



## Exhibit IX.B.2.a. - Agreements With Impacted Entertainment Venues

---

*Submit as Exhibit IX.B.2.a. copies of any and all contracts, agreements, MOUs or other understandings with live entertainment venues that may be impacted by the Gaming Facility. Contracts, agreements, MOUs and understandings shall include terms and conditions governing cross marketing, coordination of performance schedules, booking of performers, arrangements or agreements with promoters, promotions and ticket prices. Also explain how the Gaming Facility intends to actively support the mission and operation of impacted live entertainment venues including any minimum dollar commitments and/or special efforts the Applicant will make to promote live entertainment venues.*

See the attached Memorandum of Understanding (“MOU”) between Tioga Downs and the Upstate Theater Coalition for a Fair Game (“Fair Game”). Fair Game represents the following Southern Tier Region facilities: Clemens Center in Elmira; Broome County Forum/Arena in Binghamton and the State Theater in Ithaca.

Tioga Downs commitment to the Southern Tier is long standing. Tioga Downs has built relationships with local venues over the past 9 years as a proud member of the Southern Tier community. This commitment is demonstrated by Tioga Downs’ long term sponsorship of the Goodwill Theater in Johnson City, NY and numerous other venues. Tioga Downs looks forward to continuing strong relationships already in existence with the live entertainment venues of the Southern Tier and this MOU is just one example of its commitment.

The attached MOU details Tioga Downs’ dedication to the formation of a booking collaboration for events at the various facilities, a cross-promotion and marketing program including the use of gaming “loyalty” programs to purchase and distribute tickets to events at the live entertainment venues in the Southern Tier and a monetary commitment by Tioga Downs to the live entertainment venues in the Southern Tier.







