiating Committee Chairman*

## Recreation report

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

### Orioles tickets

Winners of the drawings for Orioles tickets were—June 22, Anna Marie Starnes; July 20, Harold George; August 5, Bruce Sider; August 20, Robbie Bailes.

The final drawing will take place on August 28 at noon in the Laurel Park kitchen. If you have not signed up, call Dan at (410) 802-5798.

### Soccer

The MTHA conducted a drawing for tickets to the match between Inter Milan and Manchester City on July 31 at M&T Stadium.

## Schedule for gate schooling, turf training

Gate schooling at Laurel and Bowie will be available Wednesdays through Saturdays during the Laurel Park mini-meet (July 31 through August 22) and Timonium meet (August 27 through September 6).

The Laurel turf course will be open for training on Wednesdays from 9 a.m. to 10 a.m., weather permitting, for horses nominated to stakes only. Turf slips may be picked up from Georganne Hale in the Racing Office.

## Horsemen's calendar

### RACING

**Laurel Park** ..... July 31-Aug. 22  
Fall dates TBA

**Timonium** ..... Aug. 27-29; Sept. 3-6

**JIM MCKAY MARYLAND MILLION DAY OCT. 2 AT LAUREL PARK**

**FASIG-TIPTON MIDLANTIC AUCTIONS AT TIMONIUM** (410) 392-5555

**Eastern Fall Yearlings** ..... Oct. 5, 6  
**December Mixed** ..... Dec. 6  
Entries close Sept. 20

### OUT-OF-STATE AUCTIONS

**Fasig-Tipton Saratoga Selected Yearlings** Saratoga Springs, N.Y.  
(516) 328-1800 ..... Aug. 2, 3

**Ocala Breeders' Sales Company**  
**Selected/Open Yearlings**  
Ocala, Fla. (352) 237-2154 ..... Aug. 23-26

**Keeneland September Yearlings**  
Lexington, Ky. (800) 456-3412 ..... Sept. 12-26

**New York Breeders' Sales Co.**  
**Fall Mixed** Saratoga Springs, N.Y.  
(518) 587-1555 ..... Oct. 18

**Ocala Breeders' Sales Company**  
**Fall Mixed**  
Ocala, Fla. (352) 237-2154 ..... Oct. 18-21

**Fasig-Tipton Kentucky Fall Yearlings**  
Lexington, Ky. (859) 255-1555 ..... Oct. 25-27

**Fasig-Tipton Kentucky Selected Fall Mixed**  
Lexington, Ky. (859) 255-1555 ..... Nov. 7

**Keeneland November Breeding Stock**  
Lexington, Ky. (800) 456-3412 ..... Nov. 8-20



## Scholarship Fund receives major boost

*Applications being accepted for this fall*

The Maryland Thoroughbred Scholarship Fund will have more money to distribute this fall than ever before, thanks to an \$11,200 grant from Thoroughbred Charities of America (TCA).

"Our total distribution could reach \$40,000," said David Richardson, President of the Maryland Racing Media Association, which administers the program. "We are deeply grateful to the TCA, and also to the groups and individuals who have supported the program all along—in particular the MTHA, Maryland Horsemen's Assistance Fund and Milton P. Higgins III."

If you are enrolled in college or

graduate school this fall, and you have worked during the past year in the care of Thoroughbreds on the backstretch at a Maryland track, or on a farm, training center or veterinary clinic within the state, you may be eligible to receive financial aid.

Applications may be downloaded from the MTHA Web site at [www.mdhorsemen.com](http://www.mdhorsemen.com) or contact Mr. Richardson at (410) 239-7022; [drichardson@darkholowfarm.com](mailto:drichardson@darkholowfarm.com). Anyone wishing to donate to the scholarship fund is urged to call Mr. Richardson.

**Applications must be received by the MRMA no later than September 27.**



**MTHA**  
6314 Windsor Mill Road  
Baltimore, Maryland 21207

**July 2010**

## MTHA's Backstretch Appreciation Day

The unsung heroes of our industry will be celebrated on September 19 at Laurel Park with the MTHA's Backstretch Appreciation Day.

The event will take place from 1 p.m. to 4 p.m. in the white house area adjacent to the Racing Office/Paddock area.

Pit beef and roasted pork, door prizes and dj music from Carlisle Entertainment will highlight the festivities. Soda, salads and chicken will also be served. The event will be catered by Russell Clark.

All backstretch personnel are invited to attend free of charge.

## Thoughts and comment

No one would have bet, two years ago, that slots would go anywhere in Anne Arundel County except Laurel Park.

It's been a wild ride ever since February 2009, when Magna Entertainment Corp. failed to put up the application fee, and knocked Laurel out of the bidding.

Now it appears that slots have a real chance to get back on track—both literally and figuratively (see lead article on page 1). And it's hard to see how that can be anything other than great news for our industry.

Although there are some individuals who foolishly believe slots would be

beneficial to the industry if located at Arundel Mills, slots belong at the race track.

I was among those who testified at the zoning hearing last December, urging the Anne Arundel County Council to turn down the proposed Arundel Mills site; since then, my views on this issue have only gotten stronger.

While representatives of the Arundel Mills project have spoken in glowing terms about a future for racing at Laurel in conjunction with slots at the mall, the details regarding the industry, and in

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