

# examples of questions on a Trainer's Test

Q 197 If an owner wishes to change trainers what can be done?

A 197 Obtain a change of trainers form, fill it out completely and have it approved by the stewards. OAR 462-33-010(2).

Q 198 Can an owner have horses with more than one trainer?

A 198 Yes. OAR 462-33-010(3).

Q 199 Can a horse start in a race that has not been properly tattooed?

A 199 No. OAR 462-33-010(7e).

Q 200 Can a horse start in a race that is not in the care of a licensed trainer?

A 200 No. OAR 462-33-020(7g).

Q 201 Can a horse be entered to race that is on the stewards' list?

A 201 No. OAR 462-33-020 (8c).

Q 202 Can a horse be entered to race that is on the starter's list?

A 202 No. OAR 462-33-020(8c).

Q 203 Can a horse be entered to race that is on the veterinarian's list?

A 203 No. OAR 462-33-020 (8c).

Q 204 Is sex allowance mandatory when racing around a turn?

A 204 Yes. OAR 462-33-025(16b).

Q 205 When is sex allowance mandatory for quarter horses?

A 205 In races around a turn. OAR 462-33-025(16b).

Q 206 What weight allowance does a two year old filly receive when running against colts and geldings?

A 206 3 pounds. OAR 462-33-025(16)(a).

Q 207 What weight allowance do three year old and older fillies and mares receive during the year?

A 207 5 pounds from Jan. 1 through Aug. 31. 3 pounds from Sept 1 through Dec. 31. OAR 462-33-025(16a).

Q 208 Why does the weight allowance for fillies and mares change on Sept. 1?

A 208 A filly is presumed not to have heat cycles in the fall and will therefor run more consistently.

Q 209 If a horse is not entitled to the first allowance in a race, is s/he entitled to the second allowance?

A 209 No. OAR d462-33-025(16d).

Q 210 An apprentice jockey is entitled to how many pounds allowance?

A 210 10 lbs - 7 lbs - 5 lbs. OAR 462-037-060 7a, b, c, d.

Q 211 What is the maximum overweight any horse may carry?

A 211 7 pounds. OAR 462-33-030(5).

Q 212 A trainer may replace a jockey with a jockey of less weight without paying a double jockey fee if the jockey is more than how many pounds overweight?

A 212 2 pounds. OAR 462-33-030(5).

Q 213 The winner of a race is the horse whose ? \_\_\_\_\_ ? reaches the finish line first with the jockey aboard.

A 213 Nose.

Q 214 When does a jockey "weigh in?"

A 214 Following the race. OAR 462-33-040(6)(a).

Q 215 When is the jockey fee considered earned?

A 215 When the jockey crosses the scales (weighs out) for that race. OAR 462-33-050(6b).

Q 216 May a horse be entered in more than one race on a single day?

A 216 No. OAR 462-33-020(3).

Q 217 Who is authorized to withdraw the foal certificate from the racing secretary's office?

A 217 Only the trainer. OAR 462-37-025(8).

Q 218 Can a horse start in a race without the foal certificate being registered and on file with the racing secretary?

A 218 Yes, in stakes races, only if it meets conditions of the rule. OAR 462-33-020(7b).

Q 219 Can you start a first time starter without having a gate approval?

A 219 No. OAR 462-33-020(7h).

Q 220 Is there a cost for entering an overnight race?

A 220 No, entries are free unless otherwise stipulated in the conditions of the race. OAR 462-33-020(10a).

Q 221 Will entry and nomination fees be refunded if the horse dies, is scratched or fails to start?

A 221 No, unless so stated in the conditions of the race. OAR 462-33-020(10b).

Q 222 Can you claim sex allowance and/or apprentice jockey allowance in a 400 yard race?

A 222 No. OAR 462-33-025(16)(k)(A).

## OWNER

### **EXPENSES: Per Horse (on track)**

#### **Trainer**

- Day Rate: \$60.00 to \$80.00 per day
- Stakes: 10% 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> (trainer)  
3% 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> (stable help)

#### **Jockey**

- 10% 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, & 4<sup>th</sup>, 5<sup>th</sup> in stake races

#### **Misc.**

- Veterinarian: \$100.00 to \$???? Per month
  - Medication
  - Scoping
  - Surgery
  - Pre-race Treatments
- Blacksmith: \$90.00 to \$100.00 per month

### **EXPENSES: Per Horse (off track)**

#### **Farm**

- Lay-ups: \$20.00 to \$45.00 per day
- Veterinarian
- Blacksmith
- Extras: Ultrasound, Vitamins, Security, etc., etc., etc.

#### **Training Center**

- \$45.00 to \$65.00 per day
- Veterinarian
- Blacksmith
- Extras:

### **GENERAL RULE OF THUMB:**

- Horses on Track: \$2,000.00 to \$2,800.00 per month
- Horses @ Training Center: \$1,250.00 to \$2,000.00 per month
- Horses on Farm: \$750.00 to \$1,250.00 per month

### **TIME REQUIRED TO GET TO THE RACES:**

- 30 to 60 days at a training center
- 60 to 90 days at the track

## TRAINER

**EXPENSES:** As they relate to income derived from day rate or training fees.

### **Direct Costs**

#### **Barn Expenses (3%-5%)**

- Barn improvements & maintenance
- Moving related expenses

#### **Barn Stakes (3%-5%)**

- Assistant: 1-2% of purses earned
- Grooms: 1% of purse earned
- Exercise Rider: 1% of purse earned

#### **Salaries & Wages (40%-55%)**

- Assistant: \$500.00 to \$600.00 per wk.
- Exercise Riders: \$400.00 to \$450.00 per wk.
- Grooms: \$325.00 to \$375.00 per wk.
- Hotwalkers: \$180.00 to \$220.00 per wk.
- Nightwatchman: \$325.00 to \$375.00 per wk.
- Freelance Labor: Exercise Rider--\$10.00 per mount  
Pony Rider--\$10.00 per horse

#### **Feed & Vitamins (15%-25%)**

- Timothy Hay: \$26.00 per bale
- Alfalfa Hay: \$15.00 per bale
- Oat Hay: \$17.00 per bale
- Straw: \$7.50 per bale
- Oats: \$18.00 per bag
- Sweet Feed: \$13.00 per bag

#### **Tack & Supplies (4%-7%)**

- Saddle: \$300.00 to \$500.00 per
- Bridle: \$125.00 to \$200.00 per
- Misc: alcohol, soap, brushes, rakes, pitchforks, etc., etc., etc.

#### **Insurance (5%-7%)**

- Workers Comp.
- Liability
- Care, Custody, and Control

### **Indirect Costs (4%-7%)**

- Dues & Subscription: Racing Form, Box Seats, Magazines
- Bad Dept
- Legal & Accounting
- Travel & Accommodations
- Telephone
- Rent
- Auto

**TOTAL EXPENSES: 74% TO 111%**

Track (Avg cost/day) x 365 for year Avg daily purses divide by 10 for daily purses X .6 for winner's share Cost/year divide by winner's share = wins to break even.

Turf	30	<u>11,000</u>	45,000	<u>4,500</u>	x .6	<u>2,700</u>	<u>11,000</u>	<u>2,700</u> = <u>4</u>
Belmont	70	<u>26,000</u>	335,000	<u>33,000</u>	x .6	<u>19,800</u>	<u>26,000</u>	<u>20,000</u> = <u>1.3</u>
Oaklawn	50	<u>18,000</u>	186,000	<u>18,000</u>	x .6	<u>10,800</u>	<u>18,000</u>	<u>11,000</u> = <u>1.6</u>
Pimlico	50	<u>18,000</u>	158,000	<u>15,000</u>	x .6	<u>9,000</u>	<u>18,000</u>	<u>9,000</u> = <u>2</u>
Gulf.	55	<u>20,000</u>	254,000	<u>25,000</u>	x .6	<u>15,000</u>	<u>20,000</u>	<u>15,000</u> = <u>1.3</u>

# HOW TO BECOME AN OWNER



## EXCITEMENT IS THE DRAW

By Kimberly S. Herbert

Anyone can become a Thoroughbred owner. It's as simple as paying your money and taking the reins, so to speak. The problem is, Thoroughbred ownership is as complex as the animal it involves, and it can quickly become a demanding master to the uninitiated. The consensus of those in the business who have guided others to successful ownership involvement is that a person shouldn't just become a Thoroughbred owner, but should be an educated, involved owner.

"The predominant reason people get involved is they've got discretionary funds and they are looking at ways of having fun with it," said Robert Clay, owner of Three Chimneys Farm and president of the Thoroughbred Owners and Breeders Association. Clay recommends that the uninitiated become partners with an experienced horseman whom they like and trust for their first ownership venture, because the horseman has as much at stake as the newcomer.

Partnerships come in a variety of packages, from one-on-one business or social acquaintances getting together with a horseman, to groups of friends, family members, or co-workers joining financial resources. There also are structured partnerships operated by horsemen that are specifically designed to take the hassle and worry out of trying to learn the business while being an owner.

The common denominators for those looking to become first-time owners seem to be the thrill and excitement of the sport and the beauty of the animal; the knowledge that they probably won't make any money, but the chance that they can "catch lightning in a bottle;" and the opportunity to spend leisure time

with others who are owners of Thoroughbreds.

"I tell people, 'Don't expect to make any money,'" said Clay. "The good points are the people, places, and thrill of your horse coming down the stretch. It's also something you can involve your family in—people I know bring their wives and children. But it's expensive fun."

In addition to the costs, the downside of ownership, Clay warned, is that communication is often poor from the trainer, other partners, and associates. "Usually there is the assumption that newcomers know more than they do. Another negative is that sometimes an owner has gotten involved with someone who screws 'em to the wall. There also is disenchantment by people who are used to fixing things, and our industry has lots of problems that are not easily fixed."

If business or social activities have not afforded a potential owner access to a horseman he knows and trusts, another outlet could be general partnerships. There are many that have good track records and reputations to match. Cot Campbell's Dogwood Farm partnerships, one of which raced 1990 classic winner Summer Squall, have four outside investors each owning 23.75% of a racehorse, with Dogwood retaining 5% ownership. Campbell is the racing manager and controls all day-to-day decisions regarding the runner.

"General partnerships are an ideal way to get in the business," said Campbell. "It puts you in at a high level with trainers, tracks, and people; you are exposed to the sport in a first-class way since we provide amenities such as passes and box seats and good treatment; and you have limited financial exposure. It's a wonderful way to go to school, but if a guy starts crowding me as to whether this horse will be great, or if he has to

make money, he probably shouldn't get in," said Campbell.

### Ready to race

Once a person has decided to become an owner and has found someone in the business whom he trusts, the next step is determining what kind of ownership appeals to him. The person and his adviser should sit down and make a game plan that will outline the expectations the new owner has for his involvement. How much time and money does he want to spend? How involved does he want to become? Does he want to start racing immediately at a high level, or does he just want to start racing immediately at any level? Is ownership of breeding stock included in the plan so that homebreds will be in the stable or sales of young horses can be a source of income?

One means to become an instant owner of a prepared racehorse is through the claiming ranks. Bobby Frankel, who in his early years as a trainer was a strong contender in the claiming ranks, said that claiming horses is a very common way for a first-time owner to get involved. "It's a lot safer than buying young horses," he noted, "and you get quick action." The disadvantages are that the horse might be a cripple or never run again.

Depending on the amount of money spent, a claiming horse can go on to become a nice allowance or stakes runner. "The more you spend, the better your chance at a horse that can go on," said Frankel.

The trainer said that his current advice to a new owner would be to buy a European horse which is already proven. This will allow the owner a better chance at racing successfully than buying a young horse which might not make it.

Many owners acquire their first horses

at public auctions, letting the market help them set the price they have to pay. Terence Collier, director of marketing for Fasig-Tipton Co., recommends that new owners first attend a sale without the intent to buy. "It's not like any other auction," said Collier. "You have a lot to know about the horse business above the mechanics of the auction. It's not very likely that a new owner will come to an auction and fall over a nice horse."

Auctions require that a potential buyer set up credit with the company. "It's not a huge effort because those who have decided to get in the horse business have set aside funds to do so," noted Collier. "Credit is somewhat of a misnomer—it's more like establishing the ability to pay with the sale company."

Buyers at Fasig-Tipton are given a 15-day period to pay for the horse or horses they have bought. Bank references are required prior to the sale, and it's usually a matter of several working days for the information to reach the sale company from the bank. "There's no point in coming to a sale on Sunday with a reference from a bank manager saying you're a good guy," said Collier.

Auctions allow an owner to get in and out at any level. Sale companies offer warranties on soundness, and there is opportunity to conduct pre-sale examinations (which also should be done before private purchases).

At auctions of young stock, an owner is buying an untried product. "You have to have tremendous faith in your own or someone else's ability to pick the horse," noted Collier. Two-year-old sales give owners a chance to acquire a horse which is closer to being race-ready, but prices can be higher and selection thinner. Horses of racing age sales offer a tried product, but a buyer has to pay a premi-

um for a proven campaigner.

While at an auction, a potential buyer should be aware of the seller's track record. "Find out how long the seller has been around and his reputation," advised Collier. "When you get to the seller, ask direct questions; don't assume anything. And don't be afraid to ask what might seem to be 'dumb' questions. Don't be afraid to display naiveté. Even the most experienced buyers can learn something new. The sport has never been dominated by charlatans and crooks, but the old days of what could be called 'horsemanship' are gone. Consignors are more prepared to protect their good reputation."

### **Breeding your own**

Buying a ready-to-run horse seems to be the most preferred means of entering the business these days, but for some, the liking they have for the racing industry turns to love when they get up-close and personal to mares and foals. "The first thing I tell (a potential new owner) is how much fun it is," said Alice Chandler, who with her husband, Dr. John Chandler, operates Mill Ridge Farm near Lexington. "The person should be exposed to the horse. I want them to put their hands on the horse. I try to show them the mares and foals so they can see the love, care, and pride we have for



**Dogwood partners hit it big with Preakness winner Summer Squall**

the horses. You've got to have that horse breathe on you."

Mrs. Chandler is an advocate of spreading the risk of investment for a new owner, but spreading it among different types of horses—racing and breeding stock. "It should be balanced," she noted. "Breed a little, race a little, sell a little. Because when you do that, you don't get wiped out if you have some bad luck. If somebody is enthusiastic and can't wait, I'll buy them a 2-year-old filly who has already broken her maiden and has some potential. Then I get them back in balance."

Many owners are looking for excitement as well as entertainment for their investment, and the people involved in the sport also provide some of the attraction. A new owner should know what they want out of their involvement and how much they are willing to spend, then find a reputable horseman to teach them how to steer their own course. ■

<b>Type of Ownership</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Comments</b>
Breeding	Control all early aspects of raising	Long, slow process before returns	"An owner should see the love, care, and pride we have for the horses."—Alice Chandler
Buying Yearlings/Weanlings	Often cheaper than "proven" horses	Untried. Buying potential only	"Yearling auctions offer warranties on soundness, and you can get in or out at any level."—Terence Collier
Buying 2-Year-Olds	Easier to assess potential	Still an untried product	"If somebody is enthusiastic and can't wait, I'll buy them a 2-year-old filly who has already broken her maiden and has some potential."—Alice Chandler
Buying Horses In Training (privately or at auction)	Proven product	Price is highly volatile	"You have a better chance at success than buying a young horse that's not proven and may not make it."—Bobby Frankel
Claiming	Proven product	Often have talent or physical restrictions	"The more you spend, the better your chance at a horse that can go on."—Bobby Frankel
Private Partnerships	Shared risk, shared excitement	Communication is often poor	"Become an owner with a person already in the business, then they have as much on the line as you do."—Robert Clay
General Partnerships	Limited risk, fewer hassles	Little control of the horse's day-to-day career	"It's a wonderful way to go to school."—Cot Campbell

# AVOIDING THE PITFALLS



## NEW OWNERS SHOULDN'T BE AFRAID TO ASK QUESTIONS

By Ray Paulick

**S**o you have decided to make the plunge. You claim a few horses to have some fun with friends. But then the bills start piling up, and the horses which seemed so consistent in someone else's barn can't earn a dime for you. Or perhaps you have decided to buy some 2-year-olds at public auction. An experienced adviser guides you through a maze of inspections, negotiations, and finally some spirited bidding, but before your babies even make it to the track, someone tells you that you paid way too much for them.

What's a new owner to do?

Some take the experience for what it is—matriculation through the school of hard knocks—and they try to learn from their mistakes or naiveté. Others plunge ahead with blind faith and an open checkbook. Still others simply bid a prompt "farewell," taking their money and enthusiasm to another avenue of entertainment.

It doesn't have to be that way for any of them.

The new owner, or the experienced one who has had some bad luck, is better served by taking a sensible, businesslike approach to forming and operating a racing stable. By doing so, he or she can avoid the pitfalls that have driven too many people out of the industry. For as in any walk of life, there are honest and dishonest people in the horse business, and the more you know the better chance you have of understanding the integrity and ethics of the people with whom you are dealing.

The good news is that by all accounts, the vast majority of trainers, veterinarians, and bloodstock agents are honest,

hard-working people who will look out for a client's best interests. The bad news is that it only takes one bad apple to leave a sour taste in the mouth of someone who has been burned. And, through word of mouth, that one person can multiply the damage, scaring away potential players who don't want the same thing to happen to them.

Disappointment in the business does not have to be tied to dishonesty. A simple lack of communication with a trainer is enough to drive some owners away. Others may walk in blindly, hook up with people of the highest quality and ethical standards, and simply be surprised and overwhelmed by the amount of money it takes to sustain a stable. In those cases, horse owners have no one to blame but themselves.

### *Ask questions first*

The single, most important piece of advice many trainers offer is to ask questions. How much will it cost? What does that pay for? What are my options? What does it mean when that happens?

Trainers come in all shapes and sizes. Some of them are from the old school and proud of it. You may have heard the motto by which some of them go: "Owners are like mushrooms. Feed 'em plenty of manure and keep 'em in the dark." Some owners don't seem to mind that kind of treatment, as long as the results are up to their expectations.

But more and more of today's owners want to be involved, and they don't like being treated like mushrooms. Modern technology makes it easier for an owner and trainer to keep the lines of communication open. With fax machines, a trainer can keep an owner up to the minute on the progress of one of his or her horses.

Some trainers routinely fax workout tabs to owners whenever a horse works. Others send overnight sheets to owners when a horse is entered, along with past performances for that race. Yet some owners lament that they find out their horse is going to race when they read the entries in the newspaper.

The depth of communication between owner and trainer should be established at the beginning of the relationship. Neither party should be surprised two or three months down the road. For example, if an owner wants to be consulted before a horse is entered in a race, he or she should make that clear from the outset. If a trainer feels that isn't the way he likes to operate, he should let the owner know before any horses are led into his stalls.

Even before those subjects are raised, though, the owner looking for someone to train his horses or help him develop a racing stable must find the right candidate.

### *Finding the right trainer*

The easiest, but far from the best, way for an owner to measure a trainer's rate of success is to look at the standings printed in the track program or *Daily Racing Form*. But that doesn't even scratch the surface of the highly detailed information that currently is available on a trainer's performance.

Through the databases at The Jockey Club Information Systems Inc. or Bloodstock Research Information Services, both located in Lexington, an owner can fully investigate a trainer's record over a period of time. Is he better with fillies or colts? Does he win races on turf? How does he do with horses recently claimed? Has he won many stakes races? How is



is record with 2-year-olds?

Once an owner has established the kind of stable he or she wants—whether be predominantly claimers, young horses, or quality older stock—there should be an effort to match that game plan with a trainer who has a proven track record in that category.

The best way to start that search is to find a few trusted individuals who can make recommendations. Once that is done, arrange to meet with several trainers at their barn. Look at the horses stabled there. Do they seem to be well-treated? Are the stalls bedded nicely? Are the horses getting the best quality of feed and hay? Are horses being hand-walked or are they put on a mechanical hot-walker? Is there a feeling of cleanliness and organization around the barn? Does the trainer employ a full-time assistant? A night watchman?

Does this trainer qualify to be the head of a company, which essentially is what an owner is asking him to do? Who did he work for when he learned his trade? What kind of horses does he have experience with? What are some of his success stories?

Most trainers are members of the Horsemen's Benevolent and Protective Association or other horsemen's group, but those organizations do not act as a clearinghouse of information about their members. There is no "chamber of commerce" or "Good Housekeeping Seal of Approval" to help steer you in the right direction. If you have questions about the ethics or conduct of a trainer, the track's board of stewards, the state racing commission, or the Association of Racing Commissioners International may be able to help you find out if that individual has been fined or penalized for racing rules violations.

Inquire about his day rate and see how that compares with others stabled at the track. Ask what goes into the rate specifically, what is included and what is not. Ask whether the trainer charges a lower rate (some refer to it as a "farm price") if a horse is out of training for a period of time but remains stabled at the track. Find out if the trainer's share of purses (usually 10%) is divided among the grooms, the exercise riders, and other stable personnel. An important question to ask, especially if an owner is comparing day rates from one trainer to another, is how many horses one groom is responsible for.

Most importantly, establish ground rules with which both parties can live, including how differences of opinion between owner and trainer will be resolved.

## QUESTIONS TO ASK



### TRAINERS

- Where did the trainer learn his trade?
- How do his horses look?
- How nicely are the stalls bedded?
- Does trainer excel with certain type of horse?
- Does stable operation seem well organized?
- How much is the day rate?
- What does the day rate include?
- Is there a sufficient number of employees?
- Full-time assistant? Night watchman?

### BLOODSTOCK AGENTS

- Who are other clients currently represented?
- Who are some former clients?
- What are a few of the agent's success stories?
- How much is charged in commissions?
- Will agent ever accept commissions from both buyer and seller without full disclosure?
- How will potential disagreements be resolved?



### VETERINARIANS

- What is the estimated monthly cost per horse for routine care?
- Who are some of veterinarian's other clients?
- Are monthly bills invoiced in detail?
- Is veterinarian available to answer questions about the monthly bill?
- Ask veterinarian to explain routine procedures.
- What's mandatory? What's optional?

Let that trainer know why you got in the business, whether you are in it to have fun or if you think you can make money out of it. Tell him how active you want to be in the stable, but remember who the trainer is and why you are hiring him. The purpose of the search for a responsible professional is to find an expert you can trust to handle your investment, then let him do his job.

### **Understanding your vet**

Veterinary care of Thoroughbreds is an area that many owners find difficult to understand. "If my horses are in perfect health," they may ask, "why am I paying hundreds of dollars a month in vet bills?"

The answer is that just as a smooth-running automobile needs regular tune-ups, so does a finely tuned Thoroughbred need regular medical maintenance. Dr. Gary Lavin, a Kentucky-based race-track veterinarian and the president-elect of the American Association of Equine Practitioners, said an "average horse" requires approximately \$1,000 in regular care annually. Another way to estimate the cost, he said, is to take the trainer's day rate and add 5%. For a \$55 day rate, for example, veterinary care would average out to \$1,003 a year per horse. That would include vaccines, worming, and occasional X rays and endoscopic examination, but not surgery or other more costly procedures.

Somewhat ironically, it is the cheaper horses which often require more veterinary care. Physical problems they have developed compromise their form and drive them into less valuable races. At the other end of the spectrum are stakes-caliber horses. Trainers like to take fewer chances with them and may recommend more frequent vaccinations and other preventive measures.

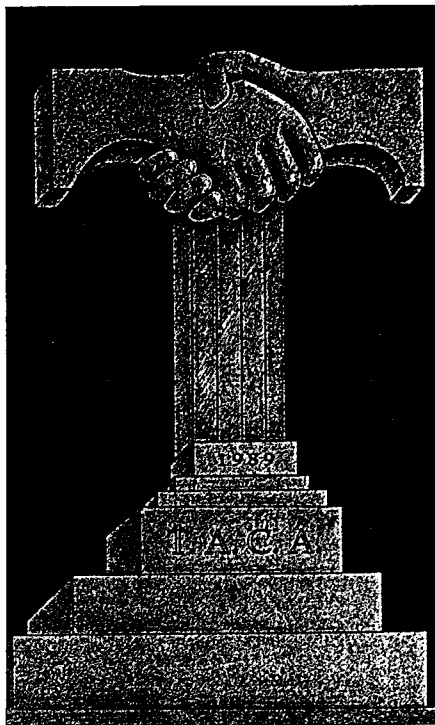
Lavin stresses the importance of owners understanding the regular maintenance horses require. Just as they ask questions of their trainer, owners should ask their veterinarians to explain the various routine and non-routine treatments their horses are subject to. If they have any concerns with the veterinarian, they should ask what other trainers he works for. Invoices should be detailed, and any irregularities should be addressed.

The AAEP has begun work on a booklet designed to answer many of the questions people have about veterinary care of horses. Originally designed as an informative guide for the media, Lavin said the concept has been expanded to develop the project into a handbook for owners.

### **Agents and consultants**

Some owners prefer to hire a professional bloodstock agent to manage all phases of their Thoroughbred investment. This frees an owner from having to make decisions over which horses to buy and which trainer to hire, but it also puts a higher premium on choosing the right bloodstock agent.

Not surprisingly, when bloodstock values skyrocketed in the early-to-mid 1980s, a number of new agents appeared on the scene to make a quick buck. Some of them did not have the best interests of their clients at heart, and still others did



***Thoroughbred Agent and Consultant Association was formed in 1989, but it never got off the ground***

not have the experience or knowledge of the industry to make prudent decisions on behalf of those clients. When bloodstock values fell, many of those agents disappeared after their clients suffered huge losses, and people are still paying the price today for their actions.

In 1989, efforts were undertaken to establish a code of ethics for bloodstock agents through the formation of a professional organization, the Thoroughbred Agent and Consultant Association Inc. Founding members in the association were Fasig-Tipton and Keeneland sales companies, and the group established officers and a board of directors. But for whatever reasons, the organization was unable to muster enough support within the ranks of bloodstock agents, and today the TACA is dormant.

Among the code of ethics proposed by the TACA were definitions of an "agent," guidelines for fees and the disclosure of fees and potential conflicts of interest, recommendations on record-keeping and fund transactions, and regulations for contracts. Bylaws were written stating the purpose of the organization ("to establish and promote a code of ethics"... "to create and foster a positive image for Thoroughbred bloodstock agents, brokers, advisers, and consultants within the Thoroughbred industry and with the general public"), and the board of directors was empowered to investigate and discipline members who violated the code of ethics.

Essentially, the philosophy behind the TACA is the same one that governs the real estate industry's Board of Realtors. In real estate and other industries, details of transactions are spelled out explicitly. In the horse business, where a handshake often serves as a contract, things are not always so clear.

Therefore, the selection of an agent is absolutely vital, because an investor places confidence and trust in him. As with the selection process of a trainer, the owner is best served by having trusted individuals make some recommendations. Interview several candidates and ask direct questions. Who else does the agent represent currently? Who has he represented in the past? What are some success stories? Is there a specific area of expertise? How much commission is charged by the buying agent? (Most charge from 5-10%.) Check to see if the agent has a habit of buying horses from the same source. If so, ask why.

There are pitfalls of landing in the wrong hands. Some agents receive commissions from both buyer and seller, which without disclosure puts the agent in a conflict of interest. Some are said to make deals with consignors to purchase a horse privately, then run up the price for a client and split the difference between the auction price and actual price with the seller. Beware of agents who offer their services for little or no fee. Remember that in any profession, you get what you pay for.

Agents who caution their clients to beware of such deals say the surest way to steer clear of unethical activity is to get as many references as possible before making a decision. Talk with others the agent represents. Then, as you would with a trainer, spell out your game plan, establish ground rules, and set your goals.

Communication is the key at every level of the business. ■

# HITTING A HOME RUN



## RAGS TO RICHES HORSES CAN BE FOUND ANYWHERE

By Jacqueline Duke

Cinderella stories are nothing new to horse racing, but they seldom fail to inspire. The horse of humble origins who hits the big time, the yearling no one wanted, the stakes contender masquerading as a claimer. John Henry and Seattle Slew are among the modern heroes of the genre, yet rags-to-riches horses can be found at nearly every racetrack, and their stories could fill chapters. Few can tell them better than the owners whose lives they have enriched, sometimes literally.

### The Johnsons and Southern Truce

Trainer Roger Stein likes to use baseball analogies when he talks about racehorses, and Peggy Johnson has picked up the habit. "I felt pretty confident we would get a home run," she said, "but I didn't know we'd get Babe Ruth."

The Johnsons' Babe Ruth is Southern Truce, a mare the couple claimed for \$16,000 in 1991 who recently defeated champion Paseana in the Santa Margarita Invitational Handicap (gr. I). The 5-year-old mare has won most of her nearly \$600,000 for Victor Johnson, an editor at the Los Angeles Times, and Peggy Johnson, a massage therapist. Not bad for a horse who sold for \$1,300 as a juvenile.

"To me, it's what racing is all about, that we can claim a horse for \$16,000 and have her win a grade I, a grade II, and a grade III," said Peggy Johnson, who, with her husband, got into racing about four



Peggy and Vic Johnson

years ago. "It's not just for someone who's rich or has connections."

### Bruce Hutson and Private School

Bruce Hutson wanted \$20,000 for his Bates Motel yearling, but when bidding stopped at \$19,000, he became a reluctant owner. The colt he named Private School is now six, and he has been the toast of Turfway Park's winter meeting. Since Dec. 20, Private School has won six consecutive races, including two stakes. In all, he has won seven stakes, including the 1990 Ohio Derby (gr. II), and earned \$732,292.

"It's meant a lot. It's more than we ever anticipated," said Hutson, president of M-F Services near Arlington, Texas. Hutson originally intended to breed a few horses rather than race. But the anticipated surge in the Texas breeding industry did not materialize, so he sold his small Texas operation and moved his three broodmares to Jim and Marietta Conway's Bold Meadows Farm near Versailles, Ky.

Hutson credits trainer Donald Habeeb, the Conways, and Tim and Lisa Turney with much of the horse's success. His advice: "Don't get disgusted, hang in there, and get with good, honest people and good things will happen to you."

### Casey Exton and Big Jewel

Casey Exton knows a thing or two about thrills, especially when he lets out the throttle on his Harley-Davidson. But few sensations could compare with the excitement of winning his first stakes. Big Jewel provided Exton with the ride of his life when the gelding won the Jan. 30 Coaltown Breeders' Cup Stakes (gr. III), then took the Sporting Plate Handicap on Feb. 27.

"I didn't know the feeling of a stakes horse or a graded horse. I didn't know the absolute thrill that could go with it," said



Casey Exton

Exton, the publisher of *Outlaw Biker* and several tattoo magazines.

Also known as Harvey Shapiro, Exton gunned into racing last January when he expanded his Outlaw Biker

Stable from a couple of horses to 10. He now owns 28, including several mares. Outlaw Biker Stable last year ranked 24th in races won, with 55, and earned \$472,732.

### The Fit to Lead partners

Pete Walski and his six partners pooled \$60,000 and instructed agent Colleen Smith of Breckenridge Bloodstock to spend it on yearlings at the 1991 Keeneland September yearling sale. The money was well spent, even though the partnership's purpose—pinhooking—wasn't entirely fulfilled. One yearling, a \$6,000 Lear Fan colt, was sold privately to Sheikh Maktoum and nearly paid for the entire package. Another was resold for a profit at a juvenile auction. Another failed to bring its reserve, but the partners ended up with a stakes winner in Fire Two. The fourth was another failed pinhook. But the partners did not complain, because that one was Fit to Lead, a stakes winner whom they recently sold for \$400,000.

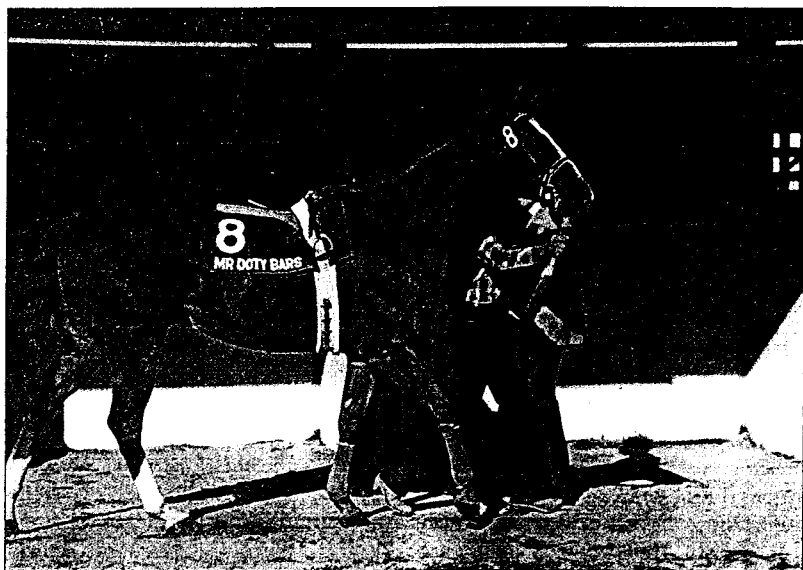
When the filly won the Santa Ynez Breeders' Cup Stakes (gr. II) in January, Walski, a Chino, Calif., businessman whose partners include five family members, said, "The thrill was so great you can't even imagine it."

The partners' success has changed their business philosophy from buying to resell to buying to race, and they plan to return to Keeneland this year. ■

# THE CLAIMING GAME

(Part 1)

*The often overlooked method of acquiring racehorses can yield some big victories.*



*Claimed three times during his career, Mr Doty Bars won the 1979 Champion of Champions and was the champion aged horse and aged gelding for George and Shirley Loeb.*

**T**hink about your favorite pro sports team. Don't get frustrated if your team isn't winning. What I'm about to say applies to any team.

How were the players for your team acquired? Generally, the talent was obtained through drafts, trades or free agency.

In baseball, the Florida Marlins have made aggressive moves with free agents, while the Los Angeles Dodgers are renowned for drafting and developing players, including several recent rookies of the year.

In pro football, the New Orleans Saints stockpiled draft choices in last April's draft, while the Denver Broncos had only three draft picks and signed free agents. In pro basketball, the Chicago Bulls drafted Michael Jordan. Well, that's all you need. That's like having Refrigerator or Dashing Folly. You can just enjoy the championships.

What does this have to do with horse racing? A lot.

Think of a racing stable as a professional sports team. You're the owner, your trainer is the coach and the horses are your players. Racing stables have advantages and disadvantages over conventional sports teams. Horses don't

renegotiate contracts or demand to be traded, but you have to care for your horses year-round, and they can't tell you where the pain is when they are injured.

Talent acquisition is similar between sports teams and horse racing. There are few trades, although some notable ones are champion Kool Kue Baby being traded for a handful of cheap livestock and a dog, or graded stakes winner Streakin' O Toole being traded for a road-paving job (page 35).

However, horses are purchased. This is racing's version of trading because horses are traded for money. Buying a racehorse is like the New York Yankees acquiring a young lefthander named Babe Ruth for \$125,000 from the Boston Red Sox. (Hopefully, you can make one of those purchases in a lifetime.)

Horses are commonly obtained through racing's version of the draft (yearling sales) and free agency (claiming). Much analysis is given every year to yearling sale purchases. Because sale results are public, they are broken down by sire, dam's sire, sex and about any type of differentiation imagined by someone with a calculator, a catalog, stacks of sale result sheets and a lot of time.

Then there is claiming, the overlooked method of acquiring racehorses. In recent years, there has been an increase in information about claiming, but much of the information remains buried in boxes in racing offices.

## What is claiming?

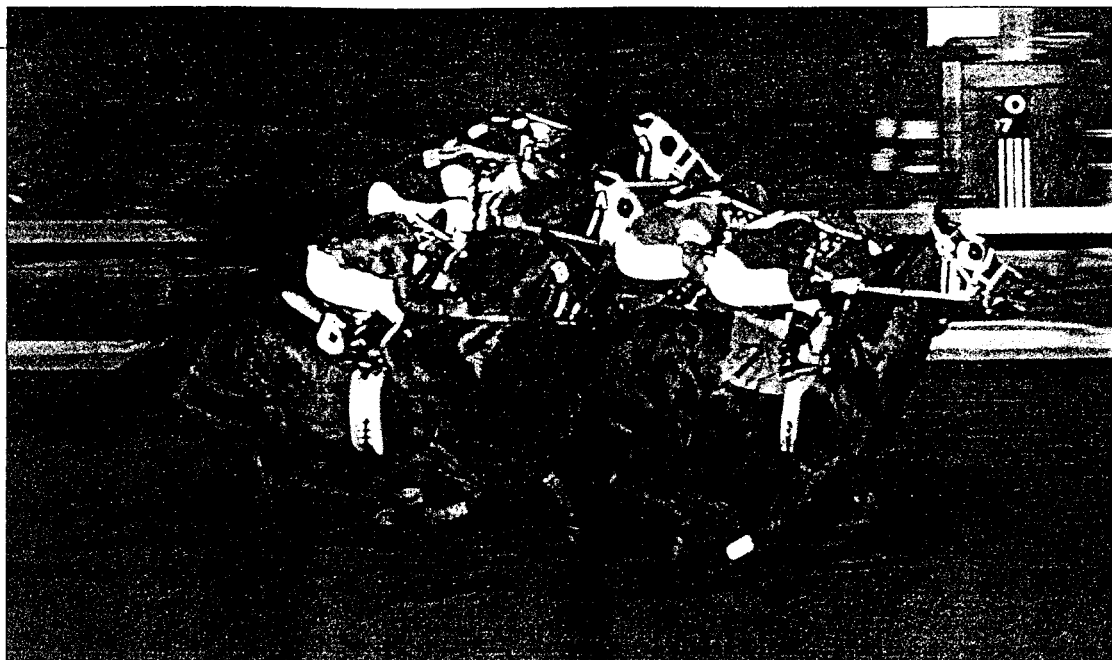
Simply, it involves horses running in a race with conditions that enable any horse in the race to be purchased for a certain price, known as the claiming price or claiming tag. Those horses might be purchased — claimed — by any owner or trainer licensed by that racing jurisdiction. Claims are entered before the claiming race, and if there are multiple claims on one horse, then there is a drawing, or "shake," for that horse. After the race, the horse becomes the property of the person who made the successful claim.

Because most claiming races involve horses at the lower end of the price range, it is commonly believed that claiming horses have the least talent. That is a misleading generalization.

Granted, a maiden \$5,000 claimer is, usually, a horse without a brilliant future. However, a

By Ty Wyant.

*BCR My Main Man, a stakes performer at two and three, has earned more than \$50,000 after being haltered for \$10,000 a year ago.*



Scott Martinez

solid \$10,000 claiming gelding can be a tough horse. This \$10,000 claimer probably is much tougher than a filly running in an allowance race for nonwinners of two lifetime races. That filly is probably in that race because she is well-bred and has breeding potential. If this filly were a gelding, she probably would be running in lower-priced claiming races.

serious problems. Remember, buyer beware.

The upside of claiming a horse might be a price less than a yearling purchase. But the downside might also be diminished.

When claiming a horse for, say, \$5,000, there is a good chance that it is just a \$5,000 horse. The odds are that he is not a stakes horse — although there are notable exceptions — but is

a horse that can be competitive in the claiming ranks. The claiming horse's ability is usually defined before he joins your stable.

When signing a ticket for a yearling, you can dream of futurity wins the next year. Futurity wins are longshots at best, however. When claiming a horse, you can realistically think about moving that horse up in class and winning a race (read: making money) within the next few weeks. Claiming is more pragmatic than "yearling euphoria."

Generally, claiming is not the way to get a Grade 1 stakes horse. But there are exceptions, and they are glorious exceptions.

### Horses you could have claimed

In the April 24, \$20,000 Miss Princess Handicap (G3) at Los Alamitos, Watch The Pie dominated the distaff field while winning by an easy 1 1/2 lengths. It was a performance that showed this four-year-old daughter of Meritorious Tidy has more in her tank. Keep an eye on Watch The Pie this year.

Watch The Pie could have been your horse. She started her career in the maiden \$6,250 claiming ranks, ran for a \$12,500 price in June 1996 and competed for a \$20,000 tag in September 1996. Since that \$20,000 victory, she

<b>CLAIMING BLANK</b>	
<b>REMINGTON PARK, INC.</b>	
TO THE CLERK OF THE COURSE: _____, 19 _____	
I hereby claim the horse _____ from the _____	
<small>PRINT OR WRITE CLEARLY</small>	
_____ race of this date, for the sum of \$ _____ plus	
any State Tax assessed, under and subject to the RULES OF RACING.	
<small>PRINT OWNER'S NAME</small>	
OWNER _____	
<small>SIGNATURE ONLY — DO NOT PRINT</small>	
PER _____	
<small>SIGNATURE ONLY (AUTHORIZED AGENT) DO NOT PRINT</small>	
TRAINER _____	
<small>PLEASE PRINT</small>	
REMINGTON PARK IS NOT RESPONSIBLE FOR THE SEX OF ANY HORSES CLAIMED.	RP-111

One great advantage of claiming a horse is that the horse has past performances, unless it is a first-time starter. If this is the case, then the conscientious potential purchaser can observe the horse during morning workouts.

Buying a horse always has and always will fall under in the realm of caveat emptor — buyer beware. However, this is mitigated when claiming a horse because there are indicators, such as past performance and observation, of the horse's racing ability. When buying a yearling, all the buyer has to refer to is a catalog page and conformational analysis of a horse that has yet to feel a saddle.

However, a horse that already has raced might have aches and pains that go with racing on four often-fragile legs. There could be more

Amount of Claiming in 1996 by Racetracks and Price

Claiming price	ALB	BRD	DED	HOU	LA	MAN	RET	RP	RUI	SFE	SUN
\$0-\$1,999					1						
\$2,000-\$2,999	1	1	2	1	35	4	2	1	2	3	4
\$3,000-\$3,999	27		9		73	24	4	8	6	3	7
\$4,000-\$4,999	2	5			4	7	4	8	1	1	
\$5,000-\$5,999	1	4	5	16	34	2	1	5	1		1
\$6,000-\$6,999	9				33						
\$7,000-\$7,999			6	8				5			2
\$8,000-\$9,999	1				16				4		
\$10,000-\$14,999			4	4	31						
\$15,000-\$19,999					14			3			
\$20,000 and more					1						
<b>Total (at these tracks)</b>	<b>41</b>	<b>10</b>	<b>26</b>	<b>29</b>	<b>211</b>	<b>37</b>	<b>11</b>	<b>30</b>	<b>14</b>	<b>7</b>	<b>14</b>

has won three stakes at Los Alamitos and earned \$22,250.

While Watch the Pie was not claimed, BCR My Main Man was claimed for \$10,000 at Los Alamitos on June 22, 1996, by an outfit called the Ken O'Brien Racing Stables. The gelding did not win for his new connections until taking a \$12,500 claiming race on September 7, 1996. Then he caught fire. BCR My Main Man won five consecutive races, including a division of the Z. Wayne Griffin Directors Handicap (G2).

That win earned BCR My Main Man a berth in the Champion of Champions (G1). He finished fifth behind world champion Dashing Folly. Since being claimed a year ago for \$10,000, BCR My Main Man has earned more than \$50,000, his latest win coming in the May 10 Evening Snow Handicap.

Imagine claiming a horse and running in the Champion of Champions. Now take it one step further. Imagine claiming a horse and winning

the Champion of Champions. It happened.

**From claimer to champion**

The all-time Quarter Horse classic claim is Mr Doty Bars, which was plucked out of a \$3,000 claiming race at Los Alamitos in November 1977 by George and Shirley Loeb (the third time in his career the gelding had been claimed). I remember Mr Doty Bars' moment of glory as if it happened last week.

It was a bright, sunny afternoon at Los Alamitos when the 1979 Champion of Champions was contested. It was an afternoon defined by the grit of a former claimer.

As usual, the world championship was on the line. The sport's reigning stars — including Town Policy, Pacific Dream and Black Sable — were in the starting gate. Mr Doty Bars, the \$3,000 claim, prevailed by a game head and won the sport's classic contest for older horses. He still holds the record, at 22-1, for the biggest upset in Champion of Champions history. The ultimate underdog prevailed.

What is the common thread between these claiming success stories?

First, these horses consistently won. They have combined to win 46 of their 113 career races.

Second, for the most part, they "outran" their pedigrees. Mr Doty Bars was sired by Double Again, and Watch The Pie was sired by Meritorious Tidy. Hardly household names. BCR My Main Man is the exception. He is by the successful Thoroughbred Murrtheblurr, which had Quarter Horse speed from the gate. BCR My Main Man also has "past class." Before his claiming days, he won or placed in six futurities or derbies.

What do successful claiming horsemen look for in claiming horses? That is our subject next month. ➤

Horses Claimed in 1996

Claiming price	Number
\$0-\$1,999	19
\$2,000-\$2,999	75
\$3,000-\$3,999	172
\$4,000-\$4,999	53
\$5,000-\$5,999	83
\$6,000-\$6,999	51
\$7,000-\$7,999	21
\$8,000-\$8,999	21
\$9,000-\$9,999	
\$10,000-\$14,999	35
\$15,000-\$19,999	17
\$20,000 and more	1
<b>Total</b>	<b>548</b>

# THE CLAIMING GAME

(Part 2)

*Whether a new or veteran owner, claiming can mean quick action — and financial return.*



**Rodney Reed inspects a horse claimed from him at Remington Park.**

**By Ty Wyant.**

Is it art? Is it science? Even Leonardo da Vinci, the great Renaissance artist and scientist who studied horses, would have trouble determining if claiming a racehorse is science or art.

Perhaps claiming is a little of both.

The scientific attributes of claiming a horse include analyzing the horse's past performances and earnings potential. The artistic attributes of claiming a horse include having a feel for a horse that will improve or is a late-developing prospect.

As with many enterprises that fall in the gray cosmos between art and science, people who have found success claiming horses have varied approaches to the claiming game. These horsemen have found out what works for them.

Perhaps that is the prime lesson. When embarking on the claiming route, the owner should find a trainer with a plan he is comfortable following. After all, it is the owner's cash.

**Paying for the investment**  
Claiming provides opportunities for established owners and an introductory education for rookies.

"The best way to get into the (racing) game is claiming," says trainer Russell Harris, a member of the AQHA Racing Council and an AQHA Director. "My emphasis is on two-year-olds. It takes patience with two-year-olds, and many new owners don't have the patience. You buy a yearling and then have the training until they are two-year-olds. New owners can't handle the waiting. When you claim a horse, you might be able to run it back in a week or two."

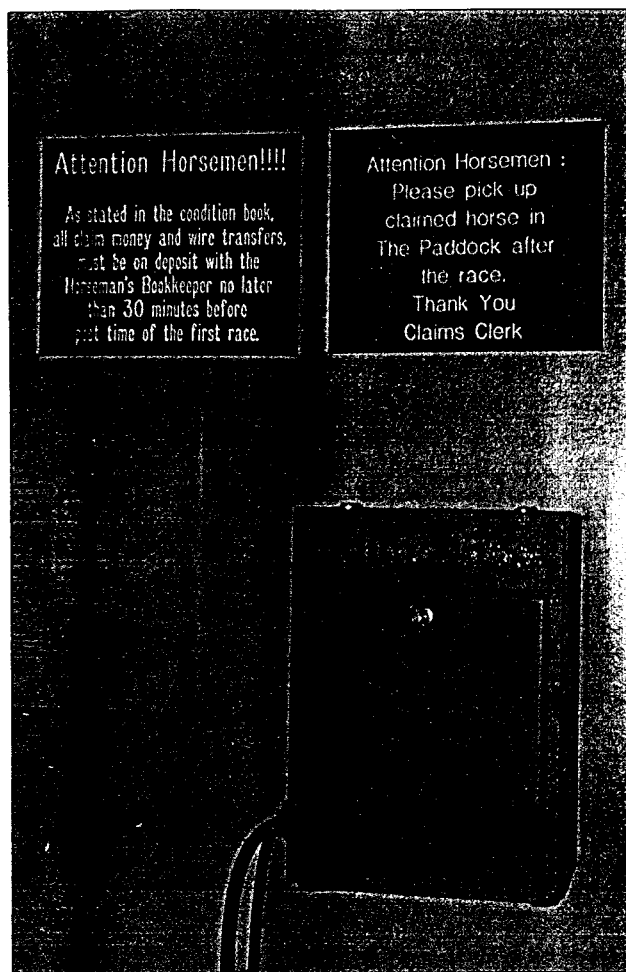
Before the expansion of pari-mutuel opportunities in Texas and Oklahoma, claiming Quarter Horses was concentrated in California. With expanding racing circuits comes increased claiming opportunities.

Rodney Reed built a national reputation as a trainer whose horses thrive in early futurities, especially the Blue Ribbon Futurity (G1). Now the Oklahoma-based trainer dabbles in claiming a few horses, primarily Oklahoma-breds, for several of his owners.

"I like to claim Oklahoma-breds because I can get them back in at Fair Meadows," says Reed said, noting the May 30 opening of Fair Meadows at Tulsa. "The Oklahoma-breds can run at a lot bigger purses."

Similar to all horsemen who claim horses, Reed is thinking about an immediate return on his investment. The key to successful claiming is cash flow — spend the money for the horse and hope the horse can provide a return in a matter of weeks, not years.

"I look for a horse that can pay for himself in



**The claims box at Remington, where 52 horses were claimed during 40 days.**

with husband George). In his previous start, Brotherly had broken his maiden at the \$10,000 level and so was making his first start against winners when he was claimed.

Brotherly made one start against claiming company, for \$10,000, after being claimed. Since then, he has made 48 starts in stakes and allowance company. He has won eight stakes from 400-870 yards, and his Grade 1 wins include the 440-yard Los Alamitos Championship, 400-yard Pomona Championship Handicap and 870-yard Marathon Handicap. Still competing in stakes company, Brotherly was fifth in the May 16 Spencer L. Childers California Breeders' Championship (RG2) at 4-1.

"He's healthy and doing fine," Treece said about the old campaigner. "We're just having fun with him. He doesn't owe us a thing."

Indeed, Brotherly, the \$8,000 claim, has earned \$303,170. He is a perfect example of the type of horse Treece seeks.

"I like to look for a horse moving up," he said. "I try not to claim them on the way down. If I have to give an extra \$2,000 to catch one on the way up, I do it."

"I like to claim three-year-olds early in the year," he continues. "I look for horses that were decent as two-year-olds and maybe have one out as a three-year-old. I will claim them out of their first out as a three-year-old."

"One of the things I really look for is an improving speed index. If I see a horse that runs an 80 and then an 82 and then an 84, I like that. Here in California, you get to know the mares and the other foals they have produced. You get to know the mares whose babies may come around a little later."

Brotherly developed into an exceptional 870-yard competitor in late 1995. Treece has attributed he looks for in distance prospects.

"I don't go on breeding," he says. "The one

a couple of races," Reed says. "At Remington Park, it is possible to pay for the horse in a race or two. But it is hard to get them back in because there are so many horses."

"I've also claimed fillies and mares with a pedigree, especially on the bottom side. I wanted to get the money back (by racing them) and then breed them."

"The main thing that I look for is soundness," he continues. "I want a horse that has shown that he has run quite a bit."

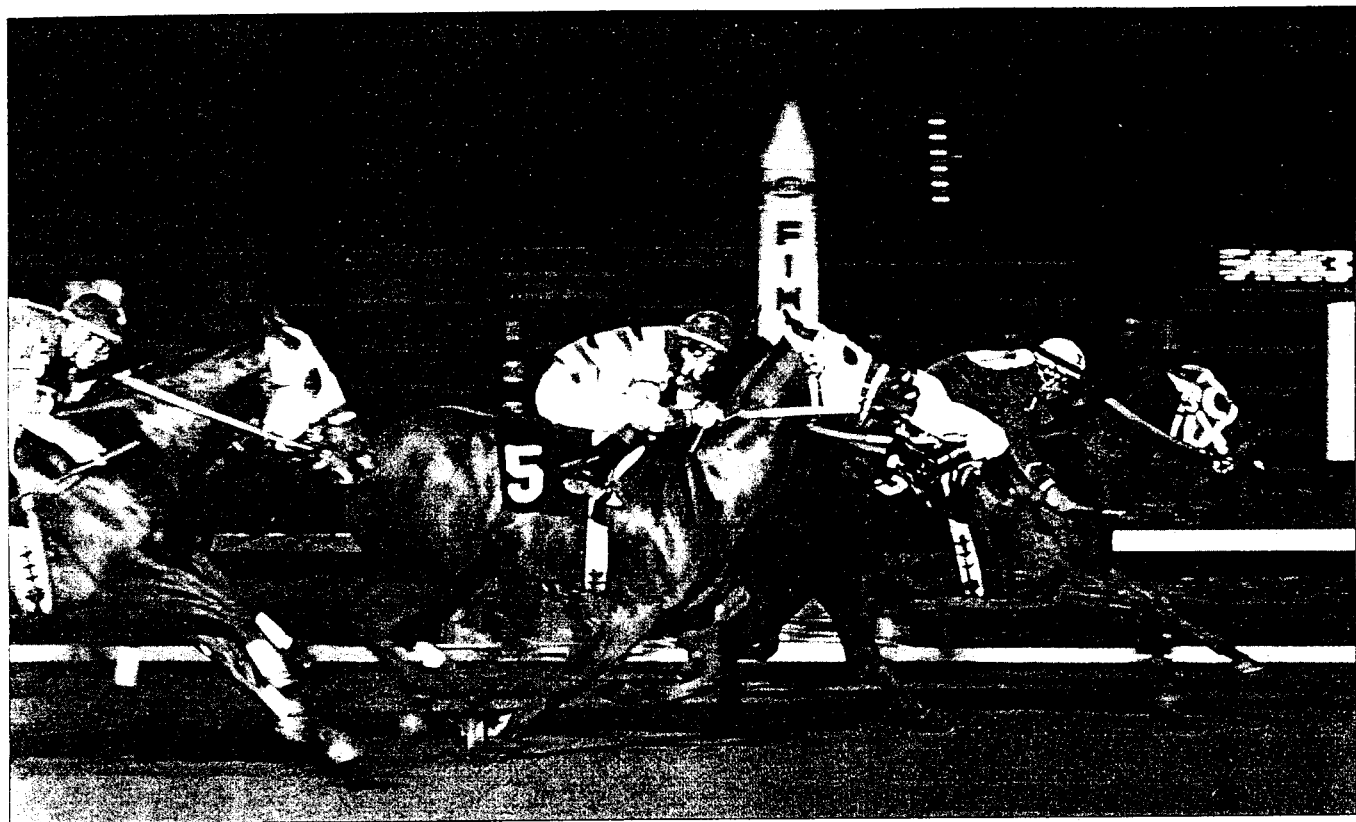
### **The importance of moving up**

While claiming is prevalent at tracks in Texas, Oklahoma and elsewhere, Los Alamitos has the longest history of claiming success stories (June QRI, page 42). Trainers Chuck Treece and Paul Jones have proven they can take claiming horses and develop them into Los Alamitos stakes winners.

In Treece's barn is Brotherly, a versatile seven-year-old that fits in stakes on the straightaway and around the turn. The Raise A Secret gelding was claimed for \$8,000 out of his fourth race as a two-year-old by Shirley Loeb (who raced claimer-turned-champion Mr Doty Bars

Amy Owens





*Haltered for \$8,000 at two, Brotherly two years later upset Refrigerator in the 1994 Los Alamitos Invitational Championship.*

exception is if the dam's sire is Reb's Policy (TB). I like horses out of Reb's Policy mares. That's a good edge.

"I go on conformation. I claimed a horse named Red Smoothie a few years ago. He had no breeding to go 870, but did well. He had good conformation and balance. I look for a horse that is well-balanced, has a good slope to his shoulder and a long neck."

In Jones' stable, you will find BCR My Main Man, the unofficial "Claim of the Year" in 1996. Jones claimed the son of Murrtheblurr (TB) for \$10,000 in June 1996, when the gelding made his seasonal debut. Last fall, BCR My Main Man won five consecutive races and in December ran fifth in the Champion of Champions (G1).

"In his last out as a three-year-old (in 1995), he won for \$10,000, and he came back in his first out as a four-year-old and ran for \$10,000," Jones says. "That's when we claimed him. He had run a length off of Dickey Secret as a three-year-old, so I saw he could run with good horses."

In his first start this year, BCR My Main Man won the Evening Snow Handicap at Los Alamitos. He made his next start in the June 13

Vessels Maturity (G1) trials and qualified to the June 27 Final.

"I'm always looking for horses," Jones said. "You have to have the money in the account and be ready to act. I try to look for a horse that is doing well and improving. I like a horse that has run quite often."

"Sometimes I look for a two-year-old or a three-year-old that could be a much better horse. A lot of times I will find a horse and then go back and study the replays of his races. But you can't watch them too many times, or the good ones will go right up the ladder."

"Older, cheap horses usually won't improve," he continues. "But they can be a hard-knocking horse that gets a check every time."

People who play the claiming game have their own styles. That's the artistic side of the claiming. Most horsemen look for improving horses that have shown the soundness to race on a regular basis. That's the analytical side of claiming.

Call it science. Call it art. Call it claiming. Call it a way to get involved in racing with the prospect of a quick return on your investment. ♠

# The Training Agreement

by Peter M. Bloom

Often, the relationship between an owner and a trainer is not formalized in a written agreement. There may be many reasons this isn't done; one of the more obvious ones is the possible expense of preparing one. But there are a number of benefits to having an agreement in writing. Without one, the law will imply certain duties and obligations that *neither* the trainer nor the owner wants. Besides, the process of preparing such an agreement often enables the parties to identify and resolve troublesome issues.

Even though every owner-trainer relationship is unique, there are certain issues that should be addressed in any written agreement between them. For instance, it should clearly state what the purpose of the training arrangement is. Is it to break the horse? To prepare the horse for a championship campaign? Or otherwise?

Any properly drafted training agreement will clearly state what compensation the trainer will receive, and when. The compensation section should also specify the owner's responsibility for expenses the trainer incurs for the owner's benefit, such as transportation.

In addition, the agreement should address whether the trainer may impose a lien upon the owner's horse if the owner does not pay his debts (laws on this vary from state to state). Finally, unless the owner has retained the trainer as his or her private trainer, the agreement should clearly allow the trainer to condition other horses that will compete with the owner's horses.

Liability insurance is an issue that may or may not be addressed in such an agreement, but trainers

should keep it in mind when entering into a training arrangement. There are several types of liability coverage. All trainers should carry general liability to protect themselves if anyone should be injured by a horse in their care (their own employees would be covered by workers' compensation in case of injury). But to cover risks to horses, a different type of coverage, "care, custody and control insurance," is required. Still another sort of coverage, professional liability, would be needed to protect the trainer in the event that someone would claim negligence on his or her part. Owners have a legitimate interest in protecting the value of their Thoroughbreds while they are in the hands of the trainer. If the trainer does not provide proper care or training, the owner could sustain damage due to the Thoroughbred's lost winnings or decreased breeding value.

There are areas of potential conflict between the trainer and owner that any training agreement should address. One such area is the extent of the trainer's authority to make racing and other decisions regarding the Thoroughbreds in his or her care. Even an issue such as the choice of jockey can create problems between trainers and owners. Owner Daniel Wildenstein and trainer Peter Walwyn went through a well-publicized parting in 1978 over Wildenstein's criticism of jockey Pat Eddery.

The agreement should be clear on what authority the trainer will have to decide where and when the horse competes. Suppose an owner in the Louisville area hires a trainer whose permanent base is at Churchill to train his horse. The

trainer wants to take the horse south to the Fair Grounds for winter racing. Will that be permitted?

Finally, the extent of the trainer's ability to act on behalf of the owner as the owner's agent should be clearly specified. Will the trainer have the authority to make purchases for the owner, or to claim horses for the owner? Or, more routinely, to retain a veterinarian to render care to the owner's horses?

One aspect of the training agreement that deserves increased attention is the termination provision. Typically, owners insist that they be able to terminate training agreements on relatively short notice, often only a few days. This is unfair in many circumstances. Often, trainers who are working for a client are forced to turn away other owners because they do not have the stall space for additional horses, or for similar reasons. It is easy to understand how the trainer is harmed if an owner terminates the trainer the day after the trainer has turned away a potential new client.

Trainers should insist that the agreement not allow owners to terminate it on a whim. While the period that the agreement will be in operation – and what events will permit its termination – should be clearly stated, it ought to provide that an owner may not terminate such an arrangement without cause unless the owner gives the trainer a sufficiently long period to seek other clients. □

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*Peter M. Bloom is an attorney whose private practice in Kansas City includes equine law.*

# The Horse's Prayer



TO THEE, MY MASTER, I offer my prayer. Feed me, water and care for me, and when the day's work is done, provide me with shelter, a clean, dry bed and a stall wide enough for me to lie down in comfort. Always be kind to me. Talk to me. Your voice often means as much to me as the reins. Pet me sometimes, that I may serve you the more gladly and learn to love you. Do not jerk the reins, and do not whip me when going uphill. Never strike, beat or kick me when I do not understand what you want, but give me a chance to understand you. Watch me, and if I fail to do your bidding, see if something is not wrong with my harness or feet. Do not check me so that I cannot have the free use of my head. If you insist that I wear binders, so that I cannot see behind me as it was intended I should, I pray you be careful that the binders stand well out from my eyes. Do not overload me, or hitch me where water will drip on me. Keep me well shod. Examine my teeth when I do not eat; I may have an ulcerated tooth, and that, you know, is very painful. Do not tie my head in an unnatural position, or take away my best defense against flies and mosquitoes by cutting off my tail. I cannot tell you when I am thirsty, so give me clean, cool water often. Save me, by all means in your power, from that fatal disease — the glanders. I cannot tell you in words when I am sick, so watch me, that by signs you may know my condition. Give me all possible shelter from the hot sun, and put a blanket on me, not when I am working but when I am standing in the cold. Never put a frosty bit in my mouth; first warm it by holding it a moment in your hands. I try to carry you and your burdens without a murmur, and wait patiently for you long hours of the day or night. Without the power to choose my shoes or path, I sometimes fall on the hard pavements which I have often prayed might not be of wood but of such nature as to give me a safe and sure footing. Remember that I must be ready at any moment to lose my life in your service. And finally, O MY MASTER, when my useful strength is gone, do not turn me out to starve or freeze, or sell me to some cruel owner, to be slowly tortured and starved to death; but do thou, My Master, take my life in the kindest way, and your God will reward you here and hereafter. You will not consider me irreverent if I ask this in the name of Him who was born in a Stable.

Author Unknown

**RACE TRACK CHAPLAINCY OF CALIFORNIA**  
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AMEN