

**MINUTES  
NEW YORK STATE RACING AND WAGERING BOARD  
MEETING OF AUGUST 28, 2007**

**A meeting of the New York State Racing and Wagering Board was held on Tuesday, August 28, 2007 at 11:00 a.m. at the Racing & Wagering Board's Schenectady Office located at 1 Broadway Center, Suite 600, Schenectady, New York.**

The meeting was called to order at 11:15 a.m.

**In Attendance Were:**

Daniel D. Hogan, Chairman  
Michael J. Hoblock, Jr., Member  
John B. Simoni, Member  
John G. Cansdale, Executive Director  
Robert Feuerstein, General Counsel  
Joseph Lynch, Director of Racing Operations  
Thomas Casaregola, Director of Audits & Investigations  
Gail Pronti, Secretary to the Board

**Also in Attendance Were:**

Daniel Toomey, NYSR&WB  
Norma Soodsma, NYSR&WB  
Kristen Buckley, NYSR&WB  
Vivian Davis, NYSR&WB  
Rick Goodell, Assistant Counsel  
Bill Sekellick, Assistant Counsel  
Robert Hemsworth, Capital OTB  
George Penn, Crane, Vacco & Sanders

**OPEN COMMENT PERIOD:** None

A. The Board approved the minutes of the Board meeting held on July 31, 2007.

**B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR**

**1. BUFFALO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races during 2007 from:

1. Del Mar Thoroughbred Club, California from July 18, 2007 through September 5, 2007.
2. Harrington Raceway, Delaware.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of the Buffalo Trotting Association, Inc.'s simulcast license. Further, Buffalo Trotting Association, Inc. is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Buffalo Trotting Association, Inc. may or will provide rebates on wagers for races at that site.

2. For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Delaware County Fair including Little Brown Jug Future Wagers from September 16, 2007 through September 20, 2007.

Future wagers are approved only for the pools listed as Pool Two (August 16-19) and Pool Three (September 16-19). Buffalo Raceway must provide prominent notice to bettors of the rules governing the future pools, including the no refund conditions.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of the Buffalo Trotting Association, Inc. simulcast license. Further, Buffalo Trotting Association, Inc. is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Buffalo Trotting Association, Inc. may or will provide rebates on wagers for races at that site.

3. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved the request of the Buffalo Trotting Association, Inc. to amend

its simulcast plan of operation authorizing the simulcast for wagering purposes of races from NJSEA (Meadowlands/Monmouth Park), New Jersey through December 31, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Buffalo Trotting Association, Inc.'s simulcast license. Further, Buffalo Trotting Association, Inc. is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Buffalo Trotting Association, Inc. may or will provide rebates on wagers for races at that site.

**4. BUFFALO RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes to Finger Lakes Racing Association, Inc., New York through July 28, 2007.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

a. Retransmission of the Buffalo Trotting Association, Inc. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.

b. No receiving or secondary or associated sites may rebate on Buffalo Trotting Association, Inc. races unless disclosed within the terms of the agreement as submitted to the Board for approval.

c. Guests (and secondary or associated sites) must maintain books and records relative to wagers on Buffalo Trotting Association, Inc. simulcasts for a period of two years from the date of each simulcast. The books and records must be made available to the Board on request.

d. "Manual Merge" is prohibited without the express approval of the Board.

**5. CAPITAL DISTRICT REGIONAL OTB – PROMOTION & MARKETING - ADDITIONAL JULY PROMOTIONS**

For entry into the minutes, on July 19, 2007, the New York State Racing and Wagering Board approved an application by the Capital District Regional Off-Track Betting Corporation to conduct two promotions during the month of July 2007. These promotions are "Knockout Challenges" on Thursday, July 19 and Sunday, July 22, 2007, that is Del Mar Day.

This approval is conditioned on the following:

- There is no fee for participation in the promotions

- Employees of the Capital District Regional Off-Track Betting Corporation, and its contractors and vendors are ineligible to participate.

The Board reserved the right to audit the conduct of these promotions.

**6. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO OFFER  
MARKETING**

**PROMOTIONS FOR THE SARATOGA MEET**

For entry into the minutes, on July 23, 2007, the New York State Racing and Wagering Board approved an application by the Capital District Regional Off-Track Betting Corporation to conduct the following promotions set forth in the application dated July 3, 2007:

- Online Jackpot Mondays for Phone-A-Bet customers
- Fan Appreciation Wednesdays
- Win with the “Wizard” and Knockout Challenge on Wednesdays at the Teletheater
- Giveaway Day Friday and “Win A Bet” handicapping contest
- \$2500 Teletheater Challenge Saturdays
- Western Regional Promotional Days
- Ladies Day Sundays at the Teletheater
- Battle of Toga (on-line for Phone-A-Bet customers).

The request for free admission is **not approved**. See Racing, Pari-Mutuel Wagering and Breeding Law Section 1009.5.

The application to conduct the following was **not approved** because each of the promotions involved consideration:

- EZ-Bet Challenge
- Travers Day Special
- Attendance Rewards Program.

This approval is conditioned on the following:

There is no fee for participation in the promotions except as noted for the Battle of TOGA. Employees of the Capital District Regional Off-Track Betting Corporation, and its contractors and vendors are ineligible to participate.

The Board reserved the right to audit the conduct of these promotions.

**7. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO IMPORT  
VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved an amendment to the Capital District Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races:

1. Buffalo Trotting Association, Inc., New York through July 28, 2007.

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2. Del Mar Thoroughbred Club, California through September 5, 2007.

Approval is conditioned upon compliance with the terms of the agreements, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Capital District Off-Track Betting Corporation's simulcast license. Further, Capital District Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Capital District Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

8. For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved an amendment to the Capital District Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Delaware County Fair including Little Brown Jug Future Wagers from September 16, 2007 through September 20, 2007.

Future wagers are approved only for the pools listed as Pool Two (August 16-19) and Pool Three (September 16-19). Capital OTB must provide prominent notice to bettors of the rules governing the future pools, including the no refund conditions.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Capital District Off-Track Betting Corporation's simulcast license. Further, Capital District Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Capital District Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

Video streaming is prohibited without the specific prior written approval of the Board.

9. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved an amendment to the Capital District Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Harrington Raceway, Delaware for the remainder of 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Capital District Off-Track Betting Corporation's simulcast license. Further, Capital District Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Capital District Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

Video streaming is prohibited without the prior written approval of the Board.

10. **CATSKILL REGIONAL OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**



For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races for the remainder of 2007 unless otherwise limited from:

1. Batavia Downs, New York
2. Saratoga Harness, New York.

Approval is conditioned upon compliance with the terms of the agreements, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Catskill Regional Off-Track Betting Corporation's simulcast license. Further, Catskill Regional Off-Track Betting Corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Catskill Regional Off-Track Betting Corporation may or will provide rebates on wagers for races at that site.

Video streaming and account wagering other than by telephone is prohibited without further written approval of the Board.

**11. FINGER LAKES RACETRACK – REQUEST FOR APPROVAL OF AUGUST & SEPTEMBER 2007 PROMOTIONS**

For entry into the minutes, on August 3, 2007, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to sign up new members for the Player Extras Club. From September 1 to September 3, 2007, any new member who joins the Players Extra Club and any current member who refers a new member, will receive a choice of a five (\$5.00) dollar voucher good for either racing or gaming.

The Board acknowledges notification of the following:

Senior Days – ongoing every Tuesday through December 1, 2007.

Racing Fan Appreciation Day – on Saturday, August 11, 2007.

Labor Day Head Set Radio Giveaway – on Labor Day, Monday, September 3, 2007.

Labor Day Family Day at the Races – on Labor Day, Monday, September 3, 2007.

These do not require Board approval.

**12. FINGER LAKES RACETRACK – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Penn National Race Course, Pennsylvania through December 31, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of the Finger Lakes Racing Association, Inc. simulcast license.

Further, Finger Lakes Racing Association, Inc. is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Finger Lakes Racing Association, Inc. may or will provide rebates on wagers for races at that site.

13. For entry into the minutes, on July 26, 2007, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 30, 2007 through December 1, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of the Finger Lakes Racing Association, Inc. simulcast license. Further, Finger Lakes Racing Association, Inc. is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Finger Lakes Racing Association, Inc. may or will provide rebates on wagers for races at that site.

14. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Charles Town Races, West Virginia through December 31, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of the Finger Lakes Racing Association, Inc. simulcast license. Further, Finger Lakes Racing Association, Inc. is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Finger Lakes Racing Association, Inc. may or will provide rebates on wagers for races at that site.

**15. FINGER LAKES RACETRACK – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on July 26, 2007, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association's request to simulcast its thoroughbred racing programs during the remainder of 2007 to Presque Isle Downs & Casino, Pennsylvania.

This approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

a. Retransmission of the Finger Lakes Racing Association, Inc. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.

b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.

- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of the Finger Lakes Racing Association, Inc. simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on the Finger Lakes Racing Association, Inc. races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.
- g. Video streaming is prohibited without the prior written approval of the Board.

16. For entry into the minutes, on July 26, 2007, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs for wagering purposes from August 1, 2007 through December 31, 2007 to Northville Racing Corporation, Michigan.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Finger Lakes Racing Association, Inc. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Finger Lakes Racing Association Inc.'s simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Finger Lakes Racing Association, Inc. races unless disclosed within the terms of the agreement as submitted to the Board for approval.

- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

17. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association's request to simulcast its thoroughbred racing programs during the remainder of 2007 to Raynham Taunton Greyhound Park, Massachusetts.

This approval is limited to the site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

- a. Retransmission of the Finger Lakes Racing Association, Inc. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of the Finger Lakes Racing Association, Inc. simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on the Finger Lakes Racing Association, Inc. races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.
- g. Video streaming is prohibited without the prior written approval of the Board.

**18. MONTICELLO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Red Mile, Kentucky through October 7, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of the Monticello Raceway Mgmt, Inc. simulcast license. Further, Monticello Raceway Mgmt, Inc. is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Monticello Raceway Mgmt, Inc. may or will provide rebates on wagers for races at that site.

**19. MONTICELLO RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its standardbred racing programs for wagering purposes for the remainder of the year 2007 to Buffalo Trotting Association, New York.

Approval is limited to the guest as specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Monticello Raceway Mgmt, Inc.'s simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. No receiving or secondary sites may rebate on Monticello Raceway Mgmt, Inc. races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- c. Guest (and secondary or associated sites) must maintain books and records relative to wagers on Monticello Raceway Mgmt, Inc. simulcasts for a period of two (2) years from the date of each simulcast.
- d. "Manual Merge" is prohibited without the express approval of the Board.

20. For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Philadelphia Park (with eight [8] satellite sites), Pennsylvania.

Approval is limited to the guest and secondary or associated sites specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Monticello Raceway Mgmt, Inc. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Monticello Raceway Mgmt, Inc.'s simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Monticello Raceway Mgmt, Inc. races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

21. For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Downs Racing, LP d/b/a Mohegan Sun at Pocono Downs (with four [4] satellite sites), Pennsylvania.

Approval is limited to the guest and secondary or associated sites specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Monticello Raceway Mgmt, Inc. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit



inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Monticello Raceway Mgmt, Inc.'s simulcast transactions, if not included within individual contracts, must be supplied to the Board.

d. No receiving or secondary or associated sites may rebate on Monticello Raceway Mgmt, Inc. races unless disclosed within the terms of the agreement as submitted to the Board for approval.

e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.

f. "Manual Merge" is prohibited without the express approval of the Board.

g. Video streaming is prohibited if the guest or any satellite or associated sites establish and/or maintain any accounts with New York residents or if the video streaming is otherwise available in New York State.

22. For entry into the minutes, on July 26, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt., Inc. request to simulcast its standardbred racing programs for wagering purposes from August 1 through December 31, 2007 to Northville Racing Corporation, Michigan.

Approval is limited to the guest and secondary or associated sites specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

a. Retransmission of the Monticello Raceway Mgmt, Inc. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.

b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.

c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Monticello Raceway Mgmt, Inc.'s simulcast transactions, if not included within individual contracts, must be supplied to the Board.

d. No receiving or secondary or associated sites may rebate on Monticello Raceway Mgmt, Inc. races unless disclosed within the terms of the agreement as submitted to the Board for approval.

- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

23. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Colonial Downs (with ten [10] satellite sites), Virginia.

Approval is limited to the guest and secondary or associated sites specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Monticello Raceway Mgmt, Inc. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Monticello Raceway Mgmt, Inc.'s simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Monticello Raceway Mgmt, Inc. races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

24. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to The Red Mile, Kentucky.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Monticello Raceway Mgmt, Inc. simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Monticello Raceway Mgmt, Inc.'s simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Monticello Raceway Mgmt, Inc. races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

**25. NASSAU REGIONAL OTB – REQUEST TO OFFER SARATOGA HANDICAPPING SEMINAR AT BK SWEENEY’S TAVERN QUICK BET LOCATION**

For entry into the minutes, on July 26, 2007, the NYS Racing and Wagering Board approved a Nassau Downs OTB proposal to conduct a handicapping seminar promotion with a drawing for sixteen (16) ten dollar betting vouchers (two drawn after Saratoga Racecourse races two through eight), one \$100.00 telephone account, and two \$50.00 telephone accounts at BK Sweeney’s Quick Bet location in Bethpage, NY on August 17, 2007. Saratoga T-shirts are to be awarded to the first twenty (20) people entering the drawing.

This promotion must be conducted in accordance with the terms of the application to the Board. Employees of the Nassau Regional Off-Track Betting Corp., its vendors and BK Sweeney’s are ineligible to participate.

**26. NASSAU REGIONAL OTB – REQUEST TO CONDUCT “ALL ABOUT SARATOGA” SEMINAR FOR FRIDAY, AUGUST 10, 2007 AT POTTER’S PUB**

For entry into the minutes, on July 27, 2007, the NYS Racing and Wagering Board approved a Nassau Downs OTB proposal to conduct a handicapping seminar promotion with a drawing for sixteen (16) ten dollar betting vouchers (two drawn after Saratoga Racecourse races two through eight), one (1) \$100.00 telephone account, and two (2) \$50.00 telephone accounts at Potter’s Pub Restaurant Quik Bet location on August 10, 2007. Saratoga T-shirts are to be awarded to the first twenty (20) people entering the drawing.

This promotion must be conducted in accordance with the terms of the application to the Board. Employees of the Nassau Regional Off-Track Betting Corp., its vendors and Potter’s Pub Restaurant are ineligible to participate.

**27. NYRA – REQUEST FOR APPROVAL OF THE “BET 50, GET 50” PROMOTION**

For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved the application of The New York Racing Association, Inc. for the “Bet 50, Get 50” promotion for account wagering pursuant to the terms and conditions specified in the July 24, 2007 letter of Pasquale Viscusi, Esq.

This approval is limited to the remainder of 2007. This limitation is without prejudice to any future application. The Board reserves the right to audit the conduct of the promotion.

**28. NYRA – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on July 27, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from River Downs, Ohio through September 15, 2007. This approval is effective immediately.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of NYRA’s simulcast license, and any applicable laws of other states and jurisdictions.

Further, NYRA is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that NYRA may or will provide rebates on wagers for races at that site.

Video streaming is prohibited without the prior written approval of the Board.

**29.** For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast

plan of operation authorizing the simulcast for wagering purposes for the remainder of 2007 of races from:

1. Charles Town Races, West Virginia
2. Penn National Race Course, Pennsylvania.

Approval is conditioned upon compliance with the terms of the agreements, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of NYRA's simulcast license. Further, NYRA is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that NYRA may or will provide rebates on wagers for races at that site.

Video streaming is prohibited without the prior written approval of the Board.

30. For entry into the minutes, on August 2, 2007, The New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Remington Park, Oklahoma from August 2 through December 1, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of NYRA's simulcast license. Further, NYRA is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that NYRA may or will provide rebates on wagers for races at that site.

Video streaming is prohibited without the prior written approval of the Board.

31. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Laurel Park, Maryland for the remainder of 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of NYRA's simulcast license. Further, NYRA is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that NYRA may or will provide rebates on wagers for races at that site.

Video streaming is prohibited without the prior written approval of the Board.

32. **NYRA – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007**  
For entry into the minutes, on July 26, 2007, the New York State Racing and Wagering Board approved The New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes to Presque Isle Downs, Inc., Pennsylvania from August 1, 2007 through December 31, 2007.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):



- a. Retransmission of The New York Racing Association simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two [2] years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of The New York Racing Association simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on The New York Racing Association races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.
- g. Video Streaming is prohibited without the prior written approval of the Board.

33. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved The New York Racing Association request to simulcast its thoroughbred racing programs during the remainder of 2007 to the following additional secondary sites associated with previously approved simulcasts:

1. Victoryland Greyhound Park (Birmingham Race Course)
2. Trackside Lockport (Arlington Park)
3. Champaign OTB (Arlington Park and Hawthorne)
4. Louisiana Downs Casino & OTB (Harrah's Louisiana Downs)
5. Riverwind (Choctaw Racing Services)
6. Favorites at Vineland (Philadelphia Park).

Approval is limited to the secondary sites specified above, and is conditioned upon the terms of the simulcast agreements, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

- a. Retransmission of The New York Racing Association simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for



approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.

- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two [2] years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of The New York Racing Association simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on The New York Racing Association races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.
- g. Video streaming is prohibited without the prior written approval of the Board.

34. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved The New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes to Hipodromo de Agua Caliente, Mexico through December 30, 2007.

Approval is limited to the guest and secondary sites specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of The New York Racing Association simulcast signal by authorized recipients to secondary recipients is not allowable unless these secondary sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two [2] years from the date of each simulcast. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of The New York Racing Association simulcast transactions, if not included within individual contracts, must be supplied to the Board.

- d. No receiving or secondary sites may rebate on The New York Racing Association races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.
- g. Video streaming is prohibited without the prior written approval of the Board.

35. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved The New York Racing Association's request to simulcast only the Sword Dancer Invitational, on August 11, 2007, to Pari-Mutuel Urbain (PMU) (with over eight thousand [8000] secondary sites), France.

This approval is limited to the secondary or associated sites specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of The New York Racing Association simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of The New York Racing Association simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on The New York Racing Association races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. Video streaming is prohibited without the prior written approval of the Board.

**36. SARATOGA GAMING AND RACEWAY – REQUEST TO IMPORT  
VARIOUS  
LOCATIONS IN 2007**

For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming & Raceway simulcast

plan of operation authorizing the simulcast for wagering purposes of races from PPI, Inc. d/b/a Pompano Park, Florida for the remainder of the year 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Saratoga Gaming & Raceway's simulcast license. Further, Saratoga Gaming & Raceway is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Saratoga Gaming & Raceway may or will provide rebates on wagers for races at that site.

37. For entry into the minutes, on July 27, 2007, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming & Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Batavia Downs, New York for the remainder of the year 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Saratoga Gaming & Raceway's simulcast license. Further, Saratoga Gaming & Raceway is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Saratoga Gaming & Raceway may or will provide rebates on wagers for races at that site.

38. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming & Raceway simulcast plan of operation authorizing the simulcast for wagering purposes for the remainder of 2007 of races from:

1. Charles Town Races, West Virginia
2. Penn National Race Course, Pennsylvania.

Approval is conditioned upon compliance with the terms of the agreements, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Saratoga Gaming & Raceway's simulcast license. Further, Saratoga Gaming & Raceway is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Saratoga Gaming & Raceway may or will provide rebates on wagers for races at that site.

Video streaming and account wagering is prohibited without the prior written approval of the Board.

39. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming & Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Red Mile, Kentucky through October 9, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Saratoga Gaming & Raceway's simulcast license. Further, Saratoga Gaming & Raceway is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Saratoga Gaming & Raceway may or will provide rebates on wagers for races at that site.

**40. SARATOGA GAMING AND RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on July 27, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to:

1. Finger Lakes Racing Association, New York.
2. Yonkers Raceway, New York.

Approval is limited to the guest sites specified within the simulcast agreements, and is conditioned upon the terms of the simulcast agreements, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

- a. Retransmission of the Saratoga Gaming & Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. No receiving or secondary or associated sites may rebate on Saratoga Gaming & Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- c. Guests (and secondary or associated sites) must maintain books and records relative to wagers on Saratoga Gaming & Raceway simulcasts for a period of two years from the date of each simulcast. The books and records must be made available to the Board on request.
- d. "Manual merge" is prohibited without the express approval of the Board.
- e. Video streaming is prohibited without the specific prior written approval of the Board.

41. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming and Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Freehold Raceway (with one [1] satellite site), New Jersey.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):



- a. Retransmission of the Saratoga Gaming and Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Saratoga Gaming & Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Saratoga Gaming and Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

42. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to:

1. Buffalo Trotting Association, New York.
2. Tioga Downs, New York.
3. Vernon Downs, New York.

Approval is limited to the guest sites specified within the simulcast agreements, and is conditioned upon the terms of the simulcast agreements, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

- a. Retransmission of the Saratoga Gaming & Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. No receiving or secondary or associated sites may rebate on Saratoga Gaming & Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.



c. Guests (and secondary or associated sites) must maintain books and records relative to wagers on Saratoga Gaming & Raceway simulcasts for a period of two years from the date of each simulcast. The books and records must be made available to the Board on request.

d. "Manual merge" is prohibited without the express approval of the Board.

43. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming and Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to:

1. Delaware Racing Association, Delaware
2. Harrington Raceway, Delaware
3. Hazel Park, Michigan
4. Hinsdale Greyhound Park, New Hampshire.

Approval is limited to the guest sites specified within the simulcast agreements, and is conditioned upon the terms of the simulcast agreements, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

a. Retransmission of the Saratoga Gaming and Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.

b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.

c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Saratoga Gaming & Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.

d. No receiving or secondary or associated sites may rebate on Saratoga Gaming and Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.

e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.

f. "Manual Merge" is prohibited without the express approval of the Board.

44. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming and Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to:

1. Autotote Enterprises Inc. (with fourteen [14] satellite sites), Connecticut
2. Colonial Downs (with ten [10] satellite sites), Virginia
3. Harrah's Chester Casino & Racetrack, Pennsylvania.

Approval is limited to the guest and secondary or associated sites specified within the simulcast agreements, and is conditioned upon the terms of the simulcast agreements, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

- a. Retransmission of the Saratoga Gaming and Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Saratoga Gaming & Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Saratoga Gaming and Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

45. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming and Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to:

1. Philadelphia Park (with eight [8] satellite sites), Pennsylvania
2. Plainridge Racecourse, Massachusetts
3. PPI, Inc. d/b/a Pompano Park Racing (with twenty [20] satellite sites), Florida

4. Downs Racing, LP d/b/a Mohegan Sun at Pocono downs (with five [5] satellite sites), Pennsylvania.

Approval is limited to the guest and secondary or associated sites specified within the simulcast agreements, and is conditioned upon the terms of the simulcast agreements, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

- a. Retransmission of the Saratoga Gaming and Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Saratoga Gaming & Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Saratoga Gaming and Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

46. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming and Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to:

1. Northfield Park, Ohio
2. Northville Downs, Michigan
3. Northville Racing Corporation, Michigan
4. Ocean Downs (with one [1] satellite site), Maryland.

Approval is limited to the guest and secondary or associated sites specified within the simulcast agreements, and is conditioned upon the terms of the simulcast agreements, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

- a. Retransmission of the Saratoga Gaming and Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Saratoga Gaming & Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Saratoga Gaming and Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

47. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming and Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to:

- 1. Lebanon Raceway, Ohio
- 2. Lewiston Raceways, Inc. (with five [5] satellite sites), Maine
- 3. The Lodge at Belmont, New Hampshire
- 4. NJSEA (with one [1] satellite site), New Jersey.

Approval is limited to the guest and secondary or associated sites specified within the simulcast agreements, and is conditioned upon the terms of the simulcast agreements, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

- a. Retransmission of the Saratoga Gaming and Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.

- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Saratoga Gaming & Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Saratoga Gaming and Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

48. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming and Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to:

- 1. Rosecroft, Maryland
- 2. Scarborough Downs, Maine
- 3. Scioto Downs, Ohio.

Approval is limited to the guest and secondary or associated sites specified within the simulcast agreements, and is conditioned upon the terms of the simulcast agreements, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

- a. Retransmission of the Saratoga Gaming and Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the

host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Saratoga Gaming & Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.

- d. No receiving or secondary or associated sites may rebate on Saratoga Gaming and Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

49. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Presque Isle Downs & Casino, Pennsylvania.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Saratoga Gaming & Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Saratoga Gaming & Raceway simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. receiving or secondary or associated sites may rebate on Saratoga Gaming & Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

50. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming & Raceway simulcast plan of operation authorizing the requested system of net pool pricing with Canadian guest sites during 2007. All wagering is to be converted to United States dollars at the exchange rate in effect at the daily noon rate from the Bank of Canada for the day immediately preceding the day on which the post-time of the first race of the racing program is scheduled pursuant to the applicable CPMA regulations. Saratoga Gaming & Raceway must clearly inform the wagering public that net pool pricing is in effect for the calculation of pari-mutuel payouts based upon the receipt of wagering monies from foreign entities.

Specific Board approval is required for all additional simulcast sites that implement or utilize net pool pricing with takeout rates differing from those in effect at Saratoga Gaming & Raceway.

The New York State Racing and Wagering Board approved the Saratoga Gaming and Raceway request to simulcast its standardbred-racing program for wagering purposes during the remainder of 2007 to Northlands Park, Alberta, Canada.

Approval is limited to the guest site specified within the simulcast agreement and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Saratoga Gaming and Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Saratoga Gaming and Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Saratoga Gaming and Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.



f. “Manual Merge” is prohibited unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.

**51. NEVADA GOLD – TIOGA DOWNS, INC. & NEVADA GOLD - VERNON DOWNS, INC. - REQUEST TO CONDUCT VOUCHER PROMOTION**

For entry into the minutes, on August 1, 2007, the NYS Racing and Wagering Board approved the Tioga Downs and the Vernon Downs requests authorizing these tracks to conduct a voucher promotion as described in the July 6, 2007 request. This promotion involves a mailing of up to 20,000 two-dollar betting vouchers for each facility.

The promotion must be conducted in accordance with the terms of the application and is further conditioned upon the requirement that a report be filed with the Board within thirty (30) days after each month that vouchers were issued. The report must contain complete redemption statistics and any other management findings based upon review of the program.

**52. NEVADA GOLD – TIOGA DOWNS, INC. – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Ellis Park, Kentucky through September 3, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of the Tioga Downs simulcast license. Further, Tioga Downs is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Tioga Downs may or will provide rebates on wagers for races at that site.

53. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Remington Park Inc., Oklahoma through December 1, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of the Tioga Downs simulcast license. Further, Tioga Downs is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Tioga Downs may or will provide rebates on wagers for races at that site.

**54. NEVADA GOLD – TIOGA DOWNS, INC. – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the remainder of 2007 to Arlington Park, Illinois.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Tioga Downs simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two [2] years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Tioga Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

55. For entry into the minutes, on July 26, 2007, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes to:

1. Northville Racing Corporation, Michigan from August 1 through December 31, 2007
2. Prairie Meadows, Iowa for the remainder of 2007.

Approval is limited to the guest site specified within the simulcast agreements, and is conditioned upon the terms of the simulcast agreements, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

- a. Retransmission of the Tioga Downs simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites. Books and records must be maintained for

two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are

subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs's simulcast transactions, if not included within individual contracts, must be supplied to the Board.

d. No receiving or secondary or associated sites may rebate on Tioga Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.

e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.

f. "Manual Merge" is prohibited without the express approval of the Board.

56. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes through December 31, 2007 to Presque Isle Downs & Casino, Pennsylvania.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

a. Retransmission of the Tioga Downs simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval.

Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.

b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.

c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two [2] years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs simulcast transactions, if not included within individual contracts, must be supplied to the Board.

d. No receiving or secondary or associated sites may rebate on Tioga Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.

e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.

f. "Manual Merge" is prohibited without the express approval of the Board.

57. For entry into the minutes, on August 9, 2007 the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Sacramento Harness Association (Cal-Expo), California.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Tioga Downs simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Tioga Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

**58. NEVADA GOLD – VERNON DOWNS, INC. – REQUEST TO IMPORT  
VARIOUS  
LOCATIONS IN 2007**

For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Ellis Park, Kentucky through September 3, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of the Vernon Downs simulcast license. Further, Vernon Downs is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Vernon Downs may or will provide rebates on wagers for races at that site.





59. For entry into the minutes, on August 2007, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Remington Park Inc., Oklahoma through December 1, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of the Vernon Downs simulcast license. Further, Vernon Downs is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Vernon Downs may or will provide rebates on wagers for races at that site.

**60. NEVADA GOLD – VERNON DOWNS, INC. – REQUEST TO EXPORT TO**

**VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes through December 31, 2007 to Presque Isle Downs & Casino, Pennsylvania.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Vernon Downs simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Vernon Downs simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Vernon Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.

- f. “Manual Merge” is prohibited without the express approval of the Board.

61. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Sacramento Harness Association (Cal-Expo), California.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Vernon Downs simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for a period of two (2) years from the date of each simulcast. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Vernon Downs simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Vernon Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

**62. YONKERS RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Ocean Downs, Maryland through October 1, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Yonkers Raceway's simulcast license. Further, Yonkers Raceway is prohibited from rebating as a guest on simulcasts unless the host site

acknowledges in writing that Yonkers Raceway may or will provide rebates on wagers for races at that site.

63. For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Monticello Raceway Mgmt, Inc., New York.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Yonkers Raceway's simulcast license. Further, Yonkers Raceway is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Yonkers Raceway may or will provide rebates on wagers for races at that site.

64. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Assiniboia Downs, Manitoba, Canada through September 23, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Yonkers Raceway's simulcast license. Further, Yonkers Raceway is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Yonkers Raceway may or will provide rebates on wagers for races at that site.

65. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from:

1. Evergreen Park, Ontario, Canada
2. Flamboro Downs Holdings Limited, Ontario, Canada
3. Nordic Gaming Corporation (Fort Erie Race Track), Ontario, Canada.

Approval is conditioned upon compliance with the terms of the agreements, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of Yonkers Raceway simulcast license. Further, Yonkers Raceway is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Yonkers Raceway may or will provide rebates on wagers for races at that site.

**66. YONKERS RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on July 24, 2007, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to:

1. Clinton Raceway, Inc., Ontario, Canada
2. Grand River Agricultural Society (with five [5] satellite sites), Ontario, Canada
3. Hanover, Bentink & Brant Agricultural Society, Ontario, Canada.

Approval is limited to the guest and secondary or associated sites specified within the simulcast agreements, and is conditioned upon the terms of the simulcast agreements, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreements):

- a. Retransmission of the Yonkers Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Yonkers Raceway simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual merge" is prohibited unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.

These simulcasts are subject to previously established conditions for net pool pricing with Canadian simulcast sites.

67. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Jackson Raceway, Michigan.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Yonkers Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Yonkers Raceway simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

68. For entry into the minutes, on August 1, 2007, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Sudbury Downs (with ten [10] satellite sites), Ontario, Canada.

Approval is limited to the guest and secondary or associated sites specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Yonkers Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling

and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Yonkers Raceway simulcast transactions, if not included within individual contracts, must be supplied to the Board.

d. No receiving or secondary or associated sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.

e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.

f. "Manual merge" is prohibited unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.

These simulcasts are subject to previously established conditions for net pool pricing with Canadian simulcast sites.

69. For entry into the minutes, on August 2, 2007, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to the Nevada Pari-Mutuel Association (with thirty three [33] satellite sites), Nevada.

Approval is limited to the specific sites within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

a. Retransmission of the Yonkers Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.

b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.

c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Yonkers Raceway simulcast transactions, if not included within individual contracts, must be supplied to the Board.

d. No receiving or secondary or associated sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.

e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.



f. "Manual Merge" is prohibited except as required pursuant to Nevada laws, and only to the extent so required.

70. For entry into the minutes, on August 3, 2007, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to the Nevada Pari-Mutuel Association (with twenty eight [28] satellite sites), Nevada.

Approval is limited to the specific sites within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):

- a. Retransmission of the Yonkers Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Yonkers Raceway simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited except as required pursuant to Nevada laws, and only to the extent so required.

71. For entry into the minutes, on August 9, 2007, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2007 to Presque Isle Downs & Casino, Pennsylvania.

Approval is limited to the guest site specified within the simulcast agreement, and is conditioned upon the terms of the simulcast agreement, except as otherwise set forth below. Approval is conditioned further on the following (some of which may be set forth in the agreement):



- a. Retransmission of the Yonkers Raceway simulcast signal by authorized recipients to secondary or associated recipients is not allowable unless these secondary or associated sites are listed in the agreement as submitted to the Board for approval. Simulcasts to additional secondary or associated sites are prohibited without further application and approval by the Board.
- b. The simulcast receiving sites and any secondary or associated sites are prohibited from accepting account or Internet wagers from New York residents.
- c. The Board has the authority to audit the books and records of all out-of-state receiving and secondary or associated sites for a period of two (2) years from the date of each simulcast. Books and records must be maintained for two (2) years from the date of each simulcast. The guest and all secondary or associated sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Yonkers Raceway simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary or associated sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary or associated sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

**C. ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE BOARD**

**1. EMERGENCY RULEMAKING – INTERNET AND ACCOUNT WAGERING**

For entry into the minutes, on July 23, 2007, the NYS Racing and Wagering Board approved adoption of emergency rules (Subchapter C, Part 5300 of Title 9 of New York Codes Rules and Regulations) for internet and telephone account wagering systems used in connection with licensed pari-mutuel wagering activities in the State of New York.

This emergency rule will be in effect for 90 days and expire on October 21, 2007.

**2. WESTERN REGIONAL OTB/BATAVIA DOWNS – RELOCATION OF UNITED**

**TOTE "HUB"**

For entry into the minutes, on July 25, 2007, the New York State Racing and Wagering Board approved Western OTB's request to move the location of its United Tote totalizator system to United Tote's Eastern Data Center located in Brooklyn, New York. The approval is conditioned on United Tote successfully installing and testing routers at all remaining locations.

**3. FINGER LAKES RACETRACK – REQUEST TO ADD RACING OFFICIAL FOR 2007 – TRACIE SMITH**

For entry into the minutes, on July 26, 2007, the New York State Racing and Wagering Board approved the employment of Tracie Smith as a racing official for the remainder of the term set in your letter dated July 9, 2007.

**4. IN THE MATTER OF FRANCISCO PARRILLA**

On August 6, 2007, the NYS Racing and Wagering Board summarily suspended the license of Mr. Francisco Parrilla to participate in pari-mutuel harness racing as an owner, trainer, driver or otherwise, pending the disposition by the Board of the scheduled hearing. This suspension was based on a human drug test which tested positive for Cocaine.

**D. ITEMS TO BE APPROVED, DENIED OR DEFERRED BY THE BOARD**

**1. CAPITAL DISTRICT REGIONAL OTB – SIMULCAST LICENSE APPLICATION FOR 2007**

The New York State Racing and Wagering Board deferred action on the Capital District Regional Off-Track Betting Corporation's simulcast license application for 2007 pending further determination of matters in relation to Board staff's investigation report concerning check cashing and other items.

The Board will consider further action at a future Board meeting.

Capital OTB will remain operational on the continuing rights of the 2006 simulcast license. Such rights are conditioned upon compliance with all applicable provisions of the Racing, Pari-Mutuel Wagering and Breeding Law, Board rules and orders and directives of the New York State Racing and Wagering Board including:

An SAS-70 Type II audit is to be performed for the current licensing period on the totalizator operations utilized and located at your facility. The report is to be filed with the Board no later than October 31, 2007.

**2. NEW YORK CITY OTB – SIMULCAST LICENSE APPLICATION FOR 2007**

The New York State Racing and Wagering Board deferred action on New York City Off-Track Betting Corporation's 2007 simulcast license application pending further review of matters concerning NYC OTB's financial position.

NYC OTB will remain operational on the continuing rights of the 2005 simulcast license. Such rights are conditioned upon compliance with all applicable provisions of the Racing, Pari-Mutuel Wagering and Breeding Law, Board rules and orders and directives of the New York State Racing and Wagering Board, including:

- a. Submission to the Board of fire inspection reports on an ongoing basis.
- b. An SAS-70 Type II audit is to be performed for the current licensing period on the totalizator operations utilized and located at your facility. The report is to be filed with the Board no later than October 31, 2007.
- c. [New York City Off-Track Betting Corporation shall not rebate on wagers placed without the written consent of the host site.](#)

**3. FINGER LAKES RACETRACK – REQUEST FOR APPROVAL TO IMPLEMENT E-Z BET CARD PROGRAM WITH INTERNAL CONTROLS THROUGH UNITED TOTE**

The New York State Racing and Wagering Board approved Finger Lakes Racing Association's request to implement the E-Z Bet Card (Cash Card) system of account wagering.

The approval is conditioned on:

- 1. The conduct of the program consistent with the terms of the application to the Board
- 2. The filing by the Finger Lakes Racing Association of a report prepared by an independent certified public accountant expressing an opinion directly on the effectiveness of Finger Lakes' internal controls over the cash card system. The report must be filed with the Board by April 30, 2008.

**4. CATSKILL REGIONAL OTB – REQUEST TO INSTALL BETTING TERMINALS AT THE BACKSTREET RESTAURANT IN BLAUVELT, NY**

The New York State Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting Corporation plan of operation authorizing the operation of a self-service simulcast branch within the Backstreet Restaurant in Blauvelt, New York (Rockland County). This approval is conditioned upon and effective only when the cash receipt agreement is executed and filed with the Board.

It is a condition of this approval that the wagering and simulcasting at this facility will be conducted in accordance with the terms of the operating agreement presented to the Board as well as all applicable statutes and Board rules, and that all wagering will be conducted through self-service terminals only.

The Board's approval to operate a self-service branch at this location shall expire and be of no force and effect in the event of any change in ownership or operation without the prior written approval of the Board.

It is expected that Catskill Regional OTB will arrange for the occasional inspection of this facility to assure compliance with the plan of operation and relevant laws and Board rules, and certify to the Board on a periodic ongoing basis that the conduct of wagering at this facility is in compliance with the foregoing.

**5. CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR APPROVAL TO OPERATE NEW EZ BET FACILITY - HOOSICK FALLS, NY**

The New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation plan of operation authorizing the operation of an EZ Bet simulcast facility at the Carmody's West located at 5527 NY Route 7 in Hoosick Falls, New York (Rensselaer County).

It is a condition of this approval that the wagering and simulcasting at this facility will be conducted in accordance with the terms of the operating agreement presented to the Board as well as all applicable statutes and Board rules, and that all wagering will be conducted through self-service terminals only.

The Board's approval to operate an EZ Bet facility at this location shall expire and be of no force and effect in the event of any change in ownership or operation without the prior written approval of the Board.

It is expected that Capital District Regional OTB will arrange for the occasional inspection of this facility to assure compliance with the plan of operation and relevant laws and Board rules, and certify to the Board on a periodic ongoing basis that the conduct of wagering at this facility is in compliance with the foregoing.

**6. NASSAU REGIONAL OTB – REQUEST TO ESTABLISH NEW FAST TRACK FACILITY – VALLEY STREAM, NY**

The New York State Racing and Wagering Board approved an amendment to the Nassau Regional Off-Track Betting Corporation plan of operation authorizing the operation of a “Fast Track” simulcast facility at Charlie Meaney's located at 52 Central Court, Valley Stream, New York (Nassau County).

It is a condition of this approval that the wagering and simulcasting at this facility will be conducted in accordance with the terms of the operating agreement presented to the Board as well as all applicable statutes and Board rules, and that all wagering will be conducted through self-service terminals only.

The Board's approval to operate a “Fast Track” facility at this location shall expire and be of no force and effect in the event of any change in ownership or operation without the prior written approval of the Board.

It is expected that Nassau Regional OTB will arrange for the occasional inspection of this facility to assure compliance with the plan of operation and relevant laws and Board rules, and certify to the Board on a periodic ongoing basis that the conduct of wagering at this facility is in compliance with the foregoing.

**7. CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR APPROVAL OF NEW**

**CONCESSIONAIRE AT WOODLAWN BRANCH**

The New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation plan of operation authorizing the retention of Parvez Sharifipour and Thomas Slaughter IV as its new concessionaires at its Woodlawn Branch in Schenectady, New York. Their business, Erie Subs, LLC, replaces the former concessionaire, Mariposa Management, LLC.

**8. MONTICELLO RACEWAY – REQUEST TO WITHDRAW \$41, 884.33 FROM CIF**

The New York State Racing and Wagering Board approved Monticello Raceway's July 18, 2007 request to withdraw a total of \$41,884.33 from its Capital Improvement Fund for reimbursement of the following expenditures:

**Other (15%)**

Tote Board Revamp	<u>\$ 6,216.68</u>
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**Backstretch (85%)**

Transformer on roof for track light project	5,088.01
Brackets for transformer	266.53
Testing for PCP's regarding transformer	743.98
Finish installation of roof transformer	1,919.57
Track light project	12,064.67
New camera for backstretch	8,576.89
Harrow for track surface	<u>7,008.00</u>
Total Backstretch	<u>35,667.65</u>

<b>Total</b>	<b><u>\$41,884.33</u></b>
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**9. IN THE MATTER OF STEVEN L. BROWN**

The New York State Racing and Wagering Board upheld Hearing Officer Russell H. Baller, Jr.'s recommendation that the license refusal of harness racing applicant Steven L. Brown be upheld based on a finding that he failed to provide records and documentation required.

**10. IN THE MATTER OF GRAHAM LEWIS**

The New York State Racing and Wagering Board upheld Hearing Officer Russell H. Baller, Jr.'s recommendation that the license refusal of harness racing applicant Graham Lewis be upheld based on a finding that he failed to provide records and documentation required.

**11. IN THE MATTER OF ALFREDO VELAZQUEZ**

The New York State Racing and Wagering Board upheld Hearing Officer Russell H. Baller's recommendation that the violation related to the scratch of *Freddy the Cap* (7<sup>th</sup> Race at Aqueduct Racetrack on January 13, 2007) be upheld but rejected the



recommendation that the fine be reduced. The Board upheld the \$500 fine imposed by the State Steward based upon the finding that the conduct is of sufficiently serious nature to warrant the fine imposed by the State Steward.

**12. SARATOGA HARNESS RACING, INC. – REQUEST FOR APPROVAL TO AMEND**

**CERTIFICATE OF INCORPORATION**

The New York State Racing and Wagering Board approved the Saratoga Harness Racing, Inc. request for indorsement of an amendment to its certificate of incorporation in order to broaden the corporate purposes clause by adding a new subdivision h to subparagraph 2 to read:

“to engage in any lawful act or activity for which corporations may be organized under the laws of this state. It is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency or other body without such consent or approval first being obtained.”

**E. ITEMS FOR BOARD INFORMATION/DISCUSSION**

**1. INDIAN GAMING/LICENSING STATISTICS**

Licensing statistics for July 1, 2007 through July 31, 2007. Also included are the certifications for Mohawk, Seneca Allegany, Seneca Niagara and Oneida.

**2. GAMES OF CHANCE/BINGO REGISTRATION NUMBERS**

List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit between July 10, 2007 – August 14, 2007.

**3. GAMES OF CHANCE/BELL JAR TICKETS**

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between  
July 1, 2007 – July 31, 2007.

**4. LICENSING/CURRENT LICENSE COUNT**

The current racing licensing counts as of July 31, 2007 since January 1, 2007 are as follows: total receipts 11,582 and total licenses 8,188 for the year 2007.

**5. 2007 LICENSED SUPPLIERS**

List of licensed suppliers and manufacturers for the time period of July 1, 2007 through  
July 31, 2007.

**F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED**

None.

Meeting adjourned at 11:48 a.m.

