

New England Horsemen's Benevolent and Protective Association, Inc.

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Albert Balestra

A National Organization

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Shirley Dullea
James Greene
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May 27, 2010

Joseph H. VanDeventer, Chairman
Massachusetts Racing Commission
One Ashburton Place (Room 1313)
Boston, MA 02018

Re: MA Rules of Racing 4.15(18)

Dear Chairman VanDeventer:

We are writing to request that the Massachusetts Racing Commission consider amending the current rule (4.15(18)) that limits payment for "engagement of two or more jockey for the same race" to the "losing amount fee for each engaged jockey not riding in the race".

After two years of negotiations with the Jockeys' Guild (Guild) representatives, the New England HBPA (NEHBPA) ad hoc committee on Jockey Fees reached agreement with the Guild on the issue of winning amount fees. Subsequently, the NEHBPA Board of Directors unanimously endorsed the recommended agreement between the parties.

For your convenience, we have inserted the existing regulation and our recommended amendment:

MA Rules of Racing 4.15(18) - existing regulation

(18) If an owner or trainer engages two or more jockeys for the same race he shall pay the losing amount fee for each engaged jockey not riding in the race, as well as the proper fee to the jockey who does ride.

MA Rules of Racing 4.15(18) – proposed amendment to replace existing regulation

(18) When a jockey is engaged for a race, such engagement is binding on both parties. In the event an owner or trainer elects to remove a jockey from his mount after naming a jockey at the time of the draw, the owner or trainer shall pay a double jock mount fee equal to that earned by the jockey who rode the horse; except that the removed jockey shall not receive compensation if he was declared as overweight, was physically or emotionally impaired, acted in an unprofessional manner, removed himself from his mount or failed to file a protest with the stewards prior to the race. Any conditions or considerations not covered by this rule shall be at the discretion of the stewards.

In the event that the Massachusetts Racing Commission approves the proposed amendment, we hereby request that the amended rule be adopted in a manner that would result in the earliest possible effective date. We are requesting an expedited effective date, since the 2010 live race meet is currently underway and the parties agree that the earliest possible implementation would be in their best mutual interest.

We sincerely appreciate your consideration of this issue at your earliest possible convenience.

Sincerely,

Albert Balestra, President
New England H.B.P. A.

CC: Susan Walsh, Chief Commission Steward
Chip Tuttle, Chief Operating Officer (Suffolk Downs)
Sam Elliott, Vice President of Racing (Suffolk Downs)
Terence J. Meyocks, National Manager (Jockeys' Guild)
David Amiss, Jockey Representative