

# CROSS COUNTRY NEWS

VOLUME 3, ISSUE 2      SUMMER 2010

## FROM THE TRAILER OF THE PRESIDENT



Dear Members, Families,  
Riders, and Horse  
Enthusiasts:

It is hot, hot, HOT outside! Please don't forget to keep yourself and your horses hydrated through this brutal summer heat. Fall USEA opening dates are upon us, our late summer schooling shows are underway, and before we know it, fall will be here – hopefully bringing with it wonderful weather.

As we move toward the end of summer, the NTEA board begins to prepare for the 2010 awards banquet and annual meeting. We are excited to announce that our 2010 banquet will be held on January 8, 2011 at the Cowboys Golf Club in

Grapevine! This is a beautiful venue and they are as excited to host NTEA as we are to be holding our banquet there. Please save the date and join us in January for what is promised to be a lovely evening with good fun, good food, and good company. Don't forget to send in your nominations for the Al Smith and CL McDaniel awards and best of luck as you all compete for the coveted year-end awards!



On the educational front, scholarship application time is here. Please take the time to review the scholarship information on the website and apply! Our 2010 scholarship recipients are more than willing to discuss with you their contributions

to NTEA and their wonderful and diverse uses of their NTEA scholarship funds.

As we look forward to 2011, please consider volunteering for an NTEA board position – 2011 is looking to be a year of transition and we'd love to have you! And, finally, if you have not renewed your membership for this year, do so quickly so that you don't miss out on what NTEA has to offer during the second half of 2010! As always, please do not hesitate to contact me. "Keep your prayers said and your ponies fed."

All the best,

Meg Johnson, Esq.

President, NTEA



## NTEA SUMMER/FALL 2010 CALENDAR

**August 2010**

- August 27-29            Open Schooling **Meadowcreek Park**
- August 28-29            USEA Horse Trials at **Feather Creek Farm.**

**September 2010**

- September 11            Schooling Horse Trials. **Silver Hill Stables.**  
**E-mail: [eventing\\_guru@yahoo.com](mailto:eventing_guru@yahoo.com).**
- September 18-19        Dressage Ride A Test & Open Schooling (Sat)  
Event "Jackpot" Derby (Sun) at **Denton Creek Farms.**  
**Email: bookworm711@msn.com**
- September 18-19        Open Schooling Day / Schooling Horse Trials. **Curragh Equestrian Center.** 817-443-3777.
- September 18-19        DDC Yellow Rose I & II Dressage Show  
**Las Colinas Equestrian Center**  
Contact: Barbara Lewis (903) 439-7717  
**Email: recognizedshows@dallasdressage.org**
- September 24-25        Fall Horse Trials (A/I through BN) and Chronicle of the Horse Adult Team Championship. **Greenwood Farm**
- September 24-26        Texas Dressage Fall Classic I & II  
Location: **Texas Rose Horse Park**  
Contact: Susan Peacock     [susan@showsecretary.com](mailto:susan@showsecretary.com)

**Do you have an event you'd like to add to our calendar? Let us know!**  
**[mandykelly220@gmail.com](mailto:mandykelly220@gmail.com)**

**Check out our full, up-to-the-minute online calendar at [www.nteventing.net](http://www.nteventing.net)**

## NTEA SUMMER/FALL 2010 CALENDAR

October 2010

- October 2 DDC Dressage Schooling Show  
**Las Colinas Equestrian Center**  
Contact: Michelann Tachibana  
schoolingshows@dallasdressage.or
- October 2-3 Open Schooling Day / Schooling Horse Trials.  
**Curragh Equestrian Center.** 817-443-3777.
- October 9-10 Fall Horse Trials. **Meadowcreek Park.**  
USEF/USEA Recognized: I,P  
USEF Endorsed/USEA Recognized: N,T,BN
- October 17 Dressage Schooling Show.  
**Curragh Equestrian Center.** 817-443-3777.
- October 22-24 Fall Horse Trials. **Holly Hill (LA)**  
USEF/USEA Recognized: I,P  
USEF Endorsed/USEA Recognized: N,T,BN
- October 30 3rd Annual Brazos Valley Hunter Show.  
**Greenwood Farm**
- October 30-31 Cross Country Schooling Saturday, 30th.  
Annual Fall Horse Trials Sunday 31.  
**Quail Run Farm.** Jan Walling (peterwalling@gmail.com)



**2010 NTEA AWARDS  
& CASINO NIGHT  
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**JANUARY 8, 2011  
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## Loose Horse Liability

By: Meg Johnson, Esq.

Texas is a free range state. This means that, unless a specific Texas statute or local stock law applies, livestock (including horses) are generally allowed to roam at large. However, the Texas legislature has imposed two exceptions to the free range rule: (a) Tex. Agri. Code §143.102 prohibits certain persons from *knowingly* permitting livestock to roam at large on highways; and (b) counties may adopt local stock laws to prohibit certain livestock from roaming at large.

Texas courts have relied upon § 143.102 of the Texas Agricultural Code to hold or assume that livestock owners may be liable for negligence if their animals stray onto highways. (Highways include U.S. or state highways but do not include numbered farm-to-market roads). Further, counties or communities within counties may adopt local “stock laws” which prohibit livestock from running at large. Therefore, in counties with such stock laws, property owners are not required to fence against animals that are not permitted to run at large. Instead, *the livestock owners are required to fence in their livestock to prevent the animals from roaming.*

Neither the Agricultural Code nor the local stock laws impose strict liability on defendants in the event an animal escapes from its enclosures. Rather, some fault must be attributable to the person that *knowingly* permitted the animal to stray on the highway. In addition, violations of

local stock laws and § 143.102 (the highway rule) require that the defendant exercised control or responsibility for the animal roaming at large.

*Example:* While unloading a horse from a trailer at an event, the horse escaped, ran off the show grounds through the open gate, across a field, and onto a nearby Interstate highway, causing a multi-vehicle accident that resulted in an 18-wheeler exploding on the highway. The county in which the accident occurs does have a local stock law. Who is at fault?



*Answer:* A case with similar facts is currently being litigated by attorneys at Touchstone Bernays. Section 143.102 (highway rule) should apply because the horse roamed onto a U.S. highway. But, unless the plaintiffs can prove that any of the defendants (including the owner, groom, trainer and show organizer) “knowingly” allowed the horse to roam onto the highway, § 143.102 is not grounds for negligence per se. Under common law negligence principles, arguably the resulting accident was not foreseeable. Furthermore, an argument could be made that any defendants who did not exercise control or responsibility for the horse (i.e., the show management and trainer) are not negligent.

Our firm, **Touchstone Bernays**, handles the defense of farms and ranches, defense of vehicular accidents involving equine transportation, and defense of equine equipment failure as well as sales, breeding, training and boarding agreement preparation and litigation. [www.touchstonelaw.com](http://www.touchstonelaw.com)

## Tell Me More About NTEA Awards ....

By Mica Pryor, NTEA Secretary

Did you know that NTEA has established two annual Awards to honor outstanding members? The Al Smith Award is given to an adult member, in memory of Al Smith, a significant player in building community and driving improvements in Area V eventing. The C.L. McDaniel Youth Sportsmanship Award is given to a youth member, in memory of C.L. McDaniel, a devoted grandparent who

enthusiastically supported young riders.

The winner of the 2010 Al Smith Award will receive a \$500 cash prize, perpetual trophy, and engraved plaque. Nominees must be an adult (age 22 or older), a current NTEA member, exhibit the qualities of compassion, integrity and enthusiasm in eventing and may not have received the award in 2009.

Current (2010) NTEA board members and their immediate family members are not eligible for the 2010 Al Smith Award.

The winner of the 2010 C. L. McDaniel Youth Sportsmanship Award will receive a \$250 cash prize and an engraved plaque. Nominees must be a youth (age 13-21), a current NTEA member, exhibit the qualities of horsemanship, sportsmanship, integrity, honesty, positive attitude and overall "spirit of eventing" and may not have received the award in 2009.

Current (2010) NTEA board members and their immediate family members are not eligible for the 2010 Youth Sportsmanship Award.



Nominations for each of these awards are being accepted now through November 5, 2010. The

board will review the nominations and select the winners. The awards will be given at the 2010 Year-End Banquet scheduled for January 8, 2011.

Please visit our website, [www.nteventing.net](http://www.nteventing.net), for the

Nominating Forms and instructions, then nominate someone special today!

## The Road to Intermediate - Part 1 of 2

By: Samantha Garbarino

Thank you NTEA for awarding me and Toby (Chasing Liberty) a \$500 level scholarship this year. When I applied for an NTEA Educational Scholarship last year, I planned to spend the winter eventing season in Florida and move to Toby to Intermediate. When I received the call saying we had been awarded a \$500 scholarship to help pay for additional lessons and coaching in Florida, it seemed like our plan was moving in the right direction. With good results at the fall 2009 events, we had conquered all the challenges at Preliminary and at the CIC\* level and were ready for Intermediate. But, as with all things horse-related, you always need a Plan B.

After Holly Hill last fall, I gave Toby a bit of a holiday. When I started him back, things didn't feel quite right. Next day, it was even worse. So we called the vet and, yes, he had a good sized corn in a front hoof. After ten days of treatment with copper sulphate (to help harden his foot), then pads and shoes back on, we are ready to go again. Or not! An old scar from our trailer accident under his elbow reopened after a year and a half of being fine!!

Dr. Willard checked Toby out and wasn't too concerned, as the wound wasn't affecting his action. Still, I didn't want to push him. More time off. Then he got cellulitis in the wound, which is mega painful. After several days of strong antibiotics, it was under control and the scar started to heal well. I use that First Aid "matrix" 3 step process – it's brilliant stuff. Now it was well into December, so time was ticking!! In the meantime, work got crazy with a client in China and I seemed to be working all hours, so I had no time to ride even if Toby had been healthy enough!! By Christmas it was obvious that we would not be going to Florida, what with Toby's fitness not being what it needed to be and with my work overload. Then came news that I would have to go to work in China for over a week!!! Plan A was out!!

Enter Plan B. We had such a great run at Poplar Place last fall, winning the CIC\*, it seemed an obvious place to move up. I had looked at the Intermediate course when we were out there before. I thought it had some good questions and felt Toby and I would be able to cope. The event was middle of March, so I thought we had plenty of time to get ready. From mid-

January (when I returned from China), it was GAME ON with a weekly Mary D'Arcy lesson and a few with Mike Huber after he returned from Florida. Our flat work improved every lesson and we had plenty of homework to do between lessons. We did a couple of dressage schooling shows, which are great for helping improve your scores and getting your nerves in check. We schooled Texas Rose XC after the rain, rain and more rain. They have some good fences and a great facility, but with the poor weather we decided to save Toby's legs and forego the February TRHP event.

This turned out to be the right call, as Toby's scar re-opened, yet again, the week of the event!! Dr. Willard came out three evenings to laser the wound and then I carried on with my Bio Laser light every other day. In new tests, it's shown to work better with a one or two day break between treatments. Again, Toby was unaffected by it (soundness-wise) and didn't seem to really care. Dr. Willard said it could take a while to heal properly due to the location of the wound, but that it was just loose skin and not damaging to Toby (just unsightly and worrisome to me).

Next, Mary schooled us around the Intermediate XC course at Greenwood. Toby was a total star and took it all in stride. With three weeks until Poplar we were still on schedule with our Plan B: Monday off, Tuesday hack, Wednesday lesson (jump & flatwork) with Mary, Thursday/Friday hack and flatwork, Saturday jumping (or XC schooling), Sunday canter sets.

One week before Poplar and we had some serious planning to do for the trip. Diane Pitts and I were taking Martha's horse and rig out for her, as she had work in Atlanta and would meet us there. There was quite a crowd of Area V riders making the trip. I had always heard great things about the Poplar events and it's thrilling to compete there – I made my first trip there last year with Lynn Partridge. It's now one of my favorite venues, right up there with the Kentucky Horse Park and Lamplight. So if you haven't been there, it's totally worth the effort and long drive out there.

I left really early Wednesday morning in order to drop off Toby and pick-up Martha's rig from Mike by 4 a.m.! Then I met Lacey Cloud, Debra Dealcuaz and Kristen Curreri at the Denny's off I-20, as they were bringing Diane to me and convoying with us all the way! As rode trips go, it really wasn't too bad and we arrived at Poplar just before dark. After the horses



were tucked away in their stalls, the comedy of errors began as Diane and I clamored around in the dark using the I-Phone and Blackberry for torches trying to set up Marth'a trailer! It was classic! We did have Martha's handy "cheat sheet" of what to do and where! Plus, of course we could always call Martha for help, because it was not like she would be three sheets to the wind propping up the bar at a hotel conference!! By 10 p.m. we had the generator going, found the propane tanks, had heated Diane's fabulous chili, and had hot water but no heating. We were way too tired to care or worry about a shower, even if we did stink of petrol from over-filling the generator in the dark! Joy!

Thursday woke up *bleeding freezing*!!! You can be sure we quickly worked out how to get the heat on! Toby seemed to have had a good night and was happy to eat his breakfast (which does not always happen at shows). Then off for a walk and watch the sun rise out of the mist and over the readying show grounds. The day was full of normal pre-show routines, collecting packets, warm-up rides (Toby was happy and moved well after the journey), horse baths, tack cleaning and multiple course walks, hoping each time that those XC jumps would have shrunk just a little bit more! As Martha wasn't going to be in until early Friday morning, I got to ride her mare too which reminded me how much fun Novice level horses are!!! By mid afternoon, it was nap time!! Totally knackered!! Back to the XC course!! They had reversed the track since the Fall event and the first fence (a brick-top table) was not small and the second (a wide skinny up a step hill) was close to where the finish line had been. So a little tricky start for everyone! Then the 3<sup>rd</sup> fence was a "dinosaur", shaped like stegosaurus perched on top of a mound which looked like it could well spook a few horses! But a cool fence!



The rest of the course rolled away with a combination of large fences, "OK" fences, a "Giant Panda" and then a few of the "bugger that's a wide/high/drop". On the whole, I didn't feel too bad. No..no sick feeling or sweaty palms...Not at all!!! Nope!!



If you don't remember the Spring (it's hard to recall, with it so HOT and DRY now), it was wet. In Georgia, it was REALLY wet. They had been rained on pretty much since the fall. The ground was a bit soggy and slippery in places, but over-all good. The forecast called for no rain until Sunday....we hoped!!

Oh, and did I mention that the generator was loud? You probably didn't hear me because our generator is so LOUD!! How do I know? When people on the other side of the parking lot stop by to ask if you could switch off your generator at night, you might be a tad loud! Martha arrived early Friday morning with goodies from our wish-list. Now her trailer was professionally kitted out with all you need on a long road trip away! Hey, what are friends for!!

My test was late Friday morning, so it was a calm morning for getting Toby and me ready. I had a plan. Over the months, I had worked out the best way to get Toby ready mentally and physically for a dressage test. That's why I love doing schooling shows - they are a great, inexpensive way of getting things "Right". Thanks to both the Dallas and Forth Worth Dressage Clubs and the local stables for running schooling shows and events!

Concentration is hard sometimes at these big events when some of the best Upper level professional riders are in your division and cruise past you on their flashy mounts looking fabulous! So best not to look at them! I felt like I had done all my home work and now I just needed to get in there and keep it together and ride the best test "we" could! My hope was to score below 40. There were a few moves in the test which are definitely upper level, requiring well organized riding and a well balanced and obedient horse, especially in the canter. I was thinking too much about those moves coming up and didn't pay enough attention to my trot shoulder and haunches in, but the rest of the test went well and we cantered up the center line and halted very straight.

I was rather happy with our test. Our 38.0 put a big smile on my face, with the couple of 8's (brilliant) and a couple of 5's (phewie) which reflected what I already knew about some of my lateral work! After dressage, we were in 11<sup>th</sup> place out of 17, in a nearly all Pro class, riding experienced Intermediate horses. I was well happy and so too Karen Schull on her new horse Ferg who was just .4 behind me doing his first Intermediate too!! Meanwhile, in the other OI division of 17 horses, Mike, Bonner Carpenter, Becky Roper and Jessica Pye were holding their own for Area V, with Jess in second place.

Friday afternoon was filled with more course walks. When we walked the course with Mike, he put us at ease about most of the fences and how we needed to ride our lines. I also walked Martha's Novice XC course with her and helped go over a few things with her. This was only her second Novice and it's a good course. No matter what level you compete, each time you or your horse moves up for the first time, you have to know you are ready and that you are happy with the move. Being respectful and a little scared of the course is a healthy thing, but being scared to death ...is not!

Saturday morning I was up early. I hadn't gotten a lot of sleep as my XC nerves started not long after I went to bed. I must have ridden my course 20 times in my sleep...so annoying!! I always like to walk my course one more time on the morning before we run, just to check footing, any fence changes and double-check my alternative routes. It was a beautiful morning, a little chill in the air and the grass was heavy with dew. The sky was blue with only a few clouds and the sun was climbing out over the distance hills...Perfect. Watching the Advanced riders tackle their course is a fab way to get you psyched to run/jump yourself. The big Irish bank took its toll on a few (which I really didn't need to see), but watching them skip through the sunken road complex was inspiring.

The Area V riders all seemed to be going one after the other on course, so warm-up felt like being back in Texas. Word from the course was that it was riding slow due to the conditions, being a bit wet and boggy in some areas, and that Jumps 5A/B were catching people and there were already Faults, Retirements and Eliminations! This was sobering information as we waited for our turn at the Start Box.

**\*\* Want to know what happens next? Read the conclusion of Samantha's adventures in our next issue of Cross Country News!**

**Do you have a story  
you'd like to share in  
the newsletter? Have a  
great idea but not sure  
how to go about  
writing it?**



**We'd love to hear it!**

**Email  
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with your story idea and  
we'll consider  
it for an upcoming  
Cross Country News!**

### **Tell Me More About NTEA Scholarships....**

By Gabrielle Gordon, 2010 Scholarship Committee Member

**What are NTEA scholarships?**

**How do I apply for a scholarship?**

**What do members do with scholarship money?**

**How do member scholarships promote our sport?**



Good Questions!

Under NTEA's non-profit charter, NTEA may give scholarships to promote and educate people about equestrian sports, especially eventing. Each year, NTEA budgets funds for member educational scholarships and

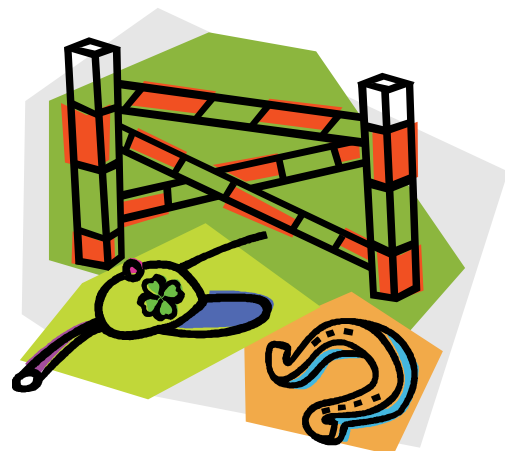
appoints a three-person Scholarship Committee comprised of a current NTEA board member, a local trainer, and a current NTEA member. The Scholarship Committee reviews applications and chooses winners. This year's budget for member scholarships is \$2,000, with not more than \$500 to a single individual. The deadline for the Committee to receive Scholarship Applications is December 5, 2010. Awards will be announced at the 2010 Year-End Awards Banquet.

Scholarship applicants must identify a worthy educational use of scholarship funds. In 2009, scholarship winners asked for money to attend the NTEA-sponsored Fredericks Clinic in winter 2010, train or compete at the upper levels on the East Coast, attend the USEA instructor certification program, help fund other clinics within the region. Murphy's Law applies in horse sports, perhaps more than in other sports, so some of our 2009 winners made alternate use of their scholarship awards when original plans failed (weather, injury, clinic cancellation, et cetera). These included attending a different clinic within our area, taking extra lessons with local trainers, or competing at the American Eventing Championships.

In addition, each scholarship applicant must submit a plan for how he or she will "give back" to the horse community in general or NTEA specifically. In 2009, applicants proposed to write an article for the NTEA newsletter describing their clinic experience, serve as safety coordinator at the Fredericks Clinic, serve on the NTEA board, volunteer at the NTEA Annual Awards Banquet, or write a blog or series of articles on experiences of competing at upper levels or out of the area.

The above list of educational goals and community service are just a few examples of how NTEA can help you achieve your equestrian goals and how you can give back to the equestrian community, all to promote and support our sport. The 2010 Scholarship Application and Guidelines are available on the NTEA website now. There are several changes to the guidelines for 2010, so please visit our website, [www.nteventing.net](http://www.nteventing.net), and read the application and rules very carefully.

We have so many educational and volunteer opportunities within North Texas and Area V. Please consider applying for a 2010 NTEA Scholarship. Let NTEA help you achieve your dreams while you help promote the sport of eventing in our area.



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If you have some tack, a trailer, or even a horse for sale/lease... put it in the NTEA Classifieds!

Listings are published online at [www.nteventing.net](http://www.nteventing.net) in addition to our quarterly newsletter.

Email Mandy Kelly if you'd like to place an ad.

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EVENTING**

**Becky Roper** www.landmarkeventing.com  
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**THE NORTH TEXAS  
EVENTING ASSOCIATION**

2201 Long Prairie Road  
Suite 107-714  
Flower Mound, TX 75022

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CHECK OUT OUR NEW WEBSITE!  
[WWW.NTEVENTING.NET](http://WWW.NTEVENTING.NET)

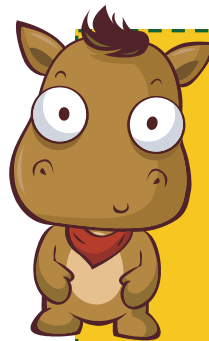
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**The NTEA wants YOU!**

Have fun and help out at a local NTEA event.

Check the calendar and more upcoming events at [www.nteventing.net](http://www.nteventing.net) for ways that YOU can make an impact on the sport of eventing in North Texas!

**Have a safe and  
successful 2010 season!**



**Attention all Members!  
Get involved with NTEA!**

Next NTEA Board Meeting

**Will be announced on the  
[www.nteventing.net](http://www.nteventing.net)  
homepage—or email any  
board member for more**

**information! (Our contact information is on the [www.nteventing.net](http://www.nteventing.net) homepage).**

For directions and to RSVP to a board meeting please contact Mandy Kelly at 940-230-6686 or [mandyandkuma@gmail.com](mailto:mandyandkuma@gmail.com).