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Horsemen's
Association

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Volume XXIV Issue IV

Pam Turner, Editor

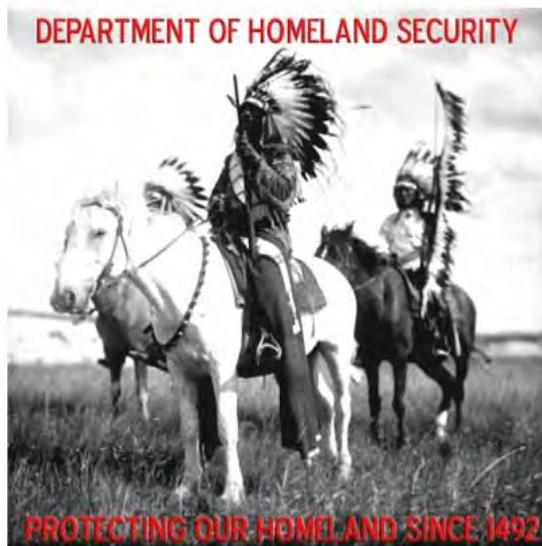
April 2009

April General Meeting Your Senior Horse - A Different Viewpoint April 16 at 7pm

In the aging process the body undergoes many changes and so in order to remain healthy and happy we need to adjust to these changes. We do this for ourselves by diet, exercise, adding supplements and sometimes medication. Our senior horses need the same kind of attention. We are so fortunate to have Dr. Jim Giaccopuzzi, an expert in Geriatric care, to share his extensive knowledge with us. He will give us detailed information that covers your horse from the tip of his or her nose to the tip of the tail- feet, teeth, joints, nutrition, hormones, etc. This is an area that he specializes in and, speaking as a person who had a geriatric horse under Dr. Jimmy's care, he has a deep understanding of their unique needs. He will be bringing some interesting items for a "show and tell" type of presentation you won't want to miss. You may have heard past presentations about caring for Senior Horses, but this will be a unique evening you won't want to miss! There will be some important new information in keeping your elderly friend happy and healthy.

Come with your questions - we will have a veritable 'fount of knowledge' to draw from!

Pam Turner
Dispatch Editor



PVPHA General Meeting Thursday, March 19, 2009 – Report

Board Member, Vic Otten (an environmental attorney and Chair of the Conservation Legal Committee for the Angeles Chapter of Sierra Club), announced that the PVPHA had recently learned that the City of Rolling Hills Estates planned to release the draft Environmental Impact Report (EIR) for the Chandler Ranch/Rolling Hills Country Club proposed development. This is a massive project where Chandler is seeking approval to build over 100 new homes and greatly expand the now existing golf course. Besides all of the negative impacts that a project of such magnitude will bring to our area, Chandler is seeking to have the development removed from the horse overlay zone.

Once the draft EIR is released, the public will be allowed to comment on the report. There is a very short window of opportunity for the public to do this before their rights are lost forever.

Mr. Otten announced that a citizens group is being formed to discuss the project, meet with experts, draft comment letters on the project and, if the project is ultimately approved, to prepare legal challenges.

Originally, the project manager of the proposed development sought the input and support of the PVPHA. Different forms of environmental mitigation were discussed, but the PVPHA has come to believe that Chandler never really intended to offer any real form of environmental mitigation for what will clearly harm the environment and the equestrian way of life that has existed on the hill for well over 100 years.

For those of you that want to join the citizens group, Mr. Otten can be contacted by e-mail (vjotten@earthlink.net) or phone (424-634-0397).

Lisa Lerch, attorney-at-law with her firm, Legal Equestrian, specializes in helping people who have legal problems involving horses. She has taught her legal seminars at Equine Affaire, at colleges and graciously agreed to give her presentation geared toward horse owners, for our members.

Lisa spoke of the importance of having written contracts when buying or selling a horse. A contract is simply the rules by which both parties play the game, and spells out what happens when/if things should go wrong.

Lisa stated that a bill of sale is not an adequate writing to protect the parties.

A bill of sale usually indicates an "as is" sale with no guarantees, but people will still make promises, and parties will rely on those promises. However, a bill of sale will not protect those promises unless they are incorporated into the document. Bill of sales should only be treated as receipts.

Contract Basics: What should be included in a contract:

- 1) The names of the parties to the transaction (If corporations or partnerships, they must be named as well).
- 2) A detailed description of the horse – as much detail as possible, including things like tattoo numbers of former race horses and the name of the previous owner.
- 3) Detailed terms of the transaction: How much money? Form of payment? When and how horse will be delivered? Is there a trial period? Each deal is different, and every detail should be spelled out in a contract.
- 4) A provision for how disagreements will be handled: mediation? Arbitration?
- 5) The name of the county or city where parties wish to litigate in case of disagreement.
- 6) Most Important: Attorney fees and costs go to the winner of the litigation!

Transfer Documents

- 1) Buy/Sell Agreements
- 2) Issues to Consider:
 - a) Vet check
 - b) Trial Period

- c) Risk of loss during transfer: who assumes the risk? Say a horse gets loose during the trial period and causes damage. The buyer typically indemnifies the seller. During transport, the horse is "deemed sold upon loading".

Leasing:

Even when leasing a horse, you should have a contract, and include the following:

- 1) Term of the Contract?
- 2) Who will retain ownership of the horse?
- 3) Who is responsible for vet care, shoeing, training expenses, showing expenses?
- 4) How and when will payments be made?
- 5) Who assumes the risk if the horse dies?
- 6) Limitation on use of horse (can the lessee use it for trail riding, jumping, lessons?)
- 7) Horse is offered "as is"? Get a vet check so you know what you're leasing!

Ms. Lerch recommends requiring a lessee to ride only on the property in an arena for one month before taking a horse on the trail, to become familiar with it first.

Breeding Contracts:

- 1) What equals the breeding season?
- 2) What breeding methods are acceptable?
- 3) What other uses of the horse (mare) are allowed? (Trail riding, etc?)
- 4) What equals a "Live Foal" (if foal stands and nurses, then dies, was it a live foal?)
- 5) Who bears the risk of loss?
- 6) Vet/shoeing and related services – who bears the costs?

Insurance Coverage and the Necessity of General Liability:

Horses are a potential liability which could cost you thousands of dollars in liability should someone get injured or killed. Lisa recommends that everyone consult with an insurance expert to make sure that they have the proper insurance.

Horse Liens -- are mostly misunderstood in California:

CA Civil Code 2080 provides that when you put a horse in somebody else's care, a Livestock Service Lien is automatically in place! The servicer (services are things like boarding and training) has a general lien on any livestock in his/her possession to ensure that all contractual obligations are met.

Boarding facilities can retain possession and charge the reasonable value of services until all charges are satisfied, or: Sell all or any portion so long as the lien-holder obtains a favorable judgment in court.

Servicers (boarding stable owner, trainer, etc) must follow proper legal procedures before selling a horse – or they may get the owner to sign a release in lieu of paying fees. Without a court order or release, they risk charges of theft.

If a servicer sells a horse, the proceeds must be applied in the following order:

- 1) Charges for livestock services
- 2) Costs for transporting & preparing for sale.
- 3) Attorney's fees

Abandoned Animals:

Boarding facilities must post or include in boarding agreements, what will happen if an animal is abandoned.

Liability Releases – Do They Work?

YES – California courts have allowed assumption of the risk to provide a complete defense to injury caused by the inherent risk of equestrian activities.

What is inherent risk? Any normal behavior a horse may engage in.

Liability of Trainers/Instructors: Trainers can be liable if they do things that increase the risks inherent in learning the sport. *Example: a trainer knows a rider is comfortable and experienced in jumping 2 feet, but one day decides to raise the jump to 4 feet to challenge the pupil – she may be assuming the risk for any mishaps.*

Who signs Releases? – A parent or legal guardian. A child under the age of 18 may not enter into any contract, and if they do sign, they can later disavow (deny) the signature.

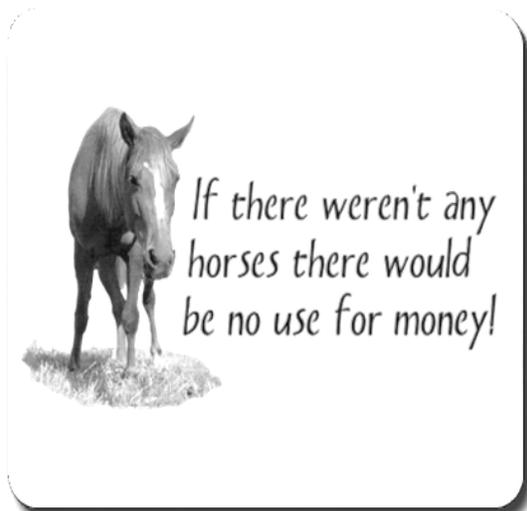
Validity of a Liability Release Form:

In order to be considered valid, a liability release form must be clear, concise, easily understood and readable (no print less than 8 point font), and the most important language must be placed in a position that will be noticed by the signor.

Recreational Trail Use:

Trail owners (municipalities, states, counties) owe NO duty to maintain a trail or warn of hazardous conditions or activities. They cannot be held liable for injuries due to trail conditions.

Estate & Trust Planning: California State Probate Code 15212 provides for the creation of an honorary trust to provide for the care of pets after one's death.



FROM THE EDITOR...

Spring has sprung and we are delighted to have the longer days and the longer rides. Lots of events coming our way in April from Ride to Fly's Annual Fundraiser to the Santa Clarita Cowboy Festival. By the way our own California Cowboy's (Steve Deming, Craig Ruppert and Mel Harker) are playing onstage. If you saw them at the PVPHA Cowboy Poetry festival in January you know they are worth the drive to Santa Clarita! You might also want to check out Baxter Black, Sourdough Slim and other noted cowboy poets and entertainers at this very popular event.

We have a special report this month on the Los Caballeros ride at Camp Pendleton from my saddle pal, Bruce Harnishfeger. Also, if you have a horse that rears this issue has information on what to do about it. It could save you and the horse from injury. I've been doing a bit of riding behind the gates and so far the trails I've been on are looking pretty good :Si's all the way to the top; Glory; Johns Canyon; Purple Canyon; Parnelli Jones; Sleepy Hollow; Storm's Hill, Quarterhorse, Bent Springs and of course all the trails in the 'flats' are quite rideable. So saddle up and I'll see ya out there!

Happy Trails,

Pam Turner



Welcome New Members: Charles Gossett

Thank You Trail Donors: Charles Gossett

What's Happening:

April 16 – PVPHA General Meeting

April 18- Ride to Fly Fundraiser at the ESC

April 22-26 – Santa Clarita Cowboy Festival

Melody Ranch. www.cowboyfestival.org

April 25-26- Will Rogers Team Sorting,

1501 Will Rogers State Park Road, Pacific Palisades.

Contact: 310-450-6627 www.Bradlangenberg.com

May 3 - Los Serranos Awards Circuit Western & Reining

Horseshow- Beginners classes available- Ernie Howlett

Park. Contact Trish Harik at 310-378-9911

May 9– Mayor's Ride & Boy Scout Pancake Breakfast

8am

Los Caballeros Spring Ride

By Bruce Harnishfeger

Why did the Marine cross the road?
To ride to the beach with the Los Caballeros!!
Or

What do ya get when ya take 85 Gentlemen Cowboys and horses, Great Cowboy Music by **Rusty Richards and the California Cowboys**, superb food and catering services by "Lettuce Cater You", and the security of the US Marine Corps?

Why the **2009 LOS CABALLEROS SPRING RIDE** of Course!

On the weekend of March 6, 7, & 8 I was fortunate enough to be among a wonderful group of Gentlemen Cowboys known as the LOS CABALLEROS, (a group of Los Angeles area horsemen that was incorporated in 1943) on their spring ride in Camp Pendleton.

Of the three rides a year (or more) this club sponsors, the "St Patrick's Day Ride" was their first of the year. Fortunately, again this year it was held at the US Marine Corps Camp Pendleton Training Grounds near Oceanside, CA. I had the privilege of being accompanied by several members of the Empty Saddle Club; including: **Don Barnfather, Steve Deming** (one of the California Cowboys musicians), **Greg Keenan, Mike Krotz, Dick Pierce, Fred Rosenberg, Phil Feast and Ward Ward**, to name those who I recognized.

With ample parking in a Valley deep inside the base about 4 miles from the Ocean, one could forget that LA was a mere couple of hours away, and with overnight temperatures dipping into the low forties, it was hard to remember one was still in Southern California!

After arriving and checking in on Friday afternoon I took a little ride around the camp with a few "Gunsel" friends from last year's Catalina Ride (the group's flagship ride - see www.loscaballeros.org for more details on this great ride) before returning in time for a horsemanship clinic given by famed horseman **Jerry Tindell**. After which dinner was served by "Lettuce Cater You" with superb prime rib, salad, corn on the cob and fine wines. When dinner was over the California Cowboys (**Steve Deming-**

Harmonica, **Craig Ruppert** on Bass guitar/vocals, and **Mel Harker** on lead guitar/vocals) played great Cowboy music until I hit the hay.

Saturday morning brought a breakfast feast ample enough to stuff a horse; thank goodness there was time to let it digest before setting out on the trail at 9:30. The "trail" was actually the dirt roads used for marine vehicles in their training exercises (gladly we didn't come in contact with any of these do to the fact that the Marine's had us under watchful eyes and knew of our whereabouts at ALL times) and this made for some easy walking and lots of talking!

The weather was great for the ride as it was warm in the sun and cool in the shade. When we neared the Ocean the winds picked up a bit and called to the horses with welcoming voices. After crossing over a high bridge above the railroad tracks, going through a tunnel under the freeway, and a game of chicken with some alligator looking amphibious type Marine assault vehicles (we had 'em outnumbered 30 to 1!) we finally came to the beach.

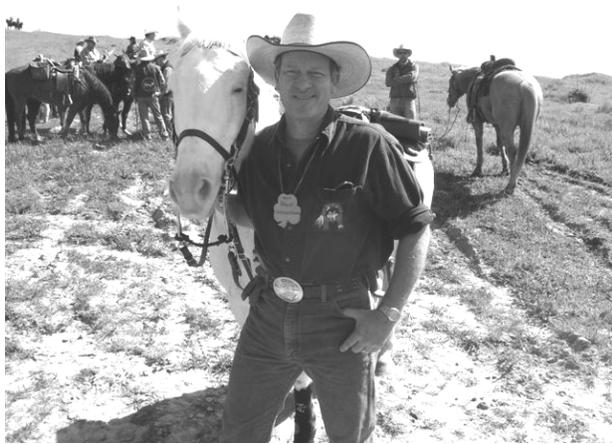
The horses (at least mine) seemed to know this was the time that they (she) had been waiting for all day long. As each step seemed to quicken just a bit, and every moment lent itself to the inner cries of the galloping equine within, it seemed useless to hold 'em back any longer and one by one the herd began to gallop southward spreading out between the water and the foliage of the beach, it must have been a sight to see. We all had a great time playing in the surf and the sand before lunch was served on the nearby bluff overlooking the ocean.



Playing on the beach

The 3 mile ride back was anti climatic in comparison with the earlier ride, but a warm relaxing afternoon sun reminded us of just how fortunate we were to be riding, in Southern California, along the Pacific Ocean, on the Marine Base, in March, on our way back to camp for more Prime Rib and great Cowboy music!!

Thank You, God
Thank you, Los Caballeros
Thank you, Keanna.



Bruce and Keanna

Rhymes of the Range....

My Father

By Dan Lambert

He rode out of the West,
medals of pride pinned to his chest.
He stayed with us a little while,
with a friendly laugh and a strong smile.
Upon his shoulders I took a ride,
To our suburban playground outside.
Each night he strode across the hill,
and I ran to greet Big Daddy Bill.
He rode the world: what sights he saw!
In Paris, love was his only law.
He lived, he danced, and played the game,
then rode away, from whence he came

Billy the Kid

By Dan Lambert

Hell, yes, I did it. I shot the Sheriff. I shot the Deputy, too. Caught him between the eyes while he was reloading. Both my guns blazed red-hot.

When it came time for me to reload, I savored the sweet perfume of gun smoke as I ejected the spent brass from my six guns, and loaded twelve more. One bullet for each apostle, bringing brimstone and glory down on the whole, self-righteous lot of them.

Hell, them John Q. Laws should've thanked me: I made them household names all the way from Joliet to Abilene. "ANOTHER LAWMAN SHOT DEAD BY THE KID." Mister, I 'aint right in the head. Mama always said so, ever since she found that bird strangled in my room. I made him a little noose, so he'd fly in circles from the ceiling, puttin' on a show just for me.

I made them clouds up there burst, Mister. Them angels are pourin' down tears, hopin' to wash away all the blood I plan on spillin' tonight. I'm the one that scooped out the Grand Canyon, and broke the back of Brokeback Mountain.

I aint' never gonna let no John Q. Law get the drop on me. I've killed one man for every year I've been on God's Green Earth. That's 21 men, and each one's name is scratched right here on the stock of my Henry rifle. I'm goin' down in a blaze of glory. Hell, killin's as American as apple pie. I'm goin' down in history.

PVPHA Election of Officers

The PVPHA election of officers will be held at the June 18th General Membership meeting at 7pm at the Empty Saddle Club. The positions available for a two-year term which will start July, 1st 2009 are as follows:

Recording Secretary; Treasurer; Vice President of Education; Vice President of Fiscal Affairs

If you are interested in running for one of these Positions, please contact one of the members of The nominating committee, June Olney @ (310) 326 4531 or Kathy Gliksmann @ (310) 325 9315.



Stop Your Horse From Rearing

by: Andy Curry

There is a dangerous problem that horse owners should be very aware of. It's when a horse stands up on his back legs. It's called "rearing." This problem can be quite dangerous and cause severe injuries to the rider and/or horse. Rearing is perhaps a horse's most effective defense against the rider. It is dangerous in that the horse can fall over backward onto its rider. Because of a horse's enormous weight this can cripple and even kill the rider. Thus, it is good to know why, if possible, a horse rears. But even more importantly, how to stop it. If your horse ever does rear with you on him, there isn't much you can do. If he rears suddenly, he could lose his balance and fall or he could rear so explosively that he can throw himself back to the ground with the rider under him. If you're on him while this is happening and you use the reins to pull on to keep from falling, you're likely to pull the horse over. Although it's not one hundred percent infallible, the best way to protect yourself when a horse rears with you is to lean forward immediately and put your hands forward so you have loose reins. If you have to, you could even put your arms around his neck, let go of the reins and slide off. For my money, there aren't any other safer ways to deal with a horse if he suddenly rears.

Why do horses rear? There are several reasons why. Here are some examples.

I've read where a rider was on an obedient horse while trail riding. They came upon cows and it scared the horse because the horse was not used to cows. The rider tried to get the horse to go toward the cows to get it to learn that cows are not spooky. The horse obeyed and went forward but finally became so frightened that it reared up, lost balance, and fell on its rider. The rider suffered numerous broken bones. The rider later understood the horse felt trapped. The horse obediently went forward even though it was frightened. As it got closer, fear overpowered the horse and it had nowhere to go but up. Some horses rear because as colts they were too young to be ridden. Another reason rearing happens is because training may confuse the horse. The horse may be asked to do too much at one time and not know what to do. Sometimes a horse will rear if it is forced to yield to the bit. Other horses may rear if you try to get them to put out more energy than they can. On the opposite end, some horses may rear because they want to go and you don't let them.

So how do you stop a horse from rearing?

First, let's take a look at the anatomy of a horse while it rears. A horse cannot rear while running. A horse must stop (or be barely moving) to be able to rear. If a rider has had enough experience on a horse he can feel when the horse gets light in the front. In a way, it would be a bit like sitting in the middle of a teeter-totter where you can feel one side getting light. So, if a horse has to stop to rear up then it makes sense to keep the horse moving so it cannot rear up. Thus, if you feel your horse getting light in the front then you move him forward and do it with meaning. Not just a patient "cluck" from your mouth. Do it like you mean it. And it's also important he has a place to go forward – don't have him blocked in by anything.

If your horse rears up and you weren't ready for it then lean forward and give your horse loose reins. As soon as your horse's feet are almost back to the ground then make your horse go forward. Let the horse know, with no doubt whatsoever, to go forward. Boot the horse "hard" into going forward. When your horse has gone forward a little ways then double him and drive him forward out of the double. Then double him the other way and drive him forward from it also. Then bring your horse to a stop. What does it mean to "double" your horse? Essentially, you will pull his head back one way towards his hind quarters. The moment he is committed to the turn then boot him forward. This impresses upon your horses' mind that you can control him.

Other so-called "schools of thought" to stop rearing are to hit a horse over the head with a two-by-four when he rears up. I've even read where people break beer bottles over the horse's head. Some people use the handle end of a riding crop. Not only are these inhumane ways to stop rearing, they are rarely, if ever, effective. They don't teach a horse anything except to fear the rider. Hitting a horse over the head when you are trying to build a trust relationship will destroy all you've worked for. As is almost always the case, the best way to get a horse to do what you want is to use psychology of the horse. Get him to move and you can accomplish miracles.

MEMBERSHIP INFORMATION

RENEWALS:

Renewals are sent out in May and need to be received by June 30th. The Membership Director, Jim Moore is available to answer any questions: (310) 377-8834

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_____ tickets at \$.50 each or 11 tickets for \$5.00 for children's games & pony rides

Total Payment: _____

Send this form with payment to: Ride to Fly, c/o Sheri Sprague
PO BOX 4991, Palos Verdes Peninsula, CA 90274

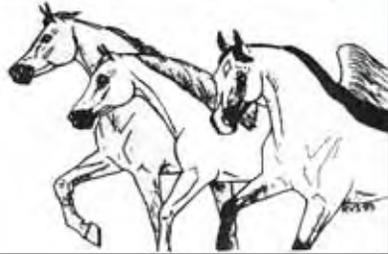
I/We cannot attend but would like to contribute to Ride to Fly. Please accept the enclosed tax-deductible donation for \$ _____. Checks should be made payable to **Ride to Fly**.

RSVP appreciated by April 10, 2009. Pre-paid tickets should be picked up at the door.

** For more information please contact Evelyn O'Hara @ 424-247-8748 or evelyn_ohara@yahoo.com
Do you have an item to donate to our silent auction? If so, please contact us ASAP!

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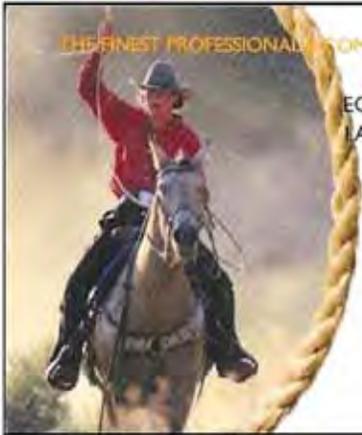
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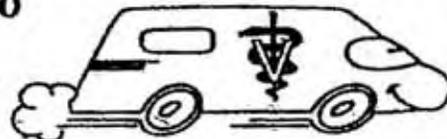


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