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# TRC



**So hard to  
say goodbye**

**Also inside: Is Lady Eli beginning to mellow? / Mirco Demuro – the world's number two jockey / The shocking story of exercise rider Shelly Stone**

# It's so hard to say goodbye to Gun Runner the Magnificent

Bob Ehalt | January 28, 2018



Unbeatable: Gun Runner and Florent Geroux power home in splendid isolation in the Pegasus. Photo: Michele MacDonald

*Saying goodbye can be difficult under most circumstances. Yet, when it involves a loved one, a dear friend or someone special in your life, it can be a profoundly emotional moment with a rainbow of feelings.*

Which explains why Ron Winchell, at a moment when he should have been overjoyed by winning the world's richest horse race, had some melancholy thoughts on Saturday evening.

"It's bittersweet," he said.

This might be a surprising comment after a \$16.3 million race, but it was actually understandable.

Winchell spoke less than an hour after watching Gun Runner, the brilliant 5-year-old he owns with Three Chimneys Farm, race for the very last time. Two

days after being named 2017 Horse of the Year, Gun Runner capped an unforgettable week by registering a resounding 2½-length victory in the second edition of the G1 Pegasus World Cup at Gulfstream Park that placed an exclamation point as big as the track's 11-story Pegasus statue at the end of a remarkable splendid career.

"You can't dream of a better ending, but you don't want it to have an ending," Winchell said.

For Winchell, as much as he is looking forward to Gun Runner's new life at stud at Three Chimneys, goodbye stuck in his throat for





Bittersweet ending: Gun Runner's trainer Steve Asmussen with owners Goncalo Torrealba of Three Chimneys (center) and Ron Winchell at the post-race press conference. Photo: Michele MacDonald

a while because he knows what could have been.

Gun Runner bowed out at the very top of his sport and it's hard to believe anyone would beat him if he continued to race at five. Aside from beating West Coast, the champion 3-year-old male of 2017, by a clear margin, it was another 10½ lengths back to Travers runner-up Gunnevera, who was a very distant and well-beaten third.

Put Gun Runner in the next \$10 million Dubai World Cup, the race where he finished second to Arrogate last year, and he would be a significantly lower price than his 6-5 odds (\$4.20 to win) in the Pegasus. With a breeding farm as a partner, Winchell knew he needed a compelling reason to get the okay for more go-round with Gun Runner. He said if Sheikh Mohammed decided to recapture

the Dubai World Cup's past status as the world's richest race, perhaps with a \$20 million purse, he might have won the debate to continue racing.

Instead, with Sheikh Mohammed refusing to go all-in, Winchell had to say goodbye on Saturday. "I wanted to continue running him, but I got talked out of it," Winchell said.

A more pleasing part of the picture involves all of the great memories that Winchell and anyone associated with Gun Runner can cherish.

Go back to early July last year, and anyone who believed Gun Runner would emerge as the Horse of the Year would have been cut off by a bartender and stuffed into a yellow cab. But, after Arrogate lost all three of his starts after returning from Dubai,

2017 in North America belonged to Gun Runner.

After that runner-up finish in Dubai, the son of Candy Ride won the Stephen Foster, then the Whitney, then the Woodward, then the Breeders' Cup Classic, soundly beating a soured Arrogate, and now the Pegasus for a fifth straight win in his final appearance on the racetrack. It capped a career in which he won 12 of 19 starts, six of them in G1 stakes. His last two starts had purses with a combined value of slightly more than \$22 million, and propelled him to the second spot on the North American all-time earnings list with \$15,988,500, trailing only Arrogate.

In a span of about six months, he went from playing second fiddle to Arrogate, who beat him by more than 17 lengths in their two meetings, to a horse that figures

to join his old rival one day with a plaque inside the National Museum of Racing and Hall of Fame in Saratoga.

Knowing all that, trainer Steve Asmussen prefers to believe that Gun Runner will never leave him.

"We're not saying goodbye," he said. "What Gun Runner has given us will live in our memories forever. Now we'll get to watch his videos in the Hall of Fame for as long as we're around."

For Asmussen, Gun Runner was hardly his first champion. In the past he trained two-time Horse of the Year Curlin in 2007-08 and 2009 Horse of the Year Rachel Alexandra. Yet his appreciation for a great horse remains as profound as ever, which could be seen in the tears in his eyes as he stood in the walkway to the track and hugged family and friends after Gun Runner crossed the finish line for the final time.

"It's the cherry on the top, this one," Asmussen said. "This race, the world's richest horse race, after him being named Horse of the Year on Thursday night. For him to be able to go out on top and go back to his next career with everybody feeling the way that we have, I'm just so proud of the whole team and happy for them. How much love that this team and [jockey Florent Geroux] have for this horse is just a beautiful thing."

Geroux has been aboard Gun Runner since his fourth career start, a win in the G2 Risen Star



Presentation time: part owner Ron Winchell and Belinda Stronach display the winner's gold ring in front of the main Pegasus trophy. Photo: Michele MacDonald

Stakes that kicked off the start of his 3-year-old season. He has partnered with the horse for ten wins yet was never more valuable than he was on Saturday when he authored what was arguably his best ride on Gun Runner.

Breaking from post ten, the reigning Horse of the Year could have been carried wide on the first turn, suffering the kind of ground loss that could have haunted him against some formidable rivals. Instead, Geroux masterfully guided Gun Runner out the gate and then smoothly angled inside so that he was safely positioned in the two

path outside the front-running Collected on the first turn.

From there, Geroux was equally flawless. He tracked Collected through fractions of 23.41 and 46.61 seconds before putting him away midway on final turn, then roused Gun Runner to fend off a determined bid by West Coast, who drew to within a length of the lead in mid-stretch but could not keep pace with him in the final furlong.

"This feeling is hard to describe, it's a dream come true," said Geroux, who became a United States citizen on Friday (following on from fellow Frenchman Julien



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# Michele MacDonald



Mutual respect: Steve Asmussen, Florent Geroux and Gun Runner immediately after the race. Photo: Michele MacDonald

Leparoux earlier this month). “We wanted the horse to prove that the Breeders’ Cup and all of last year was not a fluke and the horse was there. In only one word, the horse was unbeatable.”

Indeed, on his richest and perhaps biggest stage, Gun Runner was indeed “unbeatable”. He faced four horses who finished second

through fifth in the Breeders’ Cup and only West Coast was closer to him at Gulfstream than Del Mar, leading to a different type of goodbye.

“I’m so proud of both West Coast and Gun Runner,” said jockey Javier Castellano, who rode Gary and Mary West’s West Coast, “but I’m happy I don’t have to deal

with Gun Runner any more. I’m glad he’s retired. Now my horse can step up a little bit.”

Perhaps West Coast will fill the void created by the retirement of Gun Runner, but there’s one thing for sure. For anyone who faced Gun Runner in his last five races, saying goodbye was much easier for them than it was Ron Winchell.



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# Is Lady Eli beginning to mellow now she's preparing for a new career?

Michele MacDonald | January 26, 2018

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Lady Eli at Hill 'n' Dale this week, showing off an eye-catching extended trot with her tail flagged. Photo: Michele MacDonald

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*There are no orange traffic cones set up as a warning barrier around her territory, and her primary visitors these days are a just small gaggle of plucky Canada geese. She's miles away from the nearest racetrack now. Only the sounds of soft falling snow and nickers from nearby paddocks reach her ears on the chill breeze of the winter morning.*

Lady Eli, the tempestuous whirlwind whose inner fire could spark trepidation among those near her but fueled her recovery from laminitis and improbable return to G1 victories, is settling in to the quiet, pastoral life at John Sikura's Hill 'n' Dale Farms near Lexington.

"She's doing everything right," said farm manager John Rasmussen of the 6-year-old, who was crowned America's champion turf female during the Eclipse Awards ceremony yesterday at Gulfstream Park. "Hopefully, she'll continue to do so. She's just a very special horse."

Lady Eli arrived at Hill 'n' Dale a few days after she was stepped on from behind by rivals in the Breeders' Cup Filly & Mare Turf at Del Mar, incurring lacerations and puncture wounds on both her hind legs and losing a shoe in the process. The incident led owners Jay Hanley and Sol Kumin of Sheep Pond Partners to withdraw her from the Keeneland November sale and send her to the farm.

They later announced that Lady Eli would stay at Hill 'n' Dale and be bred this season to Claiborne Farm's prominent international sire War Front, a mating that undoubtedly will be an attractive asset if she enters the 2018 Keeneland November sale, as planned.

"She had some pretty significant cuts on her hind legs, but they turned out to be superficial," Rasmussen said of Lady Eli's Breeders' Cup injuries, adding that she responded well to routine treatments that included bandaging of the limbs.

"You can't even really see any marks now. In that respect, it is very encouraging — and a relief," he said.

Her first quarters at Hill 'n' Dale were in a quarantine barn, following farm protocol to prevent the spread of diseases that might be introduced by newly arriving horses as they are brought on to the property.

"She took that well. She's not really a herd-bound horse. She's confident enough that she doesn't need a friend, and that's probably what made her such a good racehorse," Rasmussen said.

Once Lady Eli cleared quarantine, she moved into a barn sheltering about a half dozen other maiden fillies and mares. The serene views from the barn are mostly of trees, paddocks and stone walls.

She has progressed to a daily routine in which she spends most of her day in a paddock after she eats her morning meal and is groomed.

Two days prior to the Eclipse Awards, she marched out of her stall and stood in the barn aisle as her mane was combed and her feet polished. She pulled against the lead shank occasionally and jiggled in place a bit, but she seemed a more relaxed version of the racemare known

for her uncompromising toughness.

Rasmussen said trainer Chad Brown and his team sent some warnings about Lady Eli's reputation for being a mare who would test those around her. Brown's staff set up orange traffic cones around her stall to remind people to be careful when within range of her teeth, and exercise rider Walter Malasquez said he had to scurry out of her stall after removing her tack or she would try to kick him.

"They were good about sharing details. [Brown's assistant] Cherie [DeVaux] told us we had to be very careful and it had to be someone very competent to handle her," Rasmussen said.

### 'Good luck Big Momma'

DeVaux, who famously spent much of the year Lady Eli was on the sidelines taking diligent care of the mare after she stepped on the nail that caused the laminitis in July 2015, has often reflected on how much of a challenge she could be. In a recent post on Facebook that included a photo of herself kissing the



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Many thought Lady Eli should have won an Eclipse Award in 2014 - after this win in the Breeders' Cup Juvenile Fillies Turf. Photo: Michele MacDonald

mare on her forehead, DeVaux wrote:

"Words cannot express how much I will miss seeing this face every day. She sure didn't make it easy on us some days, but she made it worth it. Good luck 'Big Momma' in your next career — and even more luck to whomever has to take care of her with a foal."

Lady Eli's reputation as a bold individual goes all the way back to the days when she was a foal herself at Runnymede Farm in Paris, Kentucky, which bred the daughter of Divine Park and still owns her dam, the Saint Ballado mare Sacre Coeur, and her half sister, the multiple Graded stakes-winning Afleet Alex mare Bizzy Caroline. When still a youngster, Lady Eli would romp up behind visitors to the Runnymede fields, unafraid and unfazed, whether her dam was beside her or not.

Her character is and always has been a central part of her unique story. Sold as a yearling at Keeneland for \$160,000 to Bradley

Thoroughbreds, she was re-sold to Hanley for that same price as a juvenile, despite a good-looking breeze, with tales afloat that some prospective buyers feared she might be too difficult to manage.

"This mare is a really high-strung mare," Rasmussen said. "She's not a mean mare or a nervous mare, she just wants you to bring your A game when introduce yourself to her.

"That's being politically correct," he added with a chuckle. "You could use some other words, but I'm not going to do that."

There were moments after she arrived at Hill 'n' Dale where Lady Eli expressed herself in perhaps unladylike terms, but she has begun to relax. She enjoys receiving peppermints from farm staff, and she even deigned to be petted on her nose without any pinned ears, much less flashing teeth, on the recent snowy morning.

Despite the weather, Lady Eli seemed willing and not at all peeved for the disturbance to her

usual routine. Still gracefully fit but covered in a light winter coat, she flicked her ears a few times but quickly agreed to groom Abel Arias's request that she stand in the traditional Thoroughbred conformation pose.

Her large eyes looked at the camera, deep reflection pools of her heart, soul and spirit. There is more kindness in those eyes now that she is away from the heat of racetrack battle.

"She is nice," Arias said, beaming with pride.

"She has got a big, kind eye on her now," Rasmussen observed while noting that the combative nature she is known for likely helped her to survive and thrive.

While some other horses have refused to succumb to the ghastly, often fatal condition of laminitis, there is perhaps no other example of a top caliber runner not only returning to training after suffering through the painful inflammation of hoof tissues, but excelling at the highest level.

"I have to think it's her spirit that got her through it," Rasmussen said.





When she spied some Canada geese, Lady Eli put her head down and playfully chased them. Photo: Michele MacDonald

## Ground-skimming stride

And not only did Lady Eli subsequently win three more Grade 1 stakes, her achievement ranged even higher — recognition as a champion for 2017. That is an honor many believe should rightfully have been Lady Eli's for her undefeated 2-year-old season, capped by victory in the Breeders' Cup Juvenile Fillies Turf over a field that included eventual Epsom Oaks winner Qualify.

The award for champion 2-year-old filly in 2014 went instead to Take Charge Brandi, who won the Breeders' Cup Juvenile Fillies on dirt. Coincidentally, Take Charge Brandi also wound up at Hill 'n' Dale, with Sikura bidding \$6 million for her at Keeneland in 2015, and that daughter of Giant's Causeway produced her first foal, a colt by Curlin, in February 2017.

Lady Eli is preparing for her own broodmare career now, staying

under lights while in her stall at night to stimulate her reproductive cycle. Her feet are in good shape, Rasmussen said, and there are no other lingering health problems.

When she is turned out in her paddock, she does not make a big fuss, but she did show off an eye-catching extended trot with her tail flagged after posing for conformation photos. When she spied the visiting Canada geese, she put her head down and playfully chased them, cantering with the same ground-skimming stride she displayed while racing as they flapped their wings and honked.

As Arias called out to her with the simple nickname 'Lady', she turned and looked over her shoulder in a regal manner befitting her superstar status.

"Everything seems to be going well and now we just need to get her pregnant," Rasmussen said.

"Hopefully she'll get bred sometime in February."

In the realm of racehorses, Lady Eli stands at the top, having proved levels of courage and ability found only rarely. A feminine yet impressive mare in scope and presence, she was precocious and yet carried on through age five, finishing her career with ten wins in 14 starts, three seconds and earnings of \$2,959,800. Her only off-the-board finish occurred in last year's Breeders' Cup, when she was compromised by injury.

"She is unique and remarkable," Sikura said when Lady Eli came to Hill 'n' Dale.

"I've never seen one up this close with so much heart and determination," Brown declared in paying tribute to Lady Eli before bidding adieu. "It's unlikely that there will be another one like her."



# It's no accident that Mirco Demuro is now the world's number two jockey

James Willoughby | January 25, 2018

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This win on Danburite in the G2 American Jockey Club Cup at Nakayama on Sunday helped edge Mirco Demuro past Hugh Bowman and into the number two slot in the world jockeys' rankings. Photo: Japan Racing Association

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*It is high time for racing fans everywhere to recognise that Mirco Demuro is one of the most successful jockeys on the planet. He has been red-hot for over a year, posting a sequence of success that is truly remarkable by any standards, but especially praiseworthy considering the nature of racing in Japan.*

Since the beginning of last year, Demuro has had 67 rides in Japanese Graded races and one in Hong Kong. In these races, he has faced an average of 14 rivals, yet ridden no less than 20 winners!

This 30 percent strike rate in some of the toughest racing there is has come at an Impact Value (IV) of 4.48 – nearly four and a half times the rate of random chance. In the same period, Ryan Moore's 58 Group wins have come at IV 2.42, while Hugh Bowman's 29 winners have come at IV 2.20.

As a result, Demuro now splits the two big-name rivals at #2 in the latest TRC Global Rankings classification of the world's most successful jockeys. Note the definition here: we are not saying 'best'.

At the start of 2017, Demuro was #6 in the world with 1024 points. He now has 1058 points and, as we have teased before, is the leading Italian rider, with a 17pt cushion over world #4 Frankie Dettori. The latter still has a sizeable lead in brand recognition, however, and with Enable, Cracksman and many other top horses to ride in 2018, is a good bet to close that gap and re-establish himself as Il Re.

The graph shows Demuro's ranking point gains from 1/1/2017 to this week.

Demuro's 20 wins have come on 17 different horses – another aspect of his performance that impresses the TRC algorithm. When a jockey gains multiple wins on the same horse, the contribution of the horse is assumed to be greater and a rider receives a diminishing reward of points. Only on Persian Knight (G3 Arlington Cup in February, G1 Mile Championship in November), Red Falx (G2 Spring Cup in May, G1 Sprinters Stakes in

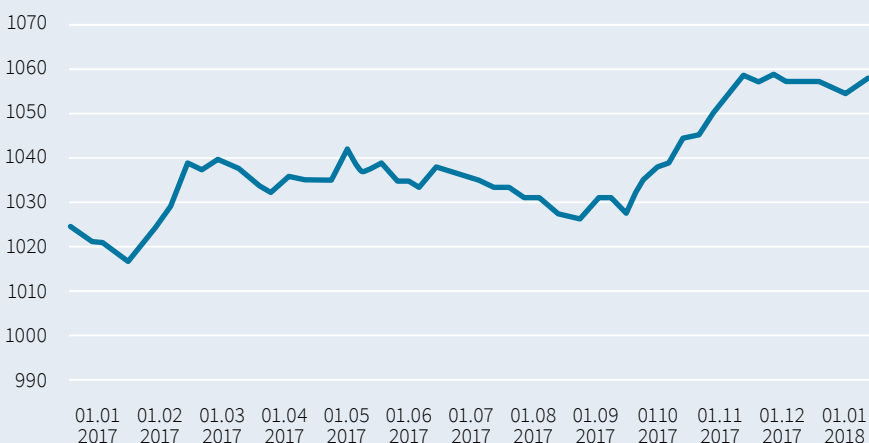
October) and Satono Crown (G2 Kyoto Kinen in February, G1 Takarazuka Kinen in June – see video below) has Demuro won two Graded races in the sample.

Demuro has ridden for no fewer than 26 different trainers and 28

different owners in the last year, so it is clear that nobody in Japan is entertaining an angel unawares. Racing fans around the world should credit Demuro as being one of the elite too, for the numbers he has produced over the last year justify nothing less than this accolade.

## TRC GLOBAL RANKINGS

### Points for Mirco Demuro



  
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# The shocking, heartbreaking story of exercise rider Shelly Stone

Daniel Ross | January 29, 2018

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Brave face: Shelly Stone has needed round-the-clock attention, even for everyday tasks like brushing her teeth and dressing and undressing, since an awful accident seven years ago

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*It's one the biggest challenges - if not the biggest - facing racing in the United States today: compensation for injured backstretch workers. Insuring they are provided for properly is an absolute need, but the cost is almost impossible to bear for the industry. This is the first of a major three-part report on the issue by Daniel Ross, during which he meets a wheelchair-bound former exercise rider whose ongoing plight will leave many lost for words ...*

In the early hours of February 18, 2011, Laurel Park racetrack was typically cold and overcast. And under the heavy gun-metal grey sky draped over the barns and the trees that ringed the track, exercise rider Shelly Stone was in a hurry.

The track was about to close for the renovation break, and Shelly needed to beat the clock with a strapping but bloody-minded young colt. Typically, she would take him out with another horse for company, but on this particular morning she was on her own. They did find another horse briefly at the start, but Shelly and the colt were too fast for

their company, and quickly they were out alone.

When they reached the top of the turn not far from the inner rail, the colt propped and wheeled. Shelly's left stirrup broke, and she was pitched over the rail onto the cold hard ground. Shelly landed on her knees, hunched forward, her head tucked up beneath her in a grim parody of an Ostrich.

"I knew something bad had happened because I couldn't feel anything from the neck down," she said. "I was fully awake the whole time, but I was trying to stay calm because I knew if I got upset then I wouldn't be able to breathe."

### **Agonizing cramps**

Shelly suffered a broken neck, which has left her in a wheelchair with partial paralysis. Because her spinal cord wasn't entirely severed, she suffered what is called quadriplegia, meaning that her body and all four limbs were severely weakened.

Shelly, 56, does have feeling in her limbs, but she still can't stand unsupported, and, while she has use of her arms, her hands don't function properly. The most painful vestige of the injury is the agonizing cramps she suffers daily due to spasticity – a condition where the atrophied muscles stiffen and contract.

"That's how people end up bed-ridden with bed sores in an awful condition," Shelly said. "It's unbelievably painful."

To this day, almost every day, Shelly endures hours of painful rehabilitative exercises just to stop her body from contracting into a ball. She describes the process as "a constant battle". But this hasn't been the only battle Shelly has been drawn into since her accident. For she was locked for years in a tug-of-war with Tower Insurance Co. of New York, the company responsible for covering her medical expenses.

Tower Insurance repeatedly threatened to curtail or cut completely some of Shelly's vital therapy treatments and medical services, like her rehabilitative care, state records show. The company also repeatedly delayed payment, sometimes for weeks at a time, of these same medical treatments,

prescriptions and services – sometimes refusing to pay them at all.

### **Vital physio program**

Delays that could have proven life-threatening had her friends and family not intervened on her behalf.

On multiple occasions, Shelly's lawyers demanded emergency hearings before the Maryland Workers' Compensation Commission. At each hearing, the commission ruled in Shelly's favor, records show.

The company that owns Tower Insurance declared bankruptcy early last year, leaving Maryland's state fund – the Property and Casualty Insurance Guarantee Commission (PCIGC) – responsible for her care. Until recently, PCIGC pursued legal action, just as Tower Insurance had done, that could have seen Shelly's therapy regime reduced, even though multiple doctors have insisted her current physio program is vital for her physical needs.

Shelly's friend, Maryland lawyer Suzanne Berger, is deputy director of Human Resources for Baltimore County. She's been involved in hundred of workers' compensation cases over the years, but she describes Shelly's treatment by Tower Insurance as, "worse than anything I've ever seen – by far."

As for Shelly, the last nearly seven years have been a long, long trial of resilience and perseverance. "It's been insane," she said.

### **Tougher and tougher for trainers**

Shelly's story illuminates more than just the plight of one individual. It brings to the fore an issue that Alan Foreman, a leading racing law attorney in the U.S., calls "absolutely, without question" one of the single biggest challenges the industry as a whole faces: workers' compensation.

Across the sport, everyday expenses are on an ever-upward trajectory. But it's rising workers' compensation premiums in particular that make it "tougher and tougher" for trainers, small and large, to afford coverage for their hotwalkers, grooms and exercise riders, he said.

The ramifications of the issue are easy to grasp. Rising premiums impact

all sectors of the industry. Indeed, after Shelly's accident, Tower Insurance wouldn't allow her employer, John Salzman Jr., to renew his policy, forcing him to seek coverage under a carrier that charged considerably higher premiums.

"Two years ago, I was almost done," Salzman added. "I couldn't afford it. I was down on horses, and I was paying more on workers' comp than I was making."

Dig down the weeds, however, and the root problems are myriad and complex. Which is why there are "no quick fixes", said Foreman. "And no one should expect quick fix solutions."

### **Likened to a 'runaway locomotive'**

Virtually all states require employers to provide workers' compensation coverage in some form or other (Texas is one of those outliers, which I'll discuss in part two of this series on Wednesday). But the legal specifics when it comes to things like independent contractors, part-time workers, and the number of employees can differ drastically from state-to-state.

Even though some places, like California and Louisiana, have passed legislation at the state level that opened the door to self-insured workers' compensation programs (more on that in the third part of this series), the bulk of the industry struggles with a system that some experts liken to a runaway locomotive, with workable solutions hampered by things like legislative handcuffs and the ubiquitous problem of dwindling funds.

"It's not a big enough industry anymore to keep costs down," said John Unick, managing director of Equine and Self Insured Risk at IOA Insurance Services.

The problem facing most trainers, therefore, is stark. Those unable to afford coverage through a commercial carrier can find it through one of only two avenues - state compensation insurance funds (a program where the state is the underwriter), or from a carrier in an assigned risk pool. An "insurer of last resort", said Unick.



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## **‘People who cheat’**

And, with fewer and fewer insurance carriers willing or able to cover backstretch workers, those that do are forced to jack-up premiums – a problem exacerbated by rising healthcare costs and poor case management practices, as well as the professional and ethical behavior of certain individuals within the sport.

“In any industry when the rates get to be a lot more than they should, there are a lot of people, certainly not my clients, but a lot of people who cheat,” said Richard Hoffberger, president of the Hoffberger Insurance Agency, who provides coverage for a number of trainers.

Typically, workers’ compensation payments are linked to a percentage of payroll per \$100 - typically between 14 to 20 percent, though sometimes higher. In those states in which it’s costlier to do business, therefore, trainers with a large staff can see annual workers’ compensation costs well into the six-figure mark.

And so, to cut costs, some trainers pay their staff cash. Some let their coverage lapse. Or, as Hoffberger said, “they’ll say, ‘my payroll’s \$100,000,’ when it’s really \$200,000. Because at 20 percent, they can’t afford to pay \$40,000 a year in premiums.”

## **‘What’s the most expensive part of training a racehorse? The answer is workers’ compensation’**

Rising premiums impact trainers in myriad ways. Smaller outfits, for example, by virtue of their precarious financial positions, would rather burn holes in their own pockets than pass on additional costs to owners for fear of driving them to other barns. While larger so-called ‘super trainers’, by virtue of their size, face mammoth monthly bills.

“What’s the most expensive part of training a racehorse? The answer is workers’ compensation,” said New York-based trainer Tom Morley. Morley is one of those whose annual workers’ compensation premiums top the \$100,000 mark – a cost he partially absorbs himself, even though his financial footing isn’t necessarily sound enough for him to do so.



Always a risk: the number of companies willing to cover hotwalkers, grooms and exercise riders continues to dwindle, repelled by the high-risk nature of their work. Photo: Daniel Ross

“It’s getting to a stage where it’s almost unviable for many people to stay afloat,” Morley added.

Which is why Mike Musto, executive director of the New Jersey Thoroughbred Horsemen’s Association, calls workers’ compensation the “number one killer” in racing. “It takes guys out – they just can’t afford it,” he said.

But that doesn’t excuse those trainers who fiddle the payroll numbers to depreciate workers’ compensation premiums, said Musto. “I understand that it’s expensive, but you’ve still got to do the right thing,” he said.

What about those who are supposed to be policing the system? Individual tracks are typically charged with ensuring trainers stabled there are properly covered. But few racetracks employ an effective system for monitoring what insurance coverage trainers stabled on their grounds possess week-by-week, month-by-month.

“There’s virtually nothing,” said Maryland Jockey Club general manager Sal Sinatra, about the workers’ compensation monitoring program in place at Laurel Park, for example.

“The only system is that they require a copy [of insurance coverage] when trainers apply for stalls, which we do three times a year,” he said. “So, it does open the door to lapsed time in between that we’d be unaware of.”

## **‘It’s not a one-size-fits-all situation’**

What’s more, not every racing commission requires proof of insurance when it issues a trainer’s license. And fewer still follow up between instances when licenses are issued and re-issued.

“It’s not a one-size-fits-all situation,” said Ed Martin, director of the Association of Racing Commissioners International, who added that individual commissions are limited in what they’re able to enforce by state law.

Nor are workers themselves immune from blame. For the vast majority of industry employees passionate about their work, an injury is something to be overcome quickly, so as to return to work as swiftly as possible.

But human nature is anything but inviolable. And there are some who exaggerate their injuries in order to milk the system – yet another way that costs are driven upwards, putting the burden on those on the right side of the legal and ethical divide.

“I don’t want anybody to get hurt,” said trainer John Salzman Jr. “When they do get hurt, like Shelly got hurt, they deserve workmen’s comp. That’s what it’s here for,” he said, adding that, in Shelly’s case, because of her catastrophic injuries, she deserves “everything she can get” in terms of proper medical treatment and care.

“But too many people are abusing the system,” he added. “Something needs to be done.”



## 'I'll sometimes pass out for a while when I get home'

Nearly seven years have lapsed since Shelly's accident, and her days now have an order and rhythm to them that's disrupted by the degree of pain she's in, which can fluctuate on a day-by-day, hour-by-hour basis.

Shelly requires round-the-clock attention by nurses and health aides who help with the minutia of everyday life, the brushing of teeth, of dressing and undressing, trips to the shops, showers, meals, making sure Shelly receives her laundry list of daily medications on time.

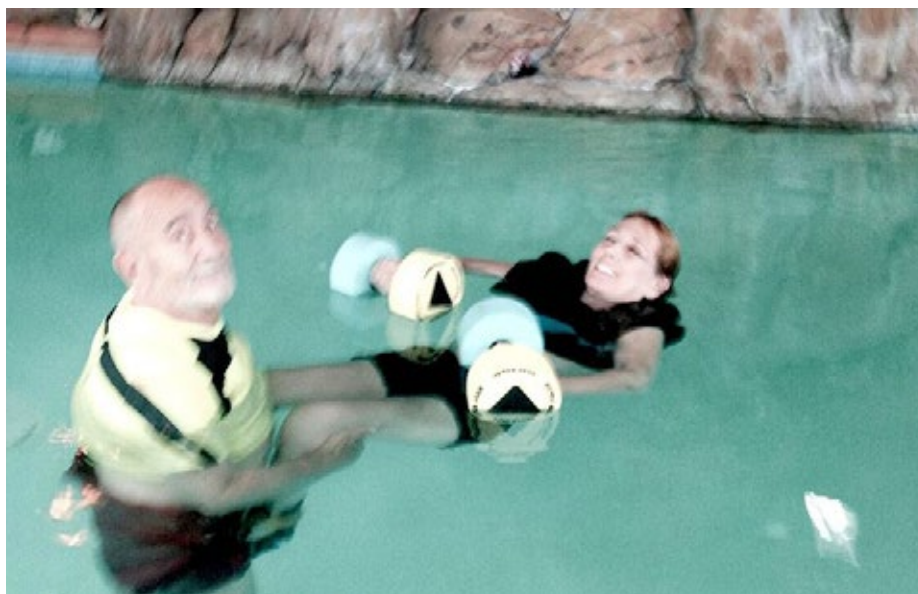
Inserted into her routine is a seven-days-a-week therapy program designed to tackle her crippling and painful spasticity by essentially ironing out her muscles, a grueling series of workouts that she says leave her "wiped out" at the end of the day. "I'll sometimes pass out for a while when I get home."

The regime looks something like this: aqua therapy for about an hour; 30 minutes on a fixed exercise bike, with electric muscle stimulators on her legs; a workout on the 'Total Gym' at her home, and time on a 'Stander', which supports Shelly as she stands upright; back on her bike for a further 30 minutes; then back to the therapy pool, not for a workout, just a stretch and relaxation from the day's exertions.

## The importance of aqua therapy

Aqua therapy, said Shelly, is the exercise most integral to keeping her pain-free. "With it, I can walk in the water," she said, describing how, with help, she can slowly shuffle across the bottom of the pool. "My legs get the memory of walking." And because water offers a very low-gravity environment, "you can do things there that you can't do on land."

Shelly's father, Stephen, an exercise physiologist, lives near his daughter in Tuscon, and has overseen her physiotherapy since 2012. Both Stephen and Shelly's brother, Andy, a sports coach at a private school in Virginia, are certified aqua therapists. They traveled to Boston to train with Igor Burdenko, a famed Russian specialist in sports injuries, who once nursed Olympic ice-



Aqua therapy is crucial for keeping Shelly pain-free. Her father, Stephen, an exercise physiologist, has overseen her physiotherapy since 2012

skater Nancy Kerrigan back to fitness.

"He's a character. Amazing," said Andy, about Burdenko. "For anybody with a spinal cord injury, aqua therapy is so important. Not many know how to do it, or many places that do it."

But Shelly's aqua therapy has been at the heart of her problems for some time.

In 2016, Tower Insurance sought to transition Shelly to a home therapy regime, a case it lost before Maryland's Workers' Compensation Commission. Tower Insurance appealed the decision, and PCIGC pursued the appeal until only recently.

## Hampered Rehabilitation

While Stephen admits that typically someone with Shelly's injuries wouldn't receive the same intensive degree of physio, multiple doctors have agreed that it's vital for her health. Experts warn that a reduced therapy program could also see Shelly rely more heavily on pain medications as a result, an undesirable outcome for her long-term mental and physical wellbeing, her family argue.

According to Andy, many who have suffered similar injuries to Shelly choose instead to have a 'baclofen-pump' administered, a device that pumps drugs straight into the body to help with the painful spasticity. Only, this type of pain management "deadens everything, so that the person can't move very well", said Andy.

"I think the insurance company would have been happy to put her in an electric wheelchair with a baclofen-pump and just sit her in front of the TV," Andy said. "But she refuses to do this." Indeed, about 18 months after her accident, Shelly was standing and able to take steps with the aid of a walker.

Her rehabilitation, however, has been hampered on numerous occasions through illnesses and medical problems associated with her paralysis. The first time Shelly was able to stand, she contracted a bad urinary tract infection that left her bed-bound for two months. Just last year, an awful bout of pneumonia knocked her for six once again.

"So, I've been starting to do it all again," she said. "I've just got to keep at it."

Yet, for all the physical obstacles that Shelly has had to overcome, it has been her ongoing legal battles that have taken the greatest toll. "I've just had to keep on going," she said. "What choice did I have?"

Note: Tower Insurance declined to comment for this series.

*Go to [thoroughbredracing.com](http://thoroughbredracing.com) for the final three parts of this Daniel Ross investigation into the issue of workers' compensation in U.S. racing.*



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Thoroughbred Racing  
Commentary

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# TRC GLOBAL RANKINGS



4 February 2018

## Jockeys

Rank	Name	Modal Country	Points
1	Ryan Moore	Great Britain	1106
2	Mirco Demuro	Japan	1058
3	Hugh Bowman	Australia	1056
4	Frankie Dettori	Great Britain	1039
5	Mike E Smith	USA	1038
6	Javier Castellano	USA	1035
7	Christophe-Patrice Lemaire	Japan	1023
8	Christophe Soumillon	France	1011
9	Kerrin McEvoy	Australia	1007
10	Joao Moreira	Australia	1006
10	Jose L Ortiz	USA	1006
12	Yutaka Take	Japan	1005
13	Florent Geroux	USA	1003
14	Joel Rosario	USA	996
15	James McDonald	Australia	991

## Owners

Rank	Name	Modal Country	Points
1	Coolmore Partners	Ireland	1111
2	Godolphin	Australia	1069
3	Juddmonte Farms	USA	1037
4	Sheikh Hamdan Al Maktoum	Great Britain	1034
5	Magic Bloodstock Et Al	Australia	1028
5	Al Shaqab Racing	France	1028
7	Sunday Racing Co Ltd	Japan	1020
8	H H Aga Khan	France	1018
9	Hajime Satomi	Japan	1015
10	WinStar Farm Et Al	USA	1012
11	Mayfair Speculators Et Al	South Africa	1010
12	U Carrot Farm	Japan	1006
13	Peters Investments Et Al	Australia	1001
14	China Horse Club Et Al	Australia	998
15	Stonestreet Stables	USA	997

## Trainers

Rank	Name	Modal Country	Points
1	A P O'Brien	Ireland	1075
2	Bob Baffert	USA	1040
3	Chad C Brown	USA	1031
4	John Gosden	Great Britain	1019
5	Darren Weir	Australia	1016
6	John Moore	Hong Kong	1009
7	Charlie Appleby	Great Britain	1008
8	A Fabre	France	1000
9	J Size	Hong Kong	997
10	Todd Pletcher	USA	993
11	Chris Waller	Australia	989
12	Saeed bin Suroor	Great Britain	988
13	Yasutoshi Ikee	Japan	987
13	Sir Michael Stoute	Great Britain	987
13	Mark Casse	USA	987

## Sires

Rank	Name	Modal Country	Points
1	Galileo	Great Britain	1051
2	Dubawi	Great Britain	1028
3	Deep Impact	Japan	1009
4	Frankel	Great Britain	1009
5	Dark Angel	Great Britain	998
6	Snitzel	Australia	1000
7	Medaglia D'oro	USA	994
7	War Front	USA	995
7	Scat Daddy	USA	995
10	Sea The Stars	Great Britain	992
11	Kitten's Joy	USA	991
12	Curlin	USA	990
12	Iffraaj	Great Britain	993
14	Candy Ride	USA	989
15	Not A Single Doubt	Australia	987