

COMMITMENT INSTRUMENT

Whereas OCCR Enterprises, LLC is an applicant for a gaming license in the State of New York; and

Whereas, OCCR Enterprises is presently in discussions with the New York Hotels Trades Council, and the Hudson Valley Building Trades Council, for a labor peace agreement (LPA) that would cover all phases of the construction, reconstruction, renovation, development, and operation of the Gaming Facility; and

Whereas, the License Application requires, in Section X B 6, as follows:

If the Applicant or, as applicable, the Manager has not entered into such agreements [at the time the license is submitted], provide an **instrument** (emphasis added) stating that it will enter into such labor peace agreements and maintain such labor peace agreements in place during the term of a License.

BE IT THEREFORE COMMITTED, AS FOLLOWS:

OCCR Enterprises, LLC commits that it will enter into a labor peace agreement before being issued an License

OCCR Enterprises, LLC commits that said labor peace agreement will remain in place during the term of the License.

By: OCCR ENTERPRISES, LLC

Joseph S. Weinberg, Managing Member