

**MINUTES
NEW YORK STATE RACING AND WAGERING BOARD
MEETING OF MAY 24, 2007**

A meeting of the New York State Racing and Wagering Board was held on Thursday, May 24, 2007 at 11:00 a.m. at the Racing & Wagering Board's Schenectady Office located at 1 Broadway Center, Suite 600, Schenectady, New York.

The meeting was called to order at 11:04 a.m.

In Attendance Were:

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

Also in Attendance Were:

Daniel Toomey, NYSR&WB
Norma Soodsma, NYSR&WB
Kristen Buckley, NYSR&WB
Vivian Davis, NYSR&WB
James Kellogg, Audits & Investigations
Bill Sekellick, Assistant Counsel
Paul Onyon, Assistant Director of Racing Operations
John Googas, NYSR&WB
Jason Settlemoir, American Racing & Entertainment
Robert Hemsworth, Capital OTB

OPEN COMMENT PERIOD:

A. The Board approved the minutes of the Board meeting held on April 26, 2007.

B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR

1. BUFFALO RACEWAY - REQUEST TO CHANGE POST- TIMES FOR THE REMAINDER OF RACES ON WEDNESDAYS AND FRIDAYS DURING 2007

For entry into the minutes, on May 11, 2007, the NYS Racing and Wagering Board approved the Buffalo Raceway request to amend its plan of operation for a first post-time at 5:00 p.m. on Wednesdays beginning June 6, 2007. Post-times for Fridays and Saturdays during the 2007 are at 6:30 p.m., with a 1:05 p.m. post-time for Sunday racing in July.

2. BUFFALO RACEWAY - REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007

For entry into the minutes, on April 25, 2007, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Finger Lakes Racing Association, Inc., New York.

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

3. CAPITAL DISTRICT REGIONAL OTB - REQUEST FOR PROMOTION & MARKETING - MAY PROMOTIONS

For entry into the minutes, on April 30, 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 May, 2007 including “fan appreciation days, promotional days at the Teletheater/Telebranch, harness night at the Teletheater, a future pool wager, surcharge free Tuesdays and an “online contest”.

The promotions approved are those set forth in the application and must be conducted pursuant to the rules submitted, except that there must be a fee charged for admission to the Teletheater (Racing, Pari-Mutuel Waging and Breeding Law, Section 1009(5)(a). There is no charge to the Capital District OTB fan for any of these promotions.

The conduct of these promotions are subject to audit by the Board.

4. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT “SUMMER CHALLENGE” HANDICAPPING CONTEST

For entry into the minutes, on May 1, 2007, the NYS Racing and Wagering Board approved an application by the Capital District Regional Off-Track Betting Corporation to conduct a handicapping contest on Saturday, June 3 and Sunday, June 4, 2007 in the Capital room of the Albany Teletheater. This contest must be conducted pursuant to the terms of the application and rules submitted, and is subject to audit by the Board.

5. FINGER LAKES RACETRACK – REQUEST TO CANCEL LIVE RACING ON MONDAY, APRIL 16 AND ADD FRIDAY, APRIL 20, 2007 DUE TO WEATHER CONDITIONS

For entry into the minutes, on April 19, 2007, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to conduct an additional racing program on Friday, April 20, 2007 in place of the cancelled program on Monday, April 16, 2007. This maintains the 160 live racing programs during 2007.

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

For entry into the minutes, on April 25, 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. Calder-through October 14, 2007
2. Hollywood Park-through July 16, 2007
3. Lonestar Park-through July 29, 2007
4. Pimlico-through June 30, 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 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.

7. For entry into the minutes, on April 27, 2007, the New York 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 Churchill Downs, Kentucky through July 8, 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 Finger Lakes Racing Association, Inc. approval of 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.

8. For entry into the minutes, on May 9, 2007, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Arlington Park, Illinois through September 16, 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 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.

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

For entry into the minutes, on April 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 during 2007 to Sudbury Downs (with ten [10] satellite sites), Ontario, Canada.

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.'s 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. Records must be maintained for such a time period. 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 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 unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.

Simulcasts to Canadian guest sites are subject to previously established conditions for net pool pricing with Canadian guest sites.

10. For entry into the minutes, on April 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 during 2007 to:
 1. Assinoboia Downs (with eight [8] satellite sites), Manitoba, Canada
 2. Keystone Turf Club, Inc. & Bensalem Racing Association, Inc. d/b/a Philadelphia Park, (with eight [8] satellite sites), Pennsylvania
 3. Thistledown Inc., Ohio.

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.'s 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 years. Guests (and secondary sites) must maintain books and records relative to wagers on Finger Lakes Racing Association, Inc. simulcasts for a period of two years from the date of each simulcast. The books and records must be made available to the Board on request. 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 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.

Simulcasts to Canadian guest sites are subject to the previously established conditions for net pool pricing with Canadian guest sites.

11. For entry into the minutes, on April 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 during 2007 to:

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

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

Simulcasts to Canadian guest sites are subject to the previously established conditions for net pool pricing with Canadian guest sites.

12. For entry into the minutes, on April 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 during 2007 to:

1. Northfield Park, Ohio
2. US Off-Track, LLC, Oregon.
3. Youbet.com, California and Oregon.

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.'s 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 two years from the date of the 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 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 April 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 during 2007 to The New York Racing Association, Inc., 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 Finger Lakes Racing Association, Inc.'s 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 Finger Lakes Racing Association, Inc.'s races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- c. "Manual merge" is prohibited without the express approval of the Board.

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

- 14.** For entry into the minutes, on April 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 during 2007 to Yonkers 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 Finger Lakes Racing Association, Inc.'s 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 Finger Lakes Racing Association, Inc.'s 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 Finger Lakes Racing Association, Inc.'s 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.

- 15.** For entry into the minutes, on April 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 during 2007 to:

- 1. Harrah's Chester Casino & Racetrack, Pennsylvania
- 2. Mountainview Thoroughbred Racing Association (with seven [7] satellite sites), Pennsylvania
- 3. The Meadows (with four [4] satellite sites), Pennsylvania
- 4. Raceway Park, Ohio.

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. 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 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.
- 16.** For entry into the minutes, on April 20, 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 during 2007 to:
1. Evergreen Park, Alberta, Canada
 2. Kawartha Downs Raceway, Ontario, Canada.

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.'s 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. 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 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 unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.

17. MONTICELLO RACEWAY – REQUEST TO ADD TWO MONDAY RACE DATES IN 2007

For entry into the minutes, on April 19, 2007, the NYS Racing and Wagering Board approved an amendment to the Monticello Raceway plan of operation adding two additional race dates, Monday, May 28 and Monday, September 3, 2007.

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

For entry into the minutes, on April 20, 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 Hoosier Park, Indiana and Thistledown, 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.

- 19.** For entry into the minutes, on April 25, 2007, the New York State Racing and Wagering Board approved an amendment to the Monticello Mgmt., Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Calder Race Course, Florida through October 14, 2007.

Approval is conditioned upon compliance with the terms of the agreements, and relevant statutes and rules of the host 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.

20. For entry into the minutes, on April 26, 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. Churchill Downs, Kentucky through July 8, 2007 (Spring 2007 Meeting)
2. Golden Gate Fields, California through June 10, 2007
3. Hollywood Park, California through July 16, 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. 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.

21. For entry into the minutes, on May 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:

1. Arlington Park, Illinois through September 16, 2007
2. Great Lakes Downs, Michigan through November 6, 2007
3. Pimlico Race Course, Maryland through June 9, 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. 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.

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

For entry into the minutes, on April 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 Mount Pleasant Meadows, Michigan.

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

- a. Retransmission of Monticello Raceway Mgmt, Inc.'s 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. 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 Monticello Raceway Mgmt, 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 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 sites.
 - f. "Manual Merge" is prohibited without the express approval of the Board.
- 23.** For entry into the minutes, on April 25, 2007, the NYS 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 Sterling Suffolk Racecourse, Massachusetts.

Approval is conditioned upon compliance with the terms of the agreement, the relevant statutes and rules of the host 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.

- 24. NASSAU REGIONAL OTB – REQUEST TO CONDUCT “PALACE CROWN HANDICAPPING CONTEST”**
- For entry into the minutes, on May 1, 2007, the NYS Racing and Wagering Board approved an amendment to the Nassau OTB simulcast plan of operation authorizing the conduct of the Nassau OTB “Palace Crown Handicapping Contest” on July 21, 2007 at The Race Palace. This contest must be conducted pursuant to the application and rules submitted, and is subject to audit by the Board.
- 25. NEW YORK CITY OTB – REQUEST TO CONDUCT JOINT PROMOTION FOR THE BELMONT STAKES**
- For entry into the minutes, on April 26, 2007, the NYS Racing and Wagering Board approved the New York City OTB request dated April 24, 2007, amending its plan of operation to conduct the “Tremendous Ten” Sweepstakes during the period from May 14 through May 27, 2007 in accordance with the application and rules submitted. This sweepstakes will enable three groups of eight people to receive a limousine ride from

their home to a NYCOTB restaurant of each groups' choice, a \$100.00 voucher for each person in each of the three groups and a meal for each person on Belmont Stakes Day.

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

For entry into the minutes, on April 20, 2007 the New York State Racing and Wagering Board approved an amendment to the plan of operation of all of the six New York State Off-Track betting corporations' simulcast plans of operation authorizing the simulcast for wagering purposes of races from Keeneland Racetrack, Kentucky for the Spring 2007 meet.

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 licenses of the off-track betting corporations, which are prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that they may or will provide rebates on wagers for races at that site.

27. NYRA – EXTENSION OF THE APPRENTICESHIP JESUS A. PONCE

For entry into the minutes, on April 13, 2007, the New York State Racing and Wagering Board approved the extension to the apprenticeship year of Jesus A. Ponce for an additional fifteen (15) days due to racing-related injury and weather related conditions.

The original date of the expiration of his ability to claim the five-pound apprentice allowance was April 29, 2007. His ability to claim the five-pound apprentice allowance has now been extended to May 14, 2007.

28. NYRA – REQUEST FOR APPROVAL TO CHARGE \$10 ENTRY FEE TO PARTICIPANTS OF WEBSITE PROMOTION

For entry into the minutes, on April 26, 2007, the NYS Racing and Wagering Board approved the New York Racing Association request to conduct SHOWdown Internet-based handicapping contest promotions for the 2007 Belmont Park Spring/Summer race meeting, Saratoga Race Course Meeting, Belmont Fall Championships meeting and Aqueduct Fall meeting. This promotional contest is to be conducted in accordance with the rules submitted including the condition of a ten (\$10.00) dollar entry fee per contestant with all paid entry fees returned to the winners.

29. NYRA – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007

For entry into the minutes, on May 1, 2007, the New York State Racing and Wagering Board approved an amendment to The New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from:

1. Churchill Downs, Kentucky through July 8, 2007
2. Lone Star Park, Texas through July 29, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of The New York Racing Association simulcast license. Further, The New York Racing Association is prohibited from rebating as a guest on

simulcasts unless the host site acknowledges in writing that The New York Racing Association may or will provide rebates on wagers for races at that site.

- 30.** For entry into the minutes, on May 9, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Finger Lakes Racing Association, Inc., New York through December 31, 2007.

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

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

- 31.** For entry into the minutes, on May 9, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Nordic Gaming Corporation (Fort Erie Race Track), Ontario, Canada through October 30, 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.

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

- 32.** For entry into the minutes, on May 9, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Sterling Suffolk Racecourse, LLC, Massachusetts through November 10, 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.

- 33.** For entry into the minutes, on May 9, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from:

1. Prairie Meadows Racetrack & Casino, Inc., Iowa through July 4, 2007; and
2. Yavapai Downs, Arizona through September 4, 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 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.

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

34. For entry into the minutes, on May 9, 2007, the New York State Racing and Wagering Board approved an amendment to The New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from:

1. Arlington Park, Illinois through September 16, 2007
2. Calder Race Course, Florida through October 14, 2007
3. Golden Gate Fields, California through June 10, 2007
4. Great Lakes Downs, Michigan through November 6, 2007
5. Hollywood Park, California through July 16, 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 New York Racing Association simulcast license. Further, The New York Racing Association is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that The New York Racing Association may or will provide rebates on wagers for races at that site.

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

35. For entry into the minutes, on May 9, 2007, the New York State Racing and Wagering Board ("Board") approved The New York Racing Association's request to amend its plan of operation to reflect certain of the terms of the Content License Agreement between NYRA and TrackNet Media Group, LLC ("TrackNet"). The Agreement authorizes NYRA to accept wagers on sixteen listed tracks within the State of New York only via the NYRA telephone and internet wagering systems and to televise TrackNet Content within Nassau and Suffolk counties via cable television distribution.

Approval of NYRA's receipt and use of the TrackNet Content as described is limited to authorization for NYRA to accept wagers on sixteen listed tracks within the State of New York only via the NYRA telephone and internet wagering systems and is conditioned upon the following:

- Compliance with the terms of the Agreement
- Compliance with 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 or rights related thereto
- NYRA is prohibited from rebating as a guest unless the host site acknowledges in writing that NYRA may or will provide rebates on wagers for that site

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

- Distribution by cable television into Nassau and Suffolk counties pursuant to the Agreement is prohibited without the specific prior written approval of the Board
- The Agreement is not effective as to any of the sixteen specific host tracks (set forth in Recital A) unless and until the Board has issued written approval of NYRA's application to simulcast races for wagering purposes from those sites.

- 36.** For entry into the minutes, on May 9, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from NJSEA (Meadowlands/ Monmouth), New Jersey through December 31, 2007.

Approval is conditioned upon compliance with the terms of the agreement, and relevant statutes and rules of the host and guest jurisdictions, including but not limited to the terms and conditions of approval of 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.

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

- 37.** For entry into the minutes, on May 9, 2007, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Harrah's Louisiana Downs, Louisiana through October 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 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.

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

- 38. SARATOGA GAMING AND RACEWAY – REQUEST TO CHANGE POST-TIME ON MAY 5, 2007**

For entry into the minutes, on April 25, 2007, the NYS Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway plan of operation changing the initial race post-time from 7:00 p.m. to 7:30 p.m. for the one program on Kentucky Derby Day, Saturday, May 5, 2007.

- 39. SARATOGA GAMING AND RACEWAY – REQUEST TO CHANGE FIRST RACE POST-TIMES ON MAY 19 AND JUNE 9, 2007**

For entry into the minutes, on May 9, 2007, the NYS Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway plan of operation changing the initial race post-time from 7:00 p.m. to 7:30 p.m. for the programs on Saturday, May 19, 2007 and Saturday, June 9, 2007.

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

For entry into the minutes, on April 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. The New York Racing Association from July 25, 2007 through September 3, 2007
2. Sterling Suffolk Racecourse, Massachusetts from May 5 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 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.

41. For entry into the minutes, on April 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. Lone Star Park, Texas through July 29, 2007
2. Pimlico Race Course, Maryland through June 30, 2007
3. Thistledown, Ohio through September 15, 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 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.

42. For entry into the minutes, on April 27, 2007, the New York 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 Churchill Downs, Kentucky through July 8, 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 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.

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

1. Calder Race Course, Florida through October 14, 2007
2. Golden Gate Fields, California through June 10, 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.

44. For entry into the minutes, on May 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. Harrah's Louisiana Downs, Louisiana through October 20, 2007;
2. NJSEA (Meadowlands/Monmouth), New Jersey; and
3. River Downs Jockey Club, Inc., Ohio through September 3, 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 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 is prohibited without the prior written approval of the Board.

45. For entry into the minutes, on May 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. Arlington Park, Illinois, through September 16, 2007; and
2. Hollywood Park, California through July 16, 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 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 is prohibited without the prior written approval of the Board.

46. For entry into the minutes, on May 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 during 2007 from:

1. Rockingham Venture, Inc. New Hampshire through September 3, 2007; and
2. Rosecroft, Maryland.

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.

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

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

For entry into the minutes, on April 23, 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 Premier Turf Club, LLC, North Dakota.

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

- a. Retransmission of the Saratoga Gaming & Raceway simulcast signal by authorized recipients to secondary 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 two years from the date of simulcasts. 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 Saratoga Gaming & Raceway simulcast transactions, if not included within individual contracts, must be supplied to the Board.

- d. 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.

- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.
- g. Any changes in ownership of Premier Turf Club, LLC must be reported to the Board within 3 business days of the change.
- h. Stop wagering must occur no later than when the word "go" is given by the starter.

48. SUFFOLK REGIONAL OTB – REQUEST TO CONDUCT TRIPLE CROWN PROMOTIONS

For entry into the minutes, on April 19, 2007, the NYS Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation's request to distribute 63 twenty-five (\$25.00) dollar betting vouchers to be used on either Friday, June 15 or Thursday, June 21, 2007. This distribution is part of a local radio station promotion relating to the Triple Crown Racing and must be conducted pursuant to the rules submitted.

49. SUFFOLK REGIONAL OTB – REQUEST TO CONDUCT GRAND OPENING PROMOTION AT TWISTED SHAMROCK

For entry into the minutes, on April 19, 2007, the New York State Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation's request to distribute up to 150 two (\$2.00) dollar vouchers at the Twisted Shamrock on the one date of May 10th, 2007 in conjunction with a gaming promotion.

50. SUFFOLK REGIONAL OTB – REQUEST TO OFFER 2007 KENTUCKY DERBY DAY/TELEPHONE ACCOUNT BETTING PROMOTION

For entry into the minutes, on April 27, 2007, the New York State Racing and Wagering Board approved the request of the Suffolk Regional Off-Track Betting Corporation to conduct the following promotions in relation to the Kentucky Derby:

- Kentucky Derby Day drawing with no entry fee for prizes specified with one winner at each of 14 branches and one grand prize winner.
- issuance of \$2 wagers on Kentucky Derby Day to customers for use on the Preakness Stakes and another for use on the Belmont Stakes to those who use the \$2 wager on the Preakness Stakes.
- issuance of \$2 vouchers for the same use in a number not to exceed 5,000 to customers on a mailing list.
- issuance of commemorative pins not to exceed 3,000 pursuant to advertisement in "The Clipper".

These promotions must be conducted pursuant to the application and rules submitted, and are subject to audit by the Board.

51. SUFFOLK REGIONAL OTB – REQUEST TO OFFER HANDICAPPING CONTEST AT THE RACING FORUM ON JUNE 16, 2007

For entry into the minutes, on May 1, 2007, the NYS Racing and Wagering Board approved an amendment to the Suffolk Regional Off-Track Betting Corporation's plan of operation authorizing the conduct of a handicapping contest at the Racing Forum on Saturday, June 16, 2007. This contest must be conducted pursuant to the application and rules submitted, and is subject to audit by the Board.

52. NEVADA GOLD – TIOGA DOWNS, INC – REQUEST TO OFFER MARKETING PROMOTIONS DURING 2007

For entry into the minutes, on April 20, 2007, the NYS Racing and Wagering Board approved an amendment to the Nevada Gold-Tioga Downs, Inc. plan of operation for the following promotions to be conducted during the 2007 racing season:

Dud of the Day
60 Second Wagering Spree
Own a Piece of a Pacer
Exacta Facta
Handicapping context
Lucky 7's
That's My Driver
Change Your Luck
Ticket to Ride
Word Absurd
Fanatical Fan Contest
Lucky Duck
Lousy T-Shirt Contest.

Approval is conditioned on the conduct of these promotions in accordance with the rules submitted.

53. NEVADA GOLD – TIOGA DOWNS, INC – REQUEST TO ADD RACE DATE

For entry into the minutes, on April 26, 2007, the NYS Racing and Wagering Board approved an amendment to the Nevada Gold-Tioga Downs, Inc. plan of operation adding one additional race date, Wednesday, July 4, 2007.

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

For entry into the minutes, on April 16, 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 Delaware Racing Association, Delaware 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 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.

- 55.** For entry into the minutes, on April 16, 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. Keeneland Association Inc., Kentucky through May 1, 2007
2. Northlands Park, Alberta, 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.

- 56.** For entry into the minutes, on April 20, 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. Calder Racecourse, Inc., Florida through October 14, 2007
2. Pimlico Race Course, Maryland through June 30, 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 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.

- 57.** For entry into the minutes, on April 20, 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 Raceway Park, Ohio through November 11, 2007.

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

- 58.** For entry into the minutes, on April 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:

1. Hoosier Park, Indiana
2. Lone Star Park, Texas through July 29, 2007
3. Thistledown, Ohio through September 15, 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 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.

- 59.** For entry into the minutes, on April 27, 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. Attractions Hippiques, (four tracks) Quebec, Canada
2. Scarborough Downs, Maine.

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.

- 60.** For entry into the minutes, on April 27, 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. Churchill Downs, Kentucky through July 8, 2007
2. Golden Gate Fields, California through June 10, 2007
3. Hollywood Park, California through July 16, 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 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.

- 61.** For entry into the minutes, on May 1, 2007, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Indiana Downs, Indiana through November 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.

- 62.** For entry into the minutes, on May 3, 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 Rockingham Venture, Inc.,
New Hampshire 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.

- 63.** For entry into the minutes, on May 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 Louisiana Downs, Louisiana through October 20, 2007
2. Sterling Suffolk Racecourse, Massachusetts through November 10, 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 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.

- 64.** For entry into the minutes, on May 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 Arlington Park, Illinois through September 16, 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.

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

For entry into the minutes, on April 20, 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:

1. Harrington Raceway, Delaware
2. Hazel Park, Michigan
3. Indiana Downs, Indiana (with two [2] secondary sites)
4. Lewiston Raceways, Inc., Maine (with five [5] secondary sites)
5. The Meadows, Pennsylvania (with five [5] secondary sites).

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 Tioga Downs' 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. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
 - d. No receiving or secondary 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 sites.
 - f. "Manual Merge" is prohibited without the express approval of the Board.
- 66.** For entry into the minutes, on April 20, 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:
1. Hoosier Park (with three [3] secondary sites), Indiana
 2. Northville Downs, Michigan
 3. The Red Mile, Kentucky.

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 Tioga Downs 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 years. Guests (and secondary sites)

must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.

- d. No receiving or secondary 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 sites.
 - f. "Manual Merge" is prohibited without the express approval of the Board.
- 67.** For entry into the minutes, on April 20, 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:
- 1. Scarborough Downs, Maine
 - 2. Wyoming OTB (with four [4] secondary sites), Wyoming.

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 Tioga Downs 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. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.

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

68. For entry into the minutes, on April 20, 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:

1. Blue Ribbon Downs (with one [1] satellite site), Oklahoma
2. Canterbury Park, Minnesota
3. Choctaw Racing Services (with twelve [12] satellite sites), Oklahoma
4. Mountainview Thoroughbred Racing Association Inc. (with six [6] satellite sites), Pennsylvania.

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 Tioga Downs' 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 years. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.
- f. "Manuel Merge" is prohibited without the express permission of the Board.

69. For entry into the minutes, on April 20, 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 Nassau Regional Off-Track Betting Corporation and Suffolk Regional Off-Track Betting Corporation, New York.

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 Tioga Downs' 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 Tioga Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.
 - c. "Manual Merge" is prohibited without the express approval of the Board.
- 70.** For entry into the minutes, on April 20, 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:
1. Plainridge Racecourse, Massachusetts
 2. Scioto Downs Inc., Ohio
 3. Will Rogers Downs LLC, Oklahoma.

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 Tioga Downs' 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 years. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.
- f. "Manual Merge" prohibited without express approval of the Board.

- 71.** For entry into the minutes, on April 20, 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 Downs at Albuquerque, New Mexico.

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 Tioga Downs' 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 years. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

- 72.** For entry into the minutes, on April 20, 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 Attractions Hippiques, Quebec, Canada (with seventeen [17] satellite sites).

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 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 years. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.
- f. "Manual Merge" is prohibited without express approval of the Board.

This approval is subject to the previously established conditions for net pool pricing with Canadian guest sites.

- 73.** For entry into the minutes, on April 20, 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 Suffolk Downs (with seven [7] satellite sites), Massachusetts.

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 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 years. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and

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

- d. No receiving or secondary 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 sites.
 - f. "Manual Merge" is prohibited without express approval of the Board.
- 74.** For entry into the minutes, on April 20, 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:
1. NJSEA (Meadowlands/Monmouth), (with two [2] secondary sites)
 2. Northfield Park, Ohio
 3. PPI, Inc. d/b/a Pompano Park Racing, Florida (with twenty [20] secondary sites)
 4. Premier Turf Club, LLC, North Dakota.

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 Tioga Downs' 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. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

- 75.** For entry into the minutes, on April 20, 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 Monticello Raceway.

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 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 Tioga Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.
 - c. "Manual Merge" is prohibited without the express approval of the Board.
- 76.** For entry into the minutes, on April 20, 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:

1. Harrah's Chester Casino & Racetrack, Pennsylvania
2. Downs Racing L.P. d/b/a Mohegan Sun at Pocono Downs (with five [5] satellite sites), Pennsylvania
3. Raceway Park, Ohio
4. Stevenson & Associates, Inc. (with one [1] satellite site, Racing & Gaming Services, St. Kitts) 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 Tioga Downs' 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 years. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where

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

- d. No receiving or secondary 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 sites.
 - f. "Manual Merge" is prohibited without the express approval of the Board.
- 77.** For entry into the minutes, on April 20, 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 Lebanon Raceway, Ohio.

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 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 years. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

- 78.** For entry into the minutes, on April 20, 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 Buffalo Trotting Association, 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 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 Tioga Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- c. "Manual Merge" is prohibited without the express approval of the Board.

79. For entry into the minutes, on April 20, 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 Rosecroft Raceway, Maryland.

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 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. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

- 80.** For entry into the minutes, on April 20, 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 Saratoga Gaming and Raceway.

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 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 Tioga Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- c. "Manual Merge" is prohibited without the express approval of the Board.

- 81.** For entry into the minutes, on April 20, 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:

1. Keystone Turf Club, Inc. & Bensalem Racing Association, Inc. (with eight [8] satellite sites), Pennsylvania
2. Sam Houston Race Park (with two [2] satellite sites), Texas.

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 Tioga Downs' 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 years. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs' 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact

telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.

- d. No receiving or secondary 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 sites.
 - f. "Manual Merge" is prohibited without the express approval of the Board.
- 82.** For entry into the minutes, on April 26, 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 Northlands Park, Alberta, Canada.

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

- a. Retransmission of the Tioga Downs' 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 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 conditioned upon compliance with the previously established conditions for simulcasting with net pool pricing to Canadian guest sites.

- 83.** For entry into the minutes, on April 27, 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:

1. Delaware Racing Association, Delaware
2. Colonial Downs L.P., Virginia
3. Freehold Raceway, New Jersey (with one [1] secondary site).

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

- a. Retransmission of the Tioga Downs' simulcast signal by authorized recipients to secondary 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. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. (The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

- 84.** For entry into the minutes, on April 27, 2007, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the requested system of net pool pricing with Canadian guest sites during 2007. All wagering is to be converted to United States dollars at the exchange rate in effect at the daily noon rate from the Bank of Canada for the day immediately preceding the day on which the post-time of the first race of the racing program is scheduled pursuant to the applicable CPMA regulations. Tioga Downs must clearly inform the wagering public that net pool pricing is in effect for the calculation of pari-mutuel payouts based upon the receipt of wagering monies from foreign entities.

Specific Board approval is required for any additional simulcast sites that implement or utilize net pool pricing with takeout rates differing from those in effect at Tioga Downs, as well as any other Canadian guest sites.

The Board also approved the specific Tioga Downs' request to simulcast the standardbred racing programs from Tioga Downs for wagering purposes during 2007 to:

1. Assinoboia Downs, Manitoba, Canada (with eight [8] secondary sites)
2. Ft. Erie Racetrack, Ontario,, Canada (with four [4] secondary sites).

Approval is limited to the simulcast of the Tioga Downs' races during 2007 to the guest and secondary sites specified within the simulcast agreements 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 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. Books and records must be maintained for two (2) years from the date of the simulcast. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. "Manual merge" is prohibited unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.
- e. No receiving or secondary sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- f. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary sites.

- 85.** For entry into the minutes, on April 30, 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 New York City Off-Track Betting Corporation, New York.

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 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 Tioga Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- c. "Manual Merge" is prohibited with the express approval of the Board.

No wagering via the internet is authorized without the prior written approval of the Board.

- 86.** For entry into the minutes, on May 1, 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:

- 1. PPI, Inc. d/b/a Pompano Park (with twenty [20] satellite sites), Florida
- 2. U.S. OffTrack LLC, Oregon.

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 Tioga Downs' 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 two (2) years from the date of the simulcast. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

- 87.** For entry into the minutes, on May 1, 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:

1. AmericaTab, Oregon
2. Beulah Park, Ohio
3. Day at The Track, Idaho
4. Ocean Downs LLC, Maryland (with one [1] secondary site)
5. Youbet.com, California and Oregon.

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 Tioga Downs' 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. Guests (and secondary sites) must maintain books and records relative to wagers on Tioga Downs 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. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

88. For entry into the minutes, on May 3, 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:

1. Hastings Entertainment Inc., British Columbia, Canada
2. Orangeville Raceway LTD d/b/a Fraser Downs Racetrack & Casino (with one [1] satellite site), British Columbia.

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

- a. Retransmission of the Tioga Downs simulcast signal by authorized recipients to secondary 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 two (2) years from the date of each simulcast. The guest and all secondary sites shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of Tioga Downs' simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary 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 sites.
- f. "Manual merge" is prohibited unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.

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

- 89.** For entry into the minutes, on May 9, 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 Yonkers 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 Tioga Downs 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 Tioga Downs 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 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.

90. NEVADA GOLD – VERNON DOWNS, INC – REQUEST TO CANCEL LIVE RACING ON THURSDAY, APRIL 19, 2007

For entry into the minutes, on April 13, 2007, the NYS Racing and Wagering Board approved the requested amendment to the Vernon Downs plan of operation canceling the program of racing scheduled for Thursday, April 19, 2007. The Board had previously approved the cancellation of the opening night of Friday, April 6 and the initial Thursday of April 12, 2007.

91. NEVADA GOLD – VERNON DOWNS, INC – REQUEST TO CANCEL LIVE RACING ON THURSDAY, APRIL 26, 2007

For entry into the minutes, on April 19, 2007, the NYS Racing and Wagering Board approved an amendment to the Vernon Downs plan of operation canceling a fourth program of racing originally scheduled for Thursday, April 26, 2007.

92. NEVADA GOLD – VERNON DOWNS, INC – REQUEST TO CANCEL LIVE RACING ON TUESDAY, MAY 8, 2007

For entry into the minutes, on May 4, 2007, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs plan of operation canceling a fifth program of racing originally scheduled for Tuesday, May 8, 2007.

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

For entry into the minutes, on April 20, 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:

1. Calder Racecourse, Inc., Florida through October 14, 2007
2. Pimlico Race Course, Maryland through June 30, 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 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.

94. For entry into the minutes, on April 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:

1. Hoosier Park, Indiana
2. Lone Star Park, Texas through July 29, 2007
3. Thistledown, Ohio through September 15, 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 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.

- 95.** For entry into the minutes, on April 27, 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:

1. Attractions Hippiques, (four tracks) Quebec, Canada
2. Scarborough Downs, Maine.

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 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.

- 96.** For entry into the minutes, on April 27, 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:

1. Churchill Downs, Kentucky through July 8, 2007
2. Golden Gate Fields, California through June 10, 2007
3. Hollywood Park, California through July 16, 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 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.

- 97.** For entry into the minutes, on May 1, 2007, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Indiana Downs, Indiana through November 3, 2007.

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

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

98. For entry into the minutes, on May 3, 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 Rockingham Venture, Inc., New Hampshire through September 3, 2007.

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

99. For entry into the minutes, on May 9, 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 Arlington Park, Illinois through September 16, 2007.

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

100. For entry into the minutes, on May 9, 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:

1. Harrah's Louisiana Downs, Louisiana through October 20, 2007
2. Sterling Suffolk Racecourse, Massachusetts through November 10, 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 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.

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

For entry into the minutes, on April 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 Hoosier Park (with three [3] secondary sites), Indiana.

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 Vernon Downs 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 years. Guests (and secondary sites) must maintain books and records relative to wagers on Vernon Downs' 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. 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 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 sites.
 - f. "Manual Merge" is prohibited without the express approval of the Board.
- 102.** For entry into the minutes, on April 26, 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 Northlands Park, Alberta, Canada.

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

- a. Retransmission of the Vernon Downs' 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. 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 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 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 conditioned upon compliance with the previously established conditions for simulcasting with net pool pricing to Canadian guest sites.

- 103.** For entry into the minutes, on April 27, 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 Youbet.com, California and Oregon.

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 Vernon Downs' 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. Guests (and secondary sites) must maintain books and records relative to wagers on Vernon Downs 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. 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 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 sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

104. For entry into the minutes, on May 1, 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:

- 1. PPI, Inc. d/b/a Pompano Park (with twenty [20] satellite sites), Florida
- 2. U.S. OffTrack LLC, Oregon.

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 Vernon Downs 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 two(2) years from the date of the 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 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 sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

105. For entry into the minutes, on May 3, 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:

- 1. Hastings Entertainment Inc., British Columbia, Canada

2. Orangeville Raceway LTD d/b/a Fraser Downs Racetrack & Casino (with one [1] satellite site), British Columbia.

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

- a. Retransmission of the Vernon Downs 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 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 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 sites.
- f. "Manual merge" is prohibited unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.

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

- 106.** For entry into the minutes, on May 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 2007 to Yonkers 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 Vernon Downs' 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 Vernon Downs races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- c. Guests 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.

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

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

- 1. Harrington Raceway, Delaware
- 2. Indiana Downs, Indiana through November 3, 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 Yonkers Raceway simulcast license. Further, Yonkers Raceway is prohibited from rebating as a guest on simulcasts unless the host site acknowledges in writing that Yonkers Raceway may or will provide rebates on wagers for races at that site.

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

- 1. Downs Racing, L.P. d/b/a Mohegan Sun at Pocono Downs, Pennsylvania through November 17, 2007
- 2. Hazel Park Harness Raceway, Michigan through December 31, 2007
- 3. Raceway Park, Ohio through November 11, 2007
- 4. Scarborough Downs, Maine.

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.

109. For entry into the minutes, on May 3, 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 Plainridge Racecourse, Massachusetts through November 29, 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.

110. For entry into the minutes, on May 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. Calder Racecourse, Inc., Florida through October 14, 2007
2. Hollywood Park Racing Association, California through July 16, 2007
3. Hoosier Park, Indiana through June 30, 2007
4. Lone Star Park, Texas through July 29, 2007; and
5. Pimlico Race Course, Maryland through June 9, 2007.

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

111. For entry into the minutes, on May 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 during 2007 from:

1. Tioga Downs, New York
2. 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 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.

112. For entry into the minutes, on May 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 Finger Lakes Racing Association, Inc., New York 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 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.

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

For entry into the minutes, on April 23, 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 Premier Turf Club, LLC, North Dakota.

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

- a. Retransmission of the Yonkers Raceway simulcast signal by authorized recipients to secondary 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 two years from the date of simulcasts. 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 Yonkers Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.
- g. Any changes in ownership of Premier Turf club, LLC must be reported to the Board within 3 business days of the change.
- h. Stop wagering must occur no later than when the word "go" is given by the starter.

114. For entry into the minutes, on May 1, 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 The Meadows (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 Yonkers 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. 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 two years from the date of the 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 Yonkers Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

115. For entry into the minutes, on May 1, 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 Woodbine Entertainment Group, Ontario, Canada (with thirty-six [36] sites).

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 Yonkers 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. 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 two years from the date of the 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 Yonkers Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary sites.
- f. "Manual merge" is prohibited unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.

116. For entry into the minutes, on May 9, 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 Assinoboia Downs (with eight [8] satellite sites), Manitoba, Canada.

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 Yonkers 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. 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 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 Yonkers Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.

- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary 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 conditioned upon compliance with previously established conditions for net pool pricing with Canadian guest sites.

- 117.** For entry into the minutes, on May 9, 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 Exhibition Park Raceway, New Brunswick, Canada.

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

- a. Retransmission of the Yonkers 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. 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 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 Yonkers Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary sites.
- f. "Manual merge" is prohibited unless specifically required pursuant to Canadian law or regulation, and only to the extent so authorized.

- 118.** For entry into the minutes, on May 9, 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 Rosecroft, Maryland and one (1) secondary site.

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

- a. Retransmission of the Yonkers Raceway simulcast signal by authorized recipients to secondary 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 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 Yonkers Raceway's simulcast transactions, if not included within individual contracts, must be supplied to the Board.
- d. No receiving or secondary sites may rebate on Yonkers Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval.
- e. The completion and filing with the Board on a timely basis of a simulcast questionnaire by all out-of-state guest and secondary sites.
- f. "Manual Merge" is prohibited without the express approval of the Board.

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

1. FINGER LAKES RACETRACK – REQUEST TO CONSTRUCT PLAYERS EXTRA REDEMPTION STORE

For entry into the minutes, on April 16, 2007, pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 239, the New York State Racing and Wagering Board approved the request by Finger Lakes Racing Association, Inc. for the construction as described in the submitted April 9, 2007 letter, and the New York State Office of General Services construction permit dated April 2, 2007 for Project No. S3003.

A letter requesting approval for any further construction (with an appropriate Construction Permit) not covered by this permit must be submitted to the Board. Prior approval of the Board is required prior to the commencement of any additional related construction.

2. EMERGENCY RULEMAKING FOR INTERNET AND ACCOUNT WAGERING
For entry into the minutes, on April 23, 2007, the New York State Racing and Wagering Board approved the adoption by emergency rulemaking of a new Subchapter C, Part 5300 of Title 9 of New York Codes Rules and Regulations to establish rules and regulations for internet and telephone account wagering systems used in connection with licensed pari-mutuel wagering activities in the State of New York.

3. YONKERS RACEWAY – REQUEST FOR APPROVAL OF YONKERS PEACE OFFICERS
For entry into the minutes, on April 23, 2007, pursuant to Section 312 of the Racing, Pari-Mutuel Wagering and Breeding Law, the New York State Racing and Wagering Board granted Yonkers Racing Corporation’s request to approve the appointment of the individuals listed below as special policemen within and around the grounds of Yonkers Raceway. These special policemen may exercise the powers of peace officers as authorized by and in accordance with Section 312 of the Racing, Pari-Mutuel Wagering and Breeding Law and Section 2.20 of the Criminal Procedure Law.

The grant of approval by the Board is conditioned upon the satisfactory receipt and evaluation by the Board of the federal fingerprint-based criminal history reports on the approved individuals. The Board’s approval is further conditioned upon the continuing compliance by Yonkers Raceway with any related requirements imposed by the Board, the Racing, Pari-Mutuel Wagering and Breeding Law, the Criminal Procedure Law, and any other governmental agencies with jurisdiction concerning these appointments.

The twenty-eight (28) individuals approved are:

- Francisco Alvarez Frederick Robinson
- Thomas Amato Vincent Smith
- Edward Benes III Angelo Spadero
- Carmine Catapano Eddie Thomas
- Justin Cenname Debbie Thompson
- Anthony Cerrato Vincent Travaglione
- Julio Davila Wilfredo Vasquez
- Gerry Frazier Anna Witkiewicz
- Andrew Guski Robert Woodberry
- Tyshea Hollar Eric Mabin
- Premanand Jaikaran
- Nathaniel James
- Richard Kluzek
- Carol Lovelace
- Craig McKernan
- Vincent Muratore
- Carol Perciaccanto
- Ralph Ricardo

Yonkers Racing Corporation must notify the Board in writing within forty-eight (48) hours after the termination of employment of any special policeman.

4. NEVADA GOLD – TIOGA DOWNS, INC. – REQUEST TO INSTALL 30 STALL TENT NEXT TO EXISTING PADDOCK

For entry into the minutes, on May 1, 2007, the NYS Racing and Wagering Board approved the Nevada Gold-Tioga Downs Inc. request to erect a 60' x 90' tent in the lot adjoining the existing paddock for the purposes of providing thirty (30) stalls to be used as an additional paddock area.

This approval is limited to the 2007 racing season only and is conditioned upon:

1. Compliance with the terms of the application as set forth in the April 17, 2007 joint letter of Nevada Gold-Tioga Downs, Inc. and the Southern Tier Harness Horsemen's Association, with attachments,
2. Use of the area on the north side of the paddock to house incoming trailers, with a new gate in the north fence for incoming trailers to off-load and return to the lot and,
3. Compliance with any applicable municipal codes and permit requirements, including but not limited to, permits for the tent and occupancy.

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 the outcome of an ongoing investigation.

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

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

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

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

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

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

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

3. 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 requested for June 2007 only conditioned upon the following:

1. The following individuals must submit the required outstanding and overdue disclosures.
 - i. Paul Marsiglio (Track Power)
 - ii. Dana Gilman (Track Power)
2. 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.

3. Copies of all documents relating to the announced sale of Nevada Gold and Casino Inc.'s interest in the track must be submitted and all information regarding this transaction must be disclosed to the Board.
4. 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.
5. Vernon Downs must consult with both the representative 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.

If circumstances change any time subsequent to this approval, and the application no longer presents the correct facts, the applicant must submit to the Board an amended answer to the question affected. When doing so, the applicant is to mark the submission as "Amendment to License Application" - question number – and submit the change in detail, properly attested.

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

The New York State Racing and Wagering Board denied without prejudice the Capital District Regional Off-Track Betting Corporation’s request for approval to operate the promotional players’ awards program known as the “Capital OTB Player Rewards” after May 31, 2007. This program was previously approved through May 31, 2007 only.

A fine in the amount of \$5,000 was imposed on the Corporation based upon non-compliance with the following previously established condition for the conduct of the Capital OTB Player Rewards Program:

- * The conduct of the program in the manner requested by and outlined in correspondence of Robert G. Hemsworth dated March 14, 2006, in relation to audit requirements, documentation of disputes and resolutions, and the calculation/award of points.

Payment of the \$5,000 fine is due on or before June 28, 2007.

5. BATAVIA DOWNS – REQUEST TO WITHDRAW \$20,658.04 FROM CIF

The New York State Racing and Wagering Board approved the Batavia Downs request to withdraw a total of \$20,658.04 from its Capital Improvement Fund for reimbursement of the following Capital Improvement Expenditures:

Backstretch (100%)

Barn #4 roof replacement	\$18,643.50
Replace guard booth at back gate	1,165.00
Replace 225’ storm sewer	<u>849.54</u>
Total Approved	\$20,658.04

6. CATSKILL REGIONAL OTB – REQUEST TO INSTALL BETTING TERMINALS AT E-ZBET LOCATION - WAVERLY, NY

The NYS Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting plan of operation authorizing the operation of Lefty's All American Grill and BBQ Restaurant in Waverly, New York as an off-track betting E-Z Bet simulcast facility.

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

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

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

7. SUFFOLK REGIONAL OTB – REQUEST TO ADD NEW QWIK BET – HALESITE, NEW YORK

The NYS Racing and Wagering Board approved an amendment to the Suffolk Regional Off-Track Betting plan of operation authorizing operation of the Ken-Mar Restaurant, Inc. d/b/a the Shamrock in Halesite, New York as an off-track betting Quik Bet simulcast facility.

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

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

It is expected that Suffolk 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.

8. WESTERN REGIONAL OTB – REQUEST TO ADD NEW E-Z BET – MONROE COUNTY

The NYS Racing and Wagering Board approved an amendment to the Western Regional Off-Track Betting plan of operation authorizing the operation of the Brooke Lee, Inc. d/b/a the Dakota Grill in Hilton, New York as an off-track betting E-Z Bet simulcast facility.

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

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

It is expected that Western 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.

9. IN THE MATTER OF STEVEN L. BROWN

The NYS Racing and Wagering Board upheld Hearing Officer Russell H. Baller, Jr.'s recommendation that the placement of the horse, "FANCY MUFFLER" by the Judges at Monticello Raceway in the twelfth race on November 6, 2007, be affirmed and that the

driver's license of Steven L. Brown be suspended for eight days based upon violation of Board Rule 4117.4(k).

10. AMENDMENT OF THOROUGHBRED RULE 4035.2 (FOUL RIDING PENALIZED) TO REPEAL EXISTING SUBDIVISION D AND PROMULGATE A NEW SUBDIVISION D TO AUGMENT AND CLARIFY THE STEWARDS' AUTHORITY

The NYS Racing and Wagering Board approved both a Consensus Rulemaking Proposal and Emergency Rulemaking Adoption to amend subdivision (d) of Section 4035.2 of 9(E) NYCRR, which is titled "Foul Riding Penalized" as it pertains to the steward's disqualification of a horse for willful or careless interference with another horse.

As an emergency rule, this rule was filed with the Department of State on May 24, 2007, and was effective May 24, 2007. It will expire on August 20, 2007.

As a consensus rule, this rule was submitted to the Department of State on May 24, 2007. The date of publication in the State Register was June 13, 2007. The end of the 45-day public comment period is July 28, 2007.

11. APPLICATION OF THE NEW YORK RACING ASSOCIATION FOR ISSUANCE OF APPROVALS CONCERNING THE INSTALLATION OF CELLULAR TELEPHONE EQUIPMENT AT AQUEDUCT RACETRACK

The NYS Racing and Wagering Board approved the request of The New York Racing Association, Inc. for the issuance of a permit, pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 239, for the erection of the antenna and installation of related equipment by Sprint Spectrum L.P. at Aqueduct Racetrack pursuant to the terms of the Site Agreement submitted to the Board.

Pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 209-a, the Board approved the grant of the leasehold interest, and related access and utility easements in accordance with the terms set forth in the Site Agreement, conditioned upon the following:

1. the Tenant's right to sublease or to otherwise transfer or allow the use of any portion of the site or assign its rights under the Agreement without notice to or consent of the owner is of no force and effect unless the prior written consent of the New York State Racing and Wagering Board has been obtained; and
2. the prior written approval of the Non-Profit Racing Association Oversight Board must be obtained prior to implementation of the Site Agreement.

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 April 12, 2007 – May 10, 2007.

2. GAMES OF CHANCE/BELL JAR TICKETS

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between April 1, 2007 – April 30, 2007.

3. LICENSING/CURRENT LICENSE COUNT

The current racing licensing counts as of April 30, 2007 since January 1, 2007 were as follows: total receipts 5,211 and total licenses 2,432 for the year 2007.

4. 2007 LICENSED SUPPLIERS

List of licensed suppliers and manufacturers for the time period of April 1, 2007 through April 30, 2007.

5. INDIAN GAMING/LICENSING STATISTICS

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

6. YONKERS RACEWAY – INFORMATION RELATIVE TO PEACE OFFICERS

Federal fingerprint history reports had been received for 28 individuals and no derogatory information was revealed.

F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED

None.

The meeting adjourned at 12:03 p.m.