

GOVERNMENT LAW CENTER OF ALBANY LAW SCHOOL
GOVERNMENT LAW ONLINE

THE CURSE OF EQUIPOISE

NOVEMBER 2003



Government Law Center
Albany Law School UNION UNIVERSITY

80 New Scotland Avenue
Albany, NY 12208

www.als.edu

GOVERNMENT LAW ONLINE publications are available at www.governmentlaw.org

THE CURSE OF EQUIPOISE

**Bennett Liebman, Esq.
Coordinator/Staff Attorney
Racing and Gaming Law Program**

NOVEMBER 2003

These materials are copyright by Albany Law School (ALS) on behalf of its Government Law Center or ALS licensors and may not be reproduced in whole or in part in or on any media or used for any purpose without the express, prior written permission of Albany Law School or the licensor. Neither Albany Law School, the Government Law Center or any licensor is engaged in providing legal advice by making these materials available and the materials should, therefore, not be taken as providing legal advice.

All readers or users of these materials are further advised that the statutes, regulations and case law discussed or referred to in these materials are subject to and can change at any time and that these materials may not, in any event, be applicable to a specific situation under consideration. The information provided in these materials is for informational purposes only and is not intended to be, nor should it be considered to be, a substitute for legal advice rendered by a competent licensed attorney or other qualified professional. If you have any questions regarding the application of any information provided in these materials to a particular situation, you should consult a qualified attorney or seek advice from the government entity or agency responsible for administering the law applicable to the particular situation in question.

The Curse of Equipoise

2003 has been the year of the curse in sports. Besides the traditional Sports Illustrated cover curse, we've seen the curse of the Bambino and the curse of the Billy Goat in Chicago. Some have found that the Yankees have been unable to win the World Series recently due to their trade of Tino Martinez (the Curse of the Tino)¹, and there has always been the curse of the winners of Supporting Actor and Actress Oscars who are destined for oblivion.² With the Breeders' Cup at Santa Anita in 2003, we may have seen the rediscovery of a longtime curse: the curse of Equipoise. That is the curse affecting New York based horse running in California. These horses seem to lose and at such low prices.

It all started with Equipoise – arguably one of the top horses of the 20th century. Equipoise went west in the winter of 1935 to compete at Santa Anita's inaugural meeting and run in the Santa Anita Handicap. He ran three times at Santa Anita – losing all three times as the favorite.³ As Jim Murray wrote, "California melted the Chocolate Soldier. Equipoise finished seventh in the Santa Anita Handicap, his worst race ever."⁴ It was also the last race of his career.

At the Breeders Cup, no horse that had ever run in a race in New York State won a race. This curse reached absurd levels on Cup Day. In the distaff, four out of seven fillies had run in New York. Three had not. If you played the three non-New Yorkers in the trifecta, a \$1 box wager paid \$1,017.40. In the Classic, only one horse had never run in New York. That was the winner Pleasantly Perfect who paid \$30.40. The two horses in the Classic most associated with New York – the New York bred Funny Cide and the New York based Volponi finished next to last and last respectively. If there ever was a day for a curse against New Yorkers, it was October 25, 2003. Not surprisingly, that evening after the Breeders Cup, the New York Yankees lost the decisive Game 6 and the World Series to the Florida Marlins.

But this wasn't the only bad day for New Yorkers in Southern California. It's as if New York horses turn into Woody Allen's Annie Hall alter ego, Alvy Singer, when they go to SoCal. The horses think about California and get sick. Alvy Singer said about Los Angeles, "I don't want to move to a city where the only cultural advantage is being able to make a right turn on a red light." New York horses go to L.A., and they suddenly can't turn left. New York horses don't just bounce. They deflate.

¹ Its also known in some quarters as the Curse of the Giambino since the Yankees have failed to win the World Series since they acquired Jason Giambi.

² Where are George Chakiris, Red Buttons, Linda Hunt and Brenda Fricker? Other significant popular culture curses include, the Superman cast curse, the Campbell's Chunky Soup Curse, the Kennedy curse, and the curse of the cast of Different Strokes.

³ Equipoise did finish first in one race but was disqualified.

⁴ Jim Murray, "It's Like Sun Rising In The West," Los Angeles Times, June 30, 1992 Part C Pg. 1

It's not just Equipoise and Funny Cide. The list of New York horses coming up empty in L.A. includes some of the top horses of all time. Kelso went 0 for 2 in California, finishing 8th and 6th in two stakes races at Hollywood. The then undefeated Seattle Slew finished 4th in the Swaps Stakes in 1977. It was the only time in his career that Seattle Slew finished worse than second. Other New York champions succumbing to the "curse" include Roman Brother, Slew o' Gold, Fort Marcy, Foolish Pleasure, Honest Pleasure, Fort Marcy, Sky Beauty, My Dear Girl, Fly So Free, Plugged Nickle, Temperence Hill, and Dehere. L.A. proved too much for these horses. They should have taken the midnight train to Georgia.

Even the New York horses that weren't shut out in California often failed in the big race. Hall of Famers Discovery, Hill Prince, and Twenty Grand each won races in California but ran out of the money in the Santa Anita Handicap. Triple Crown winner Assault failed in the Hollywood Gold Cup. Damascus won two races but failed at 1-5 in the Strub. Dark Mirage broke down in the Santa Margarita, and Lamb Chop broke down in the Strub. Cigar ended his 16 race winning streak in the Pacific Classic.

But the Equipoise curse isn't as powerful as the Billy Goat or the Bambino, it's more like the Sports Illustrated cover. It may be more of a jinx than a curse. There is a presumption that the horse will fail, but it can be overcome. A select group of New York horses have performed well in California. There was Dr. Fager (1 for 1 with a win in the Californian), Buckpasser (2 for 2 with wins in the Malibu and San Fernando), Skip Away, (2 for 2 with a win in the Breeders Cup Classic) and Chris Evert (2 for 3 with wins in the Match Race and the La Canada). Riva Ridge won the 1972 Hollywood Derby, and Lure won the 1993 Breeders Cup mile starting from post position 12.⁵ Affirmed won the Hollywood Juvenile Championship as a two year old when he was based in New York.⁶

There are a few New Yorkers who have not succumbed to the curse, but then again even some people who have won supporting actor Oscars have moved on to better things. Jack Nicholson, Robert DeNiro, Denzel Washington, and Meryl Streep all won Supporting Actor/Actress Oscars. It's probably best to view the New Yorkers who succeeded in Southern California in the same light. They're the best of the best. They have outEquiposed Equipoise.⁷

⁵ While this is a subjective observation, it appears that New York based horses have run better on the turf in Southern California than on the dirt.

⁶ This analysis does not refer to horses that move permanently to the West Coast. East Coast residents who settle on the West Coast frequently prosper. Look at John Henry, Affirmed, and Spectacular Bid.

⁷ In this age of supertrainers, it has become harder to determine just where a horse is based today. Where is the base of a horse trained by Bobby Frankel, Wayne Lukas or Todd Pletcher? They seem to be omnipresent.