

2009 TOC Board Election Process Begins

Although TOC members won't receive ballots and candidate statements for the 2009 Board election until May, the Director nomination process annually begins the preceding fall. Four owner category and one owner/trainer category seats will be up for election in 2009, each with a three-year term. TOC members can qualify for the ballot by either of two methods – nomination by TOC's Executive Committee or nomination by petition.

To Qualify by Executive Committee Nomination

Each year, TOC's Executive Committee considers and nominates candidates for Board positions prior to January 1st of the coming year. Those named could include current board members or others who have expressed an interest in serving.

Owners interested and willing to serve on the Board should notify the Executive Committee by submitting a biographical statement, confirmation of eligibility, and an account of the reasons you wish to serve as a TOC Board member to the Committee by no later than December 1, 2008. If sent by mail, these materials should be addressed to the TOC Executive/Nominating Committee, care of TOC, 285 W. Huntington Dr., Arcadia, CA 91007. Submitted materials must be postmarked by December 1, 2008.

Those expressing interest will be informed of the Committee's decision by January 9, 2009, with announcement of the nominees made soon thereafter.

To Qualify by Petition

Those seeking to run for the Board through the Petition Process must qualify by obtaining 50 signatures from current TOC owner or owner/trainer category members – depending on the representative seat sought – supporting the candidacy, on a Petition issued by TOC. To obtain the petition, the candidate must contact TOC's Santa Anita office at (626) 574-6620 after January 1, 2009. The deadline for filing a completed petition is March 1, 2009.

Candidate Requirements / Board Responsibilities

TOC bylaws require board candidates to hold a current California Horse Racing Board owner's license, own at least 25% of a Thoroughbred racehorse, have started a horse or horses a minimum of six times in California during the prior

calendar year, and be a member in good standing.

TOC Board member duties include, but are not limited to, attendance at monthly board and committee meetings, as well as periodic attendance at CHRB and/or other industry events. Board members receive no compensation for their service, though reimbursements for necessary travel and lodging expenses are made.

The Election Process

April 1, 2009 is the deadline for receipt of a qualifying candidate's statement if one is to be included on the ballot submitted to members. Details regarding these statements will be provided to those who qualify to run.

Ballots and candidate statements will be mailed to all TOC members on or before May 15th. **To be counted, the returned ballots must be postmarked no later than June 15th.** An independent auditor will tally the votes by the end of June, with the newly elected board members taking office on July 1, 2009.

TOC's board members serve three-year staggered terms, such that five seats are up for election each year. Seats subject to election in 2009 will be those currently occupied by owner representatives Madeline Auerbach, Marty Bach, Harry Pellman, and Mace Siegel, as well as owner/trainer representative Bob Baffert. The four owner representative and one owner/trainer representative nominees receiving the highest number of votes will be elected.

TOC bylaws require that at least three owner and one owner/trainer representative board members be from Northern California. Thus, if in an election it is necessary for one or more of those elected to be from Northern California, then the Northern California candidate(s) receiving the highest number of votes shall be elected, regardless of whether the candidate(s) was in the top four vote-getters in the owner representative category or the top vote-getter in the owner-trainer representative category.

"It" Begins with Horsemen *Continued*

Thoroughbred track and TOC to first have a written agreement as to the terms and conditions under which the track may consent to the simulcast of our race signals. The notion that a track, or group of tracks, may first negotiate a deal with a simulcast recipient, then present it to horsemen to accept or reject is entirely inconsistent with the plain wording of the Act, and the two most recent federal cases interpreting that wording.

TOC, and its colleague horsemen around the country, have simply had enough! Future ADW arrangements will fairly serve everyone's legitimate interests – tracks, ADW providers, fans, regulators, and horsemen – or they will serve none. That is not an unreasonable or meritless objective!

