

Steward's Report

Race Meeting: Radnor Races

Date: May 21, 2022

**Weather: Mostly clear and hot – Wet bulb
measurements around 30 all day**

Course Condition:

Good

Compaction: 90

Moisture: 6

Clerk of Scales: Jake Chalfin

Starter: Burling Vannote

**Stewards: Charles Fleischmann
Rug Howard
Wayne Van Sant**

Official Actions:

Before the first race Safety Steward Doris Paxson was injured and her duties were assumed by Steward Rug Howard until she could resume them shortly before the first race.

Water pressure and flow became a problem and was supplemented by a tanker from Malvern Fire Company.

First Race: The start was delayed by Anheiser Bush's Clydesdales needing a rest before pulling off the course.

Richard Boucher had requested help with the number 10 horse, "Tom", to get him to start, which he got and the horse started.

Number 8, "Zarkallani" lost his rider at the 8th fence. The number 10 horse, "Tom", did not finish and collapsed on the course after the race but got up and walked off the course after the application of lots of water and ice. He was reported as good by the barn vet at the end of the day.

Second Race: Number 4, "Felix Leiter", number 5, "Fiddllyn", number 6, "Always Cool", number 7, "Westerland", and number 10, "Dogwoods Crosby" all pulled up tired.

After the race the Clerk of scales called the Stewards and requested their presence at the scales. There were several issues. The first issue was that Gerard Galligan, the rider of the winner number 1, "Brevard Place" had weighed out at the correct weight of 152 and when weighing back in had crossed the

scales with his overgirth at 152. When asked to drop his overgirth, he was 151. With Steward Howard and Fleischmann watching, he weighed again both with and without his overgirth and the weights were 151 without the overgirth and 152 with the overgirth.

He claimed that he had to weigh in with his overgirth because he had weighed out with it and pointed to rule 7.8.D.2 (“AFTER RUNNING OF THE RACE”, “WEIGHING IN”) which says “Failure of a rider to weigh in directly after unsaddling his/her horse or the failure of a rider to weigh in with all the pieces of equipment with which he/she weighed out shall subject the rider to a penalty as prescribed by the Stewards and/or the Stewards Advisory Committee”. When it was pointed out that he was not supposed to weigh out with an overgirth he pointed to 7.6.A.4 (“PRIOR TO RUNNING OF THE RACE”, “WEIGHING OUT”) which says “A rider’s weight shall include his clothing, boots, saddle and its attachments, and any other equipment except the whip, bridle, bit or reins, safety helmet, safety vest, blinkers, goggles or number cloth”. Initially he claimed that overgirths were “attachments” to the saddle but then changed to call it equipment which was part of the “any other equipment” and was not on the list of prohibited equipment, namely “whip, bridle, bit or reins, safety helmet, safety vest, blinkers, goggles or number cloth”.

Galligan was closely questioned as to where in the US he had ridden where it was acceptable to weigh in or out with an overgirth. Was it acceptable at Saratoga, for instance. No, but you weighed in with your helmet in some places but not in NSA races. While he couldn’t name anyplace he had weighed in or out with an overgirth under NSA rules, he did assert that it was permitted by rule. Rider Barry Foley also made a show of attempting to weigh out with an overgirth asserting the same logic relative to 7.6.A.4 but was informed by the Stewards that it was not permitted. The Stewards made a point of notifying all riders that weighing out or in with an overgirth was not to happen.

The second issue was that Todd Wyatt, the trainer of the second place finisher #2, “Agravain”, reported to Steward Fleischmann that had seen a water bottle under Rider Galligan’s tack as he came in to weigh. All three Stewards saw a small water bottle on the floor of the scales area next to Galligan’s over girth while he was on the scales without the overgirth. There was no confirmation from any other persons present that Galligan had had it in his possession. Todd acknowledged that he was not a disinterested party in that he stood to get first money if Galligan was caught and his horse disqualified

The stewards notified Galligan, Chalfin and Wyatt that there would be a hearing after the last race on the issue and declared the race official.

Third Race: This race was shortened from 3.25 miles to 3 miles due to the heat. The number 4 horse, “Storm Team” and the number 5 horse, “Bogey’s Image” were scratched. The number 3 horse, “First Friday”, was pulled up after the 6th fence and transported by the horse ambulance. It was reported that he had damaged hi stifle.

Fourth Race: This race was shortened from two and three eighth miles to two and one eighth miles due to the heat.

Number 3, “Glencorrib Sky” was scratched. The number 6 horse, “Circus”, the number 7 horse, “Gaye Breeze”, the number 8 horse, “Mr Bridger”, and the number 9 horse, “Baltimore Kid” all pulled up tired.

Parker Hendrix, the rider of number 9, “Baltimore Kid”, was asked to explain his use of the whip on his horse when the horse clearly was not in the race and in fact did not finish. He thought the horse was being lazy and had better form than he was showing since he had won his last outing. He was cautioned but not fined or penalized.

Fifth Race: The number 3, “Mekong”, the number 8, “Ahnaf” and the number 10, “Quality Choice” all pulled up tired.

The number 4 horse, “Shendam” was randomly selected for prerace TCO2 testing.

The number 11 horse, “Ondalove” was on the AE list and the trainer, Leslie Young, approached the Stewards about being allowed to run even though the horse had not gotten its Lasix but wanted to run under rule 10.1.B {“FUROSEMIDE”) which says in part “A horse that is entered on furosemide (Salix) and does not receive furosemide (Salix)will not be permitted to run, unless it is determined by the stewards that there are extenuating circumstances that led to the inability to administer the medications in a timely manner, and the trainer of the horse chooses to run the horse without furosemide (Salix).” At the time the horse should have gotten its Salix there had been no scratches in that race. Subsequently number 9, “Lowcountry” scratched. The AE notice says “Ondalove (FR) may run if any late scratches occur

one hour prior to post time for the first race”. The scratch of “Lowcountry” was after the start of the first race and the request was disallowed.

After the last race:

The Stewards, Bill Gallo and Harper McVeigh held an interview in the tower with Gerard Galligan who appeared with council, Van Cushny Esq, at 5:00. Council expressed disbelief that a horse was going to be disqualified for being only one pound under weight. He also asserted, in conjunction with Galligan, that the Clerk of Scales should check what riders weigh out with. Council was informed that this was a fact finding interview.

Galligan was asked: Did he weigh out with an overgirth. Answer Yes.

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He asserted that he had weighed in with the overgirth at 151.8 or 152 and without an overgirth he had weighed in at 151.

Galligan was asked if he had weighed in with a bottle of water under his tack. Answer No.

Galligan asserted that the bottle of water on the floor was not his even though it was next to his tack.

At the end of the day, the Stewards, Bill Gallo and Harper McVeigh met with Jake Chalfin and Todd Wyatt.

Jake Chalfin can't say unequivocally that Galligan did or did not weigh out with an overgirth. It is policy to not weigh with it. If he sees anyone with an overgirth while weighing in or out he reminds the rider to drop it before getting on the scales. He had called out several during the day for carrying an overgirth onto the scales prior to Galligan weighing in. Galligan did not have a lot of tack so he could see when he weighed in that he had an overgirth at 152. When he removed the overgirth he was at 151. He then called the Stewards and had them observe the reweighing as previously described.

He is 99% sure that Galligan did not weigh out with an overgirth. He said that riders can make up the difference between weighing out and in with slip pads, etc but those specifics are not noted by Clerks of Scales.

Todd Wyatt testified that he came in for water for his jockey and heard Jake call for the Stewards. He saw Galligan put his tack down with the overgirth and a

water bottle underneath his tack. The bottle was not there before but was there when he picked up his tack to weigh under observation.

After Chalfin and Wyatt had left, the Stewards deliberated. It was acknowledged that customary usage within the NSA and previously with the NS&HA, going back at least the 50 years that the Stewards are personally experienced with, was that overgirths were not used in weighing out or in. It was also acknowledged that rule 7.6.A.4 of the 2022 RULES OF RACING, while specifically stating what items must be included and what equipment can not be included, does not specify overgirths as equipment that shall not be weighed out with.

Coupling this rule with rule 7.8.D.2 which requires a rider to weigh in with “all pieces of equipment” he weighed out with creates a tension between customary usage and rule that the stewards were unable to resolve. In addition, given the litigious nature of Galligan in the past, it was felt best to refer the issue to the Stewards Advisory Committee.

Other comments:

The turf was very good. There was one timber fence that had a broken post that was not replaced but braced from behind, because the course is to be rebuilt after his race meeting.

The hurdle’s rolls were not properly secured to the frames initially. The tie downs did not go under the bottom bar of the front of the frame and would have allowed the roll to bounce up. This was corrected before racing started. Due to the concern about the heat, there was probably an excessive nearly simultaneous drain on the well from four or five hydrants which reduced the flow and pressure and caused concerns about having adequate water for washing and cooling horses. In large part this was alleviated by the Malvern Fire Department sending a tanker of water.

It is recommended that a source of electricity for cooling fans be supplied for future meets, especially when there are excessive heat warning

Respectfully,

Charles Fleischmann

Charles Fleischmann, Steward