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North American Equine Services, LLC

Specializing in Equine Appraisals and Litigation Consulting

First Quarter, 2005

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david@northamericanequine.com

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NAES' Spotlight

...Focuses on our own NAES Advisory Board Member Mr. Don Burt.



(Photo Courtesy Don Burt)

Don Burt has been an exhibitor, trainer, judge and all-around horseman for over 45 years. Mr. Burt, currently resides in California and is President of Equestrian Consultants Inc., which specializes in the development of horse facilities throughout the United States.

In addition, Don has authored many books and articles pertaining to sport horses, two of which were "Winning With Arabian Horses" and "Winning with the American Quarter Horse."

The American Quarter Horse Association voted Don in as its President in 1996; he's also served in official capacities in the Arabian Horse Association and the United States Equestrian Federation. He was the main inspiration behind the inclusion of Reining as an Olympic sport under the auspices of the United States Equestrian Team.

AAEP Meets in Denver, CO.



At the recent meeting of veterinarians in Denver, December 6th, the subject of the American Horse Slaughter Prevention Act came up. With over 220 co-sponsors the bill has been held up in the Agriculture Committee's Chairman, Robert Goodlatte, (R-VA). Mr. Goodlatte's supporters include some very influential cattle associations.

The bill essentially would prohibit the slaughter of horses. Morally, the issue is whether we allow horses who have outlived their usefulness to us to be killed for human consumption.

Every year, over 50,000 horses are killed to provide food for people in Europe and Asia.

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If it were not for the many "rescue" operations in existence the numbers of slaughtered horses would be much greater.

The NAES position on this important legislation is very clear...horses who've done their duty to horsemen must be protected. Please let your government legislators know how you feel.

Gail Haskins, Esq.
- An Equine Attorney's View on Insurance



(Photo Courtesy Gail Haskins)

All those who carry equine mortality, major medical and surgical insurance on their horses should be very aware of the need to report any inuries, illnesses or new physical conditions on a prompt basis to their insurance carrier.

The reporting may also need to be done on a continuing basis as any condition of ill-being develops, changes or requires additional treatment.

In a recent Kentucky case, an equine insurer was notified that an insured horse required surgery for a fractured hock.

However, notice was not given of an infection that progressed after surgery culminating ultimately in the horse's euthanization. The court held that the insurance carrier was justified in denying the mortality claim because under its terms, the policy required separate notice of the surgical condition and the post surgical infection.

Insured parties need to be aware that to be on the safe side, they should report any and all injuries, illnesses, conditions, treatment or testing to their insurance carrier on a prompt basis no matter how insignificant these situations may seem.

The insured party should then be sure to follow up on a continuing basis, reporting all progress or changes as the situation develops.

In one recent scenario, an insurance company requested a veterinary report on the results of a routine fecal analysis which the owner had casually noted on a policy renewal application.

It can be daunting to try and decipher the complex wording of any insurance policy, but it may be an excellent idea to take the time and read your equine insurance policies to determine in advance precisely what notice requirements lie within. Prompt, accurate and continuing notice may make the difference between a claim accepted and a claim denied.

(Ms. Haskins is a practicing attorney in Chicago, IL. She can be reached at 847-724-6634)

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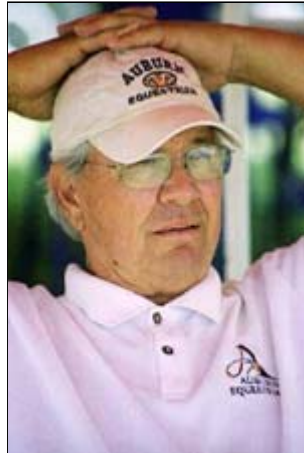
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Herb Schneider, Auburn Ass't Equitation Coach Dies



(Photo Courtesy Auburn University)

Earlier this year I had a chance to meet Herb in his capacity as manager of the NCAA Riding Championships, Conyers, GA.

Ms. Christine Tauber and I had been asked to judge this most prestigious event in the newly formed NCAA equestrian events, the Equestrian Finals in April, 2004.

Herb did a great job and it was clear he truly enjoyed his work with the riding teams and the NCAA.

**Full Disclosure...
The Trainer/Agent to Client Relationship**



I have been called upon to comment on litigation involving secret commissions and hidden profits in horse sales.

Understandably, the results for the "cheating" professionals have resulted in substantial dollar awards against them.

Most professional horsemen are honest about their horse sales. However, the relationship between the trainer and their own client is very strong and this huge trust can be quite tempting to the unscrupulous trainer/agent.

People outside the horse community don't really comprehend that the client almost always does what the trainer says. In many ways, it makes sense since the trainer/teacher knows what's best for their client.

The fact that the client has had to be very "businesslike" in their own jobs often does not transfer to their business dealings when purchasing a horse; IE, the client counts on the agent to make sure the deal is the right one, inevitably leaving an opening for a scam.

The trust of the client to the trainer is so important in making sure the client succeeds with the talent and money available. It may seem uncomfortable to the client but he or she must always insist on having "all" the financial parts of the transaction spelled out.

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Thoroughbred Racing Loses its 146th Jockey Since 1940



I'm fortunate to have been asked to evaluate many racing Thoroughbreds in the past few years.

I think that sometimes we don't pay enough attention to the jockey athlete.

Unfortunately, I note the death of Christopher Quinn who died on August 10th, 2004 from injuries sustained while riding at Fairmount Park, Collinsville, Illinois.

Christopher Quinn began his riding career in 1988 riding 1,971 with 151 winning. His lifetime earnings were \$853,325.

I believe we take racing for granted and though Christopher was not a household name his passing reminds us of the risks encountered by all jockeys every day.

I've been asked to evaluate liability cases involving jockeys and racetrack conditions so I see lots of problems but it's so tragic to see the passing of another horseman at a relatively young age.

Veterinary Comments from Dr. Crabo, DVM



(Photo Courtesy
Chaparral Animal Hospital)

Extracorporeal shock wave therapy (ESWT) has been a developing trend in equine and human sports medicine over the past five or so years.

A shock or pressure wave is produced outside the body (extracorporeal means outside the body) by a machine called the shock wave generator. The generator is placed in contact with the patient's skin and the shock wave travels through the adjacent tissues.

The shock wave gives off energy as it passes from a tissue of lower density to one of higher density, such as where a ligament attaches to bone. Shock waves are responsible for both short-term pain relief and an increase in tissue healing when applied to many types of injuries.

There are two types of portable shock wave generators available in veterinary medicine. One type is called focused, where the energy of the shock wave is "focused" at a certain depth of tissue. The other type is

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called radial, where the highest energy level occurs at the surface of the shock wave generator. It appears that each type of generator has advantages and disadvantages, with some types of injuries benefiting more from one type or the other.

ESWT has been used with varied success in many conditions, including suspensory and tendon injuries, bucked shins, navicular syndrome, hock and pastern arthritis, back pain, and third carpal bone disease.

(Dr. Crabo is a partner with Chaparral Animal Hospital, Phoenix, Arizona and a member of the NAES Advisory Board of Directors)

NAES Press Release:
Thoroughbred Racing Expert, Bradley Rollins Joins the NAES Team



(Photo Supplied by Mr. Brad Rollins)

Dave Johnson, President of NAES has announced that Mr. Brad Rollins, a longtime racehorse trainer and former jockey, has joined NAES in reviewing racing facilities and helping to produce accurate horse appraisals and opinions.

Mr. Rollins has also been appointed to the NAES Advisory Board of Directors.

Mr. Rollins has been a successful jockey for over 18 years and an outstanding trainer along with his father, Mr. Lyman Rollins of the Rollins Racing Stable of Phoenix, Arizona.

Brad has served on the Boards of Directors of the Arizona Thoroughbred Breeders Association and the Arizona Division of the National Horseman's Benevolent and Protective Association and several other horse racing associations.

"Mr. Rollins adds another very important perspective to the activities of NAES; we're so pleased to have his huge background of knowledge," stated Mr. Johnson.

Commentary - By Dave Johnson

OK, there you are driving down the road on your way to buy a first horse for your child. As you're motoring along, "the copilot" should, at least be jotting down items for your very simple Contract for Sale, especially if you don't already have

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("Mikhail" and Katie Rosenzweig at Washington
-Photo Provided by Pat Carleton)

one prepared by your lawyer.

Even if the horse is "cheap" don't be dim and agree on a "handshake" to seal the deal. Those old-time deals are long gone.

Both parties must be protected. The horse you purchase for yourself or child is so very important so leave nothing to chance. Always insist on a veterinary pre-purchase exam, since you'll have to feed the lame horse as well as the sound one. If the vet's charges seem high just think it's better to pay now rather than have an unhealthy horse later.

In addition, get your trainer or other savvy professional see your potential purchase. Paying for their time makes sense, too.

Finally, make sure you know "exactly" who the seller actually is and what commissions, if any, are being paid out. Sales commissions in and of themselves are not "bad," you have the fiduciary right to know all the facts.

(...hanging on Dave's office wall)



(Photo Provided by Ms. Billie Steffee)

"Nothing enhances the value of a horse more than you owning it"

(By Dave Foley - Famous Chicago Horse Trainer)

(Famous Breeding Stallion, "All The Gold," Circa 1996 - Owned by Ms. Billie Steffee of Ohio - Arguably One of the Finest Producers of Show Horses)

About Dave Johnson

Dave started NAES more than 10 years ago with an eye to making sure all horse owners and those interested in horses could depend on NAES for the straight scoop on horses and prices. In addition, Dave is one of the busiest horse activity

david@northamericanequine.com

Web site:

www.northamericanequine.com

Address:

North American
Equine Services, LLC
35644 North 11th Avenue
Phoenix, AZ 85086-8704



(Photo Courtesy NAES)

Dave is still an active horse show judge and, when time permits, continues teaching at his wife's nationally known stable, Willoway Farm, Inc., in Phoenix, Arizona.

experts in North America.

Because of his long history of working with so many breeds and disciplines he's called upon to give his opinion in literally hundreds of legal cases and horse appraisals.

This newsletter is distributed quarterly.

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