

Yvonne Fischer bucks the odds



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I figured an existing sexual discrimination suit against Penn National and its former racing secretary would be an issue I could champion with righteous enthusiasm.

What I've found, however, is a case sadly lacking in substance.

Yvonne Fischer, 30, a struggling Penn National trainer who often works as a groom to supplement her income, last May received her biggest-ever career opportunity: seven horses to condition for owner William Gable.

Fischer, who already had two stalls, went to racing secretary Pete Kosiba to request seven more. Although there were more than 100 empty stalls, Fischer says Kosiba told her, "I don't have any stalls for you," and walked away.

According to Fischer's attorney, Alan Pincus, when Gable pressed Kosiba for an explanation, Kosiba declared there was "no room for Fischer." He then referred Gable to male trainers who could immediately accommodate the horses.

Fischer concluded that Kosiba was refusing stalls to her because she was a woman. Pincus says Kosiba was known

for making frequent "disparaging remarks" about women on the racetrack, and for stating that the track was "no place for women."

Kosiba's version: He told Fischer and Gable that all stalls had been committed to incoming horses, but suggested that if Fischer could shuttle from a nearby farm, he'd gradually "work her horses in."

Because Gable was anxious to keep his horses on the grounds, however, Kosiba says he referred him to some trainers who might have had temporarily empty stalls due to layoffs.

The subject of gender, Kosiba maintains, never entered the discussions.

Regardless, Fischer's suit against Kosiba and Penn National is now pending. Resigned to grooming again, Fischer also seeks a minimum of \$10,000 for lost income.

After talking with the key parties on both sides of this issue, as well as with other women trainers at Penn, I'm troubled by several impressions.

First, while Pincus has portrayed Kosiba as the worst kind of male chauvinist, the general backside consensus—even among most women—is that Kosiba was a difficult man to deal with, period. His brusque treatment of horsemen was not limited to females.

In short, Kosiba wasn't a popular guy. Evidently that finally bothered Penn management to the extent that the 65-year-old Kosiba was sent packing last summer, after 20 years on the job. Both Kosiba and Penn general manager Herb Grayek insist the decision for a "change" had nothing to do with the Fischer case.

Meanwhile, Gable has developed a case of selective amnesia. With his horses still running at Penn, he remains vulnerable to track politics, so his reticence is not surprising.

Frankly, unless Fischer's withholding a killer trump card to play in court, there just doesn't appear to be any concrete evidence to substantiate her charge.

What concerns me is the possibly damaging repercussions. If this case is dismissed, how many wrongly treated women in racing will think twice before endangering their own livelihoods with similar legal actions?

Fischer's courage in taking a bold action against what she truly feels was sexual discrimination is admirable. Even if she loses, Fischer should be remembered for her willingness to risk her career in pursuit of justice.

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