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Ms. Jihan Murad Appointed Vice President of NAES:



(Photo by Media People International)

Dave Johnson, President & CEO of North American Equine Services, announced Friday, January 26th, 2007 that Ms. Murad had accepted an appointment as Vice President for the company.

Ms. Murad has been an avid horsewoman for many years and received her JD degree from Chicago-Kent College of Law. She is currently licensed to practice law in Illinois and California.

In addition, she is a Certified horse appraiser and will receive her Master Equine Certified Appraisersm status from NAES within the next few months.

Based in Rancho Santa Fe, CA Ms. Murad will be handling a broad variety of cases involving valuations and standards and practices in the horse market and related activities. However, she will not be acting as an attorney in any cases whatsoever.

Ms. Murad is currently showing the show jumper, “URBANUS” at the Indio, CA horse shows.

“I can’t tell you how pleased I am to have Jihan as a terrific “right arm.” The NAES business has grown exponentially over the past few years and I’ve been actively hunting for someone with her abilities so combining her horse talents and legal education is wonderful,” Mr. Johnson stated.

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STAR AWARD for 2006



(Photo Provided Courtesy of
Furth, Lekkmann & Grant))

The NAES STAR AWARD for 2006 has been awarded to Henry A. Cirillo, Esq. His practice is with Furth, Lehmann & Grant of San Francisco, CA.

The STAR AWARD is awarded each year by NAES as a tribute to the attorney we feel has maintained and demonstrated the highest level of professionalism toward his client, his opposition and the legal profession.

NAES reviews hundreds of attorney profiles every year to arrive at the one we feel possesses the highest of legal and ethical standards; not an easy task since our lawyer client base is wonderfully qualified.

Mr. Cirillo was born in New York; graduated from Cornell University (B.S., Biology) and received another degree from State University of New York at Stony Brook (M.A., Liberal Studies).

He then received his law degree from, (*magna cum laude*), from the Hastings College of the Law at the University of California. In addition, Hank received the *Order of the Coif*, was elected to the Thurston Society and received First Prize in the David E. Snodgrass Moot Court Competition.

Hank has practiced in the area of complex business litigation for over 20 years, particularly with respect to securities fraud and antitrust class actions. His varied business practice includes equine law litigation (involving such issues as fraud, agency and professional negligence); and common law fraud, negligence and breach of contract actions involving oil and gas developers, partnerships and real estate syndications. He was formerly with McCutchen, Doyle, Brown & Emerson LLP (now Bingham McCutchen) for 11 years.

USEF Convention



The USEF represents United States equestrian sports to the world. The annual convention, recently held in Louisville, KY from the 10th through the 14th of January, 2007 focused on the increasing international aspect of horse sports.

As a member of the Breeders Committee, I am hoping to see more active dissemination of horse performance and pedigree records. The fact that it is still very difficult, (unlike Europe), to obtain accurate show statistics goes against the “full disclosure” principals NAES adheres to. Finding and verifying such records can go a long way to justifying the purchase price of your new horse.

The post-convention conversations by the Breeder’s Committee members has centered around US breeders actually “showing and exhibiting” the results of their breeding programs.

Unfortunately, all too often there is a disconnect between what the breeders actually turn out and what actually is winning; therefore the immediate need for complete and accurate breeding and performance stats.

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NAES Advisory Board Meeting



NAES values the wise consultations taken from time to time from the Board. A bar-b-que and Director's meeting were held on January 17th and 18th, 2007 in Phoenix at the NAES offices.

Representing a knowledge and geographic cross section of equestrian and business activities helps so much in NAES' ability to provide the most accurate appraisals and "standards of care" opinions where needed.



In the front row, left to right are Chris Tousley, Kathy Johnson, Jihan Murad, Esq., Ellie Trueman, Kathy Adams. The back row begins left to right Matt Villanueva, Dave Johnson, Don Burt, Jan Kanaba, Patrick Davis, Esq., Martin Crabo, DVM., Steve Kanaba. Harry Rosenzweig and Craig Koopman, CPA. Not pictured were Shawna Dietrich, Kristen Warren and Pat Carleton, Esq.

Among numerous suggestions from the Board, was the requirement for very comprehensive physical examinations of horses being appraised for dollar amounts above \$50,000.00.

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Mark Fredenberg Article



(NAES from time to time asks for interesting articles about a certain aspect of horse law...here's a reply from local Phoenix attorney, Mark Fredenberg, Esq.)

(Photo Provided by Mr. Fredenberg)

Deaton v. Kentucky Horse Racing Authority, 172 S.W.3d 803 (2004)

Case summary:

Defendant Deaton was a licensed thoroughbred trainer with a contract to train horses owned by Dr. Joseph E. Kutz. One of Dr. Kutz' horses "Explodo Red" had a tendency of expending too much energy prior to his races, (also known as "washing out").

Dr. Kutz considered possible solutions and decided to place Prozac, (a forbidden substance), in liquid glucosamine and provided the mixture to the trainer who in turn administered it to the horse 3 times daily.

On February 17, 2002, "Explodo Red" finished second at Turfway Park. The standard urine testing revealed the Prozac. The trainer, Deaton, was suspended for 150 days.

The court rejected Deaton's assertion that the Prozac was procured and mixed by the owner and held the trainer responsible for failure to rebut the presumption that the trainer was negligent in his failure to safeguard the horse from tampering.

(NAES comment – the USEF and its predecessor the AHSA, worked to hold responsible the person who signs as "trainer." If you sign as trainer you are totally responsible for what may have been illegally administered to the horse when NOT in your custody or in this case administered at the direction of the owner).

Mark A. Fredenberg can be contacted at:

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ICY's Column on RIP



As you can see from the picture it's still cold in Phoenix. Dave says my teeth chatter if the temperature is below 80 degrees ...whatever that is.



Anyway, Dave brought in another dog like me accept he's pretty young...and "yes," I can't stand him on account of Dave is spending lots of time with him when he should be petting me...oh well.

He doesn't know anything about guarding, either....guess I'll be stuck teaching the runt, ("RIP" is much smaller than "ICY").

(Photo by NAES showing "RIP" on the first day at NAES ...he'll be seven months old on February 2, 2007)

About Dave Johnson



(Photo by NAES)

Dave started NAES more than 15 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 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.

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.