

**MINUTES
NEW YORK STATE RACING AND WAGERING BOARD
MEETING OF JULY 31, 2007**

**A meeting of the New York State Racing and Wagering Board was held on Tuesday, July 31, 2007 at 10:00 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 10:07 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
Kevin Dempsey, Acting Secretary to the Board

Also in Attendance Were:

Daniel Toomey, NYSR&WB
Norma Soodsma, NYSR&WB
Kristen Buckley, NYSR&WB
Vivian Davis, NYSR&WB
Bill Sekellick, Assistant Counsel
Karen Murphy, Bontrom & Murphy
Tim Rooney, Jr., Yonkers Raceway
Robert Hemsworth, Capital OTB
Brian de Jong, Saratoga Raceway
George Penn, Crane, Vacco & Sanders
Carin M. Cardinale, Towne, Barkowski & DeFiokean
John Charlesen, NYS Lottery
Jeffrey Allen, NYS Lottery
Charlie Cappola, CRMR
Dan Wray, NYC OTB

OPEN COMMENT PERIOD: Comments Began: 10:15 a.m.

Brian de Jong of Saratoga Raceway asked to be heard after the meeting was already in session and Chairman Hogan told him that the Board does not allow comments other than during the open comment period but would make an exception in this case due to Mr. De Jong's inexperience in this regard.

Mr. de Jong expressed his concerns in relation to Item D-6, that it would be difficult to get prompt prior approval from the Board for new items listed for redemption in the Player Extras Program catalogue. He stating that certain items may be out of stock or discontinued and they would have to find substitute items quickly.

Mr. Feuerstein suggested that the Board approve the substitution of generic items with a limited range for the value of the items (similar items – same value).

The Board agreed that they may substitute similar generic items in the absence of their original items as long as they were of equivalent value.

Comments ended: 10:33 a.m.

A. The Board approved the minutes of the Board meeting held on June 19, 2007.

B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR

1. CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR APPROVAL OF JULY 2007 PROMOTIONS

For entry into the minutes, on June 19, 2007, the NYS Racing and Wagering Board approved an application by the Capital District Regional Off-Track Betting Corporation to conduct various promotions during the month of July 2007 including fan appreciation days, promotional days, a harness night and an on-line giant jackpot day. The fan appreciation days will be at the Saranac Lake, Ogdensburg and Schenectady (Imperial) branches, while the promotional days and harness night will be at the Albany Teletheater. The On-line Giant Jackpot contest will be available to Capital telephone wagering fans ONLY. There is no charge to the patron of Capital OTB for any of these promotions.

The promotions and contests must be conducted in accordance with the application and rules submitted. The Board reserves the right to audit the conduct of these promotions.

2. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO HOLD PICK SIX CARRYOVER PROMOTIONS FOR PHONE ACCOUNT HOLDERS

For entry into the minutes, on July 12, 2007, the New York State Racing and Wagering Board approved the application by Capital District Regional Off-Track Betting Corporation to conduct Pick Six carryover promotions for phone account customers during the remainder of 2007. One Capital OTB handicapper would bet a live \$500 ticket with the proceeds, if any, to be split among ten telephone account customers selected by random drawing.

This approval is conditioned on the requirement that employees of Capital OTB, as well as contractors and vendors, are ineligible to participate. The Board reserves the right to audit the conduct of these promotions in accordance with the application and terms submitted to the Board.

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

For entry into the minutes, on July 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:

1. Delaware Racing Association, Delaware.
2. Hawthorne Race Course and Suburban Downs, Inc., Illinois through August 5, 2007.
3. Indiana Downs, Indiana through November 3, 2007.
4. Mohegan Sun at Pocono Downs, Pennsylvania through November 17, 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.

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

4. For entry into the minutes, on July 11, 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 for the remainder of 2007 from:

1. Finger Lakes Racing Association, Inc., New York
2. Saratoga Gaming & Raceway, New York
3. Tioga Downs, New York
4. Vernon Downs, 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 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.

5. For entry into the minutes, on July 12, 2007, the New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races for the remainder of 2007 from Batavia Downs (Western), 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 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.

6. FINGER LAKES RACETRACK – REQUEST FOR APPROVAL OF RACING OFFICIAL FOR 2007

For entry into the minutes, on June 13, 2007, the NYS Racing and Wagering Board approved the employment of Donna Doxey as a racing official for the remainder of the 2007 season at Finger Lakes Gaming and Racetrack.

7. FINGER LAKES RACETRACK – REQUEST FOR APPROVAL OF JULY 2007 PROMOTIONS

For entry into the minutes, on June 19, 2007, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to distribute five-dollar (\$5.00) vouchers from Sunday, July 1 through Wednesday, July 4, 2007 to any new member who joins the Player Extras Club and to any current member who refers a new member who joins the Player Extras Club.

Finger Lakes Racetrack is required to provide the Board with a written statement of the number of vouchers issued for racing no later than July 31, 2007. The Board reserves the right to audit the conduct of this promotion.

The Board also acknowledged the stated intention to conduct the following:

- Seniors Day (ongoing)
- Independence Day T-Shirt Giveaway
- Independence Day Family Day at the Races
- Funny Cide Collectors Button Giveaway on July 4th
- Funny Cide Meet-n-Greet and autographed Poster Giveaway with Donation
- Don McBeth Day Jockey Photo Giveaway
- New York Derby Day Baseball Cap Giveaway.

8. FINGER LAKES RACETRACK – REQUEST TO CONDUCT PROMOTIONS/EVENTS DURING JULY 2007

For entry into the minutes, on July 11, 2007, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to hold three no-fee \$2,500.00 handicapping challenges and associated drawings on July 21, August 25, and

September 22, 2007.

The handicapping challenges and drawings must be conducted in accordance with the rules submitted. The Board reserves the right to audit the conduct of these events.

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

For entry into the minutes, on June 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:

1. Buffalo Trotting Association, Inc., New York through July 28, 2007
2. Del Mar Thoroughbred Club, California through September 5, 2007
3. Saratoga Gaming & Raceway, New York through December 31, 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 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.

10. For entry into the minutes, on July 2, 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:

1. Tioga Downs, New York through December 31, 2007
2. Vernon Downs, New York through December 31, 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 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.

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

For entry into the minutes, on June 11, 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 through December 2, 2007 to:

1. Delaware Park Association, Delaware
2. Harrington Raceway, Delaware
3. Hawthorne Race Course (with four [4] satellite sites), Illinois
4. Hazel Park, Michigan.

Approval is limited to the guest and secondary 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 Finger Lakes Racing Association, Inc. 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 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 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 sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

12. For entry into the minutes, on June 11, 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 through December 2, 2007 to Downs Racing, LP (with five [5] satellite sites), Pennsylvania.

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 Finger Lakes Racing Association, Inc. 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 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 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 sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

13. For entry into the minutes, on June 13, 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 through December 2, 2007 to:

1. Plainridge Racecourse, Massachusetts
2. Prairie Meadows, Iowa
3. Retama Development Corporation, Texas
4. Rosecroft, Maryland.

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 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 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 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.

14. For entry into the minutes, on June 13, 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 through December 2, 2007 to:

- 1. Birmingham Race Course (with one [1] satellite site), Alabama
- 2. Blue Ribbon Downs, (with one [1] satellite site), Oklahoma
- 3. Canterbury Park, Minnesota
- 4. Colonial Downs L.P. (with nine [9] satellite sites), Virginia.

Approval is limited to the guest and secondary 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 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 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 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.

15. For entry into the minutes, on June 13, 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 through December 2, 2007 to:

1. Sam Houston Race Park (with two [2] satellite sites), Texas
2. Scarborough Downs, Maine
3. Southland Park, Arkansas
4. Sports Creek Raceway, Michigan.

Approval is limited to the guest and secondary 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 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 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 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.

16. For entry into the minutes, on June 13, 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 through December 2, 2007 to:

1. Hinsdale Greyhound Park, New Hampshire
2. Hoosier Park (with three [3] satellite sites), Indiana
3. Indiana Downs (with two [2] satellite sites), Indiana
4. Lewiston Raceways, Inc. (with three [3] satellite sites), Maine.

Approval is limited to the guest and secondary 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 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 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 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 June 13, 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 through December 2, 2007 to:

1. MJC (Maryland Jockey Club with five [5] sites), Maryland
2. Northville Downs, Michigan
3. Oaklawn Jockey Club, Arkansas
4. Ocean Downs LLC (with one [1] site), Maryland.

Approval is limited to the guest and secondary 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 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 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 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.

18. For entry into the minutes, on June 13, 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 through December 2, 2007 to:

1. Turf Paradise (with fifty four [54] satellite sites), Arizona
2. Wichita Greyhound Park, Kansas
3. Wheeling Island Gaming, West Virginia.

Approval is limited to the guest and secondary 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 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 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 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.

19. For entry into the minutes, on June 14, 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 through December 2, 2007 to:

- 1. The Downs at Albuquerque, New Mexico
- 2. The Texas Hub (with twenty one [21] satellite sites), Texas
- 3. Racing Corporation of West Virginia.

Approval is limited to the guest and secondary 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 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 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 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.

20. For entry into the minutes, on June 14, 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 through December 2, 2007 to Trump Marina Hotel Casino, New Jersey.

Approval is limited to the guest 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 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 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 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.

21. For entry into the minutes, on June 15, 2007, the New York State Racing and Wagering Board approved the Finger Lakes Racetrack request to simulcast its thoroughbred racing programs for wagering purposes during 2007 to The Racing Channel and to The Racing Network International (TRNI/TRWN) with the following secondary or associated sites: Blue Square, Skybet, and Bet365 Group Limited **except** that any Bet365 related sites not specifically set forth in this application, including bowmans.com, are not approved unless and until there is further application to and approval by the Board.

Approval is limited to the guest site specified within the simulcast agreement as one click betting, and the above noted sites relating to TRNI/TRWN, 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 Finger Lakes Racetrack 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 Finger Lakes Racetrack 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 Racetrack 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.

22. For entry into the minutes, on June 19, 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 through December 2, 2007 to Tampa Bay Downs (with seventeen [17] satellite sites), Florida.

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 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 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 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.

23. For entry into the minutes, on July 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 the following additional secondary sites associated with the previously approved simulcasts to The Racing Network International:

- 1. William Hill Credit Ltd.
- 2. Bet Direct
- 3. Ladbrokes Betting and Gaming.

This approval is limited to the additional 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 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.

24. MONTICELLO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007

For entry into the minutes, on June 19, 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:

1. Colonial Downs L.P., Virginia through August 7, 2007
2. Hawthorne Race Course, Inc. and Suburban Downs, Inc., Illinois from June 22 through August 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 Monticello Raceway Mgmt, Inc.'s 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.

25. For entry into the minutes, on June 22, 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:

1. Del Mar Thoroughbred Club, California through September 5, 2007
2. Grand River Raceway, Ontario, Canada
3. Northfield Park, Ohio.

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 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.

26. For entry into the minutes, on June 28, 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 Ellis Park, Kentucky from July 4, 2007 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 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.

27. For entry into the minutes, on June 29, 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 Attractions
Hippiques, Quebec, Canada 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 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.

28. For entry into the minutes, on July 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 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 jurisdiction, including but not limited to the terms and conditions of approval of 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.

29. For entry into the minutes, on July 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 Harrah's Chester Casino & Racetrack, Pennsylvania through December 20, 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 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.

30. MONTICELLO RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007

For entry into the minutes, on June 13, 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 during 2007 to:

1. Scioto Downs, Inc., Ohio
2. The Lodge at Belmont, 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 Monticello Raceway Mgmt, Inc.'s simulcast signal by authorized recipients to secondary or associated recipients are 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.

31. For entry into the minutes, on June 13, 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 during 2007 to The Racing Channel, Pennsylvania.

Approval is limited to the guest site specified within the simulcast agreement as one click betting, 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 Monticello Raceway Mgmt, Inc.'s simulcast signal by authorized recipients to secondary or associated recipients are 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.

32 . For entry into the minutes, on June 15, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway request to simulcast its standardbred racing programs for wagering purposes during 2007 to The Racing Channel and to The Racing Network International (TRNI/TRWN) with the following secondary or associated sites: Blue Square, Skybet, and Bet365 Group Limited **except** that any Bet365 related sites not specifically set forth in this application, including bowmans.com, are not approved unless and until there is further application to and approval by the Board.

Approval is limited to the guest site specified within the simulcast agreement as one click betting, and the above noted sites relating to TRNI/TRWN, 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 Monticello 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 the Monticello 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 the Monticello 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.

33. For entry into the minutes, on June 19, 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 during 2007 to:

1. Delaware Racing Association, Delaware
2. Freehold Raceway (with one [1] satellite site), New Jersey
3. Indiana Downs (with two [2] satellite sites), Indiana
4. Sunland Park Racetrack & Casino, New Mexico.

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 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.

34. For entry into the minutes, on June 25, 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 during 2007 to:

1. Hinsdale Greyhound Park, New Hampshire
2. Northfield Park (with one [1] satellite site), Ohio
3. Ocean Downs (with one [1] satellite site), Maryland
4. Plainridge Racecourse, Massachusetts.

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 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.

35. For entry into the minutes, on June 25, 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 during 2007 to:

1. River Downs Jockey Club, Ohio
2. Rockingham Park (with two [2] satellite sites), New Hampshire
3. Rosecroft Raceway, 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 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.

36. For entry into the minutes, on June 25, 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 during 2007 to:

1. Saratoga Raceway, New York
2. Tioga Downs, New York.

Approval is limited to the guests 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 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. 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.

Videostreaming is prohibited without the prior written approval of the Board.

37. For entry into the minutes, on July 2, 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 during the remainder of 2007 to:

1. Lewiston Raceways, Inc. (with five [5] satellite sites), Maine
2. NJSEA (Meadowlands/Monmouth with two [2] satellite sites), New Jersey
3. PPI, Inc., d/b/a Pompano Park (with twenty [20] satellite sites), Florida.

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 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.

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

38. For entry into the minutes, on July 2, 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 during the remainder of 2007 to Vernon Downs, New York.

Approval is limited to the guest 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. 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.

39. On July 9, 2007 the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its standardbred racing programs during the remainder of 2007 to the following additional secondary sites associated with the previously approved simulcasts to The Racing Network International:

1. William Hill Credit Ltd.
2. Bet Direct
3. Ladbrokes Betting and Gaming

This approval is limited to the additional 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 agreements):

- 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 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 Monticello Raceway Mgmt, 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 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 without the prior written approval of the Board.

40. For entry into the minutes, on July 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:

- 1. Harrah's Chester Casino & Racetrack, Pennsylvania
- 2. Scarborough Downs, Maine.

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.

41. For entry into the minutes, on July 11, 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 Yonkers Raceway, New York.

Approval is limited to the guest 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. 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.

42. For entry into the minutes, on July 11, 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:

1. Connecticut OTB (with twenty [20] satellite sites), Connecticut
2. Lebanon Raceway, 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 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.

43. NASSAU REGIONAL OTB – REQUEST TO OFFER RANDOM DRAWING ON SARATOGA TRIVIA CONTEST

For entry into the minutes, on July 9, 2007, the NYS Racing and Wagering Board approved the conduct by Nassau OTB of a drawing to be held on August 24, 2007 based on responses by mailing list recipients to a trivia contest about Saratoga.

The promotion must be conducted in accordance with the application and the condition that employees of the Nassau Regional Off-Track Betting Corporation shall be ineligible to participate in the promotion.

44. NEW YORK CITY OTB – REQUEST TO IMPORT & BET UPON THE PICK FOUR FROM ELLIS PARK IN KENTUCKY

On July 3, 2007, the New York State Racing and Wagering Board approved the NYC Off-Track Betting Corporation request to amend its simulcast plan of operation to authorize participation in the Ellis Park 2007 Pick 4 wager with a 4% takeout, as well as participation in all other wagering pools during the 2007 Ellis Park meet.

45. NEW YORK CITY OTB – REQUEST FOR APPROVAL OF OTB PAY SWEEPSTAKES CONDUCTED BY MMOA

For entry into the minutes, on July 10, 2007, the New York State Racing and Wagering Board approved an amendment to the New York City Off-Track Betting Corporation plan of operation authorizing the conduct of the OTB Pay sweepstakes in accordance with the terms of the application and rules submitted.

46. NEW YORK CITY OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007

For entry into the minutes, on June 19, 2007, the New York State Racing and Wagering Board approved the request of the New York City Off-Track Betting Corporation, for itself and as agent for the other New York State Regional Off-Track Betting Corporations, to amend their respective simulcast plans of operation authorizing the simulcast for wagering purposes of races from English Racetracks via The Racing Network International (as agent for At The Races).

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 simulcast license of each off-track betting corporation. Further, each off-track betting corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that each off-track betting corporation may or will provide rebates on wagers for races at that site.

47. For entry into the minutes, on June 22, 2007, the New York State Racing and Wagering Board approved the request of the New York City Off-Track Betting Corporation, for itself and as agent for the other New York State off-track betting corporations to amend their respective simulcast plans of operation authorizing the simulcast for wagering purposes of races from the California Authority of Fairs during 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 each off-track betting corporation's simulcast license. Further, each off-track betting corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that each off-track betting corporation may or will provide rebates on wagers for races at that site.

48. For entry into the minutes, on June 22, 2007, the New York State Racing and Wagering Board approved the request of the New York City Off-Track Betting Corporation, for itself and as agent for the other New York State off-track betting corporations to amend their respective simulcast plans of operation authorizing the simulcast for wagering purposes of races during 2007 from the Del Mar Thoroughbred Club effective July 18, 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 each off-track betting corporation's simulcast license. Further, each off-track betting corporation is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that each off-track betting corporation may or will provide rebates on wagers for races at that site.

49. NYRA – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007

For entry into the minutes, on June 19, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association (NYRA) simulcast plan of operation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California through September 6, 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.

50. For entry into the minutes, on June 28, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association (NYRA) simulcast plan of operation authorizing the simulcast for wagering purposes of races from Ellis Park, Kentucky from July 4 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 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.

51. For entry into the minutes, on June 28, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association (NYRA) simulcast plan of operation authorizing the simulcast for wagering purposes of races from Turfway Park LLC, Kentucky, acting as host for Racing UK British Racing from July 25, 2007 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 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.

52. For entry into the minutes, on July 9, 2007, the New York State Racing and Wagering Board approved the New York Racing Association (NYRA) simulcast plan of operation authorizing the simulcast for wagering purposes of races from Prairie Meadows Racetrack & Casino, Inc., Iowa from July 10, 2007 through September 15, 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.

53. NYRA – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007

For entry into the minutes, on June 14, 2007, the New York State Racing and Wagering Board approved an amendment to The New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes during the remainder of 2007 to Autotote Enterprises Inc. (Connecticut OTB), Connecticut.

Approval is limited to the thirteen (13) 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 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 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.

54. For entry into the minutes, on June 19, 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 during 2007 to The Racing Channel and to The Racing Network International (TRNI/TRWN) with the following secondary or associated sites: Blue Square, Skybet, and Bet365 Group Limited **except** that any Bet365 related sites not specifically set forth in this application, including bowmans.com, are not approved unless and until there is further application to and approval by the Board.

Approval is limited to the above noted sites relating to TRNI/TRWN, 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.

Videostreaming is prohibited unless there are no accounts between any of the approved wagering sites or related systems and New York residents.

55. For entry into the minutes, on June 25, 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 from July 25, 2007 through September 3, 2007 to Saratoga Gaming & Raceway, New York.

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. 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.

c. Guests (and secondary or associated sites) must maintain books and records relative to wagers on The New York Racing Association 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.

56. For entry into the minutes, on June 26, 2007, the New York State Racing and Wagering Board approved an amendment to The New York Racing Association's request to simulcast its thoroughbred racing programs for wagering purposes through December 30, 2007 to Nevada Pari-Mutuel Association (with eighty one [81] satellite sites).

Approval is limited to the guest 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. 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 except as otherwise required pursuant to Nevada law, and only to the extent so authorized.
- g. Video streaming is prohibited without the prior written approval of the Board.

57. For entry into the minutes, on July 2, 2007, the New York State Racing and Wagering Board approved The New York Racing Association's request to simulcast its thoroughbred racing programs during the remainder of 2007 to the following additional secondary sites associated with previously approved simulcasts:

1. The Reserve at Cherry Creek (Arapahoe Park)
2. Cadillac Jacks (Portland Meadows)
3. Zeke's Sports Grill (Remington Park)
4. Sanford's Restaurant & Steakhouse (Remington Park).

Approval is limited to the additional 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 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.

58. For entry into the minutes, on July 3, 2007, the New York State Racing and Wagering Board approved The New York Racing Association's request to simulcast its thoroughbred racing programs during the remainder of 2007 to the following additional secondary sites associated with the previously approved simulcasts to TRNI:

1. William Hill Credit Ltd.
2. Bet Direct
3. Ladbrokes Betting and Gaming.

This approval is limited to the additional 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. 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.

59. For entry into the minutes, on July 9, 2007, the New York State Racing and Wagering Board approved The New York Racing Association's request to simulcast its thoroughbred racing programs to Hipodromo de Agua Caliente (with 220 secondary sites), Mexico through December 30, 2007.

This approval is limited to the primary and the 220 additional 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. 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.

60. For entry into the minutes, on July 11, 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 through December 30, 2007 to The Racing Channel, Inc., Delaware.

Approval is limited to the guest and one (1) associated 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 on any races 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. 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.

61. SARATOGA GAMING AND RACEWAY – REQUEST TO OFFER \$500 PICK SIX HANDICAPPING CONTESTS ON THE WEDNESDAYS OF JULY 25, AUGUST 1, 8, 15, 22 AND 29, 2007

For entry into the minutes, on July 9, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to conduct \$500 Pick Six handicapping contests on July 25, August 1, 8, 15, 22 and 29, 2007, \$500 betting voucher

giveaways on July 28, August 4, 11, 18, 25, and September 1, 2007, and a \$1,000 End of Summer giveaway on Saturday, September 1, 2007.

The conduct of these promotions must comply with the terms of the application and conditions submitted to the Board and are subject to audit by the Board.

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

For entry into the minutes, on June 26, 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:

1. Hawthorne Race Course and Suburban Downs, Illinois through August 5, 2007
2. Scientific Games Racing, LLC, Ireland.

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.

Approval of the simulcast of the Swedish harness races referenced in two (2) above is conditioned further on the requirement that Saratoga Gaming and Raceway provide prominent notice to bettors in the program and otherwise of the applicable takeout rates and rules for the V-64 and V-75 wagers.

63. For entry into the minutes, on June 28, 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 during the remainder of 2007 from:

1. Mountaineer Park, Inc., West Virginia
2. Northfield Park, Ohio
3. Woodbine Entertainment Group, Ontario, Canada.

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.

Account wagering and video streaming is prohibited without the prior written approval of the Board.

64. For entry into the minutes, on June 29, 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 Meadows, 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 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.

65. For entry into the minutes, on July 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:

1. Del Mar Thoroughbred Club, California through September 5, 2007
2. Ellis Park, Kentucky through September 3, 2007
3. Harrah's Chester Casino & Racetrack through December 20, 2007
4. Monticello Raceway Mgmt, Inc., 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 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.

Videostreaming is prohibited without the prior written approval of the Board.

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

For entry into the minutes, on June 15, 2007, the NYS Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation for the rest of the year 2007 to incorporate the terms of the May 17, 2007 Saratoga Gaming and Raceway agreement with Capital District Regional Off-Track Betting in regard to "in-home simulcasting" as it relates to the simulcast of Saratoga Gaming and Raceway races and other specified simulcasting, except as noted below.

Videostreaming of races is prohibited without the specific future written approval of the Board.

67. On June 15, 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 during 2007 to The Racing Channel and to The Racing Network International (TRNI/TRWN) with the following secondary or associated sites: Blue Square, Skybet, and Bet365 Group Limited **except** that any Bet365 related sites not specifically set forth in this application, including bowmans.com, are not approved unless and until there is further application to and approval by the Board.

Approval is limited to the guest sites specified within the simulcast agreement as one click betting, and the above noted sites relating to TRNI/TRWN, 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 the Saratoga Gaming and 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 the 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.

68. For entry into the minutes, on June 25, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs for wagering purposes during 2007 to Monticello Raceway Mgmt, Inc., New York.

Approval is limited to the guest 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 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. No receiving or secondary 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 sites) must maintain books and records relative to wagers on Saratoga Gaming & Raceway simulcasts for a period of two (2) 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.

69. For entry into the minutes, on July 9, 2007, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway request to simulcast its standardbred racing programs during the remainder of 2007 to the following additional secondary sites associated with the previously approved simulcasts to The Racing Network International:

- 1. William Hill Credit Ltd.
- 2. Bet Direct
- 3. Ladbrokes Betting and Gaming.

This approval is limited to the additional 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 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 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 Saratoga Gaming & 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 the 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.
- g. Video streaming is prohibited without the prior written approval of the Board.

70. NEVADA GOLD – TIOGA DOWNS, INC. – REQUEST FOR CANCELLATION OF PICK SIX WAGERING

For entry into the minutes, on June 11, 2007, the New York State Racing and Wagering Board approved the Tioga Downs' request to eliminate the Pick Six as an approved wagering format on live racing after June 24, 2007 with final distribution of the pool and all accumulated carry-overs to be made on June 24, 2007 to holders of the tickets with the most winners.

71. NEVADA GOLD – TIOGA DOWNS, INC. – REQUEST TO HOST DRIVER'S COMPETITION DAY

For entry into the minutes, on June 21, 2007, the New York State Racing and Wagering Board approved the Nevada Gold - Tioga Downs, Inc. request to conduct the First Annual Drivers' Championship on Sunday, July 29, 2007, in accordance with the terms of the application submitted.

72. NEVADA GOLD – TIOGA DOWNS, INC. & VERNON DOWNS, INC. – AMENDMENT TO PLAN OF OPERATION - TWO DOLLAR VOUCHER AT TIOGA DOWNS AND VERNON DOWNS

For entry into the minutes, on July 11, 2007, the New York State Racing and Wagering Board approved the request on behalf of Tioga Downs and Vernon Downs to distribute \$2.00 Racing Wager coupons in a direct mailing to each member of the Winners Circle Players Club who meets certain minimum activity standards.

This approval is limited to the 2007 live racing season and is further conditioned on compliance with the terms of the promotion presented to the Board and the filing of a report, within 30 days after the last date of the month in which coupons were issued, with complete redemption statistics and any other findings based on management's review of the promotion.

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

For entry into the minutes, on June 25, 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 Canterbury Park Holding Corporation, Minnesota 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 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.

74. For entry into the minutes, on July 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:

1. Harrah's Chester Casino & Racetrack, Pennsylvania through December 20, 2007

2. Georgian Downs Limited, 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 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.

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

For entry into the minutes, on June 15, 2007, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during 2007 to The Racing Channel and to The Racing Network International (TRNI/TRWN) with the following secondary or associated sites: Blue Square, Skybet, and Bet365 Group Limited **except** that any Bet365 related sites not specifically set forth in this application, including bowmans.com, are not approved unless and until there is further application to and approval by the Board.

Approval is limited to the guest sites specified within the simulcast agreement as one click betting, and the above noted sites relating to TRNI/TRWN, 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 the 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 the 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.

76. For entry into the minutes, on June 19, 2007, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing

programs for wagering purposes during 2007 to Hawthorne Racecourse (with twenty nine [29] satellite sites), Illinois.

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 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.

77. For entry into the minutes, on June 28, 2007, the New York State Racing and Wagering Board approved the Tioga Downs request to export simulcast its standardbred racing programs for wagering purposes to Georgian Downs Limited, Ontario, Canada for the remainder of 2007.

Approval is limited to the guest and two (2) 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 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 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 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 unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.

This approval is subject to the previously established conditions for net pool pricing with simulcast sites in Canada.

78. For entry into the minutes, on July 2, 2007, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during 2007 to Finger Lakes Racetrack, New York.

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. 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.
- c. Guests (and secondary or associated sites) must maintain books and records relative to wagers on Tioga Downs simulcasts for a period of two (2) 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.

79. For entry into the minutes, on July 9, 2007, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs during the remainder of 2007 to the following additional secondary sites associated with the previously approved simulcasts to The Racing Network International:

1. William Hill Credit Ltd.
2. Bet Direct

3. Ladbrokes Betting and Gaming.

This approval is limited to the additional 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 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 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 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 the 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.
- g. Video streaming is prohibited without the prior written approval of the Board

80. NEVADA GOLD – VERNON DOWNS, INC. – REQUEST FOR CANCELLATION OF PICK SIX WAGERING

For entry into the minutes, on June 11, 2007, the New York State Racing and Wagering Board approved the Vernon Downs request to eliminate the Pick Six as an approved wagering format on live racing after June 19, 2007 with final distribution of the pool and all accumulated carry-overs to be made on June 19, 2007 to holders of the tickets with the most winners.

81. NEVADA GOLD – VERNON DOWNS, INC. – REQUEST TO CHANGE POST-TIME ON TUESDAY, JULY 3, 2007

For entry into the minutes, on June 21, 2007, the New York State Racing and Wagering Board approved the Nevada Gold-Vernon Downs, Inc. request to change the first post-time for the racing program of July 3, 2007 to 6:00 p.m. (rather than 5:00 p.m.). This is due to the special fireworks show to be conducted after the races.

82. NEVADA GOLD – VERNON DOWNS, INC. – REQUEST TO CHANGE REMAINDER OF TUESDAY POST-TIMES FROM 5:00 PM TO 6:00 PM

For entry into the minutes, on July 9, 2007, the NYS Racing and Wagering Board approved an amendment to the Vernon Downs plan of operation to change the first post time for Tuesday race programs to 6:00 p.m. (instead of 5:00 p.m.) for the remainder of 2007, subject to the future assignment of post-July, 2007 race dates.

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

For entry into the minutes, on June 25, 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 Canterbury Park Holding Corporation, Minnesota 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 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.

84. For entry into the minutes, on July 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:

1. Harrah's Chester Casino & Racetrack, Pennsylvania through December 20, 2007
2. Georgian Downs Limited, 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 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.

85. NEVADA GOLD – VERNON DOWNS, INC. – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007

For entry into the minutes, on June 15, 2007, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes during 2007 to The Racing Channel and to The Racing Network International (TRNI/TRWN) with the following secondary or associated sites: Blue Square, Skybet, and Bet365 Group Limited **except** that any Bet365 related sites not specifically set forth in this application, including bowmans.com, are not approved unless and until there is further application to and approval by the Board.

Approval is limited to the guest sites specified within the simulcast agreement as one click betting, and the above noted sites relating to TRNI/TRWN, 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 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 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 the 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.

86. For entry into the minutes, on June 19, 2007, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes during 2007 to Hawthorne Racecourse (with twenty nine [29] satellite sites), Illinois.

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 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.

87. For entry into the minutes, on July 2, 2007, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes during 2007 to Finger Lakes Racetrack, New York.

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. 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.
- c. Guests (and secondary or associated sites) must maintain books and records relative to wagers on Vernon Downs simulcasts for a period of two (2) 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.

88. For entry into the minutes, on July 9, 2007, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes during the remainder of 2007 to Georgian Downs Limited, Ontario, Canada.

Approval is limited to the guest and two (2) 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 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 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 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 unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.

89. For entry into the minutes, on July 9, 2007, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs during the remainder of 2007 to the following additional secondary sites associated with the previously approved simulcasts to The Racing Network International:

1. William Hill Credit Ltd.
2. Bet Direct
3. Ladbrokes Betting and Gaming.

This approval is limited to the additional 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 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 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 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 the 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.
- g. Video streaming is prohibited without the prior written approval of the Board.

90. WESTERN REGIONAL OTB/BATAVIA DOWNS REQUEST TO HOLD BREAST CANCER FUND RAISER

For entry into the minutes, on July 9, 2007, the NYS Racing and Wagering Board approved the Batavia Downs/Western Regional OTB request to conduct a random drawing for a seven-day/six night trip for two people to Hawaii in support of Breast Cancer research. This event extends from July 1 through August 12, 2007, and must be conducted in accordance with the terms of the application.

91. WESTERN REGIONAL OTB/BATAVIA DOWNS - REQUEST FOR APPROVAL OF 2007 RACING PROMOTIONS

For entry into the minutes, on July 12, 2007, the NYS Racing and Wagering Board approved the Western Regional OTB/Batavia Downs request to conduct three Friday Night Handicapping Contests (one each in August, September and October) beginning on August 17, a Super Seniors Day on August 19, a Pick Six Promotion beginning September 5 and twice each week on Wednesday nights and Saturday afternoons until the end of the live racing season on December 1, a "Cruisin' The Downs" Car Show on Saturday, September 29, 2007, the Great Mattress Giveaway on August 18 and the Labor Day Bike Race on September 3, 2007.

These promotions must be conducted in accordance with the application and terms submitted to the Board. Employees of Batavia Downs, Western Regional Off-Track Betting Corporation, contractors and vendors are ineligible to participate.

92. YONKERS RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007

On June 19, 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 Colonial Downs L.P., Virginia through August 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 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.

Videostreaming is prohibited without the prior written approval of the Board.

93. For entry into the minutes, on June 29, 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 the California Authority of Racing Fairs, California through October 14, 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.

94. For entry into the minutes, on July 9, 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. Harrah's Chester Casino & Racetrack, Pa. from July 9, 2007 through December 20, 2007
2. Grand River Raceway, Ontario, Canada through October 29, 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 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.

95. YONKERS RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007

For entry into the minutes, on June 15, 2007, the New York State Racing and Wagering Board approved the Yonkers Racing Corporation request to simulcast the Yonkers Raceway standardbred racing programs for wagering purposes for the remainder of 2007 to The Racing Channel d/b/a oneclickbetting, Pennsylvania.

Approval is limited to the guest site specified within the simulcast agreement as one click betting, 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 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 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 the 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.

96. For entry into the minutes, on June 19, 2007, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes during 2007 to Saratoga Harness Racing, Inc. in New York.

Approval is limited to the guest 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. 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.
- c. Guests (and secondary or associated sites) must maintain books and records relative to wagers on Yonkers Raceway 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.

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

1. **NEVADA GOLD-TIOGA DOWNS, INC. & NEVADA GOLD - VERNON DOWNS, INC. – REQUEST TO VIDEO STREAM RACES OVER THE INTERNET**

For entry into the minutes, on June 13, 2007, in accordance with 1003(4) of the Racing Law, the Board approved the Nevada Gold-Tioga Downs Inc. request to display the video of its own races on the Tioga Downs Internet website after the race has finished and the race is declared official. This approval is restricted to Tioga Downs races only. No imported race signals from other pari-mutuel tracks are to be displayed on the Tioga Downs Internet web site.

On June 13, 2007, in accordance with 1003(4) of the Racing Law, the Board approved Nevada Gold-Vernon Downs Inc. to display the video of its own races on the Tioga Downs Internet website after the race has finished and the race is declared official. This approval is restricted to Vernon Downs races only. No imported race signals from other pari-mutuel tracks are to be displayed on the Vernon Downs Internet web site.

2. **NYRA – REQUEST TO AMEND NYRA’S INTERNET AND ACCOUNT WAGERING PLAN OF OPERATION**

For entry into the minutes, on June 15, 2007, the New York State Racing and Wagering Board approved The New York Racing Association Inc.'s (NYRA) request to amend its Internet and Account Wagering Plan of Operation to authorize NYRA to verify an applicant's social security number using the online internet services of the TransUnion credit reporting bureau or its equivalent in lieu of requiring the individual to produce his/her social security card in the event that the applicant elects to use his/her social security number as one of the required proofs of identification, as provided under the existing approved plan.

3. **NYRA – REQUEST TO AMEND NYRA REWARDS PROGRAM**

For entry into the minutes, on June 21, 2007, the New York State Racing and Wagering Board approved The New York Racing Association Inc.'s (NYRA) request to amend its NYRA Rewards Program to allow for the rollover of award points for account holders who do not reach the established minimum 2,000 level to qualify for a monthly

reward and to offer 1,500 free points as a 2007 sign-up bonus to any new account holder. This approval is subject to the same conditions as in the May 1, 2007 approval of the Internet and account wagering plan of operation as well as the controls described in NYRA's letter to the Board dated June 18, 2007.

4. REQUEST TO WITHDRAW CONSENSUS RULEMAKING “WHIP FOUL RULE” AND RESUBMIT AS REGULAR PROPOSED RULEMAKING, 9E NYCRR 4035.2 (d)

The Board withdrew the previously approved consensus rulemaking and approved a proposed rulemaking to amend the “Foul Rule” which pertains to the steward’s disqualification of a horse for willful or careless interference with another horse.

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, and 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, 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. NEVADA GOLD-VERNON DOWNS, INC. – TRACK & SIMULCAST LICENSE APPLICATIONS FOR 2007

The New York State Racing and Wagering Board granted temporary track and simulcast licenses for 2007 to Nevada Gold - Vernon Downs, Inc. and assigned the race dates applied for through the remainder of the year 2007. This approval is conditioned upon the following:

1. There shall be no material (1% or more) change to management or any beneficial interest, direct or indirect, in debt or equity related to the ownership, debt, or operation of the track, nor to the persons who are officers or directors of the applicant including affiliates, lenders and owner unless and until Board staff has made a preliminary finding of suitability.
2. Should circumstances change any time and the application no longer presents the correct facts, then notification of such change must be submitted to the Board immediately as an amendment to the track and/or simulcast application. When doing so, the applicant is to mark the submission as "Amendment to License Application" - question number affected- and the change in detail, properly attested.
3. An SAS 70 Type II audit of the track's tote system covering activity of the current year be submitted to the Board no later than October 31, 2007.
4. Vernon Downs must consult with both the horsemen's association and the Board's Presiding Judge prior to the submission of any requests to cancel assigned race dates. Their positions must be set forth in any written request to cancel dates.
5. A commitment letter from the shareholders to fund the expected operating losses for the year must be immediately provided.
6. The required affidavits of morality be promptly submitted.

4. IN THE MATTER OF ALEXYONAR HERNANDEZ

The New York State Racing and Wagering Board upheld Hearing Officer Russell H. Baller, Jr.'s recommendation that the denial of harness racing groom license for Mr. Hernandez be upheld. This denial was based upon failure to disclose all criminal convictions and a finding that his experience, character and general fitness are such that his participation in racing would be inconsistent with the public interest, convenience or necessity or with the best interests of racing generally.

5. NYRA - REQUEST FOR APPROVAL TO OBTAIN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT FOR 2007

The New York State Racing and Wagering Board approved the New York Racing Association's request to engage UHY, LLP as the independent certified public accountant for purposes of conducting the annual audit for calendar year 2007, pursuant to Section 231-a of the Racing, Pari-Mutuel Wagering and Breeding Law.

6. SARATOGA GAMING AND RACEWAY – REQUEST TO EXPAND PLAYER EXTRAS PROGRAM

The New York State Racing and Wagering Board approved an amendment to Saratoga Harness Racing Inc.'s plan of operation to implement its Players Extra reward program. The Board approved the program with the following conditions:

1. The only items available for redemption are those specific items listed in the catalogue provided to the Board by Saratoga Harness on July 19, 2007, provided however, that the track may substitute similar items of equivalent value when the original item is no longer reasonably available. Notice of substitution must be provided to the Board no later than five days after substitution,
2. Points earned from horse racing wagers may not be redeemed for vouchers of any kind or for entries into giveaways,
3. Unredeemed points must be recognized as a liability on the corporation's financial statements.

7. SARATOGA GAMING AND RACEWAY – REQUEST TO INSTITUTE “CASH CARD” PROGRAM

The New York State Racing and Wagering Board approved Saratoga Harness Racing Inc.'s request to implement the use of a “cash card” system of account wagering. This approval is conditioned on Saratoga Harness Racing Inc. filing a report prepared by an independent certified public accountant expressing an opinion directly on the effectiveness of Saratoga Harness Racing Inc.'s internal controls over the cash card system. The report must be filed with the Board by March 31, 2008.

8. WESTERN REGIONAL OTB – REQUEST TO CONTINUE PLAYER'S CLUB

The New York State Racing and Wagering Board approved an amendment to the Western Regional Off-Track Betting Corporation's and Batavia Downs' plans of operation to implement its Player's Club rewards program. The approval was conditioned on the following:

1. The only items available for redemption are those specific items listed in the catalogue provided by Western OTB. In addition, points may be redeemed for gas cards.
2. Western OTB may add items for redemption only after providing one month's advance written notification to the Board.
3. Points earned from horse racing wagers may not be redeemed for vouchers of any kind or for entries into giveaways.
4. Unredeemed points must be recognized as a liability on the corporation's financial statements.
5. Board approval is required for Western OTB to change or cancel the program.

A \$2,500 fine was issued to Western OTB for operating a rewards program prior to October 26, 2006 without Board approval.

\$1,500 of the fine was suspended and will be waived provided there are no violations of a similar nature for a period of one year from the date of the written notice of the fine.

9. FINGER LAKES RACETRACK – REQUEST TO WITHDRAW \$39,919.25 FROM CIF

The New York State Racing and Wagering Board approved Finger Lakes Race Track's June 27, 2007 request to withdraw a total of \$39,919.25 from its Capital Improvement Fund for reimbursement of the following advertising and promotional expenditures:

Other (26%)

Renovate Clubhouse Entrance	
New Fencing	\$ 7,165.00
Paving	2,750.00
Stone Trucking	609.80
Piping	30.94
Total Other	10,555.74

Backstretch (74%)

Pole Barn Addition to State Test Barn	13,605.42
Paint 4 Barns	9,384.15
2002 Chevy Pick-up Truck for Maintenance Dept.	6,373.94
Total Backstretch	<u>29,363.51</u>

Total \$ 39,919.25

10. NASSAU REGIONAL OTB – REQUEST FOR APPROVAL OF NEW FAST TRACK LOCATION – FLORAL PARK, NY

The New York State Racing and Wagering Board approved an amendment to the Nassau Regional Off-Track Betting Corporation plan of operation to authorize the operation of a "Fast Track" simulcast facility at the Three Boys Restaurant, Inc. d/b/a the Trinity Restaurant located at 190 Jericho Turnpike in Floral Park, N.Y. 11001 in Nassau County. This approval is effective immediately.

It is a condition of 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.

**11. APPLICATION TO REOPEN - THE MATTER OF MARLENE BRODY
(PLACEMENT OF “RAHY’S APPEAL”)**

The New York State Racing and Wagering Board denied the motion to reopen by the owners of “Malibu Mint”. The Board determined that the moving party failed to respond or address the cross-motion granted by the Board Finding and Order before the Board determined the matter, and had not presented newly discovered information as the condition of “Malibu Mint” was sufficiently known. Further, even if there were excusable reasons for the movant not to have presented its allegations and arguments earlier, on the merits the Board rejected the rule interpretation suggested by the movant and concluded that the moving party had not sufficiently shown that an injury occurred to “Malibu Mint” in the race within the meaning of Rule 4035.2.

**12. CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR PERMANENT
APPROVAL OF PLAYER REWARDS PROGRAM**

The New York State Racing and Wagering Board approved an amendment to Capital District Regional Off-Track Betting Corporation’s plan of operation to authorize the resumption of cash rebates to bettors under the program referred to as “Player Rewards”. This approval is conditioned upon:

- The program must be operated as described in correspondences of Mr. Hemsworth dated March 14, 2006 and July 10, 2007.
- The submission by Capital OTB of written reports to the Board concerning the Player Reward Program. These reports are to include but need not be limited to, the number of participants in the program, details of the rewards by category level and participation, the cumulative rewards earned, the amount of rewards “rewagered” and cumulatively for program participants, the amounts wagered by bet type by in-state races and out of state races. Each report shall also contain analysis regarding the effect of the program on handle of Capital OTB, net effect on income from wagering and the costs incurred as a result of program operation. These reports are to be filed at the end of every quarter within the time frame provided in the July 10, 2007 letter.
- Capital OTB employees are prohibited from participation.
- The effective date of this approval is August 3, 2007. No retroactive approval is granted, i.e. rewards are not permitted based on wagers placed from June 1 through August 3, 2007.
- Board access to Capital OTB Player Rewards program information, including the names of the program participants, and the right to audit.

**13. NOTICE OF ADOPTION - SINGLE USE OF SYRINGES RULE 9 NYCRR
4120.16 & 4043.11**

The New York State Racing and Wagering Board approved the adoption of 9E NYCRR Sections 4120.16 and 4043.11. These amendments will require the single-service use of syringes and needles in administering equine medication at racetracks. The rules will also make track veterinarians and practicing veterinarians responsible for the disposal of such syringes and needles.

This Notice of Adoption was submitted to the Department of State on July 31, 2007, and will be published in the *State Register* on August 15, at which time these rules will become effective.

14. NOTICE OF ADOPTION - SEARCH FOR THE QUEEN OF HEARTS & TREASURE CHEST RAFFLE, 9 NYCRR 5620.23 & 5620.24

The New York State Racing and Wagering Board approved the adoption of new sections 5620.23 and 5620.24 of Title 9 of the New York Codes Rules and Regulations. These new sections will authorize new raffle games known as the “*Search for the Queen of Hearts*” and “*Treasure Chest Raffle*,” and establish rules and regulations for the conduct of such raffles.

This Notice of Adoption was submitted to the Department of State on July 31, 2007, and will be published in the *State Register* on August 15, at which time these rules will become effective.

15. NOTICE OF ADOPTION - WAGERING PROHIBITION RULES FOR CERTAIN THOROUGHBRED AND HARNESS EMPLOYEES , 9 NYCRR 4122.10 & 4005.4

The New York State Racing and Wagering Board approved the adoption of an amendment to 9E NYCRR Section 4005.4 and the addition of Section 4122.10. These amendments will prohibit pari-mutuel division employees at harness and thoroughbred racetracks from placing bets while on duty.

This Notice of Adoption is was submitted to the Department of State on July 31, 2007, and will be published in the *State Register* on August 15, at which time these amendments will become effective.

16. NOTICE OF ADOPTION - USE OF WHIP RULE, 9 NYCRR 4117.8

The New York State Racing and Wagering Board approved the adoption of an amendment to Section 4117.8 of Title 9 of the New York Codes Rules and Regulations. This amendment to the harness racing rules will authorize drivers to use a whip in the last quarter-mile of a race.

This Notice of Adoption is was submitted to the Department of State on July 31, 2007, and will be published in the *State Register* on August 15, at which time this amendment will become effective.

17. SARATOGA GAMING & RACEWAY – REQUEST TO INSTALL BETTING MACHINES IN THE ON-TRACK “VAPOR” NIGHTCLUB

The New York State Racing and Wagering Board approved Saratoga Harness Racing Inc.’s request to conduct wagering during special event days through the use of two STAN machines and the use of one “walk about” teller machine in the Vapor nightclub. The manager of Vapor and all wait staff and bartenders are required to hold a valid racing license before such wagering is to commence.

Any change in the operations at Vapor for wagering purposes beyond the limited use approved (e.g. frequency, equipment) requires the prior written approval of the Board.

18. NOTICE OF ADOPTION – TCO2 TESTING

The New York State Racing and Wagering Board approved the adoption of rules for testing of excess TCO2 in thoroughbred and harness racehorses, penalties for excess TCO2 and procedures for guarded quarantine and voidable claims.

This rulemaking was submitted to the Department of State on July 31, 2007, and become permanent upon publication in the *State Register*. This Notice of Adoption will be published in the *State Register* on August 15 and these rules will become effective on a permanent basis at that time.

19. NEW YORK CITY OTB – REQUEST TO AMEND PLAN OF OPERATION TO INCLUDE INTERNET WAGERING

The New York State Racing and Wagering Board approved an amendment to New York City Off-Track Betting Corporation's plan of operation to expand the scope of its account wagering activities to include internet wagering as described in letters from NYCOTB counsel dated June 8 and July 26, 2007 and in accordance with the plan of operation and other documents submitted, conditioned upon the following:

1. The approval is limited to include telephone and Internet account wagering only. Should NYCOTB wish to expand such operations to include other electronic means, separate approval will be required.
2. Live video streaming of races on the NYCOTB web site is not included in this approval. Such activity is expressly prohibited at this time.
3. The use of vouchers for deposits and/or withdrawals with wagering accounts is expressly prohibited.
4. A report of the satisfactory test and test results for the internet account wagering system must be submitted to Board staff prior to implementation of the system. The system shall not be implemented prior to receipt by NYCOTB of a Board letter authorizing implementation.

20. YONKERS RACEWAY – REQUEST TO AMEND PLAN OF OPERATION TO INCLUDE INTERNET WAGERING

The New York State Racing and Wagering Board approved an amendment to Yonkers Raceway Corp.'s plan of operation to authorize implementation of an agreement with ODS Technologies LP dba TVG Network (TVG) to operate telephone and internet account wagering as described in documents submitted on behalf of Yonkers dated July 16, 27 and 28, 2007, conditioned upon the following:

1. The approval is limited to include telephone and Internet account wagering only. Should Yonkers wish to expand such operations to include other electronic means separate approval will be required.

2. Yonkers must disclose in writing to the Board no less than 30 days before accepting transactions, each financial/retail outlet that is established to allow customers to make deposits and/or withdrawals from their Yonkers wagering account.
3. The display of the official replay of any imported races simulcasts at Yonkers may be provided on the Internet conditioned on the requirements that this is provided for in the contract Yonkers has with the host track and all necessary regulatory approvals are in place. Live video streaming of races is expressly prohibited at this time.
4. Yonkers must resolve the issue regarding their status as an Money Service Business (MSB) by either registering as an MSB and meeting all of the Anti-Money Laundering requirements or revise its request for determination to include its pari-mutuel account wagering activity; the horsemen's accounts; check, money order, travelers checks and stored value cashing procedures and all other activities conducted by Yonkers that are relevant to the MSB determination.
5. Yonkers must cause a test to be conducted of its telephone and Internet account wagering system and submit a copy of the test results that report the tests have found this system operates in accordance with the Board's approval. The report of the satisfactory tests and test results must be submitted to the Board no later than 14 days prior to beginning account-wagering operations. The system shall not be implemented prior to receipt by Yonkers of a letter from the Board authorizing implementation.

E. ITEMS FOR BOARD INFORMATION/DISCUSSION

1. **GAMES OF CHANCE/BINGO REGISTRATION NUMBERS**
List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit between June 4, 2007 – July 9, 2007.
2. **GAMES OF CHANCE/BELL JAR TICKETS**
List of bell jar tickets authorized/denied by the Charitable Gaming Unit between June 1, 2007 – June 30, 2007.
3. **LICENSING/CURRENT LICENSE COUNT**
The current racing licensing counts as of June 30, 2007 since January 1, 2007 are as follows: total receipts 9,417 and total licenses 4,909 for the year 2007.
4. **2007 LICENSED SUPPLIERS**
List of licensed suppliers and manufacturers for the time period of June 1, 2007 through June 30, 2007.
5. **YONKERS RACEWAY – INFORMATION RELATIVE TO PEACE OFFICERS**
The conditions of Michael Burguiere, Marquise Chavis and Kenneth Rellato to serve as a special policeman within and around Yonkers Raceway had been met and licenses issued.
6. **NEVADA GOLD - TIOGA DOWNS, INC. - 2007 CAPITAL IMPROVEMENT INSEPTION**

Report for Tioga Downs 2007 Annual Capital Improvement Inspection conducted June 12, 2007.

7. NEVADA GOLD - VERNON DOWNS, INC. - 2007 CAPITAL IMPROVEMENT INSEPTION

Report for Vernon Downs 2007 Annual Capital Improvement Inspection conducted June 5, 2007.

8. INDIAN GAMING/LICENSING STATISTICS

Licensing statistics for June 1, 2007 through June 30, 2007. Also included are the certifications for Mohawk, Seneca Allegany, Seneca Niagara and Oneida.

9. PROPOSED RULEMAKING – FAILURE TO FINISH, 4117.2(c)

The Proposed Rulemaking to amend the “Failure to Finish” rule [9 NYCRR 4117.2(c)] was approved by the Board on June 14, 2006 and submitted it to the Governor’s Office of Regulatory Reform on June 16, 2006 for Executive Order 20 review.

This Proposed Rulemaking was submitted to the Department of State on Monday, July 16, 2007, and published in the State Register on August 1, 2007, and the public comment period will expire on September 15, 2007.

F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED

None.

The meeting adjourned at 11:20 a.m.