

00:00:01.88

astudyincrime24

Fred, welcome to the show.

00:00:03.96

Fred

Thanks for having me, Scott. I really appreciate being on.

00:00:07.53

astudyincrime24

Well it is my pleasure. ah I want to take you back to a Saturday in March of 1978. I think it was my freshman year in high school, but that's another podcast.

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astudyincrime24

so March 1978, you're at Hialeah Park racetrack near Miami, and you're there for the Flamingo Stakes.

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Fred

Yes. Right.

00:00:28.58

astudyincrime24

You describe this moment in the preface of your book. The book is Broken, The Suspicious Death of Aladar and the End of Horse Racing's Golden Age. Tell me about Alador. This is the very first time you see him, right?

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Fred

Well, yeah, well, frankly, I didn't know anything about Alador on this day. I had worked at the track when I was in law school, which is where I became involved in the backside of horse racing, which most people don't get to see. I mean, you see the race, but you know, you see the hot walkers, the trainers, you know, the grooms, all that.

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Fred

And then, and I enjoyed it. I got to meet some of the horses and they're kind of like all have their own separate personalities. You got guys, you know, horses that are pretty mean, you got horses that are laid back. And so, uh, I was working as a lawyer and I just got my first job and I was very overwhelmed. And I was really, uh, in a situation where.

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Fred

I had been out of law school. I had gotten my my yeah pass the bar.

you know You have to have a test. And so I passed the bar. And like two weeks after that, I had my first trial.

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Fred

And I didn't know anything about it. I didn't get much tutoring or mentoring.

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astudyincrime24

Wow.

00:01:47.64

Fred

And I really felt overwhelmed because I'm sort of a an introverted um

00:01:56.36

Fred

Fearful nervous person and and this kind of job is terrible for that because you have cases you you're You have the unknown. You don't know you you're not a hundred percent. What's gonna happen in the trial? Anybody can say anything at any time and yes, it has to be perfect You know, you can't say to the judge. Well, you know, I don't feel good today or hey, my witness didn't come the star witnesses in here I'm not ready So after but ah several months of this, I really was getting the feeling that I don't really want to do this. Maybe I should consider doing something else. And so I said, you know what? I'm going to go to the track today and just have some fun and watch the horses run. So that's how I ended up in Hialeah on that day. And I, when I got there, you know, I was watching the horses. Should we do, you gonna you want me to go back? That's my email. I got to turn it off.

00:02:53.38

astudyincrime24

No problem.

00:02:53.78

Fred

Okay. When I got there, I didn't know anything about Aladar and um I was watching the races and the race came up where he was involved. And as he ran around the track, his style was to run from behind, and which is a very exciting style.

00:03:11.39

Fred

And he got behind you know four or five lengths. And I thought, man, he's I didn't really know who he was at that time. And he started to come from behind. and And he has a certain body language when he does this. you know His ears go down. you know He sort of crouches down in his stance.

00:03:29.12

Fred

and he just starts running hard. and you know He ended up winning the race and I was really taken with him. and a What I felt at that time was that is a really determined horse. That's a horse that gives everything he has every time he's out there in his stretch run.

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Fred

And so I had heard that he was going to run in the Florida Derby. And so that was in a couple weeks or a month. And I and i decided to go to Gulfstream to watch him run there. And it was the same thing. He was behind. He came from behind and won. And then after that second race, you know It's funny because you know horses don't speak and basically what I got from those two races was a subliminal message to myself that if you keep at it and you give your best, you know you can be successful. And so from that time on, I always felt a debt of gratitude to Aladar for helping me continue with my legal career.

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Fred

ah for the next 20 years and one of the ways in fact yeah I think my thought was when I started writing the book was the only way to repay him for what he'd done for me would be to write a book about him and showcase his legacy and what happened to him.

00:05:07.06

astudyincrime24

Well, that makes sense. I was going to tell you, I used to run from behind just like Aladar, but unlike the horse, I always stayed behind. I never, never got to the front of the pack. Well, before we go any further, tell me a little bit about Kalamat Farms and their place in the horse racing world, because this, this horse farm in lexton can Lexington, Kentucky is going to play part in this whole thing.

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Fred

Right. Calumet was probably the most dominant racing farm in horse racing in the 50s and 60s. They had two triple crown winners, Citation and Whirlaway, and they had eight Kentucky Derby winners. And they had the breeding stock to keep that that you know they that

00:06:02.13

Fred

going forward and they had a great trainer and these guys were just so dominant that they just crushed everybody. um And when they had a horse, sometimes they'd have two horses in the race. you know They'd have Cold Town and and another horse and and they it was just amazing what they could do. and I was able to get on the farm back in February

this year. I couldn't get on when I was reading writing the book. But they have a cemetery there with all these horses. that and Back in those days, the farm owned the horse, bred the horse, and raced the horse.

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Fred

It's not like today where somebody owns a horse and they send it off to and a trainer and the trainer is responsible for training the horse and you know driving the horse and taking him all around to the different tracks to run. Back in the day, oh when this was in the 50s and 60s and then in the early 70s,

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Fred

horses were generally owned by the farm they were bred by the farm born on the farm and uh like aladar he lived at the farm and if he was going to go to race at belmont uh they would you know put him in a van and drive him to belmont and they would be there and he would race there for them so it was a different time ah racing has changed so much since that time but i feel like That model worked best because the the horses had a more personal relationship with the owners and trainers because they were all from the the same farm. And so Calumet, one of the things about Calumet is that it was so famous that it had a reputation that ah was one that was of the best in horse racing. Now that fell off.

00:07:52.38

Fred

You know, when ah Ben Jones, who was the trainer, quit, and his son quit. But then they got John Veitch and Aladar came along and they were resurrected for that while Aladar was there.

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astudyincrime24

And Calumet Farms, was they've been around since, what, the early 1900s, I believe, in the horse business?

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Fred

Well, it was it started, I want to say, in in the 30s, maybe.

00:08:17.69

astudyincrime24

okay

00:08:19.18

Fred

But it started out with a guy who, who and the reason it's called Calumet is because they are their product was Calumet baking powder.

And that's what made them all the money. And then it started out as a Trotter farm, which is what the original Calumet baking powder guy wanted to do. And then when his son took over after he died, he turned it into a thoroughbred racing farm.

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astudyincrime24

Well, Fred, as you already mentioned, you spent, you said, about 20 years as a trial lawyer, and in your book you talk about how the, you know, you talk about the pressures, ah the lack of sleep, the hard work, and how it began to kinda really weigh heavily upon you.

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Fred

Yes.

00:09:04.87

astudyincrime24

And ah I applaud you for your honesty about that, but it got to the point where you, you and this is in the in the book, you eventually quit your job, Your marriage ended and you were suffering from anxiety, and i I want to read an excerpt from Broken. In it, you write, quote, in retirement, my mind was unleashed to ruminate relentlessly on my lack of character in quitting, being a bad husband, having no friends, and every other fault, both real and imagined. I fell into a deep depression. I'd rather have died than gotten help. After eight months, I rightfully thought, if this is life, it isn't worth living.

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astudyincrime24

And then, I know we're talking about Aladar, but then at this point in your life, you were saved by the memory of a dog, a dog named Redford.

00:09:53.03

Fred

Yeah.

00:09:53.25

astudyincrime24

How did that happen?

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Fred

Well, um you know, I was really in a dark ah dark place and um It's OK to talk about it now, but it wasn't OK to talk about it back in that time period.

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Fred

We've had a lot of discussions about mental health, <unk> particularly trial lawyers have very difficult time with mental health. A lot of them become alcoholics. It's just pressure. It's the pressure of having to perform.

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astudyincrime24  
wow

00:10:23.87  
Fred  
It's the pressure of getting preparing. It's the pressure of you know you really have all these different

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Fred  
sides of the trial, they're against you, you know, the judge is against you, the jury is against you, the other lawyer is against you, sometimes your client is against you. And it's just, I was never well suited for it.

00:10:43.51  
Fred  
And it was to me, when I look back on it, it's amazing that I lasted 20 years. And I'm writing another book and and I, I term the, I created the term the reluctant trial lawyer.

00:10:57.43  
Fred  
I feel like that's what I was, a reluctant trial lawyer.

00:10:59.57  
astudyincrime24  
It sounds like a John Grisham book or our movie.

00:11:02.46  
Fred  
Yeah, so my new book new book is going to be about my animal law career, all the cases I tried for getting dogs off death row, suing puppy mills, representing pit bulls who were identified by some firemen to be a pit bull, which is another subject for another time. But um this story I'm about to tell is how I got involved in animal law, which is kind of backwards the way we're doing this. but ah So I was really in this place. ah really I got a thing in the mail that said, hey, you've not paid your dog license. You need you need to pay it and you and and pay a fine because you didn't do it on time. and I knew my dog had already died. ah So I decided, well, you know i'm goingnna I'm going to contest this because you know what? I'm really a lawyer so I can do this.

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Fred

So I went to the court, and the court was really sort of an auditorium with the county. and The county representative was there on his computer, and the judge was a guy who was hired. He was a lawyer, you know and it was like the great – all these people there. There must have been 50 people there, and it was like a cattle call. you know They'd call your case.

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Fred

You'd go up, you'd argue it, the judge would do whatever he did. So my case called and you know we went up to the judge and he said, hey, you you know do you want to settle this? I said, no, I don't want to settle this. I said, you know to me, this is an open and shut case. you know So the county guy said, OK, Mr. Craig is here. He's got a dog. His license was due in such a date. And he didn't pay the the the fine. And so you know the \$100 fine is due.

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Fred

And so the judge turns to me and he says, well, what do you have to say about that? I said, well, I'd really like to ask the county guy you know some questions. They both thought it looked like when I asked him that, that this had never happened before.

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Fred

Nobody had ever asked this guy questions.

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astudyincrime24

but

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Fred

And i said he said, OK. So I said, listen, you know you're on your computer. You've never met me. You don't know anything about what's in that computer. Who put it in? You don't know if my dog's dead or alive.

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Fred

You don't know. And he you know he he agreed to all that. And so I said to him, listen, does a dead dog need a license? And he didn't really want to answer the question. He kept saying, well, you know, it depends, blah, blah, blah. And, you know, being a trial lawyer, I said, look, judge, it's a simple yes or no question. Does a dead dog need a license? And finally the judge said, well, you have to answer that. And he said, no. And I said, well, and I had brought my dog's

ashes with me and I put them up on the table and I said, here are my dog's ashes.

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Fred

The date of the cremation is well before the ticket for you know being late, and i'm so I'm testifying. My dog died you know the day before that, and therefore no no penalty is due, and um I haven't violated the law.

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Fred

And the judge looked at him and he said, he's got you there. And the whole place burst into applause. And this this county representative was so mad. I don't think that anybody ever questioned him. I don't think they ever lost a case.

00:14:15.28

Fred

ah so So he got up and he said, we're appealing. You could have you could have you know altered the the date on the cremains. And cre remains you know and you you said he said, I'm going to go make a copy of this, and we're going to appeal. And he walked out. And I thought to myself, this is, you know, I'm a trial lawyer, and I know what's appealable and what isn't.

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Fred

so i So I leaned over to the judge and said, listen, you know, I'm a trial lawyer and and we've just had a trial. And the only evidence is that my dog died before this license was due. He hasn't changed that. ah There's no evidence to the contrary. And the evidence is dispositive. And the judge just said to me, listen, he's not going to appeal. He's just mad because he lost.

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Fred

And I thought, you know what, that's not a good reason to be this way. This isn't a good way to run animal control. You know, animal control is there to protect dogs. You know, ah the taxpayers are paying the bill for this whole trial and everything else. And when I went home, I thought, you know what, there were a lot of people there that I watched at that they didn't know what to do. They didn't know the procedure.

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Fred

ah animal control just kind of ran over everybody because they had the they had the penalty there and they could just do whatever they want. So it was that time I thought, you know what, I'm goingna i'm going



to become a lawyer for dogs who get involved in problems that require someone with legal knowledge to defend. So if your dog bites somebody and they want to put your dog to sleep, you know I would come in and represent you and your dog and make sure that justice was done, that the the dog had a fair chance. that

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Fred

I represent people who, let's say you and your girlfriend or significant other decide you're going to break up. And the question is, who gets the dog? Well, there's going to be a lawsuit about that. Let's say you buy a puppy from a pet store and he has a congenital heart defect. And you say to them, look, I want you to pay the vet bills. And they say, no, we're not doing that. you know I represent you in that.

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Fred

um I would represent people who own pit bulls, who lived in cities who, if you had a pit bull, it was banished from the town. And whatever you may think about pit bulls, first of all, there's no such breed as pit bull, but whatever you would think of pit bull-type dogs, if you're going to identify one and banish it from the city, and it's ah it's a pet that you've owned and it's never done anything wrong,

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Fred

You need to make sure that when you identify the dog, that it's done with some scientific basis. You can't just have the fireman come into your house and go, hey, that looks like a pit bull to me.

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Fred

And so, you know, we had lawsuits about that. So it was a very, I felt it was the the best part of my career as a lawyer.

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astudyincrime24

That's a lot more complex than I thought.

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Fred

And it all started with Redford.

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astudyincrime24

Yeah. Well, awesome. Well, let's get back to Aladar. So you have this new purpose in life, you're going to specialize in animal law. ah Aladar at the time he's housed at Calumet Farms and he's insured for I think was it 41.5 million?

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astudyincrime24

It was quite a bit.

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Fred

I think it's 46 and a half.

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astudyincrime24

Okay. I want to know what happens on November 13th, 1990 at Calumet Farms, as well as the next couple of days.

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Fred

So, uh, Alador, I mean, if you look at it from the, what people know about it is that, you know, on ah the night of the incident, uh, November 13th, 1990, uh, the groom,

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Fred

comes to the farm that morning and the night watchman tells him, hey, Aldar's broken his leg. You need to get all the horses out of the stallion barn so that you know he can be taken to the place. you know there's ah At that time, there was a separate a place for the vet vet clinic.

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Fred

And so really all all that anybody knew anybody knows at that time is that Alidar has a broken right rear leg and ah it's the cannon bone which is the bone between the knee and the ankle and that's a weight-bearing bone and and and and really in a horse that's a mortal injury. ah Very few if any horses can uh survive that because there's just not a lot of blood flow to that part of the leg and uh there's infection because you know a horse stall is not really all you know it's got a lot of uh germs and stuff in the hay and in the manure and all that and if it gets infected it just you can't you can't uh fix it so uh

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Fred

If you want to go backwards in time, in other words, what happened the night of, what happened the night of was the, and there's, there's a little bit of a dispute about it, but the night watchman comes in and and ah he has this, you know, I guess you would call a premonition that, you know, something's wrong with Aladar and he goes back there with his flashlight and he finds that his right, his right hind leg is hanging off.

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Fred

because it's it's broken, and he calls the on-site vet. There's a vet that lives on the farm, and she comes out and looks at it and goes, oh, God, this is this is a moral injury. And then ah she calls her boss, who is Dr. Baker, and then Dr. Baker comes out. But they're all out there within 20 minutes. you know the the The lady who lives on the farm is right there, and Dr. Baker lives you know with a stone's throw.

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Fred

And they look at it and they decide, they think, well, what are we going to do? um They then call, they're thinking they're going to put this put the horse to sleep. But the owner, Lundy, of the farm says, well, let's call Dr. Bramledge, who is the surgeon in for equine surgery and in Lexington. And he comes out and they they basically agree, look, we can't put we can't we can't put them in we can't do anything right now except we need to put them in a cast.

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Fred

and This protocol started with a horse named Ruffian that you have to let the horse understand that it's hurt. If you try to do something you know right then when the horse wakes up from the surgery, it thinks it's still on the track, it thinks it's running around, and then all your work gets crushed as the horse you know is laying there trying to you know run around. so They say, look, we'll see how he is in the morning. And then what we're going to try to do is fix it with a plate and some screws. And the reason they make that decision is because they have nothing to lose. It's what's called you know surgery that's it's a last-ditch attempt. They're not going to be any worse off ah doing the surgery than they would if they didn't do the surgery.

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Fred

you know if as ah

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astudyincrime24

yeah But this is also a ah valuable horse as well.

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Fred

Right. This horse is insured for \$46.5 million or \$41.5 million. you know Now you've made me wonder what that number was.

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astudyincrime24

That's OK.

00:21:55.36

Fred  
\$41.5 million.

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astudyincrime24  
And not only that, this this horse is a legend.

00:21:56.24

Fred  
OK.

00:21:57.57

astudyincrime24  
I mean, yeah.

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Fred  
Yes. This horse is a legend. It raced into Triple Crown in 1978 against Affirmed. Came in second each time, and each time the the distance between the two horses was less.

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Fred  
He lost by a nose in the Belmont. And um so he's a horse of great worth, ah and nobody's really thinking about the insurance that night. They're just thinking that this great horse, this triple crown participant, and he is that year in 1990,

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Fred  
is ah is the greatest breeding horse in the United States. ah He's had several really great winning horses like Ali Sheba, Touch Gold, Criminal Type, Easy Goer, all these horses. And so that's one of the reasons he's insured for so much. He's probably worth more. And he's covering 100 ah Mayors a year and he's you know making between a hundred fifty two hundred thousand dollars, you know each time he does it so yeah, this farm this this horse is basically supporting Calumet and so The public sees this as you know Well, this is they're just trying to you know, do the best they can buy a horse. It's really valuable and so they they do the surgery the surgery is successful in the sense that

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Fred  
The bone is put together and the screws are successfully seated in the bone. But now the question is, you know can the horse be still and can the horse be? They they hang him in a you know in in like a hammock

sort of thing. And he's got to sit there for days. And so you know the overnight, you know he's he's eating, he's doing better the next morning. and so they They get to the point where they have to make the decision, are we going to let him out? He's exhausted from standing in this, in this sling. And the decision is, do we let him out of the sling and maybe he

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Fred

hurts the the, you know, he vibrates the place where the bones are screwed together. Or could he get colic, which is also something that he's had before and can be and can kill a horse. So they decide to take him out of the sling. And now the the question of what happens after that is kind of, it's kind of conflicted, you know, some of the doctors that aren't there, say one thing, the groom that was there that says basically, look, we got him out of the sling. And the veterinarian assistant said, well, let him walk towards you. And he was walking towards his groom. And his groom was watching him walk towards him. um And his groom was Michael Coulter. And Mike was sitting there saying, OK, come to me. And as the horse started walking, it took a few steps.

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Fred

And it fell backwards right on that right hind leg and flipped over and then broke the same bone between the knee and the thigh. And at that point there was nothing they could do. They had to lay on the horse to keep him down. They called they called Baker and Bramblin's back to the farm and they had to euthanize him.

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Fred

And that was that that was the end of Aladar.

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astudyincrime24

You mentioned it. Oh, go ahead. I'm sorry.

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Fred

I don't think he and don't think he would have survived regardless, ah but they tried and they really had nothing to lose by doing so.

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astudyincrime24

That is Thursday, November 15th, which is a couple of days after the initial entry.

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Fred

Right. Yes.

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astudyincrime24

All right. As you mentioned, not everything in this ah story is going to be very clear. There are some and so uncertainties right away that maybe Aladar's injury was not accidental.

00:25:55.50

Fred

Yes.

00:26:00.92

Fred

Yes.

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astudyincrime24

ah There are some that swear it was accidental, others that think it may be intentional. And I want to talk about that in detail. But first, let's take a quick break and I'll be right back.

00:26:16.02

astudyincrime24

Hold on just a second.

00:26:25.95

astudyincrime24

Okay, I am back with Fred Kray.

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Fred

I'm still here.

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astudyincrime24

So right away, there's some question as to whether Alidar's injury was accidental or intentional. And there are some folks that say Alidar had a history of kicking his stalled door.

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Fred

Yes.

00:26:40.91

astudyincrime24

Either way, his injury, from what I read in the book, I'm not a horse guy. I don't know a lot about, I rode a horse once, but ah his injury was not normal.

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Fred  
right

00:26:50.44

astudyincrime24

It wasn't the normal kind of injury for a horse. Is that is that right?

00:26:55.56

Fred

Well, it you have to take it all in context. So we talked earlier about Calumet being the premier farm. So the insurance guys came in. There were two of them to because they they have the \$41.5 million dollar policies together.

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Fred

And so they're going to do an investigation before they pay the money. um And so Tom Dixon is the first guy there. He takes pictures. ah J.T. Lundy, who's the owner of the farm that owns the horse, basically tells him, look, Alador had a history of kicking the stall.

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Fred

the veterinarians come in and they're thinking, man, this horse is making all this money. He's a great horse. He's the top the top sire. And they're their mindset is how can we figure this out to be an accident? How could a horse break their right rear cannon bone in an accidental way? And so um they start with this theory that he kicked the stall door. The stall door, it's a very complicated door.

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Fred

But it's designed you know so that horses can't kick it and get out, and it's very sturdy. and

00:28:10.45

Fred

the the person who's in the the person who's investigating it is Tom Dixon. He's really the guy who comes in, and he comes in and he he just says to you know the veterinarian, well, what do you think happened?

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Fred

Because nobody saw it. And they say, well, we think he kicked the door and he got his leg caught.

00:28:27.35

Fred

And so what there seems to be a It's hard to explain it because it all evolves as as this case goes on but what seems to be a simple kick of the door than evolves into his foot getting caught between the stall door in the wall and twisting it.

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astudyincrime24

Right.

00:28:44.12

Fred

And the reason is is that that cannon bone can withstand 7,000 pounds of pressure with a straight kick. And so a lot of after the fact, a lot of people thought, you know that's ah I've never seen that happen before. ah So there had to be a twisting motion. And so to get the twisting motion involved, you'd have to get his foot caught between the stall door and the wall.

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Fred

And so Tom Dixon doesn't really do an and independent investigation. What he does is he he interviews the the the the guy who found him, who is Alton Stone, who is the knight night watchman. There's nothing crazy there. He just says, look, I found him. I call these people that came.

00:29:25.34

Fred

the The vets tell him, hey, he broke his leg kicking the door. Maybe he got caught. And he decides he's going to write a report that this is what happened. He makes it sound like a run-of-the-mill sort of thing, nothing nothing controversial. And I have his reports on my website. You can read them. I mean, if you read them, you'd say, this is nothing suspicious. And on top of that, you have the context of this horse making all the money, and this is a farm that was you know started in the 30s. So nobody's thinking anything strange, but the first strange thing that happens is that the guy with there's two policies. One's 36.5 million with Lloyd's of London, and the other one is 5 million with a second policy, Golden Eagle. And so each insurance company hires a guy. Lloyd's of London hires Tom Dixon.

00:30:16.50

Fred

Golden Eagle hires Terry McVeigh. Terry McVeigh calls on the morning of the 14th, which is the day after Aldor broke his leg. And he says, look, I want to come on the farm and take pictures of the door. And they say, you can't come on. And so now he has to come back to his place, call his boss. His boss then calls Calumet and says, listen, if you don't let him in, we're going to reserve our rights to pay the



claim.

00:30:42.09

Fred

And they say, OK, we can come in. Well, by the time he gets in there at 2 o'clock in the afternoon, the stall door has been fixed. um the The piece of hardware that was broken has been thrown out, a new piece of hardware installed, and the stall has been completely sanitized so that all the hay is new.

00:31:06.36

Fred

you know there's no there's It looks like it's been painted.

00:31:06.60

astudyincrime24

Oh wow.

00:31:08.96

Fred

There's no marks anywhere.

00:31:09.40

astudyincrime24

Like nothing ever happened.

00:31:11.48

Fred

And Terry McVeigh says, you know I can't even tell that a horse has even been in this stall. And his question is, okay, why would you do this? There's no horse going back in that stall. halladorton Nobody goes back in that stall for months after this happens. And there's no rush for it to happen because Aladar's in the training in the ah veterinarian barn in another place.

00:31:36.26

Fred

And he finds it strange that it's been fixed. Why would you fix this with a you know, a 41 and a half million dollar a thing going on and so You know, he he and his boss don't believe that the horse kicked they don't believe the story They don't think it's physically possible or the way the stalls laid out for the right foot the right rear foot to get caught in the door, which is know On the left-hand side, you'd have to be at a 45-degree angle, and there's no marks. there's no There's no scuff mark on the door. There's no you know marks on the cement wall where you would see it. So there's no physical evidence of it. The problem is is that they can't ah get any information from Tom Dixon, and Tom Dixon can't get any information from them because as soon as they start asking for it, lawyers get involved.

00:32:28.69

Fred

And so while they're suspicious and they think it's a setup, they can't really justify not paying their paltry \$5 million dollar policy when Lloyds of London pays their \$36.5 million in 30 days. And so the money gets paid. And so if you're not in on the real investigation of what we just talked about and you're the general public,

00:32:52.35

Fred

All you really hear, and if you you know i I read all the newspaper articles from this time, all you ever hear is there was a tragic accident and \$41.5 million dollars was paid.

00:33:04.95

Fred

And so the general public, that's it. It's over.

00:33:07.50

astudyincrime24

It's just getting dry.

00:33:08.92

Fred

Yeah, I mean, ah no one's paying \$41.5 million if it didn't happen. I mean, I've seen fender benders with more argument of and a longer time to be paid. So in the public eye, that's it. That's the end of the story, and it stays that way.

00:33:26.37

astudyincrime24

ah By the way, you mentioned your website, your website, your podcast, and your book. I will have links to all of those in the show notes.

00:33:34.29

Fred

Yeah, and I'd recommend people look at this the actual documents because it's pretty shocking.

00:33:34.71

astudyincrime24

um

00:33:39.15

astudyincrime24

Go ahead and give us ah your website.

00:33:41.49

Fred

It's [www.fredmcræe.com](http://www.fredmcræe.com), and you can get the podcast there, and you can

get the all the evidence that was submitted that was relevant to the case, the reports.

00:33:45.83  
astudyincrime24  
That's K-R-A-Y.

00:33:57.01  
Fred  
you'll You'll be able to see the pictures that were taken the that night by Tom Dixon.

00:34:03.21  
astudyincrime24  
I want to do a little aside here. There's unfortunately, sadly, there's kind of a dirty little secret in the horse racing world. And I didn't know anything about it till I read your book, Broken. Tell me about the Sandman.

00:34:19.61  
Fred  
The Sandman is a guy who um kills horses for the insurance money. And this was going on in the late 80s. And it was going on predominantly in the Equestrian world and people would ah be unsatisfied with their horses performance and it would have an insurance policy and they would hire him to come over to their place and kill the horse and then make ah you know make an insurance claim. and

00:34:55.67  
Fred  
This happened be with between and 20 times in the late 80s. and he was finally caught Tommy Burns was finally caught trying to break a horse's leg with a crowbar. They were going to claim that when he was dead the horse was getting back, they were putting him up in the trailer that he slipped off and fell.

00:35:19.19  
Fred  
um But they were surveilling him and they watched him do it and he got arrested and when he got arrested. He turned state's evidence. And said okay I'm gonna testify against all these people who have paid me in the ironic thing is the people who paid him.

00:35:35.98  
Fred  
you know You're in an equestrian world. you're you're not Money is not an object. Most people who are in that that that field are very rich because it's very expensive. you know so A lot of these people wrote checks to Tommy Burns. so you know You write a check to Tommy Burns for \$5,000 and now they have the check. It's pretty hard. for the Most

people pled guilty.

00:36:03.32

Fred

and But he had to go to trial and you know for those that didn't. And you know he was a guy that I interviewed for the book.

00:36:16.34

astudyincrime24

Oh, really?

00:36:17.58

Fred

Yes. And ah he actually, if you want to see his story, if you go onto Netflix now and you look up a TV show called Bad Sports, there's an hour documentary on you know him.

00:36:34.72

Fred

You get to see him and ah the FBI agent who was the guy who was his handler.

00:36:39.98

astudyincrime24

Well,

00:36:40.76

Fred

And they tell the whole story.

00:36:45.26

astudyincrime24

well

00:36:45.44

Fred

And so you know it's not like the point of Tommy Burns is, it's not like killing horses for the insurance of money is not something that's done. And and there are three very disturbing pages in my book where I go over all the different ways that that has happened and in the past. And most of the cases involve much, much, much less money than \$41.5 million. dollars

00:37:10.91

astudyincrime24

Well, I think there's a special place in hell for people who hurt animals, but that's just my opinion.

00:37:15.01

Fred

Oh, I agree.

00:37:16.96

astudyincrime24

So there's a secret at Calumet Farms that at this time no one, know well, a few people know. you meant You already mentioned J.T. Lundy, who is the owner.

00:37:26.72

Fred

Right.

00:37:26.73

astudyincrime24

Him and a few other people know this secret, that Lundy was under a considerable amount of financial pressure. So here we have a horse that that is had to be euthanized because it was injured The injury, the means of the injury is questioned whether it's accidental or intentional. Regardless, the horse is insured for \$41.5 million. dollars Suddenly, Lundy comes along. He's got this financial pressure. What was going on with with him and the farm?

00:38:01.67

Fred

Well, Lundy took over the farm 10 years before it was in the black. And in 10 years, he went through \$160 million. dollars And at the very end of 1989 and 1990, Calumet was living from one deal to the next.

00:38:12.14

astudyincrime24

as one cause.

00:38:20.89

Fred

ah you know They'd have to put together a deal and get some money in. And the CFO, Gary Matthews, and Lundy, and the bank ah those those are the three entities that knew the real the real financial problems they were having they were having so much problem problems with money that they weren't paying their insurance premiums and so what's crazy about this whole case is they hadn't paid their pri insurance premiums and yet the insurance companies paid 41 and a half million despite that can you imagine that happened with your car you know you don't pay your insurance premium and then

00:38:57.21

astudyincrime24

Yeah, I'm going to say no on that one.

00:38:59.17

Fred

And then three weeks later, you go, look, my car was total. we I want to i want want you to pay it. But you know I talked to Tom Dixon about it, and he said, look, that's how it's done. it's ah you know It's an agrarian culture. The idea was that the money didn't come in until the tobacco was dried and sold. and so you know But it was in terrible financial trouble. when After Lundy quit and and and and a guy came in,

00:39:27.52

Fred

Ward came in and and and and and looked at the bills. The only bills that had been paid were the water bill and the electric bill. Everything else was in arrears. And so ah Ward had to get a bridge loan. He had to get a bridge loan to pay payroll and to pay the insurance after Aladar died to keep the place running. So they had this huge problem.

00:39:49.78

Fred

And it it was it was even worse than that because ah the \$5 million dollar policy that that they had on Aladar two weeks before this happened, Golden Eagle Insurance Company wrote Lundy and said, listen, we're tired of you being late with your premiums.

00:39:58.36

astudyincrime24

Thank you.

00:40:07.24

Fred

We're not going to renew this policy when it comes due in December. So so now, yeah there's there's like if they want to get all the insurance money, whatever they do, has got to happen before December. And then right around it you know in the beginning of November, they miss they ah the state of Kentucky files a \$4 million dollars tax lien on the property. um And then all these these banks, the at the at the beginning of November, they owe this bank First City National \$40 million. forty million dollars And so they agree

00:40:45.38

Fred

First City says, okay, we'll re restructure your loan because you don't have any money to pay. And they haven't been paying interest on that loan for months. um We'll let it go, but you're going to have to make an interest payment the first of the year. And if you don't, we're going to take over the farm. They could have taken over the farm ah in early November, but the bank didn't want it because it was not you know Banks don't like to take over assets that aren't producing money. And so they would rather they decided they would rather renegotiate the the terms of the loan than foreclose on Calumet. So

this is all the pressure that's going on that nobody knows about in the beginning of November that is crucial to understanding the story.

00:41:30.47

astudyincrime24

Was Alador worth more dead than alive at this point?

00:41:33.31

Fred

Yes. yes and And that came out much later ah because the the financial aspects of Calumet did not come out. So when John Ward took over the farm, he took it over thinking, well, you know what he knew about was the first city loan, the \$40 million in operating expenses. He said, you know if it's in debt \$60 million,

00:41:56.06

Fred

We can turn it around, and we can you know we can bring back how you met. But when he got in there, and and now you they had to declare bankruptcy you know very shortly after he took it over, and all the you know all the issues came up with what was owed and how many banks were owed, and it turned out to be 160 million. John Ward said, well, we we can't do this. we're just we It's going to have to declare bankruptcy.

00:42:21.98

Fred

and so

00:42:22.40

astudyincrime24

Well, go ahead.

00:42:25.75

Fred

No, go ahead.

00:42:27.00

astudyincrime24

No, it's fine. So all of this culminates in several investigations, including an FBI investigation and trials as well.

00:42:35.16

Fred

Yeah.

00:42:37.59

Fred

Yeah.

00:42:37.58

astudyincrime24

And as I've read the book, there's a lot of players here, a lot of people who testify. ah There's various outcomes.

00:42:43.17

Fred

Yeah.

00:42:44.57

astudyincrime24

Can you kind of summarize basically ah the trials for me? you know What was the outcome? Was anyone ultimately held responsible for Alador's death?

00:42:54.87

astudyincrime24

Were they able to tie it to anyone?

00:42:57.92

Fred

Well, let me go back and say this. um So um the first thing that came out was the Sports Illustrated article. It came out about two years after Aladar died. And they were covering Tommy Burns. That was the story in that Sports Illustrated. And as a sidebar, they said questions about Aladar.

00:43:15.06

Fred

And the guy who wrote that was Bill Nack, who was Secretary, its biographer, and another guy. And ah what they basically said is what we've been talking about. is and And this was the first public questions in the public. And you know it wasn't the first. There was another one by Carol Flake in Connoisseur magazine. But that meant it it didn't get any traction. I don't think many people read Connoisseur magazine. but When this came out sports Sports Illustrated everybody started asking questions because they said listen They've pointed out you know all the financial stuff that had come out and they they said look we've we've talked to veterinarians They don't think this could happen that way. He didn't just kick the stall door and so after that when the bankruptcy happened Then the FDIC took over the bank that Calumet owed 40 million, which was first city national bank

00:44:04.00

Fred

First City National Bank was federal. They got the FBI. They said, listen, we want you to go to Calumet and find out what happened. So they went out to Calumet and they started asking questions. And the first couple things that came up... that nobody had ever heard of, Tom Dixon didn't know about it, was that the night watchman who was on



duty that night was told to take the night off a couple weeks before the incident occurred. So the guy's name is Cowboy Kip. Cowboy Kip is approached by somebody in the Calumet Crown Vic and he gets out and he says, listen, you know, we think you're getting burned out, you need to take a night off. He says, I don't want to take the night off.

00:44:43.89

Fred

and He's you know how it is the boss says you're taking the night off. and He goes okay. Well when Tuesday night which happens to be November 13th So then that's when Alton stone takes his place. So the first weird thing is that On the night he gets hurt alan or gets hurt the regular night watchman has been told to take the night off.

00:44:55.30

astudyincrime24

Thank you.

00:45:01.88

Fred

So that's right away A really big thing that they find out the second thing they find out and we already know this is that

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astudyincrime24

That's what we call a clue.

00:45:10.67

Fred

Now, the second day afterwards, they destroy the evidence and they won't let Terry McVeigh in. So those are two facts that they – so they start putting this all together. And so unfortunately, by the time the FBI gets involved, it's 1988 now, or excuse me, 1998. The incident happened on November 3, 1990. It's eight years later. Now, by this time, the only cause of action left Forts of Sue Lundy is bank fraud.

00:45:42.44

astudyincrime24

Right.

00:45:43.16

Fred

But the first thing they do is they arrest Alton Stone, who is the night watchman that night. because the FBI but believes that he knows he was there and knows what happened. And so, Alton Stone is arrested, and the idea behind it is he will finger, they think, Lundy, or somebody who helped Lundy, who broke the horse's leg. And they get Alton Stone because he lied to the grand jury. He went to the grand jury. He told – he's a high school dropout. I interviewed him. like He's the kind of guy that when you ask him something, he's not sure.

He kind of tries to make something up that maybe it could have happened that way. And he gets stuck in these inconsistent statements, so they arrest him for essentially perjury. He was lying to the grand jury under oath.

00:46:36.02

Fred

And the idea is they're going to pressure him to tell what really happened. The bad part is he didn't know what happened. He didn't know anything. And so once this train gets on the track, they can't just say, well, we believe that you don't know anything. We're just dropping it. They have to go forward with it. So the first trial is the federal government. Basically, they sue Alton Stone they arrest Alton Stone, and he goes to trial for lying to the grand jury. Now what Alton Stone had to do with that case is very tangential. Mean all the all the prosecution had to prove was that he told so all you know four different stories, none of all all of which could not be true. But his defense lawyer put his defense was, look, this was an accident.

00:47:24.72

Fred

And um because it was an accident, it wasn't really important whether he lied about it. you know it It didn't change any investigation. Nothing happened. and so they put on so that So witnesses were called. And the sad thing is is that Alton Stone had to borrow money to go to his own trial, and nobody could testify for him as a character witness because they couldn't afford to go.

00:47:51.24

Fred

So the prosecution puts on a case. Basically, the case results in is the ah the veterinarian who came there saying that you know this was an accident. This is the the first on-scene vet. Then Dr. Baker testifies it's an accident. Then Dr. Bramlich then Tom Dixon it's testifies as an accident And so that's the that's really the case that the defense puts on. The prosecution's theory is that the accident happened at-let's see, they thought it was around 10 o'clock, and they got there at 10.20.

00:48:36.13

Fred

And Alton Stone had admitted that he was there at 10 o'clock in his statement to the FBI. And so Kathy Rhodes is the on-scene veterinarian, and and her testimony that it was 20 minutes old, is ah to me, is a very thin thread to base his prosecution that he was there that night.

00:48:59.42

Fred

um They also put on his wife who says that she got a call from him

around 10 o'clock, and he said that something happened and he had to go take care of it. But what they never asked him is, did he tell them that he'd found Aladar? Because he never said that. And so his testimony is somewhat unreliable.

00:49:20.56

Fred

So the bottom line is is that the prosecution never did prove in that case. They didn't have an expert to say, I'm an expert veterinarian, and I don't think this was an accident. And I think it would have happened this way. They never did that. um They basically just said he was there, that Alton Stone was there that night because he said he was there that night, and he lied to the grand jury about it. And the prosecution was that the defense argument was it was an accident.

00:49:49.13

Fred

The jury found him guilty of lying to the grand jury, and that case was always going to be always going to be a winner. And so it didn't really prove anything. um There was not – it was just you know the defense saying it was an accident. There was nothing really there. I mean it did come out. The things that came out were that the guy was told to take the night off, that and these were wing things that the prosecution used, but they never did prove the mechanism.

00:50:17.38

Fred

you know If you're going to prove that this was not an accident, you've got to have, how did he do it? If he didn't kick the stall door, how did he do it?

00:50:23.00

astudyincrime24

All right.

00:50:24.52

Fred

They never proved that. And so the second the second prosecution was for bank fraud. And there was really nothing in that case. It was very complicated. It went through all of the machinations that went through financially for Calumet to help the guy at the bank. The guy at the bank, Frank Chiak, was an inside man. And basically, he was a paid by Calumet either through deals they made or getting free breeding rights, all these complicated business deals. He was paid to make sure that Calumet's loans were never vetted. That's how they were able to get a \$40 million re-negotiation of their loan at the e in the beginning of November to instead of getting foreclosed on because Frank Chiac was in charge. And so, you know,

00:51:23.00

Fred

Calumet did some crazy things. they They created a million-dollar tax break for it. and Lundy borrowed some money personally to prevent the bank the bank from having to fork to lose a loan that they otherwise would have lost. And so the prosecution was able to prove, yes, they were Lundy Matthews ah were convicted of bank fraud.

00:51:51.45

Fred

And so the weird thing is is that they then tried to enhance Lundy's sentence sentencing in the bank fraud case by trying to say that Alazar's death was related to that. There was a lot of legal maneuvering about whether that should be done, but they had the case law that said it could. And so they had this mini trial at the end of the whole bank fraud fraud trial, which took a couple weeks. They had a sentencing hearing, and that sentencing hearing was three hours.

00:52:22.04

Fred

And they had three hours of prosecution to prove that Lundy killed Aladar. So they put on – it really was not a trial. It was really sort of the FBI put on – the prosecution put on the FBI guy, and he went through really what happened in the case is through him. And then they called a guy who was a – an engineer, and he testified that – that the horse could never have kicked the door with enough force to break his cannon bone. Now, that sounds great when you say that. The problem is is that the evidence was that the hinge that kept this door on was on the floor was rusted, and the bolts were rusted out. And so his calculations were not based on it being rusted out. They were based it on the bolts being completely, perfectly

00:53:21.53

Fred

Solid and they were never able to cross-examine him ah about that I don't know why the prosecution didn't ask him to give that opinion hypothetically or why the defense Didn't bring it up. No all it was brought up was well if they were rusted it would be less pressure that take less force and he said yes, but You know they could have if the if the answer was right for the prosecution they could have said well assume that that that that all it's All that's there is a 300-pound door, and he has to kick it out. Can he push that door out five inches from the three feet off the ground to get it wide enough to get his his foot through there? But they never asked that. And so the judge found that they hadn't proven their case. And you know nobody could ever really

00:54:12.04

Fred

you know, say who was responsible. In other words, you know even though the experts said that

00:54:23.74

Fred

It couldn't be done. They didn't say how it could be done otherwise. um the The expert came up with this theory that you know they tied the horse's leg to ah with a rope, tied the rope through the grate in the and the doors, and then got some kind of farm machinery and pulled it up that way. But there was no evidence of that. There was no evidence of farm machinery. There was no evidence there had been any in the stallion barn.

00:54:46.79

Fred

you know There was just no evidence of that. And so left up in the air, I think that the bottom line is that everybody thought through – if they had all this information, everybody believed that it was done, but nobody really had a ah theory of how it was done.

00:55:06.79

astudyincrime24

ah You had mentioned those articles. ah Blood Money is an article in Sports Illustrated. The Killing of Aladar is in Texas Monthly.

00:55:11.96

Fred

Yes.

00:55:15.16

Fred

yes

00:55:15.34

astudyincrime24

And then Tom Dixon wrote Aladar's Final Hours. And I'll include a link to all those articles in the show notes. So, Fred, do you want to share your theory, your personal theory as what you think happened to Aladar?

00:55:26.81

astudyincrime24

Or do you you want to preserve the mystery and refer everyone to your book, Broken? ah yeah I'll let you decide.

00:55:32.90

Fred

ah No, i think i what i I think I will say is it's this isn't really a how it was done. it was a It's a who done it. The readers need to read the book to find out who had the most interest in having the horse.

00:55:50.54

Fred

You know killed But I think it's clear that somebody had to do it and I you know and this is where I interviewed Tommy Burns I went down to his his his place and he agreed to interview with me and I had all the pictures of you know that what was taken and his opinion was that somebody would come in they would Get aladar with a lip chain They would bring him over to the the side of the his stall, put a blanket over his head, and then get a crowbar, open the stall door, you know hit his right hind leg with it, and then get out of there um and take everything with you.

00:56:37.15

Fred

And he said it would be better to have three people, but you could do it with two. One would have to be a lookout in case somebody came. It would take 10 seconds. And he's done this. He's done he's hit him. When he was arrested, this is what they were doing. He didn't actually have the crowbar. Another guy named Arlo Harley had it. um But this is a this is something that's done. um It's actually this kind of thing is done at shows. There there there was a case where a guy took his show jumping horse you know behind wherever it is that they go and broke the horse there and said you know we were jumping and it broke got broken.

00:57:17.29

Fred

um And so I interviewed Tommy Burns, and that's what he thought happened. And I also interviewed an a a doctor who was a orthopedic surgeon who said she looked at the x-rays and she could not rule out a crowbar as having caused this injury, because that's one of the things that Dr. Bramble and Dr. Baker relied on. They said, look, this this this whole x-ray shows that it was he kicked the stall door.

00:57:47.61

Fred

And the lady that I talked to, ah was a person who that's her specialty is physiological injury to racing horses and how they break their legs. And she was one who were who basically investigated all the horse deaths in Santa an and Anita.

00:58:06.98

Fred

santa anita And so the question really isn't how it was done so much as who had an interest in having it done, who had the best interest. and having it done.

00:58:19.33

astudyincrime24

If you have any information about animal cruelty or neglect, you can contact your local animal control agency or police department. You can

also contact the Humane Society or the Society for the Prevention of Cruelty to Animals.

00:58:31.84

astudyincrime24

I wanted to add that on this particular episode.

00:58:33.71

Fred

Yes.

00:58:36.75

astudyincrime24

Well, the title of your book is the title of your book is broken and I know that it applies to Aladar in this case, but considering what happened to you before when you were saved by Redford, does the title apply to you as well?

00:58:55.34

Fred

Yes, I sometimes feel that um

00:59:04.98

Fred

when you have people that seek out relationships with animals, whether they be horses or dogs or cats. ah For me, I was brought up with a great dame when I was little, and I grew up in a very dysfunctional family, and that dog was my safe place and my source of love that I otherwise would not have had. And I feel like

00:59:37.26

Fred

I need that in my life. I need something like that because it's hard for me to get that in human relationships. and And there's a calm and serenity associated with bonds with animals that you can't get with humans. And I'm broken in the sense that I feel like my childhood dysfunctional family, it never it never completely heals. And I think one of the things that really drove me to write this book, it took five years, was that feeling of gratitude and debt to this horse for

01:00:22.38

Fred

for saving my legal career. And that legal career, although I was not happy in it, it allowed me some financial freedom and the ability to retire early and do animal law. And I feel like My whole thing was to write a book that would be in the Library of Congress that people could go and say, you know what? This book is about this horse. It's the truth. It's what really happened to him. And it celebrates his legacy. And the book is, it sounds like it's, you know, a sad book, but there's so much love in there for Aladar, his grooms, you know,

his trainer.

01:01:04.43

Fred

his horse, his exercise rider. There's there's so many voices in there that it's like a ah thank you, Aladar. And as I'll close with, you know, one of my writer friends read it and she said, you know, this is a love story between you and Aladar. And really, that's what it is.

01:01:26.53

astudyincrime24

I think we'll leave it at that. i I think that that's a perfect way to end.