

NEW JERSEY RACING COMMISSION
MONDAY, JUNE 3, 2013
2nd FLOOR CONFERENCE ROOM
TRENTON OFFICE (140 EAST FRONT STREET)
TRENTON, NEW JERSEY
1:00 P.M. EXECUTIVE SESSION/1:30 P.M. PUBLIC MEETING

A. AGENDA ITEMS REQUIRING FORMAL ACTION

- 1) Consider whether the New Jersey Racing Commission has jurisdiction, and if so, whether it should exercise such jurisdiction, to consider the petition of F.R. Park Racing, L.P., Freehold Off Track, LLC, and New Jersey Account Wagering, LLC, as described in agenda item 2), immediately below.
- 2) Subject to the New Jersey Racing Commission's ("Racing Commission") determination of agenda item (1), immediately above, consider the petition of F.R. Park Racing, L.P., Freehold Off-Track, LLC and the New Jersey Account Wagering, LLC (collectively "FREEHOLD"), for the relief described below, or such other relief as the Racing Commission determines appropriate:
 - 1) The issuance of an Order that the New Jersey Thoroughbred Horsemen's Association, Inc. ("NJTHA") cease and desist any and all efforts to prevent FREEHOLD from receiving intrastate and interstate horse race simulcast signals; and further:

In the event the Racing Commission grants said Order, that said Order include either one of the two alternative conditions (#2 or #3) listed below:
 - 2) In the event the NJTHA denies FREEHOLD access to any intrastate or interstate simulcast signal, in violation of any such Racing Commission Order, and effective immediately upon said denial, and without the need for further action by the Racing Commission, that said Order affirmatively provide that: (a) all Racing Commission permits, licenses and approvals that are currently held by the NJTHA be revoked; and (b) that the NJTHA, its officers, agents, etc., be restrained and enjoined from making any payment or expenditure of funds belonging to or in the possession, custody, or control of the NJTHA, or effecting any sale, gift, hypothecation, or other disposition of any asset belonging to

or in the possession, custody, or control of the NJTHA, pending further action of the Racing Commission; or

- 3) In the event the NJTHA denies FREEHOLD access to any intrastate or interstate simulcast signal, in violation of any such Racing Commission issued Order, and effective immediately upon said denial, and without the need for further action by the Racing Commission, that said Order affirmatively provide: a) that the NJTHA shall be restrained and enjoined from: transmitting Monmouth Parks' simulcast signal to any New Jersey racetrack, off-track wagering facility, or to the account wagering; and b) that all other New Jersey racetracks, off-track wagering facilities, and the account wagering system, be restrained and enjoined from receiving any simulcast signal (or accepting wagering thereon) that is denied to FREEHOLD.