

**NEW YORK STATE
GAMING COMMISSION**



**GAMING FACILITY
LICENSE APPLICATION FORM**

APPLICANT NAME	
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APPLICATION INSTRUCTIONS

I. COMPLETING THIS FORM:

A.	The New York State Gaming Commission may award a gaming facility license only to successful candidates recommended by the New York Gaming Facility Location Board following a competitive bidding process. This form shall only be submitted in conjunction with the Board's Request for Applications process or if otherwise directed by the Commission.
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B.	Read each question carefully prior to answering. Answer every question completely. Do not leave blank spaces. If a question does not apply to you, indicate "Does not apply" in response to that question. If there is nothing to disclose in response to a particular question, write "None" in response to that question. The Commission will not review your application unless you provide a response to every question.
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C.	All entries on this application, except signatures, must be typed or printed in block lettering using dark ink. The Commission will not review your application if it is illegible or if you have modified any of the questions or preprinted information in this application.
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D.	If the space available is insufficient to respond to a question, you are to supply the required information on an attachment page and clearly identify which question you are answering.
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E.	All attachments requested in this Form are to be clearly labeled.
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F.	All required documentation must be submitted at the time of filing this form. The Applicant is under a continuing duty to notify the Commission within ten (10) days if there is a change in the information contained in a filed application.
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G.	All authorizations, waivers, and releases must be signed by the Applicant or its designated representative or signatory.
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II. BEFORE YOU SUBMIT THIS FORM TO THE COMMISSION, BE SURE THAT:

A.	All attachments required in this form are labeled with an attachment number and included in both the original and the photocopies filed with the Commission.
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	B.	You have signed and notarized the Affidavit, Release Authorization, Consent to Inspections, Searches and Seizures and Waiver of Liability Forms.
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	C.	You have answered every question completely.
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	D.	You retain a completed copy of this form for your own records.
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III.	FILING THIS FORM WITH THE COMMISSION
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	A.	A complete application consists of this form, and all attachments and the application fee.
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	B.	The fees relating to an initial Gaming Facility License Application Form are as follows:
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	1.	An Application fee of \$1,000,000 must accompany this Application for a Gaming Facility License. Please note that in some instances the costs associated with the processing of the Application and investigation of the Applicant may exceed the \$1,000,000 application fee referenced in this paragraph. The Applicant will be provided notification of additional costs pursuant to the procedure set forth in paragraph 2 below.
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	2.	In the event that the costs incurred by the Commission in the course of investigating an Applicant's background exceed the upfront application fees set forth above, the applicant shall pay an additional amount to the Commission within thirty (30) days after notification of insufficient fees or the Application shall be rejected. Should the costs of such investigation not exceed the fee remitted, any unexpended portion shall be returned to the Applicant.
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	C.	Please consult the Commission's website for filing and payment instructions. Once your application is accepted, it becomes the property of the Commission and may not be withdrawn without the permission of the Commission.
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IV.	BACKGROUND INVESTIGATIONS
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	Pursuant to Section 1317 of N.Y. Racing, Pari-Mutuel Wagering and Breeding Law, the Commission shall cause to be commenced an investigation into the suitability of the applicant. The New York State Police will undertake this investigation.
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V.	IMPORTANT NOTICES
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A.	Should you be unable to fully understand this form or any other form, in English, it is your responsibility to acquire adequate means of translation.
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B.	Applicants for a Gaming Facility License are seeking a privilege. The burden of proving the qualifications to receive such a license is at all times borne by the Applicant.
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C.	The Applicant must accept any risk of adverse public notice, embarrassment, criticism, other action or financial loss that may result from action or inaction by the Commission with respect to any application, and the Applicant shall expressly waive any claim for damages resulting thereof. The Commission may further request information not requested in this application or in addition to that which is provided in response to this Application. The Applicant shall provide all information, documents, materials and certifications at the Applicant's sole expense and cost.
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D.	All notices regarding your application will be sent to the address that you provide on this form. You must immediately notify the Commission of any change of address.
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E.	The Applicant must make accurate statements and include all material facts. Any omissions, material errors, misrepresentations, failure to provide any requested information, or failure to meet any other requirement as set forth in law or rule may result in the denial of the Application or the imposition of fines, or the suspension or revocation of any license issued by the Commission.
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F.	Pursuant to Article 6 of the N.Y. Public Officers Law, certain information submitted, collected, or gathered as part of an application to the Commission may be confidential and not subject to disclosure under the Freedom of Information Law. The Applicant should clearly identify those portions of the application that it deems to be lawfully subject to withholding from the Freedom of Information Law, specifically identifying the appropriate exemption for disclosure.
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G.	A Gaming Facility License issued by the Commission is a revocable privilege and is not transferable. No licensee has a vested right in or under a Gaming Facility License issued by the Commission
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VI. DEFINITIONS AND FORMATTING

The definitions in Section 1301 of the N.Y. Racing, Pari-Mutuel Wagering and Breeding Law and the rules promulgated thereunder apply to this Application and shall control.

Where relevant, formatting for dates should reflect day, month and year.
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- END -

GENERAL INFORMATION

NAME OF APPLICANT ENTITY

D/B/A OR TRADE NAME(S)

PERSON TO BE CONTACTED IN REFERENCE TO THIS APPLICATION	
Name	Title
E-Mail Address	Telephone Number

THE PRINCIPAL BUSINESS ADDRESS OF THE ENTITY			
Street Location (Number/Street)	City	State	Zip Code
Country	Telephone: (Area Code) Number		
Mailing Address (if different)			
Web Site (URL)			

Check the appropriate box:

<input type="checkbox"/>	This form is being submitted as an initial application for a gaming facility license.
<input type="checkbox"/>	This form is being submitted as an application for the renewal of a gaming facility license. The current gaming facility license expires on: _____
<input type="checkbox"/>	The above named entity holds stock in _____, which is an applicant for an initial gaming facility license or renewal.
<input type="checkbox"/>	Other. Please attach written explanation.

ITEM 1.	FORMATION
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A.	Provide the date and place of formation.	
	Date	
	Place of Formation	

B.	Persons Forming the Entity.	
	Use Attachment 1B to provide information for each incorporator of the corporation.	

ITEM 2.	OTHER NAMES AND ADDRESSES OF THE ENTITY
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A.	Use Attachment 2A to list all other names under which the entity has conducted business and give the approximate time periods during which these names were being used.
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B.	Use Attachment 2B to provide information about all other addresses presently used by the entity and all addresses from which the entity is presently doing business.
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C.	Use Attachment 2C to provide information on all addresses, other than those listed in Item 2B, which the entity held or from which it was conducting business during the last ten (10) year period, and give the approximate time periods during which such addresses were held.
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ITEM 3.	DESCRIPTION OF PRESENT BUSINESS
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Provide as Attachment 3 a description of the business conducted and intended to be conducted by the entity and its parent, holding, subsidiary and intermediary entities and the general development of such business during the past five (5) years, or such shorter period as the entity or its parent, subsidiary and intermediary entities may have been engaged in business. The description shall include information on matters such as the following:

A.	Competitive conditions in the industry or industries involved and the competitive position of the entity, if known.
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B.	The principal products produced and services rendered by the entity and its parent, intermediary and subsidiary entities, the principal markets for said products or services and the methods of distribution.
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C.	The sources and availability of raw materials essential to the business of the entity.
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D.	The importance to the business and the duration and effect of, all material patents, trademarks, licenses, franchises and concessions held.
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E.	In describing developments, provide information such as the following: the nature and results of any bankruptcy, receivership or similar proceedings with respect to the entity or its parent, intermediary or subsidiary entities; the nature and results of any other material reorganization, readjustment or succession of the entity or any of its subsidiaries; the acquisition or disposition of any material amount of assets otherwise than in the ordinary course of business; and any material changes in the mode of conducting the business.
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ITEM 4.	DESCRIPTION OF FORMER BUSINESS
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Provide as Attachment 4 a description of any former business, not listed in response to Item 3, which the entity or any parent, intermediary or subsidiary company engaged in during the last ten (10) year period and the reasons for the cessation of such business. Also indicate the approximate time period during which each such business was conducted.

ITEM 5.	DIRECTORS AND TRUSTEES
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Use Attachment 5 to provide information for each director and trustee of the corporation. Each director and trustee of the entity must complete and file a Multi-Jurisdictional Personal History Disclosure Form and New York Supplement.

These forms are available for download at www.gaming.ny.gov/casinoforms

ITEM 6.	FORMER DIRECTORS AND TRUSTEES
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Use Attachment 6 to provide information for each person, not listed in response to Item 5, who held the position of director or trustee of the entity during the last ten (10) years.

ITEM 7.	OFFICERS
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Use Attachment 7 to provide information for each officer of the entity. Officers include all persons serving as president, secretary, treasurer, chairman of the board, vice-president, general/corporate counsel or any such other officers as may be prescribed by the entity's governing documents. Each person noted below must

complete and file a Multi-Jurisdictional Personal History Disclosure Form and New York Supplement Form. Please be aware that the Commission may, in its discretion, order additional persons associated with the entity to file such Forms if it appears that such persons should be qualified in order to effectuate the purposes of licensing.

ITEM 8. FORMER OFFICERS

Use Attachment 8 to provide information for each person, not listed in response to Item 7, who was an officer of the entity during the last ten (10) year period. Officers include all persons serving as president, secretary, treasurer, chairman of the board, vice-president or any such other offices as may be prescribed by the entity's governing documents.

ITEM 9. COMPENSATION OF OFFICERS AND DIRECTORS

Use Attachment 9 to provide information regarding the amount of total annual compensation received during the last calendar year and the amount to be received during the subsequent calendar year by each director, trustee and officer of the entity, whether such compensation is in the form of salary, wages, commissions, fees, stock options, bonuses or otherwise.

ITEM 10. COMPENSATION OVER \$250,000

Use Attachment 10 to provide information for each person, other than those listed in response to Item 9, who currently receives, or who reasonably can be expected to receive within one (1) calendar year from the date of this form, compensation as described in Item 9 that exceeds \$250,000 per year.

ITEM 11. BONUS, PROFIT SHARING, PENSION, RETIREMENT, DEFERRED COMPENSATION & SIMILAR PLANS

Provide as Attachment 11 a description of all bonus, profit sharing, pension, retirement, deferred compensation and similar plans in existence or to be created by the entity. This description shall include, but not be limited to:

1. the title or name of the plan;
2. the identity and address of the trustee of the plan or the person administering such plan;
3. the material features of the plan;
4. the methods of financing the plan;
5. the identity of each class of person who is or will participate in the plan;
6. the approximate number of persons in each such class;
7. the amounts distributed under the plan to each class of persons during the last fiscal year if the plan was in effect during that time.

ITEM 12.	STOCK/OWNERSHIP DESCRIPTION
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Describe the nature, type, number of authorized and issued shares, terms, conditions, rights and privileges of all classes of voting, non-voting and other stock issued, or to be issued, or other similar indicia of ownership by the entity including the number of shares of each class of stock authorized or to be authorized and the number of shares of each class of stock outstanding (i.e., not held by or on behalf of the issuer) or other similar information applicable to other indicia of ownership as of this date.

If the rights of holders of any class of stock or other indicia of ownership may be modified otherwise than by a vote of a majority or more of the outstanding shares so affected, voting as a class, so state and explain briefly.

ITEM 13.	VOTING OWNERS
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Use Attachment 13 to provide information for each person or entity holding of record or having a beneficial interest in any voting stock or other indicia of ownership issued by the entity. This information must be provided as of a date no more than sixty (60) days prior to the date of this application. If the entity submitting this form is an applicant for a gaming license, or is a non-public holding or intermediary entity of such an applicant, then a completed Gaming Facility License Application Form, Multi-Jurisdictional Personal History Disclosure Form and New York Supplement Form, as the case may be, must be filed for each person or entity holding or having a beneficial interest in the voting ownership of the entity unless the Commission has granted a waiver of the qualification requirements as to such person or entity. If the entity submitting this form is a publicly traded holding company of an applicant for a gaming license, then a completed Gaming Facility License Application Form or Multi-Jurisdictional Personal History Disclosure Form and New York Supplement Form, as the case may be, must be filed for each person or entity holding or having a beneficial interest in the voting ownership of the entity unless the Commission has granted a waiver of the qualification requirement as to such persons or entity.

ITEM 14.	NON-VOTING OWNERS
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Use Attachment 14 to provide information for each person or entity holding of record or having a beneficial interest in any non-voting indicia of ownership issued by the entity. This information must be provided as of a date no more than sixty (60) days prior to the date of this application. If the entity submitting this form is an applicant for a gaming license, or is a non-public holding or intermediary entity of such an applicant, then a completed Gaming Facility License Application Form or Multi-Jurisdictional Personal History Disclosure Form and New York Supplement Form, as the case may be, must be filed for each person or entity holding or having

a beneficial interest in the non-voting ownership of the entity unless the Commission has granted a waiver of the qualification requirements as to such person or entity. If the entity submitting this form is a publicly traded holding company of an applicant for a gaming license, then a completed Gaming Facility License Application Form or Multi-Jurisdictional Personal History Disclosure Form and New York Supplement Form, as the case may be, must be filed for each person or entity holding or having a beneficial interest in the non-voting ownership of the entity unless the Commission has granted a waiver of the qualification requirement as to such persons or entity.

ITEM 15. DESCRIPTION OF LONG TERM DEBT

Provide as Attachment 15 a description of the nature, type, terms, covenants, conditions and priorities of all outstanding bonds, loans, mortgages, trust deeds, notes, debentures or other forms of indebtedness issued or executed (including loans made by owners), or to be issued or executed, by the entity, which mature more than one (1) year from the date of issuance or which, by their terms, are renewable for a period of more than one year from the date of issuance OR provide a specific cross-reference to the applicable document(s) filed with this application that contain(s) all of the requested information.

ITEM 16. HOLDERS OF LONG TERM DEBT

Use Attachment 16 to provide information for each person or entity holding any outstanding bonds, loans, mortgages, trust deeds, notes, debentures or other forms of indebtedness executed or issued by the entity, which mature more than one year from the date of issuance or which, by their terms, are renewable for a period of more than one year from the date of issuance. Persons or entities listed below may be required by the Commission to submit a completed Gaming Facility License Application Form or Multi-Jurisdictional Personal History Disclosure Form and New York Supplement Form, as the case may be.

ITEM 17. OTHER INDEBTEDNESS AND SECURITY DEVICES

Provide as Attachment 17 a description of the nature, type, terms, conditions and covenants of all outstanding loans, mortgages, trust deeds, pledges, lines of credit, or other evidence of indebtedness or security devices utilized by the entity other than those described in response to Items 15 and 16 OR provide a specific cross-reference to the applicable document(s) filed with this application that contain(s) all of the requested information.

ITEM 18. HOLDERS OF OTHER INDEBTEDNESS

Use Attachment 18 to provide information with respect to each holder of any

outstanding loan, mortgage, trust deed, pledge or other evidence of indebtedness or security device described in response to Item 17. Persons listed in response to this item may be required by the Commission to submit a completed Gaming Facility License Application Form or Multi-Jurisdictional Personal History Disclosure Form and New York Supplement Form, as the case may be.

ITEM 19. SECURITIES OPTIONS

A. Provide as Attachment 19A a detailed description of any options existing or to be created with respect to securities issued by the entity which description shall include, but not be limited to the title and amount of securities subject to option, the year or years during which the options were or will be granted, the conditions under which the options were or will be granted, the consideration for granting the option and the year or years during which, and the terms under which, optionees became or will become, entitled to exercise the options, and when such options expire OR include as Attachment 19A copies of any outstanding option plans or proxy statements that provide the requested information. For the purpose of this Application, option shall mean right, warrant or option to subscribe to or purchase any securities or other form of ownership issued by the entity.

B. Use Attachment 19B to provide information regarding all persons holding the options described in Item 19A.

ITEM 20. FINANCIAL INSTITUTIONS

Use Attachment 20 to provide information with respect to each bank, savings and loan association or other financial institution, whether domestic or foreign, in which the entity has or has had an account over the last ten (10) year period regardless of whether such account was held in the name of the entity, a nominee of the entity or was otherwise under the direct or indirect control of the entity.

ITEM 21. CONTRACTS AND SUPPLIERS

Use Attachment 21 to provide information with respect to all persons with whom the entity has contracts or agreements of \$250,000 or more in value or from whom the entity has received \$250,000 or more in goods or services in the past six (6) months. This reporting obligation includes real estate and vehicle leases. Employment contracts need only be listed if, by their terms, they exceed one (1) year in duration.

ITEM 22.	OTHER OWNERSHIP INTERESTS HELD BY THE ENTITY
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Use Attachment 22 to provide information about each entity in which the entity holds stock.

ITEM 23.	INSIDER TRANSACTIONS
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Use Attachment 23 to provide information for each change that occurred within the last five (5) years preceding this application in the beneficial ownership of the equity of the entity on the part of any person who is indirectly or directly a beneficial owner of more than ten (10) percent of any class of interest in the entity or who is or was within that period a director or officer of the entity. Include changes resulting from (a) gift, (b) purchase, (c) sale, (d) exercise of an option to purchase, (e) exercise of an option to sell, (f) grant or receipt of a put or (g) grant or receipt of a call.

ITEM 24.	CRIMINAL HISTORY
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The next question asks about any charges or offenses the entity or any of its directors, trustees or officers may have committed or had filed against them. Prior to answering this question, carefully review the definitions and instructions that follow.

DEFINITIONS. For purposes of this question:	
1.	“Charge” includes any indictment, complaint, information, summons, or other notice of the alleged commission of any “offense.”
2.	“Offense” includes all felonies, crimes, high misdemeanors, disorderly persons offenses, and petty disorderly offenses.

INSTRUCTIONS.		
1.	Answer “yes” and provide all information to the best of your ability EVEN IF:	
	A.	The entity, its directors, trustees, or officers did not commit the offense charged;
	B.	The charges were dismissed;
	C.	The entity, its directors, trustees, or officers were not convicted; or
	D.	The charges or offenses happened a long time ago.
2.	Answer “no” IF:	
	A.	The records relating to the charges have been expunged or sealed by court order; AND
	B.	Attached to this application is a copy of the expungement or sealing order labeled as Attachment 24.

<p>Has the entity or any of its subsidiaries, directors, trustees or officers ever been indicted, charged with or convicted of a criminal or disorderly persons offense or been a party to or named as an unindicted co-conspirator in any criminal proceeding in this State or any other jurisdiction?</p>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes, use Attachment 24 to provide information for each indictment, charge or conviction.

ITEM 25. TESTIMONY, INVESTIGATIONS OR POLYGRAPHS

<p>Has the entity, any of its subsidiaries, directors, trustees or officers ever been called to testify before, been the subject of an investigation conducted by, or requested to take a polygraph exam by any governmental agency, court, committee, grand jury or investigatory body (municipal, state, county, provincial, federal, national, etc.) other than in response to minor traffic related offenses?</p>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes, use Attachment 25 to provide information about any such testimony, investigation or polygraph exam.

ITEM 26. TESTIMONY, INVESTIGATIONS OR POLYGRAPH REFUSALS

<p>Has the entity, or any of its subsidiaries, directors, trustees or officers ever refused to testify before, to answer a question asked by, or to take a polygraph exam administered by any governmental agency, court, committee, grand jury or investigatory body (municipal, state, county, provincial, federal, national, etc.)?</p>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes, use Attachment 26 to provide information about any such testimony, investigation or polygraph refusal.

ITEM 27. EXISTING LITIGATION

Provide as Attachment 27 a description of all present civil litigation and that resolved within the previous five (5) years to which the entity, its parent or any subsidiary is presently a party whether in this State or in another jurisdiction. Do not include any litigation in which the damages may not reasonably be expected to exceed \$100,000, or litigation in which damages may be expected to exceed \$100,000, but which involve claims against the entity which are fully and completely covered under an insurance policy held by the entity with a licensed insurance carrier. This description must include the title and docket number of the

litigation, the name and location of the court before which it is pending, the identity of all parties to the litigation and the general nature of all claims being made.

ITEM 28.	ANTITRUST, TRADE REGULATION & SECURITIES JUDGMENTS; STATUTORY AND REGULATORY VIOLATIONS		
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A.	Has the entity ever had a judgment, order, consent decree or consent order pertaining to a violation or alleged violation of the federal antitrust, trade regulation or securities laws, or similar laws of any state, province or country entered against it?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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B.	In the past ten (10) years, has the entity had a judgment, order, consent decree or consent order pertaining to any state or federal statute, regulation or code that resulted in a fine or penalty of \$50,000 or more entered against it?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes to either question, use Attachment 28 to provide information for each judgment, order, consent decree or consent order.

ITEM 29.	BANKRUPTCY OR INSOLVENCY PROCEEDINGS & APPOINTED RECEIVER, AGENT OR TRUSTEE		
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A.	Has the entity, its parent or any intermediary entities had any petition under any provision of the Federal Bankruptcy Code or under any state insolvency law filed by or against it in the last ten year period?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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B.	Has the entity, its parent or any intermediary company sought relief under any provision of the Federal Bankruptcy Code or under any state insolvency law in the last ten year period?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes to either question 29A or 29B, use Attachment 29A to provide information for each bankruptcy or insolvency proceeding.

C.	Has any receiver, fiscal agent, trustee, reorganization trustee, or similar officer been appointed in the last ten year period by a	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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	court for the business or property of the entity or its parent, holding, intermediary or subsidiary entities?		
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If yes to any of the above questions, use Attachment 29C to provide information for each proceeding.

ITEM 30. LICENSES

A.	During the last ten (10) year period, has the entity, its parent or any subsidiary ever had any license or certificate issued by a government agency in this State or any other jurisdiction, denied, suspended or revoked?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes, use Attachment 30A to provide information for each license or certificate denied, suspended or revoked.

B.	Has the entity, its parent or any subsidiary ever applied in any jurisdiction for a license, permit or other authorization to participate in lawful gambling operations (including casino gaming, horse racing, dog racing, pari-mutuel operation, lottery, sports betting, etc.)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes, use Attachment 30B to provide information about each license, permit or other authorization applied for.

ITEM 31. CONTRIBUTIONS AND DISBURSEMENTS OF ENTITY

A.	During the last ten (10) year period, has the entity, its parent or any subsidiary, director, officer, or employee or any third party acting for or on behalf of the entity made any bribes or kickbacks or made any payments alleged to have been bribes or kickbacks to any employee, company or organization to obtain favorable treatment?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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B	During the last ten (10) year period, has the entity, its parent or any subsidiary, director, officer or employee or any third party acting for or on behalf of the entity made any bribes or kickbacks or made any payments alleged to	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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	have been bribes or kickbacks to any government official, domestic or foreign, to obtain favorable treatment?		
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C.	During the last ten (10) year period, has the entity, its parent company, any subsidiary or related entity or individual donated or loaned funds for the purpose of opposing or supporting any government, political party, candidate or committee, either domestic or foreign?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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D.	During the last ten year period, has the entity, its parent company, any subsidiary or related entity or individual donated or loaned property or any other thing of value for the purpose of opposing or supporting any government, political party, candidate or committee, either domestic or foreign?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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E.	During the last ten (10) year period, did the entity, its parent or any subsidiary, make any loans, donations or other disbursements to directors, officers or employees for the purpose of reimbursing such individuals for political contributions, either foreign or domestic?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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F.	During the last ten (10) year period, has the entity, its parent or any subsidiary maintained any bank account, domestic or foreign, not reflected on the entity's books or records?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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G.	During the last ten (10) year period, has the entity, its parent or any subsidiary maintained any numbered account or any account in the name of a nominee for the entity?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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H.	List the names and addresses of any present or former directors, officers, employees or third parties who would have knowledge or information concerning the questions affirmatively answered under this item.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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ITEM 32.	FINANCIAL STATEMENTS
A.	Provide as Attachment 32A an audited financial statement which shall include but not be limited to an income statement, balance sheet, statement of sources and application of funds and all notes to such statements and related financial schedules, for the last fiscal year prepared in accordance with Regulation S-X under the Securities Act of 1933, the Securities Exchange Act of 1934, the Public Utility Holding Company Act of 1935, and the Investment Company Act of 1940.

B.	Provide as Attachment 32B copies of all financial statements prepared in the last five (5) years with respect to the entity and any exceptions taken to such statements by the independent auditor retained by the entity, and the management response thereto.
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ITEM 33.	ANNUAL REPORTS
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A.	Provide as Attachment 33A a copy of all annual reports of the entity that were submitted to shareholders or other persons during the last five (5) years.
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B.	In addition to the information required in Item 33A, an entity that is a registrant under the Securities Act of 1933 or the Securities Exchange Act of 1934 is to submit a copy of all annual reports prepared on Form 10K pursuant to Sections 13 or 15(d) of the Securities Exchange Act of 1934 and filed within the last five (5) years. Identify these as Attachment 33B.
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ITEM 34.	QUARTERLY REPORTS
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Provide as Attachment 34 a copy of the last quarterly unaudited financial statements prepared by or for the entity. If the entity is a registrant with the Securities Exchange Commission (SEC), a copy of the Form 10Q last filed with the SEC may be provided in response to this item.

ITEM 35.	INTERIM REPORTS
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Provide as Attachment 35 a copy of any current report prepared due to the occurrence of any of the following events: change in control of the entity, acquisition or disposition of assets, bankruptcy or receivership proceedings, changes in the entity's certifying accountant or other material events. If the entity is a registrant with the SEC, a copy of the most recent Form 8K filed with the SEC may be provided in response to this item.
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ITEM 36.	PRESS RELEASES
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Provide as Attachment 36 a copy of each press release issued by the entity during the past five (5) years.

ITEM 37. PROXY AND INFORMATION STATEMENT

Provide as Attachment 37 a copy of the last definitive Proxy or Information Statement filed pursuant to Section 14 of the Securities Exchange Act of 1934.

ITEM 38. REGISTRATION STATEMENT

Provide as Attachment 38 a copy of all Registration Statements filed in the last five (5) years pursuant to the Securities Act of 1933.

ITEM 39. REPORTS OF ACCOUNTANTS

Provide as Attachment 39 a copy of all reports and correspondence, other than those previously included in this application, submitted in the last five (5) years by independent auditors for the entity which pertain to the issuance of financial statements, managerial advisory services, or internal control recommendations. Include the name, address and telephone number of the current outside auditor(s).

ITEM 40. ARTICLES OF INCORPORATION, CHARTER, BY-LAWS

Provide as Attachment 40 a certified copy of the Articles of Incorporation, Charter and By-Laws of the entity, or, if entity is in other than corporate form, all governing documents, with all amendments and proposed amendments to date.

ITEM 41. ORGANIZATIONAL CHART

A. Provide as Attachment 41A a current ownership organizational chart of the entity, its parent entity and each subsidiary of the entity.

B. Provide as Attachment 41B a functional table of organization for the entity filing this Gaming Facility License Application Form including position descriptions and the names of persons holding such positions.

ITEM 42. TAX RETURNS

Provide as Attachment 42 a copy of all federal IRS tax returns filed by the entity within the past five (5) years, including, but not limited to, all 1120 Forms (U.S. Corporate Income Tax Return) and 941 Forms (Employer's Quarterly Federal Tax Return).

ITEM 43.	ATTACHMENTS
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On the following chart indicate with a checkmark (√) which attachments are included with this application. If an attachment is not applicable, indicate N/A. Please note that attachment numbers with an asterisk (*) are attachments you are to provide or create and do not contain corresponding charts.

ITEM	ATTACHMENT DESCRIPTION	STATUS
1B	PERSONS FORMING THE ENTITY	
2A	ALL OTHER NAMES USED	
2B	OTHER NAMES AND ADDRESSES OF THE ENTITY PRESENTLY USED	
2C	OTHER NAMES AND ADDRESSES OF THE ENTITY USED IN PAST 10 YEARS	
3	DESCRIPTION OF PRESENT BUSINESS	
4	DESCRIPTION OF FORMER BUSINESS	
5	DIRECTORS AND TRUSTEES	
6	FORMER DIRECTORS AND TRUSTEES	
7	OFFICERS	
8	FORMER OFFICERS	
9	COMPENSATION OF OFFICERS AND DIRECTORS	
10	COMPENSATION OVER \$250,000	
11	BONUS, PROFIT SHARING, PENSION, RETIREMENT, DEFERRED COMPENSATION & SIMILAR PLANS	
13	VOTING OWNERS	
14	NON-VOTING OWNERS	
15	DESCRIPTION OF LONG TERM DEBT	
16	HOLDERS OF LONG TERM DEBT	
17	OTHER INDEBTEDNESS AND SECURITY DEVICES	
18	HOLDERS OF OTHER INDEBTEDNESS	
19A	SECURITIES OPTIONS	
19B	HOLDERS OF SECURITIES OPTIONS	
20	FINANCIAL INSTITUTIONS	
21	CONTRACTS AND SUPPLIERS	
22	OTHER OWNERSHIP INTERESTS HELD BY THE ENTITY	
23	INSIDER TRANSACTIONS	
24	CRIMINAL HISTORY	
25	TESTIMONY, INVESTIGATIONS OR POLYGRAPHS	
26	TESTIMONY, INVESTIGATIONS OR POLYGRAPH REFUSALS	
27	EXISTING LITIGATION	

28	ANTITRUST, TRADE REGULATION & SECURITIES JUDGMENTS; STATUTORY AND REGULATORY VIOLATIONS	
29A	BANKRUPTCY OR INSOLVENCY PROCEEDINGS & APPOINTED RECEIVER, AGENT OR TRUSTEE: BANKRUPTCY OR INSOLVENCY	
29C	BANKRUPTCY OR INSOLVENCY PROCEEDINGS & APPOINTED RECEIVER, AGENT OR TRUSTEE	
30A	GOVERNMENT LICENSE DISAPPROVALS	
30B	GAMING LICENSES	
32A	FINANCIAL STATEMENTS: AUDITED FINANCIAL STATEMENT FOR THE LAST FISCAL YEAR	
32B	FINANCIAL STATEMENTS: FINANCIAL STATEMENTS FOR THE LAST FIVE YEARS	
33A	ANNUAL REPORTS: LAST FIVE YEARS	
33B	SEC FORM 10K ANNUAL REPORTS: LAST FIVE YEARS	
34	QUARTERLY REPORTS	
35	INTERIM REPORTS	
36	PRESS RELEASES	
37	PROXY AND INFORMATION STATEMENT	
38	REGISTRATION STATEMENT	
39	REPORTS OF ACCOUNTANTS	
40	ARTICLES OF INCORPORATION, CHARTER, BY-LAWS	
41A	CURRENT OWNERSHIP ORGANIZATIONAL CHART	
41B	FUNCTIONAL ORGANIZATIONAL CHART	
42	TAX RETURNS	

ITEM 44.	AFFIDAVITS AND SIGNATURES
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<p>The President or any officer of the entity authorized to affirm may complete the affidavit. The remaining documents are to be signed by the President or any officer of the entity authorized to affirm and sign the documents.</p>
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<p>The President or any officer of the entity authorized to affirm may complete the affidavit. The remaining documents are to be signed by the President or any officer of the entity authorized to affirm and sign the documents.</p>
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- END -

AFFIDAVIT

STATE OF _____:

SS:

COUNTY OF _____:

I, _____
(NAME OF PRESIDENT OR OFFICER)

of _____,
(NAME OF ENTITY)

the entity identified below, being duly sworn according to law, on my oath, depose and say that I make this statement on behalf of the entity, and that the above statements are true and correct to the best of my knowledge and belief, and that this statement is executed with the knowledge that any misrepresentation or failure to reveal information may be deemed sufficient cause for the refusal to issue, or the revocation of, a license. Further, that I am voluntarily submitting this statement and understand that misleading statements may subject me to criminal or other sanctions or punishment.

NAME OF ENTITY

Signature

Title

On this ____ day of _____ 20__, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of (his)(her) knowledge and belief.

Notary Public

RELEASE AUTHORIZATION

To All Courts, Probation Departments, Selective Service Boards, Employers, Educational Institutions, Banks, Financial and Other Such Institutions, and all Governmental Agencies – federal, state and local, without exception, both foreign and domestic.

On behalf of _____,
(NAME OF ENTITY)

I, _____
(NAME OF PRESIDENT OR OFFICER)

have authorized the New York State Gaming Commission, and its authorized agents and representatives to conduct a full investigation into the background of said entity.

Therefore, you are hereby authorized to release any and all information pertaining to the said entity, documentary or otherwise, as requested by any employee, agent or representative of the New York State Gaming Commission provided that he or she certifies to you that said entity has an application pending before the New York State Gaming Commission or that said entity is presently a licensee or registrant required to be qualified or licensed under the laws of the State of New York.

This authorization shall supersede and countermand any prior request or authorization to the contrary.

A photostatic copy of this authorization will be considered as effective and valid as the original.

NAME OF ENTITY

Signature

Title

On this ____ day of _____ 20__, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of (his)(her) knowledge and belief.

Notary Public

ATTACHMENT 26**TESTIMONY, INVESTIGATION OR POLYGRAPH
REFUSALS**

NAME AND ADDRESS OF COURT OR AGENCY	NATURE OF PRECEEDINGS OR INVESTIGATION	DATE OF PROCEEDINGS OR INVESTIGATION	CIVIL OR CRIMINAL CONTEMPT? (SPECIFY)	DISPOSITION OF CONTEMPT CITATION

ATTACHMENT 28**ANTITRUST, TRADE REGULATION AND
SECURITIES JUDGMENTS; STATUTORY AND
REGULATORY VIOLATIONS**

NAME AND ADDRESS OF COURT OR AGENCY	TITLE OF CASE AND DOCKET NUMBER	DATE OF OFFENSE	NATURE OF OFFENSE	NATURE OF JUDGMENT, DECREE OR ORDER	DATE ENTERED

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